

NAPA COUNTY GRAND JURY REPORT ON THE REORGANIZATION OF THE NAPA COUNTY FIRE DEPARTMENT RESPONSE

This report includes the responses of the Napa County Board of Supervisors and staff to the 2011-2012 Final Grand Jury Report on the Reorganization of the Napa County Fire Department. As a preface to those responses, the following overview of County fire operations is presented in order to correct some inaccuracies in the Grand Jury report and provide some context.

State Responsibility Area versus Local Responsibility Area

The introductory paragraph of the Grand Jury report states the following:

“Napa County’s Board of Supervisors (BOS) approved an FY 2011-2012 annual budget of \$8,267,184 for fire protection services provided by the California Department of Forestry and Fire Protection (CAL FIRE). Importantly, all or part of this expenditure may not be necessary because CAL FIRE is mandated to provide fire protection services statewide. Examples of limited, or no CAL FIRE budgeted services can be found in other counties like Sonoma, Colusa, Yolo and Lake. “

While it is true that payments to CAL FIRE vary County to County, the Grand Jury report suggests that CAL FIRE is responsible for the provision of fire services for County lands whether or not a county compensates CAL FIRE for such services. This is not true.

The California Public Resources Code (beginning with Section 4125) states the Board of Forestry is responsible for determining areas in which the financial responsibility for preventing and suppressing wildland fires is primarily the responsibility of the state. These areas are known as the, “State Responsibility Area” for ~~the~~ operational purposes. The following lands are included in the State Responsibility Area:

1. Lands covered wholly or in part by forests or by trees producing or capable of producing forest products.
2. Lands covered wholly or in part by timber, brush, undergrowth, or grass, whether of commercial value or not, which protect the soil from excessive erosion, retard runoff of water or accelerate water percolation, if such lands are sources of water which is available for irrigation or for domestic or industrial use.
3. Lands in areas which are principally used or useful for range or forage purposes, which are contiguous to the lands described above.

The following lands are NOT included within the State Responsibility Area:

1. Lands owned or controlled by the federal government or an agency of the federal government. .

2. Lands within the exterior boundaries of any city, except a city or county with a population of less than 25,000 if, at the time the city and county government is established, the county contains no municipal corporations.
3. Any other lands within the state which do not come within any of the classes which are described in the legal definition of the State Responsibility Area.

Per the definitions above, lands owned or controlled by the federal government or an agency of the federal government are known as the Federal Responsibility Area. Remaining lands within a County that are not designated as a State Responsibility Area or a Federal Responsibility Area become part of the Local Responsibility Area. Lands designated as part of the Local Responsibility Area become the financial responsibility of the local jurisdiction for the provision of fire suppression and life safety services. As shown in Exhibit A, Napa County consists of 505,857 acres of which 364,761 acres (72%) are in the State Responsibility Area, 62,792 acres (12.5%) are in the Federal Responsibility Area and 78,303 acres (15.5%) are in the Local Responsibility Area. The State (through CAL FIRE) is not responsible for fire suppression within the Local Responsibility Area.

It is also important to note that lands in the State Responsibility Area are ~~only~~ the responsibility of the State in terms of wildland fires only. While the State may respond to structure and vehicle fires within the State Responsibility Area as a means to prevent threats to ~~the wildlands areas~~, neither the state nor the local jurisdiction maintains has a legal responsibility to respond to structural fires or for non-wildland fires and life safety calls within the State Responsibility Area. In that sense, "State Responsibility Area" is a misnomer; the State does not assume responsibility for all fire suppression in the geographical area designated as the State Responsibility Area, but only fire suppression of wildlands within the State Responsibility Area.

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Life safety services are those non-fire services that a fire department can opt to provide. Examples include responses to vehicle accidents, hazardous materials response, medical aid calls like heart attacks and other injuries and rescues including confined space and water rescues. As mentioned above, the State (through CAL FIRE), is not required to fund or respond to life safety calls; ~~as their~~ its charge is to protect wildlands areas only. Therefore, if a County opts to provide life safety services to residents in unincorporated areas that fall within the State Responsibility Area, the County, not the State, becomes the responsible party.

Likewise, Counties legally are not required to provide fire suppression and life safety services in the Local Responsibility Areas. Thus, the provision of those services varies from County to County. Local Responsibility Areas either go unprotected or become the financial burden of some local jurisdiction. Regardless, the State through CAL FIRE is not responsible for fire suppression or life safety services within the Local Responsibility Area. By law, incorporated cities are required to fund fire protection services within their jurisdictional boundaries; this requirement does not apply to counties. - Counties are not required to provide fire services so those county lands that fall within the Local Responsibility Area can be managed in a variety of ways.

Some of the most common ways in which counties provide fire suppression services to both the unincorporated Local Response Area and structural fire suppression in the State Responsibility Area are include:

1. The County assumes responsibility for financing and managing fire suppression and life safety services in the Local Responsibility Area and for non-wildland fire response in the State Responsibility Area via the General Fund or other revenue source.
2. An independent fire district is formed to provide service to all or part of the unincorporated areas.
3. A Volunteer Fire Company is formed to provide service to all or part of the unincorporated areas.
4. The unincorporated area is designated as unprotected and fire suppression ~~and life safety~~ services are not available.

An independent fire protection district may be formed by an act of voters pursuant to the California Health and Safety Code. An independent fire district is a local government entity with a governing board or council separate from the City Council or Board of Supervisors, ~~that it~~ provides fire suppression services within specific geographical boundaries that can include often cross multiple cities, a city and into an unincorporated area or a portion of an unincorporated area. Independent fire districts typically receive tax revenue either through a special assessment or parcel tax process or from the shifting or assignment of property tax revenues from a City or County to the special district to fund operations.

American Canyon Fire Protection District began as such a district, providing fire protection (and life safety services) to an area that now includes the City of American Canyon and some of the unincorporated area surrounding the City. American Canyon Fire Protection District became of subsidiary district of the City of American Canyon upon the latter's incorporation. A subsidiary district maintains its separate revenue source for fire protection and life safety services, which cannot be spent on other expenditures but is governed by the members of the City Council sitting ex-officio as the Board of Directors.

In Napa County, the Cities of Napa, St. Helena and Calistoga have ~~City municipal~~ departments that provide fire suppression ~~and life safety~~ services per state law. ~~American Canyon Fire Protection District is responsible for fire protection and life safety services within the City of American Canyon and to some residents of an unincorporated area surrounding the city. American Canyon Fire Protection District was originally formed to be an independent fire district but upon the incorporation of the City, became known as a subsidiary district. A subsidiary district still maintains a separate revenue source for fire protection and life safety services that cannot be spent on other types of expenditures but is governed by the members of the City Council sitting ex-officio as the Board of Directors. Napa County long ago is the jurisdiction that~~ assumed responsibility for ~~non-wildland~~ all fire suppression and life safety services in the unincorporated portion of the Local Responsibility Area and for structural fire suppression and life

safety services in the State Responsibility Area. The Town of Yountville subcontracts with Napa County for fire suppression and life safety services within the Town. ~~shared fire services.~~

Napa County Fire is a County Department under the direction of the Board of Supervisors. The Department ~~includes a~~ provides coverage through a combination of “career” fire stations and personnel, ~~and~~ volunteer stations and firefighters, and contractual agreements with St. Helena, Calistoga and Schell-Vista Fire Departments. The County Fire Department responds to all fire and life safety incidents within the Local Responsibility Area, and all life safety incidents and the majority of non-wildland fires in the State Responsibility Area. The County Fire Department maintains the County Fire Fund ~~—~~ separate from the County’s General Fund ~~—~~ that receives revenue from property taxes, fees and charges for services and other miscellaneous sources. ~~and funds~~ The Fire Fund pays for career salaries, volunteer stipends, and operations and equipment at the both career and volunteer stations. Many of the volunteer departments also maintain ~~a~~ separate non-profit entities to fundraise and provide additional community support to their respective stations.

~~Instead of~~ Rather than directly hiring County employees for the ~~to manage and operate the~~ career portion of Napa County Fire staff, the County has opted to contract with CAL FIRE for the provision of these services. The total contract cost of approximately \$8.3 million in Fiscal Year 2011-2012 includes 69.75 contracted operational staff positions, including firefighters, fire engineers, captains, dispatch operators, support staff, a fire prevention bureau and one Battalion Chief. These positions staff the two County-owned stations, Greenwood Ranch and Yountville and staff a one-year ~~r-~~round engine at each of both the CAL FIRE Napa and St. Helena Stations to provide life safety and non-wild land fire suppression and life safety services in the unincorporated Local Responsibility Area and State Responsibility Areas. The Fire Fund also pays for ~~County also funds~~ staffing at the Napa and Spanish Flat CAL FIRE stations during the winter months in what is known as the “Amador Plan.” The funding allows seasonal CAL FIRE personnel to be retained in the winter months. If the County did not fund these positions ~~stations~~ during the winter months, full fire suppression and life safety services would not be available to County residents during the non- fire season.

The CAL FIRE contract also includes an administrative charge of 11.96%, which ~~includes~~ is comprised of a Statewide Pro Rata rate and CAL FIRE’s Indirect rate. The Statewide Pro Rata rate apportions the cost of providing central administrative services such as the Department of Finance, the State Treasurer, the State Controller and the Department of Personnel Administration. The CAL FIRE indirect rate includes such items as executive administration, legal and accounting services and ~~includes~~ costs associated with administrative and operational support provided at the Unit, Region and Headquarters level. If the County were to cancel the contract with CAL-FIRE, the 69.75 contracted positions would likely be eliminated by the State and no longer in Napa County. CAL FIRE would only maintain such staffing as needed to provide non-structural fire suppression in the State Responsibility Area. ~~to staff the fire department.~~

Napa County Compared to Sonoma County

The Grand Jury made several comparisons to Sonoma County Fire, including a finding that if Napa County had a standalone Department, our residents would experience similar services to what is currently provided and at a significant savings to the County. ~~as demonstrated by Sonoma County.~~ It does not appear that the Grand Jury accurately compared Napa County to Sonoma County in its analysis.

Sonoma County's fire protection structure for the Local Responsibility Area is very different than Napa County's structure. Sonoma County ~~is comprised of~~ includes 1,025,703 acres of which 797,188 acres (77.5%) are in the State Responsibility Area, 27,557 acres (2.5%) are in the Federal Responsibility Area and 200,957 (20%) are in the Local Responsibility Area. ~~As referenced above, Napa County includes three city Departments (Napa, St. Helena and Calistoga), one subsidiary district (American Canyon Fire Protection) and Napa County Fire (including career and volunteer stations) for the unincorporated lands and non-wildland fire events in the State Responsibility Area. The Sonoma County Local Responsibility Area is covered by 26 by comparison includes 26 city fire departments and fire districts that provide services to both incorporated and unincorporated lands. In addition to the County Fire Department which includes 15 volunteer stations. Thus, Sonoma County Fire Department only provides fire suppression and life safety services to a small portion of rural, unincorporated land that is known as County Service Area (CSA) #40. Unlike Sonoma County Fire, Napa County Fire's unincorporated fire service area includes an urban level of fire protection for the Airport Industrial Area. Because Napa County Fire serves large warehouse and hotel spaces, similar to that of a city fire department, staffing levels include four personnel instead of the average two or three personnel necessary in a rural setting like Sonoma County Fire's jurisdiction.~~

Sonoma County does not fund career stations like Napa County because the unincorporated areas not included within ~~the a~~ special fire district (CSA #40) are so minimal that, they can be serviced by Volunteer Stations and through a contract with CAL FIRE for personnel out of existing CAL FIRE stations. Exhibit B depicts Sonoma County and the various fire district jurisdictions that provide services to the Local Responsibility Area and the State Responsibility Area.

In addition, unlike Sonoma County Fire, Napa County Fire's unincorporated fire service area includes an urban level of fire protection for the Airport Industrial Area. Because Napa County Fire serves large warehouse and hotel spaces, similar to that of a city fire department, staffing levels include four personnel instead of the average two or three personnel required in a rural setting like Sonoma County Fire's jurisdiction.

County staff believes that the Grand Jury compared Napa County's Fire Budget to Sonoma County's Fire Budget without taking into consideration ~~these~~ the major differences in fire suppression and life safety response structure. An accurate comparison would have required the Grand Jury to compile the budgets from not just Sonoma County Fire ~~but also and~~ each of the 27 fire districts that provide services to the unincorporated County ~~--~~ and compare that total to the cost of Napa County Fire. The County

attempted to collect this information but was unable to do so in the time period required to process this response.]

Summary

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Inaccuracies in the Grand Jury's understanding of these two fundamental pieces of its analysis- State Responsibility Area/Local Responsibility Area, and differences between the structure of Napa County and Sonoma County fire service provision-distort the context for the findings and recommendations made by the Grand Jury. Hopefully, the correct information provided above will assist the Grand Jury in understanding the required County's responses.

Responses

Finding #1: The Fire Station Deployment Analysis and Master Plan Implementation for Napa County Fire Department, Citygate Report was not a cost benefit analysis.

Response, Napa County Fire Chief: The Napa County Fire Chief agrees with this finding. The Citygate report was not a cost benefit analysis. The primary goal of this report was to look at overall deployment issues and structural frameworks for the Napa County Fire Department. This report remains in draft form, and was not formally accepted to be implemented by the Board of Supervisors.

Response, Napa County Executive Officer: The County Executive Officer agrees with this finding and incorporates by reference the response and explanation of the Fire Chief. County staff does not intend to continue the Citygate study nor recommend the report for implementation at this time.

Response, Napa County Board of Supervisors: The Board of Supervisors agrees with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer.

Finding #2: Presently, there is no job description for the NCFC. The NCFC operates under the State CAL FIRE 6 County Unit Chief job description.

Response, Napa County Fire Chief: The Napa County Fire Chief disagrees with this finding. At the time the Grand Jury report was published, there was no formal job description for the Napa County Fire Chief. On June 5, 2012, the County Board of Supervisors approved the Fiscal Year 2012-2013 Agreement for Cooperative Fire Services with CAL FIRE. As part of this contract, the County will fund a full-time Assistant Chief position to act as the Napa County Fire Chief. Napa County Fire Department Policy #2020 provides specific roles and responsibilities for the Napa County Fire Chief. This policy was written partially in response to a recommendation from the 2007 Grand Jury Report, and was first adopted on January 1, 2009. The current policy was revised on February 1, 2010. The policy will need to be updated in response to the changes in the 2012-2013 agreement.

Response, Napa County Executive Officer: The County Executive Officer disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief.

Response, Napa County Board of Supervisors: The Board of Supervisors disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer.

Finding #3: Having the CAL FIRE 6 County Unit Chief who, at the same time, is also the NCFC creates a less than full time commitment and attention to Fire and Emergency Services for Napa County and its taxpayers.

Response, Napa County Fire Chief: The Napa County Fire Chief agrees in part with this finding. The Board of Supervisors has recognized this issue, and has recently approved the creation of a new Chief Officer position for the Napa County Fire Department. This position will be filled by an Assistant Chief from CAL FIRE, and applications are currently being accepted from CAL FIRE employees qualified and interested in this job. ~~This position will replace the CAL FIRE Sonoma-Lake-Napa Unit Chief as the Napa County Fire Chief. This position will fill the role of the Chief for the Napa County Fire Department, and their responsibilities will be focused on Napa County.~~

Response, Napa County Executive Officer: The County Executive Officer agrees with this finding and incorporates by reference the response and explanation of the Fire Chief.

Response, Napa County Board of Supervisors: The Board of Supervisors agrees with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer. The Board of Supervisors has appointed Supervisor Diane Dillon, Supervisor Keith Caldwell and County Executive Officer Nancy Watt to interview and select the incumbent.

Finding #4: An assessment of CAL FIRE services vs. cost of a full service NCFD as a result of a Cost Benefit Analysis has not been completed.

Response, Napa County Fire Chief: The County Fire Chief agrees with this finding.

Response, Napa County Executive Officer: The County Executive Officer agrees with this finding.

Response, Napa County Board of Supervisors: The Board of Supervisors agrees with this finding.

Finding #5: If Napa County had a standalone Fire Department, without the CAL FIRE Agreement, Napa County residents could experience similar services as to what is now provided, at a significant savings to the County as demonstrated in Sonoma County.

Response, Napa County Fire Chief: The Napa County Fire Chief disagrees with this finding. The finding implies that Sonoma County is a similar fire department model to Napa County. These two systems have minimal similarities and it is difficult to compare them for cost or operational purposes. As stated in the introductory comments, Napa County includes three city Departments (Napa, St. Helena and Calistoga), one subsidiary district (American Canyon Fire Protection) and Napa County Fire (including career and volunteer stations) for the unincorporated Local Responsibility Area lands and ~~non-wildland structural~~ fire events in the State Responsibility Area. Sonoma County by comparison includes 26 city fire departments and fire districts that provide services to both incorporated and unincorporated lands in addition to the County Fire Department which includes 15 volunteer stations. Sonoma County Fire only

provides fire suppression and life safety services to a small portion of rural, unincorporated land that is known as CSA #40. Unlike Sonoma County Fire, Napa County Fire's unincorporated fire service area includes an urban level of fire protection for the Airport Industrial Area. Because Napa County Fire serves large warehouse and hotel spaces, similar to that of a city fire department, staffing levels include four personnel instead of the average two or three personnel necessary in a rural setting like Sonoma County Fire's jurisdiction.

Sonoma County does not fund career stations like Napa County because the unincorporated areas not included within a special fire district are so minimal, they can be serviced by Volunteer Stations and through a contract with CAL FIRE for personnel out of existing CAL FIRE stations.

Response, Napa County Executive Officer: The County Executive Officer disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief.

Response, Napa County Board of Supervisors: The Board of Supervisors disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer.

Finding #6: There is a reasonable probability of saving a major part of the \$8,267,184 CAL FIRE contract budget if Napa County transitions CAL FIRE services to the NCFD.

Response, Napa County Fire Chief: The County Fire Chief disagrees with this finding. If Napa County were to transition services to a Napa County Fire Department not staffed by CAL FIRE, decisions would need to be made as to the level of service provided and how such services would be structured, especially for the more urban areas including the Airport Industrial Area. If an all volunteer model were proposed, there could be substantial cost savings; however, it is unlikely that Napa County could structure an entire Department on a volunteer basis without impacting, reducing, or in some cases, offering no services. Volunteers are not compensated as staff and therefore may not always be available to respond as needed. An all volunteer department runs the risk of some calls going unanswered due to the availability of volunteers.

It is also important to note that Napa County receives substantial benefits and resources as a result of the cooperative agreement with CAL FIRE at no cost to the County. For example, the recent fire in the Coombsville area (Local Responsibility Area) resulted in the use of significant CAL FIRE resources that would not have been available if the County ended the CAL FIRE contract. At this incident alone, the County received the support of six engines, two fire crews, two bulldozers, one air attack, two air tankers and two helicopters.

The Grand Jury did not provide evidence to that there would be a cost savings should Napa County transition to the same model with the exception of personnel being Napa County, not CAL FIRE employees. Absent an in-depth study, it is difficult to determine potential savings and or service level changes.

~~The cost of CAL FIRE services are based upon rates that are set by the State of California. Should Napa County transition these services to the Napa County Fire Department, there would need to be a decision made as to how these services would continue, especially the more urban services provided in the Airport Industrial Area. It is not probable that Napa County would be able to find personnel to provide these services on a volunteer basis. The contract with CAL FIRE brings substantial benefits through shared services between state and county resources that are difficult to quantify. If Napa County were to discontinue the cooperative relationship with CAL FIRE, these resources may not be available in serious situations. The County Fire Chief believes that should an all volunteer model for Napa County Fire Department be proposed, there would be significant savings, however, there would also be a significant reduction in services and in some cases, no services. Volunteers are not compensated as staff and therefore may not always be available to respond as needed. An all volunteer department runs the risk of some calls going unanswered due to the availability of volunteers. There is no evidence at this time that supports a substantial cost savings should Napa County transition to the same model with the exception of personnel being Napa County, not CAL FIRE employees. Absent an in-depth study, it is difficult to determine potential savings and or service level changes.~~

Response, Napa County Executive Officer: The County Executive Officer disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief.

Response, Napa County Board of Supervisors: The Board of Supervisors disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer.

Finding #7: The transition from CAL FIRE to an independent Sonoma County Fire Department has resulted in reduced fire protection expenses in Sonoma County.

Response, Napa County Fire Chief: The County Fire Chief disagrees with this finding. This finding is confusing and misleading. While some limited contracts did exist between CAL FIRE and Sonoma County, transitions of these contracts occurred almost three decades ago. Because the scope and costs of these contracts occurred so long ago, it is impossible to provide any level of comparison today. Therefore, it is impossible to say with any certainty that fire protection expenses were reduced. It should be noted, however, that CSA#40 still maintains agreements with CAL FIRE today for both year round and Amador services.

Response, Napa County Executive Officer: The County Executive Officer disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief.

Response, Napa County Board of Supervisors: The Board of Supervisors disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer.

Finding #8: Currently dispatch of Fire/EMS is provided by CAL FIRE at \$230,000 annually. The existing Napa Central Dispatch could provide these fire dispatch services at a savings to the County.

Response, Napa County Fire Chief: The Napa County Fire Chief disagrees with this finding. Because we have no comparison of costs between CAL FIRE dispatch and Napa Central Dispatch, it is impossible to state with any certainty that the County would experience any savings.

Response, Napa County Executive Officer: The County Executive Officer disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief. The County of Napa contracts with Napa Central Dispatch for Sheriff dispatch services. In Fiscal Year 2011-2012, the County budgeted \$1.9 million for Sheriff dispatch services. While the Sheriff Department may require a higher level of dispatch service than the County Fire Department, staff has not requested nor is aware of what the cost of dispatch would be if services were provided by the City of Napa. f the cost of dispatch for fire services. The Grand Jury did not provide cost data showing a potential cost savings and absent requesting cost data from the city, it is unknown what the cost and potential savings would be if the County transitioned services to the City of Napa. Additionally, CAL FIRE's dispatch center is a "Command and Control" an incident command dispatch center, Napa City's is not. CAL FIRE's dispatch system, staffed by Fire Captains and a Battalion Chief allows them m dispatch operator to assess the reported situation, make decisions and order appropriate resources for the incident prior to a ground or air unit arriving on scene. This contributes to decreased response times for multiple resources. Napa City's dispatch center processes calls, incident command and resources requests are usually not determined are not determined or ordered until after the first unit arrives on scene. If Napa County Fire were to contract with Napa City Dispatch instead of CAL FIRE, the level of service provided would change.

Response, Napa County Board of Supervisors: The Board of Supervisors disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer.

Finding #9: The very complex economics and multifaceted fire protection services of Napa County need to be better understood by the Napa County residents.

Response, Napa County Board of Supervisors: The Board of Supervisors agrees with this finding.

Finding #10: The very complex economics and multifaceted fire protection services of Napa County need to be clearly understood by the leadership of the County.

Response, Napa County Board of Supervisors: The Board of Supervisors agrees with this finding.

Finding #11: The current CAL FIRE agreement with Napa County is \$8,267,184 which includes an "Administrative Charge" of 11.96% equaling \$988,755 in the 2011-12 FY. This \$988,755 savings could be allocated for administration of a NCFD.

Response, Napa County Fire Chief: The Napa County Fire Chief disagrees with this finding. Administrative charges are standard charges imposed by all governmental agencies to cover the costs to oversee various departments or functions. Without further study, it is impossible to say how any savings from the administrative rate would be utilized by the County. Like CAL FIRE, Napa County also has administrative charges for services like workers compensation, information technology services and computer usage, fleet maintenance and mileage, payroll process, human resources support, etc. charges

~~administrative fees, these types of costs would still be incurred. If the Fire Department had paid County personnel, Napa County's administrative costs would increase and the Fire Fund's allocation for administrative services would likely transfer from one agency to another. -would still impose their going rate and administrative fee to oversee the department. It is important to point out that the administrative charge will not disappear; rather it will simply transfer to another agency.~~

Response, Napa County Executive Officer: The County Executive Officer disagrees with this finding. The Grand Jury did not provide specific cost information to indicate that savings could be achieved by transitioning to an independent agency. Absent an analysis of the total cost to provide fire services including administration and County overhead costs, it is impossible to determine whether funds for CAL FIRE administrative costs would be available for County administrative costs.

Response, Napa County Board of Supervisors: The Board of Supervisors disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer

Finding #13: Substantial accumulated County Fire Funds, of approximately \$10,000,000 are available that could be used for transition from CAL FIRE to a full service volunteer and career NCFD.

Response, Napa County Executive Officer: The County Executive Officer agrees in part with this finding. While it is accurate that the County Fire Fund maintains a fund balance of approximately \$10 million, a study has not been done that would identify costs of transitioning from CAL FIRE to an independent fire department. As mentioned in the introductory comments, the County has access to a significant resources as part of its relationship with CAL FIRE that it may not be able to afford as an independent fire department. The Napa County Fire Department has significant capital and equipment replacement needs in the coming fiscal years. The County is expected to spend down some of the fund balance to meet these needs while still maintaining a healthy fund balance for reserve purposes. Absent an analysis to determine what resources would be necessary to transition to an independent department, it is difficult to assess whether the fund balance available would allow for such transitions.

Response, Napa County Board of Supervisors: The Board of Supervisors agrees in part with this finding as described by the County Executive Officer

Finding #14: The Volunteer Departments in Napa County are very cost effective providers of Fire/EMS services.

Response, Napa County Fire Chief: The Napa County Fire Chief agrees with this finding. There is very clearly a high value equated to the services provided by the volunteer firefighters in the Napa County Fire Department. It is recognized and deeply appreciated, and every effort is made to strongly support this valuable resource.

Response, Napa County Executive Officer: The County Executive Officer agrees with this finding and appreciates the many hours volunteer firefighters contribute to make Napa County a safe and great place to live.

Response, Napa County Board of Supervisors: The Board of Supervisors agrees with this finding. Volunteer Fire Departments are an important part of this community. The dedication of each volunteer firefighter does not go unnoticed and is appreciated by the Board of Supervisors.

Finding #15: In Napa County, CAL FIRE has discouraged the use of volunteers.

Response, Napa County Fire Chief: The Napa County Fire Chief disagrees with this finding. Whenever possible, it is the goal of the career staff to improve upon the relationship between the paid and volunteer members, and provide the highest level of cooperation possible. At every level of CAL FIRE, we believe the combination paid and volunteer model is the most efficient and appropriate model for Napa County.

Response, Napa County Executive Officer: The County Executive Officer disagrees with this finding. The Grand Jury did not include specific examples in the report and the County Executive Officer and her staff have not been made aware of specific situations where CAL FIRE has discouraged the use of volunteers. While the County Executive Officer does not believe the use of volunteers has been discouraged, she does acknowledge that the current relationship with the Volunteer Departments is strained and in need of improvement. Staff in the County Executive Office has made attempts in recent months to improve communication between the County, CAL FIRE and the Volunteer Departments. For example, a County staff person regularly attends the Fire Department Advisory Board Meetings to share the County's perspective and represent the County Executive Officer at these meetings. The County Executive Officer would appreciate hearing of specific examples in order to better provide direction to the Napa County Fire Department.

Response, Napa County Board of Supervisors: The Board of Supervisors disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer. The Board of Supervisors also acknowledges that the relationships with the Volunteer Departments needs improvement and is committed to working with the County Executive Officer, the Napa County Fire Department, CAL FIRE and the Volunteers to progress as a unified department. The Board of Supervisors would appreciate hearing of specific examples in order to better provide direction to the Napa County Fire Department.

Finding #16: CAL FIRE has ignored volunteer chief's recommendations.

Response, Napa County Fire Chief: The Napa County Fire Chief disagrees with this finding. Volunteer chief's recommendations are not ignored. It is acknowledged that at times a recommendation will not be acceptable to the Napa County Fire Chief, and therefore not implemented. But it must be pointed out that disagreeing with a recommendation and choosing not to implement it does not mean it is ignored.

Response, Napa County Executive Officer: The County Executive Officer disagrees with this finding. The County Executive Officer and her staff have not been made aware of specific situations where CAL FIRE blatantly ignored a Volunteer Chief's recommendation. The County Executive Officer agrees that there may be times where a volunteer chief's recommendation or request is not implemented. County staff

has been participating regularly with the Volunteer Chief's Advisory Board and is available to discuss concerns.

Response, Napa County Board of Supervisors: The Board of Supervisors disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer.

Finding#17: The NCFC does not sufficiently encourage volunteer recruitment.

Response, Napa County Fire Chief: The Napa County Fire Chief disagrees with this finding. Recently, Napa County Fire participated in an effort to successfully secure a SAFER Grant for almost \$1.3 million solely for the recruitment of volunteers. The Napa County Fire Chief strongly supported the implementation of this grant. The grant will span a total of 4 years, and will provide full reimbursement, up to \$3,000 per year, of any type of educational expenses not only for the volunteers themselves, but for immediate family members attending any state supported school of higher education. In exchange, volunteers agree to commit to being an active member of a volunteer department in Napa County. In addition, the Napa County Fire Chief has continuously supported for volunteers in the way of stipend pay, and payment of full membership with the California State Firefighters Association (CSFA). Per the MOU, volunteer recruitment is a collaborative effort between both the Napa County Fire Chief and the Volunteer Chiefs themselves.

Response, Napa County Executive Officer: The County Executive Officer disagrees with this finding. In addition to those efforts indicated in the Fire Chief's response, staff from the County Executive Office is working with a committee of Volunteer Chiefs and Napa County Fire employees to develop and fund the printing of recruitment brochures for any volunteer department in need of some. Staff would appreciate hearing from the Volunteer Chiefs on ways the County can further continue to support recruitment efforts.

Response, Napa County Board of Supervisors: The Board of Supervisors disagrees with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer. The Board of Supervisors would appreciate hearing of ways to better support the recruitment and retention of volunteers to best direct the Napa County Fire Department.

Finding#18: Some volunteer fire departments need outreach to their community, and their community needs to be directly involved with the Volunteer Fire Department boards and operations.

Response, Napa County Fire Chief: The Napa County Fire Chief disagrees with this finding, in part with this finding. While there is agreement that volunteer fire departments should be strongly engaged with their respective communities, the County Fire Chief is unclear on the intent of the statement that the community should be involved in operations. If the intent of the recommendation is to involve the community in the operations of the Napa County Fire Department, the Fire Chief does not agree.

the only legislative Board with authority over The only Board with operational authority over the Napa County Fire Department is and should continue to be the Napa County Board of Supervisors. Most of Some of the volunteer departments do have non-profit volunteer boards that provide oversight off of

fundraising activities, and provide some connection to the community. ~~They have no~~ These Boards do not have legal authority to provide oversight of Napa County Fire Department operational or administrative issues. The Volunteer Chiefs participate on an Advisory Board to the Napa County Fire Department; however, this board makes recommendations to the Fire Chief, not decisions for the Napa County Fire Department.

If the intent of this finding is for the community to be engaged in the operations of the non-profit functions of the volunteer fire departments, the Fire Chief believes it is up to each volunteer fire department to determine what works best for their organization.

Response, Napa County Executive Officer: The County Executive Officer disagrees ~~in part~~ with this finding and incorporates by reference the response and explanation of the Fire Chief.

Response, Napa County Board of Supervisors: The Board of Supervisors disagrees ~~in part~~ with this finding and incorporates by reference the response and explanation of the Fire Chief and County Executive Officer.

Recommendation #1: Napa County write a job description and employ a NCFC who will be independent and separate from CAL FIRE employment, before contracting CAL FIRE services for the agreement year 2013 – 2014.

Response, Napa County Fire Chief: This recommendation has been implemented in part and will not be implemented in part. A newly negotiated agreement between CAL FIRE and Napa County will include the hiring of a new CAL FIRE Assistant Chief to act as the Napa County Fire Chief. This new position will focus on the Napa County Fire Department, including all career and volunteer members. A CAL FIRE duty statement has been written for this position and the duties of the County's Fire Chief are currently written in the MOU between the Volunteer Fire Departments and the County and a County Fire Department policy. As the transition to the new model occurs, County Fire Department documents will be amended or rewritten as necessary to reflect new roles and responsibilities.

Response, Napa County Executive Officer: This recommendation has been implemented in part and will not be implemented in part. The County Executive Officer supports the concept proposed in the Fiscal Year 2012-2013 agreement with CAL FIRE. The County Executive Officer and staff will work with CAL FIRE to transition from having the CAL FIRE Unit Chief as Napa County Fire Chief to an Assistant Chief position that functions as the Napa County Fire Chief. The County Executive Officer will participate in reviewing the effectiveness of the implemented change and make recommendations in future years as necessary.

Response, Napa County Board of Supervisors: This recommendation has been implemented in part and will not be implemented in part. The Board of Supervisors supports the concept proposed in the Fiscal Year 2012-2013 agreement with CAL FIRE. The Board of Supervisors looks forward to implementing this proposal and will participate in reviewing the effectiveness of this change and continue to direct the Napa County Fire Department.

Recommendation #2: The NCFC immediately and actively support the local Volunteer Fire Department Chiefs, their Advisory Board, and governing boards.

Response, Napa County Fire Chief: This recommendation has been implemented for many years. The NCFC has always actively supported the local Volunteer Fire Department Chiefs. The Napa County Fire Chief regularly attends the Napa County Fire Department Advisory Board meetings. This Board historically has met on the second Wednesday of each month for many years, and is comprised of all Volunteer Fire Chiefs, in addition to CAL FIRE employees associated with Napa County. The reference to “governing boards” is misleading. As referenced earlier, the BOS is the only board with authority over Napa County Fire Department. Any boards associated with the Volunteer Departments exist as a support function for nonprofit status or community involvement, and as such, the Napa County Fire Chief provides no direction or oversight to any of these groups.

Response, Napa County Executive Officer: The recommendation has been implemented as described by the Fire Chief. However, County staff is well aware that communication and working relationships between the volunteers, County staff and contracted CAL FIRE staff needs improvement. County staff is committed to improving relationships and hopes that the hiring of a full time Fire Chief is the first step in this process. The County Executive Officer looks forward to a continued relationship with the Volunteer Fire Chiefs and welcomes ideas on how to provide additional support.

Response, Napa County Board of Supervisors: The recommendation has been implemented as described by the Fire Chief. The Board of Supervisors also looks forward to a continued relationship with the Volunteer Fire Chiefs and welcomes ideas on how to provide additional support. As referenced throughout this report, the Board of Supervisors will meet on September 17, 2012 for a study and discussion session on the Fire Department. Volunteer Chiefs have been invited and are encouraged to participate in this workshop.

Recommendation #3: The NCFC immediately and actively support recruitment of new firefighter volunteers.

Response, Napa County Fire Chief: The recommendation has been implemented. A 4 year grant totaling almost \$1.3 million, along with support for stipend pay and other benefits clearly indicates the Fire Chief supports the recruitment of volunteers. The MOU between the Volunteer Chiefs and the County of Napa indicates that recruitment is a shared effort led by the Volunteer Chiefs. Volunteer Chiefs in need of support should present their ideas or concerns at the Advisory Board meetings or to the Fire Chief. The Fire Chief looks forward to discussing new ways to further support volunteer recruitment efforts.

Response, Napa County Executive Officer: The recommendation has been implemented as described by the Fire Chief.

Response, Napa County Board of Supervisors: The recommendation has been implemented as described by the Fire Chief. The Board of Supervisors welcomes ideas on how they can better support volunteer efforts in the future.

Recommendation #4: The NCFC immediately and actively assure the volunteer fire departments governing Boards include at least 1/3 representation of community (non-firefighter) members on their Boards.

Response, Napa County Fire Chief: The recommendation will not be implemented because it is unwarranted and unreasonable. As stated previously, it is misleading to characterize boards that exist to help provide community and nonprofit support as “governing” boards. Because these groups exist solely as a support function for the volunteers, the Napa County Fire Chief has no authority, nor business, to dictate who becomes a member of these groups. These groups maintain their own bylaws separate and independent from the Napa County Fire Department.

Response, Napa County Executive Officer: Response, Napa County Fire Chief: The recommendation will not be implemented because it is unwarranted and unreasonable for the reasons stated by the Fire Chief.

Response, Napa County Board of Supervisors: Response, Napa County Fire Chief: The recommendation will not be implemented because it is unwarranted and unreasonable. The Board of Supervisors is committed to supporting the Volunteer Department’s efforts to **garner full** support **from** their communities but does not feel it is **not appropriate to their place to** dictate representation on **these** ~~their~~ community boards.

Recommendation #5: Replace CAL FIRE Dispatch services for Napa County Fire/EMS with the existing Napa Central Dispatch services which will not alter CAL FIRE dispatch of CAL FIRE units.

Response, Napa County Fire Chief: The recommendation will not be implemented because it is unwarranted and unreasonable. Relocating Napa County Fire/EMS dispatch services to Napa Central Dispatch will add a layer of complexity to the system. Because the City of Napa owns and operates the Napa Central Dispatch, it would require new agreements along with significant modifications to their current facilities and staffing levels in order for this to occur. The Board of Supervisors recently approved the purchase of an Inter-CAD system to allow the dispatch centers to work together more effectively and efficiently and increase response times.

Response, Napa County Executive Officer: Response, Napa County Fire Chief: The recommendation will not be implemented because it is unwarranted and unreasonable for the reasons stated by the Fire Chief. Absent a more detailed study, there is no indication that services could be provided more efficiently or at a lower cost.

Response, Napa County Board of Supervisors: Response, Napa County Fire Chief: The recommendation will not be implemented because it is unwarranted and unreasonable for the reasons stated by the Fire Chief and County Executive Officer.

Recommendation #6: Napa County complete a CBA, by an independent firm, of all the fire protection services provided by CAL FIRE and NCFD before contracting CAL FIRE services for the agreement year 2014 – 2015.

Response, Napa County Fire Chief: This recommendation ~~requires~~ will require further analysis. While a ~~CBA- cost benefit analysis~~ would be welcomed, the Napa County Board of Supervisors will need to direct staff on the preparation and intent of such study. The Board of Supervisors will be holding a Fire Study Session on September 17, 2012, at which time staff will seek direction and discussion on a CBA.

Response, Napa County Executive Officer: Response, Napa County Fire Chief: The recommendation will requires further analysis for the reasons described by the Fire Chief.

Response, Napa County Board of Supervisors: Response, Napa County Fire Chief: The recommendation ~~will require~~ ~~will requires~~ further analysis for the reasons described by the Fire Chief. The Board of Supervisors looks forward to discussing this topic at its study session on September 17, 2012.

Recommendation #7: Within three years, or on the schedule outlined by the CBA, implement the CBA recommendations regarding the CAL FIRE agreement.

Response, Napa County Fire Chief: The recommendation will not be implemented. The Fire Chief cannot support implementation of recommendations that have not yet been made. If a CBA is completed, recommendations will be reviewed with decisions made at that time whether to recommend implementation.

Response, Napa County Executive Officer: ~~Response, Napa County Fire Chief:~~—The recommendation will not be implemented for the reasons described by the Fire Chief. A cost benefit analysis does not necessarily include recommendations; it ~~simply just~~ evaluates the cost and benefits of certain actions. If a cost benefit analysis were to include recommendations, it is not ~~a~~ good policy practice to agree in advance to implement them.

Response, Napa County Board of Supervisors: ~~Response, Napa County Fire Chief:~~—The recommendation will requires further analysis for the reasons described by the Fire Chief and County Executive Officer.