

SPECIAL FIRE PROTECTION DISTRICTS

Summary

The 2002-2003 Sonoma County Civil Grand Jury investigated Sonoma County's eighteen Special Fire Protection Districts. The Jury reviewed budgets and audits, conducted interviews and attended district board meetings. Most meetings were lightly attended, although proper posting had occurred.

The Sonoma County Auditor/Controller's Office audited thirteen of the districts, while five districts used an independent auditor. Yearly audits are required, although a district can elect to be audited bi-annually if approved by the Audit committee. The Jury found the merger of districts, joint-power agreements and inter-governmental contracts have reduced costs and benefited the taxpayer, by decreasing administrative costs, and standardizing training and purchasing.

Reason for Investigation

The Grand Jury received a complaint alleging Brown Act violations by a Fire Protection District. The Grand Jury broadened its investigation to examine all of the districts.

Background

Special Districts are units of local government established by the residents of an area to provide services not provided by the county or cities. Special districts are either enterprise or non-enterprise. Enterprise districts, such as water or sanitation districts, charge fees for their services. Non-enterprise districts get their major source of revenue through property taxes.

Special districts are also classified as either dependent or independent districts. A dependent district operates under the control of a county board of supervisors or a city council. An independent district operates under a local elected board of directors. Fire protection in the unincorporated areas of Sonoma County are provided by eighteen independent Special Fire Protection Districts, two independent Special Community Service Districts and fifteen volunteer fire companies managed and supervised by the Sonoma County Department of Emergency Services. The county also contracts with the California Department of Forestry to provide support at two volunteer fire company locations, Sea Ranch and Wilmar.

Investigative Procedures

The Grand Jury:

1. Interviewed the following persons:
 - Former Fire Protection District Board Member
 - Fire Protection District Board Member
 - District Fire Chief
 - Director of Sonoma County Emergency Services
 - Two auditors from the Sonoma County Auditors/Controller's Office

- Complainant.
2. Reviewed the following documents:
 - Budgets of the eighteen Fire Protection Districts
 - Board meeting agendas from eleven Districts
 - Audits of eighteen Fire Protection Districts
 - Newspaper articles
 - Various written and recorded Board minutes.
 3. Attended:
 - Jury members attended the board meetings of eleven Districts.

Findings

F1. Board meetings are held monthly in each Fire Protection District.

F2. Conflicts were noticed between board members and firefighters in two districts. One Board has hired a consultant to set new goals and provide clear guidance.

F3. The majority of fire districts are staffed by salaried firefighters. All Districts are supported by volunteers, and supervised and managed by non-salaried Boards of Directors elected by the citizens of their districts. The number of volunteer firefighters is in decline.

F4. On July 5, 2002 the Sonoma County Auditor/Controller recommended to the Bennett Valley Board that they conduct a physical inventory of equipment and remove any obsolete equipment from the fixed asset detail ledger. The auditor received a response from the Board that they would comply with the recommendation.

F5. On July 9, 2002, the Bodega Bay Board of Directors improperly conducted a special meeting resulting in a violation of the Brown Act. The Brown Act is a California Law that requires access to meetings and requires the elected officials to let the public speak. It did not appear to be a malicious violation, the agenda was defective since appropriate listings for closed session items were not on the agenda as required by the Act and legal counsel was not present as required. Any closed session that discusses litigation may only be held in conjunction with the Board's legal counsel.

F6. On August 22, 2002 the Sonoma County Auditor/Controller sent a letter to the Schell-Vista Fire Protection District's Board of Directors with the following recommendations:

1. That the District file the Annual Report of Financial Transactions on time each year to avoid late filing penalties.
2. The District update the fixed asset ledger for June 30 by September of each fiscal year and conduct a physical inventory of assets periodically.
3. Revenue from other governments be deposited into the correct Inter-governmental revenue sub-accounts.

The auditor received a response from the Board that they would comply with the recommendations.

F7. The merger of fire districts and the use of joint-power agreements has resulted in

more efficient districts by decreasing administrative costs, standardizing training and purchasing. Within the last ten years The Bellview District merged with Rincon Valley, the Hessel and Twin Hills districts merged to become Gold Ridge, Jenner merged with Monte Rio, and Penngrove and Cotati districts merged to become Rancho Adobe Fire District. The Valley of the Moon Fire District has a joint-power agreement with the City of Sonoma. By contract, the County of Sonoma provides fire administration and management services to the Rancho Adobe Fire District. The Roseland Fire District contracts with the City of Santa Rosa for its fire services.

F8. The new county-wide computer aided dispatch system depends on correct maps. Not all districts have been pro-active in up-dating and correcting their maps.

F9. The Rancho Adobe District provides emergency services for Sonoma State University. The University does not compensate the District for those services.

Conclusions

Mergers, joint-power agreements and inter-governmental contracts make the districts more efficient, reduce costs and benefit the citizens. Some fire districts need to improve compliance procedures as directed by the Auditor/Controller. The Auditor/Controller and other auditors provide insight for the districts to protect taxpayers from district inefficiency. Districts that do not up-date and correct their maps increase risks to citizens within their districts.

Recommendations

R1. The Bodega Bay Board of Directors is urged to meet with its legal counsel to discuss the Brown Act, especially as it applies to meetings, closed sessions and agendas for all meetings.

R2. Fire district boards should enforce continual up-dating and correction of their maps.

R3. The Sonoma County Board of Supervisors and the Rancho Adobe Board should meet with Sonoma State University representatives to negotiate an agreement to compensate the District for its services.

R4. The Jury recommends that other districts consider merging or using joint power agreements and inter-governmental contracts.

Required Responses to Findings

None.

Required Responses to Recommendations

The Bodega Bay Board of Directors: R1

The Sonoma County Board of Supervisors: R3

The Rancho Adobe Board of Directors: R3

The Sonoma County Director of Emergency Services: R2

Board of Directors of all Fire Protection Districts: R2