

FOR EMERGENCY ONLY A REVIEW OF NEVADA COUNTY'S FIRE PROTECTION DISTRICTS

REASON FOR INVESTIGATION

In the last few elections several Fire Protection Districts (FPDs) in Nevada County have submitted ballot measures for Special Taxes but the ballot measures have not passed with the required majority. Additionally, in the last several years there have been three FPDs in the news because of reported irregularities. This Grand Jury decided it was time to review the ten FPDs in Nevada County to see how the citizens of Nevada County are being served.

METHOD OF INVESTIGATION

The Grand Jury interviewed personnel from all ten FPDs in Nevada County plus the two City Fire Departments of Grass Valley and Nevada City and visited many of the FPD's fire stations. The Grand Jury also visited the Grass Valley Interagency Emergency Command Center (ECC) operated by the California Department of Forestry (CDF) as well as interviewed the CDF Regional Fire Chief, Nevada County Fire Marshall, and a Nevada Irrigation District (NID) Water Supervisor. Additionally the Grand Jury reviewed the Local Agency Formation Commission (LAFCo) Municipal Service Review (MSR) on Fire Protection and Emergency Services, dated 1/31/05, and have used some of their numbers in this report.

BACKGROUND

In the distant past Nevada County was served by a few all-volunteer Fire Departments, whose only job was putting out fires. Whether at home or at work volunteers could hear the fire bell or siren and they would drop everything and run or ride to the fire station to get the fire engine and equipment and go put out the fire with buckets or hoses. Today's Fire Protection Districts provide only a vague similarity to those of the past.

FINDINGS

1. All fire agencies in Nevada County participate with and rely on the ECC for communications and dispatching. The ECC has developed a new software program system, "MapTool", which provides key data such as location, access and water sources for firefighters responding to the emergency. This software is also utilized in the field via laptop computers mounted in the fire agencies' apparatus.

2. When a 911 call is received within Nevada County, if it is not a crime related call for the police or sheriff's office, the call is immediately connected to the ECC, which sends a call to the appropriate FPD or City Fire Department. These calls go not only to the fire stations but to pagers worn by volunteers and paid call firefighters.
3. The Nevada County FPDs provide the first emergency response to fire, accident and medical emergencies within their jurisdiction. Services provided by these FPDs include fire prevention, fire suppression, hazardous material response, medical emergencies, highway accidents, rescue and public assistance. Fire suppression accounts for approximately 20% of the total calls.
4. The remaining 80% of calls are non-fire related. They include emergency medical service (EMS), and in some cases advanced life support (ALS), personal assistance, rescue and hazardous material response.
5. In Nevada County, emergency response is provided by the fire departments of the cities of Grass Valley and Nevada City, the ten independent FPDs plus CDF and the US Forest Service. Table A (data from LAFCo MSR) indicates the area served and average response time of the 10 independent FPDs.

Table A
FPD Areas and Response times

Fire Protection District	Area Square Miles	Average Response*
Western Nevada County		
North San Juan FPD	70	10
Penn Valley FPD	92	9
Higgins Area FPD	90	6.5
Rough and Ready FPD	9	5
Central Nevada County		
Ophir Hill FPD	9	5
Peardale/Chicago Park FPD	21	8
Washington Co. Water Dist.	2.5	12
Nev. Co. Consolidated FPD	143	6
Eastern Nevada County		
Donner Summit PUD	100	8
Truckee FPD	66	5

*Average response in minutes

6. Nevada County Consolidated FPD was created by combining five small FPDs resulting in the largest FPD in the county. This FPD is the largest in terms of number of parcels, number of fire stations and square miles of territory.
7. Within each of the three areas of the county there is at least one large FPD that operates twenty-four hours per day, 7 days a week with full time career firefighters. Smaller FPDs are mostly staffed by volunteers or paid call firefighters. See Table B.

8. The Insurance Service Office (ISO) rates all FPDs. The ISO is a nationwide nonprofit service organization that provides rating services to the property and casualty insurance industries. The ISO's Fire Suppression Rating Schedule classifies fire protection into ten categories: Class 1 recognizing the highest level of fire protection and Class 10 recognizing the lowest or no level of fire protection. See Table B

**Table B
Fire Protection Districts on April 1, 2005**

Fire Protection Districts	Fire Stations		Full time Paid Staff		Volunteer or Paid Call	ISO Rating	
	Total	24X7	Chief	Firefighter		Within**	Outside***
Western Nevada County							
North San Juan FPD	3	0	no	0	24	n/a	8
Penn Valley FPD	3	1	yes	7	20	5	8/9
Higgins Area FPD	3	3	CDF*	13	23	4	8/9
Rough and Ready FPD	1	0	no	0	12	5	8
Central Nevada County							
Ophir Hill FPD	1	0	no	2	15	4	8
Peardale-Chicago Park FPD	2	0	yes	3	12	5	8
Washington Co. Wtr. Dist.	1	0	no	0	7	n/a	10
Nev. Co. Consolidated FPD	14	2	yes	21	31	4	8
Eastern Nevada County							
Donner Summit PUD	2	1	CDF*	7	13	5	9
Truckee FPD	6	5	yes	28	14	6	8/9/10

* "CDF" refers to contract with CDF for fire chief

** "Within" refers to within hydrated area and within 5 miles of fire station

*** "Outside" refers to outside hydrated areas that are no further than 5 miles from fire station or / the area beyond.

9. The CDF has four fire stations in Nevada County, one of which is staffed seasonally. CDF shares facilities with two FPDs: Higgins Area FPD, and Truckee FPD.
10. Donner Summit PUD fire department and Higgins Area FPD contract with CDF under the "Amador Plan." This plan allows the fire districts to pay CDF only the differential costs to keep their stations open during the non-fire season months.
11. Outside of the incorporated cities NID provides potable water for all hydrants in the Western and Central part of the county as well as installation of all hydrants. The only limit on the NID water supply to fight an urban wildfire in the hydrated areas is the capacity of storage facilities at the water treatment plants. In rural areas water is provided for fire suppression via raw water hydrants, storage tanks, and canals; otherwise the FPD water tenders are used.
12. Three of the districts, Penn Valley FPD, Donner Summit PUD, and Truckee FPD, operate and staff an ambulance service for their communities. Penn Valley FPD has an

ambulance/rescue assessment that supplements the operation of their ambulance service. Ambulance service for other FPDs is provided by Sierra Nevada Memorial Hospital.

13. All FPDs provide basic life support services training for the firefighters. FPDs that provide ambulance service are staffed with trained paramedics.
14. Firefighters in Nevada County are classified as career full time, part time, paid call or non-paid volunteers.
15. Depending upon the FPD's budget constraints, the compensation for paid call varies. FPDs reimburse volunteers for their expenses at different levels.
16. There is cooperation among all Nevada County FPDs exhibited primarily by the mutual aid and automatic aid agreements that insure help if one district needs outside assistance.
17. Since the passage of Proposition 13 in 1978, tax rates for FPDs have been frozen thus greatly limiting FPD revenues. This makes it especially difficult for FPDs in growth areas that need to make the transition from volunteer staffing to career full time firefighters.
18. FPDs receive revenue from a variety of sources: property taxes, special taxes, special assessments, Proposition 172 revenues and Proposition 218 assessments, mitigation fees, ambulance fees, grants and fund raising events. See Table C.
 - Most FPDs receive some revenue from property taxes although the property tax percentages that are used to determine the FPD revenue vary greatly from area to area. FPDs formed after 1978 receive very little, if any, property tax revenue.
 - Mitigation fees from building permits can provide additional revenue for capital growth expenditures. These funds only come from new development on parcels within the district.
 - Proposition 172 authorized an additional half-cent sales tax to be used exclusively for public safety services provided by local government. The Nevada County Board of Supervisors has in recent years authorized 7.75% of these funds to be distributed to the FPDs.
 - Proposition 218 defines the difference between a "special tax" and a "special assessment." A special tax requires a two-thirds majority vote in an election. A special assessment requires a simple majority from ballots mailed to property owners.

**Table C
Fire Protection District
Revenue Sources**

Fire Protection District	Parcels in District	2002/03 Expense (\$K)	Prop. Taxes to FPD (\$K)	Prop. Taxes as % of Revenue	Assessment Per Parcel	Prop. 172 Fees (\$K)
Western Nevada County						
North San Juan FPD	1679	280	99.8	72%	\$27.50	20.5
Penn Valley FPD	5076	1,966	265.3	25%	\$11.22	64.1
Higgins Area FPD	3857	1,076	758.9	60%	\$25.00	47.5
Rough and Ready FPD	657	141	131.2	66%	\$0.00	16.9
Central Nevada County						
Ophir Hill FPD	1598	267	267.3	62%	\$0.00	31.2
Peardale/Chicago Park FPD	1952	299	131.0	35%	\$58.00	14.2
Washington Co. Water Dist.	170	3	0	NP*	\$0.00	2.8
Nev. Co. Consolidated FPD	16,342	2,480	1,919.0	70%	\$89.00	212.5
Eastern Nevada County						
Donner Summit PUD	209	714	0	11%	\$100.00	10.0
Truckee FPD	14,005	3,236	2,873.1	73%	\$0.00	0

*NP – Not provided

19. Special tax ballot measures can limit the number of years they will be in effect. Some of those tax measures are now expiring. Nevada County Consolidated FPD, Rough and Ready FPD, Higgins Area FPD and Penn Valley FPD have in recent election years had ballot measures asking for a special tax. None of these tax ballot measures received the required two-thirds majority required to pass.
20. In the LAFCo MSR it was reported that several FPDs were operating with deficit spending. This has forced them to expend dollars from equipment/apparatus reserves for operational expenses.
21. In 2004, Nevada County Consolidated FPD mailed a ballot to all parcel owners for a special assessment under Proposition 218. It passed with a 72% majority. This assessment of \$89 per improved parcel will go into effect in July 2005. Other FPDs are considering this approach since only a simple majority of parcel owners is required.

CONCLUSIONS

1. The citizens of Nevada County appear to be well served by the cooperative emergency response made by dedicated career and volunteer firefighters of the FPDs and the city fire departments.
2. The job title of “firefighter” may be misleading to the public since 80% of their calls are non-fire related. These firefighters provide full emergency services to Nevada County.

3. The smaller volunteer FPDs have an obvious professional pride. These firefighters have the same mandated training, equipment and commitment as the larger FPDs with a career staff.
4. Many of the FPDs transitioning to a career firefighting staff are struggling financially primarily due to labor related costs, i.e. salaries, medical insurance, workers compensation, training and pensions. The costs of emergency services are increasing faster than the property tax, special tax and assessment revenues for the FPDs.
5. It is now more difficult to recruit and retain paid call and volunteer firefighters especially for the all-volunteer fire departments. The inequities of pay and reimbursement for paid call and volunteers between FPDs does not make it easier.
6. It appears that consolidation is not a popular topic. Communities with smaller FPDs do not want the loss of local control that is perceived to come with consolidation. At the same time these communities do not want to support their FPDs with additional funding. If consolidation can improve services, avoid duplication, and reduce costs, it may be the only answer for FPDs with inadequate funding.

RECOMMENDATIONS

1. The Grand Jury recommends that each member of the Nevada County Board of Supervisors visit each of the FPDs in their district to better understand the challenges that these dedicated firefighters face every day.
2. The Grand Jury recommends that efforts be taken by the Nevada County Board of Supervisors to increase financial support for the FPDs. For example, the Board of Supervisor could consider increasing the percentage of Proposition 172 allocations to the FPDs.

RESPONSE REQUIRED

Board of Supervisors 90 days

COUNTY OF NEVADA

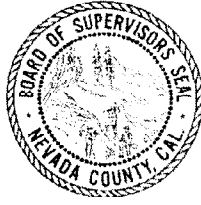
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John Spencer, 3rd District
Robin Sutherland, 4th District
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August 10, 2005

Received

AM 8/10/05

The Honorable Judge Al Dover
Presiding Judge of the Nevada County Courts
Nevada County Court House
Nevada City, CA 95959

Subject: Board of Supervisors Responses to the 2004-2005 Nevada County Civil Grand Jury Report: For Emergency Only - A Review of Nevada County Fire Protection Districts

Dear Judge Dover:

The attached responses by the Board of Supervisors to the 2004-2005 Nevada County Civil Grand Jury Report, For Emergency Only - A Review of Nevada County Fire Protection Districts, are submitted as required by California Penal Code §933.

These responses to the Grand Jury's Findings and Recommendations were approved by the Board of Supervisors at their regular meeting on August 9, 2005. Responses to Findings and Recommendations are based on personal knowledge, review of official County records and information received from the County Executive Officer.

The Board of Supervisors would like to thank the members of the 2004-2005 Grand Jury for their participation and effort in preparing their Reports, and their participation in the Grand Jury process.

Sincerely,

Ted S. Owens
Chair of the Board

Attachment

cc: Foreman, Grand Jury
Rick Haffey, County Executive Officer

**NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO
2004-2005 CIVIL GRAND JURY REPORT**

**“FOR EMERGENCY ONLY -
A REVIEW OF NEVADA COUNTY FIRE PROTECTION DISTRICTS”**

Responses to findings and recommendations are based on either personal knowledge, examination of official county records, review of the responses by the County Executive Officer, or testimony from the Board Chair.

I. GRAND JURY INVESTIGATION:

“For Emergency Only - A Review of Nevada County Fire Protection Districts”.

The Board of Supervisors wishes to compliment the Grand Jury on its thorough investigation of the 12 (twelve) separate local fire protection agencies (10 Fire Protection Districts (FPD) and the 2 City Fire Departments) in Nevada County, as well as the Grass Valley Interagency Emergency Command under the auspices of the California Department of Forestry (CDF).

As the Grand Jury is aware, 10 of these 12 entities are governed by independently elected district boards and, in the case of the two cities, governed by their respective elected City Councils. The Board of Supervisors has no jurisdiction or authority over these policy-making bodies. The County of Nevada Board of Supervisors does however, have a responsibility to collaborate and encourage coordination between these agencies. It also has a responsibility to see that land use and building codes are required of new development and enforced in collaboration with the County Fire Marshall. The Board of Supervisors has also collaborated on the development of the new Fire Safe Plan and is looking forward to collaborating on its implementation. It also provides Forest Reserve Funds to the Fire Safe Council for its fuel load reduction program (chipping program). Additionally, the Board of Supervisors has consistently provided a portion of Proposition 172 public safety funds to County fire protection districts even though we have no legal obligation to do so (See response to Recommendation No. 2). In addition, the County contributes substantial resources to emergency situations related and unrelated to fire suppression activities. For example, since 2003 the county has allocated over \$203,000 in direct Homeland Security emergency services funds to the districts for bio-terrorism equipment and training. The districts also benefit and jointly share in other emergency equipment and services funded by Homeland Security grants such as enhanced radio communication capabilities, improved dispatch links, and bio-terrorism response trailers.

It must be again emphasized that the Board of Supervisors has no jurisdiction or authority over these independent agencies even though we allocate limited public safety funds and resources to help augment the fire protection services they provide to our community. Since we have no direct supervision or control over their operations, we have repeatedly trusted the Findings and Conclusions of the Grand Jury to help ensure the citizens of Nevada County are receiving the highest possible level of fire protection.

Nevertheless, we are providing this response as requested by the Grand Jury in accordance with California Penal Code §933.05. (a) for purposes of subdivision (b) of Section 933.

A. RESPONSE TO FINDINGS & RECOMMENDATIONS:

Findings:

The Board of Supervisors can neither directly agree nor disagree with Findings Nos. 1-17 and Findings Nos. 19-21 as they address fire protection district operations and activities outside the authority, control, and first-hand knowledge of the Board. We have no reason however to doubt the accuracy of the information included in the Findings in this report. Clarifying information is provided in some of the Findings as appropriate.

- 1. All fire agencies in Nevada County participate with and rely on the ECC for communications and dispatching. The ECC has developed a new software program system, "Map Tool", which provides key data such as location, access and water sources for firefighters responding to the emergency. This software is also utilized in the field via laptop computers mounted in the fire agencies' apparatus.**

Agree the ECC, under its' authority and auspices, is responsible for emergency communications and dispatch of fire personnel and apparatus in Western Nevada County.

- 2. When a 911 call is received within Nevada County, if it is not a crime related call for the police or sheriff's office, the call is immediately connected to the ECC, which sends a call to the appropriate FPD or City Fire Department. These calls go not only to the fire stations but also to pagers worn by volunteers and paid call firefighters.**

Agree this is the procedure for processing emergency telephone calls.

- 3. The Nevada County FPDs provide the first emergency response to fire, accident and medical emergencies within their jurisdiction. Services provided by these FPDs include fire prevention, fire suppression, hazardous material response, medical emergencies, highway accidents, rescue and public assistance. Fire suppression accounts for approximately 20% of the total calls.**

Partially agree. There are occasions when local law enforcement (deputy sheriffs, city police, highway patrol, park rangers, etc.) are the first emergency personnel to respond. The low percentage of fire suppression calls is true in most jurisdictions throughout the nation where education, prevention and improved building codes have been emphasized.

- 4. The remaining 80% of calls are non-fire related. They include emergency medical service (EMS), and in some cases advanced life support (ALS), personal assistance, rescue and hazardous material response.**

Agree. Other agencies respond to these emergencies as well, such as the Sheriff's Search and Rescue Team and the Environmental Health Department Hazardous Material Team that

includes a \$20,000 contract with Marysville Fire Department for extreme and unusual HAZMAT situations.

- In Nevada County, emergency response is provided by the fire departments of the cities of Grass Valley and Nevada City, the ten independent FPDs plus CDF and the US Forest Service. Table A (data from LAFCo MSR) indicates the area served and average response time of the 10 independent FPDs.**

**Table A
FPD Areas and Response times**

Fire Protection District	Area Square Miles	Average Response*
Western Nevada County		
North San Juan FPD	70	10
Penn Valley FPD	92	8
Higgins Area FPD	90	6.5
Rough & Ready FPD	9	5
Central Nevada County		
Ophir Hill FPD	9	5
Peardale/Chicago Park FPD	21	8
Washington Co. Water District	2.5	12
Nev.Co. Consolidated FPD	143	6
Eastern Nevada County		
Donner Summit PUD	100	8
Truckee FPD	66	5

* Average response in minutes

Agree

- Nevada County Consolidated FPD was created by combining five small FPDs resulting in the largest FPD in the county. This FPD is the largest in terms of number of parcels, number of fire stations and square miles of territory.**

Agree

- Within each of the three areas of the county there is at least one large FPD that operates twenty-four hours per day, 7 days a week with full time career firefighters. Smaller FPDs are mostly staffed by volunteers or paid call firefighters. See Table B.**

Agree

- The Insurance Service Office (ISO) rates all FPDs. The ISO is a nationwide nonprofit service organization that provides rating services to the property and casualty insurance industries. The ISOs Fire Suppression Rating Schedule classifies fire protection into ten categories: Class 1 recognizing the highest level of fire protection and Class 10 recognizing the lowest or no level of fire protection. See Table B.**

**Table B
Fire Protection Districts on April 1, 2005**

Fire Districts	Fire Stations		Full Time Paid Staff		Volunteer or Paid Call	ISO Rating	
	Total	24X7	Chief	Firefighter		Within**	Outside***
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North San Juan FPD	3	0	no	0	24	n/a	8
Penn Valley FPD	3	1	yes	7	20	5	8/9
Higgins FPD	3	3	CDF*	13	23	4	8/9
Rough & Ready FPD	1	0	no	0	12	5	8
Central Nevada County							
Ophir Hill FPD	1	0	no	2	15	4	8
Peardale-Chicago Park FPD	2	0	yes	3	12	5	8
Washington Co. Water Dist.	1	0	no	0	7	n/a	10
Nev. Co. Consolidated FPD	14	2	yes	21	31	4	8
Eastern Nevada County							
Donner Summit PUD	2	1	CDF*	7	13	5	9
Truckee FPD	6	5	yes	28	14	6	8/9/10

* "CDF" refers to contract with CDF for fire chief

** "Within" refers to within hydrated area and within 5 miles of fire station

*** "Outside" refers to outside hydrated areas that are no further than 5 miles from fire station or / the area beyond.

Agree

9. **The CDF has four fire stations in Nevada County, one of which is staffed seasonally. CDF shares facilities with two FPDs: Higgins Area FPD, and Truckee FPD.**

Agree

10. **Donner Summit PUD fire department and Higgins Area FPD contract with CDF under the "Amador Plan." This plan allows the fire districts to pay CDF only the differential costs to keep their stations open during the non-fire season months.**

Agree

11. **Outside of the incorporated cities NID provides potable water for all hydrants in the Western and Central part of the county as well as installation of all hydrants. The only limit on the NID water supply to fight an urban wildfire in the hydrated areas is the capacity of storage facilities at the water treatment plants. In rural areas water is provided for fire suppression via raw water hydrants, storage tanks, and canals; otherwise the FPD water tenders are used.**

Agree

12. **Three of the districts, Penn Valley FPD, Donner Summit PUD, and Truckee FPD, operate and staff an ambulance service for their communities. Penn Valley FPD has an ambulance/rescue assessment that supplements the operation of their ambulance service. Ambulance service for other FPDs is provided by Sierra Nevada Memorial Hospital.**

Agree

13. **All FPDs provide basic life support services training for the firefighters. FPDs that provide ambulance service are staffed with trained paramedics.**

Agree

14. **Firefighters in Nevada are classified as career full time, part time, paid call or non-paid volunteers.**

Agree

15. **Depending upon the FPDs budget constraints, the compensation for paid call varies. FPDs reimburse volunteers for their expenses at different levels.**

Agree

16. **There is cooperation among all Nevada County FPDs exhibited primarily by the mutual aid and automatic aid agreements that insure help if one district needs outside assistance.**

Agree

17. **Since the passage of Proposition 13 in 1978, tax rates for FPDs have been frozen thus greatly limiting FPD revenues. This makes it especially difficult for FPDs in growth areas that need to make the transition from volunteer staffing to career full time firefighters.**

Partially disagree. Proposition 13 affected all local government not just fire districts. Fire district revenues have not been frozen but are subject to the same Proposition 13 provisions and limitations as are all other local governments including Nevada County.

18. **FPDs receive revenue from a variety of sources: property taxes, special taxes, special assessments, Proposition 172 revenues and Proposition 218 assessments, mitigation fees, ambulance fees, grants and fund raising events. See Table C.**

The Board agrees that fire protection districts receive funds from a variety of sources including those described above. The Board agrees with the distribution of Proposition 172 funds made to the districts in 2002/2003 as listed in Table C. The Board can neither agree nor disagree with

the accuracy of the other data in Table C, as we have no direct knowledge of the source of the information.

- **Most FPDs receive some revenue from property taxes although the property tax percentages that are used to determine the FPD revenue vary greatly from area to area. FPDs formed after 1978 receive very little, if any, property tax revenue.**

Agree. The provisions of Proposition 13 determined the percentage of property tax received by each district. Districts formed after the passage of Proposition 13 are generally restricted from receiving a share of property tax revenues.

Only one fire protection district in Nevada County was formed after 1978 (North San Juan Fire Protection District). The district now receives a percentage of county property tax revenue due to special legislation passed by the State legislature.

- **Mitigation fees from building permits can provide additional revenue for capital growth expenditures. These funds come from new development on parcels within the district.**

Agree

- **Proposition 172 authorized an additional half-cent sales tax to be used exclusively for public safety services provided by local government. The Nevada County Board of Supervisors has in recent years authorized 7.75% of these funds to be distributed to the FPDs.**

Agree. See response to Recommendation No. 2.

- **Proposition 218 defines the difference between a “special tax” and a “special assessment.” A special tax requires a two-thirds majority vote in an election. A special assessment requires a simple majority from ballots mailed to property owners.**

Partially agree. A special tax election held under provisions of Proposition 218 requires a 2/3-majority vote of registered voters for approval. The other method allowed under Proposition 218 is the Ballot Assessment Procedure. This method requires a weighted majority vote of property owners to protest an assessment. If a majority protest is successful, the assessment will not be implemented.

**Table C
Fire Protection District
Revenues Sources**

Fire Protection District	Parcels in District	2002/03 Expense (\$K)	Prop. Taxes to FPD (\$K)	Prop. Taxes as % of Revenue	Assessment Per Parcel	Prop. 172 Fees (\$K)
Western Nevada County						
North San Juan FPD	1679	280	99.8	72%	\$27.50	20.5
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Eastern Nevada County						
Donner Summit PUD	209	714	0	11%	\$100.00	10.0
Truckee FPD	14,500	3,236	2,873.1	73%	\$0.00	0

*NP - Not provided

19. Special tax ballot measures can limit the number of years they will be in effect. Some of those tax measures are now expiring. Nevada County Consolidated FPD, Rough & Ready FPD, Higgins Area FPD and Penn Valley FPD have in recent election years had ballot measures asking for a special tax. None of these tax ballot measures received the required two-thirds majority required to pass.

Agree

20. In the LAFCo MSR it was reported that several FPDs were operating with deficit spending. This has forced them to expend dollars from equipment/apparatus reserves for operational expenses.

Agree this is how some districts elected to fund their operational expenses.

21. In 2004, Nevada County Consolidated FPD mailed a ballot to all parcel owners for a special assessment under Proposition 218. It passed with a 72% majority. This assessment of \$89 per improved parcel will go into effect in July 2005. Other FPDs are considering this approach since only a simple majority of parcel owners is required.

Agree

Recommendations:

- 1. The Grand Jury recommends that each member of the Nevada County Board of Supervisors visit each of the FPDs in their district to better understand the challenges that these dedicated firefighters face every day.**

The recommendation has been implemented.

Each member of the Board of Supervisors fully understands and appreciates the daily challenges faced by the dedicated volunteer and full time firefighters in county fire protection districts and fire departments. Their commitment and service to protecting the lives and property of our citizens is outstanding and their cooperation with other federal, state, and local public safety agencies has contributed to the high level of fire safety awareness and protection in our community.

The Board of Supervisors is directly involved in and supports a wide range of fire safety education, prevention and public awareness activities. We have consistently augmented fire protection funding with discretionary Proposition 172 funds, approved and begun implementation of the Nevada County Fire Safe Plan, partially funded the operation of the Nevada County Fire Safe Council with Forest Reserve funds, and approved AB 1600 fire mitigation funds for each district. The county has additionally provided over \$203,000 in emergency services funding to the districts since 2003 for bio-terrorism equipment and training.

Active Board support of fire protection district and other public safety agency activities also includes regular contact and liaison with them through personal meetings, participation in Nevada County Emergency Services Council activities and frequent coordination with the fire safety community through the County Fire Marshall. Individual Supervisors also work with each fire agency responsible for fire protection in their district on fire safety issues, including fuel reduction, emergency response, and public education and awareness.

The Board of Supervisors fully understands and appreciates the contributions of our firefighters. We will maintain our close relationship with them and continue to seek additional ways to enhance fire protection and safety in Nevada County.

- 2. The Grand Jury recommends that efforts be taken by the Nevada County Board of Supervisors to increase financial support for the FPDs. For example, the Board of Supervisors could consider the percentage of Proposition 172 allocations to the FPDs.**

The recommendation has been implemented.

The Board of Supervisors has been providing augmented financial support to fire protection districts in Nevada County since 1994-1995 through Proposition 172 funding. This funding was initially provided by the County to help maintain acceptable levels of fire protection service following the shift of Education Revenue Augmentation Fund (ERAF) property tax revenues by the state to the schools in 1992-1993 to meet State Constitutional education funding mandates.

As one of only 7 counties in the state to provide Proposition 172 funds to fire protection districts, the Board annually allocates 7.75 % of the revenues received from the additional half-cent sales tax authorized by the voters for the exclusive use of local governments for public safety services. In the recently approved budget for FY 2005-2006, the Board approved the allocation of \$472,530 in Proposition 172 funds to eleven fire protection districts in the unincorporated area of Western Nevada County. Since 1997-1998 the Board has provided a total of \$3,492,564 in Proposition 172 funds to these districts.

The Board of Supervisors is committed to providing augmented financial support to the fire protection districts through Proposition 172 funding. Although the percentage allocation of Proposition 172 funds was reduced from 10% to 7.75% in FY 1995-1996 due to County budget constraints, the county has agreed to consider raising the percentage back to 10% if ERAF relief funds and Proposition 172 funds increase to 10% of the County's portion of Proposition 172 monies.

The Board of Supervisors must carefully balance the public safety needs of the community when allocating limited Proposition 172 funds. In addition to the funds provided to the fire protection districts, the Board also distributes Proposition 172 funds to county agencies and departments including the Sheriff, Corrections, Truckee Operations, District Attorney, Public Defender, Probation, and Juvenile Hall. Proposition 172 funds are also used for funding one-half of the cost of the CDF Fire Planner assigned to the County Planning Department to review land use fire safety requirements. Funding for the County fire protection program conducted in cooperation with CDF also comes from Proposition 172 funds.

Proposition 172 Funds provided to the fire protection districts reduces the amount of discretionary funding going to these other County public safety agencies and departments with equally compelling needs. The Board will continue to provide augmented financial support to the districts but also believes the current allocation formula to be fair in consideration of other public safety funding requirements.

REQUIRED RESPONSES

Board of Supervisors – by August 12, 2005