

COUNTY OF EL DORADO

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August 25, 2020

The Honorable Suzanne N. Kingsbury, Presiding Judge
El Dorado County Superior Court
1354 Johnson Blvd.
South Lake Tahoe, CA 96150

Dear Judge Kingsbury:

Pursuant to Section 933(c) of the California Penal Code, enclosed is the El Dorado County Board of Supervisors' response to the applicable findings and recommendations, as set forth by the El Dorado County Grand Jury in its 2019-20 Reports 19-06 and 19-07; issued on June 15, 2020. The attached response was approved by the Board of Supervisors and is being submitted to the Courts via email.

The Board of Supervisors thanks the Grand Jury for its efforts in reviewing the various aspects of County government and operations, and commends each member for their individual investment of time.

Sincerely,

Brian Veerkamp
Chair, Board of Supervisors

Enclosures: County Response to 2019-20 Grant Jury Reports 19-06 and 19-07

Cc: Grand Jury Foreperson

El Dorado County Board of Supervisors
Response to
El Dorado County 2019-2020 Grand Jury Reports

#19-06: West Slope Fire Protection Update

#19-07: County Airports

#19-06: West Slope Fire Protection Update

The Grand Jury has requested a response from the Board of Supervisors to all findings and recommendations. Responses to all findings and recommendations are also required of the Cameron Park Community Service District Board of Directors, Diamond Springs / El Dorado Fire Protection District Board of Directors, El Dorado County Fire Protection District Board of Directors, El Dorado Hills County Water District Board of Directors, Garden Valley Fire Protection District Board of Directors, Georgetown Fire Protection District Board of Directors, Mosquito Fire Protection District Board of Directors, Pioneer Fire Protection District Board of Directors, Rescue Fire Protection District Board of Directors, CAL FIRE Amador El Dorado Unit, and El Dorado County Local Agency Formation Commission.

FINDINGS

- F1. Long term fiscal sustainability of fire protection on the West Slope of the County is highly questionable.

The Board of Supervisors disagrees partially with the finding.

Fiscal sustainability varies by district. The more rural districts generally receive a lower proportionate share of property tax through the AB 8 allocation formula and have lower assessed value and less opportunity for growth than more densely populated districts. As a result, rural districts' revenues generally have not kept up with the increase in costs of providing fire protection services and many struggle with structural budget deficits; however, not every district is in this situation.

- F2. County citizens on the West Slope experience a wide disparity in fire protection services often masked by Automatic Aid, based on their location and their specific fire district.

The Board of Supervisors disagrees partially with the finding.

As noted above, funding varies across the districts, which affects the level of service an individual district is able to provide; however, the Board is not in a position to comment on how automatic aid affects citizens' experiences.

- F3. Efforts to improve fire protection on the West Slope of the County have been ongoing for many years with limited success.

The Board of Supervisors agrees with the finding.

While the Board agrees with this finding, it is important to note that fire protection encompasses more than the fire and emergency response services provided by local districts. The County has been active in many efforts to improve fire protection, including

participating in the South Fork American River (SOFAR) Cohesive Strategy and supporting the efforts of the Fire Safe County and Fire Adapted 50. In 2019, the County adopted its Vegetation Management and Defensible Space ordinance, with the intent of building on the State's defensible space requirements and providing an enforcement mechanism to achieve communities that are more resilient to wildfire. The Board's ad hoc committee on Fire and Emergency Medical Services has participated in and facilitated many meetings with fire agency leadership to explore ideas to shore up local agencies; however, such efforts have generally not garnered enough support at the local agency board level to move forward.

- F4. Cal Fire has the infrastructure, staffing and expertise to be a major component of a solution to the County's fire district disparities.

The Board of Supervisors agrees with the finding.

The majority of the County is within the State Responsibility Area served by CAL FIRE, and CAL FIRE has a long history of successful collaboration with local communities to assist in delivering fire protection through various models, including a full-service contract to run the Cameron Park Fire Department. The Amador-El Dorado Unit (AEU) has acted as a partner to the County in its implementation of the Vegetation Management and Defensible Space ordinance. The AEU has also demonstrated a willingness to assist local districts, both formally through contracted services, and informally. As noted in the Jury's Finding 5, a holistic view of fire protection is needed in order to identify and implement improvements to the system. Ultimately, it will be up to the local agencies and the citizens they serve to determine what role CAL FIRE should play in their jurisdictions.

- F5. Improvements in the existing fire protection model for the West Slope requires all fire protection districts to take a holistic view of fire protection and the political will to embrace change.

The Board of Supervisors agrees with the finding.

- F6. Fire protection districts on the West Slope have not displayed the ability to take a holistic view of fire protection or the political will to embrace change, to the detriment of all County citizens.

The Board of Supervisors disagrees partially with the finding.

Operationally, the districts, under the leadership of their chief officers, appear to take a holistic view of fire protection and emergency response. The automatic aid system is one example of this ability to view the entire Western Slope as one continuous service area.

There appears to be a lack of political will at the district board level to embrace change, and a desire to continue as autonomous individual units.

RECOMMENDATIONS

- R1. Fire Protection Districts, Cal Fire, BOS and LAFCO should continue discussing ways to improve County fire protection services.

The recommendation has been implemented and will continue to be implemented.

While as noted, fire protection is not an operation under the control of the Board of Supervisors, the Board recognizes the importance of sustainable fire service for the residents of the County. The Chief Administrative Office and the Board of Supervisors ad hoc committee on Fire and Emergency Medical Services have met with fire district board members and chiefs to encourage exploration of options for sustainability. CAO staff is in communication with the Districts and is available to assist with formulation of proposals for district reorganization or other ideas for long-term sustainability.

#19-07: County Airports

The Grand Jury has requested a response from the Board of Supervisors to all findings and recommendations. No other respondent was requested or invited.

FINDINGS

F1. County airport management is stretched thin with other County responsibilities.

The Board of Supervisors agrees with the finding.

F2. Management expects to complete a major analysis of the airports within the next 12 months.

The Board of Supervisors agrees with the finding.

F3. County Policy F-10 is outdated and does not reflect current practice.

The Board of Supervisors agrees with the finding.

F4. There are five main sources of revenue from the airport: ground leases, hanger rentals, tie-down rentals, fuel sales and personal property taxes.

The Board of Supervisors agrees with the finding.

F5. The hanger rental agreement does not include language for rate increases. Insurance limits are not consistent with ground lease or tie-down contracts.

The Board of Supervisors disagrees partially with the findings.

Hangar Rental Agreements reflect the rates that are approved by the Board of Supervisors. The Airports Ordinance requires that fees, rates, and charges for the rental of the hangars be fixed by resolution approved by the Board of Supervisors. Fees, rates, and charges are therefore only capable of being amended by further resolution approved by the board.

As stated in the Grand Jury Report, there are many different versions of the airport hangar leases. This is due in part because of the generally long term nature of such agreements resulting in agreements that are often decades old still being in effect. The County is currently in the process of updating all of the leases as they come due. At the Board's request, County Counsel has reviewed the leases and provided an updated template that is available to use going forward. In addition, County airport staff will be

working with County Counsel and Risk Management to update the hangar rental and tie-down agreements to be consistent with the updated lease template, as applicable.

- F6. The tracking and maintenance of user insurance certificates has been haphazard.

The Board of Supervisors disagrees partially with the findings.

County airport staff have explored different methods of tracking and maintaining user insurance certificates. Staff are working to transition the tracking and maintenance of user insurance certificates to Risk Management.

- F7. Fuel pricing is done by airport staff without management review.

The Board of Supervisors disagrees partially with the findings.

Airport management discusses fuel pricing with airport staff and checks the pricing.

- F8. The semi-developed land parcels on the east side of the Placerville airport are inactive. Potential benefit to the County of continued development has not been adequately explored.

The Board of Supervisors disagrees partially with the findings.

The ad hoc Airport Economic Development Committee has reviewed different options at the east end and at other locations at the Placerville Airport. The work in the airport analysis study has helped with options. Additional information from other airports will aid in adequately exploring all options.

RECOMMENDATIONS

- R1. County airport management needs to complete its airport review in a timely fashion.

Recommendation has not been implemented but will be completed over the next year.

- R2. County Airport Policy F-10 needs to be updated.

Recommendation has not been implemented but will be implemented over the next year.

- R3. Hanger rental agreement should be updated to include current insurance requirements and new language providing for rate adjustments.

Recommendation will not be implemented because it is not reasonable.

The recommendation on the rate adjustment language is not needed due to the rental agreement language already referencing the Airports Ordinance in which the airport fees are adopted by resolution of the Board of Supervisors.

The recommendation on insurance requirements is currently being implemented when new contracts are coming for renewal.

- R4. Insurance certificate verification process should be updated to ensure proof of insurance is kept up to date.

Recommendation has not been implemented but will be implemented over the next year.

Staff is working to transition the insurance certificate verification process to Risk Management.

- R5. County management should develop a fuel pricing review procedure.

Recommendation requires further analysis or study over the next year to determine if a review procedure is warranted.

- R6. Airport management should explore potential increased revenue from the semi-developed parcels at the east end of the Placerville airport.

Recommendation has not been implemented but will be implemented over the next year with the airport analysis study.