



County of El Dorado
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September 15, 2014

El Dorado County Superior Court
Honorable Suzanne N. Kingsbury
Department 3
1354 Johnson Blvd., Suite 2
South Lake Tahoe, CA 96150

RE: Response to Case Number GJ-13-12, Lake Valley Fire Radios

Honorable Judge Kingsbury:

Below you will find my response to the above noted Civil Grand Jury Investigation:

Finding 1.

Gareth Harris, doing business as Tamalpais Emergency Services, provided radio equipment to the Lake Valley Fire Protection District while serving first as the Fire Marshall and Battalion Chief and later as Chief of the District.

Response 1.

I agree with the finding.

Finding 2.

While serving as Fire Marshall and Battalion chief, Harris charged the District 5% over the amounts he paid Kenwood for equipment. Although he certainly has out of pocket costs, the Grand Jury had insufficient information to determine those costs.

Response 2.

I agree with the finding, but I cannot verify its accuracy.

Finding 3.

While serving as Chief, Harris made no profit from the district but charged exactly the sum he paid to Kenwood Communications and to the Board of Equalization. He received no compensation from the District or Kenwood for these sales.

Response 3.

I agree with the finding, but I cannot verify its accuracy.

Finding 4.

Procuring equipment through Harris and Tamalpais Emergency Services saved Lake Valley Fire District substantial amounts of money. Without Harris' assistance in the procurements the District would have

faced significant financial hardship in its effort to comply with FCC requirements to upgrade its equipment. Public safety would have been jeopardized.

Response 4.

I agree with the finding, but I cannot verify its accuracy.

Finding 5.

While serving as Fire Marshall and Battalion chief, Harris had no role in making procurement decisions for the District.

Response 5.

I agree with the finding, but I cannot verify its accuracy.

Finding 6.

The only financial interest Harris may have had in sales to the District after he became Chief were those that might accrue in the future from his continued relationship with Kenwood. These are both speculative and de minimis.

Response 6.

I agree with the finding, but I cannot verify its accuracy.

Finding 7.

Gareth Harris, acting as Tamalpais Emergency Services, did not violate Government Code § 1090 when he sold radios and equipment to the District.

Response 7.

I disagree with the finding, but I believe that any benefit received by Chief Harris was insignificant. I believe that his administrative expenses related to supplying the radios probably exceed the insignificant benefits that he received. It is unclear to me that this transaction is clearly in compliance with Government Code Section 1090.

Recommendation 1.

The Lake Valley Fire Protection District should resubmit its request that a check be issued to Tamalpais Emergency Services in the amount of \$6,784.18.

Response 1.

The recommendation has been implemented.

Recommendation 2.

The Auditor-Controller for El Dorado County should issue the check as requested.

Response 2.

The recommendation has been implemented after receiving certain written representations from the District regarding the matter.

If you have any questions, please feel free to contact the Auditor-Controller's Office at (530) 621-5456.

Sincerely,



Joe Harn

Auditor-Controller

