



A Tradition of Stewardship
A Commitment to Service

Board of Supervisors

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Diane Dillon
Chair

July 14, 2015

The Honorable Rodney Stone
Presiding Judge
Superior Court of California, County of Napa
825 Brown Street
Napa, CA 94559

FILED

JUL 27 2015

Clerk of the Napa Superior Court
By: C. Brennan
Deputy

Dear Judge Stone:

As required by Penal Code Section 933(c), enclosed are the responses to the 2014-2015 Final Report on the Napa County Fire Department Career and Volunteer Firefighters Working Together to Protect Napa County and the Napa County Jail and Department of Corrections Annual Review.

Grand Jury activity takes place over the course of a number of months. The Board acknowledges the members of the 2014-2015 Grand Jury for the time they have devoted in preparing their report.

Sincerely,

Handwritten signature of Diane Dillon in cursive.

Diane Dillon, Chair
Napa County Board of Supervisors

Enclosures

cc: Foreman, 2014-2015 Grand Jury

Brad Wagenknecht
District 1

Mark Luce
District 2

Diane Dillon
District 3

Alfredo Pedroza
District 4

Keith Caldwell
District 5

NAPA COUNTY
RESPONSE TO THE GRAND JURY FINAL REPORT ON
NAPA COUNTY FIRE DEPARTMENT
CAREER AND VOLUNTEER FIREFIGHTERS WORKING
TOGETHER TO PROTECT NAPA COUNTY

JULY 14, 2015

The Grand Jury requested responses from the Board of Supervisors, County Executive Officer, and County Fire Chief which are included below. The Grand Jury also requested responses from the Napa County Treasurer. The Auditor-Controller is responsible for payroll functions. The response to the recommendation is included from the Auditor-Controller with concurrence by the Treasurer.

Finding 1. The FSAC and its sub-committees are not holding regular meetings as required, and the FSAC meetings and agendas are not being published on the County of Napa website for public viewing or access.

Napa County Board of Supervisor's Response: The Board disagrees in part with this finding. Due to the 2014 South Napa Earthquake and severe weather events, several meetings were cancelled. Due to the staff commitment required for these events, meetings were postponed or cancelled due to the availability of time. The Fire Services Advisory Committee (FSAC) established a 2015 meeting schedule and has met on all scheduled dates. Subcommittees are encouraged to meet regularly but scheduling is dependent on the need to meet as well as the participant's schedules. Staff is behind on posting documents to the County of Napa website and is working on updating the website with all agendas, minutes and meeting documentation. Any member of the public that would like to receive documentation by email may contact Stacie McCambridge (stacie.mccambridge@countyofnapa.org) to be placed on the mailing list.

Finding 2. The Napa County volunteer fire companies continue to have concerns with the documents such as the Memorandum of Agreement and the Site Use Agreement (see Appendix).

Napa County Board of Supervisor's Response: The Board agrees with this finding. The Volunteer Fire Chiefs notified the County of Napa of their intent to seek amendments to the Memorandum of Agreement in January 2015. County staff requested additional information

and specific recommendations for change, which were provided to the County on June 17, 2015. County staff is currently in the process of reviewing and will follow-up with the Volunteer Fire Chiefs no later than July 31, 2015. Three of the eight Volunteer Fire Companies have signed Site Use Agreements (Capell Valley's station is owned by the County of Napa and does not need an agreement). Staff has had casual conversations and email exchanges regarding the Site Use Agreements with the some of the remaining five companies but has not received formal notification of outstanding questions or issues to be discussed.

Finding 3. Training and certification continues to be a challenge for the Napa County Fire volunteer members. In order for Napa County fire to maintain and possibly grow the volunteer firefighter ranks, there needs to be greater attention applied to a comprehensive training program that provides ample opportunity for volunteer firefighters to receive the required training.

Napa County Board of Supervisor's Response: The Board agrees with this finding. Staff has engaged the volunteers in discussions regarding training and is aware of the concerns. The Fire Chief, Training Officers for each volunteer company, FSAC and Training Subcommittee recently adjusted training requirements to meet industry standards and enabled certain trainings to be taught within each volunteer company. A task book training platform has been developed as an alternative to the training academy to allow maximum flexibility for those interested volunteers that cannot commit to the rigid schedule of the Annual Volunteer Training Academy. The task book was reviewed and approved by the FSAC on July 9, 2015 and is now in effect.

Finding 4. Payroll for volunteer firefighters that work on cover assignments at Napa County Fire career fire stations or on other fire assignments is not paid in a timely fashion. Receipt of payroll takes anywhere from three to nine months after an assignment has ended. This is a hardship for volunteers that take time off from regular jobs to work on cover assignments.

Napa County Board of Supervisor's Response: The Board agrees with this finding. Cover assignments are facilitated by the State of California using Napa County as a pass through. Cover assignments are not a County requirement and the County does not encourage or suggest that volunteers take time off of work from regular jobs to work on cover assignments. Please see the response to Recommendation No. 4 regarding the County's challenges with this issue.

Recommendation 1. By September 1, 2015, the Fire Service Advisory Committee to establish a regular meeting schedule, circulate the meeting minutes and update the FSAC website within 10 days of every meeting, in order to inform the community and firefighter ranks of scheduled meetings and agendas. In addition, the minutes for each FSAC meeting are to be circulated within 10 days of each meeting to all the members of the Napa County Fire ranks to keep them informed of the issues and the efforts to address them.

Napa County Fire Chief's Response: This recommendation has not been implemented but will be implemented by September 1, 2015. The Fire Services Advisory Committee adopts a meeting schedule at the first meeting of each calendar year. The Fire Services Advisory committee meets the second Thursday of the odd months (January, March, May, July, September, and November) at 1:00pm in the Napa County Board of Supervisors Chambers located at 1195 Third Street in Napa. Special meetings may also be called by the Chair of the committee. Staff is completing the upload by the end of August of all prior meeting agendas, minutes and documents which will be located on the Fire Services Advisory Committee link by accessing: <http://www.countyofnapa.org/CountyFire/>

Any volunteer member or interested community member may be added to the email distribution list by contacting Stacie McCambridge at stacie.mccambridge@countyofnapa.org. Agendas and minutes are sent to each Volunteer Fire Chief. Per the current communication protocol, it is the responsibility of the Volunteer Fire Chiefs to forward the agenda and minutes to their company members.

Napa County Executive Office's Response: The Napa County Executive Office concurs with the response of the Napa County Fire Chief.

Napa County Board of Supervisor's: The Board of Supervisors concurs with the response of the Napa County Fire Chief.

Recommendation 3. By September 1, 2015, the Fire Service Advisory Committee to ask for input from all the Napa County Fire volunteer firefighters with regard to training issues and by December 31, 2015, to present a plan to resolve the identified training issues.

Napa County Board of Supervisor's Response: This recommendation has not been implemented, but will be implemented by December 31, 2015. Working with the Fire Services Advisory Committee Training Subcommittee, the Fire Chief will circulate a survey to all volunteer members by September 30, 2015. The results will be presented to the Training Subcommittee that will be responsible for reviewing responses and formulating

recommendations for consideration by the Fire Services Advisory Committee and the Fire Chief.

Recommendation 4. By December 31, 2015, Napa County Administration staff to implement procedures to pay volunteer firefighters for wages that were earned while on cover assignments within 30 days of their assignment.

Napa County Executive Officer's Response: This recommendation will not be implemented because it is not reasonable. The County of Napa has a contract with the State of California to provide emergency firefighter coverage for the "State mission" whereby volunteers get compensated by the State to respond to non-County fire incidents (i.e. a major wildfire in Northern California) or cover State stations when career firefighters are dispatched to incidents outside Napa County. Acceptance of "cover assignments" is not required by the County and is completely voluntarily. The County does not encourage or suggest that volunteers take time off of work from regular jobs to work on cover assignments. To provide for higher compensation rates to the volunteers as discussed below, the County agreed to serve as a pass-through to allow interested volunteers the ability to provide the resources under an Assistance By Hire Agreement with the State of California. The State is responsible to compensate those that choose to accept State assignments. The County has no control over assignments, timely processing of paperwork by the State, or confirmation of hours worked and payment due—this is all processed by the State of California. This process can take weeks and sometimes months, dependent on the length of the assignment, magnitude of the incident and the accurate completion of paperwork provided directly to the State by the participating volunteers. The County cannot submit or correct paperwork and cannot process payments until the State certifies the hours and participation of each volunteer and notifies the County of pending payment. While the County can discuss the issue of turnaround time with the State of California, staff cannot guarantee the State's process will occur within 30 days.

The County typically processes regular volunteer stipend payments four times per year. Any Assistance By Hire payments authorized by the State of California and passed through to Napa County are included in the quarterly stipend payment processing. Where the County may be able to assist in shortening the timeframe for volunteers to receive Assistance By Hire payments is by running a special "off cycle" payment process when the County receives approval of pending payments from the State of California. Due to the additional workload involved with limited payroll staff, off cycle payroll processes are not optimal and may result in additional costs to the County. However, the County feels it is fair and will run an off cycle process when the State authorized payment totals more than \$1,000 for any one individual and the normal payroll process cycle is more than 30 days in the future .

Alternatively, the volunteer firefighters may sign up to be emergency workers directly with the State of California which may reduce the payment time as the County of Napa would be removed from the pass-through role. The County maintains an Assistance By Hire contract for the benefit of the volunteer firefighters, not the benefit of the County of Napa. This agreement allows the County to set a State payment rate on behalf of the volunteers. The maximum a volunteer firefighter could be compensated by signing up directly with the State of California is \$16.74 per hour. The County's established pass through rate is \$28.42 per hour. The Fire Department continues to serve as the pass through as staff believes that the benefit of the increased compensation rate outweighs the additional time to receive paychecks. If the volunteer firefighters collectively disagree, staff will assist with the transition to direct enrollment with and payment by the State of California. If the volunteer firefighters continue with the pass through arrangement, the Fire Chief will provide to the volunteers an annual notification that Assistance By Hire assignments are voluntary and that the processing timelines that come with the acceptance of any assignment.

Treasurer Office's Response: The Napa County Treasurer's Office concurs with the response of the Napa County Executive Office. The Auditor-Controller's Office, not the Treasurer's Office, is responsible for the processing of payments. The Treasurer's Office defers to the Auditor Controller for additional comment.

Auditor-Controller's Response. Although not named in the report, my office is responsible for processing the checks, and I concur with the response of the Napa County Executive Officer.