

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

920



**FROM:** Executive Office

**SUBMITTAL DATE:**  
September 1, 2009

**SUBJECT: Response to the Grand Jury Report: Riverside County Fire Department CDF/CAL FIRE – Riverside County Volunteer Firefighters**

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Approve with or without modifications, the attached response to the Grand Jury's recommendations regarding Riverside County Fire Department CDF/CAL FIRE – Riverside County Volunteer Firefighters.
- 2) Direct the Clerk of the Board to immediately forward the Board's finalized response to the Grand Jury, to the Presiding Judge, and the County Clerk-Recorder (for mandatory filing with the State).

**BACKGROUND:** On July 14, 2009, the Board directed staff to prepare a draft of the Board's response to the Grand Jury's report regarding County Fire Department CDF/CAL FIRE – Riverside County Volunteer Firefighters.

Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury's recommendations pertaining to the matters under the control of the Board, and that a response be provided to the Presiding Judge of the Superior Court within 90 days.

  
**ROBERT TREMAINE**  
 Principal Management Analyst

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<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:
	Current F.Y. Net County Cost:	\$	Budget Adjustment:
	Annual Net County Cost:	\$	For Fiscal Year:

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30 <input type="checkbox"/>
	Requires 4/5 Vote <input type="checkbox"/>


**C.E.O. RECOMMENDATION:** APPROVE

**County Executive Office Signature** BY:   
Dean Deines

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Buster, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone and Ashley  
 Nays: None  
 Absent: None  
 Date: September 1, 2009  
 xc: E.O. Fire Dept. CDF/CAL FIRE, Grand Jury, Presiding Judge, ACR(2).

Kecia Harper-Ihem  
 Clerk of the Board  
 By:   
 Deputy

**Prev. Agn. Ref.: 3.7 – 07/14/09** | **District:** | **Agenda Number:**

**3.12**

Policy  
 Policy  
 Consent  
 Consent  
 Dept Recomm:   
 Per Exec. Ofc.

Departmental Correspondence



# RIVERSIDE COUNTY FIRE DEPARTMENT

In cooperation with the  
California Department of Forestry and Fire Protection

210 West San Jacinto Avenue • Perris, California 92570 • (951) 940-6900 • Fax (951) 940-6910

John R. Hawkins  
Fire Chief

August 20, 2009

Proudly serving the  
unincorporated  
areas of Riverside  
County and the  
Cities of:

- Hanning
  - Beaumont
  - Calimesa
  - Canyon Lake
  - Coachella
  - Desert Hot Springs
  - Indian Wells
  - Indio
  - Lake Elsinore
  - La Quinta
  - Menifee
  - Moreno Valley
  - Palm Desert
  - Penis
  - Rancho Mirage
  - Rubidoux  
Community Serv.
  - San Jacinto
  - Temecula
  - Wildomar
- Board of Supervisors
- Bob Buster, District 1
  - Jola Tavaglione, District 2
  - Jeff Stone, District 3
  - Roy Wilson, District 4
  - Mamon Ashley, District 5

ATTN: Nicki L. Harris  
Foreperson  
Riverside County Grand Jury  
P.O. Box 829  
Riverside, CA 92502

RE: Response to 2008-2009 Grand Jury Report re Riverside County Fire  
Department CDF / CAL FIRE Riverside County Volunteer Firefighters

Dear Ms. Harris:

Pursuant to California Penal Code §§ 933 and 933.05, *et. seq.*, our office submits the enclosed information in response to the above entitled 2008-2009 Grand Jury Report regarding the Riverside County Fire Department CDF/CAL FIRE Riverside County Volunteer Firefighters.

The timing of the Grand Jury report is fortuitous as CAL FIRE and the Department have been working cooperatively to investigate, audit, and research the implementation of improved practices and procedures to more effectively retain, background, train, supervise and utilize its valued volunteer firefighters to meet the changing needs of the community and the department. Following is an overview of the status of the State-County assessment pertaining to more effective utilization of volunteer firefighters, as it also bears directly on a number of the Grand Jury's Findings and Recommendations.

First, consistent with your first recommendation, the Department and the County Executive Office have recently conducted a cost/benefit analysis to determine the feasibility of establishing its own fire department in lieu of its cooperative agreement with CAL FIRE. The analysis concluded that it would not be cost effective for the County to take on the costs, complexities and liabilities of an independent fire department, given the current effective sharing of County and State resources and infrastructure already in existence. In addition to the County/CAL FIRE agreement, the County contracts to provide cooperative fire services with 18 cities and one Community Service District located throughout the County. Therefore, similar to the County's contract for cooperative fire services with CAL FIRE, these cities also enter into such cooperative agreements with the County to utilize existing State-County fire suppression personnel and resources, in lieu of the substantial and far more expensive task of creating their own fire departments. The RCFD cooperative agreement with CAL FIRE is truly the fire protection model which many geographical regions desire. The integrated, cooperative, regional fire protection system is the desired model for the most effective utilization of infrastructure already in place.

Although the Department does not find it warranted to create a new independent fire department, it has recognized various issues in the department raised by the Grand Jury relating to the qualifications, training, supervision and utilization of volunteer firefighters, and is currently developing a plan to restructure the means by which the Department utilizes volunteer firefighters within the confines of the cooperative fire agreement ("County's Volunteer Firefighter Restructuring Plan").

Currently as you are aware, volunteer firefighters are initially retained through local Volunteer Firefighter Companies (VFCs). When called on for service by the RCFD, they are administered, supervised and paid directly by CAL FIRE and its personnel. As your report indicates, CAL FIRE then bills the County an administrative fee, now at 11%, for providing fire suppression personnel, including volunteers and other services, pursuant to the current terms of the cooperative agreement between the County and CAL FIRE.

RCFD and CAL FIRE are negotiating to modify the costs/terms of their cooperative agreement to reassign the administration, training and utilization of volunteer firefighters from CAL FIRE to the RCFD. The Department is best suited to administer the utilization of volunteer firefighters who provide local responsibility services. The County has both: (1) a Riverside County Sheriff Reserves Program, upon which a Volunteer Firefighter Reserves Program could be modeled; and (2) an effective Temporary Assistance Program ("TAP"), a division of the County's Human Resources Department, that could be used to administer a reserve program. TAP is an in-house temporary employment agency created by the County in 1998 to provide the County an efficient and cost-effective program specifically designed for the efficient retention and utilization of qualified temporary assistance workers, in lieu of far more expensive outside private temporary employment agencies. Since TAP's inception in 1998, it has grown from 200 authorized positions to 2100, encompassing over 100 job duties as needed, ranging from doctors, nurses, law clerks, sworn background investigators, office staff, trainers, teachers and unskilled labor. At any given time, the County actually utilizes approximately 800 to 1500 of the 2100 available TAP positions, depending on need. Thus, TAP already has available positions in which to place volunteer firefighters. State audits of TAP have repeatedly acknowledged its success and efficiency, estimating its costs savings to the County at over \$48,000,000.00 between 1998 and 2006.

Following is an overview of the plan to restructure the administration of volunteer firefighters, subject to any necessary or appropriate changes as may be appropriate:

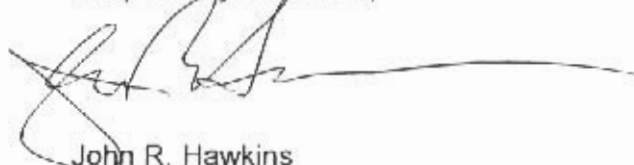
1. CAL FIRE, through its Chief Counsel, and the County, through its Fire Department, County Counsel, Human Resources and Executive Office, are currently amending the existing State-County contract to reassign administration of volunteer firefighters from CAL FIRE to the County Fire Department, addressing the resulting financial, indemnification and other contract implications equitably and lawfully.
2. Riverside County Counsel is currently working with the County Executive Office, County Fire and Human Resources Department to develop a plan to restructure the means by which the County Fire Department utilizes volunteer firefighters. The County's Volunteer Firefighter Restructuring Plan may include the creation of an ordinance establishing a Riverside County Volunteer Firefighter Reserve Program. Any ordinance created will comply with all applicable Health & Safety Code sections pertaining to firefighters standards and training, as well as other applicable employment, wage/hour and related laws. TAP is being considered to administer such a program.
3. The CAL FIRE-County Fire Chief is working with the County Executive Office, County Counsel and Human Resources to ensure uniform and lawful RCFD standards for accepting, training, retention, supervision, utilization and pay of volunteer firefighters.
4. County Human Resources is preparing its existing operations to administer the influx of volunteer firefighters, and to ensure compliance with applicable employment laws pertaining to matters such as workers compensation coverage, wage/hour requirements, etc.



5. Finally, the CAL FIRE-County Fire Chief will contact and work cooperatively with the local Volunteer Firefighter Companies to ensure their continued and valued participation and contribution in the Riverside County Fire Department under the newly formed program.

The goal of the County's Volunteer Firefighter Restructuring Plan is to: (1) improve the effective and efficient utilization of volunteer firefighters to meet the current and changing needs of the department and the community; (2) provide new and improved prophylactic measures to ensure adequate, lawful and uniform background checks, training, retention and supervision of volunteer firefighters; and (3) address and improve existing issues identified in the Grand Jury Report.

Respectfully submitted,



John R. Hawkins  
County Fire Chief

cc: Riverside County Board of Supervisors  
Bill Luna, Riverside County Chief Executive Officer  
Jay Orr, Esq., Riverside County Assistant Chief Executive Officer  
Paul McDonnell, Riverside County Chief Financial Officer  
Bob Tremaine, Principal Management Analyst/Riverside County Contract Administrator  
Ron Komers, Riverside County Assistant CEO/Human Resources Director  
John R. Hawkins, CAL FIRE/Riverside County Fire Department - Chief  
Duane Chamlee, CAL FIRE/Riverside County Fire Department – Deputy Chief  
Loren Snell, CAL FIRE, Assistant Deputy Director  
Giny Chandler, Esq., CAL FIRE Chief Counsel  
Pamela J. Walls, Esq. Riverside County Counsel  
Katherine Lind, Esq., Riverside County Principal Deputy County Counsel  
Synthia Gunzel, Esq., Riverside County Deputy County Counsel  
Lucy M. Williams, Esq., Riverside County Human Resources Deputy Director  
Edward P. Zappia, Esq. THE ZAPPIA LAW FIRM