

2014-2015 GRAND JURY REPORT

Cal Fire/Riverside County Fire Department

Background

CAL FIRE/Riverside County Fire Department (CAL FIRE/RVC) was established in 1946. CAL FIRE/RVC is the fourth largest, full-service fire department in California. Battalion #8 is unique, in that, just four fully-staffed fire stations must cover approximately 4,900 square miles of the eastern desert. It extends from Chiriaco Summit to the west, the California/Arizona border to the east, the Riverside/San Bernardino County line to the north, and the Riverside/Imperial County line to the south. Three of the four fire stations are staffed with a three-person engine company. Fire Station #49, at Lake Tamarisk, is currently staffed with four persons, which include two paramedics.

California State law requires electric utility companies to use renewable energy to produce 20 percent of their power by 2010 and 33 percent by 2020. A main source of renewable power will be solar energy. The California Energy Commission has approved two solar projects located within eastern Riverside County; the Blythe Solar Plant Project and the Genesis Solar Energy Project. The impact to Riverside County Fire Department (RVC) of this large scale industrialization is added potential for accidents and injuries related to the construction and operation of these projects.

The solar projects provide funding to mitigate these impacts. The funding being provided by both projects is required to be utilized by the RVC within the impacted area.

The two solar projects provided a one-time infrastructure funding in the amount of \$850,000 and provide an annual payment of \$375,000 to the RVC/Battalion #8. This funding is for the support of fire department staff, operations, and maintenance commencing with the start of construction and continuing annually thereafter on the anniversary until the final date of solar plant decommissioning.

Currently, CAL FIRE/RVC has mutual aid agreements with San Bernardino County, the Colorado River Indian Reservation, and La Paz County in Arizona.

Methodology

The 2014-2015 Riverside County Grand Jury (Grand Jury) developed this report from the following:

Interviewed:

- CAL FIRE/RVC Fire Chief
- CAL FIRE/RVC Deputy Chief East Operations
- CAL FIRE/RVC Division Chief – East Desert
- CAL FIRE/RVC Division Chief Support Services
- CAL FIRE/RVC Eastern Division Battalion Chiefs
- CAL FIRE/RVC Battalion #8 Captains
- CAL FIRE/RVC Battalion #8 Firefighters
- Riverside County Fire Senior Heavy Equipment Mechanic - Eastern Division
- Riverside County Fire – Technical Division Manager

Toured:

- Battalion #8 - Station #43, City of Blythe
- Battalion #8 - Station #45, Blythe Air Base
- Battalion #8 - Station #46, Riverbend
- Battalion #8 - Station #49, Lake Tamarisk

Reviewed documents:

- Palen Solar Electric Generating System agreement
- Genesis Solar Energy Project agreement
- Palo Verde Solar 1 LLC agreement
- Blythe Solar Power Project agreement
- 1998-1999 Riverside County Grand Jury Report: Riverside County Fire Department
- Riverside County Fire Department, Fire Station Useful Life and Replacement Plan, December 2010
- Battalion #8 Solar Projects Impacts and Mitigation report submitted by CAL FIRE/RVC
- State Bar of California's Rules of Professional Conduct
- California Penal Code §921

Findings

Battalion #8 – Station #43, City of Blythe

1. Station #43, located in downtown Blythe, was built in 1951. The building is too small to accommodate current equipment. The engine and water tender are parked outside the building and are partially covered by canopies. According to the Riverside County Fire Department, Fire Station Useful Life and Replacement Plan, December 2010, Station #43 would need to be replaced after a 50 year life expectancy. Today the station is over 60 years old.

Since July 2011 this station is no longer under contract with the City of Blythe, with the exception of providing mutual aid to the City of Blythe Volunteer Fire Company, when requested. Station #43 primarily services the unincorporated part of eastern Riverside County.

Battalion #8 – Station #45, Blythe Air Base

2. Station #45 is located on Economic Development Agency property, approximately seven miles west of Station #43 in Blythe. The Urban Search & Rescue #45 (US&R) vehicle has been at Station #45 since late 2012. Personnel have received US&R training for the past three years. The US&R vehicle is not fully equipped; therefore, it is not in service. When fully equipped, it will provide improved services to the fire department. Since Station #45 is centrally located, the US&R vehicle would be an essential and valuable asset in all types of emergency situations.

According to the Riverside County Fire Department, Fire Station Useful Life and Replacement Plan, December 2010, Station #45, this is now 40 years old and recommended for replacement in 2025.

Battalion #8 – Station #46, Riverbend

3. Station #46 is located in Riverbend, an unincorporated community, on the Colorado River Indian Reservation. The station, which is not manned, was built approximately 20 years ago by volunteer firefighters. It houses a CAL FIRE/RVC utility truck, one engine and a rescue boat. The boat is only used for annual training purposes. There is neither kitchen nor living quarters at this station. To date, there are only two volunteer firefighters, when available, to work on weekends.

In the event the Colorado River Indian Tribe (CRIT) boundary dispute is settled in the legal system, in CRIT's favor, Station #46 would no longer be viable.

Battalion #8 – Station #49, Lake Tamarisk

4. Station #49 is located in the community of Lake Tamarisk along the Interstate-10 corridor. This station provides services to the communities of Lake Tamarisk, Desert Center, Eagle Mountain and surrounding areas. According to the Riverside County Fire Department, Fire Station Useful Life and Replacement Plan, December 2010, Station #49 which is now 45 years old, and recommended to be replaced by the year 2020. The engine has to be parked outside under a partial cover, since the station is not large enough to hold the newer engines. When staffing levels were increased from three to four, this station was deemed insufficient, with limited living quarters, to accommodate the required personnel, with only one restroom and a shower.

A 1998-1999 Riverside County Grand Jury Report: Riverside County Fire Department, identified improvement needs, which included relocating facilities to other sites for improved service response based on current and future growth.

County Counsel Interference

5. In November 2014 the Grand Jury contacted the CAL FIRE/RVC office to request a copy of a document. The Grand Jury was advised it would be forthcoming. In December, the Grand Jury was informed that the document would be available in a couple of weeks.

Two months later, in February, the Grand Jury made another effort to obtain this document. The CAL FIRE/RVC Chief (Chief) indicated to the Grand Jury he would have to consult with the Riverside County Office of County Counsel (County Counsel) before releasing any information to the Grand Jury. After consulting with County Counsel, the Chief stated he would need the request in writing so that County Counsel could review the request. The Grand Jury asked the Chief to put County Counsel's request in writing and fax it to the Grand Jury office. The Chief's response, after consulting with County Counsel again, was that he could not put the request in writing because it would violate attorney/client privilege.

Recommendations

**Riverside County Board of Supervisors
CAL FIRE/Riverside County, Fire Chief
Riverside County Office of County Counsel, County Counsel**

Battalion #8 – Station #43, City of Blythe

1. CAL FIRE/RVC shall request the Board of Supervisors (BOS) to replace Fire Station #43 and relocate it closer to the Colorado River. Riverside County Mayflower Park is one possibility, which would be more strategically located to respond more efficiently. The new fire station shall be large enough to accommodate all vehicles and equipment.

CAL FIRE/RVC shall be proactive in seeking funds from available grant sources, and request Community Improvement Designation funds from the Riverside County Fourth District Supervisor.

Battalion #8 – Station #45, Blythe Air Base

2. The US&R vehicle shall be equipped with confined space entry equipment, rope rescue equipment, trench shoring, jacks and airbags, cutting torches, saws, and other tools normally carried in US&R vehicles. Additional shoring materials and equipment shall be carried in the existing small utility support trailer, as needed.

CAL FIRE/RVC shall request the BOS to replace Station #45 and be proactive in seeking funds from all potential and viable resources, including grants and solar mitigation funding.

Battalion #8 – Station #46, Riverbend

3. The Grand Jury recommends Station #46 be closed, moving the utility truck and engine to another CAL FIRE/RVC station. To better utilize the rescue boat, CAL FIRE/RVC shall relocate the boat from Station #46 to the new Station #43, which would give better access to rescues and fire suppression on the Colorado River.

Battalion #8 – Station #49, Lake Tamarisk

4. CAL FIRE/RVC shall relocate Station #49 to the property purchased north of the current station, by using solar mitigation funding and available grants.

CAL FIRE/RVC shall look into all possibilities for construction of the new station, such as modular structures.

County Counsel Interference

5. County Counsel shall not interfere with Grand Jury investigations pursuant to California Penal Code §921.

County Counsel shall follow State Bar of California's Rules of Professional Conduct Rule 3-110 Failing to Act Competently and Rule 3-210 Advising the Violation of Law.

Report Issued: 06/08/2015
Report Public: 06/10/2015
Response Due: 09/07/2015

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

| <u>Subject:</u> | <u>Policy</u> | <u>Page</u> |
|---|----------------------|--------------------|
| | <u>Number</u> | <u>Page</u> |
| CONDUCT OF, AND RESPONSE TO, MANAGEMENT AUDITS | A-33 | 1 of 2 |

Policy:

Ordinance 442.3 General Administration items 4 (f) and 4 (g) authorize the County Executive Officer to conduct comprehensive management reviews and investigations of programs, projects and departments. The purpose of this policy is to adopt procedures for implementation of this management audit responsibility. Management audits may originate in several ways:

1. A department head may request an audit;
2. The Board of Supervisors may direct the County Executive Officer to conduct an audit. (This could be done in response to a recommendation of the County Grand Jury);
3. The County Executive Officer may submit a management audit program to the Board of Supervisors for direction as to departments to be audited;
4. As part of his Internal Audits Program, the Auditor Controller may request the County Executive Officer to conduct a management audit;
5. The County Executive Officer may initiate an audit in fulfillment of his responsibilities under Ordinance No. 442.3.

It is the policy of the Board of Supervisors that formal audit reports shall be completed in a timely manner. It is the intent of the Board that once an audit is initiated, it is finalized in fewer than six months unless there are compelling circumstances to warrant an extension.

It shall then be the responsibility of the County Executive Officer or Auditor-Controller to provide an interim progress report to the Board of Supervisors with a written justification for a requested extension of time.

Procedure:

1. For formal audits, the County Executive Officer, or his designee, notifies the department head and Auditor-Controller of the impending audit, and requests that staff be notified and directed to cooperate.
2. Upon conclusion of the audit team's research, a draft Management Audit Report is prepared. Upon approval by the County Executive Officer, it is then transmitted to the department head for confidential review and comment.
3. If the department head disagrees with the report, in part or whole, an effort is made to reconcile the differences.
4. The final audit report may be distributed to the Board of Supervisors, department head, Auditor-Controller, and the Grand Jury (when the audit is a response to a Grand Jury report).

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

| <u>Subject:</u> | <u>Policy Number</u> | <u>Page</u> |
|---|--------------------------|---------------|
| CONDUCT OF, AND RESPONSE TO, MANAGEMENT AUDITS | A-33 | 2 of 2 |

Reponses To All Audit Reports:

1. It is the intention of the Board of Supervisors that the department heads provide an adequate written response to recommendations made by the County Executive Officer or the Auditor-Controller's Office in formally-issued audit reports. To comply with this directive, written replies shall be:
 - a. Received no later than the response-required date contained in the audit report;
 - b. Directed specifically to each recommendation, either agreeing with the recommendation or presenting an explanation for non-concurrence;
 - c. Presented with specific timing for proposed corrective action; and
 - d. Signed by the department head.
2. Upon receipt of a reply to an audit report, the responsible audit office will evaluate it for compliance with this policy.
 - a. If found acceptable, the reply will be processed in accordance with routine internal procedures.
 - b. If found unacceptable, the department head will be contacted, in writing if necessary, and advised of the shortcoming of the reply and the needed corrective action.
3. If in the Auditor-Controller's judgment, a satisfactory reply to his reports cannot be obtained, the County Executive Officer will be requested to assist in obtaining an adequate reply.
4. If the County Executive Officer is unable to obtain satisfactory replies to Auditor-Controller or Executive Office reports, he or she will advise the members of the Board, in writing, of the circumstances, and either recommend Board action or request further direction.

Reference:

Minute Order dated 05/06/1986
Minute Order dated 09/30/1986
Minute Order 3.7 of 11/07/2006