

# CERES FIRE PROTECTION DISTRICT

August 17, 2018

The Honorable Ricardo Cordova  
Presiding Judge  
Stanislaus County Superior Court  
P.O. Box 3488  
Modesto, CA 95353

Dear Judge Cordova,

On behalf of the Ceres Fires District Board members, we are responding to the Stanislaus County Civil Grand Jury's (SCCGJ) finding and recommendations for the report titled "Independent Special Fire District, Relics of the Past or Resources for the Future.

It is our belief that we are for the most part in compliance with the state laws and follow the necessary protocols in managing our small district. In light of this report; however, we can make some improvements based on the findings and recommendations by the SCSGJ with regards to CFPD's compliance with the laws.

The following is the District Board response to the Grand Jury's Finding and Recommendations:

## Findings:

F1: Few districts are in full compliance with state laws in transparency, accountability, and governance.

F1 Response: The Ceres Fire Protection District's Board feels they satisfy compliance with state laws in transparency, accountability and governance.

F2: Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.

F2 Response: Disagree with findings. CFPD directors follow a structured agenda and use Roberts Rule of Order for an effective meeting. We would however welcome a standardized governance training program.

*RC*

- F3: Most district board members are appointed by the SCBOS.
- F3: Response: Accepted but appointments occur for different reasons. Recently our Board made an appointment due to a member's retirement due to health reasons. The cost of an election was prohibitive to fill the position. In general people do not run for open board positions for a variety of reasons including lack of interest, time constraints, low or no compensation, liability issues, public apathy and lack of appreciation and increasing bureaucracy to name a few. Most board's options are limited to attract candidates for election and the bottom line is you can only do so much if people are not interested.
- F4: The SCCGJ observed that some fire districts perceived that they are accountable to the SCCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.
- F4 Response: Accepted. CFPD Board Members are aware that they are accountable to the citizens within our fire district and not the SCCBOS.
- F5: Citizen Participation is lacking at board meetings.
- F5 Response: Accepted. However, for most boards once you satisfy laws for meeting notification, time constraints and financial limitations limit what a board can do to attract participants. In most cases it doesn't matter what you do people are not going to come; most board meetings are rather boring. The lack of public participation is a sign of the times.
- F6: Most board meetings are not welcoming to citizens.
- F6 Response: Disagree. Our District posts the minimum required 72-hour notice for all board meetings and any attendees are always welcome and treated with respect and courtesy.
- F7: Many of the district websites lack required information about governance and finances.

F7 Response: The finding may possibly be accurate, but we do not have a web-site.

F8: No apparent effort exists to increase citizen participation and involvement.

F8 Response: Disagree. There is only so much a board can do to attract participation. Frankly fire board meetings are not that exciting for most people.

F9: The fire districts spend \$26 million yearly with little public scrutiny.

F9 Response: The CFPD can only comment about our \$85K budget. The District meets all laws pertaining to budget and financial information reporting and information availability. In addition, every time there is a fire response or emergency services response the public can evaluate the performance of their district.

F10: While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.

F10 Response: Acceptable.

Recommendations:

R1: All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedure. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018.

R1 Response: The District has not had policies for nepotism or credit card use because the District has no employees or credit cards. The District will implement nepotism and credit card policies on or before 12/31/18. A complete review of all District policies will be completed on or before 6/30/2019



R6: The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for information purposes.

R6 Response: Agreed.

R7: All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by law.

R7 Response: The CFPD Board believes the District is compliant with requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by law. The District will review applicable laws for conformation.

R8: Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted.

R8 Response: The CFPD does not have a website. None of the 3 board members or the administrative consultant have website experience. This is a small district with a \$85K budget spending \$20K for administration including audits, CPA financial reporting, insurance, board compensation, fire prevention measures, state and local reporting, etc. The Board feels spending the remaining budget of \$65K for fire and emergency services is important as opposed to additional administration such as a website. Agendas, minutes and budgets can be posted at the Ceres Fire Department where the Board meets. Additionally, this information will be furnished to interested persons as per request. At our meeting with the SCCGJ May 15, 2018 SCCGJ recommended CFPD not start a web site.

With the City of Ceres Fire Department responding to fire and emergency calls in the CFPD most people think the City of Ceres is their fire district. The City of Ceres maintains an office in the lobby of the fire station staffed by a secretary Monday through Friday. Anyone wanting to

We would like to remind you we are a very small district who currently contracts with the City of Ceres to provide fire and emergency services within our district. The District contracts with the City of Ceres because our financial resources are inadequate to provide acceptable equipment and staffing needs for the District. We have an estimated population of 1,962 in our District that encompasses 4 square miles. Properties in the District include urban, urban transition, small ranchettes and agricultural properties. As the City of Ceres annexes property into the city the district shrinks resulting in reduced parcel and property tax revenue. In addition ongoing increased administrative bureaucracy and increased administrative expenses consume financial resources which ultimately challenges the District to provide adequate fire and emergency services for the District.

We would welcome SCBOS to provide basic guidelines of the California laws that should be governing each of the 14 independent fire districts and assistance in developing a standard policy manual and over-sight on short course governance training.

I can assure you that our Board takes their positions seriously as we are accountable to the citizens within our district and want to make sure we are conducting districts business with the utmost transparency.

Kind Regards,



Gary Marchy,  
CFPD Board Member, Committee Chair

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