

**STANISLAUS COUNTY CIVIL GRAND JURY
2007-2008**

CASE # 08-14

STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT

SUMMARY

A citizen requested that the Stanislaus County Civil Grand Jury examine the Stanislaus Consolidated Fire Protection District to determine if the revenues from the Fire Suppression Assessment of December 9, 2004, were being used properly.

A review of documents pursuant to the ballot measure, budgets and financial statements, and interviews with key Stanislaus Consolidated Fire Protection District personnel revealed that the funds are indeed being used properly, and according to the ballot measure, for fire suppression services.

The Stanislaus County Civil Grand Jury further commends the Stanislaus Consolidated Fire Suppression District for its diligence in the stewardship of taxpayers' funds from this ballot measure.

INTRODUCTION

A citizen requested that the Stanislaus County Civil Grand Jury examine the Stanislaus Consolidated Fire Protection District to determine if the revenues from a special voted tax were being used properly.

BACKGROUND

The Stanislaus Consolidated Fire Protection District is a special district, according to the laws of the State of California governing special tax-based district entities, for the purpose of providing fire protection to the citizens of the geographical tax-based district. This particular district covers over 200 square miles of territory in Stanislaus County.

On December 9, 2004, a ballot was sent to property owners within the Stanislaus Consolidated Fire Protection District asking them to vote on a proposed increase in Fire Suppression Assessments (Assessments) that will become effective in Fiscal Year 2005/2006. The letter justifies the assessment increase by saying that the cost of living has increased dramatically across the board over the last three years, especially in the areas relating to staffing and training mandates, health insurance, and injured workers compensation, but District revenues have not kept pace. The letter goes on to say that

öThe proposed new Assessments were determined by a recent Assessment Engineering Study performed by MuniFinancial and were designed to: 1) provide a more effective level of fire suppression services for the future, 2) standardize assessment rates within the empire, Riverbank, and Waterford/LaGrange areas of the District, 3) re-establish prudent operating reserves, and 4) provide a more equitable allocation of fire suppression expenses based on the benefit received by each type of property.ö The amount of the assessment to homeowners is \$213.00 a year per property per year. The letter says the district expects to enhance the fire suppression level, but gives no timetable for the goals it lays out.

The mail-in ballot, and a special envelope to the Clerk of the Board, Stanislaus Consolidated Fire Protection Districtö were included with this letter, and property owners were asked to mark either:

öYES, I support the proposed assessment on my parcel for fire suppression services that benefit my parcel.ö

Or

öNO, I oppose the proposed assessment on my parcel for fire suppression services that benefit my parcel.ö

The voter then had to ödeclare, under penalty of perjury of the laws of California, that I am authorized to submit a ballot on behalf of the parcel identified above,ö with a signature and date, and mail or take the ballot by December 9, 2004, to the Clerk of the Board of the Stanislaus Consolidated Fire Protection District.

A public hearing was set for December 9, 2004, at 7 PM at which time ballots could also be delivered to the Riverbank Fire Station Hall, 3318 Topeka Street, Riverbank, CA.

The total proposed assessment amount for the Fiscal Year 2005-2006 is \$4,903,321.

According to the Consolidated Fire Protection District FY 2005-2006 budget projection, the special assessment revenues were projected to be \$4,476,559 of the total budgeted revenues of \$7,160,600.

The ballot measure passed and the Fire Suppression Assessment revenues are being collected and used properly by the Stanislaus Consolidated Fire Protection District.

METHOD OF INVESTIGATION

The Stanislaus County Civil Grand Jury examined the question posed by the citizen by using the following methods:

- ❑ Reviewing the ballot measure and letter submitted to property owners within the Stanislaus Consolidated Fire Protection District
- ❑ Reviewing meeting minutes of the Stanislaus Consolidated Fire Protection District Board of Directors
- ❑ Reviewing the Stanislaus Consolidated Fire Protection District financial statements and budget reports for Fiscal Years 2005-2006, 2006-2007 and 2007-2008
- ❑ Review of the Engineer's Report, Fire Suppression Assessment, Consolidated Fire Protection District, December 9, 2004, by MuniFinancial Company of Temecula
- ❑ Interviewing key personnel associated with the Stanislaus Consolidated Fire Protection District

FINDING 1

The Stanislaus County Civil Grand Jury finds that the Stanislaus Consolidated Fire Protection District does indeed use the Fire Suppression Assessment revenue from the December 9, 2004, ballot measure for fire suppression services as stated in the ballot measure, and according to generally accepted accounting procedures (GAAP).

RECOMMENDATION 1

The Stanislaus County Civil Grand Jury has no recommendation on this finding, and commends the Stanislaus Consolidated Fire Suppression District for its diligence in the stewardship of the taxpayers' funds from this ballot measure.

FINDING 2

The Stanislaus County Civil Grand Jury finds that the Stanislaus Consolidated Fire Suppression District will need to enhance revenues yet again, as the Fire Suppression Assessment will not cover all the needs that the District has and shall have in the future.

RECOMMENDATION 2

The Stanislaus County Civil Grand Jury recommends that the Stanislaus Consolidated Fire Protection District Board of Directors review the needs of the Stanislaus Consolidated Fire Protection District, determine future population projections of the Stanislaus Consolidated Fire Protection District, and consider another ballot measure.

FINDING 3

The Stanislaus County Civil Grand Jury has identified that the Stanislaus Consolidated Fire Protection District's Fire Chief has been required to function as a labor negotiator.

RECOMMENDATION 3

The Stanislaus County Civil Grand Jury recommends that the Board of Directors of the Stanislaus Consolidated Fire Protection District find the means, at its earliest convenience, to move this function to a professional labor negotiator, to allow the Fire Chief to function more effectively in the role of Fire Chief.

RESPONSE REQUIRED

The Stanislaus Consolidated Fire Protection District Board of Directors

REFERENCES

Stanislaus Consolidated Fire Protection District Assessment Ballot and letter to Property Owners

Kopecky, R. and Jewett, B. (January 13, 2005). *Engineer's Report, Fire Suppression Assessment*. Stanislaus Consolidated Fire Protection District Final Report. Available for examination at the Stanislaus Consolidated Fire Protection District Office, 3324 Topeka Street, Riverbank, CA 95367

Stanislaus Consolidated Fire Protection District budgets and financial statements for Fiscal Years 2004-2005, 2005-2006, 2006-2007 and 2007-2008, available for examination from the Stanislaus Consolidated Fire Protection District, Board of Directors, 3324 Topeka Street, Riverbank, CA 95367