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TULARE COUNTY GRAND JURY REPORT 2015-2016

REQUIRED RESPONSES:

Lindsay City Council

Disclaimer

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

SMOKE BUT NO FIRE TULARE COUNTY FIRE DEPARTMENT

BACKGROUND:

Prior to 2007, county fire protection was provided by CALFire via contract with the County. However, due to CALFire's proposed increase in firehouse staffing as well as significant State negotiated salary increases, the County chose to discontinue a partnership with CALFire and instead establish a county fire department to better control costs and services. The Tulare County Fire Department has been operational for ten years and has received an annual budget through the County budget process which is approved by the Board of Supervisors.

REASON FOR INVESTIGATION:

The Tulare County Grand Jury received a citizen's complaint on October 17, 2015. The complaint alleged unwarranted increased operational costs for fire protection as well as ineffective management of the Tulare County Fire Department, resulting in low volunteer morale and decreased volunteerism.

METHOD OF INVESTIGATION:

The complainant and Tulare County Fire Department staff members were interviewed. Pertinent contracts and documents were reviewed. The Grand Jury conducted a ten-year operational and fiscal analysis. A comparison of available Extra Help Firefighters by fiscal year was reviewed.

FACTS:

1. Operational costs for the Tulare County Fire Department have increased an average of 3.25% per year over the last ten years.
2. In the nine (9) year period reviewed (2007 through 2015), the number of Extra Help (volunteer) enrolled ranged from high of 425 to the current low of 328.
3. Overall, the number of active Extra Help (volunteer) firefighters making themselves available to the Tulare County Fire Department has decreased.
4. Overall, the number of Extra Help (volunteer) firefighters responding to emergency calls has decreased.
5. Training requirements for new Extra Help (volunteer) firefighters has increased from 84 hours in 2004 to 140 hours in 2015. This is due to new regulations and developmental training.

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6. Specific management decisions identified by the complainant were investigated by the Grand Jury.
7. It was reported to the Grand Jury that the Insurance Service Office (ISO) upgraded Tulare County Fire Department from an overall rating of 8/8Y to 4/4Y in its most recent fire department ratings.

FINDINGS:

- F1. A ten year increase of approximately 3.25% annually in operational costs is well within reasonable expectation.
- F2. Increased training requirements for current Extra Help (volunteer) firefighters have served to discourage volunteerism.
- F3. The Tulare County Fire Department has demonstrated concern for the decrease in volunteerism by implementing a pilot program to increase regular staffing at specific stations.
- F4. The decrease in the number of Extra Help (volunteer) firefighters responding to incidents has not had an appreciable effect on services rendered.

RECOMMENDATIONS:

- R1. Aggressive efforts be implemented and monitored to recruit Extra Help (volunteer) Firefighters.
- R2. Continue and increase efforts with respect to staffing the fire stations.

REQUIRED RESPONSES:

1. Tulare County Fire Chief
2. Tulare County Board of Supervisors

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SYNOPSIS

Complaint 15/16 #2

On July 6, 2015, the Tulare County Grand Jury received a complaint stating that Family Health Care Network was referring poor needy dental patients to other non-profit agencies causing the patient higher costs and higher profits for Family Health Care Network.

After inquires with various county agencies, a determination was made that County dental contracts with Family Health Care Network were on a very restricted basis and were controlled by the Federal Government and overseen by the State.

The Tulare County Grand Jury invited the complainant to testify. Subsequently, information which confirmed the aforementioned restrictions and oversight were received. The Grand Jury contacted the complainant by telephone and e-mail on September 18, 2015 informing him the complaint was to be closed. The complaint was officially closed on September 25, 2015.

Complaint 15/16 #6

The Tulare County Grand Jury received a complaint on July 6, 2015, from a citizen alleging wrong doing by three city council members, including violations of the Brown Act and moral turpitude. After interviewing the complainant, it was determined that the elements of the complaint were also included in another complaint. The committee decided to combine the two complaints.

Complaint 15/16 #25

The Tulare County Grand Jury received a complaint on November 20, 2015, from an employee in a Tulare County Department requesting that the Grand Jury look into the hours of operation. After an interview with the complainant, the Grand Jury determined it had no jurisdiction in this matter. The complaint was officially closed on December 4, 2015.

Complaint 15/16 #30

The Tulare County Grand Jury received a citizen's complaint on January 22, 2016, alleging a local fire department failed to properly investigate a structural fire. Following multiple interviews and review of requested departmental documents, the Grand Jury determined appropriate actions to have taken place and no further investigation was warranted. The complaint was officially closed on March 18, 2016.

Complaint 15/16 #33

The Tulare County Grand Jury received a citizen's complaint on March 22, 2016. The complaint made reference to the fact that several County officials recorded "promotional spots" for a local radio station. The complainant was interviewed and research was conducted as to the legality of such activity. In light of the fact that the County officials were not compensated for the activity, the Grand Jury determined that it was neither illegal nor improper for County officials to engage in such activity. The complaint was closed on May 20, 2016.