

**EL DORADO COUNTY GRAND JURY  
2007-2008**

**FINAL REPORT  
Part II**



**April 2008**

**Grand Jury  
P.O. Box 472  
Placerville, CA 95667  
(530) 621-7477  
[www.co.el-dorado.ca.us/grandjury](http://www.co.el-dorado.ca.us/grandjury)**



## **EL DORADO COUNTY GRAND JURY 2007-2008**

### ***Members of the Grand Jury***

***Bob Bartlett  
Donna Bergmeister  
Leigh Brilliant  
Judy Cook  
Dick Dichiara, Sergeant At Arms  
Deb Haas  
Jeanne Harper, Secretary  
Mel Harris  
Bill Jones  
Ken Lavin  
Chuck Maclean, Pro Tem  
Gary Miles  
Rosemary Mulligan, Foreperson  
Steve Sedgwick, Parliamentarian  
Dorothy Van Asten  
Kathy Walter***

El Dorado County Grand Jury 2007-2008  
April 2008

Table of Contents

Preface

Letter to the Honorable Judge

Letter from the Honorable Judge

Notice to Respondents

<u>Final Reports Released Mid-Term</u>	Page
Safe Schools	1
Consolidation of Fire Protection Districts	6
El Dorado County Facilities	
Building C	15
El Dorado Center	17
El Dorado High School	19
Edwin Markham Middle School	22
Louisiana Schnell Elementary School	24
Sheriff's Building	26



**GRAND JURY**  
**El Dorado County**

P.O. Box 472  
Placerville, California 95667  
(530) 621-7477 Fax: (530) 295-0763  
E-mail address: [grand.jury@co.el-dorado.ca.us](mailto:grand.jury@co.el-dorado.ca.us)

El Dorado County Superior Court  
Honorable Judge James R. Wagoner  
Presiding Judge of the Grand Jury 2007-2008  
495 Main Street  
Placerville, CA 95667

April 5, 2008

Honorable Judge James R. Wagoner:

The El Dorado County Grand Jury of 2007-2008, under the authority of the California Penal Code Section 933, submits their second mid-term Grand Jury Final Report for your examination. The Jury will release the report to the public upon your finding of compliance with applicable statutes.

The report addresses:

- School Safety for the children and the parents in El Dorado County
- Consolidation of nine El Dorado Fire Protection Districts
- Inspection results of El Dorado County facilities

I personally thank each and every member of this jury for their unselfish devotion in presenting complete and thorough investigations in understandable reports. We know our true power lies in our ability to bring important issues to the attention of the public and to El Dorado County officials.

Additionally, we thank all those who helped in gathering this information and our advisors, Louis Green, County Counsel and Edward Knapp, Chief Assistant County Counsel, and you, the Presiding Judge of the Grand Jury.

Sincerely,

Rosemary Mulligan, Foreperson  
El Dorado County Grand Jury 2007-2008



**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF EL DORADO**

3321 Cameron Park Drive  
Cameron Park, California 95682

Department 9 (530) 621-5826  
Fax: (530) 672-2413

---

April 16, 2008

Rosemary Mulligan, Foreperson  
El Dorado County Grand Jury  
P.O. Box 472  
Placerville, CA 95667

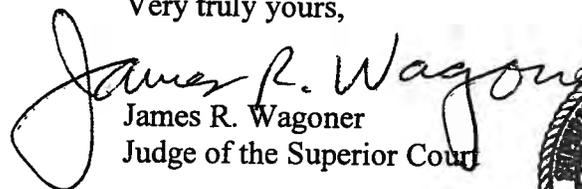
Re: Mid-term release of Final Report, Part II

Dear Ms. Mulligan:

I have reviewed the draft of the second portion of the Final Report that the Jury has requested to release mid-term. I see no issues that would prevent this release. You may release it at yours and the Jury's discretion.

Thanks again for all of yours and the Jury's hard work this year.

Very truly yours,

  
James R. Wagoner  
Judge of the Superior Court





## NOTICE TO RESPONDENTS

California Penal Code § 933.05 mandates specific requirements for responding to grand jury reports. This information is intended to help you in your responses to avoid unnecessary and time consuming repetitive actions. Those responses which do not fully comply with Penal Code requirements, including explanations and time frames where required, will not be accepted and will be returned to respondents for corrections.

### RESPONSE TO FINDINGS

*The responding person or entity shall indicate one of the following:*

- 1. The respondent agrees with the finding.*
- 2. The respondent disagrees wholly or in part with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reason therefore.*

### RESPONSE TO RECOMMENDATIONS

*The responding person or entity shall report one of the following actions:*

- 1. The recommendation has been implemented, with a summary regarding the implemented action.*
- 2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.\**
- 3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of an agency of department being investigated or reviewed. This timeframe shall not exceed six months from the date of publication of the grand jury report. \*\**
- 4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.*

\* The time frame needs to be specific and reasonable.

\*\* At the conclusion of this analysis, the recommendation must be responded to as required by items 1, 2, or 4.

## **RESPONSE: TIME, WHERE AND TO WHOM**

The Penal Code identifies two different response times, depending upon the classification of the respondent (see below), and includes where and to whom the response is directed. Day one begins with the date of the Final Report.

### **1. Public Agency:**

The governing body of any public agency (also refers to department) must respond within ninety (90) days. The response must be addressed to the Presiding Judge of the El Dorado County Superior Court.

Examples: Governing body of a public agency, Board of Supervisors, Directors of Districts.

### **2. Elective Officer or Agency Head:**

All elected officers or heads of agencies/departments are required to respond within sixty (60) days to the Presiding Judge of the Superior Court, with a copy provided to the Board of Supervisors.

Examples: Sheriff, Auditor/Controller, Recorder, Surveyor, Tax/Treasurer, County Superintendent of Schools, Boards of Trustees of school districts.

## **FAILURE TO RESPOND**

Failure to respond to a grand jury report is in violation of California Penal Code §933.05 and is subject to further action.



## **EL DORADO COUNTY GRAND JURY 2007-2008**

### **School Safety**

(National Incident Management System)

**Case Number 07-013**

### **REASON FOR REPORT**

Parents expect their children to be safe while at school. The gravest concern of parents is the safety of their children during a school crisis. As a result of increased incidents of school violence across the country, the need to ensure the safety of school children and staff also increases. Crises range from incidents that affect a single student to ones that impact the entire community. The California Constitution (Article 1) states in part, “the public safety is protected and encouraged as a goal of highest importance and such public safety extends to public primary, junior high and senior high school campuses, where students and staff have the right to be safe and secure in their persons. All students and staff of public schools have the inalienable right to attend campuses which are safe, secure and peaceful.” Margaret Spellings, Secretary for the U.S. Department of Education states, “Knowing how to respond quickly and efficiently in a crisis is critical to ensuring the safety of our schools and students. The midst of a crisis is not the time to start figuring out who ought to do what. At that moment, everyone involved – from top to bottom – should know the drill and know each other.” The El Dorado County Grand Jury investigated the operations of county schools which are under the supervision of the El Dorado County Office of Education (EDCOE). The goal was to ensure that safety is a priority as evidenced by up-to-date emergency plans, frequent practices, and involvement of all persons impacted by a serious threat to school sites, staff and children. Integral to the investigation is the involvement of the El Dorado County Office of Emergency Services (OES). The Grand Jury also has a concern about the financial ramifications of costly litigation initiated by possible liability claims against schools and county government.

### **BACKGROUND**

Natural disasters in El Dorado County, such as fires, blizzards, floods, earthquakes, and landslides can strike a community with little or no warning. An influenza pandemic, or other infectious disease, can spread in a very short time. School shootings, threatened or actual, are on the rise and are horrific and chilling when they occur. In El Dorado

County, schools have had to deal with suspicious devices on campus, weapons on campus, fires caused by solvents and/or propane, the discharge of unknown gases, and threatening, disruptive and/or unknown persons on campuses. From incidences which pre-date Columbine in 1999 to today, tragedies cause communities across the country to self-assess their ability to be prepared to manage any of these kinds of emergencies. Unfortunately, in most instances, serious attention comes after the tragedy when pre-planning and practice may have made a difference. When asked for a list of school site incidences that have occurred over the past three years (date, location, type of incidence, outcome, etc.), federal and state educational agencies responded that they do not keep that kind of documentation. When federal and state Offices of Emergency Services were asked for the same list, they also responded that they do not keep that kind of information. El Dorado County OES did, however, present the Grand Jury with a compendium of calls made to their office by local schools. What was not in records maintained by either EDCOE or OES was data regarding site visits by OES with the purpose to train sites/districts.

Information regarding school incidents was ultimately found through [www.infoplease.com](http://www.infoplease.com). In a document entitled "A Time Line of Recent Worldwide School Shootings," 55 school shootings have been recorded worldwide since 1996, 43 of them in the USA, three of them in California. Of the 55 school shootings, 44 of the shooters ranged in age from 6 to 19 years old and were affiliated with the schools at which the shootings occurred. This is an average of roughly 4.5 shootings a year. In the first 45 days of 2008 alone, there have already been four shootings, all in the USA, one in California.

## **METHODOLOGY**

The Office of Emergency Services and EDCOE made presentations of overviews of their operations to the full body of the Grand Jury. During the presentations, jurors asked many questions which gave further direction to this investigation. Incumbent to the study were visits to randomly selected school sites ranging from elementary to high schools. On-going communication with both offices (OES and EDCOE) stated direction and goal of the investigation, that being the assurance of critical crisis management at all stages of planning.

### People Interviewed:

- California Office of Emergency Services – Supervisors of Preparation and Response
- District Schools – administrators, teachers, clerical staff, maintenance staff, bus drivers, students, and parents
- El Dorado County Office of Education – Director of Facilities
- El Dorado County Office of Education – Superintendent
- El Dorado County Office of Emergency Services – Lieutenant
- El Dorado County Sheriff's Department - Sheriff

#### Documents Reviewed:

- California Constitution – Article 1
- California Penal Code 148
- El Dorado County Office of Education - Safe School Symposium Material
- Emergency Operations Plans
- Federal Emergency Management Agency (FEMA): National Incident Management System (NIMS) Training
- Indicators of School Crime and Safety: 2007 (National Center for Educational Statistics & Bureau of Justice Statistics)
- National Incident Management System Resolutions
- NIMS Compliance Metrics & Terms of Reference
- NIMS Compliance Points Of Contact
- NIMS Implementation Matrix for States and Territories
- Orange County 2006-2007 Grand Jury Report
- Practical Information on Crisis Planning – A Guide for Schools and Communities
- REDI II Action Plans (Municipal Incident Management II – web based system for small and medium sized governments)
- San Diego County 1999-2000 Grand Jury Report
- School Emergency Preparedness Plan - Marin County
- Standardized Emergency Management System (SEMS)/National Incident Management System (NIMS) Integration Update and Compliance Requirements for 2007
- Student-Parent Handbooks

#### Websites:

- California Department of Education
- California Office of Emergency Services
- El Dorado County Office of Emergency Services
- FEMA.gov
- FindLaw for Legal Professionals - Education Codes 32280-32289
- Ready.gov
- U.S. Department of Education
- www.infoplease.com

## **RESULTS OF INVESTIGATION**

The El Dorado County Office of Emergency Services is a technologically advanced department which has been responsive to emergency needs. The Grand Jury concludes that more emphasis needs to be placed on surveying the grounds of each school site. Although school districts have done an excellent job of writing comprehensive safety plans that are all contained in the data base of OES ready for action when needed, many schools have not done an adequate job in pre-planning and practicing for tragedies such

as intruders/shooters on campus in their pre-planning processes. All districts have been compelled by EDCOE per SEMS and NIMS crisis management directives to initiate action plans that identify and connect with “loners” and other disenfranchised students who have been the profiled stereotype intruder in past incidents. However, the Grand Jury found that school sites ranged from negligent to well-practiced in their preparedness cycles of crisis management. Other than fire drills and drop drills, not all schools regularly practice evacuation or other more serious incident drills, i.e. shooter or unauthorized person on campus. Reasons cited for this lack of practice includes lack of staff development time, time taken out of a heavily standard-focused curriculum, the amount of people and resources needed to plan and carry out, and "it might scare the children." Additionally, schools do not include parents and the community in their crisis management education and plans. Some of these plans do not and should not be shared with the general public, but assuring parents that their children’s lives are well protected by those in charge is a critical missing factor in allaying the fears of well-meaning parents and community members who respond to school incidents. Parental panic and interference is a major concern of schools and emergency personnel.

## **FINDINGS**

The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. Other than fire drills and drop drills, not all school sites practice with regularity (a minimum of annually) crisis management procedures that include evacuations. Some schools stated they do “round table” practices, as opposed to actually conducting a physical practice. Some sites stated they did not want to scare the students, so, therefore, do not have practices. One school stated that they do summer practices that do not include the children.
2. No evidence was found that schools include parents or the community in an educational component to inform them about the crisis plan adopted by the district and site.
3. Although considered a work in progress, the Office of Emergency Services has not actually walked the grounds of every school site. Therefore, OES does not have a digital image of the sites not visited, nor indication of possible unique or special needs in their BowMac computer system should a crisis occur. Also in progress is the development of live school-site images which can be viewed in law enforcement vehicles - to be used as events are unfolding and as units are rushing to the scene.
4. Not all schools have conducted, or been a part of, an integrated evacuation which includes OES and/or other response units.
5. Neither OES nor EDCOE keeps records of site visits by OES with regard to training for crisis management.

## **RECOMMENDATIONS**

Based on the above findings, the Grand Jury makes the following recommendations.

1. In order to alleviate natural parental panic that arises when parents are separated from their children during perceived danger, it is recommended that OES and EDCOE collaborate on the creation of a video, presented by the Sheriff and the Superintendent of Schools. It is further recommended that the video be completed and ready to share with parents by the beginning of the 2008-2009 school year. The DVD and related printed material would outline generic safety plans as well as law enforcement codes designed to protect not only the victims, but also concerned and well-meaning parents/community members. It is also strongly recommended that the video be a mandated parent presentation in all schools, to be viewed as school sites see most efficient, i.e. Back to School Night, district web-sites, CDs included in Parent Handbooks, etc.
2. As another educational effort designed to further alleviate parental panic both before and during an incident, the Grand Jury recommends that every Parent Handbook include a section on Emergency Crisis Management which informs parents of the school plan should an incident occur. This book would be on hand as a ready reference in time of need.
3. The Grand Jury recommends that at least one full evacuation and practice of the REDI II emergency plan – a system which applies the Incident Commander concept providing for multi-jurisdictional and multi-disciplinary coordination and cooperation, and which also allows school leaders the ability to network with emergency response teams – be conducted annually at each site. The practice should include all staff and students as well as OES and/or other emergency response units.
4. The Grand Jury recommends that OES survey and photograph the physical grounds of every school site – to be included in their BowMac emergency database (software used by law enforcement). Also included in this information would be any unique and possibly problematic features which would require additional support or resources, i.e. ingress and egress.
5. The Grand Jury recommends that both OES and EDCOE, as well as individual school sites and districts, keep emergency response records that include dates of training and practice - to be maintained and supervised by EDCOE.

## **RESPONSES**

Response(s) to this report is required in accordance with California Penal Code §933.05.



## **EL DORADO COUNTY GRAND JURY 2007-2008**

### **Consolidation of Fire Protection Districts**

**Case No. 07-025**

### **REASON FOR REPORT**

The Fire Protection District Law of 1987, in the State Health and Safety Code §13800, governs all of the Fire Protection Districts (FPDs) in California. Fire protection districts can only provide fire protection and emergency medical services. At the printing of the 3<sup>rd</sup> edition of "What's So Special About Special Districts?" there were 386 FPDs in California. El Dorado County has nine FPDs on the West Slope and two FPDs in the Tahoe Basin. The County also has two multi-purpose Community Service Districts (CSDs) that provide fire protection along with other services: Fallen Leaf Lake CSD and Cameron Park CSD. The City of South Lake Tahoe has its own fire department.

El Dorado County has a disproportionately high number of fire protection districts compared with the average of other counties in California. El Dorado County would benefit from consolidation. During the Grand Jury investigation, the scope was limited to the West Slope of the County

### **BACKGROUND**

Each FPD and CSD is governed by a board of directors. These boards of directors are independent of any other supervision in the County.

Consolidation is not a new idea. Responses to ALL fire and medical emergencies on the west slope of El Dorado County are dispatched from the Emergency Communications Center (ECC), operated by the California Department of Forestry and Fire Protection (CAL FIRE) located in Camino. Three communication specialists and a captain are on duty 24/7

utilizing a state-of-the-art computerized facility. These personnel track in real time the location and availability of all fire and medical response equipment and crews from all of the nine fire protection districts and Cameron Park CSD. Tracking and dispatching services are financed under a Joint Powers Agreement, representing the County and fire districts. Most of the calls are for medical emergencies. These costs are proportionately paid by County Service Area #7, which is dedicated to this purpose.

The Camino ECC dispatches equipment and crews to each emergency site, choosing the closest available and most suitable equipment and personnel, regardless of the fire district owning the dispatched equipment and crew. Operationally, boundaries between west slope County fire protection districts are transparent. With respect to emergency response, they act together as one fire department. All of the County fire management officials interviewed praised this central dispatch system as efficient and working well. When asked, there were no complaints voiced about it by any of the interviewed officials.

Consolidation of previous small fire districts has already occurred. The El Dorado County FPD resulted from the consolidation of Pleasant Valley, Pollock Pines/Camino and Shingle Springs fire protection districts. In 1993, two additional fire protection districts were added to the El Dorado County FPD: Coloma/Lotus and Northside. Lake Valley FPD covers most of the Lake Tahoe basin located within the County that is not in the City. The Lake Tahoe basin also includes Meeks Bay FPD and Fallen Leaf Lake CSD; both districts are small and geographically isolated.

Most of the interviewed County's FPD officials favored more consolidation of fire districts. The major potential cost savings from consolidation, if done well, are expected to be in the elimination of redundant administrative positions. Consolidation may also lead to more efficient service and lower administration costs, but these are difficult to quantitatively evaluate. Hence, they have not been included in this report.

One official believed that a single fire protection district covering the entire County, analogous to the operation of the County Sheriff, should be an eventual goal. Based on the success of ECC central dispatch system, **several FPD officials believed that a single fire protection district covering the West Slope of the County would be optimum.**

## **METHODOLOGY**

The Grand Jury reviewed documents governing the establishment and proper operation of FPDs and CSDs. The history of previous consolidation attempts in El Dorado County were obtained from El Dorado County's Local Agency Formation Commission (LAFCO), which is responsible for setting boundaries between special districts and assisting in settling disputes. Current budget and expenditure information was obtained from the County Auditor/Controller.

#### People Interviewed:

- CAL FIRE, Amador-El Dorado Unit, Chief
- Diamond Springs-El Dorado Fire Protection District, Chief
- El Dorado County Assistant Auditor-Controller
- El Dorado County Auditor-Controller
- El Dorado County Fire Protection District, Assistant Chief
- El Dorado County Fire Protection District, Chief
- El Dorado Hills County Water District (fire district), Chief
- LAFCO, Executive Officer
- Mosquito Fire Protection District, Board of Directors President
- Mosquito Fire Protection District, Chief

#### Documents Reviewed:

- Amendment #1 to the Supplemental Funding Agreement for Rural Fire Districts for Enhanced Fire Protection and Emergency Medical Services (memo from Auditor-Controller dated October 4, 2001)
- Assistant Auditor-Controller furnished Exhibits A, B, and C of this report
- Memo to Grand Jury from Executive Officer of LAFCO November 26, 2007, with Attachments
- “What’s So Special About Special Districts?” 3<sup>rd</sup> edition, February 2002

## FINDINGS

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. Either a fire protection district or LAFCO can initiate a consolidation study including a cost/benefit analysis. LAFCO has been reluctant to aggressively pursue consolidation of fire protection districts, waiting instead for one or more of them to initiate movement toward consolidation.
2. There is often institutional resistance to changing the status quo of an organization. Consolidation and reorganization are likely to lead to elimination of redundant positions, which typically will not be well received by current employees. Should consolidation occur, these difficulties can be ameliorated by
  - a) selecting at least one director from the district to be a director of the new district, and
  - b) continuing former district volunteer firefighter associations, such as was done with the mergers to form the El Dorado County FPD.

3. The County Board of Supervisors supplements revenues for six FPDs on the County west slope and two small districts providing fire protection in the Tahoe Basin, Fallen Leaf Lake CSD and the Meeks Bay FPD. This is a subsidy by the County at large to these particular fire districts. **These subsidies raise a fairness issue for taxpayers outside these districts** who are supporting their own fire protection district through various taxes while also contributing, through the County's General fund, an extra amount of money to these subsidized districts.

These subsidies are based on an agreement between the County Board of Supervisors and the eight districts, "Supplemental Funding Agreement for Rural Fire Districts for Enhanced Fire Protection and Emergency Medical Services." This agreement was amended by ~~an Auditor-Controller memo of October 4, 2001,~~ *Board of Supervisors' action on 10-9-01*, to provide for a correction in tax rates for fire protection in some of these districts. Under this agreement, the eight districts receiving less than 13 percent of the *ad valorem* property tax revenue collected within their boundaries will receive a supplemental contribution from the County general fund. This supplement is intended to be sufficient to provide the district with revenue for fire protection services equal to approximately 13 percent of their tax revenue base.

The amount of this subsidy is calculated by the Auditor-Controller each year using the final assessed property valuation from the prior year to establish the 13 percent threshold. The difference between the 13 percent threshold and the prior year estimated actual tax revenue plus the prior year subsidy is the basis for the current year subsidy. For the eight subsidized districts, their percentage of total Tax Rate Area (TRA) taxes is always less than 13 percent; whereas for the five non-subsidized fire districts the percentage exceeds 13 percent. Exhibit A, column D, shows the amount of the County supplemental contribution to bring all fire protection districts up to the equivalent of 13 percent of the total TRA taxes for FY 2006/07. The supplemental amounts contributed by the County to all eight subsidized districts in FY 2006/07 totaled \$1,188,142. The share of this amount received by the six West slope FPDs was \$856,908, which is 72.2 percent of the total subsidy for FY 2006/07. The County supplemental in FY 2006/07 for all eight subsidized districts was \$1,188,242.

The subsidy for the six FPDs in the present year, FY 2007/08, is \$926,948, an 8.2 percent increase over the previous year. The subsidy for all eight districts in FY 2007/08 is \$1,300,347, which is a 9.3 percent increase over FY 2006/07.

4. All of the subsidized FPDs receive "special taxes" and/or "special assessments" except Pioneer FPD. These funds are not considered when the subsidy calculation is made. These special funds have been previously authorized on a continuing basis by an election of property owners within the districts. Special taxes require a vote of 2/3 of the property parcel owners. Special assessments are "fire suppression assessments," which are allowed under State law and require only a property parcel vote of 50 percent plus one.

5. The tax revenues for FY 2006/07 for the West Slope FPDs are summarized in Exhibit B. The tax revenues for each district, including special taxes and special assessments, are combined in one column. Note that all but Pioneer FPD and Latrobe FPD receive tax revenues exceeding 13 percent of their tax base, and all but Pioneer FPD have total funding including the County Supplemental Contribution that exceeds 13 percent of their tax base. With the exception of Pioneer FPD and Latrobe FPD, the County supplemental is much smaller than the other tax revenue received by the subsidized districts.
6. With advance notification, the Board of Supervisors can discontinue these subsidies. The County has a fiduciary responsibility to minimize them, preferably without degrading fire protection capabilities. Elimination of the subsidies would require these fire protection districts to either find other sources of revenue in a similar amount, or find equivalent budget savings that would not degrade fire protection capability.
7. Consolidation of the six West Slope subsidized fire districts, and especially mergers into the three financially stronger fire districts on the West Slope, should allow elimination of the fire chiefs and other administrative positions in the subsidized districts. The potential personnel savings that could result are shown in Exhibit C, where the administrative personnel costs for each fire district are shown in column L, with a total amount of \$944,084. The County supplemental contributions for these fire districts are shown in column M, and the total amount is similar to the total administrative personnel costs shown in column L.
8. If supplemental payments to the six West Slope fire protection districts are eliminated, the savings to the County general fund will be recurrent, rather than one-time. Over ten years and with an annual increase of 9 percent, the **SAVINGS** will amount to **\$14,018,235**. If supplemental payments to all eight subsidized fire districts are eliminated, the **SAVINGS** over ten years will amount to **\$19,665,148**.

## RECOMMENDATIONS

1. The El Dorado County Board of Supervisors should discontinue the “Supplemental Funding Agreement for Rural Districts for Enhanced Fire Protection and Emergency Medical Services” as it pertains to the following six fire protection districts: Pioneer, Rescue, Garden Valley, Mosquito, Georgetown, and Latrobe.
2. LAFCO and the El Dorado County Board of Supervisors should actively encourage consolidation or merger agreements between these presently subsidized fire protection districts and any of the following fire protection districts: El Dorado County Fire Protection District, Diamond Springs-El Dorado Fire Protection District, and El Dorado Hills County Water District.

3. The boards of directors of the following nine fire protection districts should make a good faith effort to reach consolidation agreements: Rescue, Pioneer, Mosquito, Latrobe, Georgetown, Garden Valley, El Dorado County, Diamond Springs, and El Dorado Hills. Each of these nine fire protection districts should report the results of their efforts to the Grand Jury within the Penal Code timeframe requirements.

## RESPONSE

Responses to this report are required in accordance with the California Penal Code §933.05.

**EXHIBIT A**

	A	B	C		D		E	F	G <sup>3</sup>
	FY 2006/07 Assessed Value	Total TRA Taxes @ 1.00%	FY 2006/07 District's \$ Share and % of Property Tax		FY 06/07 County Supplemental <sup>2</sup>		Additional Revenue Sources		
							FY 06/07 Special Taxes	FY 06/07 Special Assessments	FY 06/07 Other Misc
Rescue Fire	777,527,841	7,775,278	796,033	10.2%	226,201	2.9%	129,298	182,572	707,426
Pioneer Fire	647,294,466	6,472,945	557,556	8.6%	243,695	3.8%	0	0	311,699
Mosquito Fire	117,099,016	1,170,990	115,577	9.9%	28,746	2.5%	177,356	0	38,611
Latrobe Fire	211,444,648	2,114,446	104,334	4.9%	145,699	6.9%	34,323	0	48,905
Georgetown Fire	316,480,054	3,164,801	372,806	11.8%	33,021	1.0%	83,448	112,703	226,891
Garden Valley Fire	405,701,814	4,057,018	322,003	7.9%	179,546	4.4%	89,710	157,810	439,974
Fallen Leaf Lake CSD	60,597,216	605,972	18,156	3.0%	56,993	9.4%	104,765	0	N/A <sup>1</sup>
Meeks Bay Fire	639,262,741	6,392,627	509,263	8.0%	274,241	4.3%	277,280	0	191,323
					<b>1,188,142</b>				
<b>Other Fire Districts</b>									
El Dorado County Fire	5,577,540,807	55,775,408	7,251,342	13.0%	0		516,305	252,454	1,516,225
Diamond Springs Fire	1,798,675,594	17,986,756	2,745,921	15.3%	0		0	0	686,186
El Dorado Hills Fire	6,845,072,963	68,450,730	12,002,460	17.5%	0		0	0	N/A <sup>1</sup>
Cameron Park CSD	1,953,277,950	19,532,780	3,222,084	16.5%	0		0	0	1,050,002
Lake Valley Fire	1,816,276,891	18,162,769	3,213,661	17.7%	0		151,199	0	1,148,798

- 1) The other miscellaneous revenue figures are unavailable for those districts that do not use El Dorado County as its depository.
- 2) Current year Supplemental amounts are calculated based upon prior year assessed valuation and *ad valerum* taxes. Hence the total of column C + D may be slightly less than 13%.
- 3) Amount includes development fee revenues used for capital expenditures.

FY 2006/07 ACTUAL PROPERTY TAX REVENUE

	Secured Taxes Acct# 0100	Unsecured Taxes Acct# 0110	State Homeowners Prop Tax Acct# 0820	Total	County Contribution	Special Taxes	Special Assessments	
Pioneer Fire	540,033	11,177	6,346	557,556		0	0	557,556
Rescue Fire	770,865	16,060	9,108	796,033		129,298	182,572	1,107,903
Garden Valley Fire	311,965	6,404	3,634	322,003		89,710	157,810	569,523
Mosquito Fire	111,929	2,328	1,320	115,577		177,356	0	292,933
Georgetown Fire	361,115	7,457	4,234	372,806		83,448	112,703	568,957
Latrobe Fire	101,036	2,104	1,194	104,334		34,323	0	138,657
El Dorado County	7,024,008	144,946	82,388	7,251,342		516,305	252,454	8,020,101
Diamond Springs	2,659,191	55,304	31,426	2,745,921		-	-	2,745,921
El Dorado Hills	11,621,220	243,228	138,012	12,002,460		-	-	12,002,460

**EXHIBIT B**  
**Fire District Revenues in FY2006/07**  
**Compared to its Tax Base (Total TRA Taxes)**

Fire District	B Base TRA Taxes	FPD Share Plus Special Taxes <sup>1</sup>	% of Base	D County Supplemental	% of Base	H <sup>2</sup> Total Financing	Total Funding as % of Base
Rescue	\$7,775,278	\$1,107,903	14.25%	\$226,201	2.91%	\$2,041,530	26.26%
Pioneer	6,472,945	557,556	8.61%	243,695	3.76%	\$1,112,950	17.19%
Mosquito	1,170,990	292,933	25.02%	28,746	2.45%	\$360,290	30.77%
Latrobe	2,114,446	138,657	6.56%	145,699	6.89%	\$333,261	15.76%
Georgetown	3,164,801	568,957	17.98%	33,021	1.04%	\$828,869	26.19%
Garden Valley	4,057,018	569,523	14.04%	179,546	4.43%	\$1,189,043	29.31%
*****							
El Dorado County	\$55,775,408	\$8,020,101	14.38%	0	0	\$9,536,326	17.10%
Diamond Springs	17,986,756	2,745,921	15.27%	0	0	\$3,432,107	19.08%
El Dorado Hills	68,450,730	12,002,460	17.53%	0	0	N/A <sup>3</sup>	N/A <sup>3</sup>

- 1)** Special taxes includes both special taxes and special assessments (Budget Detail lines 0175 and 1310).  
 Altogether this column also includes Budget Detail lines 0100, 0110, 0820
- 2)** Includes all financing except carryover money from Reserves and Fund Balance (lines 0001 and 0002).
- 3)** The total financing amount is unavailable for this district that do not use El Dorado County as its depository.

**EXHIBIT C**

	I	J	K	L	M
<b>Fire District Administration Costs</b>	<b>Staff</b>	<b>Payroll Cost, Salary plus Benefits</b>	<b>Health and Workers Compensation</b>	<b>Total</b>	<b>FY 2006/07 County Supplemental</b>
<b>Fire Protection District</b>					
<b>Rescue</b>	Chief P/T Admin Asst	\$152,726	\$28,327	\$181,053	\$226,201
<b>Pioneer</b>	Chief Admin Asst P/T Office Asst	\$170,772	\$12,691	\$183,463	\$243,695
<b>Mosquito</b>	Chief P/T Secretary	\$85,199	\$21,923	\$107,122	\$28,746
<b>Latrobe</b>	P/T Chief	\$22,671	\$3,264	\$25,935	\$145,699
<b>Georgetown</b>	Chief Admin. Asst.	\$217,164	\$47,802	\$264,966	\$33,021
<b>Garden Valley</b>	Chief Admin Officer	\$167,159	\$14,386	\$181,545	\$179,546
				<b>\$944,084</b>	<b>\$856,908</b>
FOOTNOTE: Health Care and Worker's Compensation were estimated by factoring Department cost against the ratio of administrative salaries to total Department salaries and wages.					



## **EL DORADO COUNTY GRAND JURY 2007-2008 Facilities Reports**

### **El Dorado County Building C**



### **REASON FOR REPORT**

The El Dorado County Grand Jury conducts inspections of county, city and special district facilities owned or leased within El Dorado County per California Penal Codes §925, §925(a) and §928. The focus of the inspection is health and safety conditions.

### **BACKGROUND**

The security measures utilized in Building C were inspected this year as a follow up to a prior year's Grand Jury investigation (2005-2006). That investigation recommended that the area behind the metal detector (in the corridor leading to the Superior Court downstairs) be secured at all times, not just when the screening station is staffed. The

situation in Building C has recently been changed. A locking door has been installed in the area on the lower level as recommended by the prior Grand Jury Report.

## **FINDINGS**

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

There are other court facilities on the ground level of Building C and there is no security station on that level. Additionally, there is a door into the court off of the lobby with an inoperative lock. When court is in session, the bailiff uses a portable metal detector to screen people entering the court. The problem is there are two entrances and only one bailiff. The ideal situation would be to secure all of Building C, but this has been rejected due to budget constraints. According to the Sheriff, to secure the entire building, at least three deputies would be needed to be on duty during all open hours. This expense is exacerbated by the fact that the Planning Department uses the building and often has meetings that continue as late as 9:30 p.m.

## **RECOMMENDATIONS**

1. The door between Building C's ground level lobby and courtroom should be locked so that all people entering the court would need to pass through the entrance that is controlled by the bailiff.
2. In looking at longer term building needs and uses, the Board of Supervisors should consider dedicating Building C to only court activities, or include only those other county departments that would not need access to the building during non-court hours. This would allow for securing the entire building, providing enhanced security to all employees and participants in any court proceedings.

## **RESPONSES**

Response(s) to this report is required from the El Dorado County Board of Supervisors in accordance with California Penal Code §933.05.



## **EL DORADO COUNTY GRAND JURY 2007-2008**

### **South Lake Tahoe Administration Facility El Dorado Center**



### **REASON FOR REPORT**

The El Dorado County Grand Jury conducts inspections of county, city and special district facilities owned or leased within El Dorado County per California Penal Codes §925, §925(a) and §928. The focus of the inspection is health and safety conditions.

## **BACKGROUND**

One of the county's buildings in South Lake Tahoe, known as El Dorado Center, was inspected by the Grand Jury. This facility was built in 1968 as a commercial bank and was purchased by the county in May of 1991. The building currently serves as an administrative service complex for the county. The building provides 17,476 square feet of office space, although approximately 300 square feet in the basement is not utilized.

## **FINDINGS**

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury inspected the El Dorado Center facility, which revealed the following problem areas:

- Foul odor when entering building from parking lot
- No designated break room
- Inadequate heating and air conditioning system
- Loose and stained ceiling tiles
- No alternate evacuation route on third floor
- Single pane windows in some areas
- Badly deteriorated exterior, i.e. paint, wood, stucco
- Shortage of parking in winter

## **RECOMMENDATION**

Given the myriad problems facing this building, in addition to its design unsuitability for county purposes, the Grand Jury recommends that this building be replaced. The recommendation should be considered in the context of long-term county office space needs throughout the Tahoe Basin. This replacement project should remain in the El Dorado County capital improvement program as a high priority project.

## **RESPONSES**

Response(s) to this report is required from the El Dorado County Board of Supervisors in accordance with California Penal Code §933.05.



## **EL DORADO COUNTY GRAND JURY 2007-2008**

### **El Dorado High School**



### **REASON FOR REPORT**

The El Dorado County Grand Jury conducts inspections of county, city and special district facilities owned or leased within El Dorado County per California Penal Codes §925, §925(a) and §928. The focus of the inspection is health and safety conditions.

### **BACKGROUND**

El Dorado High School was built in 1937 and has undergone many repairs and renovations. A modernization project created the Carl Borelli Amphitheatre and a new wing of classrooms across the street from the main campus. The school is comprised of 22 buildings, including 67 classrooms. The staff of 113 includes 9 full-time

maintenance/custodial persons. It is noteworthy that the school has been named a California Distinguished School with an Academic Performance Index of 764. It offers educational and social programs such as Safe School Ambassadors, vocationally oriented academy programs and Cyber High (a class to assist students who need to improve poor or failing grades).

## **FINDINGS**

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

The Superintendent stated that there have been no reported Williams Act violations (the Williams Act of 2004 provides standards for school facilities). However, many areas of concern were observed by the Grand Jury. In researching the Williams Lawsuit Settlement and Facilities Inspection Tool (FIT), it was determined that some of the areas were in violation of the Williams Act. Further, some of the areas noted could easily be repaired, remedied or eliminated:

### **SAFETY CONCERNS**

- Lack of evacuation maps in many classrooms and labs (Williams Act violation – FIT #7-c)
- Emergency exits blocked by equipment (Williams Act violation – FIT #7-c)
- Lack of maximum occupancy signs (Forum Room)
- Exercise mats outside of the gym entry doors creating a tripping hazard (Williams Act violation – FIT #14-a)
- Wood planks in front of the gym with no safety signs or barriers (Williams Act violation – FIT #14-a)

### **HEALTH CONCERNS**

- Stained ceiling tiles (Williams Act violation – FIT # 4-d, #5-d)
- No soap in the girls' restroom in the gym (Williams Act violation – FIT #11-c)

### **ENVIRONMENT CONDUCTIVE TO LEARNING**

- Damaged walls could be repaired with spackle and paint (Williams Act violation – FIT #4-a, #5-b, #6-a, #9-b)
- Excessive debris on the grounds (Williams Act violation – FIT #15-a)

## **RECOMMENDATIONS**

1. It is recommended that El Dorado High School administration promptly correct all noted conditions.
2. It is recommended that the administration improve its maintenance/custodial program to more effectively utilize existing staff to ensure that all areas of plant maintenance are consistently monitored and managed effectively.

## **RESPONSES**

Response(s) to this report is required from the Board of Trustees of the El Dorado Union High School District in accordance with California Penal Code §933.05.



## **EL DORADO COUNTY GRAND JURY 2007-2008**

### **Louisiana Schnell Elementary School**



### **REASON FOR REPORT**

The El Dorado County Grand Jury conducts inspections of county, city and special district facilities owned or leased within El Dorado County per California Penal Codes §925, §925(a) and §928. The focus of the inspection is health and safety conditions.

### **BACKGROUND**

Louisiana Schnell School was built in 1965. There are 12 buildings including 17 classrooms. A staff of 35 includes two full-time maintenance/custodial persons. The school received a modernization bond in 2002. Administration seeks out and utilizes other resources such as Eagle Scouts, Department of Parks and Recreation, sports leagues

and other volunteers to help provide funding and/or human resources for campus maintenance and beautification. Over one-half of the students qualify for the Federal Free and Reduced Lunch Program, indicating a lower socio-economic component of the community. Together with the school staff, the school's parents and community are actively engaged in supporting and promoting every facet of the school program and educational environment. It is noteworthy that the school's 2007 Annual Performance Index was 807, indicating superior performance. The school is both a California Distinguished School and a Blue Ribbon School (federal award).

## **FINDINGS**

The 2007-2008 El Dorado County Grand Jury has arrived at the following findings which require no response:

Louisiana Schnell School is a well maintained school that utilizes many resources to enhance its maintenance funding. It has had no reported Williams Act violations (The Williams Act of 2004 provides standards for school facilities). The school was found to be in compliance with all health and safety regulations and surpasses legal requirements in staff training for emergency evacuations.

## **COMMENDATION**

Louisiana Schnell Elementary School, under the leadership of the district superintendent and the site principal, has created and maintained an educational plant that is safe and healthy, as well as welcoming to its students, staff, parents, and community.

The 2007-2008 Grand Jury commends Louisiana Schnell School for its exemplary campus safety and beautification. It is evident that the superintendent, principal, staff, and parents are successfully addressing all facility issues.



**The 2007-2008  
EL DORADO COUNTY  
GRAND JURY**

**COMMENDS**

**The Staff and Community of  
Louisiana Schnell Elementary  
School**

**For its exemplary  
campus beautification and maintenance**

DATE:

SIGNED:



## **EL DORADO COUNTY GRAND JURY 2007-2008**

### **Edwin Markham Middle School**



### **REASON FOR REPORT**

The El Dorado County Grand Jury conducts inspections of county, city and special district facilities owned or leased within El Dorado County per California Penal Codes §925, §925(a) and §928. The focus of the inspection is health and safety conditions.

## **BACKGROUND**

Edwin Markham Middle School was built in 1960. The school is comprised of 13 buildings that house 20 classrooms. A staff of 39 includes 2 full-time maintenance/custodial persons (1 day, 1 night).

## **FINDINGS**

The 2007-2008 El Dorado County Grand Jury has arrived at the following findings which require no response:

1. In 2006, the school received modernization funding that was used to build a new gymnasium and science building, along with athletic field upgrades. Additional modernization will occur this summer, to include restroom and classroom improvements, as well as reconfiguration of administrative space. In addition to the modernization project and American Disabilities Act upgrades, the school has continued to improve the facility resulting in a safe and healthy social interaction space. The school has shown growth of 56 Academic Performance Index points in the past two years bringing their score up to 767.
2. There have been no reported Williams Act violations (The Williams Act of 2004 provides standards for school facilities). Restrooms were clean and well maintained. There were no safety infractions noted. Evacuation maps were posted by doorways. Ceilings, walls and fences were in good repair; fire extinguishers have been inspected regularly; fire drills are performed monthly; hallways and fields were in excellent condition.

## **COMMENDATION**

Edwin Markham Middle School, under the leadership of the district superintendent and the site principal, has created and maintained an educational plant that is safe, as well as welcoming to its students, staff, parents, and community.

The 2007-2008 Grand Jury commends Edwin Markham Middle School for improving the educational environment. It is evident that the superintendent and principal are successfully addressing all areas of health, safety and attractiveness.



**The 2007-2008  
EL DORADO COUNTY  
GRAND JURY**

**COMMENDS**

**Edwin Markham  
Middle School**

**For continuing improvement of  
its educational environment**

DATE:

SIGNED:



## **EL DORADO COUNTY GRAND JURY 2007-2008**

### **El Dorado County Sheriff's Building**



### **REASON FOR REPORT**

The El Dorado County Grand Jury conducts inspections of county, city and special district facilities owned or leased within El Dorado County per California Penal Codes §925, §925(a) and §928. The focus of the inspection is health and safety conditions.

## **BACKGROUND**

The El Dorado County Sheriff's Building was built in 1974, housing both the sheriff's operations and the county jail until 1988. The growth in El Dorado County has rendered this facility inadequate to properly handle current needs, predominantly due to lack of space. The Sheriff's Department currently operates throughout the county from nine locations. The Sheriff's recommendation for solving the space issue is to consolidate central operations into a new 80,000 square foot facility in El Dorado Hills, the largest and fastest growing community in the county. It has been suggested that the existing Sheriff's building (after appropriate reconfiguration) could be utilized as a substation for the Placerville area. Another substation already exists in the Tahoe Basin.

## **FINDINGS**

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. Staff crowding, which hampers maximum efficiency, is the most significant problem. Indications of space limitations are:
  - Closets have been turned into offices
  - Inadequate space for secure evidence storage
  - No room for a forensic lab
  - No space for a conference room
  - No privacy for citizens when reporting crimes
  - Insufficient parking space
  - Shortage of employee lockers
  
2. In spite of the space problem that currently exists, the Sheriff's Department is commended for efficiently utilizing its current 13,000 square foot facility. At the time of the inspection, the facility was clean and safety regulations were generally being followed. Due to the age of construction, the building is not totally compliant with the American Disabilities Act. Areas noted as requiring immediate attention due to health and safety concerns are:
  - Cluttered hallways in the evidence area (creating a potential egress problem)
  - Asphalt repair needed in the parking lot
  - Payroll administrative area does not have proper evacuation signs posted

## **RECOMMENDATIONS**

1. It is recommended that the three areas listed in finding # 2 above be remedied immediately.
2. The sheriff's facilities upgrade is already in the El Dorado County capital improvement program, indicating a new main facility in Placerville, and sub-station in El Dorado Hills. This Grand Jury, however, agrees with the sheriff's current recommendation identified in the background section of this report, specifically a new main facility in El Dorado Hills, and converting the current main facility in Placerville for use as a sub-station.

## **RESPONSES**

Response(s) to this report is required from the El Dorado County Board of Supervisors in accordance with California Penal Code §933.05.