

## BOARD OF SUPERVISORS COUNTY OF MADERA

MADERA COUNTY GOVERNMENT CENTER  
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April 26, 2011

The Honorable Mitchell C. Rigby  
Presiding Judge  
Madera County Superior Court  
209 W. Yosemite Avenue  
Madera, CA 93637

**Subject: Response to the 2010-11 Grand Jury Report entitled "Madera County Fire Station #8 (Chuckchansi)"**

Dear Honorable Judge Rigby:

In accordance with Penal Code Section 933, the Madera County Board of Supervisors submits this response to the Recommendations in the 2010-11 Madera County Grand Jury Report on "Madera County Fire Station #8 (Chuckchansi)" (See Attachment #1).

The following are the Grand Jury's recommendations in their Report, and the Board of Supervisors' response to the recommendations:

### **Grand Jury Recommendation**

The staff living quarters at Station #8 should be connected to the emergency power system. This is a repeat recommendation from the 2009-2010 Grand Jury Final Report, which to date has not been responded to by the Board of Supervisors as required by law.

### **Grand Jury Recommendation**

A clear emergency preparedness plan should be posted.

### **Grand Jury Recommendation**

The County should fund CAL FIRE Station located at 34555 Highway 41 to remain in operation on a year-round basis.

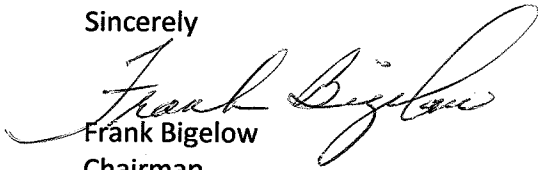
**Grand Jury Recommendation**

The MOU between the County of Madera and the Tribe needs to be re-negotiated to reflect realistic staffing needs, vehicle replacement needs, and comprehensive emergency preparedness.

**Board of Supervisors' Response to Grand Jury Recommendations**

The response of the Acting Fire Chief to the above Recommendations is considered appropriate and is submitted as the Board of Supervisors response (See Attachment #2).

Sincerely

A handwritten signature in cursive script, appearing to read "Frank Bigelow".

Frank Bigelow

Chairman

Madera County Board of Supervisors

Attachment

# MADERA COUNTY FIRE DEPARTMENT

IN COOPERATION WITH  
CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
CAL FIRE

14225 ROAD 28  
MADERA, CALIFORNIA 93638-5715

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March 25, 2011

TO: Darin McCandless  
Risk Management Analyst

FROM: Bill Hodson, Madera County Acting Fire Chief  
By: David Irion, Madera County Fire Division Chief

RE: Response to Grand Jury Report entitled "Madera County  
Fire Station #8 (Chuckchansi)"

The Grand Jury Report on Madera County Hazardous Fire Station #8 (Chukchansi) dated February 3, 2011 has four recommendations:

1. The staff living quarters at Station #8 should be connected to the emergency power system. This is a repeat recommendation from the 2009-2010 Grand Jury Final Report, which to date has not been responded to by the Board of Supervisors as required by law.
2. A clear emergency preparedness plan should be posted.
3. The County should fund CAL FIRE Station located at 34555 Highway 41 to remain in operation on a year-round basis.
4. The MOU between the County of Madera and the Tribe needs to be re-negotiated to reflect realistic staffing needs, vehicle replacement needs, and comprehensive emergency preparedness.

The Fire Department is required to submit a written response per PC 933(c). Penal Code Section 933.05 requires the following:

"...as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

- (1) the recommendation has been implemented, with a summary regarding the implemented actions.
- (2) the recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
- (3) the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, the time frame for the

matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame 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 the explanation therefore."

*Recommendation 1: The staff living quarters at Station #8 should be connected to the emergency power system. This is a repeat recommendation from the 2009-2010 Grand Jury Final Report, which to date has not been responded to by the Board of Supervisors as required by law.*

Currently the apparatus bay has a Guardian Quiet Source by Generac Power System, Inc backup generator (Model #0052430) mounted between the apparatus bay and the barracks. The generator capacity is 16,000 watts, 130/65 Amps and 120/240 AC. This system has the capacity to run both the apparatus bay and the barracks in the event of a power failure. Currently, there is a conduit in place that houses wires and runs between the two buildings. A county electrician has looked at the facility and said it would be a relatively simple and inexpensive job (\$2,500) to hook the barracks up to the backup generator system.

Because of the recent reduction to the Fire Department's operating budget, the funds to accomplish this don't exist at this time. If operating funds are available at the end of the FY and the BOS gives the Fire Department authorization to fund this expenditure, then this will be accomplished.

This recommendation will be analyzed at the end of the FY and will be accomplished when the funds are more readily available.

*Recommendation 2: A clear emergency preparedness plan should be posted.*

Fire personnel frequently train at the Casino to ensure all covering personnel know where to stage apparatus, gain access to the facility, how to proceed once inside, how to access pre-staged equipment and how to locate the control room. The Chukchansi Gold Resort & Casino staff annually participates in evacuation drills coordinated by the Fire Department. Even though the Fire Department and the Picayune Rancheria of the Chukchansi Indians have a good working relationship, the Fire Department is unable to force them to post an emergency preparedness plan.

The recommendation will not be implemented because it is not warranted or is not reasonable, with the explanation therefore.

*Recommendation 3: The County should fund CAL FIRE Station located at 34555 Highway 41 to remain in operation on a year-round basis.*

The CAL FIRE station located at 34555 Highway 41 is the Coarsegold Fire Station. During the non-Amador period (non-winter period), CAL FIRE staffs this two-engine station (along with the other four CAL FIRE stations in Madera County) with a minimum of 3 persons per engine. Therefore, there are numerous engines available to assist Engine #8 Indian Lakes should a significant incident at the Chukchansi Gold Resort & Casino occur.

Madera County typically funds four CAL FIRE stations through CAL FIRE's Amador program during the winter period. This program allows counties and cities to only pay for operator OT, utilities and apparatus and equipment rental during that time period. They gain nearly free operators and ultimately a very affordable way to fill in their response gaps during the winter months when CAL FIRE has down-staffed these CAL FIRE stations. Due to the location of Madera County Fire Station #12 Oakhurst and Station #8 Indian Lakes, the other four CAL FIRE stations located in Madera County are Amador staffed and CAL FIRE Coarsegold Fire Station is not.

If the BOS were to approve an increase of \$130,000 to the Madera County Fire Department's budget, then the CAL FIRE Coarsegold Fire Station could also be Amador staffed during the winter. This would enable the CAL FIRE Coarsegold engine to provide assistance quickly along with Engine #8 should a significant incident occur at the Chukchansi Gold Resort & Casino. The Fire Department will continue to work with the Madera County Administration Office as well as the Madera County Board of Supervisors to accomplish this goal.

This recommendation will continue to be analyzed annually and will be accomplished when the funds are more readily available.

*Recommendation 4: The MOU between the County of Madera and the Tribe needs to be re-negotiated to reflect realistic staffing needs, vehicle replacement needs, and comprehensive emergency preparedness.*

The latest MOU between the County of Madera and the Picayune Rancheria of the Chukchansi Indians (Tribe) took effect on February 14, 2007. The Fire Protection portion of the agreement states, "The Tribe agrees to reimburse the County for all actual costs of fire protection staffing under this Agreement incurred by the County, plus a 12% add-on for County general and administrative burden. This staffing compensation shall provide for two (2) qualified firefighters seven days a week, 24 hours a day."

When the Chukchansi Gold Resort & Casino facility was originally built, it was significantly smaller. The additional improvements include a second hotel wing, a multi-level parking structure and an outdoor tent structure. With the increase in size and complexity comes a need for increased staffing. In April 2009, the Fire Department approached the Tribal Council, with the Board's approval, to discuss increased staffing at Station #8 Indian Lakes. They were presented with 3 options. Those included: (1) converting to two seasonal Fire Fighter I positions to Fire Fighter II positions (staffing would stay at 2-person), (2) increase to 3-person staffing, and (3) increase to 4-person staffing. The Fire Department

discussed the advantages to all of the options and even showed a hose lay video that clearly showed the reduced task times with additional staffing. Several months later the Tribal Council responded to the Fire Department stating that it was not a good time to increase their funding at Station #8 Indian Lakes.

The Tribe purchased a 1992 fire truck (Truck #8) and a brand new (at the time), 2004 light engine (LE #8) for Station #8 Indian Lakes. Those two apparatus are still assigned to the station, and have 96,000 miles and 23,000 miles, respectively. Since Truck #8 has high mileage, it will need to be replaced relatively soon. The cost of a new or used fire truck is \$750,000+ or \$350,000+, respectively.

The Fire Department will continue to work with the Madera County Administration Office as well as the Madera County Board of Supervisors should they decide to update and make changes to the current MOU.

This recommendation will continue to be analyzed and will be accomplished when there is agreement from the Madera County Administration Office as well as the Madera County Board of Supervisors regarding when a new MOU is necessary.