

2001-2002 SANTA CLARA COUNTY CIVIL GRAND JURY

INQUIRY REGARDING THE SARATOGA FIRE DISTRICT

INTRODUCTION

In July 2001, the Santa Clara County Civil Grand Jury received a citizen complaint alleging various irregularities and law violations by the Saratoga Fire District (SFD), the Retired Saratoga Volunteer Firemen (Retired Firemen), and the Saratoga Fire District Measure F Bond Election Campaign Committee. During August and September 2001, the Grand Jury interviewed the complainant, representatives from the SFD and the Retired Firemen, and the Saratoga City Manager.

BACKGROUND

The SFD provides fire protection services to approximately 20,000 residents living in 12 square miles encompassing approximately one-half of the City of Saratoga and sections of the unincorporated areas to the south. The other sections of Saratoga receive fire protection from the Central Fire Protection District of Santa Clara County (County Fire).

Measure F was placed on the ballot in April 2000 seeking SFD resident approval to issue \$6 million in general obligation bonds to replace the current firehouse located at 14380 Saratoga Avenue, Saratoga. The firehouse was determined to be at high risk for major damage due to a seismic event.

At the time of the inquiry there was some Saratoga resident dissatisfaction with the current "split" fire protection arrangement. Several informal citizen groups proposed the combining of the SFD with County Fire to improve the fire response capability (reduce response time and increase fire equipment availability) and reduce costs. These proposals were strongly opposed by the SFD commissioners. The Measure F campaign and

the continuing debate within Saratoga as to the most effective fire protection organization for the entire city has created acrimonious relations between the citizen groups, the SFD commissioners, and the Retired Firemen.

OBSERVATIONS

The alleged irregularities and law violations can be grouped into the Ralph M. Brown Act violations, lack of audited financial statements from the SFD, and Measure F campaign committee donations/expenses.

The Grand Jury found that the SFD commissioners are currently conducting the business of the district within the requirements of the Brown Act. Audited financial statements for the SFD were provided, although the statement for fiscal year ending June 30, 2000, was not issued until September 20, 2001. The donations by the Retired Firemen to Measure F and the SFD training facility are legal, based on the IRS tax code for a 501 (c) (4) non-profit organization. No legal issues were identified with the political consultant fees paid by the Measure F Campaign Committee.

CONCLUSIONS

None of the issues identified in the citizen complaints were found to violate the law. With the support of the Saratoga City Manager, an agreement was reached in August 2001 between the SFD and County Fire establishing improved communications and mutual aid between the two fire districts. This agreement should reduce the citizen issues on fire protection that led to the complaint.

PASSED and **ADOPTED** by the Santa Clara
County Civil Grand Jury this 3rd day of
January, 2002.

Bruce E. Capron
Foreperson

Norman N. Abrahams, DDS
Foreperson Pro Tem

Joyce S. Byrne
Secretary

SFD Report, Distribution:

Courtesy List:

Mr. Thomas Blaisdell

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Retired Saratoga Volunteer Firemen

P.O. Box 406
Saratoga, CA 95070

Advance Copy List:

Saratoga Fire District

14380 Saratoga Avenue
Saratoga, CC 95070

Saratoga City Manager

Mr. Dave Anderson, City Manager
City of Saratoga
13777 Fruitvale Avenue
Saratoga, CA 95070