



AGENDA ITEM 7A

MEETING: July 20, 2016
TO: Humboldt LAFCo Commissioners
FROM: George Williamson, Executive Officer
SUBJECT: **Proposed Response to Recommendation R3 in 2015-16 Civil Grand Jury Report - "Earthquake, Flood, Tsunami: Is Humboldt County Ready?"**
The Commission will consider a formal response as requested by the Grand Jury concerning a recommendation (R3) contained in the report titled "Earthquake, Flood, Tsunami: Is Humboldt County Ready?"

BACKGROUND

The Humboldt County Civil Grand Jury consists of 19 citizens and is part of the judicial branch of government. The Grand Jury is an arm of the court, yet an entirely independent body. The presiding superior court judge, district attorney, county counsel, and state attorney general act as advisors. The primary function of the Grand Jury is to examine all aspects of county and city government (including special districts and joint powers agencies).

DISCUSSION

The Grand Jury prepared eight reports for 2015-2016, including "Earthquake, Flood, Tsunami: Is Humboldt County Ready?" The report included eleven findings related to the adequacy of the current Office of Emergency Services operations center; training; outside communication compatibility; security; operational costs; consolidation; and the lack of a formal feasibility study of the consolidation of Emergency Response Dispatch Centers for Humboldt County.

The Grand Jury Report includes three recommendations including:

R3. "The Humboldt County Civil Grand Jury recommends a formal feasibility study of the formation of a Joint Powers Authority to consolidate the Emergency Response Dispatch Centers for Humboldt County be conducted using research consultants who are not a part of any County stakeholder agency. (F6, F7, F9, F11)."

The Grand Jury requests that LAFCo respond to R3. Similar response requests are made to the Humboldt County Sheriff's Office; Arcata, Eureka and Fortuna Police Departments; and the Humboldt County Board of Supervisors. LAFCo staff consulted legal counsel Paul Brisso and special district member Troy Nicolini in preparing the attached response.

RECOMMENDATION

Staff recommends the Commission review the attached draft response letter, provide necessary changes, and direct staff to submit the response to the Grand Jury.

Attachment: Draft Grand Jury Response Letter



July 20, 2016

Honorable Judge Joyce D. Hinrichs
Presiding Judge
C/O John Heckel, Foreperson
Superior Court of Humboldt County
825 Fifth Street
Eureka, CA 95501

Re: Civil Grand Jury Report: Earthquake, Flood, Tsunami: is Humboldt County Ready?

Honorable Judge Hinrichs,

The Humboldt Local Agency Formation Commission (LAFCo) appreciates the Grand Jury's efforts to gain an understanding of the state of emergency dispatch centers throughout the County in recognition of the region's exposure toward natural disasters. We hereby submit the response, as requested, which addresses Grand Jury Report Recommendation R3 and provides clarification of LAFCo's role.

RECOMMENDATION AND RESPONSE

- R3. The Humboldt County Civil Grand Jury recommends a formal feasibility study of the formation of a Joint Powers Authority to consolidate the Emergency Response Dispatch Centers for Humboldt County be conducted using research consultants who are not a part of any County stakeholder agency.

Humboldt LAFCos response is focused on the function of a Joint Powers Authority (JPA) for consolidated service delivery and LAFCos potential involvement in a feasibility study.

JPAs are statutorily permitted in accordance with the Joint Exercise of Powers Act (Government Code section 6500 et seq.), which has been in existence since 1922. JPAs consists of two or more public agencies that either contract to jointly exercise shared powers or contract to form a separate legal entity to provide a particular service or services. LAFCo does not have direct authority over the formation, organization, and related decision-making for JPAs.

JPAs are effective for coordinating the actions of local organizations for a common objective, such as the Humboldt Waste Management Authority for waste management and the Redwood Coast Energy Authority for energy issues. In the case of emergency response, there are federal (e.g., Redwood National and State Parks, Bureau of Land Management) and state (e.g., California Highway Patrol, CAL FIRE) organizations

actively involved in dispatch, in addition to local organizations. Engaging all these government levels in a JPA seems unlikely, and could involve a lengthy process.

JPAs require the voluntary cooperation of all entities to be effective. A feasibility study done for Humboldt County in the 1990's determined that consolidation was not feasible due to several dispatch organizations deciding not to participate. The only JPA example cited in the Grand Jury Report, SHASCOM in Shasta County, has had one of its members withdraw.

In addition, an independent feasibility study of JPA formation to consolidate County Emergency Response Dispatch Centers could be costly, and potentially take funds away from the limited resources needed to support existing response centers and operations. Who would oversee this study is not clear. While the Grand Jury report clearly designates the Sheriff's Office of Emergency Services for its first two recommendations, the Report does not identify which agency or agencies would be responsible for the feasibility study called for in Recommendation 3, only that it be conducted using research consultants who are not a part of any County stakeholder agency.

For the above cited reasons Humboldt LAFCo feels the recommendation requires further analysis. LAFCo has the authority to initiate studies of existing governmental agencies and service capabilities pursuant to Government Code Section 56378. While Humboldt LAFCo has the capability to conduct a consolidation feasibility study for Humboldt County Emergency Response Dispatch Centers, and could be considered independent from County stakeholder agencies, it has no authority over JPAs.

It seems that a facilitated discussion involving all emergency dispatch providers with the objective refining existing operations, rather than creation a new authority, would be a more efficient and far more cost effective way to address dispatch readiness issues raised in the report.

Please contact the LAFCo office if you have any questions or if we can be of further assistance.

Sincerely,

George Williamson
LAFCo Executive Officer