

2015-2016 Lake County Grand Jury

# Final Report

June 30, 2016



**Grand Jury Art Contest First Place Winner  
Megan Peterson, Age 16**

# ONE LESS SPARK ONE LESS WILDFIRE



**Cal E·MA**  
CALIFORNIA EMERGENCY  
MANAGEMENT AGENCY



California Wildfire Coordinating Group

For More Information on Fire Preparedness, Visit  
[www.preventwildfireca.org](http://www.preventwildfireca.org)

# Table of Contents

## **Introduction**

Letter from Presiding Judge of the Superior Court .....	iii
Letter from the Foreperson of the Civil Grand Jury .....	v
Grand Jury History and Qualifications .....	vii
Submission of Complaints .....	x
2015-2016 Grand Jury Roster.....	xii

## **Final Reports by Committee**

### **Ad Hoc**

Role of the Office of Emergency Services In County Disaster Preparedness .....	1
---	---

### **Budget and Finance**

Pension Plan Reviews.....	13
Tax Collector’s Check Processing Efficiency .....	25

### **Government Services**

Board of Supervisors Investigation .....	29
Victim Witness Program Review .....	33

### **Health and Human Services**

Alcohol and Drug Services Available in Lake County .....	39
Employee Accountability and Record Keeping .....	45

### **Planning and Public Works**

Lakeport City General Plan and Zoning Ordinances Have been Inconsistent for 20 Years .....	49
Neighbors Object to Vector Control’s Expansion Plans .....	57

### **Public Safety**

Fire Safety in Lake County .....	65
Canine Units in Lake County .....	75
The Lake County Grand Jury Visits the Mendocino County Juvenile Facility.....	77

### **Public Services**

Nuisance Abatement Code Enforcement in and Around Lake County, After the 2015 Wildfires .....	85
--	----

### **Grand Jury Appendix**

Grand Jury Application.....	95
Complaint Form.....	101





## Superior Court of California

COUNTY OF LAKE  
255 NORTH FORBES STREET  
LAKEPORT, CALIFORNIA 95453

STEPHEN O. HEDSTROM  
SUPERIOR COURT JUDGE

(707) 263-2374 EXT 2231  
FAX (707) 262-1327

June 6, 2016

Dear Members of the 2015-2016 Lake County Civil Grand Jury:

The submission of your final report is the result of your hard work. I have reviewed that report, and I find that it complies with Title 4 of Part 2 of the California Penal Code (§§888 et seq.). I direct the clerk of the court to accept and file the final report pursuant to Penal Code §933, subd. (b).

Although there may be disagreement with some of the findings and recommendations in your thought-provoking reports, you have acted in the best interests of your community. While you have no power to enforce your recommendations, the law requires governing bodies, elected officials, and agency heads to provide meaningful responses to your findings and recommendations. Respect for your hard work and the importance of your final report should also motivate meaningful responses. Your findings and recommendations, together with official responses and publicity should lead to honest debate and ultimately improve the fairness, quality, and efficiency of local government.

You volunteered a considerable amount of time as grand jurors at a great personal sacrifice. You brought the independence, experience, knowledge, and wisdom of the community to bear upon your final report. You served with dedication and diligence to make Lake County a better place.

I express my appreciation and that of the entire court for your very valuable public service.

Sincerely,

A handwritten signature in blue ink that reads "Stephen O. Hedstrom".

Stephen O. Hedstrom  
Presiding Judge of the Superior Court





**COUNTY OF LAKE**  
**GRAND JURY**  
PO Box 1078  
Kelseyville, CA 95451  
Telephone (707) 279-8619  
Fax (707) 279-1983

June 30, 2016

The Honorable Stephen O. Hedstrom  
Superior Court of California  
County of Lake  
255 Forbes Street  
Lakeport, California 95453

Dear Judge Hedstrom,

In accordance with California state law, we respectfully submit the 2015-2016 Lake County Grand Jury Final Report.

The 2015-2016 final report reflects the hard work of this year's grand jury members. The report includes findings from thirteen investigations. During the phases of preparing these findings, the jurors reached out to many people. I speak for all the jurors in expressing our appreciation for the time and information that members of the public and employees of Lake County and the Cities of Lakeport and Clearlake contributed during our research process.

2015-2016 has been a challenging year for Lake County. Three major wildfires devastated South Lake County communities and had major impact throughout all areas of the County. Grand jury meetings were interrupted briefly during the crisis as a number of the jurors were evacuated from their homes. We want to express our compassion for our fellow Lake County residents affected by the fires, and our appreciation for County staff's patience with our process during this busy year.

This year's grand jury final report features artworks by Lake County students. We are pleased to provide an opportunity for our youth to express their creativity and to encourage community participation in the grand jury. The prizes awarded to the finalists were contributed by the jurors.

I would like to express my gratitude and respect for my fellow jurors for their hard work and dedication to the people of Lake County. This year's grand jury was a gathering of individuals from diverse backgrounds and walks of life. Everyone contributed his or her particular skills and insights to the day-to-day functioning of the jury, the research on each investigation, and the preparation of this report. I encourage all Lake County citizens to consider serving on future grand juries. It is a stimulating, educational and rewarding experience, and an opportunity to make a positive difference in the health and sustainability of the County.

Sincerely,

James C. Baur  
Foreperson, 2015-2016



# COUNTY CIVIL GRAND JURY

## HISTORY

The institution of the Grand Jury is of ancient origin. Its use as an instrument of government predates its introduction into our county during colonial times. It has been continued and used throughout American history.

As constituted today, the Grand Jury is a part of the judicial branch of government – “an arm of the court.” It does not have the functions of either the legislative or executive branches, and is not a police agency. Additionally, it does not mandate policy changes. It is an examining and investigative body that makes recommendations to improve systems, procedures, and methods of operations in designated local government agencies.

In Lake County, the Grand Jury generally performs only civil functions.

## ORGANIZATION

The Lake County Civil Grand Jury (Grand Jury) is composed of nineteen men and women of various backgrounds chosen from throughout Lake County.

The presiding Superior Court Judge appoints a foreperson who presides over all full jury proceedings and is responsible for directing the business of the Grand Jury.

Most Grand Jury work is done by committees. The areas of focus of these committees usually includes: Environment, Juvenile Justice, Social Services, Health, Administration, Criminal Justice, Public Works, Special Districts and Public Schools.

The Grand Jury and its committees meet several times a month. They meet with county and city officials, visit county facilities, and conduct independent research on matters of interest or concern. The committees report to the full Grand Jury and conclusions are reached after discussion and study of issues. The Grand Jury may seek advice or request the services of the County Counsel, District Attorney, Presiding Judge of the Superior Court, or State Attorney General.

## FUNCTIONS

### **Watchdog Responsibilities:**

The major function of the Grand Jury is to examine county and city government and special districts to ensure that their duties are being lawfully carried out. The Grand Jury reviews and evaluates procedures, methods and systems utilized by these entities to determine whether more efficient and economical programs may be employed. The Grand Jury is also authorized to:

1. Inspect and audit books, records and financial expenditures to ensure that public funds are properly accounted for and legally spent.
2. Inspect books and records of special districts in Lake County.
3. Examine the books and records of any nonprofit organization receiving county or city funds.
4. Inquire into the conditions of jails and detention facilities.
5. Inquire into any charges of willful misconduct in an office by public officials or employees.

### **Response to Citizens Complaints:**

The Grand Jury receives letters from citizens alleging mistreatment by officials, suspicions of misconduct or governmental inefficiencies. Anyone may ask the Grand Jury to conduct an investigation. All complaints are confidential. The jury generally limits investigations to the operations of governmental agencies, charges of wrong-doing within public agencies, or the performance of unlawful acts by public officials. The Grand Jury cannot investigate disputes between private parties.

## **FINAL REPORT**

At the end of its term the Grand Jury issues a final report, including reports released during the year, documenting its investigations and recommendations. Copies of the final report are distributed to public officials, libraries, the news media, any interested parties and any entity that is the subject of one of the reports. According to law, the elected County officers must respond within sixty (60) days following the release of the final report. The Board of Supervisors and other public agency governing boards must respond within ninety (90) days.

The Grand Jury's final report summarizes the year's activities and contains its findings and recommendations for action and study. The new Grand Jury reviews the responses of the affected public agencies and the process of protecting the public interest begins anew.

## CONTINUITY

The Lake County Grand Jury (Grand Jury) is made up of a number of separate committees each responsible for investigating different aspects of government in Lake County. The Continuity Committee has an entirely different function. The Continuity Committee puts the history of Grand Jury investigations in perspective, catalogs prior investigations, and maintains a database for future Grand Juries.

To the extent authorized by Penal Code 924.4, the Grand Jury may pass on and provide the succeeding Grand Jury with any records, information, or evidence acquired by the Grand Jury during the course of any investigation conducted by it during its term of service.

The Continuity Committee produces an annual public document, which is made available to the media and on the Lake County website. This document lists the investigations of the previous Grand Jury, their recommendations and the responses from the governmental entities that were the subjects of the report.

The Continuity Committee is also responsible for providing the incoming Grand Jury with logistical, office related and administrative information to facilitate a smooth transition from one Grand Jury term to the next.

## **SUBMISSION OF COMPLAINTS**

Although is it not required, complaints should first be addressed to those responsible for resolution unless it will be detrimental to the complainant. The Lake County Grand Jury will respond to all citizens submitting complaints. The citizen may not have further acknowledgement other than their complaint was received. A Complaint Form is available in the Appendix. Additional Complaint Forms may be requested from:

**Lake County Civil Grand Jury  
PO Box 1078  
Kelseyville, CA 95451  
(707) 279-8619**

Or on the web at <http://www.co.lake.ca.us/Government/Boards/GrandJury>

## **GRAND JURY SELECTION PROCESS**

The court solicits applications for the Grand Jury by advertising in the local papers. An Application Form is available in the Appendix. Additional Applications may be obtained by mailing a letter with a self-addressed, stamped envelope to:

**Grand Jury Coordinator  
255 North Forbes Street  
Fourth Floor  
Lakeport, CA 95453.**

Applications are also available at each Superior Court Clerk's office at the above address or at 7000 A South Center Drive, Clearlake. Once applications have been screened and approved, they are randomly selected to be members of the Grand Jury.

## **QUALIFICATIONS FOR GRAND JURORS**

### **Prospective Grand Jurors must possess the following qualifications (Penal Code 893):**

1. Be a citizen of the United States, of the age of eighteen (18) years or older who shall have been a resident of the state and county for one year immediately prior to being selected.
2. Be in possession of his or her natural faculties, or ordinary intelligence, sound judgment, and fair character.
3. Possess sufficient knowledge of the English language.

### **A person is ineligible to serve if any of the following apply:**

1. The person is serving as a trial juror in any court of this state.
2. The person has been discharged as a Grand Juror in any court of the state within one year.
3. The person has been convicted of malfeasance in office or any felony or other high crime.
4. The person is serving as an elected public officer.

### **Desirable qualifications for a Grand Juror include the following:**

1. Have the time to make the necessary commitment. It is not uncommon to serve ten to fifteen hours a week or more.
2. Be open-minded with concern for the positions and view of others.
3. Have the ability to work with others.
4. Have an interest in community affairs.
5. Possess investigative skills and an ability to write reports.
6. Have a general knowledge of the functions, authorities and responsibilities of county and city government and other civil entities.

## 2015-2016 Lake County Civil Grand Jury

Name	Role	City
Jim Baur	Foreperson	Kelseyville
Fred Belka*		Lakeport
Dick Bishop		Clearlake Oaks
Rosemary Dontje	Recording Secretary	Kelseyville
G. Elliot*		Kelseyville
Bill Helldorfer	Foreperson Pro-Tem	Lakeport
Grace Gault		Lucerne
Rick Lewis		Lower Lake
Maggie Magoolaghan		Kelseyville
Bill Magoolaghan		Kelseyville
Nanette Marschall		Lakeport
Venn Marschall		Lakeport
Phil Myers		Lakeport
Robert Norquist*		Clearlake Oaks
Jan PanKratz	Administrative Secretary	Lakeport
Patrick Potter		Upper Lake
“J” Richard		Kelseyville
Kathryn Schmid		Kelseyville
Debbie Smith*		Hidden Valley Lake
Dennis Van Meter	Sergeant-at-Arms	Nice
Xian Yeagan		Upper Lake

# Ad Hoc Committee



**Grand Jury Art Content Winner  
Madison Fletcher, Age 16**



# **Role of the Office of Emergency Services In County Disaster Preparedness**

## **Summary**

Disaster preparedness is a vital function of all levels of government. The Lake County (County) fires of 2015 demonstrated that a major disaster affects virtually every County government department and agency.

The 2015-2016 Lake County Grand Jury (Grand Jury) conducted this investigation of the preparedness and function of our local government during the 2015 fires with primary focus on the Office of Emergency Services (OES). The Lake County Disaster Council (Disaster Council) was also considered in this investigation given its close association with the OES. While both state and federal agencies participated heavily in the disaster response, the County government and its agencies are the focus of this investigation.

The Grand Jury found that the coordination of emergency services in the midst of one of the largest disasters in California was disorganized, according to the testimony of those interviewed.

A 2014 Strategic Plan for the OES prepared by its manager identified areas of weakness in the County disaster preparedness agencies along with specific steps to remedy them. While some steps were in progress to address certain areas (i. e., starting to update the, Emergency Operations Plan (EOP), holding training sessions) most remained incomplete by the time of the Valley Fire fourteen months later.

Given the trauma the County suffered in the summer of 2015, the Grand Jury believes that disaster preparedness should be done before and not while, responding to a catastrophic event.

The Grand Jury found deficiencies in organization, supervision and implementation among the agencies investigated. It also found that because of the deficiencies brought to light during the Valley Fire, County efforts are underway to see that they do not re-occur.

## **Background**

The series of fire disasters in the summer of 2015 in the County affected most of the population. While the significant roles of the various fire departments and the sheriff's department were evident, the Grand Jury researched a nominal key player, the OES. The Disaster Council works closely with the OES and was included in this investigation.

The initial step in this investigation was a review of the OES web page on the County informational website (Bibliography #1). The Grand Jury expected to find a description of the OES and its management structure. This preliminary step revealed that the web page had blanks where pertinent information should exist.

The EOP was no longer there. Attempts to contact the person identified as the OES Manager resulted in the information that the position was vacated in the midst of the Valley Fire event.

## **Methodology**

The methodology employed in this investigation included interviews with:

- the Board of Supervisors (BOS)
- an individual with the Department of Social Services and the Lake County Recovery Task Force
- an individual in the County Administrative Office, and an official in the County Sheriff's office
- a former employee of the OES
- a member of the Disaster Council
- a local fire chief with experience in emergency service departments
- heads of the Cal FIRE forces

The Grand Jury also conducted:

- telephone interviews with Cal OES
- internet search and telephone outreach to surrounding county OES operations

The Grand Jury also reviewed the following documents:

- the 1996 Lake County EOP
- the June 25, 2014 Disaster Council By-Laws and the meeting minutes
- the June 25, Version 01.2014 County OES Strategic Plan developed by the OES Manager
- the July 2015 draft of an updated Emergency Operations Plan from the former OES Manager
- the June 2015 organizational chart of Cal OES
- OES transactional reports from fiscal years 2012-2013, 2013-2014 and 2014-2015
- copies of equipment requisitions and purchase orders for the OES fiscal year 2015-2016
- the 2015 Homeland Security Grant Providers Funding Application
- the Personnel File of the OES Manager obtained by subpoena, as required
- the 2013 and 2015 Job Announcements for an OES Manager

- the 2015/2016 Position Allocation for Budget Unit (BU) 2704 for an Emergency Services Manager
- the March 31, 2015 County of Lake Report of Appointment for the OES Manager
- letters of commendation for the 2014-2015 Lake County OES Manager from three state officials dated July 31 – August 27, 2015

## **Discussion and Analysis**

All County employees are designated as Disaster Workers during a proclaimed emergency and may be required to perform emergency service at the discretion of their supervisors. The OES duties include conducting emergency preparedness training for County employees, volunteers, citizens and various organizations.

The OES exists to provide “emergency management services in the Operational Area, which includes the cities of Lakeport and Clearlake, local responders, agencies and special districts. The California Emergency Services Act designates each county as an Operational Area, with Lake OES leading the Lake Operational Area.” (Bibliography #1).

The OES Manager submitted a comprehensive Strategic Plan for the OES on July 25, 2014. Goal One was to prepare for an emergency, which included updating the 1996 EOP. Additional goals included identifying disaster service workers and EOC personnel, choosing a new EOC facility, drafting a Memorandum of Understanding (MOU) “regarding partnership with the Sheriff’s Department, mutual use of assets and grant program management.” (Bibliography #3).

The 2014 OES Strategic Plan cites “inconsistencies” and a “great deal of confusion” among responders about the EOC and the EOP, “lack of community outreach” affecting community preparedness, “a limited communication infrastructure”, and “unclear availability of resources amongst various county departments, responder agencies and other local governments, private industry and community organizations.” (Bibliography #3).

The Grand Jury discovered that nine different County employees in three Departments have managed the OES since 1995, on either a full-time or a part-time basis. Two individuals had been hired full-time from outside County government to hold the position of manager of the OES since 2013. Both left that position.

The Lake County OES function has moved from the Public Services Department (1995-2000) to the Sheriff’s Department (2001-2013), to the Administrative Office (2013-2015) and currently back to the Sheriff’s Department (2016).

In other comparable Northern California counties, the OES or similar agency, reports to one of several entities, including the Sheriff's Department, the Fire Department, the Administrative Officer, or the county CEO. The OES also exists as an independent agency in Sonoma, Yolo and Butte counties.

The Operations Area Workgroup (OAW), which was convened for the first time by the OES Manager in 2015, completed a draft of a new EOP to update the version adopted in 1996. Members of the Disaster Council and the Sheriff's Office appear on the distribution list of invitees to the OAW meetings involved with drafting a new EOP, but were not listed among those having attended. A County administrative officer and an official of the Disaster Council reported they were unaware of the 2015 draft. The EOP, adopted in 1996, was removed from the OES web page on the County website during the Valley Fire emergency, leaving that page devoid of a working emergency plan.

The OES Manager is the primary link between the OAW and the Disaster Council. The Disaster Council is an official advisory body to the BOS. Its purpose is to lead ongoing efforts to improve disaster preparedness countywide and provide oversight for critical disaster functions (Lake County Code 1973, Chapter 6, Article 1). Disaster Council meetings are open to the public. A County Supervisor serves as Chair of the Disaster Council, which consists of 12 voting members appointed by the OES. (Bibliography #2). As stated in the 2015/16 Position Allocation document for the Emergency Services Manager in Budget Unit 2704, the primary goals of the OES were established and approved as follows:

- a. Continue the recovery efforts for the Rocky and Jerusalem Fires
- b. Update the Emergency Operations Plan
- c. Re-establish EOC activation protocols
- d. Continue training County employees in EOC roles and as Disaster Services workers
- e. Work with the Operational Area representatives and volunteer groups to prepare for emergency response" (Bibliography #6)

The bylaws of the Disaster Council mandate quarterly meetings and submission of an Annual Report and Strategic Plan to the BOS. The Grand Jury was unable to substantiate that quarterly meetings were held. The minutes from a June 25, 2014 meeting were reviewed. The OES Strategic Plan was introduced by the OES Manager at that meeting. An email announcing a second meeting on September 24, 2014, was located although no minutes have been recovered. The Grand Jury requested copies of the Annual Report and Strategic Plan presented to the BOS as mandated by the Disaster Council bylaws. These requests were unfulfilled.

County and state officials interviewed by the Grand Jury reported that the EOC established in the early days of the Valley Fire was disorganized. There were area disaster responders who reported to the EOC and did not know what was expected of them due to lack of training and on-site supervision.

The Grand Jury discovered that the OES Manager decided to resign in the midst of the Valley Fire. The position classification of OES Manager is at-will. \* The at-will classification comes with the understanding that dismissal without cause or notice can occur. Likewise, the incumbent may resign without notice at any time. A resignation may provide certain financial benefits and a positive recommendation. Termination without notice does not provide such benefits.

On September 18, 2015, an email was sent from the County Administrative Office to all County officials announcing that the OES Manager had resigned. A County official was appointed to temporarily step in to take over emergency operations for the duration of the fire.

A job search was conducted for a new OES Manager and a new manager was hired on May 2, 2016. The 2016 job announcement for the new OES Manager reflected a 20% salary increase with no changes in job duties or responsibilities except for the change of reporting relationship from the Administrative Office to the Sheriff's Department.

Two federal grants finance the Emergency Services Program and the OES: the Homeland Security Grant Program (HSGP) and the Emergency Performance Grant (EMPG). Together they total approximately \$300,000.

The HSGP funding is designed specifically for activities with a "terrorism nexus" including cyber security, infrastructure, health and social services, housing and long-term vulnerability reduction. The purpose of the HSGP is to "prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States." (Bibliography #4). A team of five entities is mandated by Homeland Security to make decisions about how to allocate the HSGP grant monies. They are: a city fire chief, a chief of a fire authority, a police chief, a sheriff, and a public health officer. This "Committee of Five" evaluates requests from County agencies for purchases using the grant monies. The OES manager is not named as a mandated participant in the meetings to decide allocation of the HSGP funds awarded to that agency.

---

\* At-will employment is a term used in U.S. labor law for contractual relationships in which an employee can be dismissed by an employer for any reason (that is, without having to establish "just cause" for termination), and without warning. When an employee is acknowledged as being hired "at will", courts deny the employee any claim for loss resulting from the dismissal. [https://en.wikipedia.org/wiki/At-will\\_employment](https://en.wikipedia.org/wiki/At-will_employment)

The EMPG provides funds to states' emergency management agencies to support efforts required to meet the National Preparedness Goals. This grant stipulates that matching funds or in-kind materials, services, and staff time come from the County General Fund. The EMPG grant supports core salaries and benefits for the OES Manager, clerical and para-professional staff and some equipment connected with staff work. (Bibliography #5).

As of 2016, the OES has been transferred back to the Sheriff's Department. The 1996 EOP, which was taken off the OES webpage in September 2015, was posted on the Sheriff's Department web page in March 2016. The OES Manager will now report to the Undersheriff. The task of developing an executable EOP is the responsibility of the OES Manager.

Plans are underway for an EOC in the former Alternative Work Program building located in the County dispatch complex.

## **Findings**

- F1 Instability in the OES is evident in the turnover in management and rotation between departments since 1995.
- F2 Confusion existed about the identity, staffing and operations of an EOC.
- F3 Confusion existed about the use of the EOP.
- F4 Confusion existed among responders about the role of the OES.
- F5 The local community and County employees had not received adequate training in how to proceed in an emergency.
- F6 A Strategic Plan for the OES was submitted in 2014 but not fully implemented.
- F7 Disaster workers who reported to the EOC at the time of the Valley Fire were uncertain of their responsibilities.
- F8 The County EOP contained outdated information and was removed from the County's OES webpage during a critical emergency.
- F9 The OES manager position appeared to be formerly underpaid as evidenced by a 20% salary increase with no additional duties or responsibilities for the next OES Manager.
- F10 Supervision of the OES manager was inconsistent.

- F11 Duties and responsibilities of the OES, the OAW, the Disaster Council and the Sheriff's Department were unclear in terms of the separation of their roles before and during emergencies.
- F12 The Disaster Council was in violation of its bylaws by not holding quarterly meetings announced to the public, or submitting an annual report and strategic plan to the BOS.
- F13 A full-time manager of the OES with adequate support staff was needed to handle the responsibilities of that office.
- F14 One of the job duties of an OES Manager is to obtain grant monies for disaster preparedness and as such has a legitimate need to have a voice in deciding how those monies are spent.
- F15 Advantages of having the OES under the Sheriff's office are that the Sheriff's Department is routinely involved in emergencies. In addition, several of the employees of the office have completed certification in disaster preparedness. A potential disadvantage is that the Sheriff's Office has a great number of responsibilities of its own. Additionally, as an elected official, the position of Sheriff is subject to change every four years.
- F16 An advantage of having the OES report to the County Administrative Officer (CAO) is that this office is policy-driven versus operations-driven, thus facilitating the coordination functions that the office must perform. A potential disadvantage is that the job description of the CAO does not currently require the incumbent to have any expertise in OES functions. Additionally, as an at-will hire, the CAO can be terminated or leave that position at any time without notice.
- F17 Advantages of having the OES exist as an independent agency with adequate support staff, are that federal preparedness grants exist to support such an agency; County coordination of disaster response duties represents a full-time activity; and an independent agency would allow full-time focus on those critical activities.

## **Recommendations**

- R 1 Create an up-to-date County EOP and post it on the County information website and the Sheriff's Department website. (F3, F8)
- R 2 Conduct an orientation to the updated EOP for the community disaster support and preparedness agencies. (F3, F4, F5, F11)

- R 3 Reinststate and populate the OES webpages with all relevant information. (F3, F7)
- R 4 Define and promote the nature and works of the OES, the Disaster Council and the OAW to effected agencies and the public. (F2, F4, F5, F7, F11)
- R 5 Include representatives from all County agencies involved in providing emergency services and post disaster services, in updating the EOP. (F3, F4, F7, F8)
- R 6 Submit Disaster Council annual reports and a Strategic Plan to the BOS as per their bylaws. (F12)
- R 7 Convene quarterly meetings of The Disaster Council and announce them to the public. (F12)
- R 8 Establish a dedicated EOC with all necessary equipment on hand and with a clear set of instructions, contact numbers, expected duties and responsibilities for the responders. (F5, F7)
- R 9 Produce a procedural manual and conduct periodic trainings about activation processes and staffing of the EOC. (F5, F7)
- R 10 Develop outreach literature and associated training for community groups eligible to participate in emergency preparedness. (F3, F4, F5, F7)
- R 11 Include the OES Manager as a primary decision maker in the allocation of grant monies. (F14)
- R 12 Update and maintain the 2014 OES Strategic Plan (F6)
- R 13 Establish the Lake County OES as an independent agency that works closely with the Disaster Council and the Operations Area Workgroup. (F17)

### **Request for Responses**

- Lake County Sheriff's Office (60 days)
- Board of Supervisors (90 days)
- County Administrative Officer (courtesy request)

## **Bibliography**

1. [www.co.lake.ca.us/Government/Directory/Administration OES](http://www.co.lake.ca.us/Government/Directory/Administration/OES); Feb 2016
2. Bylaws of the County of Lake Disaster Council, June 25, 2014
3. Strategic Plan, County of Lake, Emergency Services, June 25, 2014
4. [www.fema.gov/fiscal-year-2015-homeland-security-grant](http://www.fema.gov/fiscal-year-2015-homeland-security-grant) program.
5. [www.fema.gov/media-library-data-/assets/documents/105618](http://www.fema.gov/media-library-data-/assets/documents/105618); Emergency Management Performance Grant Funding Guidelines.
6. Final Recommended Budget for BU 2704 Fiscal Year 2015/16



# Budget and Finance



*I made this flower to represent our family. The big flower is my Mom and the little flower is me, the bud is my sister and the stem and the leaves is my Dad*

Grand Jury Art Contest Winner  
Wyatt Chadwell, Age 9



# PENSION PLAN REVIEWS

## Summary

This report examines the pensions provided by the County of Lake (County), the City of Clearlake (Clearlake) and the City of Lakeport (Lakeport).

The 2015-2016 Lake County Grand Jury (Grand Jury) investigated whether there was a lack of proper public notice of pension benefit formula increases and found that there were no legal violations; however, communications to the public could be improved.

The potential of a large unfunded pension liability in the County and each City was examined. While the County qualifies for a “Good” rating and Clearlake and Lakeport qualify for a “Fair” rating from Morningstar® both the County and Lakeport are taking positive steps to improve their situations. The Grand Jury recommends that Clearlake examine these positive steps and try to improve their rating. In addition all three entities should improve their communications with the public in this area via an annual report. Internally, the overall direction (setting goals) and administration of pensions need attention.

## Background

A major factor in recent insolvencies of public and private agencies and companies is the increased cost of pension benefits authorized in order to retain and attract employees without sufficient consideration of the increased cost of those benefits in future years. Generally two measures are used related to fiscal solvency and the management of pension plans: the funded ratio (% funded versus the total liability) and the unfunded actuarial accrued liability (UAAL) per capita (which represents the amount each resident would need to pay to fully fund the unfunded liability).

Morningstar®, a leading provider of independent investment research, reported that as of June 30, 2012 the average funded ratio of state pension plans nationwide was 72.6% and the average UAAL per capita was about \$2,600, although these varied widely across the country. Of all the states, only six states had funded ratios of 90% or more and only seven states had UAALs of less than \$100 per capita. In addition, twelve states had funded ratios of at least 80%. Morningstar® considers pension systems with a funded ratio of 80% or greater and/or a UAAL per capita under \$1,500 to be in good condition.

The Grand Jury received a letter dated July 14, 2015 from a member of a former Marin County Grand Jury strongly suggesting that each Grand Jury in the state of California investigate how notice was given to the public regarding potential increases of pension benefits for public employees during the time

period from 1996 to 2006. The letter was referred to the Budget and Finance Committee for consideration.

## **Methodology**

Actions completed:

- Reviewed the 2015 Marin County Grand Jury Report and the 2012 Sonoma County Grand Jury Report on the pension issue.
- Attended multiple Lakeport City Council meetings.
- Requested the dates of all changes to the County, Clearlake, and Lakeport pension benefit formulas over the past 15 years.
- Requested copies of the published Board of Supervisors and City Council agendas, proposed resolutions/ordinances and minutes of meetings where changes to the pension benefit formulas were considered over the past 15 years.
- Reviewed the pension data available on the CalPERS web site <sup>(1)</sup> for data including:
  - Circular Letter 200-032-09 on the requirements for public notice. <sup>(2)</sup>
  - The value of the net pension liability for 2013 for various agencies in California. <sup>(3)</sup>
  - Specific data on the 2014 pension results for various agencies in California. <sup>(4)</sup>
- Reviewed information on the California Public Employees' Pension Reform Act (PEPRA) effective January 2013. <sup>(5)</sup>
- Reviewed reports from CalPERS internal auditors for the County, Clearlake and Lakeport regarding the Government Accounting Standards Board (GASB) 68 required standards reports on the status of their pension plans.
- Reviewed the various presentations made by NHA Advisors (a financial advisor to public agencies) hired by Lakeport regarding the proposed restructuring of the Lakeport pension liability.
- Reviewed the current year (2015/16) budgets for the County, Clearlake and Lakeport with regard to all budget items related to the pension funding.
- Interviewed the management of the County, Clearlake and Lakeport responsible for the financial and general administration of the pension benefit plans.
- Researched acceptable levels of solvency for pension plans. <sup>(6)</sup>

## Discussion and Analysis

Regarding the investigation into the lack of proper public notice of pension benefit formula increases there does not appear to be an issue due to:

1. The County has not adjusted the pension benefit formula since July 26, 1998 thus no violations occurred during the fifteen year period examined.
2. Clearlake has not adjusted the pension benefit formula since July 1, 1982 thus no violations occurred during the fifteen year period examined.
3. Lakeport made two adjustments during the 15 year period examined; one to the miscellaneous group on January 17, 2006 and one to the safety group on July 17, 2012. In each case the change increased the size of the pension that employees would receive.
  - With regard to the July 17, 2012 increase, the referral package published as part of the agenda for the approval meeting met all the requirements for giving notice to the public. The agenda that was published on-line, however, made no mention of the fact that the change would increase the pensions for all safety personnel and increase the future liability for the city. On page 15 of the 21 page CalPERS actuarial evaluation of the change it is stated that it would increase the city's accrued liability by \$254,091. This fact would have been useful for the public to see in order to determine if they wanted to attend the meeting.
  - Lakeport stated they were unable to locate the records pertaining to the January 17, 2006 increase after undertaking a reasonable search of city records and their on-line archive of records held by CalPERS. The city moved from a two year to a ten year record retention period on August 18, 2015. After reviewing the state law on records retention the Grand Jury found no violation.

The City of San Bernardino declared bankruptcy in 2012 and restructured their finances so that CalPERS (California Public Employees Retirement System) was last in line to receive the City's contribution to their pension fund. CalPERS took the City to court and won. The decision moved CalPERS to the front of the line when any municipality in the state declared bankruptcy.

When members of the Grand Jury attended the Lakeport City Council meeting on August 18, 2015 they found that a major item on the agenda was a presentation on restructuring a portion of the city's UAAL under CalPERS and a proposed selection of alternative plans for restructuring.

This was driven by a CalPERS requirement to significantly increase Lakeport's annual payments. The estimated total cost for this fiscal year without

restructuring totaled \$265,000. Next year's estimate is approximately \$600,000. By 2021 it will grow to \$857,000 before dropping to \$486,000 in 2022 and returning to over \$700,000 by 2036.

The consultants hired by the City (NHA Advisors) presented several proposals and compared the results they expected from each. The City Council selected the plan that involved mortgaging the City Hall, the land it was built on and the local firehouse. This allowed them to reduce the interest rate percentage the City would have to pay from 7.5% (CalPERS) to 4.17% (Umpqua Bank) while at the same time reducing the unfunded liability substantially. The City Council gave direction to proceed with Option 3. Appendix A illustrates the various options. Appendix B defines pension liability.

The County and the Cities have different types of pension investment programs provided by CalPERS. The definition and differences are provided as Appendix B.

Determining specific values and performance of the various plans used by the County, Clearlake and Lakeport required considerable research and calculations. Appendix C contains this data.

Based on the calculations in Appendix C, the County rated a "Good" rating in June 2014. In 2015 the Board of Supervisors authorized an additional payment of \$1,426,767 to CalPERS to reduce the unfunded liability even more.

Based on the calculations in Appendix C, both Lakeport and Clearlake rated a "Fair" rating. It is expected that the use of pension obligation bonds and mortgaging of City Hall explained above would move Lakeport into a "Good" rating.

The court decision involving the San Bernardino bankruptcy that puts CalPERS first in line during bankruptcy demands more transparency and monitoring of pension liability.

## **Findings**

- F1 It is difficult for the public to determine the overall cost of pensions as well as the percentage of total payroll costs because the data is not currently summarized, presented or published.
- F2 Currently, there is no single point of contact in the County as three departments share administrative responsibility for pension plan handling: the County Administrative Officer, Human Resources Director and the Auditor/Controller.
- F3 There is no directive or policy relative to a minimum level of pension liability funding that must be maintained by the County, Clearlake or Lakeport.

- F4 Neither the County, Clearlake nor Lakeport have Pension Committees that oversee pension plan administration, compliance or costs.
- F5 The role of the pension plans in total employee compensation is not clearly articulated. It is not obvious how it fits in the total compensation structure.
- F6 Employee satisfaction with the pension plans is unknown.
- F7 Lakeport and the County are proactively reducing their unfunded pension liability.

## **Recommendations**

- R 1. A summary Annual Pension Report be compiled and reported annually to the governing bodies of the County, Clearlake and Lakeport. This report should include:
  - The annual cost
  - A breakdown of the funded and unfunded liabilities and comparison to established policy or goals
  - The plan benefit formulas and any changes
  - A summary of plan investment results
  - CalPERS administration costs
  - Benefit payments made
  - Pending or projected changes or issues
- R 2. This Annual Pension Report be posted and made available to plan participants and the public. Most of this data is available in the CalPERS GASB 68 reports. Appendix D includes a recommended format for this report. Appendix E includes a Sample report. (F1, F2, F3)
- R 3. One department in the County be assigned primary administrative responsibility for pension management. (F2)
- R 4. The County, Clearlake and Lakeport establish a specific percentage of funding (Goal) by next fiscal year that must be achieved. The goal and actual achievement would be reported in the annual report per Recommendation 1 and Appendix D and E. (F3)
- R 5. A policy statement be developed to serve as a guide in program administrative, plan funding, and as a communication aid to participants and the public. (F5)

- R 6. An employee survey be conducted biannually of both active and retired employees to assess the cost/benefit effectiveness of their pension plans. (F6)
- R 7. Clearlake be more proactive in reducing its unfunded pension liability. It should review Lakeport's plan to determine if that approach would be beneficial. (F7)

### **Request for Responses**

- Lake County Auditor (60 days)
- Lake County Board of Supervisors (90 days)
- Lakeport City Council (90 days)
- Clearlake City Council (90 days)

### **Bibliography**

1. CalPERS web site (<https://www.CalPERS.ca.gov/>).
2. Circular Letter 200-032-09 (<https://www.CalPERS.ca.gov/page/employers/policies-and-procedures/circular-letters>).
3. Net pension liability (<https://www.CalPERS.ca.gov/docs/forms-publications/gasb-68-net-pension-liability-employer-2013.pdf>).
4. 2014 pension results (<https://www/CalPERS.ca.gov/docs/forms-publications/gasb-68-schedule-pension-amounts.pdf>).
5. California Public Employees' Pension Reform Act (PEPRA) effective January 2013 (<http://www.publiclaegroup.com/wp-content/uploads/2012/12A-Guide-to-Pension-Reform-Under-AB340-and-AB-197.pdf>).
6. Acceptable levels of solvency for pension plans (<http://etf.wi.gov/news/morningstar-report2013.pdf>).

## Appendix A

Lakeport's financial advisors presented three options. Each depended on Pension Obligation Bonds using City property as collateral.

- Option 1 – would pay a total of approximately \$1.62 million (23% of the total UAAL) over 5.6 years with a present value of savings of \$69,557.
- Option 2 – would pay a total of approximately \$2.31 million (33%) over a 7 year period with a present value of savings of \$304,882.
- Option 3 – would pay approximately \$3.01million (43%) over a 7 year period with a present value of savings of \$541,643.

## Appendix B

The pension liability is the amount of money to be paid as retirement benefit to former employees who have retired for their expected lifetime, plus the retirement benefit to be paid to employees who have not yet retired for their expected lifetime after they retire.

The total pension liability is made up of funded liability for which there are funds set aside to pay for these benefits and unfunded actuarial accrued liability (UAAL) which is money that will have to be paid out in the future for which there is no money set aside.

There are two different types of pension investments in use by organizations in Lake County.

- The County uses an agent multiple-employer defined benefit pension plan (the assets of the participating government employers in an agent multiple-employer plan are pooled for investment purposes. Separate accounts are maintained for each individual employer).
- The Cities use a cost-sharing multiple-employer defined benefit pension plan. (A cost-sharing multiple-employer plan is one in which the participating government employers pool their assets and their obligations to provide defined benefit pensions – meaning that plan assets can be used to pay the pensions of the retirees of any participating employer).

## Appendix C

The following table shows the Grand Jury calculations for the various pension plans in the County and Cities in Lake County.

	<b>Pension Summary data</b>				
	<b>(Latest data available)</b>				
	<u>6/30/14 Total</u>				
<u>Specific Plans</u>	<u>Pension</u> <u>Liability</u>	<u>6/30/14</u> <u>UAAL</u>	<u>Funded</u> <u>Ratio</u>	<u>Population</u>	<u>UAAL per capita</u>
County of Lake Safety	80,455,606	15,987,051	80.13%	63860	250
County of Lake Misc.	203,566,004	34,511,939	83.05%	63860	540
<b>County of Lake Total</b>	<b>284,021,610</b>	<b>50,498,990</b>	<b>82.22%</b>	<b>63860</b>	<b>791</b>
City of Clearlake Safety	14,729,369	3,860,704	73.79%	14985	258
City of Clearlake Misc.	6,394,095	1,274,167	80.07%	14985	85
City of Clearlake PEPRAs Safety	5,870	1,091	81.41%	14985	0
<b>City of Clearlake Total</b>	<b>21,129,334</b>	<b>5,135,962</b>	<b>75.69%</b>	<b>14985</b>	<b>343</b>
City of Lakeport PEPRAs Safety	796	148	81.41%	4762	0
City of Lakeport PEPRAs Misc.	2,175	369	83.03%	4762	0
City of Lakeport Classic Safety	9,546,946	2,701,272	71.71%	4762	567
City of Lakeport Classic Misc.	18,116,332	4,118,321	77.27%	4762	865
<b>City of Lakeport Total</b>	<b>27,666,249</b>	<b>6,820,110</b>	<b>75.35%</b>	<b>4762</b>	<b>1,432</b>
Morningstar "Good" guidance			> 80%		< \$1,500
Morningstar "Fair" guidance			70% - 79%		\$1,500 - \$2,999
Morningstar "Poor" guidance			< 69%		>\$3,000

## Appendix D

This is the recommended Annual Pension Report Format

**Annual Pension Report:** \_\_\_\_\_ **as of 6/30/FY**

(Reporting Entity eg County of Lake)

(All numbers include the sum of all plans and budget units)

Total Annual Pension Plan Employer Contribution Cost      \$ \_\_\_\_\_  
Total Annual Pension Plan Employee Contribution Cost      \$ \_\_\_\_\_

### Liability of Pension Plans

(a) Total Pension Liability      \$ \_\_\_\_\_  
(b) Amount Funded      \$ \_\_\_\_\_  
(c) Amount Unfunded (c) = (a) – (b)      \$ \_\_\_\_\_

- Amount Funded as a % of Total      \_\_\_\_\_ %
- Policy or Goal (next FY)      \_\_\_\_\_ %

Total CalPERS Admin (Service) Cost      \$ \_\_\_\_\_

Interest on Total Pension Liability      \$ \_\_\_\_\_

Net Investment Income  $\pm$       \$ \_\_\_\_\_

Total Benefit Payments      \$ \_\_\_\_\_

### Pension Plan Benefits formulas

PEPRA Safety      \_\_\_\_\_ personnel      \_\_\_\_\_  
PEPRA Miscellaneous      \_\_\_\_\_ personnel      \_\_\_\_\_  
Classic Safety      \_\_\_\_\_ personnel      \_\_\_\_\_  
Classic Miscellaneous      \_\_\_\_\_ personnel      \_\_\_\_\_

Projected Plan Changes:

## Appendix E

This is a sample Annual Pension Report Format

### Annual Pension Report:   County of Lake   as of 6/30/14

(All numbers include the sum of all plans and budget units)

Total Annual Pension Plan Employer Contribution Cost	\$5,398,450
Total Annual Pension Plan Employee Contribution Cost	\$2,882,975

Liability of Pension Plans

(a) Total Pension Liability	\$284,021,610
(b) Amount Funded	\$233,522,620
(c) Amount Unfunded (c ) = (a) – (b)	\$50,498,990

- Amount Funded as a % of Total \_\_\_82.22\_\_\_%
- Policy or Goal (FY 2016/17) \_\_\_83.3\_\_\_%

Total CalPERS Admin (Service) Cost	\$7,114,944
------------------------------------	-------------

Interest on Total Pension Liability	\$20,023,675
-------------------------------------	--------------

Net Investment Income $\pm$	\$35,120,946
-----------------------------	--------------

Total Benefit Payments	\$13,083,818
------------------------	--------------

Pension Plan Benefits formulas

PEPRA Safety	30 personnel	___2.7 @ 57_____
PEPRA Miscellaneous	209 personnel	___2.0 @ 62_____
Classic Safety	102 personnel	___2.0 @ 50_____
Classic Miscellaneous	495 personnel	___2.0 @ 55_____

Projected Plan Changes:



# **TAX COLLECTOR'S CHECK PROCESSING EFFICIENCY**

## **Summary**

Lake County's (County) tax collection process is an important fiscal function. Due to the large volume of incoming mail that occurs on a semi-annual basis, there are special staffing requirements that are difficult to meet. The 2015-2016 Lake County Grand Jury (Grand Jury) found that the 2015 fires contributed to the burdens in staffing due to loss of residences and returned mail.

In addition, check processing efficiency has been inhibited due to the lack of equipment that can automate the process. This equipment has been recently received.

## **Background**

The Grand Jury received a citizen complaint dated December 18, 2015, stating that the check submitted in September 2015 for the tax due on December 10, 2015 had not yet cleared. In addition, the clerk at the Tax Collector's office could not give a date when it was expected to be recorded.

## **Methodology**

The Grand Jury interviewed the Tax Collector and was given a tour of the Tax Collector's office to observe office policy and procedures. The Grand Jury also reviewed the step-by-step instructions followed by the office clerks.

## **Discussion and Analysis**

The tax collection process is heaviest two times during the year with payments due on April 10th and December 10th. The Tax Collector's office arranges for additional staff during these two busy times of the year.

The Tax Collector's office has recently purchased a Remittance Processing System from RT Lawrence Corporation. This system runs on the Canon CG-190 Scanner. This system will be shared with the County Treasury Department. This equipment will allow the Tax Department to scan and process payments without having to do one-by-one manual entry of each payment. Tax staff will be able to view all payments (checks/stubs) which will greatly improve customer service when assisting taxpayers with their questions.

Treasury will also use the system to electronically send the daily check deposit to the bank. Checks will clear faster and staff time will be saved. This will automate much of the processing between the Tax Collector's office and the bank.

During the November/December timeframe the Tax Collector receives approximately 30,000 payments by mail and counter contact. There are fewer

payments in the April timeframe because many taxpayers pay both installments in December.

Staffing challenges this year have been compounded by:

- Employees were reassigned to assist in the County's response to the fires.
- The work load was higher due to the volume of fire-related returned mail.
- Recruiting qualified staff is difficult due to low pay levels and security requirements.

## **Findings**

- F 1. The fires that occurred in the County this year created a significant burden due to the heavy volume of mail returned by the post office as undeliverable.
- F 2. In reviewing the Tax Collector's processing procedures and methodology, the Grand Jury found that no timing analysis could be done.

## **Recommendations**

- R 1 The existing Payment Receiving and Coding procedures should be revised to include instructions for date stamping and/or logging in each payment when received by the County's mail department so a timing analysis can be performed. (F2)

## **Request for Responses**

- Treasurer - Tax Collector (60 days)
- Board of Supervisors (90 days)

# Government Services



Grand Jury Art Contest Winner

Madison Witt, Age 13



# **Board of Supervisors Investigation**

## **Summary**

Relative to the duties and responsibilities of the Board of Supervisors (BOS), the 2015-2016 Lake County Grand Jury (Grand Jury) found a lack of formality pertaining to strategic planning, management objectives and performance evaluations. Due to the public outcry that resulted when BOS approved pay rate increases, the Grand Jury conducted a study of the duties and compensation of the Supervisors.

## **Background**

The pay of Supervisors is determined according to Lake County Ordinance # 2555. Since July, 1, 2003 Supervisors have been paid 60% of the average of the other five county elected officials. Supervisors may receive management employee benefits and pension rights (if they opt into the plans) and are reimbursed for mileage expenses. As part of their duties, Supervisors manage the heads of over twenty County of Lake (County) functions/departments and collectively serve on forty different citizen advisory boards/committees/commissions.

Some Supervisors have outside interests and/or businesses and professional practices from which they may derive additional income.

## **Methodology**

The investigation involved a number of basic fact-finding steps including private interviews with Supervisors and the collection of pertinent documents and records. These items included the following:

- County of Lake Organization Chart as of December, 2015;
- Board of Supervisors 2016 Committee assignments;
- Cal PERS Retirement Benefit Summary fact sheet;
- County of Lake Employee Performance Evaluation Report form;
- 2000/2001 Grand Jury Final Report. Re: BOS salaries;
- List of fourteen comparable counties. (compiled by Human Resources) used for pay comparisons; and
- Lake County Code of Ordinances.

Interviews conducted with various department heads on other matters in other investigations also resulted in useful information pertinent to the organizational aspects associated with this specific investigation.

## **Discussion and Facts**

Some fundamental and important functions of the BOS are performed in an informal manner.

For instance the BOS does not formally evaluate the performance of people in positions that report to them. Evaluations are conducted verbally with no written records kept. At least one Supervisor believes that written employee evaluations are illegal.

The BOS has not advocated nor approved a formal management succession plan to ensure more orderly organization and greater opportunity for planned personal progression.

A comprehensive, collective, strategic or long term plan for Lake County has not been supported nor formulated for the County.

The BOS have more positions reporting to them than is common in the BOS of other observed California counties. At the same time, the County Administrative Officer has fewer positions reporting.

Charters, agendas and minutes of committee/advisory boards are lacking. Some of these records either don't exist, cannot be made available or are not centrally maintained.

Some Supervisors have other businesses, professional practices or jobs outside of supervisory work.

Supervisors are elected for a fixed four year term.

Other Elected officials include: District Attorney, Sheriff, Assessor, Auditor/Controller and Treasurer/Tax Collector.

As a result of a 2000-2001 Grand Jury recommendation, Ordinance # 2555, adopted July 1, 2003, stipulates that Supervisors receive 60% (indicating less than full-time service) of the average salaries of other elected officials. As of the July 1, 2015, increase, Supervisors receive \$5288 per month. The BOS had not received an increase in pay since July 1, 2007.

In addition, the Board Chair receives additional annual compensation in the amount of \$2400 per annum (\$200/month).

The Vice Chairman is eligible to receive the additional compensation of \$200/month when required to serve as "acting Chairman" such as during an extended absence of the Chairman.

When Supervisors opt into CalPERS they are required to contribute seven percent of their base pay into the retirement fund. Therefore, the 2015 ten percent increase resulted in a net amount (before taxes) of only three percent to base pay.

Although not recognized as full-time employees, Supervisors are entitled to the same group insurance, retiree group insurance, Public Employees Retirement System, Federal Insurance Contributions Act Retirement and cellular phone stipend benefits which are received by full time management employees of the County.

Lake County Ordinance # 2874, passed on September 23, 2008, stipulated 0.39 cents a mile and covering travel to and from personal residence and any

other mileage and travel expenses incurred in the conduct of official County business.

Lake County Ordinance #1605, Section 1, enacted October 21, 1986, authorizes that County General Fund monies may be used prior to assumption of office for the training and orientation of that Supervisor-elect including the payment of course fees, travel and per diem expenses, course materials, and consultant fees.

Board members also receive \$150 a month as the Board of Directors of the Watershed Protection District.

The County Budget unit of the BOS is #1011. General Fund discretionary revenues finance this budget unit, and includes the approved appropriation for salaries and benefits for County Supervisors. The budget also includes the cost of an extra help employee who records BOS meetings. Total expenditures/appropriations as well as net cost for Fiscal Year 2015-2016 is \$441,749, of which \$290,849 is for BOS salaries.

## **Findings**

- F1 Lake County is severely disadvantaged in not having a comprehensive longer-term Strategic Plan to guide major decisions and capital expenditures.
- F2 The BOS has an inordinate number of positions reporting to them. In addition, the County Administrative Officer (CAO) has fewer positions reporting.
- F3 It is a good practice to formally review and record the work performance of all employees. This is not the current practice in the County for departmental heads reporting to the BOS.
- F4 The County does not have a centrally coordinated key management succession program. This is done on a piecemeal basis in some departments without documentation and collaboration or review by the BOS.
- F5 There is no specific policy guidance pertaining to records and procedures that should be maintained for the forty citizen advisory committees, special boards, and various agencies that BOS members participate in and oversee.
- F6 Although the base pay level of Supervisors does not appear to be necessarily excessive, the process utilized under Ordinance #2555 (enacted 15 years ago) to increase the base pay may not be objective nor without conflict of interest on the part of Supervisors.
- F7 The BOS base pay is determined on a 60% or 0.6 FTE (less than full-time equivalent) basis. Therefore Supervisors should not qualify for the same benefits and pensions as full-time management employees. In some instances, such as the recent fire emergencies, Supervisors may

for some weeks devote more than a forty hour work week to their jobs, and are not compensated with overtime pay.

## **Recommendations**

- R 1 Develop, improve and implant a formal five year strategic plan that guides Lake County's future. This should be developed in a joint effort by the BOS and key management personnel. The recently announced Lakeport Economic Strategic Plan is a good model for this. An outside consultant/expert in this area may also be useful to assist in facilitating this process. (F1)
- R 2 The BOS should selectively delegate more authority and reduce the number of positions reporting to them by reorganizing and assigning more direct reports to the CAO. Examples might or could include: Human Resources, Public Services, Social Services, Library, Information Technology, Behavioral Health, Animal Care and Control, and Child Support Services. (F2)
- R 3 Written performance evaluations should be conducted for all County Employees, including all management, on an annual basis. (F3)
- R 4 A comprehensive management succession plan for County department heads could be established and monitored on a regular basis. Human Resources should coordinate this effort. (F4)
- R 5 Formal charters, by-laws, timely agendas and informative minutes should be maintained for all citizen advisory board, committees, agencies, commissions and the like that Supervisors participate in. These all should be posted on the County's website. (F5)
- R 6 Increases in BOS base pay should be based upon the average change among all County employees not represented by bargaining units and not just elected officials. Furthermore, any increases should only apply to Supervisors elected or reelected after such increases are established in order to ensure complete objectivity and to avoid potential conflicted decision-making and perceived self-dealing. (F6)
- R 7 A change in the County Ordinance 3A.3, is recommended. No benefits should be provided. This recommendation applies only to future Supervisors. Supervisors should not be regarded as regular full-time management employees and should not be entitled to regular management employee benefits such as insurance and pensions. (F7)

## **Request for Responses**

- Board of Supervisors (90 days)

# **Victim-Witness Program Review**

## **Summary**

The Lake County Grand Jury (Grand Jury) conducted a study of the District Attorney's Victim Witness Program (VWP). The focus of this investigation pertained to program funding and computerized record keeping capability.

In recent years, VWP became less funded by grants and required more fiscal support from the County. In addition, the Victim Advocate Tracking System (VATS) has not been updated since implemented twelve years ago and has resulted in administrative burdens.

The Grand Jury is recommending that the District Attorney's office obtain additional grant writing assistance and proceed with the planned and approved updating of its computer systems to improve upon its record keeping efficiency.

## **Background**

The VWP is a program managed by the District Attorney's Office. It was established approximately thirty years ago. It exists to provide various needed support services and assistance to victims and witnesses of crimes. The program responds in person or by telephone to victim's immediate needs. In emergencies the program refers or places victims of some crimes in a temporary, safe, living environment; contacts victims and provides assistance with financial losses that result from the commission of a crime. The program refers victims to appropriate agencies for a broad range of services and resources, including medical or therapeutic services. It also assists District Attorney personnel and law enforcement in interviewing victims and witnesses, coordinating their excused absences from employment, arranging transportation, lodging and other accommodations, if necessary.

District Attorney personnel learn to interview victims and witnesses of crimes, advising them of restitution rights and the availability of services. Most importantly, VWP staff create a supportive environment for the comfort, consolation and education of crime victims.

## **Methodology**

Our investigation involved interviews with VWP members of the District's Office and an a contracted grant writer. We also collected and reviewed various historical and current records, documents and filings regarding the program. Membets of the District Attorney's office were especially cooperative and responsive to our requests for data and information. These included the following:

- California Victim Compensation Program Annual Reports (last three years);

- Budget Unit 2113 description and schedule nine for fiscal year 2015/2016;
- Grant applications (last three years);
- VWP progress reports (last three years)
- VWP program staff job descriptions;
- Program costs and grants for the last seven fiscal years;

The Grand Jury also toured the VWP facilities.

### **Discussion and Analysis**

The VWP is budget unit 2113 and includes five staff and has a budget (funds from Lake County) of about \$163,629 for fiscal year (FY) 2015/2016. Grants provide an additional \$161,574. Lake County's general fund cost has more than tripled since FY 2009/2010 from \$52,257 up to \$163,629 in FY 2015-2016.

Program costs have declined from \$389,223 for FY 2009-20110 to \$327,000 (projected for FY 2015-2016). Grants have declined from six sources, for various reasons, in FY 2009/2010 to one source currently.

The Victim-Witness Program uses an outdated data collection system entitled VATS that generally meets programs report compilation requirements. (First implemented about twelve years ago but not updated due to unavailability of the system designer.)

There currently is much more emphasis being placed upon grant-seeking as well as a major systems upgrade project for the entire District Attorney Division that should benefit the VWP.

### **Findings**

- F1 VWP did not place much reliance on outside assistance for grant-seeking opportunities in recent years.
- F2 The VATS methodology is outdated and requires replacement in order to enhance administrative efficiency. This also would improve the possibility of better positioning for future grants.
- F3 The VWP facilities are very well maintained and conducive to providing comfort to those assisted.

## **Recommendations**

- R 1 Lake County should continue to provide necessary supplemental funding VWP. There should also be a goal to lower this over a two year period. (F1)
- R 2 A much greater reliance is recommended on contracted grant writer advice and assistance to gain more new grant sources. ( F1,F2)
- R 3 VATS should be updated or replaced as soon as practical and affordable. (F2)

## **Request for Responses**

- District Attorney's Office (60 days)
- Board of Supervisors (90 days)



# Health and Human Services



**Grand Jury Art Contest Winner  
Indira Duncan, Age 13**



# **Alcohol and Drug Services Available In Lake County**

## **Summary**

Incidences of driving under the influence of alcohol and drugs (DUIs) are on the rise, and so are the injuries and deaths from the misuse of alcohol, drugs and prescription medicines. It's a complex issue with many causes including poverty, high unemployment, unresolved mental health issues and a lack of information about the dangers of prescription medicines, to name just a few. It affects people of all ages, all nationalities and all income levels. The current penalties under the law (Appendix: Table 2) do not seem to be a sufficient deterrent. Some violators even choose incarceration over treatment and lengthy terms of probation. This report focuses on the treatment options available for individuals and families in Lake County (County).

## **Background**

Because alcohol and drug problems may arise from unresolved mental problems in the past, having Mental Health and Alcohol and Other Drug Services (AODS) under one roof is a good marriage of agencies and skills. Behavioral Health Services (BHS) is now the agency in charge of both Mental Health and AODS. BHS is headquartered in two main locations: Lucerne and the City of Clearlake. They also operate and support a number of wellness centers to meet the needs of those who receive no services and those that would otherwise be underserved. Those populations include adolescents, Latinos, and Native Americans. There are also Transitional Age Youth Services for clients between sixteen and twenty-five years. Fees are based upon a sliding scale and Medi-Cal is also accepted.

## **Methodology**

The Grand Jury went to the following agencies to examine the services that are available and how services are provided to those individuals and families dealing with the problems associated with DUIs.

- Lake County Behavioral Health Services
- Lake County Sheriff's Office
- Lake County Probation Department
- Hilltop Residential Treatment Center
- California Highway Patrol (CHP)
- Lake County District Attorney's Office

In addition, the Grand Jury conducted an internet search of treatment facilities and programs in Lake and adjacent counties. They also reviewed several recent articles in the Lake County Record Bee on the increase and number of injuries and deaths associated with DUIs and why this problem is so prevalent compared with other counties in California:

- “Crashes Claim 19 Lives in Lake County” by Berenice Quirino, January 19, 2016, page 1
- “Lake County Sees Increase in DUIs” by J.W. Burch IV, Dec. 12, 2015, page 1.

## **Discussion and Analysis**

According to the California Highway Patrol data, the incidence of DUIs involving prescription drugs is on the rise in Lake County and around the country as well. A greater number and more powerful pain medications are being prescribed in recent years. People taking these medications, especially senior citizens arrested in this category, are often surprised that their medications could result in a DUI conviction.

Individuals referred to AODS, through the court, receive an assessment to determine the need for treatment and the level of care they will require. The screening may include the use of assessment tools, such as the Michigan Alcohol Screening Test (MAST) which has a 98% accuracy rate and the Substance Abuse Screening Inventory (SASI) which has an accuracy rate of 94%.

In March of 2016, AODS began using a new tool called the American Society of Addiction Medicine (ASAM) Assessment Tool. It complies with California State requirements and conforms to the new Diagnostic and Statistical Manual 5 (DSM5) descriptions. The DSM5 is used to diagnose substance use disorders and has been in effect since October 2015.

The assessment is organized by severity of disorder and corresponding treatment plans (Appendix: Table 1). These plans begin with the least expensive to the most expensive required for success.

In addition to this assessment tool, there are several ways an individual can be referred: self-referral, court referral, or probation referral. A school may make a referral to Child Welfare Services. Other clients may be referred from Cal-Works, their employer, primary care providers or the Mental Health Crisis Unit.

The combined budget for the two agencies, BHS and AODS, is approximately thirteen million dollars. Of that amount, eleven to twelve million dollars goes to provide mental health services. Some of the funding sources include re-alignment funds, money from the Federal government, State Bill (SB) 182 funds and other state funding.

Regrettably, the current penalty proscribed by law, although strict, does not appear to be effective in preventing offenders from repeating the same risky behavior. The Lake County Probation Office, through their Day Reporting Center, will be working with AODS to assist individuals working on their substance abuse issues. These are individuals who would otherwise be incarcerated. The Probation Department provides some counseling, assistance with job placement, and up to \$50,000 per person for residential treatment. Some help is available with job placement and there is a special program for veterans. In addition, during the 2014-2015 fiscal year, the Lake County District Attorney's Office received a grant for \$229,000. This year the funds will increase to \$234,038. The money will fund a "Vertical Prosecution Team" (the same prosecutor will be involved with a case from arrest to resolution) that will work alcohol/drug DUI. This will also streamline the process.

Some services are not available in County, such as detoxification services. BHS contracts with agencies from surrounding counties to provide services that are not available locally. That includes Ford Street Clinic in Ukiah, DAC Turning Point, Woman's Recovery Center, DAC Center Point and Orinda Center in Santa Rosa.

Hilltop Residential Treatment Center is the only residential treatment program in the County. There are separate facilities for men and women. There were three locations, but one was destroyed in the Valley Fire. AODS and BHS contract out for services that they do not provide directly.

The current punishment for DUIs does not appear to be an effective deterrent to avoid repeat offences. Some DUIs involve people that are unaware that prescription medications, even in prescribed amounts, can affect a driver's ability to operate a vehicle safely.

The Sheriff's Department, the CHP and BHS work closely to warn school-aged youths of the dangers of DUIs.

## **Findings**

- F1 BHS and the AODS component provide compassionate and professional services to their clients while respecting the cultural heritage and diversity of the County's population.
- F2 Assistance provided by the Probation Department in job placement is very effective and improves the odds of success for all clients including veterans. It is also cost effective for the county as the county can then obtain compensation for incarceration services and victim reimbursement.
- F3 As a result of the Valley Fire the Hilltop Residential Center has expanded to include another facility in Clearlake Oaks, which opened in January 2016.

- F4 The information program used by the CHP to educate drivers about their prescription drug use and the impact on their driving skills has been shown to be effective.

### **Recommendations**

- R 1 The Probation Department continue to promote their special services, including those for veterans. (F2)
- R 2 The CHP and AODS therapists visit Senior Centers to provide information to seniors about the dangers of driving after using certain prescription and over-the-counter medications. (F4)
- R 3 The Probation Department help in the development of more Alternative Work Programs that could be based on Helbush Drive. (F2)

### **Request for Responses**

- Board of Supervisors (90 days)

# Appendix

Table 1:

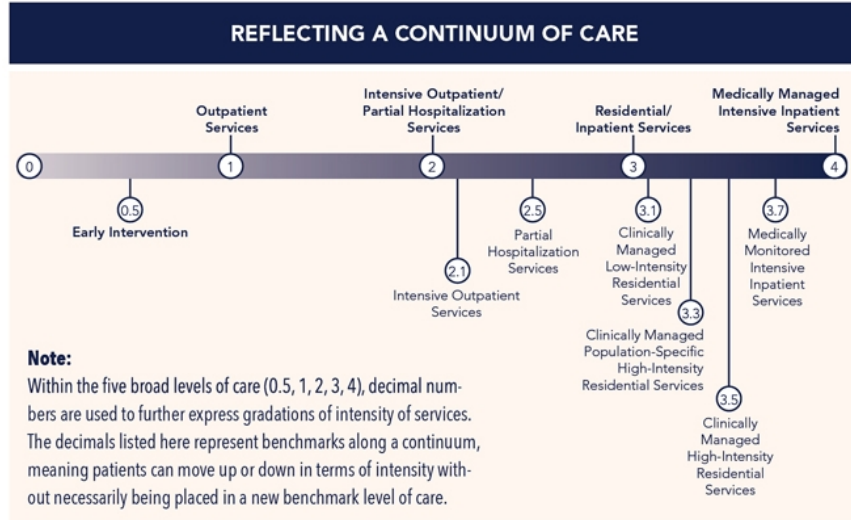


Table 2:

	<i>1<sup>st</sup> Offense</i>	<i>2<sup>nd</sup> Offense</i>	<i>3<sup>rd</sup> Offense</i>	<i>4<sup>th</sup> Offense (within 10 Months of 3<sup>rd</sup> DUI)</i>
<b>Fines and penalties</b>	4 days to 6 months	10 days to 1 year	120 days to 1 year	<b>16 months</b>
<b>License Suspension</b>	10 days to 10 months	2 years (can be reduced to 1 year)	3 years	<b>4 years</b>
<b>IID** Required</b>	Yes, in some cases	Yes	Yes	<b>Yes</b>



# **Employee Accountability and Accuracy of Record Keeping**

## **Summary**

The ExecuTime Time and Attendance System (ExecuTime) is a time-keeping computer software program purchased by the County of Lake (County) at the recommendation of a previous Lake County Grand Jury and the approval of the Lake County Board of Supervisors. Recently, a complaint was filed by a retired employee who was concerned that the County was losing money because all departments were not using this system and in some cases, the employees were able to get around the system and claim more hours than actually worked.

## **Background**

Up until the ExecuTime program was installed, the County had been using a different software package. However, over the years, the cost of the annual maintenance fee had nearly doubled. Twenty two other counties were still using the existing system at that time. Given that 36 other counties accomplished the job without using the existing system, the County decided to look into a less costly system.

## **Methodology**

The 2015-2016 Lake County Grand Jury (Grand Jury) interviewed representatives from the County's Human Resource Department, the County Clerk/Auditor-Controller's Office, and the Behavioral Health Services (BHS) Department. The Grand Jury also interviewed personnel from the Information Technology Department and the Sheriff's Department. An internet search was also conducted to obtain additional background information.

The Grand Jury also reviewed the 2009-2010 Grand Jury Final Report and the ExecuTime Time and Attendance System Reference Guide Version 4.0 released April 2014 and February 2015.

## **Discussion and Analysis**

The Grand Jury found that all 26 departments are currently using the ExecuTime System. There are safeguards to assure accuracy and integrity of the record-keeping system. At the main office of BHS, for example, there is a time clock, a thumb print reader time clock and a computer available from which employees can log in and enter hours worked. This information can also be entered from several other locations around the lake. The employee, the supervisor and the department head must all sign off on hours worked. Changes from those entries must be approved by their supervisors.

Few departments have problems with the current system. Some issues arose from departments whose staff work out of their offices and those

departments whose employees work non-standard shifts. When there are issues over time card submissions, these are resolved with the County Auditor/Controller. The Sheriff's office has a designated person to enter the hours worked, including those shifts outside the normal hours.

The ExecuTime system can also calculate and track vacation time, sick leave, and overtime. This allows employees and management to easily track their balances.

## **Findings**

- F1 The controls for tracking employee time are sufficient to assure confidence and accuracy in the County's employment compensation package.
- F2 The ExecuTime system in use today is fully functional and meets the current needs of the County. There is a savings in cost of updates for this system.

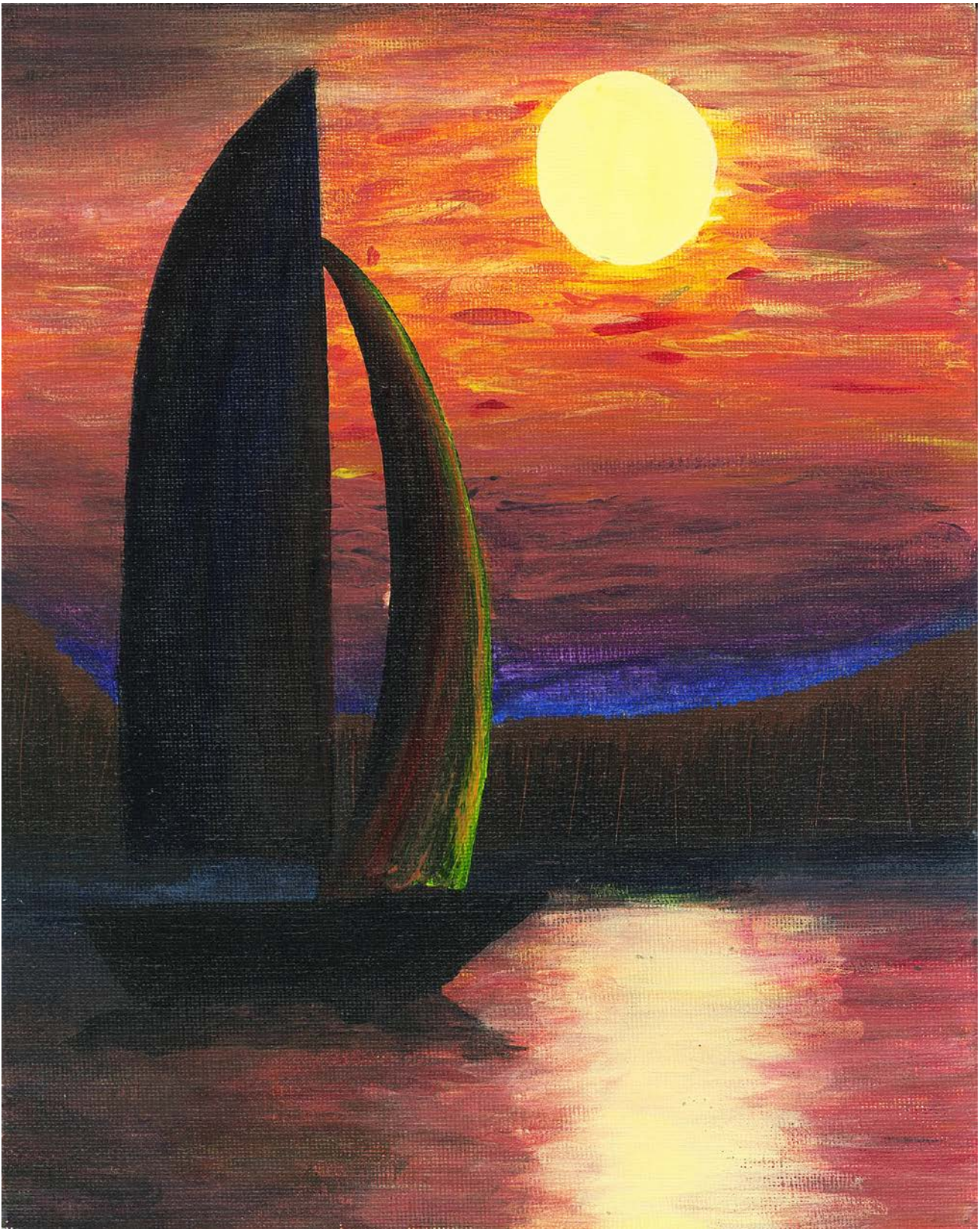
## **Recommendations**

- R 1 Although this system is working well at this time, the County should continue to examine competing software periodically to insure best practices in employee time tracking. (F1, F2)

## **Request for Responses**

- Auditor/Controller (60 days)
- Board Of Supervisors (90 days)

# Planning and Public Works



**Grand Jury Art Contest Winner  
Julia Lyon, Age 16**



# **Lakeport City General Plan and Zoning Ordinances Have Been Inconsistent for 20 Years**

## **Summary**

There are several zoning irregularities with regard to the Vector Control District (Vector Control) properties on Esplanade Street in Lakeport. Vector Control proposed to the Lakeport Planning Commission an approach to resolve the issue. The Planning Commission agreed and passed the necessary motions. These motions were submitted to the Lakeport City Council (Council) for approval.

After a lengthy discussion, which included considerable public input, the Council unanimously rejected the Planning Commission's solution to resolve these zoning irregularities. The Council left the City Zoning Ordinance and General Plan unchanged which is not in accord with California State Law requiring that the General Plan and Zoning Ordinance be consistent.

This has resulted in the irregularities remaining in place. Without a resolution, Vector Control cannot proceed with its building construction which is necessary to better serve the residents of Lake County. This impasse can only be resolved by leadership and coordination between the Lakeport Community Development Director and the Vector Control Board of Trustees (Board).

## **Background**

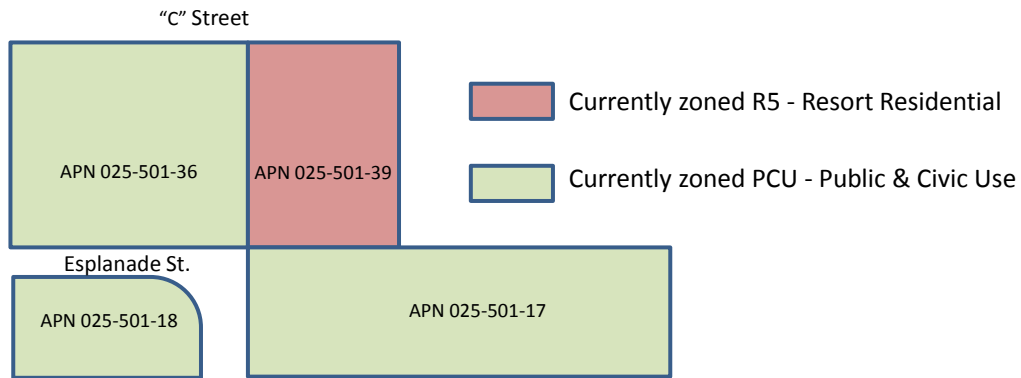
The Lake County Mosquito Abatement District was formed in 1947. In July 1990, the name was changed to the Lake County Mosquito and Vector Control District. Their original mission – control of the Lake County gnat – has shifted over the years to protecting the public against diseases transmitted by mosquitoes and other pests (vectors). They provide an array of services to Lake County residents. In addition to mosquito eradication the district provides insect identification services, free mosquito fish to the public and public education presentations to schools and other organizations. Their website is wide-ranging, informative, and easy to use. With the arrival of the Zika Virus their importance to the health and safety of Lake County residents will only increase.

Vector Control has three facilities: 1) the Todd Road property just outside the Lakeport city limits (2) the Reclamation Road property near Upper Lake, and 3) the Esplanade facility in Lakeport. This report focused on the Esplanade facility.

The Esplanade facility consists of four lots, not all acquired at the same time, and with different zoning designations. These lots are in or adjacent to a residential area on one side and commercial properties on the other. The Lakeport Zoning Ordinance shows three lots zoned Public & Civic Use (PCU) and one as Resort Residential (R5) while the Lakeport General Plan shows two

lots designated for Residential use while two lots are designated for Resort Residential use. (See Figure 1 for zoning details).

### Vector Control District Lakeport Zoning Ordinance lot zoning



### Vector Control District Lakeport General Plan lot designations

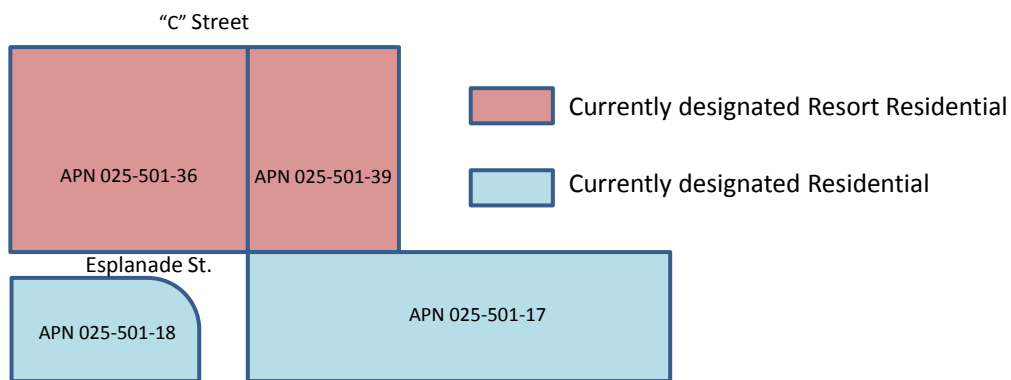


Figure 1: Zoning discrepancies – Esplanade properties

The local residents have complained about Vector Control’s operations at the Esplanade location over a period of years. They are also opposed to the districts future expansion plans for the Esplanade facility.

## **Methodology**

### Actions completed:

- Interviewed complainant.
- Interviewed members of the Vector Control staff and the Board.
- Interviewed members of the Lakeport Community Development Department.
- Examined the financial status of Vector Control.
- Reviewed the minutes of the Board meetings.

- Documents reviewed are listed in the bibliography.
- Reviewed California State Law on zoning.

## **Discussion and Analysis**

In 1996, Vector Control submitted an application to the City of Lakeport (City) to construct an office building on one of their lots on Esplanade. Under the General Plan, which is the City's long-term blueprint for land use, office buildings were not permitted. The zoning ordinance, however, did allow public buildings on that lot. Zoning Ordinances are the mechanism with which to implement the General Plan. According to state law, the city government has a responsibility to eliminate any ambiguities, irregularities and conflicts between the General Plan and the Zoning Ordinance.

California Government Code 65454 titled: "Consistency with general plan" states: "No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan."

California Government Code 65455 titled: "Zoning, tentative map, parcel map, and public works project consistency with specific plan" states: "No local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the adopted specific plan."

In spite of this inconsistency between the General Plan and the Zoning Ordinance, Lakeport and Vector Control entered into a Memorandum of Understanding on November 19, 1996 (MOU) allowing Vector Control to build an office building at 410 Esplanade. As part of that MOU, however, Vector Control agreed to tear down an existing laboratory building on that lot within five years (by 2002), and to construct off-street ADA compliant parking where the old laboratory building stood.

Building construction was completed in 1997 but Vector Control has yet to demolish the building nineteen years after signing the MOU. Vector Control responded that they did not have the necessary funds due to the financial impact of the Educational Review Augmentation Fund (ERAF). ERAF was created by the state legislature and permanently shifted local tax revenues from the counties to a special fund for state support of schools. The Grand Jury noted, however, that ERAF was enacted in 1992-1993, which was four years before Vector Control signed the MOU (November 19, 1996).

In 2002 a formal agreement transferring responsibility for compliance with the requirement to demolish the old lab and provide additional parking to Vector Control was approved by the City Council.

Figure 2 (following page) shows the location of the "old" building to be torn down.

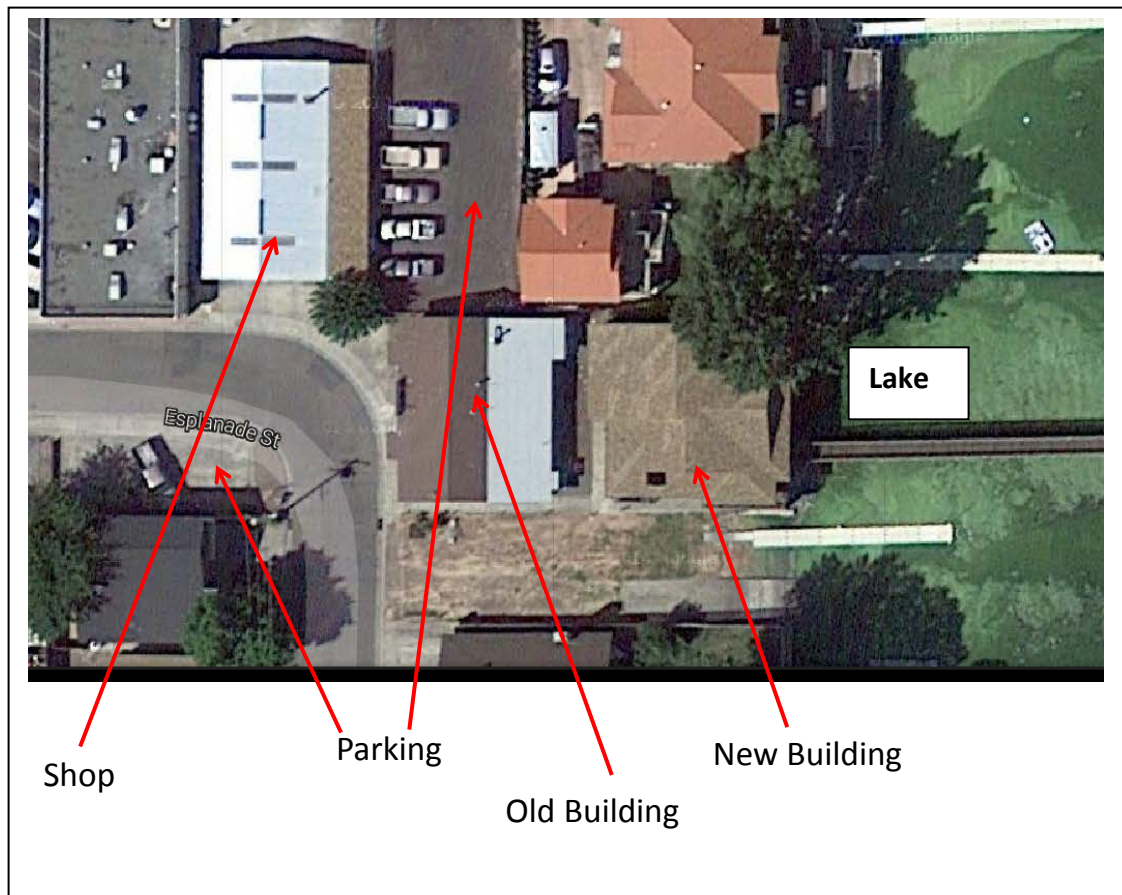


Figure 2 – Vector Control Esplanade Street facilities

In 2014, Vector Control applied to the City for a change in both the General Plan and the Zoning Ordinance that would bring those documents into agreement and allow Vector Control to eventually apply for a permit to replace the old lab with a modernized and expanded laboratory structure. This proposed expansion would also include ADA-compliant off-street parking. The neighbors near the Esplanade facility opposed this new construction.<sup>1</sup>

On January 14, 2015, the Lakeport Planning Commission recommended that the Council approve the requested Zoning Ordinance and General Plan changes.

In an April 8, 2015 Council meeting the neighbors, and a County Supervisor, spoke against the changes. The Council unanimously refused to adopt the changes approved by the Planning Commission.

This impasse between Vector Control and the Council is not just a City issue because of the very important role the District plays in the health and safety of the entire County. Vector Control cannot fulfill its mission to the best of its

<sup>1</sup> The citizen complaints are addressed in a separate report entitled “Neighbors object to Expansion Plans of Vector Control on Esplanade Street in Lakeport

ability without a modern laboratory and updated equipment. They cannot build a more modern laboratory until the zoning conflict is resolved. The Grand Jury believes this resolution can only occur with the involvement of all three parties: Vector Control, Lakeport City Government, and the residents of the Esplanade neighborhood.

Through interviews with members of the neighborhood and managers in Vector Control, the Grand Jury learned that there was little or no communication between Vector Control and the Esplanade residents about such things as:

- How close they were to funding the project
- Artist's drawing of how the building would look (Figure 3)
- Discussion of how the on-site parking might alleviate their parking concerns



Figure 3 - Vector Control Future Planned Expansion

## **Findings**

- F1 Vector Control is important to the health and safety of all Lake County residents.
- F2 Vector Control could better fulfill its mission with a modern laboratory and updated equipment.
- F3 Vector Control cannot create a modern laboratory on their Esplanade property until the inconsistencies between the Lakeport General Plan and Zoning Ordinances are resolved.
- F4 The Lakeport General Plan and Zoning Ordinance are inconsistent with each other. This appears to differ with State Law.

## **Recommendations**

- R 1 The Vector Control Board of Trustees assume the role of leading Vector Control and the residents of the Esplanade neighborhood to communicate by or before the end of 2016 regarding a reasonable approach to their restructured operation at Esplanade which also reduces their impact on the neighborhood. (F1, F2, F3)
- R 2 Lakeport Community Development Director take the leadership role to bring the Planning Commission, Vector Control, Lakeport City Council, and the residents of the Esplanade neighborhood into agreement over the General Plan and Zoning Ordinance changes and ensure The General Plan and the Zoning Ordinance are consistent by or before the end of Fiscal Year 2016-2017. (F1, F2, F3, F4)

## **Request for Responses**

- Lakeport City Council (90 days)
- Vector Control Board of Trustees (90 days)

## **Bibliography**

1. November 1996 - Memorandum of Understanding
2. November 1996 – City Planning Commission
3. December 1996 – Community Development Department Initial Study
4. January 1997, Memorandum from R. Knoll Community Development Director to Planning Commission
5. January 1997 - Minutes City of Lakeport Planning Commission

6. August 1997 - City of Lakeport to Vector Control , Right of Way Improvement Deferral Agreement
7. August 2002, Staff Report City Council
8. August 2002 - Agreement Transferring Lead Agency Status back to Vector Control
9. Jan 2003 – Letter from City of Lakeport to Del Lago [Esplanade] Homeowner’s Association
10. March 2003- Notice of 3 public hearings on April 9, 2003
11. April 2015 - Memorandum to M. Silveira City Manager from K. Ingram Community Development Director
12. Oct 15, 2014, Letter from resident , V. Schaffer to Andrew Britton re: parking
13. Oct. 28, 2014 , Letter from resident R. Bertsch to A. Britton, Community Development
14. November 2014 - Community Development Department Supplemental Memorandum to Staff Report
15. January 2015 – Soil Report by Pacific Agricultural Lab
16. Vector Control Minutes: Mar, Apr, Jun, August 2015
17. March 2015 – Vector Control Minutes
18. April 2015 – Lake Co News Article
19. June 2015 – Complaint to the CGJ re Lake County Vector Control
20. Planning, Zoning, and Development Laws – 2012 - Governor's Office of Planning and Research

#### Web Sites Accessed

1. <https://en.wikipedia.org/wiki/Methoprene>
2. [http://www.lifescrypt.com/health/center/kids\\_health/drugs/;pyrethrin\\_andPiperonyl\\_butoxide\\_topical.aspx?p=1](http://www.lifescrypt.com/health/center/kids_health/drugs/;pyrethrin_andPiperonyl_butoxide_topical.aspx?p=1)
3. <http://npic.orst.edu/factsheets/ResGen.html>
4. [www.toxipedia.org/display/toxipedia/Piperonyl&Butoxide](http://www.toxipedia.org/display/toxipedia/Piperonyl&Butoxide)
5. [www.greenfacts.org/glossary/der/epacancer-classifications.htm#a3](http://www.greenfacts.org/glossary/der/epacancer-classifications.htm#a3)
6. [www.epa.gov/pesticides/reregistration/REDS/piperonly\\_red.pdf](http://www.epa.gov/pesticides/reregistration/REDS/piperonly_red.pdf)
7. [www.epa.state.il.us](http://www.epa.state.il.us)
8. <https://www.opr.ca.gov/docs/PZD2012.pdf>



# **Neighbors Object to Vector Control's Expansion Plans on Esplanade Street in Lakeport**

## **Summary**

The Vector Control Special District office and laboratory building are located on Esplanade Street in Lakeport. They serve a vital function for the county in the identification and control of vectors (disease-carrying insects). Vector Control has proposed expanding and modernizing their Esplanade Street operation, however, objections from neighbors and zoning irregularities have prevented this from happening.

Responding to a 2015 citizen's complaint the 2015-2016 Lake County Grand Jury (Grand Jury) found that some of the concerns of neighbors in the Esplanade vicinity have merit.

Perhaps the most troubling aspect is that resolution of this conflict has been put off for the last decade with no resolution in sight. The timeline of events shows the importance of good long-range planning and good communication between all entities of Lake County (County).

The Grand Jury found that errors have been made. However, resolution of this conflict to the mutual satisfaction of all is possible and in the best interest of the citizens of this county.

## **Background**

The County Mosquito Abatement District was formed in 1947 in response to California's Mosquito Abatement Act of 1915. The District's stated purpose is to protect people from the health risks posed by mosquitoes. In 1990 the name was changed to the Lake County Mosquito and Vector Control District (Vector Control). The purpose of the district grew to provide all of the County with disease-carrying insect (vectors) control using chemical sprays and fish whose diet consists of mosquito larvae. Vector Control also identifies tick species and collects samples, since Lyme disease can be a serious problem from deer ticks.

Recent discoveries of the West Nile and Zika viruses add to the number of diseases transmitted by mosquitoes and other insects. The identification and control of these vectors is an extremely important function for the health and safety of the County residents.

Vector Control is governed by a Board of Trustees that establishes policies for the operation of the district. The board consists of five trustees: one appointed by the City of Clearlake, one appointed by the City of Lakeport, and three appointed by the County. Each trustee is appointed to serve a two-year or four-year term, at the discretion of the appointing authority.

Since 2003 residents of the neighborhood community have objected to the presence of the facility on Esplanade Street. Neighborhood objections to Vector

Control include allegations of incorrect zoning<sup>1</sup>, unsightly and dilapidated buildings, infringement on neighborhood parking, failure to advise neighbors of intended building expansion, lack of a federally mandated ADA compliant parking space, and dumping of toxic chemicals. The neighbors also complained about the violation of the 1997 agreement to remove the old building before continuing with plans for new construction.

A neighborhood resident provided a copy of a soil analysis report from Pacific Agricultural Laboratory (Lab) in Portland Oregon of a sample they had submitted as proof of chemical dumping. Neighbors cited smoke issuing from some of Vector Control's trucks as evidence of chemical air pollution.

The neighbors have appeared before the Board of Trustees and at Lakeport City Council meetings to voice their concerns. In 2015 neighbors spoke out at a City Council Meeting at which the Vector Control building application was an agenda item. At that meeting, the strong objections of the neighbors resulted in the Lakeport City Council unanimously rejecting the Planning Commission's approval of Vector Control's application for a General Plan amendment and zoning change. This effectively blocked Vector Control's rebuilding and expansion plans.

A complaint received by the Grand Jury consisted of the objections noted above. In addition, the complainant suggested that the best solution was to move Vector Control from Esplanade Street entirely and adjust the zoning.

## **Methodology**

- Interview with complainant.
- Multiple interviews with Vector Control management and a member of their Board of Trustees (Board).
- Interviews with several representatives of the City of Lakeport Community Development Department.
- Telephone interview with Pacific Agricultural Laboratory, Portland Oregon.
- Considered information gleaned from ABC News Broadcast at 6:30 PM on January 28,2016 "Zika in CA".
- Review of Documents (see Bibliography)
- Internet research (see Bibliography)

---

<sup>1</sup> The zoning irregularities are addressed in a separate report in this publication entitled Lakeport City Council in Violation of State Law for 20 Years.

## **Discussion and Analysis**

Representatives of the residents on Esplanade Street in Lakeport have objected to the Vector Control facility both verbally and in writing. Their complaints contributed to blocking the expansion plans of that agency. At this point, expansion is not possible due to zoning irregularities. A separate report in this publication addresses the zoning issue.

The zoning irregularities will require action on the part of the Lakeport Planning Commission and the Lakeport City Council to rectify. The Vector Control buildings show signs of disrepair. Intended expansion and new construction should address this condition.

Vector Control offers its meeting room to other community agencies approximately four times a year. This accounts for the additional vehicles in the neighborhood on those evenings. The building plans include additional parking spaces as well as the required ADA compliant parking space.

The afore mentioned lab report, of the soil sample submitted by a neighborhood resident listed chemicals found in a typical residential yard that are non-toxic to humans or animals. The Grand Jury received a list of all the chemicals found in that sample and found that they are not categorized as harmful to humans or pets. In a telephone interview, the Lab stated that they were not provided with the location or method of extraction of the sample. Therefore, the Grand Jury could not consider this report.

Vector Control provided the Grand Jury with a list of mosquito control products they use. The manufacturer's description of these products states they are nontoxic. Furthermore, Vector Control stores all of these chemicals at the Todd Road facility not at Esplanade Street. Vector Control explained the smoke emanating from some of their trucks as a by-product of the dry ice used to preserve samples. The District is under strict environmental constraints and subject to EPA and OSHA regulations.

The Lakeport Planning Department gave notice of the building expansion in 2003 to the immediate neighbors as required. A copy of the mailing list provided by the Planning Department and a copy of an email to the neighbors explained the process documenting the planned building expansion.

Vector Control intends to invite neighbors to a presentation and discussion of their building plans. An architectural rendering of Vector Control's planned expansion is complete and will be unveiled at that time with an opportunity for a question and answer session. The Esplanade site promises to be an attractive addition in the City of Lakeport if the buildings and grounds reflect the renderings. (Appendix A) Under the best of circumstances with zoning adjusted and underground site testing for stability verified, it will be at least five years before the new buildings and property upgrades can be completed.

In response to the 2010 Grand Jury recommendation, Vector Control agreed to prepare a Strategic Plan of their projected goals and progress "within the next three years".

## Findings

- F1 Vector Control provides a valuable service to the County.
- F2 The current lab facilities on Esplanade Street are cramped and show signs of leaks, wear and decay.
- F3 The Administrative building exterior on Esplanade Street appears dilapidated and unsightly.
- F4 It is in the interest of the County to allow Vector Control to complete their project. The added and updated lab space will allow them to continue to better meet the abatement needs of the county.
- F5 A Strategic Plan would be a good tool to keep all concerned parties informed and on track concerning the progress of Vector Control long-term projects.
- F6 Keeping neighbors informed of expansion plans and schedules would open communications between Vector Control and the residents.

## Recommendations

- R 1 The Vector Control Board keep neighbors informed of the progress of their expansion as it develops. (F6)
- R 2 The Board of Trustees and Vector Control Management develop a Strategic Plan by or before the end of calendar year 2016, and make it available to concerned neighbors. (F5)
- R 3 Vector Control send Notices to the neighborhood one week prior to agencies using the Vector Control's meeting rooms after hours. (F6)

## Request for Responses

- Lake County Vector Control Board of Trustees (90 days)
- Lakeport City Council (90 days)

## Glossary

*Vector* – n. 3a. An insect or other organism that transmits a pathogenic fungus, virus, bacterium, etc.; 3b. Any agent that acts as a carrier or transporter, as a virus or plasmid that conveys a genetically engineered DNA segment into a host cell.

## **Bibliography**

### Documents reviewed:

- January 2003 – email from City of Lakeport to Homeowner’s Association
- March 2003 – Notice of Lakeport City Council of public hearings re: zone change
- April 2015 - Memorandum Community Development to City Manager
- October 15, 2014 - Letter from resident to Community Development Department re: issues
- October 28, 2014 - Letter from resident to Community Development Director
- November 2014 - Community Development Department Supplemental Memorandum to Staff Report
- January 2015 – Soil Report by Pacific Agricultural Lab
- Review of the Materials Data Safety Sheet (MSDS)
- March, April, June, August 2015 – Vector Control Minutes
- March 2015 – Vector Control – Agenda Item #9: Review & Discussion of District Capital Improvements Plan
- April 2015 – Lake Co News Article: “Lakeport City Council denies Vector Control request for general plan amendment, zone change”
- June 2015 – Complaint to Grand Jury re: Vector Control
- 2015 - Vector control MSDS
- Best Practices for Mosquito Control in California pamphlet, published by California Department of Public Health and Mosquito Control, Vector Control Office of California

### Internet Search:

- <http://npic.orst.edu/factsheets/ResGen.html>
- [www.toxipedia.org/display/toxipedia/Piperonly&Butoxide](http://www.toxipedia.org/display/toxipedia/Piperonly&Butoxide)
- [www.greenfacts.org/glossary/der/epacancer-classifications.htm#a3](http://www.greenfacts.org/glossary/der/epacancer-classifications.htm#a3)
- [www.epa.gov/pesticides/reregistration/REDS/piperonly\\_red.pdf](http://www.epa.gov/pesticides/reregistration/REDS/piperonly_red.pdf)
- [www.EPA.state.il.us](http://www.EPA.state.il.us)
- [www.npic@ace.orst.edu](mailto:www.npic@ace.orst.edu)
- [www.Getsmarter.com/ga/businees-finance/msds-data-sheet](http://www.Getsmarter.com/ga/businees-finance/msds-data-sheet)
- [www.Chemistra.about.com](http://www.Chemistra.about.com)
- [www.Losh.ucla.edu](http://www.Losh.ucla.edu)
- [www.VectorControl.org](http://www.VectorControl.org)
- [www.msdswriter.com/learn](http://www.msdswriter.com/learn)
- [www.wikipedia.org/wiki/safety-data](http://www.wikipedia.org/wiki/safety-data)
- [www.lcvcd.org](http://www.lcvcd.org)

## Appendix A:

Architectural renderings of Vector Control's planned expansion:



# Public Safety



**Grand Jury Art Contest Winner  
Ciarra Snow, Age 17**



# Fire Safety in Lake County

## Summary

There are essential entities in this county that have been taken for granted. People say with a slight shrug and a note of disinterest in their voices: “It’s always been there, and if I need it I will just call.”

The fire departments are one of those things that are so much of a background certainty that no one pays attention to them except in the case of emergency.

The 2015-2016 Grand Jury would like to bring to the forefront what our firefighters do for Lake County.

## Background

In the summer of 2015, Lake County experienced three wild fires that were far beyond what had been seen in the county in recent history. Together, these three fires burned more than 170,000 acres which is 21% of the land area of the entire county. These fires were, in order of occurrence: the Rocky Fire (69,438 acres burned), the Jerusalem Fire (25,118 acres burned), and the Valley Fire (76,067 acres burned).

Most of the damage from the Rocky and Jerusalem fires was to wildlands (only 49 residences and 82 outbuildings were destroyed in these two blazes). The Valley Fire, on the other hand, ravaged Middletown, Hidden Valley and the communities on Cobb Mountain. In addition to wildlands, the Valley Fire resulted in three deaths and destroyed 1280 single family homes, 27 multi-family dwellings, 585 minor structures and 66 commercial buildings. Approximately 3100 people

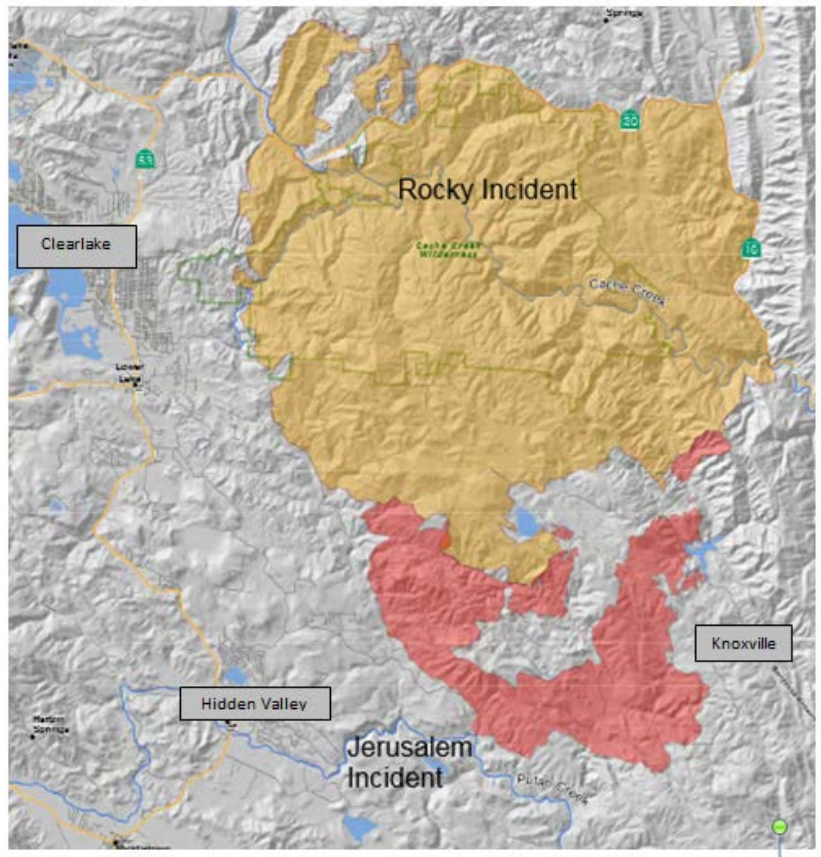


Figure 1: Rocky and Jerusalem Fires

(5% of the county's population) were displaced by this conflagration. The Grand Jury was unable to assemble data on the number of people who lost employment due to the Valley Fire.

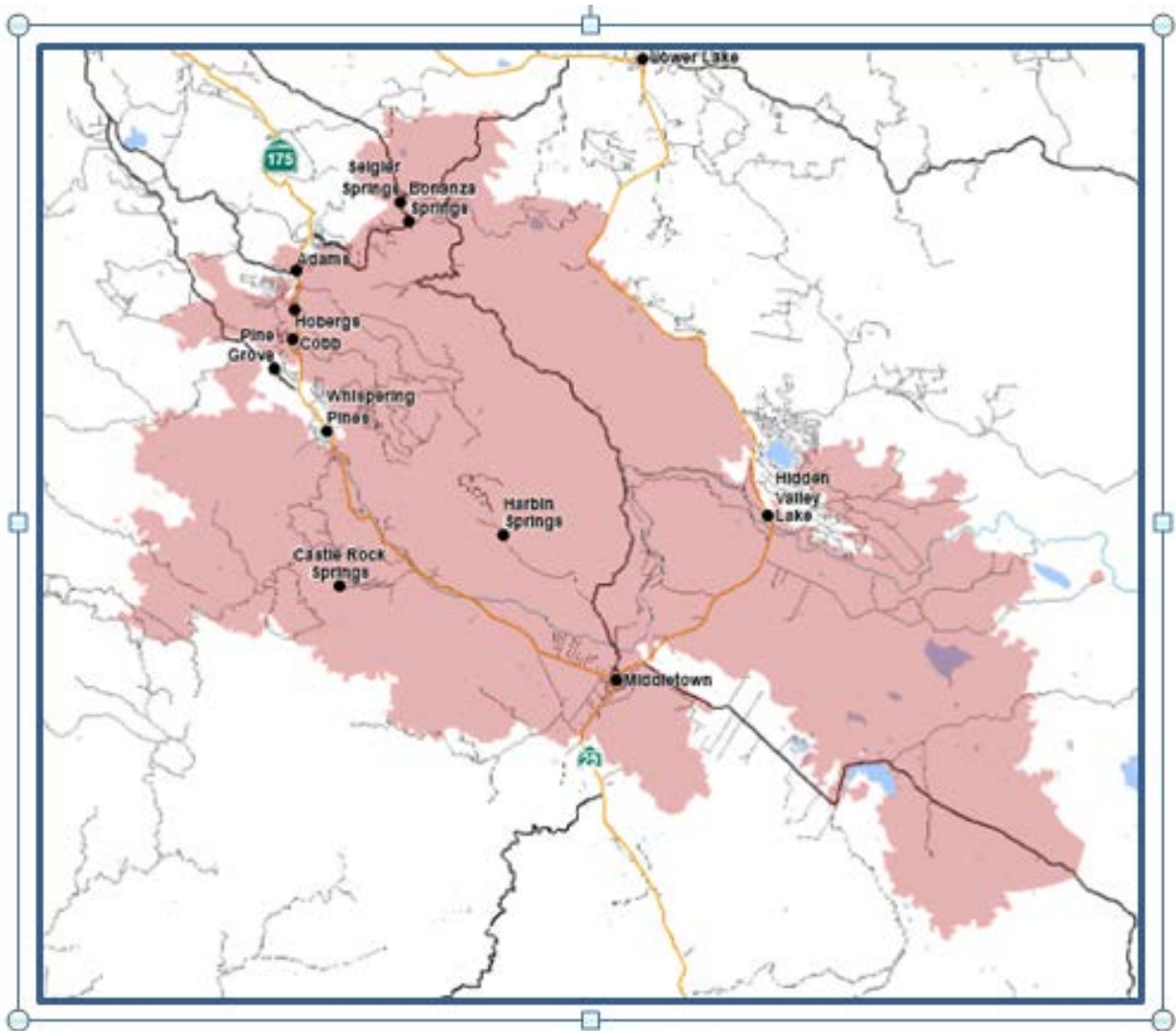


Figure 2: Valley Fire

These three fires were beyond the capability of any fire department, and were battled with aid of CAL FIRE and other governmental agencies. This report will focus on Lake County fire departments, their structure, and organization, with incidental mention of CAL FIRE's considerable and valuable assistance.

## Methodology

- Interviews of Fire Chiefs in the Lake County area
- Attended Lake County Fire Chief's Association meetings
- Attended Lake County Recovery Task Force meetings
- Interviews with top officials at the Sheriff's Department
- Interviews with Lake County Office of Emergency Management Dept

- Interviews of CAL FIRE personnel who are involved with Lake County
- Interview with representative of Middletown Rancheria of Pomo Indians
- Internet research including the Incident Command System. [See Bibliography]

## **Discussion and Analysis**

The Lake County Fire Departments are consolidated into six Special Districts. The special districts were set up through the Local Agency Formation Commission (LAFCO), and each have a Board of Directors that oversees the management of the district.

The six districts are:

- Lake County Fire Protection District (encompassing Clearlake and Lower Lake)
- South Lake County Fire Protection District (encompassing Middletown, Cobb, Loch Lomond, Jerusalem Valley and Hidden Valley)
- Kelseyville Fire Protection District (encompassing Kelseyville, part of Finley, Clearlake Riviera, Riviera West, Riviera Heights, Buckingham, Soda Bay, and up to Loch Lomond)
- Lakeport Fire Protection District (encompassing Lakeport)
- Northshore Fire Protection District (encompassing Lucerne, Nice, Clearlake Oaks, Spring Valley, Bachelor Valley, Upper Lake and Blue Lakes (The entire Highway 20 corridor from county border to county border.))
- Lake Pillsbury Fire Protection District (encompassing Lake Pillsbury area)

Each fire district is staffed by regular firefighters and emergency medical technicians (EMTs). In addition, each district trains and maintains a roster of volunteer firefighters for deployment in an emergency. See Appendix A for a chart of the breakdown of typical 911 calls received.

Currently the Lake County Fire Districts are the primary provider of ambulance services throughout the county. Approximately one third of a fire district's revenue comes from ambulance services.

When a fire breaks out, the district in which it originates responds and evaluates the situation. The incident is assessed immediately and/or as the incident grows more resources can be called in to help including other county fire departments, CAL FIRE, and any state and federal resources needed such as the National Forest Service.

When an emergency requires a coordinated focal point, an Incident Command Center (ICS) is set up. [Bibliography 3] An ICS is defined as follows:

- The ICS is a standardized approach to the command, control, and coordination of emergency response providing a common hierarchy within which responders from multiple agencies can be effective.
- The ICS has the ability to expand and contract as the parameters of the incident require.
- ICS was initially developed to address problems of inter-agency responses to wildfires in California and Arizona. After Hurricane Katrina in 2005, the National Incident Management System (NIMS) was set up in the US, where it has evolved into use in all hazardous situations, ranging from fires to floods to earthquakes.

When an ICS is set up all personnel whether local, state or federal are plugged into the matrix organizational chart where their skills are most useful. For example, a local fire chief may be put in charge of a Branch or Division under the Operations Section while his fire crews may be put in Strike Teams. Refer to Appendix B.

When any individual is hired by Lake County their introductory employee packet includes the following statement: “As members of the County of Lake Emergency Services Organization, all Lake County Employees are designated as Disaster Service Workers during a proclaimed emergency and may be required to perform certain emergency services at the direction of their supervisor.” The employee’s supervisor will determine the types and depth of training necessary, and will keep records of the training completed.

Under most large fires the Lake County fire districts are statutorily and financially responsible for structure and city/town fire control as well as the health and safety of the residents. CAL FIRE is statutorily and financially responsible for the prevention and suppression of wild land fire.

When needed on a large fire or other major incident such as floods and earthquakes, volunteers are called in so that the crews that respond to the incident are comprised of a mixture of regular and volunteer firefighters .

The stations that those emergency response crews come from are also maintained during any large incident with a mixture of paid staff and volunteers. Regardless of the size of an incident all stations remain manned and operative.

For major incidents like the three major fires in Lake County, CAL FIRE, California Office of Emergency Services (Cal OES) and various state agencies for their State Responsibility Areas (SRAs) will work together with local resources. This cooperation does not supplant the local resources but instead act as enhancement of those services. All agencies work together in a comprehensive system (ICS) where local resources are plugged into the matrix where needed to control the fire in the most effective manner.

CAL FIRE has standing teams of ICS trained individuals, some comprising upwards of fifty individuals, who are ready to respond at a moment's notice. These teams are called in by the CALFIRE Unit Chief for the administrative unit of the affected counties.

The Unit Chief for Lake County also covers Sonoma, Colusa, Napa, Solano, and Yolo counties.

CAL FIRE is currently authorized to operate 39 Conservation Camps statewide that house nearly 4300 inmates and wards. These camps are operated in conjunction with the California Department of Corrections and Rehabilitation (CDCR). Through these cooperative efforts CAL FIRE is authorized to operate 196 fire crews year-round . The crews are available to respond to all types of emergencies including, but not limited to, wildfires, floods, search and rescue, and earthquakes. When not responding to emergencies, the crews are doing conservation and community service work projects for state, federal and local governmental agencies. [Bibliography 1]

These inmates comprise approximately one third of the CAL FIRE crews responding to wildfires throughout the state. Lake County has Konocti Conservation Camp #27 which was one of many that responded to the Rocky, Jerusalem and Valley fires.

CAL FIRE continues to be involved with the recovery of Lake County in supplying Conservation Camp inmates to help with the cleanup and erosion control programs. The Conservation Camp inmates primarily work on SRAs and some private land with the permission of the land owner.

CAL FIRE recruits inmates from the state prison system to man the Conservation Camps. The camp program continues to experience low numbers of offenders that volunteer for the program. CAL FIRE Camp Program's inmate/ward population is currently at 88% of capacity.[ Bibliography 1].

In 2011 AB109 Criminal Justice Alignment bill, was signed by Governor Brown [Bibliography 5]. The legislation has reduced the number of offenders sentenced to state prisons which were the institutions that CALFIRE drew from. CAL FIRE is beginning to contact the local jails to make arrangements to recruit eligible inmates from their populations to try to reduce the shortfall in inmate firefighters. Prop 47 (bill reduces some felonies to misdemeanors) also affects the prison population.

Tribal lands around Lake County are not set up with their own fire departments, therefore they rely on the fire district(s) in the county for services.

Due to the extensive damage done on tribal land surrounding the Middletown Rancheria of Pomo Indians of California, that tribe is going to approach the Bureau of Indian Affairs in early 2016 to set up their own fire department. Update: as of April 2016, discussions are underway and funding sources are being investigated.

Sirens that exist in the county were never meant for public warning – they were only for notice to firefighters that they needed to report to their stations. The feasibility of expanding those sirens to be used for public warning is being studied.

Even though the siren warning systems do not require telephone or internet connections, they do require electricity to operate. In the event that the power lines are down even this option may be problematic.

The Lake County Fire Chief’s Association has looked into the feasibility of finding warning sirens in other areas to recondition and install in Lake County. However, that has been difficult because other areas are becoming aware of the need for such “low tech” systems and are keeping their sirens for their own use.

Lake County Fire Chief’s Association has applied to the Lake County Rotary Clubs Association Fire Relief Fund (LARCA) for a grant implement an Integrated Public Alert Warning System (IPAWS) that can warn people on their cell phones when there is an emergency situation their specific area. Any citizens wishing to contribute and for more information on LARCA and its work in fire relief see Bibliography 6.

The first three years of this system will be funded by the Rotary grant, after that the county will have to get grant(s) to fund the program. The Sheriff’s Department has received a check for the first year of operation as of January 2016.

Little known additional duties of the fire districts:

- Fire suppression and oversight of the control and containment of hazardous materials. The fire districts work closely with Lake County Environmental Health Department
- Erosion control, watershed protection
- Creation of fire breaks
- Responding to mud/debris slides
- Search and rescue, including swift water rescues
- Hazard mitigation (Joint effort of all Lake County Departments to control such things as the quagga mussels, cyanobacteria in the lake, the stabilization of water sources, etc)
- Inspections of commercial buildings for proper fire safety
- Replant burn areas (Conservation Camps in SRAs)
- Supply and training of parents and caregivers on the proper use and installation of child restraint systems in vehicles.
- In the schools the fire districts help coaches and teachers to identify any cardiac abnormality in students trying out for and participating in sports.

- The fire districts train school coaches and teachers the sports concussion protocols for those students participating in sports. As well as in CPR.

## **Findings**

- F1 Changes in laws such as AB109 and Prop 47 can critically reduce the number of inmates housed in local jails such as Hill Road Correctional Facility in Lakeport.
- F2 The Middletown Rancheria fire department will be eligible to be part of the Lake County Fire Chief’s Association to coordinate with other fire chiefs for the most effective use of resources.
- F3 There is an emergency warning system that consists of land line alerts such as Nixle, City Watch (Reverse 911), and voice over internet alerts. All of those systems require either telephone lines, internet connections or cell towers for operation. This is a dangerous situation for Lake County. In the Valley fire the telephone lines and cell towers were quickly destroyed negating any effective warning system for residents of Cobb and Middletown. The warning siren is a “low tech” option being investigated.

## **Recommendations**

- R 1 The Sheriff’s Department and the Hill Road Correction Facility should work with CAL FIRE to make their inmates who qualify available to transfer to the Conservation Camp Program. (F1)
- R 2 The Lake County Fire Chief’s Association and the Board of Supervisors should encourage and support any efforts made by the Middletown Rancheria tribe in setting up another fire district. (F2)
- R 3 Lake County should pursue more options for warning systems such as the sirens used in the past and IPAWS. Investigations could include solar power options for the sirens and/or any other alternatives that would supplement the existing telephone and internet systems.(F3)

## **Request for Responses**

- Sheriff and Undersheriff , (60 days)
- Board of Supervisors (90 days)
- Lake County Fire Chief’s Association (courtesy request)

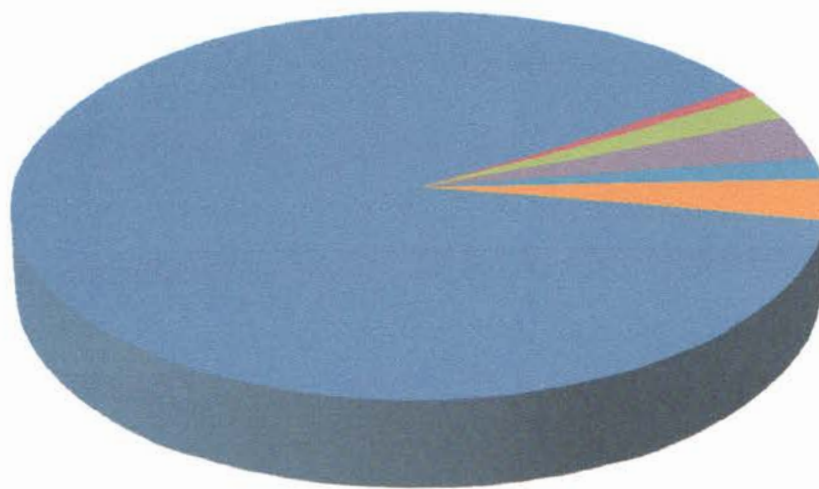
## **Bibliography**

1. CAL FIRE: [www.fire.ca.gov](http://www.fire.ca.gov)
2. Lake County: [www.co.lake.ca.us](http://www.co.lake.ca.us)
3. ICS: [https://en.wikipedia.org/wiki/Incident\\_Command\\_System](https://en.wikipedia.org/wiki/Incident_Command_System)
4. NIMS/ICS Training: [www.fema.gov/pdf/emergency/nims/nims-training\\_program.pdf](http://www.fema.gov/pdf/emergency/nims/nims-training_program.pdf)
5. AB109 : [www.cdcr.ca.gov/realignment](http://www.cdcr.ca.gov/realignment)
6. Lake County Rotary Clubs Association Fire Relief Fund:  
[www.LARCA5130.org](http://www.LARCA5130.org)

## Appendix A

### Example of a Typical Breakdown of Major Incident Types

Date range: 1/1/2015 to 12/31/2015



- Rescue & Emergency Medical Service: 88.11%
- Hazardous Condition (No Fire): 0.85%
- Service Call: 2.15%
- Good Intent Call: 3.59%
- False Alarm & False Call: 2.03%
- Fires: 3.21%
- Overpressure rupture, explosion, overheat - (No Fire): 0.02%
- Severe Weather & Natural Disaster 0.02%
- Special Incident Type: 0.02%

#### Examples of Call types

**Service Call:** Check sprinkler system; call for facility entry help; fire hydrant repair

**Good Intent Call:** Non-emergency public assistance; resident welfare check

**Special Incident Type:** Law enforcement help, animal control (need tools); inspect drug lab; assist law enforcement with tools to apprehend a suspect; anyonside agency request for help/tools

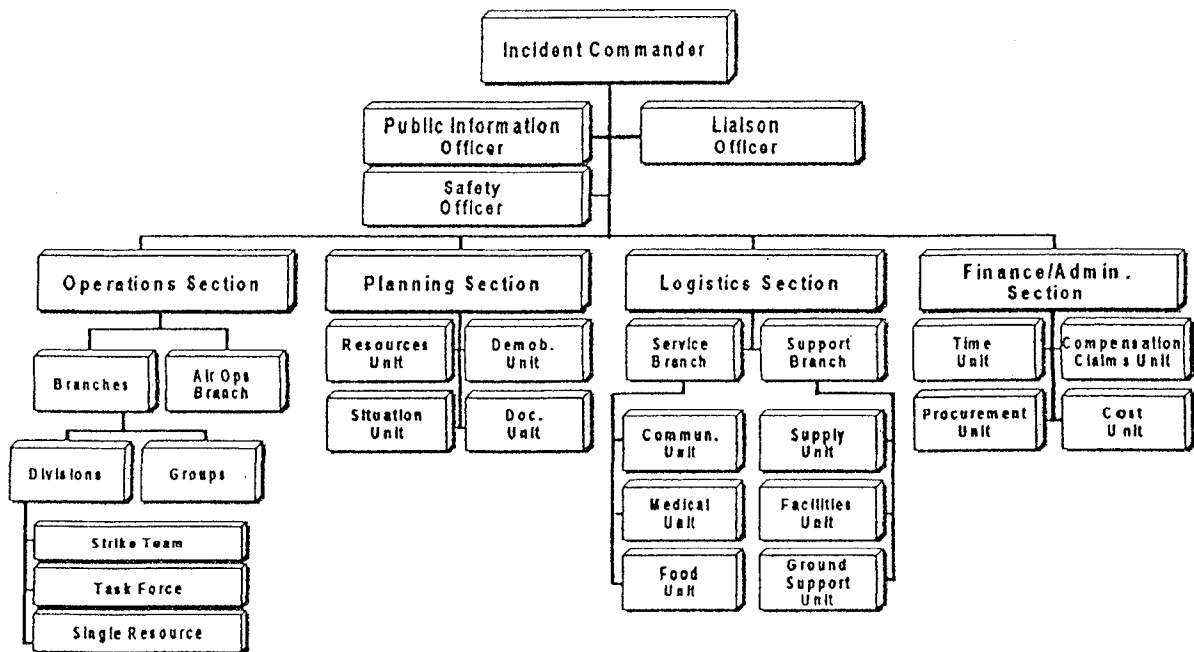
#### Other Services too small to appear on pie chart:

Actual data from Lake County Fire Protection District, Clearlake, CA

# Appendix B

## ICS Organization Chart

### ICS Organization



- Command Staff:** The Command Staff consists of the Public Information Officer, Safety Officer, and Liaison Officer. They report directly to the Incident Commander.
- Section:** The organization level having functional responsibility for primary segments of incident management (Operations, Planning, Logistics, Finance/Administration). The Section level is organizationally between Branch and Incident Commander.
- Branch:** That organizational level having functional, geographical, or jurisdictional responsibility for major parts of the incident operations. The Branch level is organizationally between Section and Division/Group in the Operations Section, and between Section and Units in the Logistics Section. Branches are identified by the use of Roman Numerals, by function, or by jurisdictional name.
- Division:** That organizational level having responsibility for operations within a defined geographic area. The Division level is organizationally between the Strike Team and the Branch.
- Group:** Groups are established to divide the incident into functional areas of operation. Groups are located between Branches (when activated) and Resources in the Operations Section.
- Unit:** That organization element having functional responsibility for a specific incident planning, logistics, or finance/administration activity.
- Task Force:** A group of resources with common communications and a leader that may be pre-established and sent to an incident, or formed at an incident.
- Strike Team:** Specified combinations of the same kind and type of resources, with common communications and a leader.
- Single Resource:** An individual piece of equipment and its personnel complement, or an established crew or team of individuals with an identified work supervisor that can be used on an incident.

# Canine Units in Lake County

## Summary

The use of police dogs (K-9) in Lake County has proven to be a valuable resource in law enforcement. The animals used in K9 units in Lake County come from Europe where they are extensively trained. In Europe the highly trained dogs and their handlers give exhibitions where this training is considered a spectator sport.

The dogs are imported to the United States where they are paired with handlers. The handler has to learn the basic commands in the language in which the dog was trained in order for the dog to understand the handler so they can commence further training. Then the dogs and trainers go through continuing training in police work and how to operate as a unit.

The 2015-2016 Lake County Grand Jury (Grand Jury) did decide that the use of K9 units did merit an oversight which is discussed in this report.

## Background

There are currently eight K-9 dogs in Lake County. Clearlake Police Department has one active and two new dogs in training. The Sheriff's Department has five.

These animals go through extensive training in Europe before the age of 18 months. They have additional training in apprehension and narcotics with their handlers and continued monthly training.

## Methodology

The Committee interviewed the Clearlake Police Department (CLPD) and the Sheriff's Department (Sheriff) and talked to the K-9 unit handlers in each jurisdiction, and the District Attorneys office. The Sheriff gave a demonstration on the K-9's attack ability. The Committee was also given policy manuals, reviewed training evaluations, daily activity logs and a log of incidents.

## Discussion and Analysis

- K-9's range in price between \$6000.00 and \$10000.00
- K-9's are completely funded by donations, fund raisers and/or grants.
- K-9's reduce the manpower needed to thoroughly search a building or structure.
- K-9's reduce the likelihood of resorting to deadly force when confronted with a dangerous criminal.

- The dogs deter aggression against deputies during lawful arrest.
- Each handler is responsible for keeping an incident log of daily activity and monthly recap reports. Any instance where a dog bites, nibbles or grabs is considered a reportable incident and the suspect is taken to the hospital and photographed.
- Before using a dog to search for or apprehend a suspect a warning is given and repeated several times. “This is the Sheriff (or CL PD). Come out now (or surrender now) or we will send in a police dog and he will bite you”.
- The dogs remain in service as long as they are healthy and able to do the required work.
- Veterinary bills are the responsibility of the department in which the dogs serve.
- Handlers are given either a stipend for the food and basic care of the dogs or are given an extra duty raise in pay, or both depending upon the department.

## **Findings**

- F1 The officer is responsible for the care and continued training of the dog while it is in active service.
- F2 The dogs are retired when necessary due to energy levels, age, and other variables. When they are retired the handler has the option of purchasing the dog which they usually do.
- F3 Clearlake PD has three fund raisers a year in order to maintain a K-9 fund, which they use to pay vet bills and purchase new dogs.

## **Recommendations**

- R 1 The BOS, the Sheriff’s Department, and the Clearlake Police Department should assure that there are sufficient funds available to replace the dogs as they retire. (F2, F3)

## **Request for Responses**

- Sheriff’s Department (60 days)
- Clearlake City Council (90 days)
- Board of Supervisors (90 days)

## **The Lake County Grand Jury Visits the Mendocino County Juvenile Facility for the First Time**

### **Summary**

Previous Lake County Grand Juries have inspected the Lake County Juvenile Hall on many occasions over the decades that it has been reviewing jails and prisons in Lake County on a yearly basis as required. The Grand Jury on those visits has found the Lake County Juvenile Hall to be mostly well run and in capable hands. This year the 2015-16 Lake County Grand Jury (Grand Jury) went to neighboring Mendocino County to review the environment to which Lake County juvenile offenders are being sent. The following is the result of a tour of the facility made by eight Jurors. The Grand Jury recommends renewing the contract with Mendocino when it expires.

### **Background**

The Grand Jury visited all jails, holding facilities and other areas in Lake County where persons were incarcerated and found nothing requiring comment. However there was an unusual circumstance this year concerning the Juvenile Hall, whose wards are under the supervision of the County Probation Department. Those circumstances elicited our further attention.

Because of California State Proposition 47, which reduced many felonies to misdemeanors, the population of juvenile detention facilities statewide has been declining over the last few years.

Some juvenile facilities in the state have found that because of the dwindling number of wards of the state (wards) they cannot function at optimum levels. Some county facilities are choosing to merge their juvenile housing operations with other counties in order to offer the best situation for the wards.

Lake and Mendocino Counties considered closing their facilities because they could not maintain the facilities and staffing at proper levels. As a consequence the County entered into an agreement with the approval of the Board of Supervisors (BOS) to provide housing and associated services for Lake County's juvenile wards at the Mendocino County Juvenile Hall (MCJH) in Ukiah.

The agreement between Lake and Mendocino Counties is for two years. Lake County will pay Mendocino County for room, board and Juvenile Hall services on a minimum of twelve beds. The wards housed in Lakeport were moved to Ukiah in October 2015.

The Grand Jury has for many decades made a regular practice of visiting every place in Lake where individuals can be held prisoner, including the Konocti Conservation Camp, which is a California State institution. The Grand Jury had never inspected a facility outside of the County where Lake County citizens were being held. To be sure that this was within our responsibility, we consulted with our legal advisors and they agreed that we had a responsibility to review the conditions under which young people of Lake County are being held.

## **Methodology**

This report is derived primarily from the experiences of Grand Jury members who inspected the MCJH and the documents the Grand Jury obtained on the site visit. There was a thirty-minute discussion with staff and management at the hall, followed by an inspection of the facilities and then lunch with the staff and wards. During lunch and throughout the tour, the Grand Jury had a chance to talk with the Lake juveniles about the facilities and the programs available to them. The staff then gave the jurors time to ask any questions that had arisen as a result of their visit.

The Grand Jury collected the following information from the Probation Officer at the MCJH facility:

- The Board of State and Community Corrections (BSCC) report on the Mendocino County Juvenile Hall Biennial Inspection;
- The invoice and bill, dated January 22, 2016, to Lake County Probation Department from the Mendocino County Probation Department;
- The Agreement between the County of Lake and the County of Mendocino to provide housing and associated services for the wards;
- The names of suppliers of medical care for the wards. (See the Bibliography section.)

The Mendocino Grand Jury report of 2012 on the MCJH was obtained online,

The jury viewed the Board of Supervisors meeting of July 22, 2015 on the Lake County informational website, where the arrangement was discussed and passed.

## **Discussion and Analysis**

Title 15 Minimum Standards for Juvenile Facilities, Board of State and Community Corrections (Title 15) Article 6 directs that full time-teachers be provided. Year-round school is mandatory and students can obtain a high school diploma or GED, and may earn college credits. Their teachers contacted the students previous schools to see where they were in their studies. Students have

access to a computer lab. In addition, art classes are included. Some students are released from custody upon obtaining their high school diploma.

There is a book club where groups of eight to twelve students choose, read and discuss books that address the problems that young people face today.

A physician or physician's assistant is available on call at all times. Pacific Redwood Medical Group supplies primary care, and California Forensic Medical Group is activated when necessary. They receive glasses, dental care and x-rays as needed. A psychologist, who can prescribe drugs when appropriate, is there one day per week. Mental health crisis services are provided by Redwood Children's Services.

Staff prepares meals in the clean, attractive kitchen. There are three hot meals on most days, exceptions being occasional sandwich lunches. All meals are prepared on site. A dietician prepares the long-range menu. New diet guidelines have reduced the amount of table salt, sugar and calories served. Variant diets that are health or religion based can be accommodated. Fresh-baked bread is provided by Mendocino County Jail.

The students have created a garden next to the hall with raised beds and trellises, where they grow some of the produce used in the kitchen.

Title 15 requires a minimal recreation allowance of three hours on school days and five hours on non-school days. Recreation can be either indoors or outdoors and is offered equally to both genders. In addition to the book club, they have sports, gardening, a Zumba dance-fitness program and an animal handler who visits with zoo animals. The sports available are basketball, kickball, soccer and calisthenics. Stationary exercise machines are also available. There are letter writing materials, postage stamps, board games and arts and crafts materials. Some of the other programs offered by the faculty are a semi-annual poetry drive, sex education, Alcoholics Anonymous and Narcotics Anonymous, church services, drumming, yoga, and they receive visitors through the Foster Grandparent program.

Other programs available to the wards are:

- Project Sanctuary, whose mission is to prevent domestic violence and sexual assault through advocacy, crisis response, community collaboration, education, and shelter;
- Start Smart Program, aimed at helping newly licensed or soon to be licensed teenage drivers become more aware of the responsibilities that accompany the privilege of being a licensed California driver;
- California Conservation Corps, a state agency that puts together young people and the environment, to the benefit of both; and
- Victory Outreach, a church group that presents inspirational plays.

The staffs of both counties were concerned that the lengthy trip from Lake County would cause a reduction in parental visits. The staff of MCJH will supply bus vouchers if needed. Lake Transit Authority also offers vouchers for parents of juveniles in MCJH. It has turned out that the Lake County juveniles have been receiving visits at a higher rate than Mendocino County residents.

There is one bed to a room. Wards are required to leave their shoes outside the bedrooms in order for the staff to determine if they are present in their rooms. All floors and beds are concrete. The beds have a four-inch-thick mattress.

The disciplinary rules are not the same as they were in the LCJH. Staff and residents agree that it took some time for the newly transferred juveniles to become familiar with the new rules. For instance, calling out from one end to the other in the hallways is not allowed.

The youth receive treats and rewards for their cooperation. The staff tries to make the environment home-like, with artwork, posters and photographs in the wards' rooms. Rewards can include music on an MP3 player in their rooms. We saw no graffiti on any of the walls, including in the juveniles' rooms.

According to the MCJH staff, California has changed its philosophy and now relies on positive reinforcement rather than punishment in juvenile detention centers.

Staff does not use solitary confinement as a punishment, but may separate wards for limited periods of a few hours to allow a situation to cool off. Physical force is not used for discipline. Pepper spray, while available for emergencies, has not been used for at least five years. Restraint consists of wrapping the juvenile in a blanket. Physical restraint is used only when a juvenile's behavior suggests self-harm or other violence. The restrained juvenile is never left alone. Restraint is evaluated at least every hour to determine if it is still necessary. The BSCC evaluation of MCJH gives good marks for not using violence.

There is currently a staff of 19 down from 24, due to retirement, illness, etc. They have extra-help workers come in, usually former probation officers or retirees. Staff numbers are low due to lower wages compared to nearby counties.

Lake pays for a minimum of twelve beds in the MCJH, at a cost of \$150 per day each, and \$120 per day for any additional beds. Cost per minor in the LCJH averaged \$520 per day.

Mendocino County pays for court transport two days per week per youth, anything over is charged to Lake County. Medications for Lake juveniles and medical and other transportation are paid for by Lake. The total cost for the first quarter of operation of the agreement was \$136,283.33.

In October, November and December 2015, there were 35 billable days in which there were more than twelve beds occupied by Lake County wards. The highest occupancy date was October 23, when there were sixteen Lake County juveniles in MCJH. The lowest occupancy rate was eight Lake County juveniles

housed in Ukiah. On average, there have been 10.7 Lake County juveniles in MCJH on any given day. There were more Lake County juveniles than Mendocino County juveniles in the hall on 49 days during the second quarter of Fiscal Year 2015-2016.

Preliminary estimates put the savings annually at \$764,000.

## **Findings**

- F1 The attitude and manners of the Lake County youths seemed very positive to the visiting jurors.
- F2 The tour showed that the MCJH staff is professional, competent, and responsive.
- F3 The tour revealed that the facilities including bathrooms and dining area were clean and in excellent condition.
- F4 The Grand Jury members found the concrete floors hard, cold and uncomfortable even through their shoes.
- F5 The Grand Jury has visited the LCJH every year for many years, and found it acceptable. The situation of the Lake County youth in the MCJH appears excellent.
- F6 The arrangement for housing juveniles in Ukiah Juvenile Hall is financially advantageous for Lake County.
- F7 Mendocino and Lake Grand Juries work autonomously to review much of the same material relative to the MCJH.

## **Recommendations**

- R 1 When the current contract between Lake and Mendocino Counties expires, it should be renegotiated. (F1, F2, F3, F5, F6)
- R 2 Consider purchasing slipper socks for the youth to ward off the cold from the concrete floors in the bedrooms. (F4)

## **Request for Responses**

- Lake County Board of Supervisors (90 days)
- Mendocino County Probation Department (courtesy request)

## **Bibliography**

- <http://pacificredwoodmedicalgroup.com/who-we-are/>
- [http://cfmg.com/services/#health\\_care\\_services](http://cfmg.com/services/#health_care_services)
- <http://www.co.mendocino.ca.us/grandjury/pdf/Betterthansomehomes.juvenilehall.pdf> Mendocino Grand Jury report on the Mendocino County Juvenile Hall
- <http://rcs4kids.org/> Redwood Community Services
- Invoice, Mendocino County Probation Dept., Ukiah CA to Lake County Probation Dept. for Juvenile Hall Housing and other costs, of January 22, 2016.
- Title 15 Minimum Standards for Juvenile Facilities, Regulations Effective April 1, 2014, Board of State and Community Corrections, Sacramento 95811, [www.bscc.ca.gov](http://www.bscc.ca.gov).

# Public Services



**Grand Jury Art Contest Winner  
Tasia Jardstrom, Age 17**



# **Nuisance Abatement Code Enforcement In and Around Lake County, After the 2015 Wildfires**

## **Summary**

This report covers the functions of local Health and Safety Code violation reporting, inspection and enforcement. The 2015-2016 Grand Jury's (Grand Jury) attention was originally directed to this subject by complaints about code enforcement heard through the years.

Code enforcement relative to marijuana cultivation is changing at this time as are laws relative to the cultivation of marijuana in our locality and statewide. The Grand Jury decided not to examine that aspect of code enforcement for this report.

Since the Community Development Department (CDD) of the County of Lake (County) was overwhelmed by the Valley Fire and the other wildfires of 2015, the Grand Jury decided to first examine the code inspection practices of cities of Lakeport and Clearlake, with the idea of using them for comparison with the situation in the County.

## **Background**

Code enforcement is generally based on a complaint system, allowing citizens to bring violations to the attention of the authorities, and an inspection system, where code enforcement officers visually take note of code violations. The goal of code enforcement is to maintain the safety and health and the scenic beauty of the county and the cities of Lakeport and Clearlake. Some parts of the county are very rural, the topography is varied and therefore code enforcement in these areas can be very difficult.

Those responsible for code enforcement in Lake County strive to maintain a healthful and safe environment. They also help to maintain an attractive landscape free of refuse, derelict vehicles, unsafe or substandard buildings and rampant vegetation. In order to promote compliance with codes there needs to be enforcement of them.

## **Methodology**

### Lakeport:

- Reviewed public and interdepartmental documents.
- Interviewed Lakeport city management.
- Interviewed Lakeport Fire Department officials.
- Attended Lakeport City Council meetings.

### Clearlake:

- Interviewed staff and management Code Enforcement Division.
- Reviewed public and interdepartmental documents.
- Interviewed Clearlake city management.
- Interviewed Clearlake Fire Department officials.
- Attended Clearlake City Council meetings.
- Attended Clearlake Town Hall meetings.

### County:

- Interviewed Staff and management of Community Development Department Building and Safety Division.
- Reviewed public and interdepartmental documents.
- Attended Board of Supervisor meetings.

## **Discussion and Analysis**

The City of Lakeport (Lakeport) does not have a code enforcement department. There are no personnel primarily devoted to code enforcement, but rather has members of appropriate departments investigate the complaints received. For instance, the Lakeport Fire Department processes any complaints relative to their field of work; the Building Department processes relative complaints, etc. Lakeport does not keep a log of complaints received.

It is the practice of Lakeport to avoid a formal process in relation to complaints when feasible. The city has found that face-to-face discussion with complainants and subjects worked well to keep the process non-confrontational and informal. The city officials try to address the concerns of the complainants and elicit the cooperation of the violators and according to these officials voluntary compliance in Lakeport has been so successful that it is rare to levy fines. This approach works well in the Lakeport economic environment.

The City of Clearlake (Clearlake) was without any code enforcement personnel for five years beginning in 2009, due to the economic downturn, and is in the process of reducing the backlog. Clearlake received a two year grant that made it possible to re-establish code enforcement. City officials said that they have secured other funds to continue code enforcement after the grant runs out.

The City of Clearlake, substantially larger in both area and population than the City of Lakeport, has a more formal system of responding to complaints. Clearlake Code Enforcement Division's department head and two inspectors respond to complaints. They each have designated areas of responsibility in the city in which they function. They frequently pair up for site visits. When necessary they call in other city departments and law enforcement. The inspectors

seek to resolve difficulties in an informal manner. The result is that the process rarely results in fines, and given that many of the violations occur in areas of reduced prosperity, the returns from fines are not great. Clearlake maintains a log of complaints and inspection results.

The Lake County CDD was without any nuisance code enforcement officers for approximately four years, between August 2011, and May 2015. However, during this time period, the building inspectors were conducting some nuisance code enforcement work. In May of 2014 the County hired a limited-term (see Glossary) Community Development Technician to work exclusively on code enforcement matters as a backup to the field staff to keep up with paperwork. In 2015 the Board of Supervisors (BOS) added two code enforcement position allocations (Officer and Program Supervisor) and they also modified the limited-term technician position to be a permanent allocation.

After 2011, CDD requested that the BOS update the Nuisance Abatement Ordinance allowing the Code Enforcement Officers to operate more effectively. The department director, with the assistance of County Counsel, unified all nuisance abatement regulations into one chapter.

As a result of the 2015 fires, many of the complaints from August through November 2015 were not addressed as the team was responding to fire-danger and cleanup complaints.

The County has a staff of three who are responsible for nuisance code enforcement under the direction of the head of the CDD. They have been authorized to hire two more code enforcement personnel. There is a Code Enforcement Supervisor, a Code Enforcement Officer, and a CDD technician. The technician works primarily in the office, answering phones, processing paperwork and email complaints, and responding to questions at the public window. The technician is responsible for processing paperwork brought in by the inspectors. This is a large work load, especially when combined with helping the public prepare written complaints, responding to complaints from citizens who have been cited, directing complaints to other agencies when that is appropriate and locating specific laws when complaints are questioned.

Rural areas produce fewer complaints per square mile than urban areas due to lower population density. Inspectors driving through rural areas see fewer properties than when driving through urban areas, and so they don't see as many violations. They realize that there are nuisance situations in rural areas that may never come to the attention of the County inspectors, as long as neighbors don't complain.

The County inspectors are responsible to report illegal trash dumps.

Some homeowners associations enforce fire safety and nuisance abatement regulations but do not necessarily have the same standards and authority as the County. The result is that their effectiveness varies.

The only requirements for the position of code enforcement officer in Clearlake and the County are a high school diploma and a clean Department of Motor Vehicles record. On-the-job training comes from going on inspections with experienced inspectors. There are on-line courses that the inspectors are required to take once hired. The qualities that are looked for in a new hire for the position are calmness, good nature, firmness of purpose and respect for the law. The inspectors are expected to study the appropriate codes and be able to explain them to the public.

In the County and in Clearlake, volunteers have been very helpful cleaning up illegal dumping sites. In the past, Clearlake had two volunteer inspectors who did follow-up inspections. On the whole, however, volunteers are of limited usefulness as inspectors, due to the need for training and the level of legal responsibility.

The County code enforcement inspectors respond primarily to written complaints. The complaints are sorted by area, and the department head chooses areas to be inspected, usually with both inspectors riding together. If they notice possible violations visible from the road, those are added to the inspections planned for the day. The information, along with photographs of violations, are brought back to the office in the County Courthouse and processed by the technician.

A common source of complaints is abandoned vehicles: those left in the right-of-way and those on private property. Citizens often have a strong emotional connection to old and perhaps non-functional vehicles, and believe that they will at some time restore them. This leads to some resentment of the code inspectors' work.

Determining the status of a vehicle in the roadway is relatively easy. The technician can find out if it is currently registered by checking on the web. If the vehicle is without license, or clearly inoperable, or without windows, tires or seats, and the owner is unknown, it can be towed and disposed of easily. If the owner can be determined, the process is more complicated. Larger vehicles such as trailers, SUVs, RVs, boats and buses can be very difficult and extremely expensive to remove.

If the vehicle is on private property, it can be a greater problem. County regulation allows one non-functioning car out-of-doors on private property. There can, of course, be more under cover of carport or garage. Some homeowners associations do not permit any non-functioning vehicles out-of-doors.

As a result of the recent fires, the need for more thorough inspection and enforcement of fire fuel weed abatement has become evident. Several problems confront inspectors when looking for fire danger overgrowths:

- There are vacation homes in the County whose owners are unaware of dangerous overgrowth and who can be hard to locate.

- Owners of unimproved lots are more difficult to locate.

When a contractor is hired to clean these lots, and a lien is put against the property to recover the cost, the work may never be paid for if the property is never sold. However, there are alternate methods of collection such as a collection agency and/or civil court judgment.

The CDD has purchased a computer program: Accela Civic Platform (Accela). The program tracks, and visualizes the permits, code enforcement and planning data in a simple and easy-to-use interface that features interactive maps and visualizations that allow citizens and agency staff to track and keep up-to-date on homes and neighborhoods. Accela is a provider of civic engagement solutions for governmental entities. Accela includes mobile apps and is designed to enable and improve core processes for city, county, state and federal governments. This will improve the communication between the technicians and the inspectors in the field and make it possible for inspectors to access web information such as registration of abandoned vehicles and ownership of building lots, and to submit details of inspections including photographs. Since, at present, most records in the County office are on paper, this program will make the necessary bookkeeping easier, addressing the diverse needs of agencies, citizens and businesses by enhancing workflow and making publicly available information more accessible.

The inspectors in all three bodies, the cities and the county, try to get violators to clean up their property and give them a period of time to do so. On re-inspection at the end of that time, if some cleanup has been done, the inspector can give more time. If no work has been done, the work can be done at the government's expense and the cost is placed as a lien against the property.

If it appears that the work has not been done as a result of physical disability, age and/or the inability to pay, the inspector may make available a list of inexpensive alternatives. Such cases rarely result in fines.

The forms that the inspectors give to violators have the process of appeal on the back of the form. If the order to abate is appealed, it is out of the hands of the inspectors. Appeals processes differ slightly between the cities and the county.

## **Findings**

- F1 The absence of records of past code complaints and resolutions in Lakeport makes an analysis by the Grand Jury of the effectiveness of the code enforcement process difficult or inaccurate.
- F2 Although Clearlake is still behind on responding to complaints due to the lengthy time without nuisance inspectors, they appear to be working effectively with the inspectors they now have, and are making good progress.

- F3 The Grand Jury found a bottleneck in the processing of complaints and inspection reports in the County CDD office due to communication difficulties with the officers in the field and with citizen complaints.

## **Recommendations**

- R 1 Lakeport should establish a log of nuisance complaints. (F1)
- R 2 Clearlake should purchase or share the program that the County government has purchased (Accela) to speed the processes involved in responding to nuisance complaints and enforcement reports. (F3)

## **Request for Responses**

- Board of Supervisors (90 days)
- Lakeport City Council. (90 days)
- Clearlake City Council (90 days)

## **Glossary**

Limited term employee: a person's length of employment is dictated by available monies (i.e. grant funding) that are intended for the person's compensation. Source: Lake County Human Resources.

## **Bibliography**

### City of Lakeport

- Code enforcement violation investigations procedures
- Lakeport Muni Code Section pertaining to Code Enforcement, Chapter 8.20, Nuisances; Chapter 8.22, Abatement of nuisances; Chapter 8.30, Administrative citation and appeal procedures; Chapter 8.35, Nuisance Vehicles.

### City of Clearlake

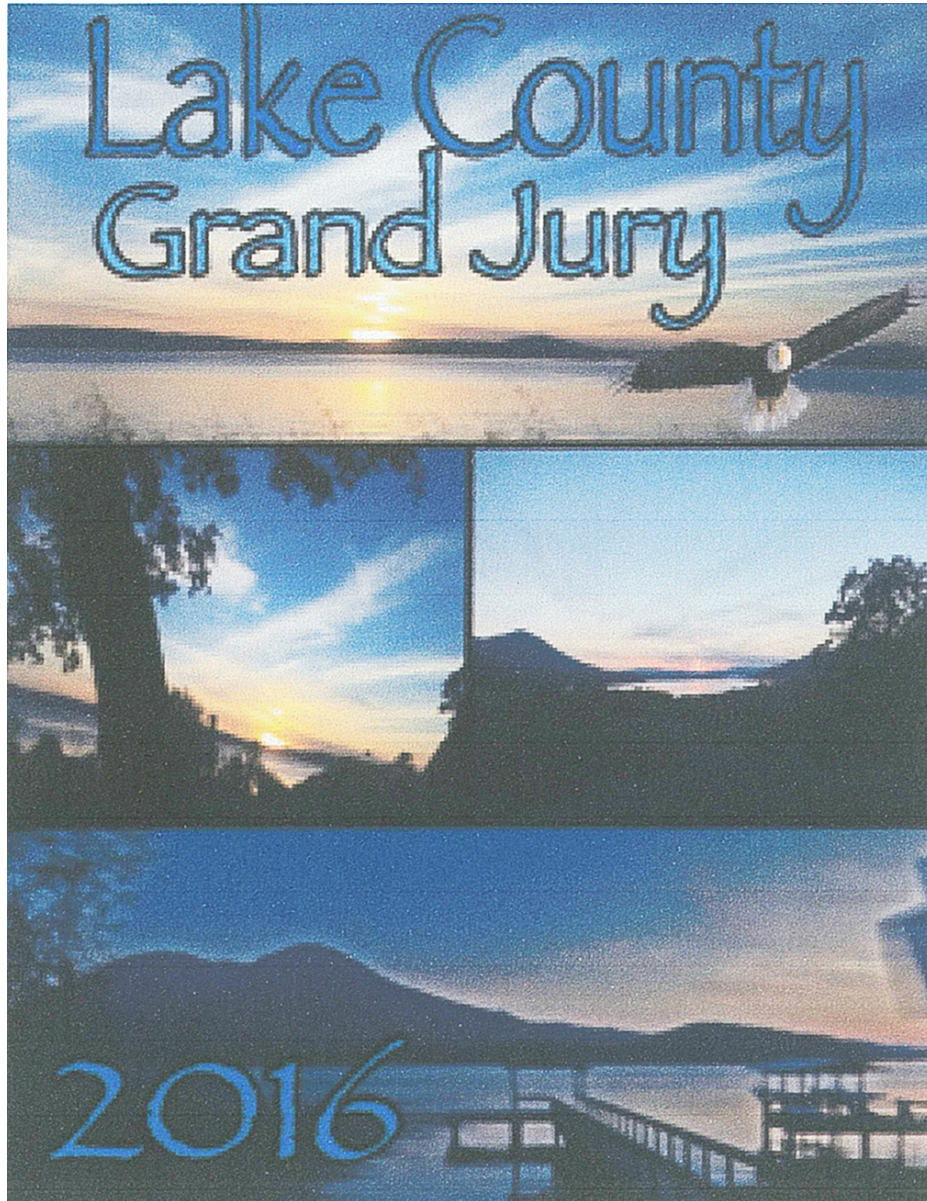
- City of Clearlake Municipal Code, Chapter X Property maintenance, nuisance and vehicle abatement.
- City of Clearlake, CA ([clearlake.ca.us](http://clearlake.ca.us))
- City of Clearlake CA codes and ordinances ([clearlake.ca.us/652/codes-ordinances](http://clearlake.ca.us/652/codes-ordinances))
- [clearlake.ca.us/160/code-enforcement](http://clearlake.ca.us/160/code-enforcement)
- [clearlake.ca.us/159/city-clerks-office](http://clearlake.ca.us/159/city-clerks-office)

## County of Lake

- Lake County Code, Chapter 13, Lake County uniform Abatement of public Nuisances code.
- <http://www.co.lake.ca.us/Assets/CDD/CodeEnforcement/Code+Violations+and+Process/abatementOrd.pdf?method=1>
- [http://www.co.lake.ca.us/Government/Directory/Code\\_Enforcement/news.htm](http://www.co.lake.ca.us/Government/Directory/Code_Enforcement/news.htm) Code info and news:
  - Weed and Brush Clearing - Removing weeds, brush, and clearing vegetation to prevent fires and help the community and the county.
  - Fire Damaged Structures -
  - Why Code Compliance is Needed - Not everyone wants the same living situation or more importantly, has the same standards.
  - Open & Outdoor Storage - All residential zoning districts in Lake County require most things stored outdoors to be screened from all exterior property lines and any public roadway.
- [http://www.co.lake.ca.us/Government/Directory/Code\\_Enforcement/SubmitComplaint.htm](http://www.co.lake.ca.us/Government/Directory/Code_Enforcement/SubmitComplaint.htm) Code Complaint Form
- Board of Supervisors of Lake County (bos.lakecountyca.gov)
- Code enforcement  
[www.co.lake.ca.us/government/directory/code\\_enforcement.htm](http://www.co.lake.ca.us/government/directory/code_enforcement.htm)
- [www.accela.com](http://www.accela.com)



# Grand Jury Appendix



**Grand Jury Art Contest Winner  
Ashton Legg, Age 16**





7. Other Specialized Training: \_\_\_\_\_

**LEGAL QUALIFICATIONS**

- Yes    No   I am a US Citizen and at least 18 years old.
- Yes    No   I will have been a resident of Lake: County for at least 1 year by next July 1.
- Yes    No   I am in possession of my natural faculties, of ordinary intelligence, of sound judgment, and fair character.
- Yes    No   I have been convicted of malfeasance in office or a felony.
- Yes    No   I am presently serving as an elected public officer.
- Yes    No   I understand the spoken and written English language.

8. List any organization(s) in which you are presently and/or have been active over the past five years.

Name of Organization	Purpose	Duties	Dates
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

9. Prior County Grand Jury Service: Yes \_\_\_\_\_; County: \_\_\_\_\_ Year(s): \_\_\_\_\_  
Prior Federal Grand Jury Service: Yes \_\_\_\_\_; No: \_\_\_\_\_

10. An appointment to the Lake County Grand Jury generally demands attendance at Grand Jury plenary sessions, an assignment to two committees, regular attendance at committee meetings, and extensive investigative duties. If appointed to the Lake County Grand Jury, how many hours each week can you devote to these responsibilities? \_\_\_\_\_

11. Do you have a disability or illness which would have to be accommodated in order to allow your full participation in Grand Jury activities? \_\_\_\_\_ If yes, please explain. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Do you currently hold a civic elective position (school board, commission, etc.)? \_\_\_\_\_  
If yes, please list the identity of the agency, position held and term of expiration date. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Why would you like to serve on the Grand Jury?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. What departments of County or City government or County/City services, if any, do you believe warrant closer scrutiny, and why?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. Are you or your spouse now, or have you ever been employed by a governmental body or agency, and if so in what capacity?: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Penal Code Section 903.2, I understand an investigation that will include a criminal record check will be conducted to help determine my eligibility to serve as a Grand Juror. I further understand that if my name is drawn as a Grand Juror or as an alternate, I may be required to attend grand jury training; if I am seated as a Grand Juror, I will be available to attend grand jury meetings and devote the required time to complete grand jury work for one year, from July through June. I further understand that if my name is drawn as an alternate, I will remain available for one year to serve as a member of the grand jury if called upon.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: \_\_\_\_\_  
(Please insert date signed)

Signature: \_\_\_\_\_  
(Please sign your name here)

**For statistical records, please mark appropriate boxes.**

Age Range; specifically:  18-25  26-34  35-44  45-54  55-64  65-74  75 and over

Gender:  Male  Female

Race or Ethnicity:  American Indian or Alaskan Native  
 Asian  Black or African American  
 Hispanic/Latino  Native Hawaiian or other Pacific Islander  
 White (Anglo)  Other Race or Ethnicity (Please state \_\_\_\_\_)  
 Decline to Answer

Place of Residence by Supervisorial District:  
 District 1  District 2  District 3  District 4  District 5

Please return application to: Lake County Superior Court

**Lakeport Division**  
225 N. Forbes Street  
Lakeport, CA 95453

**Clearlake Division**  
7000 A South Center Drive  
Clearlake, CA 95422



## Lake County Civil Grand Jury Complaint Guidelines

Receipt of all complaints will be acknowledged by mail. A complaint does not necessarily result in an investigation or issuance of a report. A report will only be issued in the Grand Jury's formal, final report published at the end of its term, usually June 30<sup>th</sup>. You will not necessarily receive any further communications from the Grand Jury.

The jurisdiction of the Civil Grand Jury includes the following:

- Consideration of evidence of misconduct by public officials within the County of Lake,
- Inquiry into the condition and management of jails within the County,
- Investigation and reports on the operations, accounts and records of the officers, departments or functions of county and cities including special districts created by state law.

Some complaints are not suitable for Jury action. For example, the Grand Jury does not have jurisdiction over judicial performance, actions of the court or pending litigation. Grievances of this nature must be resolved through the established judicial system. The Grand Jury has no jurisdiction or authority to investigate federal or state agencies or private enterprise. Only causes of action occurring within Lake County are eligible for review. Except in rare cases when a Grand Jury determines to "roll over" an investigation from one year to the next, each year's Grand Jury begins its investigative/oversight process anew.

### **PROCESS FOR FILING A COMPLAINT OR REQUEST FOR INVESTIGATION**

Any private citizen, governmental employee or officer may ask the Lake County Civil Grand Jury to conduct an investigation. This complaint must be in writing and is treated by the jury as confidential. The Grand Jury will determine whether the complaint is suitable for jury action. Any request for investigation must include detailed evidence supporting the complaint or request for investigation. If the Grand Jury believes that the evidence is valid and sufficient to support the complaint, a detailed investigation may be held. The written complaint should cover the following points:

- Specifically who or what agency is the complaint against
- What is the nature of the complaint
- What action was improper or illegal
- When and where did the incident(s) occur
- What were the consequences of this action
- Why/how. Attach relevant documents and correspondence with dates.
- Sign form. Unsigned complaints may receive less or no attention.

Additional information about the Grand Jury is also available on the jury's website:  
[http://www.co.lake.ca.us/government/grand\\_jury.htm](http://www.co.lake.ca.us/government/grand_jury.htm)

Rev. 12/10/14





**COUNTY OF LAKE**  
**LAKE COUNTY GRAND JURY**  
 P.O. BOX 1078  
 KELSEYVILLE, CALIFORNIA 95451

**COMPLAINT FORM**

WHEN COMPLETED – MAIL THIS FORM TO THE ABOVE ADDRESS  
**ALL COMMUNICATIONS TO THE GRAND JURY ARE CONFIDENTIAL**

This complaint should be submitted after all attempts to resolve a situation have been explored unsuccessfully.

Person or agency your complaint is about

Name and Title

Organization

Address

Telephone

My complaint is: (be as precise as possible, providing dates, times, and names of individuals involved. Describe more specific instances instead of making broad statements. Attach any available photographs, correspondence or documentation which pertains to this complaint. Use extra sheets as necessary.)

Other persons or agencies you have contacted about this complaint.

Describe the action you wish the Grand Jury to take.

Using additional sheets, provide any further information you feel may be helpful in an investigation.  
 COMPLAINANT:

Name (please print)	Telephone		
Address	City	State	Zip Code
Signature	Date		

*Your confidentiality will be vigorously protected. All complaints will be acknowledged promptly.*  
 Please read additional instructions attached.

**COUNTY OF LAKE  
LAKE COUNTY GRAND JURY  
FURTHER INFORMATION REGARDING CITIZENS COMPLAINTS**

Anyone may ask the Grand Jury to investigate a complaint. The Grand Jury will review all complaints received from the public and, when appropriate investigate those complaints which contain allegation of wrong doing or misconduct. While the Grand Jury will accept and review each complaint this is no assurance that the matter will be officially investigated or any formal action taken. The following procedures govern the submission and processing of such complaints.

A formal complaint should be prepared after all attempts to correct a situation have been explored unsuccessfully.

All complaints should be submitted in writing, dated and signed by the complainant. Anonymous complaints are usually given less weight by the Grand Jury in deciding what to investigate.

Complaints may be submitted by letter, but this complaint form is preferred. Upon request, members of the Grand Jury will assist citizens with the preparation of the complaint form.

**Content of a complaint**

Whether or not the standard complaint form is used, the following information should be included if at all possible:

- Name, address and telephone number of the individual or organization the complaint is against.
- If the complaint is against an individual in an organization, include the individual's title or position in the organization.
- Describe the problem as clearly as possible.
- Be as concise as possible, including dates, times, and names of individuals involved.
- Cite specific examples as opposed to broad general accusations.
- Attach any available evidence such as correspondence, documentation, photographs, etc..
- Include the name, address and telephone number of the person preparing the complaint. Please state all efforts or action taken to resolve the complaint up to this time. All materials, photos, statements, documents or other evidence will be retained for confidentiality by the Grand Jury.

**Confidentiality**

The Grand Jury is forbidden by law to release any information about a complainant or about any investigation that may be in progress. The confidentiality of the person making the complaint is rigorously protected.

The Grand Jury will study each complaint submitted. Each complaint will be acknowledged by letter as soon as possible after it is received. After studying the complaint, the Grand Jury will determine if further investigation should be undertaken. In any event, the complainant will be advised of the Grand Jury's decision.

The Grand Jury may call on the complainant for further information or clarification of the complaint.



Grand Jury Art Contest Winner  
Landy Wade, Age 7

**Lake County Grand Jury  
5250 Second Street  
Kelseyville, CA 95451  
(707) 279-8619 or Fax (707) 279-1983**

Obtain Complaint Forms at:

[www.co.lake.ca.us/residents/law/complaints.htm](http://www.co.lake.ca.us/residents/law/complaints.htm)

Review current or past Grand Jury final Reports  
And department or agency responses online at:

[www.co.lake.ca.us/Government/Boards/Grand\\_Jury.htm](http://www.co.lake.ca.us/Government/Boards/Grand_Jury.htm)