

2010-2011 Lake County Civil Grand Jury



Final Report

June 30, 2011





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

2010 -2011 Lake County Grand Jury Foreperson's Letter

June 30, 2011

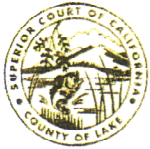
The Honorable Richard Martin
Superior Court of California
County of Lake
255 North Forbes Street
Lakeport, CA 95453

Dear Judge Martin:

Pursuant to California Penal Code § 933 (a), the 2010 – 2011 Lake
County Civil Grand Jury submits to you their Final Report.

Sincerely yours,

Fred Christensen
Foreperson, 2010-2011



Superior Court of California

COUNTY OF LAKE
255 NORTH FORBES STREET
LAKEPORT, CALIFORNIA 95453

RICHARD C. MARTIN
SUPERIOR COURT JUDGE

(707) 263-2232
FAX (707) 262-1327

June 8, 2011

Dear Members of the 2010-2011 Lake County Grand Jury:

Thank you for your service on the 2010-2011 Grand Jury. You have devoted extensive time and resources for the improvement of Lake County. Your service is highly valued, and I express my appreciation and that of the entire court for your efforts.

I certify that the 2010-2011 Lake County Grand Jury Final Report complies with "Title Four of the California Penal Code" and direct the court clerk to accept and file the final report as a public document.

Sincerely,

A handwritten signature in blue ink, appearing to be "R. C. Martin", is written over a horizontal line.

Hon. Richard C. Martin
Presiding Judge of the Superior Court

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LAKE 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 country 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 it 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.

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

ORGANIZATION

The Grand Jury is composed of 19 men and women of various backgrounds chosen from throughout Lake County.

The Presiding Superior Court Judge appoints a foreperson who presides at 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 include Budget and Finance, Government Services, Health & Human Services, Planning & Public Works, Public Safety, and Public Services.

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 the 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 Lake County 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 also is 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 wrongdoing 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 subject of one of the reports. According to law, the elected County officers must respond within 60 days following the release of the final report. The Board of Supervisors and other public agency governing boards must respond within 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.

SUBMISSION OF COMPLAINTS

Although it is 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 have no further acknowledgement other than that their complaint was received.

Complaint forms may be requested from:

**The Lake County Grand Jury
P.O. Box 1078
Kelseyville, CA 95451
(707) 279-8619**

or on the web at http://www.co.lake.ca.us/Government/Boards/Grand_Jury/

GRAND JURY SELECTION PROCESS

The court solicits applicants for the Grand Jury by advertising in the local papers. Applications may be obtained by mailing a letter with a self-addressed, stamped envelope to the Grand Jury Coordinator, 255 North Forbes, 4th Floor, Lakeport, CA 95453. Applications are also available at each Superior Court Clerk's Office, located at 255 North Forbes, 4th Floor, Lakeport, or at 7000 A South Center Drive, in Clearlake.

Once applicants have been screened and approved, they are randomly selected to be members of the Grand Jury.

QUALIFICATIONS

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

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

A person is not legally qualified 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 this 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 10 to 15 hours a week or more.
2. Be open-minded with concern for the positions and views 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.



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

Letter to Citizens

The 2010-2011 Civil Grand Jury, impaneled in July 2010, quickly determined the philosophy and manner of approach to the legal requirements mandated for Civil Grand Juries.

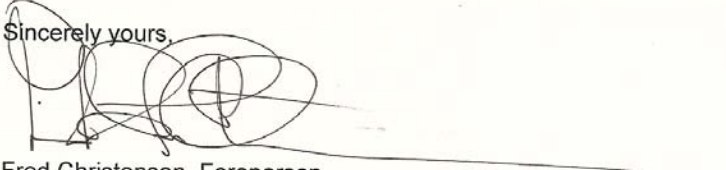
- All complaints received by the Grand Jury would be heard.
- Mandatory oversights would be conducted.
- Ad Hoc oversights would be conducted.
- A report would be produced at the end of the term.

The Grand Jury Committees collected data, conducted interviews and took sworn testimony. After hours of deliberation and crafting reports, each committee's reports were presented to the entire Grand Jury Panel for comments. Reports were revised and presented again for approval.

The Jury was also struck with physical obstacles including health of members and inclement weather.

Grand Jury Members were diligent in the conduct of their duties. The Citizens of the County of Lake can receive the following report with confidence from the 2010 - 2011 Civil Grand Jury of their peers.

Sincerely yours,



Fred Christensen, Foreperson
2010 - 2011 Lake County Civil Grand Jury

Grand Jury Action Regarding Complaints

A Civil Grand Jury can only take action by oversights mandated by law, oversights at the discretion of the Jury or citizen complaints. This Jury would not act upon rumor, innuendo or cause célèbre.

The Jury implores anyone who truly wishes their complaint or concern to be heard in an unbiased confidential manner to file a complaint.

Your complaint will be heard. You will receive a response.

2009-2010 Grand Jury Roster

Bisaccio, Kathleen		Lakeport
Byrnes, Kevin		Lower Lake
Christensen, Fred	Foreperson	Lakeport
Daugherty, Michael		Lakeport
Fountain, Kenneth	Sergeant-at-Arms	Lower Lake
Gehrke, Jay		Clearlake
Johnson, Dave		Lakeport
Lanfranco, Judith Steele	Recording Secretary	Lakeport
Marschall, Nanette		Lakeport
Moore, Mary		Lucerne
Morehouse, Gerald	Foreperson Pro-Tempore	Lucerne
Myers, Phillip		Lakeport
Nolan, Mary		Lakeport
Reeder, Beryl "Berry"		Clearlake
Scialabba, Jack		Clearlake
Stelljes, Judith		Kelseyville
Trudeau, Diane	Administrative Secretary	Cobb

Lake County/City - Agencies/Departments Required to Respond

<i>Agency/Department</i>	<i>Page number</i>
Board of Supervisors	4, 10, 20, 24, 88, 95, 115, 125, 133, 146, 152
Air Quality Management District	12
Auditor-Controller	10, 46
Chief Probation Officer	65, 115
City of Clearlake Animal Control Officer	141
Clearlake City Council	4, 10, 12, 141
Community Development Department	12, 77, 88, 91, 160
County Administrative Officer	20, 29, 36, 41, 46
County Animal Care and Control	152
County Counsel	10, 34
Department of Agriculture	95
District Attorney	10, 38, 55, 91, 160
East Lake Conservation District	146
Hidden Valley Lake Community Services District Board of Directors	82
Information Technology	51
Kelseyville Fire Department	119
Kelseyville Fire Protection District	107, 119
Lakeport City Council	4, 10, 12
Mental Health Department	61
Public Defender Program Oversight Committee Chairperson	41
Public Health Department	12, 68, 70, 133
Public Services Department	115, 129, 160
Registrar of Voters	51
Sheriff	65, 102, 110, 112, 115, 125, 129, 133, 160
Treasurer - Tax Collector	24
West Lake Conservation District	146

Ad-Hoc Committee – Special Reports

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 - Joint Powers Authority 5
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City and County Governmental Agencies “That’s the Way it’s Always Been Done.”

Summary:

There is a myriad of City and County governmental agencies in Lake County. Many of these agencies depend on “That’s the way we’ve always done it” to supplement policies and procedures. It is time to write down all policies and procedures and eliminate leaving government open to vulnerability by governance by personal “institutional memory”, and not fact or law.

Background:

The Grand Jury is composed of several committees whose sole responsibility is to conduct overviews and oversights of governmental agencies. The committees may ask to review agency policies and procedure manuals and usually do so.

Procedure:

The Grand Jury reviewed many policy and procedure manuals and reached a committee consensus.

Discussion and Facts:

During the course of most Grand Jury oversights, it has become apparent that some governmental agencies do not have all policies and procedures in writing. The Grand Jury admits this is a broad statement and recognizes that in some cases the problem does not exist. However, Committees continually find situations where a single employee is the *de facto* holder of policy and procedures in their head. Committees are often told “because this is the way it’s always been done.”

Findings:

- F 1. County and City entities have invaluable assets in long time employees and their “institutional memories”.
- F 2. Employees with “institutional memories” retire or move. When an employee leaves, a gap occurs because of unwritten policies and procedures. When asked why it is being done this way, the answer is, “Because this is the way it’s always been done.”
- F 3. A gap in policies and procedures can cause time delay, confusion, and in some cases, animosity.

Recommendations:

- R 1. City and County agencies review their policy and procedure manuals to ensure all employees without prior specific experience can understand and follow the policies and procedures as written. (F1, F2, F3)

R 2. Take steps to update manuals and appropriately complete policies and procedures where gaps occur. (F2)

R 3. Re-write policies and procedures to maintain continuity. (F2, F3)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

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

Joint Powers Authority The Shadow Government



Summary:

Joint Powers of Authority (JPAs)? What are they? Where are they? Why do they exist? What powers do they have? Who is financially responsible? Are there any guide lines for creating a JPA? To whom do they report? These are some of the questions this committee had difficulty resolving.

Background:

Previous Grand Juries in Lake County have investigated the Lake County Transit and Lake City/County Area Planning Council. These were formed, and exist, as JPAs. So, the questions arise: what are JPAs; how many are in Lake County; how do they relate to the function of County government; is there a need for oversight?

JPAs are defined as governmental agencies formed to address specific areas and specific needs.

Allowing public agencies in California to share powers was initiated in the 1920s, when tuberculosis (TB) was a serious public health threat in the Bay Area. San Francisco lacked adequate facilities to treat TB patients and the city's weather was not favorable to their recovery. Across the Bay, Alameda's medical facility did not have enough room for San Francisco's patients. This predicament created an opportunity for San Francisco and Alameda to work together on a solution, but the counties lacked the legal means. JPAs evolved through varying statutes over the next two decades and, in 1947, California State Legislature authorized the legalization of the modern JPA.

In August of 2007 the California State Legislature issued a publication titled *Governments Working Together, A Citizen's Guide to Joint Powers Agreement*. This guide addresses JPAs in general but does not detail the process of constructing a

JPA. These unique forms of government affect our daily lives, though many people are unaware of their importance--- or even their existence.

Procedure:

The current Grand Jury's Ad Hoc Committee researched the formation of JPAs, their structure and legal requirements to exist. The Grand Jury contacted city, county and state government offices attempting to identify all JPAs functioning within the County of Lake. Information received from these offices was incomplete or inconsistent. The Grand Jury attempted to obtain the audits and other legal and required documents necessary for a JPA to meet state law, but the majority of these documents were not available or known to exist.

The County Administrative Officer, the County Auditor-Controller-Clerk, and the City of Lakeport Manager were interviewed by the Ad Hoc Committee. JPAs operating with the County of Lake are required to file annual audits with the Lake County Clerk. JPA-related documents were requested from the County Auditor-Controller-Clerk but documents could not be located. Since all JPAs are required to be filed at the State level also, the Treasury Department was contacted and a list was provided; however, it was incomplete. Inquiries made to several other counties yielded little useful information.

Discussion and Facts:

The Lake County Ad Hoc Committee relied upon the *Governments Working Together, a Citizen's Guide to Joint Powers Agreements* publication, available at www.sen.ca.gov/locgov/guides.htm, which was created by the California State Legislature, Senate Local Government Committee as a guide to structure and enforce California Government Code Section 6500 - 6536.

1. Following are facts extracted from this State publication (Underlining by the Grand Jury was added for emphasis.);
 - a. "Joint Powers" is a term used to describe government agencies that have agreed to combine their powers and resources to work on their common problems.
 - b. Agencies that can exercise joint powers include federal agencies, state departments, counties, cities, special districts, school districts, redevelopment agencies, and even other joint powers organizations. A California agency can even share joint powers with an agency in another state.
 - c. A joint powers agreement (JPA) is a formal, legal agreement between two or more public agencies that share a common power and want to jointly implement programs.
 - d. Each joint powers agreement is unique, as there is no set formula for how governments use their joint powers.

- e. A joint powers agency or joint powers authority (JPA) is a new, separate government organization created by the member agencies, but is legally independent from them.
- f. JPAs exist for many reasons. By sharing resources and combining services, the member agencies – and their taxpayers – save time and money.
- g. When public officials create a joint powers agency, the new organization may not necessarily include “joint powers” or “JPA” in its name.
- h. Among the terms found in JPAs’ official names are: agency, alliance, association, authority, board, bureau, center, coalition, commission, committee, consortium, cooperative, council, district, facility, fund, group, institute, JPA, league, network, organization, partnership, patrol, plan, pool, program, project, region, service, services, source, study, system, trust, zone.
- i. Joint powers agency’s meetings are open to the public and subject to the Ralph M. Brown Act. Further, JPAs must follow the Public Records Act, the Political Reform Act, and other public interest laws that ensure political transparency.
- j. Unlike other governments, JPAs are not formed by signatures on petitions, and they’re not approved by a vote of the people. Public agencies create JPAs voluntarily.
- k. If a JPA creates a new joint powers agency, the JPA must file a Notice of a Joint Powers Agreement with the Secretary of State.
- l. Until public officials file those documents, a JPA cannot incur any debts, liabilities, or obligations, or exercise any of its powers.
- m. The JPAs auditor must arrange for an annual audit. The JPA must file the completed audit with the county auditor who makes copies available to the public.
- n. A JPA can issue revenue bonds without holding an election – without voter approval -- provided that each of the JPA’s member agencies adopts a separate local ordinance [to do so].
- o. Special legislation allows some nongovernmental organizations to participate in joint powers agreements, even though they aren’t public agencies.
- p. Regulatory JPAs, the least common type, enforce regulations through an independent agency or as an arrangement with other enforcing agencies. These JPAs ensure that member agencies adhere to federal and state laws and procedures by conducting educational

seminars, formulating enforcement procedures, and maintaining an oversight role.

- q. Among JPAs there are two popular funding methods: (1) create a revenue stream, and (2) raise capital by issuing bonds.
 - r. Although JPAs do not need voter approval before issuing bonds, each member agency must pass an ordinance. Those ordinances face a 30-day period in which voters can object by signing referendum petitions that trigger an election. If there is no referendum petition or if the petition fails to qualify [not enough valid signatures, for example] the JPA can sell the bonds and use the proceeds to build improvements or buy equipment.
 - s. Although sometimes confused with each other, a JPA is not a special district, even though they may provide similar services. A special district is a separate local government with its own governing body that delivers public services to a particular area.
 - t. There are complicated procedures to form a new special district, usually including the approval of the Local Agency Formation Commission (LAFCO) and voter approval.
 - u. State law requires every public agency – including a JPA – to file basic information with the Secretary of State and the county clerk of the counties (sic) where it keeps offices.
 - v. The member agencies that created the JPA pay for the organization's operation.
 - w. Approximately 1,800 JPA notices are on file with the California Secretary of State. The State Controller, however, received annual financial reports from 718 JPAs in 2004-05. The big gap between these numbers remains puzzling [to the State].
 - x. JPA meetings, like other local agencies are open to the public and must follow the Ralph M. Brown Act, the California Public Records Act, and Political Reform Act, and other public interest laws. They must print agendas and permit the public to participate in their meetings.
 - y. The public agencies that set up JPAs have a continuing responsibility to monitor their creations. County civil grand juries function as civil watchdogs and may examine the records of JPAs operating in the county, while per California Government Code Section 6500 – 6536, county auditors keep tabs on the financial reports of JPAs.
2. The County Administrative Officer compiled a list of local JPAs but stated there is no way to determine if the list were comprehensive. JPAs are not under the purview of the County Administrative Office.

3. Office of the Secretary of State has a list of JPAs but it is not complete; it listed only two JPAs working within Lake County.
4. Lake County Auditor-Controller-Clerk, who has no formal list of JPAs, and has no provision for identifying nor procedure for monitoring JPAs' audits (as required by statute), located only two; and these two were not the same as the two filed with State.
5. The City of Lakeport was aware of only one JPA to which it belongs; the Grand Jury discovered at least three. Although the County Auditor-Controller-Clerk is required by California Government Code Section 6500 – 6536 to have a record of all JPAs operating within the County, no records could be found at the time of this oversight.

Findings:

- F 1. Currently, there is no requirement that legal documents used in the formation of Lake County JPAs include “Joint Power” or “JPA” in their title and, consequently, it is difficult or impossible to identify and locate local JPAs.
- F 2. A new JPA may be formed by an existing JPA. JPAs created by other JPAs become increasingly difficult to audit and monitor due to their independency.
- F 3. Notice of a Joint Powers Agreement is required to be filed with the Secretary of State, the County of Lake Auditor-Controller-Clerk, and with the city in which it operates. In most cases this is not being done, and therefore, many JPAs are operating outside legal requirements.
- F 4. When interviewed, the Lake County Auditor-Controller-Clerk was unable to locate any JPAs in a designated JPA file.
- F 5. Unable to locate JPAs, the community is unaware (1) of any impending debt that may be planned – a JPA has the right to create revenue streams and available capital by issuing bonds -- and (2) unable to object to this JPA action by referendum. The JPA therefore can operate at its own discretion.
- F 6. Requirements for JPAs include publishing meeting date, time, and agenda as per the Brown Act. In most cases, the Grand Jury has been unable to locate any notification of meetings or agendas.

Recommendations:

- R 1. JPAs operating *within the County of Lake* be required to include “Joint Powers” in their titles to allow for identification, for auditing, and monitoring purposes. (F1)
- R 2. The JPAs be required to comply with the Brown Act with respect to Notice of Meetings and agenda. (F6)

- R 3. Lake County Auditor-Controller-Clerk compile a complete list of all JPAs operating within the County of Lake and that list be made available to the Grand Jury and the public. (F4)
- R 4. Clarification of responsibilities and procedures of the County Auditor-Controller-Clerk be made with respect to mandatory filing and monitoring of financial audits submitted by JPAs. (F3, F4)
- R 5. Future Grand Juries perform routine oversights on JPAs operating within Lake County, to determine that the JPAs' annual audits are being monitored by the Auditor-Controller-Clerk and is within the letter and spirit of the law (F1, F3, F4)
- R 6. Conduct annual oversight of the Auditor-Controller-Clerk with regard to monitoring filed JPAs. (F3, F4)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Board of Supervisors (90 days)
- District Attorney (60 days)
- County Counsel via Board of Supervisors (90 days)
- County Auditor-Controller (60 days)
- Clearlake City Council (90 days)
- Lakeport City Council (90 days)

Mold in My Home: Does Anybody Care?

Summary:

There is no public agency in Lake County that evaluates mold growth issues in buildings.

Background:

The Grand Jury received a complaint regarding mold growing in a privately owned building. Because this was a private dispute, the Grand Jury denied the complaint. However, the larger issue of mold inspection spurred the Jury to investigate the question of who in Lake County government is responsible for mold, health and safety issues.

Procedure:

Telephone calls by the Grand Jury were made to the Environmental Health Division of the Public Health Department, the Building Inspection Division of the Community Development Department, and the Air Quality Management District. Documents located on the Internet were reviewed including the text of the *Toxic Mold Protection Act of 2001*, Health & Safety Code Sections 25100 et seq., and *Implementation of the Toxic Mold Protection Act of 2001*, a report to the California legislature dated April 2005.

Discussion and Facts:

The public is now, more than ever, aware of mold infestations. Citizens look to government for many services, but here in Lake County, governmental agencies advise citizens to contact private companies to treat mold issues.

According to the *Report to the California Legislature* prepared by the California Department of Health Services (DHS), the *Toxic Mold Protection Act of 2001* was enacted to address concerns regarding health effects from exposure to indoor molds and provide guidelines or standards for the safe and effective removal of molds from buildings. DHS was directed to determine the feasibility of identifying permissible exposure limits (PELs) for indoor molds.

The DHS staff determined after considerable research, that sound science-based PELs for indoor molds could not be established.

- On the County website, the Code Enforcement Division of Community Development Department page, there is a chart indicating the agency to contact about “Mold inside habitable dwellings” is Building and Safety. There is also a telephone number under the Environmental Health heading for “Mold”. (See attached)
- When called, Lake County Building and Safety Division informs the caller that it does not have anything to do with evaluating mold.

- The 1-800 phone number listed on the County of Lake web site under Environmental Health connects to the United States Environmental Protection Agency's automated indoor air quality hotline.
- According to the DHS, damp buildings or occupied rooms within buildings that have visible fungal growth are unsanitary and a potential health risk.
- County agencies direct the public to seek private companies' advice on mold issues.

Findings:

- F 1. No local governmental agencies exist in the County that evaluates mold.
- F 2. Since it has been documented that indoor dampness or fungal growth are potential health risks, mold must be eliminated in a safe and efficient manner.

Recommendations:

- R 1. Have County government become informed in mold mitigation. (F1, F2)
- R 2. Correct County website to remove reference to mold services. (F1)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Community Development Department via Board of Supervisors (90 days)
- Public Health Department via Board of Supervisors (90 days)
- Air Quality Management District (90 days)
- Lakeport City Council (90 days)
- Clearlake City Council (90 days)

LAKE COUNTY VIOLATION INVESTIGATION & AGENCY CONTACTS

Revised 3/1/2010 VB

CODE ENFORCEMENT	PLANNING	BUILDING & SAFETY	ENVIRONMENTAL HEALTH	AIR QUALITY	DPW - Roads	ANIMAL CARE & CONTROL	STATE FISH & GAME
7071 263-2309 Richard Coel, Director	Community Development 7071 263-2221 Richard Coel, Director	David Jezek Chief Building Official 7071 263-2382	Ray Ruminski Director 7071 263-1164	Doug Gearhart Director 7071 263-7000	Brent Siemer, Director 7071263-2341	Denise Johnson Director 7071 263-0278	Lt. Loren Freeman Supervisor 7071998-9208
Abandoned Vehicles	Existing Use Permit Enforcement	Building/ construction related issues	Septic systems Wells	Air Quality	Stephen Stangland, Road Superintendent	Vicious animals	Illegal hunting, and fishing activity
Nuisance Vehicles, Boats, Trailers	Initial review of Set-backs	Stop work orders	Hazardous Wastes	Burning	County road way	Neglected animals	Pollution of waterways by petroleum products
Accessory use of property	Grading Issues	Expired Permits and Construction without permits	Sanitary and non sanitary disposal	Excessive dust	Trees and brush blocking roadway	Loose dogs and other large animals	Illegal dumping of debris, petroleum, vehicles, boats within 150 feet of a waterway
Occupancy of RVs, Travel Trailer or Camping	Signs and billboards	Do NOT occupy structure	Restaurants/ food	Industrial emissions/odors	Illegal dumping on roadway	Barking dogs	Altering a stream, creek, river, or lake without a DFG permit
Excessive open & outdoor storage	Resort and compliance	Mold inside habitable dwellings	Mold 800-438-4318	Industrial emissions/odors	Missing road and street signs	Leash law	Gravel extraction, Invasive Mussel Inspection
Abatement, Fire destroyed structures	MOBILE HOME ISSUES	Storm water issues	Swimming pools	Industrial emissions/odors	County culverts and bridges	Limitations on tethering of dogs	Destruction of property by wildlife: Issuance of a depredation permit
Garbage, Trash	Un-permitted Alterations	Grading violations with or without permits	Tire permits for hauling	HD Diesel engine idling	Potholes	Excessive animals	Animals that pose a public safety, Sup. Lt.
Weeds and brush	RICK KERWOOD HCD, 7071 272-2729 Structural, electrical, plumbing, mechanical.	Water tanks over 5,000 gal.	Above and under-ground fuel tanks	Asbestos in buildings (demolition and /or renovations)	WATER RESOURCES Pamela Francis and Skip Simkins 7071263-2341	Maintenance of animal habitat	Large mammal & bird problems: turkeys, deer, bear, mountain lions, bobcats: Sup. Lt. & aid of trappers.
Yard sales over 6 per yr.	MOBILE HOME PARK Violations http://www.lccd.ca.gov/cod/es/01/forms/form419e.pdf	Water tanks over 5,000 gal.	Toxins	Serpentine (NOA) Dust Plans	Docks, piers, retaining walls at or below 7.79 Rumsey	Crowing roosters	Nuisance and problematic small wildlife: skunks, squirrels, raccoons, opossums, etc.: Federal wildlife trapper.
RV's, boats, trailers stored in easements						Feral cat colonies	Appointments are made through the Lake Co. Agriculture Department at 263-4217
Dumpster Enclosures							
Cargo containers							
Zoning violations							
(Examples: Animal density, Business without a 'CUP' Conditional Use Permit, Fences, Noise, Etc.)							

Budget and Finance Committee **Table of Contents**

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Lake County Administration



Summary:

The office of the Lake County Administration is responsible for coordinating the establishment of the annual budget and monitoring detailed and overall conformance to that budget. The County's track record is outstanding with the reserves building each year in spite of the difficult financial times and the State of California's inability to manage its budget.

While the financial discipline is excellent, management pays less attention to monitoring non-financial measures. The Grand Jury recommends that the Board of Supervisors (BOS) establish a set of non-financial goals for the County and each of its departments and monitor for success annually.

Background:

The County Administration Office is responsible to prepare and administer the County's annual budget for the BOS and to provide guidance to ensure the financial health of the County.

Procedure:

The committee reviewed the County Budget Manual, the Recommended Budget, the Adopted Budget, the Midyear Budget Review package and the external auditor's report. The committee met with the County Administrator on two occasions with specific questions and communicated several times on individual issues. In addition, two members of the committee participated in the presentation and review of the external auditor's annual report and the selection of the external auditor for the upcoming year.

Discussion and Facts:

The following facts were obtained from the above mentioned procedure:

1. The budget process for a particular fiscal year begins in January and proceeds step by step as described in the Lake County Budget Manual. At

the start of the new fiscal year (July 1), the County operates based upon the Recommended Budget until the budget is finalized and adopted in the August / September time frame by the BOS.

2. All department heads prepare a detailed budget request which includes financial goals and a narrative describing operational changes, if any, from the prior year. Lake County Administration and the department heads interact on how to achieve financial goals with minimum cost. Unresolved issues are referred to the BOS. Non-financial goals are not formally established as part of the budgeting process.
3. In prior years, an external auditor had prepared a Comprehensive Annual Financial Report (CAFR) at an additional cost that included several statistics which might be referenced for non-financial goals. However, these were just statistics, not meaningful goals used to drive management action. Because of the added cost and minimal value, the CAFR is no longer included as part of the external audit.
4. Lake County Admin has maintained a significant reserve for several years as sensible budgeting policy. Now, with the State aggressively renewing past threats to shift responsibilities for various programs down to the counties, an impact of a new magnitude faces Lake County; giving Lake County's build-up of reserves an even greater significance.
5. Additional concerns include a potentially reduced revenue base due to a decrease in property taxes because of the downturn in property values. Anticipating the potential of revenue reduction, the County has identified several "At Risk" employee positions. These positions are identified in cooperation with the appropriate department heads. Staff members currently filling these positions are aware of this status and that the potential exists to be laid off. These positions remain "At Risk" until the position becomes vacant as a result of a resignation or transfer or funding status changes in the following fiscal year.
6. Over a million dollars was added to the Code Enforcement Division's budget by the BOS over a five year period beginning in 2002/03 with the intent that these added dollars be used for the purpose of cleaning up the backlog of cases and improve the visual appearance of the County. However, no goals were set nor assigned to measure the results of the added money. It is not clear that the million dollars had any effect and the administration's general impression is that it did not.
7. The County recently paid a private consulting firm to conduct a consumer retail analysis throughout Lake County: first, to determine local buying trends and discover items local businesses should add to inventory that will allow Lake County residents to "buy local"; secondly, to entice/recruit new businesses to Lake County - not to compete, but to fill in the gaps. The process is currently being implemented using a local contractor to educate

existing business owners on how to expand product lines and business associations on how to recruit new businesses.

8. The County uses CalPERS as the pension fund for employees. CalPERS is funded by an employee and an employer contribution. Normally the employee contribution would be paid by the employee and the employer portion would be paid by the County. However, as a result of past labor negotiations, the County currently pays BOTH the employer and employee portion of the contribution. The employee portion of the contribution costs the County over \$2.7 million each year.
9. The current external auditor has audited the County's books for several years. A Request for Proposal was sent out in 2010 by the Auditor / Controller to forty-two firms. Three proposals were received. The Audit Review Committee examined the proposals and selected a different external auditor for next year (2011 – 2012).

Findings:

- F 1. Very few non-financial goals are established and measured within each department or at the County level. Objectives / goals are normally the basis for work and assignments. In the book Management, Tasks Responsibilities and Practices, author Peter F. Drucker, states that established objective/goals determine structure, key activities and allocation of people to tasks. For example, when the additional money was allocated to the Code Enforcement Division's budget several years ago, goals that could have been established at the same time include an increase in the number of cases opened or an increase in the number of cases closed, depending on the results desired. Establishing and monitoring proper goals takes time and work, but is well worth the effort. An example of this kind of goal setting and its worth can be seen in the Grand Jury's Code Enforcement Oversight – Million Dollar Review report in this 2010-2011 Final Report.
- F 2. In today's economic climate, it is no longer financially prudent for the County to continue to pay BOTH the employee's and the employer's portion of the CalPERS contribution.
- F 3. The BOS is encouraging the citizens of Lake County to "buy local" via implementing the process recommended by the study.

Recommendations:

- R 1. The Lake County Administrator and the BOS work together to establish a working group to prepare policies and guidelines for the creation of measurable non-financial goals for each department, including the Code Enforcement Division. (F1)
- R 2. The BOS direct that each department head submit at least five measurable non-financial goals meant to improve the operation of the respective

department in the next budget cycle. Lake County Administration add this requirement to the current budget preparation process. (F1)

- R 3. Each department head track the achievement of these non-financial goals and report annually to the BOS on progress. (F1)
- R 4. The Lake County Administrator and the BOS negotiate or renegotiate labor contracts for the County to no longer pay the employee's portion of the CALPERS contributions. (F2)
- R 5. The Lake County Administration and the BOS thoroughly follow through with the "buy local" process to ensure local businesses are facilitated and benefit from the implementation. (F3)

Request for Responses

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Administrative Officer via the Board of Supervisors (90 days)
- Board of Supervisors (90 days)

Treasurer - Tax Collector Office Oversight



Summary:

The Treasurer - Tax Collector's Office is doing a good job collecting and managing the County's money. The Grand Jury did find a few things that could be improved, including office morale.

Background:

The Budget and Finance Committee performed an oversight of the Treasurer - Tax Collector office. The office organizational chart consists of treasury (custodian of cash, investments, debt, deposits and disbursements); court fines/fees (collect court assessed fines and fees); and tax (tax collections).

Procedure:

The committee interviewed the Treasurer - Tax Collector, several members of the staff, reviewed the budget detail of the office and performed an audit of a change fund.

Discussion and Facts:

1. The staff is comprised of eleven full-time plus a few part-time help during peak seasons. The treasury has two staff members, court fines/fees has three, tax has four plus the Treasurer - Tax Collector and a deputy. At the time of the oversight, there were two people on extended leave from the Treasurer - Tax Collector Office, which the committee was informed impacts productivity and morale.
2. Cross training has been implemented by management, although some staff were either unaware or had a differing interpretation of the implementation and/or frequency of cross training occurring.
3. Delinquent tax collection accounts (primarily unsecured taxes e.g. boat, airplane, business assets) take considerable time to collect.

4. In 2009, the Treasurer - Tax Collector revised the cash change drawers. Before 2009, every employee had a drawer and different types of collections (e.g. taxes, fees). Now drawer data is managed by software and every payor receives a computer generated receipt. There are four cashiers, each with one drawer and one key to that drawer. Additionally, the Treasurer - Tax Collector has a key to each drawer. Cashiers' drawers are locked at lunch and at night are placed in the vault until morning.
5. After three years, unclaimed property tax refunds are submitted to a Board of Supervisors' review, after which, the names of those entitled to a tax refund are published. The payor then has 45-60 days from publication to claim the refund. If the refund is claimed, a new check will be issued. After 60 days, unclaimed monies are then transferred to the General Fund of the County. None is returned to the cities. Unclaimed property tax refunds amount to approximately \$30k per year and approximately \$6,500 is claimed.
6. Electronic imaging software with the capability of electronic deposit of checks to the treasury has been obtained and was in the process of being implemented at the time of this oversight.
7. The Treasurer - Tax Collector's office applied for and received a grant to develop an electronic interface with the Superior Court system for the collection of court assessed fees and fines. The interface had been completed and was in place at the time of the oversight.
8. In order to improve the in-house safety of the staff, panic buttons were funded and have been installed. The buttons activate an electronic signal that is tied into an existing Superior Court system. The system provides a pre-recorded message to the Sheriff's dispatch. While law enforcement is en route, dispatch calls back for more information. The system is tested monthly.
9. The current software system used by Lake County supports the operations of the Treasurer - Tax Collector's office. The software is tailored to the unique California tax process. Also, 21 of the 58 counties in California use the software. Because of the unique tailoring and captive audience, the annual maintenance charges for the system are very high (over \$160,000).
10. The Treasurer - Tax Collector's office performed a fee study in 2009 which analyzed in detail the activities and costs required to provide services. As a result, a revised fee schedule was established and approved by the Board of Supervisors. The fee schedule is available on the County website.
11. The office interacts with the courts regarding the collection of court fees and fines during misdemeanor court days. The Treasurer - Tax Collector's office has space and staffs the South Lake Court location one day per week.

12. As of the date of the committee's oversight, there had been no involvement by the Treasurer - Tax Collector's office in the design of the new court house in Lakeport regarding the Treasurer - Tax Collector's space requirements.
13. The committee performed an unannounced observation of one of the change fund counts and found the fund in balance. A computer spreadsheet was utilized by the department to facilitate the cash count of the change fund.

Findings:

- F 1. The Treasurer - Tax Collector struggles with the problem of intermittent and extended leaves. The need for staff members to fill in for absent staff impacts overall productivity. Testimony of staff members indicated a different perspective; a feeling office morale was also impacted. The perception of inadequate cross training also affects morale.
- F 2. Property tax collection and secured debt collection are regulated and take priority, leaving minimal time for unsecured debt collection.
- F 3. Regarding the accounting software, there is only anecdotal evidence of what the other 37 counties in California use for the Treasurer – Tax Collector activities. No formal or documented study of the options available to Lake County has ever been done.
- F 4. A study of options for accounting software could also compare the costs of converting the process and document the costs relative to the current \$160,000+ maintenance charges. This study would hopefully put to bed the recurring concern over these high maintenance charges.
- F 5. The lack of interaction on the new court house design could easily result in a less than efficient or effective court fines/fees collection activity.

Recommendations:

- R 1. Management consider implementing flex hours to improve productivity and morale. (F1)
- R 2. Management conduct bi-monthly staff meetings to listen to and update staff regarding issues concerning hours and training and other issues affecting productivity and morale. (F1)
- R 3. The Treasurer - Tax Collector utilize third party collectors to collect the unsecured delinquent accounts. (F2)
- R 4. The County form a task force to study the different processes and tools used by the other 37 counties in California to accomplish the current accounting system functions in order to possibly reduce the \$160k+ maintenance cost. (F3, F4)

R 5. The Treasurer - Tax Collector take an active role in the layout and design of the new court house to assure the department is allocated adequate space. (F5)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

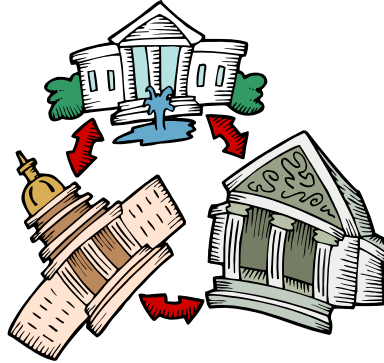
- Treasurer - Tax Collector (60 days)
- Board of Supervisors (90 days)

Government Services Committee

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Administrative Office A View from the Top



Summary:

This report is an elective oversight into county government, specifically, the Administrative Office. For many citizens, knowing, understanding, and discovering how government works is a mystery. The Government Service Committee was interested in finding how the many services offered by the County of Lake are coordinated through the Administrative Office and to illuminate the services available to citizens.

Background:

The County of Lake was created on May 20, 1861 by combining portions of Napa, Mendocino, and Colusa Counties and was approved by the Governor of California.

The Administrative Office of Lake County deals with a continually changing governmental environment. Fiscal, personnel, and compliance are major functions administrated. The Administration of Lake County works to keep local government viable in these difficult economic times.

The Administrative Office has a staff of 5.9 employees which includes the County Administrative Officer, a Deputy Administrative Officer, a Chief Deputy Officer, and support staff. All work collectively to produce the annual budget for the county, research and negotiate contracts, create reports, consulting with County Counsel on legal matters. Divisions that report to and are a part of the Administrative Office Department include Marketing, Purchasing, Redevelopment and Central Mail Room; all operate within a total budget of \$554,057 for the current 2010-2011 fiscal year.

The County Administrative Officer serves as the Clerk to the Board of Supervisors (BOS) and is appointed by the BOS. The County Administrative Officer's duties also include monitoring of the current budget, preparing budget proposals for the upcoming fiscal year, performing fund transfers between departments where necessary and negotiating contracts. In addition, the County Administrative Officer acts as liaison to and between departments of the County and

the BOS, facilitates and supports department heads and County staff, and carries out specific instructions of the BOS, if any.

Procedure:

The County Administrative Officer and Deputy Administrative Officer were interviewed by the Government Services Committee. The BOS was questioned by the committee regarding supervision of Department Directors and Agency Heads and the County Website was researched.

Discussion and Facts:

The Board of Supervisors represents and acts on behalf of the citizens. The voters, also known as residents and/or citizens, of the county are at the top of all governmental operations, followed by the elected officers – Assessor/Recorder, Auditor/Controller/County Clerk, Registrar of Voters, Sheriff, Treasurer/Tax Collector, and the Board of Supervisors. See attached chart.

1. There are two methods of becoming a Department Head within the County: 1) appointed to the position by the BOS, or 2) elected to the position/office by the voters of the County.
2. Department Heads/Directors that have been appointed to their position by the BOS are supervised on a daily basis by the County Administrator, with annual reviews performed by the BOS.
3. Candidates for a position to be filled by appointment by the BOS must meet criteria established by Human Resources and meet the requirements of the job.
4. The BOS fills open department head positions by promotion of a candidate already employed by the County or by an appointment through recruitment.
5. In addition to answering to BOS, some departments operate under requirements which are mandated by government or agencies, such as the State of California or the Federal Aviation Administration.
6. As the liaison/coordinator/conduit, the County Administrative Officer is directly responsible for the operations as shown on the attached Chart and reports to the BOS on the status of those operations.
7. At the time of this report, there is no Certified Public Accountant employed within the County, including in the office of the County Auditor.
8. At the time of interview, no information existed as to where Grand Jury Complaint Forms are made available to the public in county buildings.
9. Proof of malfeasance, wrong-doing or misconduct, dishonesty by an elected official may be discovered by the Grand Jury but must then be brought to the attention of the District Attorney. Voters can initiate a recall of elected officials.

Findings:

- F 1. Elected department directors or agency heads are not required to meet extensive criteria based on related experience or job knowledge.
- F 2. Elected directors can only be removed from positions by recall of the voters or malfeasance.
- F 3. Grand Jury Complaint Forms are available through the County website, by mail or by phoning the Grand Jury Office. At the time of this report, Complaint Forms were absent from sight in most county buildings and in areas of public foot traffic.

Recommendations:

- R 1. Provide Grand Jury Complaint Forms in readily accessible locations in plain sight on each floor of all County buildings. (F3)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Administrative Officer via Board of Supervisors (90 days)

VOTERS IN THE COUNTY OF LAKE		
↓		
Board of Supervisors		
↓		
Executive Officer		
↓		
Department	Reports to:	Division/Function
<u>Executive Branch</u>		
Administration	Board of Supervisors	Budget/Financial Administration Clerk to the Board of Supervisors County Ordinance Code County Policies and Procedures Manual Geothermal Resource Royalties Grand Jury - budget concerns only Marketing and Economic Development Public Defender Purchasing Redevelopment Agency Visitor Information Center
Agriculture	Board of Supervisors	Fish & Game Weights & Measures
Air Quality Management District **	Board of Supervisors	
Airport***	Public Works	
Animal Care & Control	Board of Supervisors	
Assessor/Recorder	Voters	
Auditor/Controller	Voters	Auditor Controller County Clerk
Child Support Services	Board of Supervisors	
Community Development	Board of Supervisors	Building & Safety Code Enforcement Planning
County Counsel	Board of Supervisors	Including Risk Management
District Attorney	Board of Supervisors	Victim Witness Family Support
Health Administration	Board of Supervisors	Environmental Health, Hazardous Materials Public Health Veterans Services Safety
Human Resources	Board of Supervisors	
Information Technology	Board of Supervisors	
Library	Board of Supervisors	

Mental Health	Board of Supervisors	Alcohol & Other Drugs
Planning Commission	Board of Supervisors	
Probation	Board of Supervisors	Juvenile Home
Public Services	Board of Supervisors	Facilities Maintenance
		Parks
		Solid Waste
		Museums
Public Works	Board of Supervisors	Roads
		Street Addressing
		Surveyor
Registrar of Voters	Voters	
Sheriff	Voters	Coroner
		Emergency - 911
		Investigations
		Jail
		Juvenile Home
		Office of Emergency Services
		Warrants
Social Services	Board of Supervisors	Adult Protective Services
		CalWORKS and Other Program Assistance
		Child Welfare Services
		Housing Services
		In-Home Support Services
		Public Guardian
		Welfare Fraud Investigation
Special Districts	Board of Supervisors	Wastewater Agency
		Water Utilities
Tax Collector/Treasurer	Voters	Tax Collector
		Treasurer
Water Resources	Board of Supervisors	Lake County Watershed Protection District
		Lakebed Management
UC Cooperative Extension*	State of California	Also known as "Farm Advisor"
Judicial Branch		
Courts*	State of California	Civil
		Criminal
		Jury Commissioner
		Small Claims
		Traffic
		Law Library
Grand Jury*	State of California	
Legislative Branch		
Board of Supervisors	Residents of County	

County Counsel



Summary:

County Counsel functions as the County's legal representative, providing legal advice and services to the County departments, special districts and the Civil Grand Jury.

Background:

The present County Counsel has worked almost two decades as a lawyer for Lake County, the last five years in the County Counsel position. The office staff is small: only four lawyers and two legal secretaries. There is very little turn-over. The most recent employee was hired several years ago.

Attorneys in the office specialize in specific areas of county government but function as a team when needed. Although the department lawyers often work independently, all work is directly overseen by the County Counsel.

Procedure:

After reviewing the job description of the County Counsel responsibilities and the 2010-2011 budget for Lake County, the Government Services Committee interviewed the County Counsel. Focused questions specific to responsibilities, limitations, and conflict of interest issues in the County Counsel position were presented; all were answered fully and to the committee's satisfaction.

Discussion and Facts:

1. The County Counsel is directly responsible to the Board of Supervisors and is present whenever the Board convenes.
2. As all official activities of the County must remain within legal parameters, County Counsel assures that Lake County's administration operates within federal law, state statute and local ordinances.
3. The County Counsel budget is funded from the general fund. Just under \$700,000 was approved by the supervisors for 2010-2011; this is a \$2,000 reduction from last year.
4. The 2010-2011 budget estimates \$10,000 aid from the State and \$80,000 reimbursements for legal services to self-funded County Departments.
5. Under a separate budget unit, County Counsel administers Risk Management programs for Lake County and is familiar with Workers' Compensation.
6. The committee was informed that County Counsel takes personal responsibility for everything that goes through the Counsel's office.
7. County Counsel has neither given nor been asked to give legal counsel in the formation of any Lake County Joint Powers Authorities (JPAs). County Counsel does review these agreements, as to form only, prior to the supervisors' signing.

Findings:

- F 1. The County Counsel provides consistency and continuity in the County's legal activities.
- F 2. Staff retention is not a problem in the County Counsel department.

Recommendations:

None

Request for Responses:

- County Counsel via Board of Supervisors (90 days)

Central Services Which Way Did They Go?



Summary:

Oftentimes, a redundant yet necessary function, performed in several departments in an organization, is handled by one, centralized person or office so that better control and uniformity can be established and advantage can be taken for any volume discount. Central Services no longer exists within the County of Lake government.

Background:

Maintenance of county-owned automobiles, equipment maintenance, purchasing, and other functions required in each department were once consolidated in one division in the County. These functions are now delegated to each department.

Procedure:

Historically, Central Services has been included in Grand Jury oversights. The Government Services Committee conducted an interview with the County Administrative Officer under whose department Central Services once operated.

Discussion and Facts:

The Government Services Committee was informed that each department:

- Uses the mechanical services at Central Garage, a function included in the Public Works Department, to maintain the county vehicles assigned to it;
- Purchases and maintains its own inventory of equipment and supplies;
- Maintains the service and repair of all equipment in its office.

Findings:

- F1. The Committee found that each department performs the functions as if it were a separate and independent organization.
- F2. Central Services is referenced in the budget, however funds are for Mail Room operation only.

F3. There is no Central Services function or operation within the County.

Recommendations:

R1. Remove County reference to Central Services as that function no longer exists. (F1, F3)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Administrative Officer via Board of Supervisors (90 days)

District Attorney

Seek Justice and Prosecute Vigorously



Summary:

Allowing a month for the new District Attorney (DA) to settle in, the Government Services Committee met with the DA for his assessment of the many issues facing the DA and the citizens of the County of Lake.

Background:

At the time of this interview, the DA had been in office for just one month. Goals that the DA has set are to become familiar with the responsibilities of this office, implement changes where necessary, establish written policies and procedures bring the traditional 'overcharging' of suspects closer to reality, and to fulfill the mission ... "Seek Justice and Prosecute Vigorously".

This DA sees the department as one that represents all the people of the county.

Procedure:

The Government Services Committee (committee) of the Lake County Civil Grand Jury interviewed the new DA.

Discussion and Facts:

Through interview, the following information was conveyed to the committee:

1. No written Policies and Procedures Manual exists for the Office of the District Attorney.

2. The *Brady Law and Policies* was established in 2007 and requires a high level of integrity and honesty from law enforcement. The DA stated he will enforce the *Brady Law and Policies*.
3. Understanding that there may be an influx of newly-released, unsupervised offenders to Lake County, the DA is aware of the projections of increased crime, yet stated that the future is difficult for anyone to predict.
4. The DA has served on undercover task forces and has spent a good deal of time in family law before entering his current position.
5. Analyzing the projected reduction in law enforcement funds from the State of California, the DA stated that less money means less enforcement which means fewer cases can be prosecuted. This will reduce monies spent by the department. Layoffs in the DA's office may become necessary.
6. The result of a reduction in funds from the state is just now surfacing in Lake County. One State-approved grant was only half funded. It is now dubious whether the remaining half of the funds will be forthcoming, even though commitments based on the full grant have been made.
7. The DA places the highest priority on prosecuting crimes of violence, especially when children or elders are involved.
8. The DA has initiated a procedure of accepting pleas in more cases in order to minimize the cost of court trial and to use time and money more efficiently.
9. The DA expects the services that are currently in place in the Victim Witness Program, a Division of the District Attorney Department, to continue.

Findings:

- F 1. The Office of the District Attorney is aware of the need for a written Policies and Procedures Manual.
- F 2. A goal of the Office of the District Attorney is to minimize the inmates' time spent in jail and reduce court trials by increasing the use of the plea bargain process.

Recommendations:

- R 1. The Grand Jury of 2011-2012 conduct an oversight of the Office of the District Attorney. (F1, F2)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- District Attorney (60 days)

Public Defender Program Oversight Committee

Oversight of an Oversight



Summary:

The Public Defender Program Oversight Committee (PDPOC) oversees the Public Defender (PD) Program. How exactly does this work ... or does it?

Background:

A private company contracted by the Board of Supervisors (BOS) has provided legal services for the Lake County indigent population since 2005.

In its minutes of November 2010, the PDPOC defined its responsibilities specifically to *“Receive and review reports regarding the effectiveness of the Public Defender Program. Provide recommendations to the Board of Supervisors per the above. Review the totality of the program.”*

The Lake County Grand Jury recommended the establishment of an oversight committee in 2005 for the Public Defender Program. Quarterly meetings were to be held. The recommendation was implemented by the BOS within months. In 2010, the Grand Jury suggested revision of the PDPOC by-laws to provide all contractor’s reports to be in writing. The by-laws were not amended but routine written reports were initiated, replacing the rather informal and spotty documentation in previous years.

Procedure:

Grand Jury is the watch dog of the County per California Penal Code. The Government Services Committee attended an open meeting of the PDPOC and interviewed those members in attendance. The Grand Jury also reviewed the

PDPOC minutes for the last twelve months and current PD reports, case loads, and type of charges handled over the last year.

The PD contractor who provides PD services consented to speak with Government Service Committee members during this oversight.

Discussion and Facts:

In its April 2011 meeting, the PDPOC members present were one BOS member, a representative from Administrative Office who acted as secretary, two volunteer citizens, and the PD director; it is required to hold quarterly, open meetings.

1. There is a free and unblocked telephone number that Public Defender's incarcerated clients use to contact their attorneys.
 - The PD maintains no log of these calls or if/when the calls are returned.
 - A Sheriff's representative and the PDPOC could not assure the Grand Jury that the phone system is currently effective.
 - There is no telephone number listed for the PDPOC.
2. The PDPOC is not aware of the response rate of the PD to clients' telephone messages.
3. The Grand Jury was informed that the chairperson of the PDPOC speaks to the presiding judge once a year to discuss the Public Defender performance.
4. One PDPOC member visits inmates at the Hill Road Correctional Facility, reporting unconfirmed information received from the inmates.
5. PDPOC does not attend court to evaluate Public Defender performance.
6. PDPOC has neither investigated nor received any complaints from the Public Defender's clients in its capacity as an oversight committee.
7. Meetings of the PDPOC were held sporadically, Jan 28, Apr 22, Jul 8, and Nov 18, 2010.
8. The minutes of the PDPOC meetings are frequently poorly detailed and of inconsistent quality, making it difficult for the Grand Jury to determine what was actually addressed at meetings.
9. Notification of PDPOC meetings is posted only in the County Courthouse.
10. PD reported to the Grand Jury that the Public Defender Program realizes acquittal rates of 45 to 50%; even this does not reflect the actual success, which includes dismissals and negotiations.
11. The County Administrative office is responsible for PD contract compliance but the office delegates responsibility to the PDPOC to oversee the Public Defender Program.

Findings:

- F 1. Clients of the PD have no means of contacting the PDPOC. There appears to be no avenue for complaints to be filed.
- F 2. According to the PDPOC chairperson, input for evaluation of the Public Defender Program is limited to
 - a talk with a judge,
 - informal conversations reported back by a committee member during jail visits,
 - and a report by the PD.

This constitutes the extent of the evaluation process by the oversight committee.

- F 3. The Grand Jury does not understand how the PDPOC performs any meaningful or effective oversight with such a circular review.
- F 4. The PDPOC monitors the Public Defender Program, yet has demonstrated no evaluation of the program other than what the PD reports.
- F 5. It may be that the citizens of Lake County do not know that an oversight committee to monitor the PD exists. There is no listed telephone number for the committee. The meetings are not held regularly. The Grand Jury had difficulty contacting the committee to observe one of their open meetings.

Recommendations:

- R1. Develop a visible avenue for contact with the oversight committee. (F1)
- R2. Schedule meetings at regular intervals. (F5)
- R3. Formal, professional-styled minutes be prepared and times of meetings be better published to satisfy the intent of the Brown Act. (F6)
- R4. The Grand Jury's Government Services Committee conduct an annual oversight of the PDPOC.

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Administrative Officer via the Board of Supervisors (90 days)
- Public Defender Program Oversight Committee Chairperson via the Board of Supervisors (90 days)

Purchasing I Can Get It For You Wholesale



Summary:

Is the County attempting to purchase from local vendors? What happens to surplus, obsolete, unused, or out-dated supplies, materials, and equipment? Do the county and/or each department know what they have? Is the Purchasing Ordinance being followed?

Background:

The Deputy County Administrator serves as the Purchasing Agent for the County of Lake.

According to the Purchasing Ordinance (Section 2.35.2), each Agency Head (Departmental Director/Department Head) is automatically appointed as an Assistant Purchasing Agent.

Procedure:

The Government Services Committee interviewed the Purchasing Agent of the County who stated that annual training sessions were held for each Assistant Purchasing Agent in order to update, confirm, and reinforce the County's Purchasing Ordinance.

The information obtained from the Purchasing Agent was then compared to information obtained from interviews of several Assistant Purchasing Agents and assistants.

In a subsequent interview with the Administrative Office, the Committee was informed that inventory audits are conducted by the County Auditor.

Discussion and Facts:

The committee reviewed the Purchasing Ordinance. As per the ordinance:

The Purchasing Agent shall:

- a. Coordinate the transfer of surplus property between agencies of the County;
- b. Exchange, trade-in, or sell those supplies, materials, and equipment which are surplus, obsolete, or unused;
- c. Monitor purchasing activities for compliance with procedural regulations;
- d. Assign to Assistant Purchasing Agents the responsibility to assist in the performance of various duties prescribed in the Purchasing Ordinance;
- e. Enter into a Purchasing Agreement with the State Department of General Services for purchases of commodities on behalf of the County of Lake if price is less than what can be obtained in the open market;
- f. For volume purchasing benefits, enter into cooperative agreements with other public agencies for the purchase of supplies, materials, and equipment in amounts not exceeding twenty-five thousand dollars (\$25,000.00) and for contractual services in amounts not exceeding ten thousand dollars (\$10,000.00).
- g. Use additional assistants and assign to them various duties prescribed in the Purchasing Ordinance.

The *Assistant* Purchasing Agent shall contact at least one (1) local vendor, if there is one who can provide the required goods or services, for a verbal quote for the purchase of supplies, materials, equipment and contractual services.

An interview with the County Auditor disclosed that an external, out-of-county firm actually performs a financial annual inventory audit.

At the time of this report, there is no Certified Public Accountant employed by the County, including in the department of the County Auditor/Controller.

In at least one department, surplus, obsolete, or unused supplies and materials are simply thrown away or taken home by employees.

Findings:

- F 1. Agency Head, Departmental Director, and Department Head are all titles that refer to the same function.
- F 2. The task of purchasing is one of intricate complexity with a specific set of skills and techniques required in order to affect the most advantageous volume and price/break on supplies, materials and equipment.

- F 3. Department Heads/Assistant Purchasing Agents routinely sign all Purchase Orders.
- F 4. The Department Head/Assistant Purchasing Agent attends purchasing training, if/when offered.
- F 5. In the departments interviewed, it was found that the entire purchasing process is completed by an Assistant Purchasing Agent's assistant, who then obtains the signature of the Assistant Purchasing Agent.
- F 6. The Assistant Purchasing Agent's assistant generally receives no direct training.
- F 7. The committee discovered no indication or mention of any monitoring of purchasing procedures by the Purchasing Agent.
- F 8. The Assistant Purchasing Agent's assistants, in general, state that purchasing is not done from local vendors; that comparison of prices reveals lower prices at the large, franchise office supply stores.
- F 9. During interviews, there was no mention by any Purchasing Agent Assistant or their assistant of using State of California General Services to purchase office supplies. When asked, the reason given is that attempting to contact the State involved many unanswered phone calls, busy signals, and long periods on hold. However, the Administrative office orders their supplies through the State.
- F 10. The annual financial fixed asset inventory audits, when received by the County of Lake Auditor, are verified for format only, and then filed. No examination, analysis or comparison between physical inventory and financial audit is performed by the County Auditor/Controller.
- F 11. Since obsolete, surplus, or unused inventory/supply items are thrown away or taken home by employees in at least one department, apparently there is no control established to account for these items.

Recommendations:

- R 1. Purchasing Agent train Purchasing Agent Assistants annually as called for in the Purchasing Ordinance. (F4, F6)
- R 2. The actual person who performs the purchasing function attends annual training. (F4, F6)
- R 3. Clarify the inconsistency of ordering and adjust the Purchasing Ordinance to reflect the desired procedure. (F9)
- R 4. Require annual examination, analysis and comparison between physical inventory and financial audit by the County Auditor/Controller. (F10)
- R 5. Require accountability for inventory and supplies including the disposal of obsolete, surplus, or unused inventory and supplies. (F11)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Administrative Officer via Board of Supervisors (90 days)
- County Auditor – Controller (60 days)

Registrar of Voters



Summary:

Media reports of incorrect voting results and missing votes occurred during the June 2010 election. The reporting error was not done by the Office of the Registrar of Voters.

Background:

In addition to investigating and reporting on the policies, procedures, and security used in the voting process, particular focus of the Government Services Committee oversight was on the circumstances surrounding the alleged “missing” votes in the June 2010 election.

Procedure:

The Government Services Committee (committee) of the Lake County Grand Jury interviewed the Registrar of Voters and staff regarding the procedures used in the voting process and to obtain information on matters of the committee’s focus and interest.

After the November 2010 election, the committee again interviewed the Registrar of Voters concentrating on issues that arose during monitoring of several voting sites.

Discussion and Facts:

1. The 2008/2009 Grand Jury recommended that additional space be acquired for office and separate space for storage use.
2. Additional storage space is being made available at the Animal Control site. Building and Grounds Department is making this space suitable for the secure retention required (7 years).
3. The 2008/2009 Grand Jury recommended that the County Seal appear on all name tags that are worn by election Workers on the day of election.

4. Training manuals are created by the office of the Registrar of Voters each year as current mandates from the State are received.
5. Election workers receive updated, specific training just prior to each election. There are several levels of election workers, those being Inspector, Judge, Roster Clerk, and Index Clerk. A Ballot Clerk may also be added to the election staff.
6. Election staff is referred to as a Precinct Board. Each polling site has at least one Board. More Boards may be assigned to a single polling site, depending on the number of precincts and the anticipated number of voter turn-out for that site.
7. In 2010, there were 20 polling sites throughout the County serving as polling locations for the 46 precincts in the County.
8. Since the Registrar of Voters began with the County on December 19, 1977 she has received many years of training in the official duties with the County of Lake.
9. Training for each Inspector is mandatory and is administered by the Registrar of Voters. Training for the Judge and Clerks is not mandatory, but a training manual for each position is available at each polling site for reference as needed on Election Day.
10. Training requirements are set by the State.
11. Election workers must be registered voters.
12. Polling sites are open from 7:00 a.m. to 8:00 p.m. and election workers are required to be present from 6:00 a.m. to 8:00 p.m. with a minimal number of breaks.
13. An election worker may opt for a shorter working day by requesting same of the Registrar of Voters in advance.
14. In addition to the Precinct Board, an additional worker is required solely for the "eSlate Polling Place System". The eSlate Booth is a self-contained package with everything required to create a private space for voters who require specific assistance in order to cast their ballots. This eSlate primarily serves voters who are blind or visually impaired, deaf or hearing impaired, or with speech difficulties, developmental disability, mental illnesses, or confined to a wheelchair.
15. The State mandates an eSlate worker for each Precinct Board. In some cases, where two or more Precincts are combined into one polling site, several eSlate workers may be on duty.
16. Pre-printed and assembled ballots are received by the Registrar of Voters from the State-approved printer. The ballots are received in double custody and retained in a locked and secured condition until they are removed, under double custody, for distribution to the polling sites.

17. A pre-determined number of ballots is given to each site, where they are again counted when received.
18. To eliminate any possibility of a ballot being lost or misused, all ballots – both used and unused - are again counted at the end of the Election Day. The used ballots are funneled to the counting process; the unused ballots are retained separately. At all times, all ballots are under secure and locked custody.
19. Polling sites are selected by availability, access, and compliance with mandatory standards imposed by the State, such as Americans with Disabilities Act [ADA] and fire safety requirements.
20. Finding appropriate polling sites is difficult. A structurally sound building at a suitable location is a basic requirement.
21. Once such a building is located, permission to use it must be obtained and then it must be evaluated for the mandatory safety issues and restrictions.
22. Concentration or grouping of residences establishes a precinct.
23. After the polls close on each Election Day, the County Administrator and County Counsel are sequestered in a room located in the Registrar of Voters' office where they count each ballot received and tally each vote. As results are tabulated, they are posted on the County's website and continually updated.
24. It was discovered that in the June 2010 election, the tally of votes in progress was reported by the media as the "official" results when, in fact, the count had not been finalized nor declared official by the Registrar of Voters.
25. The State mandates that the voting results are not official until 28 days have elapsed after the Election Day. Only after those mandated 28 days have elapsed are the results deemed "official".
26. There is no mandate for the level of lighting required at polling sites.
27. If lighting at a particular polling site seems to be inadequate, any voter may use an eSlate booth to vote using the lighted screen.
28. Sample ballots are mailed by the County of Lake Registrar of Voters. The voting pamphlets are mailed by the State. Consequently, voters may receive their sample ballot before the voting pamphlet containing information on the candidates and issues.
29. Activities at polling sites other than voting are not allowed. If other activities are witnessed by voters – such as a garage sale or unnecessary conversations between poll workers – the voter is advised to immediately report the activity to the office of the Registrar of Voters, citing the disallowed activity and which polling site is involved.

30. The rural environment and sparse population of Lake County lends itself to mail-in voting. With mail-in ballots comprising nearly 50% of ballots cast, it would seem that the need for polling sites would be less, thereby saving money. However, the State mandates the number of polling sites based on population and does not take mail-in ballots into consideration.
31. Signs directing voters to polling sites are on display at 100' from the polling site.
32. A review of the training manuals reveals confusing wording, unclear or undefined terms and acronyms, inconsistent references, typographical errors, and the lack of a glossary to clarify content.

Findings:

- F 1. Additional office space is still unavailable due to the current fiscal condition.
- F 2. Due to the recommendation of the 2008-2009 Grand Jury, the election worker name tag has been upgraded in design with the County Seal appearing on each one, making the tag more professional in appearance.
- F 3. The "status" of the posted results is obscurely displayed in the lower right corner of the results screen.
- F 4. One eSlate worker per precinct is a mandate of the State. When precincts are combined, an over-abundance of eSlate workers may be present.
- F 5. The Registrar of Voters stated that, even though not required, a light meter will be used by Roving Inspectors at polling sites in the future to evaluate lighting levels.
- F 6. Signs may be placed further from polling sites and more signs may be purchased for future use in order to properly direct voters to polling sites according to the Registrar of Voters.
- F 7. The manuals used for training contain unclear references, use proper names rather than position titles, do not properly reference acronyms, have no glossary explaining or defining the terms and phrases used.

Recommendations:

- R 1. Registrar requests an upgrade the County website so that the status of the posted results is clearly and boldly displayed across the screen. (F3)
- R 2. Registrar to require evaluation of the lighting level at all polling sites on election day and has necessary adjustments made. (F5)
- R 3. Registrar to purchase additional signs or re-locate existing signs to better advertise polling sites. (F6)
- R 4. Update and edit training manuals. (F7)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Registrar of Voters via Board of Supervisors (90 days)
- Information Technology via Board of Supervisors (90 days)

Disclaimer:

One juror abstained from this report.

Victim-Witness Division

H-E-L-P!



Summary:

Lake County's Victim-Witness Division (VWD) reduces the feeling of isolation experienced by a victim or witness during traumatic criminal and judicial experiences. VWD advocates can provide the victim/witness direction through initial law enforcement involvement to the final judicial resolution ... and beyond.

Background:

California established the funding of local comprehensive centers for victim and witness assistance in 1979. The Lake County Victim-Witness Division, a program within the Office of the District Attorney, was created during the 1980s.

All five employees of the Division are trained advocates in the intricacies of bureaucratic forms, negotiating adjudication proceedings, as well as supporting the clients' human needs. VWD provide immediate crisis response, instructing the victim-witness in **rights** and **obligations**.

Procedure:

The Government Services Committee of the Lake County Grand Jury interviewed the Lake County District Attorney in November 2010, and more than once met with the Victim-Witness Division Program Administrator. Committee members inspected the Victim-Witness facilities. The committee also reviewed budget, data on services provided, and the number and types of clients.

Discussion and Facts:

Lake County Victim-Witness Division has offices in a small converted house on High Street in Lakeport with a separate Multi-Disciplinary Interview Center (MDIC). The MDIC consists of two soundproofed interview rooms, a meeting lounge, and a protected, low-stress garden, a safe space. The MDIC was a community project, constructed with funds donated by local residents and organizations; much of the structural and landscaping labor was volunteered by County Jail inmates.

1. There is a time delay between the incident and the actual referral. A victim/witness can request assistance of the Victim-Witness Division, twenty-four hours a day, seven days a week. Anyone – family, friend, sheriff's deputy, police officer, District Attorney's staff – may make an anonymous referral to the Division.
2. The committee was informed that a large number of victims and witnesses are unaware of both their rights and obligations, receiving little practical advice or necessary care unless a referral is made.
3. When appropriate, advocates provide clients with practical assistance in obtaining mental health counseling and obtaining coverage for medical/dental bills. Advocates provide assistance in obtaining funeral/burial expenses, home and vehicle modifications, income loss compensation, and relocation.
4. When restitution is indicated, the Division provides applications and assists in completion, verification, and filing with the California Victims Compensation and Government Claims Board.
5. To develop trust and facilitate continuity of assistance, the same advocate is assigned to a client throughout the duration of the case. The Division Manager informed the Grand Jury that the program has a lifetime guarantee of support for its clients.
6. Sexual assault protocol is being developed with the local hospitals so that an advocate can be notified to offer immediate support to the victim/witness.
7. The Victim-Witness Division has experienced a significant budget shortfall due to the loss of a large state grant. The Division requested \$80,000 from the Board of Supervisors from the 2011 budget to supplement State and Federal cut backs.
8. The Program Administrator vigorously seeks all available grants.
9. There are no bilingual, Hispanic or Native American advocates presently employed by the Division.

Findings:

- F 1. The Victim-Witness Division provides its clients with direction in pursuing financial, legal, and medical avenues during the potentially dangerous and devastating experiences following a crime. It is essentially a sophisticated, experienced, comprehensive referral agency.
- F 2. The Victim-Witness Division is dependent on public or private referrals for identifying potential clients.
- F 3. The Division consists of a small group of invested people dedicated to supplying information in a compassionate way.
- F 4. The Victim-Witness Division (1) brings needed but dwindling State and Federal money into Lake County while (2) providing emotional support for the victim/witness affected by criminal trauma.
- F 5. Without more cultural diversity among its staff members, the Division is not fully responsive to the needs of the whole community.

Recommendations:

- R 1. Become more proactive in educating the public and encouraging agencies within the county to refer a victim/witness in crisis *immediately* to the Division. (F1, F2)
- R 2. As funding from the State evaporates and the County's general fund shrinks, seek greater collaboration from private organizations. (F4)
- R 3. Utilize community volunteers to bolster staffing and increase cultural diversity within the Division. (F4, F5)
- R 4. Employ *or train* at least one bilingual advocate. (F2, F5)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- District Attorney (60 days)

Health and Human Services Committee
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Lake County Mental Health Department Complaint 11 - 2



Summary:

Lake County Mental Health Department (MHD) provides many programs throughout the county:

- Adult Services
- Children's Services
- Vocational Rehabilitation
- Crisis Intervention

The MHD is almost entirely funded by State and Federal funds. The County of Lake contributes \$61,000 for operating expenses, which is the minimum amount of county discretionary funds required in order to receive State and Federal funds.

Background:

The Lake County Civil Grand Jury, Health and Human Services Committee began their investigation into MHD in response to a complaint. Three areas of the complaint are addressed in this report, as follow:

- Poorly performing computer system
- Use of outside company to prepare and submit State reports
- Co-mingling of funds.

Procedure:

The committee conducted two interviews of MHD upper management and three interviews of MHD staff. The committee reviewed MHD documents including Accounts Receivable logs and Accounts Payable reports, and the Policies and Procedures Manual.

Discussion and Facts:

1. Documents showed that the MHD historically operates at a loss.
2. In 2007, a new computer system was purchased to replace an older outdated system. The new system is designed to encompass the entire

process of client processing, from opening a claim to billing for services rendered.

3. All required data concerning each client must be entered by MHD staff in order to have a complete record and a valid claim for that client.
4. In a preponderance of cases, requisite data is missing from the clients' records.
5. Due to inadequate input at the time of opening a claim, \$272,000+ in client services was written off in January of 2010.
6. An outside accounting firm is used to supplement the new computer system; this was denied by upper management.
7. Information from the new computer system is gathered on a spread sheet and then transferred to an outside accounting firm located in Oregon.
8. The outside accounting firm compiles the data and transfers it from the spread sheet(s) onto a state-formatted report to serve as the MHD financial report to the State of California.
9. Pursuant to the Mental Health Services Act (MHSA), funds are received from the State; those funds are deposited to the MHD general fund, held by the County, and used to pay debts that are due from MHD.
10. The Mental Health Services Act (MHSA) Article 4, Section 3410(d) states, "The County shall not loan MHSA funds for any purpose" and should deposit said funds to a dedicated, interest-bearing account.

Findings:

- F1. Billing for services cannot be created unless a complete client record exists on the new computer system. Incomplete or incorrect data input into the computer system thwarts the billing process.
- F2. Due to the lack of billing, in January of 2010, MHD approved writing off \$272,000+ funds as "uncollectible client fees" for services that have never been billed. These are public funds that have been forgiven by MHD.
- F3. Since inadequate data exists in the computer system, outside assistance to complete mandatory state requirements is relied upon.
- F4. Co-mingling of MHSA funds with the county general funds is occurring, which is contrary to state law.

Recommendations:

- R 1. MHD Management disallow the opening of any claim without all required data being obtained from each client. (F1)
- R 2. MHD Management affect full utilization of the new system to its maximum potential so that reports are generated in-house and are a result of the data that has been input to the system. (F1, F3)

- R 3. MHD Management reconcile MHSA funds allocation and establish a dedicated, interest-bearing account for the MHSA funds. (F4)
- R 4. MHD Management no longer allow the co-mingling of funds. (F4)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Mental Health Department via the Board of Supervisors (90 days)

Lake County Jail and Juvenile Hall Medical Services Oversights

Summary:

You've been arrested and incarcerated! What will happen to you and specifically, how will your medical needs be met? What about the heart medications you take every day? What about your diabetes? What about your asthma inhaler? What if you're injured? The intake procedure at the Lake County Jail and Juvenile Hall includes a complete medical history and a prompt evaluation which can lead to immediate care if required. A well-equipped medical facility is available, even within the multiple layers of security of the detention centers.

Background:

Lake County Jail and Juvenile Hall Medical Services are provided by the California Forensic Medical Group (CFMG). Prior to 1996 the Lake County Jail Medical Services (LCJMS) were provided by county employees as a division of the Health Department. In December 1996, Lake County entered into a contract with the CFMG. This contract has been renewed every three years since that time. County staff has investigated other options but none appeared feasible or have the ability to provide the same level of service.

Procedure:

As an oversight of the Jail Medical Services within the Lake County Jail and Juvenile Hall, the Health and Human Services Committee of the Lake County Civil Grand Jury conducted a tour of the medical facilities.

Discussion and Facts:

Facts for the Jail:

1. In December 1996, Lake County entered into a contract with the CFMG to provide Jail and Juvenile Hall inmates with medical service.
2. The Jail intake procedure, while containing layer upon layer of security, includes the completion of a medical history form which is promptly evaluated to insure that all inmates' medical needs can be addressed, emergency or otherwise.
3. The medical history form includes questions about drug dependency, communicable diseases, and chronic and on-going conditions requiring regular medication.
4. There are several holding rooms for inmates "under the influence" that allow observation of the inmates until a decision can be made as to their placement. The inmates will be placed in either a general holding cell, which can contain more than one inmate, or a safe cell which is for

someone who seems agitated or might injure themselves or others; or, placed into the cool down room while they remain under the influence of drugs or alcohol.

5. Pregnant female inmates are generally considered high risk and are evaluated and placed quickly into an area appropriate for the situation.
6. The Jail Medical Service has examination rooms that include a dental facility for minor dental procedures.
7. A highly secured Pharmacy is on-site and is adequately equipped for a medical clinic of this size. An array of over-the-counter medication is on hand to treat the current inmate medical conditions and medication requirements. The Pharmacy employs a system of dispensing drugs that maintains a written and monitored record of inventory. Certain narcotics are kept on hand under double keyed security.

Facts for the Juvenile Hall:

8. An examination room is used for medical services, emergency care, pharmacy, and medical inventory/file storage. There is also a “safe room” and a “cool-down room” available if needed.
9. As in the Jail, a medical history is taken and evaluation is made while the arresting officer is still present. The juvenile’s vaccination record is obtained by contacting the last school that the child was enrolled in and brought up to date, if necessary.
10. Tele-Psychiatry is available every Tuesday with a Registered Nurse present. Due to budgetary restraints this is the only means of psychiatric help for inmates in the Lake County Jail or Juvenile Hall.
11. If any dental emergency or care is required during the juvenile’s incarceration, the inmate is transported to the main jail facility under guard and returned the same day.
12. A Registered Nurse(s) visits the Juvenile Hall a minimum of two and usually three times each day as required to administer care and dispense prescribed medication.
13. There are no medical personnel on continuous duty at Juvenile Hall. However, if medical treatment is needed, a call to the Jail is made and a nurse comes over immediately. Since the Jail is close to Juvenile Hall, the nurse usually arrives at Juvenile Hall before Emergency Medical Technicians or any emergency equipment.
14. Medical inventory is maintained for current detainees. New medicines are ordered by an RN. The RN checks the medicines into inventory noting the expiration date clearly on the container.
15. Included in the medical room at Juvenile Hall is a “Code Blue” box for use by RNs in case of an emergency. The box contains an Epi-Pen, Nar-can

and medications used for allergic reactions. Although, the usual procedure is to call 9-1-1, these medications are available.

Findings:

- F 1. The intake, treatment, and medication-administering procedures at the Jail appear to be efficient, thorough and suitable.
- F 2. There appears to be an issue of privacy for any psychiatric interview due to the constant presence of a nurse, rather than monitoring by camera or personal observance through the window.
- F 3. The treatment and medication-administering procedures at Juvenile Hall are the only times a Registered Nurse is present.

Recommendations:

- R 1. Tele-Psychiatry be provided to inmates in a room with no one else present, unless requested, in order to provide some sense of privacy and confidentiality. (F2)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Sheriff (60 days)
- Chief Probation Officer (60 days)

Disclaimer:

Two jurors abstained from this report.

Lake County Environmental Health Oversight

Summary:

The primary goal of the Lake County Environmental Health Division is to protect the citizens of Lake County from hazards contained in food, soil and water.

Background:

Environmental Health Division (EHD) is a regulatory agency responsible for administering and enforcing the regulations which serve to protect the public and the environment from potential adverse health and environmental impacts associated with retail food establishments, public pools, wells, septic systems and hazardous materials. This division also monitors the Lake County Landfill to ensure compliance with State regulations and responds to spills and other issues involving toxic waste and hazardous materials. Areas administered by EHD are as follows:

1. Food safety
2. Recreational Health
3. Land Development
4. Solid Waste
5. Emergency Response Preparedness
6. Body Piercing/Tattoos
7. Hazardous Materials Management
8. Wells
9. Special Projects (Waste Tires)
10. Nuisance Complaints

Procedure:

The Lake County Grand Jury Health and Human Services Committee interviewed management of this EHD. The committee reviewed requested documents which included financial reports, list of fees and an Operation and Procedures Manual.

Discussion and Facts:

1. EHD is a separate Division within the Health Services Department.
2. Permits and fees for services as well as public realignment trust funds partially fund the division. Fees charged for permits and inspections generate approximately 55% of the divisions funding while the public health realignment trust fund that constitutes 35% of the funding is derived from a

portion of State Vehicle License Fees and State Sales Tax. Fees charged for services include food handling and health concerns in all restaurants, well inspections, septic inspections, percolation tests, and hazardous materials permits. This division also received a state grant this year for enforcement of waste tire disposal, which is approximately 10% of funding. The division also receives an annual fee from Solid waste Division for landfill monitoring fees.

3. EHD checks the water of the City of Clearlake regularly. Private water companies throughout the County are regulated by the State and are checked only upon request of the company or upon receipt of citizen's complaints.
4. EHD has 13.5 positions allocated in the 2010/2011 Lake County budget and has 12.5 filled at this time.

Findings:

- F 1. Facts indicate that EHD is a self-sustaining division. (F2)
- F 2. EHD is operating below budget in the area of personnel and staffing. (F4)

Recommendations:

None

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Public Health Department, Environmental Health Division via Board of Supervisors (90 days)

Public Health Division Oversight

Summary:

The short two-word title of Public Health does not begin to describe the broad responsibilities of this division. Public Health touches all aspects of community life. It is in effect a virtual watchdog protecting and educating the citizens of Lake County about health hazards.

Background:

The California State Board of Public Health was established in 1870. The California Public Health Assistance Act of 1946 began and bolstered the establishment of local public health facilities in all counties. This Act has kept pace with the dangers presented by disease, contamination and hazardous material to the health of California citizens.

Public Health is funded by Federal, State and County Funds all of which have declined in recent years. In light of the impact that may result from anticipated state budget cuts, further financial adjustments to the Public Health Division budget may be necessary. The County annually contributes \$118,222 to this division, which is the minimum amount required from the County to receive State and Federal funds.

The Public Health Division administers public health programs throughout the County including the following: Children's Medical Services; Dental Disease Prevention; Child and Adolescent Health; Communicable Disease Surveillance and Control; Office of Aids; Immunizations; Clinical Services; Emergency Preparedness, in addition to Interagency Collaboration and Medi-Cal Administrative Activities.

Procedure:

To produce a report for this elective oversight, the Health and Human Services Committee of the Lake County Grand Jury interviewed the Health Department Director and the registered nurse acting as the Public Health Division head. The Committee Studied requested documents, which included, The County of Lake Department of Health Procedure Manual and a copy of the Public Health Division's most current accounts receivable and payable ledgers.

Discussion and Facts:

1. Public Health provides immunizations for children whose families might not be able to afford the immunizations and for children starting school.
2. The Public Health Division also monitors communicable disease control, tuberculosis, hepatitis, whooping cough, emergency preparedness and bio-terrorism. The Division also runs health care clinics focused on special-needs children and disadvantaged children.
3. The Public Health Division employs approximately forty (40) employees including three (3) managerial staff.

4. Public Health assistance generally goes to low income residents, special-needs children, transients and the homeless.
5. Public Health is governed by guidelines set forth in The Manual of Operations and Procedure which is based on the County General Policies and Procedures Manual.
6. The Division head stated that the greatest challenge the Public Health Division faces is that requests for grants are mandated to be submitted during the year in which the money is to be used. During the first half of the year the Division operates blindly, trusting that funds will come in.
7. The Public Health Division now has a web site funded by grant money to educate the public regarding Public Health services to benefit the health and safety of the people of Lake County.

Findings:

- F 1. The Public Health Division administers California State and Federal Health programs to benefit the health and safety of the people of Lake County.
- F 2. Funding received from grants is a suspense-filled process and makes for a stressful situation.

Recommendations:

None

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Public Health Department, Public Health Division via Board of Supervisors (90 days)

Disclaimer:

One juror abstained from this report.

Planning and Public Works Committee **Table of Contents**

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Complaint 11-1 Conflict of Interest

Summary:

The first complaint submitted to the 2010 – 2011 Grand Jury was about a potential conflict of interest involving a County employee.

Discussion and Facts:

Complaint 11-1 alleges that a county employee has a potential conflict of interest by nature of previous employment. The Grand Jury voted to accept this complaint for investigation, and a notice was mailed to the Complainant.

The Planning and Public Works Committee met with the County Human Resources Department to determine the County's process of identifying and avoiding employee conflict of interest.

The notice of acceptance sent by the Grand Jury Foreperson was returned by the United States Postal Service as undeliverable. The committee determined it needed additional information on the specifics of the alleged conflict of interest from the complainant. However, the complaint form submitted to the jury contained no phone number. Committee members drove by the alleged address and found no such address exists. As a result, the committee recommended to the Grand Jury that the investigation be terminated. By vote of the jury the investigation of Complaint 11-1 was terminated.

Recommendations:

None

Request for Responses:

None

Complaint 11-4 County Code Enforcement “Junk Yard Residence”

Summary:

A complaint to the Grand Jury alleged that the Code Enforcement Division of the County Community Development Department (CED) violated civil rights and did not provide due process. Photos of the complainant's property in the CED file shows what appears to be a yard full of inoperable vehicles and discarded items. The Grand Jury Planning and Public Works investigation showed the complainant was provided due process and the complaint was determined to be groundless.

Background:

In 2003, a citizen complaint was filed with CED regarding a public nuisance of junk and abandoned vehicles visible on a residential property from a public right-of-way. The CED began what became a three-year-process addressing this public nuisance issue. After three years of working with the property owner, the County processed an Abatement Order (the elimination of a public nuisance) and hired contractors to have the property cleaned up. A lien against the property was recorded to recover the cost of the abatement.

In 2010, CED received a new complaint that the property had reverted to its prior state requiring renewed CED action. Subsequently, the property owner filed a complaint with the Grand Jury alleging harassment, violation of civil rights and lack of due process on the part of the County.

Procedure:

The committee reviewed the extensive CED archived files referencing this property as well as similar files to validate the complainant's claims about lack of due process, civil rights violations and harassment. Members of the Code Enforcement Division staff were interviewed. The relevant laws and codes were researched for their applicability. The committee researched lien and property value history from County records. The committee reviewed the relevant Board of Supervisors' minutes.

Discussion and Facts:

1. The complaint to the Grand Jury stated the property owner was not allowed a hearing. However, the committee read a letter from the complainant in the archived CED file that indicates the complainant was notified of and declined to attend the hearing before the Board of Supervisors. The review of the Board of Supervisor's minutes showed that the complainant did attend the hearing.

2. The CED file contained a letter from the property owner stating that the County was violating civil rights by holding a hearing at the Board of Supervisors meeting instead of a trial by jury in Superior Court as the complainant asserts the State Constitution provides.
3. This same letter also stated that the county was identifying as a nuisance items that could not be seen from the public right-of-way. However, photographs in the CED file show that many nuisance violations were visible from the street. Upon CED investigating those violations, the other items became visible and obvious. In spite of the owner erecting a fence on the front of the property, the nuisance violations were still visible from an elevated public street behind the property.
4. County ordinance Amending Chapter Thirteen of the Lake County Code Relating To Nuisance Abatement, Section 13-54 Review of Board of Supervisor's [sic] Decision 54.1 Notice of Appeal provides that, " Within twenty (20) days of service of the Board's decision, ...a person may contest the decision by filing an appeal to be heard by the Superior Court. The filing fee for filing the Notice of Appeal is twenty-five dollars (\$25.00). Failure to file a written appeal and to pay the filing fee within this time period shall constitute a waiver of the right to an appeal and the decision shall be deemed confirmed."
5. The complainant stated that a particular vehicle was removed without being properly identified as being a nuisance (red tagged). However in the CED file, evidence was found that the vehicle had been "red tagged" properly.
6. Two code enforcement officers were involved in investigating and following up on this complaint.
7. The timeline from a CED complaint being received to an actual abatement occurring was set by law at that time to a minimum of 150 days. In the case of this 2003 complaint, the timeline was allowed to extend to over 1,100 days.
8. In the past, it had been the policy of the Code Enforcement Division to send officers out in tandem as often as possible for safety reasons as well as providing additional veracity of the observations.

Findings:

The Planning and Public Works Committee determined the following:

- F 1. The complainant refused to follow the due process set by law and offered to him by the Code Enforcement Division and the Board of Supervisors.
- F 2. The Code Enforcement Division followed proper procedure. The complainant's civil rights were not violated.

- F 3. As a result of budget cuts, currently only one officer at a time is sent out to inspect properties.
- F 4. The complainant was allowed sufficient opportunity to eliminate the nuisance. Due to the complexity of this case and Code Enforcement's thoroughness, the process extended over 1,100 days.

Recommendations:

- R 1. The Community Development Department re-establish the policy of tandem visits especially for remote and potentially dangerous situations.
(F3)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Community Development Department via Board of Supervisors (90 days)

Disclaimer:

One juror abstained from this report.

Complaint 11-18

Hidden Valley Lake Community Services District

Summary:

A complaint detailing numerous concerns, including excessive salaries and benefits, against the Hidden Valley Lake Community Services District (HVLCS D) was filed by a group of concerned citizens.

The Grand Jury has discovered what appears to be a misuse of public funds due to extravagant salaries. Other than review of salaries, no immediate action needs to be taken.

The HVLCS D is hindered by lack of consistent public participation in regular meetings and the public's willingness to run for Director positions.

In general, the Grand Jury was impressed with the operation of the District and the pleasant and prompt cooperation of the staff during the course of the investigation.

Background:

The HVLCS D provides water and sanitation services. The Planning and Public Works Committee was given a formal complaint with a petition attached questioning actions of the HVLCS D. The Committee was asked to review extravagant fiscal practices, closed political environment, false justification of a rate increase, and lack of general overall accountability to district citizens.

The extravagant fiscal practices questioned were the salary of the HVLCS D General Manager, the health benefit package for the members of the HVLCS D Board of Directors, and the purchase of a plasma television and sound system.

The complaint stated there is a closed political environment because no notice is posted when a vacancy occurs on the Board of Directors, allowing the current board members with the General Manager to handpick a replacement director. The complaint also referenced the lack of elections.

The petition included with the complaint expressed a fear of retaliation and mentioned others would not sign the complaint because of this fear.

Procedure:

The committee reviewed the complaint and researched the California Constitution and California Government Codes that empower Special Districts. Information was obtained from the Lake County Registrar of Voters on how Special Districts conduct elections, including uncontested elections. The committee

interviewed the President of the HVLCSD Board of Directors and toured HVLCSD facilities.

The committee reviewed two years of Board of Director's minutes, five years' of fiscal audits, two years' of detailed budgets, the General Manager's last two contracts, and related district policies.

Additional information and clarifications were obtained from the HVLCSD as the investigation proceeded. The committee gathered information on comparable districts (size and salaries).

Discussion and Facts:

1. In 2009, the General Manager's compensation was \$243,918 for fulltime employment, including pension, vacation, sick leave, holidays, and health benefits. In 2009, the General Manager was paid an additional \$600 per month for car allowance.
2. The contract renegotiated in 2010 reduced the General Manager's compensation to \$128,208 per annum for no more than 960 hours per year. Benefits eliminated from the General Manager's contract were pension, vacation, sick leave, and holidays. The General Manager is now paid \$750 per month for car allowance.
3. Based on the California State Controller's Office website <http://lgcr.sco.ca.gov> , Table 1 lists the salaries for comparable water districts' General Managers in Lake County. The average annual salary for comparable districts is \$69,000 (See attached table).
4. According to the State Controller's Office, the HVLCSD filed "non-compliant salary and compensation reports" in 2011. When questioned by the Grand Jury, HVLCSD contacted the State Controller and the error was corrected.
5. Based on information from the State Controllers web site, the HVLCSD Administrative Assistant made \$95,201 in 2009, while in the other comparable districts the maximum was under \$40,000 and averaged \$31,000. The HVLCSD Accountant / Controller made \$86,698 in 2009, while in the other comparable districts the position did not exist or was paid under \$40,000.
6. The HVLCSD Board members and their spouses receive health insurance as part of their remuneration. The rest is \$100 per meeting and mileage per state law.
7. The General Manager has obtained grants and low interest loans for the district.
8. HVLCSD received an award from the California Rural Water Association for the best tasting rural water in the state in 2009.

9. HVLCSD's water quality ranks 3.0 on a scale of 1 – 10 as shown in Table 2 obtained from the website www.homefacts.com (See attached table).
10. A new state-of-the art maintenance facility built in 2007 includes a conference room with technology capable of conducting Skype and other online conferences and interviews.
11. Groundbreaking is planned for a solar array designed to power the district and stabilize energy costs for the next 30 years. The solar array is tentatively scheduled to be operational by the end of 2011.
12. There has not been an election to fill a vacancy on the Board of Directors since November 2003.
13. In March of 2009, the HVLCSD approved a formal Director Appointment Policy. The Director Appointment Policy provides for Notices of Vacancy to be posted on three community bulletin boards, in two local newspapers, and in the rate-payer newsletters which are sent out with water bills.
14. California Elections Code 10515 and Government Code Section 1780, define the rules for the election of directors. HVLCSD is required to post vacancies when a director resigns. The Lake County Registrar of Voters is responsible for conducting the HVLCSD elections.
15. HVLCSD received 255 letters about the projected rate increase for 2010. However, Proposition 218 requires at least 50% (1,130) of rate payers (2,260) protest in writing in order to defeat a rate increase.
16. Review of the Board of Directors' minutes show numerous examples of public participation at the meetings.
17. A standing Security and Disaster Preparedness Program Committee exists to address security and disaster issues.
18. A vulnerability assessment was done and the risk to the water wells was determined to be minimal with the exception of the well on Grange Road. Fences at the Grange Road site were repaired and new gates installed.

Findings:

- F 1. HVLCSD had not verified that their compensation detail was received and published by the State Controller's Office.
- F 2. It appears that since 2004, the HVLCSD Board of Directors has consistently abrogated its fiduciary responsibility by paying excessive salaries to the General Manager and administrative support staff.
- F 3. In 2009, the General Manager was paid four times what manager positions in comparable districts in Lake County were paid. Subsequently, the HVLCSD Board of Directors negotiated a reduction of salary and reduction of hours for the General Manager. Administrative salaries are also excessive.

- F 4. Providing health insurance for directors and spouses of Special Districts is common in Lake County.
- F 5. The facilities for HVLCSD are appropriate for the current and projected size of the district.
- F 6. The absence of elections due to the lack of multiple candidates possibly contributed to ratepayers' lack of understanding that the board was elected for four-year terms of office and that citizens can apply to be elected to the board.
- F 7. HVLCSD follows all relevant codes and regulations pertaining to elections and appointments of directors.
- F 8. The numerous examples of public participation indicate lack of intimidation.

Recommendations:

- R1. HVLCSD ensure that the reports filed with the State Controller's Office are received and published. (F1)
- R2. HVLCSD Board of Directors conduct a periodic review of salaries paid and compare these salaries to those in other local water districts, and consider adjusting compensation as appropriate. (F2, F3)
- R3. Publish the results of the comparison of salaries and actions taken in the HVLCSD newsletter. (F2, F3)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Hidden Valley Lake Community Services District Board of Directors (90 Days)

Table 1 – Special District General Manager Salaries

<u>Special District</u>	<u>Customers</u>	<u>Employees</u>	<u>2009 GM Salary*</u>
Hidden Valley Lake Comm. Services Dist.	2260	12	\$186,000
Clearlake Oaks County Water District	2458	19	\$97,000
County Water District No 1.		11	\$82,000
Callayomi County Water District	1200	9	\$75,000
Konocti County Water District	4986	13	\$69,000
Cobb Area Water District	2500	13	\$64,000
Buckingham Water District	580	10	\$51,000
Upper Lake County Water District	989	7	\$47,000

* Source: California State Controller’s Office web site. Data is Salary only, does not include pension, benefits, vacation, sick or holidays.

Table 2- Water Quality

<u>Special District - Water</u>	<u>Water quality**</u>
Cobb Area Water District	8.7
Lake County CSA21 Lakeport	5.1
Upper Lake County Water District	4.6
Nice Mutual Water District	4.5
Konocti County Water District	4.2
Buckingham Water District	3.9
Lucerne Water Co.	3.2
Hidden Valley Comm. Services District	3.0
Clear Lake	2.0

**Source: Environmental Working Group (EWG) a 501(c)(3) non-profit organization which created a National Water Quality Data base of almost 20 million records obtained from state water officials.

Code Enforcement Division Oversight Million Dollar Review



Summary:

Why would over a million dollars be given with few strings attached? The Grand Jury wants to know why and whether the money produced an adequate result!

Background:

The Lake County Community Development Department was allotted over \$1,000,000 by the Board of Supervisors (BOS) to aid the Code Enforcement Division (CED) over five years. The money was used to hire additional staff for nuisance abatement and other code enforcement to reduce violations observed throughout Lake County. The funding started in 2003 and continued until 2008. The funds were allotted for use without guidelines or any means to monitor or measure the success of this funding.

Procedure:

The Planning and Public Works Committee of the Lake County Grand Jury met multiple times with the Community Development Director who is also the acting Code Enforcement Division Manager. The committee reviewed several files, and requested specific historical data which was then analyzed in detail for performance indications.

Discussion and Facts:

1. The Board of Supervisors (BOS) authorized that over a million dollars be added to the CED's budget over a five-year period beginning in the 02/03 fiscal year. The allocation was meant to be used to clean up the backlog of cases and improve the visual appearance of the county. No performance goals were set by the BOS or the CED to measure the results of the added money.
2. The Grand Jury requested specific data from Code Enforcement about their past performance. Management indicated that the data was not readily available, but agreed to compile it. The current Code Enforcement

management spent a considerable amount of time researching the files in order to provide the Grand Jury with the historical data requested. All data was provided except the number of active cases prior to 06/07 and some other data prior to 03/04. The Grand Jury then analyzed this data and prepared charts to present the data; those charts are included in the following facts. The charts could be used as basic management tools.

- 3. Chart 1 below illustrates the staff of Code Enforcement was increased from three to ten (+200%) for a period of five years.

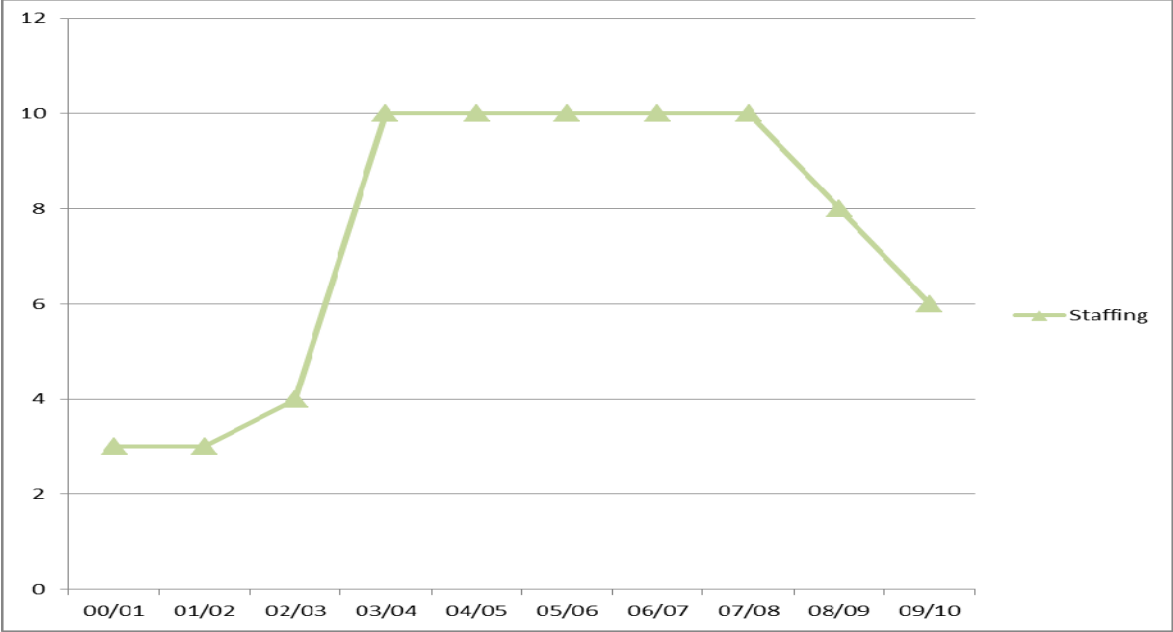


Chart 1 – Staffing

- 4. In chart 2, on the following page, shows the cases handles compared to staff. In analyzing the data and specifically the number of cases opened and closed, the Grand Jury determined that the investment of the million plus dollars and the increased staff resulted in an increase of the number of cases handled during the five-year period compared to the previous three year-period. The number of cases opened per year increased by 48%, 28% more cases were closed. During the same time period, there was an increase in the staff by +200%.

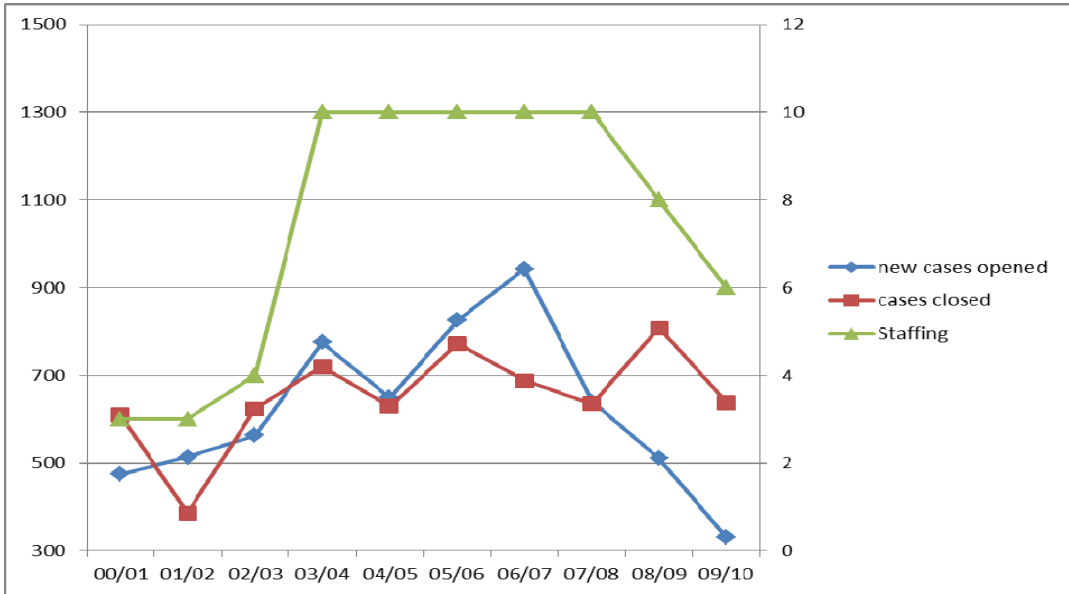


Chart 2 - Cases Handled Compared to Staff

5. Chart 3 below shows the productivity or cases per staff member. However, the efficiency of the operation appeared to decrease dramatically by over 50% as the productivity per employee dropped from 163 to 69 for cases closed (58%) and from 157 to 77 for cases opened (51%) (See Chart 3 – Productivity (cases per staff member)).

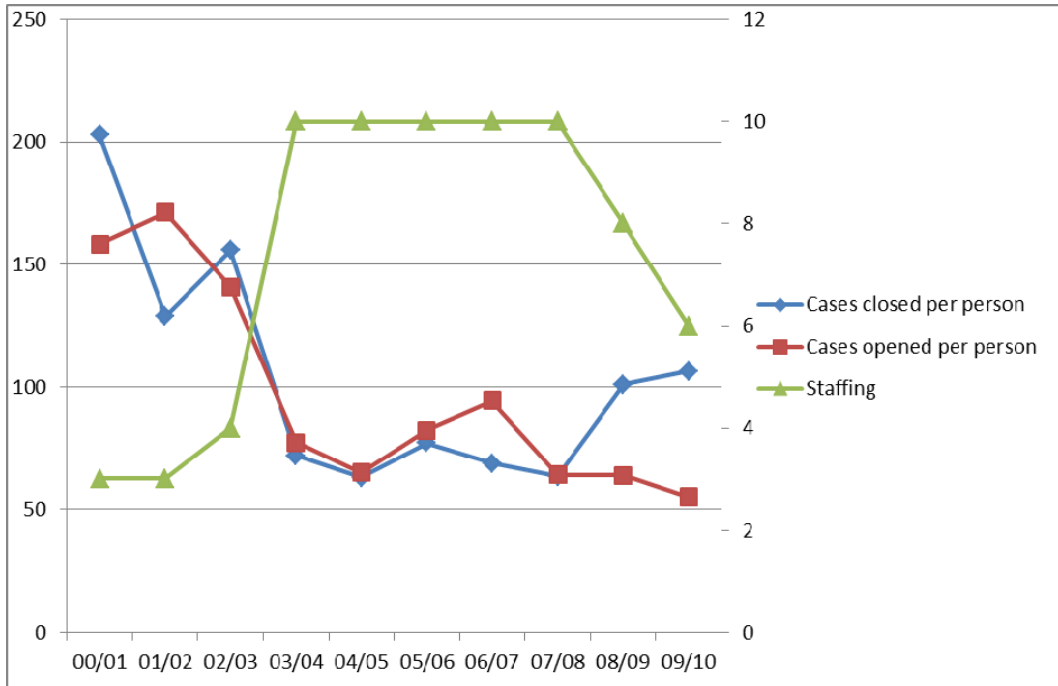


Chart 3 – Productivity (cases per staff member)

Findings:

- F 1. The million plus dollars had a minor effect in the increased number of cases opened or closed. While there was a 200% increase in staff, there was a significant decrease in the division's productivity over the same time period. The decrease in productivity resulted in a significant waste of money.
- F 2. Very few non-financial goals have been established for the CED. Setting non-financial goals and measuring them is a very useful management tool. When the additional money was allocated for CED several years ago there could have been goals established such as an increase in the number of cases opened, the number cases closed, and the number brought to abatement. Establishing measurable goals takes time and work to ensure that the goals selected create the action and behavior desired. Performance measurement goals would have quickly highlighted the lack of productivity and allowed the BOS and Code Enforcement Management to either halt further investment or improve productivity.

Recommendations:

- R1. Code Enforcement Management establish at least five measurable non-financial goals meant to improve the operation of the Division in the next budget cycle, track the achievement of these goals, and report annually to the BOS on the progress. (F1, F2)
- R2. BOS ensure that measurable goals are established whenever funding projects of this nature. (F1, F2)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Community Development Department via Board of Supervisors (90 days)
- Board of Supervisors (90 days)

Disclaimer:

One juror abstained from this report.

Code Enforcement Division Oversight

Trash Talk

Summary:

Illegal dumping is a serious problem in Lake County. Code Enforcement deals with illegal dumping and code violations. Code Enforcement Officers are often alone and in potential danger when responding to a complaint in remote areas. Many properties and known dumpsites have been cleaned up due to the efforts of the Code Enforcement Division (CED), and the County's health and aesthetics have improved.

Background:

While investigating a complaint deemed to be without merit about Code Enforcement, the Planning and Public Works Committee of the Grand Jury formed questions that could be answered only by an oversight of the Code Enforcement Division of the Community Development Department.

The Lake County Code Enforcement Division's responsibilities are widespread and include the scrutiny of: weed and brush clearing; construction refuse; fire damaged structures; public nuisance vehicles; fences, hedges, and walls; and storage containers and open outdoor storage.

A Code Enforcement Official has the authority to inspect property for violations of Lake County Codes. The Code Enforcement Division enforces Health and Safety Codes to prevent property from becoming breeding grounds for vermin. These actions put the Code Enforcement Officers in contact with the public, possibly in unfriendly or confrontational situations.

Procedure:

The committee met multiple times with the Lake County Community Development Director who is also acting as the Code Enforcement Division Manager. The committee reviewed files and pertinent documents, requested and obtained specific data, and spoke with Enforcement Officers.

Discussion and Facts:

The Grand Jury has concerns for the safety of and the techniques used by the Code Enforcement Officer while conducting their duties. Concerns also exist regarding how the Officers are trained.

1. Code Enforcement responds to public complaints. Complaint forms can be found on the County of Lake web site, and at the CED offices at the courthouse.

2. The Community Development Department Director did not fill the Code Enforcement manager position, but assumed the manager position responsibilities to allow for more Enforcement Officers in the field.
3. There are fewer Code Enforcement Officers now than there were in 2008.
4. Enforcement Officers often go out alone to either inspect property for violations or the correction of violations.
5. The first notice of violation from Code Enforcement is a “Courtesy Notification.” If substantial progress is made to achieve compliance within 30 days, no cost is incurred to the owner.
6. If justified, Code Enforcement “red tags” vehicles and/or property after a complaint and inspection.
7. Enforcing code violations on foreclosed properties presents numerous challenges. Who to notify is unclear, especially when a repossession is in process.
8. Officers use cell phones for communication in remote areas. When out of cell service areas, Officers also have radios, but the radios often do not work due to limited range or terrain.
9. Enforcement Officers do not have specific training to handle irate individuals, de-escalate situations, or in extreme situations, use self-defense. Enforcement Officers do not carry weapons.
10. If there have been previous problems with property owners or tenants, Code Enforcement may request Law Enforcement back up.
11. Illegal dumping is a problem in Lake County even though amnesty programs and recycling services are available.
12. The Department has identified the most prevalent illegal dumpsites in the County. Cameras are not currently used to monitor these sites.

Findings:

- F 1. Code Enforcement does not provide a comprehensive training program that includes safety measures for its Officers.
- F 2. “Red tagged” properties require follow-up inspections.
- F 3. In extreme situations, Code Enforcement may request Law Enforcement assistance.
- F 4. An increase in complaints and Code Enforcement workload may be anticipated due to the economic trends and foreclosed properties.
- F 5. The current approach to stop illegal dumping is not effective.

Recommendations:

- R 1. The Department require safety training for Departmental employees, especially those in the field. (F1)
- R 2. The Department establish a policy to ensure safety of Code Enforcement Officers working in remote areas. (F3)
- R 3. Form a task force to include Code Enforcement, State Fish and Game Department, State Water Resources, the Public Health Department, the Sheriff's Department, and County Redevelopment. Because of the different leverages of each agency, such a task force would be effective in monitoring and preventing illegal dumping. (F3, F5)
- R 4. Increase surveillance and consider installing cameras at known dumping sites. (F5)
- R 5. The Department establish a process with the District Attorney to investigate and prosecute illegal dumping. (F5)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Community Development Department via Board of Supervisors (90 days)
- District Attorney (60 days)

Disclaimer:

One juror abstained from this report.

Department of Agriculture Oversight

Summary:

The Department of Agriculture is a critical department for handling consumer complaints. Lack of publicity obscures the important functions and services provided by this county government department.

Background:

The Grand Jury had not visited the Department of Agriculture for many years. As the Agriculture Department's responsibilities are far reaching, this report can only focus on items of most interest to the public. The Department of Agriculture office is located at 883 Lakeport Blvd. down the hill from the Visitor Center.

The Agricultural Commissioner oversees agriculture programs (e.g. pesticide use, pest detection and trapping), Weights and Measures (e.g. scale and meter verifications) and the United States Department of Agriculture (USDA) Fish and Wildlife Department Trapper Program. The 2010 budget was \$530,000, of which \$200,000 was provided by the county general fund. The State of California contracts with this department for over half of the work the department does. The department has six budgeted full time staff positions.

Procedure:

The Planning and Public Works Committee held multiple interviews with the Agricultural Commissioner and observed in-field demonstrations of grocery store scale and gas pump testing. The committee contacted multiple marijuana dispensaries.

Discussion and Facts:

1. The Department of Agriculture publishes an annual crop report and a Department newsletter, both of which are available at the Department office.
2. The Department of Agriculture provides services in the areas of:
3. Certifying and inspecting Farmers' Markets. There are officially certified farmer's markets. Under the certification rules, markets are exempt from certain laws such as standardized sizing of boxes. The Department certifies farmers' market growers sell locally grown produce (local can be as far as 100 miles from Lake County). Fruit stands are never inspected or certified.
4. Certifying organic farms. There are two types of organic farms: registered and certified. Registered Organic is verification that the farm has not used pesticides for three years (checking spray records) and relies on the honor system for fertilizer use. A Certified Organic farm (gross sales over \$5000)

obtains its certification through a private agency at a cost of \$1000 or more.

5. Registering and providing continuing education for those who use pesticides (including commercial landscape gardeners).
6. Inspecting wholesale nurseries.
7. Identifying pests, bugs and weeds.
8. Contracting with USDA trappers to trap and euthanize wild animal pests upon public request. This service is paid for by property taxes and the general fund. If a private citizen traps an animal pest, the citizen is responsible for it.
9. Verifying compliance with Federal rules to release crops and food for international shipments.
10. Inspecting shipments into the County at distribution centers located in the County to prevent the spread of pests.
11. As the Sealer of Weights and Measures, the Department of Agriculture is responsible to check the accuracy of the devices used wherever there is a revenue stream. There are 5689 devices in Lake County used to measure products for sale. These devices include water meters, gas meters and delivery truck meters. Devices used in retail are tested on an annual basis.
12. Lake County has 43 gas stations that are tested to verify that the amount pumped is accurate, the price indication meets code, and the gas pump is functioning properly. The scales used at supermarket checkout stands are inspected and tested using certified weights. The County also has a weight truck used to certify truck scales. These inspections, while done on an annual basis, are scheduled randomly and unannounced using State of California procedures. The State contracts with the County for these activities.
13. The procedures used to test scales and pumps are complex and are cross referenced to the applicable government codes.
14. The Sealer is required by the Business and Professions Code §13350 to verify a retail establishment point of sale (bar code pricing) for pricing accuracy prior to the store initially opening. The Department will investigate complaints of problems with bar codes (when notified) after the store has opened.
15. Scales used at medical marijuana clinics are not tested. There are no known standards to insure purity or safety of medical marijuana.
16. The County of Lake web site does not link to an Agriculture Department web site. The Agriculture Department does not have a web site referencing the services available to the community or complaint procedures.

17. Working in conjunction with the U. C. Davis Extension Office, the Agricultural Department identifies insects and weeds brought into the office.

Findings:

- F 1. The lack of a dedicated Department of Agriculture website makes it difficult for the public to easily access the Crop Report, the newsletter, consumer complaint procedures, and other items of interest to consumers.
- F 2. The need for the person conducting field tests to have documents and procedures at the test site would be aided by a laptop computer assigned to them.
- F 3. The Sealer is authorized to respond to a citizen's complaint of bar code pricing at any time. However, there is no authority for the Sealer to conduct random testing of bar code pricing after the store initially opens.
- F 4. No government authority has established a policy for conducting scale testing at medical marijuana clinics. The Sealer will test these scales if they are brought into the Agriculture Department office.
- F 5. An area needing enhanced consumer protection is medical marijuana clinics which do not have a means to certify that the marijuana meets any standards of potency, purity, or safety.

Recommendations:

- R 1. The Department of Agriculture design and implement a website available through the County of Lake portal. (F1)
- R 2. The Department purchase a laptop(s) for those who conduct field testing and install the applicable references on it. (F2)
- R 3. The Board of Supervisors establish the authority for the Sealer to conduct random bar code pricing verification tests, or contact the appropriate state department to establish this authority. (F3)
- R 4. The Department of Agriculture add medical marijuana clinics to the list of mandatory onsite testing of retail sales measuring devices to enhance consumer protection. (F4)4
- R 5. The Department of Agriculture apply pesticide permit and use standards to medical marijuana growers. (F5)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Department of Agriculture via the Board of Supervisors (90 days)
- Board of Supervisors (90 days)

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Complaint 10-24 Alleged Threat by Public Official

Summary:

The complainant reported, "He said he would destroy me."

Background:

While working for Lake County, a now retired employee complained he and others were threatened by their superior, an elected official. The complainant stated this occurred, specifically, when he and the other employees indicated interest in becoming candidates for the incumbent's office.

Procedure:

The Public Safety Committee followed recommendations from the 2009-2010 Grand Jury to further review allegations against a public official and to continue the investigation. Additional possible candidates reportedly to have also been threatened were interviewed.

Discussion and Facts:

1. There exists the complainant's accusation, under oath, of a threat by a public office-holder.
2. The complainant alleged this threat occurred approximately eight years ago when the complainant indicated his intention to run for the incumbent's office.
3. The complainant alleges such threats continue to others.
4. Contrary to the allegation, the accused official adamantly denied, under oath, making any such threats.
5. When asked, four additional employees reportedly threatened, denied receiving any such threats (professional or physical) by the accused official.

Findings:

- F 1. A direct threat was reported by the complainant only.
- F 2. Since all other witnesses denied receiving any threats, the Public Safety Committee was unable to substantiate the complaint.

Recommendations:

None

Request for Responses:

None

Complaint 11-6 - Photo Line-up

Summary:

The Grand Jury received a complaint in which the complainant questioned the photographic line-up process of a local law enforcement agency.

Background:

The law enforcement officer, who conducted a photographic line-up following the complainant's arrest, testified that the complainant was identified as the perpetrator of a crime. However, the law enforcement officer's written report of the photo line-up does not state that the complainant was identified as the perpetrator. The witness who participated in this identification process asserts he did not identify the complainant as the perpetrator.

Procedure:

The particular focus of this investigation is a Lake County law enforcement agency line up procedure and the continuity of reporting in this particular case.

The Public Safety Committee interviewed the complainant, the witness, and the arresting officer. The Committee reviewed pertinent arrest records, specific court documents, and the standard policy for conducting photographic line-ups.

Discussion and Facts:

1. The witness testified to the Grand Jury that the witness did not see the actual criminal incident and, thus, would be unable to identify a perpetrator.
2. The witness reported that the witness only *recognized* the complainant's picture in the photographic line up as someone with whom the witness was acquainted.
3. The witness stated to the Grand Jury that, during the photo line-up, the witness did not indicate the complainant was the alleged perpetrator.
4. The witness has known the complainant for three decades and has previously worked with the complainant.
5. The law enforcement officer correctly followed the department's specific written procedure for conducting a photographic line-up.
6. Per policy, the official criminal report was approved by supervisory personnel.
7. The officer's official report of the photo line-up does not clearly state that the complainant was identified as the perpetrator.

Findings:

- F 1. It is unclear from the criminal report whether the complainant was identified as the perpetrator.
- F 2. The witness's intent was to identify the complainant as a person the witness recognized, but not as the perpetrator during the photographic line-up.

Recommendations:

- R 1. The Grand Jury recommends closer review of reports for clarity by the Sheriff's supervisory personnel. (F1, F2)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Sheriff (60 days)



Complaint 11-7 Citizen's Arrest

Summary:

The Grand Jury received a complaint in which the complainant states that a Lake County law enforcement agency refused to take his report of a criminal act.

Background:

The complainant stated he went to a law enforcement agency and requested to file a report of a criminal act. The alleged criminal act had occurred more than two years prior and involved a case that had already been adjudicated. The complainant was informed that the case was no longer within the purview of the law enforcement agency and he was referred to the District Attorney's office.

Procedure:

The Public Safety Committee interviewed the complainant and two of the involved peace officers. Committee members heard sworn testimony from and made many telephone contacts with the complainant. Over fifty pages of documents were reviewed.

Discussion and Facts:

A citizen filed a citizen's arrest demand on the complainant, asserting threats on her life by this complainant. In response to this citizen's demand, the law enforcement agency executed the arrest of the complainant. The complainant pled guilty to the charge of Disturbing the Peace and completed one year probation. Following probation, the complainant petitioned the Court for an *Order for Expungement* which was granted.

1. The law enforcement agency had executed a *citizen's arrest*.
2. The complainant maintained that the complainant had been the victim of false arrest by the law enforcement agency - claiming the charges were dismissed.
3. After expungement, the complainant attempted to file a report that the alleged facts leading to arrest were untrue.
4. Since the adjudicated case was no longer in the law enforcement's purview, law enforcement referred the complainant to the District Attorney.

5. After being referred to the District Attorney, the complainant told the committee that the complainant decided not to go to the District Attorney and instead filed a complaint with the Grand Jury.

Findings:

- F 1. Based on the evaluation of extensive documentation from both sides and testimony, the Grand Jury determined that the law enforcement agency clearly performed due diligence.
- F 2. The complainant still perceives justice was not served in the case.

Recommendations:

None

Request for Response:

None

Complaint 11-8 - Violated Rights?

Summary:

Were they? An inmate complained he was not given access to California Penal Code 1381 request form.

Background:

The California Penal Code 1381 states in part, "In the event that the defendant is not brought to trial or for sentencing within the 90 days the court in which the charge or sentencing is pending shall, on motion or suggestion of the district attorney, or of the defendant or person confined in the county jail or committed to the custody of the Director of Corrections or his or her counsel, or of the Department of Corrections, or of the Department of the Youth Authority, or on its own motion, dismiss the action." The 90 day time limit begins when the District Attorney receives a written notice of the defendant's desire to be tried or sentenced.

At the time of the Grand Jury investigation, the complainant was incarcerated at the Lake County Correctional Facility.

Procedure:

The Public Safety Committee met with the complainant at the jail in regards to this issue.

Discussion and Facts:

The complainant requested forms through accepted Lake County Correctional Facility procedures. At the time of the interview, the complainant had received the requested form and it had already been submitted and processed.

Findings:

- F 1. The complainant was satisfied and wanted the Grand Jury to take no further action.

Recommendations:

None

Request for Responses:

None

Complaint 11-10 - Abatement Question

Summary:

Kelseyville Fire Protection District (KFPD) has changed its policy on allowing homeowners' associations to issue weed abatement orders.

Background:

The 2010-2011 Grand Jury received a complaint covering multiple issues from a member of a local homeowners' association. The Grand Jury determined that the only issue it had purview over in this complaint was the issuance of KFPD weed abatement orders. An investigation revealed that there exists a homeowners' association that was distributing official KFPD weed abatement forms at its discretion.

Procedure:

The Public Safety Committee contacted KFPD regarding its current weed abatement policy.

Discussion and Facts:

It was the policy of KFPD to allow homeowners' associations to issue KFPD weed abatement warnings. The practice was stopped more than two years ago by order of the Fire Chief.

Findings:

- F 1. The KFPD policy of allowing private groups to enforce its weed abatement orders has been changed.

Recommendations:

None

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Kelseyville Fire Protection District via Board of Supervisors 90 days)

Complaint 11-24

Lake County Sheriff Department

Summary:

A citizen complained that, not only are Sheriff's vehicles being used for personal use, but the visible presence of law enforcement on school campuses is "disconcerting".

Background:

Official Sheriff's vehicles and deputies are sometimes seen at public schools.

Procedure:

The Grand Jury reviewed the complaint and members of the Public Safety Committee reviewed the Lake County Sheriff Department policy on personal use of official vehicles. The Sheriff was also interviewed.

Discussion and Facts:

1. It is the written policy of Lake County Sheriff to allow personal use of official vehicles on a limited, as-needed basis, for salaried deputies.
2. Lake County Sheriff salaried deputies frequently work 12 to 16 hours a day.
3. Due to lack of funding, there are no longer public safety officers assigned by the Sheriff to the schools.
4. The Lake County Sheriff has mandated that deputies walk through school grounds on a daily basis.

Findings:

- F1. The Lake County Sheriff is operating within the parameters of approved Departmental procedures with respect to usage of official vehicles and presence on school grounds.
- F2. Sheriff Deputies are augmenting the public safety by their visibility and visits to County schools.
- F3. Due to the geographical lay-out of Lake County, it makes little sense to take a deputy out of service for long periods of time merely to return or pick-up a personal car.

Recommendations:

None

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Sheriff (60 days)

Disclaimer:

One juror abstained from this report.

Central Dispatch

“Who Ya Gonna Call.....?”

Summary:

Central Dispatch, part of the Lake County Sheriff Department (LCSD), weaves an electric network tying emergency calls with local, state and federal agencies. 9-1-1 is the access number to this extraordinary system.

Background:

Central Dispatch is located across from the Lake County Correctional Facility, and is heavily fenced and secured by controlled access.

Dispatch uses cutting edge, ergonomic equipment with essential redundancies: duplicate computers, generators and backup batteries, multiple memory systems and recordings. First responders rely on Central Dispatch being functional at all times; often lives depend on immediate and continuous communications.

Dispatch utilizes a digital recording system which continuously documents all 9-1-1 contacts. There can be as many as four thousand secondary interaction communications per month with law enforcement and emergency services. All calls are recorded.

Procedure:

The 2010-2011 Lake County Civil Grand Jury Public Safety Committee conducted a discretionary oversight of Lake County Central Dispatch.

The committee interviewed the Assistant Director of Central Dispatch at the state-of-the-art facility on Helbush Road, Lakeport, California. The committee reviewed dispatch procedures and computer software designed to handle emergency situations. The committee monitored dispatchers taking emergency calls, notifying the appropriate responders, and verbally controlling the crisis situation until emergency personnel arrived.

Discussion and Facts:

1. Dispatch serves a population of 60,000 residents; there may be as many as 90,000 during the summer months and on holidays.
2. At the time of this oversight, there were thirteen full time, five part time, and three vacant positions. The Director's position was vacant for budgetary reasons.
3. Often minimum staffing exists on weekends. Dispatch attempts to augment staff for contingencies such as holidays or seasonal needs.

4. In September 2010, 9-1-1 calls to Central Dispatch exceeded 2100 -- greater than a 13% increase over the two previous Septembers.
5. Sixty seconds is the goal for time between telephone contact with 9-1-1 operator and dispatch to first responders. Average time is much less, exceeding this goal.
6. A rigorous selection process for a dispatcher includes panel interviews, background checks, and psychological testing. After hire there is an intern period, which includes twenty-three weeks of training.
7. Every staff member is cross trained to perform all dispatching functions, and continuing education is required annually.
8. Dispatchers sit at their computer desks for twelve uninterrupted hours, wearing radio headsets. Dispatchers agree to forfeit federally mandated breaks.
9. Central Dispatch would like it understood that "Reverse 9-1-1" (aka City Watch) is not a function of Central Dispatch. Reverse 9-1-1 is a local telephone advisory system handled by the LCSD administration on Martin Street, Lakeport, California.

Findings:

- F 1. Budget limitations have delayed filling the Director position. The Assistant Director performs the duties of the Director. However, this limits the time the Assistant Director can assist in actual dispatch activities.
- F 2. During a short period of observation, the committee witnessed dispatchers demonstrating a high degree of expertise in managing multiple life-threatening situations.
- F 3. Headsets and chairs are used twenty-four hours a day, every day, and require replacement more often than the county budget allows. This is a problem.

Recommendations:

- R 1. The Sheriff's Department award the Assistant Dispatch Director the title of "Dispatch Director" reflecting actual responsibilities the assistant performs.(F1)
- R 2. The Sheriff's Department and the County of Lake budget for replacement of headsets and ergonomically correct chairs for dispatchers as needed. (F3)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Sheriff (60 days)

Juvenile Hall Oversight

Cold and Hungry Children

Summary:

Where have we gone wrong? Our children suffer at the hands of our criminal justice system. Understanding the county's current financial situation, the Public Safety Committee is hopeful that in the upcoming fiscal year the Board of Supervisors will find its way to finally fund overdue repairs to Juvenile Hall. The Lake County Juvenile Hall is heartbreaking. The roof still leaks; the mold is still prevalent; they have no on-site functional kitchen; the cells are still freezing in winter and baking in the summer. The children are still complaining about the lack and condition of food. When will this travesty end?

Background:

The oversights of Juvenile Hall located at 1111 Whalen Way, Lakeport, California, for the past few years have indicated that Juvenile Hall is in dire need of a new roof, new heating and cooling systems, and better food.

Procedure:

Per Penal Code §919(b), the Civil Grand Jury's Public Safety Committee p inquired into the condition and management of the Juvenile Hall. The committee collected information on three separate visits to Juvenile Hall, two announced and one unannounced. The Hall can presently accommodate up to twenty-five detainees. At the times of the committee's visits, the population at the Hall varied from fourteen detainees on the first visit to nine detainees on the last visit.

Discussion and Facts:

1. According to the Chief Deputy Probation Officer of Juvenile Hall, a new facility is needed.
2. The roof still leaks. There is considerable mold in the kitchen and front hallway, and the temperature throughout the building is very inconsistent.
3. Detainees complained that the temperature of the cells is usually hot in summer and cold in winter.
4. The detainees complained that there often is inadequate hot water for everyone to shower. This was confirmed by staff
5. The annual budget for the Juvenile Hall food is \$11,800 and is provided by the State.
6. The food at the Juvenile Hall is provided by the Hill Road Jail and is often served lukewarm at best for the one hot meal per day. Although the State mandates the calories required, the cold sack meals at dinner time leave

the teenage detainees still hungry at night. Since our interview, the hot meal (the largest meal) has been moved to the evening and the sack meal is now served for lunch.

7. The detainees wanted to make sure that the committee understood that the food is still unacceptable. At the time of the committee's oversight, the one hot meal a day was served at noon and the sack meals did not satisfy a teenager's appetite.
8. The function of the Juvenile Hall is to temporarily house, discipline, school and attempt rehabilitation of offending juveniles ages eight years to nineteen years of age.
9. A new Detention Risk Assessment procedure determines whether or not the juvenile is a danger to himself or to others. Public safety is the measure of when to detain a child or to let him go home. High risk offenders only are held at Juvenile Hall prior to their court appearances.
10. Juvenile Correctional Core Training is done at the Police Academy. All employees have this training with the exception of the receptionist, who is never supposed to be left alone with any detainee.
11. The staff states that it endeavors to make the Hall a homelike environment whenever possible.
12. Some behavior modification rewards for detainees are watching movies (must be G or PG-13), working in the kitchen, and having TV privileges. Staff determines what the detainees watch on the television or what movie is shown.
13. Most of the detainees' time is spent alone in their respective cells.
14. Children who arrive addicted to cigarettes stop "cold turkey".

Findings:

- F 1. The kitchen is unusable and the ceiling is covered with mold and in need of repair due to the leaking roof.
- F 2. The temperature within the facility cannot be controlled, leaving detainees and staff uncomfortable.
- F 3. Since our interview, the hot meal has been changed to the evening, thus providing a more substantial meal before bedtime. The sack meals remain inadequate.
- F 4. Not one detainee had anything good to say about the quality or quantity of meals. The boys typically lose weight during their stay.
- F 5. Due to use of the Detention Risk Assessment – a standard interview tool, Juvenile Hall does not have the population it has had in previous years, since only juveniles determined to be actually dangerous are placed in Juvenile Hall. This procedure means fewer children are incarcerated.

- F 6. The detainees spend entirely too much time alone in their cells with little or nothing to do.

Recommendations:

- R 1. Lake County Building and Grounds Division follow through on the replacement of the roof and update the heating and cooling system of this facility. (F1, F2)
- R 2. Board of Supervisors make the reopening of the Juvenile Hall kitchen a priority in the next fiscal year.(F1, F3, F4)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Chief Probation Officer (60 Days)
- Board of Supervisors (90 Days)
- County Sheriff (60 Days)
- Public Services Department, Building and Grounds Division via Board of Supervisors (90 Days)

Disclaimer:

Two jurors abstained from this report.

Kelseyville Fire Protection District Oversight Only One Firefighter

Summary:

The Kelseyville Fire Department is understaffed. For example, the substation in the Riviera – with its single fire truck – is often staffed with only one firefighter!

Background:

The Kelseyville Fire Department employs fifteen full-time fire fighting and emergency personnel. It serves a population of 20,000 people spread over almost 100 square miles. This does not meet national staffing standards due to budget restraints. Limited hours of operation and minimal staffing of fire stations throughout Lake County affect emergency response. District boundary lines and Lake County's geographical features often place a residence closer to a fire station other than the one designated to respond to that location.

Procedure:

The Public Safety Committee of the 2010-2011 Civil Grand Jury performed a discretionary oversight of The Kelseyville Fire Department operations. During an interview, the Fire Chief provided an informative professional presentation, and a tour of the main Kelseyville Fire Station. The committee reviewed two new agreements, the new Mutual Aid and the new Automatic Mutual Aid Agreements. The Committee also attended a Fire Chiefs' meeting where County-wide emergency mutual response was discussed. Then the committee visited Lake County Sheriff's Central Dispatch to confirm the new agreements had been implemented.

Discussion and Facts:

1. Staffing is supplemented with certified volunteer firefighters when available. The committee was told minimal staffing still occurs, therefore, staffing can be a safety issue.
2. The Kelseyville Fire Department's firefighters and emergency personnel are licensed paramedics.
3. Non-trained residents are sometimes used to assist at emergency scenes until more than one firefighter arrives.
4. Kelseyville Fire Protection District is saddled with an old environmental hazard that it is responsible to clean up. The Environmental Protection Agency requires Kelseyville Fire Protection District mitigate contamination caused by the former owner of the property on which the fire station is located. The total cost to mitigate is \$3,000,000.

5. Kelseyville Fire Department's 2010-2011 budget is \$2,000,000. This includes operating expenses and payments toward seven outstanding loans for equipment. Kelseyville Fire Department is operating with a deficit.
6. One firefighter position requires three full-time firefighters to fill that single twenty-four hour vacancy. The annual cost with benefits for this one position is \$390,000 - which Kelseyville Fire Department does not have.
7. Kelseyville Fire Department Command routinely meets with citizen groups to discuss fire prevention and emergency escape routes.
8. Kelseyville Fire Department uses an on-staff firefighter to perform the function of a mechanic for equipment repairs whenever possible.
9. Kelseyville Fire Department uses an on-staff firefighter to write grants for additional funding.
10. Individual mutual aid requests, where one incident commander specifically requests additional aid from other fire districts, have been used for years in the County with effectiveness.
11. There is now a new formal Automatic Mutual Aid Agreement between Kelseyville Fire Protection District and the Lakeport Fire Protection District.
12. At the time of this oversight, a new County-wide Automatic Mutual Aid Agreement was pending amongst Kelseyville Fire Protection District, the Lakeport Fire Protection District, the Lake County Fire Protection District, the South Lake Fire Protection District and the Northshore Fire Protection District.
13. Kelseyville Fire Department top Command states, "Bottom line, automatic mutual aid will save lives and property."
14. Lake County Sheriff's Central Dispatch is presently implementing automatic dispatch for all fires in the Kelseyville and Lakeport districts.
15. The Office of Emergency Services (OES) offers certification in a sixty-hour program covering emergency training and firefighting techniques for County citizens.

Findings:

- F 1. Lake County benefits greatly from the certified training of the Kelseyville Fire Department fire-fighting force and the obvious professional and organizational skills of the command staff.
- F 2. Kelseyville Fire Department cannot afford to fill firefighter vacancies.
- F 3. Additional funding from the Kelseyville Fire Protection District is necessary to meet Kelseyville Fire Department's expenses and operational costs. With some additional financial assistance, Kelseyville Fire Department could hire more firefighters and better staff the Riviera substation.

- F 4. With the new automatic mutual aid agreements implemented, jurisdictional distinctions no longer impact arrival time of emergency response personnel.
- F 5. The new automatic mutual aid procedure will save lives and property.
- F 6. The OES sixty-hour training program is available free to all Lake County citizenry. As interested citizens avail themselves of this program and become better prepared to assist in emergencies, everyone, including Kelseyville Fire Protection District, would benefit.

Recommendations:

- R 1. The Grand Jury recommends that Kelseyville Fire Protection District acquire, create, or request additional funding for its citizens' safety. (F1, F2, F3)
- R 2. It is recommended that Kelseyville Fire Protection District continue to maintain the new Automatic Mutual Aid agreements and review the effectiveness of these agreements periodically. (F4, F5)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Kelseyville Fire Protection District (90 days)
- Kelseyville Fire Department (90 days)

Konocti Conservation Camp #27 Oversight

Summary:

Inmates at Konocti Conservation Camp #27 (CC #27) fight fires and respond to community emergencies; they save lives and property but they are still prisoners. Although there are no cell bars and no locked doors at CC #27, these inmate firefighters do not have their freedom.

Background:

The California Department of Corrections and Rehabilitation (CDCR) and the California Department of Forestry and Fire Protection (CAL FIRE) jointly operate the CC #27, a state minimum-security facility in Kelseyville. The camp's primary mission is to provide inmate fire crews for state-wide fire protection while preparing the inmates for return to society. It has served Lake and surrounding counties for fifty years and is one of 43 camps in California.

Procedure:

Lake County Civil Grand Jury performed a mandatory oversight visit of CC #27, as prescribed by law. The Public Safety Committee toured the facility, and interviewed staff and inmates.

Discussion and Facts:

1. Inmates at CC #27 are selected based on training, interest, and non-violent history. Camp capacity is 120 male inmates; census at the time of the oversight was 100, with a 1:16 officer to inmate ratio.
2. CAL FIRE and CDCR share custody duties: CAL FIRE is responsible for inmate firefighter security during work hours; CDCR is responsible during days and nights when inmates are not working under CAL FIRE.
3. CC #27 strives for self-sufficiency:
 - There is a working well, an electric generator, and a functional saw mill within the camp.
 - The up-graded water-treatment plant recycles camp waste water.
 - An inmate-maintained garden provides a surplus of vegetables.
 - The inmate garage crews maintain and repair CAL FIRE and some Lake County Fire Districts' emergency vehicles.
4. CC #27 maintains a Mobile Fire Kitchen Unit which can feed as many as 3,000 firefighters daily during emergencies. CC #27 has a Mobile Equipment Unit, which can be dispatched to repair vehicles and other equipment at the sight of any incident.

5. Only basic first aid care is provided to inmates at the camp.
6. Inmates qualify for a sentence reduction program.
7. The committee was informed there is zero tolerance for gang or race-related behavior and such behavior is not a problem at CC #27.
8. The last “walk away” escape attempt was more than a decade ago.
9. On-site certification training is offered in water treatment, sewage, and equipment repair; training is also available in landscape, construction, plumbing, mechanics, woodworking, and culinary arts, etc.
10. Inmates are encouraged to obtain a General Education Degree (GED) while at CC #27.
11. In 2011, CC #27 inmate firefighters played a significant role in saving Upper Lake from flooding due to levee failure.

Findings:

- F1. CC #27 staff and firefighters often perform heroic actions.

Recommendations:

NONE

Request for Responses:

NONE

Lake County Correctional Facility

A City Within A City

Summary:

The Lake County Correctional Facility (LCCF) on Helbush Drive appears to be clean, organized and professionally run. Grand Jury members however were informed by the command staff of deteriorating conditions in the holding facility.

According to the inmates that were interviewed, they go to bed at night without adequate bedding for warmth and the meals are very meager, leaving them hungry.

Background:

The ultimate responsibility of the entire custodial operation falls onto the shoulders of the Lake County Sheriff. The direct day-to-day decisions are delegated to a senior command level officer. The Sheriff assures the laws of the State of California pertaining to jail operations are observed and obeyed. The Sheriff meets the requirements and mandates of the Superior Court and strives to meet the LCCF financial expectations of the Lake County Board of Supervisors.

Inside LCCF central manned towers visually and electronically monitor the entire facility; controlling all mechanical locking devices, internal and external, including the cell doors. LCCF contains padded safety cells, maximum security cells and general population pods, and provides an on-site medical facility.

The facility maintains laundry, kitchen, commissary and a library. For physical activity there is an outdoor area with basketball hoops; indoor recreation rooms have televisions and small tables for games.

Procedure:

This report reflects the annual mandated oversight of the Lake County Correctional Facility by the Civil Grand Jury.

In the course of the past year the Public Safety Committee has made multiple visits to the LCCF. On the first visit, the committee was given an extensive physical tour of the facility. During the oversight, several members of the correctional staff, medical staff and many inmates were interviewed. Interaction between the correctional staff and inmates was observed.

Discussion and Facts:

1. There were 200 inmates at the time of the visit; the committee interviewed twenty.

2. A Physician's Assistant, a medical doctor, the county mental health nurse and a contracted tele-psychiatrist, are available to all inmates. An in-house nurse is available 24 hours a day and 7 days a week.
3. According to the Medical Staff there has been a purchase of three automatic defibrillators - not yet delivered.
4. The laundry, kitchen, halls and the booking area were clean and organized.
5. There is no charge for inmates to make calls to their defense attorneys. Calls from the booking area are also free.
6. To make a call on the pay phone in the day rooms, an inmate must have money on account unless it is a collect call.
7. At the time of the committee's visit in January, the hot meal of the day was served at noon. Effective February of 2011, the one hot, large meal of the day is now served as the evening meal.
8. All forms (daily sick call, commissary request, library pass, and grievance) are available by request at the officer's station in every pod. The Grand jury complaint forms are now available to inmates upon request, also.
9. The Captain of the facility informed the committee there are mandatory continuing education courses for the correctional officers.
10. The committee was provided a copy of the inmate policy handbook; a Spanish version is yet to be made available.
11. At the time of the visit, the committee observed an intercom and camera security system. There is a video system with no ability to record – it is "real time" only. A request has been submitted to the Board of Supervisors for a Digital Recording System by the Sheriff.
12. According to the inmates interviewed, they often go to bed cold and hungry.
13. The Sheriff informed the committee the infrastructure of the facility has been neglected for 5 -10 years.
14. There has been a request to the Board of Supervisors for a new propane tank to replace the inadequate tank in use now for heating. The cost for the new tank is estimated to be \$50,000.
15. The Sheriff is searching for a federal grant for building maintenance as well as a grant for 900 hour staffing.
16. The current hot water tank is undersized limiting adequate hot water. The cost is estimated to be approximately \$15,000.00.

Findings:

- F 1. The present camera system needs augmentation by a video recording system.
- F 2. The infrastructure of the facility is deteriorating, and is in dire need of repairs.
- F 3. The automatic defibrillator (AED) is an essential Life Saving tool, which has not yet arrived.
- F 4. The Sheriff's office counts on federal grants for continued maintenance and day to day operation of the facility.

Recommendations:

- R 1. The Sheriff continue to search and apply for federal grants.(F4)
- R 2. The Board of Supervisors provide a video recording system for the jail. (F1)
- R 3. The Lake County Grand Jury recommends the automatic defibrillator be put in place immediately in this facility. (F3)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Board of Supervisors (90 days)
- County Sheriff (60 days)

Main Court Holding Facility Oversight



Summary:

Several physical, deferred issues are not being addressed in the Main Court Holding Facility in Lakeport. When court appearances are scheduled for those incarcerated at the main jail, inmates can spend the majority of their day in this antiquated and obsolete holding facility.

Background:

For the past decade, the old Lake County Jail annex of the Courthouse has been utilized as the Main Court Holding Facility. This facility is used only as temporary housing for inmates on days of their Superior Court appearances.

Procedure:

The Public Safety Committee of the Lake County Grand Jury conducted the annual mandated oversight of the Main Court Holding Facility on March 1, 2011. This was essentially an unannounced oversight: a member of the Sheriff's command staff accompanied the Grand Jury but did not notify deputies of the planned visit.

Discussion and Facts:

1. The Grand Jury was told it is common practice for the command staff to give no advance notice to staff when making inspections.
2. The Lake County Sheriff's correctional officers are responsible for the transport and supervision of inmates to and from the holding facility.
3. Holding cells of various sizes accommodate the different number and classifications of inmates.
4. All inmates are transported in handcuffs and shackles.
5. Maintenance of this facility is the responsibility of Lake County Buildings and Grounds Division; however, for security reasons, the Sheriff's Department assumes basic cleaning duties.
6. The Grand Jury was told cell cleaning at the Main Court Holding Facility is performed weekly by inmates under supervision.

7. Although there were no inmates present at the time of this oversight, as many as thirty may be temporarily housed at one time in the Main Court Holding Facility, depending on the court calendar.
8. If the court calendar requires an inmate to spend the entire day in the holding facility, the inmate is provided a sack meal.
9. The Captain of the jail stated it is not policy for correctional officers to inspect the holding cells after the inmates leave.
10. There was graffiti on the cell walls, remnants of inmates' sack lunches from several days prior on floors, and trash clogging a sink. Lighting was limited and dim.
11. The bathroom areas were dirty.
12. Currently, there are no cameras monitoring the holding facility.
13. There appears to be potential safety hazards, specifically electrical conduits hanging from the facility ceiling and metal bolts protruding from a hallway wall.
14. A state-of-the-art holding facility is included in plans for the new Lake County Courthouse.

Findings:

- F1. Because holding cells are not inspected after each use, correctional officers could be unaware of the potential presence of evidence or safety hazards left behind in the cells.
- F2. The condition of the facility reflects the age of the building; the holding facility is old, dark and dingy.

Recommendations:

- R1. Lake County Sheriff's Department inspect cells after inmates are removed. (F1)
- R2. Public Services Department, Buildings and Grounds Division, remove or repair any safety hazards.(F2)
- R3. Public Services Department, Buildings and Grounds Division, brighten the interior of the Main Court Holding Facility with an application of fresh paint. (F2)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Sheriff (60 days)
- Public Services Department, Buildings and Grounds Division via Board of Supervisors (90 days)

South Lake Holding Facility

At Least the Cell Doors Lock

Summary:

Imagine being locked, even temporarily, in an old dingy dirty unsanitary cell or imagine guarding such an environment.

Background:

The South Lake Holding Facility (SLHF) is housed in an old, poorly adapted building adjoining the Sheriff's Clearlake Substation. Because it was built in 1978, it is not required to meet California Standards Authority's standards for jails – **and it could not**. Maintenance of SLHF is under the jurisdiction of the State Superior Court System, as far as can be determined.

SLHF serves as a temporary holding area for those inmates appearing in South Lake Superior Court. The Sheriff's Department provides only security and transport to and from the facility.

At the time of the Public Safety Committee's initial inspection, Lake County Public Health was not making routine inspections of the holding facility; neither was the Sheriff nor the Court. The Fire Marshall and the Grand Jury have provided the only consistent oversights.

Procedure:

The Lake County Grand Jury performed its annual and mandatory oversight of the Court's South Lake's temporary holding facility. Although the Public Safety Committee's visit was planned, the officer in charge on that day at the SLHF had not been informed of the impending visit.

Discussion and Facts:

1. The County provides inmate transport from Lakeport to Clearlake and back on court dates.
2. If the inmate population exceeds the legal capacity of the cells, inmates are kept outside in the sally port in transport vehicles.
3. There were no inmates in cells at the time of the oversight; the cells had been unoccupied at least four days.
4. All ceiling lights were functional but the lighting remained dim.
5. The officers' desk is an old chipped door sitting atop file cabinets.
6. The facility clearly had not been cleaned in some time.
7. Floor tiles in inmate areas were unclean and the cells smelled bad.

8. One sink/water fountain unit was encrusted with oxidation, grime, and filled with trash. Another sink was dirty with toilet tissue and used paper towels in the basin.
9. Lavatory stalls and toilet seats were strewn with used toilet paper.
10. Soiled toilet paper lay on the floor in the corners of the general holding cell.
11. The women's cell had old pipes protruding from the shower area. The shower is no longer functional.
12. In the safety cell, the open floor grates intended for inmates to urinate into led to no plumbing.
13. No cleaning supplies were available in the utility closets.

Findings:

- F 1. The conditions in the South Lake Holding Facility reflect a total lack of respect.
- F 2. SLHF is an old facility and is not required to be maintained by today's safety and health standards. Lake County Public Health Department informed the Grand Jury that it has not been inspecting this facility.
- F 3. Inmate areas were found to be poorly maintained, dirty and unsanitary.
- F 4. Since there are no cleaning supplies available, Sheriff Officers are unable to perform emergency cleanups.
- F 5. Sheriff Officers' furniture is old and makeshift.
- F 6. Ambient lighting is insufficient.
- F 7. In the women's holding cell, there are nonoperational shower pipes protruding from the wall; this is in an alcove not visible to correctional officers.
- F 8. Open urinal grates without adequate plumbing are unhealthy and unsanitary.
- F 9. The Grand Jury was informed that the Sheriff is responsible only for transport and security, and the Court had no knowledge of responsibility; therefore, the Grand Jury was unable to discover just exactly who is responsible for cleaning and maintaining the holding facility.

Recommendations:

- R 1. Place SLHF on the Lake County Public Health Officer's routine inspection schedule. (F1, F2, F3)
- R 2. Someone assume the responsibility to clean and maintain the holding facility on a regular basis. (F1, F2, F3, F7, F9)
- R 3. Store cleaning supplies in the locked closet for immediate use. (F1, F3, F4)

- R 4. Replace officers' makeshift desk and equipment in the guard area with newer, more functional pieces from the County's surplus inventory. (F1, F4).
- R 5. Improve the lighting for both safety and morale. (F1, F2, F6)
- R 6. As protruding plumbing creates a potential suicide-by-hanging hazard, remove pipes from women's holding cell wall. (F2, F7, F9)
- R 7. Correct plumbing regarding the open urinal grate. (F8)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Sheriff (60 days)
- Public Health Department via Board of Supervisors (90 days)
- Board of Supervisors (90 days)

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City Of Clearlake Animal Control

A Great Idea, if not a Desperate One

Summary:

Saving money during a depressed economic time is akin to grabbing the brass ring, but saving money by not doing a complete job is lacking in fiscal maturity. Substituting County Animal Control with a city run animal shelter saves money, but leaves the City of Clearlake in a reduced state of animal control service. The City of Clearlake began an uphill journey toward a lofty goal. The timeline needed to develop this fledgling service to its full potential of self-reliance was not well planned.

Background:

The history of the City of Clearlake Animal Control (CCAC) is short. CCAC was brought into being in November of 2009. The concept of a city-run Animal Control was adopted by the City Council as a massive cost saving measure during a crunch time as an afterthought within an already approved budget. With reductions in City funding, the saving of over \$100,000 per year was a very enticing idea. The results as shown on the chart attached to this report show a great savings, and it also shows a substantial reduction in performance. The current services offered by the City of Clearlake are mostly dog-oriented. Larger or exotic animals are handled by the County. Cats, most especially feral cats, are generally ignored. The largest problem in both Clearlake and all of Lake County is the feral cat explosion. Reductions in service will not solve this problem.

The original concept of an animal control facility in the City of Clearlake was a “seat of the pants” plan to balance the budget. The plan’s long term goal is for a modern, independent animal control facility dedicated to humane treatment of animals and equal to any city or county of its size.

Procedure:

Interviews were conducted by the Public Services Committee at the Clearlake Animal Control office located in the Clearlake City Hall and at the City Animal Control facility at the city maintenance yard on Old Hwy 53. Several documents were requested, received and reviewed to produce facts in this report. Many County documents were also reviewed for the comparison of facts.

Discussion and Facts:

1. The Public Services Committee first toured the Clearlake shelter on September 13, 2010 and observed six dog pens and 20 cat cages with one dog pen unusable. Animal population at that time was four dogs and three cats. The facility currently has one paid staff person and one part-time volunteer to assist with shelter duties.
2. During the Public Services Committee’s second tour of the shelter on

December 2, 2010, it was learned that Clearlake Animal Control picked up 406 dogs and cats for the calendar year-to-date. 91 were transferred to the Lake County Animal Care and Control (LCACC) facility at an initial charge of \$71 per animal paid for by the City of Clearlake, and 315 were sent to foster homes or other rescue shelters.

3. The current City of Clearlake Animal Control shelter shares a corrugated metal building with city equipment at the city maintenance yards on Old Hwy 53 in the City of Clearlake.
4. Several cages for dogs and cats are arranged on a cement floor for ease of cleaning. A cleaning disinfectant used is called Kennelsol and is effective against most animal diseases. The pens are cleaned and sanitized daily by pressure hose.
5. The exercise area is blacktop to facilitate cleaning and disinfecting. The exercise area is also cleaned and sanitized to prevent the spread of diseases.
6. Plans have been approved for a new floor under the cages that will be elevated and sloped to provide for better drainage and cleanliness. Although Clearlake's Department of Public Works had planned on completion of this elevated floor improvement by winter of 2010, no work was started as of December 2, 2010.
7. A study done by Stanford University's Department of Environmental Health concluded that feral cats pose no health threat to humans. Feral cats also pose no threat to bird or other wild life populations. Feral cats' diets generally consist of garbage, carrion and vegetation.
8. Animal rescue groups are heavily involved in assisting with picking up and spaying and neutering feral cats when requested. One local rescue group makes cages available with a \$10 returnable deposit.
9. Working in conjunction with this local animal rescue group, the CCAC Shelter has 27 foster homes available to house cats or dogs until they are adopted or sent to other placement shelters.
10. During the fiscal year ended June 30, 2009, LCACC picked up 1,502 assorted animals in the City of Clearlake. In a similar time period, January 2010 to November 2010, Clearlake Animal Control picked up 406 assorted animals. This represents a drop in animal services to the City of Clearlake of 73%.
11. Plans for a new and modern animal control facility to greatly improve and expand animal control service have been submitted by Clearlake Animal Control for budget approval.
12. Clearlake Animal Control activity has included the issuance of 730 animal licenses from November 2009 to November 2010. January 2010 to November 2010 statistics include: 45 animal bite citations issued with 10 additional cases investigated for possible animal bites, 91 notices of

violation issued for possible animal neglect which resulted in 59 citations being issued, and 109 reports written regarding overall daily activities.

13. Committee research of documentation shows that spaying and neutering occur much less frequently than euthanasia. Lake County's euthanasia rate is higher than nearby counties', the State's, and the Nation's. Several populous counties in the state have begun to look into and institute Trap/Neuter/Release programs. The results of these programs have been shown to reduce feral cat populations and reduce euthanasia overall.
14. The current average cost of spaying or neutering a dog or cat in Lake County is \$116. In Sonoma County, the average is \$92; in Napa County, it is \$62.50.

The following examples illustrate how the cost of euthanasia of animals can escalate beyond the cost of spaying and neutering, which is a static figure less than the cost of euthanasia:

Example (a):

"Fido" is taken from CCAC to the Lake County Animal Shelter as a stray. At the time of arrival, the shelter charges the City of Clearlake \$43 for the intake, which includes one initial day of care. The dog is then held for two additional days (required by law) at a cost of \$9 a day. After that, if the shelter has not adopted the dog out, it will euthanize the animal at a cost of \$33. This totals \$94 for the impoundment and euthanasia of the animal that CCAC pays to LCACC.

Example (b):

If an animal bites a human and needs to be held for ten days in bite quarantine (required by law), Lake County Animal Care and Control (LCACC) will charge \$43 at the time of transfer for intake and one day of care. The animal must be held for nine additional days at a cost of \$9 per day. In addition, the shelter charges a quarantine fee of \$50. If the animal is euthanized after being held for a ten day holding period, an additional charge of \$33 is required. This totals \$207 for the impoundment and euthanasia of the animal paid by the City of Clearlake.

Example (c):

If an animal is impounded because of a violation and the owner is identified, it must be held for ten days (required by law). LCACC will charge \$43 at the time of the transfer for the intake and one day of care. The animal will then be held for nine more days at a cost of \$9 per day. If after ten days the animal is not redeemed by its owner and it is determined to be unadoptable, it will then be euthanized at a cost of \$33. This totals \$157 the City of Clearlake pays for the impoundment and euthanasia of the animal.

15. Because of the costs cited by CCAC, very few cats are included in Clearlake Animal Control services.
16. The attached Appendix A shows animal control expenses for the City of Clearlake from Fiscal Year 2007-2008 and Fiscal Year 2010-2011.

Findings:

- F 1. The facility is well maintained and clean, but it appears to be a temporary facility.
- F 2. The cleaning and disinfecting of all areas habited by the animals was found to be adequate.
- F 3. A new tilted floor under the pens and cages is already funded and is to be in place this winter. This is for better drainage during cleaning.
- F 4. If CCAC continues to operate at the same level of staffing (one Animal Control Officer), building a new facility will not remedy Clearlake's animal control problems.
- F 5. The number of animals picked up while the City of Clearlake still had its contract with LCACC declined substantially from the number it picked up after the formation of this facility, and can be directly attributed to "understaffing." The concept of a city animal control facility independent of the County is a long-term project requiring increased financing in the future.
- F 6. CCAC receives assistance from many private animal care organizations with low or no cost services and supplies. These organizations also contribute many volunteer hours and provide temporary homes for animals in the process of being adopted.
- F 7. Current plans include making improvements to the temporary CCAC facility. Long range plans are to build a modern animal control facility adequately staffed to perform required duties.
- F 8. Basically operating as a one man operation, the shelter excels in licensing, issuing citations, and reporting. The number of animals picked up is the main reduction in service.
- F 9. Trap/Neuter/Release programs have been proven to reduce feral cat populations and thus reduce high euthanasia numbers. Several large and small counties in the state have reported the same result.
- F 10. Spaying and neutering animals is less costly than euthanasia.
- F 11. Utilizing the significant savings the City of Clearlake has achieved by starting its own fledgling animal control facility, it could seriously consider advancing toward its ultimate goal of a permanent modern facility. Staying within budgetary constraints, the city could move the facility beyond its temporary status (Appendix A).

Recommendations:

- R 1. Utilize the significant savings achieved by the City of Clearlake Animal Control when it cancelled its contract with LCACC to construct its own adequate animal control facility (F4).
- R 2. Increase personnel to offset the 73% discrepancy in animal intake and services which has resulted from the City of Clearlake cancelling its contract with LCACC. (F8)
- R 3. The City of Clearlake has such a high rate of euthanasia, a low cost spay/neuter and Trap/Neuter/Release program be incorporated into the future of animal control (F9, F10).

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- Clearlake City Council (90 days)
- City of Clearlake Animal Control Officer via Clearlake City Council (90 days)

Appendix A

Schedule of Costs to the City of Clearlake

Item	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11
Revenue				
Animal License Fees	5,205	5,205	8,275	8,300
Total Revenue	5,389,031	4,291,030	3,775,113	3,766,300
Expenses				
Personnel, supplies, etc.	0	0	61,222	72,483
County Agreement	0	0	90,172	20,000
License Reimbursements	0	0	2,669	3,000
Contract Services	207,320	200,724	0	0
Capital Improvements	0	0	4,791	0
Total Expense	207,320	200,724	158,854	95,483

East Lake/West Lake Resource Conservation Districts (RCD)

Summary:

How many folks in Lake County know what an RCD is let alone what it does?

Background:

Resource Conservation Districts (RCDs) are local agencies that provide leadership and technical assistance to promote conservation of Lake County's soil, water and related resources. RCDs are sub-divisions of the State, formed under Division 9 of the California Public Resources Code. RCDs were originally formed in the 1930s in order to inform farmers about conservation practices so that a catastrophe similar to the "Dust Bowl" in the mid-west would not be experienced here in Lake County. RCD funding comes from various state and federal grants, fundraising, Special District Funds, and local property taxes.

The East Lake Resource Conservation District was formed by the consolidation of the Middletown RCD and the Lower Lake RCD on March 21, 1961. The East Lake District includes approximately 351,000 acres located in the southernmost part of Lake County. The district's resource issues include water quantity and quality, stream-bank erosion, fire safety, land use, control of nonnative weeds and natural resource stewardship.

The West Lake Conservation District was formed by the consolidation of the Scotts Valley RCD, the Upper Lake RCD and the Big Valley RCD on January 6, 1960. The original three districts were formed in the 40's and 50's. This district includes approximately 497,960 acres located in the northwest part of Lake County.

The mission of East Lake/West Lake RCDs is to assist land managers and educate the public in order to maintain and enhance the health and stewardship of our soil, water, and related resources through conservation strategies and technical assistance. Preserving the natural state of Lake County creeks and streams against nonnative plant life is a tedious, but necessary, chore.

Although both districts are overseen by a separate volunteer five-member board of directors and president, they are both administered by a district staff of four consisting of a district director, project coordinator, secretary/bookkeeper and a watershed management supervisor.

Procedure:

In April 2011, the Public Services Committee met with the Eastlake/Westlake Resource Conservation District Director, who is also the watershed coordinator. The meeting included a slideshow overview of the many responsibilities and challenges

that are faced by the districts as they strive to protect our environment by conserving our soil and water resources here in Lake County.

Discussion and Facts:

1. The East Lake/West Lake Conservation Districts are two of 103 resource conservation districts currently in California. The East Lake District is comprised of 350,000 acres, and the West Lake District is comprised of 497,960 acres.
2. The districts are governed by the California Public Resources Code under Division 9, and are supported mainly by grants written by the Director. State, federal, Indian and private grants help to fund the Districts.
3. The East Lake District is responsible for the following four watersheds: Upper Cache Creek, Upper Eel, Upper Puta, and Thurston watersheds. West Lake District covers Scotts Valley, Upper Lake and Big Valley.
4. The Districts staff of four employees manages surveys, easements, and all grants. It also works with other agencies in order to achieve its goals. The Districts utilize a Resource Coordinating Committee to work with other private watershed groups. Both the Coordinating Committee and the watershed groups are staffed on an all-volunteer basis.
5. Watershed management and creek bed management are necessary to the health of Clear Lake and require the eradication of nonnative plant life. These nonnative invasive species can clog the creeks and restrict the water flow, thus affecting the annual migration of the Clear Lake Hitch. This species of fish, which is so necessary to the health of the lake, is possibly in danger of extinction.
6. Clear Lake is an old and natural lake that depends on an unrestricted flow of natural watersheds via creeks and natural terrain. Unfortunately, this unrestricted flow has been impaired by Verbena, which is a hardy Pampas or Plume grass. This decorative plant is used in landscaping, but threatens to clog the creeks and other watershed within the County and must be monitored and removed.
7. East Lake and West Lake RCDs work with and assist local fire departments and Cal-Fire in fuel load management reduction by bringing in grazing animals and assisting in controlled burning.
8. East Lake and West Lake RCDs are basically supported through State, Federal, Indian, and private grants and donations although they receive some matching funds from the Lake County Board of Supervisors general fund.
9. The Director is continually writing grant applications, most of which are written on the Director's own time, as the Director receives no overtime pay or benefits for time in excess of a 40-hour work week.

10. The RCDs accept donations and grants from many sources to accomplish its goals. The RCDs may acquire land by purchase, lease contract, or donation.
11. The Districts' long range plans for Lake County include: water conservation for the next 100 years, water quality and quantity oversight, enhancement of wildlife, improvement of watershed education, and control of and stabilization of stream banks.
12. The RCDs assist landowners and land managers to organize and implement combustible fuel load reduction programs. Combustible fuel load is the annual brush growth and forest debris which can be fuel for fires in the dry season. RCDs also support and promote all efforts of the Lake County Weed Management Area.
13. The Districts promote educational programs to increase volunteer participation between landowners and conservation agencies to benefit the watershed within the Districts.
14. The Director also participates in the Total Maximum Daily Load stakeholder process, which measures levels of mercury and nutrients in Clear Lake.
15. The Districts give an annual public presentation summarizing the achievements of their various programs and projects. This way the Conservation Districts maintain a positive working relationship with all the Lake County Watershed Groups.
16. To summarize, the Districts' functions include the following:
 - Debris removal from, clean-up and restoration of streams and watersheds.
 - Fuel load management and removal of invasive plants by controlled burning and herd grazing utilizing all types of grazing animals.
 - Invasive weed control by encouraging desirable native plant species, seed head collections, and propagation.
 - Balancing of land uses and revitalization of habitats.

Findings:

- F1. The Public Services Committee has learned that Resource Conservation Districts began in the 1930s as a national movement, and that RCDs in California are governed by state law.
- F2. The Director of Eastlake/Westlake works with myriad conservation groups and numerous California counties to insure the health of Clear Lake and Lake County to plan far into the future.
- F3. The Director of both RCDs educates and informs the public of plans for the next 100 years through slide shows and frequent press releases.

- F4. Due to the minimal amount of money contributed from the Lake County general fund, the Director must work diligently writing grants and seeking additional funds from the Board of Supervisors.

Recommendations:

- R1 The Board of Supervisors consider increasing funding for these Districts.
(F4)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- East Lake Conservation District via District Board of Directors (90 days)
- West Lake Conservation District via District Board of Directors (90 days)
- Board of Supervisors (90 days)

Lake County Animal Care and Control Oversight

**We're not asking for perfection,
just a step in the right direction.**

Summary:

Can a rural county provide humane animal care and services in the current economy? Of the 58 counties in California, Lake County has the highest euthanasia rates, which are four times higher than the California State average.¹ After an extensive investigation involving all animal agencies, both public and private, throughout Lake County, the Public Services Committee has found that a shelter medicine and sterilization program here in Lake County is the solution to lowering our disproportionately high animal euthanasia numbers.

Background:

The Public Services Committee conducted an oversight of Lake County Animal Care and Control (LCACC), whose facility is located at 4949 Helbush Drive in Lakeport, California. This report covers the scope of responsibilities of LCACC, as well as other animal shelter and placement facilities throughout the County. This report also explains the reasons for the county's large euthanasia numbers and addresses the County's feral cat problem.

The new LCACC facility was completed in April of 2008. The new building is modern and comfortably air-conditioned. The committee toured the facility starting with the grooming and treatment room. Here the animals are brought in for assessment, bathing and treatment of various maladies. Then the committee visited the laundry room that also serves as a feed and storage room.

The last stop in the main building was the cat room. Next, the committee toured the second building where dogs are housed. The committee then proceeded to the area behind the main building where there is a large fenced dog run, three double horse corrals and two spacious chicken coups. There is also a large freezer where dead animals are stored before cremation and the incinerator where dead animals are cremated.

Procedure:

On two separate occasions in August 2010, the Lake County Grand Jury's Public Services Committee conducted an oversight of LCACC. Committee members were given a thorough tour of the facility and interviewed several staff members. The committee also reviewed requested documents. On the second visit, the committee interviewed the Deputy Director who is presently the acting Director. The committee

¹ www.Saveourdogs.net.

also attended two meetings of the Lake County Animal Advisory Board, which is appointed by and directly advises the Board of Supervisors (the BOS) about county animal issues and concerns.

Discussion and facts:

1. The national average for animal shelter euthanasia is 12.5 animals per 1000 citizen population per annum. The average in Contra Costa County is 6.36. In Sonoma County, the average is 2.76. In all of California, Lake County comes in dead last at 44.5 animals euthanized per 1000 population.²
2. The average cost of a spay/neuter procedure in Napa County is \$62.50. In Sonoma County, the average cost for the same procedure is \$92.00. In Lake County, the average cost for a spay/neuter procedure is \$116.00. Lake County has the highest spay/neuter cost of these counties with the lowest per capita income of its citizens.
3. 2032 unadoptable cats were euthanized by LCACC in 2009/2010 (See Animal Intake Disposition attached). Euthanasia and disposal of animals is conducted in the early morning hours before LCACC is open to the public.
4. LCACC can refuse to euthanize an animal brought in by an owner, especially if the animal is healthy. However, LCACC cannot refuse to take in strays.
5. LCACC will trap colonies of feral cats at citizen request in all areas of the county outside the City of Clearlake. This is the only time that LCACC will actively pursue feral cats.
6. It is unlawful for any person to intentionally provide food and water or other forms of sustenance to a feral cat colony without obtaining a Feral Cat Colony Permit from Lake County. One female feral cat and its offspring can produce 422,000 feral cats in a seven-year period.³ (There was an incident in which 62 feral cats were recovered from one Lake County household in 2008.)
7. LCACC is not responsible for removing dead animals from roadways. Lake County Public Works Department is responsible for picking up any dead animals at no charge on county roads only. Lake Disposal, Lake County Waste Solutions or South Lake Refuge is responsible for removal of the carcass on the right-of-way of a county road. County agencies do not provide pick-ups on private property.
8. LCACC's business hours are 8:00 AM to 5:00 PM Monday through Friday and 1:00 PM to 3:00PM on Saturday. The telephone hours coincide with Monday through Friday's business hours. LCACC can be accessed through the county website www.co.lake.ca.us.

² Testimony in front of Animal Advisory Board given December 7, 2010 by an expert on shelter medicine.

³ Testimony by LCACC director.

9. LCACC's annual budget for fiscal year 2010/2011 is \$658,000 and reflects \$28,000 in cuts. These cuts resulted in the loss of two Animal Control Officers and two Office Assistant positions. One of the vacant staff office positions has recently been filled. However, according to the Acting Director, the loss of staff has negatively impacted LCACC's ability to keep its website of adoptable animals current.
10. There are six full time employees including the Director. However, the Director has been on extended leave for approximately nine months.
11. All Office Assistants are part time employees. In addition to office personnel, there are seven 900-hour part time employees. Twenty volunteers are responsible for the walking and training of the dogs. Minimum-security inmates from the county jail are utilized in the cage cleaning process and the feeding of the animals.
12. Employees receive three months mandatory training during a probation period. The position of Animal Control Officer I must have some experience in the handling of large and small animals. Animal Control Officer II must have at least one year of experience in the handling of large and small animals. Animal Officer III is required to have at least three years of experience.
13. There are 42 pens available to house dogs; 34 pens are used to house healthy dogs and eight pens are used for dogs that need to be kept in isolation for a variety of reasons.
14. There are 36 cages for adoptable cats with half the cages in use at any one time. The staff transfers cats to clean cages while the remaining cages are cleaned and disinfected.
15. There is a separate feral cat room that contains 34 cages to house cats needing isolation.
16. Prior to June of 2009, domestic pets turned into LCACC were immediately available for adoption without a quarantine period. This resulted in a high disease rate in animals at the shelter. Since June of 2009, all domestic animals brought to the facility are isolated for at least three days. Each and every animal is cleared by staff before being put up for adoption.
17. According to Lake County Ordinance Section 4-7, all dogs and cats must be spay/neutered before adoption. The only exceptions to this ordinance include dogs designated for breeding, animals not old enough to withstand the procedure, and animals that are adopted by out of county residents. Out of county residents adopting an animal are charged an additional deposit, which is returned upon proof of spay/neutering. Pet owners who do not follow this ordinance are subject to a \$425 fine for each animal.
18. The Board of Supervisors allocated \$8,000 this year in the form of vouchers for LCACC to give to low income citizens of Lake County to help defray the costs of spay/neutering of their pets.

19. LCACC's Phase I Plan was the completion of the new state-of-the-art facility. LCACC's Phase II Plan A is to have the shelter's own on-site shelter medicine and sterilization program. LCACC already has a fund of \$54,000 that was donated by generous Lake County residents for this very purpose.
20. There are several non-profit organizations located throughout Lake County which through various fund raisers and garage sales, provide services such as low cost/ no cost spay/neuter, help pay vet bills, provide supplies for animals owners that find themselves in a temporary financial bind or on a low – fixed income. They also supply cages for trapping feral cats. Most of these organizations are staffed by volunteers and receive no funding from the county.
21. There are two other animal shelters located in Lake County. There is a private SPCA located in Kelseyville and a city-run shelter located in the City of Clearlake.
22. LCACC provides full services throughout Lake County except for the City of Clearlake, which opted to take over the animal control responsibilities in the City of Clearlake in November of 2009. Now limited contracted shelter services up to the amount of \$20,000/year are provided to the city of Clearlake by LCACC. Prior to canceling their contract with LCACC, the City of Clearlake led the county in animal intake and requests for services. The bulk of these services rendered had to do with the disposition of feral cats (see the attached Animal Intake by Area Chart and Request for Services Chart).
23. Personal pet cremation services are available at the LCACC facility. These services range from \$30.00 for a ten-pound pet up to \$85.00 for an over 120 pound pet. Senior citizens 60 and over pay a reduced fee to have their pets cremated
24. County Ordinance Section 4-6 requires that all dogs must be licensed annually. Pet owners who do not license their dogs are subject to a \$120 fine. The county licensing fee for each dog is \$10 per year. The committee was told that funds are lost to LCACC because many Lake County residents are unaware that the licensing of dogs is an annual fee, not a one-time charge.
25. Citations are issued by Animal Control Officers for a variety of county ordinance violations concerning animal care. Citations are based upon citizen complaints and/or observations made by Animal Control Officers. Unless the complaint involves an at-risk animal, citations are usually issued after a courteous warning is given to the pet owner.

Findings:

- F 1. In the last nine months, LCACC has made tremendous progress in almost every area in which improvement was needed. Cooperation with local Veterinarians and other Animal Shelter groups throughout the county has

improved dramatically. Employee morale at the shelter is at an all time high and so is the administrative reputation.

- F 2. Euthanasia rates at LCACC have statistically been high due to the counties extremely large feral cat population (see animal intake/disposition chart). Interviews at LCACC and documented statistics indicate a serious problem of proliferation of feral cats in Lake County. Euthanasia or Trap-Neuter-Return (TNR) and shelter medicine programs are currently the only possible solutions to this problem.
- F 3. Once the shelter medicine/sterilization program envisioned by LCACC's Phase II Part A plan is realized and the shelter has its own on-site fully equipped clinic, Lake County could mirror Sonoma and Contra Costa County's astonishing reductions in euthanasia rates.
- F 4. The shelter medicine/sterilization program will have its own Veterinarian on staff for 20 hours per week. A Registered Veterinarian Technician will be on staff for 30 hours per week. This program will be self-supporting and will make it far more reasonable for Lake County residents to adopt shelter animals complete with licenses, vaccinations, microchips and sterilizations.
- F 5. As of this writing, the Director has been out on extended leave for approximately nine months, the Acting Director has comfortably taken on both job responsibilities. The Acting Director has created a professional atmosphere in which LCACC staff members are supported and encouraged toward a path of further education and team shared responsibilities. Staff reported morale has improved markedly over the last nine months.
- F 6. The practice of a three-day isolation period adopted in June of 2009 and stricter sanitation practices (i.e. cages pressure washed daily and barriers placed between adjacent cages) resulted in the facility's disease rate decreasing dramatically.
- F 7. LCACC's weekend hours are not sufficient to accommodate the public. Their website is not updated frequently enough with current pictures of animals available for adoption. Their on-line statistics referencing their euthanasia rates are misleading. It shows a euthanasia rate of 14%, when in reality the rate when all types of euthanization are calculated is closer to 63% for all animals taken into custody (see intake chart attached).
- F 8. In 2010, LCACC began hosting its own rabies vaccination clinics twice annually so that the public can purchase at-cost rabies shots. Last year, only 43% of all biting animals in Lake County had been vaccinated with the rabies vaccine.
- F 9. Public education about LCACC's services and animals available for adoption is improving. They have recently begun putting pictures in the paper about animals available for adoption. They have also developed and presented a slide show to educate students about the importance of spaying/neutering their pets.

Recommendations:

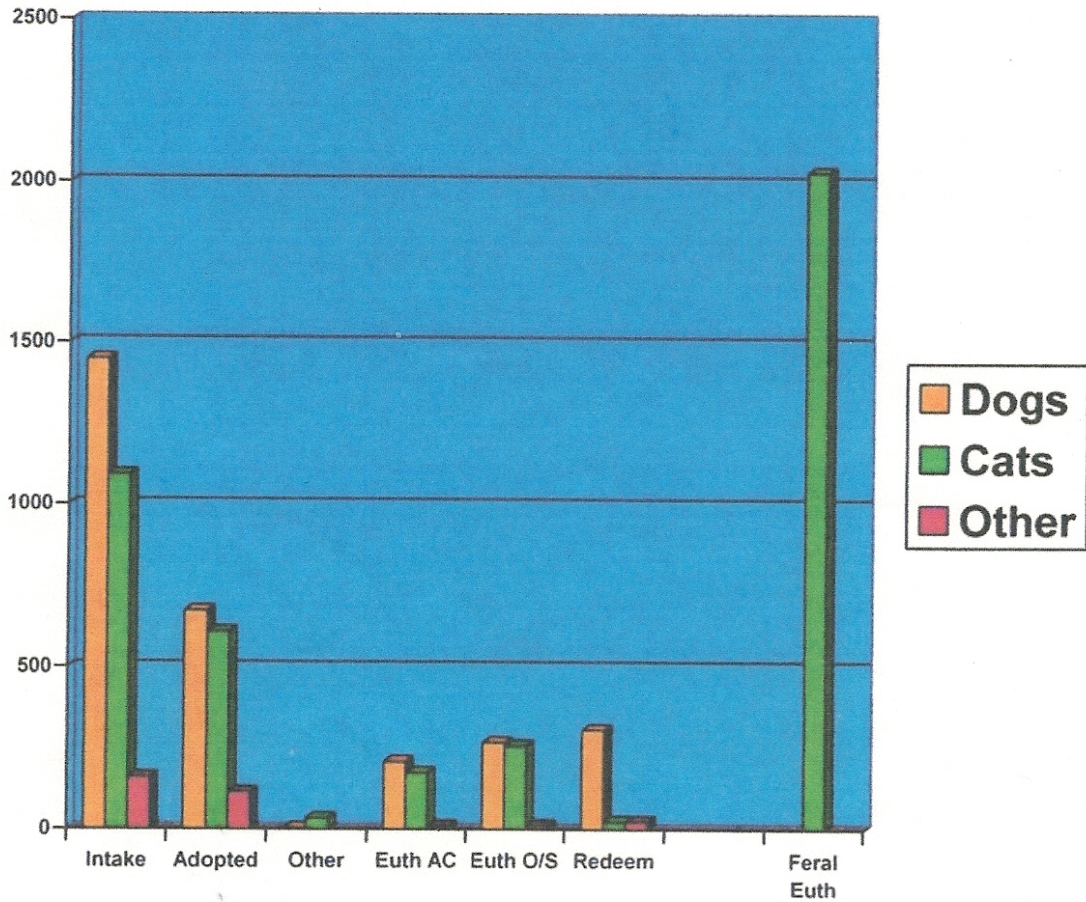
- R 1. The Board of Supervisors bring the concept of shelter medicine at LCACC to fruition. (F3)
- R 2. LCACC expand Saturday hours at the shelter. (F7)
- R 3. LCACC engage in more education programs and promote more public awareness, especially by utilizing local media and public service announcements. (F9)
- R 4. LCACC update its website with current pictures of animals available for adoption and adjust on-line statistics to accurately reflect their euthanasia rates. (F7)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Animal Care and Control via Board of Supervisors (90 days)
- Board of Supervisors (90 days)

Animal Intake/Disposition 09/10

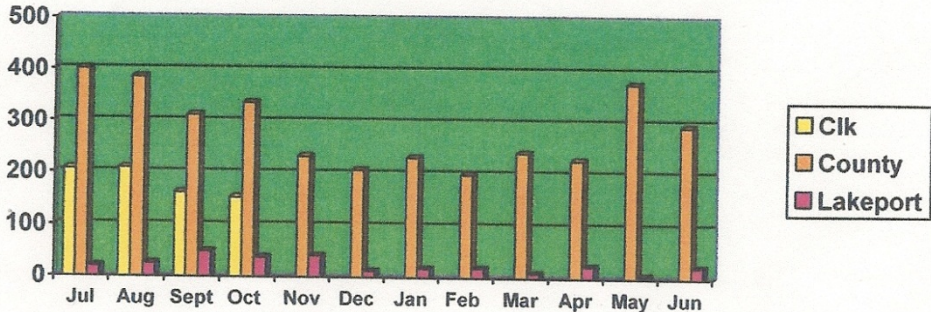


Intake =	2701		

Adopted/Transferred	1395	(673 dogs/610 cats/112 other)	52%
Euthanized			
by AC	387	(205 dogs/172 cats/10 other)	14%
by Owner Surrender	533	(265 dogs/256 cats/12 other)	20%
Redeemed	350	(304 dogs/23 cat/23 other)	13%
Other	36		1%
 Disposition =	 2701		

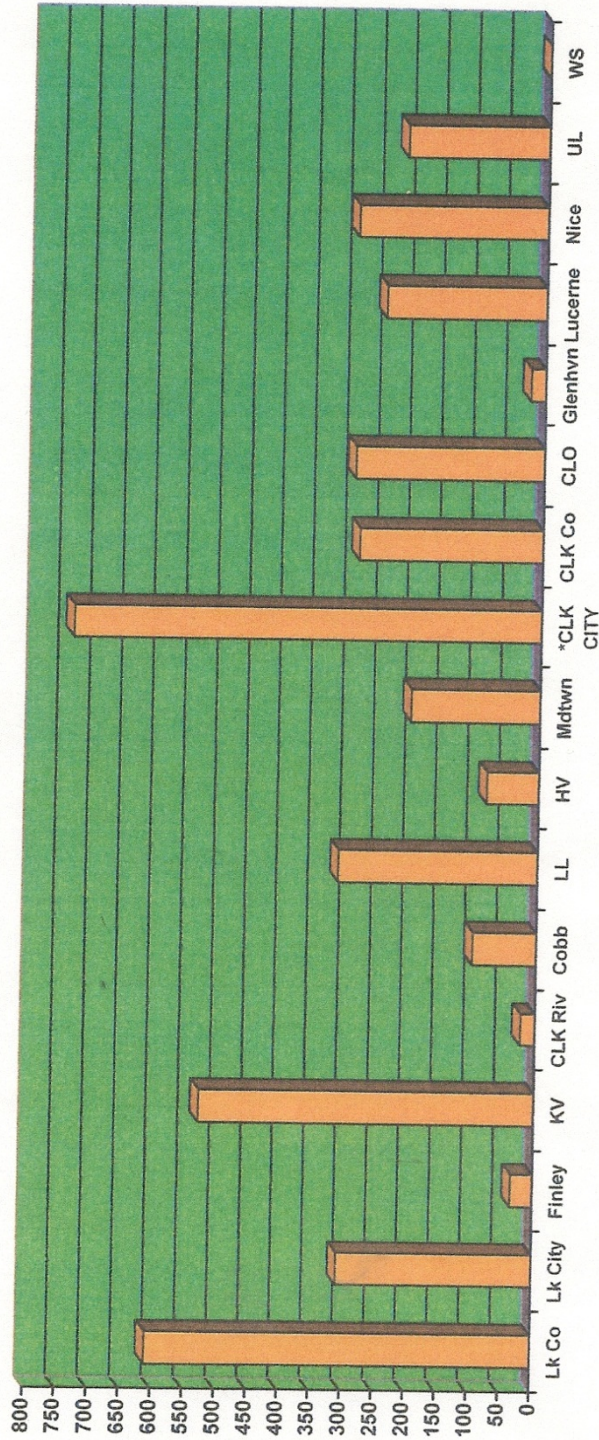
(Note: 2,032 unadoptable cats were euthanized: feral/sick/injured)

Animal Intake By Jurisdiction 09/10



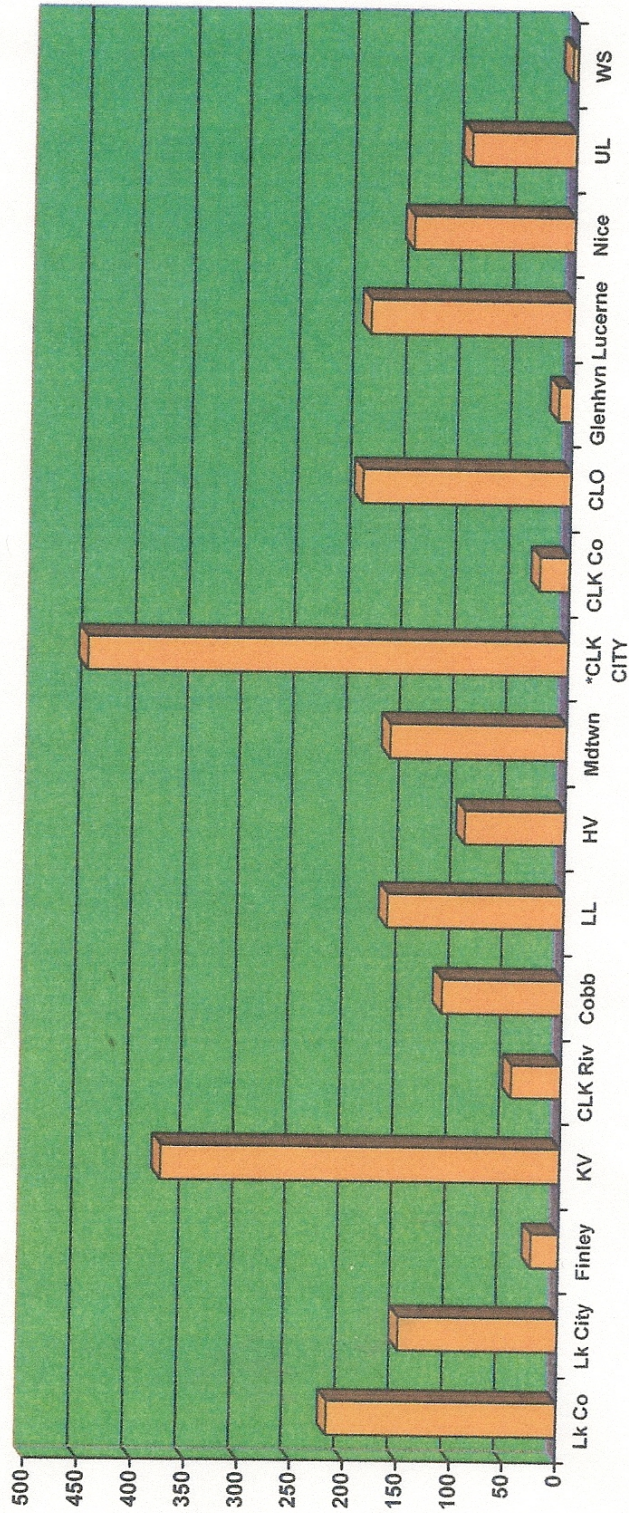
***Service was only provided to the City of Clearlake through October of '09'**

Animal Intake by Area 09/10



*Service was only provided to Clearlake City through October 2009

Requests for Service by Area 09/10



*Service was only provided to Clearlake City through October 2009

Lake County Public Service Department Oversight

Question: How many hats can a department head wear?

Hint: The hat rack is overflowing.

Summary:

The Public Services Director has dedicated 30 years to improving County facilities and services, while working with other agencies and other outside funding sources to enhance the overall appearance of Lake County. The efficiency of the Public Services Department is no accident. It is the result of the Director's oversight, planning, foresight, and years of dedication.

Background:

In 1981, Lake County had fourteen parks. At the time of the writing of this report, the number of parks has grown to twenty-two, and the count is still rising. The Public Services Department is currently responsible for four separate divisions: Building and Grounds Division, Museum Division, Parks and Recreation Division, and Integrated Waste Management Division. Although each division has its own budget unit, the Public Services Department located at 333 Second Street, Lakeport, California, administers the four divisions.

The phrase "wears many hats" is descriptive of how a single department touches multiple aspects of Lake County life. The Building and Grounds Division maintains, remodels, and repairs County buildings and grounds with an agenda for the future. The Parks and Recreation Division maintains existing parks and builds new parks and recreation facilities around the lake. The Museum Division preserves the history of Lake County. The integrated public and private sectors of Waste Management maintain, collect, recycle, and process disposables with planning well into the future.

Procedure:

The Public Services Committee met at the County of Lake Public Services Department in Lakeport in March of 2011 to conduct an interview with the Public Services Director who has served continuously since 1981.

Discussion and Facts:

1. The Public Services Department has a myriad of responsibilities. It renovates, cares for, and cleans county buildings; it develops cultural locales such as libraries and museums; and it constructs, landscapes, and maintains hiking trails and roads in County parks and other County properties.

2. The four divisions of the Public Services Department are Building and Grounds, Parks and Recreation, Museum, and Integrated Waste Management.
3. The primary source of funding for the Public Services Department budget unit is County General Fund discretionary revenues.
4. The Public Services Department also generates revenue from leasing courthouse roof space to cellular service providers.
5. A significant increase in grant funding by the California Energy Commission for fiscal year 2010-2011 has funded projects for energy conservation in County facilities.
6. The Public Services Department will also be responsible for the \$300,000 renovation of the two elevators located in the courthouse which will be largely funded by a United States Department of Agriculture grant and the California State Court system.
7. The communication site on Mt. Konocti will generate \$100,000/year for antennae rentals. The Mt. Konocti Park improvements will be funded by a total of \$112,000 realized from existing and prior communication tower lease revenues.
8. The Public Services Department is in the process of constructing a new park in the Clearlake Riviera which will be built around the 1888 historical Ely Stage Stop building. The five-acre park will include a visitors' center and a farm equipment museum, and is scheduled to open this summer (2011).
9. Recent and future projects include: Nylander Park, Lucerne Creek Park, Hinman Park improvements, Clark's Island covered bridge, Ely Stage Stop remodel, Saderlund Park landscaping remodel, Lucerne Castle remodel, Upper Lake shop remodel, Clearlake Riviera Park construction, Middletown park construction, Lucerne Alpine Park expansion, Grand Jury building improvements, and Mt. Konocti Park day-use facilities.
10. The Parks and Recreation Division is responsible for the daily operation and maintenance of all parks in unincorporated areas.
11. The Integrated Waste Management program is fully self-supporting, funded by user fees and state grants. Due to the downturn in the economy, revenues are down. In order to generate more revenue, the Public Services Department is considering allowing Mendocino County to use Lake County's landfill facility for a fee. The other option under consideration is a 4% increase in user fees.
12. The *Reduce, Reuse & Recycle Handbook*, which educates County residents on recycling questions from A to Z, is available at the Lake County Public Services Department.
13. The current County land fill will last until 2022, and has the potential for expansion until the year 2060.

14. Illegal dumping is occurring throughout Lake County in spite of the fact that there is free drop off at South Lake Refuse & Recycling and Lake County Waste Solutions for most items.
15. Curbside pickup can be arranged for most bulky items by calling 994-8613 or 234-6400. A \$10 fee is charged for appliances.

Findings:

- F1. The Public Services Department has constructed and maintains miles of rock walls designed to mimic the WPA rock walls constructed in the 1930's.
- F2. The Public Services Director is often denied public grants because Proposition 84, which was passed by the voters in 2008, allocates funds on a per capita basis. Therefore, Lake County and other rural counties often do not qualify for added funding.
- F3. The Public Services Director has had 27 meetings to receive public input for the future Mt. Konocti Park. An advisory board including local Native Americans has been formed in order to be sensitive to Native spiritual concerns. There will be a fifty-car parking lot and a locked gate which will be opened for day-hiker use only. The present plan is not to allow dogs in the park and to allow equestrian use by permit only.
- F4. Recent projects in the County include the purchase of and repairs to the recently acquired Lucerne Castle. The Public Services Department has collaborated on the planning of the new mental health building, which has been designed to look like a castle, extending the castle motif.
- F5. Vandalism has been on the rise in Lake County parks and facilities. Although the County often tries to get restitution or establish alternative work programs for captured offenders, committee members were informed that work programs often end up being ineffective.
- F6. The Public Services Director stated that the Sheriff's Department is increasing patrol activities around parks in order to combat this vandalism.
- F7. Based on recommendations of the 2009/2010 Grand Jury, the Public Services Department is installing soap dispensers and hand blow dryers in County park restrooms. Unless County residents treat these new facility improvements with respect, the Public Services Director is not optimistic about their longevity. According to the Director, the park rest rooms are cleaned at least twice every day. In spite of this, the Director still receives complaints about unsanitary conditions in public restrooms.
- F8. The Public Services Director stated that previously illegal dumping was not aggressively prosecuted. The Public Services Director expressed optimism that Lake County Code Section 9-5.2, which states that illegal dumping is punishable by a fine or thirty days in jail, will be aggressively enforced by the Sheriff's Department and the Office of the Lake County District Attorney.

Recommendations:

- R1. Establish a telephone hotline number to be posted in County parks for citizens to report witnessed acts of vandalism and other illegal activities. (F5)
- R2. The office of the District Attorney, the Sheriff's Office and Code Enforcement work together to enforce Lake County Code Section 9-5.2. (F8)

Request for Responses:

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- County Sheriff (60 days)
- District Attorney (60 days)
- Public Services Department via Board of Supervisors (90 days)
- Community Development Department, Code Enforcement Division via Board of Supervisors (90 days)

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**Lake County Grand Jury
5250 Second Street
Kelseyville, CA 95451**

Contact information:

Telephone 707-279-8619

Fax 707-279-1983

To obtain complaint forms online:

<http://www.co.lake.ca.us/Residents/Law/complaints.htm>