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Butte County
Superior Court
SEP 18 2009
Sharol Strickland Clerk
By K. Mattenas Deputy
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September 15, 2009

Honorable James F. Reilley, Presiding Judge
Butte County Superior Court
One Court Street
Oroville, CA 95965

RE: Board of Supervisors' Response to the 2008-2009 Butte County Grand Jury Final Report

The Butte County Board of Supervisors would like to thank the members of the Grand Jury for many hours spent in researching, investigating, and making recommendations for improvements in government operations that benefit the citizens and taxpayers of Butte County.

In accordance with Penal Code Sections 933 and 933.05, the Board submits the following agency response to the findings and recommendations of the 2008-2009 Grand Jury Final Report pertaining to matters under its control. A response from the Board is additionally provided where the Grand Jury has requested a response to budgetary or personnel matters of a county department that is headed by an elected official. In such cases, the Board's response addresses only those budgetary or personnel matters over which it has some decision-making authority.

Appointed department heads were requested to submit responses to the Chief Administrative Officer for attachment to the overall agency response included herein. You will find the various departmental responses located in Appendix A of this agency response. Responses provided to the Chief Administrative Officer by elected Department Heads have also been included as Appendix B. The Board of Supervisors' response below is organized by major heading in the same order as listed in the 2008-2009 Grand Jury Report.

BUTTE COUNTY AIR QUALITY MANAGEMENT DISTRICT

Grand Jury Findings

F1. The City of Chico is considering a ban on non EPA certified burning devices, with some exceptions.

F2. The ability of the District to conform to Ambient Air Quality Standards will be diminished unless new sources of funding are found.

F3. Butte County does not currently meet the federal air quality standard for particulates, due to wood burning devices used in the winter.

F4. Butte County does not meet the federal standard for ozone during the summer months. Butte County cannot reduce ozone that is created in another jurisdiction.

F5. The District appears to be well managed by a professional and dedicated staff.

The respondent is neither agrees nor disagrees with these findings. Even though the Butte County Board of Supervisors was requested to respond, the recommendations are directed at the Butte County Air Quality District, which is an independent governmental entity.

However, it should be noted that all five members of the Butte County Board of Supervisors sit on the governing board of the Butte County Air Quality District. In its response, the district agrees with all findings in this section except for F1. The district neither agrees nor disagrees with F1 and states that it is not aware that the City of Chico is considering a ban on non-EPA certified devices under its own authority.

Grand Jury Recommendations

R1. The District should continue to pursue all possible sources of funding to finance incentives to upgrade wood burning devices.

R2. The District should continue to educate the public and encourage the voluntary conversion of ineffective wood burning devices to EPA certified models.

The respondent is unable to comment on these recommendations. Even though the Butte County Board of Supervisors was requested to respond, the recommendations are directed at the Butte County Air Quality District, which is an independent governmental entity.

However, it should be noted that all five members of the Butte County Board of Supervisors sit on the governing board of the Butte County Air Quality District. In its response, the district agrees with the recommendations and reports that it is currently working to implement them.

AUDITOR-CONTROLLER'S OFFICE

Grand Jury Findings

F1. A portion of workload scheduled to be transferred from the A-C's Office to the CFO's Office has not yet occurred.

The respondent agrees with the finding. Due to the budget constraints and elimination of finance staff, some duties of the Auditor Controller's Office have not been moved to the CFO's Office.

F2. The Butte County A-C's Office appears to have a positive work environment.

The respondent neither agrees nor disagrees with the finding. The Board of Supervisors is not involved in the daily operations of the Auditor-Controller's Office. The Auditor-Controller is an elected official with a great deal of autonomy concerning the performance of his duties.

However, the Board has been deeply involved in the reorganization of the Auditor-Controller's Office and other County departments immediately after the release of the 2005-06 Grand Jury report. At the request of a previous grand jury, the Board held a public hearing on March 27, 2007 to discuss the conduct and practices of the Auditor-Controller's Office and to review options to improve the finance functions performed by various County departments. At the public hearing, the Board created the Finance Management Options Committee comprised of two Board members and asked them to recommend ways to improve both accountability and transparency of County finance functions. After months of studying various options, the committee recommended to the full Board the creation a Finance & Risk Management Division in the Administrative Office and the transfer various functions of the Auditor-Controllers' Office to the Administrative Office and the Human Resources Department.

Since the reorganization of various finance functions, it appears that some improvements have been made to the work environment of the Auditor-Controller's Office. It also appears that there is room for additional improvements.

F3. Currently, there appears to be a lack of cross training in the A-C's Office.

The respondent neither agrees nor disagrees with the finding. The Board of Supervisors is not involved in the daily operations of the Auditor-Controller's Office. The Auditor-Controller is an elected official with a great deal of autonomy concerning the performance of his duties.

F4. The division Procedural Manuals are outdated.

The respondent neither agrees nor disagrees with the finding. The Board of

Supervisors is not involved in the daily operations of the Auditor-Controller's Office. The Auditor-Controller is an elected official with a great deal of autonomy concerning the performance of his duties.

F5. There are no individual desk Procedural Manuals.

The respondent neither agrees nor disagrees with the finding. The Board of Supervisors is not involved in the daily operations of the Auditor-Controller's Office. The Auditor-Controller is an elected official with a great deal of autonomy concerning the performance of his duties.

Grand Jury Recommendations

R1. The A-C and the CFO should jointly develop a specific plan for resolving the issues regarding the workload not transferred from the A-C's Office to the CFO's Office.

The recommendation has not yet been implemented but will be implemented in the future. Due to budget constraints, it may take two or three years for some duties to completely transfer to the CFO's Office. Meanwhile, staff from the CFO, Auditor-Controller, and Treasurer/Tax Collector's Office will continue to work closely to ensure that all the finance duties are properly performed.

R2. Continue to incorporate "team building" activities to foster the positive work environment.

The respondent is unable to comment on this recommendation since it is directed to the Auditor-Controller, an elected official.

R3. Develop a continual cross training program and implementation schedule.

The respondent is unable to comment on this recommendation since it is directed to the Auditor-Controller, an elected official.

R4. Update the division Procedural Manuals.

The respondent is unable to comment on this recommendation since it is directed to the Auditor-Controller, an elected official.

R5. Create and publish individual desk Procedural Manuals.

The respondent is unable to comment on this recommendation since it is directed to the Auditor-Controller, an elected official.

BEHAVIORAL HEALTH DEPARTMENT

Grand Jury Findings

F1. There is no plan in place to hire a permanent Director who will reorganize and stabilize BCDBH.

The respondent disagrees with the finding. The Board intends to find a permanent director of the department in the near future. The Interim Director, meanwhile, has done an admirable job of reorganizing and stabilizing the department.

F2. There is no Medical Director in BCDBH for the overall management of medical/ clinical staff, nor a spokesperson to advocate for the medical/clinical staff in administrative decision making.

The respondent partially disagrees with the finding. The respondent agrees that the Medical Director position is currently vacant. However, it should be noted that the position was recently approved by the Board of Supervisors, and the Department of Human Resources is currently developing the position classification. The recruitment for the position will follow as soon as the classification is created.

The respondent disagrees that there is not a spokesperson to advocate for the medical/clinical staff in administrative decision making. A representative of the medical staff was a member of weekly executive management meetings until accepting a position with another agency. Medical staff is invited to participate in the weekly meetings but instead two psychiatrists meet regularly with the Assistant Director for Client Services. The Interim Director also meets regularly with members of the medical staff.

F3. There is a lack of a transparent, financial, and statistical data reporting system.

The respondent disagrees with the finding. The department provides information to the public as permitted by privacy laws. Moreover, the department has conducted several public presentations on budget, service utilization and mental health financing in the past year in an effort to keep the public informed.

It should be noted that the department is currently implementing a new information system with billing and clinical workstation software. During the transition to the new system, there are delays in information availability while report generation is being developed and tested. However, staff continue to work to make financial and statistical information available to meet the department's reporting and management needs along with their other duties. In some cases there have been delays in lower priority information requests in order for priority projects to be completed. Reporting capability will be enhanced when the new information system is fully implemented.

F4. There is a lack of productive communication, trust, and cooperation within the various divisions that comprise BCDBH.

The respondent disagrees with the finding. All organizations can improve communication, trust and cooperation. The respondent acknowledges that the Interim Director has worked continuously to improve communication, trust, and cooperation in the department since he was hired.

F5. There is a lack of effective leadership, due to lack of leadership training.

The respondent disagrees with the finding. The interim director has provided effective leadership to the department.

F6. There is a lack of monitoring and administering of the increased number of contracts.

The respondent disagrees with the finding. All contracts are monitored by assigned staff. Assigned staff provide service authorizations, documentation review, training and monitor mental health services contracts. Service providers are included in monthly quality management chart reviews and undergo regular fiscal monitoring, as well as annual cost report reviews. Annual program and service audits conducted by the State regularly include contract providers, as do State fiscal audits.

F7. Productivity levels appear lower than the standard in some areas of BCDBH.

The respondent agrees with the finding.

F8. There is a lack of contracted residential facilities for youth in crisis in Butte County.

The respondent disagrees with the finding. In response to the need for residential facilities for youth in Butte County, a request for proposals was issued. As a result, a local youth residential facility opened in January 2009. The program is still in the implementation phase.

F9. There is a lack of contracted residential facilities for adults in crisis in Butte County.

The respondent disagrees with the finding. In response to the need for residential facilities for adults in Butte County, a request for proposals was issued. As a result, a local adult residential facility opened in April 2009. The program is still in the implementation phase.

F10. There has been a lack of local partnering with a hospital or facility that can hospitalize and treat patients locally. Meetings are being held to foster partnerships.

The respondent disagrees with the finding. The department has held meetings with the key local hospital and law enforcement in December 2008 and April 2009. The department has continued discussions with hospital leadership on

increasing acute bed capacity, addressing issues relating to medical emergency service and developing joint projects.

F11. There was a lack of a Systems Performance Evaluation Coordinator in the past. This position has just been assigned and is in the process of classification.

The respondent agrees with the finding.

F12. Overhead costs that were too high in relation to the budget have been reduced to qualify for state reimbursement.

The respondent agrees with the finding. The past service rate did exceed the Schedule of Maximum Allowed (SMA) rates. Over the past year, the department has reduced operating costs including the elimination of some management positions, which lowered the department rate to below the SMA. The State has since reduced the SMA in the current State budget. There will be continued focus on the SMA and containing cost that are within department control.

F13. The Grand Jury found the Butte County Board of Supervisors to be surprisingly uninformed, and un-involved in overseeing and monitoring the Department of Behavioral Health's fiscal affairs, structure of management, and administrative decisions made for the Department. When questioned they were unable to answer most of the Grand Jury's inquiries about the Department.

The respondent strongly disagrees with the finding. The Board of Supervisors is well informed on key issues of the department including fiscal affairs and structure of management. The Board has actively engaged the public and the department by calling for and participating in regular and detailed workshops to discuss key issues of the department. Moreover, the department presents policy issues at regular Board meetings wherein the Board makes informed decisions. Furthermore, a member of the Board of Supervisors sits on the Mental Health Advisory Board, consistently attends meetings, vigorously participates in the discussions, and regularly reports back to the full Board of Supervisors.

F14. The PHF was visited and found to be well staffed, extremely clean, and full to its sixteen bed capacity.

The respondent agrees with the finding.

F15. The Crisis Stabilization Unit is now fully staffed 24-7 and is in compliance with state mandates as of March 7, 2009.

The respondent agrees with the finding. The respondent agrees that the Crisis Stabilization Unit is now fully staffed and operational. However, the department was never out of compliance with State mandates as a result of staffing issues.

F16. Caseload ratios in the clinics and counseling centers need to be studied and adjusted accordingly.

The respondent agrees with the finding. The department will continue to study caseload ratios as programs and staffing change over time.

F17. Representative Payee Program was slated to be discontinued but following protest from medical and clinical staff, the program is presently fully maintained. Grant monies that supported the program in the past have now been diverted to a homeless program. The Representative Payee Program is currently being supported by realignment funds.

The respondent disagrees with the finding. As part of the mid-year budget reduction, the department planned on using an alternative payee service model but it proved unsatisfactory. There were some positive adjustments within the Representative Payee Program that promoted self-reliance for the client who wanted to be independent of the County managing their income. Grant funds continue to partially support this program, with the balance of the funding coming from realignment.

F18. The outside audit report done in August-September, 2008 has not been received to date.

The respondent partially disagrees with the finding. The respondent agrees that the outside finance report has not been received. However, the report has not been completed. While a portion of the report has been completed, additional reviews will take place from September through November, which will include the implementation of the new information system. The full report is expected by December 2009.

Grand Jury Recommendations

R1. The Board of Supervisors needs to prioritize recruitment for a Permanent Director of BCDBH with the medical staff and Behavioral Health Board strongly involved in the process of interviewing every single applicant.

The recommendation has not been implemented but will be partially implemented in the future. It is anticipated that the recruitment for a permanent director will be completed by the end of the fiscal year. It should be noted that the Board is closely involved in every department head recruitment. However, the Board does not and should not interview every single applicant; some candidates do not meet the minimum qualifications, and the Board does not interview them. Rather, the Board interviews those candidates who are best qualified for the position.

R2. A Medical Director should be actively recruited. The cost of doing so could be offset by reimbursement through Medi-Cal billing for direct services and billing for administrative claim-for-management time. It is recommended that the Medical Director see patients a percentage of his/her workday, as well as represent and direct the medical and clinical staff.

The recommendation has not been implemented but will be implemented in the future. It is anticipated that the recruitment for the Medical Director will be completed by November 2009. The Medical Director will see patients as part of his/her duty. The Medical Director will also fill a crucial role as a member of the Department executive management team working closely with the Department Director, Assistant Directors, Compliance Officer, Mental Health Services Act Coordinator, Systems Performance Evaluation Coordinator and others in the Department.

R3. BCDBH should follow government transparency guidelines. Financial reporting and data should be understandable and readily accessible upon request. The at-a-glance, "Dashboard Report," currently in development, should be implemented as soon as possible to provide on-demand information.

A portion of the recommendation has been implemented, and another portion of the recommendation will be implemented in the future. The department has and will continue to follow all federal and state laws as well as County policies in releasing data unless restricted by privacy laws. Behavioral Health financing is complex and some standard reports require special knowledge to understand or interpret. In order to expand the knowledge base, fiscal staff provides ongoing mental health financing training to program managers and supervisors and at Behavioral Health Board meetings. Evaluations staff provide information regarding service or client data. It is anticipated the Dashboard Report will be completed in September 2009.

R4. Communication, cooperation, and trust need to be fostered by administration.

The recommendation has been implemented. Under the leadership of the interim director, the department has focused on effective communication and better understanding of Department responsibilities, roles and processes.

R5. HR should provide appropriate leadership training to promote effective leaders within BCDBH.

The recommendation has not been but will be implemented in the future. The Butte County Human Resources Department has been providing appropriate training to all new and existing supervisors. The County intends to implement a more comprehensive "leadership academy" in the future. However, due to budget constraints, it may be three or more years before the Human Resources Department can fully implement the leadership academy.

R6. A plan and process for monitoring contracts should be developed.

The recommendation has been implemented.

R7. Productivity levels need to be established and enforced. Qualified medical and clinical supervisors should interface with patients a percentage of the time.

A portion of the recommendation will be implemented in the future, and another portion of the recommendation will not be implemented. Currently, productivity levels are being reviewed by a team of line staff, supervisors and managers. This team will make recommendations for adjustments to productivity standards no later than November 30, 2009 and will assist with implementation, including accountability. This will be an on-going effort.

The recommendation to set a quota for patient interface for clinical supervisors will not be implemented as it is not warranted. Managers and supervisors will continue to provide backup services as necessary.

R8. Additional residential facilities that meet state mandated requirements and licensing qualifications should be encouraged for the purpose of treating and housing youth locally. This would be advantageous to the families involved and save the County a great deal of money.

The recommendation has been partially implemented. A local youth residential facility opened in January 2009. The program is still in the implementation phase.

R9. Additional residential facilities that meet state mandate requirements and licensing qualifications should be developed for treating and housing adults needing long-term placement locally, again saving out-of-county costs.

The recommendation has been partially implemented. A local adult residential facility opened in April 2009. The program is still in the implementation phase.

R10. Partnerships with local hospitals in the County need to be developed for the collaborative treatment and care of severely mentally ill patients.

This recommendation has been partially implemented. As mentioned earlier, the department has been working with local hospitals and will continue to work with them.

R11. The classification process and position allocation for the Systems Performance Evaluation Coordinator should be completed and accepted by the Board of Supervisors as soon as possible.

The recommendation has not been implemented but will be implemented in the future. It is anticipated that the Systems Performance Evaluation Coordinator position will approved by the Board of Supervisors by September 30, 2009.

R12. Overhead operating costs should continue to be monitored and kept at or below the state requirement level of fifteen percent to qualify for state reimbursement.

The recommendation will not be implemented because it is not warranted. There is no State requirement limiting overhead operating costs for direct service centers to fifteen percent, nor is it feasible to do so. The administrative Medi-Cal claim, which is sometimes confused with overhead operating costs, is limited to fifteen percent of total Medi-Cal service billings. The administrative claim includes fiscal, personnel, technology and similar support services and County overhead charges.

R13. The Board of Supervisors should become more regularly informed and more involved with the fiscal affairs and administrative structure of BCDBH.

The recommendation has been implemented. The Board of Supervisors is well informed on key issues of the department including fiscal affairs and structure of management. The Board has actively engaged the public and the department by calling for and participating in regular and detailed workshops to discuss key issues of the department. Moreover, the department presents policy issues at regular Board meetings wherein the Board makes informed decisions. Furthermore, a member of the Board of Supervisors sits on the Mental Health Advisory Board, consistently attends meetings, vigorously participates in the discussions, and regularly reports back to the full Board of Supervisors.

R14. The Psychiatric Health Facility should retain full coverage staffing in order to continue to operate at full capacity.

The recommendation has been implemented.

R15. The Crisis Stabilization Unit should retain full coverage staffing in order to continue to operate at full capacity.

The recommendation has been implemented.

R16. Clinics and counseling center's caseload ratios should be studied and reassessed.

The recommendation has been implemented.

R17. The Representative Payee Program should be continued in its full capacity and should not be outsourced.

The recommendation has been implemented.

R18. The Board of Supervisors should pursue receipt of the outside audit done in August-September, 2008.

The recommendation has not been implemented but will be implemented in the future. It is anticipated that the final report related to the fiscal review of the Department will be completed in December 2009 and presented to the Board sometime thereafter.

BUTTE COUNTY JAIL

Grand Jury Findings

F1. The west facility received an equipment update to make it a state of the art facility. One officer can control digital video recorders, open and close individual doors, and give commands and information to the inmates while they are in their cells.

The respondent agrees with the finding.

F2. The Sheriff is continuously looking for ways to reduce costs in the jail, and run the jail more efficiently. A contract has been awarded to the Sheriff's Department to house sentenced federal prisoners. Approximately $3.8 million could be realized from this contract, which goes to the County.

The respondent agrees with the finding and commends the Sheriff for his efforts to seek outside funding to preserve County services and staff.

F3. A video in English and Spanish, for the purpose of explaining rules, programs available, and what inmates can expect while incarcerated at Butte County Jail, is in the planning. A Spanish version of the Jail Handbook is planned as well.

The respondent neither agrees nor disagrees with the finding. The Board of Supervisors is not involved in the daily operations of the Sheriff's Office. The Sheriff is an elected official with a great deal of autonomy concerning the performance of his duties.

Grand Jury Recommendations

R1. The Sheriff and the Butte County Jail staff should continue to look for ways to improve housing of prisoners while making conditions safe for inmates and correctional officers.

The respondent is unable to comment on this recommendation since it is directed to the Sheriff, an elected official.

R2. A video informing the newly booked inmates of the programs available to them should be produced, and the Jail Handbook should be published. A Spanish version of both is recommended.

The respondent is unable to comment on this recommendation since it is directed to the Sheriff, an elected official.

BUTTE COUNTY JUVENILE HALL

Grand Jury Findings

F1. The average number of wards housed in three pods is fifty five.

The respondent partially agrees with the finding. Since January of 2009, the total average daily population for the combined three Juvenile Hall pods has been approximately fifty.

F2. Table Mountain School allows students to continue to progress academically, so they can mainstream back into public school upon their release.

The respondent agrees with the finding.

F3. The Boys and Girls Club offers juveniles a place to go where they can participate in building life skills, exercise, music, and games. Entry to the "Club" is earned by good behavior.

The respondent agrees with the finding.

F4. Foster Grandparents provide role models for the youth, offering a non-authoritarian ear to talk to.

The respondent agrees with the finding.

Grand Jury Recommendations

R1. Adequate funding should be made available to maintain the existing three pods.

The recommendation has been implemented. Adequate funding has been provided to the Probation Department for fiscal 2009-10 to operate three pods of the Juvenile Hall.

R2. TMS classrooms should remain fully functioning in each of the three existing pods.

The respondent is unable to comment on this recommendation since it is directed to the Table Mountain Schools, a separate governmental entity. However, it is the understanding of the respondent that TMS classrooms will remain fully functioning in three Juvenile Hall pods.

R3. The Boys and Girls Club should remain in operation at JH.

The respondent is unable to comment on this recommendation since it is directed to the Boys and Girls Club, a separate non-profit entity. However, it is the understanding of the respondent that the Boys and Girls Club will remain in operation at the Juvenile Hall.

R4. The Foster Grandparent Program and other after-school and evening activities provided by community groups should continue.

The recommendation has been implemented. The department will continue to work with volunteers to provide this valuable service.

CLERK RECORDER/REGISTRAR OF VOTERS

Grand Jury Findings

F1. County records and historical document restoration is an ongoing process.

The respondent agrees with the finding.

F2. Ballot counting machines have to be individually hand fed, which is a slow and tedious process.

The respondent agrees with the finding.

F3. Two additional facilities must be leased in order to accommodate the volume of machines and paperwork, as the current main facility is not large enough to house all of the components for an election.

The respondent agrees with the finding.

F4. Returning to paper ballots costs the County approximately $35,000 in the 2008 election (Appendix B).

The respondent agrees with the finding.

Grand Jury Recommendations

R1. Restoration of historical documents should be continued to preserve the history of Butte County.

The respondent is unable to comment on this recommendation since it is directed to the Clerk-Recorder, an elected official.

R2. Purchase updated counting machines for paper ballots as they become certified by the State of California.

The recommendation will be implemented in the future. Due to budget constraints, it may take three or more years to purchase additional counting machines.

R3. All election materials and County records should be consolidated at a single facility to affect cost savings.

The recommendation will be implemented if feasible and when sufficient funding is available.

GENERAL PLAN 2030

Grand Jury Findings

F1. The draft General Plan 2030 does not adequately address all fire and safety issues in the foothill areas of Butte County.

The respondent disagrees with the finding. By definition, a general plan is a policy of acceptable land use in a jurisdiction. While certain aspects of public safety are addressed in a general plan, it cannot and does not address **ALL** fire and safety issues. Nonetheless, the General Plan 2030, which is still in the process of being developed, addresses many fire issues as they pertain to land use.

F2. At present, there is only one major evacuation route south from the Upper Ridge and no viable routes north. There is a need for an additional evacuation route from Magalia and Paradise. The upgrade of Forest Road 171, classified as a recreational access road, is not fully funded, and even after completion, will not be sufficient as an evacuation route.

The respondent partially disagrees with the finding. The respondent agrees that there is only one major evacuation route south from the Upper Ridge and no viable routes north. However, it is premature to assume that Forest Road 171 cannot function as a viable evacuation route in the future. The County is actively seeking funding to complete the upgrade of Forest Road 171 and make it a viable evacuation road.

F3. Skyway from Paradise to Chico could be upgraded and used in specific situations as an evacuation route.

The respondent disagrees with the finding. Skyway between Paradise and Chico is a divided four-lane highway that can already be used as an evacuation route in most cases.

F4. With the exception of Skyway, evacuation routes do not have adequate shoulders for temporarily parking disabled vehicles.

The respondent disagrees with the finding. Clark Road is also a viable evacuation route and does have several turnouts for disabled vehicles. However, the terrain along Clark Road does not allow for adequate shoulders along the entire length of Clark Road.

F5. An Emergency Evacuation Plan has been developed for the Upper Ridge (Magalia and Paradise Pines) only.

The respondent disagrees with the finding. An emergency evacuation plan has been developed for most areas prone to wild fires. Specifically, the Town of

Paradise has developed an emergency evacuation plan for its residents. Additionally, fire safe councils within Butte County have developed and continue to refine evacuation plans for many communities in Butte County.

F6. The development of new housing in fire-prone areas of the foothills is ongoing.

The respondent partially disagrees with the finding. For clarification, "development of new housing" needs to be distinguished between building homes on existing parcels and the development of new subdivisions.

The respondent agrees that building permits have been issued in the foothills. However, it should be noted that building permits for new homes have been issued in all areas of the County on **existing** parcels. Building permits are considered to be ministerial actions. In other words, if a proposed residence meets all of the requirements under Butte County Code (including fire requirements), the permit is required to be issued.

Subdivision applications are discretionary. In other word, Butte County has the discretion to either approve or deny the request for new subdivisions. These applications are reviewed by a number of agencies including the Butte County Fire Department for consistency with local and state requirements. Based on the information provided by applicants, the Department of Development Services makes a recommendation of approval or denial to the Planning Commission. The Planning Commission considers all evidence and renders a decision. Planning Commission decisions can be appealed to the Board of Supervisors for a final determination.

F7. Butte County does not have a County Fire Code Ordinance specific to Butte County conditions.

The respondent agrees with the finding. However, Butte County complies with all applicable State fire codes.

F8. During the recent wildfires, information on the County Emergency Broadcast System was often several hours old. Therefore, it did not provide timely information about the evacuation and fire status and locations.

The respondent disagrees with the finding. Butte County did not activate the Emergency Broadcast System during the 2008 summer fires. Instead, the County provided timely information about the evacuation and fire status by working closely with the local media, putting the information on the County website, staffing the call center that was available to public inquiries 24/7, and providing information officers and printed materials in affected areas.

F9. Adequate funding is not in place for foothill evacuation routes. There is currently a movement toward development of a Benefit Assessment District to include the areas of Paradise, the Upper Ridge, Concow, and Centerville.

The respondent partially disagrees with the finding that adequate funding is not in place for foothill evacuation routes. The respondent acknowledges a movement toward development of a Benefit Assessment District to include the areas of Paradise and the Upper Ridge. However, the area does not include Concow and may not extend to Centerville. It should be noted that such a movement was not initiated by the respondent.

F10. Fire safety information, about emergency evacuation routes and fire preparedness, is not reaching the public for whom it was intended.

The respondent disagrees with the finding. Emergency evacuation routes for many areas within Butte County are available through two sources; Butte County Fire Safe Council website and on display at the many Disaster Preparedness Workshops that are held throughout the year by several of the emergency/disaster response agencies. On several occasions, the Butte County Fire Safe Council has mailed maps and preparedness information to local residents in fire prone areas. Additionally, with the support of local media large newspaper inserts with preparedness information has been supplied to the public. The County will continue to reach out to the public on fire preparedness.

Grand Jury Recommendations

R1. BCGP2030 needs to address emergency evacuation routes and fire preparedness for the foothill areas of Butte County.

The recommendation has not been implemented but will be implemented in the future. The issue of emergency evacuations and fire preparedness for the foothill areas of Butte County are currently being considered under Butte County General Plan 2030.

R2. Review the limitations of Forest Road 171 such as traffic speeds, volume of cars, and fire prone area and consider other feasible evacuation routes. Additional roads for evacuation of the Upper Ridge, such as Doe Mill Road, should be investigated.

The recommendation has been implemented. The Butte County Public Works Department, working with the Butte County Association of Governments (BCAG), reviewed the proposed Forest Highway 171 route and improvements. In addition, BCAG completed a study in 1994 entitled, *Feasibility Study of State Route 191 Extension in Butte County*, which evaluated alternate emergency routes from the upper ridge, including Doe Mill–Garland route. The study determined that the Doe Mill-Garland Road route, if developed to standards, would provide improved emergency access to the Upper Ridge.

R3. Consider immediate modification of Skyway, from Paradise to Chico, as an emergency evacuation route, by removing trees and brush and creating fire barriers on both sides of the road.

The recommendation has been partially implemented. The County removed many of the dead and dying trees and brush within the Skyway right of way after the summer 2008 fires. The Public Works Department will continue removing hazardous trees and brush as resources are available.

R4. BCGP2030 should address how to handle disabled vehicles on emergency evacuation routes and the use of both traffic lanes for evacuation.

The recommendation will not be implemented because it is not reasonable. As stated previously, a general plan is a policy of acceptable land use in a jurisdiction; it does not provide procedures on how to handle disabled vehicles in emergency evacuation routes. Butte County and its partners have a plan on how to handle disabled vehicles in the future as allowed by road conditions.

R5. Address the need for creation of Emergency Evacuation Plans for all high-risk fire areas in the Butte County foothills.

The recommendation has been implemented. The Upper Ridge Evacuation Plan has been finalized. For smaller communities with lower population densities, developing formalized plans may not be the best option. Since wildfire locations cannot be predicted, wildfire event specific evacuation plans are challenging to develop, especially for large areas with low population densities. After the 2008 Summer Wildfires, Emergency Evacuation templates have been developed for each community region which includes sections concerning Decision Points, Evacuation Locations and type of evacuation, Incident Command Information and Comments Section. The templates provide a simple and basic framework for emergency response personnel to develop an evacuation plan and are easily distributed to other emergency officials. Information for the public would then be disseminated through the various information channels.

R6. Put a moratorium on all multi-home development in fire prone areas until all fire safety, traffic, and emergency water supply issues are resolved.

The recommendation will not be implemented because it is not reasonable. It should be noted that recent changes to Building Codes require fire resistive materials for new homes, and the Butte County Fire Department requires fire sprinklers in most home construction. Additionally, all building permit applications are reviewed by the Butte County Fire Department prior to issuance of a permit. These include proper construction and fire clearance around the structure and driveway standards. Subdivisions are reviewed under the fire safe regulations for maximum cul-de-sac length and are subject to environmental review.

R7. The Butte County Board of Supervisors should request and implement a County Fire Code Ordinance specifically designed for the Butte County foothill's environment.

The recommendation will not be implemented because it is not warranted. Butte County already complies with the State fire code.

R8. In cases of emergency, the County Emergency Broadcast System should update information frequently, with specific, current information about evacuation recommendations, location and status of the emergency, and the forecast of future actions.

The recommendation will be implemented in the future as necessary. As mentioned earlier, the County provided timely information about the evacuation and fire status by working closely with the local media, putting the information on the County website, staffing the call center that was available to public inquiries 24/7, and providing information officers and printed materials in affected areas.

As necessary, the County will use the Emergency Broadcasting System in the future.

R9. The Board of Supervisors should encourage the formation of a Benefit Assessment District on the Ridge.

The recommendation will not be implemented at this time because it is not reasonable. Much more information needs to be provided before the respondent can take a position on such a proposal.

R10. Consider inserting, in the local phone directory or property assessments, information about emergency travel routes and public assembly points, as shown in Appendix C.

The recommendation will not be implemented because it is not reasonable. The cost of inserting information in the local phone directory is prohibitive, especially in difficult economic times. Such information will continue to be made available on the County website, fire safe council websites, and at various community events.

GENERAL RESERVES

Grand Jury Findings

F1. During the period 1999-2008, Butte County tax and interest revenue increased from $38-75 million totaling about $480 million for the period.

The respondent agrees with the finding.

F2. During years of increasing revenue, Butte County did not create a General Reserve (Rainy Day Fund).

The respondent agrees with the finding.

F3. In the FY 2008/2009 annual budget the County has a small Contingency. The Contingency is not adequate to handle the severe reduction in revenue.

The respondent agrees with the finding.

F4. Butte County is entering a period, which may extend several years, of reduced revenue.

The respondent agrees with the finding.

F5. As a result of not having a General Reserve, Butte County will need to make drastic reductions in staffing, equipment, and levels of services for several years.

The respondent agrees with the finding.

Grand Jury Recommendations

R1. The 2008/2009 Grand Jury recommends that Butte County immediately establish, adopt, and implement a policy, with a specific formula, to develop a General Reserve. This would be implemented when Butte County revenues exceed an indicator, such as the Consumer Price Index, or equivalent.

The recommendation has not yet been implemented but will be implemented in the future. The Chief Administrative Officer will draft a reserve policy and present it to the Board of Supervisors for consideration no later than January 31, 2010.

GENERAL SERVICES/CONTRACTS DIVISION

Grand Jury Findings

F1. The Department Director and the Contracts Manager are acutely aware of the overwhelming need to rewrite the outdated Contracts/Purchasing Policy and Procedure Manual, for the purpose of centralizing information, creating easier access, saving time, and most importantly, saving revenue for the County.

The respondent agrees with the finding.

F2. There is a lack of standardization and consistency in the County's contract language.

The respondent agrees with the finding. However, it should be noted that some variation in contact language is inevitable due to the wide range of services provided by the County.

F3. There is a lack of electronic transmission, approval, management and tracking of contracts.

The respondent agrees with the finding.

F4. The DGS is not always involved before contracts are issued by individual departments.

The respondent agrees with the finding.

F5. There is an immediate need for the Manual to be completed and approved by the Board of Supervisors.

The respondent agrees with the finding.

F6. There is no timeline for approval at each step in the ratification of a contract. Presently, it takes four to six weeks for contract approval.

The respondent partially agrees with the finding. The respondent agrees that there is no timeline for approval at each step in the approval of a contract. The respondent disagrees that it takes four to six weeks for contract approval. The majority of contacts, which are routine and do not required Board approval, take approximately two weeks. Contracts requiring Board approval or those requiring extensive modifications, take four to six weeks on average.

Grand Jury Recommendations

R1. A dedicated clerical position should be tasked with the compilation of the new contracts Manual.

The recommendation will not be implemented because it is not reasonable. All County departments are subject to funding reductions in a difficult economic climate. Over the past few months, the County has reduced 10% of its workforce.

R2. Develop standardized, write-protected, department-specific templates for use in the majority of contractual relationships, eliminating lengthy, individual document review.

The recommendation has not yet been implemented but will be implemented in the current fiscal year.

R3. An electronic processing program specific to expediting the contract process needs to be developed and implemented as soon as possible.

The recommendation will not be implemented because it is not reasonable. The County does not have adequate resources to implement an electronic processing program specific to expediting the contracts process.

R4. Each department seeking a contract for goods or services should work collaboratively with DGS, utilizing the aforementioned templates, and implementing a streamlined electronic contract process.

This recommendation has been partially implemented. The General Services Department collaborates with other County departments on many contracts involving large dollar amounts or that are highly complex. The new Manual will further clarify the need for collaboration based on the level of need.

R5. The new Manual should be reviewed and approved with any appropriate modifications by the Board of Supervisors as soon as completed.

The recommendation has not yet been implemented but will be implemented in the current fiscal year.

R6. Procedures should be established to enhance the expediency and efficiency of the contract approval process.

The recommendation has not yet been implemented but will be implemented in the current fiscal year.

HEALTH BENEFITS FOR BUTTE COUNTY EMPLOYEES

Grand Jury Findings

F1. When negotiating the recently expired bargaining unit MOUs, the County reviewed the compensation packages of twelve other counties. Some of the counties did not have comparable cost of living or socio-economic parameters.

The respondent agrees with the finding.

F2. As an incentive to save sick leave, the County offers three options for converting unused sick leave upon retirement. The rationale for offering incentives to save sick leave appears valid.

The respondent agrees with the finding.

F3. Under the nine recently expired bargaining unit MOUs, the County pays the full cost of medical insurance premiums for retirees who qualify for CalPERS retirement and have accumulated sick leave savings. During open enrollment, the retiree may elect to change to a higher benefit plan with the County paying the increased premium.

The respondent agrees mostly with the finding. The County offers three options for converting unused sick leave upon retirement as an incentive for saving sick leave. One option offered for six bargaining units is to convert one day of sick leave (8 hours) for one month of health insurance premium. Retirees who belonged

to these bargaining units may switch to a higher benefit plan during open enrollment as long as they have sufficient number of accumulated sick leave hours.

As a clarification, retirees who belonged to three other bargaining units have a different option than the one mentioned above. For these retirees, the County is required to calculate the value of the employee's unused sick leave based their accrual and credit the amount into the employee's health insurance "account." All health insurance premiums, including any future premium increases, are deducted from the account until the account is depleted. Upon depletion, retirees are notified that they are responsible for assuming payment of the premiums.

F4. In most cases, the medical insurance benefit exceeds the hourly rate paid to the employee prior to retirement. Medical insurance premiums for about 120 County retirees are currently costing the County nearly one million dollars per year. As medical premiums rise and more employees retire with accumulated sick leave, these costs will increase.

The respondent agrees with the finding.

F5. It is difficult for the County to predict or budget for retiree medical insurance premiums, due to the County's lack of control over insurance premium increases and employee decisions to retire.

The respondent agrees with the finding.

F6. The County is in the process of negotiating new agreements with the nine bargaining units, which provides an opportunity to renegotiate this benefit.

The respondent agrees with the finding.

Grand Jury Recommendations

R1. When comparing employee compensation packages, negotiate to replace counties such as Sacramento, Santa Cruz, Sonoma, Napa, with counties having comparable cost of living and socio-economic parameters to those of Butte County.

The recommendation has not yet been implemented but may be implemented in the future. Pursuant to State law, Butte County must negotiate with its bargaining units to set benefit levels. It is unclear when the County will conduct another classification and compensation study; it may be many years into the future.

R2. Continue to offer cash payments and length of service extension for unused sick leave, but negotiate to change the medical insurance premium benefit to a shared cost, similar to that formula used to determine the portion of the medical insurance premium paid by the County for employees prior to retirement. For example, in the new Bargaining Unit MOUs being negotiated, fix the County's monthly contribution for retiree medical insurance premiums and require the retiree to pay the remainder.

The recommendation has not yet been implemented but may be implemented in the future. Pursuant to State law, Butte County must negotiate with its bargaining units to set benefit levels. The County is currently in negotiations with all its bargaining units.

R3. For current retirees with vested retirement rights, continue to have the County pay the total cost of health insurance premiums. For future retirees, negotiate to modify the current practice which permits retirees to move to a higher plan at the County's expense. Negotiate to have the retiree pay the difference in premiums.

The recommendation has not yet been implemented but may be implemented in the future. Pursuant to State law, Butte County must negotiate with its bargaining units to set benefit levels. The County is currently in negotiations with all its bargaining units.

DEPARTMENT OF WEIGHTS AND MEASURES

Grand Jury Findings

F1. The Department is well managed by three dedicated, highly trained, and knowledgeable personnel. A cut in the budget would most likely require a cut in staff.

The respondent agrees with the finding.

F2. The Department is operating within its budget. The testing laboratory and equipment are well maintained. However, additional funding is required to purchase devices to check digital computerized gasoline fuel dispensers. The devices currently cost approximately $28,000.00 each.

The respondent agrees with the finding.

Grand Jury Recommendations

R1. It is strongly recommended that this Department be exempt from any personnel cuts.

The recommendation will not be implemented because it is not reasonable. All County departments are subject to cuts including staffing reductions in a difficult economic climate.

R2. It is strongly recommended that next year's budget include the funds necessary for the purchase of updated equipment.

The recommendation has not been implemented but may be implemented in the future. All budget requests will be considered based on the availability of funds. In a difficult economic climate, where there are dramatic cuts, equipment purchases should be considered in context with other priorities.

This concludes the overall County agency response to the Grand Jury findings and recommendations for fiscal year 2008-2009. Attached to this response are the individual responses prepared by department heads where Grand Jury findings and recommendations related to their areas of responsibility.

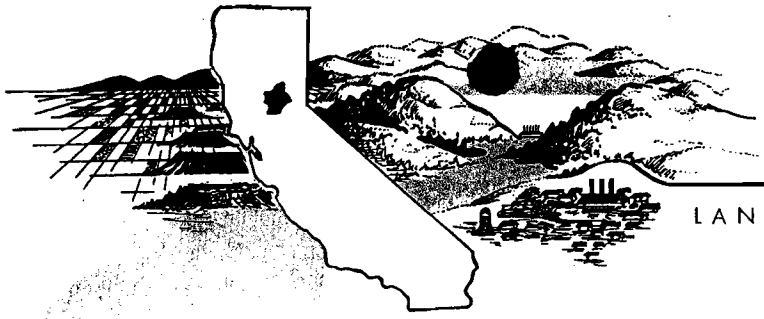
The Board of Supervisors appreciate the time, commitment and diligent efforts of each Grand Jury member in conducting research and analysis, attending meetings and interviews, and working to identify areas for improvement within government operations throughout our fine County.

Sincerely,

Bill Connelly

Bill Connelly, Chair
Butte County Board of Supervisors

APPENDIX A



Butte County

LAND OF NATURAL WEALTH AND BEAUTY

OFFICES OF AGRICULTURAL COMMISSIONER
WEIGHTS AND MEASURES
316 NELSON AVENUE • OROVILLE, CALIFORNIA 95965-3318
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RICHARD B. PRICE
Agricultural Commissioner
Director of Weights and Measures

MARY E. DANIELS
Assistant Agricultural Commissioner/
Weights and Measures

Date: July 21, 2009

To: Hon. James F. Reilly, Presiding Judge
c/o Court Administration
Superior Court of California, County of Butte
One Court Street, Oroville, CA 95965

From: Richard Price, Agricultural Commissioner
Director of Weights and Measures

Subject: Weights and Measures Department Response to 2008-09 Final Grand Jury Report Recommendations

Findings

F1. The Department is well managed by three dedicated, highly trained and knowledgeable personnel. A cut in the budget would most likely require a cut in staff.

The respondent agrees with the finding.

F2. The Department is operating within its budget. The testing laboratory and equipment are well maintained. However, additional funding is required to purchase devices to check digital computerized gasoline fuel dispensers. The devices currently cost approximately $28,000.00 each.

The respondent agrees with the finding.

Recommendations:

R1. It is strongly recommended that this Department be exempt from any personnel cut.

This recommendation will not be implemented because it is unreasonable.

All current and future departmental personnel staffing levels are subject to potential budgetary decisions made in response to state and county levels. This department is not exempt from those budgetary decisions.
At the time of this response, there are has been no budgetary recommendations to reduce the number of personnel conducting weights and measures activities in this department.

R2. It is strongly recommended that next year's budget include the funds necessary for the purchase of updated equipment.

This recommendation will not be implemented because it is unreasonable.

This department will make the request for updated equipment in next fiscal year's budget. However, future available funding for the purchase of equipment may severely reduced or unavailable in next year's budget. Historically, the county has provided funding to the department for updated equipment when funding has been available.

Department of Behavioral Health
Edward Walker, LCSW, Interim Director
Alcohol and Drug Administrator
107 Parmac Road, Suite 4, Chico, CA 95926
530/891-2850
Fax: 530/895-6549

July 24, 2009

Honorable Judge James F. Reilley
Superior Court of California
County of Butte
One Court Street
Oroville, CA 95965

RE: Grand Jury Response

Dear Honorable Judge Reilley:

This letter is in response to the findings and recommendations contained within the Grand Jury Final Report 2008-2009.

Findings

F1. There is no plan in place to hire a permanent Director who will reorganize and stabilize BCDBH.
The respondent neither agrees nor disagrees with this finding. It is outside the scope of responsibility of the Department. Only the Board of Supervisors can hire a permanent Director.

F2. *There is no Medical Director in BCDBH for the overall management of medical/ clinical staff, nor a spokesperson to advocate for the medical/clinical staff in administrative decision making.*
The respondent partially disagrees with this finding. The respondent agrees that the Medical Director position is currently vacant. However, it should be noted that the position of Medical Director was approved by the Board of Supervisors. The Department of Human Resources is developing the position classification. Recruitment for the position will follow as soon as the classification is created.

The respondent disagrees that there is no spokesperson to advocate for the medical/clinical staff in administrative decision making. Until a Medical Director is hired medical staff have ongoing representation in administrative decision making. A representative of the medical staff was a member of weekly executive management meetings until accepting a position with another agency. Medical staff is invited to participate in the weekly meetings but instead two psychiatrists meet regularly with the Assistant Director for Client Services. The Interim Director also meets regularly with members of the medical staff.

F3. *There is a lack of a transparent, financial, and statistical data reporting system.*
The respondent disagrees with this finding. The Department provides information to the public as permitted by privacy laws. Moreover, the Department has conducted several public presentations on budget, service utilization and mental health financing in the past year in an effort to keep the public informed.

It should be noted that the Department is currently implementing a new information system with billing and clinical workstation software. During the transition to the new system, there are delays in information availability while report generation is being developed and tested. However, staff continue to work to make financial and statistical information available to meet the Department's reporting and management needs along with their other duties. In some cases there have been delays in lower priority information requests in order for priority projects to be completed. Reporting capability will be enhanced when the new information system is fully implemented.

F4. *There is a lack of productive communication, trust, and cooperation within various divisions that comprise BCDBH.*
The respondent disagrees with this finding. The Department continuously works to improve communication, trust and cooperation within the various divisions that comprise BCDBH. Since April 2008, there has been focused emphasis on effective communication and better understanding of Department responsibilities, roles and processes. Three initial key principals have been adopted following a series of meeting with self-selected small groups of line staff and one group of supervisors: (1) staff involvement in problem identification and problem solving at the team and unit levels; (2) program services and administrative coordination at all levels on all projects at any scale; (3) major projects will have a tasked implementation team with delegated authority to act and will include substantive line staff involvement. Regular meetings are held at all levels. Leadership, program managers, supervisors, and center staff meet regularly to share information and coordinate more effectively. Department wide emails are also used as a tool for communicating within the Department.

F5. *There is a lack of effective leadership, due to lack of leadership training.*
The respondent disagrees with this finding.

F6. *There is a lack of monitoring and administering of the increased number of contracts.*
The respondent disagrees with this finding. All contracts are assigned a specific contract monitor who is responsible for overseeing the contract and reviewing and approving all claims. Specifically assigned staff provides service authorizations, documentation review, training and monitor mental health services contracts. Contract service providers are included in monthly quality management chart reviews and undergo regular fiscal monitoring, as well as annual cost report reviews. Annual program and service audits conducted by the State regularly include contract providers, as do State fiscal audits.

F7. *Productivity levels appear lower than the standard in some areas of BCDBH.*
The respondent agrees with this finding. The Department has formed a team of line staff, supervisors and managers to review Department productivity. The team has made some initial recommendations to address gaining better consistency across service units. Final recommendations from this team are expected during the current fiscal year for review and implementation by Department Leadership.

F8. *There is a lack of contracted residential facilities for youth in crisis in Butte County.*
The respondent disagrees with this finding. In response to the need for residential facilities for youth in Butte County a request for proposals was issued. A provider was selected and a local youth residential facility opened in January 2009. The program is still in the implementation phase. Additional development of this capacity will be informed by what is learned programmatically after it is fully implemented and after the greater service system has learned how to best use this new capability.

F9. *There is a lack of contracted residential facilities for adults in crisis in Butte County.*
The respondent disagrees with this finding. In response to the need for residential facilities for adults in Butte County a request for proposals was issued. A local adult residential facility opened in April 2009 and the program is currently being implemented. Additional development of this capacity will be informed by what is learned programmatically after it is fully implemented and after the greater service system has learned how to best use this new capability.

F10. *There has been a lack of local partnering with a hospital or facility that can hospitalize and treat patients locally. Meetings are being held to foster partnerships.*
The respondent disagrees with this finding. Meetings with the key local hospital and law enforcement were held in December 2008 and April 2009. Discussions with hospital leadership have continued. Talks have included increasing acute bed capacity, addressing some of issues at the medical emergency service, and developing joint projects.

F11. *There was a lack of a Systems Performance Evaluation Coordinator in past years. This position has just been assigned and is in the process of classification.*
The respondent agrees with this finding.

F12. *Overhead costs that were too high in relation to the budget have been reduced to qualify for state reimbursement.*
The respondent agrees with this finding. For clarification, there are two types of overhead costs: (1) County overhead costs such as County Administration, County Human Resources and which are applied to the Department's administrative claim (which includes the Department's fiscal, personnel and other administration functions) and (2) general overhead costs which are operating costs that are associated with direct services and are calculated as part of the cost per unit of service in the service claim. Department rates qualify for state reimbursement. However, when the rate exceeds the State schedule of maximum allowed (SMA) rates, all the cost of providing service is not recovered by the service claim. The past service rate did exceed the SMA. Some management positions were eliminated and other operating costs were reduced which lowered the Department rate to below the SMA. The State has since then reduced the SMA in the current State budget. There will be continued focus on the SMA and containing cost that are within Department control.

F13. *The Grand Jury found the Butte County Board of Supervisors to be surprisingly uninformed, and un-involved in overseeing and monitoring the Department of Behavioral Health's fiscal affairs, structure of management, and administrative decisions made for the Department. When questioned they were unable to answer most of the Grand Jury's inquiries about the Department.*
The respondent disagrees with this finding. The Board of Supervisors sets policy for the County and appoints department heads to execute them. By design, the Board is not involved in the day-to-day decision making process of a department.

The department regularly presents policy issues at Board meetings. Additionally, a Board member sits on the Behavioral Health Board and another Board member sits on the governance body of a federal grant funded project. The Board of Supervisors convened a public forum in September 2008 for a mental health financing training that was broad in scope and heavily attended.

F14. *The PHF was visited and found to be well staffed, extremely clean, and full to its sixteen bed capacity.*
The respondent agrees with this finding.

F15. *The Crisis Stabilization Unit is now fully staffed 24-7 and is in compliance with state mandates as of March 7, 2009.*
The respondent agrees with this finding. The Crisis Stabilization Unit is now fully staffed and operational. However, the department was never out of compliance with State mandates as a result of staffing issues.

F16. *Caseload ratios in the clinics and counseling centers need to be studied and adjusted accordingly.*
The respondent agrees with this finding. As programs and staffing change over time, caseload ratios require ongoing analysis and adjustment.

F17. *Representative Payee Program was slated to be discontinued but following protest from the medical and clinical staff, the program is presently fully maintained. Grant monies that supported the program in the past have now been diverted to a homeless program. The Representative Payee Program is currently being supported by realignment funds.*
The respondent disagrees with this finding. As part of the mid-year budget reduction, there was a plan to use an alternative payee service model but it proved unsatisfactory. There were some positive adjustments within the Department Representative Payee Program that promote self-reliance for the client who wants to be independent of the County managing their income. Grant funds continue to partially support this program, with the balance of the funding coming from realignment.

F18. *The outside audit report done in August-September, 2008 has not been received to date.*
The respondent partially disagrees with the finding. The respondent agrees that the outside finance report has not been received. However, the report has not been completed. While a portion of the report has been completed, additional reviews will take place from September through November, which will include the implementation of the new information system. The full report is expected by December 2009.

Recommendations

R1. *The Board of Supervisors needs to prioritize recruitment for a Permanent Director of BCDBH with the medical staff and Behavioral Health Board strongly involved in the process for interviewing every single applicant.*
The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement the recommendation.

R2. *A Medical Director should be actively recruited. The cost of doing so could be offset by reimbursement through Medi-Cal billing for direct services and billing for administrative claim-for-management time. It is recommended that the Medical Director see patients a percentage of his/her workday, as well as represent and direct medical and clinical staff.*
This recommendation has not been implemented but will be implemented in the future. It is anticipated that the recruitment for the Medical Director will be completed by November 2009. The Medical Director will see patients as part of his/her duty. The Medical Director will also fill a crucial role as a member of the Department executive management team working closely with the Department Director, Assistant Directors, Compliance Officer, Mental Health Services Act Coordinator, Systems Performance Evaluation Coordinator and others in the Department.

R3. *BCDBH should follow government transparency guidelines. Financial reporting and data should be understandable and readily accessible on request. The at-a-glance, "Dashboard Report," currently in development, should be implemented as soon as possible to provide on-demand information.*

A portion of the recommendation has been implemented, and another portion of the recommendation will be implemented in the future. The department has and will continue to follow all federal and state laws as well as County policies in releasing data unless restricted by privacy laws. Behavioral Health financing is complex and some standard reports require special knowledge to understand or interpret. In order to expand the knowledge base, fiscal staff provides ongoing mental health financing training to program managers and supervisors and at Behavioral Health Board meetings. Evaluations staff provide information regarding service or client data. It is anticipated the Dashboard Report will be completed in September 2009.

R4. *Communication, cooperation, and trust need to be fostered by administration.*
The recommendation has been implemented. Since April 2008 there has been focused emphasis on effective communication and better understanding of Department responsibilities, roles and processes. Three initial key principals have been adopted following a series of meeting with self-selected small groups of line staff and one group of supervisors who asked to meet with the Department Director: (1) staff involvement in problem identification and problem solving at the team and unit levels; (2) program services and administrative coordination at all levels on all projects at any scales; (3) major projects will have a tasked implementation team with delegated authority to act and will include substantive line staff involvement. Regular meetings are held at all levels. Leadership, program managers, supervisors, and center staff meet regularly to share information and coordinate more effectively. Department wide emails are also used as a tool for communicating within the Department.

R5. *HR should provide appropriate leadership training to promote effective leaders within BCDBH.*
The respondent is unable to comment on this recommendation as it does not have authority to implement the recommendation.

R6. *A plan and process for monitoring contracts should be developed.*
This recommendation has been implemented.

R7. *Productivity levels need to be established and enforced. Qualified medical and clinical supervisors should interface with patients a percentage of the time.*

A portion of the recommendation will be implemented in the future, and another portion of the recommendation will not be implemented. Currently, productivity levels are being reviewed by a team of line staff, supervisors and managers. This team will make recommendations for adjustments to productivity standards no later than November 30, 2009 and will assist with implementation, including accountability. This will be an on-going effort.

The recommendation to set a quota for patient interface for clinical supervisors will not be implemented as it is not warranted. Managers and supervisors will continue to provide backup services as necessary.

R8. *Additional residential facilities that meet state mandated requirement and licensing qualifications should be encouraged for the purpose of treating and housing youth locally. This would be advantageous to the families involved and save the County a great deal of money.*
This recommendation has been partially implemented. A local youth residential facility opened in January 2009. The program is still in the implementation phase.

R9. *Additional residential facilities that meet state mandated requirement and licensing qualifications should be developed for treating and housing adults needing long-term placement locally, again saving out-of-county costs.*
This recommendation has been partially implemented. A local adult residential facility opened in April 2009. The program is still in the implementation phase.

R10. *Partnerships with local hospitals in the County need to be developed for the collaborative treatment and care of severely mentally ill patients.*
This recommendation has been partially implemented. As mentioned earlier, the department has been working with local hospitals and will continue to work with them.

R11. *The classification process and position allocation for the Systems Performance Evaluation Coordinator should be completed and accepted by the Board of Supervisors as soon as possible.*
The recommendation has not been implemented but will be implemented in the future. It is anticipated that the Systems Performance Evaluation Coordinator position will be approved the Board of Supervisors by September 30, 2009.

R12. *Overhead operating costs should continue to be monitored and kept at or below the state requirement level of fifteen percent to qualify for state reimbursement.*
The recommendation will not be implemented because it is not warranted. There is no state requirement limiting overhead operating costs for direct service centers to fifteen percent, nor is it feasible to do so. The administrative Medi-Cal claim, which is sometimes confused with overhead operating costs, is limited to fifteen percent of total Medi-Cal service billings. The administrative claim includes fiscal, personnel, technology and similar support services and County overhead charges. The Department continues to monitor administrative costs, however recent changes to the Countywide Cost Allocation Plan will affect the Department's ability to keep these costs below fifteen percent. These changes are outside the Department's control.

R13. *The Board of Supervisors should become more regularly informed and involved with the fiscal affairs and administrative structure of BCDBH.*
This recommendation will not be implemented as it is not warranted. Board members meet regularly with the Department for briefing on issues related to the Department. Additionally there is a Board member on the Behavioral Health Board and a Board member is on the governance body of a federal grant funded project.

R14. *The Psychiatric Health Facility should retain full coverage staffing in order to continue to operate at full capacity.*
This recommendation has been implemented.

R15. *The Crisis Stabilization Unit should retain full coverage staffing in order to continue to operate at full capacity.*
This recommendation was implemented in March 2009.

R16. *Clinics and counseling center's caseload ratios should be studied and reassessed.*
This recommendation has been implemented. Programs and staffing change over time; caseload ratios are analyzed and adjusted as necessary.

R17. *The Representative Payee Program should be continued in its full capacity and should not be outsourced.*
This recommendation has been implemented. The Representative Payee Program will continue to be responsive to individual client needs, goals circumstances and preferences. The clients and clinical staff will continue to work together to evaluate individual client

goals/needs and ensure cl[redacted]s with increased levels of functioni[redacted]can graduate from this supportive program as appropriate. Clients will continue to be s[redacted]pported to pursue their own wellness and recovery goals.

R18. *The Board of supervisors should pursue receipt of the outside audit done in August-September, 2008.*

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement the recommendation. However it is anticipated that the final report related to the fiscal review of the Department will be completed in December 2009.

Edward Walker

Edward Walker
Interim Director
Department of Behavioral Health

BUTTE COUNTY ADMINISTRATION

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MEMBERS OF THE BOARD

BILL CONNELLY
JANE DOLAN
MAUREEN KIRK
STEVE LAMBERT
KIM K. YAMAGUCHI

Gregory Iturria
Interim Chief Administrative Officer

August 14, 2009

Honorable James F. Reilley, Presiding Judge
Butte County Superior Court
One Court Street
Oroville, CA 95965

Re: **Chief Administrative Officer's Response to the 2008-2009 Grand Jury Final Report**

Honorable Judge Reilley,

Penal Code Section 933 and 933.05 provides that the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body. The Board of Supervisors, as the governing body of the County of Butte, will provide its response to the 2008-2009 Grand Jury Report by the statutory deadline. The Grand Jury, though, has asked that all departments mentioned within that report provide a direct response to the Presiding Judge. While all legal requirements for a response to the Grand Jury Report have been met by the County of Butte with the Board of Supervisors response, in the spirit of cooperation, I am providing this direct response to those areas where the Grand Jury sought a response from the Chief Administrative Officer.

One of the roles of the Chief Administrative Officer is to act as the *de facto* chief of staff to the Board of Supervisors. In that role, I directed the preparation of the Board of Supervisors' initial response to the Report. It should not be a surprise, therefore, that my response to the Report, as the Interim Chief Administrative Officer, is very similar to the response provided by the Board of Supervisors. I am also responding in my regular role as the Chief Financial Officer.

AUDITOR-CONTROLLER'S OFFICE

Grand Jury Findings

F1. A portion of workload scheduled to be transferred from the A-C's Office to the CFO's Office has not yet occurred.

The respondent agrees with the finding. Due to the budget constraints and elimination of finance staff, some duties of the Auditor Controller's Office have not been moved to the CFO's Office.

F2. The Butte County A-C's Office appears to have a positive work environment.

The respondent neither agrees nor disagrees with the finding. The Chief Administrative Officer is not involved in the daily operations of the Auditor Controller's Office. However, the Administrative Office interacts regularly with the Auditor Controller's Office. Based on this interaction, it appears that some improvements have been made to the work environment of the Auditor Controller's Office since the publication of the 2005-06 Grand Jury Report. It also appears that there is room for additional improvements to the work environment of the Auditor Controller's Office.

F3. Currently, there appears to be a lack of cross training in the A-C's Office.

The respondent neither agrees nor disagrees with the finding. The Chief Administrative Officer is not involved in the daily operations of the Auditor Controller's Office. .

F4. The division Procedural Manuals are outdated.

The respondent neither agrees nor disagrees with the finding. The Chief Administrative Officer is not involved in the daily operations of the Auditor Controller's Office.

F5. There are no individual desk Procedural Manuals.

The respondent neither agrees nor disagrees with the finding. The Chief Administrative Officer is not involved in the daily operations of the Auditor Controller's Office.

Grand Jury Recommendations

R1. The A-C and the CFO should jointly develop a specific plan for resolving the issues regarding the workload not transferred from the A-C's Office to the CFO's Office.

The recommendation has not yet been implemented but will be implemented in the future. Due to budget constraints, it may take two or three years for some duties to completely transfer to the CFO's Office. Meanwhile, staff from the CFO, Auditor-Controller, and Treasurer/Tax Collector's Office will continue to work closely to ensure that all the finance duties are properly performed.

R2. Continue to incorporate "team building" activities to foster the positive work environment.

The respondent is unable to comment on this recommendation since it is directed to the Auditor-Controller, an elected official.

R3. Develop a continual cross training program and implementation schedule.

The respondent is unable to comment on this recommendation since it is directed to the Auditor-Controller, an elected official.

R4. Update the division Procedural Manuals.

The respondent is unable to comment on this recommendation since it is directed to the Auditor-Controller, an elected official.

R5. Create and publish individual desk Procedural Manuals.

The respondent is unable to comment on this recommendation since it is directed to the Auditor-Controller, an elected official.

BEHAVIORAL HEALTH DEPARTMENT

Grand Jury Findings

F1. There is no plan in place to hire a permanent Director who will reorganize and stabilize BCDBH.

The respondent disagrees with the finding. The County intends to find a permanent director of the department in the near future. The Interim Director, meanwhile, has done an admirable job of reorganizing and stabilizing the department.

F2. There is no Medical Director in BCDBH for the overall management of medical/ clinical staff, nor a spokesperson to advocate for the medical/clinical staff in administrative decision making.

The respondent partially disagrees with the finding. The respondent agrees that the Medical Director position is currently vacant. However, it should be noted that the position was recently approved by the Board of Supervisors, and the Department of Human Resources is currently developing the position classification. The recruitment for the position will follow as soon as the classification is created.

The respondent disagrees that there is not a spokesperson to advocate for the medical/clinical staff in administrative decision making. A representative of the medical staff was a member of weekly executive management meetings until accepting a position with another agency. Medical staff is invited to participate in the weekly meetings but instead two psychiatrists meet regularly with the Assistant Director for Client Services. The Interim Director also meets regularly with members of the medical staff.

F3. There is a lack of a transparent, financial, and statistical data reporting system.

The respondent disagrees with the finding. The department provides information to the public as permitted by privacy laws. Moreover, the department has conducted several public presentations on budget, service utilization and mental health financing in the past year in an effort to keep the public informed.

It should be noted that the department is currently implementing a new information system with billing and clinical workstation software. During the transition to the new system, there are

delays in information availability while report generation is being developed and tested. However, staff continue to work to make financial and statistical information available to meet the department's reporting and management needs along with their other duties. In some cases there have been delays in lower priority information requests in order for priority projects to be completed. Reporting capability will be enhanced when the new information system is fully implemented.

F4. There is a lack of productive communication, trust, and cooperation within the various divisions that comprise BCDBH.

The respondent disagrees with the finding. All organizations can improve communication, trust and cooperation. The respondent acknowledges that the Interim Director has worked continuously to improve communication, trust, and cooperation in the department since he was hired.

F5. There is a lack of effective leadership, due to lack of leadership training.

The respondent disagrees with the finding. The interim director has provided effective leadership to the department.

F6. There is a lack of monitoring and administering of the increased number of contracts.

The respondent disagrees with the finding. All contracts are monitored by assigned staff. Assigned staff provide service authorizations, documentation review, training and monitor mental health services contracts. Service providers are included in monthly quality management chart reviews and undergo regular fiscal monitoring, as well as annual cost report reviews. Annual program and service audits conducted by the State regularly include contract providers, as do State fiscal audits.

F7. Productivity levels appear lower than the standard in some areas of BCDBH.

The respondent agrees with the finding.

F8. There is a lack of contracted residential facilities for youth in crisis in Butte County.

The respondent disagrees with the finding. In response to the need for residential facilities for youth in Butte County, a request for proposals was issued. As a result, a local youth residential facility opened in January 2009. The program is still in the implementation phase.

F9. There is a lack of contracted residential facilities for adults in crisis in Butte County.

The respondent disagrees with the finding. In response to the need for residential facilities for adults in Butte County, a request for proposals was issued. As a result, a local adult residential facility opened in April 2009. The program is still in the implementation phase.

F10. There has been a lack of local partnering with a hospital or facility that can hospitalize and treat patients locally. Meetings are being held to foster partnerships.

The respondent disagrees with the finding. The department has held meetings with the key local hospital and law enforcement in December 2008 and April 2009. The department has continued discussions with hospital leadership on increasing acute bed capacity, addressing issues relating to medical emergency service and developing joint projects.

F11. There was a lack of a Systems Performance Evaluation Coordinator in the past. This position has just been assigned and is in the process of classification.

The respondent agrees with the finding.

F12. Overhead costs that were too high in relation to the budget have been reduced to qualify for state reimbursement.

The respondent agrees with the finding. The past service rate did exceed the Schedule of Maximum Allowed (SMA) rates. Over the past year, the department has reduced operating costs including the elimination of some management positions, which lowered the department rate to below the SMA. The State has since reduced the SMA in the current State budget. There will be continued focus on the SMA and containing cost that are within department control.

F13. The Grand Jury found the Butte County Board of Supervisors to be surprisingly uninformed, and un-involved in overseeing and monitoring the Department of Behavioral Health's fiscal affairs, structure of management, and administrative decisions made for the Department. When questioned they were unable to answer most of the Grand Jury's inquiries about the Department.

The respondent disagrees with the finding. The Board of Supervisors sets policy for the County and appoints department heads to execute them. By design, the Board is not involved in the day-to-day decision making process of a department.

The department regularly presents policy issues at Board meetings. Additionally, a Board member sits on the Behavioral Health Board and another Board member on the governance body a federal grant funded project.

F14. The PHF was visited and found to be well staffed, extremely clean, and full to its sixteen bed capacity.

The respondent agrees with the finding.

F15. The Crisis Stabilization Unit is now fully staffed 24-7 and is in compliance with state mandates as of March 7, 2009.

The respondent agrees with the finding. The respondent agrees that the Crisis Stabilization Unit is now fully staffed and operational. However, the department was never out of compliance with State mandates as a result of staffing issues.

F16. Caseload ratios in the clinics and counseling centers need to be studied and adjusted accordingly.

The respondent agrees with the finding. The department will continue to study caseload ratios as programs and staffing change over time.

F17. Representative Payee Program was slated to be discontinued but following protest from medical and clinical staff, the program is presently fully maintained. Grant monies that supported the program in the past have now been diverted to a homeless program. The Representative Payee Program is currently being supported by realignment funds.

The respondent disagrees with the finding. As part of the mid-year budget reduction, the department planned on using an alternative payee service model but it proved unsatisfactory. There were some positive adjustments within the Representative Payee Program that promoted self-reliance for the client who wanted to be independent of the County managing their income. Grant funds continue to partially support this program, with the balance of the funding coming from realignment.

F18. The outside audit report done in August-September, 2008 has not been received to date.

The respondent partially disagrees with the finding. The respondent agrees that the outside finance report has not been received. However, the report has not been completed. While a portion of the report has been completed, additional reviews will take place from September through November, which will include the implementation of the new information system. The full report is expected by December 2009.

Grand Jury Recommendations

R1. The Board of Supervisors needs to prioritize recruitment for a Permanent Director of BCDBH with the medical staff and Behavioral Health Board strongly involved in the process of interviewing every single applicant.

The respondent is unable to comment on this recommendation since it is directed to the Board of Supervisors.

R2. A Medical Director should be actively recruited. The cost of doing so could be offset by reimbursement through Medi-Cal billing for direct services and billing for administrative claim-for-management time. It is recommended that the Medical Director see patients a percentage of his/her workday, as well as represent and direct the medical and clinical staff.

The recommendation has not been implemented but will be implemented in the future. It is anticipated that the recruitment for the Medical Director will be completed by November 2009. The Medical Director will see patients as part of his/her duty. The Medical Director will also fill a crucial role as a member of the Department executive management team working closely with the Department Director, Assistant Directors, Compliance Officer, Mental Health Services Act Coordinator, Systems Performance Evaluation Coordinator and others in the Department.

R3. BCDBH should follow government transparency guidelines. Financial reporting and data should be understandable and readily accessible upon request. The at-a-glance, "Dashboard Report," currently in development, should be implemented as soon as possible to provide on-demand information.

A portion of the recommendation has been implemented, and another portion of the recommendation will be implemented in the future. The department has and will continue to follow all federal and state laws as well as County policies in releasing data unless restricted by privacy laws. Behavioral Health financing is complex and some standard reports require special knowledge to understand or interpret. In order to expand the knowledge base, fiscal staff provides ongoing mental health financing training to program managers and supervisors and at Behavioral Health Board meetings. Evaluations staff provide information regarding service or client data. It is anticipated the Dashboard Report will be completed in September 2009.

R4. Communication, cooperation, and trust need to be fostered by administration.

The recommendation has been implemented. Under the leadership of the interim director, the department has focused on effective communication and better understanding of Department responsibilities, roles and processes.

R5. HR should provide appropriate leadership training to promote effective leaders within BCDBH.

The recommendation has not been but will be implemented in the future. The Butte County Human Resources Department has been providing appropriate training to all new and existing supervisors. The County intends to implement a more comprehensive "leadership academy" in the future. However, due to budget constraints, it may be three or more years before the Human Resources Department can fully implement the leadership academy.

R6. A plan and process for monitoring contracts should be developed.

The recommendation has been implemented.

R7. Productivity levels need to be established and enforced. Qualified medical and clinical supervisors should interface with patients a percentage of the time.

A portion of the recommendation will be implemented in the future, and another portion of the recommendation will not be implemented. Currently, productivity levels are being reviewed by a team of line staff, supervisors and managers. This team will make recommendations for adjustments to productivity standards no later than November 30, 2009 and will assist with implementation, including accountability. This will be an on-going effort.

The recommendation to set a quota for patient interface for clinical supervisors will not be implemented as it is not warranted. Managers and supervisors will continue to provide backup services as necessary.

R8. Additional residential facilities that meet state mandated requirements and licensing qualifications should be encouraged for the purpose of treating and housing youth locally. This would be advantageous to the families involved and save the County a great deal of money.

The recommendation has been partially implemented. A local youth residential facility opened in January 2009. The program is still in the implementation phase.

R9. Additional residential facilities that meet state mandate requirements and licensing qualifications should be developed for treating and housing adults needing long-term placement locally, again saving out-of-county costs.

The recommendation has been partially implemented. A local adult residential facility opened in April 2009. The program is still in the implementation phase.

R10. Partnerships with local hospitals in the County need to be developed for the collaborative treatment and care of severely mentally ill patients.

This recommendation has been partially implemented. As mentioned earlier, the department has been working with local hospitals and will continue to work with them.

R11. The classification process and position allocation for the Systems Performance Evaluation Coordinator should be completed and accepted by the Board of Supervisors as soon as possible.

The recommendation has not been implemented but will be implemented in the future. It is anticipated that the Systems Performance Evaluation Coordinator position will approved by the Board of Supervisors by September 30, 2009.

R12. Overhead operating costs should continue to be monitored and kept at or below the state requirement level of fifteen percent to qualify for state reimbursement.

The recommendation will not be implemented because it is not warranted. There is no State requirement limiting overhead operating costs for direct service centers to fifteen percent, nor is it feasible to do so. The administrative Medi-Cal claim, which is sometimes confused with overhead operating costs, is limited to fifteen percent of total Medi-Cal service billings. The administrative claim includes fiscal, personnel, technology and similar support services and County overhead charges.

R13. The Board of Supervisors should become more regularly informed and more involved with the fiscal affairs and administrative structure of BCDBH.

The respondent is unable to comment on this recommendation since it is directed to the Board of Supervisors.

R14. The Psychiatric Health Facility should retain full coverage staffing in order to continue to operate at full capacity.

The recommendation has been implemented.

R15. The Crisis Stabilization Unit should retain full coverage staffing in order to continue to operate at full capacity.

The recommendation has been implemented.

R16. Clinics and counseling center's caseload ratios should be studied and reassessed.

The recommendation has been implemented.

R17. The Representative Payee Program should be continued in its full capacity and should not be outsourced.

The recommendation has been implemented.

R18. The Board of Supervisors should pursue receipt of the outside audit done in August-September, 2008.

The respondent is unable to comment on this recommendation since it is directed to the Board of Supervisors.

GENERAL RESERVES

Grand Jury Findings

F1. During the period 1999-2008, Butte County tax and interest revenue increased from $38-75 million totaling about $480 million for the period.

The respondent agrees with the finding.

F2. During years of increasing revenue, Butte County did not create a General Reserve (Rainy Day Fund).

The respondent agrees with the finding.

F3. In the FY 2008/2009 annual budget the County has a small Contingency. The Contingency is not adequate to handle the severe reduction in revenue.

The respondent agrees with the finding.

F4. Butte County is entering a period, which may extend several years, of reduced revenue.

The respondent agrees with the finding.

F5. As a result of not having a General Reserve, Butte County will need to make drastic reductions in staffing, equipment, and levels of services for several years.

The respondent agrees with the finding.

Grand Jury Recommendations

R1. The 2008/2009 Grand Jury recommends that Butte County immediately establish, adopt, and implement a policy, with a specific formula, to develop a General Reserve. This would be implemented when Butte County revenues exceed an indicator, such as the Consumer Price Index, or equivalent.

The recommendation has not yet been implemented but will be implemented in the future. The Chief Administrative Officer will draft a reserve policy and present it to the Board of Supervisors for consideration no later than January 31, 2010.

This concludes the response from the Interim Chief Administrative Officer/Chief Financial Officer.

Sincerely,

Gregory Iturria
Interim Chief Administrative Officer

BUTTE COUNTY
ADMINISTRATION

AUG 0 5 2009

Butte County Department of Development Services

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ADMINISTRATION * BUILDING * PLANNING

August 05, 2009

Hon. James F. Reilley, Presiding Judge
c/o Court Administration
Superior Court of California, County of Butte
One Court Street
Oroville, CA 95965

Re: Grand Jury Response

Dear Honorable Judge Reilley:

The following information is provided in response to the Butte County Grand Jury Report 2008/2009, specifically the wildfire and safety considerations for Butte County General Plan 2030.

The following response addresses each of the applicable findings and recommendations provided by the Grand Jury, and will provide an overview of the actions taken to date by the Butte County General Plan 2030 process to address wildfire hazard as well as to describe the process into the future up until General Plan 2030 is adopted (September 2010).

Development Services provides direct responses to Findings F1, F2, and F6, and Recommendations R1, R2, R4 and R6. Development Services does not provide responses to Findings F3, F4, F5, F7, F8, F9, F10 and Recommendations R3, R5, R7, R8, R9, and R10 because they are outside the scope of responsibility of this department.

Finding F1:

The Draft General Plan 2030 does not adequately address all fire and safety issues in the foothill areas of Butte County.

RESPONSE:

The respondent disagrees with this finding.

The Butte County General Plan 2030 (BCGP 2030) process has been underway for 36 months. However, it is important to note that there are still 13 months of this process remaining prior to scheduled adoption by the Board of Supervisors in September 2010. Comprehensive updates to General Plans are generally multi-year efforts to ensure a full measure of fact finding and public participation during the process. While much has been accomplished during this period, important reviews of the Draft General Plan 2030 document, the Draft Zoning Ordinance, and the Environmental Impact Report remain to be accomplished and are scheduled over the next year. The Grand Jury's recommendations are a valued addition to this process, especially in light of the devastating wildfires of the summer of 2008.

The BCGP 2030 process was authorized by the Board of Supervisors in September 2006. This action also authorized the creation of a Citizens Advisory Committee to help inform the process, and the hiring of Design, Community & Environment as the lead General Plan 2030 consultant. This project also includes the preparation of a new Zoning Ordinance and Environmental Impact Report (EIR).

Draft General Plans are subject to full public review and analysis under the California Environmental Quality Act. In the case of BCGP 2030, the County will be preparing an EIR to evaluate the environmental effects of this project for full review by the public as well as state, local and federal agencies.

While the BCGP 2030 document itself is still under review as an administrative draft document, much has been accomplished under the public participation process to address fire hazard and safety issues in areas of Butte County prone to wildland fire.

A. Specific Policy Guidance on Fire and Safety Issues from the Policy Alternatives Approved by the Board of Supervisors:

After a lengthy public participation process, specific Policy guidance approved by the Board of Supervisors relevant to the area of fire and safety issues is provided below. These goal and policy statements will form the basis for policy direction in BCGP 2030.

1. How should the County help to protect, maintain, promote and enhance its timber uses and resources?
    a) Encourage regulations and outreach practices that would provide for sustainable forest practices in the county. Support and cooperate with CAL FIRE in their responsibilities related to timber and forest practice laws.
    b) The County should maintain, and amend where appropriate, existing requirements under the Timber Preserve Zone to conserve and enhance timber resources, protect water quality and conservation, and improve fire safety. Work cooperatively with CAL FIRE and the State's timber resources laws and statutes.

c) Implement community wildfire protection plans and wildfire fuel load measures in coordination with the appropriate government/citizen agency and CAL FIRE.

2. How should the County maintain and improve road conditions and safe traffic flow?

   a) In consultation with the Butte County Fire Department and CAL FIRE, identify and complete roadside fuel reduction projects and maintain necessary clearance zones on critical roads for fire safety and visibility.

3. How should the General Plan address the provision of sheriff and fire service in rural areas?

   a) Educate residents about the realities of rural living and expectations regarding response times for critical services.

   b) Explore additional funding opportunities for sheriff and fire services, such as Community Facilities Districts and Community Service Agencies to fund both capital and on-going operational costs.

   c) Support expansion of volunteer services for fire and sheriff.

   d) Implement the adopted Standards of Cover for fire protection.

   e) Require defensible space, fire safe building construction, fuel management and wildfire preparedness, particularly by working in collaboration with appropriate government/citizen agencies, the Butte County Fire Department, the municipalities and State agencies, including CAL FIRE.

   f) Require defensible space and projects which remove ladder fuels to reduce the risk of wildfire.

   g) Set impact fees proportionately to the cost of providing sheriff services.

   h) Set impact fees proportionately to the cost of providing fire services.

   i) Create communities that are resistant to wildfire by reducing risks through the community wildfire protection plans and fire safe councils.

   j) Integrate State fire safe regulations (California Public Resources Code Sections 4290 and 4291) cooperatively with CAL FIRE and the Butte County Fire Department.

4. How should the County encourage the development of sustainable communities and energy-efficient and cost-savings buildings?

   a) Create fire-wise communities through building and landscape design standards.

It is important to note that the Fire and Safety related Policy statements set-forth above represent the Board approved Policy Alternatives at the conclusion of Meeting Series #5

on Goal and Policy Development. Meeting Series #7 will provide a thorough public review of the Draft BCGP 2030. Development Services staff and the BCGP 2030 consultant will use the Policy Alternatives as the foundation for developing the new General Plan. Additional policies may be needed to supplement this work and refine the overall organization of the General Plan. Further, the Policy statements related to Fire and Safety will be organized into the Health and Safety, Circulation, and Land Use Elements of the new General Plan. Information will be further organized into overall Goals, Policies and Actions.

Once a Public Draft of the BCGP 2030 document is released in September of this year, Development Services staff will schedule the Meeting Series, starting with a Public Workshop, several Citizens Advisory Committee Meetings and Study Sessions with the Planning Commission and Board of Supervisors. As a work in progress, there are still many opportunities to accept public input and make substantive changes to BCGP 2030 policy information. During Meeting Series #7, the public and decision-makers will have the opportunity to review all policy work, and make substantive recommendations and comments prior to final direction being provided by the Board of Supervisors, and final adoption, schedule for September 2010.

To date, the BCGP 2030 process has completed well over 100 public meetings as is documented on our website at http://www.buttegeneralplan.net/ebinder .

Finding F2:

At present, there is only one major evacuation route south from the Upper Ridge and no viable routes north. There is a need for an additional evacuation route from Magalia and Paradise. The upgrade of Forest Road 171, classified as a recreational access road, is not fully funded, and even after completion, will not be sufficient as an evacuation route.

RESPONSE:

The respondent partially disagrees with the finding.

The respondent agrees that there is only one major evacuation route south from the Upper Ridge and no viable routes north. However, it is premature to assume that Forest Road 171 will not be sufficient as an evacuation route in the future. The County is actively seeking funding to expand Forest Road 171 and make it a viable evacuation road.

For its part, the BCGP 2030 process has included a great deal of public discussion about fire evacuation routes. We heard directly from citizens impacted by the Humboldt and Concow fires of 2008. We have also coordinated our efforts of BCGP 2030 with Butte County Fire and Public Works departments, so there is full engagement of this

issue in our process. This information is being incorporated into the Goals, Policies and Action Plan of BCGP 2030.

Finding F6:

The development of new housing in fire-prone areas of the foothills is ongoing.

RESPONSE:

The respondent partially disagrees with the finding.

Building permits for new housing have been issued in all areas of the County on **existing parcels**. Building permits are considered to be ministerial actions, that is, if a proposed residence meets all of the requirements under Butte County Code, the permit is required to be issued. Building permits are reviewed by Butte County Fire prior to issuance and prior to final for site preparation requirements and fire safe standards for access and clearance around structures.

Subdivision applications (the creation of new parcels) on the other hand are discretionary (i.e. they may either be approved or denied by Butte County). These applications are reviewed by a number of agencies including Butte County Fire for consistency with local and state requirements. If they do not provide the required access, the Department of Development Services makes a recommendation of denial to the Planning Commission. This is the current situation if someone were to propose a subdivision of land in the Paradise Pines/Magalia area; Development Services would recommend denial since there is inadequate emergency access. The Planning Commission considers all evidence and renders a decision. Planning Commission decisions may be appealed to the Board of Supervisors for a final determination.

Mention was made specifically of up to 330 dwelling units being allowed for consideration as a part of the process of BCGP 2030 in Study Area 13. This property is currently designated for residential development by the County's existing General Plan. The fire issues (as well as other issues) are being critically assessed and must be mitigated by the applicant. They are working with Butte County Fire and other departments to accomplish this. This is still a discretionary project that will be considered ultimately by the Board of Supervisors for approval or denial.

RECOMMENDATIONS

Recommendation R1:

BCGP 2030 needs to address emergency evacuation routes and fire preparedness for the foothill areas of Butte County.

RESPONSE:

The recommendation has not yet been implemented, but will continue to be addressed through the Butte County General Plan (BCGP) 2030 process and the upcoming Public Workshop Series #7, which includes finalization of BCGP 2030.

Recommendation R2:

Review the limitation of Forest Road 171 such as traffic speeds, volumes of cars, and fire prone areas and consider other feasible evacuation routes. Additional roads for evacuation of the Upper Ridge, such as Doe Mill road, should be investigated.

RESPONSE:

The recommendation has been implemented.

The Butte County Public Works Department worked with the Butte County Association of Governments (BCAG) on reviewing the proposed Forest Highway 171 route and improvements. In addition, BCAG completed a study in 1994 entitled, *Feasibility Study of State Route 191 Extension in Butte County*, which evaluated alternate emergency routes from the upper ridge, including Doe Mill–Garland route. The study determined that the Doe Mill-Garland Road route, if developed to standards, would provide improved emergency access to the Upper Ridge.

Nonetheless, fire issues will be considered during the upcoming Public Workshop Series #7, finalization of BCGP 2030 and the Environmental Impact Report being prepared for BCGP 2030. This Planning aspect will be coordinated with the Departments of Public Works and Butte County Fire.

Recommendation R4:

BCGP2030 should address how to handle disabled vehicles on emergency evacuation routes and the use of both traffic lanes for evacuation.

RESPONSE:

This recommendation will not be implemented.

It is not appropriate for BCGP 2030 to address how to handle disabled vehicles or emergency evacuation routes and/or use both traffic lanes for evacuation. However, Community Emergency Evacuation Plans should address both of these issues.

Recommendation R6:

Put a moratorium on all multi-home development in fire prone areas until all fire safety, traffic, and emergency water supply issues are resolved.

RESPONSE:

The recommendation will not implemented because it is not reasonable.

There are systems in place to address these issues. Recent changes to Building Codes require fire resistive materials and Butte County Fire requires fire sprinklers in most home construction. Additionally, all building permit applications are reviewed by Butte County Fire prior to issuance and prior to final for Fire safe requirements. These include proper construction and fire clearance around the structure and driveway standards. Subdivisions are reviewed under the fire safe regulations for maximum cul-de-sac length and are subject to environmental review.

Development within the fire-prone areas of the foothills within Butte County is on-going under the existing General Plan. The BCGP 2030 process does not influence land development activity until it is adopted by the Board of Supervisors, which is tentatively scheduled for September of 2010. Development Services staff believes it is important to note that the Grand Jury's recommendation for a moratorium on all multi-home development in fire-prone areas would be applicable to the existing Butte County General Plan and Zoning Ordinance. While Development Services staff believes that modification to the BCGP 2030 process is not necessary due to the information set-forth under the response to Finding F1 and Recommendation R1 above, staff suggests that further participation in the on-going General Plan 2030 process would be the more appropriate way to address fire safety requirements for the citizens of Butte County.

This concludes our comments. If you have any questions, please do not hesitate to contact me.

Sincerely,

Tim Snellings
Director
Department of Development Services

Bibliography

Development Services Grand Jury Response –BCGP 2030

Information and reports that support the response to the Grand Jury are listed below along with links to appropriate web-pages. All of these documents may be viewed at buttegeneralplan.net or at the Butte County Development Services Department.

1. Butte County General Plan 2030 Guiding Principles:

http://www.buttegeneralplan.net/ebinder/2007/2007-02-13/Butte_County_2030_Guiding_Principles_Adopted.pdf

2. Butte County General Plan 2030 Briefing Book:

http://www.buttegeneralplan.net/ebinder/default.asp#2007-03-13

3. Butte County General Plan 2030 Key Issues Summary:

http://www.buttegeneralplan.net/ebinder/2007/2007-05-21-KeyIssuesSummary.pdf

4. Butte County General Plan 2030 Setting and Trends Report:

http://www.buttegeneralplan.net/products/SettingandTrends/default.asp

5. Butte County General Plan 2030 Alternatives Evaluation Report:

http://www.buttegeneralplan.net/products/aer/default.asp

6. Butte County General Plan 2030 Final Policy Alternatives Document:

http://www.buttegeneralplan.net/products/2009-02-18and19/default.asp

7. Butte County General Plan 2030 Final Land Use Map:
8. Final Transportation Alternatives:

http://www.buttegeneralplan.net/products/2009-04-23PLUA_draft3/default.asp

9. Wildfire Safety Summit, December 3, 2008:

http://www.buttegeneralplan.net/ebinder/2008/2008-12-03Wildfire_Safety_Summit.pdf

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Gregory G. Iturria
Interim Chief Administrative Officer

August 5, 2009

Hon. James F. Reilley, Presiding Judge
c/o Court Administration
Superior Court of California, County of Butte
One Court Street
Oroville, CA 95965

Re: Grand Jury Response

Dear Honorable Judge Reilly:

FINDINGS

F1. The draft General Plan 2030 does not adequately address all fire safety issues in the foothill areas of Butte County.

The respondent neither agrees nor disagrees with this finding as it is outside the scope of responsibility of this department.

F2. At present, there is only one major evacuation route south from the Upper Ridge and no viable routes north. There is a need for an additional evacuation route from Magalia and Paradise. The upgrade of Forest Road 171, classified as a recreational access road, is not fully funded, and even after completion, will not be sufficient as an evacuation route.

The respondent partially disagrees with the finding. The respondent agrees that there is only one major evacuation route south from the Upper Ridge and no viable routes north. However, it is premature to assume that Forest Road 171 cannot function as a viable evacuation route in the future. The County is actively seeking funding to expand Forest Road 171 and make it a viable evacuation road.

F3. Skyway from Paradise to Chico could be upgraded and used in specific situations as an evacuation route.

The respondent disagrees with the finding. Skyway between Paradise and Chico is a divided four-lane highway that can already be used as an evacuation route in most cases.

EPA GREEN POWER PARTNER

ButteBusinessResources.com

BUTTE COUNTY ADMINISTRATION
OFFICE OF EMERGENCY MANAGEMENT
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STEVE LAMBERT
KIM K. YAMAGUCHI

Gregory G. Iturria
Interim Chief Administrative Officer

F4. With the exception of Skyway, evacuation routes do not have adequate shoulders for temporarily parking disabled vehicles.

The respondent disagrees with the finding. Clark Road is also a viable evacuation route and does have turnouts for disabled vehicles. However, the terrain along Clark Road does not allow for adequate shoulders along the entire length of Clark Road.

F5. An Emergency Evacuation Plan has been developed for Upper Ridge (Magalia and Paradise Pines) only.

The respondent disagrees with this finding. An emergency evacuation plan has been developed for most areas prone to wild fires. Specifically, the Town of Paradise has developed an Emergency Evacuation Plan for its residents. Additionally, the Fire Safe Councils within Butte County have developed and continue to refine evacuation plans for many communities in Butte County. The Butte County Fire Safe Council and the Office of Emergency Management continue to explore outside grants to fund printing of developed plans for distribution to citizens.

F6. The development of new housing in fire-prone areas of the foothills is ongoing.

The respondent neither agrees nor disagrees with this finding as it is outside the scope of responsibility of this department.

F7. Butte County does not have a County Fire Code Ordinance specific to Butte County.

The respondent neither agrees nor disagrees with this finding as it is outside the scope of responsibility of this department.

F8. During the recent wildfires, information on the County Emergency Broadcast System was often several hours old. Therefore, it did not provide timely information about the evacuation and fire status and locations.

The respondent disagrees with the finding. Butte County did not activate the Emergency Broadcast System during the 2008 summer fires. Instead, the County provided timely information about the evacuation and fire status by working closely with the local media, putting the information on the County website, staffing the call center that was available to public inquiries 24/7, and providing information officers and printed materials in affected areas.

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Interim Chief Administrative Officer

F9. Adequate funding is not in place for foothill evacuation routes. There is currently a movement toward development of a Benefit Assessment District to include the areas of Paradise, the Upper Ridge, Concow, and Centerville.

The respondent agrees with the finding that adequate funding is not in place for foothill evacuation routes. The respondent is unable to comment on the Benefit Assessment District as it is outside the scope of responsibility of this department.

F10. Fire safety information, about emergency evacuation routes and fire preparedness, is not reaching the public for whom it was intended.

The respondent disagrees with the finding. Emergency evacuation routes for many areas within Butte County are available through two sources; Butte County Fire Safe Council website and on display at the many Disaster Preparedness Workshops that are held throughout the year by several of the emergency/disaster response agencies. On several occasions, the Butte County Fire Safe Council has mailed maps and preparedness information to local residents in fire prone areas. Additionally, with the support of local media large newspaper inserts with preparedness information has been supplied to the public. The County will continue to reach out to the public on fire preparedness.

RECOMMENDATIONS

R1. BCGP2030 needs to address emergency evacuation routes and fire preparedness for the foothill areas of Butte County.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement the recommendation.

R2. Review the limitations of Forest Road 171 such as traffic speeds, volume of cars, and fire prone areas and consider other feasible evacuation routes. Additional roads for evacuation of the Upper Ridge, such as Doe Mill Road, should be investigated.

The recommendation has been implemented. The Butte County Public Works Department worked with the Butte County Association of Governments (BCAG) on reviewing the proposed Forest Highway 171 route and improvements. In addition, BCAG completed a study in 1994 entitled, *Feasibility Study of State Route 191 Extension in Butte County*, which evaluated alternate emergency routes from the upper ridge, including Doe Mill–Garland route. The study determined that the Doe Mill-Garland Road route, if developed to standards, would provide improved emergency access to the Upper Ridge.

EPA GREEN POWER PARTNER

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Gregory G. Iturria
Interim Chief Administrative Officer

R3. Consider immediate modification of Skyway, from Paradise to Chico, as an emergency evacuation route, by removing trees and brush and creating fire barriers on both sides of the road.

The recommendation has been partially implemented. The Butte County Public Works Department removed many of the dead and dying trees and brush within the Skyway right of way after the summer 2008 fires. The Public Works Department will continue removing hazardous trees and brush as resources are available.

R4. BCGP2030 should address how to handle disabled vehicles on emergency evacuation routes and the use of both traffic lanes for evacuation.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement the recommendation.

R5. Address the need for creation of Emergency Evacuation Plans for all high-risk fire areas in the Butte County Foothills.

The recommendation has been implemented. The Upper Ridge Evacuation Plan has been finalized. For smaller communities with lesser population densities, developing formalized plans may not be the best option. Since wildfire locations cannot be predicted, wildfire event specific evacuation plans are challenging to develop, especially for large areas with low population densities. After the 2008 Summer Wildfires, Emergency Evacuation templates have been developed for each community region which includes sections concerning Decision Points, Evacuation Locations and type of evacuation, Incident Command Information and Comments Section. The templates provide a simple and basic framework for emergency response personnel to develop an evacuation plan and are easily distributed to other emergency officials. Information for the public would then be disseminated through the various information channels.

R6. Put a moratorium on all multi-home development in fire prone areas until all fire safety, traffic, and emergency water supply issues are resolved.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement the recommendation.

R7. The Butte County Board of Supervisors should request and implement a County Fire Code Ordinance specifically designed for the Butte County foothill's environment.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement the recommendation.

EPA GREEN POWER PARTNER

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Gregory G. Iturria
Interim Chief Administrative Officer

R8. In cases of emergency, the County Emergency Broadcast System should update information frequently, with specific, current information about evacuation recommendations, location and status of the emergency, and the forecast of future actions.

The recommendation will be implemented in the future as necessary. As mentioned earlier, the County provided timely information about the evacuation and fire status by working closely with the local media, putting the information on the County website, staffing the call center that was available to public inquiries 24/7, and providing information officers and printed materials in affected areas.

As necessary, the County will use the Emergency Broadcasting System in the future.

R9. The Board of Supervisors should encourage the formation of a Benefit Assessment District in the Ridge.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement the recommendation.

R10. Consider inserting, in the local phone directory or property assessments, information about emergency travel routes and public assembly points, as shown in Appendix C.

The recommendation will not be implemented because it is unreasonable. The cost of inserting information in the local phone directory is prohibitive, especially in difficult economic times. Such information will continue to be made available on the County website, fire safe council websites, and in various community events.

Sincerely,

John Gulserian
Emergency Services Officer

JG/cd

EPA GREEN POWER PARTNER

ButteBusinessResources.com

GENERAL SERVICES DEPARTMENT

Interoffice Memorandum

RICHARDS L. HALL
Director – General Services
rhall@buttecounty.net
Telephone: (530)-538-7064
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BUTTE COUNTY
ADMINISTRATION

AUG 0 6 2009

OROVILLE, CALIFORNIA

August 6, 2009

Honorable James F. Reilley, Presiding Judge
c/o Court Administration
Superior Court of California, County of Butte
1 Court Street
Oroville, CA 95965

Dear Judge Reilley:

This memorandum contains my responses to the findings and recommendations contained in the Final Report of the 2008-09 Grand Jury.

Findings

F1. *"The Department Director and the Contracts Manager are acutely aware of the overwhelming need to rewrite the outdated Contracts/Purchasing Policy and Procedure Manual, for the purpose of centralizing information, creating easier access, saving time, and most importantly, saving revenue for the County."*
The respondent agrees with this finding.

F2. *"There is a lack of standardization and consistency in the County's contract language."*
The respondent agrees with this finding, recognizing that the diverse nature of County operations requires some variation in contract language.

F3. *"There is a lack of electronic transmission, approval, management and tracking of contracts."*
The respondent agrees with this finding.

F4. *"The DGS is not always involved before contracts are issued by individual departments."*
The respondent agrees with this finding; current procedures allow for a variety of processes, depending upon the type of contract.

F5. *"There is an immediate need for the Manual to be completed and approved by the Board of Supervisors."*
The respondent agrees with this finding. This is currently the Contract Manager's primary priority.

F6. *"There is no timeline for approval at each step in the ratification of a contract. Presently, it takes four to six weeks for contract approval."*

The respondent partially agrees with the finding. The respondent agrees that there is no timeline for approval at each step in the approval of a contract. The respondent disagrees that it takes four to six weeks for contract approval. The majority of contacts, which are routine and do not required Board approval, takes approximately two weeks. Contracts requiring Board approval or those requiring extensive modifications, take four to six weeks on average.

Recommendations

R1. *"A dedicated clerical position should be tasked with the compilation of the new contracts Manual."*
The implementation of this recommendation is not reasonable at this time due to the extreme financial difficulties currently existing in the County. It should be noted, however, that clerical assistance will be assigned as needed to help move the process along, and that most of the work required to revise the Manual is not clerical, but professional analysis and issue-vetting required to resolve issues of concern.

R2. *"Develop standardized, write-protected, department-specific templates for use in the majority of contractual relationships, eliminating lengthy, individual document review."*
It is anticipated that this recommendation will be implemented in the current fiscal year as part of the revision to the Manual. In order to be of broadest use, standardized templates will follow types of contracts, rather than being department-specific.

R3. *"An electronic processing program specific to expediting the contract process needs to be developed and implemented as soon as possible."*
The implementation of this recommendation will require a significant investment of resources for hardware, software, set-up, and training, and is therefore, not reasonable at this time due to the financial difficulties currently existing in the County. We anticipate that the benefits of implementing this recommendation will allow for its implementation as soon as it is feasible.

R4. *"Each department seeking a contract for goods or services should work collaboratively with DGS, utilizing the aforementioned templates, and implementing a streamlined electronic contract process."*
This recommendation has already been implemented to the extent that the General Services Department collaborates with departments on many of the higher risk contracts (large dollar or high complexity). It is anticipated that the need for collaboration will be further defined in the revisions to the Manual, based on the level of need.

R5. *"The new Manual should be reviewed and approved with any appropriate modifications by the Board of Supervisors as soon as completed."*
It is anticipated that this recommendation will be implemented in the current fiscal year.

R6. *"Procedures should be established to enhance the expediency and efficiency of the contract approval process."*

It is anticipated that this recommendation will be implemented in the current fiscal year as part of the revision of the Manual.

Sincerely,

Grant Hunsicker
Assistant Director - General Services Department
For Richards L. Hall

Richards L. Hall, Director
General Services Department

cc: Andy Pickett

BUTTE COUNTY
ADMINISTRATION
AUG 05 2009
OROVILLE, CALIFORNIA
Copy

Butte County

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DEPARTMENT OF HUMAN RESOURCES
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August 5, 2009

Honorable James Reilley, Presiding Judge
Butte County Superior Court
One Court Street
Oroville, CA 95965

Re: Response to the FY 2007-2008 Grand Jury Final Report

Dear Judge Reilley:

In accordance with Penal Code Sections 933 and 933.5, the Director-Human Resources submits the following response to the findings and recommendations of the Grand Jury's Final Report for FY 2008-2009 pertaining to the Department of Human Resources:

PAYMENT OF MEDICAL INSURANCE PREMIUMS FOR BUTTE COUNTY RETIREES

Grand Jury Findings

F1 *When negotiating the recently expired bargaining unit MOUs, the County reviewed the compensation packages of twelve other counties. Some of the counties did not have comparable cost of living socio-economic parameters.*

The respondent agrees with the finding.

F2 *As an incentive to save sick leave, the County offers three options for converting unused sick leave upon retirement. The rationale for offering incentives to save sick leave appears valid.*

The respondent agrees with the finding.

F3 *Under the nine recently expired bargaining unit MOUs, the County pays the full cost of medical insurance premiums for retirees who qualify for CalPERS retirement and have accumulated sick leave savings. During open enrollment, the retiree may elect to change to a higher benefit plan with the County paying the increased premium.*

The respondent agrees mostly with the finding.

The County offers three options for converting unused sick leave upon retirement as an incentive for saving sick leave. One option offered for six bargaining units is to convert one day of accrued sick leave (8 hours) for one month of health insurance premium. Retirees who belonged to these bargaining units may switch to a more costly or less costly benefit plan during open enrollment as long as they have sufficient number of accumulated sick leave hours.

As a clarification, retirees who belonged to three other bargaining units have a different option than the one mentioned above. For these retirees, the County is required to calculate the value of the employee's unused sick leave based on his/her accrued sick leave balance at the time of retirement and convert it to the value of one month of employee only health insurance premium per one day of accrued sick leave (8 hours). That amount is placed into the employee's health insurance "account." All health insurance premiums, including any premium increases, are deducted from the account until the account is depleted. Upon depletion, retirees are notified that they are responsible for assuming payment of the premiums.

F4 In most cases, the medical insurance benefit exceeds the hourly rate paid to the employee prior to retirement. Medical insurance premiums for about 120 County retirees are currently costing the County nearly one million dollars per year. As medical premiums rise and more employees retire with accumulated sick leave, these costs will increase.

The respondent agrees with the finding.

F5 It is difficult for the County to predict or budget for retiree medical insurance premiums, due to the County's lack of control over insurance premium increases and employee decisions to retire.

The respondent agrees with the finding.

F6 The County is in the process of negotiating new agreements with the nine bargaining units, which provides an opportunity to renegotiate this benefit.

The respondent agrees with the finding.

Grand Jury Recommendations

R1 When comparing employee compensation packages, negotiate to replace counties such as Sacramento, Santa Cruz, Sonoma, Napa, with counties having comparable cost of living and socio-economic parameters to those of Butte County.

This recommendation has not yet be implemented by may be implemented in the future. Pursuant to State law, Butte County must negotiate with its bargaining units with respect to all matters related to salaries and benefits. The County is currently in negotiations with all of its bargaining units.

R1 *Continue to offer cash payments and length of service extension for unused sick leave, but negotiate to change the medical insurance premium benefit to a shared cost, similar to that formula used to determine the portion of the medical insurance premium paid by the County for employees prior to retirement. For example, in the new Bargaining Unit MOUs being negotiated, fix the County's monthly contribution for retiree medical insurance premiums and require the retiree to pay the remainder.*

This recommendation has not yet be implemented by may be implemented in the future. Pursuant to State law, Butte County must negotiate with its bargaining units with respect to all matters related to salaries and benefits. The County is currently in negotiations with all of its bargaining units.

R3 *For current retirees with vested retirement rights, continue to have the County pay the total cost of health insurance premiums. For future retirees, negotiate to modify the current practice which permits retirees to move to a higher plan at the County's expense. Negotiate to have the retiree pay the difference in premiums.*

This recommendation has not yet be implemented by may be implemented in the future. Pursuant to State law, Butte County must negotiate with its bargaining units with respect to all matters related to salaries and benefits. The County is currently in negotiations with all of its bargaining units.

This concludes the response of the Director-Human Resources to the area in the Grand Jury Report for fiscal year 2008-2009 where they mentioned the Human Resources Department.

Sincerely,

Laura A. Brunson
Director-Human Resources

cc: Gregory Iturria, Interim Chief Administrative Officer

BUTTE COUNTY
PROBATION DEPARTMENT

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BUTTE COUNTY ADMINISTRATION
AUG 1 0 2009
OROVILLE, CALIFORNIA

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Asst. Chief Probation Officer
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July 27, 2009

Honorable James F. Reilley, Presiding Judge
Butte County Superior Court
1 Court Street
Oroville, CA 95965

Honorable Judge Reilley,

The following is in response to a Grand Jury Final Report, dated 2008-2009, pages 31, 32, 33, "BUTTE COUNTY JUVENILE HALL" as required by Penal Code Section 933.

FINDINGS

F1. The average number of wards housed in three pods is fifty five.

This respondent disagrees partially with the findings. Since the beginning of 2009 the total average daily population for the combined three Juvenile Hall pods has been approximately fifty. Although there have been spikes both higher and lower.

F2. Table Mountain School allows students to continue to progress academically, so they can mainstream back into public school upon their release.

This respondent agrees with this finding.

F3. The Boys and Girls Club offers juveniles a place to go where they can participate in building life skills, exercise, music, and games. Entry to the "Club" is earned by good behavior.

This respondent agrees with this finding.

F4. Foster Grandparents provide role models for the youth, offering a non-authoritarian ear to talk to.

This respondent agrees with this finding.

RECOMMENDATIONS

R1. Adequate funding should be made available to maintain the existing three pods.

The recommendation has been implemented. There are currently three pods in operation within the Juvenile Hall with each pod capable of housing 20 minors each.

R2. TMS classrooms should remain fully functioning in each of the three existing pods.

The respondent is unable to comment on this recommendation since it is directed to the Table Mountain Schools, a separate governmental entity. However, it is the understanding of the respondent that TMS classrooms will remain fully functioning in three Juvenile Hall pods.

R3. The Boys and Girls Club should remain in operation at JH

The respondent is unable to comment on this recommendation since it is directed to the Boys and Girls Club, a separate non-profit entity. However, it is the understanding of the respondent that the Boys and Girls Club will remain in operation at the Juvenile Hall.

R4. The Foster Grandparent Program and other after-school and evening activities provided by community groups should continue.

The recommendation has been implemented

This concludes Probation Department's response to the Grand Jury findings and recommendations for fiscal year 2008-2009.

Submitted by:

John M. Wardell
Chief Probation Officer

Department of Public Works
County of Butte

J. Michael Crump, *Director*
Shawn H. O'Brien, *Assistant Director*

7 County Center Drive
Oroville, CA 95965-3397
(530) 538-7681
(FAX) 538-7171

August 5, 2009

Hon. James F. Reilley, Presiding Judge
c/o Court Administration
Superior Court of California, County of Butte
One Court Street
Oroville, CA 95965

Re: Grand Jury Response

Dear Honorable Judge Reilley:

Below please find my response to the 2009 Grand Jury Report.

Finding 1 – The draft General Plan 2030 does not adequately address all fire and safety issues in the foothill areas of Butte County.

The respondent neither agrees nor disagrees with this finding as it falls outside the scope of responsibility of this department.

Finding 2 – At present, there is only one major evacuation route south from the Upper Ridge and no viable routes north. There is a need for an additional evacuation route from Magalia and Paradise. The upgrade of Forest Road 171, classified as a recreational access road, is not fully funded, and even after completion, will not be sufficient as an evacuation route.

The respondent partially disagrees with the finding. The respondent agrees that there is only one major evacuation route south from the Upper Ridge and no existing viable routes north. However, it is premature to assume that Forest Road 171 will not be sufficient as a viable evacuation route in the future. The County is actively seeking funding to complete the upgrade of Forest Road 171 and make it a viable evacuation road.

Finding 3 – Skyway from Paradise to Chico could be upgraded and used in specific situations as an evacuation route.

The respondent disagrees with this finding. Skyway between Paradise and Chico is a high volume divided 4-lane highway that can be used as an evacuation route in most cases.

Finding 4 – With the exception of Skyway, evacuation routes do not have adequate shoulders for temporarily parking disabled vehicles.

The respondent disagrees with the finding. Clark Road is also a viable evacuation route and does have several turnouts for disabled vehicles. However, the terrain along Clark Road does not allow for adequate shoulders for the entire length of Clark Road.

Finding 5 – An Emergency Evacuation Plan has been developed for the Upper Ridge (Magalia and Paradise Pines) only.

The respondent disagrees with this finding. The Town of Paradise has developed an Emergency Evacuation Plan. Additionally, fire safe councils within Butte County have developed and continue to refine evacuation plans for many communities in Butte County.

Finding 6 – The development of new housing in fire-prone areas of the foothills is ongoing.

The respondent neither agrees nor disagrees with this finding as it is outside the scope of responsibility of this department.

Finding 7 – Butte County does not have a County Fire Code Ordinance specific to Butte County conditions.

The respondent neither agrees nor disagrees with this finding as it is outside the scope of responsibility of this department.

Finding 8 – During the recent wildfires, information on the County Emergency Broadcast System was often several hours old. Therefore, it did not provide timely information about the evacuation and fire status locations.

The respondent neither agrees nor disagrees with this finding as it is outside the scope of responsibility of this department.

Finding 9 – Adequate funding is not in place for foothill evacuation routes. There is currently a movement toward development of a Benefit Assessment District to include the areas of Paradise, the Upper Ridge, Concow and Centerville.

The respondent agrees with the finding that adequate funding is not in place for foothill evacuation routes. The respondent is unable to comment on the Benefit Assessment District as it is outside the scope of responsibility of this department.

Finding 10 – Fire safety information, about emergency evacuation routes and fire preparedness, is not reaching the public for whom it was intended.

The respondent neither agrees nor disagrees with this finding as it is outside the scope of responsibility of this department.

Recommendations

Recommendation 1 – BCGP2030 needs to address emergency evacuation routes and fire preparedness for the foothill areas of Butte County.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement the recommendation.

Recommendation 2 – Review the limitations of Forest Road 171 such as traffic speeds, volume of cars, and fire prone area and consider other feasible evacuation routes. Additional roads for evacuation of the Upper Ridge, such as Doe Mill Road, should be investigated.

This recommendation has been implemented. Public Works worked with BCAG on reviewing the proposed FH 171 route and improvements. In addition, BCAG completed a study in 1994 entitled, Feasibility Study of State Route 191 Extension in Butte County, which evaluated alternate emergency routes from the upper ridge, including Doe Mill–Garland route. The study determined that the Doe Mill-Garland Road route if developed to standards would provide improved emergency access to the Upper Ridge.

The 1994 study provided cost estimates to improve the Doe Mill-Garland Road Route that ranged from $3.9 to $4.5 million to re-grade the route only (which would maintain the road as gravel), and replace the bridge on the Forks of Butte Creek up to $28-$87 million to fully reconstruct the route as a paved road and replace the bridge. This top range included several bridge replacement alternatives ranging from $9.7 to 45 million.

Recommendation 3 – Consider immediate modification of Skyway, from Paradise to Chico, as an emergency evacuation route, by removing trees and brush and creating fire barriers on both sides of the road.

The recommendation has been partially implemented. The County removed many of the dead and dying trees and brush within the Skyway right of way after the summer 2008 fires. Sheriff work crews are also used to clear brush from County road rights of ways.

Recommendation 4 – BCGP2030 should address how to handle disabled vehicles on emergency evacuation routes and the use of both traffic lanes for evacuation.

This recommendation will not be implemented because it is not reasonable for BCGP2030 to address how to handle disabled vehicles or emergency evacuation routes and/or use both traffic lanes for evacuation.

Recommendation 5 – Address the needs for creation of Emergency Evacuation Plans for all high-risk fire areas in the Butte County foothills.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement the recommendation; however, Public Works will support the establishment of Emergency Evacuation Plans for any high risk fire area.

Recommendation 6 – Put a moratorium on all multi-home development in fire prone areas until all fire safety, traffic, and emergency water supply issues are resolved.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement this recommendation.

Recommendation 7 – The Butte County Board of Supervisors should request and implement a County Fire Code Ordinance specifically designed for the Butte County foothill's environment.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement this recommendation.

Recommendation 8 – In cases of emergency, the County Emergency Broadcast System should update information frequently, with specific, current information about evacuation recommendations, location and status of the emergency, and the forecast of future actions.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement this recommendation.

Recommendation 9 – The Board of Supervisors should encourage the formation of a Benefit Assessment District on the Ridge.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement this recommendation.

Recommendation 10 – Consider inserting, in the local phone directory or property assessments, information about emergency travel routes and public assembly points, as shown in Appendix C.

The respondent is unable to comment on this recommendation. The respondent does not have the authority to implement this recommendation.

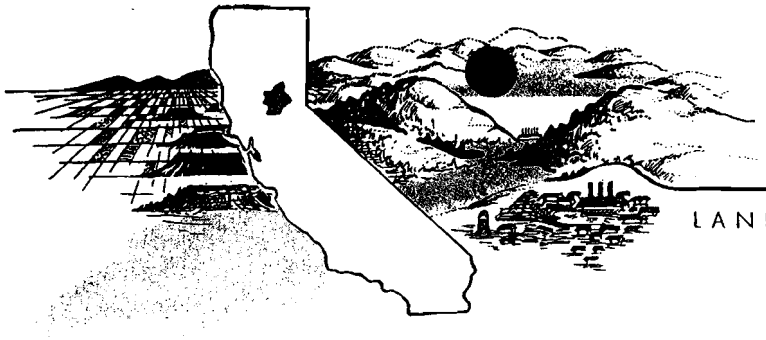
Sincerely,

Mike Crump
Director of Public Works

MC:jg

cc: Butte County Board of Supervisors

APPENDIX B



Butte County

LAND OF NATURAL WEALTH AND BEAUTY

OFFICE OF THE AUDITOR-CONTROLLER
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25 COUNTY CENTER DRIVE • OROVILLE, CALIFORNIA 95965-3383
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August 17, 2009

The Honorable James Reilley, Presiding Judge
Butte County Superior Court
One Court Street
Oroville, CA 95965-3303

Dear Judge Reilley:

In accordance with Penal Code Sections 933 and 933.05, the Butte County Auditor-Controller is responding to the Findings and Recommendations of the *Butte County Grand Jury 2008/2009 Final Report*.

As an affected agency or individual named in the *Final Report*, please find enclosed my responses to the Findings and Recommendations.

Sincerely,

David A. Houser
Auditor-Controller

DAH/ll

Enc.

cc: Butte County Board of Supervisors

BUTTE COUNTY GRAND JURY REPORT 2008/2009
OFFICE OF THE AUDITOR-CONTROLLER

Response to Findings and Recommendations
Grand Jury Report for 2008/2009

Findings

F1.A A portion of workload scheduled to be transferred from the A-C's Office to the CFO's Office has not yet occurred.

The respondent agrees with the finding.

F2. The Butte County A-C's Office appears to have a positive work environment.

The respondent agrees with the finding.

F3. Currently, there appears to be alack of cross training in the A-C's Office.

The respondent disagrees with this finding. Cross training has occurred for many years in the Auditor's Office. Not only is cross training occurring amoung the staff in the various sections but also across sections when time permits. Some cross training has been a slow process during the most recent period as positions have been shifted to the CFO's office while much of the related work associated with those positions has remained with this office. As the functions to be moved to the CFO finally occur we will be establishing new cross training procedures for the sections.

F4. The Division Procedural Manuals are outdated.

The respondent disagrees with this finding. While some of the sections need updating this is an ongoing process with rewrites to the Procedure Manual are being completed. Since the staff in the Auditor's office is limited and have been doing many tasks that should have been transferred to the CFO's Office when staff were transferred, we have been selectively rewriting the Manual updating the procedures.

F5. There are no individual Desk Procedural Manuals.

The respondent disagrees with this finding. Individual Desk Procedural Manuals exist for all staff members with the exception of one or two desks. Those Procedural Manuals will have some significant changes to the current desk procedures for these positions as some of the functions currently being performed by these positions will be transferred to the CFO's office.

RECOMMENDATIONS

R1. The A-C and the CFO should jointly develop a specific plan for resolving the issues regarding the workload not transferred from the A-C's Office to the CFO's Office.

We will be working closely with the CFO's Office to complete this objective. We will be contacting the CFO's Office to set up a meeting to develop a specific plan once again to establish a timeline to transfer the remaining duties from the Auditor-Controller's Office to the CFO's staff.

R2. Continue to incorporate "team building" activities to foster the positive work environment.

This recommendation has been implemented. The Auditor-Controller's management staff continues to encourage and develop team building activities to foster a positive work environment in the office. In addition to current activities, management has increased the morning status meetings schedule to three days per week to discuss scheduling and staffing issues, problem areas and to incorporate team building discussions within the management group. Staff is encouraged to bring up any and all issues that need addressed and each morning a meeting can be called by any of the management team if a pressing issues occurs.

R3. Develop a continual cross training program and implement schedule.

The recommendation has been partially implemented. Cross training has been and is currently occurring in the Auditor-Controller's Office. All staff in the Property Tax Section of the office are cross trained and continually are updated as laws and processes change. The Supervisor of the Accounts Payable/General Accounting Section has increased the level of cross training and continues to develop that program.

R4. Update the Division Procedural Manuals.

The recommendation is being implemented. Each Section of the Procedural Manual is being reviewed to determine if it is consistent with current standards and practices and is being changed to meet current standards where necessary. This is an ongoing process, as staffing shortages and scheduling issues have stretched staff resourses; these areas will be addressed in the coming months.

R5. Create and publish individual desk Procedural Manuals.

The recommendation has been implemented except for two positions that are impacted by process changes that will or are currently occurring. The Manuals are available for review and each desk maintains a copy for use by the staff.

CANDACE J. GRUBBS
COUNTY CLERK-RECORDER/REGISTRAR OF VOTERS
COUNTY OF BUTTE
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August 15, 2009

Honorable James F. Reilley
Presiding Judge
Butte County Superior Court
1 Court Street
Oroville CA 95965

Re: Response to 2008/09 Grand Jury Final Report

Dear Judge Reilley:

In accordance with Penal Code Sections 933 and 933.5, the County Clerk-Recorder/Registrar of Voters submits the following response to the findings and recommendations of the Grand Jury's Final Report for FY 2008-09 pertaining to the department.

I would like to express my appreciation to the grand jurors for their commitment of time and effort to understand the administration of elections and gain further knowledge of the County Clerk-Recorder operations. In addition, I commend the members of the grand jury that served as election observers during the 2008-09 year.

Butte County Clerk-Recorder/Registrar of Voters

Grand Jury Findings:

F1. County records and historical document restoration is an ongoing process.

The respondent agrees with this finding.

F2. Ballot counting machines have to be individually hand fed, which is a slow and tedious process.

The respondent agrees with this finding.

F3. Two additional facilities must be leased in order to accommodate the volume of machines and paperwork, as the current main facility is not large enough to house all of the components for an election.

The respondent agrees with this finding.

F4. Returning to paper ballots costs the County approximately $35,000 in the 2008 election (Appendix B).

The respondent partially agrees with this finding. A variety of factors have led to the increased costs. The Secretary of State's mandate to provide both paper ballots and electronic ballots at the polls increased the cost of conducting elections by 29% from November 2004 to November 2008. These costs include purchase of optical scan ballot tabulation devices and maintenance, polling place paper ballots, new training materials, additional precinct supplies and security measures, and labor to revise poll worker and field inspector training (i.e. power point, handbook, procedure cards, etc.), to test program and equipment, ballot tabulation, and manual tally of ballots.

Grand Jury Recommendations:

R1. Restoration of historical documents should be continued to preserve the history of Butte County.

The recommendation has been implemented. The County Clerk-Recorder is undergoing a number of efforts to restore and preserve historical records. These efforts include restoration and rebinding historical books, adding cabinets to the public access research room for safer handling, and digitizing vital records. The County Clerk-Recorder is also currently reviewing proposals to digitize official records before 1988. Other restoration efforts to be implemented include de-acidifying records. Working within fiscal and resource constraints, the County Clerk-Recorder will continue with these efforts.

R2. Purchase updated counting machines for paper ballots as they become certified by the State of California.

The recommendation has not yet been implemented, but will be in the future. Upon state certification, the County Clerk-Recorder will move forward to purchase upgrade to central count ballot tabulation. The funds are available through existing federal HAVA (Help America Vote Act of 2002) programs.

R3. *All election materials and County records should be consolidated at a single facility to affect cost savings.*

The recommendation will be implemented when sufficient funding is available. The County Clerk-Recorder has long championed the idea of a consolidated Hall of Records. Having a Hall of Records would allow the department to better preserve, archive, and make accessible records of historical significance. A Hall of Records consolidated with adequate facilities for Elections functions would allow for efficiencies through cross training of staff, improve productivity, better public service and simplified ballot counting processes. The County Clerk-Recorder has funds to begin the process, and is currently working with other County departments to locate and secure additional funding, and to ensure optimal feasibility for the Hall of Records site.

Sincerely,

Candace J. Grubbs
County Clerk-Recorder/Registrar of Voters

Cc: Board of Supervisors
Greg Iturria, Interim Chief Administrative Officer

BUTTE COUNTY SHERIFF

PERRY L. RENIFF
SHERIFF-CORONER

July 1, 2009

The Honorable James Reilley, Presiding Judge
Butte County Superior Court
One Court Street
Oroville Ca 95965

RE: RESPONSE TO 2008-2009 GRAND JURY REPORT

Dear Judge Reilley:

Please accept this response to the findings of the 2008-2009 Grand Jury. As always, we found their interest in, and concern with the operations of this Office, to be helpful for us and insightful for those members who were able to become involved in our operation.

FINDINGS:

Finding Number 1

"The west facility received an equipment update to make it a state of the art facility. ....."

We agree with this finding.

Finding Number 2

"The Sheriff is continuously looking for ways to reduce costs in the jail and run the jail more efficiently".

We agree with this finding.

Finding Number 3

"A video in English and Spanish, for the purpose of explaining rules, programs available, and what inmates can expect while incarcerated at Butte County Jail, is in the planning."

We agree with this finding.

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RECOMMENDATIONS:

Recommendation Number 1

"The Sheriff and the Butte County Jail staff should continue to look for ways to improve housing of prisoners while making conditions safe for inmates and correctional Officers".

This is an ongoing endeavor, with no specific implementation date envisioned. We strive to not only address the physical plant and make improvements to inmate housing as we are able, but we also address the program and services that are available to the inmate population. These involve educational and self improvement programs and materials. Improvements that tangentially benefit the inmates come in the form of specific training and/or equipment utilized by the Correctional staff. While the fiscal situation that we are presently experiencing is not conducive to jail modification or construction projects, we will continue to seek funding for our sorely needed female housing unit and gang or administrative segregation housing.

Recommendation Number 2

"A video informing newly booked inmates of the programs available to them should be produced, and the Jail Handbook should be published. A Spanish version of both is recommended".

This Office is currently in the final stages of contract approval with an identified vendor to produce just such a video as is recommended here. Developed in both English and Spanish versions, the video will contain necessary information about facility rules and regulations, programs available to the inmates and other essential topics.

The Jail Handbook is updated annually and is constantly subject to review and modification. It is currently available in both English and Spanish versions.

Sincerely,

Perry L. Reniff
Sheriff-Coroner

cc: Board of Supervisors
Bill Connelly
Jane Dolan
Maureen Kirk
Steve Lambert
Kim Yamaguchi
Greg Iturria, Interim CAO