

2017-2018
Lake County, California
Civil Grand Jury
Final Report



Front Cover: Clear Lake and Mount Konocti from Redbud Park, Clearlake, California

Photograph by Mark Rothrock

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Civil Grand Jury 2017/2018
County of Lake
P.O. Box 1078
Kelseyville, CA 95451

June 20, 2018

The Honorable Andrew S. Blum
Presiding Judge
Superior Court of California
County of Lake
255 Forbes Street
Lakeport, CA 95453

Dear Judge Blum,

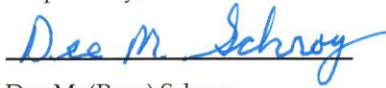
In accordance with California State Law, we respectfully submit the 2017-2018 Lake County Civil Grand Jury Report.

The Grand Jury embarked on this year with a set of selected goals to pursue, but we were quickly moved to listen to, and consider, a vast number of our fellow citizens' inputs. Some of these were concerned about the safety and conditions for themselves and their neighbors. Some were bristling at how they believed they had been treated by various areas within our county governance. Many believed they had not been listened to by those they expected to be able to rely on. More than a few of these individual reports reflect those carefully considered inputs and concerns as the starting point for that report. Our focus was on stressing areas of improvement rather than just criticism. We strongly believe it has been our responsibility and our privilege to lend our efforts and our voice to these important issues.

We would specifically like to note that more than several of the agencies/departments with whom we were conducting multi-month on-going interviews began actions or procedures in accordance to exactly what we had exposed (simply via the investigation process) was intended to be some of the end focus/recommendations for our Grand Jury's Final Report. As noted in some of the individual reports, we applaud any movement made to improve the situation for the citizens of our County either because of the final report or because of the investigation itself. However, just because of any such action, we do not expect those reports to be met with dismissal, or with then bypassing or ignoring any other equally important recommendations in that report. This is a concern not only for the Grand Jury, but for all in our County who hopefully benefit from these reports.

The 2017-2018 Grand Jury has been comprised of a wide variety of our County citizens who have performed their duties seriously, with great care and thoroughness, and with the paramount concern to 'making things better'. It has been an honor for me to serve with them.

Respectfully,



Dee M. (Russ) Schroy

Foreman, 2017-2018 Lake County Civil Grand Jury

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Phone: 707-279-8619 (answering machine)



Civil Grand Jury 2017/2018

County of Lake
P.O. Box 1078
Kelseyville, CA 95451

Grand Jury Foreman's Letter to the Public

The members of the 2017-2018 Lake County Civil Grand Jury have worked very hard to benefit you, our neighbors, in how we all live and thrive within the County and Cities we share. We have spoken to hundreds of you from both inside of our various governances and many concerned private citizens. The concerns brought to us were listened to carefully and, as will show in the reports in this book, many were deeply looked into.

This process is vastly more interesting than it might sound. For every single member, participation in the Civil Grand Jury process has been a most rewarding experience. I would encourage any citizen who is looking for a way to participate in the greater community, and make a greatly meaningful contribution, to consider becoming a Civil Grand Juror. Based on what we have seen you will find it to be a most positive life experience. Give it a thought.

During the course of the year, we were exposed to several organizations within the County that – while not governmental agencies and therefore not suitable for an official “report” – made such noticeable contributions to their local areas and across the County that we felt a recognition of appreciation is merited. These organizations are the Children’s Museum of Art and Science (CMAS) in Clearlake, the Middletown Art Center (Mac) in Middletown, and the Lake County Arts Council based in Lakeport. Each of them has tremendous involvement and extensive participation within our communities. They interact with all age ranges from the very young to our senior neighbors in a wide variety of meaningful ways. They exist mostly on memberships and donations with a more modest portion of their income emanating from smaller sales from local artisans. They are mostly quiet and dedicated but the results of their efforts are grand and widespread. The Grand Jury encourages anyone interested in enhancing the culture of our County to look into, and perhaps even get involved with one of these highly laudable organizations.

Russ Schroy

E-Mail: Grand.Jury@lakecountyca.gov

Phone: 707-279-8619 (answering machine)

COUNTY CIVIL GRAND JURY

HISTORY

The institution of the Grand Jury is of ancient origin. Its use as an instrument of government predates its introduction into our county during colonial times. It has been continued and used throughout American history. As constituted today in the State of California, the Grand Jury is a part of the judicial branch of government - "an arm of the court". It does not have the functions of either the legislative or executive branches, and is not a police agency. Additionally, it does not mandate policy changes. It is an examining and investigative body that makes recommendations to improve systems, procedures, and methods of operations in designated local government agencies. In Lake County, the Grand Jury generally performs only civil functions.

ORGANIZATION

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

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

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

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

FUNCTIONS

Watchdog Responsibilities:

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

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

Response to Citizens Complaints:

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

FINAL REPORT

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

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

SUBMISSION OF COMPLAINTS

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

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

GRAND JURY SELECTION PROCESS

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

Grand Jury Coordinator
255 North Forbes Street
Fourth Floor
Lakeport, CA 95453.
(707) 263-2374 ext. 2282

Applications are also available at each Superior Court Clerk's office at the above address or at 7000 A South Center Drive, Clearlake.

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

QUALIFICATIONS FOR GRAND JURORS

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

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

A person is not legally required to serve if any of the following apply:

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

Desirable qualifications for a Grand Juror include the following:

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

Responses to Findings and Recommendations

In past responses to the Final Reports submitted by the Grand Jury, the jury and general public has at times found it difficult to fully understand what has been written.

The 2017-2018 Grand Jury submits the following format to be used in responding to the reports in the hopes all peoples reading this Final Report can fully appreciate what the county is doing. (PC §933.05). This is a format that has been used by the Board of Supervisors in responding to past reports and has worked very well.

Thank you.

Name or Report: _____

Finding or Recommendations #: _____

- AGREE, has been implemented
- AGREE, will be implemented within: _____
- NEUTRAL, Requires further analysis to be completed within _____
- DISAGREE, will not be implemented. Explanation: _____

Response to Citizens Complaints

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

2017-2018 Lake County Civil Grand Jury

Name	Role	City
Johnallen Chamberlain		Clearlake
Susan de Bernardi		Kelseyville
Patricia Elliott	Recording Secretary	Lucerne
Adckinjo Esutoki	Parliamentarian	Kelseyville
Jack Gingles	Foreman Pro Tem	Clearlake
Annette Gingles		Clearlake
Beverly Hill	Recording Secretary	Cobb
Maggie Magoolaghan		Kelseyville
Bill Magoolaghan		Kelseyville
Toni Maier		Clearlake
Robert Norgrove		Clearlake Oaks
Charlotte Oakes		Lakeport
Kathleen O'Connor		Lakeport
Mark Rothrock		Clearlake
Russ Schroy	Foreman	Hidden Valley Lake
Paula Schroy		Hidden Valley Lake
Dr. C. Richard Smith		Kelseyville
John Vance	Sergeant at Arms	Clearlake Oaks
Jane Weilbacher		Kelseyville

The Lake County Quilt Trail

The Lake County Quilt Trail project – the first of its kind in California – places painted quilt squares on highly visible barns and buildings throughout Lake County. It is an agricultural and tourism project designed to promote and celebrate community pride.

The Grand Jury is pleased to have been authorized to print the images from the Quilt Trail Website in the 2017-2018 Final Report.



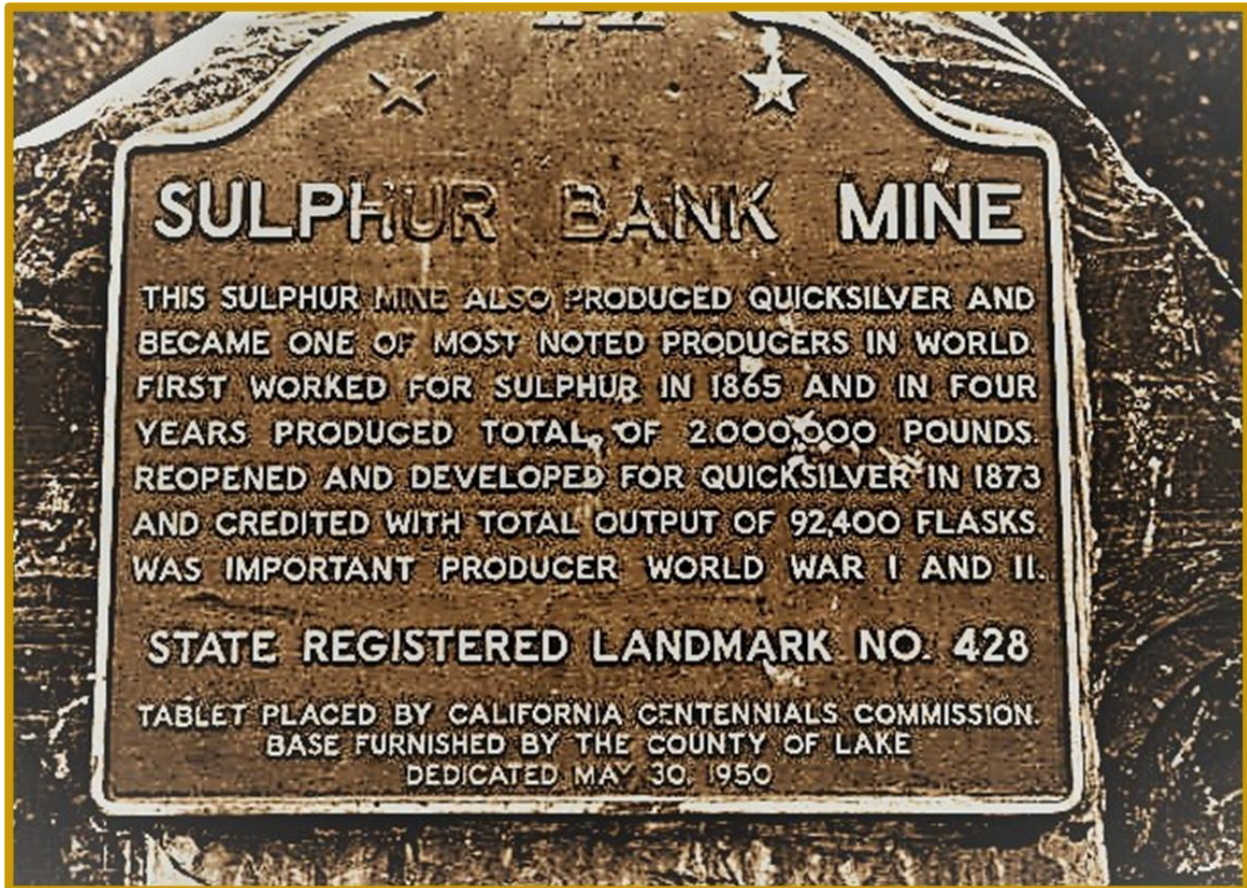
Lake County Quilt Trail "State Park Bear Claw"

5300 Soda Bay Road, Kelseyville, California

Budget and Finance



Lake County Quilt Trail "School House"
306 North Main Street, Lakeport, California



Beginning in 1856 the mine was worked for borax. Mining for sulfur began in 1865, and produced 2,000,000 pounds (909,090 kg) in four years. Mercury ore, also known as Quicksilver, was mined intermittently by underground and open-pit methods from 1873 to 1957. Sulphur Bank Mine was credited with a total output of 92,400 flasks (7.02 million pounds) by 1918. The mine was an important producer during both world wars.

The mine closed in 1957 and is a California Historical Landmark (#428). Unfortunately, the plaque is missing. The picture above is one of the few remaining available. Sulphur Bank Mine became an Environmental Protection Agency (EPA) superfund site in 1990.

Poor Student Attendance Costs Lake County Public Schools

Summary:

For the 2016-17 academic year, all Lake County public schools collectively lost more than \$5.3 million in revenue due to student absenteeism. State revenues for public schools are earned through a funding formula based on school attendance. When a student is absent, excused or not, the school loses revenue.

In Lake County, efforts to coordinate public school attendance improvement have been significantly reduced or abandoned due to costs and lack of results. Currently, there are no coordinated countywide programs to improve school attendance. Though every school district does have improving school attendance in their Local Control Accountability Plan (LCAP), attendance has not improved.

Two strong recommendations come from educators to improve attendance. First, there needs to be a countywide emphasis, through all agencies that deal with parents and children working in concert, to promote regular school attendance. Second, there needs to be greater opportunity in all school districts for children to begin formal education at a much earlier age than kindergarten. Some emphasis with parents in these early age programs must be placed on the value of regular school attendance.

In order to engender greater attention to the value of regular school attendance, Superintendents of the public school districts should be required to regularly publish school attendance figures, including the value of lost revenue due to absenteeism.

Background:

For several years, since 2013, the California Attorney General has been issuing reports on the extent to which California public elementary schools have been losing revenue due to student absenteeism. (In School + On Track 2015) The report states, "Over the past six years, school districts in California have lost an estimated \$7.3 billion in funding due to student absences."

Note of explanation: The focus of this report is on 'absenteeism'. That is defined as the missing of school on a daily - often-sporadic - basis. "Truancy" is a legally defined term dealing with excessive and continued absenteeism without valid excuses.

Methodology:

The Grand Jury (GJ) read the above described California Attorney General 2013-2017 reports to understand what the Attorney General had concluded about this issue. These reports were considered substantial evidence that there is a problem in Lake County.

The Lake County Office of Education (LCOE) indicated they had an ongoing concern for this issue. Indications from the LCOE were that all six school districts were losing significant revenue due to absenteeism.

The Grand Jury interviewed the Superintendents of several county school districts in order to determine how they were handling school attendance issues and the loss of revenue.

Discussion:

The loss of revenue to Lake County public school districts due to absenteeism was raised by the LCOE in a published article (see bibliography). A major concern was that absent students were not learning at the rate that they should because they were not in their seats at school. LCOE also raised the concern that county schools were thereby losing state revenue for public instruction. LCOE cited the studies by the California Attorney General, referenced above, in which it was stated "Students who do not regularly attend school are more likely to [become] unemployed, incarcerated, and on public assistance". Thus, the real cost to the public is far greater in terms of economic development, public welfare and law enforcement.

A report by the LCOE (Figure 1.) shows that for the 2016-17 school year, Lake County public school districts lost a total of \$5,350,634 due to absenteeism in the second reporting period.

Figure 1. Average Daily Attendance Impact on Funding Formula Revenues by District and County-Wide*

District	Enrollment	P2 ADA Funded	Attendance	Maximum Funding	Actual Funding	Loss in Funding
Kelseyville	1711	1584	92.6 %	\$ 16.6 M	\$ 15.5 M	\$ 1.1 M
Konocti	3365	3055	90.8 %	\$ 33.6 M	\$ 30.8 M	\$ 2.8 M
Lakeport	1534	1479	96.4 %	\$ 13.3 M	\$ 13.0 M	\$ 0.3 M
Lucerne	264	245	92.8 %	\$ 2.7 M	\$2.5 M	\$ 0.2 M
Middletown	1450	1395	96.3 %	\$ 12.7 M	\$ 12.4 M	\$ 0.3 M
Upper Lake	834	764	91.6 %	\$ 8.2 M	\$ 7.6 M	\$ 0.6 M
County-wide	9158	8523	93.1 %	\$ 87.1 M	\$ 81.8 M	\$ 5.4 M

* Revenue amount is calculated on the number of students absent, not the percentage of attendance.

To be fair, no school district is going to achieve 100% attendance, and will always lose some funding in the state School Funding Formula. What is an acceptable rate of attendance? Two of the six county school districts have achieved attendance rates of 96% (Figure 2.) This tends to then set a desirable standard for the county of at least 94% attendance. The other four school districts are well below that standard.

Although every public school district has a goal in its Local Control and Accountability Plan (LCAP) to improve attendance, it is evident that improving performance is very difficult to achieve. In the first quarter report of school attendance (P1), from 2016 to 2017, the overall attendance loss for county school districts was down 2% from the prior year. (Figure 2.) Three of the six school districts actually had lower attendance rates than the prior year.

Figure 2. The difference in school district reporting period 1 (P1) attendance rates between year 2016-17 and 2017-18.

District	16-17	17-18	Percent	16-17	17-18	Percent	Change in
	Enrollment	Enrollment	Difference	P1 Attend.	Pi Attend.	Difference	Percent
KVUSD	1724	1702	-0.22	1599	1588	-0.11	0.11
KUSD	3365	3489	1.24	3189	3092	-0.97	-2.21
LUSD	1534	1503	-0.31	1469	1448	-0.21	0.1
MUSD	1450	1455	0.05	1388	1399	0.11	0.06
LESD	264	263	-0.01	247	243	-0.04	-0.03
ULUSD	834	838	0.04	769	765	-0.04	-0.08
County	9171	9250	0.79	8661	8535	-1.26	-2.05

(KVUSD - Kelseyville, KUSD - Konocti, LUSD - Lakeport, MUSD - Middletown, LESD - Lucerne, ULUSD - Upper Lake)

The Attorney General’s report (In School + On Track 2015) indicates high rates of truancy and chronic absenteeism for low-income students. Lake County has a higher percentage of people living in poverty than the California population in general. In the A.G. report (page 10), Lake County is with eight other counties at the bottom of the elementary school attendance figures for the state.

(The Grand Jury notes there are many causes for a student being absent. Clearly, there are short and long-term sickness issues, bullying, early pregnancy, health and developmental issues, drug abuse, and other issues that also contribute to the issue. The intent of this report is to focus on the largest contributing factor of chronic absenteeism.)

Comparing school attendance figures with reports of median family income in the county illustrates the connection between poverty and attendance rates. (Figure 3.) It is clear from the comparison that school districts with lower median household income have greater challenges in improving school attendance.

Figure 3. Comparison between median income, school attendance rate, and estimated loss in revenue for Lake County areas.

Area	Median Household Income	Attendance Rate	Estimated Loss in Revenue*	Loss Absent Student/Day (determined by the state)
Lakeport	\$ 36,361	96%	\$ 364,287	\$ 24.07
Middletown	\$ 35,278	96%	\$ 313,629	\$ 32.27
Konocti	\$ 25,404	91%	\$ 2,860,911	\$ 51.27
Kelseyville	\$ 24,363	93%	\$ 1,086,175	\$ 47.51
Upper Lake	\$ 22,148	92%	\$ 525,362	\$ 41.70
Lucerne	No data		\$200,279	\$ 58.56
Lake County		92%	\$ 5,350,643	\$ 46.67

* Revenue amount is calculated on the number of students absent, not the percentage attendance.

School Districts should provide information to all concerned that each student who is absent not only costs the district revenue, but also robs the attending students of revenue that would be used for their educational benefit. The amount that a student who is absent for one day costs the district varies by district based on the state funding formula and the number of students enrolled at various grade levels (Figure 3.).

In interviews with three school district Superintendents, they all expressed the need to improve attendance, but cited the lack of revenue to support attendance services as a hindrance. This ‘chicken-egg’ argument contradicts the fact that by improving attendance the district could pay for such services, thereby improving educational opportunity for students. A dismaying fact in the interviews was that none of the Superintendents was able to cite the latest attendance figures and had no idea of how much revenue the district was losing due to absenteeism.

The LCOE reported that it had not been able to achieve a consolidated view towards focusing on attendance problems among the county public school districts. School districts in the past had withdrawn from a consolidated countywide attendance-counselling program primarily due to funding issues. Subsequently, the LCOE has announced that it has formed a ‘task force’ focused on absenteeism reduction.

*****Special Notation: The Grand Jury has become aware that, after months of investigation into this area, the LCOE – along with the several district superintendents - has launched a specific focus group on this area. The Grand Jury applauds any actions taken in response to the focus of its investigations instead of actions taken only following issuance of its Final Report. Whatever stimulus initiates the beneficial change/action is helpful to all the people of our communities.

According to school officials, both local and at the state level, breaking this cycle of poor attendance is a significant challenge for public schools. This is primarily because the public school has little influence over the income level or school interest of parents. Programs to educate parents as to the advantage to their children of regular school attendance are difficult. Often this is because parents tend not to read information materials distributed by schools or attend information or training sessions provided by the schools. There is no legislation requiring parents to be involved in the education of their children or penalizes them for lack of participation.

Parents may become involved when the child becomes ‘chronically or habitually truant’ and schools may employ strategies to get such parental involvement. If the parents resist involvement and the student does not improve, the school district will refer the student and parents to a School Attendance Review Board (SARB) made up of school, child protection, and law enforcement officials. Local school officials agree that SARB lacks effectiveness because it is too late in the process of remediation.

The Lake County Office of Education, with the Lake County Office of the District Attorney and the County school districts, have already instituted efforts to improve attendance in Lake County public school districts. (Lake County News, August 19, 2017) This effort acknowledges that poor school attendance is a community-wide problem that affects all parts of the community, not just the schools.

Attendance improvement can start at an earlier age than Kindergarten. School officials all agree that children should start pre-school education by age 3. Educators believe that if the parent learns to prepare and get the child to an early childhood education program at an earlier age, both the child and the parent will be more likely to support regular public school attendance later. Preschool programs have not traditionally been exclusive to the school districts.

County and city governments should look for opportunities to create preschool programs as a way to positively influence school attendance.

There are multiple unused or under-used buildings in the incorporated cities and in the demographically denser areas of the county that could be adapted for use as a pre-school. Clearly these would need structural adaptation (bathrooms appropriate for age 3 to 5, separated classrooms, some appropriate office area, etc.) and such funding could be specifically sought from both California State and federal funds designated for early childhood education. These locations should be assigned to the closest existing school district to minimize additional costs of administration, insurance, reporting structures, record maintenance and mandatory reports and budget adherence.

Findings:

F1. Absenteeism is a significant problem in Lake County public school districts, where the absentee rate in most districts is worse than state average.

F2. Lake County public schools are losing significant revenue due to the absentee rates of students. Figure 1. Shows that Lake County schools are losing significant revenue.

F3. Lake County public school districts recognize the negative impact of absenteeism on both the education of students and revenue.

F4. Lake County public school officials recognize that the high level of poverty in the Lake County community is a significant contributor to high levels of absenteeism.

F5. Lake County public schools have only limited resources to intercede with students and parents in order to combat absenteeism.

F6. The most difficult issue in dealing with chronic absenteeism is the lack of cooperation from parents who themselves did not have good educational experiences and are poorly educated.

F7. County educators believe that the most effective way to reduce absenteeism in the higher grades is to establish a strong dedication to attendance by the students when they are in preschool and in the primary grades (K – 3).

F8. The stated County focus on creating a longer term improved economic base and being an attraction for multiple categories of businesses and investments would be greatly served by enhancing the educational quality and success

throughout the county. It has been broadly proven that readily available and utilized pre-schools establish a firmer base for children entering into the primary school level to achieve learning and socialization goals. Such firm foundations do continue into greater learning in the higher grades, improved standard testing results, greater numbers of high school graduates, and higher percentages of students continuing into college level education. This is a long-range tactic to firmly augment the County's long-term goal.

Recommendations:

R1. Public school districts must work more closely with each other and county agencies to promote school attendance and to intercede in cases of truancy. This effort should be done in concert such that the consideration of school attendance is raised as a countywide priority, and efforts are coordinated to both improve attendance services and contain costs. (F1, F2, F3, F4, F5, F6.)

R2. The Lake County Office of Education, school districts and the county and city governments should establish early childhood education opportunities for children ages 3-5. Appropriate government departments in the incorporated cities and in the County should be directed to identify such available public structures (in their respective jurisdictions) that could be modified to function as workable preschools. Active efforts to identify any state or federal or private funding sources for the modifications and ongoing operation of such preschools should be established. (F1, F2, F4, F8)

R3. The County Superintendent of Schools and the Superintendents of the various school districts should publish to their Boards, parents and communities P1, P2, and P3 attendance reports along with an estimate of revenue loss due to absenteeism. (F6)

R4. School districts should establish specific programs involving parents and children in promoting school attendance. (i.e. proven programs from other counties such as 'attendance buddies', car-pooling, walking groups, etc. for the lower primary grades.) This can be quickly enacted, have minimum cost, and show significant impact. (F7)

Request for Responses:

Pursuant to Penal Code section 933(c), the following responses are *required*:

Lake County Board of Supervisors (R2) (90 days)

Lakeport City Council (R2) (90 days)

Clearlake City Council (R2) (90 days)

Superintendent of Schools, Lake County (R1, R2, R3, R4) (60 days)

President of School Board, Kelseyville Unified School District (R3, R4) (60 days)

President of School Board, Konocti Unified School District (R3, R4) (60 days)

President of School Board, Lakeport Unified School District (R3, R4) (60 days)

President of School Board, Lucerne Elementary School District (R3, R4) (60 days)

President of School Board, Upper Lake Unified School District (R3, R4) (60 days)

President of School Board, Middletown Unified School District (R3, R4) (60 days)

The Grand Jury *invites* the following individuals to respond:

Board of Supervisors, Lake County (R1) (90 days)

City Council, City of Clearlake (R1) (90 days)

City Council, City of Lakeport (R1) (90 days)

Superintendent of Schools, Kelseyville Unified School District (R1, R2, R3, R4) (60 days)

Superintendent of Schools, Konocti Unified School District (R1, R2, R3, R4) (60 days)

Superintendent of Schools, Lakeport Unified School District (R1, R2, R3, R4) (60 days)

Superintendent of Schools, Lucerne Elementary School District (R1, R2, R3, R4) (60 days)

Superintendent of Schools, Upper Lake Unified School District (R1, R2, R3, R4) (60 days)

Superintendent of Schools, Middletown Unified School District (R1, R2, R3, R4) (60 days)

District Attorney, Lake County (R1, R2)

BIBLIOGRAPHY

1. (IN SCHOOL + ON TRACK 2016; Attorney General's Report on California's Elementary School Truancy & Absenteeism Crisis;
https://oag.ca.gov/sites/all/files/agweb/pdfs/tr/truancy_2016_en.pdf)
2. "Lake County officials work to address school truancy", Lake County News, August 19,2017; <http://www.lakeconews.com/index.php/news/52029-lake-county-officials-work-to-address-school-truancy>

Health and Human Services



Lake County Quilt Trail "Moon Over Mount Konocti"

Kelseyville Senior Center

5245 Third Street, Kelseyville, California

Lake County Senior Centers

Summary:

The Grand Jury began this investigation regarding concerns about restaurant food safety. Then the Senior Centers became the focus of the investigation, so the Grand Jury toured the Senior Centers in Lake County. They serve as a community activity center for the local senior populations.

The Lake County Senior Centers depend on the Volunteers. More volunteers are always needed. Each center has a program uniquely designed for its population. The centers offer Meals on Wheels and a daily lunch.

The centers are only as good as the volunteers and paid staff who devote their time and energies. When visiting the senior centers, you are warmly greeted by volunteers. The volunteers work hard with enthusiasm and compassionate caring.

Some centers have other means of improving the financial needs of the center by other functions such as bingo, bake sales, renting the spaces (county owned buildings) etc.

Background:

The Grand Jury began our investigation looking into County food preparation safety inspection processes. The Grand Jury then decided to look into the County Senior Centers' facilities and food preparation safety. While the senior Centers may appear to be privately owned non-profit corporations, all of them receive funds directly from the County and several are on land owned by the county and another on property owned by an incorporated city. The property ownership is of importance when considering potential liability arising from issues cited in the further report. (Reference California Penal Codes Section §933.6)

Discussion and Analysis:

The Clearlake (Highlands) Senior-Community Center:



The Clearlake Senior Center is located on 3245 Bowers Avenue in the City of Clearlake. The City of Clearlake owns and maintains the building and the property. The center has fund raising activities throughout the year to offset the cost of programs. The center has a large garden that provides some vegetables for the meals they serve. There are garden areas available to the public for a reasonable rental rate per year.

The Lakeport Senior Center:



The Lakeport Senior Center is located on 527 Konocti Avenue in the city of Lakeport, and is the main community activity center for seniors in the greater Lakeport area. The Center has a small community garden. The senior center also operates a thrift store located at First and Main Streets in Lakeport.

The Kelseyville Senior Center:



The Kelseyville Senior Center is located on 5245 Third Street in the community of Kelseyville. Kelseyville is the smallest of the senior centers. The director of the Lakeport Senior Center oversees the Kelseyville Senior Center. The center has a small kitchen used primarily for reheating meals and preparation of very simple meals. Meals served at the center are prepared by the Lakeport Senior Center and then transported to the Kelseyville Senior Center.

The Clearlake Oaks Senior Center:



The Clearlake Oaks Senior Center is located on 12502 Foothill Blvd. in the community of Clearlake Oaks. The center is located in a newer county owned building with excellent facilities and is being well maintained.

The Middletown Senior Center:



The Middletown Senior Center is located on 21256 Washington St. in the community of Middletown. The center serves as a community activity center for the local senior population. The Center shares the large community center with the Middletown Public Library in a five-year-old County owned building.

The Lucerne Alpine Senior Center:



Damaged Sidewalk and Stairs

The Lucerne Alpine Senior Center, built in 1930, is located on 3985 Country Club Dr. in the community of Lucerne. The Senior Center serves as a community activity center for the local senior population. It also serves as a meeting facility for the local communities.

At the time of the investigation minor repairs to the building were being accomplished by volunteers. There is a need for more help in the maintenance and upkeep of the building. The sidewalk and stairs in front of the building are cracked and in need of repair.

***** (Note to the Citizens of Lake County: Concerns were raised that the Senior Centers, as a whole, were outside of the purview of the Grand Jury. These concerns were discussed and evaluated seriously, but eventually the Grand Jury decided – unanimously – that our responsibility as people to shed light on a set of conditions that might bring jeopardy to a vulnerable but highly respected portion of our County outweighed those “technical” concerns. We believe that people who also care will share our desire to see a resolution of those conditions and protect those to whom we owe so much.) *****

Lake County Senior Centers Statistics:			
Senior Center:	Financial Arrangement:	Meals Served Annually:	Health Department Grade:
Clearlake:	Rents building from the City of Clearlake for \$1,625 a month	37,107	100%
Lakeport:	Building is owned and maintained by the center	34,211	98%
Kelseyville:		Included in Lakeport total	95%
Clearlake Oaks:	Rents the building from Lake County for \$1.00 Per year	25,216	100%
Middletown:	Rents the building from the Lake County for \$5.00 per year on a five year lease	15,275	100%
Lucerne:	Rents the building from Lake County for \$1.00 a year on a ten year contract.	22,479	100%

Methodology:

The Grand Jury met with the various Senior Centers’ Executive Directors and staff members. The Grand Jury reviewed the Senior Centers’ written policies, procedures, budgets, food safety inspection reports, and operational functions.

Findings:

- F1. There is a real need for the Centers to be able to communicate with the County District Supervisors.
- F2. The Senior Centers do not have adequate signage on the main thoroughfares to direct patrons to their locations.
- F3. The handicap door at the entrance to the Clearlake Oaks Senior Center does not function properly.
- F4. The sidewalks in front of the Lucerne Center are in dis-repair.
- F5. The food inspection process as performed by the County inspectors at each of the Senior Centers has been done properly and shows no area of concern or discrepancy.

Recommendations:

- R1. The BOS should communicate quarterly with their associated Senior Center representatives in order to address specific concerns. (F1)
- R2. Install correct or additional signage to direct patrons to the Senior Centers. (F2)
- R3. The County should ensure that the Clearlake Oaks Senior Centers' handicap entrance functions properly. (F3)
- R4. The County should repair the sidewalks in front of the Lucerne Alpine Senior Center. (F4)

Request for Responses:

Pursuant to Penal Code §933(c), the following response is *required*.

- Board of Supervisors (R1,R2,R3) (90 days)

The Grand Jury *invites* the following individuals to respond:

- County Code Enforcement (R1,R2) (60 days)
- County Fire Marshall or appropriate Fire Chiefs(R1,R2) (60 days)
- County Building Inspections Department (R1,R2) (60 days)
- County Community Development Department (R4) (60 days)
- County Public Works Department (R4) (60 days)
- County Area Agency on Aging (AAA) (R3) (60 days)

Planning and Public Works



Lake County Quilt Trail "Home Sweet Home"

1002 11th Street, Lakeport, California



Where's My Building Permit?



Summary:

Between 2015 and 2017 Lake County suffered many devastating wildfires. The county had never experienced such a large emergency and therefore did not have an updated comprehensive emergency plan in place. The Lake County Community Development Department failed to meet the greater needs of the public. The Grand Jury found there needs to be more cooperation between the County and the various communities and city directors.

Background:

In the past three years, our beautiful Lake County has suffered many devastating wildfires. Elements of the Lake County government were unprepared to respond appropriately to the sudden greater needs experienced by the public.

After final containment of the Valley fire, it became apparent that the Lake County Building and Planning Department is significantly understaffed and unprepared for the unprecedented increase in workload. This led to a backlog of inspection and plan approvals, frustrating the public with lengthy delays. The Building and Planning Department did not have an emergency fund. The County found it necessary to hire outside contractors to perform planning approvals and inspections.

One County Supervisor was performing inspections (and a second County Supervisor was being trained) to support the Community Development Department due to staffing issues within that department. This may not have been necessary had the Memorandum of Understanding (MOU) existing between Lake County and the cities of Lakeport and Clearlake been activated. The MOU, had it been activated, could have allowed the cities to provide the needed personnel to expedite plan approvals and inspections. The cities confirmed that they were not contacted by the Lake County Community Development Department for help during or after the catastrophes.

Methodology:

The Grand Jury began this investigation from a complaint regarding poor management and inspection procedures in the County's Community Development Department. The Grand Jury interviewed the pertinent persons from the County and cities.

Discussion and Analysis:

Problems within the Lake County Community Development Department were more extensive than first appeared. The Clearlake and Lakeport City Building and Planning Departments were performing well and could serve as a model for Lake County.

Findings:

- F 1. The Lake County Community Development Department was unprepared to fulfill its role in rebuilding after the wildfires.
- F 2. The Lake County Community Development Department did not have adequate inspection staff to manage the greater needs of the affected public.
- F 3. The Lake County Community Development Department has a staff retention issue.
- F 4. The public became increasingly frustrated with the Lake County Community Development Department's lengthy delays in processing their rebuilding permits and inspections.
- F 5. There is a shortage of available and trained staff to expedite the rebuilding documentation process.
- F 6. There is a shortage of trained building inspectors, leading to long waits for periodic and final inspections.

- F 7. The Grand Jury's analysis is that Clearlake and Lakeport have well run and efficient Building and Planning Departments and could have been of significant assistance had the MOU been utilized.
- F 8. The County Community Development Department does not communicate with the Cities of Clearlake and Lakeport regarding mutual aid.

Recommendations:

- R 1. In an emergency, Lake County should call on *all* of its available resources. This should include the activation of the currently functioning MOUs. (F1, F2, F3, F5, F6, F7, F8)
- R 2. The Lake County Community Development Department should create an apprentice program similar to the one used by the City of Clearlake in order to promote new employment in their department.(F4)
- R 3. The Community Development Department should be prepared to streamline their processes in an emergency. (F1)
- R 4. The Community Development Department should establish a fund specifically allocated for emergencies. (F1)
- R 5. Establish yearly Countywide Community Development/Building and Inspection Department meetings to include the representatives from the cities of Lakeport and Clearlake Building and Planning Departments. (F8)

Request for Responses:

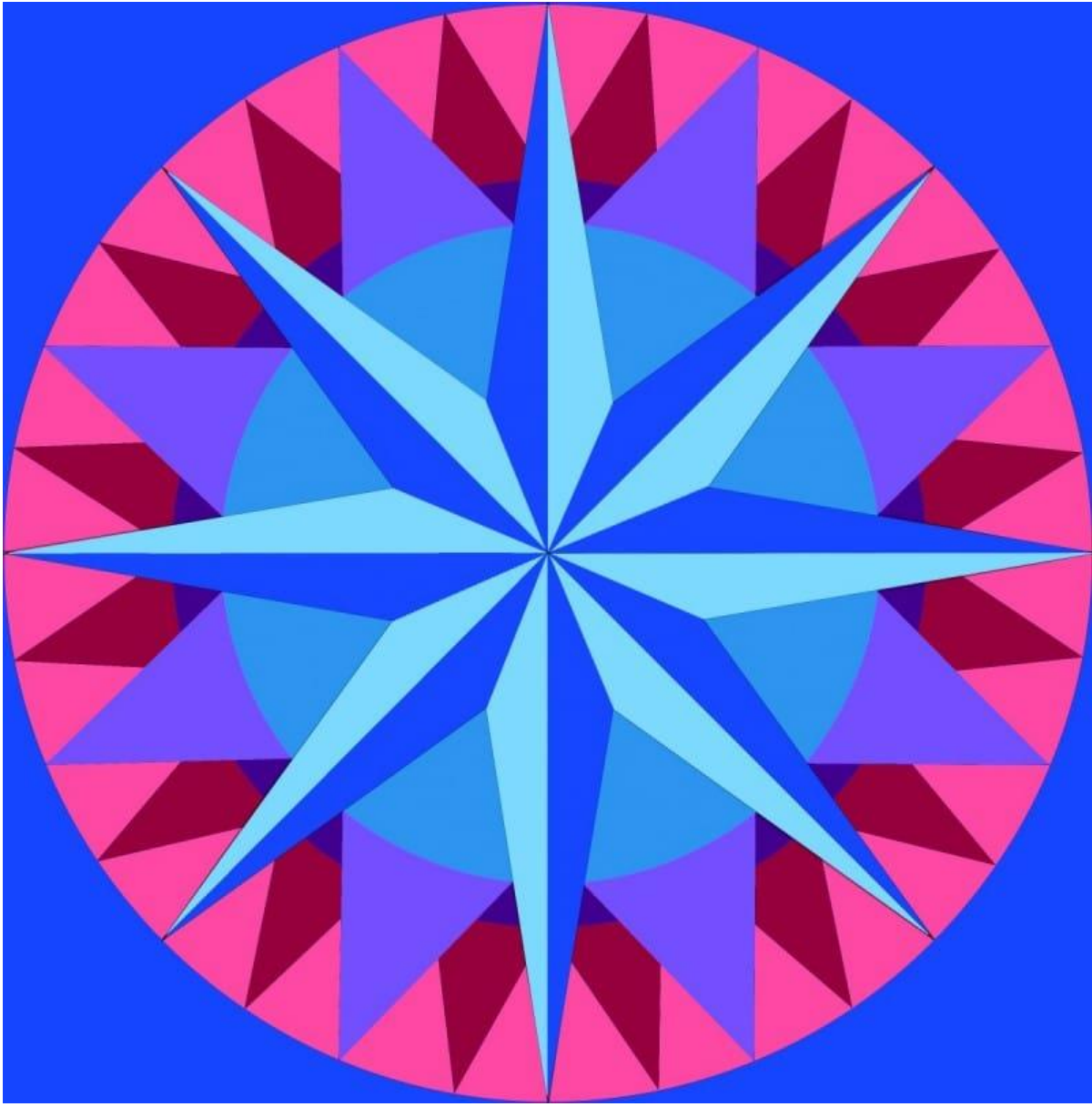
Pursuant to Penal Code §933(c), the following response is *required*.

- Board of Supervisors (R1,R4) (90 days)

The Grand Jury *invites* the following individuals to respond:

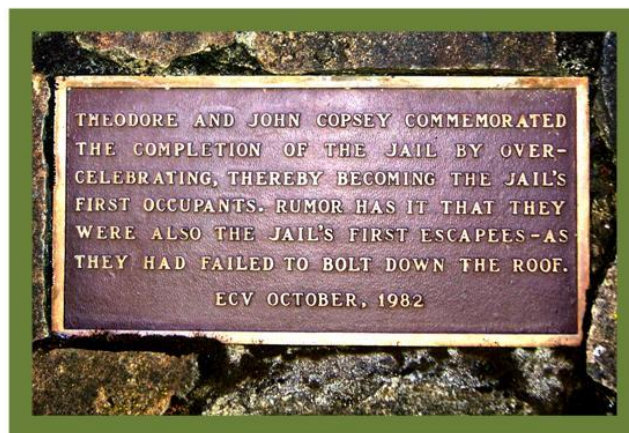
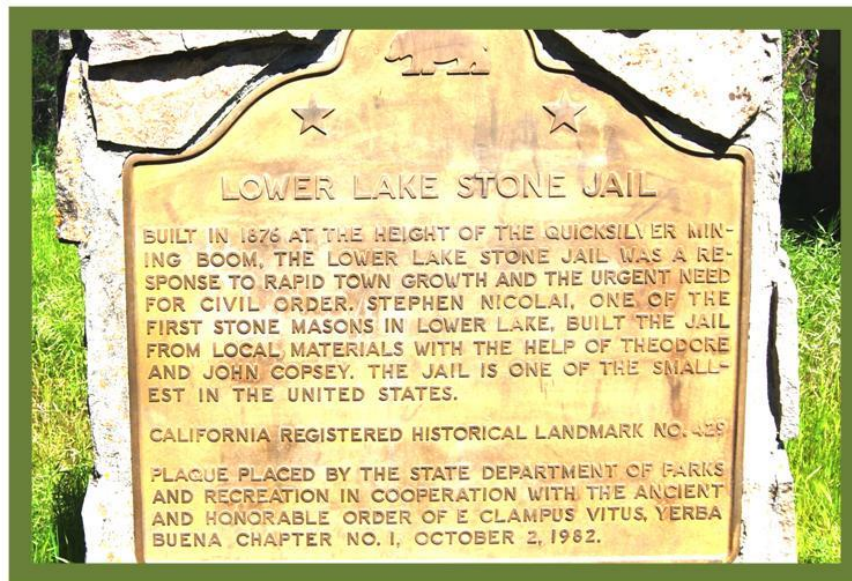
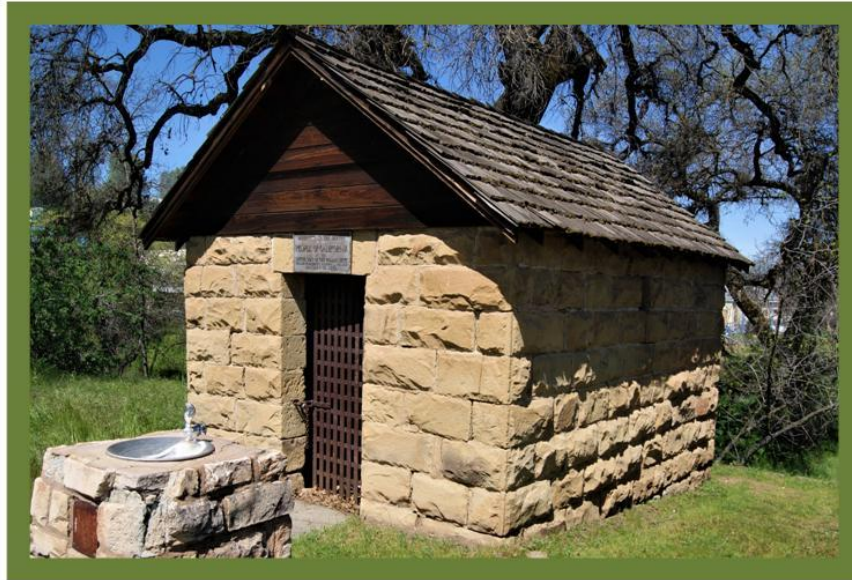
- Head of Lake County Community Development Department (R2,R3,R4,R5) (60 days)
- Head of Clearlake Building and Planning Department (R3,R5) (60 days)
- Head of Lakeport Building and Planning Department (R3,R5) (60 days)

Public Safety



Lake County Quilt Trail "Carl's Compass"
2090 Bell Hill Road, Kelseyville, California

Lower Lake Stone Jail



Mandated Prison Inspections

Summary:

As mandated by the State of California, the Grand Jury inspects public prisons. This year, due to a new contract with Tehama County, the Grand Jury inspected the Juvenile Hall in Red Bluff. The Grand Jury decided to create two separate reports, adult and juvenile, covering the mandated inspections.

The adult facilities largely met or exceeded minimum requirements. The juvenile facility raised a number of concerns which are addressed in detail in the second report (“The Wards of Lake County”.)

Background:

The State of California mandates (Penal Code §919 (b)) “The grand jury shall inquire into the conditions and management of the public prisons within the county” which is interpreted as all locations where anyone can be incarcerated (from very short-term to longer terms).

The various facilities within the County appear to handle their difficult tasks with professionalism and competence. There are notable budgetary and staffing limitations that make effectiveness and efficiency more difficult.

Methodology:

The Grand Jury conducted onsite inspections for all correctional facilities, including holding cells, in the County. The Grand Jury reviewed reports of previous inspections by the Board of State and Community Corrections (BSCC) and the previous year’s Grand Jury. The Grand Jury interviewed staff at the facilities.

Discussion:

1.) The Clearlake Police Department temporary holding facility:

This facility is adequately run under existing staffing and funding constraints. The utilization of dedicated volunteers was specifically noticed by the Grand Jury. They are an important component to the continuing operations.

There are deficient conditions in this facility's holding cells:

- a.) None of the cells have a 'grab bar' by the bed to meet the needs of a disabled person or comply with the Americans with Disabilities Act (ADA).
- b.) At the time of inspection there were no clean blankets available for use by a detainee.
- c.) If there were to be an in-cell emergency, there is inadequate monitoring of the cells for detainee safety. Most monitoring is via the dispatcher who is located in another part of the building and may not be able to respond to such an emergency. Cameras being used only show the upper portions of the cells. They do not show floor areas where someone may be in distress. This may result in insufficient response to an emergency.

2.) Courthouse Holding Facility:

The holding area is not up to current standards, e.g. the concrete cells have out-of-date iron bars instead of Plexiglas, and the toilets are not ADA compliant.

- b. Due to the limited staff the movement of detainees between the Hill Road facility and the Courthouse can be problematic. While there are five vans for transportation, staffing is insufficient to operate them all at the same time.

3.) Hill Road County Jail

The Hill Road Detention Center is the transfer and housing facility for the adults incarcerated in Lake County.

Background:

The previous Grand Jury report had expressed concerns regarding the control room monitoring station being inadequately staffed. There were also issues with ongoing facility overcrowding. This year's inspection found the consolidation of the surveillance and monitoring stations into a larger space had been initiated and the hiring of another staff member was planned. There is no apparent relief from the ongoing overcrowding issues in the foreseeable future. This is due to changes in California law, which are affecting all California counties.

The Grand Jury found that the volunteer who ran the adult literacy program at the facility had retired. This halted the normally on-going adult literacy program.

The Grand Jury recognizes that there are several areas in which the Hill Road facility management exceeded the BSCC expectations on proactive and progressive handling of incarcerated prisoners.

4.) Konocti Conservation Camp:

The camp is a collaboration between State Department of Corrections and CalFire. Their primary focus is on firefighting. They also operate a Mobile Kitchen Unit servicing a great portion of the State during emergencies.

Findings:

- F1. The Clearlake holding facility is not ADA compliant.
- F2. The Clearlake holding cells are inadequately monitored.
- F3. The Hill Road County Jail is well maintained and professionally managed.
- F4. A volunteer is needed for the Adult Literacy Program at the Hill Road facility.
- F5. The Lake County Library system has individuals identified who provide adult literacy training.

Recommendations:

- R1. The Clearlake Police Department should take reasonable measures to ensure disabled persons can manage adequately while in custody. (F1)
- R2. The Clearlake Police Department should analyze and update the prisoner monitoring systems. (F2)
- R3. The Hill Road County Jail management and the County Library System management should jointly define and install an appropriate Adult Literacy instructor. (F4, F5)

Request for Responses:

Pursuant to Penal Code section 933(c), the following responses are *required*:

- Lake County Sheriff (R3) (60 days)
- Clearlake City Council (R1, R2) (90 days)

The Grand Jury *invites* the following individuals to respond:

- Chief of Police, Clearlake (R1, R2) (60 days)
- Hill Road facility Captain-in-Charge (R3) (60 days)
- Lake County Director of Libraries (R3) (60 days)

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The Wards of Lake County

Summary:

The Lake County Juvenile Facility was closed in 2015 due to structural deficiencies and cost concerns. The Lake County Probation Department subsequently contracted with Mendocino County to house our juvenile wards in the Mendocino County Juvenile Detention Facility. At the time for contract renewal there were unresolved issues related to cost. The Lake County Chief of Probation made the decision to contract with Tehama County to house Lake County wards in the Juvenile Hall in Red Bluff commencing on October 1, 2017. The Lake County Civil Grand Jury (Grand Jury) toured the facility and has concerns and issues regarding the selection and operation of the Tehama County Juvenile Hall.

Methodology:

The Grand Jury inspected the Tehama County Juvenile Hall and met with the appropriate staff from both counties. The Grand Jury reviewed previous reports by the Board of State & Community Corrections (BSCC). The Grand Jury also reviewed the Tehama County Juvenile Hall website. A review of past and current contracts was completed.

Discussion and Analysis:

Background:

The contract that Lake County Probation Department had with Mendocino County required payment for a minimum number of wards. Mendocino County proposed an increase in those costs with the impending new contract. As a result, the Lake County Chief of Probation decided to explore alternatives. This led to the selection of Tehama County's Juvenile Hall.

The following rationale was cited for this decision:

- Lower costs due to no minimum number of wards and lower daily cost.
- Tehama County houses wards from multiple counties with complete integration resulting in no psychological segregation as was apparent in Mendocino County.
- Programs offered at the Tehama Juvenile Hall were expansive and impressive.

The Grand Jury identified the following concerns regarding the Tehama Juvenile Hall:

- Transportation logistics (approximately 100+ miles/and an hour and a half each way from Lake County) resulted in greater travel times and costs for all staff as well as parent/guardians of wards of Lake County.
To address the logistics, the Probation Department transports ward(s) from Lake County Probation to Red Bluff by police vehicle- either car or van. The transporting Probation Officer will stop to get meals for the ward(s) if necessary. Additionally, Lake County Probation Department offers to provide free transportation to parents/guardians for visitation.
- Video calls via Skype are available to parents/guardians at the Lake County Probation Department for a fee. (This information was provided by Tehama Juvenile Hall officials and reiterated when questioned. Lake County Probation Department officials state there is no charge for such activities. Areas of such confusion may need to be resolved by the appropriate people in Tehama and Lake Counties.)
- It was unclear to the Grand Jury whether the wards were getting timely meetings with their Probation Officers.

The physical facility, monitoring of the wards, and their supervision met the Grand Jury's expectations.

The Grand Jury determined that various assets and programs cited as additional reasons for selecting the Tehama Juvenile Hall were not described realistically or were non-existent.

There were a number of concerns that were subsequently addressed by the appropriate authorities after being brought to their attention by the Grand Jury. Specifically:

- The wards were being fed a light dinner at 4:30PM and not fed again until 6:30AM the following morning. This was far too long a gap for adequate nourishment.
- The Medical access on site was not what was stipulated in the contract.
- At the time of inspection the Lake County Superintendent of Schools had not contacted the Facility to coordinate curriculum.

The Grand Jury found that the Tehama Juvenile Hall classrooms were exceptional and addressed the various educational needs of individual students. One of the biggest incentives for the wards was an earned opportunity once a week to use the Makers Lab. This workshop offers hands-on skill building in a variety of projects that are not limited to crafts or music, but also Auto-CAD 3D printing.

*****Special Notation: The Grand Jury is aware that, after we raised concerns, the County Probation Department instituted specific changes regarding the care of the wards. The Grand Jury applauds actions taken in response to the focus of its inspections or concerns instead of only following issuance of its Final Report. Whatever stimulus initiates the beneficial change/action is helpful for this area of County responsibility.

Per the stipulations of Grand Jury service, individual jurors may recuse themselves in any area where a conflict of interest may be interpreted. As two jurors are members of the Lake County Juvenile Justice Commission, they recused themselves from all activities and discussions regarding the wards of Lake County and the Juvenile Hall.

Findings:

F1) The Lake County Probation Department decision to relocate the wards to Tehama County was primarily based on financial considerations and made without adequate consultation with other involved County departments (Lake County Office of Education, Lake County Health Department, Lake County Department of Behavioral Health, Lake County Juvenile Justice Commission).

F2) There was a lack of continuity and completeness of information regarding the wards provided by Juvenile Probation to the Juvenile Justice Commission and appropriate Presiding Judge.

F3) At the time of the Grand Jury inspection, no coordination of educational responsibilities had been made between the Lake County Office of Education and its counterpart in Tehama County.

F4) The current contract with Tehama County lacks specificity regarding the details of care for the Lake County wards.

F5) At the time of the inspection of the Tehama County Juvenile Hall, the meal schedules were not appropriate to maintain good nutrition and optimal health for teenagers.

F6) The ‘benefits’ offered by the Tehama County Juvenile Hall, as cited on their website, specifically regarding accessibility of medical oversight/care and in rehabilitative programs available for the wards, were inadequate or non-existent. This website was taken down upon the Grand Jury’s questioning of the discrepancies.

Recommendations:

R1) Decisions regarding wards should not be prioritized by monetary concerns alone. (F1)

R2) The accurate location and status of wards shall be shared by the Lake County Probation Department with the Lake County Juvenile Justice and Delinquency Prevention Commission. (F2)

R3) The Lake County Probation Department should consult with all stakeholders and agencies when drafting any new contracts or contract extensions regarding juvenile detentions. (F1, F2, F3)

R4) The Lake County Office of Education should initiate contact and further coordinate educational aspects and requirements for the Lake County wards housed in the Tehama County Juvenile Hall. (F3)

R5) Future contracts should include specific goals and responsibilities for health care, mental health care, and education for the Lake County wards. (F1, F3, F4, F5, F6)

Request for Responses:

Pursuant to Penal Code section 933(c), the following responses are *required*:

Board of Supervisors (R1, R2, R3, R5) (90 days)

Lake County Office of Education (R4) (60 days)

The Grand Jury *invites* the following individuals to respond:

Lake County Probation Department (R1, R2, R3, R5) (60 days)

Lake County Department of Public Health (R5) (60 days)

Lake County Department of Behavioral Health (R5) (60 days)

Public Services



Lake County Quilt Trail "Middletown Library"
21267 Washington Street, Middletown, California

Gibson Museum, Middletown



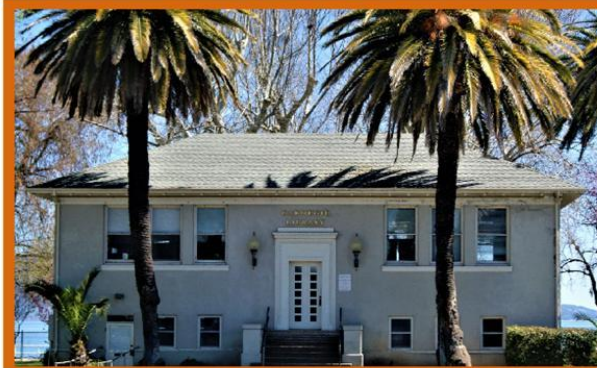
The C. Gibson Museum & Cultural Center houses a collection of items related to history, natural history and archaeology related to South Lake County. Originally built as a library by Chauncy Gibson in 1930, this mission-style building was saved in 2014 as a Museum and Cultural Center.

Lower Lake Schoolhouse Museum



Built by Leslie P. Nichols and brother in 1877, it was the only schoolhouse in the county made of bricks from a local kiln. The school was two stories high. The top floor was used as the town hall, and school was held on the lower floor. It housed students from 1st through 9th grades and was one of the finest schoolhouses in Northern California. The first teacher was Albert Morrell.

Lakeport Carnegie Library



Completed in 1918 in the Classical Revival type of architecture, it had been given an \$8000 grant for its construction after local organizations like the Ladies' Improvement Club lobbied philanthropist Andrew Carnegie. The plans were drawn by Ward and Blohme and it was built by Hinds and Randolph. By December 1920 there were 4793 books in the library. In 1985 the library outgrew the building and moved to another location. The building was temporarily vacant, but now houses scientists from UC Davis who are conducting research on Clear Lake.

Old Lake County Courthouse Museum



The Historic Courthouse Museum is Lake County's premier museum of county and Native American history. Containing one of the largest collections of Eastern Pomo basketry in the world, you will walk away from this museum with a deep appreciation for the heritage of the local Native Americans. The Courthouse Museum is the only place where you can explore the whole spectrum of human habitation in Lake County – from the native Pomo to the American pioneers.

THE TOUCHABLE SOUL OF LAKE COUNTY

Our Libraries and Our Museums

We live in a progression. From our past to our future there is a line that threads it, and us, together. The past, where we all emanated from, is laid out before us in our museums which are the written footprint of humanity. The future, so splendid in its technology, has its groundwork laid in our schools. The thread that binds the museums of our past and schools that educate our future generation are our libraries. Libraries stoke the imaginations and creativity that are the groundwork for the future.

We have, in our small but treasured County, a group of museums and libraries that not only serve us well in their roles along the thread, but also can do even more in enhancing the lives of all of our people from the youngest to the most senior among us. The support of these assets is important for our County, and should be acknowledged and actively worked for. The benefits of actively supporting these assets will be felt across our lives in many ways, and the binding thread between our past and future will become stronger and more vital.

Methodology:

The Grand Jury visited multiple libraries and all museums in the County and interviewed numerous staff. Library facilities in various school systems were also visited. Research was performed on methods of expanding library services in rural areas and associated costs/benefits. Members of the Grand Jury attended all of the “Community Visioning Forums.”

Discussion:

The Grand Jury began its interest/investigation into the libraries and museums in September and had completed many of its activities by the start of the New Year. The Grand Jury’s initial focus was the interaction between the libraries and museums and the public school system. However, the focus expanded to include the overall role that libraries and museums play in the quality of life of our residents. During the ‘Community Visioning Forums’ conducted throughout the County in early 2018, many citizens made comments/recommendations on the need to increase support for these institutions. The Grand Jury is pleased that the findings and recommendations of this report are aligned with the opinions of so many concerned people in our County. We believe that increased support of the libraries and museums in Lake County is necessary and the cost will be outweighed by the resulting improvement to our quality of life.

Libraries:

There are four public libraries in the County: Lakeport, Redbud/Clearlake, Middletown and Upper Lake. Due to cost constraints, the libraries have limited staff and operating hours.

The Grand Jury explored the interaction between the public library system and the public schools in the County. It should be noted that the public libraries do have a very active “Storytime” program for preschool aged children. However, except for the countywide ‘summer reading program,’ there is no coordinated interaction between the libraries and the public school system and their students. Since most of the public schools do not have adequate libraries/librarians, many students have no experience in utilizing the library for research or learning.

While it might be easier or less expensive to focus on E-Readers or on-line books, the advantages of a library with real books and a knowledgeable librarian should not be underestimated. The county school systems, especially for the primary grades, need to develop and encourage a strong partnership with our libraries.

Museums:

Lake County has a rich and varied history. Its museums house many treasures documenting this history. They have knowledgeable staff who devote countless hours to the preservation of these historical objects. The museums are underutilized by the community. As with the libraries, limited hours and staff are a key component of this underutilization. Enhanced support by the County is necessary to ensure these assets and their benefits to our citizens are maximized.

The museums of Lake County are not just filled with ‘old relics.’ They have exhibits on the way life used to be a hundred fifty years ago or more, geological surveys of the county, and items made by our Native American tribes. It is a sad fact that, according to the museum staff, museums mainly attract people over the age of 50. Younger people seem to enjoy being able to touch and handle objects (such as arrowheads, rock samples, feathers from various birds, etc.) They also enjoy interactive games and storytelling. The development of programs that allow for these “hands on” types of activities would encourage younger people to visit the museums.

The Gibson Museum, the Schoolhouse Museum, and the Courthouse Museum can be important resources to introduce children to our interesting and multi-cultural heritage. Lake County has the rich history of the Native American tribes, the excitement of the Gold Rush and American expansion, and the start and growth of the agricultural and mining industries. Museum exhibits reflect the progress through the last century that leads us to where we are today. They are the windows to our past.

The Grand Jury specifically recognizes the staff of the museums (who are mostly part-time – albeit highly educated and experienced – along with some volunteers) for accomplishing a great deal in making the museums as well run and interesting as they can be under strict budgetary limitations. New senior management have some exciting ideas for improvements to the system. However, for them to be successful, adequate support must be provided.

Summary:

Libraries and museums have long been part of the American educational system. Now they are both being reevaluated as to the question of their future place in our rapidly changing social structure. Libraries and museums play a critical role in our quality of life. We must ensure that they do more than just survive, but also are provided the resources that will allow them to excel as learning institutions for the community. Museums and libraries can be welcoming and creative places, so children and adults can discover and connect to a wider world.

Findings:

F1. The libraries in the County are under-utilized by the County school systems. Most schools have minimized or eliminated on-site libraries and librarians in favor of internet accessible computers. The internet does not offer the precision or definition available from a physical library.

“Google can bring you 100,000 answers. A librarian can bring you the right one.”

Neil Gaiman-English Author

F2. During the January 2018 “Community Visioning Forums” conducted by the County, support for libraries and museums was among the top areas prioritized by the attendees.

F3. It is difficult for school systems to arrange for, and finance, student/class trips to the library.

F4. Libraries are inadequately staffed and volunteers are needed to help fill the voids.

F5. Limited library accessibility (hours of operation) hampers usage by students and working adults.

F6. Several areas of the County (e.g., the communities on the northeast side of the Lake, Kelseyville, and Cobb Mountain communities) do not have reasonable access to brick and mortar libraries. Due to the remoteness of several areas of the County, a bookmobile service targeted at the primary schools (but also available to middle and high schools) would be a cost effective method of getting library services to the underserved students.

F7. The museums are using creative ways (e.g., 'Murder Mystery Dinners', Weddings, etc.) that encourage residents to visit the museums, and in the process, enhance revenue. However, these measures do not address the underutilization of the museums by children and young adults.

F8. There is inadequate publicity throughout the County on special exhibits and events offered by the museums.

Recommendations:

R1. The Library System in the County should investigate/recommend a method for establishing a bookmobile service. The BOS should support options to facilitate this service. (F1, F3, F6)

R2. If the voters approve an increase to the County sales tax, a portion of this funding should be earmarked for the libraries. (F2, F4)

R3. The libraries and museums need to expand hours of operation to increase accessibility and usage. (F5)

R4. Creative and interactive programs should be established to encourage more participation of young people/students at the museums. (F7)

R5. The libraries and museums need vigorous recruitment of young adults, retired educators and seniors to serve as volunteer staff. They should be tasked with the goal of creating programs directed at younger children. (F7)

R6. Increased publicity of Museum events should be funded and enacted. (F8)

Request for Responses:

Pursuant to Penal Code section 933(c), the following responses are *required*:

Board of Supervisors (R1, R2, R6) (90 days)

Lake County Superintendent of Schools (R6) (60 days)

The Grand Jury *invites* the following individuals to respond:

Director of Lake County Museums (R3, R4, R5) (60 days)

Director of Lake County Libraries (R3, R5) (60 days)

Ad Hoc – Insurance
CHAOS AFTER THE FIRES



Lake County Quilt Trail “Fire Sirens”
21095 Highway 175, Middletown, California

CHAOS AFTER THE FIRES

Summary:

Lake County Administration lost sight of its need to provide customer service to the traumatized victims of the Valley Fire who lost everything. Additional training and preparation in advance of needs stemming from other recent and future fires will position the County and its citizens to avoid such chaos in the future.

Background and Discussion:

The widely recognized “fog of war” phenomenon after the Valley fire affected both traumatized citizens and County employees. County employees struggled to learn the ropes regarding the federal and state laws controlling receipt and processing of disaster relief funds. During the insurance collection process, the county failed to listen closely and to hear the victim’s grief and confusion. The county should have been more professional and respectful towards those needing help. The difference in perception was significant and dramatic between the citizens seeking guidance and the designated County staff responding to those needs.

No one in Lake County was unaffected by the Valley Fire in September 2015. The ferocity of the flames and the totality of the widespread devastation came as a shock to both residents and government officials. Many first responders and local officials were themselves directly affected by the fire even as they strove heroically and ceaselessly to save lives and to provide for the immediate needs of evacuees. After the evacuation orders were lifted, implementing the cleanup and rebuilding process presented an abrupt and steep learning curve both for County officials and impacted property owners.

The federal government through the “Stafford Act” and the State of California have developed a well-defined process that is implemented in the aftermath of a disaster. Once a disaster has occurred, and the State has declared a state of emergency, the State evaluates the recovery capabilities of the State and local governments, which includes an estimate of available insurance coverage. Joint federal, state, and local government Preliminary Damage Assessments are conducted to help determine whether a disaster is of such severity and magnitude that effective response is beyond the capabilities of the state and affected local governments such that Federal assistance is necessary. If the State determines that the damage is beyond its recovery capability, the governor sends a request letter to the President, directed through the Regional Director of the appropriate Federal Emergency Management Agency (FEMA) region. The President then makes the decision whether or not to declare a major disaster or emergency.

After the presidential declaration was made – without hesitation - following the Valley Fire, FEMA designated the area eligible for assistance and announced the types of assistance available. FEMA provides supplemental assistance for State and local government disaster recovery expenses, and the Federal share will always be at least 75 percent of the eligible costs. The Recipient (in this case, the State) determines how the non-federal share of assistance (up to 25 percent) is split with the sub-recipients (in this case, Lake County). Lake County was initially responsible for 6.25%, and the State 18.75%, but the State later amended the County’s share to be 0%. As part of its qualification for Federal and State disaster relief, Lake County must confirm that there is no “duplication of benefits” - that as much insurance coverage for debris removal as is available in each property owner’s policy is collected by the County and paid to the State.

Relevant to this Report is Category A – Public Assistance. Through this program, FEMA provided supplemental federal disaster grant assistance for residential “structural” debris removal, which is the subject of this Grand Jury’s inquiry. The California Office of Emergency Services (CalOES) selected the California Department of Resources Recycling and Recovery (CalRecycle) (a branch of the California Environmental Protection Agency that oversees the state's waste management, recycling, and waste reduction programs) to be in charge of the residential debris removal for Lake County. CalRecycle then contracted with multiple construction companies to perform the actual debris removal, which followed an initial removal of any toxic materials, such as heavy metals, asbestos, inflammable agents, and the like, by a haz-mat subcontractor. After the removal was complete, the soil was re-sampled for residual toxins, and erosion control measures were instituted. Environmental Health was then responsible for “signing off” on each abated property, clearing the way for rebuilding.

Burned trees considered potentially dangerous to State or County rights-of-way or utility lines were felled early on by PG&E, CalTrans, and the County. The subcontract for other residential tree removal was awarded to two subcontractors serially, beginning in November, 2015.

Methodology:

The Grand Jury interviewed:

- 1) Multiple Valley Fire victims and reviewed their documents
- 2) Department heads dealing with debris removal
- 3) Multiple County administrative staff responsible for insurance collection, including the Grand Jury's perusing relevant spreadsheets and physical files
- 4) Public and insurance company adjusters
- 5) A neighboring county official managing a similar program.

Many FEMA, CalOES, CalRecycle, CA Department of Insurance, and public adjuster-authored documents were reviewed, as were many reports and articles on the Valley Fire and subsequent major fires, in Lake County and elsewhere.

Findings:

F1. Property owners who chose to have their debris removed by the State/CalRecycle were asked in October-November, 2015, to sign a Right of Entry (ROE) prepared by Lake County Environmental Health. This ROE included the explanation that the amount of insurance coverage provided by their policy for debris removal would pay for such costs to the limit defined by their policy, and that they would not be responsible for any additional money.

F2. The language within the ROE was interpreted by many owners as saying that the debris removal was "free" to them when actually they would be responsible to reimburse the County for the 'debris removal' payments made to the property owners by their insurance company.

F3. Lake County did not have in effect an executed contract with CalRecycle during or after the structural debris removal. Absent this contract specifying terms and conditions, the County had no means of:

- a) Requiring CalRecycle to provide documentation of its charges
- b) Assuring that CalRecycle responded to property owners' emails questioning the charges.

F4. Although federal monies were available for the County's collection of insurance proceeds designated for debris removal - a minimum of \$300,000 - and the County issued a Request for Proposal (RFP) and had initially intended to award the contract to a third party, the ultimate decision was made to pursue/collect the insurance proceeds using County administrative staff.

F5. The staffing for this collection program has been inadequate since its inception both in number and in requisite experience and skills. Early on, only one part-time employee was assigned to the program. In August 2017, a full-time dedicated employee was assigned, with the help of an "intern" for the summer and the assistance of one or two other administrative staff who might answer the phones.

F6. The County did not initially create a duty statement or scope of work for the person responsible for collecting insurance proceeds for debris removal. Only in December 2017, were procedures formally created by Administration.

F7. Although the residential debris removal was completed by March 2016, CalRecycle did not submit its bills to the County until June 2017, and has never submitted any documentation to support the amount of the bills.

F8. Of the approximately 1200 property owners who signed up for the State removal of their debris, the County initially had little information as to the amount of insurance available to the owners.

F9. The County, under the impression that insurance funds would be available to homeowners for only two years after the fire, hurriedly arranged to distribute the so called "INVOICE" to property owners in July 2017, during public meetings and via certified mail.

F10. The breakdown of costs on the "INVOICE" included figures not only for "debris removal," but also for non-site-specific services, such as "lot fee" and "community cost," for which no explanations were provided.

F11. Some property owners received at the same time a second "INVOICE" for "tree removal," in some instances when no trees - or seemingly healthy trees - were removed, thus compounding their upset. Once again, the figure for non-site-specific "monitoring costs" on the "INVOICE" was unexplained.

F12. The ROE specified certified arborist's reports and property photographs (before-and-after) hazardous tree removal that were submitted by the tree removal subcontractor are maintained in another department. These records are separate from the primary files created by Administration. Thus, these documents are not available to staff who are attempting to respond to owners' inquiries.

F13. Some owners who went to - or called - the administrative office to vent their frustration over the "INVOICE" felt ignored by the response to their inquiry or complaint. Callers rarely spoke with an employee. Instead, they were automatically re-routed to voicemail. This was at the direction of senior administration management.

F14. Despite having been informed on several occasions that they were responsible to pay only the allotted insurance coverage for debris removal, many property owners were confused, anguished, and angered by their "INVOICE", which they interpreted to be demanding payment for the full amount listed, which averaged approximately \$100,000.

F15. When owners, a number of whom were present during the debris removal, requested supporting documentation for the billed amounts, the County stated that it passed on the requests to CalRecycle, with no response.

F16. Some owners whose rebuilding monies were distributed to them by their insurance carriers had not been informed that the debris removal coverage was included therein. They then spent the money without paying the debris-removal portion to the County. The County is slowly attempting to work out a repayment program for these owners.

F17. Approaching three years after the Valley Fire, the County still does not have the proof of "no insurance" from all of the owners so indicating.

F18. To-date, three letters with copies of the "INVOICE" have been send out to property owners who have not yet paid the County their insurance proceeds for debris removal. Several owners have reported they were threatened verbally with being sent to collections, despite administrative denial of anyone doing so. When the specific amount owed is unknown thereby excluding external collections, how the County will force owners to pay is unclear.

F19. Property owners affected by the Clayton Fire, who have received insurance proceeds for debris removal that they want to pay to the County, now are unable to do so for lack of a dedicated database created to document/track such payments for the Clayton Fire.

F20. Part of the reason for the delay in collecting insurance proceeds was linked to the prolonged delay in issuing building permits by The Department of Community Development, as insurers often retained rebuilding payments until a permit was issued.

Recommendations:

R1. The County should amend the Right-of-Entry form to clarify the meaning of “no out-of-pocket cost” to the property owners and should avoid use of the term “free” on any official handouts. [F-1, F-14]

R2. Prior to inevitable future fire emergencies, and such as was done in Calaveras County following the Butte Fire, the County should consider appointing one person to interact with the public and to be the centralized repository of disaster-response information. [F-5, F-10, F-13, F-14]

R3. County personnel must be mindful of their “customer service” responsibilities when dealing with its stressed citizens. These attitudes and practices flow down from Administration and the department heads. Initial or additional “customer service” training by professionals should be implemented as necessary and should be heartily supported by management. [F-5, F-13]

R4. In the immediate aftermath of a disastrous fire, Administration should proactively work with the property owners to ascertain their specific insurance coverage for debris removal. [F-8, F-16, F-17, F-18]

*****Special Notation: The Grand Jury has become aware that, after months of investigation into this area, the staff of County Administration has reached out to other counties – now with continuing follow-through- on proactively dealing with this area. The Grand Jury applauds actions done in reaction to the obvious focus of its investigations instead of only following issuance of its final report. Whatever stimulus initiates the beneficial change/action is helpful to all the people of our communities.

R5. The County should avoid using the term “INVOICE” on the insurance-collection paperwork distributed to property owners. [F-10, F-11, F-14]

R6. The County should rework its insurance-collection documents so that the first page of the “billing” portions reflect the actual insurance coverage for that specific property owner and thus the amount actually due to the County. [F-10, F-14]

R7. County administrative personnel should actively seek out training regarding State and Federal regulations pertaining to debris removal prior to beginning the insurance collection process. [F-6, F-9, F-16]

R8. All administrative staff dealing with the public in the aftermath of a disaster should be cross-trained in the basics of State and Federal post-fire regulations as well as in Lake County post-fire insurance administrative procedures to provide backup continuity. [F-9, F-12, F-15, F-16, F-17]

R9. A dedicated phone line for debris removal insurance coverage queries should be instituted before collection procedures begin for the Clayton, Sulphur, and any future fires. [F-5, F-13, F-14, F-15]

R10. The preliminary message on that dedicated line should include words to the effect of “We have placed answers to many common questions on the Lake County OES website and we encourage you to peruse that site at “(County to develop a new web site location – specific to the fire/insurance issues).” This message should precede the caller’s transfer to the responsible County person assigned to that dedicated line. [F-13]

R11. The County should strive always to have a person answering the dedicated phone line during business hours. Calls being forwarded from the public to Voicemail during business hours should be done only as a backup procedure and not as a primary means of communication. Procedures should be developed and implemented to assure that callers’ queries are addressed in a timely manner. [F-13, F-15]

R12. The contract between the County and CalRecycle must specify the terms of payment of insurance proceeds to the State and reimbursement to the County for its insurance-collection costs. [F-2, F-3]

R13. The County should develop, approve, print, and adhere to specific procedures under which any delinquent property owners are to be sent to “collections.” These procedures should accompany early communications regarding insurance reimbursement. [F-18]

R14. As an example of proactive management, the best interest of its citizens would be served by the County's establishing the working databases now for property owners affected by the Clayton and Sulphur fires. [F-19]

R15. Any residual Valley Fire-related information and documents from other departments should be integrated into the databases and files created and maintained by Administration. [F-12]

Request for Responses:

Pursuant to Penal Code section 933(c), the following responses are *required*:

Board of Supervisors: R-12 (90 days)

The Grand Jury *invites* the following individuals to respond.

Chief Administrative Officer: R1 through R-15 (60 days)

Environmental Health Director: R-1, R-15 (60days)

Exhibits

Exhibit A

Right-Of-Entry Permit (For Providing Debris Removal on Private Property)

County of Lake
255 North Main Street
Lakeport, CA 95453

Date: _____
Property Address: _____
Assessor's Parcel No. _____ -- --

I, _____ (Owner), hereby permit the County of Lake, its officers, employees, agents, contractors and subcontractors (County), to enter the Owner's property located by the above-referenced address for those purposes described in paragraph one of this document.

1. **Grant of Right-of-Entry.** Permission is hereby granted and Owner hereby grants to the County, its officers, employees, designees and/or permittees a right of entry ("Permit") to enter upon the Property, and all related appurtenances thereto, for the purpose of inspecting, testing materials on, removing and clearing any or all wildfire-generated debris of whatever nature including but not limited to ash, vehicles, trailers, miscellaneous debris, construction debris, trees identified by an arborist as hazardous, waste or other materials from the Property, subject to the terms and conditions set forth in this Permit, and to perform all incidents necessary thereto. It is fully understood that this Permit does not create any obligation on the County to perform inspection, testing or debris clearance.

This is not a request for a permanent easement and/or right-of-way and their permission will automatically terminate upon completion of said work.

2. **Private Insurance Coverage.** Most homeowner insurance policies have coverage to pay for the costs of removal of wildfire-generated debris. Owner understands that in the event state financial assistance is received by the Owner for purposes of inspection, testing or removing debris hereunder, state law requires the Owner to reimburse the County for the cost of removing wildfire-generated debris to the extent covered in the Owner's insurance policy. Owner also understands that, when requested, Owner must provide a copy of the insurance policy, proof/statement of loss and settlement agreement from Owner's insurance company to the County. In the event the insurance proceeds are less than the cost of debris removal incurred by the County, Owner will not be responsible for the difference. If the insurance proceeds exceed the County's cost of debris removal, Owner will keep any excess proceeds.

Owner (___ does, ___ does not) have homeowner's or other similar insurance. If Owner indicates that Owner does not have such insurance, Owner certifies under penalty of perjury that there was no insurance in effect at the time of the wildfire which may provide coverage for the costs of inspection, testing or removing debris.

3. **Indemnification - Hold Harmless.** County shall not be liable for, and Owner shall indemnify and hold harmless the County, the State of California, California Governor's Office of Emergency Services (CalOES), California Environmental Protection Agency (CalEPA) California

Exhibit B

Debris Removal Right-of-Entry Permit (For Providing Debris Removal on Private Property)

Lake County Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport CA, 95453
707-763-1164

Date: _____

Property Address: _____
Assessor's Parcel Number (APN): _____

Age of Structure(s): _____

The undersigned hereby certifies they/ho/she are/is (check):

_____ The owner(s) with authority to grant access to the property at
(address) _____.

_____ The authorized agent of the Property Owner resident at above address.

I, _____ (Owner/Owner's authorized agent) hereby permit
the County of Lake and City of Clearlake (County), (City), its officers, employees, state
agencies, contractors and subcontractors, to enter the Owner's property located at the above-
referenced address (the Property), subject to all licenses, easements, encumbrances, and claims
of title affecting the Property upon the following terms and conditions:

1. Grant of Right-of-Entry. Permission is hereby granted and Owner hereby grants to the
County, City of Clearlake, State of California, Federal Government, and all of their officers,
employees, designees and/or permittees a right of entry ("Permit") to enter upon the Property,
and all related appurtenances thereto, for the purpose of inspecting, testing materials, removing
and clearing any or all wildfire-generated debris of whatever nature including but not limited to
ash, vehicles, trailers, miscellaneous debris, construction debris, waste or other materials from
the Property, subject to the terms and conditions set forth in this Permit, and to perform all
incidents necessary thereto. Owner understands and accepts that the entity performing debris
removal on behalf of County and City of Clearlake will determine on a case-by-case basis what
materials qualify as "debris" to be removed from the site pursuant to the removal program and
that structural foundations and trees deemed hazardous to work crews may also be removed
pursuant to this Permit. The Owner understands that this Permit does not obligate the County,
City of Clearlake, its contractors, or other government agents to perform inspection, testing, or
debris clearance. Owner understands that County and City of Clearlake will undertake no
cleanup action until this Permit is signed and returned. Owner understands that participation in
this program shall not operate to either require or prohibit County and City of Clearlake from
later deeming a condition remaining on the property a public nuisance. Owner will not be
charged for the work conducted by the County, City of Clearlake, government agencies, or its
contractors. However, if the Owner receives insurance proceeds or compensation from any other
source for debris removal, the Owner's obligation is set out in paragraphs 2 and 3, below.

00011201.1

This is not a request for a permanent easement and/or right-of-way and the permission granted will automatically terminate upon completion of said work, as determined at the discretion of County, City of Clearlake, its officers, employees, designees and/or permittees.

2. Private Insurance Coverage. Most homeowner and auto insurance policies have coverage to pay for the costs of removal of wildfire-generated debris and damaged items. Owner understands that in the event state financial assistance is received by Owner for purposes of inspection, testing or removing debris hereunder, state law (California Disaster Assistance Act, California Government Code sections 8680-8692) requires Owner to reimburse County for the cost of removing wildfire-generated debris to the extent covered in Owner's insurance policy. Owner hereby assigns to County any and all insurance proceeds he/she would be entitled to for the removal of debris and damaged items from the Property. Owner agrees to inform the insurance company listed below of this assignment, and will instruct the insurance company to issue all insurance proceeds directly to County. In the event the insurance company listed below issues insurance proceeds to Owner for the removal of debris from the Property, Owner agrees to immediately and without delay forward such insurance proceeds to County.

If the Owner has insurance in effect at the time of the wildfire that provides coverage for debris removal; and/or vehicle removal; or provides any other similar coverages, the Owner hereby assigns any and all rights, benefits, and proceeds with respect to these particular coverages under any applicable insurance policy to County. Owner also hereby authorizes that any benefits or proceeds payable under the coverage for vehicle and debris removal, or any other similar coverages, be paid directly to County up to the specified amount of coverage, after which Owner shall not be liable for any further costs to County. In the event that coverage for debris removal, or any other similar coverages, are not provided on the basis of a specified amount but are included within another coverage category, payment to County shall be limited to the unused benefit amount (if any) in that coverage category after the residence is rebuilt, after which Owner shall not be liable for further costs to County. Owner authorizes the release to County of Owner's pertinent insurance information (i.e., insurance policy, declarations page, and any policy endorsements) from Owner's insurance provider for the policy that was in effect at the time of the wildfire and authorizes County to request a copy of Owner's insurance policy and related documents from Owner's insurance provider. Owner makes this assignment and authorization in consideration of County's agreement to perform the services of removing wildfire-generated debris from the insured property.

Owner also understands that, when requested, Owner must provide a copy of the insurance policy, proof statement of loss and settlement agreement from Owner's insurance company to County.

Owner (does, does not) have homeowner's or other similar insurance. If Owner indicates that Owner does not have such insurance, Owner certifies under penalty of perjury under the laws of the State of California that there was no insurance in effect at the time of the wildfire which may provide coverage for the costs of inspection, testing or removing debris.

Insurance Information for the Property:

Property Address: _____
APN: _____

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Insurance Company: _____
Policy Number: _____
Claim Number: _____
Agent Name: _____ Phone: _____

Secondary Insurance Information for the Residential Property or other damaged items on the property:

Insurance Company: _____
Policy Number: _____
Claim Number: _____
Agent Name: _____ Phone: _____

Additional Insurance Information for the Property or other damaged items on the property:

Insurance Company: _____
Policy Number: _____
Claim Number: _____
Agent Name: _____ Phone: _____

3. Duplication of Benefits.

Property Owner/agent has an obligation to file an insurance claim if coverage is available. Property Owner/agent understands and acknowledges that receipt of compensation or reimbursement for performance of the aforementioned activities from any source, including Small Business Administration, private insurance, an individual and family grant program or any other public or private assistance program could constitute duplication of benefits prohibited by federal law. If the Property Owner/agent receives any compensation from any source for debris removal activities on this Property, the Property Owner/agent will report it to the County.

Owner will advise County in writing of any insurance settlements for debris removal in accordance with the terms set forth in Section 2 of this Permit. Owner further agrees to reimburse County within thirty (30) calendar days of receipt from such insurance proceeds, for the cost of the debris removal conducted by County in accordance with the terms set forth in Section 2 of this Permit. In the event the insurance proceeds are less than the cost of debris removal incurred by County, Owner will not be responsible for the difference. If the insurance proceeds exceed County's cost of debris removal, Owner will keep any excess proceeds. Owner understands that all disaster related funding, including that for debris removal from private property, is subject to audit.

4. County's Obligations. In consideration of the permission granted, County and City of Clearlake agrees to the following:

- a. No permanent structure that appears safe and habitable to the entity performing debris removal will be disturbed or damaged. Work will be performed in such a manner that it will not materially affect ingress or egress to or from the Property. This determination shall not operate to either require or prohibit County and City of Clearlake from later determining that a public nuisance exists on the Property. If Owner is present at time the debris removal team enters the Property and demands that certain debris not be removed,

Property Address: _____
APN: _____

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this debris will not be removed. Owner understands and acknowledges that if he/she refuses to allow removal of debris deemed hazardous by federal, state, or local officials, Owner shall still be legally responsible to timely and lawfully remove the hazardous debris at his/her own cost.

- b. Gates shall be closed and/or locked at all times, except when ash and debris removal activities are in progress.
- c. Any pre-existing improvements on the Property, such as fences, gates, etc. which are damaged or temporarily removed in the debris removal process will be repaired and/or replaced.

5. Indemnification – Hold Harmless. County and City of Clearlake shall not be liable for, and Owner shall indemnify and hold harmless County, City of Clearlake, the State of California, California Governor's Office of Emergency Services (CalOES), the California Environmental Protection Agency (CalEPA), the California Department of Resources Recycling and Recovery (CalRecycle), the Federal Government, and any of their officers, agencies, agents, contractors, subcontractors, employees and volunteers, against any and all claims, deductibles, self-insured retentions, demands, liability, judgments, awards, fines, mechanics' liens or other liens, labor disputes, losses, damages, expenses, personal injury, death, and charges or costs of any kind or character, including attorneys' fees and court costs (hereinafter, collectively referred to as "Claims"), which arise out of or are in any way connected to actions arising out of this Permit, and Owner hereby releases, discharges, and waives any Claims or any action, in law or equity, arising therefrom.

5.1 Owner shall make Owner's best efforts to mark any sewer lines, utilities (electricity, gas, cable, etc.), septic tanks and water lines located on the Property.

6. No County Assumption of Liability for Remediation. In consideration of the assistance County is providing to Owner under this Permit at no cost to Owner, and subject to Section 4 of this Permit, County assumes no liability or responsibility, and Owner shall not seek to recover from County, CalOES, CalEPA, CalRecycle, the Federal Government, or any of their officers, agencies, agents, contractors, subcontractors, employees and volunteers, the costs of any remediation of damages to the Property incurred due to actions taken pursuant to this Permit.

7. County and City of Clearlake's Agents. Any person, firm, or corporation authorized in writing to work upon the Property by the County shall be deemed to be County and City of Clearlake's agent, including but not limited to the State of California, Cal OES, CalEPA, CalRecycle, the Federal Government, contractors and subcontractors and shall be subject to all applicable terms hereof.

8. Authority. Owner represents and warrants that it has full power and authority to execute and fully perform its obligations under this Permit without the need for any further action, including but not limited to any further action, notice to, or approval from any co-owner(s), leaseholder(s), tenant(s), lender(s), or lienholder(s), and any person(s) executing this Permit on behalf of the Owner(s) is the duly designated agent(s) of Owner(s) and is authorized to do so, and that the title to the Property vests solely in Owner(s). If this Right of Entry Permit is executed by anyone other than Owner(s), it shall be accompanied by a complete and legible notarized authorization

Property Address: _____
APN: _____

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form signed by Owner(s). Incomplete or illegible authorization forms will not be recognized as a lawful designation of authority.

9. State of California Disaster Debris Removal Program: By initialing each provision below, Owner(s) hereby acknowledge the following activities that will be conducted by County, City of Clearlake and/or County and City of Clearlake's Agents:

Eligibility: This program is applicable only to residential property, including rental properties, and contents thereon, where occupants reside as a primary or secondary home. The Property must not be owned under any business or commercial affiliation, other than as a primary/secondary residence (i.e., resort or retreat complex, LLC, etc.) Any property that is sold prior to issuance of the cleanup certification will be withdrawn from the program and billed for cleanup services, unless both new and former owners sign a property transfer affidavit.

Owner Notification of Entry: As this program involves access to the Property by County, City of Clearlake and/or County and City of Clearlake's agents at various times throughout the cleanup process, Owner(s) will only be contacted to arrange for cleanup at the "Ash and Debris Cleanup" phase (Step 4). This contact will attempt to be made 24-48 hours in advance. Owner(s) will not be contacted for property access during the other steps. All agents associated with the program will have proper identification and will provide that upon request.

The Property (____ is, ____ is not) a rental property and Owner(s) (____ does, ____ does not) request for the tenant to be contacted prior to entry for special instructions. Owner(s) (____ do, ____ do not) transfer all decisions related to cleanup to tenant.

Contact Information for the Tenant:

Name: _____
Mailing Address: _____
Phone Number: _____
Email Address: _____

Property Accessibility: Due to the need for property access by County and/or County's Agents, the Property will be made accessible throughout the cleanup process (i.e., Owner(s) will provide gate code/keys to ensure property access.) Owner(s) acknowledges either (____) a gate code or (____) a key is required for access. Owner shall provide a gate code; _____ or key which shall be dropped off at the debris removal operations center.

Foundations: In order to participate in this program, Owner(s) must allow removal of all foundations. Stem walls and retaining walls may be left on a case-by-case basis for erosion control purposes only, as approved by the Operations Chief and/or his or her designee. Any Owner(s) initiating participation in the program and later deciding to keep a foundation will be withdrawn from the program and billed for cleanup services up to that point. In addition, it is Owner's responsibility to fill any depression(s) left on the Property from the removal of foundations.

Property Address: _____
APN: _____

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____ **Soil Sampling:** Part of the debris removal program is to take soil samples in the debris footprint to determine if all ash is removed and no longer poses a public threat. In some instances, if soil samples do not meet the cleanup goals for this project, additional soil will be removed from the debris footprint and more soil samples will be taken. In order to participate in this program, Owner(s) must allow access to County's agents so all necessary soil sampling can be conducted after all debris and ash is removed.

____ **Wells and Septic Systems:** Pumping and/or removal of wells and septic tanks/systems are not part of this program. Only those septic tanks that are deemed to be hazardous to cleanup crews will be pumped. All other identified wells/septic tanks will be fenced off to ensure proper marking and safety.

____ **Propane/Fuel Tanks:** Propane and other fuel tanks found on the Property will be assessed as part of the "Household Hazardous Waste Assessment and Removal" phase (Step 1.) Tanks will be assessed to determine whether fuel remains. Small and medium tanks (less than 50 gallons capacity) will be removed. Large propane tanks that are leased by a gas company will not be removed through this program (property owners must contact the gas company and arrange for them to pick up/remove their damaged tank.) If tanks are owned by the property owner, they may be removed through this program during the "Ash and Debris Cleanup" phase (Step 4.)

Owner(s) acknowledge that they (____ do, ____ do not) own large propane tank(s) and the Owner(s) (____ does, ____ does not) want them removed during the "Ash and Debris Cleanup" phase.

____ **Repairs:** Debris and ash removal crews will do their best to avoid and minimize damage to areas and intact structures surrounding the impacted property site. Where wells, septic and leach lines are properly identified in advance by Owner(s) as part of the Permit, the Operations Chief *may* authorize attempted repair of any damage done to these as part of the cleanup process. (Please note: before and after photos are taken of site conditions.) However, ultimately, Owner(s) acknowledges the Permit indemnification-hold harmless clause (Section 5 above) for all structures associated with the Property.

____ **Driveways and Roads:** Repair of publicly accessed roads and driveways is not part of this program. Road damage to public right-of-ways will be addressed by County and/or City of Clearlake. Damage to privately owned driveways as a result of this program's operations will be assessed and *may* be repaired on a case-by-case basis, as determined by the Operations Chief. Repair to damaged concrete or asphalt driveways will consist only of gravel placement for purpose of ingress/egress.

10. Entire Agreement. This Permit constitutes the entire agreement between the parties with respect to the subject matter hereof, and all prior or contemporaneous agreements, understandings and representations, oral or written, are superseded.

Property Address: _____
APN: _____

Page 6 of 10

11. **Modification.** The provisions of this Permit may not be modified, except by a written instrument signed by both parties.

12. **Partial Invalidity.** If any provision of this Permit is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Permit shall not be affected thereby. Each provision shall be valid and enforceable to the fullest extent permitted by law.

13. **Successors and Assigns.** This Permit shall bind and benefit the parties and their successors and assigns, except as may otherwise be provided herein.

14. **Notices.** Any notice required hereunder shall be provided as follows:

Contact Information for the County:

Raymond Ruminski
Lake County Public Health Services Department
Environmental Health Division
922 Bevins Court, Lakeport CA, 95453

Property Address: _____
APN: _____

Page 7 of 10

Contact Information for the Owner:

Name: _____
Mailing Address: _____
Phone Number: _____
Email Address: _____

15. Submission by facsimile or email attachment. In lieu of personal delivery, Owner(s) may elect, at his/her own option and at his/her own risk, to transmit to the County by facsimile or email attachment a complete, legible, and fully executed Right of Entry Permit and (as applicable) an Owner Authorization to Designate Agent form. Owner(s) is responsible to ensure complete, legible, timely, and accurate transmission of such documents, and County shall not be held responsible for any errors or omissions related to electronic or facsimile transmission, including but not limited to errors resulting from failed or delayed transmission, delays resulting from SPAM filters, technical malfunctions of facsimile machines or electronic communication equipment, inability to open attached documents, or other failure of the County to timely receive and act upon these documents.

- a. Fax: 707-263-1681
- b. Email (attach as pdf): lakcoh@lakcountycal.gov

16. The Property Owner/agent understands that an individual who fraudulently or willfully misstates any fact in connection with this agreement may be subject to penalties under state and federal law, including civil penalties, imprisonment for not more than five years, or both, as provided under 18 USC 1001.

IN WITNESS WHEREOF, Owner and County of Lake have executed this Permit effective _____, 2017.

Owner 1 Signature
Print Name: _____

Owner 2 Signature
Print Name: _____

Approved by County of Lake and verified that the Property, APN, and Owner are accurate and meet the eligibility requirements of program:

By _____
Denise Pomroy, Health Services Director

Property Address: _____
APN: _____

**Disaster Debris Removal Program
Property Information**

Please check all that apply on the Property:

Large Item Description	Quantity	Keep	Remove	Comments
Vehicles				
Boats				
Trailers				
Other:				

Underground Tanks	Location	Construction Date (If Known)	Comments
Septic			
Fuel/Oil			
Water			
Other:			

1. Septic tanks will be pumped of all waste as part of the debris removal project if posed as a hazard to crews.
2. Owner(s) must provide documentation of ownership for large propane tanks to be removed.

Underground Structures	Location	Construction Date (If Known)	Comments
Basement			
Root Cellar			
Other:			

Special Instructions

(i.e. directions to contractors to access the Property or notable items Owner wishes to try to recover):

Property Address: _____
APN: _____

Exhibit C

COUNTY OF LAKE
255 N. Forbes Street
Lakeport, CA 95453



ADMINISTRATIVE OFFICE
Phone: (707) 263-2560
Fax: (707) 263-1912

INVOICE – Tree Debris Removal

July 10, 2017

Re: Valley Fire Tree Debris Removal Costs

THE TOTAL COST FIGURE BELOW IS INFORMATIONAL ONLY	
Tree cutting, grinding and hauling	4959.63
Monitoring/administrative costs	
TOTAL COST	4959.63

Please pay ONLY the amount allowed from your insurance coverage for tree debris removal. Please include with your payment a copy of the declarations page and tree debris removal section from your policy and the settlement statement provided by your insurance company.

Please consult with your claims representative if you do not know the amount of the tree debris removal coverage that must be reimbursed to the County of Lake pursuant to the Right of Entry form signed for this parcel.

If the costs above exceed the costs covered by your policy, no additional cost recovery is being requested.

Please send the following to the address below:

- 1) Payment for tree debris removal, payable to the County of Lake;
- 2) Signed Insurance Release Authorization form;
- 3) Declarations page and tree debris removal section from your policy; and
- 4) Settlement statement received from your insurance company.

County of Lake
255 North Forbes Street
Lakeport, CA 95453
Attention: Administrative Office

Valley Fire Release (Debris insurance recovery) Tree Invoice form.xlsx

COUNTY OF LAKE
255 N. Forbes Street
Lakeport, CA 95453



ADMINISTRATIVE OFFICE
Phone: (707) 263-2580
Fax: (707) 263-1012

INVOICE – Tree Debris Removal

July 10, 2017

Re: Valley Fire Tree Debris Removal Costs

THE TOTAL COST FIGURE BELOW IS INFORMATIONAL ONLY	
Tree cutting, grinding and hauling	\$8,340.10
Monitoring/administrative costs	\$1,402.13
TOTAL COST	\$9,742.23

Please pay **ONLY** the amount allowed from your insurance coverage for **tree debris removal**. Please include with your payment a copy of the declarations page and tree debris removal section from your policy and the settlement statement provided by your insurance company.

Please consult with your claims representative if you do not know the amount of the tree debris removal coverage that must be reimbursed to the County of Lake pursuant to the Right of Entry form signed for this parcel.

If the costs above exceed the costs covered by your policy, no additional cost recovery is being requested.

Please send the following to the address below:

- 1) Payment for tree debris removal, payable to the County of Lake;
- 2) Signed Insurance Release Authorization form;
- 3) Declarations page and tree debris removal section from your policy; and
- 4) Settlement statement received from your insurance company.

County of Lake
255 North Forbes Street
Lakeport, CA 95453
Attention: Administrative Office

COUNTY OF LAKE
255 N. Forbes Street
Lakeport, CA 95453



ADMINISTRATIVE OFFICE
Phone: (707) 283-2580
Fax: (707) 283-1012

INVOICE – Tree Debris Removal

July 10, 2017

Re: Valley Fire Tree Debris Removal Costs

THE TOTAL COST FIGURE BELOW IS INFORMATIONAL ONLY	
Tree cutting, grinding and hauling	\$12,722.89
Monitoring/administrative costs	\$2,094.88
TOTAL COST	\$14,817.77

Please pay **ONLY** the amount allowed from your insurance coverage for tree debris removal. Please include with your payment a copy of the declarations page and tree debris removal section from your policy and the settlement statement provided by your insurance company.

Please consult with your claims representative if you do not know the amount of the tree debris removal coverage that must be reimbursed to the County of Lake pursuant to the Right of Entry form signed for this parcel.

If the costs above exceed the costs covered by your policy, no additional cost recovery is being requested.

Please send the following to the address below:

- 1) Payment for tree debris removal, payable to the County of Lake;
- 2) Signed Insurance Release Authorization form;
- 3) Declarations page and tree debris removal section from your policy; and
- 4) Settlement statement received from your insurance company

County of Lake
255 North Forbes Street
Lakeport, CA 95453
Attention: Administrative Office

3:\Valley Fire Recovery\Debris Insurance recovery\Tree Invoice Form.docx

COUNTY OF LAKE
256 N. Forbes Street
Lakeport, CA 95453



ADMINISTRATIVE OFFICE
Phone: (707) 263-2580
Fax: (707) 263-1012

INVOICE - Structure Debris Removal

Date: July 17, 2017

Re: Valley Fire Debris Removal Costs from CalRecycle

THE TOTAL COST FIGURE BELOW IS INFORMATIONAL ONLY	
Labor	\$12,458.10
Trucking: represents all of the trucking costs for all materials	\$4,983.24
Ash/Soil/Debris: combination of ash, debris and soil disposal costs	\$7,474.86
Concrete	\$0.00
NES: provided community & personal air monitoring & site safety services. The total cost is averaged equally over all of the lots.	\$1,026.08
Arcadis: provided field support such as site assessment and documentation, construction field supervision, and soil sampling and confirmation. The total cost is averaged equally over all of the lots.	\$4,961.34
Lot Fee	\$12,500.00
Community Costs: all other non-lot specific costs weighted based on the per lot costs for the disposal of the ash, debris, soil, and concrete.	\$7,207.43
TOTAL COST OF STRUCTURE DEBRIS REMOVAL:	\$50,610.00

Please pay **ONLY** the amount allowed from your insurance coverage for debris removal. Please include with your payment a copy of the declarations page and debris removal section from your policy and the settlement statement provided by your insurance company.

Please consult with your claims representative if you do not know the amount of the debris removal coverage that must be reimbursed to the County of Lake pursuant to the Right of Entry form signed for this parcel.

If the costs above exceed the costs covered by your policy, no additional cost recovery is being requested.

Please send the following to the address below:

- 1) Payment for debris and/or tree removal, payable to the County of Lake;
- 2) Signed Insurance Release Authorization form;
- 3) Declarations page and debris and/or tree removal section from your policy; and
- 4) Settlement statement received from your insurance company

County of Lake
255 North Forbes Street
Lakeport, CA 95453
Attention: Administrative Office

CA\Valley Fire Recovery\Debris Insurance Recovery\Debris Invoice form.docx

COUNTY OF LAKE
255 N. Forbes Street
Lakeport, CA 95453



ADMINISTRATIVE OFFICE
Phone: (707) 263-2580
Fax: (707) 263-1012

INVOICE - Structure Debris Removal

Date: July 17, 2017

Re: Valley Fire Debris Removal Costs from CalRecycle

THE TOTAL COST FIGURE BELOW IS INFORMATIONAL ONLY	
Labor	\$15,194.08
Trucking: represents all of the trucking costs for all materials	\$8,077.63
Ash/Soil/Debris: combination of ash, debris and soil disposal costs	\$8,083.47
Concrete	\$1,052.98
NES: provided community & personal air monitoring & site safety services. The total cost is averaged equally over all of the lots.	\$744.87
Arcadis: provided field support such as site assessment and documentation, construction field supervision, and soil sampling and confirmation. The total cost is averaged equally over all of the lots.	\$9,112.07
Lot Fee	\$5,499.00
Community Costs: all other non-lot specific costs weighted based on the per lot costs for the disposal of the ash, debris, soil, and concrete.	\$21,221.55
TOTAL COST OF STRUCTURE DEBRIS REMOVAL:	\$66,965.56

Please pay **ONLY** the amount allowed from your insurance coverage for debris removal. Please include with your payment a copy of the declarations page and debris removal section from your policy and the settlement statement provided by your insurance company.

Please consult with your claims representative if you do not know the amount of the debris removal coverage that must be reimbursed to the County of Lake pursuant to the Right of Entry form signed for this parcel.

If the costs above exceed the costs covered by your policy, no additional cost recovery is being requested.

Please send the following to the address below:

- 1) Payment for debris and/or tree removal, payable to the County of Lake;
- 2) Signed Insurance Release Authorization form;
- 3) Declarations page and debris and/or tree removal section from your policy; and
- 4) Settlement statement received from your insurance company

County of Lake
255 North Forbes Street
Lakeport, CA 95453
Attention: Administrative Office

G:\Valley Fire Recovery\Debris insurance recovery\Debris invoice form.docx

COUNTY OF LAKE
255 N. Forbes Street
Lakeport, CA 95453



ADMINISTRATIVE OFFICE
Phone: (707) 263-2580
Fax: (707) 263-1012

INVOICE - Structure Debris Removal

Date: July 10, 2017

Re: Valley Fire Debris Removal Costs from CalRecycle

THE TOTAL COST FIGURE BELOW IS INFORMATIONAL ONLY	
Labor	\$19,595.21
Trucking: represents all of the trucking costs for all materials	\$7,598.08
Ash/Soil/Debris: combination of ash, debris and soil disposal costs	\$8,587.75
Concrete	\$3,409.38
NES: provided community & personal air monitoring & site safety services. The total cost is averaged equally over all of the lots.	\$744.87
Arcad's: provided field support such as site assessment and documentation, construction field supervision, and soil sampling and confirmation. The total cost is averaged equally over all of the lots.	\$9,112.07
Lot Fee	\$5,499.00
Community Costs: all other non-lot specific costs weighted based on the per lot costs for the disposal of the ash, debris, soil, and concrete.	\$27,927.28
TOTAL COST OF STRUCTURE DEBRIS REMOVAL:	\$83,273.64

Please pay ONLY the amount allowed from your insurance coverage for debris removal. Please include with your payment a copy of the declarations page and debris removal section from your policy and the settlement statement provided by your insurance company.

Please consult with your claims representative if you do not know the amount of the debris removal coverage that must be reimbursed to the County of Lake pursuant to the Right of Entry form signed for this parcel.

If the costs above exceed the costs covered by your policy, no additional cost recovery is being requested.

Please send the following to the address below:

- 1) Payment for debris and/or tree removal, payable to the County of Lake;
- 2) Signed Insurance Release Authorization form;
- 3) Declarations page and debris and/or tree removal section from your policy; and
- 4) Settlement statement received from your insurance company

County of Lake
255 North Forbes Street
Lakeport, CA 95453
Attention: Administrative Office

G:\Valley Fire Recovery\Debris Insurance Recovery\Sample Invoice form-MH.docx

COUNTY OF LAKE
255 N. Forbes Street
Lakeport, CA 95453



ADMINISTRATIVE OFFICE
Phone: (707) 263-2580
Fax: (707) 263-1012

INVOICE - Structure Debris Removal

Date: July 17, 2017

Re: Valley Fire Debris Removal Costs from CalRecycle

THE TOTAL COST FIGURE BELOW IS INFORMATIONAL ONLY	
Labor	\$28,790.56
Trucking: represents all of the trucking costs for all materials	\$11,516.22
Ash/Soil/Debris: combination of ash, debris and soil disposal costs	\$16,029.75
Concrete	\$1,244.59
NES: provided community & personal air monitoring & site safety services. The total cost is averaged equally over all of the lots.	\$744.87
Arcadis: provided field support such as site assessment and documentation, construction field supervision, and soil sampling and confirmation. The total cost is averaged equally over all of the lots.	\$9,112.07
Lot Fee	\$5,499.00
Community Costs: all other non-lot specific costs weighted based on the per lot costs for the disposal of the ash, debris, soil, and concrete.	\$40,211.74
TOTAL COST OF STRUCTURE DEBRIS REMOVAL:	\$113,148.80

Please pay **ONLY** the amount allowed from your insurance coverage for debris removal. Please include with your payment a copy of the declarations page and debris removal section from your policy and the settlement statement provided by your insurance company.

Please consult with your claims representative if you do not know the amount of the debris removal coverage that must be reimbursed to the County of Lake pursuant to the Right of Entry form signed for this parcel.

If the costs above exceed the costs covered by your policy, no additional cost recovery is being requested.

Please send the following to the address below:

- 1) Payment for debris and/or tree removal, payable to the County of Lake;
- 2) Signed Insurance Release Authorization form;
- 3) Declarations page and debris and/or tree removal section from your policy, and
- 4) Settlement statement received from your insurance company.

County of Lake
255 North Forbes Street
Lakeport, CA 95453
Attention: Administrative Office

G:\Valley Fire Recovery\Debris Insurance recovery\Debris Invoice form.docx

Exhibit D

Valley Fire Insurance Collection Procedures
WORKING DRAFT
Ed. 12/14/2017, MH, MR

This project is ongoing, and this is a living and evolving document. The Valley Fire was in many respects an unprecedented disaster, and we continue to encounter and appreciate new ramifications of it, for individuals and the County, as a whole. We are there for those who lost everything as best we can be.

We make every reasonable attempt to respond to new information, and seek to communicate clearly with Valley Fire survivors. Many situations are unique to a property or unique to a specific insurance policy. A key aspect of our procedure is a commitment to serve our constituents and interact fairly with our other stakeholders. We seek to be an effective hub of a debris insurance collection wheel that extends beyond the walls of our office. This is consistently both humbling and inspiring. We love to help!

INSURED

Prepare background materials:

Contact was made with Cal DES and Calaveras County, which resulted in obtaining background information on steps taken in San Diego and Calaveras Counties.

Collected ROEs (right of entry forms), contact information and insurance information from property owners.

Combined property list information with structure and tree debris removal cost information, database included:

- Name
- Property Address
- Parcel Number
- Current mailing address
- Insurance Yes/No
- Insurance Company
- Date ROE signed

The spreadsheet and database were initially created by Environmental Health, and cost information was received subsequent to their handing the project off to Administration. Cost information was integrated into Environmental Health's existing spreadsheet.

Cost information received from contractors CalRecycle and Tetra Tech was in the form of spreadsheets, with cost allocations in the categories reflected on the County cost information sheets/invoices.

For properties where owners authorized Structural Debris removal, we received costs for the following categories (explanations were not included, but are added here for context):

- Labor
- Trucking: represents all of the trucking costs for all materials

Public outreach:

- Press releases (in print media and posted online), public meetings and mailings
- Periodic updates provided in BOS meetings (ongoing)
- *Additional proactive coverage was provided by Record-Bre and LakeCastNews*
 - Note: another County did less initial public outreach, and received more significant negative media coverage; sending information to the media early on, partnering with them to ensure the public remains informed, and making ourselves available to the public has worked relatively well.
- Complaints were received regarding the total charges for each property, and many property owners compared invoices with proximal neighbors. Depending upon the contract the work was performed pursuant to, charges were different, and not always satisfyingly different in relationship to actual work performed, since the contractor profit, alone, was a big number. That has been a source of frustration for property owners.
 - We have voiced understanding of property owners' frustration, and sought clarifying information regarding specific charges from State agencies upon written request.
- Many complaints were initially received regarding forms that stated work would be done "At no cost to you." Environmental Health Director Key Numinski believes the document containing the statement most often misinterpreted was created by a community group that intended to be helpful.
 - We have explained that the work was performed at no out-of-pocket cost, but that any reimbursement provided by insurance for that work must be forwarded to the County to avoid a Duplication of Benefits.
 - Many property owners did not experience having debris removal work done on their property as conference of a public financial benefit. Many saw it as a "Free service," and saw their insurance reimbursement as, "Their money." Given all circumstances, we are sympathetic to this misunderstanding, but still responsible to help ensure property owners don't commit insurance fraud by hanging on to money that was intended to reimburse a government program.
- Our Frequently Asked Questions underwent many revisions as we received constituent complaints.
- We also followed up upon and debunked a rumor that insurance claims could only be reimbursed within two years of the date of a disaster. There is a guideline that encourages insurance companies to allow no less than two years in a declared emergency, and all insurance companies were alerted by the California Department of Insurance at the time of the Valley Fire of the existence and scope of the public debris removal programs.

Initial invoice mailing:

Prepared packets requesting insurance payment, distributed to property owners at public meetings and by US mail with proof of delivery

Additionally, multiple insurance companies have asked that we directly email invoices. This has been handled on a flow basis, typically with a 1-2 day turnaround time.

The original intent was for CDI to likewise collect insurance policy information needed to verify payments made were correct, and convey that to the County. CDI's Counsel later advised they may be violating privacy laws by releasing documents to a third party.

ROE forms used for subsequent disasters reconciled many of these concerns by provided a formal assignment of benefits to the County and authorization to interact directly with the insurance company to collect reimbursement.

Because there was no formal assignment of benefits in the Valley Fire ROE, we were unable to demand direct collection of benefits through CDI. We have requested that insurance companies remit payment, and some have deferred to their insured, and relied upon their insured to understand and remit their obligation to the County.

We have provided invoices to the insurance companies directly, when possible, and some provided payments directly to the County, as insurance companies are not legally precluded from acting on behalf of their insured in this manner. Invoices were sent through the insurance companies' designated SPCs.

On 08/17/2017, Dave Edwards of CDI met by telephone with the County to advise of updates to CDI's procedures, and said that a f/u letter would be issued to insurance companies, telling them:

- 1) You received a spreadsheet from CDI, please provide this data directly to the County of Lake, Co: CUI.
- 2) F/u also included our checklist, "Here's what they're looking for," asking insurance companies to provide documentation directly to us if they had not yet done so.
- 3) For larger companies, e.g. Farmer's, CDI expected to review samples, ten cases, looking at all, to see if handled correctly, including:
 - a. Detailed explanation of how obligation was determined
 - b. How claim was handled.

CDI further stated if we had outliers, individual cases of great complexity, CDI could help us respond to those on a 1:1 basis; we should send them documentation we received, CDI would serve as a subject matter expert.

At that time, we had received communications from insurance companies referencing "Agreements" made with CDI. Dave responded that the "Agreements" referenced by multiple companies referred to a conference call, Tony Cignarale had met with insurers, trade groups, etc., and advised on some standard, compliant ways to respond to government debris removal invoices. There were no formally documented agreements that would affect the insurance companies' contractual obligations.

Dave relayed that, in some cases, if a company had additional debris coverage, 5% under coverage A, B, and C, and/or excess coverage, and they had paid that in full, that would end their obligation.

As of 12/05/2017, Alex Pal of CalOCS reported that all information requests and complaints regarding OES' contractor, CalRecycle, should be directed to himself and Jill Talley. They will track down information for us.

They have already begun acting upon this procedure.

We will have ongoing contact with CalOCS, to ensure we understand and can evaluate the implications of various courses of action for Valley Fire survivors, and to provide quality information to survivors.

Because the Valley Fire cleanup was so interdisciplinary, and interagency response was required, some information requests are more difficult to respond to than others; we have consistently followed up on behalf of Lake County residents, and attempted to get requested information.

Verification of Payments:

Verify the amount paid is what was covered by the insurance Company. As necessary, request verifying information from the insurance Company

In some cases, property owners incurred other costs for debris removal not performed by a government program. If that work was reimbursed by their insurance company, further work is required to determine which debris removal reimbursements were relevant to the County's invoices.

When a property owner reports they had other debris removal, we ask them document their other expenses, and seek clarification of their specific obligation.

Payment Plans/Promissory Notes:

- We have a waiting list of those requesting payment plans, so we can batch when the time comes
- Drafted template for "Agreement Between the County of Lake and Property Owner for Reimbursement of Costs Associated with the Removal of Valley Fire Structural and Tree Debris from Private Property"
- Drafted template for Promissory Note
- Drafted template for Valley Fire Payment Schedule
- Drafted template for Deed of Trust
- Drafted template for Parcel Information Document (Exhibit C)

Understanding the final cost obligation is essential; we cannot pursue collections or place a lien against a property unless we know the appropriate amount to collect.

That is why our primary efforts have been:

- 1) *Informing Lake County residents of the costs incurred by government programs, responding to their concerns and asking them to submit our invoices to their insurance for consideration of reimbursement.*
- 2) *Seeking to clarify, in partnership with CDT and the insurance companies, the amount reimbursed or available to reimburse the government programs' work.*

documentation to the County Administrative for conveyance to CalOES, rather than bearing the direct cost of faxing, mailing, etc.

Deposits:

Deposit and track payments made. Send receipts.

Ongoing; some payments received directly from insurance companies, some from property owners.

Weekly deposits of all proceeds are made to appropriate accounts and cross-checked with the Master spreadsheet.

Non-response / Non-payment:

We have considered hiring a collection firm if payments are not received after several attempts to collect.

OES has recommended we determine the obligation amount, then lien the property in that amount.

Some scenarios make this impossible, e.g.:

- Some chose not to rebuild and sold their property.
 - If they did not buy another property, there is no real property to lien.

In early 2018, we expect to use County and online resources to find unresponsive property owners; this practice would mirror that of other Counties with similar projects.

Abatements:

Done pursuant to code enforcement regulations with liens placed accordingly.

This was a very limited number; most signed the ROI.

Record keeping:

Marcy Harrison has been responsible for data management. Most items are recorded on a master spreadsheet. Additionally, we maintain paper and electronic files. Incoming documents are processed on a flow basis, with some batching due to necessity.

UNINSURED

Prepare background materials:

Other jurisdictions have done only a certification of non-coverage. We prepared an explanatory letter and a certification of non-coverage statement.

Public outreach/initial mailing:

Frequently Asked Questions (FAQs)

Valley Fire Structure Debris Removal and/or Tree Debris Removal Insurance Collection

- Q:** How were the debris and tree removal programs funded?
- A:** The cleanup programs were funded by federal and State emergency funds and grants, including those from FEMA. It was a service offered to alleviate hardship during our time of need and to protect the community from human and environmental health risks. The homeowners' share of these costs is limited to their insurance policy coverage for debris and/or tree removal.
- Q:** Will the property owner be responsible for paying the difference between the insured amount for debris and/or tree removal and the actual cost of debris and/or tree removal?
- A:** No. Under the Right of Entry (ROE) form, owners agreed to reimburse the County for debris and/or tree removal costs to the extent covered by their insurance policies. In the event the insurance proceeds are less than the cost of debris and/or tree removal, owner is not responsible for the difference.
- Q:** What if the property owner spent the money allocated in their policy for debris and/or tree removal prior to receiving the itemized cost list and the request for payment?
- A:** The property owner will still be responsible for paying the County of Lake the full amount allocated in their insurance policy for debris and/or tree removal.
- Q:** Is it possible to set up a payment plan to reimburse the County of Lake for debris and/or tree removal costs?
- A:** Upon receipt of a signed promissory note, the County may consider accepting a payment plan, not to exceed twelve months.
- Q:** If the property was sold after the fire, which party is responsible for payment to the County of Lake for debris and/or tree removal?
- A:** The property owner (policy holder) at the time of the fire is responsible to pay the County of Lake the amount allocated in the policy for debris and/or tree removal.
- Q:** Why am I being asked to provide a copy of the declarations page and debris and/or tree removal coverage sections from my policy, and the settlement statement from my insurance company?
- A:** The County of Lake needs this information to verify the coverage and payment amount.
- Q:** Who do I contact for more information?
- A:** Lake County Administrative Office at 707-263-2580.

We strongly recommend you discuss this with your insurance provider, as trucking and disposal fees, alone, will likely be greater than your coverage amount. Upon written request, CalRecycle is willing to document charges up to your insurance coverage amount.

If you desire to clarify or dispute charges with CalRecycle, prepare a written statement, and submit it to the Lake County Administrative Office. You may email it to admin@lakecountyca.gov, or mail it to:

County of Lake
ATTN: Valley Fire Recovery
255 N. Forbes St
Lakeport, CA 95453

We will forward your complaint to the appropriate party at CalRecycle.

Q. What if I have a different kind of complaint?

A. Put it in writing, and submit it, as described above.

Q. What if I had other structural or tree debris removed, that wasn't provided by this program? How much am I required to pay?

A. First, we ask that you submit all information you received from us to your insurance provider, as each insurance policy is different. Your agent or adjuster may be able to help you determine your obligation.

If further structural or tree debris was removed by a licensed contractor, and you obtain written documentation of the work and related costs, your obligation may be less than the full amount reimbursed under your insurance policy. Please submit all related documents as soon as possible.

You may email them to admin@lakecountyca.gov, or mail them to:

County of Lake
ATTN: Valley Fire Recovery
255 N. Forbes St
Lakeport, CA 95453

Q. My insurance claim is not settled (or, I have not been reimbursed yet for structural and/or tree debris removal), am I still obligated to pay now?

A. No. However, once insurance funds are received, you will be responsible to reimburse the County for debris and/or tree removal costs to the extent covered by your insurance policy. However, it is essential that you file your claim within two years of the Valley Fire, and submit the information we provided to your insurance company.

Q. Can the County force my insurance company to settle my claim?

A. No. If you feel your insurance company has not been responsive, you may call the California Department of Insurance (CDI) at (800)927-4357.

Exhibit E



Butte Fire Debris Removal Insurance Cost Recovery Program

Government Center
891 Mountain Ranch Road, Building A
San Andreas, CA 95249

FAQ's Regarding the Invoice Letter you Received

Q: Who is Tetra Tech and why are they invoicing homeowners?

A: Tetra Tech is the company hired by Calaveras County to obtain information regarding the portion of your insurance that was allocated specifically for debris removal. If a duplication of benefits occurred then those dollars and only those dollars need to be reimbursed to the state to comply with Federal Law.

Q: What does Duplication of Benefits mean?

A: Duplication of Benefits refers to payment from more than one source that is used for the same purpose or activity, i.e. you receive money from your insurance company for debris removal while a public assistance program pays for the same activity. Tetra Tech is ensuring that this duplication does not occur.

Q: What is Calaveras County's Role in this process?

A: The County's role is to act as a liaison between property owners and the State Clean-Up Program as funded through Cal Recycle, as well as assisting victims of the Butte Fire in navigating through the complex process of wildfire recovery.

Q: How much out-of-pocket money must a property owner pay?

A: **None.** Homeowners are only asked to repay the amount that their insurance company has paid them for debris removal.

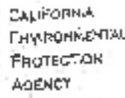
Q: Why did I get a letter with such a large number on it?

A: The amount stated in the letter represents the total cost incurred to clean your property of wildfire related debris from your property. The letter is **not a bill**.

Q: Why do I need to comply with this process?

A: The Right-of-Entry (ROE) form that property owners signed to allow this debris removal work to be performed - stated that property owners are to reimburse the County for the cost of removing wildfire-generated debris **only to the extent covered in the homeowner's insurance policy. Property owners will not be required to pay more than the amount that their insurance company has paid them for debris removal.**

Exhibit F



FEMA

July 14, 2017

RE: Invoice for

The attached invoice is for the debris removal conducted at _____ by the Butte Wildfire Structural Debris Removal Program, which is also referred to as the Right-Of-Entry (ROE) program. The Structural Right-Of-Entry (ROE) program was initiated to safely remove potentially hazardous burn debris from private property created during the Butte Wildfire of September 2015. The State and Federal governments have paid for the debris removal costs at _____

and regulations require the County to verify insurance and coverage for properties that received debris removal and to receive and deposit payments from property owners when a duplication of benefits has been discovered. The County is a conduit for these funds, collecting these insurance funds from property owners and transferring them to the State and Federal government.

Your financial responsibility is limited to remitting the lower amount of either the insurance proceeds that your policy specifically provides for debris removal or the actual governmental reported costs associated with your property.

CalRecycle, the State agency responsible for the ROE program, has reported that the cost of the Butte Wildfire Debris Removal Services associated with your property was \$74,541.31. Based upon the County's insurance contractor assessment of your insurance documentation it appears that your insurance coverage was responsible for \$1,970.00. Therefore \$1,970.00 is the amount of duplication of benefits of the debris removal cost, and therefore you are being invoiced for this amount to satisfy the State and Federal duplication of benefits regulations.

Calaveras County PO Box 558, San Andreas, CA 95249 Phone 209-221-4807
CalaverasButteWildfires@sites.tetra-tech.com

Exhibit G



Butte Fire Debris Removal Insurance Cost Recovery Program

Government Center
691 Mountain Ranch Road, Building A
San Andreas, CA 95249

FAQ's Regarding the Invoice Letter you Received

Q: Who is Tetra Tech and why are they invoicing homeowners?

A: Tetra Tech is the company hired by Calaveras County to obtain information regarding the portion of your insurance that was allocated specifically for debris removal. If a duplication of benefits occurred then those dollars and only those dollars need to be reimbursed to the state to comply with Federal Law.

Q: What does Duplication of Benefits mean?

A: Duplication of Benefits refers to payment from more than one source that is used for the same purpose or activity, i.e. you receive money from your insurance company for debris removal while a public assistance program pays for the same activity. Tetra Tech is ensuring that this duplication does not occur.

Q: What is Calaveras County's Role in this process?

A: The County's role is to act as a liaison between property owners and the State Clean-Up Program as funded through Cal Recycle, as well as assisting victims of the Butte Fire in navigating through the complex process of wildfire recovery.

Q: How much out-of-pocket money must a property owner pay?

A: **None.** Homeowners are only asked to repay the amount that their insurance company has paid them for debris removal.

Q: Why did I get a letter with such a large number on it?

A: The amount stated in the letter represents the total cost incurred to clean your property of wildfire related debris from your property. The letter is **not a bill**.

Q: Why do I need to comply with this process?

A: The Right-of-Entry (ROE) form that property owners signed to allow this debris removal work to be performed - stated that property owners are to reimburse the County for the cost of removing wildfire - generated debris only to the extent covered in the homeowner's insurance policy. Property owners will not be required to pay more than the amount that their insurance company has paid them for debris removal.



CalRecycle



CALIFORNIA
ENVIRONMENTAL
PROTECTION
AGENCY



FEMA

Please provide the balance of the invoice by August 14, 2017. If you believe any of the cost or insurance allowance information in the invoice is incorrect or unclear, please contact us immediately.

We will remain available to provide information and assistance through this finalization of this process, at which time we will be forwarding your remittance information to the sponsoring State and Federal agencies for their records and follow-up.

If you have any questions or concerns, please contact us by calling the Hotline at (209) 221-4807 or by e-mail at CalaverasButteWildfires@sites.tetrattech.com

Sincerely,

Mel Knight

Mel Knight

Butte Wildfire Community Liaison

Calaveras County PO Box 668, San Andreas, CA 95249 Phone 209-221-4807
CalaverasButteWildfires@sites.tetrattech.com

Exhibit H



CALIFORNIA
ENVIRONMENTAL
PROTECTION
AGENCY



Payment due by August 14, 2017

INVOICE #

Debris Removal Conducted at:

July 14, 2017

Policy Number:

Customer ID:

Invoice Summary	
Property owner's responsibility of the Debris Removal Services as set by the Insurance Debris Duplication of Benefits*	\$1,970.00
Payment received by the County from the property owner	\$.00
Invoice Amount:	\$1,970.00

*Debris Removal limits and claim amounts obtained from policy documents provided by property owner and/or insurance provider

Make all checks payable to Calaveras County Environmental Health Department

-----Cut Here-----

Please return this portion of the invoice with your payment

Payment due by August 14, 2017

INVOICE #

Debris Removal Conducted at:

Policy Number

INVOICE AMOUNT: \$1,970.00

Calaveras County PO Box 668, San Andreas, CA 95249 Phone 209-721-4807
CalaverasButteWildfires@sites.tetrattech.com

Butte Incident
Individual Property Final Summary Report

This report presents the property site assessment, debris removal activities and other work completed on the above listed property. This property was significantly damaged or destroyed in the Butte Fire in Calaveras County, California during September 2015. Debris was removed from this property, by the CalRecycle Contractor between 4/ /16 and 4/ /16.

On September 23, 2015, the Governor of California, Edmund G. Brown Jr. declared a state of emergency in Calaveras County as a result of damage caused by the Butte Fire. The governor issued an Executive Order that directed CalRecycle to work with local officials and implement a comprehensive structural debris removal plan. CalRecycle deployed an incident management team to oversee the removal activities and developed a Debris Removal Operations Plan with Specifications to describe how the activities would be carried out as a single, organized project. In order to have access to private properties, a Right of Entry (ROE) permit was obtained from each property owner prior to commencement of debris removal activities (Included in the ROE Sub-Folder).

Site assessment and debris removal activities on each property were in accordance with procedures described in the Butte Fire Debris Removal Operations Plan and included the following:

Site Assessment:

After the DTSC conducted their hazardous materials assessments and removed the obvious hazardous materials, CalRecycle Contractor(s) determined the dimensions of the structures and ash/debris footprints, identify any hazards, wells, septic systems or other sub-surface hazards, conducted radiological sweep, and take photographs of the property prior to debris removal.

Asbestos Survey and Abatement:

Each property was then visually inspected by a Certified Asbestos Consultant for gross asbestos containing material (ACM). Suspected material was sampled and sent to a laboratory for testing. If the sample results were positive for ACM, an abatement contractor was deployed to remove and bag the material and was sent to a landfill that is permitted to accept ACM.

Debris Removal:

All ash, debris and metal was removed by CalRecycle's construction contractor. Each property had a debris monitor assigned to track all types and quantities of material that was removed from the property and recorded on daily activity logs.

Concrete Foundations, Slabs, and Sidewalks Removal:

All foundations were removed from each property and tracked separately from the ash, debris and metals. Concrete was recycled and used as road base for county roads.

Impacted Soil Removal:

Approximately 2 to 6 inches of soil was removed from each property from within the footprint of the debris field, after the ash and debris was removed.

Soil Sampling and Analysis:

Soil from within the footprint of the debris field on each property was sampled and analyzed for Title 22 metals to determine that all of the ash was effectively removed.

Erosion Control:

Erosion control measures were installed at each property. This included hydro-seeding, waddles, and straw mats where needed.

Debris Removal Costs and Tonnages:

Material	Labor*	Equipment*	Tonnage*	Disposal Costs*	Trucking Costs*
Ash/Debris	8,187.57	6,906.13	119.46	3583.80	8,625.00
Metals	433.88	408.15	7.06	-328.30	4,865.00
Soil	0.00	0.00	0.00	0.00	0.00
Concrete (Ineligible)	795.73	671.19	11.61	719.82	810.00
DEBRIS REMOVAL SUBTOTAL	\$9,467.18	\$7,985.46	138.13	\$3,915.32	\$14,240.00
Debris Removal Ineligible Costs	\$795.73	\$671.19	11.61	\$719.82	\$810.00
Debris Removal Claimed Costs	\$8,671.45	\$7,314.27	126.52	\$3,195.50	\$13,430.00

*Supporting documentation for these costs are located in the sub-folders for this property.

Cost tracking for each of these activities and the amount of material removed from this property is summarized in the table below:

Activity	Cost*
Health, Asbestos Inspection, & Air Monitor	-
Site Assessment & Soil Sampling	600.00
Asbestos Abatement	-
Debris Monitoring	2,315.86
Erosion Control	1,045.86
Lot Fee	7,200.00
Debris Removal Costs by Material	
Ash/Debris	27,302.50
Metals	5,308.73
Soil	-
Concrete (Ineligible)	2,996.74
Pro-rated Community Costs	27,771.63
Site Work Subtotal	46,769.68
TOTAL PROPERTY COST	\$74,541.31
Total Ineligible Costs	\$2,996.74
Total Claimed Costs	\$71,544.57

*Supporting documentation for these costs are located in the sub-folders for this property.

Exhibit I

STATE OF CALIFORNIA

Dave Jones, Insurance Commissioner

DEPARTMENT OF INSURANCE
CONSUMER SERVICES & MARKET CONTACT DIVISION
200 SOUTH SPRING STREET, SOUTH TOWER
LOS ANGELES, CA 90013
(215) 345-6800
(215) 897-6041 (fax)
www.insurance.ca.gov



October 2017 Wildfires Consolidated Debris Removal Program Insurance Fact Sheet (11/1/2017)

As a result of the recent wildfires, local, state, and federal agencies have initiated a consolidated debris removal program. This action was taken due to the health and safety concerns associated with hazardous substances, ash, and other materials. Homeowners are being asked to sign a Right of Entry form in order to participate in this program. If the homeowner agrees to participate in the program and signs the Right of Entry Form the consolidated debris removal program is being done free of charge, whether the property owner is insured or not insured. If the property is insured, there will be no reduction in the homeowners' coverages available for the rebuilding process.

As noted in the Right of Entry Form, if the homeowner has insurance in effect at the time of the wildfire that provides specified coverage for debris removal (i.e., a certain dollar amount or percentage), the homeowner authorizes that these specified debris removal benefits be paid directly to County up to the specified amount of coverage, after which the homeowner will not be liable for any further costs to County. In the event that coverage for debris removal are not provided on the basis of a specified amount but are included within another coverage category, payment to County shall be limited to the unused benefit amount (if any) in that coverage category after the residence is rebuilt, after which Owner shall not be liable for further costs to County. The benefits of this program would apply even if the homeowner decides not to rebuild in the same location but purchases a replacement home in another location.

Homeowners' (HO) Insurance policies cover costs for debris removal in a few different ways. You should consult your specific insurance policy to determine how debris removal benefits are paid. The most common type of HO policy will have (up to) three separate major coverages applicable to debris removal:

Coverage A (Primary Structure): Cost to rebuild or replace the primary structure.

Coverage B (Other Structures): Cost to rebuild or replace other structures including detached garages, sheds, etc.

Coverage C (Contents or Personal Property): Cost to replace personal property.

In addition to debris removal benefits that can be paid from the above coverages, many HO policies provide a specified additional benefit for debris removal. The most common HO policy will add additional debris removal coverage of 5% of the policy limits for Coverage A, if Coverage A limits are exhausted (used up) for the actual rebuild costs. Some policies also have additional coverage of 5% of the policy limits for Coverage B and for Coverage C.

Under these types of policies, FEMA, state and local governments (in order to avoid a duplication of benefits) would only require the County to collect up to the additional specified coverage amounts for debris removal (i.e., 5% of Coverage A, plus 5% of Coverage B, plus 5% of Coverage C). This would leave the primary coverage limits intact for the rebuild.

Example 1: Typical HO Policy with Specified Additional Debris Removal Benefits:

Coverage	Coverage Limits	Specified Additional Debris Removal Coverage
Coverage A: Primary Structure	\$200,000	(5% Cov A): \$10,000
Coverage B: Other Structures	\$20,000	(5% Cov B): \$1,000
Coverage C: Contents	\$100,000	(5% Cov C): \$5,000
Total Direct Coverage Available for Debris Removal (Amount to be paid to County)	NA	\$16,000
Sample Debris Removal Cost*		\$75,000
Deficiency (Homeowner not liable for this deficiency only if they go through the Consolidated Debris Removal Program)**		\$59,000

* The Average Cost for Debris Removal from the Valley and Gutter Fires was about \$115,000 per property, so \$75,000 is a very conservative cost, even if the work is done by a private debris removal company (assuming they have all the permits, licenses, plans, equipment, and environmental clearances). Also, an insurer would not be expected to pay an unreasonable amount for debris removal costs.

** If the insured does NOT go through the consolidated debris removal program, the \$59,000 deficiency would erode the insured's primary coverage limits, leaving less money to rebuild. Typically, the insurer would deduct the \$59,000 from Coverage A (Primary Structure), leaving the insured (in this example) with only \$141,000 to rebuild the Primary Structure.

Example 2: Less Common Type of HO Policy: Another type of HO policy has less coverage than the above scenario and does not provide for an additional specified debris removal coverage. In this case, as noted above, attempting to collect debris removal costs would erode most of the Coverage A, B and C limits leaving very little for the property owner to rebuild (i.e. underinsured). However, under these policies, FEMA, state, and local governments will only seek to collect from these types of policies if (after the property owner rebuilds or replaces the home) there is coverage left over in any of the Coverages A, B, or C (that have debris removal benefits). For example using the same coverage limits as above:

Coverage	Coverage Limits	Coverage Used by Insured to Rebuild	Amount Available for Consolidated Debris Removal
Coverage A: Primary Structure	\$200,000	\$200,000	\$0,000
Coverage B: Other Structures	\$20,000	\$18,000	\$2,000
Coverage C: Contents	\$100,000	\$93,000	\$7,000
Total Coverage Available for Debris Removal (Amount paid to County)	NA	NA	\$9,000
Sample Cost on Invoice			\$75,000
Deficiency (Homeowner not liable for this deficiency only if they go through the Consolidated Debris Removal Program)**			\$66,000

** If the insured does NOT go through the consolidated debris removal program, the \$66,000 deficiency would erode the insured's primary coverage limits, leaving less money to rebuild. Some insurers would first deduct the full \$75,000 from Coverage A (Primary Structure), leaving the insured with only \$125,000 to rebuild the Primary Structure.

There are other types of residential property insurance policies that differ in how they cover debris removal costs. Homeowners should review their insurance policy to determine how debris removal costs are handled. But, regardless of what type of policy the homeowner has, if the homeowner agrees to participate in the program and signs the Right of Entry Form the consolidated debris removal program is being done free of charge to the homeowner. If a homeowner has questions on the consolidated debris removal program and the Right of Entry form, please contact your county administrative offices. If a homeowner has questions on any insurance-related issues, they may visit one of our insurance experts at the Local Assistance Center (while they are operational) in their county or contact the California Department of Insurance by calling our toll free hotline at (800) 927-4357 or visit us online at www.insurance.ca.gov

Exhibit J



Top Ten Tips for Wildfire Claimants

1. Obtain a complete copy of your residential insurance policy, including your declarations page. The law requires your insurance company to provide this to you free of charge within 30 days of your request. Ask your agent or insurer representative to explain your relevant coverages.
2. Take note of your Additional Living Expense (ALE) limits and manage your ALE expenses in recognition of a long rebuilding process. Your time to collect ALE after a declared catastrophe is extended to 24 months; however your amount of coverage is not increased.
3. Track all of your additional expenses that arise from having to live in another location away from your home.
4. Document all of your conversations with your insurer/adjuster about your claim and policy limitations. Ask the adjuster to point out the specific provision in the policy being cited.
5. Get at least one licensed contractor's estimate or bid on the cost to rebuild your home just to get a reasonable sense of the actual cost as compared to your coverage limits (for more considerations on contractors, view the CDI's electronic brochure [Don't Get Burned After a Disaster](#) and check the website for [California's Contractors State License Board](#)).
6. Call the Department of Insurance Hotline for help at (800) 927-4357. Consider insights from consumer advocates.
7. Understand you can purchase at another location, and still receive full replacement cost benefits. You also have the right to rebuild using your own contractor. In order to reduce the cost of rebuilding, you might also consider a community wide development.
8. Assess your situation, do not rush into any decision about contractors, lawyers or public adjusters - consider your mortgage/employment/financial situation, your age, children's schools, your willingness to deal with construction issues (no matter who your contractor is). Of course, move forward if you have obtained multiple bids from reputable licensed contractors, are certain you want to rebuild, are sure of the rebuilding costs and your insurance limits and want to be sure you are a priority for your selected contractor to start the rebuild. The Contractors State License Board (CSLB) has publications that can help you identify and avoid problems before they occur. Contact CSLB at 1-800-321-2752 to obtain a free copy of their publications and/or verify the [licensing status](#) of a contractor.
9. Do not assume you have inadequate coverage based on general information you are hearing about building costs or other general comments. The adequacy of your limits needs to be addressed on a case specific basis to determine how much it will cost to rebuild your home and whether your limits, including extended replacement cost coverage if applicable, are adequate.
10. Evaluate whether you will need a public adjuster or attorney to help you with your claim. Note that for long rebuilding processes you are likely to use your entire ALE limits and if you are also reimbursed by your insurer for your entire personal property loss or your full personal property limits, then there may be no need for the assistance of a public adjuster or lawyer to help you obtain full settlements for either of these coverages. Public adjusters require a percentage of the claim settlement for their services. Make sure you understand what they charge and the services you are paying for before you sign a contract. Also, a public adjuster cannot charge a fee for payments already received from the insurance company, so you should consider getting as much advance payment as possible from the

insurance company (without signing a final release) before hiring a public adjuster. This way the fee may only be charged for the additional moneys the public adjuster gets for you. Public adjusters are required to be licensed by the California Department of Insurance. To verify a public adjuster's license, call us at 1-800-927-4357 or check the status online by name or by license number. Practicing without a license is against the law.

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Exhibit K

What may be Covered by Your Homeowners Policy

Additional Living Expenses

If your property is not safe for occupancy, keep receipts for all expenses associated with your relocation, such as emergency shelter, clothing, and food. These extra costs may be covered under the "loss of use" portion of your policy. You will be required to account for any covered expenses, so be sure to keep all of your bills and receipts. Any advance payments received will be counted toward your final claim settlement. Additional living expenses include items such as food and housing costs, and telephone or utility installation costs in a temporary residence. Also, extra transportation costs to and from work or school, relocation and storage expenses, and furniture rental for temporary residence are eligible under additional living expense coverage. Your insurance company usually advances you money for these extra costs.

Personal Property

Making lists of all damaged items is a good place to start documenting your personal property loss. Include the brand names and model numbers of appliances and electronic equipment. If possible, take photographs of the damage. Don't forget to list items such as clothing, sports equipment, tools, china, linens, outside furniture, holiday decorations, and hobby materials. Put together a set of records - old receipts, bills, and photographs - to help establish the price and age of everything that was damaged. If your property was destroyed or you no longer have any records, you will have to work from memory. Try to picture the contents of every room and then write a description of what was there. Try also to remember where and when you bought each piece and about how much you paid. Video taping your possessions room-by-room before a loss is an excellent way to document damage to your personal property after a loss. Make sure to keep the video tape at a separate location (such as a safe deposit box), so it is not destroyed. Do not throw out any damaged items until you have been told to do so by the adjuster.

Dwelling

By identifying the structural damage to your home and other buildings on your premises, like a garage, tool shed, or in-ground swimming-pool, you can begin making a list of everything you would like to show the adjuster when he or she arrives. This should include cracks in the walls, damage to the floor or ceiling, and missing roofing tiles. If structural damage is likely, even though you can't see any signs of it, discuss this with your adjuster. In some cases the adjuster may recommend hiring a licensed engineer to inspect the property. Have the electrical system checked as well. Get written bids from reliable, licensed contractors on the repair work. The bids should include details of the materials to be used, and the prices should be listed on a line-by-line basis.

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Trees and Shrubbery/Debris Removal

Trees, shrubs, and other plants are insured on a limited basis. The aggregate limit for a loss under this coverage generally is 5% of the dwelling limit of liability provided as an additional amount of insurance, with a sub-limit of \$500.00 (and in some cases \$250.00) for loss to any one tree, shrub, or plant. Check the language in your individual policy for the coverage that applies. If a covered loss leaves debris that must be removed, this coverage will allow the insured to apply a certain percentage, generally 5%, of the coverage limit to pay for their removal. These costs are included as part of the limit of liability applicable to covered property.

Water Damage

Homeowners policies do not cover flood damage, but they do cover other kinds of water damage. For example, they would generally pay for damage from rain coming through a hole in the roof or a broken window, as long as the hole was caused by strong winds or any other covered exposure listed in the policy. If there is water damage, check with your insurance company representative as to whether it is covered. (Flood insurance can be purchased as a separate policy in addition to your homeowners policy.)

Never ignore indications of an obvious water problem in your home. Homeowners should immediately attempt to find and stop leaks at the source. When water leaks into your property, moisture can collect, allowing mold to develop. Mold can cause further damage to your property and can potentially cause health problems. The adverse health effects from mold exposure can range from runny noses, coughs, nosebleeds, congestion, and sinusitis to more serious upper respiratory ailments such as asthma or bronchitis. Mold damage caused by a covered peril may be covered under your homeowners policy. You should immediately report any water damage claim to your agent or company representative. They can discuss the type of water or mold damage that may be covered under your policy.

If sudden water damage occurs to your property, it is important to dry all wet areas, providing proper air circulation to aid in the drying process. Drying wet areas and dehumidifying can help minimize the possibility that mold will accompany water damage. Delay in cleanup can result in the growth of mold.

However, if you notice water damage indicating leakage over a period of time, mold may have already developed. In this case, attempting to clean up the mold may spread the mold spores, causing greater property damage or health problems. Because mold can be dangerous to your health, it is important that mold testing and cleanup be conducted as soon as mold is detected. If you suspect the presence of mold after a water leakage, you should contact your claims adjuster immediately.

Building Code Upgrades

Building codes periodically change to conform to ever-rising safety and environmental standards. The codes have probably changed in your community to some extent since your home was built. Unless there is language in your policy covering additional costs associated with those changes, you may incur non-reimbursable expenses to rebuild in compliance with present codes. Such coverage appears as an "endorsement" - that is, as an option for "ordinance or law" coverage - for a small additional premium.

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Replacement Cost Versus Actual Cash Value

Replacement cost is the dollar amount needed to replace a damaged item with one of similar kind and quality without deducting for depreciation - the decrease in value due to age, wear and tear, and other factors. An actual cash value policy pays the amount needed to replace the item at the current market value. For example, a tree falls through the roof onto your eight-year old washing machine. If you have a replacement cost policy for the contents of your home, the insurance company would pay to replace the old machine with a new one. If you have an actual cash value policy, the company would likely pay only a percentage of the cost of a new washing machine because a machine that has been in use for eight years would almost certainly be worth less than its original cost according to the current market value.

How the Payment Process Works

The first check you receive from the insurance company is often an advance, not a final payment. If you're offered an on-the-spot settlement, you can accept a check at that time. However, be sure that you understand what the check does and does not cover. Be wary of initial settlement offers that are represented as full settlements and as requiring a release of further liability. Under most circumstances,

if additional damage is discovered later, you can "reopen" the claim and request additional compensation. As with your initial claim, you must notify your insurer immediately upon the discovery of additional damage.

When both the structure of your home and your personal belongings are damaged, you generally receive two separate checks from your insurance company. You should also receive a separate check covering your additional living expenses.

Structure

If your home is mortgaged, the check for home repairs will generally be made out to you and the mortgage lender. As a condition of granting a mortgage, lenders usually require that they are named in the homeowners policy and that they are a party to any insurance payments related to the structure. The lender gets equal rights to the insurance check to ensure that the necessary repairs are made to the property in which it has a significant financial interest. This means that the mortgage company or bank will have to endorse the check. Lenders generally put the money in an escrow account and release the funds to the policyholder as the work is completed. You should show the mortgage lender your contractor's bid and let them know how much the contractor wants up-front to begin the job. Your mortgage company may want to inspect the finished job before releasing the funds for final payment.

Personal Belongings

If you have a replacement cost policy for your possessions, you normally need to replace the damaged items before your insurance company will pay you the replacement cost. If you decide not to replace some items, you will be paid their actual cash value. You don't have to decide what to do immediately. Your insurance company will generally allow you several months from the date of the cash value payment to replace the item. Find out how many months you are allowed. Some insurance companies supply lists of vendors that can help replace your property.

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What to do if You Do Not Agree with the Settlement Offer

Know Your Rights Under the Unfair Practices Act and the Fair Claims

Settlement Practices Regulations

Insurance Code (CIC) section 790 and several following sections constitute the Unfair Practices Act. More particularly, Section 790.03(h) specifically lists a number of prohibited unfair claims settlement practices. The Unfair Practices Act requires an insurer's response to a notice of claim to include a copy of CIC Section 790.03 and a written notice that, in addition to CIC Section 790.03, Fair Claims Settlement Practices Regulations govern how insurance claims must be processed in this state. These regulations are found in Chapter 5 of Title 10 of the California Code of Regulations (CCR), and commence at Section 2695.1. You may request a copy of the regulations from the Insurer, but an insurer is only required to provide you with a portion of the regulations.

The regulations specify time deadlines within which insurers must acknowledge, evaluate, make and communicate decisions on claims, and pay claims. They as well restrict the information that can be demanded from a claimant to information that is reasonably necessary in making a claim determination. The regulations provide that a denial of a claim must be in writing, with specified reasons for the denial, and must include a notification that if the claimant believes the claim to have been wrongfully denied, the matter may be reviewed by the Department of Insurance.

Talk to the Claims Manager

Do not hesitate to contact the claims manager to explain your concerns about the claims settlement if you do not agree with the settlement offer and have given the claims adjuster the opportunity to respond to your questions. Provide copies of supporting documents. Also, send a letter and copies of documents to the claims executive at the insurance company's headquarters, whose address is usually found on the first or last page of the policy.

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Contact the California Department of Insurance

The Consumer Communications Bureau (CCB) is responsible for educating thousands of callers about the Department of Insurance's regulatory responsibilities and for providing information regarding insurance matters. The CCB has a toll-free Hotline which is staffed by over 40 officers with the expertise to handle a variety of insurance issues and complaints.

After listening to and discussing a consumer's concerns over the phone, a Hotline officer may decide to send the consumer a Request for Assistance (RFA) form to be completed and returned to the Department. The RFA provides the necessary information to open a claims investigation, which will be handled by officers in the Claims Services Bureau. The primary function of the Claims Services Bureau is to investigate complaints and answer questions related to the handling of claims. This Bureau determines if insurance companies are fulfilling their lawful obligations to policyholders that file claims.

The Department will determine if it is appropriate to send you an RFA for the Department's Residential Property and Earthquake Claims Mediation Program. This program is an informal, non-adversarial, and timely way to resolve a claim dispute with your insurance company. In addition, this program is free to the consumer (the insurer pays the fees). A detailed brochure describing the program may be obtained by calling 800-927-4357. In order for the residential property losses to qualify for mediation, they must have occurred after September 30, 2003, and the Governor must have declared the event a "state of emergency."

Consult an Attorney

If you hire an attorney, provide him/her with a copy of your insurance policy and all other relevant documents. Get your attorney's fee structure in writing before you give him/her your business. You will no longer talk directly with the insurance company, but can remain current on the progress of your claim by insisting that you receive copies from your attorney of all correspondence involving your case. Your attorney must have your approval before committing to any settlement.

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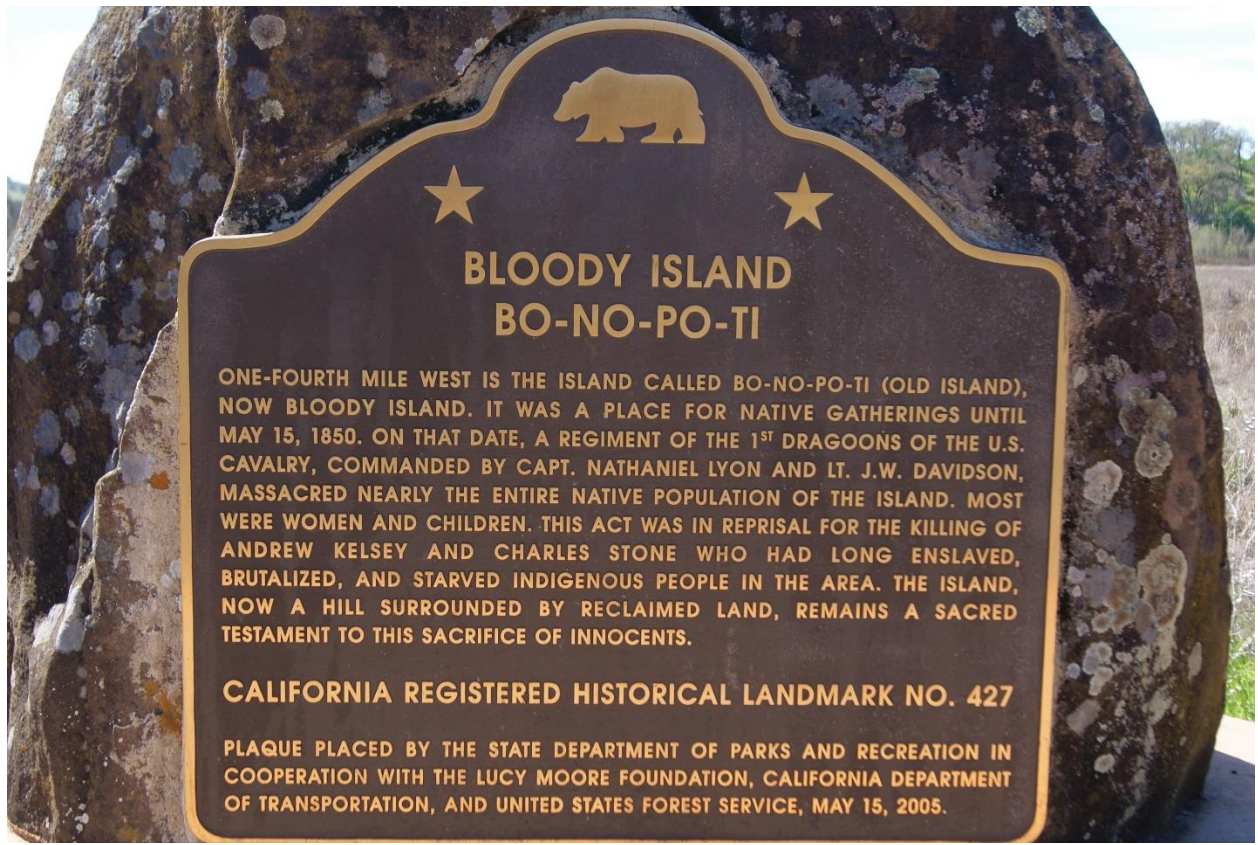
[Scheduled Site Maintenance](#)

Ad Hoc 3 – EOP



Lake County Quilt Trail “KFD (Kelseyville Fire Protection District)”

4020 Main Street, Kelseyville, California



GO JUMP IN THE LAKE:

The County's Emergency Operations Plan In the Event of a Wildfire

Summary:

The 2017 update of the 1996 Emergency Operations Plan (EOP) was presented to the Lake Council Disaster Council (Disaster Council) for discussion and to the Board of Supervisors (BOS) for final approval. The EOP lacks specificity in regards to emergency warnings, evacuations, education, and training. The goal of effective disaster planning requires coordination across not only all levels of the County government horizontally, but also vertically with non-governmental organizations, the private sector, and individuals and families. Coordination with Lakeport and Clearlake city officials or outreach to other groups, organizations, and residents is not apparent in the EOP.

As well, the Sheriff's Department is tasked with developing and implementing the EOP. Emergency preparedness, however, is not solely a law enforcement function. The responsibility for comprehensive emergency planning has been shifted back and forth between the Sheriff's Office and County Administration. This shift has resulted in compromise of a unified government-community emergency response that is based on consultation and coordination.

The disaster preparedness for Lake County and the two incorporated cities needs to ensure that residents have reliable notification of impending disasters. This entails a broad set of human and technologic networks to disperse real-time information and instructions. Residents also need a well-defined set of evacuation route alternatives that are available and understood, especially in the demographically dense areas.

Lastly, residents of the County themselves have a critical role and shared responsibility to take recommended actions to protect themselves, their families, and their properties before and during a disaster. Following major disasters, first responders – impacted by numerous victims, communication infrastructure failures, and blocked roadways – will not always be able to meet the residents' immediate needs for the emergency services they have come to expect. Therefore, an individual's actions will determine whether one will be able to react appropriately in an emergency, receive timely warnings, and evacuate safely. All of this requires thorough education and training of County residents, which is inadequate.

Background

In response to the Oakland Hills fire in October 1991 – and its call for effective coordination among emergency responders – Governor Wilson signed into law in 1993 the requirement for the California Office of Emergency Services (CalOES) to develop a Standardized Emergency Management System (SEMS). In 1995, all counties, including Lake, were required to organize into Operational Areas. All state and local government agencies must use SEMS during multi-jurisdictional or multi-agency emergency responses in order to be eligible for state reimbursement of response-related costs.

As many different agencies must work together effectively to protect lives and property during disasters, in 2005, California integrated its SEMS with the National Incident Management System (NIMS). This was to ensure that emergency response agencies to have a clear and consistent organizational structure within which to operate.

Most counties in the state, including Lake, have accredited Disaster Councils. The Lake County Disaster Council is charged with providing guidance and recommending priorities for the Office of Emergency Services (OES), which is a unit of the Sheriff's Office. Additionally, the Disaster Council reviews and provides feedback for disaster and mitigation plans created by OES. Grand Jury members, officially identified, attended meetings of the County of Lake Disaster Council, including meetings of the council to garner input during the Emergency Operations Plan development process. During those meetings county officials did not encourage participation by entities outside state, county and city governments. The county Office of Emergency Services (OES) indicated to the Grand Jury that it did not have the time to include outside organizations in the planning process, particularly in the development of Annexes. Two city administrators and one county official indicated to the Grand Jury that they had difficulty inputting ideas and recommendations to the EOS. Several members of non-governmental organizations indicated to the Grand Jury that their input to the planning process had not been encouraged or well received when offered.

The focus of this Grand Jury report is the 2017-18 EOP drafted by the OES that is intended to update the 1996 Plan that is currently in effect.

Methodology:

The Grand Jury reviewed the draft EOP and Annexes; interviewed multiple County, State, City, and Hidden Valley Lake Association public safety personnel; attended Disaster Council meetings; and attended the Cobb Safe 2018 workshop. The Grand Jury also reviewed numerous educational materials provided by the California Department of Forestry & Fire Protection (CalFire), Cal OES, the Federal Emergency Management Agency (FEMA), and the Fire Safe Councils. Extensive media reports following the three 2015 fires in Lake County, the 2016 Clayton Fire, and 2017 Wine Country Fires, which included the Sulphur Fire, were reviewed. The Grand Jury also interviewed survivors of these fires.

Discussion:

Lake County Sheriff's Office/Office of Emergency Services



Four overlapping aspects of emergency management are required of the County: **Preparedness, Response, Recovery, and Mitigation** (entailing pre-disaster prevention and protection). Only the first two categories will be addressed in this report – Preparedness and Response - and a section on Education and Training is added.

A. Preparedness

Under the aegis of the Office of Emergency Services (OES), a unit of the Sheriff's Office, EOP development, training, and exercises before the next disaster is well underway. The mission statement of Lake County's OES is:

"Our mission is to protect the persons, property and environment of Lake County in the event of an emergency through planning, training and coordination with responders, local government, and community stakeholders. Lake OES is committed to providing effective emergency services in a forward-thinking and cost-effective manner."

Update of the 1996 EOP is almost complete. The EOP is extensive and well thought-out, considering almost every conceivable natural and man-made emergency that might occur in its Operational Area. OES has been working with County staff to ensure that the necessary procedures and command structure are in place and functional. Tabletop and field exercises will be conducted.

Annexes

Separate sections of the EOP – entitled Annexes - focus on operations that describe the function and what governmental agency is responsible for carrying it out. Annexes emphasize responsibilities, tasks, and actions that pertain to the specific function being addressed, hence the term “functional annex.” The Annexes describe the policies, procedures, roles, and responsibilities inherent in each function before, during, and after an emergency.

The FEMA guidelines specify generic “core functions” that generally require an Annex. The Lake County Draft EOP includes 16 separate annexes that include both functions and particular geographically-relevant hazards that are likely to occur. Figure 1, below, lists the FEMA-recommended Annexes and the relevant corresponding Lake County Annexes, which include hazard-specific sections.

FIGURE 1

FEMA	LAKE COUNTY
Direction & Control	Notification Law Enforcement/Civil Unrest
Communications	Notification Communications Failure
Warning	Notification Communications Failure
External Affairs/Emergency Public Information	Communications Failure
Population Protection	Law Enforcement/Civil Unrest
Mass Care, Emergency Assistance, Housing & Human Services	Mass Fatalities Incident Mass Care & Shelter
Public Health & Medical Services	Public Health & Medical Services
Logistics Management & Resource Support	Mutual Aid
	Access & Functional Needs
	Homeland Security

	(Weapons of Mass Destruction)
	Earthquake
	Wildland Fire
	Extreme Weather
	Hazardous Materials
	Dam Failure
	Energy Shortage
	Debris Management

What appears to be missing from the EOP and its Annexes is coordination with local city administrations, community businesses and organizations. This lack of coordination diminishes the community’s expectations that its members share responsibility to plan realistically for themselves, their families, and their community groups. An effective preparedness plan both structures pre-disaster thinking and it also encourages individual creativity and initiative in the face of an unfolding disaster.

Also essential to effective planning is incorporation of persons with special needs and individuals with limited English proficiency, as well as the agencies and community organizations that support those individuals. Although one of the County EOP’s Functional Annexes describes the special considerations involved in dealing with home- or institution-bound Access & Functional Needs (AFN) persons, the Annex does not identify where the responsibility lies or what actions should be taken. In fact, emergency service personnel indicated that identification of this vulnerable population is precluded by federal HIPAA privacy regulations. Nonetheless, there are reasonable methods working within the federal guidelines to acquire this information.

Apparent to the Grand Jury is the need of the County to qualify for federal disaster funding by generating an EOP. That view is shared by an official in an active community organization, who opined:

“My sense, having scanned the current DRAFT EOP, is that this effort is VERY much driven by the requirement to have the plan at least in place to be eligible for FEMA funding and LESS a fully considered and locally tailored and detailed plan. The plan is strong on higher level organizational detail (necessary but not sufficient) and weak on local specificity.” [Emphasis in the original document]”

B. Response

Response to an unfolding disaster, however, is where the rubber meets the road. This report focuses on the adequacy of warnings and the conduct of evacuations, which technically are the responsibility of the Sheriff's Office. Because each individual neighborhood is unique, emergency response must be tailored to its distinct circumstances and requirements. (See, Exhibit A)

1. Warnings

Across the country, emergency managers wrestle with how to effectively and efficiently advise and mobilize the public in an emergency. The available warnings in Lake County include two free opt-in systems (for which individuals must register ahead of time) - NIXLE and CodeRed (soon to be replaced by an Everbridge system). With both, emergency and advisory text and voicemail alerts are sent by police, fire, and emergency management to cell and landline phones and emails and are also distributed to social media networks. The alerts are intended to communicate the nature of the emergency and the recommended response. CodeRed also delivers alerts to cell phones, but, in contrast to NIXLE, can target all phones that are present within a specified geographic area, whether one is a resident of that area or not.

The second category of alerts - Wireless Emergency Alerts (WEA) are made available through the Integrated Public Alert and Warning System (IPAWS) infrastructure. These alerts are another way public safety officials can quickly warn the public about serious emergencies. Individuals need not register for these alerts. WEAs can be sent by state and local public safety officials, the National Weather Service, the National Center for Missing and Exploited Children, and the President of the United States. While they look like text messages, they are designed to get one's attention with a unique sound and vibration, both repeated twice. The message includes the type and time of the alert, any action persons should take, as well as identify the agency issuing the alert.

2. Sirens

During many emergencies, however, communication infrastructure relying on electricity is damaged or destroyed, making the above alerts useless. Following the Valley Fire in 2015, in which lack of warnings and guidance were the rule, several communities [Hidden Valley Lake, Cobb, Loch Lomond, Anderson Springs, and Middletown] have opted to install or repair sirens equipped with battery backup, making them effective even if the electric grid fails. Siren manufacturers can predict the coverage of their warning wails (See, Exhibit B). While not indicating the specific nature of the emergency, sirens are intended to alert people to seek additional information. The

Lake County EOP includes no reference to sirens or to the need for training as to how to access further instructions after the alert sounds.

Several specialists in warning systems have expressed the view that sirens are too non-specific to be effective and are too costly to purchase and install. As well, they can be hacked, as just recently occurred in Dallas. Nonetheless, the Grand Jury believes that employment of all available warning systems should be encouraged and that, with proper education of residents, siren systems can be effective as an initial warning.

3. Ham Radios

Amateur radio operators - or "hams" - who are highly trained and licensed - can provide a method of communication during emergencies that can augment official communications. During emergencies, using battery- or generator-powered equipment, hams often provide essential communications services when regular channels are unavailable. Following the Wine Country Fires in 2017, much attention has been given to county government's failure to provide effective warnings so that residents could prepare and evacuate safely.

In Sonoma County last October, a "fire net" of hams established themselves early-on and were able to relay first-hand observations, information from first-responders, and their own NIXLE and other emergency notifications. After the evacuations, the hams provided communications at shelters, police departments, and the Emergency Operations Center (EOC), as well as at other locations such as hospitals.

Ham radios offer numerous emergency backup capabilities:

- 1) Federal communications law permits them to operate on official frequencies during a disaster or widespread emergency;
- 2) Numerous fixed ham sites operate in virtually every area of the County;
- 3) More than 100 mobile ham radio systems are located in adapted vehicles around the County; and
- 4) The critical ham radio repeaters are already in place and cover the populated areas of the County. In addition, there is an active ham radio club that can offer free training for new hams and that are highly motivated to assist in emergencies. Fees and starting equipment for new ham operators can be covered for less than \$100.

The Grand Jury has learned that although various officials stated that they were already working with the ham networks, the ham club and multiple persons with ham equipment indicated that their attempted outreach to County emergency personnel had been consistently ignored.

4. Evacuations

As each individual neighborhood should be considered separately, no single set of governmentally-developed evacuation instructions is universally applicable in Lake County. (See, Exhibit B, Residential Areas.) Wildfires can come from any direction – or from several directions – any time of the day or night. Residents need to inform themselves about potential escape routes from their neighborhoods and, most of all, must be flexible and able to respond depending on the circumstances. (See, Exhibits C1-C7, Evacuation Route Maps)

Sheriff's Office personnel are resistant to suggesting evacuation routes for fear of being sued if injuries to persons or property result. However, if the fear of being sued drives governmental decisions, what becomes clear is that any decision raising a potential or actual legal risk can be too easily ignored. The lack of advice on best routes of egress places residents in potential peril if they choose a road that is overrun with flames or that interferes with firefighting activities. [The title of this report, in fact, comes directly from a conversation one grand juror had with a public safety official about evacuation routes from the Riviera communities along Soda Bay Road. The response was, "If I were you, I'd go jump in the Lake."]

Evacuation preparation and implementation are inadequately addressed in the EOP. Therefore, developing feasible evacuation plans falls to residents and community groups, primarily neighborhood and homeowners' associations. As one example, the Hidden Valley Lake Association has identified evacuation routes and has made printed brochures available to its residents that diagram such routes. (See, Exhibit D)

5. Block Captain/Neighborhood Watch Programs

Another example of local activism would be the Neighborhood Watch and Block Captain programs that traditionally involve citizens in efforts to prevent crime in their neighborhood or community. As well, these groups of citizens can and do provide emergency support services involving communication of alerts and guidance in a disaster. Block or street captains are selected and trained to serve as liaisons between their neighborhoods and local public safety officials. Working through identified Block Captains, who are intimately familiar with the residents in their neighborhood and who maintain current telephone trees, government agencies can communicate vital information to County residents.

One significant advantage of the Block Captain program is the captains' knowledge of the location and needs of AFN persons and others needing special

assistance that then can be provided to first responders. In addition, the captains would know which properties are unoccupied, thus enabling more efficient distribution of emergency information. Through the creation of hierarchical communication systems, such as phone trees, and the development of neighborhood maps, early warnings can be communicated rapidly and evacuation routes identified. During widespread disasters when reliance on technology is problematic, this neighborhood-level organization can be instrumental in communicating potentially life-saving information to Lake County residents.

Lake County OES personnel could reliably augment the provision of emergency support services by promoting and utilizing Block Captain programs. Such programs are suggested for designated residential areas in the County and incorporated cities that are illustrated in Exhibit A. A single Block Captain can efficiently contact many households. If a calculation of 200 persons per Block Captain in denser populations is assumed, approximately 25 could cover the city of Lakeport and 65 could cover the city of Clearlake. If OES emergency managers were provided with updated contact information for these Block Captains, then NIXLE, Code Red, and WEA alerts could be utilized for their mass notification. Each Block Captain would then pass on the alerts to their network.

Each of these Block Captains could be equipped with a hand-held short-range receiver to facilitate delivery of specific information and directives from official emergency personnel that can be quickly disseminated to the households in their designated “block” area. Individual receivers can be purchased for less than \$30, or even lower if bought in bulk.

C. Education and Training

All adults in the County with the potential to be affected during a wildfire emergency have the responsibility to plan and prepare in order to keep themselves and their families safe. Therefore, education and training are critical components that will help determine their actions during an emergency. Governmental agencies can play a crucial role in providing informative materials and sponsoring programs that residents can use to plan and prepare. CalFire, as one example, prints and distributes many excellent disaster-preparation and response brochures. Additional videos are available on the CalFire website. The National Fire Protection Association also provides educational materials on its website. Lake County additionally has two Fire Safe Councils that are committed to reducing fire hazards and to actively promoting “Firewise” community actions. (See, Exhibit E, Firewise Benefits)

The County EOP fails to address the role of government agencies and departments in the disaster-preparedness education and training of citizens and community groups. Nor in the Annexes is there any direction regarding the education and training of County employees, despite the fact that all employees are automatically designated “emergency workers” during a disaster.

CERT Training

One example of a grassroots education and training initiative tailored to the specific needs of communities is FEMA’s Community Emergency Response Team (CERT) program. (See Exhibit F, CERT Program) This program educates volunteers about disaster preparedness for the hazards that may impact their area and trains them in basic disaster response skills, such as fire safety, light search and rescue, team organization, and disaster medical operations. CERT offers a consistent, nationwide approach to volunteer training and organization that professional first responders can rely on during disaster situations, allowing them to focus on more complex tasks.

Through hands-on practice and realistic exercises, CERT members:

- Learn how to safely respond to manmade and natural hazards.
- Help organize basic disaster response.
- Promote preparedness by hosting and participating in community disaster-prep events.

The CERT Basic Course is delivered in the community by a team of first responders or other qualified volunteers. The training is often broken up into two to four hour blocks over a series of evenings or weekends.

Management of Emergency Operations

It appears to the Grand Jury that delegation of the County’s emergency operations to the Sheriff’s Office is administratively unworkable and leads to ineffectiveness.

First, the line of command and management oversight for emergency planning and response runs through the Sheriff, an independently elected County official. The Sheriff has no authority over either County managers or agencies who report to the BOS or over State agencies such as CalFire. Emergency management officials indicate that they have had problems with coordination and cooperation with certain County officials, which has impeded their finalizing emergency planning and execution.

Second, the Sheriff is primarily responsible for law enforcement, which includes ensuring the safety of residents. However, wildfire emergencies entail much more than law enforcement functions. During an emergency, the Sheriff's Office personnel are too fully engaged in managing safety issues to be responsible for the County's overall emergency response.

Third, with current staffing levels, the Sheriff has inadequate manpower to supervise and execute his office's law enforcement duties, let alone the bandwidth to manage all of the complexities of wildfire preparedness and response.

The Grand Jury suggests that the overall management of emergency planning and response would more effectively be conducted under the supervision of the County Administrative Officer, who has control over more of the responding agencies and departments and thus has the authority to supervise and manage them during emergencies. (See Exhibit G, Defining Our Roles)

Findings:

F1. The County of Lake OES has drafted a thorough and exemplary body of work in planning how governmental agencies in the County should prepare for handling emergencies. This planning is evident in the EOP, which was approved by the Board of Supervisors in May 2018. The incorporated cities, Clearlake and Lakeport, have their own Emergency Operations Plans. These civic plans are not included in the county EOP.

F2. OES did not actively involve residents and non-governmental organizations (NGOs) and community groups in the development of the EOP and apparently had no plans to involve them in the execution of the EOP.

F3. Although the EOP addresses Unified Command in case of an emergency, not all county governmental agencies report through a unified command structure. In an actual wildfire emergency, particularly one spanning multiple jurisdictions, lack of a pre-established unified command structure could result in confusion, miscommunication, and inaction, thus jeopardizing lives.

F4. Issues with Unified Command, operation of the Emergency Operations Center (EOC), and establishment of the Incident Command System (ICS) could arise within implementation of the EOP. Although the Plan clearly states the purposes and characteristics of these entities, it does not spell out how these entities will be established and coordinated in an actual emergency. The various agencies that respond to fires have already established command protocols that have proved effective and that

offer an Incident Command System in addressing fire emergencies. Absent such clear direction for many agencies that normally operate independently and report through disparate management authority, confusion and even disagreement as to who is in command in an emergency and what should be done is likely.

F5. Assignment of authority and responsibility over implementation of the OES to the Lake County Sheriff's Office is problematic. As noted in the Discussion above, there are three reasons why this assignment may not work:

- a. The primary focus of the Sheriff's Office is law enforcement. Emergency response is not purely a law enforcement function and includes many disparate agencies working in concert. General organizational principles would suggest that overall command should be given to the agency with the broadest responsibility. In this case, that would be the Board of Supervisors and the two city Councils.
- b. Currently, the OES reports to the County Sheriff, who does not report to the BOS. Thus, the line of management authority from BOS to OES is broken and may not function well. The Sheriff does command necessary functions in an emergency, but does not exert either wide authority within County government or any authority within cities and outside agencies.
- c. The Sheriff's Office has clearly expressed that it does not have the administrative manpower to adequately manage and supervise both law enforcement functions and emergency planning and operations. In an emergency, this lack of trained and seasoned manpower to manage an emergency could significantly impair necessary actions.

F6. Agencies responsible for emergency services acknowledge that planning and execution related to emergencies can only be effective if it includes both governmental and non-governmental community groups. However, the OES has done little work in helping residents and community groups to prepare for and handle emergencies. In fact, the OES has, in some cases, discouraged active participation by residents and groups, such as homeowner's associations and amateur radio (ham) operators.

F7. County governmental agency plans and programs for educating and training residents and community groups in how to operate in an emergency are inadequate or non-existent. CalFire does publish and distribute detailed guides on how to plan for and respond to wildfire emergencies. No such informational program exists in the County or city governments.

F8. The plans, programs, and systems for warning residents and community organizations of impending or ongoing emergencies have often proved inadequate. In recent wildfire disasters in 2017, technology-based warning systems were ineffective in alerting the majority of residents.

F9. More traditional warning systems, namely sirens, have proved effective in alerting residents to impending or actual emergencies. Such systems are particularly effective when they are protected against electric outages with battery backup. Though such systems do not indicate the nature of the emergency, they are effective in alerting people to actively seek information. Coupled with systems to promulgate emergency information, such warning systems have proved very effective. Hidden Valley Lake community already has an effective siren system in place and operating. The Middletown and Cobb areas have recently installed siren-warning systems.

F10. Community Emergency Response Training (CERT) has already proved its efficacy in educating residents and neighborhoods in preparing for and responding to emergencies. A community action group in Spring Valley, during several recent wildfires, employed CERT training that included self-directed wildfire response. This successful reaction proves the effectiveness of educating and training neighborhoods in emergency preparedness. The Cobb area residents are currently exploring emergency response training. Efforts by other neighborhood groups to obtain CERT training in other locations over the years have been met with apathy by responsible County officials. Some individuals/groups had to obtain training in other counties, such as Mendocino, Napa, Yolo and Marin.

F11. OES has no plans to promote or assist neighborhoods in preparations for obtaining information in emergencies. Of critical importance, in safeguarding residents and community organizations in an anticipated or ongoing emergency, is the ability to deliver accurate and timely information. This is particularly critical in following up a general warning signal, such as a siren or electronic warning. Programs for communicating with residents and community groups in the EOP are inadequate. Effective plans for follow-up of an emergency alert can be implemented through pre-organized non-governmental entities, such as, for example, homeowner's associations, CERT teams, and Block Captain/Neighborhood Watch programs.

F12. OES plans, programs, guides, and training for evacuation in case of an emergency are inadequate or non-existent. In fact, the Sheriff's Department has made it clear that it cannot advise residents in establishing evacuation routes or evacuation protocols in case of an impending or ongoing emergency. Such lack of pre-planning could prove fatal in an emergency.

F13. Although the EOP includes recognition of the need for plans and programs to evacuate AFN persons in case of an impending or ongoing emergency, actual plans are inadequate or non-existent.

F14: Amateur Radio (Ham) represents a non-governmental communication resource that has been instrumental in the past in providing critical support in emergencies. Hams are specially trained in radio operations and use equipment that is less subject to inoperability due to electrical failures. Hams are committed and highly motivated to provide communication services to Lake County during emergencies. OES has in its plans to include a manned Ham station in the EOC that is being remodeled.

F15: OES personnel indicate that the current location of the OEC is in a radio transmission "blind spot" that would preclude effective transmission of radio signals.

Recommendations:

R1. Regarding Unified Command, the BOS and the Lake County Sheriff should immediately reconsider where to assign overall authority and responsibility for implementation of the OEP. Considerations should be based on what management configuration could most effectively implement all aspects of the Plan. The BOS should not assign authority and responsibility to the Sheriff's Office simply because it provides the EOC and is responsible for emergency notifications and evacuations. (F3, F4, F5)

R2. The Sheriff, with current responsibility, should direct the OES to negotiate a Memorandum of Understanding (MOU) with each of the responsible governmental organizations named in the EOP. These MOUs should establish the areas of responsibility and authority and the specific actions each organization is to take in the advent of a wildfire emergency. (F3, F4, F5)

R3. The Sheriff, with current responsibility, should require the OES to develop a plan and negotiate a MOU with each of the incorporated cities as to how the EOC will be manned and managed in an emergency, especially in one crossing jurisdictional boundaries. This plan should include how to establish authority within the EOC initially and how to alter authority as the incident unfolds. (F3, F4)

R4. The Sheriff, with current responsibility, should require OES to plan with community groups, such as, for example, homeowner's associations and HAM radio operators, as to how the groups will interface with governmental agencies and operate in an emergency. Such negotiated planning should consider the unique nature of individual neighborhoods and include in the planning neighborhood organizations. (F5, F6)

R5. The Sheriff, with current responsibility, must develop plans and programs for educating residents and non-governmental organizations as to how to respond in the event of a possible or ongoing emergency. Two models would be the materials available through CalFire and the Hidden Valley Lake Association. (F6, F7, F10, F11)

R6. The Sheriff, with current responsibility, must develop and implement plans and programs for warning residents and non-governmental organizations of an anticipated or ongoing emergency. The Sheriff must consider that more technical and electrically dependent emergency alert systems may not work in an actual wildfire emergency. Emergency planners should develop and implement more traditional methods of warning, such as sirens with battery backup and block captain systems, tailored to conditions in specific neighborhoods. (F6, F8, F9, F10)

R7. The Sheriff, with current responsibility, and the cities must develop plans and programs for evacuating residents, particularly AFN persons, in case of an anticipated or ongoing emergency. Plans should concentrate on NGOs that house numerous persons that cannot provide for their own evacuation, such as nursery schools and nursing homes. (F6, F7, F8, F9, F10, F12, F13)

R8. The Sheriff, with current responsibility, should investigate the issue of effective evacuation from neighborhoods, particularly where egress is limited, such as Anderson Springs and Spring Valley, for example. The Sheriff should develop a program to inform residents and community groups of evacuation protocols and routes. The Sheriff should consider the development of a book of maps showing evacuation routes from neighborhoods, using as models the map book produced by CalFire (Lake County First Responders Map Book) and the evacuation route map created by the Hidden Valley Lake Association and provided to its residents. (Exhibit D) (F6, F7, F8, F9, F10, F12, F13)

R9: The OES should consider how to coordinate with the Lake County Amateur Radio Society (LCARS) and should develop a MOU clarifying LCARS' role in providing vital communication during an emergency. (F14, F15)

R10: OES should take advantage of the technical expertise of Hams in configuring the proposed OEC antenna to best effect radio transmissions. (F14, F15)

Request for responses:

Pursuant to Penal Code Section 933(c), the following responses are *required*:

Board of Supervisors (R1, R2, R3, R6, R8) (90 days)

Lake County Sheriff's Office (R1, R2, R3, R4, R5, R6, R7, R8, R9, R10) (60 days)

City Manager of Lakeport (R1, R2, R3, R5, R6, R7, R8, R9) (60 days)

City Manager of Clearlake (R1, R2, R3, R5, R6, R7, R8, R9) (60 days)

The Grand Jury *invites* the following agencies to respond:

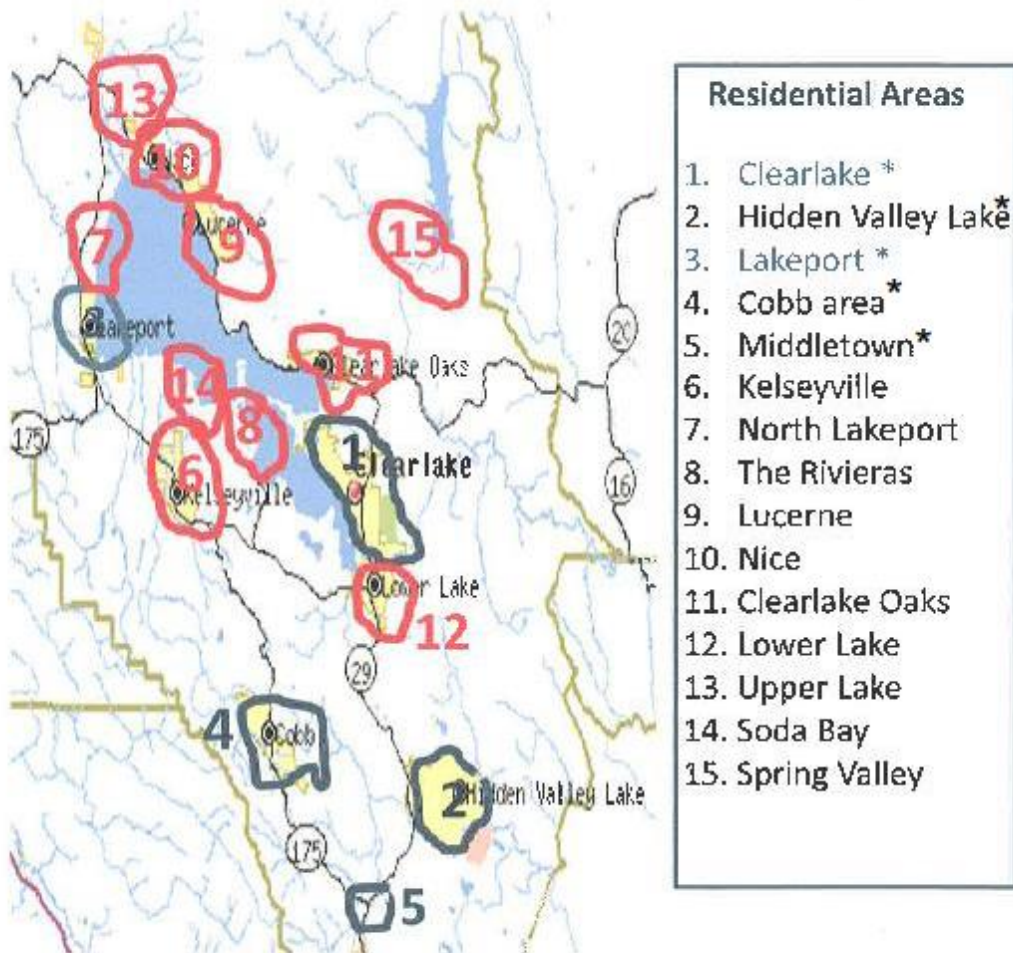
California Department of Forestry & Fire Protection (R5, R6)

Hidden Valley Lake Association Security Services (R4, R5, R6, R7, R8)

Cobb Area Council (R4, R5, R6, R7, R8)

Lake County Amateur Radio Society (R4, R9, R10)

Exhibit A. Residential Areas



**Residential Areas That Require
Emergency Planning**

* Incorporated Cities and other areas with sirens.

Exhibit B. Highway 29 and Highway 175 Siren Coverage

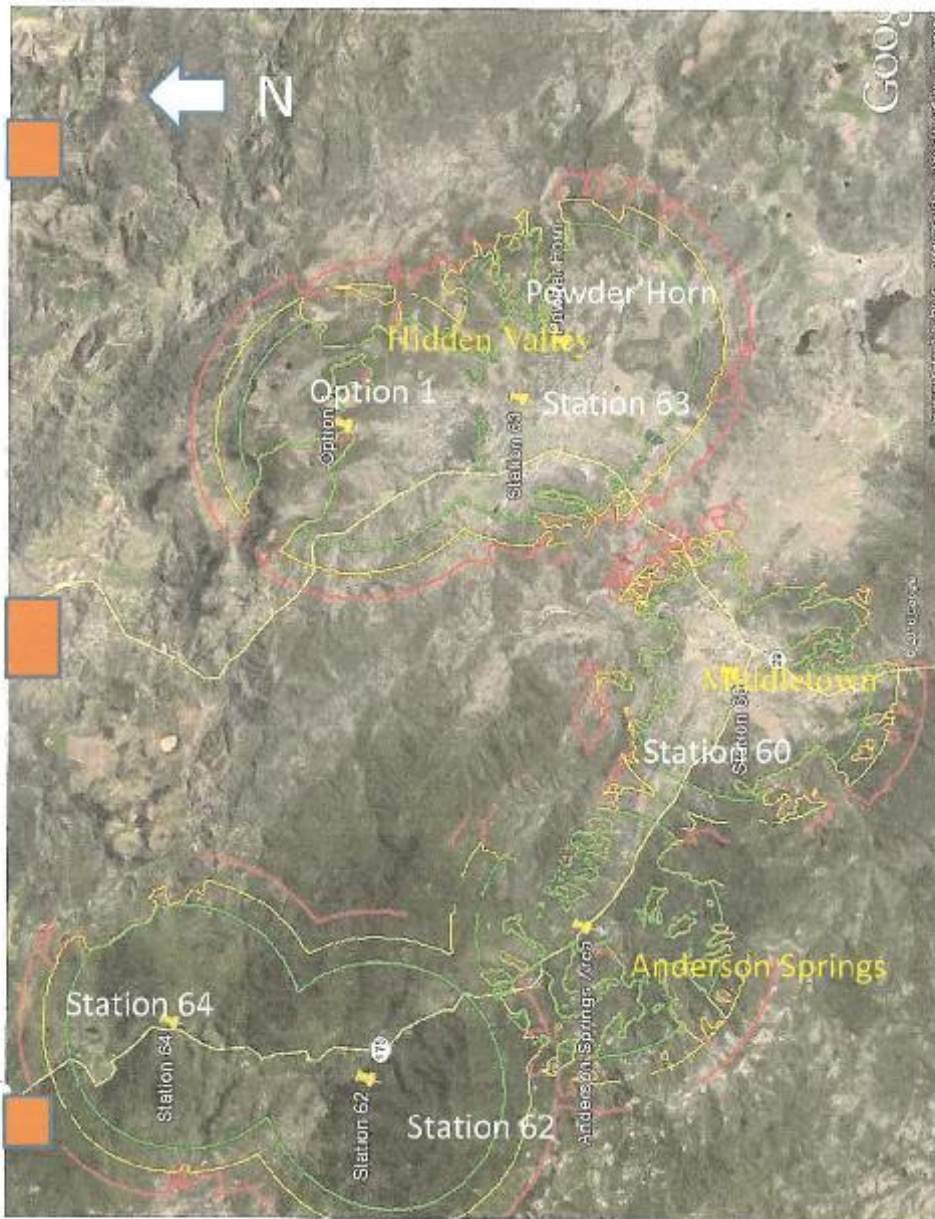


Exhibit C1. Residential Areas That Require Evacuation Routes

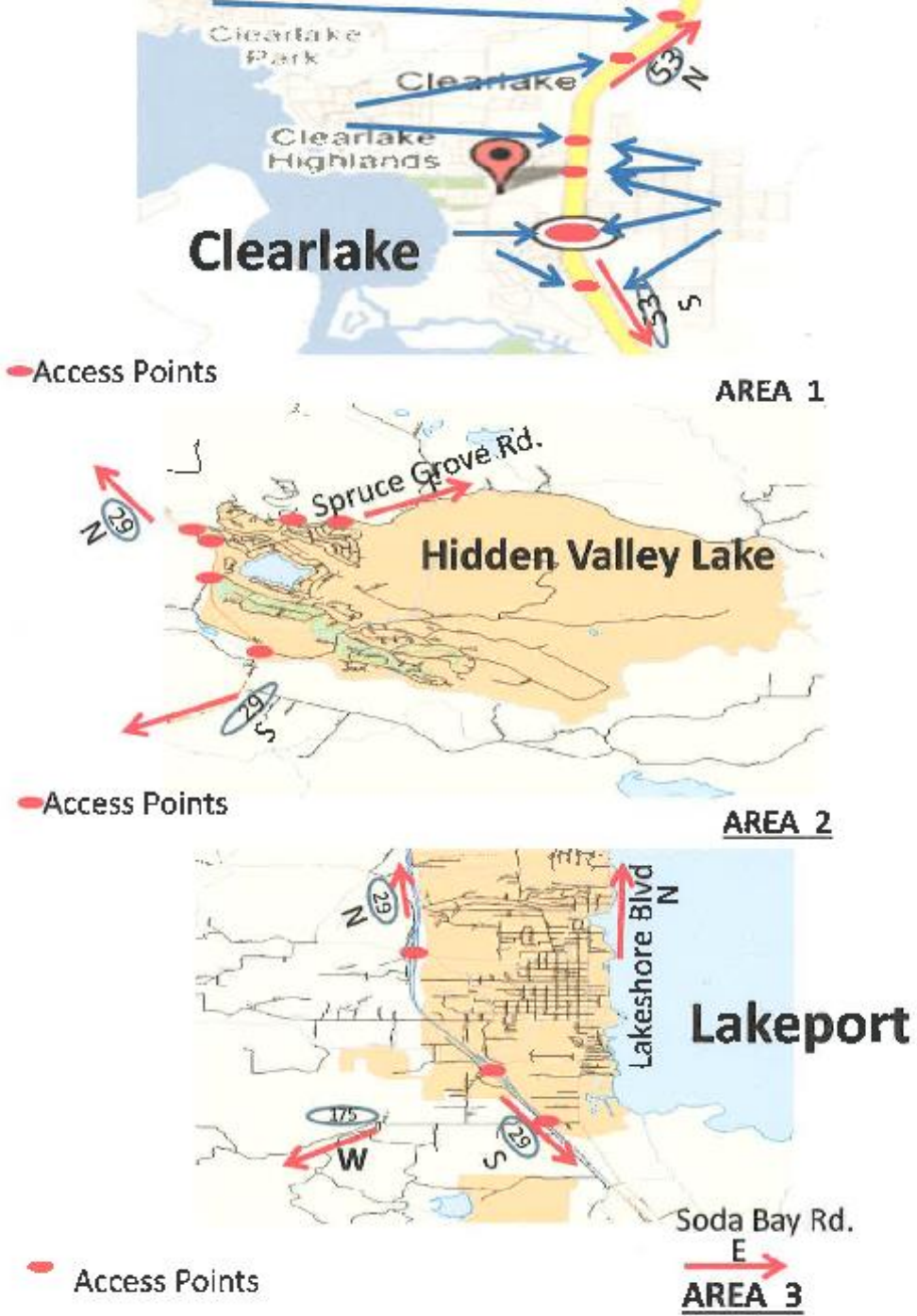


Exhibit C2. Residential Areas That Require Evacuation Routes



Exhibit C3. Residential Areas That Require Evacuation Routes



AREA 6

North Lakeport Area



● Access Points

AREA 7

Exhibit C4. Residential Areas That Require Evacuation Routes



AREA 9

Exhibit C5. Residential Areas That Require Evacuation Routes

Nice



AREA 10

Clearlake Oaks



AREA 11

Exhibit C6. Residential Areas That Require Evacuation Routes



Exhibit C7. Residential Areas That Require Evacuation Routes

Soda Bay Corridor



AREA 14

Can't Locate any map for Spring Valley

AREA 15

Exhibit D. Hidden Valley Lake Community Map

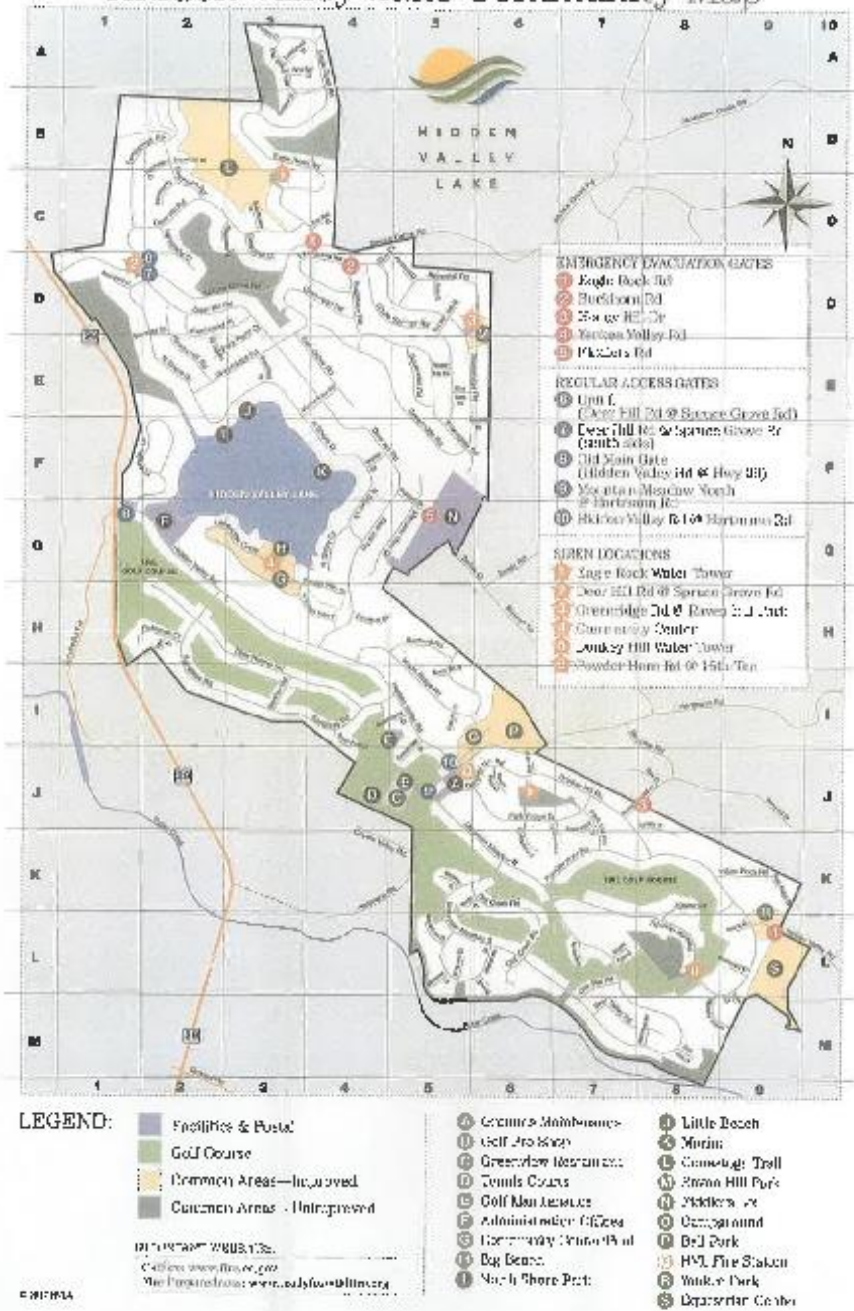


Exhibit E. Firewise, USA Program Benefits

Firewise Program Benefits

1. Framework for Action

Meeting the criteria for becoming a Firewise Communities/USA site helps communities get organized and find direction for their wildfire safety efforts. Like the first rungs on a ladder, the criteria help get a community started toward annual, systematic action to reduce their risks from brush, grass and forest fires.

2. Learning About Wildfire

As people go through the Firewise process, they learn about wildfire risks in the community and the simple things they can do to reduce them. They connect with experts – local fire fighters, state forestry professionals, and national researchers – to continue to learn about fire and find resources to accomplish Firewise actions.

3. Peace of Mind

People who work with experts to learn about wildfire and take action start to see results quickly. Knowing that they are using the best information available and actually taking steps to reduce the risk of damage from fire helps people start to feel safer in their environment and in their homes. Having a plan for what to do in the event of a fire helps people become calmer and more prepared to act quickly.

4. Community-Building

As neighbors get together to do Firewise work, often meeting one another for the first time, they build a stronger bond with each other. Firewise activity can help rally people to a common cause for the good of the neighborhood. This strengthening of community ties can benefit residents in many ways, and is especially helpful during an emergency.

5. Citizen Pride

While Firewise work can be fun, it isn't always easy. Neighbors work very hard in Firewise communities to remove brush and debris, clean up common areas, and dispose of green waste. They are rightly proud when they achieve national recognition for their efforts.

6. Publicity

The national Firewise program provides communities with metal signs, a plaque and other materials that can be presented publicly to honor their status as a Firewise Communities/USA recognition site. These recognition ceremonies are great ways to shine the spotlight on community efforts. News media find this to be a great story to cover, and the national program features community stories regularly on the website and in its publications. All this publicity results not only in satisfaction for the residents involved, but also provides one more way to reach large numbers of people with information about wildfire safety.

7. Access to Funding and Assistance

Preference is sometimes given to Firewise Communities/USA sites over other candidates when allocations of grant money are made for wildfire safety or fuel mitigation. The reason is that there are invariably more requests than available funds when grants are available through state or federal agencies. If requests are equally worthy, some officials tend to have more confidence in communities that have demonstrated the foresight of becoming a recognized Firewise Communities/USA site.

Exhibit F. CERT Program Overview

**Cobb Area Council Community Meeting
14 April 2018**

**Takeaway Points regarding a CERT Program
(Community Emergency Response Team)
Peter M. J. Hess**

- 1. Get to know your neighbors:** Who are the vulnerable to look out for? Who might be working away from Berkeley, or working for the county during an emergency? Who might be at home, or might need help with children?
- 2. Capacity Inventory:** What are we and our neighbors already capable of doing? What skills and/or qualifications can we identify on our block or on our road, and plan to share in an emergency?
- 3. Capacity building:** what are we as a neighborhood willing to learn to do? CERT classes offered by the City of Berkeley:
 - Logistics and communication
 - First Aid
 - Fire suppression
 - Search and Rescue
- 4. Equipment Inventory:** What tools do we have? What tools should we consider acquiring for the neighborhood? Where should we keep them?
- 5. Equipment Building and Cache:** When a critical number of people on a street or block take the requisite four classes, the city of Berkeley gives \$3,000 of equipment and a small shed to put it in. (Our tax money coming back to us.)
City-type equipment: fire extinguishers, fire hoses, fire hydrant wrench, generators, stretchers, first aid equipment, pry bars, big directional work lights, fuel cans, water purification systems.
Cobb-type equipment: chainsaws, pumps, tractors, trucks.
- 6. Annual exercise and neighborhood bonding**
Neighborhood annual disaster drill, sometimes connected with block party. Even if the Cobb community does not go the formal CERT route, the ideas coming out of CERT programs are very valuable.

Exhibit G. Defining Roles of Governmental Agencies in Providing Services to Residents and Non-governmental Organizations.

“DEFINING OUR ROLES”

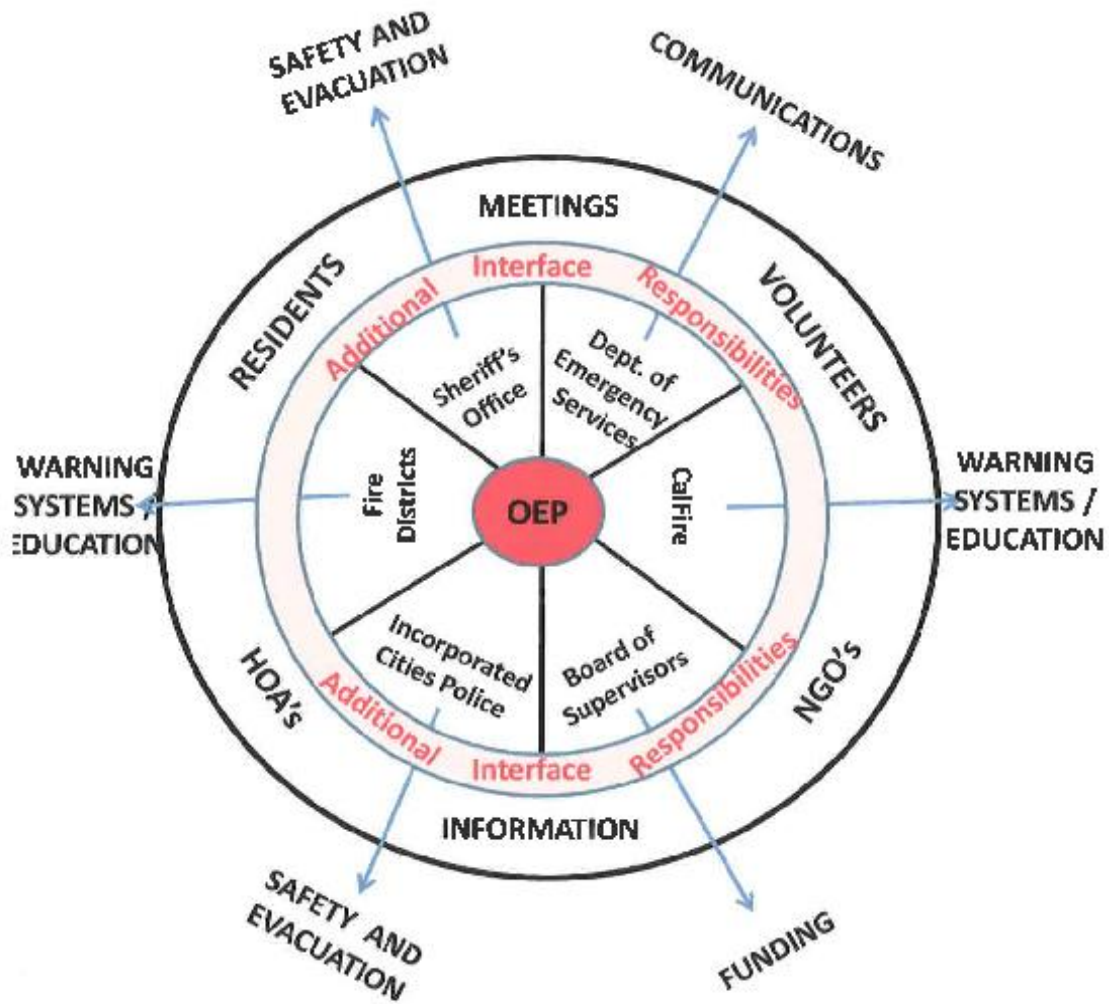
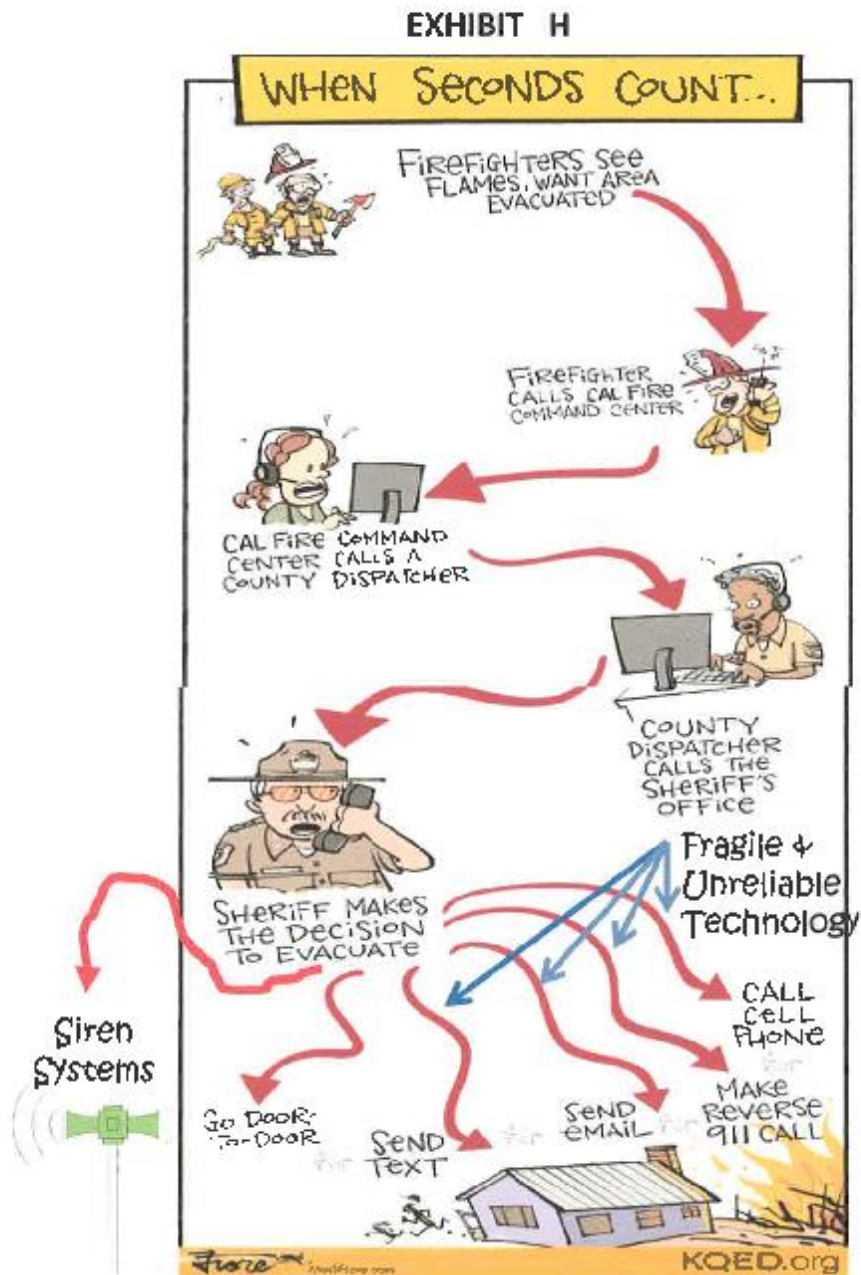
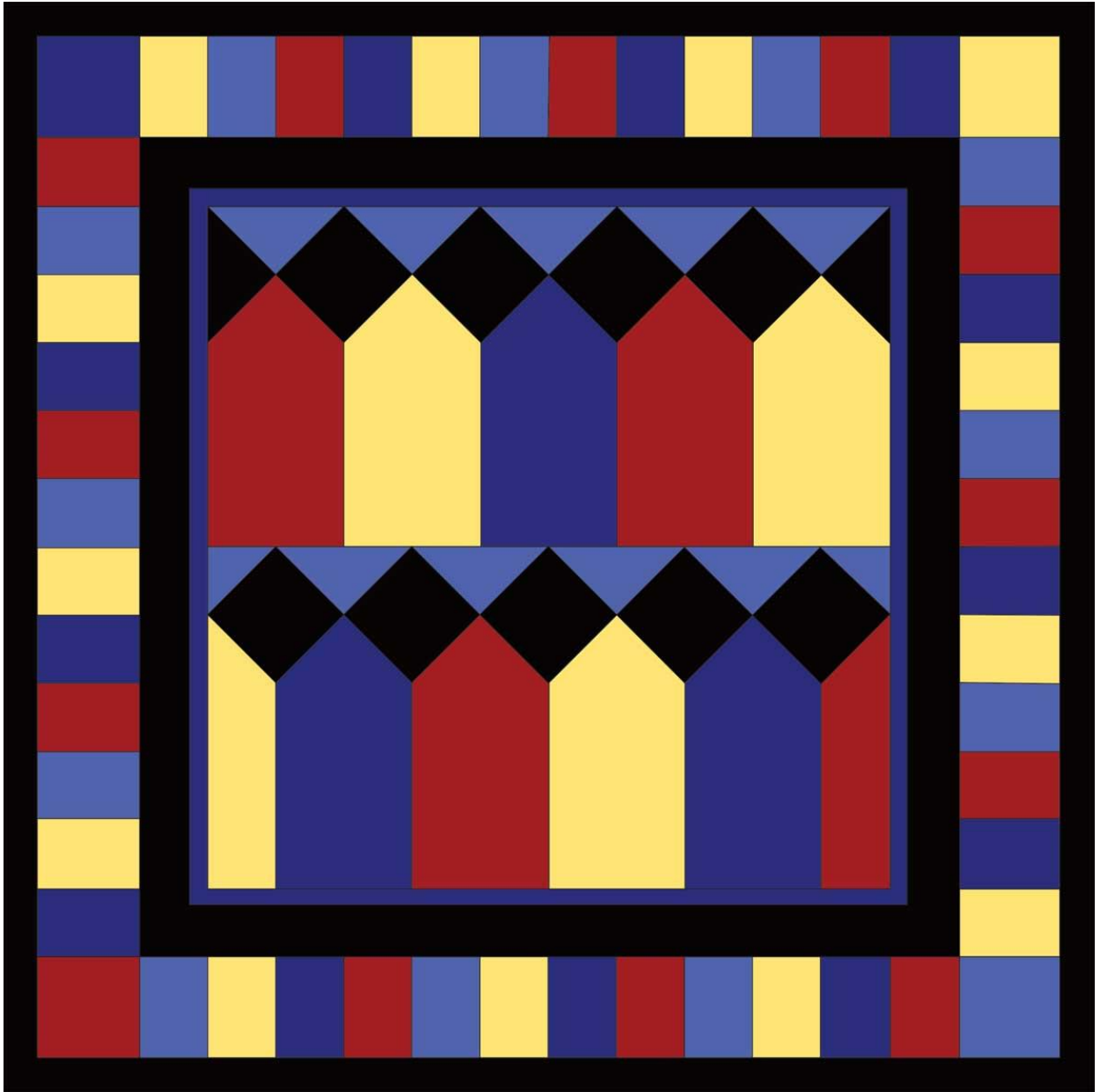


Exhibit H

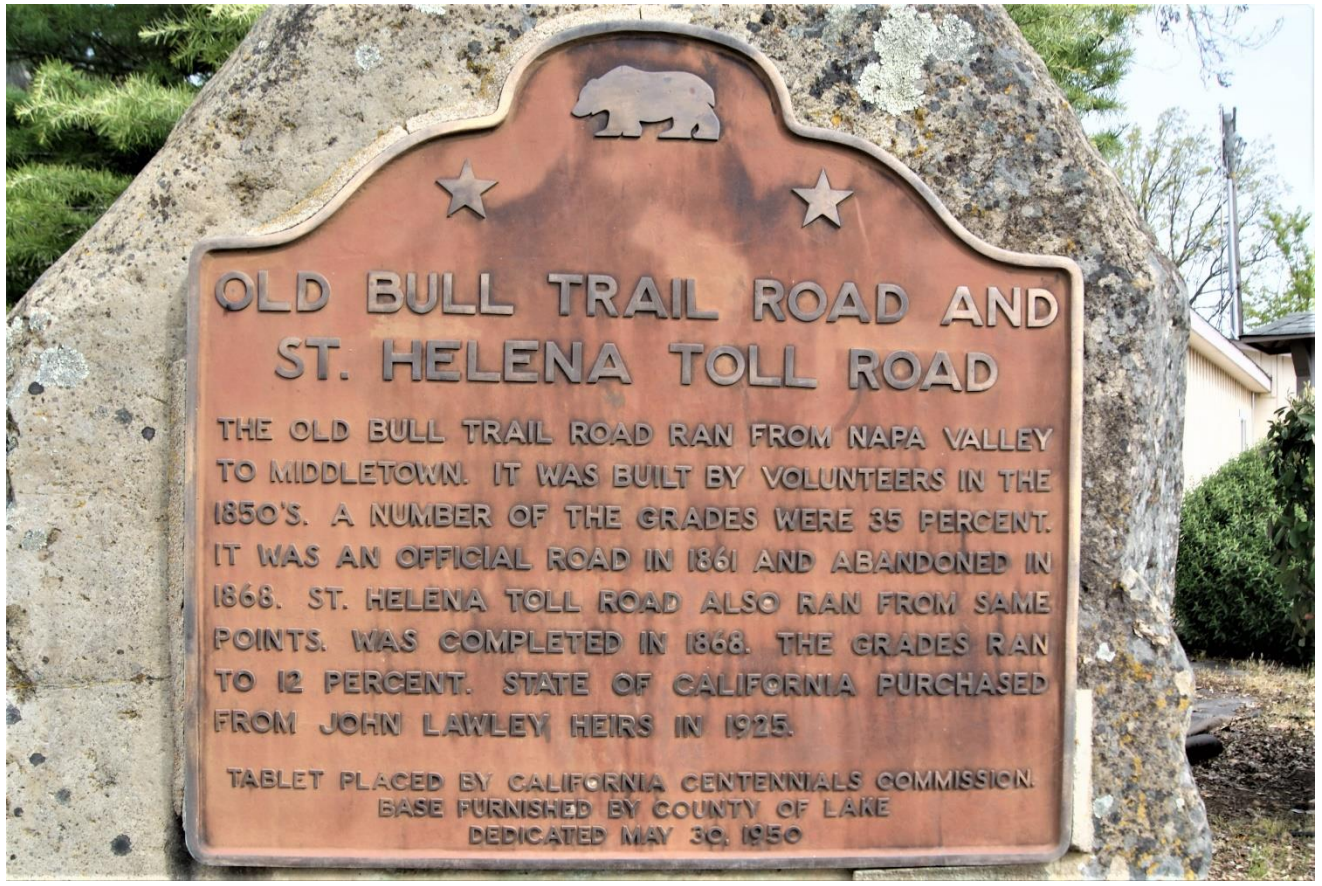


The Grand Jury wishes to thank Mark Fiore and KQED for their permission to include this graphic illustration regarding emergency notifications.

Ad Hoc - Making Connections



Lake County Quilt Trail "Our Town"
4025 Main Street, Kelseyville, California



**OLD BULL TRAIL ROAD AND
ST. HELENA TOLL ROAD**

THE OLD BULL TRAIL ROAD RAN FROM NAPA VALLEY TO MIDDLETOWN. IT WAS BUILT BY VOLUNTEERS IN THE 1850'S. A NUMBER OF THE GRADES WERE 35 PERCENT. IT WAS AN OFFICIAL ROAD IN 1861 AND ABANDONED IN 1868. ST. HELENA TOLL ROAD ALSO RAN FROM SAME POINTS. WAS COMPLETED IN 1868. THE GRADES RAN TO 12 PERCENT. STATE OF CALIFORNIA PURCHASED FROM JOHN LAWLEY HEIRS IN 1925.

TABLET PLACED BY CALIFORNIA CENTENNIALS COMMISSION.
BASE FURNISHED BY COUNTY OF LAKE
DEDICATED MAY 30, 1950

Making Connections

Summary:

There are many 'needs' throughout our County and within the incorporated city governments and operating departments. There are many people and groups outside of governance who are willing to help or ease those needs. No method has been established to identify those needs and match them to those who can help. The lack of being able to make such connections limits the various governments from providing better and broader services to their citizens. A specific and designated method or person to facilitate making connections would be of great benefit to many.

Discussion:

In January, senior County officials and administration held a series of "Community Visioning Forums." These invited any interested citizens to proffer ideas for making improvements to the County. In retrospect, after watching how the forums were 'interpreted,' it was raised as a concern to the Grand Jury by many county residents that the major purpose of these meetings was to put in place the justifications for proposal of a new countywide sales tax. This fell short of the ideal of actually soliciting innovative 'community visioning' from citizens as it had been advertised.

At the time of writing this report, it is not yet clear if the tax proposal will, or will not, be on the ballot. If it is on the June ballot, it may, or may not, have been approved by the voters.

However, for the large number of citizens who took their time and attention, who attended and spoke, and who expected that their input would be at least given some consideration, the misuse of these forums was a great disservice. For those who attended some or all of the meetings, the public input fell into four broad categories. There were those who just wanted to complain about some portion of the county governance or another. (This is sadly true in virtually every public meeting even when it is not part of the stated goals). There were some who put forth ideas that were of exceptionally limited appeal and may not have been of interest to more than the smallest handful of our citizens. (When looking at 'what could be' it would always be expected that some of these will arise.) There were more than several who brought up questions and issues surrounding the newly emerging cannabis issues. (These are coming up in almost every county across the state.) But, importantly, there were portions of the inputs/suggestions that were well thought out, based on obvious needs,

of importance to a broad portion of the County, and often contained suggested solutions to the problem as part of the comments.

No formal response mechanism for these valuable inputs/suggestions, in which the public can see that the entities who staged the forums are responsive, has become apparent. Only the manipulation of the forums in support of the proposed tax measure has been given much attention.

There were enough valuable suggestions made to warrant some evaluation, response, or action from the County or incorporated cities.

Findings:

F1. There are numerous groups, organizations, government departments or individuals throughout the County and incorporated cities in need of support or assistance that cannot be obtained under current staffing or budgeting limitations.

F2. There are groups and individuals throughout the county who have capabilities, time, and assets that they are willing to contribute to the betterment of specific areas or departments within the County or the incorporated cities.

F3. There is no individual or department within the various governances that focuses on bringing together needs with offerings.

F4. Many citizens report that attempts by them to approach members of governance throughout the county with offerings of capabilities or assistance have either been overtly ignored or outright rebuffed.

F5. There will never be an expected 'every issue will have a solution.' It is a certainty that some issues/possible solutions may face insurmountable regulatory or procedural obstacles. Some offered assistance will be deemed inadequate for the designated problem. There may be so many 'need' issues that priorities may have to be set which then cannot address every one of them even if an asset/capability is available. Such situations are inevitable, but should not derail the enactment of a formal procedure. We should not let striving for 'perfect' to deter putting in place the 'good'.

F6. At the time of the Community Visioning Forums it was stated by County officials that no multi-year budgetary forecast (revenues and expenditures) existed. In the interim, a 10 year 'vision' has been announced by County Officials, but it lacks projected budgetary numerical variations due to tax revisions, disaster funding, or other realistically potential areas that can affect the budget. These permutations are normally of important interest to anyone doing due diligence on relocating to, or investing in, a new economic or commercial venture.

Recommendations:

R1. The County should establish a specific individual to facilitate ‘making connections.’ This should not be limited to volunteering strictly to support County governmental needs. They should have the responsibility of seeking out areas of organizational or capability needs, and then matching them to the willing and offered citizens or organizations that can assist in those needs. This function should include active outreach specific to these goals across the county in: area councils, citizen groups, NGO’s, service organizations. Included should be any internal governance requests/needs for voluntary support identified via existing departmental reporting structures throughout the County. (F1, F2, F3, F4, F5)

R2. The County should develop a multi-year financial outlook (five years minimum, ten years preferred) based on current tax/cost/revenue understandings, but should also include potential variations that would alter the forecast in consideration of significant changes (such as tax increases). (Reference main county website under administration/forums/forum videos/South County Forum – timestamp 1:28:45 to 1:30:40) (F6)

R3. Clearlake Animal Control (or the Clearlake City Manager’s office) should access the posted videos (on the main county website under administration/forums/forum videos/South County Forum between timestamps 1:05:00 and 1:15:00). Contact should be initiated with the citizen offering to foster multiple dogs (and neighbors of the speaker who also are willing to foster multiple animals) with the intent to establish such service. (F1, F2)

R4. The County should review main county website (under administration/forums/forum videos/Lakeport Forum timestamp 1:24:00 to 1:25:00) and develop/enhance the grant writing effort and utilize volunteer help where it has been offered. An offer made during the Community Visioning Forums by an individual (ostensibly) experienced in this field to perform the service on a “no cost basis” to the county. This offer was not pursued or investigated. In the time since the forums, a paid County grant writer has been installed instead (F1, F2)

R5. The Senior Centers in Middletown, Lakeport, Lucerne, and Clearlake Oaks should establish contact with the Clearlake Children’s Museum of Arts and Sciences (CMAS). This is program (NOT limited to children) that is already providing ‘no cost’/low cost art instruction at the Clearlake Senior Center. Contact is to determine if their volunteer service would be of interest/use to those other senior centers. (F1, F2).

Request for Responses:

Pursuant to Penal Code section 933(c), the following responses are *required*:

Board of Supervisors, County Administrator (R1, R4)(90 days)

The Grand Jury *invites* the following individuals to respond:

County Administration (R2, R4) (60 days)

City of Clearlake City Council (R3) (90 days)

Clearlake Animal Control Department (R3) (60 days)

Director of Middletown Senior Center (R5) (60 days)

Director of Lakeport Senior Center (R5) (60 days)

Director of Lucerne Senior Center (R5) (60 days)

Director of Clearlake Oaks Senior Center (R5) (60 days)

7. Other Specialized Training: _____

LEGAL QUALIFICATIONS

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

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

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

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

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

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

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

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

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

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

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

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

Dated: _____
(Please insert date signed)

Signature: _____
(Please sign your name here)

For statistical records, please mark appropriate boxes.

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

Gender: Male Female

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

Place of Residence by Supervisorial District:

District 1 District 2 District 3 District 4 District 5

Grand Jury Complaint Form



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

COMPLAINT FORM

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

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

Person or agency your complaint is about

Name and Title

Organization

Address

Telephone

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

Other persons or agencies you have contacted about this complaint.

Describe the action you wish the Grand Jury to take.

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

COMPLAINANT:

Name (please print)

Telephone

Address:

City:

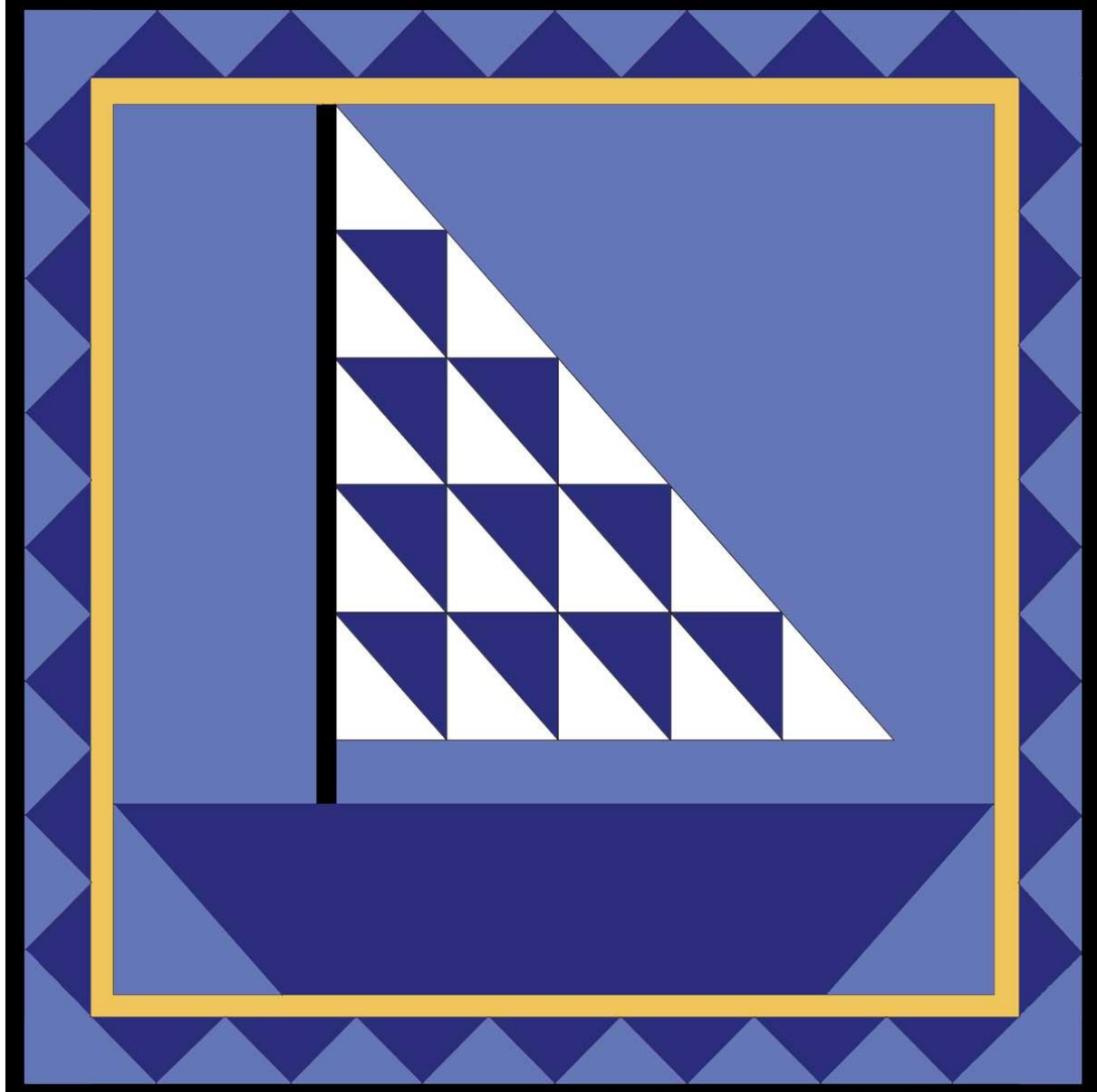
State:

Zip Code:

Signature:

Date:

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



Lake County Quilt Trail "Sail Away"
1860 High Street, Lakeport, California