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Continuity

Responses to the 2017 – 2018 Calaveras County Grand Jury Final Report



SUMMARY

The power of the Grand Jury lies in its ability to publish fact-based reports that inform and educate citizens as well as local government officials. Although the Grand Jury has no authority to enforce the recommendations included in such reports, it can determine whether local government agencies and officials have provided reasonable responses. These responses must follow a format and timeline clearly defined by law (California Penal Code §933.05). The independent work and voice of Grand Juries are strengthened when local government entities and officials are held accountable and responsible to the will of their constituents.

To that end, the 2018-2019 Calaveras County Grand Jury carefully reviewed all responses to the 2017-2018 Calaveras County Grand Jury Final Report for compliance with the law. This report presents the analysis of that review.

The 2018-2019 Calaveras County Grand Jury deemed most responses compliant regarding mandated response times; however, several respondents failed to comply with the relevant provisions of the Penal Code and/or were lacking detail by which the agency's subsequent actions could be gauged.

The 2018-2019 Calaveras County Grand Jury appreciates the time and attention that all responders devoted to the work of the 2017-2018 Calaveras County Grand Jury. Although invited responders were not required by law to respond, several did, and the Calaveras County Grand Jury thanks them for their willingness to provide additional feedback.

GLOSSARY

ACS	Calaveras County Animal Control Services
BOS	Calaveras County Board of Supervisors
CCCD	Calaveras County Correctional Department
CCCR/ROV	Calaveras County Clerk Recorder/Registrar of Voters
CCCSO/MR	Calaveras County Community Service District (Middle River)
CCGJ	Calaveras County Grand Jury
CCHRD	Calaveras County Human Resources Department
CDCR	California Department of Corrections and Rehabilitation
DOEH	Director of Environmental Health & Air Pollution Control
SCC	Sierra Conservation Center
VCCM	Vallecito Conservation Camp Management

METHODOLOGY

The 2018–2019 CCGJ read continuity reports published by other California Grand Juries and studied relevant sections of the California Penal Code. The CCGJ studied other models for tracking Grand Jury reports, then created a comprehensive system for reviewing, analyzing, and tracking responses to previous CCGJ reports. This system was piloted to track the continuity function.

The 2018–2019 CCGJ tracking matrix will be passed on for 2019–2020 CCGJ use. The matrix will be populated by all responses received to the 2017–2018 CCGJ reports including any outstanding open responses. In addition, the 2018–2019 CCGJ will set up the tracking matrix for the following CCGJ, complete with the current year reports and response requests. A mechanism to track and report on all

outstanding responses will preserve the positive impact of CCGJ reports. We envision that the matrix will continue on with each subsequent CCGJ.

BACKGROUND

The civil role of county Grand Juries in California is unique. Its role in the judicial branch is to examine and investigate county government functions and make recommendations to improve systems, procedures, and methods of operations promoting honest, efficient government in the best interests of the citizens of the county.

The CCGJ is impaneled each year, beginning their service on July 1st and serving a one-year term. At the end of that term, they must publish a consolidated final report on the activities of local government, agencies, and special districts. These reports include facts, findings, and recommendations developed after intensive investigations. The reports specify which government officials and entities must respond by law to any findings or recommendations. Additionally, the reports specify those who are invited, but are not required, to respond.

California Penal Code §933.05 mandates how local governing bodies and elected officials must respond to findings and recommendations that fall under their jurisdictions. It is the responsibility of succeeding Grand Juries to monitor compliance with this Penal Code.

Tracking responses to previous Grand Jury reports is an internal function of the sitting CCGJ. The lasting value of a Grand Jury investigation is diminished when findings and recommendations are not appropriately addressed by the affected agencies. Often an agency will respond either that it intends to implement a recommendation at a later date or that a recommendation requires further study, leaving the report “open”. Recommendations aimed at fixing complex problems or calling for expensive solutions can often run up against the realities of the budgeting and procurement processes or leadership changes. Regardless of these difficulties, investigated entities are still responsible to provide substantive responses in compliance with government code requirements.

Tracking and follow-up of open responses is made all the more challenging as reports are typically published at or near the end of the CCGJ’s one-year term of service. As a result, Juries have served their term and been discharged long before responses to the reports are received. Diligent follow-up by local agencies and succeeding Grand Juries is therefore needed in order to ensure that all open responses are appropriately closed with published responses so, at the very least, they do not fall off the public radar.

While responses to reports are generally followed up by the succeeding Grand Jury, the problem arises when responses extend beyond the term of the succeeding panel and a new, subsequent Grand Jury – now two years removed from the Grand Jury issuing the report – is impaneled. Due to the passage of time between response and completion of the action to which the county entity has committed, responses of “will be implemented in the future” or “requires further analysis” are most susceptible to falling by the wayside without follow-up and, therefore, dropping out of public view.

DISCUSSION

Annually, the CCGJ concludes its term of service with a published report on completed civil investigations. These reports generate many findings and recommendations, prompting required and invited responses. The 2018-2019 CCGJ investigation of responses revealed that a number of them remain incomplete. It is anticipated that the implementation of the new matrix will encourage greater agency compliance. Reporting publicly on the completion of previously committed action will enhance the positive impact of the CCGJ in its role as a public watchdog.

California Penal Code §933(c) requires the governing body of any public agency for which the Grand Jury has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of said governing body. Such comments shall be made no later than 90 days after the Grand Jury publishes its report (filed with the Clerk of the Court). In the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. Sheriff, District Attorney, etc.), that elected County official shall comment on the findings and recommendations pertaining to the matters under that elected official's control within 60 days to the Presiding Judge with an information copy sent to the Board of Supervisors.

California Penal Code §933.05 details the manner in which such comment(s) are to be made:

- (1) As to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. The respondent agrees with the finding;
 - b. The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (2) As to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:
 - a. The recommendation has been implemented, with a summary regarding the implemented action;
 - b. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation;
 - c. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report;
 - d. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

If a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a county agency or department headed by an elected official, both the agency or department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

After reviewing documentation, the Grand Jury findings are as follows:

FINDINGS

- F1. All required responses to the CCGJ 2017-2018 Animal Control Services report were submitted in compliance within the time requirements of the California Penal Code §933.
- F2. Almost all required responses to the CCGJ 2017-2018 Animal Control Services report did not meet the “timeframe for implementation” requirement in California Penal Code §933.
- F3. All required responses to the CCGJ 2017-2018 Board of Supervisors Residency report were fully compliant with California Penal Code §933.
- F4. All required responses to the CCGJ 2017-2018 Calaveras County Jail report were submitted timely in compliance with California Penal Code §933.
- F5. Three responses to the CCGJ 2017-2018 Calaveras County Jail report, which indicated further analysis was required, did not indicate a time frame in which such analysis would be performed as required by California Penal Code §933.
- F6. Two respondents to the CCGJ 2017-2018 Measure E Election 2016 report submitted timely responses but did not indicate time frames in which further analysis would be performed as required by California Penal Code §933.
- F7. At the time of this writing, one agency required to respond to the CCGJ 2017-2018 Measure E Election 2016 report within 90 days has not responded.
- F8. At the time of this writing, none of the required officials or agencies have responded to the CCGJ 2017-2018 Vallecito Camp Facility report.
- F9. At the time of this writing, CAL Fire, which was invited to respond to the CCGJ 2017-2018 Vallecito Camp Facility report, has not responded.
- F10. The 2017-2018 CCGJ may have contributed to respondent noncompliance regarding the timeframe for implementation of corrective action or further analysis by failing to include specific instructions from the California Penal Code §933.

RECOMMENDATIONS

- R1. None
- R2. None
- R3. None
- R4. None
- R5. None

- R6. None
- R7. None
- R8. None
- R9. None
- R10. None

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

REFERENCE SOURCES

- California Penal Code §933 et seq., which specifies how responses are to be formatted
- 2017–2018 CCGJ Final Report
- All responses to the 2017–2018 CCGJ Final Report
- 2017–2018 Shasta County Grand Jury Responses to the 2016–2017 Shasta County Grand Jury Reports
- California Grand Jury Association Report Response Template
- 2016–2017 Orange County Grand Jury Report of Responses to the 2015–2016 Orange County Grand Jury Report titled “Unfinished Business”
- 2016–2017 El Dorado County Grand Jury Report of Responses to the 2015–2016 El Dorado County Grand Jury Report titled “Looking Back and Looking Ahead”
- 2017–2018 CCGJ Compliance Report Matrix compiled by 2018-2019 CCGJ
- 2017–2018 CCGJ Responses Matrix for Animal Control Services report compiled by 2018-2019 CCGJ
- 2017–2018 CCGJ Responses Matrix for Board of Supervisor Residency report compiled by 2018-2019 CCGJ
- 2017–2018 CCGJ Responses Matrix for Calaveras County Jail report compiled by 2018-2019 CCGJ
- 2017–2018 CCGJ Responses Matrix for Measure E Election 2016 report compiled by 2018-2019 CCGJ
- 2017–2018 CCGJ Responses Matrix for Vallecito Camp Facility report compiled by 2018-2019 CCGJ

APPENDIX

2017-2018 CCGJ Final Report Response Matrix Summary

		RESPONSES as of October 1, 2018												
		# of			# of Findings			# of Recommendations			Status of Response			
	Report Description	Respondents	Findings	Recommendations	Agree	Partially	Disagree	No	Yes	Will Be Implemented	Further Analysis Req'd	No Response	Received	Remaining
1	Animal Control Services	4	32	32		1	4	4	1			0	4	0
2	Board of Supervisors Residency Requirement	1	1	1	1	0	0	1	0	0	0	0	1	0
3	Public Correctional Facilities - Calaveras County Facility	3	14	14	1	2	1	2	2		1	0	3	0
4	Public Correctional Facilities - Vallecito Camp Facility	4	10	10								4	0	4
5	Measure E Election 2016	3	6	8	5			3	2		2	1	2	1

EDUCATIONAL SUPPORT/SERVICES FOR HOMELESS STUDENTS IN CALAVERAS COUNTY



SALT SPRINGS VALLEY SCHOOL, ESTABLISHED 1869

SUMMARY

The Calaveras County Grand Jury chose to investigate services offered to homeless K-12 students by County schools, school districts, and the Calaveras County Office of Education. Homelessness is a complex issue. The Grand Jury focused on illuminating this topic as it relates to County-provided services to homeless students in County schools. By default, individual school sites have assumed the responsibility of serving homeless students enrolled in their schools. The investigation indicated that the majority of homeless students in Calaveras County are within Calaveras Unified School District.

The Calaveras County Grand Jury believes that to address the needs of a homeless student, one must see the entire child as a multi-dimensional individual. The Calaveras County Grand Jury set out to determine exactly what services are available in the County for school-age children defined, by the Calaveras County Office of Education, as homeless. Additionally, the Calaveras County Grand Jury sought to determine which County agencies, if any, were delivering those services.

GLOSSARY

CALPADS	California Longitudinal Pupil Achievement Data System
CCGJ	Calaveras County Grand Jury
CCOE	Calaveras County Office of Education
CHS	Calaveras High School
CUSD	Calaveras Unified School District
HHS	United States Department of Health and Human Services
HUD	United States Department of Housing and Urban Development

METHODOLOGY

The CCGJ researched many online resources for statistics specific to the homeless population of Calaveras County. Homeless student population figures were obtained from several sources, including various CCOE department staff and school sites. Interviews were conducted with education officials, school counselors, and other support staff whose job descriptions indicated responsibility for liaising with students and agencies related to homelessness.

BACKGROUND

Calaveras County is geographically large with a small population. According to the U.S. Census Bureau, the total County population in 2017 was 45,670. CALPADS (a school data system) quantifies the total number of enrolled students in the 2017-2018 academic year at 5,460. The total number of homeless students for that same academic year was 156, or almost 3% of the total student population. There is minimal grant funding to match the scale of need in Calaveras County and little hope of sustaining funding if grants are obtained.

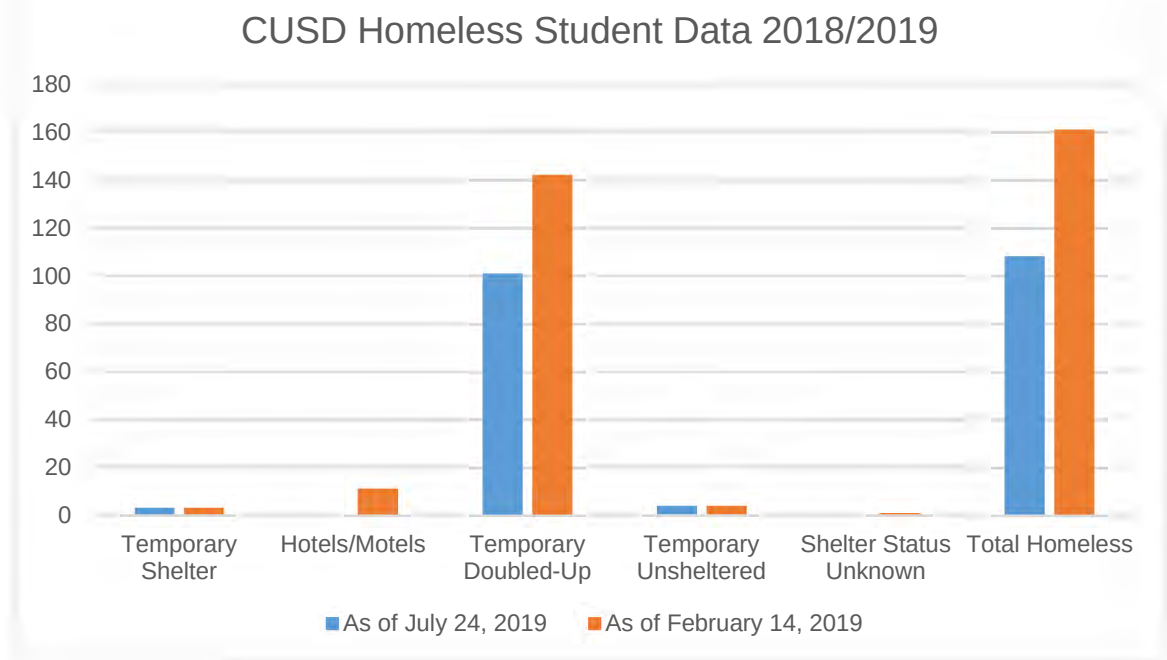
Federal funding is limited by the more exclusive federal definition of homelessness. One percent of Title I funds, or about \$1000 per district, is designated for homeless students. Title I is a federally funded education program that provides supplemental funds to schools with high numbers of students living in poverty as determined by the number of students enrolled in the free and reduced lunch program.

There is more than one official definition of homelessness. Different federal agencies such as HUD and HHS adhere to different definitions when determining eligibility for various programs. The California

Department of Education cites the language of the McKinney-Vento Homeless Assistance Act (McKinney-Vento) to define homeless children and youths. McKinney-Vento is a Federal Act under the administration of HUD as detailed in the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH). In part, McKinney-Vento defines the homeless as “individuals who lack a fixed, regular, and adequate nighttime residence.” The definition further includes those who are sharing housing with others or children who may be living in motels, hotels, trailer parks, and shelters. A child who has a primary nighttime residence that is a public place not designed or regularly used for sleeping accommodations is homeless. Youths living in cars, parks, and bus stations, to name a few, are homeless.

HHS defines homelessness in Code §330(h)(5)(A) of the Public Health Service Act. The Act includes the statement that recognition of the instability of an individual’s living arrangements is critical to the definition of homelessness.

Of the various interpretations of homelessness, the CCOE follows the criteria adopted by the California Department of Education.



The Resource Connection, a non-profit in Calaveras and Amador Counties which assists individuals and families with a wide range of social services and referrals, has a resource directory which is distributed to families at Student Attendance Review Board (SARB) meetings at the CCOE. The guide is available to the public on their website. This comprehensive list of the services in Calaveras County is only available through The Resource Connection.

In response to the national economic downturn in 2009, a resource binder was created in collaboration with CUSD and The Resource Connection. This program was known as the Ambassador Program. Every school site had a volunteer trained to share information and identify resources. The training included

how to tactfully approach at-risk students, discuss issues involving their needs, how to provide information, and how to deal with confidentiality. This program is no longer active.

DISCUSSION

Many county agencies and organizations are focused on the issues that confront homeless individuals and families. These include public schools, county government, health service agencies, religious groups, and social agencies. Homeless children are living in shelters, doubled up with other families, in motels, in cars, tents, and campers. By law, these school-age children are entitled to access the same free public education that is provided to other students. They are to have the same educational opportunities to meet the same performance standards of other students.

Children who are living in insecure circumstances, however, are presented with challenges that are not a part of everyday school life. These include having a place to study, a place to keep their school supplies, and sufficient resources for cleaning clothes and basic hygiene. Food and shelter insecurities often diminish the focus on education.

According to the Calaveras County Strategic Plan to Address Homelessness, dated January 2019, the CCOE has a homeless youth program which "...Assists in creating school stability and ensuring that youth identified as homeless have access to the same opportunities, experiences and resources as non-homeless youth, including: assisting in the identification of homeless youth; ensuring that children experiencing homelessness can be immediately enrolled in school regardless of available school and/or immunization records; providing referrals to health care, dental, and mental health; disseminating public notice of educational rights; informing families and youth about transportation services and assisting them in accessing available community resources; and providing assistance with school supplies including necessary clothing for school attendance."

The CCOE has a designated liaison position as well as policies in place to account for and assist with the homeless student population in Calaveras County. The CCOE Administrative Regulations for the *Education For Homeless Children*, County Liaison section, cite Education Code 48852.5; 42 USC 11432, detailing the ten duties and responsibilities of the liaison position. Of the ten, very few are being performed at the County level. The challenges in fulfilling the obligations of this position are heightened by the nature of County geography and how individual schools have traditionally addressed the needs of their homeless students.

The CCOE website does not have a page dedicated to homeless student rights and resources. On the CCOE homepage (www.ccoe.k12.ca.us), users must choose "Services" then select "Homeless Education Liaison". There is no content on the page other than an instruction to "Please see the Foster Youth Section for more information and district contacts for Homeless". In that section, there is a link listed under "Education Rights for Foster and Homeless Children". The link simply reads "Homeless Resources". A click on the link takes the user to the California Department of Education website, which offers statewide educator resources rather than those specific to Calaveras County. The difficulty of navigating the website in search of resources for homeless students makes it frustrating for individuals seeking assistance or information.

Without a centralized support and resource system at the County level, individual schools have adapted by creating on-site procedures and plans for addressing the needs of their homeless students. Meals,

clothing, basic supplies, counseling, and extracurricular activity transportation are all addressed at the school level.

Neither individual schools nor CCOE can address the most fundamental issue facing homeless students: a secure place to live. All interviewees stated they believe the affordable housing shortage in Calaveras County is severe and has been getting worse in recent years. The Homeless Task Force report was presented to the BOS in December 2018. It outlined goals and projects for affordable housing alternatives in Calaveras County.

The CCGJ noted that everyone with whom we spoke wanted to help and find ways to do more with the limited resources available.

After conducting interviews and reviewing reference documents, the Grand Jury findings are as follows:

FINDINGS

- F1. The CCOE does not have a comprehensive resource guide for homeless services.
- F2. Information specific to Calaveras County about homeless student resources is not available on the CCOE website.
- F3. In the Calaveras County Strategic Plan to Address Homelessness, dated January 2019, CCOE is identified as a partner in ending homelessness. The services identified by the CCOE homeless youth program are in fact implemented at individual school sites.
- F4. Non-profit agencies (i.e., The Resource Connection, Calaveras Mariposa Community Action Agency) in Calaveras County have comprehensive listings available to anyone seeking guidance to resources and assistance.

RECOMMENDATIONS

- R1. The CCOE should coordinate with The Resource Connection to develop a resource guide that is easily accessible to homeless students and families by December 31, 2019.
- R2. The CCOE must update the online Homeless Liaison Page with information specific to homeless students, homeless student rights, and available resources and services within Calaveras County by December 31, 2019.
- R3. As outlined in the Calaveras County Strategic Plan to Address Homelessness dated January 2019, the CCOE needs to coordinate and support the efforts of individual school sites related to the homeless student population.
- R4. None

COMMENDATIONS

- C1. Individual County schools do their best to serve the needs of homeless students.

REQUIRED RESPONSES

From the following elected county official within 60 days:

Calaveras County Superintendent of Schools

F1 R1

F2 R2

F3 R3

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

REFERENCE SOURCES

- 2000-2001 Santa Cruz County Grand Jury Report, “Homeless Children in Schools”
- 2014-2015 Calaveras County, School and District Location Information
https://www.ccoe.k12.ca.us/apps/pages/index.jsp?uREC_ID=1175520&type=d&pREC_ID=1423925
- Calaveras County Student Support Services Department
https://www.ccoe.k12.ca.us/apps/pages/index.jsp?uREC_ID=1093546&type=d&pREC_ID=1378285
- 2018-2019 CCOE Student Support Programs
<https://4.files.edl.io/f031/08/20/18/230625-285737ee-eb3c-4dd3-858d-1492d8d8ee19.pdf>
- 2018-2019 CCOE Student Program Descriptions
<https://4.files.edl.io/e451/08/20/18/230635-3f41da8a-5152-4f4b-be15-55d642fdb04e.pdf>
- CUSD Homeless Student Counts and Categories, beginning of 2018-2019 school year
- CUSD Homeless Student Counts and Categories, February 14, 2019
- U. S. Department of Health and Human Services [Section 330 of the Public Health Service Act (42 U.S.C., 254b)]
- HRSA/Bureau of Primary Health Care, Program Assistance Letter 99-12, Health Care for the Homeless Principles of Practice
- Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (P.L. 111-22, Section 1003) – <https://www.hudexchange.info/homelessness-assistance/hearth-act/>
- The McKinney-Vento Homeless Assistance Act – <https://www.hudexchange.info/resources/documents/HomelessAssistanceActAmendedbyHEARTH.pdf>
- California Department of Education Definition of Homelessness – <https://www.cde.ca.gov/sp/hs/homelessdef.asp>
- California Department of Education Homelessness in the Classroom Training Module – <https://www.cde.ca.gov/sp/hs/cy/>
- Cal Matters, Dan Morain, “An undercount of homeless students?” – <http://us11.forward-to-friend.com/forward/show?u=5f4af3af825368013c58e4547&id=69006834bc>
- CALPADS UPC Source File (k-12) – <https://www.cde.ca.gov/ds/sd/sd/filescupc.asp>
- CCOE Administrative Regulation, Education for Homeless Children, AR6173, June 2016
<http://go.boarddocs.com/ca/ccoe/Board.nsf/goto?open&id=APZN9M5EDC91>
- California Department of Education Homeless Education (HE) 2017–18 Program Instrument
<https://www.cde.ca.gov/ta/cr/documents/he1718.pdf>

- 2007-2018 Calaveras County Point-in-Time Homelessness Counts
- HHS Homelessness Task Force Update to the BOS, December 4, 2018 – <http://calaverascountyca.igmm2.com/Citizens/Default.aspx>
- California Department of Education website, Homeless Education Page – <https://www.cde.ca.gov/sp/hs/>
- California Department of Education website, Resources for Homeless Children and Youths – <https://www.cde.ca.gov/sp/hs/cy/>
- National Center for Homeless Education website, <https://nche.ed.gov/legis/essa.php>
- Title 1 Funds Program definition source - <https://definitions.uslegal.com/t/title-1-school/>
- Calaveras Institute for Behavioral Health Solutions, Calaveras County Strategic Plan to Address Homelessness – January 2019
https://hhsa.calaverasgov.us/Portals/HHSA/Documents/Calaveras%20County%20Homelessness%20Plan_Draft_1_23_19.pdf
- 2016-2017 Calaveras County Homeless Student Census by School District and by Grade

JAILS/LAW AND JUSTICE



SUMMARY

The Grand Jury is required by law to inquire into the condition and management of the county jail on an annual basis, California Penal Code §919(b).

The Calaveras County Jail was built five years ago and is being well-maintained. A lack of sufficient personnel continues to plague the Sheriff's Office. Inadequate funding by the Board of Supervisors restricts the ability of the Sheriff's Office to provide the best possible services to Calaveras County.

The amount of funds allocated to the Sheriff's Office has fluctuated in recent years. To lessen the effect of this variable funding, there are potential sources of revenue that could be explored to augment the Sheriff's Office budget.

In today's climate, rape has become a highly publicized topic. The Grand Jury explored how rape evidence is processed in Calaveras County. The collection and processing of rape evidence in Calaveras County is being handled efficiently.

GLOSSARY

BOS	Calaveras County Board of Supervisors
BSCC	California Board of State and Community Corrections
CCGJ	Calaveras County Grand Jury
CCPSEA	Calaveras County Public Safety Employees Association
CCSO	Calaveras County Sheriff's Office
CPC	California Penal Code
PREA	Prison Rape Elimination Act
SART	Sexual Assault Response Team
Patrol Beat	Territory and time that is patrolled by law enforcement
Safety Cell	A cell in which an inmate is placed to prevent injury to self or others

METHODOLOGY

Grand Jury meetings were held to plan for the required annual inquiry into the county jail and to formulate questions and strategies for interviews.

The CCGJ toured the Calaveras County Jail facility. During this tour, a question and answer session took place between the Grand Jury and jail officials. Additionally, the CCGJ interviewed a high-ranking Sheriff's Office official.

The CCGJ collected and reviewed the following:

- Copies of the Jail Policy and Procedure Manual
- Copies of the Custody Manual
- Inmate grievances
- Incident reports
- Disciplinary logs
- Safety cell logs
- Jail safety checks

- Repair work orders
- List of overtime worked in the jail
- Medical/Mental Health Evaluation
- Environmental Health Evaluation
- Nutritional Health Evaluation
- Forensic medical forms
- Forensic reimbursement forms
- PREA training logs
- SART protocols
- BSCC website
- BSCC State Biennial Inspection of the Jail dated October 29, 2018
- Calaveras County 2018-2019 Final Budget.
- CCPSEA Salary Survey for 2019

BACKGROUND

CPC §919 (b) reads, “The Grand Jury shall inquire into the condition and management of the public prisons within the County.” Each year, as mandated by law, the Grand Jury tours the jail facility. The purpose of the Grand Jury tour was to observe the conditions in which inmates are housed, the type and manner of food preparation, the treatment of inmates, and the health and safety of inmates and staff.

Jail

The Calaveras County Jail facility was completed in 2014 using Measure J funds. On the ballot in 2007, Measure J authorized the County to issue \$31 million in local bonds for construction of a new jail and Sheriff’s Office administrative complex. The State awarded Calaveras County \$26.4 million in matching money for construction. The facility was designed for 240 beds, but due to a lack of sufficient staffing levels was ultimately built for a maximum occupancy of 160. Due to current staffing levels, the current occupancy level is kept between 80-100 for the safety of inmates and jail staff.

Correctional Officer responsibilities in the jail are the custody, safety, security, and supervision of inmates. At this time, the current number of Correctional Officers is 26.

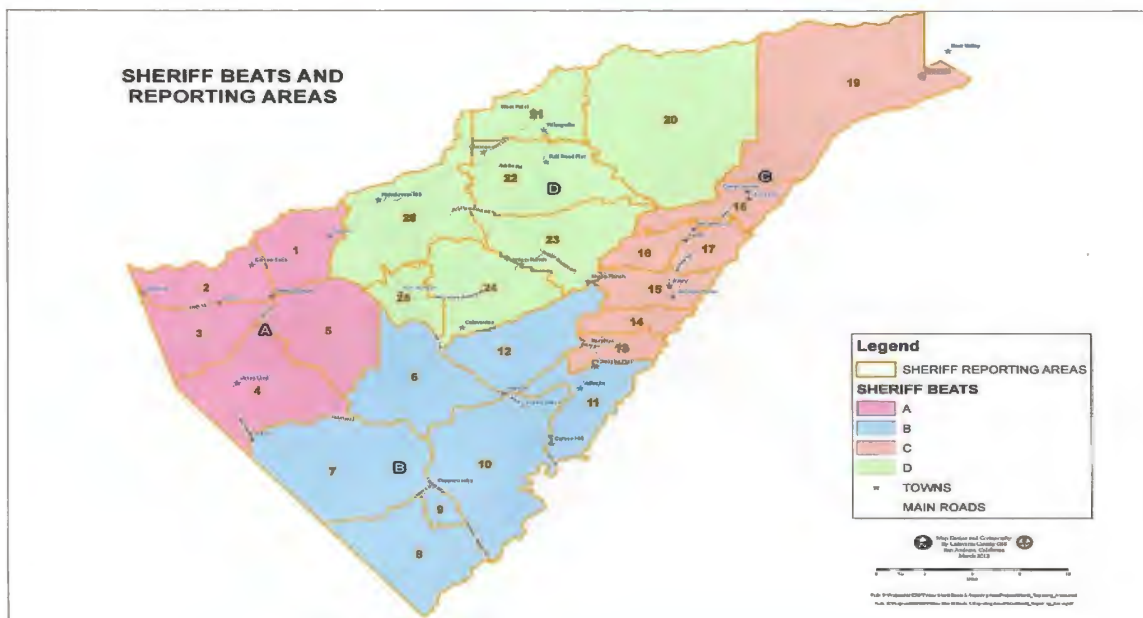
Correctional Technicians work in the jail control booth to control all doors within the jail, as well as those giving access to the jail. As of 2016, the jail was funded for six Correctional Technicians. The current number of Correctional Technicians is five. Two technicians are needed to staff the control booth 24 hours a day. However, only one technician operates the control booth currently. Consequently, Correctional Officers have to be removed from their assigned task and placed in the control booth to provide meal breaks, bathroom breaks, vacation relief, and sick leave relief. If the solo control booth technician should become incapacitated, there is no one to open doors. Access to facility doors would require knowing the technician was disabled, calling someone outside the facility to retrieve the key from dispatch, then having that person go to the jail to open the doors. A sufficient number of Correctional Technicians would provide adequate 24-hour staffing for the control booth.

Mandatory overtime for Correctional Officers and Technicians in the jail averaged 24 hours per week per person over the last two years. Six new staff members were hired in December 2018—five Correctional Officers and one Correctional Technician. Since that time, jail overtime has been reduced. There are still currently two vacant funded positions for Correctional Officers in the jail. Even though a

competitive wage study resulted in salary increases, Calaveras County Correctional Officers are still paid between \$3 and \$4 per hour less than those in the adjoining counties of Amador and Tuolumne.

Patrol/Sheriff's Office

The County contains five districts, but only four patrol beats. As a result, parts of the County are being underserved. Below is a map of the current patrol beats in the County.



On February 25, 2019, nine new deputies were sworn in and will be working solo on the street by June 2019. While these positions were vacant, there was a salary savings of about \$1.2 million. These unspent dollars were returned to the County General Fund. Because these positions have been filled, the savings no longer exist.

DISCUSSION

A lack of sufficient staffing levels continues to plague the Calaveras County Jail. Compensation for Correctional Officers, Correctional Technicians, and Deputies remains below equitable levels with other similar counties.

Every year the Sheriff's Office has asked the BOS for a budget that would provide sufficient staffing levels. In the 2017-2018 Grand Jury Final Report, it was determined that the jail control booth was being operated with only one Correction Technician. In the 2016-2017 Grand Jury Final Report, it was determined that inadequate staffing levels exist making the control booth improperly manned and creating overtime that could be avoided with sufficient staffing levels. For officer safety reasons, the control booth should be operated by two Correction Technicians at all times.

Retention incentives for Calaveras County Correctional Officers do exist but are not in writing. After two years in the jail, a Correctional Officer is currently afforded the opportunity to attend the Peace Officers Standards and Training Academy to become a deputy sheriff. Conversely, deputies who are performing inadequately in patrol will be transferred to work in the jail for two years, then can return to patrol or remain working in the jail.

The Sheriff's Office currently has four patrol beats in the County. If the County was divided into five beats, eight additional deputies would be required in order to cover the shifts and relief. The current 12-hour shifts would become 11-hour shifts. The Sheriff's Office would then have eight or nine deputies on patrol between the hours of 3:00 p.m. and 2:00 a.m.

The proposed fifth patrol beat would be centrally located in the County and the deputy on duty would remain there unless called upon to act as cover or backup to a deputy in an adjoining beat. An additional beat used in this manner would allow the deputies in the remaining four beats to stay primarily within his/her assigned beat, providing better service to the community. The area covered by this fifth beat would encompass San Andreas, Mokelumne Hill, Mountain Ranch, and Angels Camp.

The County currently leases a small number of jail beds to other counties for a fee. Increasing the number of vacant jail beds leased would bring in additional revenue. Historically, jail beds have been leased for \$85 per day. The current number of leased beds is limited to six, due to existing staffing levels. On average there are 60-70 vacant beds every day.

In 2016, after the BOS adopted an urgency ordinance regulating commercial cannabis production in the County, the BOS anticipated registering 200 growers. Actual registrations totaled 775. In November 2016, voters in Calaveras County passed Measure C, a tax on the production and/or sale of legally produced cannabis. In fiscal years 2016-2017 and 2017-2018, taxes collected by the County for commercial cannabis cultivation generated \$13,560,531.19 in revenue. Regulatory fees collected between May 1, 2016 and June 30, 2018 totaled \$3,862,114.53. Following the termination of the regulated cannabis industry in Calaveras County in 2018, assessed Measure C taxes dropped to zero. Measure C funds contributed \$2,018,781.96 to the Sheriff's Office for enforcement of cannabis regulation. Currently, the Sheriff's Office is using funds from its general budget for this purpose.

Sexual assault forensic examinations (rape kits) are performed at Mark Twain Medical Center. This procedure has been in place for nearly five years. The rape kits are sent for analysis/processing to the Central Valley Bureau of Forensic Services (BFS) in Ripon. In 2017-2018, the BFS received and processed six rape kits for CCSO. The analyzing and processing of rape kits is completed within 45 days. The law requires this procedure to be completed within 120 days, including Rapid DNA Kits. At the time of this writing, there is no back log of rape kits in Calaveras County.

After conducting interviews and reviewing reference documents, the Grand Jury findings are as follows:

FINDINGS

- F1. Calaveras County Correctional Officers continue to be paid between \$3 and \$4 per hour less than the adjoining counties of Amador and Tuolumne, making employee retention extremely difficult and contributing to staffing levels below the minimum needed.
- F2. Chronic underfunding for the CCSO has resulted in inadequate staffing levels, egregious overtime requirements, compensation limitations, and retention issues.
- F3. The jail is funded for six Correctional Technicians but needs two more to provide adequate safety to staff and inmates.

- F4. The CCSO needs to fill the two vacant Correctional Officer positions in order to function safely with the current inmate population.
- F5. There is not a written employee retention incentive program at this time, thus leaving any retention incentives up to the discretion of the Sheriff.
- F6. The Calaveras County Jail, after five years in existence, continues to be well-maintained and clean, providing a healthy environment for the current number of inmates and staff.
- F7. Increased staffing levels to the Patrol Division would provide more comprehensive coverage of patrol services to county residents in areas that are currently being underserved.
- F8. Unoccupied jail beds are a potential revenue source as they can be leased to other counties.
- F9. The cultivation of cannabis in Calaveras County continues to require the Sheriff's Office to enforce violations. Over \$2 million in funding once allocated for this purpose no longer exists.
- F10. Rape kits in Calaveras County are processed and analyzed more expeditiously than required by law, and currently there is no back log of rape kits.

RECOMMENDATIONS

- R1. The BOS needs to address inadequate salary levels of Calaveras County Correctional Officers and Technicians by mid-term budget review in 2020.
- R2. The BOS needs to adequately adjust the CCSO budget by February 28, 2020 in order to provide sufficient staffing levels for the safety of officers, technicians and inmates.
- R3. The BOS needs to approve the necessary budget for the hiring of two additional Correctional Technicians at the next budget mid-term review in 2020.
- R4. The CCSO needs to continue outreach and recruiting to fill the two Correctional Technician vacancies.
- R5. The CCSO needs to establish a written employee retention program by December 31, 2019.
- R6. The CCSO should continue maintaining a healthy jail environment for inmates and staff.
- R7. The BOS needs to approve funding for eight additional patrol deputies in the budget mid-term review in 2020.
- R8. By June 30, 2020, the CCSO needs to determine the necessary staffing levels required to increase the number of out-of-county inmates housed in the jail.
- R9. The BOS should, within the 2019-2020 fiscal year, increase the Sheriff's Office budget sufficiently to improve services to the county.

R10. None

COMMENDATIONS

- C1. The CCSO is deserving of congratulations on their performance of high standards within the jail.
- C2. The CCSO and Mark Twain Medical Center have performed remarkably well in handling and processing rape kits.

REQUIRED RESPONSES

Pursuant to California Penal Code §933 and §933.05, the Grand Jury requests responses as follows:

From the following elected county official within 60 days:

Calaveras County Sheriff

F4 R4

F5 R5

F8 R8

From the following governing body within 90 days:

Calaveras County Board of Supervisors

F1 R1

F2 R2

F3 R3

F7 R7

F9 R9

Reports issued by the Grand Jury do not identify individuals interviewed. CPC §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

JENNY LIND VETERANS MEMORIAL DISTRICT



SUMMARY

The 2018-2019 Calaveras County Grand Jury opened an investigation into the operations of the Jenny Lind Veterans Memorial District. Shortly after the investigation began, a citizen complaint was received by the Grand Jury.

As the investigation progressed, the Grand Jury found that Jenny Lind Veterans Memorial District obtained a commercial loan to pay for the completion of a new hall that opened in 2018. Although the California Military and Veterans Code gives the authority to “purchase, construct, lease, furnish, or repair halls”, it does not authorize the District Board to go to a bank or a private benefactor to obtain a loan or mortgage. The California Military and Veterans Code prohibits construction or alterations to a building unless the project can be completed with available District funds. The Grand Jury found that Jenny Lind Veterans Memorial District exceeded their authority according to the California Military and Veterans Code. It is imperative that Jenny Lind Veterans Memorial District find a remedy to unencumber District property and retire the loan.

GLOSSARY

BOS	Calaveras County Board of Supervisors
CCAF	Calaveras County Administration & Finance
CCGJ	Calaveras County Grand Jury
CPA	Certified Public Accountant
FMBCC	Farmers & Merchants Bank of Central California
JLVMD	Jenny Lind Veterans Memorial District
MVC	California Military and Veterans Code

METHODOLOGY

The CCGJ conducted interviews, reviewed financial statements and transactions, researched the MVC, reviewed previous CCGJ reports, and reviewed historical news articles. In addition, the CCGJ reviewed JLVMD resolutions and obtained bank documents to review the current Commercial Real Estate Term Loan for the new hall.

The Grand Jury also interviewed the following individuals:

- Current and past JLVMD Board Members
- JLVMD Staff
- County Administration & Finance Official

BACKGROUND

In 1935, the California Legislature authorized the creation of memorial districts through the enactment of the California Military and Veterans Code. The purpose of a Veterans Memorial District is to recognize the service and sacrifice of military service persons. Memorial districts are authorized to provide and maintain memorial halls, assembly halls, buildings, public facilities, meeting places, indoor and/or outdoor recreation facilities, and park and recreation facilities for military veterans who have honorably served the United States. Additionally, the facilities are available to the community and non-veteran organizations for rent and/or fees. The JLVMD is primarily financed by property tax payers and is currently governed by a 5-member Board, elected by Calaveras County voters within the District.

As noted in the 2017 independent auditor's financial statements: "The Jenny Lind Veterans Memorial District was formed in January 1960. Prior to this date, the County of Calaveras had accumulated about \$100,000 dedicated to the construction of a memorial building from countywide taxes levied for that purpose. As a result of a petition by the voters within the County, the cash fund was divided equally among the five supervisory districts. The District is a separate legal entity of the County of Calaveras." In the years since its foundation:

- In the 1960's, JLVMD built a 3,000 square-foot community hall that served the community for over 50 years.
- JLVMD acquired 32 acres of parkland around 1975.
- American Legion Post 102 used the original 1964 Hall for its meetings until it was demolished.
- On September 10, 2013, the JLVMD Governing Board approved Resolution 2013-09 establishing its authority to borrow money from the Bank of Rio Vista. (See Appendix A)
- On August 12, 2014, the JLVMD Governing Board approved Resolution 2014-08 to sign documents for a commercial loan with the Bank of Rio Vista. (See Appendix B)
- On or about April 29, 2016, the Bank of Rio Vista funded JLVMD \$750,000 interest-only construction loan at an interest rate of 5.5%.
- JLVMD demolished the old 3,000 square-foot community hall and replaced it with the current 12,000 square-foot community hall.
- JLVMD held a Dedication Ceremony on February 19, 2018.
- On November 6, 2018, the BOS approved a lease agreement with JLVMD to lease office space for the Calaveras County Health and Human Services Agency - Veteran Services Program from October 1, 2018 to September 30, 2022, in the amount of \$59,361.00 for the term of the lease agreement. (See Appendix C)
- On January 28, 2019, FMBCC disbursed funds to retire the JLVMD construction loan and replace it with a new ten-year Commercial Real Estate Term Loan.
- Key terms of the 2019 Commercial Real Estate Term Loan include, in part:
 1. The loan is secured by two JLVMD parcels. The loan is a ten-year note in the amount of \$742,798.82, with a variable interest rate locked at 6.166% for the first five years, a minimum rate of 6.08% or a no-ceiling maximum rate for the last five years, and a balloon payment of \$573,732.37 due on January 15, 2029.
 2. For the life of the loan, the total committed amount of the loan to the market value of the property shall at no time exceed 70% (the "Loan-to-Value Ratio"). If the ratio is exceeded, the Lender may demand the Loan-to-Value Ratio be met with a payment of principal within 15 days.
 3. FMBCC shall have the right to require, no more than once during each successive twelve-month period, at JLVMD expense and cost, an appraisal of the property.
 4. If the loan is paid off early, the following pre-payment fees apply: 3% if the full principal is paid during the first loan year, 2% in the second loan year, 1% in the third loan year, and no pre-payment fees after the third loan year.

There is not a public record of the BOS being advised that JLVMD obtained a private loan for the memorial district. JLVMD is its own publicly elected governmental agency and is not required to obtain budget approval or review from either the BOS or the County Auditor.

DISCUSSION

Failed Bond Attempts: The first two bond attempts to obtain funding to construct a new larger Community hall were in November 2002 and May 2005. Both failed to achieve the required majority votes. In November 2007, the third attempt by JLVMD, Measure C, a \$1.4 million bond was also rejected by voters.

Raising Funds for a Metal Building Shell: After the 2007 defeat at the polls, a “Barn Building Committee” was created to fulfill the goal of a new hall. In late 2010, with a combination of Barn Building funds and money set aside over a period of years, JLVMD proceeded to build a new 12,000 square foot metal building referred to as “the shell”.

Securing a Bank Loan to Complete the New Hall: JLVMD received a Letter of Interest from Bank of Rio Vista dated July 29, 2013, offering a loan. On August 30, 2013, at a special JLVMD Board meeting, approval was given to secure a loan from Bank of Rio Vista by a vote of 4-0 with one Board member absent.

Subsequently, Resolution 2013-09 was approved on September 10, 2013, by a vote of 4-0 with one Board member absent. The Resolution established Board authority to borrow money, citing MVC §1190 and §1191.

On August 12, 2014, Resolution 2014-08 was approved to authorize the JLVMD Board President and the Board General Manager to sign loan documents with the Bank of Rio Vista. JLVMD received a \$750,000 interest-only construction loan for the new hall. Effective November 13, 2018, FMBCC Bank acquired the loan from Bank of Rio Vista as the result of a merger. The loan converted to a Commercial Real Estate Term Loan in January 2019. The monthly loan payments increased by approximately \$1,423 per month over the December 2018 interest-only construction loan.

The CCGJ was unable to locate the original bank officials to question the underwriting research of the MVC to determine if loans are permissible to Memorial Districts. JLVMD has been transparent in the press with regard to their construction and banking activities; it is likely the general public does not know the loan was not in compliance with the MVC requirements for the funding of new buildings.

MVC Governing Laws: The JLVMD Board interpreted its authority using MVC Article 2, entitled “Management”, §1190 and §1191 provisions, to qualify for a loan from Bank of Rio Vista. The MVC §1191 states: “(a) Every district may do all of the following:...(3) Purchase, construct, lease, furnish, or repair halls, buildings, meeting places, and facilities upon sites owned or leased by the district ...”.

There are limited avenues for a Veterans Memorial District to obtain funding. It can try to get a special tax passed by the electorate or go into bonded indebtedness (MVC §1192). The power to enter into a contract under MVC §1190 does **NOT** give the legal authority to obtain a loan from a bank. In fact, MVC Article 3.5, entitled “Construction and Alteration of Halls, Buildings and Meeting Places”, §1222 states: “No contract shall be let for the construction or alteration of any hall, building or meeting place unless such project can be completed and be ready for occupancy and use funds the district has on hand.”

The MVC does offer a solution to correct the use of a private bank in order to pay off an improperly acquired bank loan. MVC Article 2, entitled “Management”, §1193 states: “Every district may combine with the county in which it is located or with any incorporated city wholly within the county, in the accomplishment of any of the purposes of this chapter, and to that end hold jointly with such county or city any property acquired or made available for such purposes, and expend money in conjunction with such county or city in accomplishing any of the purpose hereof.”

Financial Status: Each fiscal year, an audit is performed by an independent financial auditing firm. The most recent audit was finalized by a licensed CPA on June 30, 2017. The audit stated the District had a \$701,644 loan payment coming due June 2018. The audit also disclosed that the JLVMD had a cash and investments balance of \$239,554 in June 2017. The auditor wrote “These conditions raise substantial doubt about its ability to continue as a going concern.” A going concern is defined as a business that functions without threat of liquidation for the foreseeable future, which is usually regarded as at least the next 12 months. Simply stated, a going concern is the ability of a business to meet its financial obligations when they fall due. Therefore, with this loan payment, there is concern for the continued fiscal viability of JLVMD.

The 2018 audit was not available at the time CCGJ wrote this report.

Just prior to the completion of this report, on April 9, 2019, the BOS approved Agenda item #28, the disbursements of the PG&E Butte Fire Settlement funds. Out of this disbursement, \$250,000 was designated to be split between Jenny Lind Veterans Hall and San Andreas Town Hall for community resilience improvements.

After conducting interviews and reviewing reference documents, the Grand Jury findings are as follows:

FINDINGS

- F1. The JLVMD obtained a bank loan which was noncompliant with the MVC in two ways:
 - a) On April 29, 2016, JLVMD obtained a private construction loan.
 - b) The construction loan was paid off January 28, 2019, when the balance converted to a ten-year Commercial Real Estate Term Loan.
- F2. The JLVMD acted on its own authority to obtain bank loans without the involvement of the BOS or the Calaveras County Auditor/Controller.
- F3. The JLVMD passed Resolution 2013-09 to borrow money and encumber property, which is outside the authority granted under the MVC.
- F4. With an outstanding loan on the property, the JLVMD property is at risk of loan default.

RECOMMENDATIONS

- R1. a) The JLVMD should inform the BOS of the bank loan on or before October 1, 2019.
- b) The BOS should consider a partnership with the JLVMD to pay off the noncompliant loan and create a more favorable long-term loan, as may be permitted by law. A joint meeting should be scheduled to explore solutions on or before October 1, 2019.
- R2. The JLVMD needs to strictly adhere to the MVC in its entirety.
- R3. None
- R4. On or before October 1, 2019, the JLVMD must consider the following solutions to retire the loan:
- a) The District can work through the BOS to go into bond indebtedness.
- b) The District can work through the BOS to seek a special tax.
- c) The District can work through the BOS to combine with the County as detailed in MVC Article 2, §1193.

REQUIRED RESPONSES

Pursuant to Penal Code §933 and §933.05, the Grand Jury requests responses as follows:

From the following elected county official within 60 days:

Calaveras County Auditor/Controller

F1(a)	R1(a)
F1(b)	R1(b)
F2	R2

From the following governing bodies within 90 days:

Calaveras County Board of Supervisors

F1(a)	
F1(b)	R1(b)
F2	
F4	R4(a)(b)(c)

Jenny Lind Veterans Memorial District Board

F1(a)	R1(a)
F1(b)	R1(b)
F2	R2
F3	
F4	R4(a)(b)(c)

INVITED RESPONSES

Farmers & Merchants Bank of Central California

F1(a) F1(b)

F3

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

REFERENCE SOURCES

- The Union Democrat, “Valley Springs voters reject veterans district”, November 7, 2007/Updated August 23, 2015
- Recordnet.com, “Valley Springs veteran leaders confident new hall on horizon”, March 27, 2010
- The Union Democrat, “Jenny Lind vets need new digs”, September 1, 2010/Updated August 23, 2015
- JLVMD Board Resolution, “Establishing Authority to Borrow”, September 10, 2013
- 2012-2013 CCGJ report
- The Valley Springs News, “Veterans hall completion in Catch-22”, February 14, 2014
- JLVMD Board Resolution, “District to Sign Loan Documents”, August 12, 2014
- The Union Democrat, “Sierra Views: Eagle Scout honors veterans”, July 23, 2015/Updated August 23, 2015
- The Valley Springs News, “Building at vets hall ready for last stretch”, February 26, 2016
- MyValleySprings.com, “VS vets hall moving closer to completion”, February 17, 2017
- Calaveras Enterprise, “Long Time Coming”, March 2, 2017
- Calaveras Enterprise, “Valley Springs Veteran’s Hall Inches Closer Toward Opening”, June 23, 2017
- JLVMD Financial Statements from an independent CPA, dated June 30, 2017
- MyValleySprings.com, “Vets hall general manager presents clarification of issues”, June 23, 2017
- ThePineTree.net, “Jenny Lind Veterans Memorial District Hall Dedication is February 19th”, February 12, 2018
- Calaveras Enterprise, “Mission Accomplished”, February 23, 2018
- BOS Consent Agenda #4, HUMAN SERVICES (ID #4135), November 6, 2018
- The Valley Springs/Calaveras County News, “A Brief History & the Current State of our Veterans District”, November 28, 2018
- MVC-Division 6, Chapter 1

- California Attorney General Opinion (82 *Ops.CalAtty.Gen* 90)
- Case Law: Captain Charles V. Gridley Camp No. 104, United States Spanish War Veterans vs. Board of Supervisors of Butte County, et al. (98 *Cal.App.* 585)
- 61 Cal.Jur.3d Veteran §44-Memorial District-Financing

APPENDIX A

APPENDIX B

APPENDIX C

APPENDIX A



Jenny Lind Veterans Memorial District

129 Pine Street, P.O. Box 448, Valley Springs, CA 95252
(209) 772-6430

BOARD OF DIRECTORS
Michael Wietick, President/GM
Curt Belmont, Secretary/Treasurer
Luis Domondon Jr., Asst. GM
David Evans, Safety Director/CPPA Rep.
James Green, Director

RESOLUTION 2014-08

A RESOLUTION AUTHORIZING THE GOVERNING BOARD OF THE JENNY LIND VETERANS MEMORIAL DISTRICT TO SIGN LOAN DOCUMENTS

WHEREAS, The Jenny Lind Veterans Memorial District Board discussed and approved a loan amount from Bank of Rio Vista per their letter of interest dated April 24, 2014,

WHEREAS, the Authority to approve the loan is per the Military and Veterans code section 1191 paragraphs 1190 and 1191, pages 550 and 551

NOW, THEREFORE, BE IT RESOLVED that the Board President * Michael Wietick of the Jenny Lind Veterans Memorial District board has been authorized to sign loan documents from Bank of Rio Vista. Michael Wietick-Board President/GM and Luis Domondon, Jr. Board Assistant GM are jointly authorized to request advances on the loan.

ON A MOTION by the Board Director, Green seconded by Board Director Evans the foregoing Resolution was duly passed and adopted by the Board of Directors of the District, this 12th day of August, 2014, by the following vote:

AYES Evans, Domondon Jr, Green, Belmont, Wietick

NOES Ø

ABSENT

ABSTAIN

Michael Wietick
President of the Board of Directors

Curt Belmont
Secretary of the Board of Directors

APPENDIX B



CALAVERAS COUNTY BOARD OF SUPERVISORS AGENDA SUBMITTAL

Appendix B

Short Name/Subject Jenny Lind Veterans Memorial District Lease Agreement		Board Meeting Date November 6, 2018	Agenda Number 4
Dept: Health and Human Services	Agency Human Services	Supervisory District Number	Consent Agenda
Contact: Kristin Brinks Phone: (209) 754-8625			
Published Notice Required? No		Estimated Time: 0 Minutes	
Public Hearing Required? No			
Type of Document? Non Resolution Agreement			
PowerPoint Presentation Included? No			
Budget Transfer Included (Must be signed by Auditor)? No			
Complete Agreement Required? No			
Position Allocation Change? No			

RECOMMENDATION:

Authorize the Board Chair to sign the Jenny Lind Veterans Memorial District Lease Agreement for the leasing of office space for Veteran Services for the term of October 1, 2018 to September 30, 2022 in the amount of \$59,361.00.

DISCUSSION/SUMMARY:

The Health and Human Services Agency (H-HSA)-Human Services Division- Veteran Services Program is currently located at 509 E. Saint Charles San Andreas, commonly referred to as the CalWORKS building. Veteran Services and the Jenny Lind Veterans Memorial District have been working together to develop a space use agreement that will serve the entire veteran population within Calaveras County. The result of this collaboration is this lease agreement that includes \$1,069.75 for the purchase of materials to make modifications to the office space at the Jenny Lind Veterans Memorial District Building to accommodate the appropriate number of offices for Veteran Services. The term of this agreement is October 1, 2018-September 30, 2022.

FINANCING:

There is no increase to the general fund budget used by Veteran Services as a result of this lease. The Human Services budget (10300960-5392) will reflect this change at Mid-year budget. Rent is \$1,214.40 per month; the total not to exceed amount for the four year term of this lease agreement is therefore \$59,361.00.

ALTERNATIVES:

The Board may choose to do any of the following.

- a) Uphold the department's recommendation, or
- b) Continue the item to another date for further consideration. This option is not recommended unless the Board specifically requests additional information which cannot be obtained during this meeting; or
- c) Deny the request. This is not recommended.

APPENDIX C



Jenny Lind Veterans Memorial District

189 Pine Street, P.O. Box 348, Valley Springs, CA 95252
(209) 772-9650 Phone/Fax

BOARD of DIRECTORS

Andrew P. Ballantyne, President/General Manager
Gail Belmont, Secretary/Treasurer
Luis Comandon Jr., Director
David Evans, Safety Director/CPPA Rep.
Michael Weirick, Asst. General Manager

RESOLUTION 2013-09

A RESOLUTION OF THE GOVERNING BOARD OF THE JENNY LIND VETERANS MEMORIAL DISTRICT
ESTABLISHING AUTHORITY TO BORROW

WHEREAS, the Jenny Lind Veterans Memorial District Board by a vote of 4-0, 1 absent at a Special Meeting on August 30, 2013, voted to approve a loan from Rio Vista Bank per their letter of interest dated July 29, 2013.

WHEREAS, the Authority to approve the loan is per the Military and Veterans code section 1191 paragraphs 1190 and 1191, pages 550 and 551.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Jenny Lind Veterans Memorial District board has been authorized to sign the letter of interest from Rio Vista Bank dated July 29, 2013.

ON A MOTION by the Board Director Evans, seconded by Board Director Weirick, the foregoing Resolution was duly passed and adopted by the Board of Directors of the District, this 10th day of September, 2013, by the following vote:

AYES 4

NOES 0

ABSENT 1

ABSTAIN

Andrew P. Ballantyne
Chairman of the Board of Directors

Gail Belmont
Secretary of the Board of Directors

REPONSES TO 2017-2018 FINAL REPORT

Office of the Sheriff

1045 Jeff Tuttle Drive
San Andreas, CA 95249

Rick DiBasilio, Sheriff

209.754.6500
sheriff@co.calaveras.ca.us

FILED

AUG 23 2018

Clerk of the Court
Superior Court of California
County of Calaveras
By [Signature] Deputy

DATE: June 12, 2018
TO: Honorable Timothy S. Healy, Presiding Superior Court Judge
FROM: Rick DiBasilio, Sheriff & Ed Ballard, Captain
SUBJECT: Response to 2017-18 Grand Jury Report Calaveras County Jail
Cc: Board of Supervisors

The 2017-2018 Final Grand Jury Report was reviewed by The Calaveras county Sheriff's Office and staff members. The Grand Jury's investigation into the Sheriff's Jail outlined three (3) findings in which a response from the Sheriff's Office was requested.

F5: Insufficient and inexperienced correctional staff (on average only have eighteen (18) months experience) contributes to safety issues, the ability to efficiently meet daily services and operational needs. Overtime adds job stress. Although the control booths for the pods are designed for two (2) correctional officers, they are frequently only staffed by one (1) correctional officer due to lack of staffing.

Response to F5: Agree with the finding.

F5.R1: Calaveras County Human resources Department needs to continue to request increases to the County Jail budget specifically to fill positions. In order to retain correctional personnel, reduce overtime expenses, reduce continual new employee expenses, stress that can contribute to health issues, loss of job availability, correctional staff and inmate safety, the Board of Supervisors needs to approve the increases in the County Jail budget.

Response to F5.R1: The Sheriff's Office in conjunction with the Human Resources support requested and additional four (4) positions in March of 2018 and an additional position for the FY 2018/2019. These positions are being filled. Over the last several months the Human Resources Office has been working closely with the Sheriff's Office to conduct Officer testing and Officer oral boards. There has been an increase in the amount of applicants for these

F6: For Fiscal Year 2017/2018 budget, overtime expenses was budgeted for two hundred sixty-five thousand dollars (\$265,000.00)

Response to F6: Agree partially.

F6.R1: A portion of this budgeted overtime line item, two hundred sixty-five thousand dollars (\$265,000), should be allocated to be used in the hiring of new correctional personnel for the next fiscal budget 2018/2019.

Response to F6 R1: A primary reason for the need of budgeted overtime is the continued vacant positions due to the turnover of staff as detailed in the Grand Juries findings (FY17/18). Jail personnel in conjunction with Human Resources are diligently working to fill all vacant positions. The jail has been experiencing unprecedented attrition, of employees within one to two years after employment. It is anticipated that the attrition rate of five employees per year will continue in the foreseeable future. In addition to the attrition rate affecting the use of mandatory overtime the jail has been long operating with insufficient relief staffing and the need to have budgeted overtime will continue, to cover staff shortages due to, mandatory trainings, sick leave, workers compensation claims and employee vacations.

F7: Staff wages are not industry competitive contributing to high turnover. Correctional staff to inmate ratio is at one to forty-five (1:45). Calaveras County serves as a training ground for better paying agencies. If this cycle continues it will cost the Calaveras County Jail Department more in unnecessary expenses over the years.

Response to F7: Disagree partially. Human Resources has been working closely with the Sheriff's Office to increase the wages of Correctional Officers. As noted in response to F6 the jail is experiencing a severe attrition rate of its new employees. Officers' Salaries have been increased. Much of the continued attrition is as a result of burn out from extensive mandatory overtime, Officers seeking better benefit packages and careers as sworn Deputies or Officers. The use of mandatory overtime is a main focus of the Sheriff's Administration and attempts are being made to fill vacant position. When and if enough officers can be successfully hired to fill the vacant positions it is anticipated that the use of mandatory overtime will decrease sufficiently enough to allow officers to have additional days off.

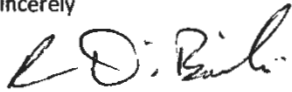
F7.R1: We highly recommend that the Human Resource Department should complete, and the Board of Supervisors needs to approve a competitive wage study.

Response to F7.R1: The Human Resources Department did conducted a Classification and Compensation study for the positions of Correctional Officer increases which were negotiated and approved by the CAO and Board of Supervisors in January of 2018. The positions of

Correctional Corporal and Correctional Sergeant are still 10% to 15% below the surrounding counties.

If you have any questions regarding the responses I can be reached at (209) 754-6500

Sincerely

A handwritten signature in black ink, appearing to read "R. DiBasilio". The signature is fluid and cursive, with a large initial "R" and a stylized "DiBasilio".

Rick DiBasilio, Sheriff



COUNTY OF CALAVERAS

REBECCA TURNER
Clerk-Recorder-Registrar of Voters

891 Mountain Ranch Road, San Andreas, CA 95249

Recorder: (209) 754-6372
Elections: (209) 754-6376
Clerk: (209) 754-6371
Fax: (209) 754-6733

FILED

AUG 29 2018

Clerk of the Court
Superior Court of California
County of Calaveras
By *[Signature]* Deputy

August 28, 2018

The Honorable Timothy S. Healy, Presiding Judge
Superior Court State of California
400 Government Center Drive
San Andreas, CA 95249

Re: Calaveras County Registrar of Voters Response to 2017-2018 Grand Jury Report

Dear Honorable Judge Healy:

In accordance with California Penal Code sections 933 & 933.05, I am submitting this response to the above referenced Grand Jury report, which was received by our office on June 11, 2018.

GRAND JURY FINDINGS OF THE BOARD OF SUPERVISOR RESIDENCY REQUIREMENTS:

Grand Jury Finding 1

After reviewing documents and conducting interviews, the Grand Jury, finds sufficient evidence that all members of the Board of Supervisors have met valid residency requirements for the districts they serve.

County Response to Finding 1

Agreed, at the time of filing their Declaration of Candidacy papers the current Board of Supervisor met the residency requirements to serve the districts in which they reside.

Grand Jury Finding 1, Recommendation 1

To inform the public, the Grand Jury recommends the county publish certifications of qualified candidates for public office promptly following the application deadline, post in local papers under Public Notices and continue to publish on the Calaveras County website.

County Response to Finding 1, Recommendation 1

The Elections Official acknowledges the Grand Jury's recommendation to publish certifications of qualified candidates for public office in local papers under Public Notices. There is no legal mandate to publish the list of qualified candidates in the local newspaper, or on the county website. In an effort to provide information to the public the Elections Department posts a list of qualified candidates on the Calaveras County Elections Office website under <http://elections.calaverasgov.us/Next-Election/Candidates-Measures>. This information is updated daily, during the candidate filing period and then a final list of qualified candidates is posted after the filing period has ended. Since the information is available on the website, and in our office, the Elections Department does not agree it is necessary to publish a list of qualified candidates in the paper under Public Notices. This would incur additional costs to the County, and put excessive requirements on the Elections Department.

GRAND JURY FINDINGS OF THE MEASURE E ELECTION 2016:

Grand Jury Finding 1

The Calaveras County Clerk-Recorder-Registrar of Voters, as head of Elections Division, is charged with multiple, complex duties and finite resources.

County Response to Finding 1

Agreed, the County Clerk-Recorder/Registrar of Voters is responsible for various complex duties, while having limited access to resources. In an effort to expand those resources, the Registrar of Voters organized the County Voter and Language Accessibility Advisory Committee (VAAC/LAAC) in April of 2017. The committee is made of up members of the public to help provide more community involvement in the electoral process. To date the committee has held five meetings and currently has five members. The public can access the VAAC/LAAC page on our website at <http://elections.calaverasgov.us/Voter-Services/Accessible-Voting/VAAC-LAAC>. Meeting dates are posted on the website as well as past meeting agendas.

Grand Jury Finding 1, Recommendation 1

The Calaveras County Clerk-Recorder-Registrar of Voters implement SB 450: California Voter's Choice Act vote center model.

County Response to Finding 1, Recommendation 1

This recommendation requires further exploration of the vote center model. Calaveras County was one of 14 counties who could go to a Vote Center Election in 2018, however the County Elections Official chose not to move forward, due to many unknown dynamics of the vote center model. Two of the most significant challenges that led to the decision not to implement was the undetermined costs, which vote center counties soon found out were astronomical and exceeded their election budgets to meet the requirements of Election Code 4005; the other concerning factor was the ability to track voters who have voted in real time. Prior to implementing vote centers it is imperative that the County has a voting system in place that provides the ability to track in real time who has or hasn't voted to avoid voters inadvertently voting more than once. This would involve purchasing a new voting system. At this point it is unknown how much the State will appropriate to Calaveras County for the implementation of vote centers; therefore, it is difficult to plan for vote centers in 2020.

Grand Jury Finding 2

Recruiting and training of poll workers are on-going challenges.

County Response to Finding 2

Agreed, recruiting and retaining poll workers is an ongoing challenge. The majority of our seasoned poll workers are unable to continue working long hours on Election Day. The Election Code requires the same precinct officers who open the polls be present when closing the polls and for the balancing of the ballots at the end of the night. The poll workers only receive a small stipend in exchange for an enormous amount of responsibility. Poll workers receive five dollars plus mileage for attending a three-hour training class. At the training class they are provided a manual and a checklist. The Elections office will be implementing an online training solution to provide poll workers with 24-7 access to a training video, along with the guide and other training materials.

Grand Jury Finding 2, Recommendation 1

The Calaveras County Clerk-Recorder-Registrar of Voters implement SB 450 to reduce training demands and staffing.

County Response to Finding 2, Recommendation 1

Implementing SB450 would reduce the amount of poll workers needed, however the training demands would increase. To be adequately trained for working at the vote center, staff will need to have at least three weeks training on policies and procedures and also receive training on the Election Management System that would be used to check voters in, issue ballots, and log returning vote by mail ballots.

Grand Jury Finding 3

Although provisions were in place to ensure correct ballots to voters, there were seven ballots erroneously issued during the 2016 election concerning Measure E.

County Response to Finding 3

Agreed, provisions were in place to ensure voters received the proper ballot types. Each precinct receives a roster with the voters' names, residence addresses and the ballot type they should be issued. Poll-workers are trained to look at the roster to identify which ballot type is to be issued. The Elections Department inventories the ballots supplied to each precinct and provides the inspector a receipt to prove that the inventory supplied is correct. It was brought to the Elections Office's attention that ballots were not be distributed correctly, and the department immediately contacted the precinct and disbursed a rover, a county employee, to supervise the ballot distribution for the remainder of the day.

Grand Jury Finding 3, Recommendation 1

The Calaveras County Clerk-Recorder-Registrar of Voters implement SB 450 to reduce problems with ballot distribution.

County Response to Finding 3, Recommendation 1

SB450 reduces the number of voting sites countywide from 16 to three. The three locations must have all ballot types for the county available at each location. With temporary staff working at each location it will be even more critical to ensure ballot distribution policies are followed. The best practice would be to use of a ballot on demand printer; the system would print the voter's ballot at the time the ballot was issued, reducing the chance of issuing erroneous ballot types. Purchasing a ballot on demand printer would require the county to purchase a new voting system and at this point, the county does not have funds to purchase a new voting system. Implementing SB 450 without a ballot on demand printer, would mean each voting site would have a minimum of 30 ballot types to distribute to voters and significantly increases the chances of issuing the incorrect ballot type erroneously.

Grand Jury Finding 3, Recommendation 2

The Calaveras County Clerk-Recorder-Registrar of Voters continue to review and revise the Elections Division quality assurance/control procedures in order to eliminate mistakes in the distribution of ballots.

County Response to Finding 3, Recommendation 2

Agreed, additional quality assurance/control protocols should be put into place to eliminate mistakes in the distribution of ballots. With the current voting model, each position at the polling place will be provided a quick overview checklist in addition to the current manuals, and training materials provided. The best case scenario to avoid errors in ballot distribution, is to implement a voting model that reduces the number of ballots for voting site staff to handle, such as SB 450.

Grand Jury Finding 4

Determining the jurisdiction of ballots for special districts is complex. Seven voters were disenfranchised in a special district election in 2016. However, according to the Elections Division's numerical determination, those disenfranchised voters would not have changed the election outcome.

County Response to Finding 4

Agreed, on November 8, 2016, Election Day, poll workers inadvertently issued the wrong ballot type to seven voters. This was an unfortunate error and as soon as the Elections Department was advised of the issue a county employee was dispatched to that precinct to assist the poll workers.

Those voters should have received ballot type 11 which would have included Measure E; instead they received ballot type seven with all the correct contests excluding Measure E. A total of 51 votes were cast for Measure E. The Measure required 34 votes in favor of the measure to pass with a two-thirds (2/3) vote. If all seven voters who received the incorrect ballot type voted in favor of passage of the measure, the total yes votes would equal 32, which would not have been enough for the measure to pass. Due to the close contest, a 100% manual recount was conducted to ensure all votes were tabulated correctly, it was determined all votes were tabulated correctly, and the measure did not receive the required two-thirds (2/3) vote to pass, even if all seven of those voters had voted in favor of the measure, it still would not have received the two-thirds (2/3) vote required to pass.

Grand Jury Finding 4, Recommendation 2

The Calaveras County Clerk-Recorder-Registrar of Voters implement SB 450 to reduce problems with ballot distribution.

County Response to Finding 4, Recommendation 2

SB450 reduces the number of voting sites countywide from 16 to three. The three locations must have all ballot types for the county available at each location. With temporary staff working at each location it will be even more critical to ensure ballot distribution policies are followed. The best practice would be to use of a ballot on demand printer; the system would print the voter's ballot at the time the ballot was issued, reducing the chance of issuing erroneous ballot types. Purchasing a ballot on demand printer would require the county to purchase a new voting system and at this point, the county does not have funds to purchase a new voting system. Implementing SB 450 without a ballot on demand printer, would mean each voting site would have a minimum of 30 ballot types to distribute to voters and significantly increases the chances of issuing the incorrect ballot type erroneously.

Grand Jury Finding 4, Recommendation 3

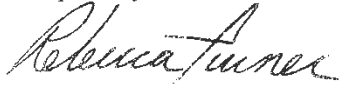
The Calaveras County Clerk-Recorder-Registrar of Voters (Elections Division) establish a policy to waive the filing fee in cases that involve the disenfranchisement of voters.

County Response to Finding 4, Recommendation 3

The County Elections Official Respects the Grand Jury's request to establish a policy to waive filing fees in cases that involve the disenfranchisement of voters. In the event the outcome of an election could have changed due to voter disenfranchisement, or an error on the part of the county, the current policy is to waive fees for services provided to the jurisdiction impacted. The Elections Department will continue honoring that policy. The District has the option to bring another measure forward to be placed on a future election ballot.

Your observations, together with the consideration of our responses, serve to remind and assure the public as to the openness and integrity of the electoral process conducted in Calaveras County. I appreciate the opportunity to address the concerns mentioned in the Grand Jury Report.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Rebecca Turner".

Rebecca Turner
Clerk-Recorder/Registrar of Voters

cc: Board of Supervisors, c/o Diane Severud, Deputy Board Clerk
County Counsel



County of Calaveras
County Administrative Office
Timothy Lutz • *County Administrative Officer*
891 Mountain Ranch Road • San Andreas, CA 95249
209.754.6025 • FAX 209.754.6316

FILED

AUG 31 2018

[Signature]
Clerk of the Court
Superior Court of California
County of Calaveras
By *[Signature]* Deputy

July 31, 2018

The Honorable Timothy S. Healy, Presiding Judge
Calaveras County Superior Court
400 Government Center Drive
San Andreas, CA 95249

RE: Response to 2017-2018 Grand Jury Report

Dear Judge Healy,

Please find below the Human Resources Department response to the 2017-2018 Grand Jury Report in regard to the Calaveras County Animal Services and Jail.

CALAVERAS COUNTY ANIMAL SERVICES:

F1: The ACS is constrained due to ever present budgetary limitations and could generate funds within the department (e.g. license compliance) if provided an approved budget to properly staff the ACS operation.

Response to F1: The Human Resources Department disagrees partially with the finding. The HR Department has recommended an additional part-time Office Tech but there is not enough information to confirm that the position could be supported through the compliance of licensing. Any additional positions would require funding from the General Fund and HR does not have any authority in this area.

F1.R1: Calaveras County Human Resource Department needs to increase the ACS budget and the Calaveras County Board of Supervisors needs to approve the increase proposed for the ACS budget to efficiently and effectively operate at a higher level of productivity.

Response to F1.R1: The recommendation will not be implemented because Human Resources do not have involvement in the approval of the ACS budget.

*Administration • Human Resources • Risk Management • Information Technology • Capital
Improvement Projects • Purchasing • Facilities • Office of Emergency Services • Economic
Development • Airport • Public Access Television •*

F2: The Animal Service Manager does not have a backup Supervisor to perform the duties as needed. There is an open position for someone who left to accept higher pay in an adjoining county.

Response to F2: The Human Resources Department disagrees wholly because there is not an open position within the department.

F2.R1: Calaveras County Human Resource Department needs to add, and the Calaveras County Board of Supervisors needs to approve, an additional position to assist the Animal Service Manager and the vacant position needs to be filled.

Response to F2.R1: The recommendation will not be implemented since the Animal Services Manager is new to Calaveras County and needs time to analyze the needs of his department. The position referenced has been filled by an Animal Services Officer II.

F4: The existing aging and obsolete animal shelter was never designed to be an animal shelter, is small and outdated (built in the 1950's) to adequately meet the daily services and operational needs for animal housing. The layout of the facility includes five separate buildings and a corral area and is inadequate to promote efficient and productive operation of ACS. Due to the lack of fencing there is no secondary containment on any of the 6.93 acres. This creates an unsafe condition for staff, animals and the public.

Response to F4: The Human Resources Department disagrees wholly only because this is not within the scope of HR.

F4.R1: Director of Environmental Health needs to budget for, and the Calaveras County Board of Supervisors needs to approve, a budget for the construction of a modern facility that reduces the number of buildings and includes a secondary fence to effectively and safely contain animals to bring the ACS up to current recommended industry standards.

Response to F4.R1: The recommendation will not be implemented because these recommendations are not within the scope of HR.

F5: A partnership with the Humane Society, based on a 2016 preliminary memorandum of understanding (MOU) to build a 6.93 acre, jointly operated Animal Shelter, fell through. The Humane Society Board lost faith in the County's ability to provide a yearly funding amount for the existing ACS. There was a slower than expected progress on the ACS discussions which is the reason for the ACS deal falling through. This should have never happened. The partnership MOU should have moved forward in a timely manner. A partnership with the Humane Society would have streamlined services and expenses for a new facility.

Response to F5: The Human Resources Department disagrees wholly only because this is not within the scope of HR.

F5.R1: Any future MOUs with the Human Society, the Calaveras County ACS management and the Board of Supervisors need to demonstrate “Good Faith” and timely progress in the partnership.

Response to F5.R1: The recommendation will not be implemented by Human Resources because the HR Department is not a part of the decision making process.

CALAVERAS COUNTY JAIL:

F5: Insufficient and inexperienced correctional staff (on average only have eighteen (18) months experience) contributes to safety issues, the ability to efficiently meet daily services and operational needs. Overtime adds to job stress. Although the control booths for the pods are designed for two (2) correctional officers, they are frequently only staffed by one (1) correctional officer due to lack of staffing.

Response to F5: Agree with the finding.

F5.R1: Calaveras County Human Resource Department needs to continue to request increases to the County Jail budget specifically to fill positions. In order to retain correctional personnel, reduce overtime expenses, reduce continual new employee expenses, stress that can contribute to health issues, loss of job availability, correctional staff and inmate safety, the Board of Supervisors needs to approve the increase in the County Jail budget.

Response to F5.R1: The recommendation will not be implemented by Human Resources since it has already requested 4 new positions in March of 2018 and an additional position for FY 2018/2019. These positions were approved and are being filled.

F6: For Fiscal Year 2017/2018 budget, overtime expense was budgeted for two hundred sixty-five thousand dollars (\$265,000).

Response to F6: Agree partially with the finding. Human Resources is recruiting to fill the open positions but due to training that will have to occur, overtime will still be required.

F6.R1: A portion of this budgeted overtime line item, two hundred sixty-five thousand dollars (\$265,000), should be allocated to be used in the hiring of new correctional personnel for the next fiscal budget 2018/2019.

Response to F6.R1: The recommendation requires further analysis. Human Resources is aggressively recruiting for the vacant positions and when filled new

correctional officers will have to go through training which means that there is not an immediate relief and the OT is still needed.

F7: Staff wages are not industry competitive contributing to high turnover. Correctional staff to inmate ratio is at one to forty-five (1:45). Calaveras County serves as a training ground for better paying agencies. If this cycle continues it will cost the Calaveras County Jail Department more in unnecessary expenses over the years.

Response to F7: Disagree partially with the finding. The salaries are only a part of the reason for turnover. Correctional Officers salaries have been increased and new positions are aggressively being recruited and hired for. It is the opinion of the Human Resources department that besides salary, the other reason for turnover is the mandatory overtime. Once the new officers are trained and actively working on their own the turnover will slow down since the demand on overtime will lessen significantly.

F7.R1: We highly recommend that the Human Resource Department should complete, and the Board of Supervisors needs to approve a competitive wage study.

Response to F7.R1: The Human Resources Department has conducted a Classification and Compensation study for the positions of Correctional Officer as well as other positions within the jail to identify the extent of the disparity in pay compared to surrounding counties and counties of like size. As a result of this study increases were negotiated and approved by the CAO and Board of Supervisors in January of 2018. These increases, once all of them have been implemented, will bring the correctional officers in line with surrounding counties. The positions of Correctional Corporal and Correctional Sargent are still 10% to 15% below the surrounding counties.

F7.R2: Calaveras County Human Resources Department needs to request an increase in correctional staff salaries. In order to retain correctional staff, the Calaveras County Board of Supervisors needs to continue to approve the increase in wages to a competitive level.

Response to F7.R2: The recommendation has been implemented. The negotiations which took place in 2018 gave the correctional officers a 5% equity increase in March 2018 and another 5% equity increase in September of 2018. The officers also received a 2% COLA in February of 2018, 1% COLA in July and will receive a 2% COLA in January of 2019. Negotiations with the bargaining unit will begin again in March of 2019.

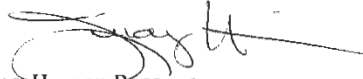
F8: Additional nursing staff is needed to meet medical requirements and requests. Examples include safely administering medications and performing inmate medical assessments.

Response to F8: Wholly disagree only because the medical requirements are handled by an outside contractor and outside the scope of HR.

F8.R1: Calaveras County Human Resource Department and the Board of Supervisors needs to increase the County Jail budget specifically to fill an additional Nurse Practitioner position to meet medical inmate needs, requirements and requests.

Response to F8.R1: The recommendation will not be implemented by Human Resources. The position of the Nurse Practitioner is managed through an outside contract and any changes to that contract would be handled by the Sheriff's Department and not Human Resources.

Judy Hawkins
Deputy CAO/Director of Human Resources & Risk Mgt.



cc: Human Resources
County Counsel
Administration



CALAVERAS COUNTY

BOARD OF SUPERVISORS

891 Mountain Ranch Road

San Andreas, California 95249

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August 28, 2018

The Honorable Timothy S. Healy, Presiding Judge
Superior Court State of California
P.O. Box 850
San Andreas, CA 95249

FILED

AUG 29 2018

Clerk of the Court
Superior Court of California
County of Calaveras
By [Signature] Deputy

RE: Board of Supervisors Response of 2017-18 Grand Jury Report

Dear Judge Healy,

The County of Calaveras, Board of Supervisors submits the following responses to the 2017-18 Grand Jury Report findings regarding the Calaveras County Animal Control Services and the Calaveras County Jail Facility. The Board wishes to thank the members of the Grand Jury for their professionalism and dedication to public service which made this report possible.

GRAND JURY FINDINGS ON THE CALAVERAS COUNTY ANIMAL CONTROL SERVICES

Grand Jury Finding 1

The ACS is constrained due to ever present budgetary limitations and could generate funds within the department (e.g. license compliance) if provided an approved budget to properly staff the ACS operation.

County Response to Finding 1

The Board of Supervisors partially agrees with the finding.

Grand Jury Finding 1, Recommendation 1

Calaveras County Human Resources Department needs to increase the ACS budget and the Calaveras County Board of Supervisors needs to approve the increase proposed for the ACS budget to efficiently and effectively operate at a higher level of productivity.

County Response to Finding 1, Recommendation 1

This recommendation requires further analysis. The Board of Supervisors is aware of historical difficulties with keeping an adequate staffing level in Animal Services. Rather than identify the challenges as only a budget constraint, the Board of Supervisors is interested in a complete analysis of the program, its focus and operations. With the hiring of both a new Animal Services Manager and Director of Environmental Management, it is anticipated that there will be a complete review of the Animal Services program, resulting in changes to program operations as well as potential budgetary changes that would come to the Board of Supervisors for consideration.

Grand Jury Finding 2

The Animal Services Manager does not have a backup Supervisor to perform the duties as needed. There is an open position for someone who left to accept higher pay in an adjoining county.

Gary Totanelli
District 1
286-9002

Jack Garamendi
District 2
286-9003

Michael C Oliveira
District 3
286-9007

Dennis Mills
District 4
286-9050

Clyde Clapp
District 5
286-9059



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County Response to Finding 2

The Board of Supervisors partially agrees with the finding. The Animal Services Manager does not have a backup Supervisor; in the absence of the Manager, oversight of the program would fall under the oversight of the Director of Environmental Management. The Board of Supervisors is not aware of an open supervisor position in the program where someone left to accept higher pay in an adjoining county.

Grand Jury Finding 2, Recommendation 1

Calaveras County Human Resources Department needs to add, and the Calaveras County Board of Supervisors need to approve, an additional position to assist the Animal Service Manager and the vacant position needs to be filled.

County Response to Finding 2, Recommendation 1

This recommendation requires further analysis. The Board of Supervisors is interested in the analysis and recommendations of the newly hired Animal Services Manager on the needs within the Animal Services program. If the recommendation comes back that an additional staff person needs to be added, the Board of Supervisors will review the funding sustainability of adding the position and decide whether sufficient ongoing revenue will allow the adding of an additional position.

Grand Jury Finding 3

A study conducted by the Calaveras County Human Resources Department showed Calaveras Animal Shelter employees received 15% less pay than adjoining counties. Based on the above-mentioned study, the Board of Supervisors in January 2018 moved to approve Animal Control Officers to receive an "Equity Adjustment" of 5% on 3/3/18 and an additional 5% on 9/29/18 in addition to the negotiated COLA. Once the increase in higher pay is received there will remain a 5% deficiency compared to adjoining counties.

County Response to Finding 3

The Board of Supervisors agrees with the finding.

Grand Jury Finding 3, Recommendation 1

The Grand Jury recommends the Board of Supervisors continue to approve "equity" adjustments until wages are comparable to adjoining counties.

County Response to Finding 3, Recommendation 1

This recommendation will not be implemented. Wages and equity adjustments for employees under a union represented bargain unit are negotiated. If the unions that represent the employees at the Animal Services facility request additional equity increases during the negotiation of the next labor contract, the Board of Supervisors will consider the request. In making the determination of whether to increase the Animal Services staff, the Board of Supervisors will consider all County positions, continuing to give priority, subject to the availability of funds, to those classifications that are the furthest under comparison counties.

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Grand Jury Finding 4

The existing aging and obsolete animal shelter was never designed to be an animal shelter, is small and outdated (built in the 1950's) to adequately meet the daily services and operational needs for animal housing. The layout of the facility includes five separate buildings and a corral area and is inadequate to promote efficient and productive operation of ACS. Due to the lack of fencing there is no secondary containment of any of the 6.93 acres. This creates an unsafe condition for staff, animals and the public.

County Response to Finding 4

The Board of Supervisors partially agrees with this finding. The current facility was built in the 1960's and the service needs have outgrown the shelter. The County recently hired a safety consultant to review the operations and practices of all County facilities, including the animal shelter. Nowhere did the consultant identify, nor does the Board of Supervisors feel that a lack of fencing by itself creates an unsafe condition. Not following property handling practices, ensuring potentially vicious animals do not interact and other factors create unsafe conditions.

Grand Jury Finding 4, Recommendation 1

Director of Environmental Health needs to budget for, and the Calaveras County Board of Supervisors needs to approve, a budget for the construction of a modern facility that reduces the number of buildings and includes a secondary fence to effectively and safely contain animals to bring the ACS up to current recommended industry standards.

County Response to Finding 4, Recommendation 1

This recommendation requires further analysis. The Board of Supervisors agrees that the current Animal Services facility is not ideal to meet the service demands placed upon the program. The Board of Supervisors tasked the County Administrative Office with conducting a countywide space utilization study to address aging facilities and identify all County Departments that have outgrown their current space and then to bring recommendations back to the Board of Supervisors on funding sources and project plans to address the identified problems. Funding for constructing new buildings remains a challenge for the County, with multiple Departments in immediate need of a new building or alternative location. The Board of Supervisors will consider all Department space requests and prioritize construction projects based on need, worker safety, and available funding.

Grand Jury Finding 5

A partnership with the Humane Society, based on a 2016 preliminary memorandum of understanding (MOU) to build a 6.93 acre, jointly operated Animal Shelter, fell through. The Humane Society Board lost faith in the County's ability to provide a yearly funding amount for the existing ACS. There was a slower than expected progress on the ACS discussions which is the reason for the ACS deal falling through. This should have never happened. The partnership MOU should have moved forward in a timely manner. A partnership with the Humane Society would have streamlined services and expenses for a new facility.

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County Response to Finding 5

The Board of Supervisors partially agrees with this finding. The negotiations on a jointly operated shelter were terminated by the Humane Society. While not directly involved in the negotiations, the Board of Supervisors was made aware that a deal was terminated by the Humane Society by the negotiating party. The progress of the negotiations were hampered by turnover in both the Environmental Management Agency and County Administration, which necessitated some parties having to get up to speed on prior discussion. While the preliminary MOU outlined the duties and responsibilities of both the County and the Humane Society, there still remained a number of areas that needed to be clarified, including questions on what the shared staffing would be and which animals would be the responsibility of the County and which would be the responsibility of the Humane Society.

Grand Jury Finding 5, Recommendation 1

Any future MOUs with the Humane Society, the Calaveras County ACS management and the Board of Supervisors need to demonstrate "Good Faith" and timely progress in the partnership.

County Response to Finding 5, Recommendation 1

This recommendation will be implemented. The Board of Supervisors contends that the County demonstrated good faith in the previous negotiations with the Humane Society, but that the County was not given time to conclude negotiations. The delays in negotiations were the result of the aforementioned turnover of key staff involved in the negotiation and do not represent bad faith on the County's part.

Grand Jury Finding 6

In researching past Grand Jury reports this year's Grand Jury found that a new facility has been recommended to the Board of Supervisors for nearly 20 years.

County Response to Finding 6

The Board of Supervisors Agrees with the Finding.

Grand Jury Finding 6, Recommendation 1

The Grand Jury recommends again that the Board of Supervisors approve an ACS budget for a new facility.

County Response to Finding 6, Recommendation 1

This recommendation requires further analysis. Per the response to finding 4, recommendation 1 of this report, the Board of Supervisors has tasked County Administration with conducting a comprehensive space utilization plan. It is anticipated that the plan will encompass recommendations for the Animal Services facility.

Grand Jury Finding 8

During our tour at Calaveras ACS on February 1, 2018 there was mention of considering an outside agency to conduct a feasibility study to create a ballot measure for increasing the ACS budget.

County Response to Finding 8

The Board of Supervisors Agrees with this finding. Per the report from the Director of Environmental Management, Department staff did mention there being an interest in contracting with an outside organization to assist in a ballot measure to construct a new animal shelter.

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Grand Jury Finding 8, Recommendation 1

Director of Environmental Health (which ACS reports to), Calaveras Human Resource Department and ACS should continue to pursue the feasibility study to create a ballot measure that could fund a new facility.

County Response to Finding 8, Recommendation 1

This recommendation requires further analysis. The Board of Supervisors would like to receive a report from the Environmental Management Agency, with input by the County Administrative Officer, on the costs of funding an outside organization to develop a ballot measure. The Board of Supervisors is interested in a cost/benefit analysis of a contracted firm doing such as initiative verses local outreach. There are a lot of volunteer animal organizations within Calaveras County who likely would help spearhead this initiative. A local initiative, run by local leaders, may be more effective than one run by an outside organization.

Grand Jury Finding 9

The current vehicles are in poor condition, inadequate and not functional for the ACS needs. One has very high mileage (over 100,000 miles), and one is currently out of service. All vehicles, when received, have been used vehicles and not designed for animal control according to interviewed representatives. At the February 1, 2018 ACS meeting, the Grand Jury was informed the County Board of Supervisors allotted \$40,000 to purchase a new specialized vehicle.

County Response to Finding 9

The Board of Supervisors agrees with this finding.

Grand Jury Finding 9, Recommendation 1

Director of Environmental Health and the Board of Supervisors needs to budget for the purchase of two additional new specialized vehicles.

County Response to Finding 9, Recommendation 1

This recommendation will be implemented. The Board of Supervisors has repeatedly stressed the importance of updating essential equipment on a continual basis along a laid up upgrade schedule. The goal is to avoid having all equipment breakdown or need to be replaced at the same time. Over the last two fiscal years, the Board of Supervisors has approved budgets that include large amounts of necessary equipment replacements in many County Departments.

Grand Jury Finding 10

There are industry standards established such as found in "Guidelines for Standards of Care in Animal Shelters," 2010, or similar guidelines.

County Response to Finding 10

The Board of Supervisors agrees with this finding.

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Grand Jury Finding 10, Recommendation 1

The Director of Environmental Health needs to monitor and ensure ACS follows "Guidelines for Standards of Care in Animal Shelters," 2010 or a similar guideline to improve efficiency, effectiveness and productivity of the ACS specifically for facility improvement and operational services improvement.

County Response to Finding 10, Recommendation 1

This recommendation will be implemented. The Board of Supervisors would like to see the Animal Services facility operate under standardized guidelines. The hiring of a new Animal Services Manager provides an opportunity to implement changes in shelter and in the field practices.

GRAND JURY FINDINGS ON THE CALAVERAS COUNTY JAIL

Grand Jury Finding 5

Insufficient and inexperienced correctional staff (on average only have eighteen (18) months experience) contributes to safety issues, the ability to efficiently meet daily services and operational needs. Overtime adds to job stress. Although the control booths for the pods are designed for two (2) correctional officers, they are frequently only staffed by (1) correctional officer due to a lack of staffing.

County Response to Finding 5

The Board of Supervisors agrees with the finding.

Grand Jury Finding 5, Recommendation 1

Calaveras County Human Resource Department needs to continue to request increases to the County Jail budget specifically to fill positions. In order to retain correctional personnel, reduce overtime expenses, reduce continual new employee expenses, stress that can contribute to health issues, loss of job availability, correctional staff and inmate safety, the Board of Supervisors needs to approve the increase to the County Jail budget.

County Response to Finding 5, Recommendation 1

This recommendation has been implemented. The Board of Supervisors approved the addition of four new correctional officer positions at its regular meeting on April 24, 2018. An additional correctional officer position was approved in the Fiscal Year 2018-19 budget. Overall, the budget of the jail was increased by 18.58% over the Fiscal Year 2017-18 budget.

Grand Jury Finding 6

For Fiscal Year 2017-18 budget, overtime expense was budgeted for two hundred sixty-five thousand dollars (\$265,000.00).

County Response to Finding 6

The Board of Supervisors agrees with the finding.

Grand Jury Finding 6, Recommendation 1

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A portion of this budgeted overtime line item, two hundred sixty-five thousand dollars (\$265,000.00), should be allocated to be used in the hiring of new correctional personnel for the next fiscal budget 2018/19.

County Response to Finding 6, Recommendation 1

This recommendation will not be implemented. The Board of Supervisors has repeatedly stressed the importance of hiring vacant correction positions and adding additional positions to the jail. The Board of Supervisors has also emphasized that overtime due to staffing shortages should be reduced or eliminated wherever possible. However, moving funds from the overtime budget line and allocating it to salaries will not alone solve the staffing issue, as there are a number of vacant positions already funded in the budget – all positions in the jail are funded at this time. Next fiscal year, if overtime expenditures are down, then the overtime budget would be reduced and those revenues allocated elsewhere in the budget.

Grand Jury Finding 7

Staff wages are not industry competitive contributing to high turnover. Correctional staff to inmate ratio is at one to forth-five (1:45). Calaveras County serves as a training ground for better paying agencies. If this cycle continues it will cost the Calaveras County Jail Department more in unnecessary expense over the years.

County Response to Finding 7

The Board of Supervisors partially agrees with the finding. Turnover has been high in the jail, where a number of correctional officers have left and went to other institutions. Officer pay is one factor that has contributed to turnover. In order to address the pay disparity of correctional staff, the Board of Supervisors ratified a new labor agreement with the County of Calaveras Public Safety Employees Association (CCPSEA) in February 2018, which included a total 10% increase in correctional officer, corporal, and sergeant salaries, and another 5% in cost of living adjustments (COLA).

Grand Jury Finding 7, Recommendation 1

We highly recommend that the Human Resource Department should complete, and the Board of Supervisors needs to approve a competitive wage study.

County Response to Finding 7, Recommendation 1

This recommendation has been implemented. During the most recent round of labor negotiations, the Human Resources Department conducted a salary study of all County positions. That study identified a number of classifications in Calaveras County that needed an equity adjustment. The Board of Supervisors subsequently approved the aforementioned increases in salaries for the correctional facility positions.

Grand Jury Finding 7, Recommendation 2

Calaveras County Human Resource Department needs to request an increase in correctional staff salaries. In order to retain correctional staff, the Calaveras County Board of Supervisors needs to continue to approve the increase in wages to a competitive level.

County Response to Finding 7, Recommendation 2

This recommendation will not be implemented. Wages and equity adjustments for employees under a union represented bargain unit are negotiated. If the unions that represent the employees at the County jail request additional equity increases during the negotiation of the next labor contract, the Board of Supervisors will

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consider the request. In making the determination of whether to further increase correctional staff salaries, the Board of Supervisors will consider all County positions, continuing to give priority, subject to the availability of funds, to those classifications that are the furthest under comparison counties.

Grand Jury Finding 8

Additional nursing staff is needed to meet medical requirements and requests. Examples include safely administering medications and performing inmate medical assessments.

County Response to Finding 8

The Board of Supervisors needs additional information to completely respond to this finding. On December 5, 2017, the Board of Supervisors approved an amendment to the contract with California Forensics Medical Group, Inc. (CFMG), which included increasing the time that nursing staff are at the facility, to include weekends and later into the evening. Mental health provider services were also increased. A significant goal of this increase was to eliminate correctional officers from administering any medication to inmates. The Board of Supervisors is not aware of correctional officers performing any inmate medical assessments. The Sheriff's Department has not indicated there is a need for expanded medical care to the facility inmates, beyond what was addressed by the Board in December 2017.

Grand Jury Finding 8, Recommendation 1

Calaveras County Human Resources Department and the Board of Supervisors needs to increase the County Jail budget specifically to fill an additional Nurse Practitioner position to meet medical inmate needs, requirements and requests.

County Response to Finding 8, Recommendation 1

This recommendation requires further analysis. As noted in the response to this finding, the Board of Supervisors increased the availability of nursing staff in December 2017. While a Nurse Practitioner was not added to the services provided, if inmates require higher medical care, they are provided that care either in the facility or at the nearby hospital. The contract for medical services in the jail will be going out to a request for proposal (RFP) later this year; as the RFP is developed, the County Administrative Office will work with Sheriff's Department to identify any additional services that are needed in a prospective contractor.

Grand Jury Finding 10

Deputies, corporals, and sergeants received a seven-point five percent (7.5%) pay increase in March 2018 and will received another seven-point five percent (7.5%) increase in September 2018. In addition, other workers from the Deputy Sheriff's Association will receive a two-point five percent (2.5%) increase.

County Response to Finding 10

The Board of Supervisors agrees with the finding.

Grand Jury Finding 10, Recommendation 1

Calaveras County needs to continue to follow the Grand Jury's recommendations for more equitable wage increases.

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County Response to Finding 10, Recommendation 1

The Board of Supervisors requires additional information to respond to this recommendation. The Board of Supervisors feels that the County has been equitable in approving salary equity adjustments and has followed a consistent process. The Board of Supervisors requested the Human Resources Department to conduct a complete salary survey of all County positions and then rank positions based on how large the disparity was with comparison counties. The positions that were the furthest below the comparison counties were given additional equity adjustments, beyond the cost of living adjustments (COLA) that was given to all employees. In the negotiations with the Calaveras County Public Safety Employees Association (CCPSEA), the correctional officers, corporals, and sergeants each received a 5% increase on March 3, 2018 and will receive another 5% on September 29, 2018. The positions will also receive 5% in COLAs.

GRAND JURY FINDINGS ON THE MEASURE E ELECTION 2016

Grand Jury Finding 1

The Calaveras County Clerk-Recorder-Registrar of Voters, as head of the Elections Division, is charged with multiple, complex duties and finite resources.

County Response to Finding 1

The Board of Supervisors agrees with the finding.

Grand Jury Finding 1, Recommendation 2

The Calaveras County Clerk-Recorder-Registrar of Voters implement SB 450 with the support of the Board of Supervisors' approval of adequate funding in the budget to support the Elections Division and implementation of SB 450.

County Response to Finding 1, Recommendation 2

This recommendation requires further analysis. The Board of Supervisors is fully committed to ensuring every voter in Calaveras County has ample opportunity to vote. The Board of Supervisors concurs with the County Clerk-Recorder-Registrar of Voters in wanting to ensure funding is appropriated at the State level to purchase the necessary equipment and voting system and that the issuing of ballots is being tracked in real time. The Board of Supervisors will continue to monitor the discussion as it unfolds at the State level.

Sincerely,

Gary Tofanelli
Chairman, Calaveras County Board of Supervisors

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Calaveras County
Environmental Management Agency

Government Center, 891 Mountain Ranch Road, San Andreas, CA 95249-909
Brad Banner, Administrator

FILED

July 29, 2018

Calaveras County Superior Court
400 Government Center Drive,
San Andreas, CA 95249

AUG -2 2018
Clerk of the Court
Superior Court of California
County of Calaveras
By Deputy

Attn: Honorable Timothy S. Healy, Presiding Judge

Attached are responses to the Grand Jury Final Report 2017-2018 on behalf of Animal Services.

A handwritten signature of Brad Banner.

Brad Banner, Administrator
Environmental Management Agency

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Onsite Wastewater
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Air Pollution Control
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Animal Services
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Agriculture & Weights and Measures
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F1. The ACS is constrained due to ever present budgetary limitations and could generate funds within the department (e.g. license compliance) if provided an approved budget to properly staff the ACS operation.

Partially disagree. Developing backup staffing for the Office Technician would result in some increased licensing revenue due to stabilization of office hours. Revenue from licenses could be increased more effectively by providing officers with computer access in the field to determine licensure status of animals encountered, through a streamlined system of license renewal, and through re-prioritization of staff's time to put greater emphasis on license enforcement. It is highly unlikely that the cost of hiring an additional Animal Services Officer would be offset by additional licensing revenue.

F2. The Animal Service Manager does not have a backup Supervisor to perform the duties as needed. There is an open position for someone who left to accept higher pay in an adjoining county.

Agree. The open field staff position has been filled by an Animal Services Officer II. The Animal Services Manager could benefit by someone to back him up within his department. The new Animal Services Manager needs to become familiar with the operation of the shelter and field program and provide a recommendation concerning the type of support that he will need, whether it be an Animal Services Officer III, an Animal Services Supervisor, a second Office Technician, or an Administrative Assistant. The timing for creation of this position will be based on an assessment of departmental priorities and available funding.

F3. A study conducted by the Calaveras County Human Resources Department showed Calaveras Animal Shelter employees received 15% less pay than adjoining counties. Based on the above-mentioned study, the Board of Supervisors in January 2018 moved to approved Animal Control Officers to receive an "Equity Adjustment" of 5% on 3/3/18 and an additional 5% on 9/29/18 in addition to the negotiated COLA. Once the increase in higher pay is received there will remain a 5% deficiency compared to adjoining counties.

Partially disagree. It is very important that the department's wages and benefits be roughly equivalent to the wages of benefits of staff in other counties, especially with those of the neighboring foothill counties. After reviewing the salary survey spreadsheets generated by Human Resources, and comparing Calaveras County wages with wages of comparable staff in the neighboring foothill counties of Amador and Tuolumne, it appears that the department's shelter staff wages are roughly equivalent with similar positions in those counties, with the department's shelter staff wages exceeding Tuolumne shelter staff wages by 6.4%, but lagging behind Amador shelter staff wages by 16.8%. Questions regarding the salary survey are best directed at Human Resources.

F4. The existing aging and obsolete animal shelter was never designed to be an animal shelter, is small and outdated (built in the 1950's) to adequately meet the daily services and operational needs for animal housing. The layout of the facility includes five separate buildings and a corral area and is inadequate to promote efficient and productive operation of ACS. Due to the lack of fencing there is no secondary containment on any of the 6.93 acres. This creates an unsafe condition for staff, animals and the public.

Partially disagree. The existing shelter was built in the 1960s and needs to be replaced. However, the current number of buildings and their age alone does not create an unsafe condition for staff, provided the facilities are managed and maintained adequately.

F5. A partnership with the Humane Society, based on a 2016 preliminary memorandum of understanding (MOU) to build a 6.93 acre, jointly operated Animal Shelter, fell through. The Humane Society Board lost faith in the County's ability to provide a yearly funding amount for the existing ACS. There was a slower than expected progress on the ACS discussions which is the reason for the ACS deal falling through. This should have never happened. The partnership MOU should have moved forward in a timely manner. A partnership with the Humane Society should have streamlined services and expenses for a new facility.

Partially disagree. While a partnership with the Calaveras Humane Society (CHS) for development of a new shelter would have potentially been an optimal solution, a variety of issues left unanswered by the preliminary MOU were not addressed in the proposed "final" MOU. Final distribution of costs and funding were issues that were discussed, but they were not the primary focal point of negotiation prior to CHS deciding to withdraw from the process.

Questions still needing to be clarified included: (1) Would CHS take possession and responsibility for all animals brought into the shelter after the required holding period or just ones desirable for adaption?; (2) Would the responsibility for euthanizing animals fall entirely on Animal Services staff or could duty be shared by the partners?; (3) What should be the process for resolving disputes? The issue of dispute resolution needed to be addressed.

CHS also noted that: (1) Significant progress has been made by Animal Services in the management and re-homing of animals received at the shelter reducing the urgency in fund raising for a new shared shelter; and (2) Starting with a smaller adaption center would allow CHS to gain experience in sheltering animals on a smaller scale, rather than immediately taking on the entire sheltering operation for the county.

Animal Services continues to maintain a positive working relationship with CHS overall and remains open to exploring new avenues for collaboration and partnership.

F6. In researching past Grand Jury reports this year's Grand Jury found that a new facility has been recommended to the Board of Supervisors for nearly 20 years.

Agree. Funding remains a challenge and Animal Services will continue to work toward establishment of a new shelter.

F7. Instead of enforcing the animal laws, the priority of ACS has been more on the day-to-day care of animals due to the lack of staffing. For example, the level of compliance in obtaining domestic pet licensing is at approximately 22%. The Grand Jury finds this is an area where revenue could be generated with proper staffing. In addition, there is inadequate staffing overall to meet the daily services and operational needs. The shortage of qualified staff lowers the efficiency, effectiveness and productivity of the department including reduced morale.

Partially disagree. Animal Services staffing level is adequate when all the positions are filled, but there has been a significant turnover in staff and staff who have taken extended leave, making it difficult to operate 7 days a week. Addressing the office coverage issue, providing staff with the tools needed to do their job in the field, streamlining the online licensing renewal process, and actively managing staff priorities should have an immediate positive impact on licensing revenue.

F8. During our tour at Calaveras ACS on February 1, 2018 there was mention of considering an outside agency to conduct a feasibility study to create a ballot measure for increasing the ACS budget.

Agree. The department will explore this alternative with the County Administrative Officer and Board of Supervisors this fiscal year and will implement it based on the outcome of this analysis.

F9. The current vehicles are in poor condition, inadequate and not functional for the ACS needs. One has very high mileage (over 100,000 miles), and one is currently out of service. All vehicles, when received, have been used vehicles and not designed for animal control according to interviewed representatives. At the February 1, 2018 ACS meeting, the Grand Jury was informed the County Board of Supervisors allotted \$40,000 to purchase a new specialized vehicle.

Agree. Replacement of aging equipment is a priority.

F10. There are industry standards established such as found in "Guidelines for Standards of Care in Animal

Shelters (2010)," or similar guidelines.

Agree. *Development of policies and procedures for assuring best management practices for animal shelter operations will be a major focus for the Animal Services Manager the first half of this fiscal year.*

F11. The ACS does have a web site and in addition uses Facebook as a social media source.

Agree. *Development of enhanced website presence and utilization of social media platforms, consistent with county web-security requirements, will be an objective for the second half of this fiscal year.*

F12. Clear policy and procedures are in place and strictly followed by staff and volunteers. Day-to-day operations are performed at a high standard under sub-standard conditions without adequate facilities and equipment.

Disagree. *While policies and procedures were presented to the Grand Jury, many are outdated and not readily available to staff. Comprehensive policies and procedures are urgently needed and will be a high priority for the new Animal Services Manager.*

F13. The nonprofit Friends of the Calaveras Animal Shelter (FOCAS) has provided funds to the ACS and has donated equipment and volunteer hours to help keep the ACS effective.

Agree. *FOCAS provides invaluable assistance to Animal Services in terms of financial assistance and volunteer help. FOCAS members are tremendously dedicated to all aspects of animal welfare and the work performed by Animal Services.*

F14. The ACS has a ninety percent (90%) no-kill rate.

Agree. *This no-kill rate applies to dogs at the shelter and is the result of the hard work of staff and volunteers in providing animals with medical treatment, socialization, and a variety of placement options, including adoption out of other centers and rescue groups.*

F1.R1. Calaveras County Human Resource Department needs to increase the ACS budget and the Calaveras County Board of Supervisors needs to approve the increase proposed for the ACS budget to efficiently and effectively operate at a higher level of productivity.

Recommendation requires further analysis. Core management issues such as prioritization of staff time, efficient scheduling, improved systems of communication, and comprehensive policies and procedures need to be put into place before an assessment of budgetary needs can be completed.

When this assessment has been completed and a facility plan for shelter replacement has been developed, we believe that the Board of Supervisors will support the department's budgetary requests within the constraints of available resources.

F2.R1. Calaveras County Human Resource Department needs to add, and the Calaveras County Board of Supervisors needs to approve, an additional position to assist the Animal Service Manager and the vacant position needs to be filled.

Recommendation requires further analysis. The new Animal Services Manager needs to become familiar with the operation of the shelter and field program and recommend the type of support that he will need, whether it be an Animal Services Officer III, an Animal Services Supervisor, a second Office Technician, or an Administrative Assistant. The vacant field position referenced in the report has been filled by an Animal Services Officer II.

F3.R1. The Grand Jury recommends the Board of Supervisors continue to approve "equity" adjustments until wages are comparable to adjoining counties.

Recommendation requires further analysis. This will depend upon a variety of factors to be reviewed by Human Resources and the Board of Supervisors, who are charged with aligning salaries for the staff throughout the county governmental system.

F4.R1. Director of Environmental Health needs to budget for, and the Calaveras County Board of Supervisors needs to approve, a budget for the construction of a modern facility that reduces the number of buildings and includes a secondary fence to effectively and safely contain animals to bring the ACS up to current recommended industry standards.

Recommendation has not yet been implemented, but will be implemented in the future. The department will strongly advocate for a facility development plan to lay out the path, with milestones, for development of a new shelter.

F5.R1. Any future MOUs with the Humane Society, the Calaveras County ACS management and the Board of Supervisors need to demonstrate "Good Faith" and timely progress in the partnership.

Recommendation has not yet been implemented, but will be implemented in the future. It should be noted that while a partnership with the Calaveras Humane Society (CHS) for development of a new shelter would have potentially been an optimal solution, a variety of issues left unanswered by the preliminary MOU still needed to be addressed in the "final" MOU that had been drafted by CHS.

Questions still needing to be clarified included: (1) Would CHS take possession and responsibility for all animals brought into the shelter after the required holding period or just ones desirable for adoption?; (2) Would the responsibility for euthanizing animals fall entirely on Animal Services staff or could duty be shared by the partners?; (3) What should be the process for resolving disputes? The issue of dispute resolution needed to be addressed.

CHS also noted that: (1) Significant progress has been made by Animal Services in the management and rehoming of animals received at the shelter reducing the urgency in fund raising for a new shared shelter; and (2) Starting with a smaller adoption center would allow CHS to gain experience in sheltering animals on a smaller scale, rather than immediately taking on the entire sheltering operation for the county.

Animal Services continues to maintain a positive working relationship with CHS overall and remains open to exploring new avenues for collaboration and partnership.

F6.R1. The Grand Jury recommends again that the Board of Supervisors approve an ACS budget for a new facility.

Recommendation has not yet been implemented, but will be implemented in the future. The department will strongly advocate for a facility development plan for development of a new shelter.

F7.R1. Animal Control Services needs to implement a dog licensing enforcement program for obtaining dog licenses to increase compliance, as well as provide needed revenue.

The recommendation has not yet been implemented, but will be implemented in the future. Compliance with licensing laws will be increased by providing officers with computer access in the field to determine licensure status of animals encountered, through a streamlined system of license renewal, and through re-prioritization of staff's time to put greater emphasis on license enforcement. It is anticipated that these measures needed to increase compliance will be put into effect this fiscal year.

F8.R1. Director of Environmental Health (which ACS reports to), Calaveras Human Resource Department and ACS should continue to pursue the feasibility study to create a ballot measure that could fund a new facility.

Recommendation requires further analysis. The department will explore this alternative with the County Administrative Officer and Board of Supervisors this fiscal year and will implement it accordingly based on the outcome of this analysis.

F9.R1. Director of Environmental Health and the Board of Supervisors needs to budget for the purchase of two additional new specialized vehicles.

The recommendation has not yet been implemented, but will be implemented in the future. One new vehicle has been approved by the Board of Supervisors for purchase during the current budget for this fiscal year. The department will request a second vehicle as part of the Fiscal Year 2019/20 budget.

F10.R1. The Director of Environmental Health needs to monitor and ensure ACS follows "Guidelines for Standards of Care in Animal Shelters (2010)," or a similar guideline to improve efficiency, effectiveness and productivity of the ACS specifically for facility improvement and operational services improvement.

The recommendation has not yet been implemented, but will be implemented in the future. Development of policies and procedures for assuring best management practices for animal shelter operations will be a major focus for the Animal Services Manager the first half of this fiscal year.

F11.R1. The ACS web site needs to be updated to be more user friendly. Facebook, Twitter, and other social media should be used to promote the ACS programs. These tasks can be accomplished by a volunteer, perhaps

The recommendation has not yet been implemented, but will be implemented in the future. The department will work with the county's Information Technology Division to improve the Animal Services website, consistent with web-security requirements, and expand use of social media to promote our programs as an objective for the second half of this fiscal year.

F2.R1. Calaveras County Human Resource Department needs to add, and the Calaveras County Board of Supervisors needs to approve, an additional position to assist the Animal Service Manager and the vacant position needs to be filled.

Animal Services Manager needs to have a direct-report position that assists him in his duties. The recently hired Animal Services Manager needs to become familiar with the operation of the shelter and field program and recommend the type of support that he will need, whether it be an Animal Services Officer III, an Animal Services Supervisor, a second Office Technician, or an Administrative Assistant. The vacant field position referenced in the report has been filled by an Animal Services Officer II.

F3.R1. The Grand Jury recommends the Board of Supervisors continue to approve "equity" adjustments until wages are comparable to adjoining counties.

It is very important that the department's wages and benefits be roughly equivalent to the wages of benefits of staff in other counties, especially with those of the neighboring foothill counties. Equity adjustments are useful in achieving this goal.

F4.R1. Director of Environmental Health needs to budget for, and the Calaveras County Board of Supervisors needs to approve, a budget for the construction of a modern facility that reduces the number of buildings and includes a secondary fence to effectively and safely contain animals to bring the ACS up to current recommended industry standards.

A new shelter is needed. The optimal number of buildings should be a part of the architect's design, which will include a secondary fence. Animal Services staff will work with the EMA Administrator and County Administration to develop a facility development plan for moving forward this fiscal year.

F5.R1. Any future MOUs with the Humane Society, the Calaveras County ACS management and the Board of Supervisors need to demonstrate "Good Faith" and timely progress in the partnership.

It should be noted that while a partnership with the Calaveras Humane Society (CHS) for development of a new shelter would have potentially been an optimal solution, a variety of issues left unanswered by the preliminary MOU still needed to be addressed in the "final" MOU that had been drafted by CHS.

Questions still needing to be clarified included: (1) Would CHS take possession and responsibility for all animals brought into the shelter after the required holding period or just ones desirable for adoption?; (2) Would the responsibility for euthanizing animals fall entirely on Animal Services staff or could duty be shared by the partners?; (3) What should be the process for resolving disputes? The issue of dispute resolution needed to be addressed.

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Animal Services continues to maintain a positive working relationship with CHS overall and remains open to exploring new avenues for collaboration and partnership

F6.R1. The Grand Jury recommends again that the Board of Supervisors approve an ACS budget for a new facility.

While a new shelter is badly needed and will require the fiscal support of the Board of Supervisors, a new shelter will be a very costly venture and needs to be based on a development and funding plan that sets out specific milestones for achieving the goal of a new shelter. The development plan will set out the path for moving toward the design and funding of a new shelter.

F7.R1. Animal Control Services needs to implement a dog licensing enforcement program for obtaining dog licenses to increase compliance, as well as provide needed revenue.

Planning is currently taking place to upgrade the department's dog licensing enforcement program by providing a computer for use in our vehicles that can identify unlicensed dogs in the field when the dogs are encountered. In addition, planning is taking place to make license renewal easier by improvements in the web-based license renewal process.

F8.R1. Director of Environmental Health (which ACS reports to), Calaveras Human Resource Department and ACS should continue to pursue the feasibility study to create a ballot measure that could fund a new facility.

The department will explore this alternative with the County Administrative Officer and Board of Supervisors this fiscal year and will implement it accordingly based on the outcome of this analysis.

F10.R1. The Director of Environmental Health needs to monitor and ensure ACS follows "Guidelines for Standards of Care in Animal Shelters (2010)", or a similar guideline to improve efficiency, effectiveness and productivity of the ACS specifically for facility improvement and operational services improvement.

One of the department's highest priorities will be to establish and monitor policies and procedures that are consistent with best shelter management practices.

F11.R1. The ACS web site needs to be updated to be more user friendly. Facebook, Twitter, and other social media should be used to promote the ACS programs. These tasks can be accomplished by a volunteer, perhaps a high school student who is looking for community involvement class credit.

The department will work with the county's Information Technology Division to improve the Animal Services website, consistent with web-security requirements, and expand use of social media to promote our programs.

F1.R1. Calaveras County Human Resource Department needs to increase the ACS budget and the Calaveras County Board of Supervisors needs to approve the increase proposed for the ACS budget to efficiently and effectively operate at a higher level of productivity.

Calaveras County Human Resources has not authority to increase the Animal Services budget but has supported Animal Services by assisting in recruitment of a new Animal Services Manager and by working with Animal Services to address office coverage issues when there are only 1 office support staff, 2 shelter staff and 3 field staff, working under MOUs from 2 different labor unions, that are charged with serving and protecting the public 7 days a week.

Care management issues such as prioritization of staff time, efficient scheduling, improved systems of communication, and comprehensive policies and procedures need to be put into place before an assessment of budgetary needs can be completed.

When this assessment has been completed and a facility plan for shelter replacement has been developed, we believe that the Board of Supervisors will support the department's budgetary requests within the constraints of available resources.

F2.R1. Calaveras County Human Resource Department needs to add, and the Calaveras County Board of Supervisors needs to approve, an additional position to assist the Animal Service Manager and the vacant position needs to be filled.

Animal Services Manager needs to have a direct-report position that assists him in his duties. The recently hired Animal Services Manager needs to become familiar with the operation of the shelter and field program and recommend the type of support that he will need, whether it be an Animal Services Officer III, an Animal Services Supervisor, a second Office Technician, or an Administrative Assistant. The vacant position referenced in the report has been filled by an Animal Services Officer II.

F3.R1. The Grand Jury recommends the Board of Supervisors continue to approve "equity" adjustments until wages are comparable to adjoining counties.

It is very important that the department's wages and benefits be roughly equivalent to the wages of benefits of staff in other counties, especially with those of the neighboring foothill counties. Equity adjustments are useful in achieving this goal.

F4.R1. Director of Environmental Health needs to budget for, and the Calaveras County Board of Supervisors needs to approve, a budget for the construction of a modern facility that reduces the number of buildings and includes a secondary fence to effectively and safely contain animals to bring the ACS up to current recommended industry standards.

A new shelter is needed. The optimal number of buildings should be a part of the architect's design, which will include a secondary fence. The department will work with County Administration to develop a facility development plan for moving forward this fiscal year.

FS.R1. Any future MOUs with the Humane Society, the Calaveras County ACS management and the Board of Supervisors need to demonstrate "Good Faith" and timely progress in the partnership.

It should be noted that while a partnership with the Calaveras Humane Society (CHS) for development of a new shelter would have potentially been an optimal solution, a variety of issues left unanswered by the preliminary MOU still needed to be addressed in the "final" MOU that had been drafted by CHS.

Questions still needing to be clarified included: (1) Would CHS take possession and responsibility for all animals brought into the shelter after the required holding period or just ones desirable for adoption?; (2) Would the

responsibility for euthanizing animals fall entirely on Animal Services staff or could duty be shared by the partners?; (3) What should be the process for resolving disputes? The issue of dispute resolution needed to be addressed.

CHS also noted that: (1) Significant progress has been made by Animal Services in the management and rehoming of animals received at the shelter reducing the urgency in fund raising for a new shared shelter; and (2) Starting with a smaller adoption center would allow CHS to gain experience in sheltering animals on a smaller scale, rather than immediately taking on the entire sheltering operation for the county.

Animal Services continues to maintain a positive working relationship with CHS overall and remains open to exploring new avenues for collaboration and partnership

F6.R1. The Grand Jury recommends again that the Board of Supervisors approve an ACS budget for a new facility.

While a new shelter is badly needed and will require the fiscal support of the Board of Supervisors, a new shelter will be a very costly venture and needs to be based on a development and funding plan that sets out specific milestones for achieving the goal of a new shelter. The development plan will set out the path for moving toward the design and funding of a new shelter.

F7.R1. Animal Control Services needs to implement a dog licensing enforcement program for obtaining dog licenses to increase compliance, as well as provide needed revenue.

Compliance with licensing laws will be increased by providing officers with computer access in the field to determine licensure status of animals encountered, through a streamlined system of license renewal, and through re-prioritization of staff's time to put greater emphasis on license enforcement. It is anticipated that these measures needed to increase compliance will be put into effect this fiscal year.

F8.R1. Director of Environmental Health (which ACS reports to), Calaveras Human Resource Department and ACS should continue to pursue the feasibility study to create a ballot measure that could fund a new facility.

The department will explore with the County Administrative Officer and Board of Supervisors this fiscal year the feasibility of a ballot measure and will implement it accordingly.

F9.R1. Director of Environmental Health and the Board of Supervisors needs to budget for the purchase of two additional new specialized vehicles.

The Board of Supervisors approved a specialized vehicle in the last fiscal year that was not purchased, and has approved a specialized vehicle in the budget again this fiscal year. Our Animal Services Manager and County Administration are currently working to identify a vehicle that will best serve the needs of the Department.

CALAVERAS COUNTY SUPERVISORIAL DISTRICTS

