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Responses to the 2021-2022 Grand Jury Final Report

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AMADOR COUNTY
BOARD OF SUPERVISORS

County Administration Center
810 Court Street • Jackson, CA 95642-9534
Telephone: (209) 223-6470
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September 6, 2022

The Presiding Judge – Amador County Superior Court
500 Argonaut Lane
Jackson, CA 95642
Amador County Civil Grand Jury
PO Box 249
Jackson, CA 95642

Re: Grand Jury Report Responses 2021-2022

Dear Judge:

Please find below the County's response to the 2021-2022 Grand Jury report. We appreciate the Grand Jury's time and consideration and would welcome the opportunity to answer any questions that you or they might have.

AMADOR COUNTY FIRE-RELATED RESOURCES AND COMMUNITY COMMUNICATIONS ARE UNRELIABLE AND INCONSISTENT

FINDINGS

F1: The County General Plan Housing and Safety Elements are out of date and need to be updated.

The respondent agrees with the finding. These elements of the General Plan are in the process of being updated.

F2: There are insufficient County plans or procedures to mitigate fire dangers for existing residential properties.

The respondent disagrees wholly with the finding. The County has recently passed Ordinance 1820, which mandates defensible space requirements for residences within the unincorporated County. This should be adequate without being overbearing to mitigate dangers.

F3: We commend the BOS for passing Ordinance No. 1820, which the County recently adopted.

The respondent agrees with the finding.

F4: The County has insufficient staffing for grant programs that support fire safety in the County.

The respondent agrees with the finding.

F5: The AFSC, a non-profit organization, is focused and active in fire mitigation and protection within the County. Several County officials referred the Grand Jury to AFSC for information, despite AFSC being a non-profit organization unaffiliated with the County. We commend AFSC for its service to the community.

The respondent agrees with the finding.

F6: There is insufficient County-level accountability or funding for fire safety enforcement in the County.

The respondent disagrees wholly with the finding. CalFire is the agency that is responsible for inspecting the requirements of this Ordinance, which they do without charging the homeowners for this service. If the County begins assuming responsibility for the enforcement, then CalFire's participation in this process will stop, and the County will need to invest more of the extremely limited resources into this process.

F7: There are insufficient funds to enforce County Ordinance No. 1820.

The respondent disagrees wholly with the finding. CalFire is the agency that is responsible for inspecting the requirements of this Ordinance, which they do without charging the homeowners for this service. If the County begins assuming responsibility for the enforcement, then CalFire's participation in this process will stop, and the County will need to invest more of the extremely limited resources into this process.

F8: There is insufficient communication within the County fire related agencies, due to the lack of staffing and funding.

The respondent partially disagrees with the finding. As always, the allocation of funds is a challenge, given the limited population served in the unincorporated County and the splintering of Fire Districts within the unincorporated County. More funding would not solve this problem without solid cooperation from all fire agencies, and that cooperation is not currently present.

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F9: There is no County department devoted to finding, applying for, and managing grant funding.

The respondent agrees with the finding. The Board of Supervisors has tasked the Economic Development staff with the task of securing a contract with a consultant that will perform these tasks.

F10: The County provides the public insufficient fire-safety resources that are reliable, current, and educational. As a result, the Grand Jury finds the County is not meeting its General Plan Safety Element Goal S-2 to reduce fire risks to current and future structures.

The respondent disagrees wholly with the finding. The County information is not perfect, but taken as a whole, the information available to the average homeowner is adequate. The County should not have to take on the entire task of homeowner education, given the level of resources currently available from the State and the other fire districts.

F11: The Grand Jury finds that information on fire safety and prevention websites are fragmented and not current. Many links for resources are not useful or functioning.

The respondent agrees with the finding. Improvements are being made as opportunity provides.

RECOMMENDATIONS

R1: The Grand Jury recommends that the Housing Element along with the Safety Element be brought into compliance with State statue as soon as possible and no later than December 31, 2022. (F1)

The recommendation has been implemented, although the completion date is unknown. The County is hopeful to have this complete by the end of 2022.

R2: The Grand Jury recommends that the County further consider prioritizing, implementing, and enforcing fire safety programs including the new Ordinance No. 1820 for residences and private landowners. (F2)

The recommendation will not be implemented because it is not warranted. As discussed with the finding, CalFire is enforcing the ordinance, and to do otherwise would result in significant additional costs to an operation that is in need of every bit of current funding.

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R3: The Grand Jury recommends that the BOS consider coordinating with State representatives and neighboring county partners to more efficiently utilize grant funding resources and to petition State and Federal government to address staffing shortages at the State and Federal levels. (F4)

The recommendation has not been implemented, but will be implemented in the future. All opportunities to apply for grants will continue to be considered. The BOS has tasked staff to place grant consultants under contract so that applications can be readily prepared when suitable grant funding opportunities are identified.

R4: The Grand Jury recommends that the County consider taking over more direct responsibility and accountability for fire protection and not rely on less accountable non-profit and nongovernmental entities. (F5/6)

The recommendation will not be implemented because it is not warranted. This question gets to the core of fire protection for Amador County, and whether the consolidation of fire protection services is better than the service that is provided by the smaller districts and cities providing service for themselves and assisting their neighbors as possible. The County has encouraged consolidation in the past, but that course of action has not been supported locally. As such, the various districts and the cities are responsible for their own fire protection.

R5: The Grand Jury recommends that the County consider hiring or assigning a County employee the responsibility to enforce Ordinance No. 1820 and any other defensible space laws and regulations. (F7).

The recommendation will not be implemented because it is not warranted. Please see the response to Recommendation #2.

R6: The Grand Jury recommends that the County consider hiring a financial advisor to prioritize the budget to address staffing needs, and consider hiring a grant writer to pursue grant funding.

The recommendation will not be implemented because it is not reasonable. Adding the costs associated with additional staff in order to find the budget to allocate to fire resources is counter-intuitive. Staff has been tasked with working with a consultant to identify and apply for grants for all areas of the County.

R7: The Grand Jury recommends that all County websites be updated quarterly with current information so the public is able to access resources easily and quickly. We recommend that a website be created to provide all fire related issues and resources in one place.
a. There should be a link on the county website to this website.
b. The website should assist homeowners in finding specific information pertinent to fire prevention, mitigation, and other fire issues.

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c. The website should have a printable or electronic complaint form that will streamline the enforcement process for Ordinance No. 1820.
d. The website should contain an organizational chart of all fire-related resources in the County.

The recommendation will not be implemented because it is not warranted. This information is better maintained and provided to the public by the professional fire agencies, such as the individual fire protection districts or CalFire. The County does not have the resources to provide this information reliably and in a timely manner, although links to those agencies can be provided on the County's website.

AMADOR COUNTY JAIL

FINDINGS

F1. The jail is 38 years old and was designed with a 20-year lifespan intended to house 76 inmates.

The respondent agrees with the finding.

F2. Correctional staff positions are unfilled despite recruitment efforts to fill them.

The respondent agrees with the finding.

F3. This Grand Jury notes that prior Grand Juries have made similar findings and recommendations numerous times, and no progress has been made.

The respondent partially agrees with the finding. Please see the County's response to Recommendation #2 for an explanation and discussion of this issue, as the Board of Supervisors stands ready to construct the jail addition, but the State of California and its incessant bureaucracy continue to uselessly stifle the County's efforts.

RECOMMENDATIONS

R1. The County and Sheriff's Office should consider filling vacancies and reviewing the compensation and incentives to encourage recruitment. [F2]

The respondent agrees with the finding.

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R2. The BOS should consider whether to approve and secure the necessary funding to initiate construction of the jail expansion.

The jail expansion project has been held up by many different things, but it has never been held up by a lack of funding or commitment by the Board of Supervisors. In fact, it is the massive bureaucracy created by the State of California that continues to keep the project from being constructed, as the project continues to be delayed by sluggish approval processes that add no value whatsoever to the project, but instead cost the taxpayers millions of dollars. The Board has had to work to find ways to fund this project as the State has caused the price to rise, and will be prepared to bid the project as soon as the State gives the approval to do so.

The County applied for and received funding in 2016 to construct a jail addition that would provide additional space and rooms for additional inmate services that cannot be provided in the current facility. After plans were drawn up and the process of finalizing bid documents was underway, the County was sued under CEQA, which brought the process to a halt. In 2020, after the CEQA lawsuit had lost in every court possible without garnering any merit whatsoever, the process began again, with many of the state agencies requiring review of the documents from the beginning despite having already approved them previously.

The Office of the State Fire Marshall and the Department of Finance have both been absolutely horrible to deal with, as they consistently refuse to answer a question, or they give a different answer to one that they have given previously and will not stand behind previous interpretations or written decisions. As such, this project remains mired in the state bureaucratic quicksand. As soon as the reviews are complete, the county has committed the funds to get the project started – the funding is not and has never been an issue, although the delays by the state have caused the estimated costs for the County to skyrocket. All of these funds could have been used for the other suggestions that the Grand Jury made in this report as to how the County could better use its funding.

Given the repeated findings by the Grand Jury, the County would suggest that subsequent Grand Juries investigate the State Departments that have been mentioned previously as to the reasons for their delay and the impacts of those very delays. These departments seem to operate without purpose – service to the public is a foreign concept. They operate without oversight or ramification for their actions, and their impacts are unconscionable, given the need and urgency of the situation that they are making worse. The County would encourage the Judge that also reads this response to make inquiries as to the issues surrounding the cost and time required for reviews by these departments. It should be unacceptable to the Governor and unacceptable to the people of California, but without oversight, we have no means to enact change.

Sincerely,

Jeffrey L. Brown, District 3
Chairman, Amador County Board of Supervisors

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STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION GAVIN NEWSOM, GOVERNOR

DIVISION OF JUVENILE JUSTICE
PINE GROVE YOUTH CONSERVATION CAMP
13630 Aqueduct Volcano Road
P.O. Box 1040
Pine Grove, CA 95665

September 21, 2022

The Honorable Renee C. Day, Presiding Judge
Amador County Superior Court
500 Argonaut Lane
Jackson, California 95642

Amador County Civil Grand Jury
PO Box 249
Jackson, California 95642

RE: 2020-2021 Amador County Grand Jury Report

The Amador County Grand Jury inspected Pine Grove Youth Conservation Camp (PGYCC) on March 2, 2022. Pursuant to Penal Code 933.05, I am required to respond to this Grand Jury report. During the inspection, they took an extensive tour of the facility and interviewed PGYCC staff as well as other youth and myself. In their report, they made five findings and three recommendations.

FINDINGS:

F1: The facility is generally well maintained.
- I agree with the finding.

F2: The kitchen floor needs to be repaired. The new flooring was removed due to water damage.
- I agree with the finding.

F3: The ventilation unit in the ceiling in the dining area is rusty and corroded.
- I agree with the finding.

F4: The chairs in the day room are stained and outdated.
- I agree with the finding.

F5: We observed the new paint and other small repairs that have been done since the 2019-2020 Grand Jury Report
- I agree with the finding.

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION GAVIN NEWSOM, GOVERNOR

DIVISION OF JUVENILE JUSTICE
PINE GROVE YOUTH CONSERVATION CAMP
13630 Aqueduct Volcano Road
P.O. Box 1040
Pine Grove, CA 95665

RECOMMENDATIONS:

R1: The kitchen floor should be repaired as soon as possible due to possible health issues (F2)

- I agree with the finding. The flooring had a warranty issue. PGYCC staff is currently working with the company for flooring replacement and installation.

R2: The ventilation unit in the ceiling in the dining area should be repaired or replaced as soon as possible (F3)

- I agree with the finding. The ventilation unit was repaired in the Summer of 2022.

R3: Chairs should be repaired or replaced. (F4)

- I agree with the finding. PGYCC staff is currently looking into options for either chair repair or replacement.

If you have any questions or concerns, please contact me (209) 296-7581.

Thank you,

Michael Gomes
Superintendent
Pine Grove Youth Conservation Camp