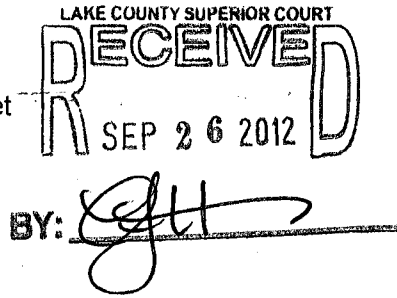




**COUNTY OF LAKE
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September 25, 2012

The Honorable David Herrick
Presiding Judge of the Superior Court
255 North Forbes Street
Lakeport, CA 95453

RE: Response to the 2011/2012 Grand Jury Final Report

Dear Judge Herrick:

Pursuant to Penal Code Section 933, the Board of Supervisors is submitting this response to the FY 2011/2012 Grand Jury Final Report.

The Board's response is presented in the same sequence as the recommendations appear in the Final Report. We have provided a response to all items for which the report indicated a response was required by the Board of Supervisors. Responses from both appointed and elected department heads are attached hereto, in so much as they were provided to the Board.

As always, the Board of Supervisors appreciates the efforts of the Grand Jury to assist in improving the operations of County government.

OVERALL COMMENTS ON REPORT

In the past and specifically last year, the Board provided some overall comments on the presentation and content of some of the findings, especially the introductory comments, and illustrations at the beginning of many sections of the report. While there was substantial improvement from years past, we still find some of the comments, graphics, and headings overly dramatic. While we appreciate that the Grand Jury has a desire to add graphics and catchy themes in an apparent effort to add interest to each section, many editorialize the recommendations which are not the most professional. The picture of a meatloaf, or the "Go To Jail" square from Monopoly do not add anything substantive to the report.

Second, some of the findings indicate that the Grand Jury's "investigations" were one-sided. It is troubling to see a blanket recommendation to add staff and/or funding for various departments. Does the Grand Jury ever give any thought or consideration to overall County finances? The County is faced with a finite and continually dwindling revenue stream. The Board of Supervisors is forced to make very difficult decisions about staffing levels, ability to provide essential services, construction projects which stimulate the local economy, etc. We are very proud of the track record of fiscal responsibility by the County. We take all requests for additional funding seriously, but each of us are expected to do more with less. The Assessor's

Office is not the only County department that is "Overwhelmed." As an example, each new entry level Appraiser position will cost the County approximately \$55,000. Does the Grand Jury have a recommendation on a number of positions which are needed or a source of revenue for those extra positions? Providing an adequate and responsible level of public service is more complex than comparing the number of parcels in a county with the number of appraisers on staff and thereby determining that a staff increase is warranted.

We have also noticed an increase in portions of the report in which the Grand Jury does not have a recommendation, but still requests a response from sometimes multiple entities. If the complaint or issue was determined by the Grand Jury not to be valid or a significant enough issue to warrant a recommendation, we do not understand why a response would be requested. This is a waste of valuable staff time in researching and analyzing the issues unnecessarily, particularly when the workloads of most county departments are stretched to the limit due to the economic conditions.

The Board of Supervisors deeply appreciates the time that local citizens volunteer to provide oversight of government operations and do not expect an automatic stamp of approval. However, we do expect the report and recommendations to be presented in a professional manner and to reflect complete and thoughtful consideration of both sides of an issue. The Board would like to thank each member for their time and thoughtful consideration of each issue before it. We submit the following responses to each item as requested by the 2011/2012 Grand Jury.

RESPONSE TO GRAND JURY RECOMMENDATIONS

A. IN-HOME HEALTH SERVICES ADVISORY COMMITTEE

General Comments: The Board is concerned with editorializing and one-sided facts and findings. This section serves as an example. The "Discussion and Facts" section as well as the "Findings" both state that the Grand Jury could find no obvious irregularities in the IHSS Advisory Committee's finances. Why is this included? Was the Grand Jury expecting to find irregularities? Was this Committee singled out to be investigated for financial irregularities? Listing this as a finding seems odd when no complaints or accusations of impropriety have been listed or discussed. If no irregularities were found, then there should be no mention of it in the report.

Recommendation #1: Future recommendations by the committee be put in writing and retained as permanent records. (F1)

Response #1: The Board of Supervisors concurs with the Social Services Director and the IHSS Advisory Committee that they appropriately record and retain their recommendations as permanent records.

Recommendation #2: IHSS Advisory Committee develop recognizable and attainable goals. (F4)

Response #2: The Board of Supervisors recognize that the IHSS Advisory Committee has already developed and identified goals which are realistic and do not recommend any further action at this time.

B. ASSESSOR-RECORDER OVERSIGHT

Recommendation #1: The Board of Supervisors increase the Assessor-Recorders working funds. (F1, F2, F3)

Response #1: The Board of Supervisors is aware of the strains put on existing staff in the Assessor's office during the recession and continuing economic downturn. The situation in the Assessor's Office is not unique; nearly every County department is understaffed, and struggling to keep up with the workload. The Assessor's situation was exacerbated by a number of retirements in a short period of time, and subsequently a lack of qualified candidates for the replacement positions. The Board is hopeful that the remaining positions will be filled shortly with qualified applicants, which will relieve the strain on the department to fulfill its duties. We are very appreciative of the current employees in this department, and others, who have stepped up and worked tirelessly to fill the gap as we struggle through these economic times. The Board also requests that the Department continue to utilize its special funds for needed improvements and upgrades as is appropriate.

C. FIRST 5 PROGRAM OVERSIGHT

Recommendation #1: None.

Response #1: The Board agrees with the finding that the First 5 program has been beneficial to Lake County's children. While the Board of Supervisors created the Commission by ordinance, we have no direct oversight nor do we provide any funding for First 5 programs. The First 5 Commission has provided a response under separate cover. The Board appreciates the time and energy Board members and County department heads have dedicated to the Commission. We will continue to advocate for the adequate funding to implement programs through First 5 for the benefit of Lake County's children.

D. TREASURER-TAX COLLECTOR OFFICE OVERSIGHT

Recommendation #1: Board of Supervisors considers implementing the Treasurer-Tax Collector's request for additional staff.

Response #1: The Board is aware and very sensitive to the desire for Departments to have more staff. The on-going economic conditions have required the County to do more with less funding, and as a result very few increases in staff. Many departments, including the Treasurer/Tax Collector, continue to do an outstanding job of utilizing those limited resources in the most efficient and economical way of providing service to the public. During the County Budget hearings on August 29, 2012, the Treasurer/Tax Collector requested additional staffing to be able to recover unpaid fines and fees that they do not currently have the resources to pursue. The Board agreed that a specific proposal would be brought back from the Department in the near future for consideration.

E. OVERSIGHT OF THE DISTRICT ATTORNEY

Recommendation #1: Board of Supervisors approve a protocol for the Alternative to Community Service Program Committee. (F4)

Response #1: To date and with multiple inquires, the Board of Supervisors have not received a copy of any response from the District Attorney, but would add that County Counsel and the

then Chief Deputy County Administrative Officer met with the District Attorney and the District Attorney Administrative Coordinator on separate occasions and discussed this program. Staff suggested to the District Attorney that he may want establish a committee to assist in establishing a framework to determine, among other things, eligible recipients of this money. The Board is willing to consider a protocol when the District Attorney submits a recommendation for approval.

Recommendation #2: Board of Supervisors approve a budget increase to fill the vacant Assistant District Attorney positions. (F5)

Response #2: To date and with multiple inquiries, the Board of Supervisors have not received a copy of any response from the District Attorney and do not feel it is appropriate to respond directly to the findings without first reviewing those comments. However on a general note, we reassert our earlier comments regarding the essentially unsubstantiated recommendation to increase staffing levels in the current economic climate. Further, the primary reason positions have been reduced over the past few years has been a substantial decline in grant funding that was used to support these positions. In fact, 2.5 positions which were formerly funded through grants are currently being funded by support from the County General Fund, to avoid further reductions.

F. HUMAN RESOURCES DEPARTMENT OVERSIGHT

Recommendation #1: Human Resources Department continue upgrading application and hiring procedures. (F2, F3)

Response #1: The Board is pleased with the planning and goal-setting of the Human Resources Department in continually updating and upgrading procedures. We look forward to working with the Department in streamlining and simplifying tracking and hiring procedures.

Recommendation #2: Human Resources Department initiate a procedure change making the department responsible for conducting exit interviews, encouraging every person leaving County employment to complete the exit questionnaire. (F3)

Response #2: The Board concurs with the Human Resource Department's explanation and commitment to exploring other means to improve the exit interview process and effectiveness.

G. INFORMATION TECHNOLOGY DEPARTMENT OVERSIGHT

Recommendation #1: Board of Supervisors investigate the advantage of acquiring newer operating systems for the County. (F3, F4, F5)

Response #1: The Board of Supervisors finds this recommendation somewhat vague in referencing newer operating systems. However, the Board would like to convey that we continually balance our limited budget and staying current with emerging technologies. We recognize that software and hardware systems are outdated quickly. The Information Technology Director does an excellent job of identifying the most necessary upgrades and working with Administrative Office staff in prioritizing those needs with available funding. The Board remains committed to utilizing the latest technology in an effort to provide the most efficient, effective and economical level of public service.

Recommendation #2: Board of Supervisors consider an expanded education budget for the Information Technology Department. (F1, F2)

Response #2: The Board is aware that many departments desire additional funding for training and education, and have tried to provide for that necessity even though available revenues have decreased for the past several years. The Information Technology Department is particularly sensitive due to the rapidly changing technology in the marketplace and the need for staff to stay current. The Board is pleased that the Final Recommended Budget for FY 2012-13 included an increase in training funding due to higher than anticipated revenues over the past year.

Recommendation #3: Board of Supervisors allocate additional office space for Information Technology. (F3)

Response #3: The Board of Supervisors is aware that many departments suffer from space constraints. The County anticipates the construction of the new courthouse in Lakeport will free up the fourth floor of the current courthouse to allow a more favorable reallocation of space throughout the building. The Board recommends that if the Information Technology Department feels they need additional space that they make a detailed request to the Space Committee for review.

Recommendation #4: Information Technology provide a stipend or develop a salaried position for emergency services. (F1, F3)

Response #4: The Board of Supervisors concurs with the response of the Information Technology Department that the on-call technician program is adequate in addressing 24-hour a day emergency situations.

H. COMPLAINT #21 – MEDICAL CARE

Recommendation #1: None.

Response #1: The Board received the response from the Sheriff's Office at the end of the day on September 24th and has not had sufficient time to analyze those comments. A cursory review does not identify any significant concerns with the Sheriff's responses; however the Board of Supervisors hesitates to directly respond at this time. However, staff consulted with the Health Department and they were never made aware of the complaint, even though they are responsible for the contract that provides medical care to that facility. While the Health Department feels this specific complaint was handled in an appropriate manner, in the future the Board of Supervisors would recommend that the Grand Jury forward any medical related complaints directly to the Health Department for review and oversight.

In addition, we would point out that the reference to "Minimum Standards for Local Detention Facilities, Title 15, established by the California Department of Corrections and Rehabilitation" (CDCR) should instead refer to "...Title 15, established under the Corrections Standard Authority" (CSA). The Title 15 regulations referenced under the CDCR are primarily focused on prisons, while the CSA regulations deal with jails.

I. TRANSITIONAL HOUSING PROGRAMS OVERSIGHT

Recommendation #1: Department of Social Services expand transitional youth programs as possible. (F1)

Response #1: The Board of Supervisors is proud of the work the Department of Social Services has done in implementing the Transitional Housing Plus Program in such a short amount of time. The Board concurs with, and is confident that the Department of Social Services will continue to expand and make every effort to improve the transitional housing program.

J. COMPLAINT #15 – LAKEBED MANAGEMENT

Recommendation #1: The committee has determined that a further study of the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project, be done by the upcoming 2012-2013 Lake County Civil Grand Jury so that a full report can be dedicated to this project. (F2, F3, F5, F6, F8)

Response #1: The Board of Supervisors appreciates the obvious interest and passion the Grand Jury showed in research of the complaint of nothing being done to address Clear Lake water quality conditions. The Board certainly concurs with the finding that the complaint is unfounded. We also recognize that the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project is potentially extremely important in mitigating nutrient loading into the lake and the resulting water quality problems. We respect and understand that many people want to assist and identify possible solutions to the problem. However, the Board fails to see the benefit in a future Grand Jury expending valuable time researching this specific project. Thousands of pages of research and analysis have been completed over more than a decade on this project and in fact the Board has appointed a specific project coordinator to facilitate the project's completion as his only task. We fail to see how the Grand Jury can assist in further researching a project that requires very specific training, experience, education, and coordination from a multitude of federal, state, and local agencies.

K. PUBLIC WORKS DEPARTMENT – CORPORATION YARD OVERSIGHT

Recommendation #1: The Board of Supervisors consider an evaluation of the impact for maintaining all of county's fleet of vehicles at the Lakeport Corporation Yard. (F2)

Response #1: The Board of Supervisors concur with the Committee's recommendation for an overall evaluation regarding fleet vehicles. As the Public Works Director indicated, the Department intends on performing this evaluation within the fiscal year. The Board supports this goal and looks forward to reviewing the report.

Recommendation #2: Corporation Yard funding be increased to add staffing levels for the three satellite yards to cover the 212 miles that those yards cover throughout the county. (F5)

Response #2: The Board of Supervisors reaffirm the earlier points regarding recommendations for increased staffing. The Board concurs that the important focus is to utilize available dollars for maintenance and improvement of the road network.

Recommendation #3: Board of Supervisors consider more covered storage area for all Corporation Yards. (F6)

Response #3: The Board is willing to consider a request for needed improvements to the Corporation Yards as brought forward by the Department. However, the Board appreciates the Department's dedication and ability to increase maintenance and road improvement activities with limited funding. The Department has shown a tremendous ability to maximize impacts on the ground rather than spending precious funds on equipment or upgrades that are less than necessary.

L. PUBLIC WORKS DEPARTMENT – PLAN TO REPAIR THE ROADS

Recommendation #1: The Board of Supervisors provide assurances that road funds be used solely for road repair and maintenance. (F2, F3, F5)

Response #1: The Board of Supervisors concur with the response by the Public Works Director on the adequacy of the currently reporting and auditing requirements, and would like to commend staff in their efforts to spend funds appropriately.

Recommendation #2: The Lake County Board of Supervisors consider adopting an updated PMP report and proceed with its recommendations. (F2, F3, F4)

Response #2: The Board appreciates the Committee's recommendation for an updated PMP. As indicated by the Department, the Pavement Management Plan (PMP) is updated every three years. The Board would support that commitment, and would only request that the Public Works Department present the updated report to the Board of Supervisors upon its completion for review. We do not feel that a formal adoption is necessary, and place our trust in the Department to continue to integrate the recommendations of the report into the annual maintenance plans.

Recommendation #3: The County place a non-binding advisory vote on the ballot proposing to proceed with a sales tax which would be used exclusively to pave unpaved roads, repair and upgrade the existing roads in Lake County, including the cities of Clearlake and Lakeport. (F2, F3, F4, F5)

Response #3: As indicated by the Public Works Director the sales tax initiative as recommended by the Committee was an option that the Board investigated, but is not an available option at this time. The Board of Supervisors will continue to investigate all options available to maximize our ability to maintain and improve Lake County's road system.

M. COMPLAINT #29 – LEGAL ACCESS

Recommendation #1: None.

Response #1: The Board received the response from the Sheriff's Office at the end of the day on September 24th and has not had sufficient time to analyze those comments. A cursory review does not identify any significant concerns with the Sheriff's responses; however the Board of Supervisors hesitates to directly respond at this time.

N. JUVENILE HALL OVERSIGHT

Recommendation #1: Plant a garden and/or fruit trees. (F4)

Response #1: The Board of Supervisors agrees that the addition of a garden and/or fruit trees to the Juvenile Home would be a nice addition, and should be implemented when feasible. We also concur with the Probation Department that staffing levels are currently tight and leave this project up to the discretion of the Chief Probation Officer to implement at the earliest feasible time.

Recommendation #2: Buildings and Grounds Division inspect the sprinkler system and the fencing around the ball field, repairing or replacing if necessary. (F5)

Response #2: The Board is satisfied with the existing coordination between the Probation Department and Buildings and Grounds to resolve the deficiencies with the fencing and sprinkler system as soon as possible and in the most economical way.

Recommendation #3: Probation Department develop a Juvenile Hall handbook with rules, consequences, and day-to-day routines to be issued at Intake Orientation. (F6)

Response #3: The Board is satisfied that the current procedures of distribution and posting of rules, regulations and policies, is adequate. We would recommend that when time allows, the Probation Department combine the packet of information into a handbook for added convenience and clarity.

O. ELY STAGE STOP

Recommendation #1: None.

Response #1: The Board is surprised that the Committee did not recognize that the County of Lake was one of the primary sources of funding for the relocation and renovation project. We are proud of the completed product and thank all of the private contributors, volunteers, and County staff that made the project so special.

P. OVERSIGHT OF THE PROGRESS OF THE LAKE COUNTY SCHOOL DISTRICT REORGANIZATION FEASIBILITY REPORT

Recommendation #1: Board of Supervisors and Board of Education revisit the feasibility of Lake County School District Reorganization. (F1)

Response #1: The Board of Supervisors is satisfied that the Superintendent of Schools has the best interests of the local school districts in mind, and we are satisfied that any action recommended by the Office of Education, which requires Board of Supervisors action, will be brought forward at the appropriate time.

Recommendation #2: Consider a non-binding advisory vote on the ballot or a county-wide survey as to whether the Lake County Board of Education should engage a professional consultant to prepare a formal study.

Response #2: The Board of Supervisors do not support the expenditure of funds to place a non-binding advisory vote on the ballot. Again, we have confidence in the Superintendent of Schools to make a recommendation as necessary.

Q. SOLID WASTE MANAGEMENT

Recommendation #1: None.

Response #1: The Board of Supervisors is pleased with the oversight and operation of the Lake County Landfill by the Public Services Department. Even with increasing and burdensome state and federal requirements associated with the operation of this facility, the County is able to provide cost effective and reliable waste services to the community.

This concludes the Board of Supervisors response to the 2011-12 Grand Jury Report.

Sincerely,

LAKE COUNTY BOARD OF SUPERVISORS

A handwritten signature in black ink that reads "Rob Brown". The letters are cursive and fluid.

Rob Brown
Chairman of the Board

RB/adf

Enclosures

cc: 2011-2012 Grand Jury Foreman