

**The Sutter County
Board of Supervisors' Response to the
2022-2023**

**Sutter County Grand Jury
Annual Report**

ENDORSED FILED

SEP 28 2023

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF BUTTER
CLERK OF THE COURT
By JACKIE LASWELL Deputy**



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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF BUTTER**



County of Sutter
Office of the County Administrator

1160 Civic Center Boulevard
Yuba City, California 95993
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September 12, 2023

The Honorable Susan E. Green
Presiding Judge of the Sutter County Superior Court
1175 Civic Center Boulevard
Yuba City, CA 95993

Dear Judge Green:

On behalf of the Sutter County Board of Supervisors, I am herewith submitting its response to the findings and recommendations of the 2022-2023 Sutter County Grand Jury Annual Report on the following:

- SCSO: Staffing and Jail Improvements While Facility Conditions Heat Up
- Sutter County Public Buildings and Properties: Behind the Curve
- Sutter Yuba Behavioral Psychiatric Health Facility Unit Safety Improvement and Funding

The Sutter County Board of Supervisors and administration thanks the Grand Jurors for their service to the citizens of Sutter County. Grand Jury service requires a great amount of time and effort and each juror's dedication is truly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "S.M. Smith".

Steven M. Smith
County Administrator

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SCSO: Staffing and Jail Improvements While Facility Conditions Heat Up

The Sutter County Board of Supervisors and the Sutter County Sheriff's Department are required to respond to this report. A response from the Sutter County Sheriff is attached, as Attachment A – Sheriff's Response.

Below is the response from the Board of Supervisors, in concert with the County Administrator's Office.

FINDINGS

Grand Jury Finding #1:

"F1: The Sheriff Department has consistently acted on recommendations and implemented those recommendations to reduce narcotics and contraband from entering the jail. These actions have greatly reduced the infiltration of narcotics and contraband into the jail, providing a safer environment for jail staff and inmates."

Grand Jury Finding #2:

"F2: While staffing remains a challenge, significant progress has been made in staffing at Sutter County Sheriff Office. The staff efficiency and moral continue to improve as staffing levels increase."

Grand Jury Finding #3:

"F3: The current evaporative cooling system in the older section of the jail is not adequate, creating unsafe working conditions for the jail staff and unsafe living conditions for the inmates."

Grand Jury Finding #4:

"F4: Sutter County has secured grant funds through the grant writing functions of the Development Officer position (libraries and museums) that well exceeds the cost of this position."

Response from the Board of Supervisors:

F1: The Board of Supervisors agrees with the Grand Jury finding.

F2: The Board of Supervisors agrees with the Grand Jury finding.

F3: The Board of Supervisors disagrees with the Grand Jury finding. The evaporative cooling system that is utilized in some parts of the jail is not ideal and would be better served with a modern cooling system.

F4: The Board of Supervisors agrees with the Grand Jury finding.

RECOMMENDATIONS

Grand Jury Recommendation #1:

“R1: General Services should obtain a current cost estimate for the replacement of the air conditioning system in the old section of the Sutter County Jail by December 1, 2023.”

Grand Jury Recommendation #2:

“R2: Board of Supervisors should research, identify, and begin funding the capital improvement fund for the new cooling system for Sutter County Jail by June 30, 2024.”

Grand Jury Recommendation #3:

“R3: Board of Supervisors should create a Public Safety Grant Writing position to research possible funding for facility improvements via grants by June 30, 2024.”

Response from the Board of Supervisors:

R1: This recommendation has not been implemented, but will be by June 30, 2024, to allow staff adequate time to seek quotes.

R2: This recommendation will not be implemented because it is not warranted or not reasonable. To be clear, the preceding language is legally required if the recommendation will not be implemented. The reason it will not be implemented is not because it is truly unreasonable, but because the County has a capital improvement plan, and a jail cooling system is included in it with an estimated cost of \$4,000,000.

As noted by the Grand Jury’s 2022-2023 report titled “Sutter County Public Buildings and Properties: Behind the Curve,” there are multiple Sutter County facilities in need of repair or replacement. For many years, Sutter County has prioritized maintaining services to the public at the expense of facility maintenance, repair, and construction. Facility repairs are prioritized by need related to safety and then funding availability. If practical, funds will be set aside for a new cooling system in the jail, and the County will research related grants.

R3: This recommendation will not be implemented because it is not warranted or not reasonable. The County Administrative Office is currently reviewing a grant writing proposal from an agency that can research and write grants for any County department. A related recommendation will be brought to the Board of Supervisors by December 31, 2023.

Sutter County Public Buildings and Properties: Behind the Curve

The Sutter County Board of Supervisors are required to respond to this report. The Sutter County General Services Director and Sutter County Development Services Director are invited to respond.

Below is the response from the Board of Supervisors; Sutter County General Services Director and Sutter County Development Services Director. This response was developed in concert with the County Administrator's Office.

FINDINGS

Grand Jury Finding #1:

"F1: There is no access to the Grand Jury Room to allow someone in a wheelchair to access the jury room without assistance."

Grand Jury Finding #2:

"F2: It is difficult for Sutter County citizens to view annual updates of what has been repaired or replaced to meet ADA compliance since the publishing of the County of Sutter Americans with Disabilities Act Transition Plan 11 years ago."

Grand Jury Finding #3:

"F3: Sutter County website is difficult to navigate and find resources related to ADA compliance. This makes it challenging for the public to file complaints, review the Transition Plan, and check on updates."

Grand Jury Finding #4:

"F4: There is no modern CMMS (Computerized Maintenance Management System) to initiate maintenance/repair orders (either by the public or Sutter County employees) and to be able to monitor its progress and completion."

Grand Jury Finding #5:

"F5: There is no county ADA coordinator to manage and monitor the annual updates to the Sutter County Transition Plan and to provide customer service to Sutter County residents."

Grand Jury Finding #6:

"F6: Some of the Sutter County boat launches are overdue for much needed maintenance and repairs as the grants were for one-time improvements/construction and ongoing maintenance."

Grand Jury Finding #7:

“F7: The cost for maintenance/repairs, water safety, and ensuring that the boat launches are ADA compliant exceeds the available revenues because the boat launch fees have not been adjusted with inflation.”

Response from the Board of Supervisors/General Services/Development Services:

F1: The Board of Supervisors disagrees with the Grand Jury finding. There are ramps at the front and rear entrances to the facility at 463 Second Street that lead to the interior door to the Grand Jury meeting room.

F2: The Board of Supervisors agrees with the Grand Jury finding.

F3: The Board of Supervisors partially disagrees with the Grand Jury finding. The Sutter County website is not difficult to navigate, though it may be difficult to find specific ADA information.

F4: The Board of Supervisors agrees with the Grand Jury finding.

F5: The Board of Supervisors disagrees with the Grand Jury finding. The County has designated the Director of Development Services as ADA Coordinator for County roads and right of way and the Director of General Services for County facilities.

F6: The Board of Supervisors agrees with the Grand Jury finding. However, to clarify, the grants were not for ongoing maintenance.

F7: The Board of Supervisors was not asked to respond. However, the Board of Supervisors partially disagrees with this finding. If boat launch fees were adjusted with inflation, it would still not cover the costs of operating the facilities.

RECOMMENDATIONS

Grand Jury Recommendation #1:

“R1: General Services and Development Services should build an ADA compliant ramp to the SCGJ room entrance so that jury members have equal accessibility to the SCGJ room. This should be completed by September 30, 2023.”

Grand Jury Recommendation #2:

“R2: General Services and Development Services should maintain due diligence and management practices of the Transition Plan to ensure that all items found in 2011 are on track for completion within 15 years of those findings. This should be completed by September 30, 2023.”

Grand Jury Recommendation #3:

“R3: General Services should revise the Sutter County website to make it more user friendly and easy to navigate for ADA and all maintenance related issues. This should be completed by September 30, 2023.”

Grand Jury Recommendation #4:

“R4: General Services and Development Services need to gather information from other local government entities on their CMMS to determine the appropriate customized CMMS (Computer Maintenance Management System) that will meet the needs of Sutter County and purchase that program. This should be completed by September 30, 2023.”

Grand Jury Recommendation #5:

“R5: The Board of Supervisors should either add the responsibilities of an ADA coordinator to an existing staff position or develop an ADA coordinator position and fill the position. Make publicly known of this position and how the public can contact this staff member. This should be completed by August 31, 2023.”

Grand Jury Recommendation #6:

“R6: The Board of Supervisors should renegotiate grant funding for each individual boat launch facility, include the current cost of maintenance and repairs, and ensure that these funds are used only for Sutter County boat launch facility maintenance and repair. This should be completed by August 31, 2023.”

Grand Jury Recommendation #7:

“R7: The Board of Supervisors should increase boat launch fees to help offset the cost of maintenance and repairs as well as making these launch facilities ADA compliant with equal accessibility and making water safety a priority. This should be completed by August 31, 2023.”

Response from the Board of Supervisors/General Services/Development Services:

R1: This Recommendation will not be implemented because it is not warranted or is not reasonable. The building where the Sutter County Grand Jury is located, 463 Second Street, already includes an ADA compliant ramp at the main entrance to the structure. The County’s access control system can be modified so grand jury members can enter through the main entrance after business hours and on weekends.

R2: This Recommendation has not been implemented, but will be implemented by June 30, 2024. The Development Services Department expects to complete the right-of-way improvements listed in the 2011 ADA Transition Plan by FY 2025-26. The department will add the current level of completion to the Department’s webpage and make updates

Sutter County Board of Supervisors Response to 2022-23 Grand Jury Annual Report

as improvements are completed. Additionally, the department will provide an annual correspondence report to the Board of Supervisors summarizing the status of the completed and planned improvements.

R3: This Recommendation has not been implemented, but will be implemented by June 30, 2024.

R4: This Recommendation has not been implemented, but will be reconsidered in FY24-25 after current system implementations are completed.

R5: This Recommendation has been implemented. It was implemented before the Grand Jury report was issued. However, the County is in the process of designating the Risk Manager as the ADA Coordinator for County facilities. The Director of Development Services will remain the designated ADA Coordinator for County roads and right of way.

R6: This Recommendation will not be implemented because it is not reasonable as the California State Parks, Division of Boating and Waterways does not offer grant funding for operations or maintenance of a boat launching facility. Additionally, grants for capital improvements require a future operating period of 20 years, which is often beyond the useful life of the improvements, thus leaving the County responsible for hundreds of thousands of dollars of repairs and maintenance that cannot be practically obtained through user fees.

R7: This Recommendation will not be implemented because it is not warranted. The Board of Supervisors considers County fees as needed and will determine if any future fee changes are to be made.

Sutter Yuba Behavioral Psychiatric Health Facility Unit Safety Improvement and Funding

The Sutter County Board of Supervisors are required to respond to this report. The Sutter County Health and Human Services is invited to respond.

Below is the response from the Board of Supervisors and Health and Human Services Department. This response was developed in concert with the County Administrator's Office.

FINDINGS

Grand Jury Finding #1:

"F1: Ligature points are an unresolved safety concern in the Sutter Yuba Behavioral Psychiatric Health Facility."

Grand Jury Finding #2:

"F2: There is a deficiency in funding of non-categorical money for facility repair work specifically for the Sutter Yuba Behavioral Psychiatric Health Facility Unit."

Response from the Board of Supervisors/Health & Human Services:

F1: The Board of Supervisors agrees with the Grand Jury finding.

F2: The Board of Supervisors agrees with the Grand Jury finding.

RECOMMENDATIONS

Grand Jury Recommendation #1:

"R1: HHS Director to conduct an audit of HHS funding and allocation to assure resources are funded and available to complete the urgent required safety repairs to the SYBH PHF unit by end of December 2023."

Response from the Board of Supervisors/Health & Human Services:

R1: This Recommendation has not been implemented but will be implemented in the future, specifically, by December 31, 2023. HHS has identified that behavioral health realignment, Mental Health Service Act, and Development Impact Fees in a combination of allowable regulatory use parameters, will be available in FY 2023-24 to complete urgent SYBH PHF facility repairs.

Attachment A – Sheriff's Response



**SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER**

July 6, 2023

Superior Court of California, County of Sutter

Attn: The Honorable Susan Green - Presiding Judge

1175 Civic Center Blvd.

Yuba City, CA. 95993

Please accept this response on behalf of the Sutter County Sheriff's Office regarding the findings of the Grand Jury for FY 22/23. It has been my honor to get to know the Grand Jury members and to provide an overview of the operations of the Sheriff's Office. I want to express my appreciation of the Grand Jury and the role they play in helping to bring deficiencies to our attention. I have reviewed the proposed report and offer the following responses to both the "Findings" and the "Recommendations" as suggested by the Grand Jury. While the requested responses were not specific to the Sheriff's Office, I feel it is my responsibility to be transparent and offer solutions and support to other county departments, as well as the Board of Supervisors.

SUTTER COUNTY SHERIFF'S OFFICE

FINDINGS:

F1: The Sheriff Department has consistently acted on recommendations and implemented those recommendations to reduce narcotics and contraband from entering the jail. These actions have greatly reduced the infiltration of narcotics and contraband into the jail, providing a safer environment for jail staff and inmates.

F1 Response: The Sheriff's Office would like to express our appreciation of the Grand Jury for these comments. We pride ourselves on being innovative and fiscally responsible in accomplishing our goals. Prior Grand Jury reports have offered good suggestions for improvements, and we are glad we were able to implement many of their recommendations into our facility.

F:2 While staffing remains a challenge, significant progress has been made in staffing at Sutter County Sheriff Office. The staff efficiency and morale continue to improve as staffing levels increase.



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

F2 Response: The Sheriff's Office appreciates the Grand Jury's acknowledgement of our efforts to recruit and hire qualified personnel to provide public safety services. The Board of Supervisors have shown their support through salary increases and this has allowed the Sheriff's Office to stay competitive in the job market. The Sheriff's Office is committed to creating an environment where candidates will feel valued and want to be part of a great organization. We will continue our recruitment efforts throughout this next fiscal year.

F3: The current evaporative cooling system in the older section of the jail is not adequate, creating unsafe working conditions for the jail staff and unsafe living conditions for the inmates.

F3 Response: The Sheriff's Office agrees the evaporating cooling system is in need of replacement and this could potentially create "Unsafe" working conditions. However, it is my belief staff goes to great lengths to ensure a safe environment for both staff and incarcerated persons. Some of these procedures included bringing in additional fans, handing out ice packs and mopping condensation from the floors. As noted in the Grand Jury's report, there have been no formal complaints lodged in the jail about excessive heat or heat related emergencies. Again, this credit belongs to our exceptional staff, but we acknowledge improvements must be made with the cooling system.

F4: Sutter County has secured grant funds through the grant writing functions of the Development Officer position (libraries and museums) that well exceed the cost of this position.

F4 Response: The Sheriff's Office supports this recommendation and would appreciate additional assistance in locating and securing grant funding opportunities.

RECOMMENDATIONS:

R1: General Services should obtain a current cost estimate for the replacement of the air conditioning system in the old section of the Sutter County Jail by December 1, 2023. (F3).

R1 Response: The Sheriff's Office supports this recommendation and will cooperate with facility access, or any additional information needed to obtain a cost estimate for this facility improvement project.

R2: Board of Supervisors should research, identify, and begin funding the capital improvement fund for the new cooling system for Sutter County Jail by June 30, 2024. (F3).

R2 Response: The Sheriff's Office supports this recommendation and will work in cooperation with the Board of Supervisors on potential funding solutions.



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

R3: Board of Supervisors should create a Public Safety Grant Writing position to research possible funding for the facility improvements via grants by June 20, 2024. (F4).

R3 Response: The Sheriff's Office supports this recommendation. The Sheriff's Office would recommend a "Public Safety" grant writing position that supports law, fire, Probation and our District Attorney's Office. The Sheriff's Office currently manages 14 different grants or legislative revenue streams (Table A, attached). Grant writing requires a tremendous amount of research to meet specific grant requirements. Additionally, if a grant is awarded there are reporting requirements associated with most grants. The Sheriff's Office is limited on staffing that can accomplish such tasks given the current number of grants we currently manage. Having a designated position to write and monitor grant revenues would be a welcomed addition to our public safety departments.

The Sheriff's Office continues to be dedicated to meeting, or exceeding, industry standards for public safety operations and corrections. We appreciate the recommendations of the Grand Jury and further thank you for accepting these responses on behalf of the Sheriff's Office.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Brandon Barnes", is written over a horizontal line.

Brandon Barnes
Sheriff-Coroner



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

Table A:

Grants/Legislative Pmts	
Trail Court Security	1,188,436
CalMMET	139,593
Booking Fees	64,180
Small County Law Enforcement	500,000
SCAAP Grant	116,721
Boat Patrol Grant	261,829
SAFE Grant	20,000
CCP-AB109	1,781,315
DSH IST Evaluations	10,000
Jail EASS Services	199,920
BSCC Officer Wellness & Mental Health	70,910
CDPH Toxicology Grant	30,888
OES SARC Exam Grant	10,143
DOJ BVP Bulletproof Grant	8,633
Total Grants/Legislative Pmts	4,402,568