

AUDIT COMMITTEE

AUDITOR/ CONTROLLER DEPARTMENT SUTTER COUNTY

INTRODUCTION

The 2005-06 Sutter County Grand Jury Audit and Finance Committee began the year by reviewing the annual audit of the County financial records for the year 2003-04, with the Independent Auditor, focusing on the audit accounting exceptions. During the course of the year other issues arose with the Auditor/Controller, which widened the scope of the investigation, giving reason to look at root causes for the problems.

SUMMARY

Sutter County government is showing an increased lack of professionalism and job focus serving citizens of Sutter County. The government is locked in petty disputes among County departments. Staff efficiency and job priorities are not being properly managed. A lack of inter-departmental communication and cooperation is creating extra work for County personnel due to a focus on disputes rather than on community service. There are delays in paying vendors and County employees' travel reimbursements; errors in financial records; and misrepresentations of the County finances and budgets to State and Federal agencies. In addition, there is an undermining of the chain of command and final County authority. The deliberate unannounced changes in policy and procedures result in poor morale of County staff.

REPORT

During the 2005-06 Grand Jury term the Committee looked at the following issues involving the Auditor/Controller Department:

The 2003-04 Annual Audit by the Independent Auditor

- There were 18 exceptions in the 2003-04 audit, of which, 11 were carryovers from the previous year. There are varying degrees of importance to these exceptions. The goal is to reduce exceptions and clean up carryover exceptions.
- On advice from the State Controller's Office, the Committee focused on the more serious exceptions. The Committee is concerned because exceptions and quality of accounting records indicate the professional level of service performed by the Auditor/Controller. The Committee questioned the exceptions and found that some were made without understanding accounting principles or were mistakes in posting. Neither of these reasons is acceptable. There is either not enough attention paid to posting documents or inadequate supervision.

- During the course of the audit review the Committee agreed that the Independent Auditor is very competent. The firm audits 7 different counties, numerous cities and many special government districts and agencies; so the Committee believes that there is a wide range of experience behind the firm's work and knowledge of governmental accounting.

Policy and Procedures:

- The lack of formal Accounting Policy and Procedures is an audit criticism that was first noted in the management report by Price Waterhouse in 1993 and has appeared as an exception for annual audits on a continuous basis. The Auditor/Controller Department operates from a collection of memos regarding accounting issues and procedural changes, but does not have a policy/procedure manual regarding how employees perform tasks, nor defining the relationship of the Auditor to other County departments. The lack of procedural documentation is a root cause of inter-departmental friction because the rest of the County departments do not know about the Auditor's practices. Adding to this problem the Auditor frequently changes procedures and policy without any advance notice or discussion with the rest of the County department managers.
- Interpretation of State requirements or accounting industry published rules and regulations have also been a major source of problems, with departments reading the same document and arriving at different conclusion. Implementation of a standard accounting policy and procedures needs to be top priority for the County. Proper and efficient staff management is necessary to produce the required documentation. The Committee believes that Sutter County is not so unique that existing procedures in other counties would not apply. Policy and procedures should define procedures sufficiently to make interpretations of situations universal to stop the inter-departmental fighting over accounting and payment issues.

FINDINGS

- The investigation discovered that Sutter County has a very fragmented accounting system. The current accounting system appears awkward and cumbersome; and out of date from a technology standpoint. While most department heads have stated that they do not have a problem with the system, the Committee believes that the fragmentation of the systems create divisive issues that impact all departments. A review of the technology should also review staff efficiency in processing data. Some of the problems may be caused by poor training or supervision, or a lack of data entry control and review.

The County maintains three (3) independent computer systems.

IBM

- An 11-year-old system that is running software approximately 25 to 30 years old, brought here from Kings County. This system operates programs for:
 1. County Treasurer
 2. Courts and law enforcement departments
 3. Budget for County Administrator
 4. County payroll program (not designed for public service agencies and is extensively modified to try to meet the County needs)

UNIX

- This system has a complete integrated accounting package owned by the County, with the exception of payroll. This system has the following modules:
 1. General Ledger, used by the Auditor/Controller
 2. Accounts receivable/payable
 3. Budget (currently not used) line item budgeting capability is available but not installed
 4. Job Costing (currently not used)
 5. Encumbrance (currently not used)
 6. Payroll/Human resources (available, not in current package)

Cost Accounting Management System (CAMS)

- Purchased two years ago as a Microsoft based system that is PC driven:
 1. Job Costing: a duplication of programs which forces the payroll to be entered twice each pay period for all employees working in more than one job category because this program is not integrated into the existing payroll program.
 2. Accounting package for Public Works
- The UNIX and IBM computers are not integrated or compatible. However, a program has been written to transport the Budget from the IBM into the UNIX for reporting purposes. This process involves a special handling operation at Information Technology (IT).
- The IT Department is in the process of converting all County offices to the Microsoft PC driven operating system. This is a major step in bringing the County to real time accounting.
- The departments using the accounts payable or the general ledger program cannot make real time comparisons with the Budget when posting ledger entries or paying bills, so the Auditor/Controller may issue payments without being able to verify fund balances. Also, no department can make real time comparisons with the General Ledger and the Budget. There have been several comments made about the amount of manual work that has to be done in payroll and accounting.

- CAMS does not integrate into either of the other two systems (UNIX and IBM).

Board of Supervisors Response

The Board of Supervisors generally concurs with the findings presented here. For example, we concur that the Department of Information Technology operates many software packages for a number of different departments on three distinct platforms: the IBM AS400, the UNIX RS6000, and PC-based Microsoft OS.

The Board of Supervisors also concurs that there are issues regarding the integration of a variety of software that impact the financial system, and that although an integrated system would require some changes to the way work is performed in the County (such as eliminating paper and accessory manual systems), it is important that we move toward a fully integrated financial system. To this end, the Department of Information Technology is migrating the software currently operating on the RS6000 to operate on the Microsoft PC OS platform, and a working group has been formed to seek proposals for improving the integration of the Human Resources & Payroll functions. In addition, the Board feels that it is important to develop a plan to increase the integration of a variety of elements of the financial system. This could be done by implementing software modules from Bi-Tech for which the County already has licensing, as well as other Bi-Tech modules for which we do not yet have licensing, or by acquiring different software systems.

RECOMMENDATIONS

Accounting systems:

The Committee recommends that the Board of Supervisors take immediate action, through the IT Department, to analyze the capability and future value of the present computer systems and find a way to bring the County accounting and budgeting to an integrated, real time system. The Committee further recommends that the Board looks at systems now on the market that will provide all the necessary accounting programs on an integrated basis that will allow for more flexible budget planning and more error free data entry. The Committee recognizes that this will be a very expensive investment; however, it is an investment for the operational future of the County. A completely new system may become a cheaper necessity if the County considers the current costs of time and inefficiency with the present operating systems.

A second choice would be to have the IT Department overhaul the existing systems and build a completely integrated operating system that can allow for real time entry and analysis work. The Committee found that the current UNIX system needs only a payroll module added to complete an integrated financial system for the County. The cost of this addition would be within the budgeted allowance for a new payroll package. A commitment is needed from all departments to change their procedures to make integration work. Quality, in-depth training with well-written procedures is necessary to maximize the value of a new system.

The County's UNIX system allows for several budget scenarios to be run at the same time, which would increase the flexibility of the County government to create and manage a workable budget under the fluid conditions of a growing county. The Committee would urge the IT department to work with all departments to eliminate as much manual data processing as possible.

The Committee further recommends that all departments cooperate with IT to keep program modifications to a minimum. The Committee believes that many of the current problems with a smoothly operating accounting system are due to modifications made to suit individual needs. This creates problems with software upgrades and training when the responsible individual departs, leaving future users in a difficult untrained and undocumented situation. Custom modifications generally do not have adequate operating instructions or universal training. Once the initial user has left employment, the procedures become obscure. Relying on "this is how we have always done it" attitude is not a satisfactory solution.

Board of Supervisors Response

The Board of Supervisors concurs with the recommendation to pursue a fully integrated financial system, with the note that in addition to the expense of the hardware & software necessary for this investment, there will be a need to revise the way work is performed in the County, requiring new ways of thinking and much training on the new systems. The Board notes for the Grand Jury that the current

reliance by some departments on manual systems may be obviated in the near-term by using modules for which the County already has licensing, and by ensuring that employees get proper training. Recognizing that the wide variation in services provided, and processes required, throughout the County make it impossible to completely eliminate custom programming, the Board also concurs with the recommendation to minimize such programming, and ensure proper documentation by the Department of Information Technology in those cases when it must occur.

Policy and Procedures:

The Committee recommends that the Board of Supervisors hire, as soon as possible, a consultant to review the present accounting operational procedures and create a formal written policy and procedures program for all accounting and financial jobs in the County. A training program will need to be implemented once the policy and procedures have been approved. This should also be the responsibility of the consultant. There are policy and procedures available from other counties. The Auditor/Controller has on several occasions stated that his department has a work load that prevents the Auditor's office from doing this project; therefore, the Committee recommends that the consultant be independent, but work through the Auditor's office, and answerable to the Board of Supervisors, but not hired as a permanent employee. Once the consultant's work is complete, the Auditor's office will need to continually update and train staff in all departments.

Board of Supervisors Response

The Board of Supervisors concurs with this recommendation.

Final County Authority and Chain of Command:

The Committee strongly recommends that the Board of Supervisors assume responsibility as final authority in the governing of Sutter County. Discussion with the State Controller's office verified that the final authority for financial/accounting decisions in all counties is with the Board of Supervisors. The Committee is very concerned with the defiant attitude taken by the Auditor/Controller who refuses to accept the Board's authority. This is not acceptable behavior for those officials elected as well as those appointed. This situation has developed over a period of many years, but has now reached the point where the authority in the County is gridlocked with Board decisions subject to legal settlement. The legal costs alone are a substantial burden for Sutter County citizens. The Board of Supervisors public meeting is not the place to replay department arguments. The Committee recommends that improved communication be established between departments and inter-departmental issues be resolved internally.

Board of Supervisors Response

The Board of Supervisors not only agrees with this recommendation, but notes that, as can be seen in the record, the Board has never relinquished their responsibility as the final authority for the governance of Sutter County, and in this role has consistently provided clear direction to the Auditor/Controller. This includes initiating court action to force the Auditor/Controller to accept, and function properly in, his role as defined by State law and court decisions over many years.

The Board also shares the Committee's concern with the defiant attitude of the current incumbent Auditor/Controller. Unfortunately, in some cases, the Board has been required to devote resources to legal proceedings in order to persuade the Auditor/Controller to perform his office properly by following Board direction. It is truly unfortunate that, as the Committee points out, the Auditor/Controller's lack of performance must be discussed in public, however, because he is an elected official there is no other forum in which it may legally be done. Regarding the recommendation to improve communication, the Board is always willing to seek improved communication between departments, but suggests that poor communication is not the entire cause of problems, and that to address the root cause of the problem requires that the Auditor/Controller accept his role as a department head who implements the decisions of the governing body, the Board of Supervisors, after discharging his responsibility to provide the Board with his independent professional advice prior to the Board taking action.

Professionalism and Job Integrity:

All positions of authority in the County, elected or appointed, demand a high degree of professionalism and dedication. The Grand Jury is embarrassed by officials' acts of disrespect for each other. Poor attitudes displayed by County officials reflect the character of quality of the residents in Sutter County who elect them, and how the County is viewed by others. The Committee believes that the citizens of Sutter County are not getting the quality of service that we should expect for what we pay. The Committee recommends that the Board of Supervisors take measures to create a better working environment in the County that will focus on making the County a more functioning unit. The Board needs to instill the spirit in the staff of getting the job done correctly and in the most efficient way possible. "Team Sutter" is not working because the whole team is not functioning as a single unit.

Board of Supervisors Response

The Board of Supervisors concurs with the recommendation to take measures to create a good working environment in the County, and focus on making the County a more functioning unit. The Board notes that, with the exception of the incumbent Auditor/Controller, "Team Sutter" is working well together. Unfortunately, because of the integral role of that office in County operations, poor performance among the

top management of that department reflects badly not only on the remainder of the office, but on the County as a whole.

Staffing:

The Auditor/Controller complains about the lack of staff to get the job done. At the same time the Committee saw evidence where the Auditor's staff was involved with projects that were irrelevant and time consuming. While the Committee supports the Auditor for attempting to "control" expenses to "save the County money", the Committee questions the expense of second guessing the approval of other departments' charges while the Auditor is making huge mistakes in accounting that affects the way the County does business. The issue here is spending hundreds of dollars to save 50 cents. At the same time the Auditor explains that his department cannot create policies and procedures because of the lack of time, yet, the department spends extraordinary time in researching issues to settle an argument with another department. The Committee believes that inadequate job management is an issue and quite probably the present accounting system is a contributing factor.

The Committee recommends that the Board of Supervisors review the staff and job requirements of the Auditor/Controller. The Committee knows that as the pressure increases with growth in Sutter County that job functions change and extra workloads are created without changes in staff. The Committee recommends that staffing analysis be viewed with changes in implementing a more efficient accounting system. This will include a review of the accounting positions in all the County departments.

Board of Supervisors Response

The Board of Supervisors concurs with the statements regarding the poor managerial practices in the Auditor/Controller's Office. Consistent with this recommendation, the Board has retained Harvey M. Rose Accountancy Corporation to perform a staffing analysis of the Auditor/Controller's Office. The Board has committed to effectuating the results of that study in the FY 2006-07 Final Budget. Due to timing constraints, it is not possible to include all accounting positions in the County at this time, but such a review will be considered for the future.

The Auditor/Controller is a separate elected official and, as such, responds directly to the Grand Jury's findings and recommendations concerning his office. A copy of his response is included in this document as Attachment A.

RESPONDENTS

Sutter County Board of Supervisors
Larry Combs, County Administrative Officer, County of Sutter
Robert Stark, Auditor/Controller, County of Sutter
John Forberg, IT Director, County of Sutter

AUDIT and FINANCE COMMITTEE

HOTEL/MOTEL SURCHARGE

INTRODUCTION

The 2005–06 Grand Jury Audit and Finance Committee began the year by investigating the Hotel/Motel Surcharge (also known as the Transit Occupancy Tax) in order to gain an understanding of the original intention for imposing this tax and its current usage.

SUMMARY

Since imposing the Hotel/Motel Surcharge in Sutter County, and its subsequent increase from 6 to 10-percent, the Committee believes that general fund revenues have not been adequately utilized to help promote tourism within the city and county. No definitive strategic plan has been developed by the city or county governments in order to promote tourism. This type of tax is generally utilized by other counties to promote tourism plans. Currently, portions of these revenues are being utilized to defray the costs of increased use by visitors on city services, which include public safety, public services, and to some extent economic development. City and county governmental entities have a great deal to gain (through increased tax revenues) by optimizing the occupancy rates of the lodge owners in our community. Both the lodge owners and the city/county governments could equally benefit by a heightened effort to promote tourism in our community.

DISCUSSION

- Through an intensive investigation, the Audit and Finance Committee members have concluded that not enough of the annual revenues generated by Hotel/Motel Surcharge are being reinvested back into the very industry, which generated the revenues in the first place. This is an industry, which generates significant general fund revenues annually for the City and County coffers. These revenues are generated by the Hotel/Motel Surcharge, which was adopted by the City Council of Yuba City in 1993. Since adopting this surcharge an increase in the tax has occurred on one occasion. In November of 2000 Measure YY was approved by the voters, which paved the way for this rate increase from 6 to 10-percent. It has been determined by the Committee (through interviews with lodge owners in the County) that annual occupancy rates for the Hotel/Motel industry in Sutter County currently average approximately 56-percent. A positive impact can be made to these occupancy rates by stimulating tourism in the County. Promoting tourism is a vital piece of the puzzle, which can be accomplished in several different ways (i.e. planning more community and regional events, develop adequate facilities which would accommodate large conventions). A heightened effort by the City and County to promote the lodging industry would directly impact the

County's occupancy rates, which would result in the increase of annual general fund revenues.

- This surcharge was presented to the voters as a general revenue tax. This tax was presented to the voter in this form in order to give it a better chance of passage. For its passage, it merely required a majority (51-percent) vote of the constituency of Sutter County to impose this general revenue surcharge, which could be used for any general governmental purpose. It would have required a two-thirds vote of the constituency of Sutter County in order to impose a special revenue surcharge tax, which would be imposed for specific purposes, and could only be used for this specific purpose, such as tourism.
- The tax currently imposes a 10-percent Hotel/Motel surcharge on all lodging in the County.
- The surcharge is collected by the operator of the establishment at the time room rates are collected.
- Revenues collected from this surcharge go into the City and County's general fund and may be spent for any general purpose.
- By increasing the Hotel/Motel Surcharge from 6 to 10-percent in 2000, the City of Yuba City initially anticipated an increase of annual revenues from its current \$39,000 to between \$150,000 - \$165,000. The revenue generated by the Hotel/Motel Surcharge for fiscal year 2002-03 was \$531,288, and for year 2003-04 was \$549,938.
- Budget-adopted City surcharge revenue for fiscal year 2003-04 was \$530,000, for year 2004-05 was \$550,000, and for year 2005-06 was \$550,000.
- Actual annual County general fund revenue generated by this Hotel/Motel Surcharge in years past has totaled approximately \$40,000.
- The Surcharge compensates local agencies for the use of Police and Fire services, parks, roads, and other local services that are typically funded by local taxpayers. This type of tax is generally used in other counties to promote tourism.

FINDINGS

- At no time during the Committee's investigation were we under the impression that the Surcharge revenues were being inappropriately utilized.

The following articles were added by the initiative measure, Proposition 62, when approved by the electorate at the November 4, 1986 general election:

- **Article 53722. Imposition of special tax reads as follows;**
"No local government or district may impose any special tax unless and until such special tax is submitted to the electorate of the local government, or district and approved by a two-thirds vote of the voters voting in an election on the issue".
- **Article 53723. Imposition of general tax reads as follows;**
"No local government, or district, whether or not authorized to levy a property tax, may impose any general tax unless and until such general tax is submitted to the electorate of the local government, or district and approved by a majority vote of the voters voting in an election on the issue".

Board of Supervisors Response

The Board of Supervisors concurs with these findings. As a matter of clarification, Articles 53722 and 53723 referred to are sections 53722 and 53723 of the Government Code.

RECOMMENDATIONS

A heightened effort by City and County governments is needed to help promote and improve tourism throughout the County. City/County governments need to formulate clear objectives, and a plan for improving occupancy rates for lodging.

Sutter County should produce a brochure listing area activities, restaurants, and points of interest that could be developed by an ad agency for the County. These brochures could be distributed to neighboring communities or counties through their local Chambers of Commerce.

Upgrading of our City and County websites is needed in order to reflect real time lodging accommodations, restaurants, local activities, current events, and more. These websites should contain web links to each business, event, and activity, which would provide the user more detailed information on each item. This would enable the visitors to our area a greater understanding of the services and activities available to them during their stay in the Sutter County.

City/County governments should develop long term plans for a Convention/Visitors Center paid for by the Surcharge.

City/County governmental entities should foster a cooperative effort between lodge owners and restaurateurs in order to help develop a healthy business climate within the community. Lodge owner/restaurateur organization should be established to help promote City and County to outside visitors. The organization should create and develop a specific marketing plan to help direct its promotional objective.

Board of Supervisors Response

As the Grand Jury is undoubtedly aware, the original hotel/motel surcharge ballot effort was initiated, and led by, the Yuba/Sutter Chamber of Commerce. It was their position that the money should be utilized for a regional tourism effort. When the tax was imposed in all jurisdictions, the Chamber proposed, and the four jurisdictions (Sutter and Yuba Counties, and the cities of Yuba City and Marysville) funded, the regional tourism effort. For a variety of reasons that effort is not currently funded; however, the Board of Supervisors supports a regional effort to promote tourism, whether on a more limited basis (i.e., Sutter County and the cities of Yuba City and Live Oak) or a broader effort to include all of the four original jurisdictions. Such an effort could be undertaken by the Chamber of Commerce, the Yuba Sutter Economic Development Corporation, or through a newly-created Convention & Visitors Center program. Sutter County is willing to work with the other jurisdictions and community organizations to implement such a program.

RESPONDENTS

Larry Combs, County Administrative Officer, County of Sutter
Jeff Foltz, City Manager, City of Yuba City

AUDIT/FINANCE COMMITTEE

YUBA-SUTTER ECONOMIC DEVELOPMENT CORPORATION

INTRODUCTION

The 2005-06 Sutter County Grand Jury Audit and Finance Committee met with Larry Combs, County Administrator and Jeff Foltz, Yuba City Administrator, at 1201 Civic Center Blvd., Yuba City on October 3, 2005. On December 6, 2005, the Committee also met with Tim Johnson, Executive Director of the Yuba Sutter Economic Development Corporation (EDC), and Dan Flores, President of the EDC, at 1225 Bridge Street, Yuba City.

MISSION STATEMENT

“To improve and enhance the diversification and sustainability of the economy by educating the community in retaining and creating jobs, achieving development opportunities and business investments in the region.”

SUMMARY

The Committee selected the EDC for review based on three reasons. First, the EDC receives a portion of its financing from the Sutter County Budget. Consequently, the EDC is, at least in part, a taxpayer-supported enterprise. Secondly, information available to the Grand Jury at the time selected, indicated it had been some time since a Grand Jury reviewed EDC operations. Finally, the Committee felt that with the recent and expected growth within the County, a look at any organization tasked with the County’s economic development should be reviewed. The Committee also reviewed *The Comprehensive Economic Development Strategy 2005-06 for Yuba-Sutter Development District*.

The Yuba Sutter Area has a number of challenges in creating and retaining enough jobs to provide employment for its fast growing population. The EDC is a major player in meeting these challenges.

DISCUSSION

- The EDC is a non-profit public benefit corporation organized and operated exclusively for charitable purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code. It is governed by a 35-member Board of Directors of which 18 are elected public officials. The remaining 17 Board members are Directors-at-Large who are nominated by the Board from the EDC membership. Officers include the President, Vice President, Secretary, and Treasurer. The Secretary is also the Executive Director who, under the direction of the Board, conducts the general and active management, supervision, and control of the business of the EDC.
- EDC funding comes from a variety of sources. Among these are the purchase of memberships by EDC members, financial support from local governments, and fees generated by services performed by the EDC in its operations. Among the latter is the administration of the County’s Economic Development Block Grant (EDBG) programs. Funds from these grants are used to make short-term business development loans (for up to 7 years). Loan administration fees

from this program help fund the EDC. One of its long-term goals is to become financially self-supporting.

- EDC is operating in a region (including all of Sutter County) which is undergoing significant demographic as well as other changes. While the population of Sutter County grew over 9-percent from 2000 to 2005 it lagged behind the State's growth of 15.3 percent for that same period. Nonetheless, Sutter County added as many people to its population in that 5-year period as it did in the entire decade from 1990 to 2000. Population growth has increased pressure for additional job creation.
- Sutter County has traditionally been an agricultural-based economy. While agriculture is still a significant force in the local economy, its creation of jobs is on the wane. In fact, from 1990 to 2004 it had the largest decline in jobs of any sector of the local economy. The reasons for this are many and varied but it speaks to the necessity of finding more jobs in other industries if higher unemployment is to be avoided. Local unemployment rates have traditionally been some of the highest in the State. Recently there has been an encouraging trend of lower unemployment in the County but the rate still remains much higher than the State average.
- These trends make it very important that Sutter County continue to attract new employers and retain those already here. EDC has been active in a number of venues to attract new business. EDC sponsors publicity events annually in Sacramento and San Francisco to promote the Yuba Sutter Area to potential employers. It may expand this to southern California in the near future. EDC was also very involved with the "Save Beale" campaign in 2005.
- Beale Air Force Base (AFB) is a significant factor in the employment picture in the Yuba Sutter area, not only because it is the largest employer, but also because it has the potential to make the region a leading area for the development of autonomous technology. This technology is associated with the Global Hawk Program at Beale and has attracted hi-tech support firms to the region.
- Currently, there is little, if any, evidence that any strategic planning is being done by the EDC to address the possibility of a future closure of Beale.
- While autonomous technology may provide more jobs in the future, hi-tech has not, traditionally, been a significant part of the economic mix for Sutter County. Large numbers of well-paying career jobs are often associated with manufacturing and distribution. Sysco, in the south part of the County, and Sunsweet in Yuba City are excellent examples of this. More of these types of enterprises are desired for the area to help relieve current high unemployment and to provide future job seekers with more local opportunities. During the course of the Committee's interviews it learned that a major reason for the lack of large employers being attracted to the area is the lack of infrastructure. Adequate sewer, water, drainage, and roads required by manufacturing and distribution firms are expensive to acquire and develop.

- The Committee was told that improved infrastructure is needed to attract new business, but paying for it becomes problematic. Developers need large multi-functional developments (such as that being planned for the south part of Sutter County), which include residential, commercial, and industrial elements. Local governments often lack the resources to build such infrastructure on the speculation that it will attract enough industry to repay the initial outlays. Because of the economics involved, “mega” developments such as those described above are sometimes modified from initial proposals to allow for a more profitable land-use mix. These changes are often approved by local governments.
- EDC finds itself in a difficult position. Local governments desire EDC to “sell” the County to potential businesses. At the same time, EDC finds itself trying to attract industry, which needs fully developed infrastructure without significant inventory of appropriate sites.

FINDINGS

- EDC is an asset to the economic development of Sutter County and performs tangible functions for Sutter County, as well as others, which helps justify its financial support from the County.
- Sutter County is growing quickly and the need for new jobs, especially the types that offer career opportunities and good pay, will become more significant as it grows.
- While agriculture remains a major contributor to Sutter County’s economic health, its significance relative to other economic sectors will continue to decline; therefore, other industries will need to be attracted to the area. Without large manufacturing and distribution centers, it is likely that the job base will not increase sufficiently to reduce the current high unemployment rates in the region.
- A lack of adequate infrastructure is the primary factor in preventing relatively large employers from relocating to Sutter County. This lack of infrastructure can also limit the ability of existing employers to expand.
- One of the major tasks of the EDC is to attract new businesses to the area. Because of a lack of adequate infrastructure throughout the County, a conflict of expectations exists between the EDC and local governments.

Board of Supervisors Response

The Board of Supervisors concurs with most of the findings in this section. However, although agriculture may diminish slightly relative to other industries as additional businesses locate in the cities within the County, we believe that agriculture will continue to be the dominant

industry in the County for the foreseeable future. We also do not believe that there is a conflict of expectations between the EDC and the County. The current policy of the Board, which has been in effect for a number of years, and is well-understood by the EDC, is that new development, including industrial development, bears the cost of providing the infrastructure required for their development. This is best accomplished either within the boundaries of the established, incorporated cities, or as part of the development of a master-planned community that will become incorporated, such as in the case of the “Measure M” area.

RECOMMENDATIONS

The Committee is concerned about the trend for re-designating land use from commercial/industrial to residential. The Committee recommends that while local governments need to ensure that, in their desire to attract development, they do not lose sight of the need to balance housing, industrial and commercial land use.

Sutter County and EDC should work toward a definitive plan to create and fund business-park areas within the County, featuring the infrastructure needed by large commercial and industrial enterprises. The Committee realizes that funding for such an endeavor will take creativity, bold vision, and political will, but the Committee feels the dividends from such an enterprise would be worth the effort.

EDC should continue its efforts to become financially independent.

EDC should begin developing a strategic plan in the event that Beale AFB is closed.

Board of Supervisors Response

The Board of Supervisors shares the concern of the 2005-06 Grand Jury regarding the need to strike the proper balance between residential and industrial and commercial land uses. We would emphasize the principle of balance. Just as it is not wise to allow only residential development without the proper mix of industrial commercial development, it is equally unwise to plan only for industrial/commercial development without recognition of the important role residential development plays in the provision of infrastructure. Evidence of the Board’s commitment to this principle can be seen in the guidelines provided to the potential developers of the “Measure M” area. We do not concur with the recommendation to “create and fund business-park areas” in the unincorporated area of the County. As pointed out above, the provision of appropriate infrastructure for industrial development is very costly and is most efficiently and appropriately provided by incorporated cities, or as part of a master-planned community that is planned to become a city, so that a proper balance can be ensured.

RESPONDENTS

Yuba Sutter Economic Development Corporation
Sutter County Board of Supervisors
Yuba City Council

COUNTY GOVERNMENT COMMITTEE

CITY OF LIVE OAK

INTRODUCTION

The 2005-06 Sutter County Grand Jury County Government Committee conducted an on-site visitation with the Live Oak City General Manager, Mr. Rob Hickey at City Hall, 9955 Live Oak Blvd., Live Oak on September 15, 2005. Mr. Hickey gave the Committee members a comprehensive overview of the City's facilities, staffing, operations, and future planning concepts. The Committee made a follow up visitation on September 19, 2005 to attend a City Council meeting.

SUMMARY

The City of Live Oak is anticipating work necessary to mitigate the impacts and requirements that growth in Northern California is placing upon its community. It is working to meet the needs of planning, funding, coordinating infrastructure improvements, circulation improvements (additional road rehabilitation and new construction) and providing increased or additional levels of service (Police, Fire, Recreation etc.) to an expanding city.

The City is presently in the process of updating its General Plan. It is planning for future expansion and additional service. The City increased impact/development fees from \$6,500 to \$18,700 on October 16, 2005, to help pay for the improvements needed. City Council meetings are well attended by elected Councilpersons, City and support staff. Members arrive informed, ready and prepared to conduct business or provide technical assistance for those having issues before the City Council.

DISCUSSION

- The City has a 5 -year building moratorium on new housing development because of Federal compliance issues with its Waste Water Treatment Plant. Improvements for the plant are scheduled for completion in 2009. The Environmental Protection Agency requires the plant to have twice the capacity of the City's population. Planning for housing development is proceeding and building should start as soon as the plant's additional capacity is available for use.
- There are about 6,000 acres in the City's sphere of influence. The City has about 950 acres ready for development with an additional 450 acres available for unspecified future development and about 1,500 acres in the surrounding area outside of the city limits that is showing interest in annexation and development. City development must be contiguous; the Local Area Formation Commission (LAFCO) does not allow "islands" to be developed distant from City services.

- Growth may be a means of lowering the high un-employment rate (30%) within the City, which has an average income of \$13,000 per household.
- The City has concerns about its present traffic circulation patterns and experiences occasional peak hour gridlock locations (schools, Pennington Road). They are informing all developers that traffic studies will be required before building permits can be submitted. The City will have final approval of the consulting firm selected for those studies.
- Installation of water meters is being considered to help reduce water consumption, provide for water waste enforcement and save the City money by reducing the need to produce additional drinking water.
- It may take creative funding efforts to maintain recreational facilities.

FINDINGS

- Dedicated City professionals provide quality services for their citizens.
- The City has placed itself in a good position to negotiate with developers and landowners over development issues within the City and its sphere of influence.
- The City has developed a smart growth planning philosophy and is moving towards its goals of having new development pay for itself.
- The City's reserve account has increased in six years from \$80,000 to \$600,000.

RECOMMENDATION

None

RESPONDENTS

Rob Hickey, General Manager, City of Live Oak
Live Oak City Council

COUNTY GOVERNMENT COMMITTEE

DEMONSTRATION OF ELECTRONIC VOTING MACHINES

INTRODUCTION

The 2005-06 Sutter County Grand Jury was invited by the Joan Bechtel, County Clerk-Recorder-Registrar of Voters on April 24, 2006 to observe a demonstration of new electronic voting machines at 1435 Veterans Memorial Circle in Yuba City.

SUMMARY

The State of California has mandated that voting by paper ballot must be converted to voting by electronic machine. Staff of the Sutter County Election Department have devoted a great deal of time in researching and determining which electronic voting machine presently available and certified would provide the security, confidence and ease of operation demanded by the citizens of Sutter County.

Election staff explained how the new equipment operates; its multi-backup vote recording and security systems (electronic, paper recordings, and detachable data storage module). Grand Jury members toured the recently remodeled extension of the election building. The Grand Jury members were impressed with its design and security measures, along with the fact that it was built by County employees at a cost savings to the County.

The Grand Jury members were offered an opportunity to cast simulated votes, and the voting machines performed flawlessly.

RECOMMENDATION

None

RESPONDENT

Joan Bechtel, Sutter County Clerk-Recorder-Registrar of Voters

Board of Supervisors Response

The Clerk-Recorder/Registrar of Voters is a separate elected official and, as such, responds directly to the Grand Jury's findings and recommendations concerning her office. A copy of Ms. Bechtel's response is included in this document as Attachment B.

COUNTY GOVERNMENT COMMITTEE

OBSERVATION OF THE SPECIAL ELECTION NOVEMBER 8, 2005

INTRODUCTION

The 2005-06 Sutter County Grand Jury was invited by the County Clerk-Recorder-Registrar of Voters, Joan Bechtel, to observe the precinct and voting activities of the Special Election November 8, 2005. Grand Jury members also attended the tabulation of canvas boards the following day.

SUMMARY

Sutter County Election staff is a very professional, dedicated and meticulous team of permanent and temporary employees.

DISCUSSION

- When the polls opened, election staff assisted voters with questions and concerns.
- Individuals arriving at the precinct were greeted politely, identified and either signed the roster of voters or redirected to their proper precincts.
- Observers were shown various safeguards and protective systems used by the Election Department to ensure that the voting process is confidential, accurate, secure, and free of possible fraud.
- Canvas Boards, where ballots are reconciled and verified, had multiple back up and cross check systems. Every vote, perceived miss vote or miscount was examined until the reason for the error was uncovered and resolved, after which the entire precinct was recounted and verified again.

FINDINGS

Election staff members are thorough and highly dedicated people who work in a cooperative spirit to complete a very detailed process in a very short time.

RECOMMENDATIONS

None

RESPONDENT

Joan Bechtel, Sutter County Clerk-Recorder-Registrar of Voters

Board of Supervisors Response

The Clerk-Recorder/Registrar of Voters is a separate elected official and, as such, responds directly to the Grand Jury's findings and recommendations concerning her office. A copy of Ms. Bechtel's response is included in this document as Attachment B.

CRIMINAL JUSTICE COMMITTEE

LEO CHESNEY CORRECTIONAL FACILITY

INTRODUCTION

Members of the 2005–06 Sutter County Grand Jury Criminal Justice Committee conducted an onsite visit to the Leo Chesney Correctional Facility located at 2800 Apricot in Live Oak on November 14, 2005. Committee members interviewed Facility Director Ron Murray, Program Director Paula Ford, Dietary Director Roy Hansen and Chief of Security, Mr. McQuerty. After the interview, Directors provided a tour of the facility.

MISSION STATEMENT OF LEO CHESNEY CORRECTIONAL FACILITY

“The Program Goal of the Facility is to provide inmates with a secure, clean environment in which they have the opportunity to participate in a variety of education, vocational, and recreational activities designed to prepare them for successful living after incarceration, comprehensive course work to improve basic educational, occupational, and social skills are offered. The California Department of Correction (CDC) stated educational goal is to prepare inmates for parole with skills and attitudes that prevent their return to the prison system.”

SUMMARY

The Committee was impressed with the overall operation of the Leo Chesney Correction Facility (LCCF). The facility appeared to be orderly, functional, and the grounds were well maintained.

REPORT

LCCF is the only privately operated women’s minimum security prison in the State of California and is the only women’s prison in Northern California. Located in the City of Live Oak, it sits on ten acres and is comprised of seven buildings. On the day of the tour, there were 203 inmates present with a facility capacity of 220. The staff consists of a facility director, program director, food services director, correctional officers, security, a social worker and a teacher. LCCF has a full-time nurse, and a doctor who comes to the facility once a week.

Placements of inmates are contracted through the California Department of Correction. The average stay for inmates is for the final four to six months of their sentence, with a maximum of 18 months.

The facility is now a non-smoking facility. Inmates are not always happy with this rule, but are willing to comply due to LCCF being a very desirable environment to be incarcerated.

The director reported that there have been no suicides or attempted suicides; no deaths from other causes; no escapes, in fact, no one has attempted to escape.

The Fire/Emergency Drills are held quarterly on every watch.

Inmates have a garden where they grow vegetables to be used in the meals prepared for inmates. They are very proud of their garden.

DISCUSSION

- The California Department of Corrections supports academic and vocational education programs. Services at the Center include basic education and GED prep, pre-release programs, a library, recreational, physical education and crafts.
- All inmates are required to take the Test of Adult Basic Education (TABE), and if found to test lower than a 6th grade level, must attend school provided onsite.
- The LCCF offers a wide variety of programs. Some of the programs offered, are funded and managed jointly with outside agencies, and others are managed solely by outside sources.

PRE-RELEASE

- Pre-release is a 30-day voluntary classroom program established to assist inmates in developing objectives and formulating plans to be implemented upon their release.
- The classes offered are: Domestic Violence, Co-Dependency, Self-Esteem, Anger Management, Job Search, and Interview Skills.
- Training is designed for inmates who face the challenge of overcoming a substance abuse problem or addiction.

- Also offered is a Yuba College Parenting Class that meets court mandated parenting skills requirements, and earns college credits.

MORAL RECOGNITION THERAPY (MRT)

- This program enables the participants to gain self-esteem, set goals, develop life skills, think positively, and evaluate their moral reasoning. The 12-step Program is available on a voluntary basis. It is designed to alter how offenders think, make judgments and decisions about what is right or wrong with their behaviors and attitudes.

PRISON PREVENTERS

- The program enables inmates to travel to local schools, Probation Departments, Juvenile Halls, Community Colleges and Universities. Individuals participate on a voluntary basis, telling their stories of alcohol and drug abuse and related crimes in hopes of deterring others from making the same mistakes.

EDUCATION

- Adult Basic Education (ABE) is required for those testing below a sixth grade level. Subjects include math, language arts, science and social studies. Once an inmate demonstrates proficiency in these subjects, they are tested and must score at a 7th grade level.
- English as a second language is offered. There are numerous inmates with limited or no English skills. The same subjects are taught as in ABE, with a bilingual tutor.
- Inmates testing above a 6th grade level without high school diplomas are given the opportunity to enroll in the General Equivalency Degree class. A program is developed specifically for their individual needs.
- LCCF is a satellite campus for Yuba Community College. On-site as well as tele-courses are offered each term. Approximately 100 inmates attend an average of three courses, which are free.
- Religious services, Narcotics Anonymous, Alcoholics Anonymous, are service programs are made available to inmates who wish to participate. Recreation, including a wide variety of sports, crafts, and activities are available and supervised by a recreation coordinator.
- LCCF has a work incentive program that requires all inmates to work. They learn basic job skills and develop good work habits and attitudes that will help in finding employment upon release. Inmates receive minimal pay and work in areas of city services such as parks and recreation maintenance as well as Caltrans projects.

FINDINGS

- Programs offered at LCCF are positive in direction to help inmates achieve a higher self-regard, to believe in a positive future and to present employment options through education and training. The programs are designed to promote self-sufficiency and to return inmates to their communities as productive and responsible members.

RECOMMENDATION

The Committee recommends LCCF add a psycho-social program to meet the psycho-social well being of every inmate that resides in LCCF, preparing them to return home to everyday life of caring for others, as well as for themselves.

Counseling sessions should be required for all inmates to attend, before they are released from LCCF. Counseling sessions should include a licensed clinical social worker, a psychiatrist, a marriage and family counselor, and a psychologist to assist all the inmates in returning to society.

RESPONDENT

Ron Murray, Facility Director, Leo Chesney Correctional Facility

CRIMINAL JUSTICE COMMITTEE

YUBA-SUTTER JUVENILE HALL & MAXINE SINGER YOUTH GUIDANCE CENTER

INTRODUCTION

On October 20, 2005, members of the 2005-06 Sutter County Grand Jury Criminal Justice Committee conducted an on-site interview with Frank Sorgea, the Superintendent of the Yuba-Sutter Juvenile Hall and the Maxine Singer Youth Guidance Center located at 1023 14th Street, Marysville.

MISSION STATEMENT OF YUBA-SUTTER JUVENILE HALL & MAXINE SINGER YOUTH GUIDANCE CENTER

“Provide protection for the public through lawful detention of minors accused of violating the law who are pending further disposition by the Court. To provide meaningful programs directed toward the reintegration of minors into the community following detention.”

SUMMARY

The Committee was impressed with the overall operation of the Yuba-Sutter Juvenile Hall & Maxine Singer Youth Guidance Center. The community is fortunate to have such a well-run facility. Family participation in the process of rehabilitation of the minors in the Juvenile Hall and Youth Center is admirable and could be considered a successful template to be used by surrounding counties.

REPORT

- The Yuba-Sutter Juvenile Hall is a 45-bed detention facility for offenders under 18 years of age. It also includes a 15 bed Serious Habitual Offender Unit that is separate from the Juvenile Hall. Comprehensive correctional service programs, educational and mental health services are provided to residents.
- The Maxine Singer Youth Guidance Center is a 48 bed Boot Camp program for male offenders. It also includes a 12 bed girls' treatment program. Comprehensive services and substance abuse counseling is provided to residents. Community service projects are undertaken and the wards work closely with local schools and civic groups. Specialized program elements include small engine repair, a construction technology class, anger management and family services. Wards typically stay with the program at Camp Singer for 7 months.
- The total budget for the Yuba-Sutter Juvenile Hall is \$3 million for 2005-06. The costs are shared by Sutter and Yuba Counties on a per capita basis. Residents can remain at the facility until 18 years, 11 months, 30 days of age.

FINDINGS

- The Yuba-Sutter Juvenile Hall and Maxine Singer Youth Center is an impressive facility. The citizens of Sutter County should be thankful that it has such a correctional institution for our troubled youth. There is a strong belief

among the employees at the facility that they can make a difference. Based on the observations of the Committee, we could not agree more.

RECOMMENDATION

None

RESPONDENTS

Frank Sorgea , Superintendent Bi-County Juvenile Hall
Chris Odom, Chief Probation Officer, Sutter County
Steve Roper, Chief Probation Officer, Yuba County
Presiding Judge of Juvenile Court Sutter County
Presiding Judge of Juvenile Court Yuba County

Board of Supervisors Response

While it is not listed as a respondent, the Board of Supervisors notes that it concurs with the Grand Jury's finding. The Board commends the Bi-County Juvenile Hall staff, the Yuba and Sutter County Probation Officers, respectively, and the other agencies which provide services to the Juvenile Hall and Maxine Singer Youth Center wards – notably the Bi-County Mental Health Division of the Sutter County Human Services Department.

CRIMINAL JUSTICE COMMITTEE

SUTTER COUNTY SHERIFF'S DEPARTMENT AND JAIL VISIT

INTRODUCTION

On September 29, 2005 members of the 2005-06 Sutter County Grand Jury Criminal Justice Committee met with members of the Sheriff's Department and toured the Sutter County Jail at 1077 Civic Center Blvd., Yuba City.

MISSION STATEMENT OF SUTTER COUNTY SHERIFF'S DEPARTMENT

"The Sutter County Sheriff's Department is dedicated to providing quality-policing services to the community. We are committed to the protection of life, property, and the rights of our citizens in a fair, impartial and positive manner.

- **We will** endeavor to create a working relationship with the citizens to identify, address, and solve community problems and concerns.
- **We will** strive to meet the ever-changing needs of the community.
- **We will** be active, innovative and progressive to enhance the services the Sheriff's Department provides to our community.
- **We will** take action to deter criminal activity through commitment, dedication, and teamwork.
- **We will** strive to maintain the highest ethical and moral standards.
- **We will** recognize our weaknesses and strive to overcome them.

Our personal satisfaction comes from solving the problems within our community. The community's satisfaction with our services is the single greatest measure of our success."

SUMMARY

The Sheriff's Department is made up of approximately 104 sworn and 31 non-sworn personnel in four divisions: Patrol, Detective, Jail and Support Services. The average length of experience among the deputies is 12-15 years. The Department's primary mission is to provide law enforcement services to all unincorporated areas of the County. In addition, the Sheriff's Department provides contracted services to the City of Live Oak and patrols the recently annexed areas in the City of Yuba City. Approximately 13,000 city residents get Sheriff's Department law enforcement services.

On an annual basis, the Department receives an estimated 48,000 calls for service. From these, the Department makes random callbacks to complete a Customer Satisfaction survey. Department staff stated that it receives about a dozen complaints per year. The complaints generally allege excessive use of force, improper arrest or improper tactics.

One of the challenges facing the Department is recruiting qualified personnel. In 2002, the Department had 19 vacancies that took three years to fill. Recruiting activities occur on a monthly basis, but the Sheriff stated that in a good month, 10 applications are received, but usually receive 2 or 3. Of the applications received, only 1 in 10 is hired. The Department has experienced some difficulty with getting members of the younger generation to even qualify for law enforcement positions. Additionally, with higher pay being offered in many nearby communities, the Department needs to stay competitive by offering better pay and benefits to its Deputies.

Among the proactive programs in the Sheriff's Department is the Yuba Sutter Area Gang Enforcement (YSAGE) task force. In conjunction with other law enforcement agencies and in an effort to deter criminal activity, the task force is responsible for identifying gang members, conducting parole and probation searches, developing informants and communicating with surrounding agencies at its monthly meeting. In addition, the YSAGE provides gang awareness to Parent Teacher Associations and school-age students 2 to 4 times per year. The task force includes the Sheriff's Departments from Yuba and Sutter Counties, Police Departments from Yuba City, Marysville, and Gridley, as well as State and Federal law enforcement agencies. Some of its members have been deputized by the Federal Bureau of Investigation for the United States Marshall Service. When gang members are charged and convicted under the Federal system, they will be sentenced to a Federal Prison, which will get them out of the local area.

REPORT

- The Sutter County Jail can hold up to 300 inmates and on average maintains a population of 260. The Committee was shown the holding cells, day rooms, recreation areas, kitchen facilities, laundry room and law library. The staff was professional and courteous. In addition to the jail, the Committee was also shown the Mobile Command Center, which was recently acquired with grant money, and is a great asset to the community.

FINDINGS

- The Committee observed graffiti painted and etched into the walls in several areas of the jail. For example, in the exercise yard, gang symbols were noticeable along the walls of the basketball court, and the word "skinhead" was scratched on the door of one of the holding cells.

RECOMMENDATIONS

In an effort to reduce racial tensions and gang rivalry, the Committee recommends that all graffiti be painted over as soon as it is discovered.

RESPONDENT

Jim Denney, Sutter County Sheriff-Coroner

Board of Supervisors Response

The Sheriff-Coroner is a separate elected official and, as such, responds directly to the Grand Jury's findings and recommendations concerning his office. A copy of Sheriff-Coroner Denney's response is included in this document as Attachment C.

CRIMINAL JUSTICE COMMITTEE

YUBA CITY POLICE DEPARTMENT

INTRODUCTION

On January 17, 2006 members of the 2005-06 Sutter County Grand Jury Criminal Justice Committee were provided an on-site facility tour of the Yuba City Police Department at 1545 Poole Blvd, Yuba City by Deputy Chief Robert Landon. At the end of the tour, the Committee spoke with Richard Doscher, Chief of Police.

MISSION STATEMENT OF THE YUBA CITY POLICE DEPARTMENT

“While exercising principles of ethical behavior, reflecting positive values and respecting the Constitutional rights of all we encounter – We work in partnership with the community toward the goals of protecting life and property, solving neighborhood problems and enhancing the quality of life in our city.”

SUMMARY

The Yuba City Police Department is a full service municipal law enforcement agency with 62 sworn officers, 32 civilian support personnel and 19 reserve officer positions. It includes the organizational components of Administration and Operations Support, Field Operations and Investigations. The patrol area includes approximately 12 square miles divided into four beats.

DISCUSSION

- The Yuba City Police Department (YCPD) has an up to date operations center with current technology. The center is well managed and there is an emphasis on making the force efficient to meet the needs of a growing community.

FINDINGS

- The YCPD headquarters building is too small for the size of the force at present. Growing responsibility for the force is requiring additional space for operations. There are plans for a building expansion and part of the cost has been budgeted.
- The Department will need 21 new officers by the end of 2006. Starting in 2007, the YCPD will be responsible for additional beats in the west part of the City. The Chief and Deputy Chief are well aware of this need. There is a great deal of competition for law enforcement personnel due to a statewide shortage of officers.

- The men's locker room had a great deal of clothing and equipment out of lockers; and due to the lack of adequate space, the Special Weapons and Tactics (SWAT) room was difficult to move about due to equipment lying around on the floor.
- The lab was not as organized as expected. The Committee is concerned about the possibility of contamination in the lab area.

RECOMMENDATIONS

Based on our findings and discussion with the Chief, it is critical that the facility be expanded to accommodate an increase in staff. Growing requirements on the YCPD will increase the need for a larger and more organized SWAT room.

The Committee recommends that all areas of the facility be kept clean and organized.

The Committee recommends that the City continue its support for the expansion of the facility.

The Committee recommends that the City improve its competitive position in recruiting top-quality officers.

RESPONDENTS

Richard Doscher, Chief of Police, Yuba City
City Council of Yuba City

EDUCATION COMMITTEE

ENCINAL SCHOOL

INTRODUCTION

Both the 2003–04 and 2004–05 Grand Juries recommended a re-visitation to Encinal School. The 2004–05 Grand Jury recommended that:

- The asphalt on the playground should be repaired as soon as funding becomes available.
- Better enforcement of speed limits by the Sutter County Sheriff's Department while school is in session. Also, that the school and parents continue to work together to have the California Highway Patrol reduce the speed limit of that section of Larkin Road where Encinal School is located. Immediate steps should be taken by the Sutter County Sheriff's Department and the California Highway Patrol before a very avoidable tragedy occurs.

SUMMARY

The Sutter County Grand Jury Education Committee visited Encinal School on the afternoon of September 29, 2005 as school was ending. The school is located southwest of Live Oak at 6484 Larkin Road, and has grades kindergarten through eighth.

The asphalt on the playground had not been repaired.

Signs were present on both the east and west sides of Larkin Road: "School 25 mph when children are present." The Committee observed that traffic was not obeying the speed limit. Most vehicles appeared to be exceeding 35 mph in front of the school.

DISCUSSION

Tom Pritchard, District Superintendent, stated in his response to the 2004–05 Grand Jury Report that:

"The playground had been slurry sealed during the 1999 – 2000 school year and was designed to last for 5 to 7 years. The funding to resurface has been budgeted and plans to begin the project are slated for the summer of 2006. This project also includes the office/support building to be located, built, and secured. In addition, septic tank maintenance must be performed by tearing up the asphalt prior to resealing the playground. I am confident that their timelines are realistic, and by the end of summer, 2007, the project will be complete.

In cooperation with the Sutter County Department of Public Works, an application for grant funding through the Safe Routes to Schools Program has been submitted to install, operate and maintain a solar powered speed notification radar sign. The estimated cost of the sign is \$ 8000 excluding installation and maintenance.”

Sheriff Jim Denney in his response to the 2004-05 Grand Jury stated the following actions would be taken:

- Radar trailers would be placed at least monthly to record the number of automobiles passing and their speeds, with ongoing speed enforcement.
- At the beginning of the school year, a traffic awareness and safety program would be presented to the students by deputies.
- Recommending installation of solar powered speed notification signs, or if this is unattainable, a flashing yellow light on the school zone signs.
- Copies of these recommendations were forwarded to the California Highway Patrol, Encinal School, and the Sutter County Department of Public Works.

FINDINGS

The playground asphalt has not been replaced and the solar-powered radar speed limit signs have not been installed.

RECOMMENDATIONS

The 2006–07 Grand Jury follow up on the status of:

- The asphalt on the playground
- The installation of solar powered speed notification radar signs, or flashing yellow lights on the school zone signs

RESPONDENTS

Tom Pritchard, Superintendent, Live Oak Unified School District
California Highway Patrol
Sutter County Sheriff's Department

EDUCATION COMMITTEE

FEATHER RIVER ACADEMY

INTRODUCTION

On September 28, 2005, members of the Sutter County Grand Jury Education Committee conducted an on-site visit at Feather River Academy located at 1895 Lassen Boulevard in Yuba City and met with Jeff Holland, Superintendent of Sutter County Schools.

MISSION STATEMENT OF FEATHER RIVER ACADEMY

Learning in Action

SUMMARY

Feather River Academy is a new school, which opened in the spring of 2005. Students are enrolled in grades 7 through 12. The majority has been expelled from district schools or on probation. The Academy is well designed, with input from students. Feather River Academy is under the jurisdiction of the Sutter County Superintendent of Schools Office. No school nursing services are provided to the students.

DISCUSSION

- The Feather River Academy is a new facility in excess of 30,000 square feet. It is a beautiful, modern facility, which includes a community center, Boyd Hall, where large conferences can be held. The classrooms are well organized. Separate offices are provided for probation officers, the school psychologist and an office for a future school nurse.
- Feather River Academy was built adjacent to the Sutter County Superintendent of Schools Office. The total \$10.5 million funding for the Academy came from the County Offices of Education Hardship Program, a state educational grant program specifically designed to financially aid county schools and not school districts.
- The operational expenses of Feather River Academy are 100-percent State funded. School districts that send students to the Academy are not charged for educational services the Academy provides; all costs are covered by the State.
- There are 130 students enrolled full time in the Academy. They have either been expelled from their district schools or are on probation. Ninety-five percent have been referred from the Yuba City Unified School District. Seventy percent receive free or reduced-price lunches, which are delivered from nearby River Valley High School.
- In addition to the full-time student population, the Academy has two Special Education classes and an Independent Study Program with 70 students enrolled.
- Enrollment at the Academy is near capacity.

- No school nursing services are provided on site to the students. It is presently assumed that the students' immunization records were complete at the time of referral from their former district of enrollment. In addition, the Academy depends on the districts for the students' eighth grade vision screening, tenth grade hearing screening, seventh grade girls' and eighth grade boys' scoliosis screenings, all of which are mandated by the State of California.
- The Academy does not provide supervision of students who take medication while at school.

FINDINGS

- The Committee believes that good health is the foundation of good education, especially in high risk and special education students. The present method of providing school-nursing services is not only fragmented, but is not comparable to, and lacks continuity with that provided to students at other sites under the jurisdiction of the Sutter County Superintendent of Schools Office.
- There are no school nursing services for the students enrolled at the Feather River Academy. In addition, no transportation services are provided.

RECOMMENDATIONS

The Committee recommends that the 2006–07 Grand Jury follow up on the status of school nursing services at the Feather River Academy. In addition, the lack of transportation services should also be addressed.

School nursing services, including those mandated by State Law, should be provided to students at the Feather River Academy by the Sutter County Superintendent of Schools Office commencing with the 2006 – 2007 school year.

The nursing services should be comparable to those provided at other sites, and be based on the present ratio of 125 students to one school nurse, which was developed several years ago by the Sutter County Superintendents' Coordinating Council.

RESPONDENTS

Jeff Holland – Superintendent of Schools, Sutter County
Nancy Aaberg - Superintendent, Yuba City Unified School District

EDUCATION COMMITTEE

LINCREST ELEMENTARY SCHOOL

INTRODUCTION

Members of the 2005-06 Sutter County Grand Jury Education Committee conducted an onsite visit to Lincrest School at 1400 Phillips Road, Yuba City on January 23rd, 2006. Committee members interviewed Elisabeth Miller, Principal, and Doreen Osumi, Director of Special Education for the Yuba City Unified School District, who also gave members a tour of the campus.

MISSION STATEMENT OF LINCREST ELEMENTARY SCHOOL

“To instill a love of learning that will empower all students to become productive citizens in a pluralistic society.”

SUMMARY

The Committee was pleased with both the physical plant and the programs offered at Lincrest School. It is very well maintained, organized, and operated.

DISCUSSION

- Lincrest is a Kindergarten through 5th grade school, with 760 students in attendance. An Extended Day Program also is conducted from 7 am to 6 pm, before and after school. The children then participate in tutoring in reading and mathematics, for example, and are provided snacks.
- Both breakfast and hot lunch is served daily: 48-percent of the students qualify for a free or reduced lunch, so the school qualifies for Title I monies to aid disadvantaged students from low socioeconomic homes.
- All teachers are credentialed. A school nurse is present two days per week, with a health aide daily from 9:30 am to 1:00 pm. The vice principal, counselor, and speech therapist are all fulltime. The psychologist is present two and one half days per week.
- The Learning Center has two full time teachers, each in his or her own classroom with an aide available six hours per day.
- There is ample space for music, intervention counseling, Individual Education Plan meetings, and support staff.

- The Sutter County Superintendent of Schools has five special education classes on campus, and with cooperation, these students are mainstreamed into the regular education program as appropriate.
- The Parent Teacher Association, which is very active, has purchased a computer for each teacher. All 34 computers in the Computer Lab have recently been replaced. A fulltime computer technician is present to assist the teachers when students visit the Computer Lab on a regularly scheduled basis. In addition, there is a full time clerk in the library.
- In the past two years, a new roof, heating and air conditioning units, and office remodeling have been completed. All lighting is energy efficient, with a motion detector in use in the staff room. An energy efficient management system shuts off the heating and cooling system at 4 pm and restarts it in the early morning. New phones are in each classroom. Surveillance cameras operate 24 hours a day in both the office and on campus.
- The Emergency and Disaster Preparedness Plan, revised 2005-06 for Lincrest School (which is in addition to Yuba City Unified School District's Plan) was reviewed. A code is announced to the teachers in case of an intruder on campus. Last spring, Lincrest participated in a mock terrorist attack conducted by Federal authorities, in coordination with other agencies.
- Kindergarten through 3rd grade classes has lowered class size with an average of 20 students per classroom. There are now seven classes of Kindergarteners in attendance.
- Lincrest's score by 2nd through 5th graders on the Academic Performance Index was 807, exceeding the target set by the State. The Adequate Yearly Progress evaluation, which is Federal, also had all benchmarks achieved. The Sutter County Superintendent of Schools Office evaluated Lincrest School under the Williams Act, and was found to be in compliance.

FINDINGS

- Lincrest School offers an exemplary program to the students. Parents should appreciate the very comprehensive educational program provided to the children of our community.

RECOMMENDATION

None

RESPONDENTS

Elisabeth Miller, Principal, Lincrest School
Doreen Osumi, Director of Special Education, Yuba City Unified School District

EDUCATION COMMITTEE

SUTTER COUNTY SUPERINTENDENT OF SCHOOLS

INTRODUCTION

On September 28, 2005, members of the 2005-06 Sutter County Grand Jury Education Committee conducted an on site interview with Jeff Holland, Superintendent of Sutter County Schools, at 970 Klamath Lane in Yuba City.

MISSION STATEMENT OF SUTTER COUNTY SUPERINTENDENT OF SCHOOLS

“The Sutter County Superintendent of Schools Office is dedicated to delivering successful solutions to the challenges of our local and regional partners by providing innovative support and services to promote education and self-sufficiency.”

SUMMARY

The breadth of its services and support is impressive and well managed. Emergency preparedness, student to support staff ratios and nursing services were matters of concern.

DISCUSSION

- Only California and Nevada have county offices of education.
- The future of Sutter County over the next 50 years will see growth of 3% per annum; growth in the first half of 2004 exceeded 1.9%. Physical space in our schools is overcrowded, and 75% of the student population is in the Yuba City Unified School District. Almost all campuses are filled to capacity, and one new school is needed every other year to meet the growing needs.
- The services provided by the Sutter County Superintendent of Schools Office include:
 - Regional Occupational Program (ROP)
 - Center for Technological and Educational Counseling (CTEC)
 - Woodleaf Outdoor Education
 - Counseling and tutorial support to Group Homes
 - Feather River Academy
 - Internet access and support to all employees and classrooms in Sutter County
 - Special Education, including the Infant Program
 - Beginning Teacher Support and Assessment

- The Sutter County Superintendent's Office is required by legislative mandate to examine the fiscal solvency of all school districts.
- With only two payroll specialists, the Superintendent's Office processes the \$100 million annual payroll of the 3,000 employees in all Sutter County school districts and Yuba City Unified School District.
- The Williams Act determines compliance of low performing schools. Facilities, textbooks for all students, credentialed teachers on staff, school accountability report cards, and uniform compliance procedures are all verified during school visitations. The County Office plans to evaluate all schools in Sutter County this school year for compliance with the Williams Act.
- In the event of an emergency, the County Superintendent is the main contact person for the entire public educational system of Sutter County.
- Mission statements and organizational flow charts are incomplete.
- The Feather River Academy does not have transportation services for students.

FINDINGS

- The Sutter County Superintendent of Schools Emergency Response Plan for the County Office and Feather River Academy does not address the evacuation of the students in the event of a levee or dam break.

RECOMMENDATIONS

As the result of Hurricane Katrina and the obvious ineffective communication during that natural disaster, the Committee recommends that quarterly communication drills occur and be coordinated among all staff of Sutter County schools. In addition, the procedures for communication drills and the emergency responses interface with the Yuba City Unified School District Office and its schools.

The Emergency Response Plan should be reviewed annually and include student evacuation plans for events such as levee and dam breaks, which are not currently covered in the Plan.

The student-staff ratios should be analyzed annually to ensure there are sufficient levels of services provided to all students. The support staff should include school psychologists, nurses, special education teachers, speech therapists, administrators and program managers.

School Nursing services and the Infant Program should be included in the organizational flow chart of the Office of Sutter County Superintendent.

The Mission Statement for the Superintendent should be corrected and the Regional Special Education and the Medi-Cal Administrative Activity Departments should develop mission statements.

RESPONDENT

Jeff Holland – Superintendent of Schools, Sutter County

EDUCATION COMMITTEE

YUBA CITY UNIFIED SCHOOL DISTRICT

INTRODUCTION

The 2005-06 Grand Jury Education Committee visited the Yuba City Unified School District on December 9, 2005, with a follow up meeting on January 18, 2006. The District office is located at 750 Palora Ave. in Yuba City. This district serves approximately 12,000 students in 18 schools.

MISSION STATEMENT OF YUBA CITY UNIFIED SCHOOL DISTRICT

“Educating Today’s Students to Succeed in Tomorrow’s World”

SUMMARY

Representatives from all departments provided information, including the current budget. The following topics were discussed: plans for present and future growth and development of the Yuba City Unified School District; district-wide school emergency plans and procedures; student injury and health care plans and procedures; State standardized testing programs, and recruitment processes for administrators and teachers.

DISCUSSION

- The Director of Administrative Services was not present at the December 9, 2005 visit. A follow-up visit was conducted regarding the District and schools' support staff: psychologists, nurses, special education teachers, administrators and program managers.
- The Yuba City Unified School District Office has plans and procedures regarding coordination in the event of an emergency on one or more of its school sites. Every teacher has a phone in the classroom; routine drills are done two times a year at the high schools and monthly at the elementary schools; an auto dialer is used to notify parents in a matter of hours; contact with local radio stations and the County’s Office of Emergency Services are part of the plan.
- Grants and other funding of approximately \$2,000,000 have allowed the district to provide counselors at each elementary school.
- The district’s emergency procedures plan involves a School and Safety Committee that reviews and updates the plan every year. Individual schools have their own safety plans.

FINDINGS

- School nurses are available only part-time on all sites throughout the district.

RECOMMENDATIONS

The Committee strongly recommends that both Yuba City High School and River Valley High School have full-time nurses to adequately address the various health and emergency needs of their students.

RESPONDENT

Nancy Aaberg – Superintendent of Yuba City Unified School District

FIRE AND EMERGENCY COMMITTEE

SUTTER COUNTY EMERGENCY PREPAREDNESS PLAN

INTRODUCTION

The 2005-06 Grand Jury Fire and Emergency Services Committee completed its investigation of Sutter County's Emergency Operations Plan. In conducting this investigation the Committee interviewed John DeBeaux Jr, Emergency Services Manager for Sutter County and Rich Hall, who at the time, was Community Services Director for Sutter County. In addition to the personal interviews the Committee reviewed the County's Emergency Operations Plan and its various annexes which were presented in draft form.

SUMMARY

The County of Sutter's Emergency Operations Plan has been a "work in progress" due to Federal and State guidelines and requirements that are constantly being revised and updated. These revisions must be reflected in the County Plan to comply with Federal and State laws. Finalization of the annual updates to the Emergency Operations Plan is scheduled for completion in spring or early summer of 2006 when it will be published. The Plan consists of a Basic Plan and a number of annexes covering specific parts of the Plan and specific emergencies.

DISCUSSION

The Emergency Operations Plan (EOP) for Sutter County is dated October 2004 and is updated annually by the County's Office of Emergency Services working in the County's Community Services Department. The EOP is updated to meet the requirements of the California Standardized Emergency Management System (SEMS). The "...EOP and its associated Annexes meet those conditions of emergency management and the basic tenets of the Incident Command System (ICS) required by the National Incident Management System (NIMS)." These laws and guidelines have experienced a number of changes and updates during the current update of the County's Plan. The result has been the current update taking on a "work in progress" character. The updated EOP is scheduled to be published in the late spring or early summer of 2006.

The EOP consists of the Basic Plan and several annexes.

The Introduction to the EOP discusses in some detail the organization, resources available, and authorities governing Sutter County's response to virtually any emergency. Definitions are provided to form a clearer understanding of what is discussed.

There are chapters on each of the five phases of an emergency. The phases are: Preparation Phase, Response Phase-Increased Readiness, Response Phase-Operations, Response Phase-Extended Operations, Recovery and Mitigation Phase. These chapters discuss the appropriate steps to be taken depending on what phase the emergency is in. Checklists are provided. Procedures are outlined including those necessary to activate SEMS. Lines of authority and responsibility are discussed.

The EOP annexes take the Basic Plan further to address specific emergencies. Most emergencies from floods to earthquakes are addressed including man-made emergencies such as biohazard release.

The Basic Plan receives input from County departments which are responsible for carrying out their assigned responsibilities to the EOP in coordination with other departments.

Distribution of the EOP is made to county departments with major responsibilities for its execution, counties contiguous to Sutter County, cities within the County, and appropriate state agencies. Additionally, agencies within the county such as County Superintendent of Schools, Bi-County Ambulance Service, Red Cross, etc, who will play a significant role in a major incident are provided with distribution copies.

FINDINGS

The Sutter County EOP covers the necessary operations needed in an emergency.

The EOP meets the requirements of Federal and State emergency management.

The Sutter County Office of Emergency Services does a very complete job of keeping the EOP updated despite changing conditions and requirements. Sutter County is in compliance with SEMS and NIMS. The personnel involved are very professional.

Board of Supervisors Response

The Board of Supervisors concurs with these findings.

RECOMMENDATION

None

RESPONDENTS

Larry Bagley, Director of Community Services, County of Sutter
John DeBeaux, Jr., Emergency Services Manager, County of Sutter

FIRE & EMERGENCY COMMITTEE

MERIDIAN FIRE PROTECTION DISTRICT

INTRODUCTION

The 2004-05 Sutter County Grand Jury Fire and Emergency Committee recommended that the 2005-06 Grand Jury Fire and Emergency Committee revisit the Meridian Fire Protection District to follow-up on three issues to which the Grand Jury had not received an official response. A call was made to Chief Jason Cooper to ask about the missing response and he sent it within the week. A visit by the Committee to the Meridian Fire House confirmed that the suggested cement repair and painting were completed and Resolution of Rules was amended.

SUMMARY

The Meridian Fire Protection District is regularly working to improve its professionalism and service to the community. Chief Cooper is improving his leadership, and learning those skills necessary to more fully co-ordinate with the County Fire Department to provide Meridian with fire and rescue services.

FINDINGS

- The Meridian Fire Protection District is a Special District within the Sutter County Community Services Department.
- The District elected a new Board of Directors in November 2005.
- Chief Cooper is an enthusiastic and dedicated Fire Chief, anxious to improve the level of service provided to the community.

RECOMMENDATION

None

RESPONDENT

Jason Cooper, Chief, Meridian Fire Protection District

FIRE AND EMERGENCY SERVICES COMMITTEE

BI-COUNTY AMBULANCE SERVICE, INC.

INTRODUCTION

In July, 2004, Sutter County signed a five-year contract with Bi-County Ambulance Service, a private company. The ambulance service is growing in its importance as a part of the overall system for emergency services within the County. As attention to natural and man-made disasters has increased in recent years, the 2005-06 Sutter County Grand Jury Fire and Emergency Services Committee chose to review the scope of services provided in light of the County's increasing population. The Committee met with the County Administrative staff to review the contract and had subsequent visits to the County Dispatch Center, the offices of Bi-County Ambulance Service, and attended a meeting of the Yuba-Sutter Emergency Medical Care Committee (EMCC). On October 20, 2005, members of the Committee met with the President, Kelly Bumpus, and Executive Vice-President, Alex Bumpus, of the Bi-County Ambulance Service Incorporated, to discuss their service within Sutter County.

SUMMARY

We found the current contract to meet or exceed the State requirements for such services, and the quality and quantity of service to be a unique combination of professional efficiency and personal pride in serving the County.

DISCUSSION

- Bi-County Ambulance Service has been providing exclusive emergency transportation services to the people of Sutter and Yuba Counties for the past 26 years.
- The County pays Bi-County Ambulance Service \$2,200 a month to provide uninterrupted, continuous service 24 hours a day, 7 days a week, which includes medical transportation of Sutter County Jail inmates and indigent County residents.
- The contract requires that no fewer than five ambulances be on duty in Sutter and Yuba Counties at any given time. Within the Yuba City Urban Area, Code 3 (lights and sirens) response time to a call must not exceed eight minutes, 90-percent of the time (the Yuba City Urban Area is the geographical area bounded by Pease Road in the north, the Feather River in the east, Bogue Road in the south, and Township Road in the west). Code 2 (no lights or sirens) response time in the urban area shall not exceed 15 minutes, 90-percent of the time. In the rural area of the County (bounded by Butte County to the north, the Feather River to the east and south and the Sutter Bypass to the west), response time is 20 minutes for all calls, 90-percent of the time.

- Bi-County Ambulance Service is a member of the Emergency Medical Control Committee, which meets the third Wednesday of every month. The committee is made up of representatives from Bi-County Ambulance Service, Sutter and Yuba County Health Departments, Sutter and Yuba County Boards of Supervisors, Sutter North Medical Foundation, Sutter and Yuba County Offices of Emergency Services, the Fire and Sheriffs' Departments from Sutter and Yuba Counties, the CHP, Olivehurst Fire Department, and the Public Health Officer from Beale Air Force Base. They meet to discuss coordination and protocols in the medical and emergency response arena.
- The Sierra Sacramento Valley (SSV) Medical Services Agency also attends to provide oversight and audit services to ensure that Bi-County Ambulance Service is performing appropriately and is in compliance with local and State regulations. In addition, SSV provides the certifications for paramedics, as well as inspections of service vehicles and equipment.
 - Bi-County Ambulance Service provides both basic and advanced (for patients requiring intubations) life support transportation services and is working to develop Critical Care Transport protocols for transporting heart care patients.
 - Bi-County Ambulance Service staff stated that 76-percent of all calls either begin or end at Rideout Memorial Hospital, which is the base hospital for both Sutter and Yuba Counties. However, they have also provided service to Enloe Hospital in Chico, Oroville Sierra Hospital, as well as hospitals in Roseville and Sacramento.
 - With the recent and anticipated growth in Yuba City and Sutter County, the staff of Bi-County Ambulance Service is continually familiarizing itself with the new housing and business developments. By obtaining the plans, the staff knows about new roads before they are even built.
 - In order to position the ambulances strategically throughout the County to minimize response time, the company has plans to equip its fleet with Global Positioning Systems to aid computer modeling of its posting plans, similar to sheriff patrol postings.
 - The Sutter County Dispatch Center is the hub for synchronizing all emergency responses throughout the County, sending appropriate services to the necessary locations. It is also in contact with police and fire services from Yuba County, hospitals, as well as air and ground ambulance services for the area.
 - Dispatchers for Bi-County Ambulance Service monitor calls to the Sutter County Dispatch Center, making coordination with Sutter County Fire and Rescue services even more timely and effective.
 - Both Bi-County Ambulance Service and the Sutter County Dispatch Center are in the process of upgrading their computer systems for even greater service.

- The Sutter County Dispatch Center is also in daily contact with the State Office of Emergency Services through a satellite phone in case all landline communications are lost.

FINDINGS

- The County of Sutter has contracted exclusively with Bi-County Ambulance Service for the past 26 years. Its current contract expires in June 2009 and has an automatic two-year extension.
- There has only been one other competing bid for ambulance service in Sutter County in the past decade. That was from a company in Chico, which did not have any offices, or equipment in Sutter County at that time.
- Bi-County Ambulance Service is owned locally and operates in an informal, supportive, and cross-jurisdictional agreement with as many as 19 other ambulance services in the Northern California area. In the past, this has enabled our local service to call for assistance from other services throughout the area to help meet emergency demands, which might temporarily exceed local capabilities. Currently, most calls from the Robbins area are handled by an ambulance service from, and transported to, Woodland or Davis. The most notable example of this cooperation and sharing of services was the expedited evacuation of hundreds of hospital and nursing home patients in a single day during the 1997 flood evacuation.
- This cooperative agreement is not a binding contract and is based entirely on the good will between the operators of these various ambulance companies and their unique, professional philosophy of doing “whatever is necessary to rescue or save the victim’s life.”
- Response to emergency calls follows a definite order of operations and procedural protocol, with the County dispatching Fire and Rescue Services as the first responder, unless Bi-County Ambulance Service happens to be closer. Fire and Rescue vehicles are not equipped for transporting patients and that becomes the primary function of the ambulance service once they have assisted in extracting and stabilizing emergency victims.

Board of Supervisors Response

The Board of Supervisors concurs with the findings.

RECOMMENDATION

To ensure that the best service and price are obtained and to address the expected growth of the County, the Committee recommends that the County go out to bid and solicit competitive proposals during the procurement period following the expiration of the current contract.

Board of Supervisors Response

The Board of Supervisors is committed to obtaining the best service and price for ambulance service to Sutter County residents. As noted by the Grand Jury, the current agreement for the provision of ambulance service is working very well, and will run through 2009. At the time it comes up for renewal, the Board of Supervisors will consider how best to deliver ambulance services to the residents of Sutter County in the context of the circumstances existing at that time.

RESPONDENT

The Sutter County Board of Supervisors

HEALTH, MENTAL HEALTH AND SOCIAL SERVICES COMMITTEE

SUTTER COUNTY CHILDREN & FAMILY COMMISSION

INTRODUCTION

The 2005-06 Sutter County Grand Jury Health, Mental Health and Social Services Committee visited the Sutter County Children & Family Commission on January 26, 2006 and met with Debra Coulter, Executive Director, to better understand the commission functions and programs offered to the children and families of Sutter County.

MISSION STATEMENT OF SUTTER COUNTY CHILDREN & FAMILY COMMISSION

“The Mission of the Sutter County Children & Family Commission is to provide a comprehensive system of information, programs, and services which support all Sutter County children and families and which ensure that each child is prepared to enter school healthy and ready to learn.”

SUMMARY

The Sutter County Children & Family Commission receives funding from the Children & Family Act (Proposition 10) that was approved by the voters in 1998. Proposition 10 placed a 50-cent per pack tax on cigarettes and other tobacco products to fund programs for children 0-5 years of age. The Children & Family Commission in Sutter County receives approximately \$1.2 million annually based on the number of babies born to Sutter County residents. The Sutter County Children & Family Commission is designed to fund programs to improve the lives of all Sutter County children 0-5 years of age and their families. However, only a small percentage of children and families are being served.

The Committee appreciates the Commission’s efforts to identify specific needs in the community and establish functioning programs to address those needs.

The Committee understands the apparent difficulty in formulating successful programs with community awareness and participation.

The membership of the Commission needs to be restructured to have more community representation.

Outreach should be a high priority to all areas of the County. The reserve monies of \$5.2 million are excessive and immediate plans for appropriate programs need to be developed.

REPORT

The Committee found that the Sutter County Children & Family Commission is offering the following programs:

- **Bright Futures** is a program that provides vision, hearing, motor skills, dental, health, speech & language, nutrition, behavior, literacy, and cognitive screenings monthly.
- **Sutter County Smiles** is a collaborative effort with the Peach Tree Clinic and Yuba City Unified School District providing full service dentistry.
 - This program has a tremendous impact on the children's health, self-esteem and their ability to focus and learn all of which cannot be overstated.
 - The Commission's purchase of the Dental Van and its continuing funding serves a critical need of the pre-schoolers in Sutter County, and is commendable.
- The Commission through the Sutter County Health Department offers a free immunization program.
- A Child Development Behavioral Specialist, at the Sutter County Health Department, provides behavioral & developmental screenings, referrals, home and classroom assessments, and intervention programs. Training and classes for parents, teachers, and caregivers are also offered.
 - The Committee found this program well attended and of excellent value.
- **Smart Start**, in collaboration with Yuba City Unified School District, is held each summer and provides pre-kindergarten students with a wide variety of school readiness and transition activities.
- **School Readiness Program** has coordinators at three school sites in Yuba City who provide a variety of programs and services, which help families enhance their children's readiness to learn. Backpacks with supplies are provided to all children who are part of this program.
- **Family Soup** provides all the same services listed above for children with special needs.
- **Tool Box for Tots** features professionals, on local cable Channel 19, sharing a variety of child related topics every week.

DISCUSSION/FINDINGS

- The Children and Family Commission is presently composed of nine professional members all of whom are appointed by the Sutter County Board of Supervisors. Six of the nine members are employed by Sutter County and four of the six are with the Department of Human Services. Three of the nine members represent our legal system: Yuba City Police Chief, Sutter County Chief Probation Officer and Sutter County Consolidated Courts (presently known as the Superior Court of Sutter County).

Seven of the nine memberships are permanent/legacy appointments as per Sutter County Counsel Ordinance 1307, Section 1; May 8, 2001. All terms of membership are for the duration either of employment or election to office.

The eighth member may be selected from thirteen possible categories. Presently, the eighth member is employed by the Sutter County Health Department.

The ninth member is designated by the Board of Supervisors as the chairperson and may or may not be a member of the Board of Supervisors as per Ordinance 1395, Section 1; 75-004, December 21, 2004.

RECOMMENDATIONS

The composition of the Children and Family Commission needs to be changed as soon as possible by the Sutter County Board of Supervisors to reflect the Proposition 10 rules for commissioners and its emphasis on children ages 0-5 and eligible parents. The Committee recommends that Ordinance 1307 be revised so that the composition of the Commission reflects the rules of Proposition 10, to include parents of pre-school children, childcare providers, private organizations such as Children's Home Society, and Sutter County Schools Office. The Committee also recommends that Ordinance 1395 be revised to allow the position of Chairperson be selected annually by the Commission.

According to the State, Proposition 10 rules for commission composition are:

- (i) *Two members of the county commission shall be from among the county health officer and persons responsible for management of the following county functions: children's services, public health services, behavioral health services, social services, and tobacco and other substance abuse prevention and treatment services.*
- (ii) *One member of the county commission shall be a member of the board of supervisors.*
- (iii) *The remaining members of the county commission shall be from among the persons described in clause (i) and persons from the following categories: recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, or a local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting nurturing and early childhood*

development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies.

Presently, the degree of diversity, universal level of experience and the amount of discretionary control by the commissioners are too restrictive to sufficiently represent parents of pre-school children, childcare providers and other organizations serving the 0-5 population.

DISCUSSION/FINDING

- In 2001, during the initial planning process of the Children and Families Commission in Sutter County, 27 advisory representatives from various private, governmental and public agencies participated in creating the Strategic Plan. Once completed, the advisory panel was disbanded.

RECOMMENDATION

A new on-going advisory panel to the Commission should be created that represents diverse, interested and knowledgeable individuals from private and public agencies designed to serve all eligible pre-school children and their families.

DISCUSSION/FINDINGS

- The Children and Family Commission is the direct result of the Proposition 10 Initiative passed by California voters in 1998. State monies for this initiative come from a special tax on tobacco products. The yearly monies, based on the number of births in the county, are then distributed by the state to each county. The tobacco tax revenues for Sutter County for the fiscal year 2004-05 were \$1,240,000.
- As a result of limited expenditures of the Proposition 10 monies from 1999 to 2001 grants, excess revenue over expenditures and interest income, the Commission presently has a reserve fund of approximately \$5.2 million. This reserve is the largest of all county departments and twice the amount of the second largest fund.
- About \$2.5 million of the \$5.2 million is purposely encumbered for future First Five (ages 0-5) initiatives/funding and sustainability of the Commission and its programs for up to four years. One of the Commission's Guiding Principles states: "Proposed services should not rely on funding from Proposition 10 funds to sustain operational expenses beyond the first 24 month period." However, the Commission's assumption that tobacco sales will precipitously decline or that the State Legislature will eliminate Proposition 10 law and, therefore, it is critical to keep a large reserve, denies far too many children and families of needed services.
- The remaining \$2.5 million is in reserve and to be used at the discretion of the Commission.

- The Commission's last two yearly proposed budgetary expenses have been far greater than the actual expenditures for those years. This represents an average expenditure of 65% of the total income/revenue monies for those two years, thereby leaving about \$1 million in surplus.

RECOMMENDATIONS

The Committee recommends better planning, private and public agency collaboration and expansion of programs. The present \$5.2 million reserve is excessive. Too many children are reaching their sixth birthday without ever receiving services for which they are eligible.

The Commission's Guiding Principle that "...services should not rely on funding from Proposition 10 funds...beyond the first 24 month period" needs to be re-evaluated.

DISCUSSION/FINDINGS

- Services provided by the Children and Family Commission is mainly focused in Yuba City with minimal outreach to Live Oak (one **Bright Futures** screening done annually and two classes of **Smart Start**) and Sutter (one class of **Smart Start**).
- There have never been services for pre-school children and parents in the western and southern parts of the county.
- Historically, the programs and services funded by the Commission have directly affected only a very small percentage of Sutter County's 0-5 preschoolers and their parents. In most cases individual programs involve less than 5-percent of these children.
- Some programs have static or declining participation (immunization), and one program duplicates services provided by other agencies (**Smart Start**).
- The present Strategic Plan formulated by the participants in the original planning process in 1999, with some additions in 2002, covers a four-year period, 2003-2006. Many of the Commission's Guiding Principles, Priority Needs as shown in First Tier and Second Tier and the Goals and Objectives that were created in 1999 and are listed as viable, have not been or only partly implemented.
- Proposition 10 requires the Commission to periodically (at least annually) review its strategic plan to ensure it is meeting the needs of all eligible clients and, in turn, meets the goals/services that are set forth in the plan. It requires the Commission to conduct annual public hearings concerning the review and changes to the strategic plan. Also Proposition 10 suggests that a county may work collaboratively and even jointly with other counties, their programs, services and projects for the purpose of maximizing its goals and purpose.

RECOMMENDATIONS

The Committee recommends a concerted effort be made to establish the Commission's effective presence in all areas of the County so that the Guiding Principle in the Strategic Plan be accomplished: "Services should be designed to serve all children and families eligible," (Strategic Plan, page 8).

An advisory panel working with the Commission should review the Strategic Plan annually to determine the progress of its goals and objectives.

The Executive Director should meet personally with all appropriate organizations, both public and private in the western and southern parts of the County for the purpose of meeting the goals of Proposition 10 and the Commission's Guiding Principles and Priority Needs Area in Sutter County.

The Executive Director should collaborate with the program coordinators of Migrant Head Start and the Yuba City Unified School District's Migrant Child Care Program to schedule summer programs accordingly. In addition, collaboration is recommended with other agencies such as the First 5 Commission in Yuba County.

DISCUSSION/FINDING

- Contracted mid-year evaluations of all programs presented to the Commission were questionable, lacking serious investigative analysis and strong recommendations for improvement.

RECOMMENDATION

The contract for the evaluation of the programs should be put out for bid and rotated on a regular basis, as is the financial audit. A new firm may present a different perspective.

DISCUSSION/FINDING

- Commission meetings are held at 2 pm on the last Friday of the month in the conference room at the Commission office. The room is too small; some Commissioners have their backs to the audience. It is not conducive for public hearings.

RECOMMENDATION

Commission meetings should be held at a different facility with a larger meeting room. The room should be arranged so that the Commissioners face the public to promote and encourage dialogue. The 2 pm meeting time discourages attendance and participation from the public. The meetings need to be held in the evenings so childcare providers and parents can attend.

DISCUSSION/FINDING

- The process of choosing recipients for mini grants is unclear. “Outside readers” are supposed to be involved in the process, and it is not known if the Commissioners read and screen the applicants. The readings and decisions made on the concept papers is not an open process; it is closed to applicants and therefore closed to debate.

RECOMMENDATION

An advisory panel should screen the concept papers. Those with the most acceptable services to preschoolers and their families will then present the concept papers to the Commission for final approval.

DISCUSSION/FINDING

- **Bright Futures** screening is scheduled monthly at the Yuba City Mall, primarily from noon to 3 pm, when these preschool children are likely to be home napping after lunch.

RECOMMENDATION

Bright Futures monthly screenings should be scheduled in the mornings, when preschoolers are alert and rested.

DISCUSSION/FINDING

- Transportation services to programs have neither been planned for nor provided, other than for **Family Soup**.

RECOMMENDATION

Transportation services should be planned, budgeted, and included for all programs.

Board of Supervisors Response

The above recommendations are directed toward the Sutter County Children & Family Commission, which is not a County agency. Therefore, no response by the Board of Supervisors is necessary.

RESPONDENTS

Debra Coulter, Executive Director, Sutter County Children & Family Commission
Sutter County Board of Supervisors

HEALTH, MENTAL HEALTH AND SOCIAL SERVICES COMMITTEE

SUTTER YUBA MENTAL HEALTH SERVICES

INTRODUCTION

The 2005–06 Sutter County Grand Jury Health, Mental Health & Social Services Committee conducted an on-site visit to Sutter Yuba Mental Health at 1965 Live Oak Blvd. in Yuba City on September 27, 2005. Committee members interviewed Edmund Smith, Director of Human Services and Lynn M. Tarrant, Program Chief. The reason for our visitation was to follow up the 2004-05 Grand Jury recommendations to complete the remodeling of the psychiatric emergency facility and the paving of the gravel parking lot.

The Committee members were given a comprehensive tour of the Sutter Yuba Mental Health facility and information concerning the programs offered by the Department. A follow up interview and tour with Joan Hoss, Director of Mental Health, occurred March 16, 2006.

MISSION STATEMENT OF SUTTER YUBA MENTAL HEALTH

“The Sutter County Human Services Department provides client centered, culturally sensitive, outcome oriented, integrated, cost effective delivery of services. Staff of this department is committed to safeguarding the physical, emotional and social well-being of others while promoting self sufficiency and quality of life and health for those we serve.”

SUMMARY

Sutter Yuba Mental Health provides mental health, drug abuse, adult and children services. Outpatient and inpatient care, consultations, drug abuse information, and a 24-7 crisis hotline are provided.

Remodeling of the psychiatric emergency facility, funded from \$3.8 million in reserve, had not begun in September 2005, but was under progress in March 2006. Remodeling has been slow because it has been necessary for the inpatient psychiatric unit to continue operating while remodeling proceeds.

The gravel parking lot had not been paved by March 2006.

DISCUSSION

- The sign on Live Oak Boulevard indicating the location of Sutter Yuba Mental Health and its services was obscured by tall flowers preventing the sign from being seen.
- In addition, the many departmental directional signs in front of the Mental Health building are confusing to clients and visitors alike.
- On both visits, clients were smoking just outside entrance and exit doors despite the posted no-smoking and restricted-smoking signs.
- Significant efforts have been made by the administration to ensure clients' rights, safety, care, to alleviate apprehension and to provide interpreter services.
- Staff who speak Spanish, Punjabi, Hmong, Farsi and Tagalog are on site during the regular workweek. The AT&T Language Line is used to better serve clients in their own language as needed. Inclusively, the Nor-Cal Center on Deafness is available to provide sign language interpreters.
- The waiting/reception room displays patients' rights, and the appeals and grievance processes.
- Background music and a corral for the admission process are supposed to discretely protect a client's privacy and apprehension from others in the waiting room.
- In addition, client well being is enhanced in the hallways and in various rooms by use of both vibrant and soothing colors on the walls accompanied by pictures and artwork that are racially and ethnically sensitive.
- Client and staff safety has been addressed by the administration. Safety features include coded key/door locks, surveillance cameras inside and outside the facility and bulletproof glass in the reception area.
- The psychiatric emergency unit is being enlarged with an additional bedroom and a toilet. An accessible shower and three toilets for the handicapped are planned. A sprinkler system will be installed for fire control. The seclusion rooms have been repainted and new floor drains will be installed.
- The outpatient nursing station has recently been remodeled allowing for much needed space. Medications are accessible and secure. Adjacent to the nursing station is a locked closet containing free sample medications, which can be prescribed at no cost to clients depending on their needs.
- A new information-technology system will cost \$500,000 to \$600,000 to replace the existing one, which was installed in 1984 and is no longer adequate to serve present needs.

- Many of the structural improvements that are presently occurring in the psychiatric emergency unit are the result of good management on the part of the Director and the department heads. Incoming monies from motor vehicle license fees and State sales taxes were frugally spent over past years so that now a \$3 million-plus reserve for remodeling and updating exists.
- Mental Health Services Act: An additional \$1.7 million in annual funding is available for new mental health services to our community from Proposition 63: the tax on incomes over \$1 million. \$750,000 will be received for the remainder of this year to be used for low income housing for clients.
- Law enforcement officers are trained at shift changes regarding individuals with mental health concerns. The Yuba City Police Department does all transports from the Rideout Emergency Room to Sutter Yuba Mental Health.

FINDINGS

- Dedicated professional staff from the departments of Sutter Yuba Mental Health are providing quality services.
- The remodeling of the facility is in progress.
- The paving of the gravel parking lot will not be undertaken until the timetable for the planned new Human Services Building can be determined, pending funding from the State of California. The new building may be built on a portion of the parking lot.
- The following are considered possible barriers to citizens seeking mental health care: the visibility of the sign on Live Oak Boulevard is inadequate; many departmental directional signs in front of the Mental Health building are confusing.
- Sutter County's ordinance of no smoking within 20 feet outside any doorway of any County building needs to be enforced.
- Background music was not playing in the waiting room while clients were being interviewed thereby preventing adequate privacy.

Board of Supervisors Response

Although the Board of Supervisors concurs with almost all of the findings, we do not believe that the current signage is a major barrier to citizens seeking mental health care. Nevertheless, as part of the overall remodeling process, we agree to examine the signage and make improvements, if warranted, as noted below in our response to the related recommendation.

RECOMMENDATIONS

Replacing and enlarging the sign on Live Oak Boulevard so it is prominently displayed and closer to the road.

Board of Supervisors Response

The Board of Supervisors does not concur with this recommendation. The current sign is prominently displayed and sufficiently visible from Live Oak Boulevard when the landscaping is well-maintained. The Public Works Department will maintain the current landscaping to ensure that the sign's message is not impaired.

The main entrance and the waiting/reception area needs to be reconfigured and clearly marked by a directional sign, as do the other entrances to the different departments. The directional sign to the emergency psychiatric services posted by the gravel parking lot needs to be enlarged and illuminated. This will prevent confusion to clients and visitors.

Board of Supervisors Response

The Board of Supervisors does not concur with the reconfiguration of the waiting/reception area. The Board does, however, agree to analyze the current signage for potential improvements as needed.

Sutter County's ordinance of no smoking within 20 feet outside a doorway of any County building needs to be enforced. An alternative smoking area will need to be provided for clients and staff who smoke.

Board of Supervisors Response

The Board of Supervisors concurs with this recommendation. The Human Services Department is working with the Public Works Department to provide an enhanced area for smokers, further from the door, in order to facilitate improved enforcement.

Relocate the corral/interview process area away from the waiting room to protect clients' privacy.

Board of Supervisors Response

The Board of Supervisors recognizes the need for enhancing the feeling of privacy for clients. The Human Services Department is working with the Public Works Department to generate and analyze options for improving this area and plans to have recommendations ready for presentation by the end of 2006. In the meantime, they will increase their efforts to ensure that the music that is meant to be played to provide some privacy is playing.

RESPONDENT

Joan Hoss, Director, Sutter Yuba Mental Health Services

PLANNING AND ENVIRONMENT COMMITTEE

LEVEE DISTRICT 1

INTRODUCTION

In light of the public's concern over the age and construction of our present levee system coupled with the recent levee failures in New Orleans, the 2005-06 Grand Jury Planning and Environment Committee met with the management of Levee District 1 (LD1) at their office located at 243 Second Street, Yuba City. The purpose of this visit was to obtain an overview of the levee district, its facilities, operations and their long-term maintenance and improvement project plans. The Committee attended the presentation on the history of levee construction and formation of levee and reclamation districts at the Community Memorial Museum of Sutter County on October 6, 2005. In addition, the Committee attended the 2005 Pre-Season Flood Coordination Meeting at Whiteaker Hall on November 3, 2005.

SUMMARY

The Committee found that LD1 is well managed, stays within their budget and operates efficiently and effectively.

DISCUSSION

- LD1 is independent of the Sutter County government; it is a Special District governed by three elected directors who meet the second Monday of every month. The directors are governed by a code of ethics as well as California Water Code.
- LD1 services are performed by three maintenance employees and have access to volunteer help under emergency conditions.
- LD1 is funded through a benefit assessment, which is collected by the Sutter County Treasurer and Federal and State grants.
- LD1 functions under the California Water Code and has an Operations and Maintenance Manual published by the California Department of Water Resources, which gives the guidelines used to perform maintenance on the levees.
- The current operating budget consists of \$360,000. Cash reserves are in excess of \$1 million. Since the 1997 flood a total of nearly \$30 million of improvements have been performed.

- The levee is certified by the Army Corps of Engineers, which is a requirement for funding of flood insurance through Federal Emergency Management Agency (FEMA).
- The levee is inspected 2 times a year by Department of Water Resources (DWR).
- LD1 consists of 17 miles of levee, starting at Pease Road, extending south, ending just north of the Nicolaus Bridge.
- A slurry wall within the levee was added for additional protection extending from the Sutter-Yuba Mental Health Facility to the end of Second Street in Yuba City, approximately 3 miles.
- LD1 maintains 46 relief wells along the levee beginning at the south end of the slurry wall (near the airport) and extending to Shanghai Bend Road, a length of about 2 miles.
- A future project for the district is a proposed setback levee near Starr Bend at an estimated cost of \$4 million.
- LD1 is presently considering annexing 5 additional miles of levee, south of the present levee system ending at the Sutter Bypass.
- LD1 keeps in mind environmental concerns, such as the elderberry beetle and the giant garter snake.
- LD1's priority need is money to fund levee repairs and improvements.

FINDINGS

- Concerns about endangered species which include the elderberry tree and the associated elderberry beetle, have a major influence on levee maintenance and its environmental compliance.
- LD1 has done an admirable job educating County residents with a guided bus tour, and a public presentation regarding the history of levee construction and formation of levee and reclamation districts at the Community Memorial Museum of Sutter County.
- Policies and requirements of the Environmental Protection Agency have a strong influence on the process and techniques LD1 can use to maintain the levee.
- The General Manager has established an excellent program of volunteers who can be called upon to respond in emergency levee situations.

- LD1 successfully provides cost effective use of limited funds to support levee maintenance and operations.
- Since 1997, LD1 has consistently received the highest possible rating (A-1) for its maintenance practices from the California DWR.
- Additional funding is necessary for levee upgrades and improvements such as a setback levee for Starr Bend and extension of the present slurry wall as appropriate.

RECOMMENDATIONS

LD1 should continue its efforts to obtain additional and new funding sources for levee improvements, upgrades and maintenance.

LD1 should consider the use of California Conservation Corps, levee support system of volunteers, County inmate programs and other groups and organizations to control the new growth of elderberry bushes smaller than 1-inch diameter, as permitted under National Environmental Protection Agency and California Environmental Quality Act.

RESPONDENT

Levee District 1

PLANNING AND ENVIRONMENT COMMITTEE

RECLAMATION DISTRICT 1001

INTRODUCTION

In light of the public's concern over the age and construction of our present levee system coupled with the recent levee failures in New Orleans, the 2005-06 Grand Jury Planning and Environment Committee met with Diane Fales, General Manager of Reclamation District 1001 (RD 1001) at its office located at 1959 Cornelius Avenue, Rio Oso on November 21, 2005. The purpose of this visit was to obtain an overview of the levee district, its facilities, operations and their long-term maintenance and improvement project plans.

SUMMARY

It was apparent to the Committee, after meeting with Diane Fales, that the RD 1001 is being managed in an efficient and effective manner. Ms. Fales was found to be a very competent individual and well respected within the District. She has extensive knowledge of the District's operation, and worked as the office manager for RD 1001 for several years prior to accepting the position as General Manager.

DISCUSSION

- RD 1001 is a Special District, operated independently of the Sutter County, and governed by a seven-member Board of Directors. RD 1001 staff consists of a Secretary/General Manager, five full time employees, one part time employee and more than 100 volunteers.
- RD 1001 has 45 miles of "Project" levees, defined as major river flood control structures, such as levees along the Feather River. RD 1001 has 15 miles of "Non-Project" levees, defined as minor waterway flood control structures such as drainage ditches, creeks, etc.
- RD 1001 operates with a current budget of approximately \$750,000.
- The sources of major project funding for RD 1001 consist of Federal (70%), State (20%), and local (10%) funds.
- RD 1001 has recently purchased a policy and procedures manual from California Special District Association and plans to modify it to fit its needs.
- RD 1001 has experienced only one levee failure in its history, which occurred south of the Nicolaus Bridge in 1955.

- RD 1001 is in the process of selling older heavy equipment to reduce costs associated with its maintenance. In the future, RD 1001 plans to either rent the heavy equipment or contract out the needed work.
- RD 1001 expressed concerns that environmental protection regulations and laws hamper its ability to conduct routine levee maintenance and begin major projects.

FINDINGS

- The levees near Verona on the Sacramento River are currently RD 1001's highest priority, in need of major repairs and/or reconstruction. This area includes sites 17, 18, 19, and 20, which consists of approximately one mile of levee. Constructed in 1911, the present levees do not meet today's construction standards and experience many problems under adverse conditions. RD 1001 needs Federal and State funding for repairs. The State of California has identified the levees near Verona as one of the major areas of concern statewide.
- The State required RD 1001 to provide an Environmental Impact Report (EIR) for the proposed project work at Verona, which cost the district \$6 million originally designated for the actual levee improvements. Consequently, after the EIR was completed, there was insufficient funding to proceed with the project, and it was placed on hold.

RECOMMENDATIONS

Continue lobbying efforts to fund levee repairs near Verona and other sites as needed.

RD 1001 should consider the use of California Conservation Corps, levee support system of volunteers, County inmate programs and other groups and organizations to control the new growth of elderberry bushes smaller than 1-inch diameter, as permitted under National Environmental Protection Agency and California Environmental Quality Act.

RESPONDENT

Diane Fales, General Manager of Reclamation District 1001

PLANNING AND ENVIRONMENT COMMITTEE

SUTTER YUBA MOSQUITO AND VECTOR CONTROL DISTRICT

INTRODUCTION

With the public concern over West Nile Virus, the 2005-06 Grand Jury Planning and Environment Committee met with the management of the Sutter Yuba Mosquito and Vector Control District (SYMVCD) on November 8, 2005 at its office located at 701 Bogue Road, Yuba City. The purpose of this visit was to obtain knowledge regarding West Nile Virus and to learn of the control measures of mosquitoes in both Yuba and Sutter Counties by SYMVCD.

SUMMARY

The Committee found SYMVCD facilities to be very clean and well maintained with an emphasis on safety practices and proper chemical handling. SYMVCD has a cost efficient program of utilizing local resources for the purchase of new equipment and has done a commendable job with the control of mosquitoes in Sutter County.

DISCUSSION

- SYMVCD is governed by a seven member Board of Trustees and has 12 full-time and 19 part-time employees. Management and permanent employees maintain current certification through California Department of Health Services.
- The lab staff collects thousands of mosquitoes each year, maintains surveillance devices and also identifies and classifies various insects and species.
- SYMVCD encompasses 735 square miles: 525 square miles in Sutter County and 210 square miles in Yuba County.
- SYMVCD is a member of the Mosquito and Vector Control Association, which works in cooperation with California mosquito abatement and mosquito and vector control districts, the local Health Departments, County Agricultural Commissioner offices, the University of California Labs, Research Departments and the California Department of Health Services.
- SYMVCD receives \$2.2 million in revenue through property taxes from Sutter and Yuba counties.

- There are 23 species of mosquitoes in the District – only two can carry the West Nile Virus.
- SYMVCD has an educational program for the public.
- The spraying season starts April 1 and runs through November 1 and a spot-spraying program is available upon request. SYMVCD has 31 trucks for ground application and two airplanes under contract for aerial spraying within the district.
- SYMVCD plants 2 million Gambusia Affinis (mosquito fish) each year to help with mosquito eradication.
- SYMVCD is part of the Yuba Sutter County Africanized Honey Bee Task Force, which is preparing to deal with the problems of the arrival of the bee in our counties.

FINDINGS

SYMVCD has an educational program for the public with presentations to schools, civic groups, along with a website and informational inserts in the local newspaper.

RECOMMENDATIONS

None

RESPONDENT

Ron McBride, Director of Sutter Yuba Mosquito and Vector Control District

2005-06 GRAND JURY REPORTS

ATTACHMENTS

Attachment A: Auditor-Controller's Response

Attachment B: Clerk-Recorder/Registrar of Voters' Response

Attachment C: Sheriff-Coroner's Response

2005-06 GRAND JURY REPORTS

COUNTY OF SUTTER

August 26, 2006

RECEIVED

AUG 28 2006

COUNTY CLERK
and EX-OFFICIO CLERK
BOARD OF SUPERVISORS
SUTTER COUNTY



ROBERT E. STARK, CPA

AUDITOR-CONTROLLER

The Honorable Robert H. Damron
Presiding Judge of the Superior Court of California
County of Sutter
446 Second Street
Yuba City, California 95993

Dear Judge Damron:

Submitted herewith is the Auditor-Controller's Office response to the 2005-2006 Grand Jury Final Report. Penal Code § 933(c) and § 933.05 require my office to respond to the findings and recommendations of the Grand Jury. This response is submitted directly to you pursuant to Penal Code § 933.05(f).

I commend the individual members of the Grand Jury for their public service.

I share the Grand Jury's concerns in making Sutter County government work better. I am looking forward to working constructively and positively with the Board of Supervisors and the County Administrator's Office to implement improvements with the objective of increasing the County's efficiency and effectiveness.

By law I am also required to send a copy of this report to the Sutter County Board of Supervisors, after which they will have another 30 days to write their response. I am complying with that requirement. I trust that my response will likewise be distributed to all recipients of the Grand Jury's report and all recipients of the Board of Supervisor's response.

Sincerely,

Robert E. Stark, CPA
Auditor-Controller

Cc: Sutter County Board of Supervisors

463 SECOND STREET • YUBA CITY, CALIFORNIA 95991 • (530) 822-7127 FAX 822-7439

Sutter County Board of Supervisors' Response to the 2005-06 Grand Jury Report

2005-06 GRAND JURY REPORTS

August 26, 2006

Auditor-Controller Response to Sutter County Grand Jury 2005-2006

SUMMARY:

The Auditor-Controller response which follows is limited to that which is necessary to comply with the requirements of the law and is not intended as a general discussion of issues important to Sutter County. The terminology required for the response is defined by the Penal Code.

We thank the members of the Grand Jury for their work in identifying topics of interest which will help to improve the operation of Sutter County government and specifically the Auditor-Controller's Office.

RESPONSE TO "FINDINGS" SECTION:

- *"The investigation discovered that Sutter County has a very fragmented accounting system. The current accounting system appears awkward and cumbersome; and out of date from a technology standpoint. While most department heads have stated that they do not have a problem with the system, the Committee believes that the fragmentation of the systems create divisive issues that impact all departments. A review of the technology should also review staff efficiency in processing data. Some of the problems may be caused by poor training or supervision, or lack of data entry control and review."*

Auditor-Controller Response § 1— Insufficient Information to Agree or Disagree with Finding. It would have been helpful if the Grand Jury had provided evidentiary support. If the Grand Jury is referring to a general lack of integration of related accounting systems we agree. Not enough factual information is provided to discuss this in definitive terms. We commend the Grand Jury for their diligence in looking into these very complex professional accounting and computer software/hardware issues. We are addressing some of these issues now in meetings with other departments to find the best payroll solution for the County.

- *"The County maintains three (3) independent computer systems."*

Auditor-Controller Response § 2— Insufficient Information to Agree or Disagree with Finding. The Grand Jury's description of the County's computer systems is not clear. The applications are cataloged fairly well but are not complete, leaving out systems and/or software used by the three divisions of the Human Services department. It would have been helpful to distinguish more clearly between hardware and software. The "IBM" is actually the IBM AS400 computer; the "UNIX" is an IBM RS6000 computer (running the IBM version of the UNIX operating system); and the "Cost Accounting Management System (CAMS) is not a computer system at all but software which runs on personal computers in the Public Works department. A complete discussion of all these systems is outside the scope of this response. The Grand Jury discussion has been very helpful in furthering the public's understanding of the scope of the information technology used in the County.

2005-06 GRAND JURY REPORTS

- “Cost Accounting Management System (CAMS)
 - *Purchased two years ago as a Microsoft based system that is PC driven”*
 - 1. *Job Costing: a duplication of programs which forces the payroll to be entered twice each pay period for all employees working in more than one job category because this program is not integrated into the existing payroll program.*
 - 2. *Accounting package for Public Works”*

Auditor-Controller Response § 3— Agree.

- *“The UNIX and IBM computers are not integrated or compatible. However, a program has been written to transport the Budget from the IBM into the UNIX for reporting purposes. This process involves a special handling operation at Information Technology (IT).”*

Auditor-Controller Response § 4— Agree. IT is to be commended for their hard work in keeping these systems working together.

- *“The IT Department is in the process of converting all County offices to the Microsoft PC driven operating system. This is a major step in bringing the County to real time accounting.”*

Auditor-Controller Response § 5— Disagree Partially. It would have been helpful here if the Grand Jury had provided more information so the reader could understand the benefits of IT’s conversion to the “Microsoft PC driven operating system” and how it will lead to “real time accounting”. We support systems which will result in increased accountability.

- *“The departments using the accounts payable or the general ledger program cannot make real time comparisons with the Budget when posting ledger entries or paying bills, so the Auditor/Controller may issue payments without being able to verify fund balances. Also, no department can make real time comparisons with the General Ledger and the Budget. There have been several comments made about the amount of manual work that has to be done in payroll and accounting.”*

Auditor-Controller Response § 6— Disagree Partially. It would have been helpful if the Grand Jury had explained its concept of “real time comparisons”. Departments are responsible for their own budgets and most have the ability to look at their balances in the online general ledger system. Lacking examples, it is hard to comment on specific manual processes. We do agree upgrading systems has the potential to eliminate manual work. It is important to remember that payroll and accounting are separate systems. It is helpful to have the Grand Jury looking at these matters.

- *“CAMS does not integrate into either of the other two systems (UNIX and IBM).”*

2005-06 GRAND JURY REPORTS

Auditor-Controller Response § 7— Agree. CAMS was purchased by Public Works knowing that it did not integrate into the general ledger system on the IBM RS6000 (UNIX) and the payroll system running on the IBM AS400.

RESPONSE TO "RECOMMENDATIONS" SECTION:

- *"Accounting systems:*

The Committee recommends that the Board of Supervisors take immediate action, through the IT Department, to analyze the capability and future value of the present computer systems and find a way to bring the County accounting and budgeting to an integrated, real time system. The Committee further recommends that the Board look at systems now on the market that will provide all the necessary accounting programs on an integrated basis that will allow for more flexible budget planning and more error free data entry. The Committee recognizes that this will be a very expensive investment; however, it is an investment for the operational future of the County. A completely new system may become a cheaper necessity if the County considers the current costs of time and inefficiency with the present operating systems."

Auditor-Controller Response § 8— The Auditor-Controller's Office will not implement this because it is a recommendation to the Board.

- *"A second choice would be to have the IT Department overhaul the existing systems and build a completely integrated operating system that can allow for real time entry and analysis work. The Committee found that the current UNIX system needs only a payroll module added to complete an integrated financial system for the County. The cost of this addition would be within the allowance for a new payroll package. A commitment is needed from all departments to change their procedures to make integration work. Quality, in-depth training with well-written procedures is necessary to maximize the value of a new system."*

Auditor-Controller Response § 9— The Auditor-Controller's Office will not implement this because it is a recommendation to the Board.

- *"The County's UNIX system allows for several budget scenarios to be run at the same time, which would increase the flexibility of the County government to create and manage a workable budget under the fluid conditions of a growing county. The committee would urge the IT department to work with all departments to eliminate as much manual data processing as possible."*

Auditor-Controller Response § 10—The Auditor-Controller's Office will not implement this because it is a recommendation to the IT department or the Board. However, we thank the Grand Jury for pointing out the importance of eliminating as much manual work as possible. This is one objective of our efforts to acquire a new payroll solution which is now underway.

2005-06 GRAND JURY REPORTS

- *“The Committee further recommends that all departments cooperate with IT to keep program modifications to a minimum. The Committee believes that many of the current problems with a smoothly operating accounting system are due to modifications made to suit individual needs. This creates problems with software upgrades and training when the responsible individual departs, leaving future users in a difficult untrained and undocumented situation. Custom modifications generally do not have adequate operating instructions or universal training. Once the initial user has left employment, the procedures become obscure. Relying on ‘this is how we have always done it’ attitude is not a satisfactory solution.”*

Auditor-Controller Response § 11— The Auditor-Controller has already implemented this recommendation. It is the policy of the Auditor-Controller’s Office to base all requests to IT on a genuine need with an analysis of costs versus benefits including anticipated changes to workload for other departments. The Grand Jury’s recommendation helps by informing all County departments of the policy.

- *“Policy and Procedures:*

The Committee recommends that the Board of Supervisors hire, as soon as possible, a consultant to review the present accounting operational procedures and create a formal written policy and procedures program for all accounting and financial jobs in the County. A training program will need to be implemented once the policy and procedures have been approved. This should also be the responsibility of the consultant. There are policy and procedures available from other counties. The Auditor/Controller has on several occasions stated that his department has a work load that prevents the Auditor’s office from doing this project; therefore, the Committee recommends that the consultant be independent, but work through the Auditor’s office, and answerable to the Board of Supervisors, but not hired as a permanent employee. Once the consultant’s work is complete the Auditor’s office will need to continually update and train staff in all departments.”

Auditor-Controller Response § 12— The Auditor-Controller’s Office will not implement this because it is a recommendation to the Board.

- *“Final County Authority and Chain of Command:*

The Committee strongly recommends that the Board of Supervisors assume responsibility as final authority in the governing of Sutter County. Discussion with the State Controller’s office verified that the final authority for financial/accounting decisions in all counties is with the Board of Supervisors. The Committee is very concerned with the defiant attitude taken by the Auditor/Controller who refuses to accept the Board’s authority. This is not acceptable behavior for those officials elected as well as those appointed. This situation has developed over a period of years, but has now reached the point where the authority in the county is gridlocked with Board decisions subject to legal settlement. The legal costs alone are a substantial burden for Sutter County citizens. The Board of Supervisors public meeting is not the place to replay county arguments. The Committee recommends that

2005-06 GRAND JURY REPORTS

improved communication be established between departments and inter-departmental issues be resolved internally.”

Auditor-Controller Response § 13— The Auditor-Controller’s Office will not implement this because it is a recommendation to the Board. The Auditor-Controller’s Office has always respected the authority of the Board of Supervisors and we have always conducted ourselves in a professional manner whenever a matter of professional disagreement has arisen. We have followed Board authority, even recently when we believed the Board to be in error where it has been necessary to protect the important interests of the citizens of Sutter County. We are seeking to clarify the authority, duties and responsibilities of the Auditor-Controller’s Office through a civil action and in the litigation initiated against the Auditor-Controller by this and the prior Grand Jury. Once clarification is received we will follow the directions of the court or the State Controller’s Office.

- **“Professionalism and Job Integrity:**

All positions of authority in the county, elected or appointed, demand a high degree of professionalism and dedication. The Grand Jury is embarrassed by officials’ acts of disrespect for each other. Poor attitudes displayed by County officials reflect the character of quality of the residents of Sutter County who elect them, and how the county is viewed by others. The committee believes that the citizens of Sutter County are not getting the quality of service that we should expect for what we pay. The Committee recommends that the Board of Supervisors take measures to create a better working environment in the County that will focus on making the County a more functioning unit. The Board needs to instill the spirit in the staff of getting the job done correctly and in the most efficient way possible. ‘Team Sutter’ is not working because the whole team is not functioning as a single unit.”

Auditor-Controller Response § 14— The Auditor-Controller’s Office will not implement this because it is a recommendation to the Board. Notwithstanding the difficult issues with which we are faced, the Auditor-Controller’s Office has and will continue to act in a professional manner to get the job done for Sutter County.

- **“Staffing:**

The Auditor/Controller complains about the lack of staff to get the job done. At the same time the committee saw evidence where the Auditor’s staff was involved with projects that were irrelevant and time consuming. While the Committee supports the Auditor for attempting to ‘control’ expenses to ‘save the County money’, the Committee questions the expense of second guessing the approval of other departments’ charges while the Auditor is making huge mistakes in other accounting that affects the way the County does business. The issue here is spending hundreds of dollars to save 50 cents. At the same time the Auditor explains that his department cannot create policies and procedures because of the lack of time, yet, the department spends extraordinary time in researching issues to settle an argument with another department. The Committee believes that inadequate job

2005-06 GRAND JURY REPORTS

management is an issue and quite probably the present accounting system is a contributing factor.”

Auditor-Controller Response § 15— The recommendation will not be implemented because no specific recommendation has been made. The Auditor-Controller’s Office disagrees with the conclusory statements in the above text. The Grand Jury provides no evidentiary support here which would allow for a more detailed response.

- *“The Committee recommends that the Board of Supervisors review the staff and job requirements of the Auditor/Controller. The Committee knows that as the pressure increases with growth in Sutter County that job functions change and extra workloads are created without changes in staff. The Committee recommends that staffing analysis be viewed with changes in implementing a more efficient accounting system. This will include a review of the accounting positions in all the County departments.”*

Auditor-Controller Response § 16— The Auditor-Controller’s Office will not implement this because it is a recommendation to the Board. However, we are currently working with the Harvey M. Rose Accountancy Corporation on a review of staff and job requirements of the Auditor-Controller’s Office.

2005-06 GRAND JURY REPORTS



COUNTY OF SUTTER...established 1850

Joan Bechtel

County Clerk-Recorder-Registrar of Voters-Clerk of the Board of Supervisors

RECEIVED

July 6, 2006

JUL 10 2006

Office of the County Clerk-Recorder-Registrar of Voters
Sutter County

The Honorable Robert H. Damron
Presiding Judge of the Superior Court of California
County of Sutter
466 Second Street
Yuba City, California 95991

Dear Judge Damron:

Re: Response to the 2005-2006 Grand Jury Final Report

Demonstration of Electronic Voting Machines

The Clerk-Recorder-Registrar of Voters and her staff appreciate the time and effort spent by the Grand Jury in accepting our invitation to observe a demonstration of the new electronic voting equipment and a tour of the recently remodeled extension of the election office. We are pleased that "the voting machines performed flawlessly" and that the Grand Jury was impressed with the remodeled extension of the office.

Respectfully submitted,

Handwritten signature of Joan Bechtel in cursive.
Joan Bechtel
Clerk-Recorder-Registrar of Voters

Clerk-Recorder
433 Second Street
Yuba City, CA 95991
530-822-7134 FAX 530-822-7214

Clerk of the Board of Supervisors
1160 Civic Center Blvd.
Yuba City, CA 95993
530-822-7106 FAX 530-822-7103

Registrar of Voters
463 Second Street
Yuba City, CA 95991
530-822-7122 FAX 530-822-7587

SUTTER COUNTY WEB SITE: www.suttercounty.org

Sutter County Board of Supervisors' Response to the 2005-06 Grand Jury Report

2005-06 GRAND JURY REPORTS



COUNTY OF SUTTER...established 1850

Joan Bechtel

County Clerk-Recorder-Registrar of Voters-Clerk of the Board of Supervisors

RECEIVED

JUL 10 2006

Office of the County Clerk-Recorder
Sutter County

July 7, 2006

The Honorable Robert H. Damron
Presiding Judge of the Superior Court of California
County of Sutter
466 Second Street
Yuba City, California 95991

Dear Judge Damron:


Re: Response to the 2005-2006 Grand Jury Final Report

Observation of the Special Election Held on November 8, 2005

The Grand Jury was invited to observe the precinct and voting activities of the Special Election held on November 8, 2005 and the auditing process of the Canvass Board following the election.

The Clerk-Recorder-Registrar of Voters and her staff appreciate the recognition by the Grand Jury of the cooperative spirit, dedication and thoroughness of the election staff.

Respectfully submitted,


Joan Bechtel
Clerk-Recorder-Registrar of Voters

Clerk-Recorder
433 Second Street
Yuba City, CA 95991
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SUTTER COUNTY WEB SITE: www.suttercounty.org

Sutter County Board of Supervisors' Response to the 2005-06 Grand Jury Report

2005-06 GRAND JURY REPORTS



June 29, 2006

Office of the County Administrator
Sutter County

To: Robert H. Damron, Presiding Judge, Superior Court of California-County of Sutter

From: Jim Denney, Sheriff-Coroner-Public Administrator

Subject: Response to the 2005-2006 Grand Jury Final Report

The following are the responses of the Sheriff-Coroner-Public Administrator to the findings and recommendations of the 2005-2006 Sutter County Grand Jury Final Report.

Criminal Justice Committee Report (pages 26-28)

Findings:

The Committee observed graffiti painted and etched into the walls in several areas of the jail. For example, in the exercise yard, gang symbols were noticeable along the walls of the basketball court, and the word "skinhead" was scratched on the door of one of the holding cells.

Recommendations:

In an effort to reduce racial tensions and gang rivalry, the Committee recommends that all graffiti be painted over as soon as it is discovered.

Response:

The Sheriff-Coroner-Public Administrator concurs with the finding; however, the Grand Jury Criminal Justice Committee was informed by Jail staff on the day of their tour that the Jail was undergoing a painting project as part of the ongoing maintenance of the facility. The graffiti described in the Committee's report has since been painted over and Jail staff will continue to take action to delete graffiti whenever it is discovered in the Jail.

Education Committee Report (pages 31-32)

1077 CIVIC CENTER BOULEVARD • YUBA CITY, CALIFORNIA 95993

Office: (530) 822-7307 or (530) 822-7312
FAX: (530) 822-7318 • E-Mail: sheriff@co.sutter.ca.us

Sutter County Board of Supervisors' Response to the 2005-06 Grand Jury Report

2005-06 GRAND JURY REPORTS

Findings:

The playground asphalt has not been replaced and the solar-powered radar speed limit signs have not been installed.

Recommendations:

The 2006-07 Grand Jury follow up on the status of:

- *The asphalt on the playground*
- *The installation of solar powered speed notification radar signs, or flashing yellow lights on the school zone signs*

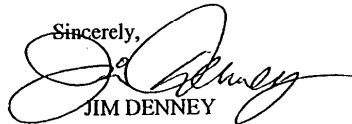
Response:

The Sheriff-Coroner-Public Administrator has no comment regarding the asphalt on the playground and concurs with the Grand Jury finding regarding the installation of solar-powered radar speed limit signs. While the school and the Sutter County Road Department continues to search for funding to install the needed signs, the Sheriff's Department has continued to provide a close patrol of the area, including the placement of the Department's radar trailer in the area of the school, the posting of Sheriff's Citizen Volunteers to monitor traffic and the deployment of Patrol Deputies to conduct enforcement operations. This is in addition to enforcement actions that are being conducted by the California Highway Patrol to curtail speeding vehicles in the area.

In addition, the Sheriff's Department School Resource Officers (deputies) have visited the school on at least six (6) occasions during the past year and matters related to traffic safety were discussed with the students.

This concludes the responses of the Sheriff-Coroner-Public Administrator and the Sutter County Sheriff's Department. As always, should any questions arise from this or any other issue, please do not hesitate to contact me at (530) 822-7312.

Sincerely,



JIM DENNEY
SHERIFF-CORONER

cc: Sutter County Board of Supervisors
Larry T. Combs, County Administrative Officer
Captain Scott Silsbee, Commander, CHP-Yuba/Sutter Office
Tom Pritchard, Superintendent, Live Oak Unified School District
George Musallam, Director, Sutter County Public Works Department