



2005/2006 Grand Jury Report

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2005/2006 Grand Jury Report

The Honorable Stephen Hedstrom
Superior Court of Lake County
7000 S. Center Drive Suite A
Clearlake, CA 95422

RE: Final Report 2005-2006 Lake County Grand

Pursuant to Penal Code 933 (a), it is with pride and pleasure that we submit to you, the Board of Supervisors, and the citizens of Lake County, this final report of the 2005-2006 Grand Jury.

This Grand Jury faced many issues and requirements. Their hard work and dedication made this final report possible. I would like to thank Wanda Harris, secretary, and the Edit Review Committee for all their hard work.

I would like to personally thank Judge Hedstrom, Kelly Cox, Kathy Barnwell and Anita Grant for your advice and assistance, and to the 19 Grand Jurors who worked tirelessly on the tasks assigned. Thank you, I will miss you all. You have shined a light in many dark corners.

Sincerely,

Leon B. Ripplinger, Foreman
2005-2006 Lake County Grand Jury



2005/2006 Grand Jury Report

Members of the 2005-2006 Lake County Grand Jury

Charles Brown		
*Charles Cabral		Pro Tempore
* Ron Craig	+	
*John Gaffney		
*Laurel Groshong		
*John Harris		
*Wanda Harris		Secretary
*James Jackson		
*David Johnson		
*Ray Johnson		
*Daniel Langford		
*Jim Mackey		
Daphne McMaster	+	
*James J Neil		Pro Tempore
* Louise Polhemus		
*Christopher J. Parker		
*Elsie Pendleton	+	

*Leon Ripplinger	+	Foreman
*Tom Stewart		
*Glenn Trumble	+	
*Christopher Twohy		
*Dennis Van Meter Sr		Sergeant of Arms
* Jurors serving at the end of term	+ Carry over jurors 2004-2005	



LAKE COUNTY GRAND JURY MISSION STATEMENT

The primary mission of a Grand Jury in the State of California is to perform routine periodic reviews of city and county government, special districts, and other public offices. These reviews ensure that the responsibilities of these entities are conducted lawfully and efficiently. The Grand Jury then recommends measures for improving the functioning and accountability of these organizations which are intended to serve the public. This includes visits to county detention facilities, responding to citizen's complaints, responding to recommendations in the previous Grand Jury's final report, and initiating investigations of citizen's complaints.

Nineteen citizens were selected as Officers of the Court in a public drawing from a panel of thirty volunteers to make up the 2005-2006 Lake County Grand Jury. Empowered as part of the judicial branch of government, the Grand Jury operates under the aegis of the Presiding Judge of the Superior Court of the State of California in and for the County of Lake.

Citizens may request complaint forms or correspond with the Grand Jury by contacting the Office of the Lake County Grand Jury by phone: (707) 279-8619 or by mail at: P.O. Box 1078 Kelseyville, CA 95451. The public may read the Final Grand Jury Report, as well as download a Citizen Complaint Form, on the Lake County web-site; www.co.lake.ca.us/cntyhome.html.



2005/2006 Grand Jury Report

TO: THE CITIZENS OF LAKE COUNTY

FROM: THE 2005-2006 LAKE COUNTY GRAND JURY

In anticipation of writing our Final Report, we reviewed recently-completed reports in other California jurisdictions. Common to many of these reports is a criticism of various county agencies. In some instances, a negative view bordering on cynicism was evident.

It is without equivocation that we say this is not true in Lake County. We found a very high degree of dedication, professionalism, and, in some areas of county government, a true visionary approach to current and future projects. We interviewed staff who truly cared about their responsibility to produce quality service for the citizens of Lake County.

We found county parks well maintained and morale among park staff reflecting the professionalism of their administration. In Public Works, we found water resource staff going well above and beyond their duties in service to the community during holiday flooding. We discovered this same agency shepherding a huge public works project that will minimize future flood damage and purify lake water. In so doing, hundreds of acres of marginal land will be returned to wetlands. A remarkable achievement by any standards!

We were introduced to a conscientious Dam Master at Cache Creek, a knowledgeable, cooperative, and enthusiastic county counsel, and firefighting personnel throughout the County determined to do their absolute best. We met animal care folks agonizing over the plight of their charges, and a County Administrative Office well-informed and available.

The 2005/2006 Lake County Grand Jury commends the staff of Lake County. We found great satisfaction performing our oversight responsibilities.



2005/2006 Grand Jury Report

LAKE COUNTY ADMINISTRATIVE OFFICE

Reason for Investigation: INFORMATIONAL

Background: Departments that successfully do their jobs are sometimes overlooked. With many counties having financial difficulties and some going bankrupt, how does Lake County stay within budget.

Findings: Each year the Lake County Administrative Office prepares a book of approximately 300 pages based on the individual funding of approximately 277 county units. This is the Budget Narrative and allocates funding to each county unit. The Administrative Office works closely with the office of Clerk/Auditor Controller to determine the amount of money available. After approval by the Board of Supervisors the Clerk/Auditor Controller prepares the final budget which indicates the income and expenditures by county unit.

Summary: The Comprehensive Annual Financial Report is prepared by the Office of the Auditor Controller for the preceding fiscal year. It is noted with great pride that Lake County has received the Certificate of Achievement for Excellence in Financial Reporting issued by the Government Finance Officers Association of the United States and Canada.

Recommendations

None

Response Requested:

None



2005/2006 Grand Jury Report

BUS SCHEDULES, ROUTE, AND SHELTERS

Reason for Investigation:OVERSIGHT & FOLLOW-UP

Background:The 2005 Grand Jury determined that bus schedules were difficult to find and understand, and recommended they are more widely distributed. Also, contact information for the transit system was not adequately publicized.

Findings:We found availability of bus schedules excellent at grocery stores, libraries, hospitals, and senior centers. They were also available on the buses themselves and can also be accessed on-line.

Summary:This year Lake Transit hired a consulting firm to devise a system to coordinate the planning of new construction as it relates to bus routes. Many factors were compiled to devise this system. The consultants surveyed geographical factors, right-of-way issues, street signs, curves in the roads, visibility, and other factors affecting bus routes and bus stops. The information compiled in this system is essential for obtaining future grants for the construction of bus shelters. The consultants were funded by a CalTrans grant, with no extra expense to the County. In the new SBC Yellow Pages, due out in November, Lake Transit will have an upgraded listing. The listing will contain phone numbers for services and schedules.

Recommendations

Construction of additional bus shelters should be a priority now that all studies have been completed.

Response Requested:

None



2005/2006 Grand Jury Report

OFFICE OF EMERGENCY SERVICES

Reason for Investigation:Oversight

Background:The Office of Emergency Services falls under the responsibility of the Lake County Sheriff's Department, as it has since 2001. Last year the Board of Supervisors allocated \$50,000 to cover the cost of personnel for OES. This amounted to a part-time position.

Findings:

- 1.) Thanks to a \$450,000 grant from the Federal Department of Homeland Security, the County purchased a state-of-the-art mobile command trailer to be used in emergencies. Unfortunately, the Department has only one truck available in the County capable of moving this trailer. Within the trailer there are a number of highly sophisticated communication units which require considerable time and effort by Department personnel to learn. There is a volunteer group who is also learning how to use this equipment.
- 2.) There are 3,100 people employed by the County, all of whom agreed, as a condition of employment, to be the "First Responders" in an emergency event. Fewer than 10% of the employees have participated in any training the County has offered.

Summary:The OES is responsible for training, advance communication, public education and grant administration through Homeland Security. This is an enormous task to have been placed under the Sheriffs Department without providing the funding for the education of personnel needed to coordinate this service. There are a number of frequent emergencies (small fires, floods, vehicle accidents) that the county is prepared to handle; however, this is not the case for any sort of widespread, large scale event such as an avian flu outbreak, or catastrophic earthquake. Even in such catastrophic events, the Federal Government has stated that local agencies will need to be able to handle their own emergency services. There will be no State or Federal aid that can be relied upon.

Recommendations

All County employees should receive at least some basic training regarding their responsibilities during

an emergency.

Response Requested:

Lake County Board of Supervisors
Lake County Sheriff's Department.



2005/2006 Grand Jury Report

WEAPONS ON CAMPUS

Reason for Investigation: INVESTIGATION – FOLLOW-UP

Background: The Public Services Committee followed up on the Grand Jury of 2004-2005's recommendation for stricter weapons control on the Upper Lake School campus. In the summer of 2003 a fully loaded gun registered and owned by a staff member was discovered unattended on the Upper Lake High School premises. The committee made a follow-up visit to the school to ascertain what policies on weapons are now in place.

Findings: There are signs posted at the school entrances and other written materials available, banning all types of weapons on the grounds and the perimeter. The superintendent/principal reports that there have been no violations to date. Current school policy ensures that any violation of these rules will be reported to the local sheriff's office.

Summary: The school's superintendent/principal seems to be capable and strongly supportive of this policy.

Recommendations

None

Response Requested:

None



2005/2006 Grand Jury Report

SODA BAY ROAD RECYCLING

Reason for Investigation:OVERSIGHT

Background:The Public Services Director addressed the Grand Jury on August 26, 2005 with a general overview of recycling at the Soda Bay Road facility. Onsite observation was made on September 13, 2005 and a follow-up telephone inquiry on October 10, 2005.

Findings:The Soda Bay facility is the primary Lake County recycling operation meeting California State compliance regulation.

Summary:The school's superintendent/principal seems to be capable and strongly supportive of this policy. Gross recycling tonnage has increased from 9,000 tons in 1999 to 23,000 tons in 2004; this is reflected in the State award earned by this facility. Efficiency is a priority. A mandatory program exists for on site water run off and methane gas generated at this facility. Personnel appeared involved in their work-related activities with little to no contact with the general public.

Recommendations

Since ingress / egress ranges from difficult to dangerous, traffic flow should be adjusted to meet acceptable safety standards. This should receive top priority by the vendor, Timberline Disposal.

Response Requested:

None



2005/2006 Grand Jury Report

CLEARLAKE POLICE DEPARTMENT

Reason for Investigation:Oversight

Background:The oversight of the Clearlake Police Department is a standard annual requirement for the Lake County Grand Jury.

Findings:

1. The jail is a holding facility where adults arrested are pre-booked and transported during the day to the County Jail in Lakeport. Juveniles arrested are transported immediately to Juvenile Hall in Lakeport. The facility meets all State and County requirements for a police department.
2. The Clearlake Police Station receives 21,000 calls annually and makes 5.69 arrests daily.
3. The site is made available to probation and parole officers for drug testing.
4. Most Clearlake Police Officers have been issued and are thoroughly trained in the proper use of Tasers.
5. The Clearlake Police Department has twenty-five Officers including detectives, patrolmen and the chief.
6. Clearlake has a Community Patrol which uses old Clearlake Police cars and is staffed by volunteers. The Police Chief praised their work.

Summary:The site is checked for compliance every two years by the California State Board of Corrections.

The Chief purchases used CHP cars at a cost of \$ 5400.00 each as opposed to new Patrol cars at \$ 30,000.00 each; this helps the Chief stay within his three million dollar annual budget. The site is very clean, areas are secure, occupied cells are checked and logged frequently, and a special holding cell is available for disabled persons arrested.

Recommendations

None

Response Requested:

None



2005/2006 Grand Jury Report

LAKE COUNTY FIRE DEPARTMENTS/DISTRICTS

Reason for Investigation: SITE VISIT

Background: Lake County has 5 fire protection areas including Clearlake/Lower Lake, Clearlake Oaks/Nice/Lucerne/Upper Lake, Kelseyville, Middletown/Cobb/Hidden Valley/Loch Lomond, and Lakeport.

KELSEYVILLE FIRE DEPARTMENT (KFD)

The chief has 30 years service, 13 of which have been as chief.

JURISDICTION: Kelseyville area extending to Clear Lake

STAFFING: 16 full time firefighters, 2 paramedics, 23 volunteers (6 certified) HAZMAT (hazardous materials) personnel, 3-4 trained paramedics available

SHIFT: 2 days on, 4 days off

EQUIPMENT: 21 vehicles including a new interphase truck that holds 600 gallons of water and pumps at a rate of 750 gpm, 5 ambulances, 1 Boat

MAINTENANCE: 2 full time mechanics on duty

CALLS PER YEAR: 1600 - includes 900 911 calls, mostly medical requests

RESPONSE TIME: 4 TO 6 minutes locally, 8 To 10 minutes in remote areas

HELICOPTER AVAILABILITY: Relies on REACH helicopter based at Lampson Airport.

COMMENTS: KFD has the only major level (level A and B) HAZMAT response team in the county.

KFD operates state-of-the art critical care ambulance with nurse. The boat is kept at Braito's in summer, and is operational in 8 to 10 minutes. New fire house addition is under construction, and due to be completed in June 2006.

CLEARLAKE/LOWER LAKE FIRE DEPARTMENT

The chief has 26 years service, 3 years of which have been as chief.

JURISDICTION: 164 square miles including Lower Lake and extending to Windflower Point.

STAFFING: 21 full time firefighters, 2 paramedics, 30 to 32 volunteers

SHIFT: 24 hours on, 48 hours off (8AM to 8AM)

EQUIPMENT: 7 engines,, 4 ambulances, 1 heavy duty rescue unit, 1 water tender, 1 water carrier, 1 boat

MAINTENANCE 2 full time mechanics on duty

CALLS PER YEAR: 3000 + 90% of calls are medical requests. Clearlake Fire Department takes care of 40% of county response calls. All equipment responds to problem and units are cancelled as situation permits. Minimum response is with 1 engine and 1 ambulance.

RESPONSE TIME: 5 to 6 minutes

HELICOPTER AVAILABILITY: Uses REACH or CAL-STAR if available. Can call CDF helicopter if necessary.

COMMENTS: Clearlake and Lower Lake stations are staffed. The department has 4 unstaffed substations housing equipment driven by nearby volunteer residents as needed. Lower Lake personnel uses "run maps" personally prepared by Battalion Chief. Clearlake Fire Chief is working on evacuation plans for area and new regulations. The boat is kept at Clearlake Oaks and driven by qualified volunteers as needed.

The department is acquiring a used 75 foot aerial ladder truck from the Reno FD due to 4 story buildings being constructed in Clearlake area. Plans are being studied for future multi-use building at rear of Clearlake station.

CLEARLAKE OAKS FIRE DEPARTMENT

CHIEF: The chief has 38 years service, 33 of which have been as chief.

JURISDICTION: 90 square miles to include Spring Valley, Glenhaven, and Blue Lakes.

STAFFING: 4 full time firefighters plus Battalion Chief. 4 on duty are paramedics, 18 volunteers

SHIFT: 24 hours on, 48 hours off

EQUIPMENT: 2 class A engines, water tender, 2 ambulances, utility pickup, 1 boat.

MAINTENANCE: Minor work performed on site, heavy work is contracted out.

CALLS PER YEAR: 800, of which 85% are medical requests.

RESPONSE TIME: 3 to 5 minutes, 8 to 10 minutes in Spring Valley.

HELICOPTER AVAILBILITY: Relies on REACH, CAL-STAR and CDF.

USE OF RUN MAPS: Each vehicle has map books. Hydrant locations are shown.

COMMENTS: Boat is on a trailer and is hauled to launch site for a 5 minute response time, otherwise there is a 12 minute response using the canal to the lake. Boat is equipped to pump water from the lake in case of boat fires and/or for supplying water to onshore engines. A Joint Power Agency (JPA) has been formed among Clearlake Oaks, Lucerne, Nice, and Upper Lake. The Chief is the Chief Administrator for the JPA.

Its goal is to merge and consolidate most activities including maximum fire protection, combine purchasing power, standardize efficient use of equipment, and dispense with duplicated efforts. JPA is 2 ½ years into their 3 year plan. All directors consider this an important step, and all are working toward this goal,

LUCERNE FIRE DEPARTMENT

CHIEF: same chief as Clearlake/Lower Lake Fire Department.

JURISDICTION: 44 Square miles extending to Indian Valley

STAFFING: 3 full time firefighters including paramedic, 22 volunteers.

SHIFT: 48 hours on, 92 hours off.

EQUIPMENT: 5 engines including 55' air ladder truck, 2 ambulances, rescue squad and a utility truck.

MAINTENANCE: minor work performed

CALLS PER YEAR: 800, 95% medical requests

RESPONSE TIME: 5 minutes

HELICOPTER AVAILABILITY: CDF REACH, CAL STAR

USE OF RUN MAPS: Yes

COMMENTS: Department is in need of a bonded mechanic and an interphase engine. Lucerne FD stores the only Rescue Squad truck in Lake County. The truck was donated, and then outfitted by station personnel. It was shown to be fully equipped for any serious rescue situation.

NICE FIRE DEPARTMENT

CHIEF: Same as Clearlake/Lower Lake Fire Department

JURISDICTION: 6 square miles

STAFFING: 3 full time firefighters, 1 paramedic, 15 volunteers

SHIFT: 24 hours on, 92 hours off

EQUIPMENT: 3 engines, 3 ambulances, 1 boat (inoperable, needs motor)

MAINTENANCE: Only minor work performed

CALLS PER YEAR: 800 to 1000, 85% medical requests

RESPONSE TIME: 3 TO 7 minutes

HELICOPTER AVAILABILITY: REACH

USE OF RUN MAPS: N/A

COMMENTS: Department needs a wild land engine and a new boat motor

UPPER LAKE FIRE DEPARTMENT

CHIEF: Same as Clearlake, Lower Lake Fire Department

JURISDICTION: 31 square miles

STAFFING: 2 full time firefighters, 1 paramedic, 1 ambulance driver, 21 volunteers, 1 dive team

SHIFT: 8 hour shifts, Monday – Friday

EQUIPMENT: 3 engines, 2 ambulances, 1 small boat

MAINTENANCE: only minor work performed

CALLS PER YEAR: 399, mostly medical requests

RESPONSE TIME: 3 to 7 minutes

HELICOPTER AVAILABILITY: CDF, CAL-STAR
USE OF MAPS: yes

COMMENTS: Department needs a class A engine.

MIDDLETOWN FIRE DEPARTMENT

CHIEF: The chief has 9 years experience as CDF Division Chief plus 3 years as Fire Chief.

JURISDICTION: Middletown area with substations at Cobb, Hidden Valley, and Loch Lomond (third largest area in California)

LOCATION: Middletown

STAFFING: 2 full time firefighters at both Cobb and Hidden Valley, 6 paramedics, 18 volunteers

SHIFT: 72 hour work week, 3 days on, 4 days off

EQUIPMENT: 5 engines including 1 wildland engine, 1 water tender, 1 rescue truck, 1 Sno Cat, 4 ambulances, 4 utility trucks

MAINTENANCE: All maintenance done at Konocti Conservation Camp

CALLS PER YEAR: Approximately 1000, 80% medical responses

REPOSE TIME: 3 to 7 minutes

HELICOPTER AVAILABILITY: REACH - CDF

USE OF RUN MAPS: Yes, excellent run maps of Calpine area in every vehicle

COMMENTS: Fire station was built in 1992. South Lake Fire District is under contract to CDF for operation. A new training tower, with burn room is under construction, and should be completed by summer 2006. Department requires help in funding for the completion of the training tower. All fire districts of Lake County will be able to use it for training.

LAKEPORT FIRE DEPARTMENT

CHIEF: The chief has 46 years service, 10 of which are as chief

JURISDICTION: 42.5 square miles including Rodman Slough and Highland Springs.

STAFFING: Full time: 15 paramedics: 7 employees on all shifts, Volunteers: 15

SHIFT: 48 hours on, 96 hours off Mechanic: 8 hour shift

EQUIPMENT: 1 75' aerial ladder truck, 3 class A engines, 4 ambulances

MAINTENANCE: Full time mechanic. Heavy work contracted out

CALLS PER YEAR: 2000, 85% medical requests

RESPONSE TIME: 2 to 8 minutes depending on area

HELICOPTER AVAILABILITY: REACH and CAL STAR

USE OF RUN MAPS: yes

COMMENTS: All hired personnel are trained as paramedics including mechanic. 2 paramedics are on all shifts. Some volunteers work for CDF in the summer causing shortages at the station. Arson Investigator slot was abolished last year. The Chief has acted in this position for years. There are 4

people being trained for this activity. It was noted that there was not much arson in the Lakeport area.

Findings:All stations visited were neat, clean and well equipped. Personnel is not a problem.

Summary:The Public Safety Committee agrees that Lake County is indeed fortunate in having the experience and dedication so evident in the leadership of all the fire districts. Also to be commended are the 162 or so unpaid volunteer firefighters who are on call 24/7.

Recommendations

Funds should be sought for a wildland engine and a new boat motor at Nice Fire Department. Funds for the completion of the Middletown training tower and burn room are needed. It has been learned that the Fire Chief's Association is discussing aid for the project. We suggest the Board of Supervisors fund the above subjects.

Response Requested:

Lake County Board of Supervisors



2005/2006 Grand Jury Report

HILL ROAD JAIL VISIT

Reason for Investigation:OVERSIGHT

Background: Annual visit by the Lake County Grand Jury to monitor conditions in the Lake County (Hill Road) Jail to assure facility is well maintained and operated per requirements of the State of California and the County of Lake.

The Jail is located at 4913 Helbush Dr. Lakeport, CA, and will accommodate 278 inmates, both men and women.

Per the Jail Commander, the Facility is a type II Correctional Facility as rated by the California Board of Corrections.

Findings: The Jail appears to be clean and well maintained primarily by the inmates. The grounds are well manicured and the parking lot was free of debris. The Jail was housing 249 inmates (including 23 females) at the time of the Site Visit and has not exceeded capacity since the last Grand Jury Inspection.

There are three classifications of inmates - Minimum, Medium and Maximum security based on criminal class and behavior. Inmate class can be determined by the color and style of their clothing. Inmates are issued clean underwear twice a week and clean outer wear once a week. Clean blankets are issued every 30 days. The cells are simply furnished with a bed, a desk, a small stool and appropriate toilet facilities. They appear to be clean and reasonably comfortable.

Inmates are allowed to leave their cells for a period of time depending on their classification. Minimum security inmates are out of their cells for up to 14 hours a day, medium security inmates for 2 hours a day, and maximum security inmates for 3 hours a week.

The kitchen area was clean and orderly. There were a number of minimum security inmates cleaning pots and pans, and they appeared to know what they were doing, and to appreciate the time out of their cells.

Correctional Officers are alert, disciplined and well trained. There are 8 guards for 262 inmates as of this writing. The staffing ratio is 1/100 in minimum security, 2/80 in the POD area (medium & maximum security) and 1/20 in the female dorm. Three of the officers are bi-lingual (Spanish).

The Officers are armed with Pepper Spray and Tasers but do not carry “Personal Alarm Devices”. In the event of an attack they must rely on control room officers to see the attack and alert appropriate personnel. It was also noted that control room cameras do not appear to cover 100% of all areas .There appear to be areas that are off camera.

Summary:The Hill Road Detention Facility was completed in 1991 and has progressed to a fine correctional institution. The Jail is well staffed and the Commander is understandably proud of both the facility and the staff.

Recommendations

1. Correctional officers should be equipped with “Personal Alarm devices”.
2. Surveillance Cameras should be made to cover all areas 100%

Response Requested:

Lake County Sheriff’s office



2005/2006 Grand Jury Report

LAKEPORT POLICE DEPARTMENT

Reason for Investigation:OVERSIGHT

Background:The oversight of the Lakeport Police Department is a standard annual requirement for the Lake County Grand Jury. The last Grand Jury visit was 1997-1998.

Findings:The Lakeport Police Department consists of 17 sworn officers, including 1 detective and 1 reserve officer.

The officers are capable of handling all emergency situations as opposed to calling specialists. Also, each officer can apply for the detective position, therefore extending their individual overall efficiency.

There is little or no turnover and morale is very good. The benefits are above average. Officers work four ten hour shifts.

There are no detention cells as arrestees are transported to the county jail upon being interviewed.

The evidence room is secure with an expert in charge.

All records and reports are done by hand since the department does not have an automated record system in place. The department is pursuing entry into the Lake County Sheriff's Department Records Management System. Major criminal activity is rare in Lakeport and drug arrests are minimal, Gang activity is attended to quickly and seriously. All calls are initiated through Central Dispatch.

Summary:The Lakeport Police Department is efficiently run. The compact station is utilized efficiently, but with expected growth in the area the department will have to expand its facility to meet the needs of a larger police force and other personnel.

Recommendations

It is highly recommended that the Lakeport Police Department become a part of Records Management System at the Sheriff's Department. Cost to be licensed is \$25,000 as opposed to setting up and operating a separate system costing \$65,000.

Interfacing and communicating between law enforcement agencies is critical in the pursuit of crime investigation and police protection.

Response Requested:

Lakeport Police Department



2005/2006 Grand Jury Report

SHERIFFS PATROL BOAT FACILITY

Reason for Investigation:SITE VISIT

Background:During a preliminary investigation of a drowning in the North lake resort area it was discovered that the Sheriff's Patrol boat facility had never been visited by the Lake County Grand Jury.

The officers responsible for maintaining and operating the department take great pride in the facility and welcomed a site visit from the Grand Jury.

The Lake County Sheriff's Department is empowered by the California State Department of Boating and Waterways to enforce California Boating laws at Clear Lake, Blue Lakes, Lake Pillsbury and Indian Valley Reservoir.

They have the authority to stop and board any vessel where they have probable cause to suspect that a violation of the law exists.

The Sheriff's Patrol Boat Facility is located at Braito's Marina on Eastlake Drive in Buckingham.

Findings:The Department has several Boats of various age and configuration. The boat of choice is a 22 foot Jetcraft and the Sheriff's patrol has two. The boats are provided by the California State Department of Boats and Waterways and are maintained by local sub-contractors.

Although the facility was clean and organized for the most part, there was an area at the end of the Sheriff's wing of the Marina that was piled high with old broken-up boat docks and other debris. The sergeant in charge explained that this is debris that they have removed from the lake. They have no place to put it and no means of getting rid of it

The sergeant was also concerned about pilings around Rattlesnake Island, Monitor Island and Long Tule Point, which were not visible at night, and the hazard lights were out. The Sheriff's Boat Patrol had attached "road" hazard lights to the pilings temporarily, and the Lake County Water Districts' "Lakebed Management Department" is acquiring new lights for the pilings as of this writing. The Sheriff's boat patrol is also involved in search and rescue operations around the lakes, and has expressed a need for "side scan sonar" to help them locate the bodies of drowned victims.

Summary: The Sheriff's Patrol Boat facility is well maintained and staffed with knowledgeable, well trained personnel. The equipment in use appears to be in good working order. The visit was considered enlightening and entertaining. Sheriff's personnel shared a number of interesting stories with us (including the time the sergeant's boat was struck by lightning, caught fire, and blew up).

Recommendations

- 1) The Sheriffs Patrol Boat staff and the Water District's Lakebed Management Department need to collectively resolve the issue regarding disposal of debris collected from the lake. Ordinance 2460 Para. 6.7 requires that debris valued at less than \$ 200.00 may be removed from the lake by any police agency and should be disposed of by the agency that removed it.
- 2) The Lakebed Management Department needs to establish a maintenance schedule for warning lights on pilings to preclude a potentially serious accident and potential lawsuit against the County.
- 3) The Sheriff's patrol boat staff has indicated that "Side Scan Sonar" would be a tremendous help to them when trying to locate the bodies of drowning victims.

Response Requested:

Sheriff's Patrol Boat Facility
Lakebed Management Department



2005/2006 Grand Jury Report

ALLEGED MISMANAGED INVESTIGATION

Reason for Investigation: COMPLAINT

Background: A citizen's complaint was received alleging that the investigation of a sexual assault on a mentally challenged young man, using drugs as an enticement, was "mismanaged" by the Clearlake Police Department. It was "plea bargained" to a lesser offense by the Lake County District Attorney's office. The complainant further recommends that the investigation be reopened.

The victim in this case is a twenty one year old man who is self reliant and is gainfully employed. Although he may be developmentally disabled to some degree, it is the opinion of interviewing officers at the Clearlake Police Department that he is rational enough to make sound decisions.

Findings: During an interview with the Clearlake Chief of Police and a review of police records and transcripts of previous interviews with the "victim", it was revealed that this was not the first time the victim had visited the defendant. In fact, the young man admitted to several previous sexual liaisons with the defendant prior to this incident with and without drugs as an enticement.

Summary: The defendant in this case was a known sex offender/drug user with several prior convictions and was on parole at the time of this incident. Per standard procedures, the Clearlake Police

Department submitted a copy of the police report to the Parole Board and the defendant was arrested for parole violation (possession of drugs) and returned to the Hill Road Correctional Facility.

Based on the evidence provided to the Grand Jury, it was concluded that the "victim" in this case was seemingly capable of making his own choices.

There was no evidence uncovered to indicate the investigation was "mishandled" by either the Clearlake Police Department or the Lake County District Attorney's office.

Recommendations

The Grand Jury does not recommend that the case be reopened.

Response Requested:

None



2005/2006 Grand Jury Report

ALLEGED MISTREATMENT BY OFFICERS

Reason for Investigation: COMPLAINT

Background: The complainant has contacted the Clear Lake Police Department on several occasions regarding allegations of code violations by her neighbor and unfair treatment by the attending officer.

Findings: On August 13, 2005, a Grand Jury Committee met with the complainant at her home in Clearlake and was given the following information. The complainant stated that she called the Clear Lake Police Department and the Clear Lake Code Enforcement Office to complain that her neighbor continually places objects on her fence and refuses to remove them. She further stated that the neighbor has constructed storage sheds that are placed too close to her property. She believes the Code Enforcement Officer is not doing her job as she allows these code violations to continue.

She also stated that the Clearlake Police Officer was disrespectful to her as he refused to call her Miss, and repeatedly referred to her as he, or Sir, although she informed him several times that he was to refer to her as Miss.

On August 17, 2005, two members of the Grand Jury Committee discussed the situation with the Clearlake Chief of Police and the responding Clearlake Police Officer and the Code Enforcement Officer.

The Chief of Police explained the CLPD'S policies and offered information on classes that each officer must attend. Topics covered include sexual harassment, and proper citizen interviewing techniques. The Police Chief informed the Committee that the complainant is well known by him and his officers from the numerous complaints she has filed over the years.

The Police Officer and the Code Violation Officer were advised of the complaint against them and asked for their version of the incident. The Clearlake Police Officer stated that only as they were leaving did the complainant ask to be referred to as Miss. As far as he recalls, it was a routine call.

The Code Violations Officer explained her many dealings with the complainant, including the fact that on prior complaints she has responded to, the complainant asked to be referred to as Mr. or Sir. She further stated that she has spoken with the complainant on a number of occasions, and informed her that the storage sheds are not large enough to be covered under the code ordinance, and that her problem is a

civil and not a Code Enforcement or police matter.

Recommendations

NONE

Response Requested:

None



2005/2006 Grand Jury Report

CITIZEN COMPLAINT RE: DEATH INVESTIGATION

Reason for Investigation:Complaint

Background:A citizen's complaint alleges the death of an in-custody Clearlake resident was not properly investigated by the Lake County District Attorney's office.

The Clearlake resident was a known methamphetamine user with an extensive arrest record for drug and alcohol use. He resided in a homeless encampment located behind a large supermarket in the City of Clearlake. According to eyewitnesses, on the day of his death the victim was in a delusional and irrational state.

Findings:The Grand Jury's investigation did not uncover evidence of an improper investigation by the Lake County District Attorney's office.

The entire incident was very complex and involves several police officers from two different law enforcement agencies. The complainant alleges that the District Attorney changed the cause of death in his report, but the investigation found that the cause of death noted in the coroner's report was quoted in the District Attorney's report almost word for word. The reason CPR was not performed was because professional medical assistance was less than 5 minutes from the victim and the responsible officer felt it would take that long for him to retrieve CPR equipment from his patrol car. This was purely a judgment call on the part of the officer. Paramedics arrived a few minutes after the call was placed. The complainant is also concerned about inconsistencies between reported blows by the officers and autopsy findings. It must be noted that the victim was in a highly irrational state of mind when this incident occurred and had been for several days.

It is possible that some of the injuries noted in the coroner's report may have been incurred prior to this incident.

Summary:The Lake County Grand Jury found no evidence to suggest that the investigation of this incident was mishandled by any of the county agencies involved and the District Attorney's office provided a reasonably accurate description of the incident.

Recommendations

NONE

Response Requested:

None



2005/2006 Grand Jury Report

JAIL INMATE DRUG PRESCRIPTION PROBLEM

Reason for Investigation:Complaint

Background:A Lake County Jail Inmate complained that he was taking pain medication for a bad back as prescribed by a local community hospital. He also claimed he had been taking this medication for years while in prison.

The medical staff at the Lake County Jail did not believe the inmate was suffering as severely as he claimed. They reduced the amount of drugs allotted to this inmate.

The Grand Jury discussed the case with the Jail Commander, a Representative of the Medical staff and the inmate. The inmate was advised that the Grand Jury had no authority to question a decision made by a medical doctor.

Per the Jail Commander, the inmate's only recourse is to see his own personal physician, get a prescription and have a friend or family member bring his medication to the Jail.

The Jail would also require a letter from the doctor indicating this was legally prescribed medication.

Summary:The inmate was advised that he would be able to obtain additional medication by seeing his own doctor and obtaining a prescription. He would then need to have a friend or family member pick up the medication and deliver it to him at the Jail. He would also require documentation from his Doctor indicating that this was legally prescribed medication

Recommendations

NONE

Response Requested:

None



2005/2006 Grand Jury Report

JAIL INMATE ILL FITTING CLOTHING

Reason for Investigation:Complaint

Background:A Lake County Jail Inmate sent a complaint alleging he was issued ill-fitting clothing and, when he complained, was punished. He also claims racial discrimination. The inmate wants to be “compensated” for “violation of my civil and constitutional rights”.

The inmate claims clothing issued to him was “too small and too confining” although the clothing issued to him was his size. The Jail Commander stated that ‘baggy’ clothes are preferred by many inmates and they frequently request larger sizes.

This inmate was ultimately moved to a more secure pod in the jail because in the opinion of the Correctional Officer he “was not capable of conducting himself appropriately in a minimum security unit.” The inmate had physically resisted jail staff, had been argumentative and threatening, and had altered issued items and refused to follow orders.

Findings:The interview with the Jail Commander revealed that this inmate had an “attitude” and an extensive criminal record. The primary reason for his re-classification to a more secure pod was that he had not initially been properly classified. The inmate’s request for larger clothing and his subsequent outrage at being denied drew attention to his attitude and his criminal record was revisited. A review of his criminal history revealed he had three misdemeanor convictions, ten felony convictions and eight parole violations. This review resulted in his re-classification.

Summary:The inmate’s claim of racial discrimination could not be substantiated by this inquiry. The jail staff appears to have followed procedures with regard to the issuing of clothing. The classification of inmates is addressed below.

Recommendations

The classification procedures should be reviewed by the classification officer to assure future inmates are properly classified when booked.

Response Requested:

NONE



2005/2006 Grand Jury Report

JAIL INMATE RELEASE PROCEDURES

Reason for Investigation:Complaint

Background:A Citizen complaint states that the Hill Road Jail inmates are not treated fairly upon release: The complaints that follow were reviewed with the Jail Commander during the Grand Jury's annual site visit.

- They surrender cash when they are booked but receive a check when they are released. This leaves them without funds for transportation or phone calls.
- They are released at all hours of the day including early morning hours when there is no local transportation available.
- Those arrested for public intoxication are released from the jail without further testing to determine if they are still intoxicated.

Findings:The Jail Commander was aware of the problems and stated that although some of the problems had been corrected, others are beyond the responsibility of the Jail. The Jail must conform to regulations established by the State.

Summary:•• As of September 1st 2005, the first \$ 200.00 surrendered by an inmate at booking is returned in cash. Anything over \$ 200.00 is returned in the form of a check.

- Inmates can only be held for a specific period of time depending on the charges against them. They must be released when their time is served, and depending on when they were admitted, they could be released in the early morning hours.
- Inmates arrested for public intoxication are given a standard field sobriety test prior to release. It is understood that an inmate could still be intoxicated to some degree and still pass a field sobriety test. The Jail staff appears to be aware of these problems and has taken steps to correct them. The early A.M. transportation issue continues to be a problem. The Jail Commander stated that inmates are given the option of staying in the Jail lobby until morning if they so choose.

Recommendations

Jail Staff should pursue options to provide transportation to town for released inmates.

Response Requested:

NONE



2005/2006 Grand Jury Report

JAIL INMATE REQUEST

Reason for Investigation:Complaint

Background:A Lake County Jail inmate has filed a Citizen's complaint against the Jail because they will not issue him a chair with a back. The inmate suffered a serious back/neck injury when a twenty - twenty five pound wild turkey smashed through the windshield of his car (prior to his being jailed).

He now claims he needs a chair with a back to maintain proper posture and Jail staff has denied his request for a chair.

Medical Staff at the jail have prescribed a pain reliever, but the inmate is concerned that this medication could mask potential damage to his back. He has been advised by doctors he had seen before his incarceration that the pain is a signal that his back is being damaged.

The inmate claims that a chair with a sturdy back is the best way to alleviate the pain.

He once laid his mattress on the floor of his cell and lay on his back resting his legs on the bed. He said this helped some, but he was reprimanded for putting the mattress on the floor.

Findings:The jail doctor refuses to permit the issuance of a chair for this inmate and the Jail Commander states all furnishings in each cell are bolted to the floor so they cannot be used as a weapon.

The inmate in question was convicted of a violent crime wherein a gun was used and the commander would prefer that this man "not" be issued a chair.

During subsequent discussion with the Jail Commander, it was determined that the inmate might be granted permission to lay his mattress on the floor and rest his legs on the bed to relieve back pain.

Summary:The Jail Commander is willing to compromise to the extent of allowing the inmate to put his mattress on the floor and rest his legs on the bed to rest his back.

Recommendations

NONE

Response Requested:

NONE



2005/2006 Grand Jury Report

JUVENILE HALL SITE VISIT

Reason for Investigation:OVERSIGHT

Background:This oversight is an annual site visit by the Lake County Grand Jury, Public Safety Committee, to the Lake County Juvenile Hall. The oversight was conducted September 27, 2005.

The Lake County Juvenile Detention Center is located at 1111 Whalen Way in Lakeport Ca, and is commanded by a "Superintendent of Juvenile Hall". The facility will accommodate 40 detainees, and at the time of this visit there were 27 (21 males and 6 females).

There are 18 dormitories consisting of 8 - 3 bed rooms, 6 - 2 bed rooms and 4 -1 bed rooms.

Findings:The committee was greeted by the Superintendent and his sergeant and then escorted to a conference room for a question & answer interview prior to the tour. It was noted that the facility was currently understaffed having only 11 guards and/or probation officers (6 males and 5 females). Requisitions had been issued for additional personnel. Some of the guards are bi-lingual (Spanish / English), and there is one full time nurse on site.

A tour of the dormitories revealed the facility was clean and appeared to be well organized. Detainees were provided with appropriate bedding and clothing and each room was equipped with a toilet, a sink and a drinking fountain. Detainees shower daily and are provided adequate clean clothing. Meals are prepared by inmates at the Lake County Jail on Hill Road and delivered to Juvenile Hall and then served by the detainees. Serving is considered a privilege and is earned by good behavior. Classrooms appear to be well equipped and comfortable. Many detainees are working towards their G.E.D., and there is a special classroom for computer training. A softball diamond and a basketball court provide a means for exercise for many of the detainees, and a garden site is available for those desiring something less strenuous.

Summary:The Lake County Juvenile Hall is considered to be a clean, well equipped and well supervised facility with a couple of minor problems. Some of the detainees stated that although the food was good, there were times when they wished there was more of it.

One detainee who had occupied several different rooms during his sentence stated that the drinking

fountain water pressure in some rooms is very low.

Recommendations

1. Some Detainees may require more food than others. Is it possible for additional servings to be obtained from the Lake County Jail for those who want seconds?
2. Plumbing problems in some rooms make it difficult to obtain a drink of water. Plumbing needs to be checked to assure there are no problems.

Response Requested:

Superintendent of Juvenile Hall



2005/2006 Grand Jury Report

PRESENTATION BY LAKE COUNTY JAIL COMMANDER

Reason for Investigation:OVERSIGHT

Background:The Commander of the Lake County Jail made her annual presentation to the Lake County Grand Jury regarding status of the Hill Street Detention Center. The Hill Street Detention Center is located at 4913 Hellbush Dr. Lakeport California. The facility was built in 1991 and is a type II correctional facility as rated by the California Board of Corrections.

Findings:Inmates in the Hill Road Facility are classified in three categories Minimum, Medium and Maximum security. They are readily identifiable by Guards by the color and style of their clothing. Minimum security inmates wear denim while medium and maximum security inmates wear striped and colored clothing. The inmates maintain the facility as well as prepare all their own meals and do their own laundry. The staffing ratio for the Guards is 1/100 in minimum security, 2/80 in the POD area (medium and maximum security) and 1/20 in the female dorm.

Officers are armed with Pepper spray and Tasers and all officers carry radios while on duty.

Summary:The Commander closed by thanking the Grand Jury for their support and submitting an open invitation to visit the Jail at any time.

Recommendations

None



2005/2006 Grand Jury Report

PRESENTATION BY LAKE COUNTY SUPERINTENDENT OF JUVENILE DETENTION CENTER

Reason for Investigation:SPEAKER

Background:The Superintendent of the Lake County Juvenile Detention Center made a presentation to the Lake County Grand Jury regarding the status of the center. The Lake County Juvenile Detention Center is located at 1111 Whalen Way in Lakeport California. The center will accommodate 40 Detainees and is currently staffed with 11 guards and/or probation officers and one full time nurse.

Findings:The Superintendent stated that the Juvenile Hall was currently operating smoothly although they were short of staff. Requisitions had been submitted for additional staff and interviews were ongoing.

In response to last year's Grand Jury report with regard to expansion the Superintendent advised that in the last few years the facility has added twelve new beds. Lake County "in a perfect world" would have a sixty to seventy bed facility.

The kitchen facilities at the Juvenile hall are not economically feasible to utilize at this time. The food being transported from the Jail is by far the most economical means of feeding the detainees. Individual clothing is also not a realistic issue for a facility with forty inmates. It would be too complicated to try to issue the same clothing back to the same individual every time it was laundered.

Summary:The Superintendent closed with an open invitation for the Grand Jury to visit the Juvenile Detention facility at any time and to call him if we had any questions.

Recommendations

None

RESPONSE REQUESTED:

None



2005/2006 Grand Jury Report

KONOCTI CONSERVATION CAMP

Reason for Investigation:OVERSIGHT

Background:The Grand Jury is required by Penal Code 919 (b) to inspect all detention facilities in Lake County. The committee toured the facility, and found the Correctional Officers and officers of the California Department of Forestry well informed and straight forward answering all questions.

Findings:Construction training provided to inmates appears to be done well. Inmates seem to be in good spirits and from all appearances enjoy their work. The Committee was treated to lunch which consisted of several courses including dessert. The meal was excellently prepared by inmates and those we spoke with advised us that they appreciated the opportunity to gain a skill that will be useful to them in the future. They seemed to take pride in providing a well balanced, well prepared meal for the visiting Grand Jury members in attendance.

The camp was designed to house 100 inmates with a 10% reserve. Approximately 20 inmates serve as cooks, maintenance workers, and support activities for other working inmates.

Summary:The Grand Jury visited Konocti Conservation Camp #27, a California Department of Corrections facility, during the month of October 2005. Our rating of the camp on a 1-10 scale, would be a 10.

Recommendations

The Committee would like to see the unskilled inmates given the opportunity to earn more money by being allowed to make more leather goods such as wallets and purses, etc. Skilled inmates may earn up to \$2.56 per day. Skilled inmates include mechanics, clerks, cooks, welders, etc. The skilled inmates could also train the unskilled inmates in their basic skills as helpers on their off time.

RESPONSE REQUESTED:

None



2005/2006 Grand Jury Report

COUNTY PARKS

Reason for Investigation:OVERSIGHT

Background: There are several parks in and around Clearlake. Lakeside Park with its unique features was investigated as a model. Lakeside Park has 3 softball diamonds, a children's playground, and a large grassy area that is regularly mowed and trimmed with a \$50,000 riding lawn mower that was purchased to maintain this area. The park has two rest room facilities that are well kept, launching docks that will accommodate up to three boats at a time with trailer parking available to boaters. It also has a 4-door garage for storage of equipment needed to maintain the park.

Findings: Maintenance seemed to be adequate with well kept grass areas, clean rest rooms, swimming area clear of debris and weeds. Baseball diamonds were maintained with excellent grooming. Playground and equipment have been painted and cleaned and were in excellent condition. The boat launching ramp was completely blocked by aquatic weeds. It was not usable for launching and/or fishing. The main park channel and lake frontage of the park was found to be in need of clearing out of aquatic weeds. The complete blockage of the channel made it unusable. This channel has been used for many years. Fishermen lined the banks almost every day of the week as well as weekends when weeds were not present.

Summary: The clearing of the aquatic weeds in the channel should be done, which will bring the fishermen back to Lakeside County Park.

Recommendations

- 1.) Aquatic plant and invasive plants need to have a management program to control the nuisance vegetation, which will improve recreational use (mainly fishing), in the park.
- 2.) The single boat launch and channel need to be dredged out to make it deeper and remove aquatic plants in that channel.

RESPONSE REQUESTED:

County Public Services – Parks and Recreation





2005/2006 Grand Jury Report

ALLEGED SPECIAL TREATMENT

Reason for Investigation: COMPLAINT

Background: The Planning Committee investigated a citizen's complaint regarding a serious accusation against County Employees alleging special treatment provided to an owner/builder in the Clear Lake Riviera Subdivision.

The complainant charges that several Code violations are being allowed, alleging preferential treatment has been given concerning certain building codes, and some inspections have been waived by the Lake County Planning Division (Chief Building Official). The District 5 Supervisor has allegedly been giving special treatment to the owner/builder. The house being constructed is 9.2 ft. too high and setbacks 4 ft. short, according to the Clear Lake Riviera Association. The complainant wants the Grand Jury to insure that all county procedures have been followed and that everything is "above board".

Findings: The complaint was filed by owners of a town house which is located within a 4 unit town house development. An on site visit revealed that the complainant's lake and mountain views were totally blocked on the 1st floor. The only view was the roof of the house under construction, with a height of 9 ft. 2 in. too high according to the Clear Lake Riviera Association rules and regulations and CC & R's. The building height is within the county code for a height of 35 ft. After we viewed the building plans, the Association plans indicated a 3-bedroom house with 3 closets with pole hangers. The county plans revealed 2 bedrooms.

Summary: The Grand Jury subcommittee interviewed the following persons:

1. The Complainants – husband and wife.
2. Supervisor, County Code Enforcement.
3. County Community Development Director.
4. Asst. Health Director
5. Director of County Health Department.
6. District 5 Supervisor of the Board of Supervisors.
7. Clear Lake Riviera Association Building Committee Member.

After much discussion on this complaint, the Grand Jury clarified that the role of the Public Works Committee is not to take sides with either party in this dispute. Our concern is whether the county has

acted appropriately.

Recommendations

That the County of Lake employees who are involved with the construction of new residences with view considerations should engage in public awareness activities.

We further recommend that the county consider the appointment of a county ombudsman to help in resolving disputes between citizens where county regulations and codes are involved and take into consideration the interests of ALL parties immediately affected by the project. The County is working within the County and State Building Codes; however, the county should be looking into working towards establishing compatibility between homeowner's associations and county building codes. We are sure that if beautiful lake views were taken away, adjoining property owners would be very upset as well as suffer from a devaluation of property.

We recommend that the Planning Division of the County Community Development Department consider the feasibility of establishing infringement regulations of lake and mountain vistas.

RESPONSE REQUESTED:

1. Lake County Planning Division of Community Development
2. Board of Supervisors
3. Lake County Chief Building Official



2005/2006 Grand Jury Report

COUNTY ROAD REPAIR

Reason for Investigation:OVERSIGHT

Background:The Public Works Director was asked if the 6% of the Lake County Budget of \$9,800,000 is sufficient to overlay and to chip seal the 620 miles of Lake County Roads as required. This included a preventative maintenance measure for several county roads.

The primary concern of the population and the tourists is that Lake County road conditions are inadequate to meet the growing needs. . It is difficult to maintain qualified equipment operators at the present wage scale. Employee wages are approximately 16% lower than other counties.

Findings:

1. Road budget was \$6,200,000 for the year 2004-2005. This year's budget is \$9,800,000.
2. The Board of Supervisors allocated \$1,000,000 of the General County Fund to the Road Division.
3. The public Works Department anticipates receiving \$400,000 in "guaranteed" funding from the Federal Transportation Program, however, these federal funds ARE NOT eligible to be used for our road maintenance but targeted for only new construction.
4. Employees should be provided proper training on operating heavy equipment that they use in their work.

Summary:County roads' chip sealing costs \$20,000 per mile. An insufficient maintenance fund for the last 30 years has resulted in a maintenance backlog that amounts to approximately 12 million dollars.

Recommendations

1. Charge new housing developments a fee due to heavy equipment breaking up roads.
2. Charge disposal trucks up to \$5.00 a ton for their trucks per month for the damages done to the roads.
3. By consensus and data Lake County roads are the worst in CA. We earnestly recommend public works seek all available resources to remedy this problem.

RESPONSE REQUESTED:

Lake County Board of Supervisors & Public Works Department.



2005/2006 Grand Jury Report

COMMUNITY DEVELOPMENT & CODE VIOLATION

Reason for Investigation:OVERSIGHT

Background: This is a review of the Community Development Department, and the proposed countywide moratorium and development rush that subsequently followed. The Committee met with Community Development Directors and the sub-committee met with the Code Compliance Division Manager. The entire Grand Jury met with District 4 Supervisor. Among topics discussed were county planning and growth. The Grand Jury also met with the District 1 Supervisor. Among the topics discussed were planning, growth and the proposed County General Plan. The sub-committee within the planning and public works Committee has responded to several citizens' complaints alleging county and code violations.

Findings:As of December 2005 there were 1098 initial applications on file with Community Development. Additional proposed development includes:

1. A 1000 single family residence, 200 condominiums, a golf community proposed for the county area immediately N.W. of the City of Lakeport. This general area already has 426 applications on file.
2. A 600 single-family residence, 200 condominiums, golf community proposed for the S.E. corner of the City of Clearlake.
3. Within the City of Clearlake the Austin Resort has been proposed – specifics not available.
4. A 146 single-family residence development in Hidden Valley has been proposed. This is in addition to the long-proposed equestrian project.
5. A 92 “estate home” development has been proposed on a 50-acre parcel – currently a walnut orchard on the Buckingham peninsula.

The total of the above proposed units is 2204 in the county area, or cities, where projects border county jurisdiction.

The Institute of Transportation Engineers' general estimate is for residents to take ten automobile trips per unit daily.

A traffic study of the proposed Buckingham project estimates current auto flow on Westlake Dr. – project access road – at 426 per day. The study found this will increase to 980 on project completion. It should be noted that ingress and egress to the Buckingham peninsula is limited to two roads – Eastlake and Westlake Drives. It should be further noted that Buckingham is currently under water imposed building moratorium.

Summary:Development is inevitable in Lake County; it can be planned or allowed to take place piece meal. Lake County and the City of Lakeport are currently preparing a general development plan for the immediate future.

Recommendations

1. An overall vision for the future by way of a revised general plan, utilizing professionals to direct growth and development in ways that preserve the natural beauty of Lake County while promoting healthy and balanced economically diverse opportunities for the future.
2. The City of Clearlake should follow suit and develop a General Plan for the future. The Community Development Director and specifically the Code Enforcement Division should then be given adequate resources and staffing to support and achieve goals of the proposed General Plan.

RESPONSE REQUESTED:

1. Lake County Board of Supervisors respond to the above recommendations.
2. City of Clearlake City Council.



2005/2006 Grand Jury Report

LAFCO

Reason for Investigation:OVERSIGHT

Background:We were advised from previous Grand Juries that there are on-going concerns about LAFCO's inflated costs, inefficiencies and redundancies, via State mandates. The Lake County 2003/2004 and 2004/2005 Grand Jury investigated LAFCO with mixed results. The Grand Jury made general charges of "stonewalling", lack of candor, failure to cooperate, and excessive spending. LAFCO stated it was cooperating and, charged the Jury with hostility and pettiness. The Planning Committee decided to take a fresh approach by performing an oversight investigation of LAFCO's contract with the County of Lake, its finances, and objectives. The Planning and Public Works Committee attended several meetings and subsequently invited the LAFCO Executive Officer to address the Committee. We specifically requested financial records dating back to 2003. Our interview with the EO was cordial, lengthy and detailed. We raised questions relating to the above concerns, and by our understanding we received the following significant responses.

Findings:LAFCO was created by State Legislation to provide guidance and a legal check (a watchdog) on a county's compliance with the variety of State requirements pertaining to the State General Plan for Growth and Development. On the county level a multitude of agencies, public and private, provide relevant services, i.e. water districts, agricultural zoning preserves, land use changes, city annexation, etc. It is our understanding that as new projects are evaluated by city, county and special districts, LAFCO follows the process and has ultimate authority to approve, condition or deny each project.

We see such authority causing inherent and perhaps necessary resentment, even animosity. This alone might explain many past conflicts among LAFCO and the local politicians and officials. Accusations that LAFCO is redundant would be expected when a local agency has completed work on a project and then LAFCO "steps in to review" the finished project. Accusations that LAFCO is wasting money follow from the above example.

Summary:Expenses for services provided by LAFCO follow: LAFCO's Executive is EO of a private company hired by the LAFCO Commission in Lake County. The EO provided our Committee with detailed financial information, for expenses for work done in Lake County. (NOTE:) the EO made it clear that his cost effectiveness, though challengeable, was really his own business and that he is accountable to the Lake County LAFCO Commission, a body consisting of local representatives. The

EO is not paid per meeting nor is he paid mileage. The LAFCO conferencing budget is justified by the EO as “invaluable” benefit to Lake County. There is an important distinction to be made. Those who believe LAFCO is costing too much, have a democratic recourse by way of the LAFCO Commission. The challenge of wrong-doing needs to be addressed to the Commission not the company they hire. In the realm of cooperation and communication, the 2003/2004 and 2004/2005 Grand Juries charged LAFCO with failure to submit a “response request”. When informed of this the EO produced both documents dated September 2004 and August 2005, which had been submitted to the Board of Supervisors on the above dates. These documents have recently been uncovered through our investigation. They were received and dated September 2004 and August 2005.

Feedback and impressions: The Planning Committee received feedback from previous interviews with department heads of Lake County Agencies; Water Resources, Parks and Recreation, Public Works respectively. Noted in reference to LAFCO all three acknowledged general value and service provided. Also the county administrator, in budget review sessions was questioned about LAFCO cost. While critical of the EO, he saw the cost of the service provided as a relative small cost to the County.

Recommendations

LAFCO has a limited parameter of responsibility, but within that realm of responsibility, it has enormous power. This could easily lead to an environment of petty hostility and a communication breakdown between LAFCO and County Government. We urge much greater contact between LAFCO members, the EO, and county government. From this committee’s perspective, both institutions are working for a better Lake County. Greater compatibility would benefit all. Lastly, we request the EO to employ discipline and frugality in building the LAFCO budget.

RESPONSE REQUESTED:

NONE



2005/2006 Grand Jury Report

LOW FLUSH TOILETS

Reason for Investigation:INQUIRY

Background:A discussion with the Lake County Special Districts Administrator revealed some confusion in regard to low flush toilets and low flow showerheads. This retrofit is a Lake County ordinance and is required in all new and resale homes.

Findings:This mandatory retrofit is not being carried out by some resale home buyers and sellers. Our inquiries with some real estate agents showed that this retrofit is not applied as per the sales contract by real estate agents. This retrofit is not required within the city limits of Lakeport or Clearlake on a resale home.

Summary:Our investigation we believe that most Lake County Water Districts do not have a water shortage that would require low flush toilets. Also, all stores that sell toilets and showerheads should carry only low flush and low flow.

Recommendations

There should be more enforcement of this mandatory retrofit by Lake County Special Districts.

RESPONSE REQUESTED:

NONE



2005/2006 Grand Jury Report

MERCURY MINE SUPERFUND

Reason for Investigation:OVERSIGHT

Background:The “Mercury Sub-Committee” investigated the status of the EPA’s Sulfur Bank Mercury Mine Superfund Site a major mercury mining operation at Sulfur Bank from the 1800’s until 1957 when mining ceased and the site was more or less abandoned. Health concerns about mercury contamination of the Clearlake environment were brought to the public’s attention in the 1970’s. Elevated levels of mercury accumulated in bass and catfish effecting fish advisories and public warnings against consuming fish from Clear Lake.

Subsequent study showed contamination of Clearlake from the abandoned mercury mining area. It was designated an EPA Superfund site for clean up in 1990. The EPA instituted emergency clean-up measures including well closures, and capping and removal of arsenic and mercury contaminated soil from the adjacent Elem Indian Colony. Some surface diversion and erosion control was also done in subsequent years.

The scope of our investigation was to determine the status of the project by:

I: General fact-finding to inform ourselves about:

1. a. The general health risks
- b. The biological environmental effects of mercury contamination
- c. The historical perspective
- d. The chronology of progress to date
- e. Clean-up costs
- f. The future schedule of the clean up
2. Evaluate the present involvement and responsibilities of Lake County and city agencies.
3. Determine the following:
 - a. Health risks. The concern about mercury poisoning to humans is mainly by consuming methyl-mercury contaminated fish through bio-magnification up the food chain. Safe amounts and threshold levels have been researched in recent years, translated and publicized by Public Health agencies advising consumers of safe amounts of fish.

b. Environmental effects of mercury contamination of Clear Lake: Natural sources of mercury are part of the Clear Lake ecosystem. Mining operations have greatly increased the amount of mercury introduced into the Lake. Methyl-mercury, an organic form, is readily absorbed by aquatic plants and thereby becomes widespread in the plant and animal life of Clear Lake. Health effects on other animal life, i.e. fish consuming raptors, is largely unknown.

c. Historical perspective: the long history of mining and naturally introduced mercury contamination of Clear Lake indicates from a practical standpoint there is no quick fix. The objective is to minimize environmental effects, reduce mercury contamination and eventually return the Lake's environment to natural levels.

d. The chronology of EPA efforts to date; as stated, in 1990 Sulfur Bank was declared an EPA Superfund site. EPA instituted emergency clean-up measures. In recent years, mercury monitoring and sampling and related research was done to determine sources and levels of contamination. Options for clean up and containment were considered with County agencies and the general public.

e. Clean-up costs: Federal monies, via the EPA, spent to date are from 12 to 15 million dollars, with an estimated 10 to 40 million dollars required to complete the next phase of the clean-up project. Estimated completion is 10 years. The budget must be approved each year by Congress. County and local costs are unknown, but are discussed in our Conclusions and Recommendation section.

f. Future schedule of mercury clean up. The next phase which is under way involves extensive earth moving, and trucking of clean soil into the 120 acre area mining site from out of county. Also, the mercury contaminated mine tailings will be moved and isolated within the Sulfur Bank site. The residents of the Elem Indian Colony will be temporarily relocated while the contaminated soil on the Tribal land will be removed.

II. Evaluate the extent of involvement of Lake County and City agencies.

We studied the following agencies from the perspective of their responsibility for protecting the public interest and as logistical support for the over all project. The mercury subcommittee contacted the following agencies either by telephone interview or in public meetings to determine their interest in the mercury clean up project.

Lake County Road Department and Public Works- Road maintenance, shoulder repairs utility clearance from increased traffic

Lake County Parks Department- Possible boating fishing vacationer interest in the mercury situation

Lake County Special Districts, Water- Water quality of Clear Lake and public drinking water and storm drains affected by mercury

Lake County Planning Department (Community Development) - Superfund site affects zoning and development concerns in and around Sulfur Bank

Lake County Public Health- Public information on fish consumption and water quality

Lake County Environmental Health- Public information on fish consumption and water quality

Lake County Sheriff Department- Security and protection of clean up site, safety and theft and vandalism possible traffic accident or spill

Lake County Board of Supervisors- To be generally informed of public safety and concerns of all of the above departments

City of Clearlake and City of Lakeport- should be generally informed of progress of the project with concern for tourist and public safety and potential environmental risks

OES (Office of Emergency Services) - To be generally informed of public safety concerns and coordination of all of the above departments

CLEAN (Clear Lake Environmental Action Network) - Citizens action group funded through an EPA-TAG grant to inform the public about the clean-up project. They are a wealth of information on all aspects of the Superfund project. They also recently organized a meeting of local agencies to inform and coordinate the public interests.

Summary:From our investigation we have become reassured that the cleanup project in itself presents little chance of causing an increased risk of mercury contamination, either by dust creating conditions of excavation and movement of mercury contaminated dirt or by increased run off erosion or contamination of the Lake. With the proposed clean up activities, it is hard to imagine an emergency situation i.e. a spill occurring since no mercury contaminated soil or water will be moved outside the mining area. The more likely risk would come from trespassers or vandalism related injuries at the excavation and transportation work site.

It is our concern that if there is an accident of this nature that the appropriate agencies are well informed and pre-emptive rather than reactive after the fact. Local government needs to do its part to reassure and inform the public and anticipate these other more likely safety concerns relating to the cleanup.

Recommendations

As a county Grand Jury, it is our job to consider the effectiveness of county and city agencies in the public interest. Therefore, the federal project (the EPA Superfund) is not the primary focus of this investigation. Rather our interest is to see how local officials are presently involved with the EPA, and where we believe they could or should be involved in this major project that affects the Lake County environment.

1. The County personnel demonstrated interest in the mercury clean up, but with no County money directly budgeted and no specific responsibility, the project is given a low priority compared to the many funded and mandated responsibilities of each of the agencies. There are hidden and potential costs to the County and the mercury clean up by the EPA should not be ignored. We believe the Board of Supervisors and the above agencies should be better informed and regularly updated by attending regular meetings with the EPA representatives.
2. The Board of Supervisors should appoint a local agency as a lead agency, i.e. Special Districts, to coordinate information gathering and dissemination among involved agencies. The material should also be made available to the media when appropriate.
3. The EPA estimated they have spent between twelve and fifteen million dollars in various studies of the Sulfur Bank venue. Our investigation could not find any data to justify this. We are not saying the EPA did not do the studies; what we are saying is that our investigation could have benefited in quantity and quality had we had the benefit of their data. In the future, we would expect the County local agency to see that relevant materials are available to appropriate County agencies.

RESPONSE REQUESTED:

Board of Supervisors



2005/2006 Grand Jury Report

MIDDLE CREEK PROJECT

Reason for Investigation:OVERSIGHT

Background: The Committee met with the Assistant Director of Public Works-Water Resources for most of the Day August 31, 2005. Several hours were spent on overview, which was followed by onsite inspections of Highland Springs Reservoir, Rodman Slough, Robinson Lake, and the Upper Lake levee system. The Committee met with the Assistant Director again on February 2, 2006 at which time a two-hour overview of the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project (the "Middle Creek Project") was presented. The Committee spent an additional four hours with the Assistant Director onsite reviewing all aspects of the Middle Creek Project.

Findings:The Middle Creek Project appears to be the most significant public works project in recent Lake County History. The goals of the Middle Creek Project are:

1. Removal of high risk flood properties (that is, those properties that are threatened by the 100 year flood.)
2. Improvement of water quality and purity for Clear Lake.
3. Wetlands restoration and habitat renewal

The Middle Creek Projects involves returning eighty (80) properties, consisting of approximately 1,600 acres, to the lake and bordering wetlands. Various levels of County and State government are involved, as well as the US Department of the Interior, the Bureau of Indian Affairs, the Army Corps of Engineers, the US Congress and several Indian Tribes. The current estimate of the total costs is \$41 million, which will be borne primarily by the federal government. Of this total, about \$5.4 million has already been allocated. No completion date is currently available.

Summary:Upon completion, the Middle Creek Project will provide significant benefit to the people and natural environment of Lake County. A huge savings from reduced flood damage will result, as well as greatly improved lake quality and enhanced biodiversity from habitat renewal. Improved recreation opportunities will make for increased tourism. The benefits from this project far outweigh the negatives, and no viable alternatives have been proposed. Two areas of immediate concern are: (a) acquiring the 80 privately owned parcels, and (b) acquiring the thirty acres of Indian "trust lands" within the boundaries of the Middle Creek Project. This is presently in negotiation. Funding exists to purchase approximately

ten parcels, four of which are in contractual stages. It is worth noting that no eminent domain action has been employed in these negotiations. While the sovereign tribe “trust lands” affected by the project are currently tied up by the US Congress, the tribe is fully supportive of the transfer and the project in general.

Recommendations

In light of the fact that this is the largest public works project in the history of this county, it is strongly recommended that the Middle Creek Project receive the highest priority for the promotion of public awareness. This project is viable. The potential benefits to Clear Lake and its ecosystems are substantial. The potential economic impacts on the recreational and tourism industries are positive. The lead agency (Water Resources Division of the Public Works Department) is adequately staffed and very capably led by personnel who are committed to the successful implementation of the Middle Creek Project. Additional County resources, including those of the Lake County Marketing Department, should be marshaled as appropriate in order to advance public awareness and secure public support for the Middle Creek Project.

Other Recommendations are:

- 1.) All involved agencies should make much greater use of county literature and mailings in a concentrated effort to inform the Lake County citizens of the numerous benefits of this project. These agencies should also make better use of the media to keep citizenry abreast of the project.
- 2.) Although Lake County’s own Congressman has been very supportive of this project, County government should encourage public input in reminding other key Congressional representatives of the “log jam” they have created by their failure to act on Indian Trust Lands.
- 3.) Hydrologists, engineers, and the Corps of Engineers have all stated that the Middle Creek Project will be completed –either through this project or by nature. The Grand Jury is of the opinion that, in addition to all the benefits of the current project, it is much more effective to pay for necessary land now rather than incur the far greater cost of litigation which will result from failure to act.

Response Requested:

NONE



2005/2006 Grand Jury Report

SPECIAL DISTRICTS WATER CONSERVATION

Reason for Investigation:OVERSIGHT

Background:The Special Districts Director gave us information on the water treatment plants at Middletown, Lower Lake, Clear Lake and other plants. Also discussed were county ordinances of retrofit of low flush toilets and low flow showerheads.

Findings:The Director stated that this mandatory retrofit is required on all new and resale homes within the unincorporated areas of the county that do not have these low flush toilets and low flow showerheads. However the retrofit is not a requirement within the city limits of Clearlake or Lakeport. We believe if we do have a water shortage in Lake County then the retrofit should be required in all of Lake County. The cities of Lakeport and Clearlake do not have the requirement to meet the specifications of the mandatory retrofit for water conservation. Our inquiries with some Lake County Real Estate Brokers showed that retrofit is not applied by some real estate offices.

Summary:The interview with the director regarding the mandatory retrofit revealed that retrofits were being carried out satisfactorily and met the requirements of Special Districts.

Recommendations

1. There should be mandatory enforcement of the retrofit where required in the county.
2. This matter should be continuously reinforced to all real estate offices. Real estate agents should always use the contract that states what the mandatory retrofit requirements are for the county in CA. We earnestly recommend public works seek all available resources to remedy this problem.

Response Requested:

Lake County Board of Supervisors,
Lake County Special Districts,
City of Lakeport Administration,
City of Clearlake Administration



2005/2006 Grand Jury Report

POSSIBLE PROPERTY FLOODING

Reason for Investigation: WATER CONSERVATION COMPLAINT

Background: A citizen complained that a 37 unit housing subdivision will create flooding of their property. A registered professional engineer prepared the Engineering Hydrology design for the Crystal Lake Estates subdivision. This design was prepared for Origin Construction, Inc.

Findings: There will be approximately 14 new homes that would affect the complainant's property due to water flow when the subdivision is completed. The Planning and Water Resources Division must comply with the Hydrology plans and coordinate the design with the building department during the subdivision's construction.

Summary: The proposed subdivision is currently a walnut orchard. If there is not a proper drainage system put in with the development of 37 homes on 11.3 acres, a runoff may cause the complainant's property to flood. The hydrology design will prevent the runoff to said property.

Recommendations

After our visit to the site's location, and a visit with the Planning Department for the Hydrology design from their personnel, we have concluded that the complainant's property will have less run off after the completion of the subdivision. This design will not eliminate any occurrence of flooding during one of the 100-year floods, such as the ones that occurred in 1983, 1986 and 1990.

Response Requested:

None



2005/2006 Grand Jury Report

WATER RESOURCES/MANAGEMENT

Reason for Investigation:OVERSIGHT

Background:Oversight Fact finding of general operations and maintenance of Cache Creek Dam (also referred to as the Clear Lake Dam). Though located in Lake County, the Cache Creek Dam is operated and maintained by the Yolo County Flood Control and Water Conservation District (YCFC&WCD).

Findings:The following discoveries were made:

- 1.) Cache Creek Dam is in full operation based on its modified use plan and construction. Both YCFC&WCD and Lake County benefit from the operating agreement.
- 2.) The Dam Master has held his position for over twenty years and appears to be doing an exceptional job when one considers the nuances of his responsibilities, the relative remoteness of the site, and his nearly solitary work situation.
- 3.) There appears to be general agreement between the contracting parties over operation and maintenance of Cache Creek Dam. Cache Creek Dam has no influence on Lake flooding. The primary function is to control water flow from the Grigsby Riffle to the Dam site.
- 4.) Native Americans have occasionally complained about land use in the areas adjacent to the Dam facilities.

Summary:Planning and Public Works Committee met with the Lake County Director (Assistant) Public Works on August 31, 2005 at the Lake County Courthouse for a review of County Flood Control preparation. The Committee also toured the Cache Creek Dam with the Assistant Director and the YCFC&WCD personnel on September 14, 2005.

Recommendations

While the Public Works Committee recognizes that it has no authority over the YCFC&WCD, it would appear to be in the best interest of the contracting parties to assure that the managers of Clear Lake Dam develop and maintain operational knowledge among at least two staff members.

Response Requested:

None





2005/2006 Grand Jury Report

LAKE COUNTY CHILD SUPPORT SERVICES VISIT

Reason for Investigation:SITE VISIT

Background:There are two purposes for the visit:

- 1) To assess the effectiveness of the agency.
- 2) To discover how the agency operates.

The Grand Jury received one complaint regarding Lake County Child Support Services. The Health and Social Services Committee recommended that the complainant contact the agency and work through the ombudsman for that agency. Even though the Health Human Services Committee did not become involved in the above complaint, we were interested in gaining more information about how the agency operated.

Team members of the Health and Social Services Committee did the following in this site visit:

1. Met with the director of Lake County Child Support Services.
2. Met with the Ombudsperson of the Agency.

Findings:The director explained that the purpose of Lake County Child Support Services (LCCSS) is to assure that court ordered paternity and child support payments are enforced. LCCSS typically becomes involved in a support issue when a complaint is received.

In addition to the above functions, the agency also provides data when needed for court attorneys dealing with paternity and child support cases.

The Health and Social Services Committee also spoke with the Ombudsperson of the agency. This individual is an employee of Lake County. Our main question for the ombudsperson relates to the role this individual has with clients. The ombudsperson explained that she does not represent the clients or advocate for them. The ombudsperson represents the county and has the role of a facilitator. She educates and resolves disputes with clients based on guidelines provided in the law at both local and state levels.

Both the director of the agency and the ombudsperson stated that the primary clients on their caseload are persons receiving welfare. Hence, the biggest challenge the agency faces is guiding and motivating

clients to obtain and retain employment that will allow persons ordered to pay child support to actually be able to do it. Although there are sanctions a client will experience when child support is not paid (i.e. suspension of a driver's license) consistent, stable employment is a problem the agency has to continue to work on because the majority of clients served are poor.

The director went on to say that her agency is very active in the community making its presence known at schools, health fairs, and medical facilities where children are served. One goal of the agency is to educate as many in the community as possible about how Child Support Services works and how it helps families in the community. Of particular interest is the agency's focus on adolescent school children. School presentations clarify the legal consequences of unplanned pregnancies. Adolescents learn how responsible they really are if they become parents of children before leaving school and before they are able to establish a stable lifestyle. It is the agency's hope that such children will reconsider engaging in risky sexual activity leading to pregnancy before either partner is ready to start a family.

Summary:It is the opinion of the Health and Social Services Committee that Lake County Child Support Services is providing fair and equitable service to its clients in this community. This quality of service applies to both those receiving support and those who pay support.

Additionally, based on a State of California compliance review (March 27, 2006), the agency exceeds the minimum standards of 75% in Case Review. The Deputy Director of the State of California Child Support Division commended the staff of LCCSS for their efforts in achieving overall program compliance.

Further, Lake County Child Support Services impressed the Grand Jury Health and Social Services Committee by its commitment to get its mission and message out to the people of this county. Lake County Child Support Services is to be commended especially for its outreach to school children in an effort to educate these children on the consequences of unplanned pregnancies. This effort will without question improve the quality of family life and the welfare of future generations of children in this community.

Recommendations

We commend this agency for its exemplary performance.

None



2005/2006 Grand Jury Report

MENTAL HEALTH SERVICES VISIT

Reason for Investigation:SITE VISIT

The purpose of this investigation is to make a site visit to Lake County Mental Health Services and assess the effectiveness of the agency in these three areas:

- * Client Services and Satisfaction,
- * Interaction with Community Entities (hospitals, nursing homes, schools etc.) seeking mental health services.
- * Staff Morale.

Background:An in-depth site visit has not been made to Lake County Mental Health Services by a Grand Jury team for the last 15 years. The agency has not received any serious complaints during this time. A routine visit has been long overdue.

During this site visit, team members of the Health and Social Services Committee did the following:

1. Met with the director of LCMHS.
2. Visited both the Lakeport and Clearlake facilities.
3. Had confidential meetings with clinical and auxiliary staff at both the Lakeport and Clearlake facilities.
4. Prepared a list of questions for the director to assist the Grand Jury team in evaluating the agency.

Findings:The Health and Social Services Committee is very impressed with the overall effectiveness of this agency and the commitment of the staff. Here are the findings by category:

1. Client Services and Satisfaction -The immediate impression is that the Lake County Mental Health Department appears to be humane, caring, and a proactive agency to its clients. The most significant quality that attests to the excellence of the agency is the commitment of the staff to treat clients as very important people who deserve dignity and empathy. The staff does not depersonalize or objectify clients. There is an infectious optimism by all personnel providing services that what is being done by this agency is bringing fresh hope and better lives to the people being served. Staff members have indicated that the credit for this courageous approach to care can be attributed to the personal vision of the director. The director's vision is humanistic, not deterministic. A holistic, "systems approach" is the driving force of this agency's operation. The goal of service is to help clients improve their quality of

life in every area. What this means is helping clients find adequate housing, learn basic skills of day-to-day living, find meaningful friends, create goals, and lifelong education. In a nutshell, Lake County Mental Health Services is committed to empowering the people it serves with hope, independence, and increased competence for living.

2. Interaction with Community Agencies Seeking Mental Health Services -The Director communicated clearly that she and her staff desire to establish positive contacts with the agencies Lake County Mental Health (LCMH) serves. At the same time, the director clarified that the agency's mission may not be able to satisfy the expectations of those entities requesting assistance. Concurrently, the Director assumes full responsibility for communicating clearly to the entities it serves the mission of LCMH and the boundaries or limitations of the care it is able to provide. Additionally, LCMH has the expectation that its staff will provide "good customer care" to all, by answering phone calls in a timely manner and clarifying what the agency can or cannot do.

3. Personnel – The Health and Social Services Committee held confidential interviews with support and clinical staff at the Lakeport and Clearlake sites. It was evident from these interviews that the personnel overall were very satisfied with their work situation, and expressed sincere admiration for the current director and her leadership. Considering the above, some observations of the Grand Jury committee and suggestions of the LCMH staff members follow:

a) A ubiquitous recommendation at both sites regarded job training. Staff complained that they were frequently placed in positions without adequate orientation and mentoring. Training was often "trial and error" stumbling in on-the-job experiences. Staff overall faulted the county hiring system for not posting jobs until after an employee left a position. If the county provided an overlap period and allowed the departing employee to mentor his/her replacement, the transition according to staff interviewed would be much less stressful.

b) According to the staff members, geographical distances, and the different clients served, are issues that isolated staff members from one another. Examples include:

1. The Lakeport team and Clearlake team do not interact on a regular basis. Hence, this geographical distance fragments the personnel.

2. Concurrently, Adult Services and Children's Services tend to run in their own worlds. Some staff stated that interdisciplinary collaboration between divisions is almost non-existent.

3. With the above descriptions of unintentional fragmenting, some staff felt isolated and desired closer connections with colleagues and workers in different divisions and locations.

4. Those that brought up this concern did not want an artificially contrived "lets get together" event. The suggestion made was to discover a global challenge in the agency that by its very nature would pull the team together. Working to solve a common problem or reach a common goal is what some staff felt would create a more cohesive unit of personnel.

c) Another almost universal concern in the staff interviews was low pay, especially for highly educated and qualified clinicians. There were staff members who felt that turnover was high (i.e. few professionals stay longer than 5 years), and inadequate salaries was a major reason for this turnover.

d) It was the observation of the Health and Social Services Committee Chairperson that the clinical team of LCMH is at risk for caregiver burnout. This observation was based on both verbal and non-verbal communication by some clinicians. Members of clinical staff expressed that the case-loads of clients were sometimes heavy and difficult. This burden is not only numbers, but also the intensity of care. Concurrently, clinicians were quick to clarify that there was no pressure by administration to take

on heavy case-loads. The real problem is the unfathomable need of so many in the Lake County community and the clinicians' feelings of deep responsibility (i.e. work ethic and personal vocation) not to let anyone fall through the cracks. Some staff find it very hard to say "No" in the arena of such great need. It was the impression of the Grand Jury Health and Social Services Chairperson that the work of the clinical staff was akin to life in a MASH unit. Without question the whole team at LCMH is dedicated to care in intensity, scope and depth that a casual observer would not immediately perceive.

5. The Grand Jury Health and Social Services Committee commends the leadership and personnel of Lake County Mental Health Services for the outstanding service this agency is providing to clients and our community. Kudos for a job well-done

Recommendations

1. Lake County Human Resources would do well to reconsider its policy of not listing positions until they are vacant. We agree with LCMH personnel that employees put into new positions are entitled to quality orientation and mentoring when taking a new position. This job preparation means providing expertise and hands-on learning.
2. The County would do well to honor and adequately compensate the personnel serving in LCMH. The agency and community would benefit from a decision to pay the service providers well. A well-paid team of professionals fosters agency stability and enhanced service to the community.
3. Provide respite for the caregivers. Those clinicians on the front lines of care deserve times of retreat, renewal, and play. The committee recommends the structuring of the agency's workload to include compensation for retreat and renewal.
4. We recommend that supervisors be on the alert for caregiver burnout, and over-commitment of the clinical staff. It is not prudent to assume that a professional dedicated to human healing will easily create his/her own boundaries. Generally, corporations and institutions "let" staff burn themselves up only to replace the wounded with fresh recruits. We recommend a different, more humane approach.

Response Requested

Lake County Mental Health Department



2005/2006 Grand Jury Report

LAKE COUNTY ADMINISTRATIVE OFFICER

Reason for Investigation:OVERSIGHT

Background:Government Services Committee met with County Administrative Officer and received an overview of his duties and responsibilities. His job is one of enormous responsibility, and to be effective, the person must possess strong leadership traits. The County of Lake is fortunate to have such an individual in this position.

Findings:The County Administrator is responsible to the Board of Supervisors for the day to day operation of the county. He takes that responsibility seriously, and has a good working relationship with the various department heads and office personnel.

Recommendations

None

Response Requested:

None



2005/2006 Grand Jury Report

L.C. ASSISTANT COUNTY ADMINISTRATOR

Reason for Investigation:OVERSIGHT

Background:Government Services Committee met with Assistant County Administrator for purchasing and central services, and were given a description of his duties and responsibilities. There is no Purchasing Department for the County of Lake. Now Department Heads can make direct purchases of up to \$500.00, without quotes or bids. All purchases over \$25,000 go out for bids and are sealed until the appropriate time, and are then opened by his office. The Board of Supervisors can accept any bid they choose.

Findings:The assistant to the county administrator considers himself and his department as the “purchasing police”. He demands proper record keeping, but states it is a constant battle with the turnover of county employees, and office personnel.

Recommendations

1. Establish an ongoing training program to be conducted by the purchasing/central services office. Attendance should be all Department heads or designated representative.
2. The county should reevaluate the decision to decentralize the purchasing department. The current system encourages redundancy and contributes to greater cost.

Response Requested:

None



2005/2006 Grand Jury Report

LAKE COUNTY INFORMATIONAL TECHNOLOGY DEPT.

Reason for Investigation:OVERSIGHT

Background:Met with Director of Informational Technology and was given a description of his duties and responsibilities. The Information Technology Department gathers and stores vast amounts of information for later retrieval by employees or private citizens.

Findings:The department was allotted two additional positions. The only problem the director identified was, "misuse of county computers being used for internet use." The department has no software to monitor this usage, but the request has been made for same.

Recommendations

None

Response Requested:

None



2005/2006 Grand Jury Report

LAKE COUNTY PERSONNEL DEPARTMENT

Reason for Investigation:OVERSIGHT

Background:Met with the County Personnel Director and was given a description of the duties and responsibilities of the office. The charge is to assist department heads with personnel and work related issues. The Director of Personnel does not direct department heads on how to run their departments as they report directly to the Board of Supervisors.

Findings:There are approximately 900 full time county employees. The Personnel Department assists the Department Heads with hiring, recruiting, and various types of leave afforded to employees. Approximately 1% of the employees are out at any given time on one type of leave or another. Lake County has a salary classification committee, that meets approximately every five years for reclassification. Historically, Lake County is a training ground – once employees obtain experience and training, they commonly move on.

Recommendations

The county should reconsider wages and benefits for various positions in order to hire and retain quality employees.

Response Requested:

None



2005/2006 Grand Jury Report

MEETING WITH LAKE COUNTY COUNSEL

Reason for Investigation:OVERSIGHT

Background:Met with County Counsel and received an overview of her duties and responsibilities. She has just assumed the position and is extremely knowledgeable and seemed eager to meet the challenges of her position.

Findings:Through a reorganization of different county offices, the office of County Counsel assumed responsibility for the "Risk Management" operation. Formerly Risk Management was a department head responsibility. It is now under one office with greater accountability. Out of approximately 900 employees, there are about 10% on disability or worker's compensation. She provided statistical information comparing Lake County with three other counties of comparable make up and population. Lake County and comparable counties all appear to be making advances in reducing the number of claims, and costs incurred.

Recommendations

None

Response Requested:

None



2005/2006 Grand Jury Report

CLEARLAKE CITY COUNCIL MEETING

Reason for Investigation:OVERSIGHT

Background:The Government Services Committee observed a weekly meeting of the Clearlake City Council. The Government Services Committee observed a weekly meeting of the Clearlake City Council.

Findings:The Clearlake City Council and the Redevelopment Agency were having a joint meeting when the Jury members attended. The prepared agenda was followed in a very organized manner.

Recommendations

None

Response Requested:

None



2005/2006 Grand Jury Report

LAKEPORT CITY COUNCIL MEETING

Reason for Investigation:OVERSIGHT

Background:The Government Services Committee observed a weekly meeting of the Lakeport City Council.

Findings:The Lakeport City Council acted in a variety of capacities when the Jury visited. The prepared and printed agenda was followed in a very organized manner.

Recommendations

None

Response Requested:

None



2005/2006 Grand Jury Report

LAKE COUNTY OFFICE OF THE DISTRICT ATTORNEY

Reason for Investigation:OVERSIGHT

Background:The District Attorney and his Chief Deputy appeared before the Grand Jury and gave an overview of the duties and responsibilities of his department. The District Attorney is responsible for prosecuting individuals accused of committing crimes in Lake County.

Findings:The county has an impressive conviction rate, even with a rather moderate to high turnover of Deputy District Attorneys. Once again money seems to be the underlying reason for the turnovers. When questioned, regarding the number of “dark days” (when the courts are closed, no trials, no motions, or any other type of hearing), the response was that there is sometimes a need for a continuance by either the prosecution or the defense. He has no control over the courts operation.

Recommendations

1. The District Attorney needs to make a strong presentation to the salary classification committee to increase the salary/benefits for Deputy District Attorney. If successful perhaps the “turnover door” can be closed and the county could retain quality employees.
2. While some continuances are understandable in the course of a trial, if there was a “plan b”, there could be a wide choice of motion hearings, evidentiary hearings , or arraignments. It would seem reasonable that some legal activity could be scheduled to prevent “dark days”.

Response Requested:

None



2005/2006 Grand Jury Report

ANIMAL CONTROL

Reason for Investigation:OVERSIGHT

Background:The Committee met with the Director for Animal Control who provided a tour of the facility, and an update on improvements to both the Lakeport and Clearlake facilities.

Findings:The Clearlake facility has received two new swamp coolers plus new dog beds in each kennel. There is food and water at all times.

The new Lakeport facility is in progress and should be completed in approximately two years. The present facility was clean and well staffed. The Director encourages the public to call and schedule a ride-along with an Animal Control Officer. She feels it will give them a better insight to the varied duties of the animal control staff. The policy of animal control is to auction cows and horses and to place other animals in the best environment available.

According to the director approximately 5000 animals are brought into the facility yearly. Approximately 4000 animals are euthanized annually.

Recommendations

None

Response Requested:

None



2005/2006 Grand Jury Report

LAKE COUNTY CLERK OF THE BOARD OF SUPERVISORS

Reason for Investigation:OVERSIGHT

Background:The Committee met with the Clerk of the Board of Supervisors and was given a description of the duties and responsibilities of her position. The Clerk's position is filled with a very competent and loyal person. Her duties include preparing the agenda for the Board of Supervisors, adding to the calendar the appeals brought before the Board, and processing the lawsuits brought against the county.

Findings:As dedicated, hard working, and conscientious as the clerk appears to be, there is still more work to do than she can do in eight hours. Therefore, she takes work home in order to finish it by a deadline.

Recommendations

Hire an Office Assistant I to assist the clerk in the duties of the office.

Response Requested:

Respond to hiring of Assistant Clerk 1.



2005/2006 Grand Jury Report

LAKE COUNTY SUPERVISOR CELL PHONE USE

Reason for Investigation: COMPLAINT

Background: Complainant alleges Supervisor used county issued cell phone for personal use. Complainant appeared before the Government Service Committee of the Grand Jury (with supporting documents) regarding his complaint that a Supervisor was using his county issued cell phone to make personal calls. Complainant further stated he made his complaint before a regular Board of Supervisors meeting, and was told by the Chair of the BOS to take his complaint to the Grand Jury.

Findings: Supporting documents provided were highlighted to indicate the alleged numbers called, having nothing to do with county business. Complainant had tallied the amounts and believes the supervisor owes the county \$256.23.

We contacted the County Administrator who provided a memo he had generated to all department heads, and supervisors, regarding his concerns about the high phone bill the county was receiving. His expectations from the issuance of the memo were that those employees who had county cell phones would govern themselves and reimburse the county for any personal calls made. That never happened. The county has since changed phone service, and policy, and now those employees who have a county phone receive a monthly stipend and are required to pay any charges over their allowed amount. The supervisor in question appeared before the committee and stated he would contact the county administrator, and go over the alleged phone bills, and pay an agreed upon amount he owes to the county.

Recommendations

Followed up in one week and verified the supervisor made good on his reimbursement to the county.

Response Requested:

None



2005/2006 Grand Jury Report

LAKE COUNTY RETIREE HEALTH BENEFIT PROGRAM

Reason for Investigation: COMPLAINT

Background: Complainant alleges the county is taking their contribution to the retiree's health benefit program from the retiree's stipend each month. Complainant supplied supportive document with a schedule of the amounts the county is required to pay to CALPERS. He further states the county is withholding the amount of their contributions from all retirees' stipends.

Findings: Contacted both the Director of Personnel and County Administrator, regarding the liability of the county withholding their required amounts to CALPERS medical contributions from retirees' stipends. Both read from their respective administrative manuals indicating that was the way it was written. Complainant was not satisfied with that conclusion and requested a legal opinion regarding this matter. Contacted county counsel and apprised her of the nature of the complaint. She contacted the auditor/county clerk who told her that the county was in fact withholding the counties contribution from retiree stipend, but that was how the memorandum of understanding between the union and the county was written.

Recommendations

While on the surface this appears grossly unjust to the retirees, it would behoove the retirees to appoint a representative to the negotiation committee when their contract is up for renewal.

Response Requested:

None