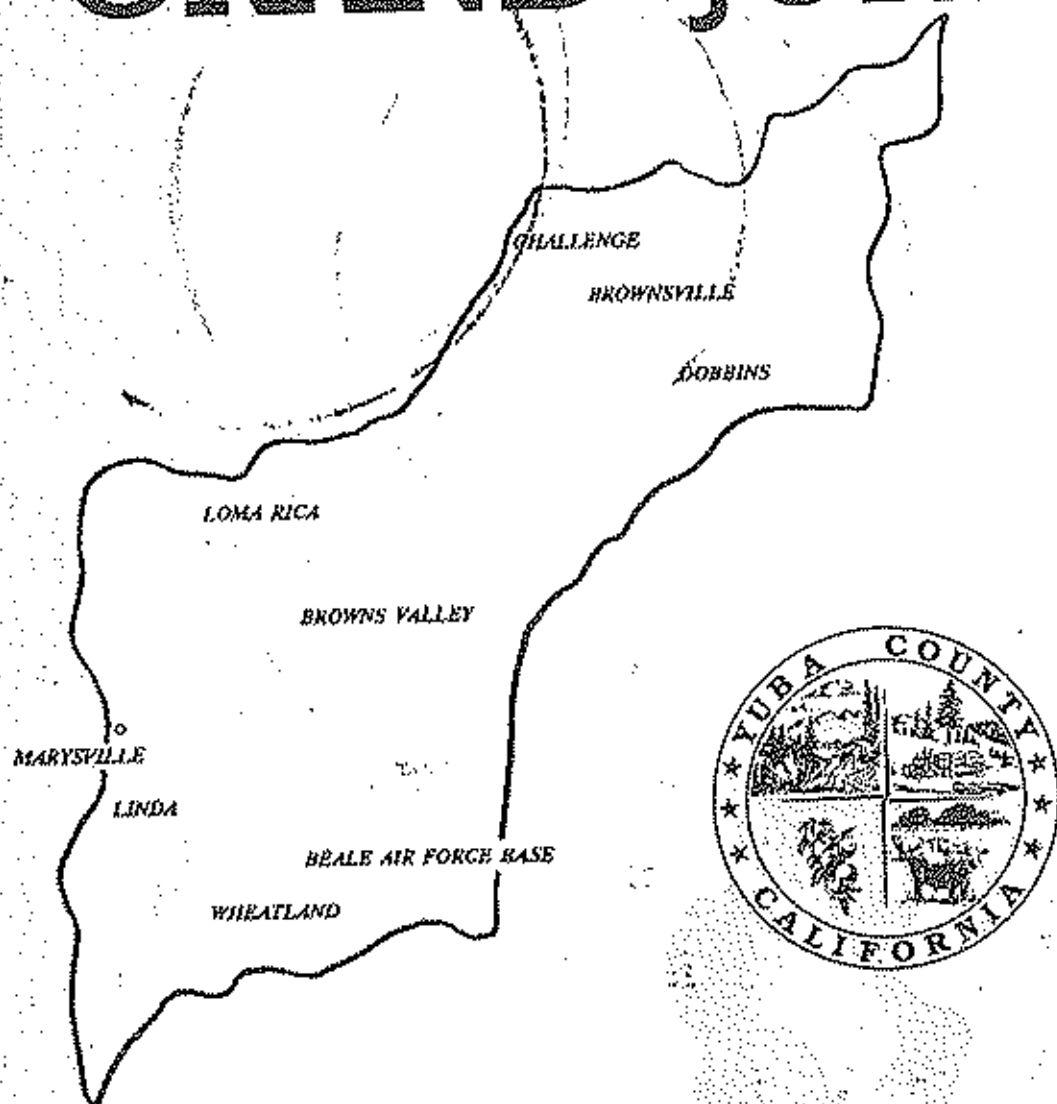
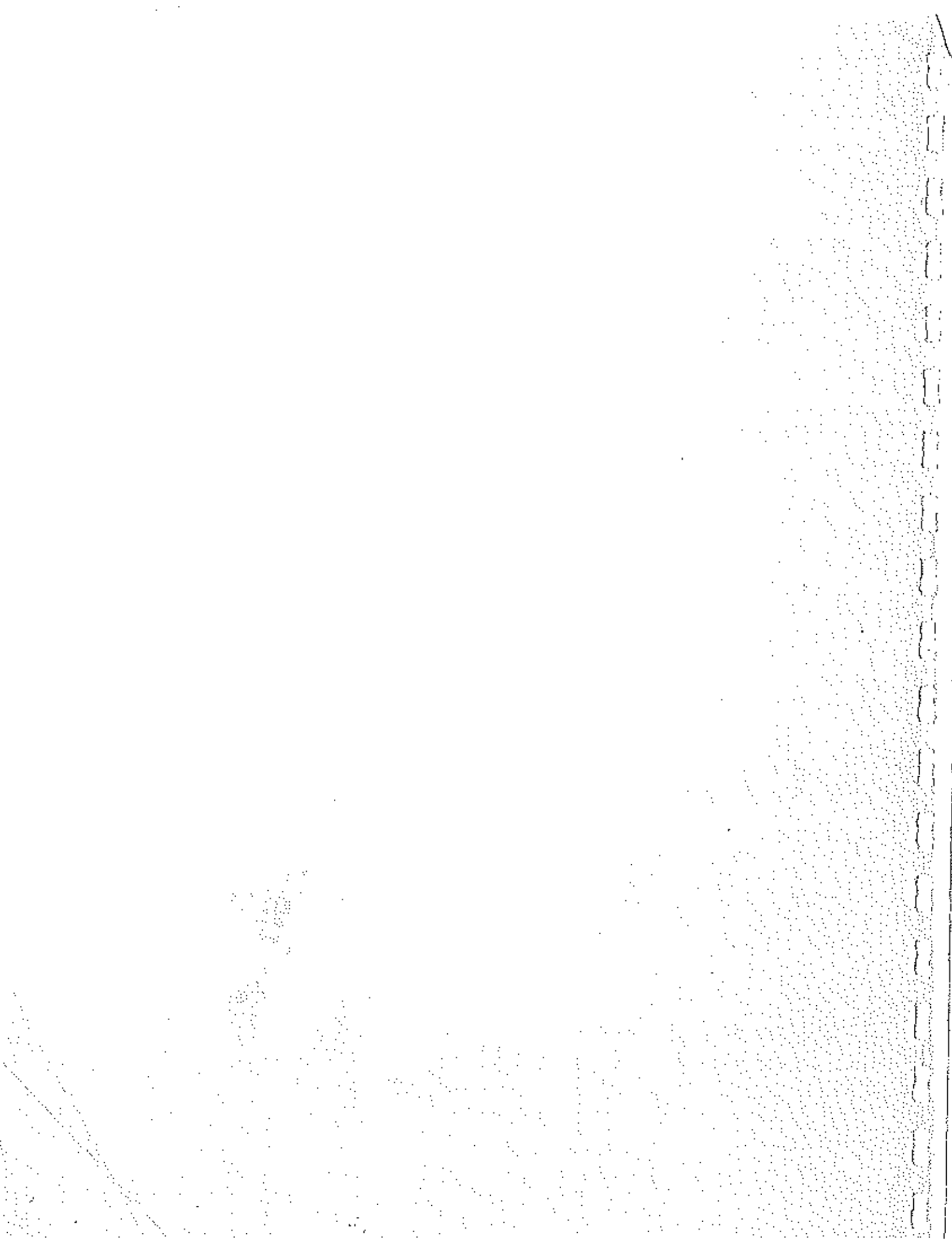


YUBA COUNTY GRAND JURY



1993—94 FINAL REPORTS



The County of Yuba

GRAND JURY

June 13, 1994



(916) 741-6456

Honorable Thomas F. Mathews
Presiding Judge
Yuba County Superior Court
215 5th Street
Marysville, California 95901

Dear Judge Mathews,

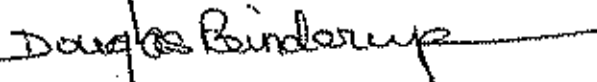
The 1993-1994 Yuba County Grand Jury hereby submits its final reports of findings and recommendations pertaining to county government and fiscal matters as required by Penal Code Section 933.

Each report has been adopted by at least 12 members of the Grand Jury as required by Penal Code Section 916 and 940, and are the result of extensive research and careful investigation. Each finding has been substantiated by current documentation and observation and/or interviews conducted by no less than two members of the Grand Jury as required by Penal Code Section 916. Additionally, the Grand Jury pursuant to Penal Code Section 916, when possible and within its ability, has included suggested means for the resolution of problems identified, including financial, when applicable.

The Grand Jury's main objective throughout the year has been to assist in making county government more efficient and cost effective. To that end, whenever a finding has been established in a report a corresponding recommendation has been made to improve government functions and operation.

Each member of the 1993-1994 Grand Jury would like to express their gratitude for the assistance provided by the Court and its staff throughout the year. Your constant support of the Grand Jury has served to strengthen the institution with a resultant future benefit to all the citizens of Yuba County.

Sincerely,


Douglas Binderup
Foreman



1. The first part of the document is a list of names and addresses of the members of the committee.

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1993 - 1994 YUBA COUNTY GRAND JURY

DOUGLAS F. BINDERUP	<u>Douglas Binderup</u>	DOBBINS
JAMES A. CHASE	<u>James A. Chase</u>	BEALE AFB
CHERYLE COZAD	<u>Cheryle Cozad</u>	OLIVEHURST
JOHN FOULK	<u>John Foulk</u>	MARYSVILLE
ROBERT K. GARDNER	<u>Robert K. Gardner</u>	BROWNSVILLE
ISRAEL M. GONZALEZ	<u>Israel M. Gonzalez</u>	OLIVEHURST
JOHN C. HANNAHS	<u>John C. Hannahs</u>	MARYSVILLE
EDWARD HERALD	<u>Edward D. Herald</u>	MARYSVILLE
MERVIN L. McLANAHAN	<u>Mervin L. McLanahan</u>	MARYSVILLE
GEORGINIA MONTIEL-RUIZ	<u>Georgina Montiel-Ruiz</u>	MARYSVILLE
BETTY ANNE MORGAN	<u>Betty Anne Morgan</u>	DOBBINS
MIKE MORRISON	<u>Mike Morrison</u>	OLIVEHURST
GERALDINE T. RUSSELL	<u>Geraldine T. Russell</u>	MARYSVILLE
JULIAN SANCHEZ	<u>Julian B. Sanchez</u>	MARYSVILLE
BARBARA SHRIDER	<u>Barbara Shrider</u>	MARYSVILLE
PATRICIA A. SOHRAKOFF	<u>Patricia A. Sohrakoff</u>	WHEATLAND
ODELL SPADE	<u>Odell Spade</u>	OLIVEHURST
ROOSEVELT WHITTEN	<u>Roosevelt Whitten</u>	MARYSVILLE
DONALD R. WYGAL	<u>Donald R. Wygal</u>	MARYSVILLE

* * * * *

1. *What is the purpose of the study?* The purpose of the study is to investigate the effect of a 12-week intervention on the physical and psychological health of young adults with a history of trauma.

Source: <http://www.bls.gov/news.release/tables/t0000001.htm>

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THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

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CITY OF WHEATLAND

FINANCIAL OPERATION

COMMENTS REQUIRED ON FINDINGS:

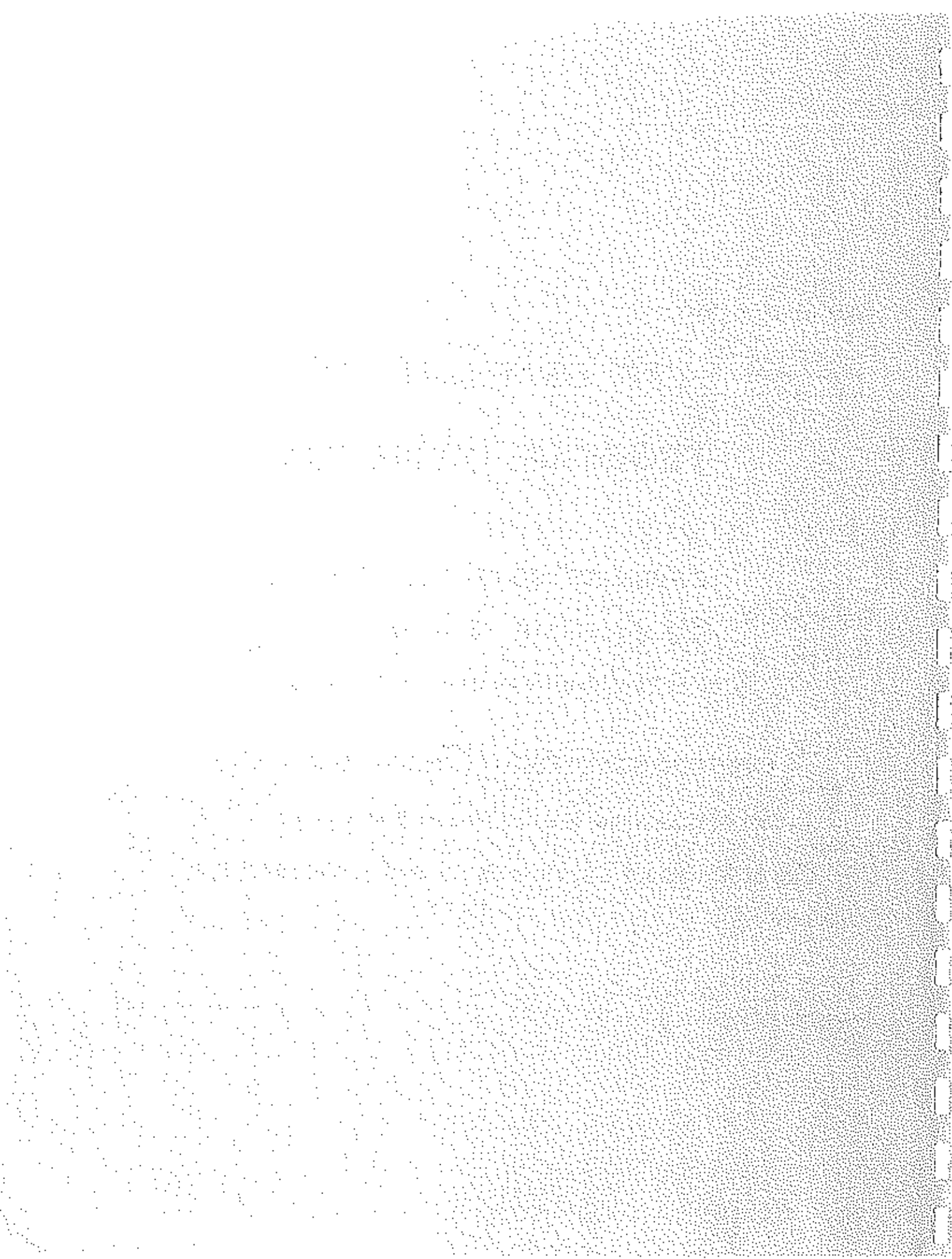
City of Wheatland, Mayor: Findings 1, 2.

City of Wheatland, City Council: Findings 1, 2.

COMMENTS REQUIRED ON RECOMMENDATIONS:

City of Wheatland, Mayor: Recommendations 1, 2, 3, 4.

City of Wheatland, City Council: Recommendations 1, 2, 3, 4.



**CITY OF WHEATLAND
FINANCIAL OPERATION**

REASON FOR INVESTIGATION:

In response to a citizen's complaint, the Grand Jury investigated the accounting procedures and possible malfeasance in office by members of the Wheatland City Council and administrative personnel involving misappropriation of funds and culpability for the City's financial shortfall. Investigation was conducted pursuant to Penal Code Chapter 3, Article 2, Section 925(a).

BACKGROUND:

Prior certified audit reports indicated significant deficiencies in design and/or operations of the internal control structure that could adversely affect the City of Wheatland's ability to record, process, summarize, and report financial data consistent with the assertions of management in general purpose financial statements.

SCOPE AND PROCEDURE:

The Grand Jury reviewed the accounting procedures of the City of Wheatland, including the annual audit reports of 1988-89, 1990-91, and 1992-93; and interviewed the Wheatland City Council and the current Certified Public Accountant.

DISCUSSION:

Interviews and audit reports indicated financial shortfalls beginning as far back as 1988-89, 1990-91, and 1992-93. Lack of proper accounting procedures, delayed audits, poorly-trained personnel, and reliance upon unsubstantiated financial reports resulted in a serious financial shortfall. Budgets were passed without sufficient financial data. The Grand Jury determined that all developer funds were identified, and all disbursements were traced to actual checks.

CONCLUSION:

It is the opinion of the Grand Jury that the City Council, sitting in a fiduciary capacity, has the ultimate responsibility to go beyond a cursory review of reports and advice in determining sound financial decisions; and therefore, it is culpable for the City's financial shortfall. It is felt that the issue of misappropriation has been resolved and proper steps have been taken through training to assure future accuracy of financial data.

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FINDINGS:

1. It is the opinion of the Grand Jury, that because of a serious lack of internal controls--aggravated by inadequate training of personnel in municipal accounting procedures--reliable financial data was not available to the City Council upon which to base sound financial decisions.
2. It is felt that the City Council may have relied too heavily on the advice of personnel regarding unrealistic revenue sources. The current Certified Public Accountant has taken the necessary steps to set up internal controls by training the Accounting Clerk to record data on the computer using the municipal accounting procedures. The Grand Jury has identified the developers' fund, and traced all disbursements to actual checks; thereby negating the malfeasance issue through misappropriation of funds.

RECOMMENDATIONS:

1. City of Wheatland City Council should follow procedures established by Certified Public Accountant.
2. The City Council should become more knowledgeable with regard to the financial operation of the City.
3. The City Council should request timely annual audits.
4. The City Council should continue ongoing cross-training programs for new City employees regarding accounting procedures.

COMMENTS REQUIRED ON FINDINGS:

City of Wheatland, Mayor: Findings 1, 2.

City of Wheatland, City Council: Findings 1, 2.

COMMENTS REQUIRED ON RECOMMENDATIONS:

City of Wheatland, Mayor: Recommendations 1, 2, 3, 4.

City of Wheatland, City Council: Recommendations 1, 2, 3, 4.

YUBA COUNTY BUILDING AND PLANNING MANAGEMENT AND PERSONNEL

COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors:
Findings 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13.

Yuba County Counsel: Finding 11.

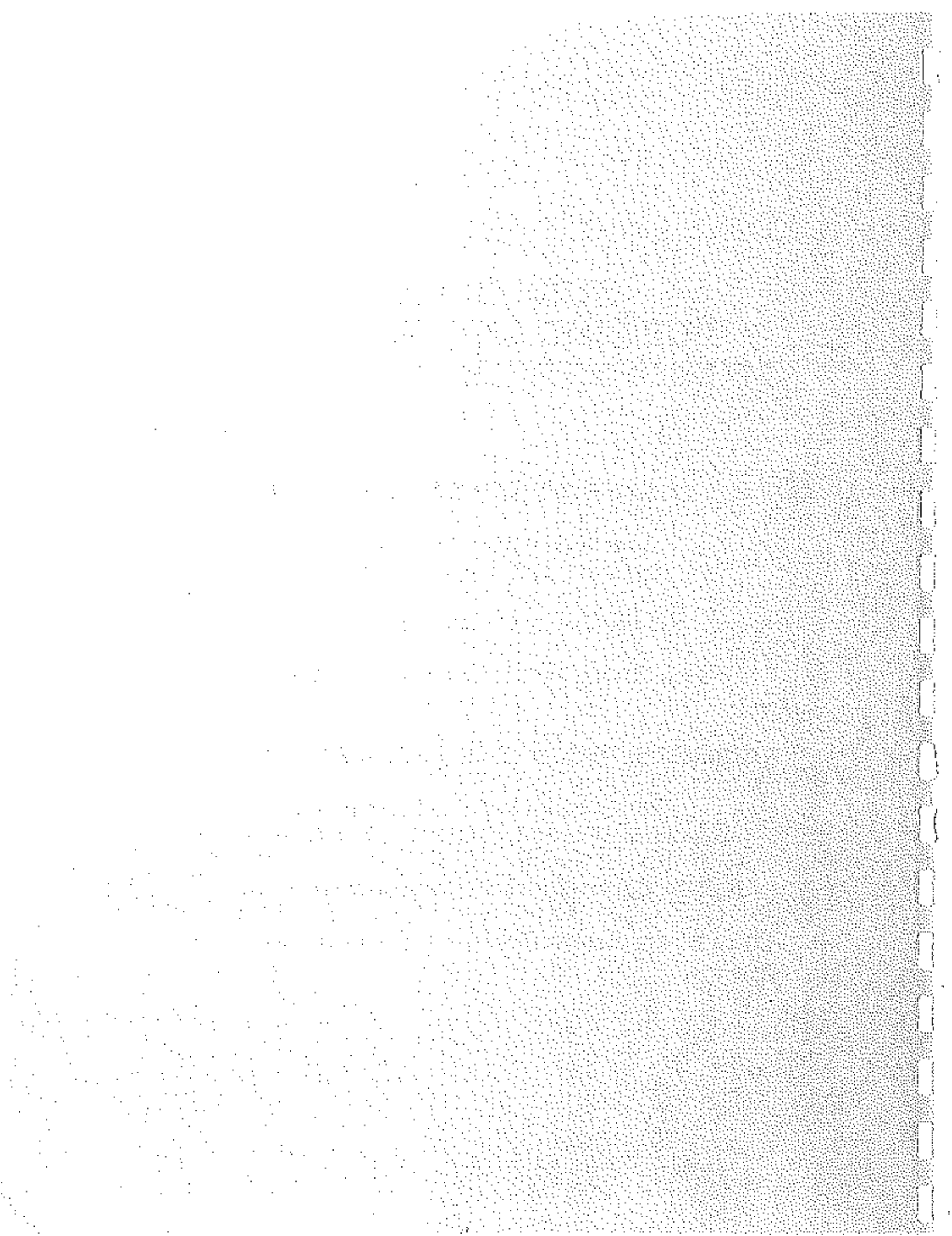
Yuba County Auditor/Controller: Finding 12.

COMMENTS REQUIRED ON RECOMMENDATIONS:

Yuba County Board of Supervisors:
Recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13.

Yuba County Counsel: Recommendation 11.

Yuba County Auditor/Controller: Recommendation 12.



**YUBA COUNTY BUILDING AND PLANNING
MANAGEMENT AND PERSONNEL**

REASON FOR INVESTIGATION:

Penal Code, Chapter 3, Article 2, Section 925, states:

"The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county.... The investigations may be conducted on some selective basis each year...."

BACKGROUND:

While conducting a routine investigation of the Building and Planning Department, numerous employee complaints surfaced concerning the operations, procedures, and supervisory techniques of Mr. Larry Brooks, Department Director, and Mr. Frank Ellis, Deputy Department Director. The management and supervisory staff has remained the same throughout the entire period of employee dissatisfaction. The employee complaints are directed at their supervisors and department manager. Budgets are always a factor in decision-making, and must be considered, since this is now a fee-supported department. An investigation was conducted in accordance with Penal Code, Chapter 3, Article 2, Section 925, and Chapter 3, Article 1, Section 914.1.

SCOPE:

The Grand Jury attempted to discover the root cause of the various employee complaints, as well as the effect on the department's efficiency, accuracy and morale.

PROCEDURE:

The Grand Jury's investigation was limited to Building and Planning Department's practices, policies and procedures, and their enforcement and interpretation by the Department Director, Mr. Brooks. Interviews with current employees and former employees, supervisors, and Mr. Brooks, were all included in the investigation. Travel and expense account records were also reviewed for the last three (3) years.

DISCUSSION:

The Grand Jury attempted to discover the cause of various complaints by employees of the Building and Planning Department. During the month of March, 1994, fourteen (14) employees of Building, Planning, and Code Enforcement were interviewed (Penal Code § 925). The employees consisted of secretaries, building inspectors, planners, plan checkers, office personnel, and management supervisory personnel. All questions asked were the same in scope and pertained to code enforcement, permits, office procedures, and supervisory skills.

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Eighty percent (80%) of all the employees interviewed stated that there was inadequate communication between the Building and Planning divisions, as well as with the Public Works and Environmental Health departments.

Extensive and comprehensive interviews with the department personnel revealed that a common complaint was the absence of information on code updates, changes, and interpretations. Although supervisors attend monthly meetings, very seldom is any new information--vital for accurate decision making--distributed to department personnel. Testimony received accurately places the blame, for any lack of uniformity in decisions or opinions rendered by personnel, on their supervisors' neglecting to perform this simple function.

A complete dissatisfaction with office procedures, failure to conduct regular staff meetings, and video games being played before and during office hours, were complaints emphatically stated by employees. When questioned on this matter, management denied that games were played during working hours, and advised that any playing of games had now been discontinued. However, subsequent interviews with employees revealed that games were still being played. As verified by testimony of personnel, their complaints regarding (1) tardiness and erratic work schedules of certain employees, (2) abuse of voluntary time off, and (3) favoritism shown by supervisors and managers towards certain staff members, are ignored by management.

Mr. Ellis stated in his testimony that he did not receive "comp time"; however, Mr. Brooks said that Mr. Ellis did receive "comp time" credit. This is another example of confusion within the department. Mr. Brooks also stated that "comp time" is not recorded, but administered on an "honor" system. Mr. Ellis said that he kept track of employee "comp time."

Testimony that Mr. Ellis was gone from the office most of the time was verified by travel records. Mr. Ellis spends half of his work days at meetings or in the field. Without any reports on file, it is difficult to reconcile that all of these trips are necessary.

An investigation into travel expenses revealed that Mr. Ellis traveled 18,773 miles over a three-year period, and attended approximately 100 meetings, receiving new and important information on behalf of the department. Of these 100 meetings, over half were to meetings of I.C.B.O. (International Conference of Building Officials) or related organizations, whose primary purpose is to keep building officials aware of code changes or amendments. During this same period of time, Mr. Brooks traveled 9500 miles to 28 meetings, also for educational and updating purposes.

By examination of the travel expense records and interviews with Mr. Brooks, it was determined that travel by department staff was left to their own option, without supervisorial review. In reviewing the rules and regulations established by the Board of Supervisors, we found possible violations of these rules in our examination of travel vouchers. Mr. Ellis' records revealed that he requested travel reimbursement when, in fact, he traveled with another person. Mr. Ellis stated that he paid this person one and one-half months later for the trip. We have not received verification of this transaction as of this date; however, this reveals how easy it is to abuse the present system. Mr. Manning, Deputy Planning Director, stated that he and Mr. Brooks had traveled together at various times to the same location. When Mr. Brooks was asked about these travel dates, he did not recall the occasions. The Grand Jury's investigation of the expense account records revealed that both Mr. Brooks and Mr. Manning applied for travel expense reimbursement to the same area on several occasions. Rules and procedures regarding accurate accounting for time and expenses for any governmental department should be in place to guarantee to the public that monies spent by governmental bodies are spent for the good of the county and, thereby, the citizens of that county. The

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placement of strict rules and regulations should not be considered to reflect upon the honesty of the employees of the county at any future time. The 1994 Administrative Procedures Handbook, Section 3.2.c states the rules for county travel:

"When attending overnight meetings, conferences and seminars, a written report needs to be submitted to the County Administrator with the following ... detail issues pertinent to the travel and what was learned."

This is not being followed or enforced.

Members of Code Enforcement stated that they were inadequately staffed for the amount of complaints that arise. The time involved, from beginning to end, on a complaint can take years if hearings and abatement procedures are involved. From complaints received by this Grand Jury, it should be noted that Code Enforcement does not appear to be immune to political and supervisory pressure. Some cases are prosecuted to the maximum, while other similar cases are ignored. The Senior Code Enforcement Officer seems to take a personal interest in a case and ensures that it receives fair and impartial treatment; whereas, according to witnesses, the Assistant Code Enforcement Officer, John Rohrbach, has been verbally abusive. Any county employee with an abusive manner or attitude should not be tolerated by supervisors.

Management's attitude toward both the public and the department's employees is not conducive to good will in the community. On several occasions, personnel have been severely criticized in public about their work and their decisions. Citizens have made complaints that Mr. Brooks thinks that he is not accountable to anyone, which is revealed in his attitude and manner in public.

Mr. Ellis, Mr. Brooks, and a member of the Board of Supervisors have directed personnel to not enforce state and county codes in certain cases. These violations concerned fire, safety and health hazards, and vehicle abatement as per testimony under oath received by this Grand Jury. We recognize the fact that an elected official has to represent his/her constituency; however, in these cases "representation" was carried to the extreme. Some of the excuses used by the supervisors for their decisions were: "fear of costly litigation" (Mr. Brooks), "too expensive for builders" (Mr. Ellis), and "consideration should be given to the foothills residents with special interpretations of the codes" (John Mistler). These examples were discovered through testimony obtained from witnesses during our investigation and were verified by other witnesses. Mr. Brooks denied under oath that he had at any time directed that the county and state codes not be followed; yet, in a subsequent statement said that if litigation is threatened by a violator, he did not proceed with the issue. It is not the law, but the cost, that determines if codes are to be enforced. The Grand Jury believes that Mr. Brooks has not performed his official duties as prescribed by the Board of Supervisors in view of his poor performance in supervising his department, enforcing compliance with codes and regulations, neglecting to keep proper and complete records, withholding of records and complaints from the Grand Jury, and using his official power in an oppressive manner.

CONCLUSION:

The Grand Jury realizes that there will always be dissatisfied employees; however, the present management has declined to recognize and/or address any employee grievances. Personnel will accept criticism, but not verbal abuse or harassment. Employees stated that they would prefer a stronger office structure as long as equity and fairness were maintained. Supervisors have caused most problems by not keeping employees well-informed of code changes. Management also has failed to support inspectors and failed to pursue violations reported by them. Public complaints to the Grand Jury have all included strong resentment of the

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manner in which any comments or criticism about the Building Department are received by management. Any criticism or question on policy or procedure is met with a sharp rebuke. The Grand Jury can only conclude that the present Director and Deputy Director of the Building and Planning Department lack essential skills in management and public relations.

FINDINGS:

1. The Building and Planning Department Director, Mr. Larry Brooks, does not adhere to policy and procedures as directed by the Board of Supervisors.
2. The Building and Planning Department Deputy Director, Mr. Frank Ellis, does not have the management skills, supervisory techniques, nor the ability, to enforce necessary regulations with firmness and tact.
3. Assistant Code Enforcement Officer John Rohrbach's manner and attitude is not conducive to maintaining a harmonious relationship with the general public.
4. There is neither office structure, nor regular staff meetings.
5. Mr. Ellis is absent from the office approximately half of his time.
6. Reports to employees regarding state and county meetings attended by management are non-existent and/or incomplete.
7. Employees are playing video games before, during, and after work hours.
8. Supervision of employee work hours is not properly maintained.
9. Communication with departmental sections and other departments needs improvement.
10. County Supervisor John Mistler, Mr. Brooks, and Mr. Ellis, have directed personnel to ignore state and county codes in specific cases.
11. Certain violations have been ignored because of fear of costly litigation.
12. Mr. Brooks, Mr. Ellis, and Mr. Manning do not completely validate travel expenses in their personal vehicles.
13. Mr. Ellis and Mr. Brooks have harassed departmental personnel in public.

RECOMMENDATIONS:

1. The Grand Jury recommends that the Yuba County Board of Supervisors replace the present Director of Building and Planning, Mr. Larry Brooks, with someone more skilled in public relations; and in planning, coordinating, and supervising the department; and in pursuing the policies and ordinances prescribed by the Board of Supervisors for the good of the County and its citizens.

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2. The Deputy Director of Building, Mr. Frank Ellis, should be replaced with someone who has more knowledge of management and supervisory techniques, and the ability to enforce necessary regulations with firmness and tact.
3. The Assistant Code Enforcement Officer, Mr. John Rohrbach, should be replaced by someone who possesses the ability to develop and maintain harmonious relationships with other County agencies, County personnel, and the general public.
4. Weekly staff meetings should be held with all personnel. An independent grievance committee, and/or suggestion box, would also be helpful in resolving employee complaints.
5. The Deputy Director of the department should delegate some of his field duties and inspections to others so that he would have more office time available, as there are qualified personnel in the department. Additionally, some of the field trips and meetings presently attended could possibly be eliminated to reduce budget pressures.
6. Information received at management meetings regarding code changes or interpretations should be communicated to personnel concerned at the next regular staff meeting.
7. All video games should be removed from County computers.
8. If Recommendation No. 3 is followed, the Deputy Director will be able to properly supervise office staff with more office time available to him.
9. Staff meetings will also aid in improving communication between divisions of the department, as well as with other departments.
10. Procedures should be established to prevent any attempt to avoid or contravene state and county codes for any reason. These procedures should include that an entry be made in the appropriate file explaining the mitigating circumstances.
11. All cases of potential litigation should be referred to County Counsel for review and recommendation.
12. The County Auditor should develop a more comprehensive travel reporting form requiring detailed information on need for travel, whom contacted, job or permit numbers, and a written report regarding all seminars attended.
13. Any criticism of an employee should always be conducted in private and in a constructive manner.

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COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors: Findings 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13.

Yuba County Counsel: Finding 11.

Yuba County Auditor/Controller: Finding 12.

COMMENTS REQUIRED ON RECOMMENDATIONS:

Yuba County Board of Supervisors: Recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13.

Yuba County Counsel: Recommendation 11.

Yuba County Auditor/Controller: Recommendation 12.

**YUBA COUNTY
BUILDING AND PLANNING
DEPARTMENT
LAND USE ISSUES**

COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors:
Findings 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.

Yuba County Tax Assessor: Finding 9.

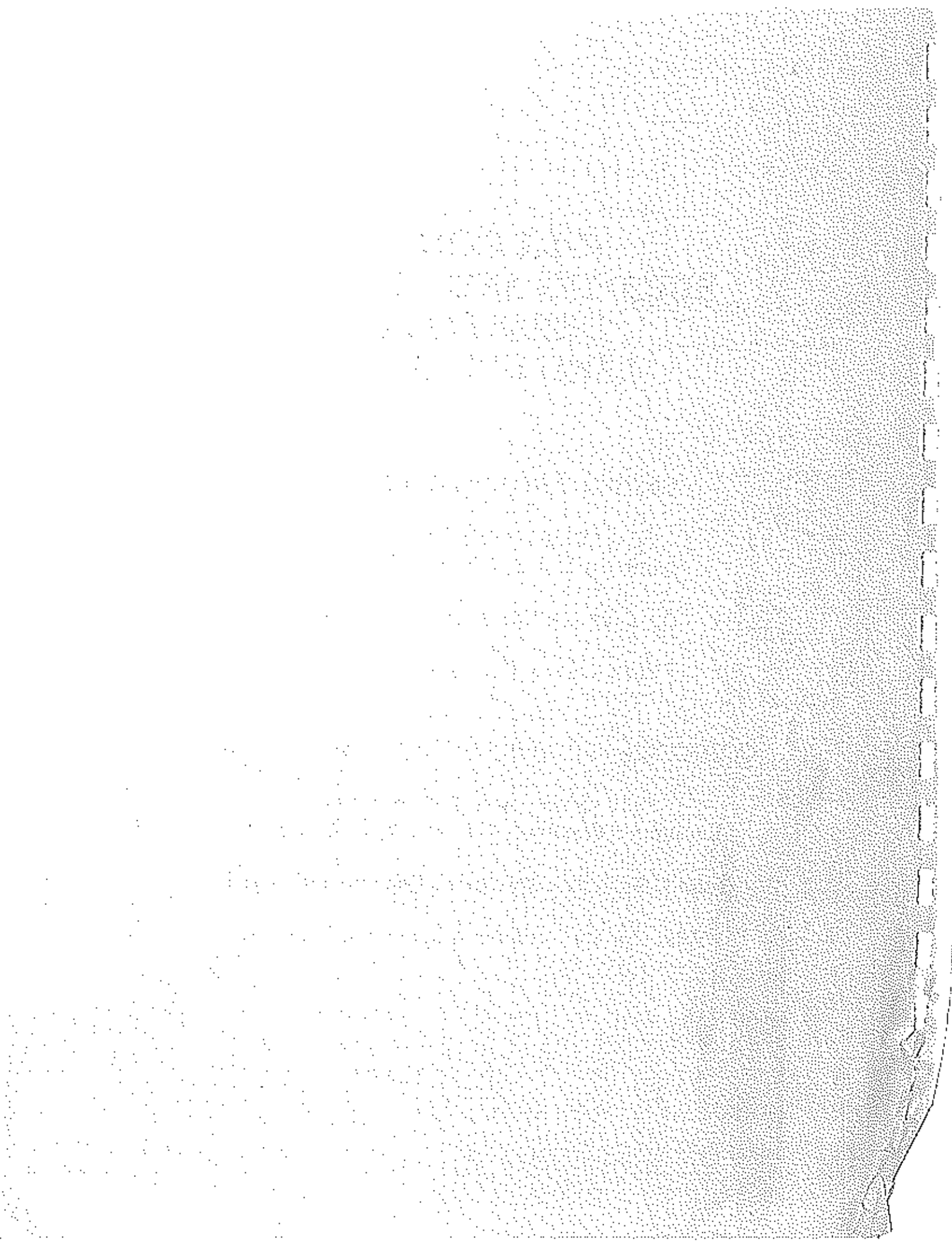
Yuba County Counsel: Finding 12.

COMMENTS REQUIRED ON RECOMMENDATIONS:

Yuba County Board of Supervisors:
Recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.

Yuba County Tax Assessor: Recommendation 9.

Yuba County Counsel: Recommendation 12.



**YUBA COUNTY BUILDING AND PLANNING DEPARTMENT
LAND USE ISSUES**

REASON FOR INVESTIGATION:

Penal Code, Chapter 3, Article 2, Section 925, states:

"The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county.... The investigations may be conducted on some selective basis each year..."

BACKGROUND:

This Department has experienced growing pains, especially over the last 10 years. New systems and procedures for issuing and tracking permits, filing reports and records, and code enforcement have been initiated. Unfortunately, some items have been set aside or not considered important enough in this updating process. A thorough, detailed investigation, from permit application to final inspection and tax assessment, reveals those items and their importance to existing and non-existing County procedures and policies and loss of revenue therefrom.

SCOPE:

The Grand Jury did not limit its investigation to determining, if possible, the validity and accuracy of citizens' complaints. The Grand Jury endeavored to discover the magnitude of violations and the effect on the communities concerned within the County.

PROCEDURE:

1. A random selection of 150 permit files from different areas of Yuba County was reviewed for accuracy and completeness of information.
2. A field survey of all 150 selected files was made and compared to the files.
3. Attempts were made to review the complaint process and records.
4. Interviews were conducted with building contractors, County building inspectors, C.D.F. personnel, members of volunteer fire departments, and concerned citizens.
5. Interviews were conducted with County planners regarding zoning compliance, conditional use permits, and temporary use permits.
6. Studies were conducted regarding the follow-up procedure for expired and non-finaled permits.
7. Code enforcement procedures were reviewed.

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DISCUSSION:

An investigation of the Yuba County Building and Planning Department began with a random selection of permit files. One hundred (100) files were selected from the foothill areas of Oregon House and Dobbins. The Grand Jury was informed by the Department Director that this was the area with the most problems. This selection included parcels from as broad and varied a representation as possible. Twenty-five (25) permits were selected from the Loma Rica area and another 25 from the Linda/Olivehurst area. Of the first 100 foothill permits, only 50 were retained after the on-site review; the other 50 were eliminated because of locked gates, inability to locate, or permits being too recent to process to give balance to our survey findings.

The Grand Jury reviewed these permit files for accuracy, continuity, completeness, and for all other pertinent data that could be obtained; such as, who inspected and when, and what letters were sent and by whom. The Grand Jury then made an on-site inspection. They began a two-month long review of all parcels, recording actual buildings and improvements on each. Access roads, fire hazards, water supplies, and all code violations were noted. These reports were then compared and collated by the Grand Jury. The results from this six-month long survey are as follows:

<u>AREA</u>	<u>PERMITS</u>	<u>VIOLATIONS</u>
Foothills	50	25
Loma Rica	25	0
Linda/Olivehurst	25	1
Total	100	26

We believe that a sample of 100 permits of the several thousand (est. 20,000) on file is representative; after all, nationwide samplings are conducted with a fraction of a percentage of the population and are considered accurate. There are approximately 25,000 improved lots within the County at this time. The Grand Jury acknowledges that some of the violations discovered have existed for many years; however, we believe these violations have contributed to the ongoing problems. The Grand Jury feels that these representative-sample results indicate the very real problem that exists, as well as the potential for greater problems in the future. The violations discovered are broken down into the following categories:

1. Conversion of shed or garage to residence (no permit) 5
2. Connect residence or building to agricultural or pump power 2
3. Portable propane tanks installed against structures 1
4. Building without permit or cancelled permit 2
5. More residences than allowed per 8-acre zone A/RR 4
6. Buildings ordered abated still standing 2
7. Excessive septic system connections per permit 2
8. No final or expired permit 8

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County tax revenue and Building Department fee losses are substantial when you consider this representative sample as approximately .5% of the total permitted parcels. Neither the 25% overall violations nor the 80% in the foothill area surprised the building inspectors. These violations have amounted to thousands, or perhaps hundreds of thousands, of dollars of lost revenue over the past years. An extreme estimate of loss, based on the 25% figure, could even be projected into millions of dollars. We offer the following estimates for your information and consideration: (Fees are from Yuba County Ordinance 1137 amending Title 13, as presented by the Building Department. The Grand Jury considered the following fees in our examples: permit, plan check, inspection, electrical, plumbing, septic, and school.)

1.	Loss of fees due to illegal conversions (average 1500 sq.ft.)	\$1,000 and up
2.	Loss of fees for illegal electrical connections	\$75 and up
3.	Propane safety and fire hazard	No estimate
4.	Fee loss on 1500 sq.ft. average home	\$7-8,000 per
5.	Fee loss on 1000 sq.ft. average residence	\$3,000 and up
6.	Fire and safety hazard	No estimate
7.	Health hazard (inadequate septic system)	\$200 and up
8.	Incorrect assessment on expired or non-finaled permits	\$1,000 and up

Based on information received from the Building and Planning Department, the Grand Jury discovered that the staff does not review, track, or follow-up on expired or non-finaled permits. One or two letters of notification are sent to a permittee in most cases, and if no response is received, the permit packet is filed. The permit violations we reviewed all involved completed residences, occupied without benefit of a final inspection. The department is most lenient on extensions and renewals if a permittee contacts them. Only permits that have been finaled are sent to the Tax Assessor for inclusion on the County tax role, according to Building Department personnel. However, information received from the Assessor's Office revealed that they assess from the permit application initially, and then reassess when they receive notice of completion from the Building Department.

The Assessor's Office found, when installing their new computer system, that the Building Department's records were incomplete and inaccurate as recently as two years ago. It appears that the Assessor's Office is doing much of the Building Department's work. Better communication and organization between these two departments would certainly resolve some of the problems. Approximately 30% of violations discovered by the Grand Jury are of this type. The Building Department's inaccurate and incomplete procedures could potentially amount to large revenue losses to the County.

The Department Director stated:

*As a practical matter, inspection of structures against property records as a means of avoiding zoning/code violations is counter-productive use of limited staff resources; resources currently employed to conduct progress inspections and to act on complaints.

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It should be noted safeguards are built into the system to prevent violations. These include monitoring of permit expiration dates, periodic appraisal of structures during construction, progress and final inspections, and final appraisal."

(See 1989-90 Building Department response to Grand Jury Final Report.)

We question the value of the so-called "safeguards." According to testimony, there is no monitoring of permits other than as noted above. The inspectors, having more available time with the economic slowdown and fewer permit applications, could review files on a systematic basis. Inspectors have been directed by supervisors not to report possible code violations, and violations that have been reported are ignored. We even discovered some structures, that had been "red tagged" and ordered torn down, still standing and in use, with no new permits having been issued.

As for the Department Director's statement about inspectors utilizing their time better by acting on complaints, the Grand Jury could not find any evidence of a complaint file or procedure for taking action on complaints filed with the Building Department. The Grand Jury was even in possession of several citizens' complaints that had been made to the Building Department, yet we could not find any record of these in the proper files. The Grand Jury understands that some system is now being initiated, probably because of our investigation.

Additionally, the Grand Jury was advised by personnel that the Department Director had instructed them not to give the Grand Jury any information about complaints, as that was confidential information. In a letter dated April 6, 1994, the Department Director states that any information or requests for files by the Grand Jury must be made in writing to him. He also states that any inquiries of his office or its staff should be directed to him. The Grand Jury agrees that complaint information and names should be kept confidential from "the public", but not the Grand Jury.

Penal Code Section 921 states, "The grand jury is entitled to free access, at all reasonable times, ... to the examination, without charge, of all public records within the county." Penal Code Section 925 states, "The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county..." Penal Code Section 928 states, "Every grand jury may investigate and report upon the needs of all county officers in the county, including the abolition or creation of offices and the equipment for, or the method of system of performing the duties of, the several offices."

In our view, the Department Director has clearly obstructed the Grand Jury from performing its duties by assuming powers he does not have. If the Department Director acted on the advice of County Counsel, County Counsel's opinion needs clarification and/or review by the State Attorney General. If this opinion is upheld, then the Charge to the Grand Jury is completely abrogated (Article I, Section 914.1).

Over the last three budget years, the Building and Planning Department budgeted from 30-40% of the Building Division's total travel budget for personal travel. In the Planning Division, 50-75% was budgeted for personal travel. Due to the seemingly excessive amount of travel by some supervisors, a more stringent determination that the travel is necessary for the best interest of the County needs to be established and enforced (Yuba County Handbook and Memorandum dated March 23, 1993, address this problem). A possible savings in monies from this category could be applied to Code Enforcement needs.

The procedures and policies established for Code Enforcement are very thorough and complete. The Senior Code Enforcement Officer should be complimented for the system he has initiated and implemented. Code Enforcement is working full-time with their limited staff, yet getting further behind every day. From

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beginning to end, the abatement procedure and related hearings can take one year or more to resolve. When Code Enforcement began, 5% of complaints were reported by citizens, as compared to 85% now, due to community's awareness of the program. At the same time, the percentage of violations reported by building inspectors fell from 95% to 5%, due to the Building Department's failure to pursue and enforce regulations.

Concerning Temporary Use Permit (TUP) violations, Zoning Ordinance Title XII, Chapters 12.105.01 to 12.105.040 define "Temporary Uses" for additional residences. Fifteen percent (15%) of the violations found in our survey are of this type. According to the Planning Department, the staff does not track or review TUP's in any way. The initial TUP fee is \$310 according to the County fee schedule, and the permit is good for two years, renewable upon application. If renewals are charged the same or even 50% of the original fee, as other renewals are, this would generate substantial revenue for the Building and Planning Department. From testimony received, the Grand Jury learned that Conditional Use Permits are not reviewed on a regular basis, nor are violations enforced.

Spontaneous interviews were conducted with contractors encountered during the site field survey. These contractors wish to retain their anonymity for fear of retaliation from Building Department personnel and inspectors. Although most had praise for the performance of individual inspectors and counter personnel, they stated that a lack of uniformity in decision making on both construction and plans cost them money and time. Builders stated that they would receive one ruling from one inspector, another from a second, and then a third opinion from the office supervisor.

Another major complaint concerned the Building Department's failure and inability to control illegal building, resulting in unfair business competition. Builders stated that they quit reporting violations because no action was being taken. County budget constraints are blamed for the lack of enforcement in many cases, but this situation does give those persons who obey all the county regulations and obtain all the necessary permits and pay all the fees, the impression that certain persons or organizations in the area are given special treatment by the Building Department. It also adds to the extent of the problem as word spreads that codes are not being enforced.

The school capital assessment has had a profound impact on new construction. The fees involved, before construction can start, encourage illegal building because violators do not fear being caught and fined. A fine of double the fee is not enough to discourage violators. Foothill contractors stated that the "foothill rule" is to build what you want because you will not be caught; and if you are caught, pay the fine and do it again.

It is a general practice, for those intent on violating the building codes, to make a permit application for a minimum structure, i.e., basic garage or shop with no electricity or plumbing. A permit is then taken out for an agricultural pump, and this is connected to the garage. Next, plumbing is installed and connected to existing septic system, without benefit of inspection or permit, and now you have a residence to move into. Over time, this structure is added to and expanded into a full-sized home, and the only fee paid was on a minimum appraisal. Thirty (30) out of fifty (50) sites reviewed in the foothills fell into the above sequence of events. In some cases, Building Department fees for remodeling existing structures were based on inaccurate appraisals submitted by owners and not questioned by department personnel.

On January 24, 1994, it was discovered that Planning had prepared pre-approval documents for a lot split in the foothills the day before a public hearing (January 25, 1994) was scheduled. This was brought to the Grand Jury's attention by concerned citizens in opposition to the lot split. Grand Jury members, identified as such, attended this hearing to observe how it would be presented. When the citizens brought up the

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subject of the parcel split being pre-approved and complained that the parcel already had too many structures on a portion of it, the planner who was conducting the hearing became very upset. He denied the tentative "approval" at that time and stated that he did not have the most recent plot map, and further stated that his approval was based on previously submitted map which was provided to him in error. The planner explained the procedures necessary for a lot split to the Grand Jury, but could not fully reconcile this error. At a subsequent hearing not attended by Grand Jurors but by the Department Director and friends and supporters of the application, tentative approval was granted conditioned upon County code requirements being met and new plot maps being submitted. This error would not have been discovered if citizens and the Grand Jury were not alert. A simple on-site inspection by Planning Department personnel would avoid these errors.

CONCLUSIONS:

The Grand Jury can only conclude that the duties and responsibilities of the Building and Planning Department personnel have been impeded by the inability of the Director and Deputy Director to provide proper and complete procedures and supervision. As was noted, Board of Supervisors and County Administrator have made ordinances and sent memos that are not being followed. This has resulted in a divided community, and citizens unsure of the Building Department's current position on building and planning requirements. When neighbors receive different treatment and varied opinions, and they observe others building without proper permits, they tend to take this same path, knowing that they probably will not be caught or fined. The Building Department needs leadership, direction, improvement of public relations, and stability and uniformity of procedures and policies, all sorely lacking under the present director.

FINDINGS:

All findings have been validated by current documentation and/or interviews conducted by no less than two members of the Grand Jury as required by Penal Code Section 916.

1. Building permits that expire due to no action for 12 months are not tracked.
2. Temporary Use Permits and Conditional Use Permits are not reviewed or monitored.
3. There is no organized system of processing complaints from citizens or reporting any action taken.
4. Building contractors complain about inconsistent decisions regarding building requirements.
5. Building code violations which are reported are ignored. Inspectors do not report building code violations they observe while in the field. Many citizens have built illegally because of lack of enforcement by the Building Department.
6. A member of the Board of Supervisors and the department supervisors have directed personnel to ignore county and state codes in some specific cases.
7. No on-site inspections are made before approval of plans or lot splits. In one case involving a lot split application discovered by the Grand Jury, pre-approval documents were prepared before the public hearing was held.

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8. Fire department officials are dissatisfied with Building and Planning Department's lack of enforcement in the foothills area of the County. Potential fire and safety hazard exists in the foothills.
9. The County Tax Assessor is not made aware of illegal buildings and, therefore, such buildings are not properly assessed.
10. Code Enforcement Division is inadequately staffed for the volume of reports.
11. The Department Director's failure to cooperate with the Grand Jury hindered the Grand Jury's investigation.
12. County Counsel's legal opinion to the Building Department Director regarding screening files before permitting access to them by the Grand Jury is in total contradiction to Penal Code Sections 921 and 925.

RECOMMENDATIONS:

Penal Code Section 916 states, in part: "...all problems identified in a final report are accompanied by suggested means for their resolution, including financial, when applicable."

1. One person should be assigned the responsibility of tracking all expired and non-fialed permits. If no response to the notices is received, an inspector should be sent to building site to expedite permit renewal or begin procedures for abatement, unless circumstances warrant mitigation. Renewal fees and the increase of county taxes, with accurate assessments, should more than pay for the additional time and expense involved.
2. The same person assigned for Recommendation No. 1 could also review and monitor Temporary Use Permits. All expired or non-renewed permits should be enforced as per Chapter 12.105, Title XII, of the Yuba County Zoning Ordinance. A renewal fee of \$155 (50% of original), based on an estimated five-hundred (500) Temporary Use Permits issued, would generate \$77,500 for the department's budget every two years. This would be in addition to any time charge for renewal.
3. An organized and numbered system for processing complaints should be initiated. Wherever possible, notification of action taken should be sent to complainant.
4. During staff meetings, special emphasis should be given to dispensing information that would promote better uniformity in departmental decisions. Whenever a questionable situation arises, inspectors should ask for a ruling from their supervisor, if requested by contractor.
5. All County building code violations should be addressed equally, regardless of location within the County. The Deputy Director should dispatch appropriate personnel in response to all reports, whether they originated from citizens or building inspectors. A proposed "violation amnesty" might bring a large percentage of infractions to the Department to be inspected and permitted at regular fee rate (with no penalties). Current penalties of double fees are not a sufficient deterrent to illegal construction. A higher percentage should be considered (triple or quadruple).

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6. All state and county codes should be enforced equally, not by arbitrary interpretations to accommodate special groups or areas. This can be done, at no cost, with procedures and policies being followed by the district supervisor and the Department Director.
7. A short, on-site inspection by an inspector in the field would aid in eliminating plot map errors; this would not be a large cost and could be included in application fees for time charged. This inspection would be viewed by applicant as a means of expediting his plans by eliminating loss of time and money due to unforeseen or overlooked errors and would create good public relations.
8. An improved plan of coordination with fire departments and C.D.F. officers to keep them abreast of ongoing plans could be implemented, including periodic meetings with these departments. Such personnel could even be invited to some of the Planning Department's staff meetings whenever pertinent information will be presented.
9. Since Proposition 13 was approved, property appraisals are not made as often. This allows many properties to remain off the County tax roles for some time unless the Building Department reports all permits to the Assessor's Office because, according to testimony, the tax assessment is not adjusted to true value until a Certificate of Completion is issued and reported to the Tax Assessor. In the absence of a final report, up to one year could elapse before an accurate assessment could be levied. The County could realize \$800 to \$1000 per permit in increased revenue, depending upon the elapsed time.
10. The County budget for the Building Department has one secretarial position unfilled. The position should be placed in the Code Enforcement Division, relieving officers of some of the paperwork for field duty.
11. The Building Department Director should be admonished by the Board of Supervisors to comply with Penal Code Sections 921 and 925.
12. County Counsel should validate his source for the opinion given to the Building Department Director regarding restricting the County records and files from the Grand Jury.

COMMENTS:

The staff and departmental personnel of both the Auditor's and Assessor's offices were very helpful and courteous in assisting the Grand Jury in our research. They are to be commended for their efficiency and diligence and the cooperative attitude expressed by the personnel toward the Grand Jury.

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COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors: Findings 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.

Yuba County Tax Assessor: Finding 9.

Yuba County Counsel: Finding 12.

COMMENTS REQUIRED ON RECOMMENDATIONS:

Yuba County Board of Supervisors: Recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.

Yuba County Tax Assessor: Recommendation 9.

Yuba County Counsel: Recommendation 12.

1. The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation

$$f(x) = \int_0^x \frac{1}{1+t^2} dt$$

and to the study of the properties of the function $F(x)$ defined by the equation

$$F(x) = \int_0^x \frac{1}{1+t^2} dt$$

and to the study of the properties of the function $G(x)$ defined by the equation

$$G(x) = \int_0^x \frac{1}{1+t^2} dt$$

and to the study of the properties of the function $H(x)$ defined by the equation

$$H(x) = \int_0^x \frac{1}{1+t^2} dt$$

and to the study of the properties of the function $I(x)$ defined by the equation



CITY OF MARYSVILLE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

COMMENTS REQUIRED ON FINDINGS:

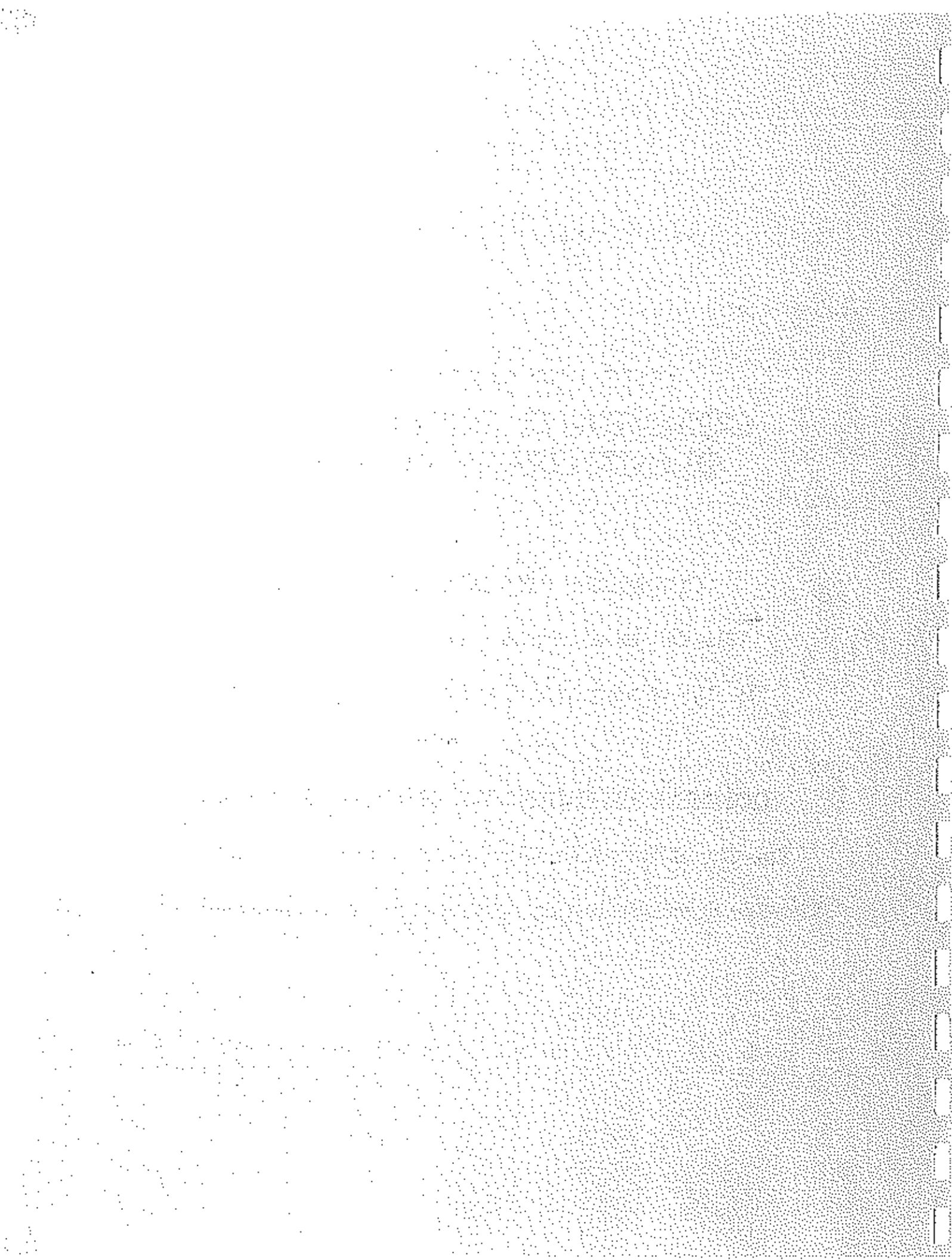
The City of Marysville, City Council: Finding 1.

The City of Marysville, City Administrator: Finding 1.

COMMENTS REQUIRED ON RECOMMENDATIONS:

The City of Marysville, City Council: Recommendation 1.

The City of Marysville, City Administrator: Recommendation 1.



**CITY OF MARYSVILLE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

REASON FOR INVESTIGATION:

The purpose of the inquiry was to (1) identify the goals of the program, how these goals are implemented, what areas are selected as target areas, who makes these selections, types of structures accepted under the program and what constitutes rehabilitation, and to determine what qualifications an applicant must meet to participate in the program; (2) to follow the flow of funds from their inception through disbursement and their ultimate recapture; and to determine the various types of loans and amounts available and the process used to select participants in the program, pursuant to Section 923(a) of the California Penal Code.

BACKGROUND:

The Department of Housing and Urban Development and the State of California allocate funds to rehabilitate distressed and low-income areas. Applications are accepted annually from municipalities until the funds are exhausted. Any remaining unused funds are returned to the State to be allocated to another municipality. If available, funds from other sources may be used to complement this program.

SCOPE:

The Grand Jury analyzed data related to the above subject covering detailed flow of funds, targeted areas, groups of people, and direct recycling of the funds.

PROCEDURES:

The City of Marysville's Finance Manager was interviewed, as she works in partnership with the Consultant in the program management, and the Grand Jury was supplied with pertinent data necessary to complete this report.

DISCUSSION:

The City of Marysville has the highest concentration of lower income households and very low income households in the Yuba-Sutter Counties region (see Appendix 1). Although housing costs are lower in Marysville, the lower level of income in the City forces a substantial percentage of households to devote more than 30% of their income for housing expenses. Over 28% of all households, and nearly 50% of all renters, pay in excess of 30% of their incomes for housing.

The combination of low income and larger family sizes (a 35% increase between 1988 and 1990) has resulted in a doubling of overcrowded households (from 125 to 284). Most overcrowded households are renters.

The most serious housing need for the City of Marysville is to improve and preserve the existing stock of affordable housing. The City has relatively little vacant land for new development and over the next several years, will concentrate on preserving the existing stock of housing.

Approximately 43% of the City's housing stock is over 40 years old, and serious housing deficiencies are evident in most of the older homes as they are occupied by lower income households. According to the City's Housing Element, thirty-four percent (34%) of the housing is in the City's oldest neighborhoods, and 21% of the dwelling units citywide are in need of rehabilitation.

The private economic base of Marysville consists of commercial establishments within the historic downtown area serving local residents, several small industries serving the regional economy, and high-commercial use catering to travelers. Local residents are employed in industries that are traditionally associated with "low-income" jobs. As the county seat, Marysville has a large percentage of governmental jobs as well. Economic opportunities for local residents and their children are limited by the lack of larger employment base.

Many of the buildings in the City's historic downtown require rehabilitation and interior modernization to continue to service the area's business needs.

Marysville's most important economic development needs are (1) to improve the existing historic downtown so that it can continue to function as a commercial center for the community, (2) to upgrade and expand the City's public facilities, and (3) to attract additional businesses to serve a larger population than the City.

To complete the necessary surveys required to install the programs, the City contracted with a housing rehabilitation specialist to work in partnership with the City's Finance Manager. The Consultant will administer the program and will be responsible for all facets of its administration, including the selection of targeted areas and groups of people (see Appendices 2, 3 and 3A). Other responsibilities will include marketing and outreach to potential applicants; credit, income and employment verification; preparation of documents for needed clearances prior to the draw down of funds; preparation of interested contractors list; coordination of servicing agreements with escrow and title companies; submissions of recommendations to loan committee; all walk-through inspections and preparation of work write-ups; and approval of contractor work and payment authorization preparation of progress, performance, and financial reports.

The City's responsibility for program management will include loan review and approval; submission of PAR's and other status reports; oversight of Consultant activities; assisting the Consultant in addressing the requirements of various City agencies; and inspecting rehabilitation work for compliance with building permit requirements and conditions.

To increase the effectiveness of the program, the City is making use of other complimentary sources of funding, such as, local Weatherization Program Services, and Department of Social Services Special Circumstances grants.

Inspections were conducted of dwelling units that represent the range of typical housing problems in the City. Work write-ups were then prepared to provide examples of the cost for "Minor", "Moderate" and "Substantial" rehabilitation. The City will rehabilitate 25 dwelling units under the proposed program.

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The goals of the City housing rehabilitation program are:

1. To correct health and safety hazards in deteriorated housing throughout the County;
2. To maintain rehabilitated housing for an extended period of time;
3. To preserve the affordability of rehabilitated housing for low-income households; and
4. To recycle CDBG funds indefinitely and to the greatest extent possible, consistent with the above three goals, with the funds available.

The City has identified and intends to make the fullest possible use of other funding sources that are available to compliment the CDBG program. These include:

1. Weatherization and energy efficient repair services from the Rural Opportunity Resources Center, Inc., which can provide a wide variety of home repair needs related to energy efficiency including insulation, replacement of appliances, window repair and replacement, plumbing repair and insulation, water heater replacement, foundation repair, HVAC system repairs or replacement, roof repairs, floor and subfloor repairs or replacement, weatherstripping, and electrical system improvements. It is estimated that the program will be able to use \$3500 in weatherization services.
2. Special Circumstances Grants from the California Department of Social Services (maximum per household is \$750). The City estimated that two grants will be made for up to \$1500.
3. The Marysville Redevelopment Agency will commit \$10,000 from its Tax Increment Housing Set-Aside Fund.

The City will evaluate the eligibility of each CDBG applicant to use one or more other programs. In cases where part or all of the proposed rehabilitation is an eligible activity under an alternative program and the application is eligible to receive assistance under one of the other programs, the City will assist the applicant in requesting assistance from these other sources. First use of these alternate resources will be the City's policy before CDBG funds are considered.

The following is a breakdown of funds, their sources, and ultimate expenditure from the program:

The loan pool available for rehabilitation is estimated as follows:

Housing Rehab Activity Budget		\$277,680
Program Administration		
(\$2,405 per loan X 15 loans)	\$36,075	
Less Escrow and Closing Costs		
(\$400 per loan X 6 loans)	<u>2,400</u>	<u>(38,475)</u>
CDBG Loan Pool		\$239,205
Other Contributions:		
Special Circumstances Grants	\$ 1,500	
Weatherization	3,500	
Redevelopment Agency	<u>10,000</u>	<u>15,000</u>
Total Loan Pool		\$254,205

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Breakdown of loans to be originated by this program is expected to be as follows:

6 Minor Rehabilitations (@ \$8,700 per average job)	\$ 52,200
4 Moderate Rehabilitations (@ \$17,500 per average job)	70,000
5 Substantial Rehabilitations (@ \$26,800 per average job)	<u>132,500</u>
Total	\$354,700*

*Difference is due to rounding.

The average estimated rehabilitation cost for each category is based on the historical costs of rehabilitated property in similar locations in the County and the work write-up included in the application.

The proposed program attempts to balance the goals of addressing the City's most serious rehabilitation needs and repairing as many dwelling units as possible with the limited funds available. The intent of this strategy is to encourage private investment by homeowners whose repair needs are less serious and who may then have a financial incentive to upgrade their residences.

It should be noted that the proposed sources and uses of funds shown do not account for the estimated dollar value of "sweat equity" estimated at \$6,000, staff time contributed to the program of \$7,290, permit fees waived estimated at \$5,000, and title/escrow company discounts estimated at \$100 x 15 loans. The total loan pool calculation varies, therefore, by \$19,790 from the activity budget sheet.

These are not actual cash contributions to the loan pool, rather, they represent savings to the program through a reduction in rehabilitation costs. The value of these contributions are, therefore, factored into the average rehabilitation cost estimates, but not included in the loan pool estimates.

Sweat equity (the contribution of labor by program participants), as mentioned earlier, is another type of financial contribution to the program. The City will limit the use of sweat equity, however, to those applicants who have demonstrated experiences in the types of repairs proposed.

The objectives of the program designs are to provide affordable financing for home repairs, return funds to the City for relending, ensure that health and safety problems are corrected, make the program as easy and efficient as possible to administer, and allow for sufficient flexibility within the financial terms to address each household's individual financial circumstances.

The City will achieve these objectives through a loan program with flexible terms. Property improvement standards will address health and safety problems in a most-effective manner and not allow general property improvements except where such improvements are necessitated by repairs of a code-related or health and safety problem. Administrative procedures will ensure the proper inspection of candidate dwelling unit, selection of performance by contractors, and expeditious completion of rehabilitation.

The program does not assume that low-income households, as a general rule, cannot afford to make loan payments.

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Interest rates range from 3-5% simple interest. The interest that an applicant is offered will depend on the need to maintain affordability of dwelling units for the occupant. Owner-occupants with lower income and less ability to make monthly amortized loan payments will be eligible for the lower interest rate. Investors who rent units to occupants with lower income would also be eligible for the lower rates if such rate is necessary to maintain the affordability of the dwelling unit to the occupant while allowing a reasonable rate of return to the investor.

Whether loan payments are fully or partially amortized or deferred will depend upon how much the household would be allocating to the housing expenses using 30% of income to housing payments as the "affordability index." Allowable housing expenses will be limited to mortgages (taken out for purchases or needed repairs to the property), property insurance and taxes, and an allowance for utilities, not to exceed allowances for Section 8 in Yuba County.

As the affordability index threshold is reached, the period of amortization can be lengthened, or principal/interest payments can be deferred as a means of facilitating affordability. Interest-only payments will be allowed. Deferred payment loans will only be allowed when the lengthening of the amortization period is insufficient to keep total household costs within the 30% of income guidelines. Notes will be written for a maximum term of five years with renewal options in five-year increments, if eligibility is demonstrated and the borrower evidences the continuing need for program assistance at designated intervals.

Although the amortization period can be increased as a means of facilitating affordability, the City will use the 15-year time-frame as a preferred period to provide a quicker recycling of the program funds.

It is important to emphasize that the City, in fashioning the proposed financing terms, does not seek to "soak the poor" but seeks, instead, to strike a balance between the need to provide affordable financing to low-income households and the need to regenerate as much money as possible to assist other low-income households.

The maximum loan amount for rehabilitation will be \$40,000. The City will seek to use the other sources of grant assistance listed above to allow all health and safety problems to be corrected as substantial rehabilitation within the loan limit. To make the most effective use of CDBG funds, and when financially feasible to the applicant, the City will seek to limit the use of the CDBG funds to the first \$30,000 of repairs, and seek a commitment from other sources cited in the loan pool analysis.

Although the proposed CDBG loan terms are the most generous that a low-income household will likely find, the marketing of the CDBG loans can still be difficult during times of economic stress, particularly to older homeowners with no encumbrances on their homes. To provide an incentive for participating in the CDBG program, the City may offer to use CDBG funds to pay for applicant's loan closing cost, up to \$500 for any very low income or elderly household earning up to 65% of median income (see Appendix 1).

The loan terms for investors will be 3-5% for those investors who rent to a household earning less than 80% of median income, and who sign a Rent Limitation Agreement pledging to maintain the unit for income eligible tenants for at least five years. The City will not offer deferred loans to investors.

The maximum loan amount for an investor will be \$35,000 per dwelling unit. The specific loan terms that are offered to a borrower will be made by the Loan Committee based upon its evaluation of the scope of rehabilitation, the financial circumstances of the investor, and the provisions of the Rent Limitation Agreement. The lower rate will be offered when necessary to induce an investor with a very low income

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tenant to participate in the program. To make the most effective use of the CDBG funds, and when financially feasible to the applicant, the City will seek to limit the use of CDBG funds to the first \$25,000 of repairs needed and seek a commitment from other sources, including the investor's own funds.

The City will preserve the long-term affordability of rehabilitated rental units by requiring the investor, as a condition of the loan, to enter into a minimum five-year Rent Limitation Agreement which will be recorded at the same time as the Deed of Trust. The rent level will be fixed at pre-rehabilitation levels until the rehabilitation is completed. Rental rates will not be allowed to increase above 30% of 80% of the area median for a household size comparable to the number of bedrooms, or the Fair Market Rent, whichever is less. Future rent increases will be limited according to the agreement.

The City will ensure compliance with Rent Limitation Agreements through annual monitoring. Questionnaires will be mailed to investors and their tenants to ensure compliance. The recapture provisions applicable to owner-occupants will also apply to investors.

Although loans will ordinarily be 18-year amortized loans, the loan period may be extended to 30 years to maintain affordability. In exceptional cases, owner-occupants may receive a partial or total deferral of loans to maintain affordability.

From May of 1989 through June of 1993, a total of 38 loans have been made. There have been no defaults.

The annexation of the 2900 acres will alleviate the serious housing crisis when the planning and pre-development has been completed. The economic base will be improved with the advent of new industries.

FINDINGS:

1. This program follows the guidelines established by both the state and federal governments; thereby encompassing as many units as the fund will allow and encouraging full participation from the lower income level families.

RECOMMENDATIONS:

1. The procedures, as established, indicate this program is being utilized to its fullest potential as mandated at the state and federal level. Their continued implementation will enhance the value of the program to the community.

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COMMENTS REQUIRED ON FINDINGS:

The City of Marysville, City Council: Finding 1.

The City of Marysville, City Administrator: Finding 1.

COMMENTS REQUIRED ON RECOMMENDATIONS:

The City of Marysville, City Council: Recommendation 1.

The City of Marysville, City Administrator: Recommendation 1.

NUMBER OF PERSONS IN FAMILY

COUNTY	STANDARD	1	2	3	4	5	6	7	8
TUOLUMNE	Very low income	12250	14000	15750	17500	18900	20300	21700	23100
Area median:	Lower income	19600	22400	25200	28000	30250	32500	34700	36950
\$31,500	Median income	24500	28000	31500	35000	37800	40600	43400	46200
	Moderate income	29400	33800	37800	42000	45350	48700	52100	55450
VENTURA	Very low income	16950	19350	21800	24200	26150	28050	30000	31950
Area median:	Lower income	27000	30900	34750	38600	41700	44800	47850	50950
\$48,400	Median income	33900	38700	43550	48400	52250	56150	60000	63900
	Moderate income	40650	46500	52300	58100	62750	67400	72050	76700
YOLO	Very low income	13900	15900	17850	19850	21450	23050	24600	26200
Area median:	Lower income	22250	25400	28600	31750	34300	36850	39400	41900
\$39,700	Median income	27800	31750	35750	39700	42900	46050	49250	52400
	Moderate income	33350	38100	42900	47650	51450	55250	59100	62900
YUBA	Very low income	11050	12600	14150	15750	17000	18250	19550	20800
Area median:	Lower income	17650	20150	22700	25200	27200	29250	31250	33250
\$31,500	Median income	22050	25200	28350	31500	34000	36550	39050	41600
	Moderate income	26450	30250	34000	37800	40800	43850	46850	49900

Higher income limits apply to families with more than eight persons. For all income groups, the income limits for families larger than eight persons are determined as follows: for each person in excess of eight, add eight percent of the four-person income limit base to the eight-person limit, and round the answer to the nearest \$50. For example, the nine-person very low income limit for Alameda County is \$32,750. ($\$23,400 \times .08 = \$1,872$; $\$30,900 + \$1,872 = \$32,772$; $\$32,772$ rounded = $\$32,750$.)

HUD 5/7/92

Authority: Section 50093, Health and Safety Code.

Reference: Sections 50079.5, 50093, and 50105, Health and Safety Code.

ETHNIC/TIG CONCENTRATION MAPS

CITY OF MARYSVILLE

TIG HOUSEHOLDS 1980

Census Tract 401 52.7%

Census Tract 402 47.3%

ETHNICITY STATUS, 1980

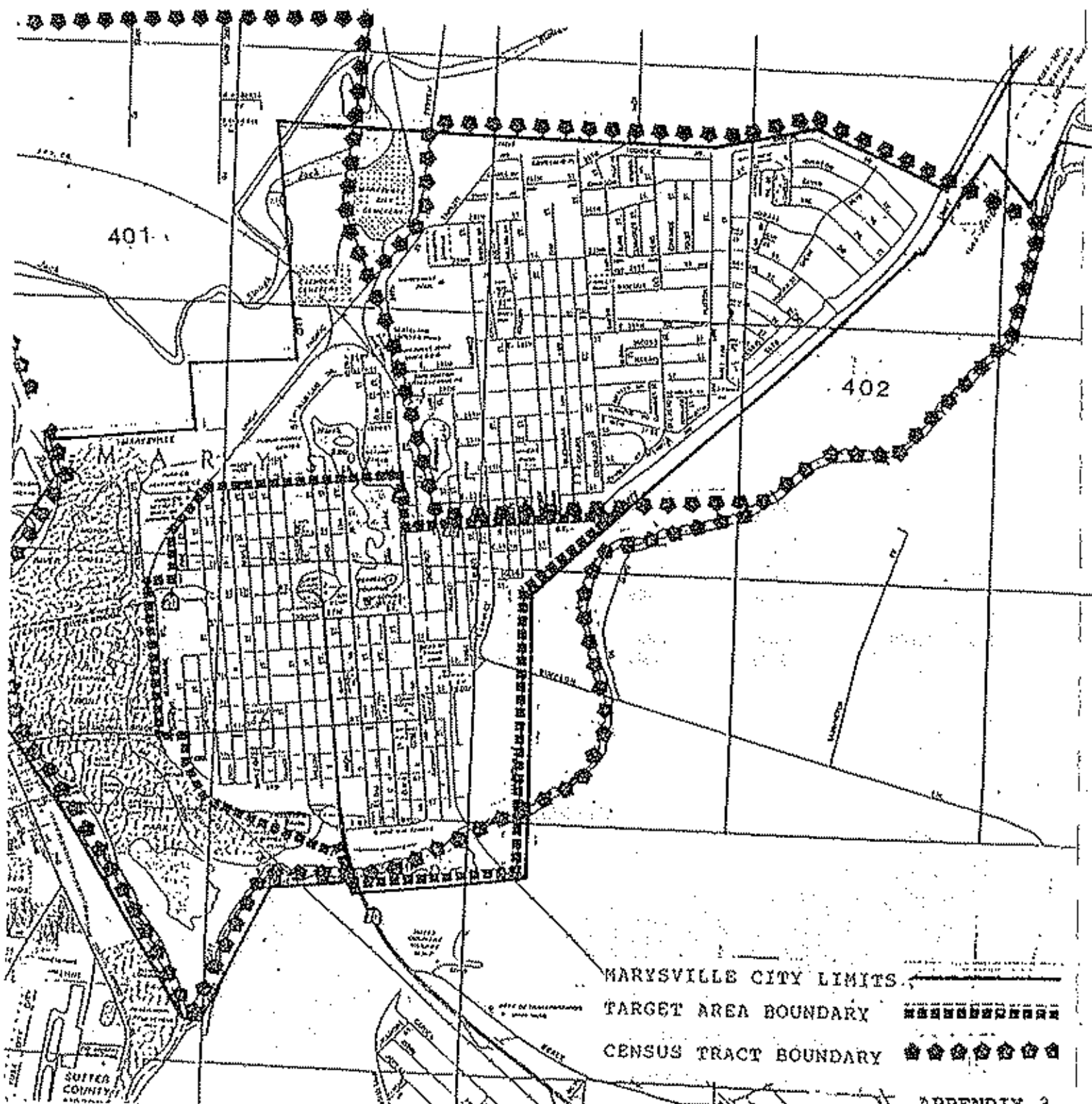
	Total	White	Black	Am. Ind. Esk. & Al.	Asian & Pac. Isl.	Other	Hisp.
Tract 401	4,835	3,400 70.4%	286 5.9%	84 1.7%	285 5.9%	1 .0%	779 16.1%
Tract 402	7,849	6,212 79.1%	336 4.3%	123 1.6%	523 6.7%	2 .0%	653 8.3%

APPENDIX 2

CITY OF MARYSVILLE

TARGETED INCOME GROUP CONCENTRATIONS CT 401 & 402

MINORITY CONCENTRATIONS CT 401 & 402



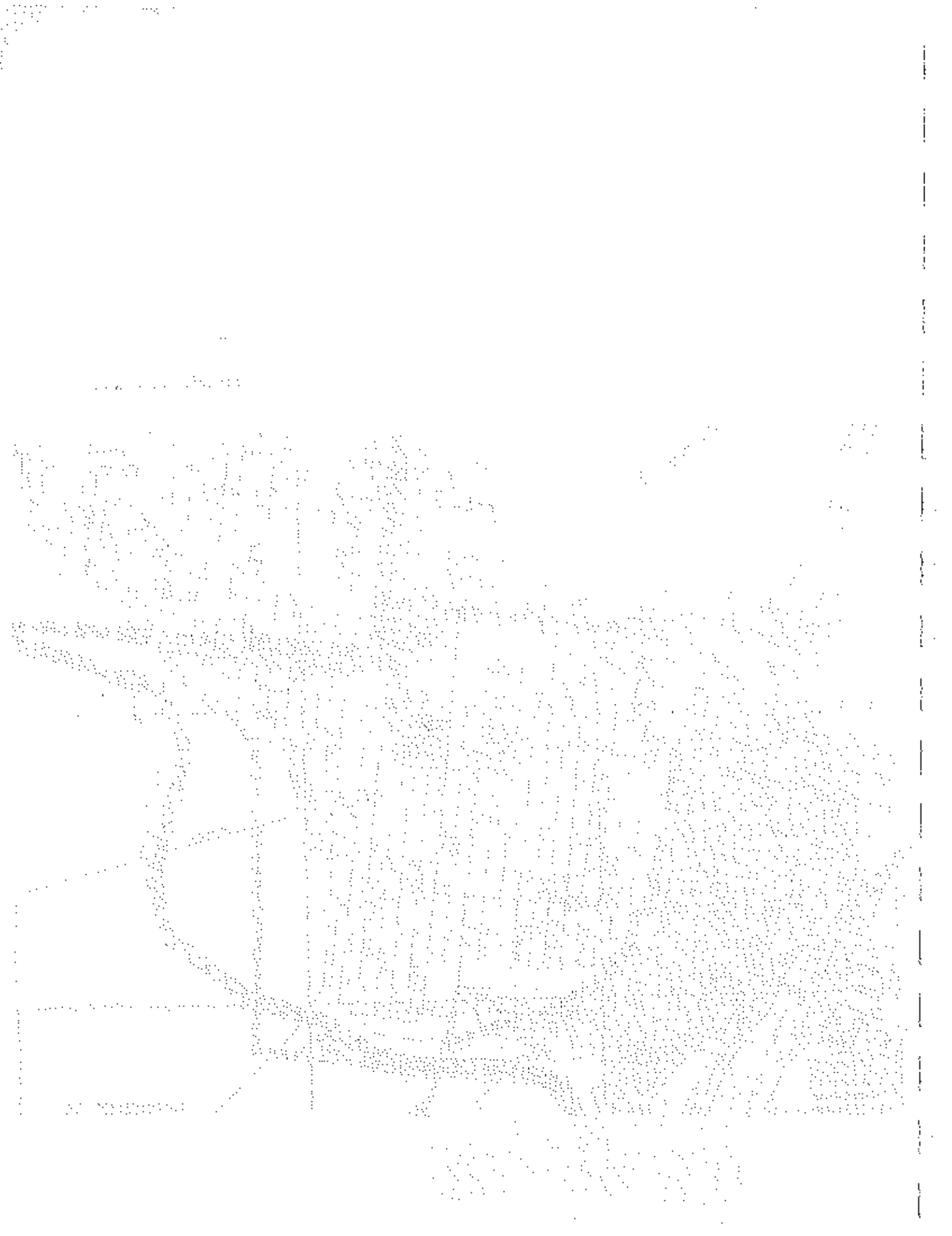
CENSUS TRACTS 401 & 402

CENSUS TRACTS 401 & 402

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APPENDIX 3A



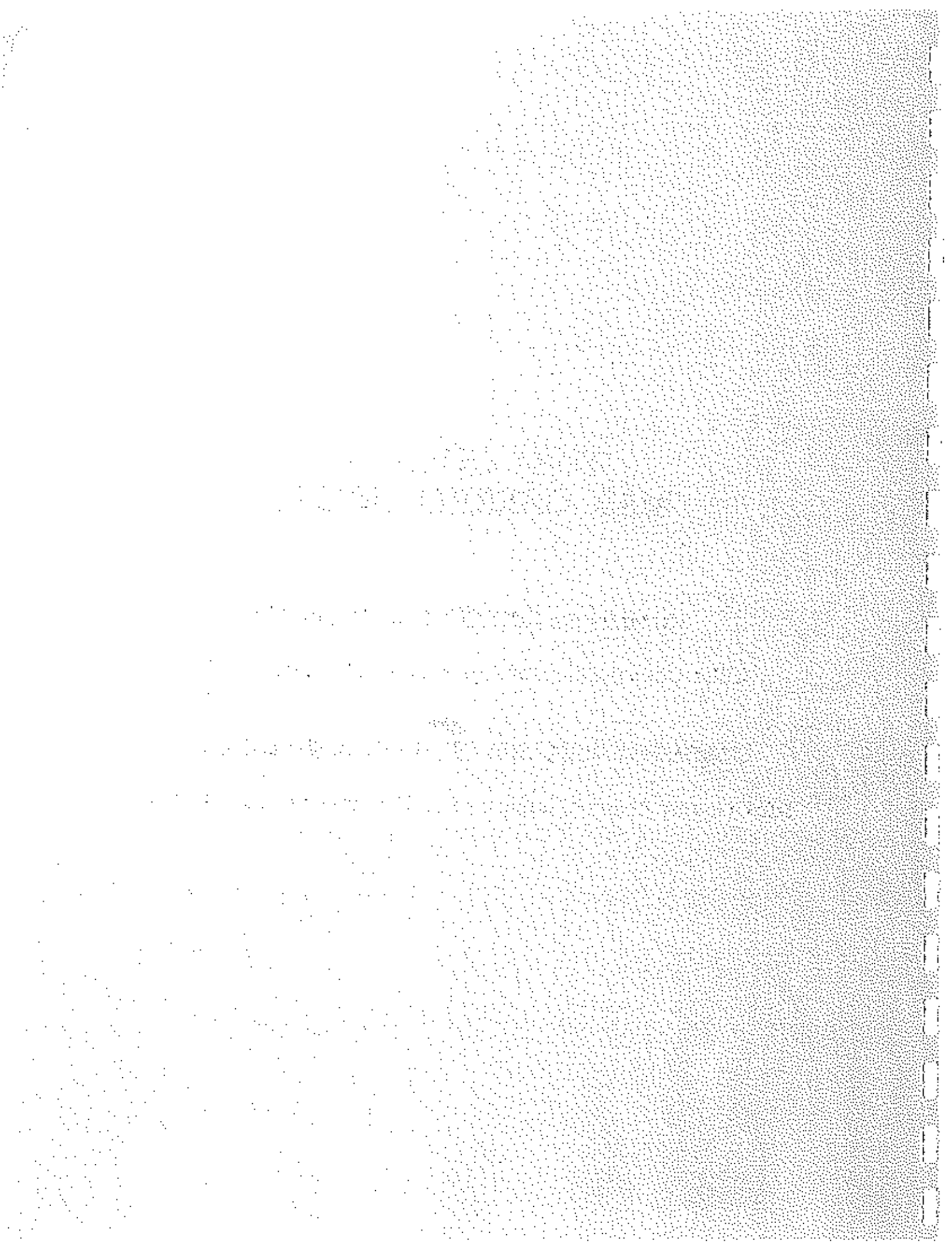
YUBA COUNTY MAIL CARRIER SAFETY

COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors: Findings 1, 2, 3.

COMMENTS REQUIRED ON RECOMMENDATIONS:

Yuba County Board of Supervisors: Recommendations 1, 2, 3.



YUBA COUNTY MAIL CARRIER SAFETY

REASON FOR INVESTIGATION:

This investigation was the result of a tour with the County departmental mail carrier, seeking an answer to a citizen's question regarding excess postage on the mailing of a circular notice. During this tour, the factor of mail carrier safety surfaced, which seemed to be a matter of more importance.

BACKGROUND:

All in-house and U.S. Postal Service mail is picked up at various stations throughout the departmental network and is delivered to the mail room, located in the basement of the Courthouse, by a single, unaccompanied mail-handler. This person must then pre-sort and stamp all mail in preparation for delivery to the post office and county departments.

SCOPE OF INVESTIGATION:

The Grand Jury limited the investigation to the security of the person assigned the responsibility of mail distribution at the County Courthouse.

PROCEDURE:

Members of the Grand Jury accompanied the mail carrier through the process of delivery to the mail room and personally witnessed the factors involved.

FINDINGS:

All findings must be substantiated by current documentation and interviews conducted by no less than two members of the Grand Jury (Penal Code Section 916).

1. The route the mail carrier must take from the Courthouse elevator to the mail room in the basement is very poorly lit.
2. Access to the basement area is open and at any given time, any number of persons may be in the basement area, among them, trustees from the jail above.
3. There are darkened areas (staircases, storage areas, etc.) in the route traveled by the mail carrier which make for less than a safe and secure feeling while carrying out duties.

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RECOMMENDATIONS:

1. A telephone be installed in the mail room, for use in case of emergency.
2. Proper lighting be provided from the elevator to the mail room area during the time the mail is being transported.
3. An escort be provided for the mail carrier to and from the elevator and the mail room to insure safety and security.

COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors: Findings 1, 2, 3:

COMMENTS REQUIRED ON RECOMMENDATIONS:

Yuba County Board of Supervisors: Recommendations 1, 2, 3.

YUBA COUNTY JAIL

COMMENTS REQUIRED ON FINDINGS:

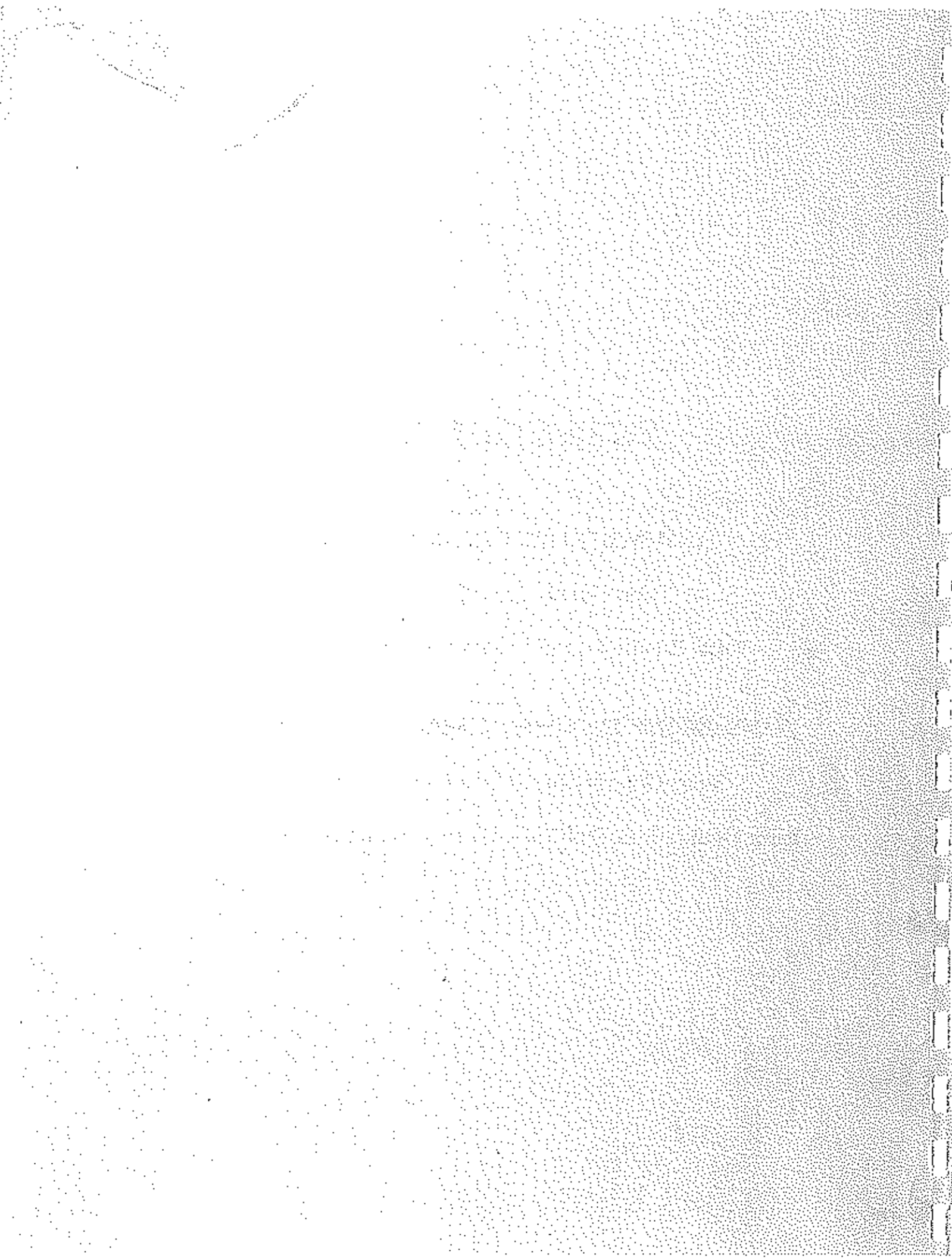
Yuba County Sheriff: Findings 1, 2.

Yuba County Board of Supervisors: Findings 1, 2.

COMMENTS REQUIRED ON RECOMMENDATIONS:

Yuba County Sheriff: Recommendations 1, 2.

Yuba County Board of Supervisors: Recommendations 1, 2.



YUBA COUNTY JAIL

REASON FOR INVESTIGATION:

Penal Code Section 819(b) states, "The grand jury shall inquire into the condition and management of the public prisons within the county."

BACKGROUND:

California Code of Regulations, Title 15, Division 1, Board of Corrections, states in part:

"The Sheriff is legally responsible for the safekeeping of all persons in custody and in order to protect the rights of both inmates and employees, certain regulations are necessary."

The Yuba County Jail was constructed in 1962 and expanded in 1986. The facility is located at 215 Fifth Street, Marysville, California. The current inmate capacity is 145 at any one time; the newly completed adjoining facility will accommodate approximately 165 additional inmates.

SCOPE:

Investigation was limited to the departmental practices, policies and procedures, in accordance with Title 15 of the California Code of Regulations. The treatment of inmates, climate control, inmate visitation procedures, health care, budget and staffing, and the inmate grievance procedure were all included in the investigation.

PROCEDURE:

Members of the Grand Jury interviewed the Sheriff and Jail Commander. A complete tour was made of both jail facilities, including but not limited to the control rooms, cell blocks, exercise areas, kitchens, medical dispensaries, and libraries.

DISCUSSION:

In discussing the jail at this time, it will be necessary to distinguish between the "old" and the "new" jails. The old jail is a 32-year-old facility that has not aged well; the new jail is an \$8 million state-of-the-art building that directly adjoins it.

In the past, there have been many complaints associated with the old jail, including poor heating, insufficient hot water, inadequate lighting, and cramped quarters. All of these ills and more should be remedied since moving into the new wing in May of 1994. This move, which was scheduled to take place in the fall of 1993, was delayed primarily by problems with the high-tech electronic systems.

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In addition, the ten new officers needed to operate this facility were not on board. Funding for these new personnel was in doubt until August of 1993 when the new budget was drawn. Since it takes up to six months from the initial advertisement of said positions and recruitment to the final in-house officer training preparedness, these personnel were not available for duty until March of 1994.

The plan is to refurbish the old jail as budget allows, and to use it to augment the new facility as demand requires. The entire jail will accommodate approximately 300 inmates.

FINDINGS:

1. Women inmates will not be moving from their present quarters when the new jail opens. This is due in part to the fact that the design of the new facility does not provide the necessary separation and privacy needed to house inmates of opposite sexes.
2. All departments and functions of the County Jail facilities appear to be well run and in compliance with California code regulations.

RECOMMENDATIONS:

1. Every effort should be made to bring the women's section of the old jail up to the standards afforded the men in the new facility as quickly as possible.
2. Considering the lag time in getting the new officers on board, budget constraints notwithstanding, a better effort should be made to anticipate personnel needs and initiate the hiring process sooner.

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COMMENTS REQUIRED ON FINDINGS:

Yuba County Sheriff: Findings 1, 2.

Yuba County Board of Supervisors: Findings 1, 2.

COMMENTS REQUIRED ON RECOMMENDATIONS:

Yuba County Sheriff: Recommendations 1, 2.

Yuba County Board of Supervisors: Recommendations 1, 2.

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861.

2. The second part is a report from the Secretary of the Treasury, dated January 1, 1861, on the state of the Treasury.

3. The third part is a report from the Secretary of the Interior, dated January 1, 1861, on the state of the Interior.

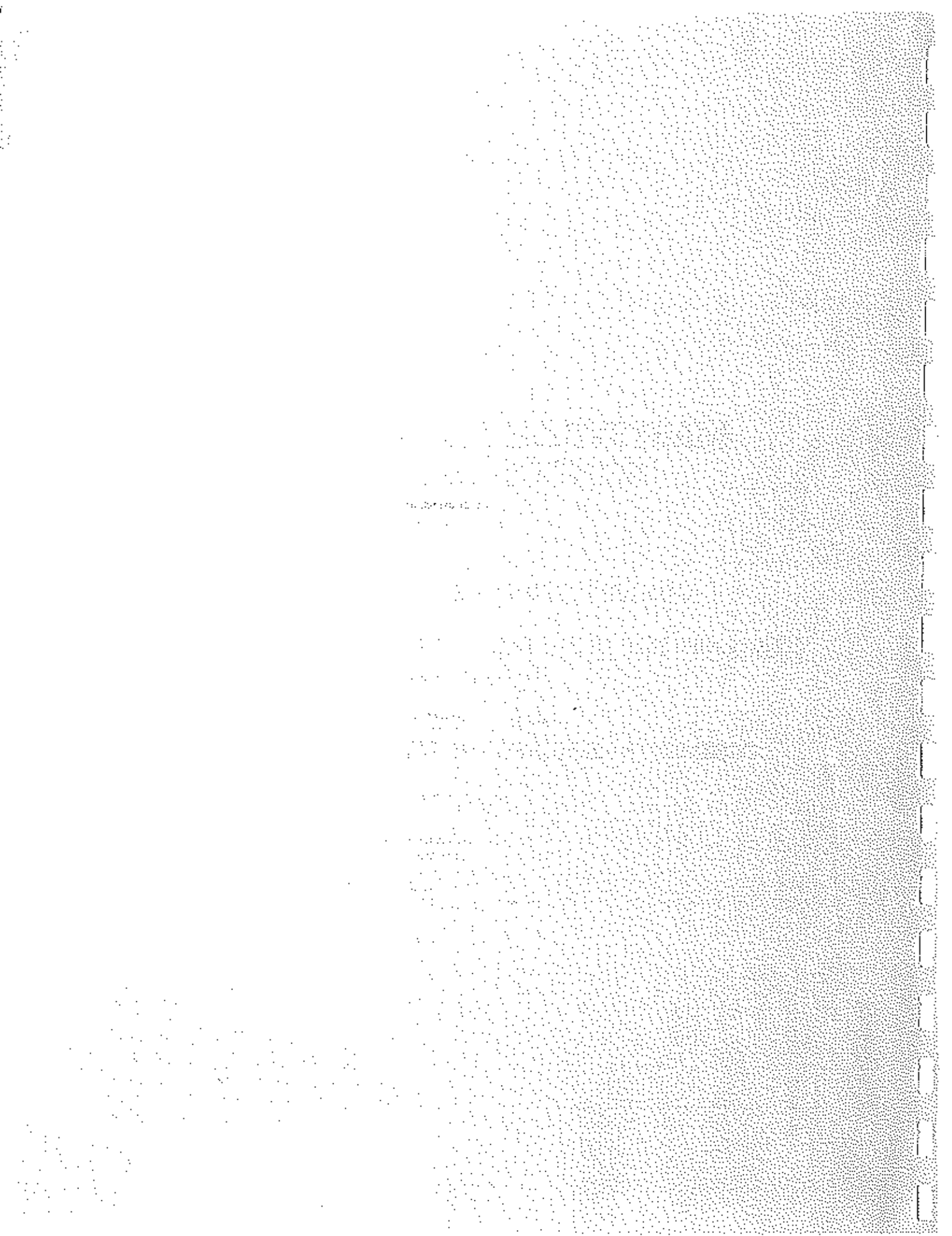
MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT

COMMENTS REQUIRED ON FINDINGS:

Marysville Joint Unified School District Board of Trustees:
Findings 1, 2.

COMMENTS REQUIRED ON RECOMMENDATIONS:

None.



MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT

REASON FOR INVESTIGATION:

Tours and interviews were conducted at selected schools in the Marysville Joint Unified School District, pursuant to Chapter 3, Article 2, Penal Code Section 925, to determine how well the district schools have been able to cope with the current budget restrictions and what major problems, if any, are foreseen for the district.

SCOPE:

A cursory examination of the general operations of each school's classrooms, lunch program, library, special education programs and teaching aides was made in several schools in the MJUSD with the assistance of the various principals and other school employees. The Grand Jury was given tours of most of the schools, and the personnel were very cooperative in answering any inquiries. The Grand Jury inquired about class sizes, student-to-teacher ratios, and operations within the budget.

DISCUSSION:

The schools visited ranged from low-to-middle socio-economic levels. Students eligible for the reduced or free lunch program ranged from 30-79%.

The base program of instruction at the elementary school level includes reading, math, oral and written language, spelling, art, music, science, social studies, and physical education.

Each elementary, middle, and high school is allotted a standard budget for the purchase of instructional materials, supplies, and equipment. Textbooks in grades K-8 are standardized through an adoption process funded by the State Department of Education. High school textbooks are adopted according to the needs of the various courses offered. Supplemental instructional materials vary from school to school according to the individual instructional programs available.

The School District provides a curriculum director for state and federal projects, assessment programs, proficiency testing, and physical fitness testing.

Health services provided by MJUSD include: hearing tests, vision screening, home visits, teacher and parent conferences, health referral, dental referrals, and follow-ups. The following agencies are available for the school nurses' assistance: County Public Health Clinic, Child Protective Services, Welfare Department, Parents' Place, Tri-County Family Services, Mental Health Clinic, Peach Tree Clinic, and Lindhurst Family Clinic. Psychological testing is available for students with learning deficits and/or behavioral difficulties.

Students identified as educationally disadvantaged are provided with supplemental materials and instructional activities through the ESEA and SCE Programs. Students identified as special needs students are placed in the appropriate district classes and receive individualized instruction from a Resource Specialist, in compliance with the state mandate. Some of the schools visited have not been able to institute a separate bilingual program for their non-English speaking students, but have made separate instructional

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materials available and have paired these students with English-speaking students in order to share materials and learning experiences and, thereby, learn the language through conversation and association.

The Gifted and Talented Program is operated as a district program through MJUSD, and students at the schools visited attend special classes on a daily basis.

The following is an outline of the schools visited and observations regarding each school:

1. Loma Rica Elementary School, Grades K-5.

Enrollment as of February 28, 1994, was 189 students.

The principal of Loma Rica Elementary School is also principal of Cordua Elementary School.

The staff consists of seven full-time teachers, two part-time special education assistants, and a part-time librarian. A Resource Specialist, provided by the State, divides her time between Loma Rica and Cordua Elementary Schools, and is assisted by one teacher's aide at each school.

The parent involvement at Loma Rica School has been outstanding. The PTA is very active and has furnished the school with a regulation outdoor basketball court. Funds have been recently provided by the State to improve the safety of the playground area.

Loma Rica School currently has one visually-impaired student who learns by use of a Braille typewriter furnished by the State. This student seems to be functioning well with her classmates.

2. Cordua Elementary School, Grade K-5.

Enrollment as of February 28, 1994, was 104 students.

Staff consists of four full-time teachers, a teacher's aide, and a part-time custodian.

Due to a drop in enrollment, Cordua Elementary School lost one teacher this year, requiring some teachers to take on two grade levels.

Budget deficiencies have primarily affected school maintenance at both Cordua and Loma Rica Elementary Schools. Maintenance personnel are on a part-time basis, and students are encouraged to help maintain the classrooms and grounds.

The principal has initiated a music program and a Spanish language program at both Cordua and Loma Rica Elementary Schools.

Hot lunches are delivered to both Loma Rica and Cordua Elementary Schools daily.

3. Browns Valley Elementary School, Grades K-5.

Enrollment as of February 7, 1994, was 142 students.

Staff consists of five full-time teachers, three teacher's aides, a part-time librarian, and a part-time custodian.

The principal of Browns Valley Elementary School divides her time between Browns Valley and Dobbins Elementary Schools.

Browns Valley Elementary School provides a breakfast snack and lunches for the students. Lunches are delivered to the school daily.

The staff at Browns Valley Elementary School shows a great deal of dedication and innovation. Although the budget has not allowed for purchases of new equipment, one classroom has a bank of refurbished computers and teaching software, and the curriculum has been adjusted so that several classes are allowed access to these learning tools. This has been brought about through the efforts of a teacher and outside support.

The school maintenance program has suffered from the budget restrictions. At the time of our visit, the roof was showing signs of needed repairs. Parents have been involved in the maintenance of the grounds, which has helped considerably.

There has been a very high level of involvement by the parents of students at Browns Valley Elementary School, and the principal and staff are very appreciative of this assistance.

4. Ella Elementary School, Grades K-5.

Enrollment as of February 7, 1994, was 750 students.

Staff consists of 23 full-time teachers, two special education teachers, 21 varied assistant teachers, two custodians, one maintenance person, and a librarian.

Ella Elementary School is a year-round school. This concept has been well accepted by the community it serves.

The school is currently going through the process of asbestos removal which has made it necessary for classes to be moved to temporary structures. The tour was conducted on the first day of the use of the temporary structures.

Despite the fact that the whole school is in a state of change, the students conducted themselves in a very orderly fashion. The attitudes displayed by the students were outstanding. The conduct code at Ella Elementary School is very strict and evenly applied.

There is a special effort made by the staff to develop and encourage parent participation, which has produced very noticeable results.

The school has set up a special computer education network which is available to all students with programs in various subjects and at all six grade levels. This is not part of the mandatory

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curriculum, but all students are encouraged to avail themselves of this learning tool. This is a self-paced program, so each student may work at his/her own particular level of expertise. This program also assists the school in evaluating specific skills of the students participating. It is the goal of the principal to work toward expanding this program into other schools, and making it possible for students to continue its use through their senior year.

5. Johnson Park Elementary School, Grade K-5:

Total enrollment as of February 3, 1994, was 303 students.

Staff consists of nine full-time teachers and six instructional assistants. There is one part-time library clerk.

Johnson Park Elementary School consists of nine self-contained classrooms.

A school-wide, reading-incentive program sponsored by Pizza Hut has been in effect since the fall of 1986. Free pizzas, class pizza parties, and certificates of participation are awarded to children who meet specific independent reading goals.

Johnson Park Elementary School has 31 students registered in the American Indian Education Program and has Indian tutors on its staff.

Cutbacks in funding have been felt, mainly in the maintenance services, but adequate adjustments have been made through doubling of tasks and reduction of services.

6. Yuba Gardens Middle School, Grade 6-8:

Total enrollment as of February 7, 1994, was 680 students.

Staff consists of 31 full-time teachers and three assistants.

One-hundred fifty of the students at Yuba Gardens Middle School currently participate in the bilingual programs.

Yuba Gardens Middle School has a vocationally-oriented program which links computer technology, wood technology, and educational academic classes. Under this program, the students create a corporation and develop wood products for sale to the general public. The curriculum for this program includes group work, product development, computer technology, wood technology, mathematics, language art skills, science, and social studies. The school will expand this program to include food technology in the 1994-95 school year.

Yuba Gardens Middle School has an active anti-graffiti and vandalism program.

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7. Lindhurst High School Grade 9-12.

Total enrollment as of February 7, 1994, was 1250 students.

Staff consists of 86 instructors and three special education instructors. There are instructors provided under the Federal Title 7 program who teach social sciences, mathematics, and English to the Hmong and Hispanic students.

The Parent-Teacher-Student Association has been very active and is working to solve some of the problems faced by the students in the past several years. During the current school year, the school has encountered numerous bomb threats which have interrupted school activities and caused delayed schedules.

Current statistics show that approximately 10% of Lindhurst High School graduates go on to a four-year college, while approximately 60% attend community college or trade school.

FINDINGS:

1. The majority of schools in the MJUSD operate on limited budgets, but the schools visited are doing a good job of educating the children in their care. The primary effect of the budget restrictions at the present time has been the cut-back in maintenance in all of the schools visited. Teacher/student ratios and classroom capacities are higher than might be desirable, but the teachers and administrators have obviously devoted a great deal of time and effort toward keeping the educational levels high.
2. Further cuts in budgets will curtail needed services such as libraries, teacher's aides, and new learning tools, and make general maintenance of the facilities even more difficult.

RECOMMENDATIONS:

None.

COMMENTS:

The schools visited should be commended for their efforts on behalf of their students, particularly when budget restraints have caused student/teacher ratios to increase and teacher assistance to decrease in most cases. Also, those parents who have kept involved in assisting with the educational programs and maintenance of the schools are to be highly commended.

1993-94 Yuba County Grand Jury Final Report

COMMENTS REQUIRED ON FINDINGS:

Marysville Joint Unified School District Board of Trustees: Findings 1, 2.

COMMENTS REQUIRED ON RECOMMENDATIONS:

None.

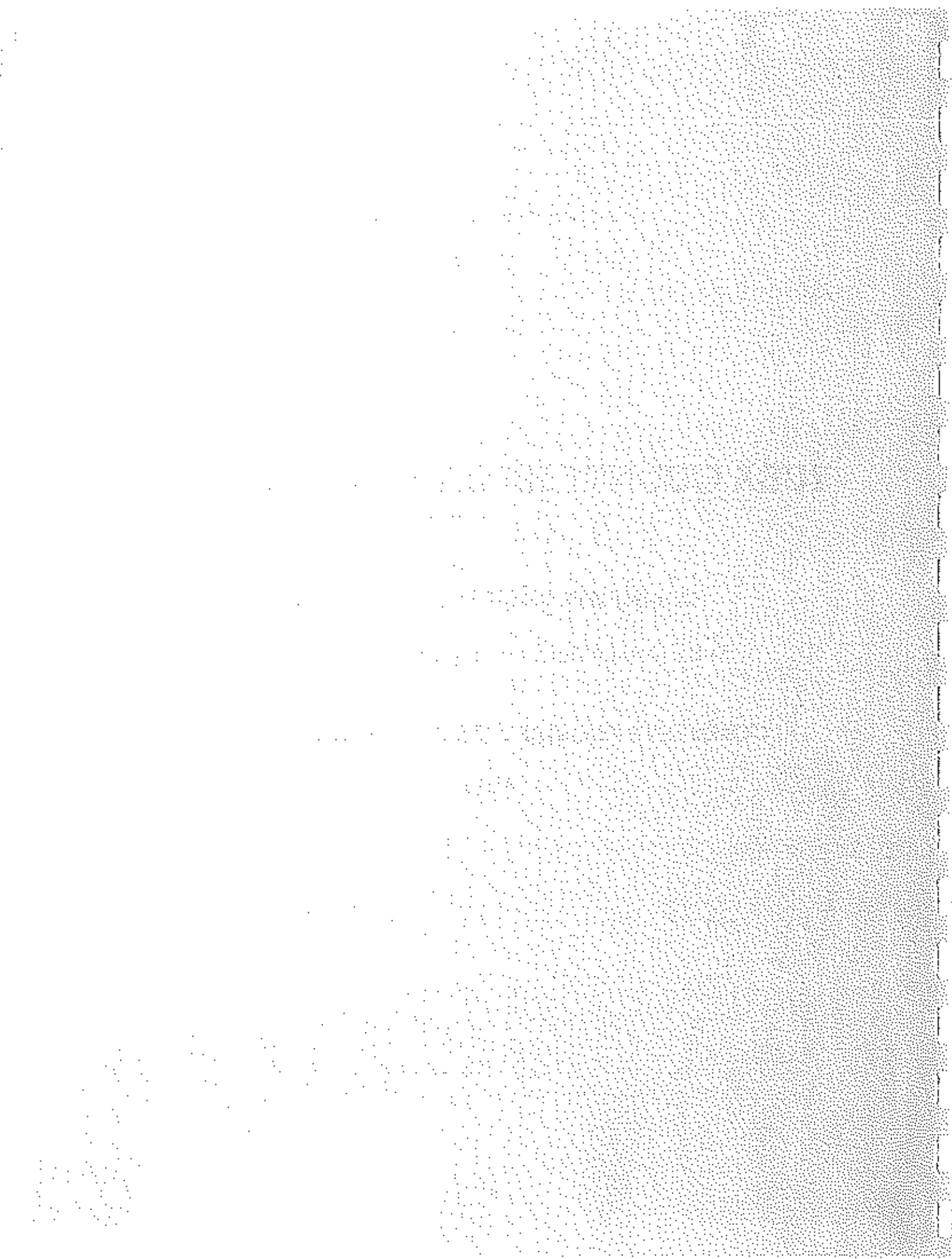
YUBA COUNTY HEALTH DEPARTMENT

COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors: Finding 1.

COMMENTS REQUIRED ON RECOMMENDATIONS:

None.



YUBA COUNTY HEALTH DEPARTMENT

REASON FOR INVESTIGATION:

A routine tour of the Yuba County Health Department was conducted pursuant to Penal Code, Chapter 3, Article 2, Section 925.

BACKGROUND:

The Yuba County Health Department is located at 6000 Lindhurst Avenue, Marysville, California. Yuba County Health Department provides preventative health services as follows:

1. Public Health Nursing
 - A. Includes health education and information on child health and development
 - B. Prevention of communicable and chronic diseases
2. California Children's Services
 - A. Diagnosis and treatment of eligible children up to 21 years of age
 - B. Financial assistance for care
 - C. Therapy programs
3. Child Health Services/CHDP
 - A. Physical exams for children (birth to age 21)
 - B. Parent counseling
 - C. Immunizations
4. Immunization Clinic
 - A. Immunizations for children and adults
 - B. TB skin tests
5. Tobacco Control Program/Perinatal Tobacco Program
 - A. Prevention and cessation programs
 - B. Community education
 - C. Technical assistance
 - D. Home visits to pregnant women
6. Health Education
 - A. Health promotion programs
 - B. Community health presentations and materials
 - C. Information resource and referral
7. Vital Statistics
 - A. Certified copies and registration of birth certificates - \$12.00
 - B. Certified copies of death certificates - \$11.00

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8. Public Health Laboratory (contract)
 - A. Tests for communicable diseases
 - B. Resource services for community
9. AIDS Surveillance
 - A. Confidential counseling and testing
 - B. AIDS information and education
10. Communicable Disease Control
 - A. Tuberculosis clinics
 - B. Sexually transmitted disease clinics
 - C. Confidential exams
 - D. Diagnosis and treatment
 - E. Information and referral
11. Other Services
 - A. Pregnancy counseling and testing
 - B. Sports physicals
12. Jail Medical Program
 - A. Two Nurses, RN and LVN, daily in Jail, also Juvenile Hall
 - B. Doctor weekly--unless needed sooner
13. Crippled Children Services - Mandated (CCS)
 - A. Virginia School
Occupational and physical therapists go to the school
14. Open to the Public
 - A. 7:00 a.m. to 6:00 p.m., Monday through Thursday
 - B. 10:00 a.m. to 2:00 p.m., Friday for Mortician

The Yuba County Health Department's goal is to improve individual and community health through building and maintaining strong partnerships within the community.

SCOPE:

The scope is limited to departmental practices, policies and procedures.

PROCEDURES:

Members of the Grand Jury made an on-site visitation, toured the facility, and interviewed the director.

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FINDINGS:

All findings have been substantiated by observations and interviews by no less than two members of the Grand Jury pursuant to Penal Code Section 925.

1. Yuba County Health Department services are being provided to the local community despite cutback of manpower and budget.

RECOMMENDATIONS:

No recommendations at this time.

COMMENTS:

The Grand Jury commends the department for its efforts to maintain a quality health care program.

COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors: Finding 1.

COMMENTS REQUIRED ON RECOMMENDATIONS:

None.

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LIBRARY

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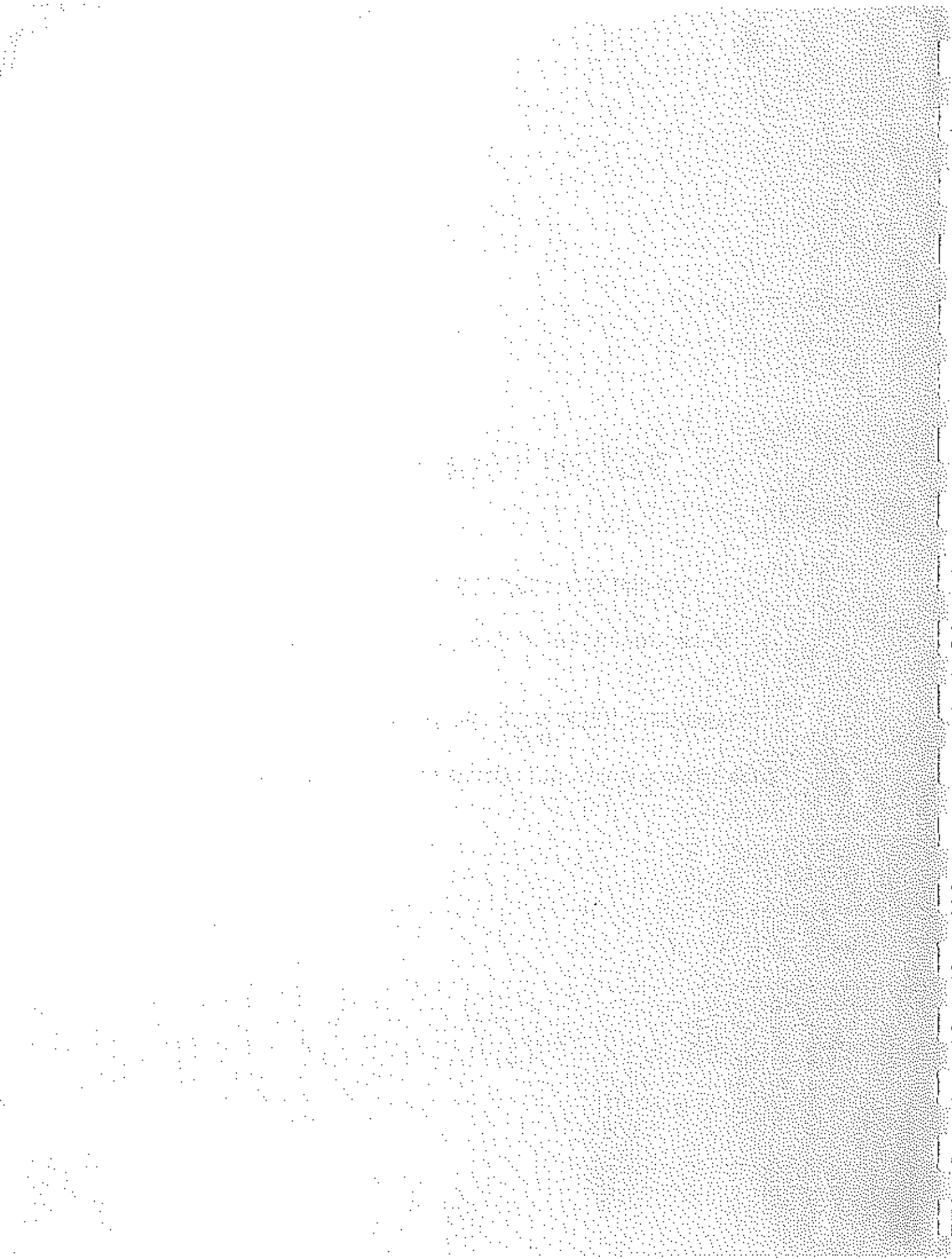
PEACH TREE CLINIC

COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors: Finding 1.

COMMENTS REQUIRED ON RECOMMENDATIONS:

Yuba County Board of Supervisors: Recommendation 1.



PEACH TREE CLINIC

REASON FOR INVESTIGATION:

Following the recommendation of the 1992-93 Grand Jury Final Report, a review of operations and services was conducted after the first year of the new Clinic's operation (Yuba County/UCMS (United Community Medical Services)). This was performed in accordance with Penal Code, Chapter 3, Article 2, Section 928.

BACKGROUND:

The Peach Tree Clinic is located at 6000 Lindhurst Avenue, Suite 601-A, Marysville, California. In July of 1992, the County contracted with UCMS to form a joint venture medical facility with private management and Yuba County/UCMS shared funding to provide medical services to Yuba County residents.

SCOPE:

The scope of the investigation includes the following:

1. Number and type of medical staff
2. Number and positions of clerical staff
3. Types of medical services provided
4. Financial status

PROCEDURE:

On February 2, 1994, the Grand Jury toured the Peach Tree Clinic. The tour was conducted by the Medical Director of Rideout/Fremont and Peach Tree Emergency and Outpatient Services, Out Patient Group.

DISCUSSION:

Regardless of their financial status, medical services are provided to all residents of Yuba County. Clinic hours are from 8:00 a.m. to 8:00 p.m. Monday through Thursday; 8:00 a.m. through 5:00 p.m. on Friday; and 8:00 a.m. through 4:30 p.m. on Saturday.

Medical services are available by appointment or on a walk-in basis. No patient is subjected to unreasonable waiting periods, and emergencies are handled based on their urgency. The Clinic's medical staff consists of two full-time, one half-time, and one part-time physician; two part-time nurse practitioners; and one full-time physician's assistant. The nursing staff consists of five full-time and two part-time nurses. The clerical staff is comprised of two medical records clerks, three registration clerks, and one business office clerk. There is one lab technician, one CAIN employee assistant, and one full-time radiology technician. There is a telephone advisory line available after 8:00 p.m., where a Triage nurse offers advice.

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The medical staff treats an average of 100 patients per day for a wide variety of ailments. The Clinic provides initial medical treatment, x-ray, urgent care, and treatment of routine illness. The attending physician will admit patients who require extensive care to Rideout Hospital, where medical services for the patients' needs can be provided. The close working relationship between the Clinic and Rideout Hospital (also a UCMS medical facility) has resulted in the medical needs of Yuba County residents being met in a much improved manner.

The contractual arrangement with UCMS establishes the distribution of responsibility relative to operating costs, wherein UCMS pays the first \$250,000 and the County is obligated for the remainder. The Clinic has three sources of payment: Medi-Cal Insurance, private insurance companies, and self-pay.

An inspection report is on file from the State Fire Marshall's office.

FINDINGS:

Pursuant to Penal Code Section 916, all findings have been substantiated by current documentation and by observation, and interviews conducted by no less than two members of the Grand Jury.

1. The Peach Tree Clinic is still operating with a deficit, most of which is caused by delayed payment from Medi-Cal.

RECOMMENDATIONS:

1. Peach Tree Clinic should be reviewed annually.

COMMENTS:

Commendations to the staff of the Peach Tree Clinic for their courtesy and willingness to share their feelings and knowledge concerning the operation and personnel of the Clinic.

1993-94 Yuba County Grand Jury Final Report

COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors: Finding 1.

COMMENTS REQUIRED ON RECOMMENDATIONS:

Yuba County Board of Supervisors: Recommendation 1.

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861.

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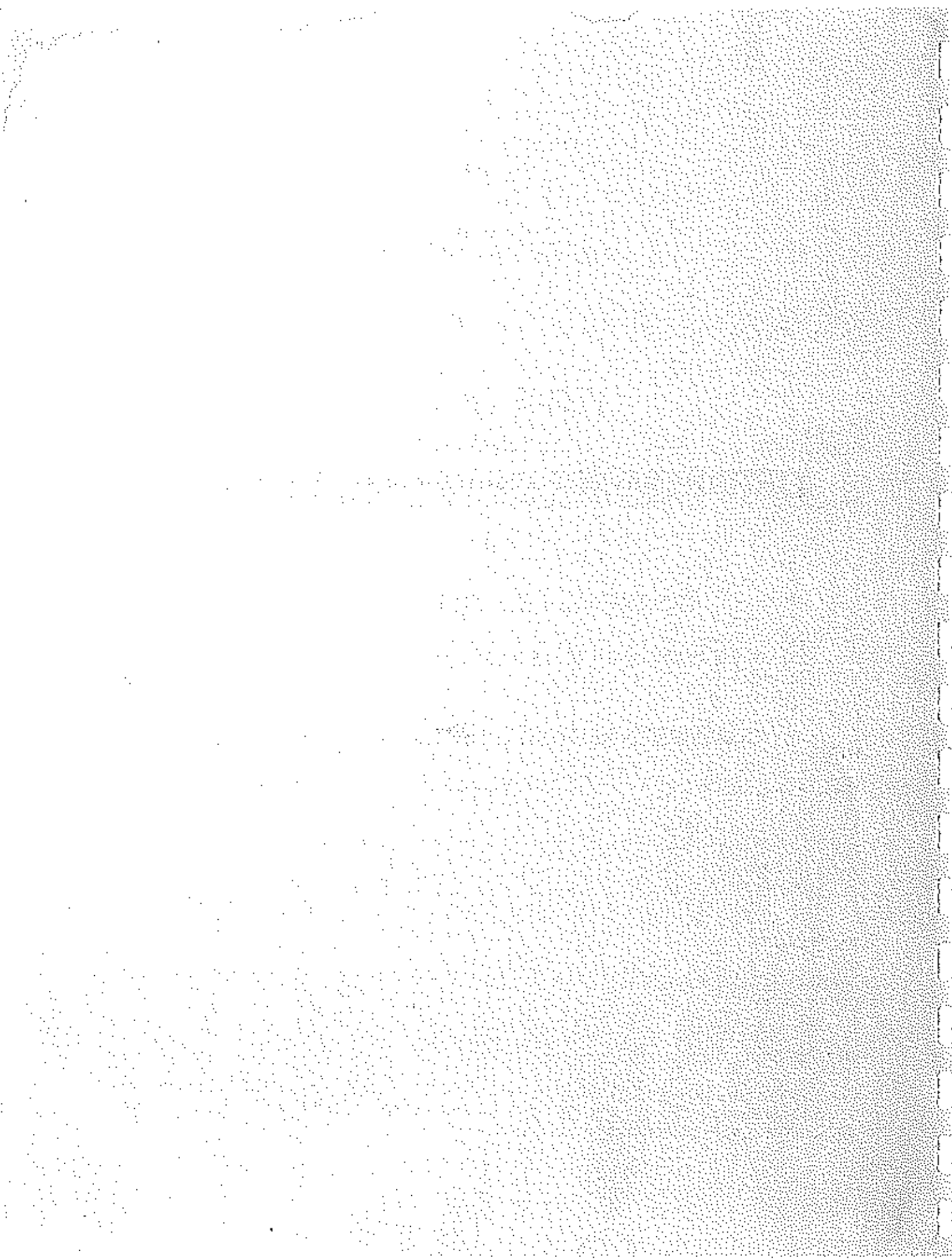
YUBA COUNTY
DEPARTMENT OF SOCIAL SERVICES

COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors: Finding 1.

COMMENTS REQUIRED ON RECOMMENDATIONS:

None.



**YUBA COUNTY
DEPARTMENT OF SOCIAL SERVICES**

REASON FOR INVESTIGATION:

A routine review of the Department of Social Services was conducted pursuant to Penal Code, Chapter 3, Article 2, Section 925.

BACKGROUND:

The Department of Social Services is located at 6000 Lindhurst Avenue, Suite 504, Marysville, California. The primary programs provided by the Social Services Departments are:

1. Aid to Families with Dependent Children (AFDC)
2. Greater Avenues for Independence (GAIN)
3. Job Development and Training Department (JTPA)
4. Medi-Cal
5. Food Stamps
6. Adult Services
7. General Relief (GR)
8. Indigent Burial
9. Child Protective Services (CPS)

SCOPE:

The scope of review was limited to general department operations in the following areas:

1. Personnel management
2. Operational structure
3. Program operations
 - A. Services provided

PROCEDURES:

Members of the Grand Jury made an on-site visitation, toured the facility, and interviewed the Director and department heads.

DISCUSSION:

The Yuba County Department of Social Services manages Yuba County's integrated Social Services and income maintenance programs. Operation of the programs normally requires two hundred twenty-nine management and clerical positions (see attached).

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I. Income Maintenance

A. Aid for Families with Dependent Children (AFDC)

This program is a federally-mandated program under Welfare and Institutions Code Section 11200. This program provides assistance and financial support to deprived families. There is a current case load of 2943 cases, which is the largest program administered by Social Services. This program is funded with federal, state, and county funds.

B. Food Stamps

This is a federally-mandated program under Title XVII of the Social Security Act, Subtitle A. This program provides food purchasing power to low-income families. Approximately \$650,000 per month in coupons are issued. This program is funded with federal, state and county funds. This program has an intense security system which requires a minimum of two persons from Social Services to maintain the food stamp locker.

C. Medi-Cal

This is a federally-mandated program under Title XXII of the California Administrative Code. The program provides medical coverage for low income people. There is a current case load of 2146 persons. This is an increase of 12% as compared to 1992-93. This program is 100% state funded.

D. County Medical Services Program (CMSP)

This program is mandated under California Welfare and Institutions Code Section 16700. This program provides medical coverage for those who do not meet eligibility criteria for Medi-Cal. There has been a 7.68% growth in this program as compared to 1992-93. This program is both state and county funded.

E. General Assistance

This program is mandated under California Welfare and Institutions Code, Section 17000. The program provides basic needs of food and shelter for people who are not eligible to participate in other aid programs. People receiving benefits under this program are required to work for their benefits at a minimum wage rate. When SSI (Supplemental Security Income) is granted, the assistance provided is deducted. This program is 100% county funded.

F. Fraud Prevention

This program strives to prevent fraud and abuse of all programs listed herein. At present, Yuba County has two fraud investigators on staff. The Fraud Prevention Program has estimated a savings of \$1,539,000 in 1992-93.

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2. Public Social Services

A. Child Protective Services (CPS)

- (1) Information and referral
- (2) Emergency response
- (3) Family maintenance
- (4) Family reunification
- (5) Permanent placement

B. Adult Protective Services (APS)

This program provides out-of-home care, in-home supportive services and protective services for adults. All of these programs are federal, state, and county funded.

C. GAIN

GAIN is a mandated program under Assembly Bill 2580. In 1988, Public Law 100-485 was passed by the federal government which implements job opportunities and basic skills training. Presently, over 1366 clients are participating in the program. In 1992-93, 324 GAIN clients were employed and 100 clients terminated from AFDC. Prep job sites include Peach Tree Clinic, Yuba County Public Works, Yuba County Buildings and Grounds, Fremont and Rideout Hospitals, Marysville Joint Unified School District, and Cal Trans. The program is federal, state and county funded and requires clients to participate in all areas of the program.

3. 4-10 Alternative Work Schedule

The 4-10 alternative work schedule was established in 1993 by Yuba County to enable employees to make more efficient use of their time, resulting in better quality service to the public and increased staff morale.

There has been a 10% reduction in vacation usage, a decrease of 28% in overtime hours used, and an increase of 9% of court-ordered supervised family visitations conducted within the department. Computer accessibility for in-home supportive services increased 35% and employees are able to input data during non-peak hours. A periodic survey will be conducted to determine if the program remains feasible.

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FINDINGS:

Pursuant to Penal Code Section 925, all findings have been substantiated by observations and interviews by no less than two members of the Grand Jury.

1. Services by the Department of Social Services are being provided to the local community despite cutbacks of manpower and budget.

RECOMMENDATIONS:

None.

COMMENTS REQUIRED ON FINDINGS:

Yuba County Board of Supervisors: Finding I.

COMMENTS REQUIRED ON RECOMMENDATIONS:

None.

YUBA COUNTY
DEPARTMENT OF SOCIAL SERVICES
PROGRAM SHARE DISTRIBUTION
FY 1993/1994

	FEDERAL	STATE	COUNTY	TOTAL
ADMINISTRATION	\$ 4,793,552	\$ 2,371,468	\$1,068,432	\$ 8,233,450
AFDC - FG	3,209,650	7,799,168	410,483	16,419,300
AFDC - U	3,659,151	3,476,193	182,958	7,318,301
ABATEMENTS	(466,721)	(443,384)	(23,336)	(933,441)
AFDC - FC (FED)	1,301,795	520,718	781,077	2,603,589
AFDC - FC (NONFED)	0	414,443	621,665	1,036,108
ABATEMENTS	(13,257)	(9,521)	(14,284)	(37,062)
AAP (FED)	182,374	136,781	45,594	364,748
AAP (NONFED)	0	85,969	28,636	114,626
RCA	31,610	0	0	31,610
SED	0	79,064	118,596	197,660
GENERAL RELIEF	0	0	41,174	41,174
IHSS PROVIDERS PCO			95,918	
IHSS PROVIDERS RESIDUAL			156,958	252,876
TOTAL	\$17,698,154	\$14,430,896	\$3,513,890	\$35,642,939

OVERPAYMENT TRUST ACCOUNT	(123,928)	
STABILIZATION	(257,000)	
REALIGNMENT TRUST ACCOUNT - CAT AID	(707,281)	
REALIGNMENT TRUST ACCOUNT - ADMIN	(380,843)	
NET COUNTY COST	\$2,044,838	5.74%

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