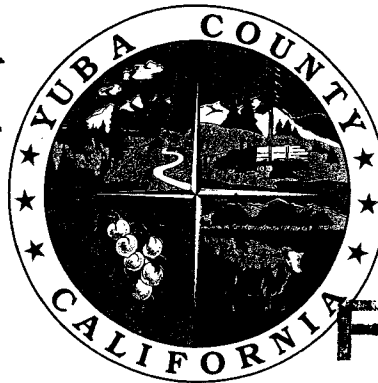


The County of Yuba

OFFICE OF THE SHERIFF - CORONER



Gary D. Tindel

SHERIFF - CORONER

(530) 741-6331

FILED

TO: Dennis Buckley, Presiding Judge of the Superior Court

AUG 28 1998

FROM: Sheriff Gary D. Tindel *JS*

YUBA COUNTY SUPERIOR COURT
MARGARET E. HERNANDEZ, CLERK
BY *M. Hernandez*
Deputy Clerk

DATE: August 25, 1998

RE: **97-98 Grand Jury Final Report Response - Jail Division Findings 3 and 4;
Recommendations 1,2**

Pursuant to §933(b) PC, I am providing the following response to the 97-98 Grand Jury Final Report. The report called for a response to Findings 3 and 4 and Recommendations 1 and 2 of the inquiry concerning the Jail Division of the Yuba County Sheriff's Department.

Finding 3: "Inmates during intake are not receiving adequate medical screening prior to admission in the facility. The jail is currently in need of a registered nurse on duty 24 hours a day."

Recommendation 2: "A 24-hour registered nurse should be assigned to reception of new inmates to obtain accurate information about medical history and current medical needs. Funds to pay for the needed medical personnel could be drawn from jail bed-rental revenues."

Response to Finding 3 and Recommendation 2: The jail is currently staffed by a nurse 18 hours a day with the break in coverage occurring from midnight to 6:00 a.m. The nursing staff attends to the medical needs of inmates of the jail and assists the correctional staff in the passing of medication while making themselves available upon request or in case of emergency.

Prisoners brought to jail are assessed at the intake by correctional staff. If the correctional officer determines that a prisoner is in need of immediate medical or mental health treatment, the prisoner is not accepted and the arresting officer is required to obtain medical clearance at a care facility. If the prisoner's condition is questionable, the medical staff responds to make the assessment. During the hours of the break in coverage, the jail supervisor will direct the arresting officer to obtain medical or mental health clearance for questionable cases.

Further, during the booking process an extensive medical screening is conducted. The information gleaned from the medical screening process is forwarded to the medical staff. If, during the screening process, a condition is revealed that requires immediate attention, medical staff is summoned or the prisoner is taken to Rideout Hospital for examination/treatment.

A nurse assigned to receive prisoners 24 hours per day would be difficult to financially justify. Typically, the Yuba County Jail books 21 prisoners per day. Many of these prisoners are held for six hours or less. There would not be sufficient work to keep a nurse busy 24 hours a day in the booking area. If the Health Department and the Board of Supervisors identified funding for the position, I would not be opposed to it, however, there are other programs and projects more worthy.

Finding 4: "The Grand Jury observed the intake shower procedures. It was noted that the inmates were given soap and disinfectant, but were not supervised by jail personnel to ensure that the items were used properly."

Recommendation 1: "Review policies and procedures for check-in of new prisoners, i.e., proper use of disinfectant and cleaning procedures for maximum protection against disease."

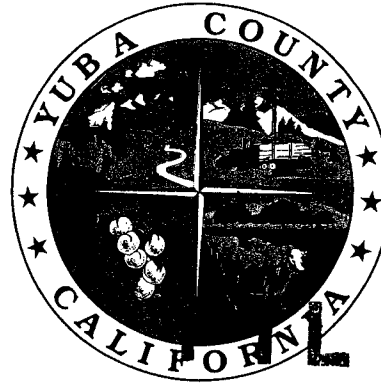
Prior to housing a new prisoner in the jail, the prisoner is required to shower and change into jail issue clothing. Prisoners are provided hygiene supplies in order to clean and disinfect themselves before their introduction to the housing areas. They are left to shower for themselves and no direct observation or instruction takes place.

The Yuba County Jail is an all adult facility and as such, it should be unnecessary for correctional staff to give prisoners instruction on properly showering themselves. To suggest that correctional officers supervise new inmates during the shower procedure is demeaning to both the inmates and correctional staff. Perhaps a video on proper hygiene could be obtained and presented on a repeated basis in the booking area.

YUBA COUNTY OFFICE OF EDUCATION

RICHARD D. TEAGARDEN
SUPERINTENDENT

938 14TH STREET, MARYSVILLE, CA 95901-4198
TELEPHONE (530) 741-6231
FAX NUMBER (530) 741-6500



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AUG 28 1998

August 27, 1998

TO: Dennis J. Buckley, Presiding Judge of the Superior Court

FROM: Richard D. Teagarden, Superintendent

RE: Request for Response

YUBA COUNTY SUPERIOR COURT
MADE BY: *[Signature]*
BY: *[Signature]*

As requested in your correspondence dated August 20, 1998, I am enclosing a copy of information sent to the Grand Jury as required regarding comments and/or recommendations to the 1997-98 Grand Jury Final Report:

- Memo dated June 10, 1998, to Bill Harris, Foreman of the 1997-98 YUBA County Grand Jury, regarding response to findings of the 1997/98 Yuba County Grand Jury .
- Memo dated June 1, 1998, from Carol Holtz, Principal of the Yuba County Career Preparatory Charter School, regarding list of enrolled students.
- Letter to John Harman, Grand Jury Member, dated March 30, 1998.
- 3 Year Report on Revenue/Expenses for the Charter School Program dated March 27, 1998.
- Memo dated April 15, 1998, to Kay Steele, Grand Jury Member, regarding ADA and Revenue Limit Information.

If I can be of further assistance in this matter, please contact me at 741-6231, Ext. 118.

RDT:mjb
Enc.

cc: Bill Young, Grand Jury Foreperson, 1998-99

The County of Yuba

OFFICE OF THE CLERK OF THE SUPERIOR COURT

MARGARET E. HERNANDEZ 530 749-1923

CLERK OF THE SUPERIOR COURT (916) 741-6258

COURT EXECUTIVE OFFICER (916) 741-6456

JURY COMMISSIONER (916) 634-7689

August 20, 1998



FAX (916) 634-7681

Mr. Ric Teagarden
Superintendent of Schools
Yuba County Office of Education
938 14th Street
Marysville, CA 95901

***Re: 97-98 Grand Jury Final Report Response - Charter School Findings 1-5;
Yuba Park Findings 1,3; Recommendation 1***

Dear Mr. Teagarden

On or about May 18, 1998, you received a copy of the 1997-98 Grand Jury Final Report with comments and/or recommendations requiring response(s) from your department (see pages 38-41 and pages 70-73

Within ninety (90) calendar days the governing body whose public agency is the subject of a report shall comment to the Presiding Judge of the Superior Court, with an informational copy to the Board of Supervisors, on the findings and recommendations to the Grand Jury. If no response is received within ten (10) days from the date of this notice, said agency is deemed to elect not to respond to code; and this notation shall become part of the public file.

A review of our records reflect that your response was not received on August 18, 1998, in compliance with Penal Code 933(b). Please provide your written response to ***Dennis J. Buckley, Presiding Judge of the Superior Court, 215 Fifth Street, Marysville, CA 95901.***

Thank you for your cooperation and immediate attention. If you have any questions, please contact me at **749-7923**.

Sincerely,

MARGARET E. HERNANDEZ

Court Executive Officer/Clerk/Jury Commissioner

cc: Dennis J. Buckley, Presiding Judge (97-98)
Bill Young, Grand Jury Foreperson (98-99)

To: Kay Steele, Grand Jury Member

From: Richard D. Teagarden, Superintendent of Schools

RE: Yuba County Career Preparatory Charter School, ADA and Revenue Limit Information as requested on April 14, 1998

Date: April 15, 1998

The questions that you have regarding the average daily attendance (ADA), enrollment, and revenue limit for students enrolled in the Yuba County Career Preparatory Charter School are numbers that appear to change depending on who is asked. In reality, it is very simple.

1. One ADA is earned for each 180 days of attendance. In Charter, we do not earn attendance days if the student does not complete the work. It would be very difficult to give detail information on each student's program of study since all of our students have individualized programs. But in general, 95% of the Charter students complete 100% of the work assigned each day they are enrolled in the Charter School. Additionally, most of the Charter students are not enrolled for the entire year. They come to the Charter School looking for an alternative program after having unsuccessful experiences at their district of residence. Below is another summary of ADA. Enrollment numbers change everyday with students both coming and going:

<u>Year</u>	<u>Budgeted ADA</u>	<u>Actual ADA</u>
1996	27	38
1997	129	151
1998	215	

2. The questions that you have regarding the amount of money earned for each student is also difficult to give a single answer. The amount of revenue we receive depends on the student's school district of residence and which year is being discussed. Our Charter allows us to serve any student from any county that is contiguous with Yuba County. Each school district in each county has a different revenue limit. We keep the information of residence on each child served. This is required since the state will not spend additional dollars for Charter school operation. The average revenue limit for all of the students served is \$3,825 per 180 days of

Letter to Kay Steele: April 15, 1998
Page Two

attendance. The range of revenue earned is from a low of \$3,562 to a high of \$4,123. We serve students who reside in Yuba, Sutter, Butte, Placer, Nevada, and Sierra Counties.

3. You continue to have questions about enrollment. The number enrolled continues to change daily. We start each year with an enrollment of zero and it builds as parents enroll their children looking for alternative programs and student success. It is estimated, assuming that our districts continue to expel and operate "Zero Tolerance" policies, we will end this year with about 390 enrolled and an earned ADA of 215.
4. Your question regarding the budget category of Teacher Miscellaneous- since most of our teachers are paid on an hourly contract this represents our teachers' salaries. Additionally, you requested information on conferences. This category is used to provide Charter staff with professional growth.

This has been a long process for the Grand Jury as you have looked into the Yuba County Career Preparatory Charter School. I hope that all of your questions have been answered and that you are as pleased with the results of our efforts as are the parents and students that we serve. Our graduation ceremonies are scheduled for June 29 and 30 at 6:30 p.m. We hope that you can attend the celebration. Again, I request that you commend Carol Holtz, School Principal, for her leadership and the success of all her students.

Again, thank you for your hard work and please do not hesitate to call if you have additional questions.

RDT:mjb

YUBA COUNTY OFFICE OF EDUCATION

RICHARD D. TEAGARDEN
SUPERINTENDENT

938 14TH STREET, MARYSVILLE, CA 95901-4198
TELEPHONE (530) 741-6231
FAX NUMBER (530) 741-6500



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March 30, 1998

John Harmon
Yuba County Grand Jury
Marysville, CA 95901

Dear Mr. Harmon:

Again, I want to thank you and the other members of the Grand Jury for your hard work and dedication to the citizens of Yuba County. The information that you requested regarding the Yuba County Career Preparatory Charter School is attached. I am very proud that the state approved this innovative program and that we have had such a positive impact on the students that in previous years have often fallen through the cracks. If you are so inclined, please send a letter of commendation to the principal, Carol Holtz.

As you can see from the budget printout, the Average Daily Attendance has grown to 215 ADA during the three years that the Charter School has been in existence. That number is still well below the number of students that have been expelled in Yuba County schools. About 25% of those in attendance are students that are returning to public schools from private schools or from one of our adjacent counties. The total budget for the Charter School has gone up each year to reflect the students served. We operate on state revenue limit which is based on \$4000 per year for each student based on perfect attendance. In 1996 it was \$120,397, in 1997 it was \$361,782, and in 1998 it is estimated to be \$811,414. In previous years this was revenue that was often not claimed because students were not in attendance and not doing their school work. We can only claim reimbursement for actual work completed. Students enrolled in the Charter program that do not complete their work are referred to the Student Attendance and Review Board for truancy.

We have been a little concerned about cash flow and the rate that the Charter School has grown, particularly during the first two years, since the first payment of money from the state for attendance is not received until about February each year. One of our goals has been to build up a reserve of enough to carry the program during the first half of the year without having to use our general operating budget and then seeking reimbursement. We are now in a financial position to handle this impact and develop a demonstration classroom of effective teaching and learning which has been one of our goals since the State Board of Education approved our Charter in 1996.

I believe that the Charter School will continue to grow until we make some reforms in our regular schools that allow more flexibility in alternative education. When we wrote the Charter to the state, our research indicated that we had about 600 school-age children that were either not enrolled or not attending. Though those numbers have dropped. Partially because of the 215 that we have enrolled and the exodus from Yuba County for among other reasons welfare reform under CalWORKS.

I hope that you find this information helpful as you move forward and finalize your report.

Sincerely,

A handwritten signature in black ink, appearing to read "Ric Teagarden", written in a cursive style.

Richard D. Teagarden
Superintendent

YUBA COUNTY OFFICE OF EDUCATION
YUBA REPORT-REVENUE/EXPENSES-CHARTER

March 31, 1998

ACCOUNT NUMBER / TITLE

	95/96	96/97	97/98 YTD
TRANSACTIONS			CURR BUDGET

[illegible]

EXPENSE ACCOUNTS					
PROGRAM	ALT ED/COMM SCH/CHARTER	7,032.38	6,495.00	500.00	00
01.1111.15.90.37	TEACHER SAL. FULL TIME	.00	.00	500.00	00
01.1116.15.90.37	TEACHER SAL. SUBSTITUTE	.00	.00	465.00	00
C.119.15.90.37	TEACHER-MISCELLANEOUS	48,747.81	186,593.35	46,925.00	00
C.21.15.90.37	SCH ADM SAL. FULL TIME	.00	22,873.95	75.00	00
C.426.15.90.37	CRADM SUB	.00	.00	103.00	00
01.2114.15.90.37	AIDE OVERTIME	.00	1,252.97	5,354.00	00
01.2119.15.90.37	INSTRUCTIONAL ASSISTANT	.00	.00	13,837.00	00
01.2322.15.90.37	CLERICAL PART TIME	.00	2,344.30	1,246.00	00
01.2324.15.90.37	CLERICAL SAL. OVERTIME	.00	118.86	1,746.00	00
01.2326.15.90.37	CLERICAL-SUBSTITUTE	604.77	17.00	5,434.00	00
01.2329.15.90.37	CLERICAL MISCELLANEOUS	.00	.00	17,050.00	00
01.3110.15.90.37	STRS FOR TEACHERS	1,127.10	7,117.04	3,872.00	00
01.3112.15.90.37	STRS ALL OTHERS	.00	1,888.88	.00	00
01.3120.15.90.37	PERS INSTR. AIDES	464.06	1,330.00	441.00	00
01.3122.15.90.37	PERS ALL OTHERS	.00	.00	1,386.00	00
01.3310.15.90.37	FICA - INSTRUCTIONAL 6.2%	412.90	1,142.57	1,948.00	00
01.3320.15.90.37	FICA-NONINSTRUCTION 6.2%	37.31	1,145.36	5,679.00	00
01.3330.15.90.37	MEDICARE-INSTRUCTIONAL	801.44	2,702.60	7,971.00	00
01.3340.15.90.37	MEDICARE-NON INSTR	16.06	58.10	.00	00
01.3410.15.90.37	HEALTH/WELFARE INST.	1,078.32	3,338.19	9,642.00	00
01.3510.15.90.37	HEALTH/WELFARE ALL OTHERS	.00	.00	1,160.00	00
01.3520.15.90.37	UNEMPL. INC. INSTRUCTIONAL	60.32	13.44	29.00	00
01.3520.15.90.37	UNEMPL. INS. OTHERS	.00	.00	783.00	00
01.3510.15.90.37	WKR S. COMP. INST.	.00	459.84	583.00	00
01.3620.15.90.37	WKS. COMP. ALL OTHERS	.00	.00	30,122.00	00
01.4110.15.90.37	TEXTBOOKS	.00	14,609.72	.00	00
01.4110.15.90.37	OTHER BOOKS	.00	.00	4,500.00	00
01.4110.15.90.37	INST. SUPPLIES	117.43	5,927.62	.00	00
01.4150.15.90.37	INST. MATERIAL 9-12	8,957.18	5,794.96	.00	00
01.4511.15.90.37	NON-INSTR. STORES	4.16	.00	.00	00
01.4520.15.90.37	OTHER SUPPLIES	656.20	2,724.75	7,500.00	00
01.5110.15.90.37	CONTRACTS, PERSONL SRV.	634.30	2,850.00	2,850.00	00
01.5120.15.90.37	CONFERENCES	49.00	634.30	10,650.00	00
01.5130.15.90.37	DUES & MEMBERSHIPS	.00	262.35	1,700.00	00
01.5140.15.90.37	TELEPHONE SERVICES	.00	.00	1,500.00	00
01.5150.15.90.37	MAINTENANCE CONTRACTS	.00	228.35	7,000.00	00
C.1320.15.90.37	RENTS/LEASES	31.00	3,000.00	150.00	00
C.1330.15.90.37	INTERPROGRAM	4,721.31	310.64	.00	00
01.5710.15.90.37	ALL OTHER EQUIPMENT	.00	1,453.00	28,500.00	00
01.6490.15.90.37	FIXED ASSETS/CAP OUTLAY	.00	.00	.00	00
01.6491.15.90.37	PERS REDUCTION FROM R/L	4,530.00	28,477.00	59,438.00	00
01.7310.15.90.37	INTERPROGRAM	80,515.42	237,606.18	73,512.00	00
01.YXXX.XX.XX.17	ALT ED/COMM SCH/CHARTER	80,515.42	237,606.18	73,512.00	00
C.YXXX.XX.XX.18	GENERAL FUND	39,821.58	64,116.10	77,482.00	00
REPORT TOTAL		39,821.58	64,116.10	77,482.00	00

ADA

27

129

2/5

YUBA COUNTY OFFICE OF EDUCATION

RICHARD D. TEAGARDEN
SUPERINTENDENT

938 14TH STREET, MARYSVILLE, CA 95901-4198
TELEPHONE (530) 741-6231
FAX NUMBER (530) 741-6500



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TO: Bill Harris, Foreman, 1997/98 Yuba County Grand Jury

FROM: Richard D. Teagarden, Yuba County Superintendent of Schools

RE: Response to 1997/98 Grand Jury Report, Yuba County Career Preparatory Charter School

Date: June 10, 1998

In response to the findings of the 1997/98 Yuba County Grand Jury, the following information is offered in hope of clarifying the issues addressed in your five questions:

1. The intended purpose of the reserves for this program are twofold; first, we strive to maintain approximately a 10% reserve for all programs as undesignated contingency for emergencies. Secondly, the Yuba County Charter School is in the process of starting two additional planned components. Reserves are being accumulated for this purpose. We plan to open a demonstration school during the 1998/99 school year to model effective teaching and learning. Designated reserves are for this purpose.
2. Regarding "inter-program" expense and the transfer of this money to the County Office of Education's general budget, county offices of education are partially funded by allowing a percentage of all program money received to be designated as general fund operational money. The state sets the rate each year at somewhere between about 4% and 10%. Our current rate is 6.42%. We identify this money in each program as "inter-program" and it is budgeted as part of general operations to cover anything from general supplies, utilities, salaries, etc. This is the use of inter-program funds in question.
3. The age and grade level breakdown of students enrolled in the Charter School is ever changing. This program is designed to meet the needs of non high school graduates that request alternative programs. Attached is a list of students enrolled by grade level and age.
4. The expenditures of fixed assets and capital outlay were all for computers and furniture for both the Charter School office and student use. The school offers computer assisted instruction and a complete testing system for all students.
5. Attached is another complete copy of the Charter School Budget, both revenues and expenditures for 1995/96, 96/97, and 97/98.

I hope you find this helpful in your discussion of the Yuba County Career Preparatory Charter School. There are several statements in the 1997/98 Grand Jury Report that I do not feel are accurate and request a meeting with the full Grand Jury if it is decided that additional information is needed.

RDT:srr
Enclosures

Memo

Date: 6/1/98

To: Ric Teagarden

From: Carol Holtz

RE: Grand Jury Response

Enclosed is a list of students enrolled on 6/1/98:

<u>GRADE LEVEL</u>	<u>#OF STUDENTS</u>
K	2
1	4
2	1
3	3
4	8
5	13
6	17
7	28
8	44
9	62
10	63
11	71
12	89

<u>AGE OF STUDENTS</u>	<u>#OF STUDENTS</u>
5	2
6	4
7	1
8	2
9	8
10	6
11	16
12	22
13	33
14	60
15	65
16	65
17	57
18	25
19	11
20	6
21	3
22	3
23	4
24	2
26	1
30	1
31	0
32	2
33	1
34	0
35	0
36	1
37	1
38	0
39	1
40	0
41	0
42	1
43	1

The County of Yuba

OFFICE OF THE BOARD OF SUPERVISORS



(530) 741-6461

August 11, 1998

The Honorable Dennis Buckley
Yuba County Superior Court
215 Fifth Street
Marysville, CA 95901

FILED

AUG 17 1998

YUBA COUNTY SUPERIOR COURT
MARGARET E. HERNANDEZ, CLERK
BY *M. Hernandez*
Deputy Clerk

RE: RESPONSE TO 1997/98 GRAND JURY FINAL REPORT

Dear Judge Buckley:

Provided pursuant to Penal Code Section 933 are the comments of the Board of Supervisors related to findings and recommendations contained in the 1997/98 Grand Jury Final Report. Consistent with Section C, responses do not address departments under the control of elected officials or outside agencies, except where a specific response was solicited. In addition, responses of individual departments are attached to this response, for the Court's information.

Board of Supervisors

Findings and Recommendations #1 and 2: The Board agrees that on occasion, there have been delays in publishing the Board minutes. While the Board agrees that staffing may have been a problem during a recent transition in the Deputy Clerk position, the position has been filled and there have not been any recent instances of minutes being published in an inordinately late manner. The Board therefore disagrees that the office is currently understaffed and will not implement the recommendation.

Environmental Health/Animal Control

Finding and Recommendation #1: The Board does not agree or disagree with the statement that "Animal Control is understaffed for the area covered in their scope." The Grand Jury did not define "scope" either in terms of area, population or service levels. If the assumption is made that limited funding and the size of the County contribute to a less than optimum level of service, the Board generally agrees. It is noted that the Grand Jury did not identify a source of funding for the recommended additional staffing.

Finding #2: The Board disagrees with the finding. According to the interim Director of Environmental Health, primary and secondary on-call staff are the only staff that take vehicles home. This is for the purpose of responding to after-hours emergency calls. It is often much more efficient to drive directly from home to the emergency site than having to stop at the animal control

facility to pick up a vehicle. The Board agrees that this policy, along with all other Animal Control policies, needs to be reviewed and updated as conditions warrant.

Finding #3: The Board disagrees with this finding. The interim Director of Environmental Health has indicated that the wording in the policy and procedure handbook is non-gender specific.

Finding and Recommendation #4: The Board disagrees that the walkways are "hazardous" but does recognize that they are in need of repair. This project is funded in the current budget.

Finding and Recommendation #5: The Board agrees with the finding and recommendation. Improvement of the Animal Control facility is included in the current budget.

Finding and Recommendation #6: The Board agrees with the finding and does not agree or disagree with the recommendation. Security is a concern at the Animal Control facility and funds have been budgeted for upgrading. After the organizational issues in Animal Control have been resolved, a thorough facility analysis will be performed and security will be addressed at that time.

Finding #7: The Board agrees with the finding. As noted above, the County has budgeted funds for upgrading of the Animal Control facility.

Finding and Recommendation #8: The Board agrees with the finding that the facility needs to be brought up to date with current technology; however, doing so is subject to the availability of funds. The Grand Jury did not identify a funding source to support this recommendation.

Finding #9: Although no comment is required on this finding, it should be noted that specific funding has been authorized in this year's budget for euthanasia training. The County also offers free counseling through its Employee Assistance Program.

Finding #10: The Board agrees with the finding that the Animal Control staff appears professional and dedicated.

Environmental Health/Sewage Appeals Board

Finding #3: The Board disagrees with the finding. The finding implies that the County has frequently failed to provide citizens with a timely and efficient sewage dispute appeal process. In fact, and as noted in the response to the 1995/96 Grand Jury Final Report, there was a delay in the first case heard by the Sewage Appeals Board because it had not been fully constituted. Once the members were selected, the process took 40 days to resolve from the time the applicant's appeal conformed to the ordinance and was ready to be heard.

Recommendation #1: The Board agrees with this recommendation and will implement it within six months.

Recommendation #2: The Board agrees with this recommendation. Environmental Health and County Counsel will continue to review sewage system requirements and regulations. There is no evidence that such requirements and regulations have been applied unequally.

Bi-County Juvenile Hall

Finding and Recommendation #3: The Board agrees with the finding and disagrees with the recommendation. The Board and the County Probation Officer recognize that additional laundry facilities are needed; however, there are significant structural obstacles to simply installing a new washer and dryer. This was previously addressed in the Board's response to the 1995/96 Grand Jury Final Report. It should also be noted that the Juvenile Hall's budget has traditionally been very lean; therefore, it is not feasible to finance such a costly project within "existing budget, maintenance and building improvement categories" as suggested by the Grand Jury. The County Probation Officer will discuss this matter with the incoming Sheriff and determine the feasibility of using Jail laundry facilities, perhaps augmented by STARS volunteers to transport the laundry between facilities.

Sheriff's Department

Recommendation #2: The Board only partially agrees with the recommendation that "...the Board of Supervisors should determine how county ordinances or policies should be enforced with regard to elected officials" because enforcement is often outside the jurisdiction of the Board of Supervisors. Few effective legal remedies are available to the Board. For example, if an elected official violated election laws, it would be up to the Grand Jury, District Attorney and/or Attorney General to prosecute such a violation - the Board would have no standing in such a matter. The Board has few effective options available to penalize an elected official for wrongdoing. Beyond public censure, most options are legal in nature and could only be initiated, not carried out, by the Board. This response results from the recommendation having already been implemented.

Sheriff's Department/Jail

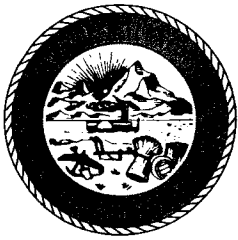
Finding #3 and Recommendation #2: The Board disagrees with the finding that inmates receive inadequate medical screening prior to admission to the jail and the recommendation that an R.N. is required on a 24-hour basis. This is based upon information received from Dr. Joseph Cassady, the County's Health Officer, who has served as Jail Medical Director since 1992 (attached). He has indicated that nursing coverage is provided eighteen hours per day, seven days a week, with little need for coverage in the remaining six hours per day. Unfortunately, his professional opinion as Medical Director was not sought by the Grand Jury in connection with this inquiry.

The Board extends its thanks to the members of the 1997/98 Grand Jury for their contribution of time, talent, and interest in fostering more effective, efficient local government. Thank you for the opportunity to comment.

Respectfully submitted,



Al Amaro
Chairman
Board of Supervisors



CITY OF MARYSVILLE

526 "C" Street • P.O. Box 150 • Marysville, CA 95901 • (916) 741-6633 • FAX (916) 742-7169

FILED

JUL 22 1998

July 20, 1998

YUBA COUNTY SUPERIOR COURT
MARGARETE E. HERNANDEZ, CLERK
BY *M. Hernandez*
Deputy Clerk

Honorable Dennis J. Buckley
Presiding Judge, Yuba County Superior Court
215 Fifth Street
Marysville, CA 95901

Dear Judge Buckley:

I am writing on behalf of the Marysville City Council to respond to the 1997-98 Yuba County Grand Jury Report. I will address both the findings and recommendations in each of the points below.

1. The City of Marysville and Yuba County appear to have numerous commercial properties that are vacant and there is no need to develop a historic park site.

The City Council is concerned with the development of property within the City limits and, therefore, has no comment regarding development in Yuba County. It is to the benefit of the citizens of Marysville to bring jobs and new office development within the city limits to improve the condition of blighted areas. Employment stimulates trade and increases the value of properties. The Yuba Park site is not a "Charter Park" and it has no particular historic significance. The term "Charter Park" is a misnomer. The City Charter does not designate Yuba Park or any other park as a "Charter Park."

Commercial properties that are vacant in the City were either too small for the Office of Education, cost too much to renovate so that they would comply with earthquake standards and federal handicapped accessibility standards, or the property owner didn't come to a satisfactory agreement with the Office of Education. The economic viability of development on other commercial properties is an economic decision which is to be made by the Office of Education as the developer. The report of the Grand Jury is in error in stating that the City entered into an agreement with the Office of Education and a private developer. No such agreement was contemplated. The Community Development Agency did contemplate a developer agreement with the Office of Education, but has not entered into an agreement with them at the writing of this letter.

2. The renting of commercial property for the equivalent of property tax is a poor financial practice.

The Community Development Agency has not entered into an agreement with the Office of Education. The terms of a ground lease, if approved, would be determined by the market value as determined by looking at comparable properties. The rental rate or ground lease rate for City or Agency owned property would be calculated by the current market and the benefit of the particular project to the community. Under State Redevelopment Law, the Agency is empowered to negotiate any rent or sale which meets the Agency's objectives. This could include the granting or contribution of land to a project.

3. It is not known how many jobs this project will generate for the community.

The project was proposed to include over one hundred additional jobs for Caltrans District Three. Since this project was delayed, Caltrans has located their workers in Yuba City which is located in Sutter County.

RECOMMENDATIONS

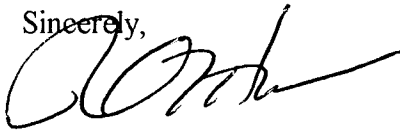
1. Explore alternative sites.

The City of Marysville has been and will continue to promote sites throughout the community. At present there is no proposed commercial use for Yuba Park. In keeping with the Community Development Agency Redevelopment Plan, the area along Yuba Street and Tenth Street remains in the project area. Our completed engineering study of the area shows that there is utility capacity for development of the entire area, including the park site as an office park site or commercial space.

* * *

If I may be of further assistance, please call me at 741-6633.

Sincerely,



Richard T. Hare
City Administrator

cc: Marysville City Council

RECLAMATION DISTRICT NO. 784
1594 Broadway
Marysville, California 95901-9632
Phone (530) 742-0520 Fax (530) 742-3021

July 13, 1998

FILED

JUL 20 1998

Yuba County Grand Jury
Court House
215 Fifth Street
Marysville, CA 95901

YUBA COUNTY SUPERIOR COURT
MARGARETE HERNANDEZ, CLERK
BY *[Signature]*
Deputy Clerk

Re: Response to 1997-1998 Grand Jury Report

Honorable Members of the Grand Jury,

The District has reviewed the 1997-98 Grand Jury Report. The recommendations and findings are good and the District is in agreement with the Grand Jury report. Serious progress has been made since the 1997 flood fight to develop a training program coupled with good communications. Radio/telephone units have been purchased to improve communication ability. A TV and VCR have been purchased to upgrade training of volunteers. Training films, in addition to the DWR film, are being developed unique to Reclamation District No. 784. The training program will put more emphasis on patrolling. Maps will be prepared showing where known boils are, to be able to graphically advise volunteers where special attention is required. The following is a response to Recommendations 1 and 2.

Response to Recommendations:

1. Grand Jury Recommendation. *"RD 784 should continue to pursue a more effective electronic communication system. The California State Department of Telecommunications should be contacted for their assistance in preparing for emergency situation".*

RD 784 Response: The Reclamation District has purchased 11 Nextel units. Nine (9) have radio/telephone capabilities and two (2) have radio capability only. One (1) radio unit is assigned to the Reclamation District office and the second radio is assigned to the Yuba County Office of Emergency Service (OES). The three (3) District employees, and five Board members are each assigned radio/phone units. The remaining radio/phone will be used for the highest priority need for any given situation.

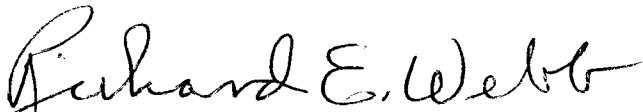
Jim Sawyer in Engineering Services, handling local districts for the California State Department of Telecommunications, was contacted for information and assistance in preparing for communications systems in emergency flood fight situations. Assistance in preparing for a flood

fight situation would be in the form of planning systems based on need, available frequencies, area to be covered, types, base stations, mobile units or hand held units.

2. Grand Jury Recommendation. *"RD 784 should establish a more extensive training program for all volunteers".*

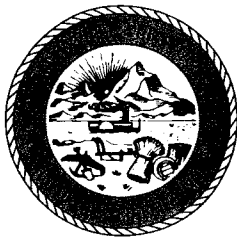
RD 784 Response: The District has obtained the training film from the Department of Water Resources which is a good film as far as it goes. In addition to that, a film showing what a typical classic boil looks like, and sack ring methods that show how to construct a sandbag sack ring to control a boil is being prepared. DWR does provide training classes in the fall of every year. These classes provide first hand experience which enables a person having gone through a DWR training session to have the knowledge and ability to construct a sack ring around boils. The District plans include getting volunteers together to attend one of the DWR Flood Fight classes.

Sincerely,

A handwritten signature in cursive script that reads "Richard E. Webb". The signature is written in dark ink and is positioned above the printed name.

Richard E. Webb, Chairman
Board of Trustees

cc: file



CITY OF MARYSVILLE

526 "C" Street • P.O. Box 150 • Marysville, CA 95901 • (916) 741-6633 • FAX (916) 742-7160

FILED

JUL 20 1998

YUBA COUNTY SUPERIOR COURT
MARGARET P. HERNANDEZ, CLERK
By *M. Hernandez*
Deputy Clerk

July 14, 1998

Honorable Dennis J. Buckley
Presiding Judge, Yuba County Superior Court
215 Fifth Street
Marysville, CA 95901

Dear Judge Buckley:

I am writing on behalf of the Marysville City Council to respond to the Grand Jury 1997-98 Downtown Report. The Grand Jury recommended that the City of Marysville actively promote the Yuba Sutter Enterprise Zone.

RESPONSE TO GRAND JURY RECOMMENDATION

The City of Marysville promotes the Yuba Sutter Enterprise Zone in several ways. One way is through the Yuba Sutter Economic Development Corporation (YSEDC). When prospective businesses call City Hall, one of the places that we refer them to is the YSEDC. One of the services that YSEDC offers is information on the benefits of being located within the Enterprise Zone.

Another way the City promotes the Enterprise Zone is through City staff. We receive several calls each year from people asking about the Yuba Sutter Enterprise Zone. Staff directs the caller to contact Mary Hansen at the Yuba County Airport.

In conclusion, through the City's involvement with YSEDC and with the help of City staff, the City promotes the Yuba Sutter Enterprise Zone.

Sincerely,

Richard T. Hare
City Administrator

The County of Yuba

OFFICE OF THE DISTRICT ATTORNEY



CHARLES F. O'ROURKE
DISTRICT ATTORNEY
PUBLIC ADMINISTRATOR

(530) 741-6201
FAX (530) 749-7901

FILED

JUL 20 1998

June 15, 1998

Yuba County Grand Jury
attn: Hon. Dennis J. Buckley
215 5th Street
Marysville, California 95901

YUBA COUNTY SUPERIOR COURT
MARGARETE HERNANDEZ, CLERK
BY *M. Hernandez*
Deputy Clerk

RE: Response to 1997-1998 Grand Jury Report

Dear Judge Buckley:

This is the response to the Grand Jury Report for fiscal year 1997-1998 in which the Grand Jury did not directly investigate or make and recommendations in regard to the operation of this Office. For that reason, there is no need for a direct response.

This letter is actually addressed to the members of the Grand Jury for the year 1997-1998, to respond to one issue and to make some general comments.

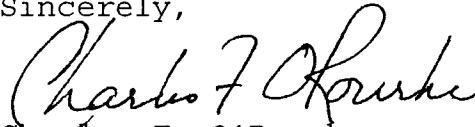
However, your report does mention that "The District Attorney's Office should be consulted for advice and procedural guidance" in reference to the Environmental Health Department (p. 23 of the report). It should be noted that guidance and assistance has been offered and on occasion attempted by the District Attorney to Environmental Health, often to fall on the deaf ear of the previous director.

It seemed that if some individuals had such expertise in all fields they did not need any advice from anyone, nor was advice welcome. It is essential that the members of the staff at Environment Health understand what is necessary to take a case to court so their efforts are not thwarted. Training is essential!

I would like to say that it has been a pleasure to work with the Grand Juries for the past several years as an advisor. Our relationship has been a professional and an enjoyable experience. I would hope that your successors will enjoy the same open, honest, and pleasant relationship to my successors.

You serve a very important function in the community and should be proud of the service you have rendered.

Sincerely,

A handwritten signature in cursive script, reading "Charles F. O'Rourke". The signature is written in dark ink and is positioned above the printed name.

Charles F. O'Rourke
District Attorney

CFO:yy

cc: Bill Harris

Knd 82898

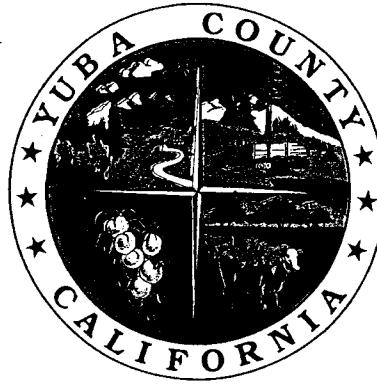
The County of Yuba

OFFICE OF THE CLERK OF THE SUPERIOR COURT

MARGARET E. HERNANDEZ 530 749-1923

CLERK OF THE SUPERIOR COURT (916) 741-6258
COURT EXECUTIVE OFFICER (916) 741-6456
JURY COMMISSIONER (916) 634-7689

August 20, 1998



FAX (916) 634-7681

Mr. Ric Teagarden
Superintendent of Schools
Yuba County Office of Education
938 14th Street
Marysville, CA 95901

***Re: 97-98 Grand Jury Final Report Response - Charter School Findings 1-5;
Yuba Park Findings 1,3; Recommendation 1***

Dear Mr. Teagarden

On or about May 18, 1998, you received a copy of the 1997-98 Grand Jury Final Report with comments and/or recommendations requiring response(s) from your department (see pages 38-41 and pages 70-73

Within ninety (90) calendar days the governing body whose public agency is the subject of a report shall comment to the Presiding Judge of the Superior Court, with an informational copy to the Board of Supervisors, on the findings and recommendations to the Grand Jury. If no response is received within ten (10) days from the date of this notice, said agency is deemed to elect not to respond to code; and this notation shall become part of the public file.

A review of our records reflect that your response was not received on August 18, 1998, in compliance with Penal Code 933(b). Please provide your written response to ***Dennis J. Buckley, Presiding Judge of the Superior Court, 215 Fifth Street, Marysville, CA 95901.***

Thank you for your cooperation and immediate attention. If you have any questions, please contact me at 749-7923.

Sincerely,

MARGARET E. HERNANDEZ
Court Executive Officer/Clerk/Jury Commissioner

cc: Dennis J. Buckley, Presiding Judge (97-98)
Bill Young, Grand Jury Foreperson (98-99)

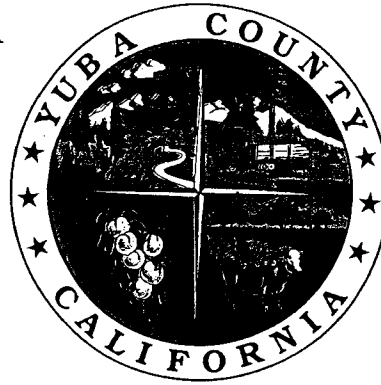
The County of Yuba

OFFICE OF THE CLERK OF THE SUPERIOR COURT

MARGARET E. HERNANDEZ

CLERK OF THE SUPERIOR COURT ^{530 749-7923}
COURT EXECUTIVE OFFICER ~~(916) 741-6258~~
JURY COMMISSIONER ~~(916) 741-6456~~
~~(916) 634-7689~~

August 20, 1998



FAX (916) 634-7681

Gary D. Tindel, Sheriff-Coroner
Yuba County Sheriff
215 Fifth Street
P.O. Box 1389
Marysville, CA 95901

SECOND NOTICE

Re: 97-98 Grand Jury Final Report Response - Findings 3,4; Recommendations 1,2

Dear Sheriff Tindel:

On or about May 18, 1998, you received a copy of the 1997-98 Grand Jury Final Report with comments and/or recommendations requiring response(s) from your department (see pages 38-41).

Within ⁶⁰~~ninety~~ (60) calendar days the governing body whose public agency is the subject of a report shall comment to the Presiding Judge of the Superior Court, with an informational copy to the Board of Supervisors, on the findings and recommendations to the Grand Jury. If no response is received within ten (10) days from the date of this notice, said agency is deemed to elect not to respond to code; and this notation shall become part of the public file.

A review of our records reflect that your response was not received on July 20, 1998, in compliance with Penal Code 933(b). Please provide your written response to ***Dennis J. Buckley, Presiding Judge of the Superior Court, 215 Fifth Street, Marysville, CA 95901.***

Thank you for your cooperation and immediate attention. If you have any questions, please contact me at **749-7923**.

Sincerely,

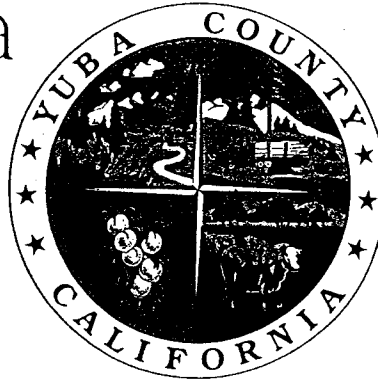
MARGARET E. HERNANDEZ
Court Executive Officer/Clerk/Jury Commissioner

cc: Dennis J. Buckley, Presiding Judge (97-98)
Bill Young, Grand Jury Foreperson (98-99)
Board of Supervisors

The County of Yuba

THE SUPERIOR COURT

DEPT. 1 HONORABLE THOMAS F. MATHEWS
DEPT. 2 HONORABLE JAMES L. CURRY
DEPT. 3 HONORABLE DENNIS J. BUCKLEY



CHAMBERS: (916) 741-6456
FAX: (916) 634-7681

August 3, 1998

Gary Tindel, Sheriff
County of Yuba
215 Fifth Street
Marysville, CA 95901

Re: 1997/98 Grand Jury Report

Dear Sheriff Tindel:

Please be reminded that pursuant to Penal Code Section 933(b), elected county officers are required to respond within 60 days to the findings and recommendations of the Grand Jury. Responses were due by July 20, 1998.

Thank you for your cooperation.

Very truly yours,

Evelyn Allis, Assistant
Court Executive Officer

ms

cc: The Hon. Dennis J. Buckley
Jan C. Dunstan, County Administrator
Dan Montgomery, County Counsel

