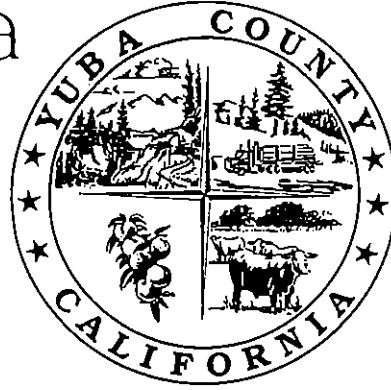


The County of Yuba

GRAND JURY



1998 / 1999 YUBA COUNTY GRAND JURY FINAL REPORT

The Honorable James Curry
Presiding Judge
Yuba County Superior Court
215 5th Street
Marysville, CA 95901

Dear Judge Curry:

In compliance with the California State Penal Code § 9339, I respectfully submit the 1998/1999 Grand Jury final Report to you, the Board of Supervisors and the citizens of Yuba County.

At the time you administered the oath of office to us in July 1998, we were 19 Yuba County citizens, with wide interests, backgrounds and talents, like our predecessors, we sought to investigate the operations of various governmental agencies, with the hope that we could provide recommendations, which would help provide better service. We also sought through our investigations get a closer look at the operation, and be able to give our citizens a better understanding of the situation we are in at this time.

I must say that this has been an eye opener for all of us. I have personally been in civic affairs for years, but like most of the citizens, have never been in a position to get to the heart of the problems, to better understand the why and why nots of government, like our investigations have given us.

This has been an outstanding group who makes the 1998/1999 Grand Jury. They have put in many hours in their investigations, to come up with this report. I certainly commend them for their diligence, continued desire for perfection in completing the Final Report. I shall never forget them.

History was made this year. "We now have a permanent Grand Jury meeting room and office, (first in the History of Yuba County, I am told). First of all we would like to extend "our sincere thank you" to Judge Buckley and Supervisor Al Amaro for instigating this project five years ago. The project was revised in July 1998, and to you Judge Curry a special "thank you" for seeing to it, that the new Grand Jury facilities became a reality. We would also like to give a "special thank you" to Evelyn Allis, Interim Court Executive Officer, and to Clay Maynard, then Chief of the

Yuba County Special Services Department, for the important part they played in this project.

Now for some very special and important commendations;

I especially thank the husbands and wives and families of the members of the Grand Jury, For being so understanding, when our job took us away from them on so many occasions.

To Interim Court Executive Officer Evelyn Allis and all of her staff for their support, and the cheerful and courteous manor it was given.

A very special thanks to you Judge Curry, for your guidance, support and for always being available when needed. We are all grateful to County Counsel Dan Montgomery for his forthright advice and to our two District Attorneys, Chuck O'Rourke and Pat McGrath for all of their support.

I think each member of this years Grand Jury will agree with me, that this has been a great learning experience, and an opportunity to serve our County. We shall always remember it. Thank you once again Judge Curry for giving us the honor.

Respectfully submitted,

A handwritten signature in cursive script that reads "J. William Young". The signature is written in dark ink and is positioned above the printed name.

J. William Young
Foreperson
1998/1999 Grand Jury

1998/1999 YUBA COUNTY GRAND JURY

KRISTIN BENGUEL	MARYSVILLE
EDGAR BOUDINOT	LOMA RICA
SHARON BRADLEY	BROWNS VALLEY
SUE CEJENR	MARYSVILLE
BOB CRIDDLE, FOREPERSON PRO-TEM	MARYSVILLE
KRISTI ECKMAN	MARYSVILLE
RICK ESSLINGER	MARYSVILLE
MILDRED HICKS	OLIVEHURST
COLLENN HOTCHKISS, CORRESPONDING SECRETARY	MARYSVILLE
BILL KIRKPATRICK	MARYSVILLE
JOSEPH RAPP	MARYSVILLE
THOMAS SCHULTZ, RECORDING SECRETARY	MARYSVILLE
KAY STEELE	BROWNS VALLEY
MARK SUSOEFF	MARYSVILLE
DIXIE WALLS	MARYSVILLE
MARILYN WESTERMAN	MARYSVILLE
BEN WIRTSCHAFTER	MARYSVILLE
WILLIAM YOUNG, FOREPERSON	MARYSVILLE

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1998/1999 YUBA COUNTY GRAND JURY

YUBA COUNTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION

RESPONSE REQUIRED ON FINDINGS

- **District Attorney, Family Support Supervising Attorney and the Family Support Administrator on findings 1 through 6**

RESPONSE REQUIRED ON RECOMMENDATIONS

- **District Attorney, Family Support supervising Attorney and the Family Support Administrator on recommendations 1 through 5**

YUBA COUNTY OFFICE OF DISTRICT ATTORNEY FAMILY SUPPORT DIVISION

REASON FOR INVESTIGATION:

This investigation was conducted pursuant to California Penal Code § 925, which states in part "investigations may be conducted on some selective basis each year". The 1998-1999 Grand Jury received a citizen's complaint that a case had been mishandled.

BACKGROUND:

Yuba County District Attorney Family Support Division's Office is located in the Yuba County Court House. The 1998-1999 Grand Jury obtained a Court Order to investigate the complainants records.

SCOPE:

The Grand Jury chose to focus the investigation on the received complaint.

PROCEDURE:

All interviews, tours and documents were obtained by no less than two members of the Grand Jury pursuant to Penal Code § 916.

The Grand Jury reviewed the case in question and the Department's policies and procedures with the Family Support Division Supervisor and the Family Support Administrator. The Grand Jury was taken on a brief tour of the department at which time the senior staff explained the general functions of the Department.

DISCUSSION:

A visit to the department was conducted on March 11, 1999 with the Family Support Supervising Attorney and the Family Support Administrator by appointment. The Grand Jury was welcomed and given an organizational flow chart of the department. The Grand Jury was presented with a brief overview of the process and a breakdown of the local and

statistics (the most recent supplied by the department) Yuba County has 1,513 cases per Family Support Officer, with a total of 15,128 cases in the county in contrast to Sutter County's ratio of 600 cases per worker with a total of 8398 files. Yuba County's caseload at the time of this investigation was close to 12,000. The total number of personnel assigned to this division is 31, ten of which are Family Support Caseworkers. The remaining 21 positions are held by attorneys, accounting and legal/clerical support personnel. The Accounting Department has two positions that are vacant due to long term Worker's Compensation claims.

The Complaint submitted by a local citizen was found to have little merit and the Family Support Division followed proper procedure in placing a lien on the property of the complainant.

The department's high caseload and vacancies make it difficult to respond to citizens in a timely fashion and keep the department's accounting up to date.

FINDINGS:

All findings have been substantiated by current documentation and by observation and interviews by no less than two members of the Grand jury pursuant to Penal Code § 916.

1. The Family Support Division is understaffed.
2. Caseworkers are overloaded and cannot dedicate the time necessary to complete cases in a reasonable time/frame.
3. There were insufficient telephone lines (3) to complete the assigned tasks of personnel; however, a new system is projected to be installed in May.
4. Family Support does not have a permanent Secretary assigned to the division.
5. Cases are not being processed for collection in a timely manner.
6. Files are not stored in cabinets for easy retrieval.

RECOMMENDATIONS:

1. The County receives incentive money from State/Federal sources for family support funds collected. The County should use some of this revenue to hire additional staff to reduce the caseload per worker.
2. The County needs to align the caseload per worker with surrounding counties in order to retain its current staff and attract new personnel to the department.

2. The County needs to align the caseload per worker with surrounding counties in order to retain its current staff and attract new personnel to the department.
3. The Family Support Division needs a permanent Secretary assigned to the department. This change **would** assure continuity at the front desk.
4. The County needs to ensure that cases are processed for collection in a timely manner. Funds need to be made available for this service.
5. The entire department could benefit from a total quality control process analyzing all policies and procedures in the department with the goal of making the department more efficient. An obvious beginning would be to furnish the department with an adequate number of filing cabinets.

RESPONSE REQUIRED ON FINDINGS:

District Attorney, Family Support Supervising Attorney and the Family Support Administrator on findings 1,2,3,4,5 and 6

RESPONSE REQUIRED ON RECOMMENDATIONS:

District Attorney, Family Support Supervising Attorney and the Family Support Administrator on recommendations 1,2,3,4 and 5

1998/1999 YUBA COUNTY GRAND JURY

**YUBA COUNTY DISTRICT ATTORNEY
PUBLIC ADMINISTRATOR**

RESPONSE REQUIRED ON FINDINGS

- None

RESPONSE REQUIRED ON RECOMMENDATIONS

- Board of Supervisors on recommendations 1 and 2

YUBA COUNTY DISTRICT ATTORNEY PUBLIC ADMINISTRATOR

REASON FOR INVESTIGATION:

This investigation was conducted pursuant to Penal Code § 925, which states in part, "investigations may be conducted on some selective basis each year". The 1998/1999 Grand Jury, during review of County activities became aware of the inefficiency of having the Department of Public Administrator under the District Attorney's office.

BACKGROUND:

The Yuba County District Attorney has the responsibility for the Public Administrator's office. Many counties in California have consolidated this position with the Sheriff/Coroner, to enable the administration of the Public Administrator to operate more efficiently.

PROCEDURE:

All interviews were conducted by no less than two members of the Grand Jury pursuant to Penal Code § 916.

The Grand Jury conducted an interview with the Yuba County District Attorney on May 13, 1999 and an additional interview with the Yuba County Sheriff on May 19, 1999.

DISCUSSION/FINDINGS:

The Yuba County District Attorney who met with the Grand Jury explained the basic job description for the Yuba County Public Administrator. The Public Administrator is responsible for coordinating the probate of a person's estate in Yuba County if no heir or other person has taken on this responsibility. Yuba County currently has a Deputy Public Administrator but she is currently on a leave of absence. The need for a Public Administrator does not occur often as the work is civil in nature not criminal, and is often handled by probate lawyers. The average time requirement to settle a case is ten to fifteen hours. The current Deputy Public Administrator is a paralegal. The State of California conducts seminars annually, which should be attended to keep up with all the latest information that pertains to the work of a Public Administrator. The District Attorney's budget provides funds for the work performed by the Public Administrator's office. The District Attorney stated it would be much more efficient for the Public Administrator functions to be moved to another county department such as the Sheriff/Coroner, County Counsel, or Public Guardian.

The Grand Jury met on this same issue with the Yuba County Sheriff. The Sheriff agreed that many other counties have consolidated Public Administrator with the Sheriff/Coroner and have gained efficiency. The Sheriff stated that if the Sheriff/Coroner had the responsibility of the Public Administrator, then only one county department, instead of two or three, would be responsible for this function. This change would make it easier and more efficient for the general public, funeral and nursing homes etc., to handle deaths' that necessitate the use of the Public Administrator's office.

RECOMMENDATIONS:

1. The Yuba County Board of Supervisors consolidate the Public Administrator position with the Sheriff/Coroner.
2. The Yuba County Board of Supervisors designate a budget line in the Sheriff Department for the expenses of the Public Administrator.

RESPONSE REQUIRED TO RECOMMENDATIONS:

Yuba County Board of Supervisors on 1 and 2

1998/1999 YUBA COUNTY GRAND JURY

GENERAL SERVICES DEPARTMENT

RESPONSE REQUIRED ON FINDINGS

- **None**

RESPONSE REQUIRED ON RECOMMENDATIONS

- **Board of Supervisors on recommendation 1**
- **County Administrative Officer on recommendation 2 and 3**

GENERAL SERVICES DEPARTMENT

REASON FOR INVESTIGATION:

This investigation was conducted pursuant to California Penal Code § 925, which states in part "investigations may be conducted on some selective basis each year". The 1998/1999 Grand Jury has received no formal complaints regarding any aspect of the County General Services Department.

BACKGROUND:

The County Department of General services is located in Marysville at the 14th St. County South Annex, and has responsibility for the following services and functions for the County:

1. Maintenance and upkeep of buildings and grounds
2. Centralized mail processing
3. Custodial services
4. Informational services, which provide technical assistance in planning, purchasing, installing, utilizing and maintaining all County computer systems
5. Print Shop, which provides printing and photocopying services
6. Purchasing
7. Security, including preparation of County Identification Cards
8. Telecommunications
9. Operations of the Yuba County Airport
10. Facilities space management
11. Energy (Utilities)
12. Surplus and Auctions
13. County Geographic Information Systems Database, Maps and Drawings
14. Support for Office of Emergency Service (OES)

To carry out these responsibilities, 22 personnel are authorized and assigned to the Department.

SCOPE:

The scope of this inquiry is limited to the operations of the Buildings and Grounds Section of the General Services Department. Additional observations are included concerning the impact of present and future county acquisitions on this Section.

PROCEDURE:

The Grand Jury interviewed the General Services Department Director and several employees in addition to reviewing County records and reports available to the public. A visit and tour of the Dan Avenue Complex was made. The investigations were conducted by no less than two members of the Grand Jury pursuant to California Penal Code § 916.

DISCUSSION:

The director and personnel of the General Services Department contacted by the Grand Jury were most cooperative and eager to provide all information requested.

It was apparent from the outset of this investigation that the General Services Department along with all other County Departments are operating under reduced budgets and that these departments have experienced severe reductions in personnel over the past few years. An example of this reduction within the General Services Department: In 1993 eighteen personnel were assigned to the Building and Maintenance Section, while today eleven personnel accomplish essentially the same workload. Consequently, time required accomplishing projects increased. Although increasingly heavy demands are being placed on these County employees, there was a general atmosphere of pride in their accomplishments and an acknowledgment that they were receiving a fair share of the limited County budget.

The dispersal of county workspaces causes additional problems in efficiencies and scheduling. General Services is responsible for the Courthouse, the 14th Street Annexes, the Library, County Offices in Linda, recently leased workspace planned on Yuba Street in Marysville and the unoccupied Dan Avenue complex.

The County's increased responsibilities, many of which have been dictated by State and Federal requirements, have made the need for additional workspace critical. A facilities committee headed by the County Supervisors has studied this difficult and vital problem for several months and recently a contract has been executed for outside assistance in this effort.

In October of 1998 the County purchased facilities of the Linda Olivehurst Civic Association (LOCA) located on Dan Avenue in Olivehurst. Considerations in the purchase of this three-acre property included:

- The fact that LOCA was financially unable to continue payments on the property permitted the County to assume ownership with payment of the existing loan. A timing element involving foreclosure hastened the decision.
- That this property could possibly be utilized in the County's search for additional workspace.

- That the proximity of this property to the proposed racetrack, added to its potential value.
- That sufficient funds were available from Developer Impact Fees, to cover the purchase of this acquisition, thereby avoiding expenditures from the General Fund.

FINDINGS:

1. Three Building Maintenance Technicians provide 24-hour emergency service, minor capital improvement projects, preventative maintenance requirements and general building upkeep for County property. In ground maintenance, only one individual is assigned the responsibility for the upkeep of all county landscaping. His job is accomplished utilizing the services of Yuba County Jail Trustees, Community Service Workers, GAIN and Cal Works personnel. This "free labor" brings problems of security, motivation, capability and experience.
2. Due to budget limitations the three Building and Grounds Technicians are authorized one pickup truck to carry out their widely dispersed work responsibilities. This restriction causes severe scheduling problems and delays.
3. Six custodians service over 400,000 square feet of present office space. Efforts have been successful in recruiting some office personnel to accomplish routine custodial services thereby stretching available manpower.
4. As a matter of general public interest, the funds used to purchase the Dan Avenue Complex can be used for a wide variety of purposes as set forth in Chapter 13.10.010(c)(6) of the Yuba County Ordinance Code: "The purpose of the county Public Facilities Impact Fee is to mitigate the impacts of development on the County's ability to maintain an adequate level of county public services by providing for the financing and construction or acquisition of additional County public facilities, improvements, and services and county community amenities necessary to support such County public services."
5. The Dan Avenue Complex had been essentially unoccupied since its purchase in October of 1998 and has been utilized quite infrequently for meetings and other County gatherings. The grounds are in need of upkeep and the buildings themselves will deteriorate without the attention that is associated with occupancy. A proposed

relocation of the Victim/Witness Program to this complex will utilize only about one fifth of the available space.

RECOMMENDATIONS:

1. That priorities be established to attain full utilization of all facilities at the Dan Avenue Complex.
2. That General Services be compensated by augmentation of personnel and budget, as necessary to accommodate the impact of recent County acquisitions. While financial reallocation for this requirement cannot be addressed by the Grand Jury, maintenance of buildings and grounds is an integral part of the cost of acquisitions
3. That at least one additional pickup truck be authorized for the use of Buildings and Grounds Technicians. Again, funds for this authorization should have been addressed coincident with acquisition and leasing decisions.

RESPONSE REQUIRED ON FINDINGS:

None

RESPONSE REQUIRED ON RECOMMENDATIONS:

1. Board of Supervisors
2. County Administrative Officer
3. County Administrative Officer

1998/1999 YUBA COUNTY GRAND JURY

YUBA COUNTY HUMAN SERVICES AGENCY

CHILDREN'S SERVICES PROGRAM

RESPONSE REQUIRED ON FINDINGS

- **None**

RESPONSE REQUIRED ON RECOMMENDATIONS

- **Department of Human Services Director and Children's Services
Department Program Manager on recommendation 1**
- **County Board of Supervisors, Department of Human Services
Director and Children's Services Department Program Manager on
recommendation 2**
- **Children's Services department Program Manager on
recommendation 3**
- **County Board of Supervisors on recommendation 4**

YUBA COUNTY HUMAN SERVICES AGENCY CHILDREN'S SERVICES PROGRAM

REASON FOR INVESTIGATION:

This investigation was conducted pursuant to California Penal Code § 925, which states in part, "investigations may be conducted on some selective basis each year". The 1998-1999 Grand Jury has received formal complaints regarding the provision of services to the residents and children of Yuba County.

BACKGROUND:

The Children's Services Department (formally Child Protective Services) of Yuba County is located in the Sutter Buttes office complex at 1000 Lindhurst Road, Marysville, California (formally the Peach Tree Mall). Children's Services has the responsibility for the identification and remediation of child abuse, neglect, dependency and promote family preservation.

SCOPE:

The Grand Jury conducted a broad investigation to determine how the department functions.

PROCEDURE:

All interviews and tours were conducted by no less than two members of the Grand Jury pursuant to Penal Code § 916.

The Grand Jury interviewed the Director of Human Services, the Children's Services Program Manager and sixteen members of the support staff. The Grand Jury met and discussed the department with the Yuba County judge who is responsible for the County's Juvenile calendar. The Grand Jury interviewed community members that had filed formal complaints with the Grand Jury.

The initial interview with the two senior staff who provided a two-hour presentation which was followed with a question-answer period. The meeting with the Judge addressed case records, procedures and staffing. The Grand Jury then conducted individual interviews on site to ascertain staff input and to review procedures and policies as they relate to the operation of the department. The interviews in regards to the formal complaints were to clarify the various complaints and better understand the issues raised.

DISCUSSION:

The discussion with senior management staff revolved around a high personnel turnover, inability to attract adequately credentialed case managers, and the client to caseworker ratio. Individual questions of particular relevance to program operation included queries on adoption, physician selection and family placement issues. Also discussed was how Yuba County compares statistically to other counties in the areas of unemployment, drug use, teenage pregnancy and per capita income. Senior department staff stated that these were major factors influencing the treatment and environment of Yuba County children. County Counsel encouraged the Grand Jury to contact the judge most directly involved with the Children's Services Department. The meeting with the judge focused on court reports and their timeliness as well as the court's perspective on confidentiality and access to case records. The interviews conducted on site (on an individual basis) focused on perceived lack of staff, lack of training, excessive overtime, reporting procedures and court documentation. Inequities in compensation as they compare to bordering counties were recognized as a major factor in the competition for qualified staff. Given these challenges, the majority of staff stated that their clients were receiving adequate services and that, given time, the department would improve. The Grand Jury was greeted warmly and everyone was very cooperative. There was much effort by senior staff to help the Grand Jury in any way.

FINDINGS:

Observation and interviews have substantiated all findings by no less than two members of the Grand Jury pursuant to Penal Code § 916.

1. Senior staff is working with the Court to refine the documentation required by the Court.
2. There are staff vacancies in the department making operations difficult requiring staff to put in many hours of overtime monthly.
3. There is a need for more initial training of new employees and continued staff development.
4. Salary and benefit packages are not competitive with surrounding counties.

RECOMMENDATIONS:

1. The Department needs to continue working with the Court in refining and condensing the court documentation and educating the department staff in regards to expectations.
2. There are thirteen vacant positions; all efforts should be made to attain additional qualified staff as soon as possible for minimum operational staff capacity.
3. The new Staff Development Specialist should continue in the development and implementation of a major training program with specific goals and meet expected outcomes in a timely manner.
4. All available County funding should be directed to programs that promote healthy children and families, that should be one of the County's highest priorities.

RESPONSE REQUIRED ON FINDINGS:

None

RESPONSE REQUIRED ON RECOMMENDATIONS:

1. Department of Human services Director and Children's Services Department Program Manager
2. County Board of Supervisors, Department of Human Services Director and Children's Services Department Program Manager
3. Children's Services Department Program Manager
4. County Board of Supervisors

1998/1999 YUBA COUNTY GRAND JURY

**HUMAN SERVICES AGENCY
PUBLIC GUARDIAN**

RESPONSE REQUIRED ON FINDING

- **None**

RESPONSE REQUIRED ON RECOMMENDATIONS

- **None**

YUBA COUNTY HUMAN SERVICES PUBLIC GUARDIAN

REASON FOR INVESTIGATION:

California Penal Code § 925 states in part: "The Grand Jury shall investigate functions of the County on some selective basis each year."

BACKGROUND:

Yuba County Public Guardian is a division of the Human Services Department. Their office is located at the Sutter Buttes Office Complex, 1000 Lindhurst Avenue, Linda California (formally the Peach Tree Mall). Regulations for the Public Guardian are defined in the California Welfare and Institutions Code. The mission of the Public Guardian is loosely defined. The Public Guardian is charged with managing personal affairs of the elderly, disabled and mentally ill who have no family or friends to act on their behalf. The Public Guardian office provides Lanterman-Petris-Short Act (LPS) and probate conservatorship administration. This responsibility includes the budgeting of funds, i.e. the payment of bills, the protection, storage and sale of real and personal property, the supervision of medical care placement and treatment. Overall the Public Guardian's goal is to assure the basic provisions of food, clothing and shelter for each client.

SCOPE:

Members of the Grand Jury conducted a general investigation to determine how the department is funded as well as how it is organized.

PROCEDURE:

All interviews, tours and documents were obtained by no less than two members of the Grand Jury pursuant to Penal Code § 916.

The Grand Jury met with the Public Guardian and asked questions surrounding funding and functions of the Public Guardian. Each line of the budget was reviewed and discussed.

The Grand Jury specifically addressed:

- Daily activities and services performed by the Public Guardian and office staff
- Funding sources

- Budget
- Client requirements
- Caseload size
- Resources

DISCUSSION:

Potential clients are interviewed to determine:

- how they provide for themselves
- if they have any family assistance
- if they have been a voluntary patient at a mental health facility or if they were accessing the possibility of voluntary treatment.

Potential clients on Medi-Cal Assistance or Supplemental Security Income are not eligible if they have a resource limit that exceeds a combination of cash and real property that is valued in excess of \$2,000. Potential clients that are court probate placements **do** qualify for services.

FINDING:

The Grand Jury was well accepted by the entire staff. There were no issues that surfaced that were cause for comment. The portion of the population that was serviced by this department was either indigent or was unable to be fiscally responsible for themselves. The Public Guardian and office staff was sincere and dedicated.

RECOMMENDATIONS:

None

RESPONE TO FINDING:

None

RESPONSE TO RECOMMENDATIONS:

None

**1998/1999 YUBA COUNTY GRAND JURY
YUBA COUNTY OFFICE OF EDUCATION**

RESPONSE REQUIRED ON FINDINGS

- **None**

REPONSE REQUIRED ON RECOMMENDATION

- **None**

YUBA COUNTY OFFICE OF EDUCATION

REASON FOR INVESTIGATION:

The investigation was conducted pursuant to California Penal Code § 925, which states in part, "investigations may be conducted on some selective basis each year". The 1998/1999 Grand Jury investigated the Yuba County's Office of Education Alternative Educational Programs. The Grand Jury also investigated a complaint regarding the closure of Yuba County's Family Resource Network as well as the termination of a paid employee.

BACKGROUND:

Yuba County Office of Education administers several alternative educational programs to assist children in maximizing their educational opportunities. Yuba County Office of Education subcontracts with the Sutter County Office of Education, who in turn contracts with the California Department of Developmental Services to provide support for parents of children under four years of age with special educational needs. The parental support program operates in Yuba County as the Yuba County Family Resource Network.

SCOPE:

The scope of this inquiry was limited to determining the different alternative educational opportunities offered to children in Yuba County as well as reviewing and investigating the complaint regarding the Yuba County Family Resource Network.

PROCEDURE:

The Grand Jury interviewed the Superintendent of the Yuba County Office of Education. The investigation was conducted by no less than two members of the Grand Jury pursuant to California Penal Code § 916.

Alternative Educational Programs

DISCUSSION/FINDINGS:

The Yuba County Office of Education provides alternative education within the community to students whose needs are not met in their school districts traditional classrooms. To that end, the following programs are operated in the County of Yuba:

- Thomas E. Mathews Community School

- Harry P.B. Carden School (located at Bi-County Juvenile Hall)
- Yuba County Career Preparatory Charter School
- Yuba Oaks Academy Business and Technology School
- Agnes Weber Meade School and Goldfield School serving students with language disorders
- Anna Bell Karr School for the visually impaired
- Spring Valley School to serve children with special needs
- Virginia School, Virginia School Headstart, Virginia School/Wheatland High School and Virginia School/Yuba College to serve students with severe special needs

Some of these programs are located on general educational grounds.

According to the Superintendent, all of the teachers in these programs possess proper professional credentials. Some teachers hold emergency credentials but are receiving additional training in compliance with State law. The Superintendent stated that the T.E. Mathews School has been so successful, it is viewed as a model program in the State. The Superintendent also noted the strength and success of the Preparatory Charter School.

RECOMMENDATIONS:

None

RESPONSE REQUIRED ON FINDINGS:

None

RESPONSE REQUIRED ON RECOMMENDATIONS:

None

Complaint Regarding Family Resource Network

DISCUSSION/FINDINGS:

The YCFRN (Yuba County Family Resource Network) was created to provide support for parents of children under the age of four with special educational needs. The YCFRN had office space at the Ella School with one Yuba County Office of Education employee assigned to the

Yuba and Colusa counties to provide services within their respective counties. Services in the three counties are coordinated with the Tri-County Family Resource Network Steering Committee.

In early 1999, the relationship between the Tri-County Steering Committee and the YCFRN deteriorated. This deteriorating relationship caused the YCFRN to “withdraw” from the Tri-County Steering Committee. Thereafter, YCFRN’s relationship deteriorated with Yuba County Office of Education.

The Yuba County Superintendent noted the strength and success of the Preparatory Charter School during our investigation.

RECOMMENDATIONS:

None

RESPONSE REQUIRED ON FINDINGS:

None

RESPONSE REQUIRED ON RECOMMENDATIONS:

None

**1998/1999 YUBA COUNTY GRAND JURY
YUBA COUNTY PROBATION DEPARTMENT**

BI-COUNTY JUVENILE HALL

RESPONSE REQUIRED ON FINDINGS

- **Bi-County Juvenile Hall Superintendent on findings
1,2,3 4 and 5**
- **Yuba County Board of Supervisors on finding 4**
 - **Marysville Fire Chief on finding 5**

RESPONSE REQUIRED ON RECOMMENDATIONS

- **Bi-County Juvenile Justice Commission on recommendations 1 and 2**
- **Yuba County Board of Supervisors on recommendations 1,2 and 4**
- **Bi-County Juvenile Hall Superintendent on recommendations 2,3
and 5**
 - **Marysville Fire Marshall on recommendation 5**

YUBA COUNTY PROBATION DEPARTMENT BI-COUNTY JUVENILE HALL

REASON FOR INVESTIGATION:

Penal Code § 919(b) states, "The Grand Jury shall inquire into the condition and management of the public prisons within the county." All detention facilities including Juvenile hall are included in the term "public prisons".

BACKGROUND:

The Juvenile Hall is investigated annually by the Health Department of Yuba County, the California State Board of Corrections, the Sutter and Yuba Counties Juvenile Justice Commissions, as well as the Grand Juries from Yuba and Sutter Counties.

The Bi-County Juvenile Hall, which serves both Yuba and Sutter Counties, is located at 1023 14th Street, Marysville, California. The facility also contracts with Colusa County to supply surplus beds. The Yuba County Probation Department administers the facility.

SCOPE:

The Grand Jury's investigation was focused on the facility and general operations. All regulations contained in California Administrative Code Title 15, Division 4, Chapter 2, Subchapter 3, and Title 24 are applicable to incarceration facilities for minors.

PROCEDURE:

All interviews were conducted and documents were obtained by no fewer than two members of the Grand Jury pursuant to Penal Code § 916.

The Grand Jury visited the Bi-County Juvenile Hall on September 9, 1998 (announced) and on September 23, 1998 (unannounced). The Grand Jury interviewed the Superintendent and toured the facility on the September 9th visit. On the September 23rd visit the Grand Jury conducted another tour of the entire facility and observed meal preparation and service as well as a vocational class on carpentry for some of the juveniles.

DISCUSSION:

The first visit by members of the Grand Jury on September 9, started with an orientation of the facility with the Bi-County Juvenile Hall Superintendent. The Superintendent informed the Grand Jury about inmate capacity of the facility, what the actual number of

juveniles housed at the facility the day of our tour was and what the State Board of Corrections recommends for number of juveniles housed at the facility. The Superintendent informed the Grand Jury about the facility that is adjacent to the Juvenile Hall; Camp Singer which is a facility that houses court sentenced Juvenile offenders. Camp Singer is able to accommodate twelve juveniles. The Bi-County Juvenile Hall can house 55 youth (the State Board of Corrections recommends 45). On September 9 there were 57 juveniles being held at the facility. Overflow is handled with temporary beds. The facility operates on an annual budget of \$1.285 million. Our first tour included the kitchen, admitting area, classrooms, food-serving area, sleeping cells/rooms, laundry area and yard/recreation area. The second visit to the facility allowed a visit of Camp Singer and observation of a meal being served. The Grand Jury was impressed with the Camp Singer curriculum. The juveniles are offered anger management instruction and a 12 Step Program for alcohol and drug abuse when committed to the Camp Singer Program. There were 24 youth involved in the Camp Singer program on our day of visit. Some of the youth were from the Juvenile Hall next door taking advantage of the program being offered. Camp Singer was built from grant monies attained by Colusa County in 1996. The kitchen facility, which supplies meals for Bi-County Juvenile Hall and Bi-County Mental Health, was remodeled in 1976 from the old Beale Building. The meals are prepared in this kitchen that is across the street from the Juvenile Hall facility and transported in "hot carts" to the serving area. This method of preparation and transportation is considered inconvenient by this Grand Jury. The Juvenile Hall appears to be managed well with the exception of the facilities. The Juvenile Hall serves Yuba and Sutter Counties with the fixed operational costs of 70 percent of the budget being split half-and-half. Each County pays their pro-rated bed rate as used. The Counties are able to recoup a minimal amount from parents of the housed juveniles (\$8-15 thousand). Camp Singer was built with Colusa County acquired grant money so, they have a certain number of authorized bed space available to them.

FINDINGS:

All findings have been substantiated by current documentation, and by observation and interviews, by no less than two members of the Grand Jury pursuant to Penal Code § 916.

1. The kitchen is housed in very old facilities. The Grand Jury found a dead mouse, food being handled without gloves, no soap or hand towels at the sink area, dishwasher trays black with dirt, dirty floors and handprints on refrigerator/freezer. The kitchen facility was not sanitary and is in need of repair. The Grand Jury is concerned that the food is not being maintained at the proper temperature during transport.
2. The grounds are in need of maintenance; there is litter and a leaking water pipe. The grass needs to be trimmed around the fence and discarded handrails need to be stored in a safe place. Several of the fire extinguishers were not located in cabinets indicated for them and a key is broken off in a cabinet in the area designated for girls. Cabinets, which contain water and control valves along with several electrical boxes, do not have operational locks. Walls in the visiting room need repairing.

3. Broken furniture needs to be repaired or discarded.
4. The Juvenile Hall exceeds its bed capacity very often; at which time the Superintendent must present himself to the juvenile court judge and request that some of the juveniles be released. There are little funds recovered from parents and family of the juveniles in custody (one percent). The Bi-Counties has secured 2.7 million in federal funds for a 46-bed facility scheduled to open in 2001.
5. The last Fire Marshall inspection was performed on December 9, 1997. The fire clearance is granted for a one-year time period, and was overdue during the Grand Jury's follow-up in January 1999. It was finally completed on February 23, 1999.

RECOMMENDATIONS:

1. The entire kitchen facility should be cleaned and sanitation/health issues addressed. Procedures should be developed to control this area of operation. A new in-house kitchen should be built and grant monies should be sought to fund this project.
2. The juveniles should be required to do additional cleaning and up-keep of the facility and grounds with proper training for these tasks. The supervisor in charge of ground and maintenance should develop safety standards and conduct bi-monthly inspections to ensure compliance with established procedures.
3. Solicit donations from the community for needed furniture.
4. The increase in demands on the facility and overcrowded conditions should be addressed with the application for grant monies to help fund expansion of the facility. Parents should be held responsible for the cost of caring for their children held in the Juvenile Hall facility.
5. Fire inspections need to be performed as required by law. The inspection that is overdue should be performed and a copy of that report sent the Grand Jury.

RESPONSE REQUIRED ON FINDINGS:

1. Bi-County Juvenile Superintendent
2. Bi-County Juvenile Superintendent
3. Bi-County Juvenile Superintendent
4. Bi-County Juvenile Superintendent and Yuba County Board of Supervisors
5. Bi-County Juvenile Superintendent and Marysville Fire Marshall

RESPONSE REQUIRED ON RECOMMENDATIONS:

1. Bi-County Juvenile Justice Commission and Yuba County Board of Supervisors

2. Bi-County Juvenile Justice Commission, Bi-County Juvenile Hall Superintendent and Yuba County Board of Supervisors
3. Yuba County Probation Department and Bi-County Juvenile Hall Superintendent
4. Yuba County Board of Supervisors
5. Bi-County Juvenile Hall Superintendent and Marysville Fire Marshall

1998/1999 YUBA COUNTY GRAND JURY
YUBA COUNTY PROBATION DEPARTMENT
VICTIM WITNESS PROGRAM

RESPONSE REQUIRED ON FINDINGS

- **None**

RESPONSE REQUIRED ON RECOMMENDATIONS

- **None**

YUBA COUNTY PROBATION DEPARTMENT VICTIM WITNESS PROGRAM

REASON FOR INVESTIGATION:

This investigation was conducted pursuant to California Penal Code § 925, which states in part: "investigations may be conducted on some selective basis each year." The Yuba County Victim Witness Assistance Program has never been investigated by the Grand Jury.

BACKGROUND:

The Probation Department supervises the Victim Witness program. Victim Witness provides services for crime witnesses and victims. This assistance includes early intervention, advocacy, and treatment. Within these larger areas there are specialized services for children and families at risk, child abuse and victim trauma services, community crisis response and critical incident debriefing.

SCOPE:

Members of the Grand Jury conducted a general investigation to determine funding resources, focus, outreach, credentialing, program structure, and client base. It was also the intent of the Grand Jury to use the report as a vehicle to inform the community at large of the availability of these crucial services. Questions were asked in an outlined format;

1. Daily activities and services performed by their staff
2. Funding sources
3. Budgeting
4. Client requirements
5. Resources

PROCEDURE:

A committee of four visited the offices located on 14th St. and spoke with the Program Coordinator and the Chief Probation Officer. The well-prepared presentation included an organization chart as a handout, and a thoughtful question and answer session followed by a tour of the facility

DISCUSSION:

All Yuba County residents are eligible to access services without regard to personal resources or seriousness of event/crime/trauma. The Victim Witness Program promotes

crime prevention services in the community by being involved in: The Marysville Joint Unified School District Parent Summit, Community Fairs, Children Home Society Children's Fair, the Kids' Safety Fair and Red Ribbon Week. Crisis Services are titled under the Community Crisis Response Program and onsite Crisis Teams. Daily interaction within the schools is provided by seven onsite probation officers that work as counselors with our youth.

Potential clients are contacted with the aid of "face sheets" from crimes, referrals from law enforcement and counseling staff connected with local hospitals with client consent.

FINDINGS:

All findings have been substantiated by current documentation, by observation and interviews, by no less than two members of the Grand Jury pursuant to Penal Code § 916.

We found services to be necessary and accessible to County residents without regard to resources and degree of severity.

RECOMMENDATIONS:

None

RESPONSE REQUIRED TO FINDINGS:

None

RESPONSE REQUIRED ON RECOMMENDATIONS:

None

1998/1999 YUBA COUNTY GRAND JURY
YUBA COUNTY SHERIFF DEPARTMENT
ANIMAL CONTROL

RESPONSE REQUIRED ON FINDINGS

- Sheriff on findings 1,3,4 and 5
- Board of Supervisors on findings 1,3,4,5 and 7

RESPONSE REQUIRED ON RECOMMENDATIONS

- Sheriff on recommendations 1,2,3,4 and 5
- Board of Supervisors on recommendations 1,2,3,4 and 5
- Yuba County Administrator on recommendation 5

YUBA COUNTY SHERIFF DEPARTMENT ANIMAL CONTROL

REASON FOR INVESTIGATION:

This investigation was conducted pursuant to California Penal Code § 925, which states in part "investigations may be conducted on some selective basis each year". The 1998-1999 Grand Jury investigated this department as a follow-up to the 1997/1998 Grand Jury Report.

BACKGROUND:

The Yuba County Animal Control facility is located at 5245 Feather River Blvd., Marysville, California. On September 1, 1998 the Yuba County Board of Supervisors shifted the responsibility of Animal Control from Environmental Health Services Department to the Sheriff's Department.

SCOPE:

Members of the Grand Jury conducted an investigation to determine if the issues found in the 1997/1998 Grand Jury Report had been adequately addressed. There were no known responses from the Environmental Health Department regarding the 1997/1998 report.

PROCEDURE:

All interviews, tours and documents were obtained by no less than two members of the Grand Jury pursuant to Penal Code § 916.

On February 5, 1999 the Grand Jury toured the Animal Control Facility.

DISCUSSION:

The Animal Control Department was shifted from the Environmental Health Department to the Sheriff's Department due to budgetary and staffing problems. Currently a Sheriff's Captain is assigned as the supervising officer of the Animal Control Department.

The facilities were originally built in the 1950's and the most recent addition to the existing structure was in the 1980's. The Animal Control Department has responsibility for 640 square miles. A Captain of the Sheriff's Department, one Supervisor, four Animal Control Officers and two clerks staff the Department. An average of fifty pets a day are euthanized. The Department performs this task in the most humane way possible with inadequate facilities. Many pets are euthanized because pet owners do not pay the

impound fees. In comparison to surrounding counties, Yuba County has very low licensing fees. Operating hours of the Animal Control Shelter have been expanded to better serve the public. Some new equipment has been acquired but basically there have been no real improvements to the facility.

FINDINGS:

These findings are from reviewing last year's report and an in depth investigation, from our tour.

1. The Animal Control Department is understaffed for the area the department is required to cover.
2. Animal Control Officers are allowed to use county vehicles for personal commuting purposes because there is no secure area to park the vehicles at the facility. Animal Control officers can respond more timely when on call or when going to and from work if allowed to use cars for personal transportation.
3. The Animal Control facility has hazardous walkways.
4. There is insufficient space for cats. The room where cats are housed has three levels of concrete flooring with an open trench. This flooring creates a safety hazard for personnel as well as the public. Euthanasia of pets is handled in this same area.
5. The facilities are not up to date with current animal treatment technology.
6. The Animal Control staff is professional and dedicated to the difficult tasks that they perform.
7. The Sheriff's Department should not administer the Animal Control Department. Moving the administration of Animal Control to the Sheriff's Department is a poor allocation of trained law enforcement personnel.

RECOMMENDATIONS:

1. The Grand Jury recommends addressing staffing needs, as funds become available.
2. The Grand Jury recommends that the outdated and broken down facilities be addressed by seeking funds from the private sector as well as researching grant funding. The County should look into teaming up with non-profit animal humane organizations to help run and finance Animal Control.
3. Animals need to be euthanized in a clinical environment not in a storage and cat holding area.

4. When funding and budget allows, the County Supervisors should place Animal Control under the auspices of Environmental Health or make Animal Control a department that can stand on its own.
5. With an average of fifty pets a day being euthanized, Yuba County should actively promote spay/neuter programs and institute an overpopulation ordinance. (An example of such an ordinance from San Mateo County will be supplied to the Sheriff's Department).

RESPONSE REQUIRED ON FINDINGS:

1. Sheriff and Board of Supervisors
2. None
3. Sheriff and Board of Supervisors
4. Sheriff and Board of Supervisors
5. Sheriff and Board of Supervisors
6. None
7. Board of Supervisors

RESPONSE REQUIRED ON RECOMMENDATIONS:

1. Sheriff and Board of Supervisors
2. Sheriff and Board of Supervisors
3. Sheriff and Board of Supervisors
4. Sheriff and Board of Supervisors
5. Sheriff, Yuba County Administrator and Board of Supervisors

1998/1999 YUBA COUNTY GRAND JURY
YUBA COUNTY SHERIFF DEPARTMENT
JAIL DIVISION

RESPONSE REQUIRED ON FINDINGS

- **Sheriff and Jail Commander on findings 1 through 5**

RESPONSE REQUIRED ON RECOMMENDATION

- **Sheriff and Jail Commander on recommendations 1 through 4**

YUBA COUNTY SHERIFF DEPARTMENT JAIL DIVISION

REASON FOR INVESTIGATION:

Penal Code § 919(b) states that the Grand Jury shall inquire into the condition and management of public prisons within the county.

BACKGROUND:

The Yuba County jail is located at 215 5th Street in Marysville and is under the supervision of the Yuba County Sheriff. The day to day operation of the jail.

SCOPE:

The scope of this report is limited to eye witness accounts and verification of direct communication with Sheriff Department personnel.

PROCEDURE:

All information, including interviews and documents received and reviewed, was obtained and conducted by no less than two members of the Grand Jury pursuant to Penal Code § 916.

Interviews and tours conducted by the Grand Jury:

- Jail Commander
- Tours conducted by Deputies in the Sheriff Department
- Facilities were inspected on one scheduled visit and three unannounced visits.
- Fire Extinguisher Service Vendor
- General Services Director

DISCUSSION:

The first visit was conducted by appointment on September 11, 1998. The purpose of this visit was to familiarize the Grand Jury with the facilities and operations of the jail. The Jail Commander and staff gave us an informative tour of all areas of the jail. The Grand Jury was invited to tour the facility at any time, with or without an appointment. The Grand Jury next visited the jail on October 7, 1998. This visit was unannounced and

enabled us to focus on particular areas. The next visit was on October 28, 1998 to verify information with one of the sergeants. The Grand Jury visited the jail again on November 4, 1998 to verify the information we received and look at one particular item.

The Captain informed the Grand Jury on the September 11, 1998 visit that the total capacity for the Jail is 416 beds with 236 beds occupied at the time. Federal Immigration and Naturalization detainees occupied 66 of the 236 beds. The jail staff consists of 40 officers and 10 support positions. There were nine vacant positions. The Grand Jury walked through booking procedures, toured the kitchen (which is staffed with three full time cooks and uses inmates as helpers), visited different holding areas, nursing area, female area, exercise area, educational area and control areas. The inmates perform all cleaning and laundry services. Yuba County Jail houses and books inmates for the Marysville Police Department. Yuba County charges \$43.50 for booking as well as a daily housing fee.

On the Grand Jury's October 7, 1998 visit it was noted that the fire extinguishers were delinquent of their servicing. When the Grand Jury visited the jail on November 4, 1998, the extinguishers were backdated to May 28 1998. The Grand Jury spoke to the fire extinguisher servicing vendor and he stated that on occasion he would backdate the fire extinguishers to allow him to service an entire area on the same day during the next year's visit. The extinguishers are to be serviced every 12 months within 30 days prior of the expiration date. The extinguishers can not be inspected any earlier than 30 days without written approval from the General Services Department. The on-duty deputy gives the vendor the fire extinguishers when servicing is conducted.

FINDINGS:

All findings were substantiated by current documentation, and by observation and interviews, by no less than two members of the Grand Jury.

1. Fire extinguishers expiration and servicing dates may not reflect true information.
2. The fire extinguisher schematic was not dated and some extinguishers were not located where the schematic indicated they should be placed.
3. Inmates were locked in the small laundry room while doing laundry. This is a significant safety issue due to the possibility of fire.
4. The jail is being under utilized with only about half of the beds occupied at this time.
5. The visitor lobby and inmates areas were not clean on the first visit.

RECOMMENDATIONS:

1. Charge one officer with the care and monitoring of the fire extinguishers, this responsibility would include checking on expiration and servicing of the extinguishers. This charge would ensure continuity for servicing fire extinguishers annually and re-servicing them upon use. There should be an in-house monthly inspection signed and dated on each extinguisher.
2. The Grand Jury recommends changing how the laundry room is secured to prevent inmates from being locked in a potentially hazardous area.
3. The jail should be used to capacity whenever possible. The revenue generated by housing federal inmates and out of county inmates should be used for increasing staff and self improvement programs for the inmates such as anger management, employment readiness and for school drug and crime prevention programs.
4. The Grand Jury recommends that the inmates conduct proper cleaning of assigned areas. STARS (Sheriff's Team of Active Retired Seniors) could be utilized to oversee inmates performing these tasks.

RESPONSE REQUIRED ON FINDINGS:

Sheriff and Jail Commander on 1 through 5

RESPONSE REQUIRED ON RECOMMENDATIONS:

Sheriff and Jail Commander on 1 through 4

1998/1999 YUBA COUNTY GRAND JURY

CITY OF MARYSVILLE

RESPONSE REQUIRED ON FINDINGS

Rideout Hospital Property

- Marysville City Council

Riverfront Park

- None

Marysville Police Department

- None

City Administrator/Police Chief

- Marysville City Council

RESPONSE REQUIRED ON RECOMMENDATIONS

Rideout Hospital Property

- Marysville City Council

Riverfront Park

- Marysville City Council on recommendations 1,2 and 3

Marysville Police Department

- None

City Administrator/Police Chief

- Marysville City Council

CITY OF MARYSVILLE

REASON FOR INVESTIGATION:

The Grand Jury is mandated to review the operation and procedures of the municipalities within the County on a periodic basis, pursuant to California Penal Code § 925(a). The Grand Jury chose to review the City of Marysville with an emphasis on Riverfront Park, The Marysville Police Department Budget, the Marysville City Administrator/Police Chief position, and the continued acquisition of property within the city limits by Rideout Hospital.

No formal letters of complaint were received.

BACKGROUND:

The City of Marysville is located within the County of Yuba, operating as the county seat of Yuba County. The City of Marysville was established in February, 1851 at the junction of the Yuba and Feather Rivers as a Charter City. The Marysville Police Department has the largest budget of all the departments in the City of Marysville. The Marysville Riverfront Park was developed as an athletic/recreation area. Marysville's Rideout Hospital has been expanding and has purchased a considerable amount of property within the city limits.

SCOPE:

The Grand Jury compared the Memoranda of Understanding between the City of Marysville and the Marysville Police Officers Association (Sworn and Non-Sworn Units) with the Marysville Police Department budget. The Grand Jury conducted an investigation into the finances of Riverfront Park. The Grand Jury obtained information on the properties owned by Rideout Hospital and the taxable status of each property. The Grand Jury gathered information on the possible conflict of interest in combining the City Administrator and Police Chief positions.

PROCEDURE:

All interviews were conducted and documents were obtained by no less than two members of the Grand Jury, pursuant to Penal Code § 916. The Grand Jury conducted interviews with the City Administrator, the Mayor, the City Financial Officer and the City Administrator/Police Chief.

Marysville Police Department Budget

DISCUSSION:

The 1998/1999 budget for the Marysville Police Department is \$2,013,017. Of this amount, \$100,350 is designated for overtime pay. There is \$65,317 designated for unused annual leave and \$495,979 is designated for employee benefits.

FINDING:

The Grand Jury found that the Police Department has the largest budget in the City of Marysville. The expenditures for overtime, unused annual leave and benefits are in accord with the Memoranda of Understanding between the Marysville Police Officers Association and the City of Marysville.

RECOMMENDATIONS:

None

RESPONSE REQUIRED TO FINDING:

None

RESPONSE REQUIRED TO RECOMMENDATION:

None

City Administrator/Police Chief

DISCUSSION:

There may be a possible conflict of interest in the combination of the positions. The Grand Jury requested a legal opinion from the California Attorney General and the law firm representing the City of Marysville.

FINDING:

The response from the California State Attorney General stated that the Attorney General's Office was unable to respond to requests from County Grand Juries and enclosed a copy of Opinion No. 98-707 (81Ops. Cal. Atty. Gen. 304 (1998). Essentially, the opinion of the California Attorney General's Office was that the positions of City

Manager and Police Chief were incompatible in the City of San Jacinto, a general law city with a City Manager form of government.

The legal opinion of the firm representing the City of Marysville states that the positions are not incompatible, and a single person may hold both positions simultaneously. The letter also stated that the City Council chose not to conduct a search and interview process to hire a new City Administrator after the last City Administrator resigned in the fall of 1998.

The Grand Jury considers it to be a potential conflict of interest for one individual to hold both positions simultaneously. The City Administrator's authority increases this potential conflict over both budgets.

RECOMMENDATION:

Provide the Grand Jury with a detailed account of the number of hours per week that the City Administrator spends on each of the two full time positions and justify why this decision is valid.

RESPONSE REQUIRED ON FINDING:

Marysville City Council

RESPONSE REQUIRED ON RECOMMENDATION:

Marysville City Council

Riverfront Park

DISCUSSION:

Riverfront Park is part of the Marysville park system. All of the funds for maintenance and the operation of the park come from the City's general funds. However funds for new roads and parking lots for the soccer fields originated from a grant. The city maintains the soccer fields and the Yuba-Sutter Youth Soccer League is under contract to put in a sprinkler system. The City is responsible for the general maintenance of the park as well as its roads.

FINDING:

The City receives some funds from gasoline taxes, fees from baseball teams, the bicycle track, motorcross activities and the concessionaires. No statistics were available on the

number of people using Riverfront Park. The Yuba-Sutter Youth Soccer League contributed \$15,000 to Riverfront Park this year.

RECOMMENDATIONS:

1. The restrooms should be open on a regular basis and properly monitored.
2. The City should investigate the feasibility of an entrance fee or park usage permit/sticker.
3. The City should conduct a survey and maintain records on the types of usage of Riverfront Park.

RESPONSE REQUIRED ON FINDING:

None

RESPONSE REQUIRED ON RECOMMENDATIONS:

1. Marysville City Council
2. Marysville City Council
3. Marysville City Council

Rideout Hospital Property

The Grand Jury conducted an investigation of Rideout hospital's acquisition of additional property.

DISCUSSION:

Rideout hospital has been acquiring numerous properties within the City of Marysville and most of these properties have become tax exempt.

FINDING:

The property owned by Rideout Hospital has an assessed value of \$60,324,057.00. Of this amount, \$55,810,584.00 was tax exempt in 1999. Ninety-two and one half percent (92.5%) of the land and buildings owned by the hospital is tax exempt. Refer to the attached list of properties.

The Grand Jury was informed that the City of Marysville was in favor of this expansion because major industry would be attracted to Marysville if medical services improved.

The Grand Jury was informed that the loss of property tax revenue would be more than offset by the new taxes generated by new industry and sales tax from money spent in the community by the hospital employees.

RECOMMENDATION:

Provide tax revenue data to the Grand Jury of the taxes collected on the property currently owned by Rideout Hospital and the tax revenue received from those same properties prior to purchase and/or termination of leases by the hospital.

RESPONSE REQUIRED ON FINDING:

Marysville City Council

RESPONSE REQUIRED TO RECOMMENDATION:

Marysville City Council

Parcel list supplied by the Yuba County Assessors office.

<u>PARCEL #</u>	<u>ADDRESS</u>	<u>DESCRIPTION</u>	<u>ASSESSED VALUE (98)</u>	<u>EXEMPT AMOUNT</u>
Rideout Memorial Hospital and/or Rideout Hospital Foundation Property				
010-164-006	418 H Street	parking lot	73,000	-0- *
010-164-024	404 H Street	parking lot	161,452	161,452
010-166-001	716 5 th Street	parking lot (for 010-166-002)	280,717	-0-
010-166-002	414 G Street	medical offices	1,603,503	-0-
010-166-006	726 5 th Street	parking lot	51,350	51,350
010-166-007	722 5 th Street	parking lot	37,895	37,895
010-166-008	718 5 th Street	parking lot	65,253	65,253
010-166-009	725 4 th Street	annex (old emergency room)	1,844,780	1,844,780
010-172-001	424 F Street	Don McCullough Dodge	525,303	-0-
010-172-007	629 4 th Street	parking lot	35,952	35,952
010-172-011	630 5 th Street	Don McCullough Dodge	363,319	-0-
010-212-014	302 H Street	parking lot	105,170	105,170
010-212-015	326 H Street	medical offices (land only)	86,811	-0-
010-221-001	710 4 th Street	medical offices & hospital	1,198,762	453,132
010-221-005	726 4 th Street	hospital (land only)	185,231	185,231
800-000-910	" "	" " (bldg. & pers. prop)	28,355,490	28,355,490
010-221-006	320 G Street	new "patient tower"	21,840,710	21,840,710
010-222-001	614 4 th Street	parking lot	56,609	56,609
010-222-002	612 4 th Street	parking lot	56,609	56,609
010-222-003	606 4 th Street	parking lot	52,983	52,983
010-222-004	600 4 th Street	parking lot	64,329	64,329
010-222-005	302 F Street	parking lot	182,312	182,312
010-222-008	626 4 th Street	parking lot	51,408	51,408
010-222-009	624 4 th Street	parking lot	52,751	52,751
010-222-010	622 4 th Street	parking lot	27,031	27,031
010-222-011	620 4 th Street	parking lot	65,474	65,474
010-222-012	4 th & Orange Streets	parking lot	3,439	3,439
010-222-014	319 G Street	hospital administration	1,074,263	1,074,263
010-222-015	301 G Street	hospital administration	73,291	73,291
Fremont Rideout Health Group Property				
800-001-510	710 4 th Street	personal property	908,190	-0-
Fremont Medical Center Property				
800-001-053	319 G Street	personal property	840,670	840,670
Total			60,324,057	55,737,584

* will be exempt in 1999

1998/1999 YUBA COUNTY GRAND JURY
MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT
ALTERNATIVE EDUCATIONAL PROGRAMS

RESPONSE REQUIRED ON FINDINGS

- **None**

RESPONSE REQUIRED ON RECOMMENDATIONS

- **None**

MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT

ALTERNATIVE EDUCATION OPPORTUNITIES

REASON FOR INVESTIGATION:

The investigation was conducted pursuant to California Penal Code §925, which states in part "investigations maybe conducted on some selective basis each year". The 1998/1999 Grand Jury received no formal complaints regarding M.J.U.S.D.

BACKGROUND:

M.J.U.S.D. administers alternative educational programs to assist children in maximizing their educational opportunities within the district. These programs include the Abraham Lincoln School, North Marysville and South Lindhurst High Schools and the APEC program.

SCOPE:

The scope of this inquiry was limited to determining the different alternative educational programs offered to students within the M.J.U.S.D.

PROCEDURE:

The Grand Jury interviewed the Superintendent of the M.J.U.S.D. The investigation was conducted by no less than two members of the Grand Jury pursuant to California Penal Code §916.

DISCUSSION/FINDINGS:

The Superintendent of M.J.U.S.D. stated, "ultimately, the parents need to be responsible for their children's success in school". The school district operates alternative educational programs to more specifically provide the appropriate educational setting for each child in the district. As the Superintendent stated during this investigation, "different children do better in different environments".

Abraham Lincoln School is a kindergarten through twelfth grade alternative school that utilizes independent (home) study as its primary means of instructional delivery. There are currently 322 students in the program with a budget of \$969,545. Student education is facilitated and evaluated by a credentialed teacher. According the Superintendent, a student in this program could have up to five hours access to a credentialed teacher in any given week.

North Marysville and South Lindhurst Alternative High Schools are continuation schools for students whose needs are not being met within the traditional educational program. Reasons for transfer to this program include attendance, academic adjustment, or employment issues. The District has established formal procedures, which must be followed prior to a student's admission into these programs. These two programs have a combined enrollment of 110 students and a budget of \$311,710.

M.J.U.S.D. also operates APEC (Alternative Placement Education Center). This program is specifically tailored to children who have been removed from the traditional education program for disciplinary action i.e. expulsion. The program has three full-time staff and employs a psychologist to evaluate children on a regular basis. APEC has a budget of \$196,672 with enrollment below 150 students.

RECOMMENDATIONS:

None

RESPONSE REQUIRED ON FINDINGS:

None

RESPONSE REQUIRED ON RECOMMENDATIONS:

None

1998/1999 YUBA COUNTY GRAND JURY
BROWNS VALLEY IRRIGATION DISTRICT

RESPONSE REQUIRED ON FINDINGS

- None

RESPONSE REQUIRED ON RECOMMENDATIONS

- Browns Valley Irrigation Board of Directors on
Recommendations 1,2,3

BROWNS VALLEY IRRIGATION DISTRICT

REASON FOR INVESTIGATION:

This investigation was conducted pursuant to California Penal Code § 925 which states in part "Which the officers of an irrigation district and the books of such district are not officers and books of the class that a grand jury is specifically charged with examining and investigating --- the grand jury, if they have reason to believe that a public offense may have been committed, should investigate as they would in any other case." A formal complaint was submitted to the 1998/1999 Grand Jury and an investigation was conducted.

BACKGROUND:

The offices and workshops of the Browns Valley Irrigation District (BVID) are located in the community of Browns Valley, on Browns Valley School Road. The district provides irrigation water from Collins Lake and the Yuba River to customers in a 55,000-acre area. Approximately 30% of the area served is in the flatlands and the remaining 70% in the foothills.

Irrigation Districts, classified as "Special Districts", derive their authority from State Legislative Acts and are separate governmental entities, not connected to city or county government. Many other such districts operate in the State of California providing public services such as fire protection, waste disposal, water supply, electric utilities, and libraries. The Irrigation Districts operate pursuant to the California Water Code.

The Wright Act of 1887 was the initial State legislative action to form Irrigation Districts in California. BVID was formed shortly thereafter, in 1888, by county citizens, to provide coordination and improvement of facilities for the distribution of available water.

Throughout BVID's 110-year history, continued improvement in irrigation water distribution has been evident. Initially the Yuba River System was the primary source of water, which was delivered through open irrigation ditches and wooden flumes. In 1955 a decision was made to construct a dam on Dry Creek, at an elevation of about 1200 feet. Through a federal loan, this \$6 million construction project culminated with the dedication of the Virginia Ranch Dam in 1964. This earth and rock filled dam provides a reservoir with a capacity of 57,000 acre-feet of water. The name "Collins Lake" was selected in honor of Mr. Merle Collins, former Yuba County Farm Advisor. Irrigation water flowing from this 150-foot high dam is also utilized to power turbo electric generators. The sale of this power plus a share of other PG&E generators below Bullards Bar and Englebright Reservoir provide additional income to the District.

A five person Board of Directors whose decisions are carried out by a General Manager governs BVID. The employment structure includes a secretary/bookkeeper and an additional eight-member workforce.

SCOPE:

The Grand Jury limited the scope of their investigation to the area of Customer Relations. Added details are included to provide information to the general public concerning this governmental entity known as a "Special District".

PROCEDURE:

All interviews, tours and documents were obtained by no less than two members of the Grand Jury pursuant to Penal Code § 916.

The Grand Jury interviewed the senior member of the Board of Directors, the General Manager and the senior member of the work force. Two district customers were also interviewed. The BVID facilities were visited on two occasions. Internet facilities were used to provide some data and a limited historical search of local sources was conducted.

DISCUSSION:

All members of the BVID organization that were contacted by the Grand Jury during the investigation were most cooperative and responsive. Their assistance and complete candor materially expedited matters and provided a productive atmosphere for the investigation.

All parties involved in the incident that precipitated this investigation were interviewed by the Grand Jury. The basis of the complainant's allegations was a confrontation with authorities of BVID regarding the supply of pressure water to a tract of land, within the district, which he was developing for residential homes. The allegation referred to Engineering Plans of the BVID Water System, which the complainant requested be supplied to him so that his engineer could determine the availability of pressure water supply to his tract. Plans of this nature and detail have not been developed by BVID and consequently are not in existence. Although a general schematic layout of the system is available, it does not provide the engineering details, such as elevations, pressures, velocities and other requirements for necessary calculations. These types of engineering details are acquired by BVID when final decisions for adding to the system have been authorized by the Board of Directors. Authorities at BVID have stated:

- That a study of pressure water availability to the area in question will be undertaken as priorities permit.
- That a local engineering firm has recently been approached to survey the water distribution system so as to provide schematics containing more detailed engineering data.

- That BVID is eager to provide pressure water to as many customers as possible consistent with the orderly development of the District.
- That an open irrigation ditch is available on the complainant's tract. Any pumping facilities supplied by the property owners would be maintained by BVID.
- That a letter of apology had been sent to the complainant.

Information to BVID customers on current activities is available only through attendance at the open meetings of the Board of Directors. Meetings are held twice a month and sufficient space is available. A comprehensive annual report is not prepared, although a brief overview for the previous year is now being sent to customers with their application for water supply at the beginning of each irrigation season. A small six-page pamphlet is made available to customers, titled, "Rules and Regulations". This pamphlet primarily contains a series of requirements and warnings to the customer plus powers and disclaimers of BVID. No historical or organizational information is available. Such things as procedures for complaints, system charges, schedules for Board of Directors' meetings and other matters of a continuing nature, that are of interest to the customer, are not published.

Since the last Grand Jury investigation of BVID in 1990 there have been many major accomplishments and an impressive growth in the District. New facilities and equipment have been acquired and sound financial stability has been attained. Property taxes (land only) have been decreased 30% in the last five years. The customer base has increased from 450 to over 1000. Two additional areas, Stonehedge Road and Las Verjeles Road, are in the process of being added to the system. In addition a major project is presently under way involving the construction of elaborate Fish Screens which will prevent fish from being sucked into the large electric suction pumps drawing irrigation water from the Yuba River. This environmental project is being funded primarily by grants.

FINDINGS:

1. The complaint against BVID, received by the 1998/1999 Grand Jury will be resolved in an appropriate manner. The Grand Jury is not the appropriate authority of resolution, as there was no evidence of willful or corrupt misconduct by BVID members.
2. The present pamphlet, "Rules and Regulations" in its tone and content does not promote harmonious customer relations. The Grand Jury in their investigation, reviewed Internet Web Pages of other California Irrigation Districts, which confirm the desire of these organizations to keep the public informed of their history, organizational structure, Board of Directors backgrounds, current activities and plans. Internet Web Pages are not something of the future, but are a proven, inexpensive and effective method of profiling an organization to the public.
3. BVID's 110 plus years of interesting history in improving the lifestyle and economic well being of the areas residents, has not been recorded except for brief passages in other historical documents. While this undertaking would be time consuming, there

are groups of individuals (HISTORICAL Society's) who possibly would be willing to assist in this task. Some historical data is undoubtedly available in the District's old files. In this connection the publication of a more comprehensive annual report, which could be distributed each year with the water applications, at minimal expense, would not only keep the customers informed of the current activities of their District, but would be invaluable as a historical document.

4. Despite the occasional minor bumps along the way, the Board of Directors and their employees have made great strides in improving the effectiveness and financial stability of the organization. Present plans coupled with a sincere desire to serve the public, bode well for the future of this District.

RECOMMENDATIONS:

1. That the current pamphlet be the subject of a complete revision, to include information on organizational structure, history, and current policies. Emphasis on informational matters instead of on the important restriction requirements would be more productive.
2. That efforts be made to assemble District historical data which could provide a basis for future research in this area.
3. That a comprehensive Annual Report be initiated which would provide the customer with information on the accomplishments/problems of the preceding year.

RESPONSE REQUIRED TO FINDINGS:

1. None
2. None
3. None
4. None

RESPONSE REQUIRED ON RECOMMENDATIONS:

1. District Board of Directors
2. District Board of Directors
3. District Board of Directors

1998/1999 YUBA COUNTY GRAND JURY
YUBA COUNTY AIRPORT AND ENTERPRISE
ZONE

RESPONSE REQUIRED ON RECOMMENDATIONS

- **None**

YUBA COUNTY AIRPORT AND ENTERPRISE ZONE

REASON FOR INVESTIGATION:

This investigation was conducted pursuant to California Penal Code § 925, which states in part: "investigations may be conducted on some selective basis each year." The 1998/99 Yuba County Grand Jury selected the Yuba County Airport and Industrial Zone. The 1998/99 Grand Jury received no complaints regarding the Airport & Enterprise Zone. The report is informational in nature.

BACKGROUND:

The Yuba County Airport Administration operates the Yuba County Airport. Other responsibilities include the administration and management of the Yuba-Sutter Enterprise Zone. Along with these responsibilities, this agency coordinates general economic development activities for Yuba County in its participation with the Yuba Sutter Economic Development Corporation.

SCOPE:

The Grand Jury chose to focus this investigation on the major responsibilities of the Airport Administration. The Grand Jury reviewed the ability of the current Yuba County Airport management to handle the potential demands of the Yuba County Airport complex once the new motorplex is built south of the Airport.

PROCEDURE:

All interviews were conducted by no less than two members of the Grand Jury pursuant to Penal Code § 916.

Members of the Grand Jury conducted interviews with the Yuba County Airport and Enterprise Zone Manager as well as the General Services Director for Yuba County.

DISCUSSION:

The Yuba County Airport & Enterprise Zone Manager is responsible for all aspects of the management of the various activities that take place at the Yuba County Airport facility. The office has multiple functions. The Grand Jury chose to focus on the following functions of the Airport Manager and Airport Administration.

Yuba County Airport

The Yuba County Airport is located approximately three miles south of the City of Marysville just minutes west of Highway 70, and ten miles from Beale Air Force Base. Yuba County owns the property where the Airport and Enterprise Zone is located. This property area totals approximately 1,000 acres. Currently, the Airport manages 69 aircraft hangars. The runways can handle planes as large as a 747 but the runways would need additional paving to support the parking of this type of aircraft. The airport management is responsible to issue, maintain and manage airport property leases, permits and agreements. The airport does not receive funding from Yuba County to operate the airport. Operating funds are generated from leases, permits, landing fees, and eight industrial parks located on the airport property. Funding is also generated from grants that are obtained from the Federal Aviation Administration. A large amount of time is required by staff to research and write grant applications for airport improvements through the Federal Aviation Administration, the Division of Aeronautics, and the California Aid to Airports Program. The airport is currently utilizing a \$1.87 million grant for repairs to operational facilities. The funds will be used to overlay the taxiway and other improvements. There is also a \$270,000 grant pending for a new master plan for the airport. The possibility of airport expansion has been discussed between airport staff and private companies. The airport also conducts an annual air show.

Besides the manager, there is also an Airport Secretary and one Maintenance Worker. The airport utilizes job training people, summer youth, JTPA, and Probation and Road Department personnel. Airport employee salaries are paid with airport generated revenue.

Yuba-Sutter Enterprise Zone & Economic Development

The Airport Administration acts as the lead agency to the Yuba-Sutter Enterprise Zone. The administration does all the marketing of the Enterprise Zone project. The zone consists of 73.5 square miles, the largest zone in the state. The Yuba-Sutter Enterprise Zone boundaries were recently expanded which brought in the new raceway and entertainment area along Highway 65, which can now take advantage of the state and local zone incentives. Businesses located within the Boundaries of the zone can take advantage of significant local business incentives and state tax credits.

The Yuba County Airport Manager is also responsible for research and grant applications for economic development activities. This would include working to lure any type of business that might be interested in relocating or opening new facilities within the County.

RECOMMENDATIONS:

The Office of Airport Manager has multiple functions. With the potential for growth at the airport due to the new motorplex being built, the Grand Jury recommends additional administration and maintenance staff be needed. The revenue to support these staff additions could come from additional successful grant applications.

RESPONSE REQUIRED ON RECOMMENDATIONS:

None

1998/1999 YUBA COUNTY GRAND JURY
YUBA COUNTY DEPARTMENT OFFICE HOURS

RESPONSE REQUIRED ON FINDINGS

- None

RESPONSE REQUIRED ON RECOMMENDATIONS

- None

COUNTY DEPARTMENT OFFICE HOURS

REASON FOR INVESTIGATION:

This investigation was conducted pursuant to California Penal Code § 925, which states in part: "Investigations may be conducted on some selective basis each year." The Yuba County Grand Jury selected the Yuba County Personnel Director Office to determine the policy and procedures for establishing hours of operation that the various Yuba County Departments are open to the public.

BACKGROUND:

The County of Yuba has over 40 Departments under its jurisdiction. There has been some confusion as to the hours of operation of each county department and the guidelines and policies that each department follows.

PROCEDURE:

Two members of the Grand Jury conducted an interview with the Risk Management/Personnel Director (RM/PD) of Yuba County pursuant to Penal Code § 916.

DISCUSSION:

The RM/PD was very helpful in explaining the office hours of operation for all Yuba County Departments. The Yuba County Board of Supervisors sets the hours of operation for each county department. Yuba County Resolution Article Four Section 4.01 explains the office hour policy of the county.

In general this Yuba County Resolution states that all offices and departments shall remain open for public service continuously from 8:00 a.m. to 5:00 p.m., Monday through Friday, holidays excepted. When there is only one person on duty, the office may be closed during the hour from 12:00 noon to 1:00 p.m.

The Board of Supervisors has granted some exceptions to this rule. For example, the departments of the Assessor, Audio-Controller, Clerk-Recorder, and Treasurer-Tax Collector shall be open to the public from 10:00 a.m. to 3:00 p.m., Monday through Friday. The Director explained that the Board of Supervisors granted an exception because of a severe staffing shortage. These departments could not complete the administration work if this same staff had to keep the office open during normal business hours.

The various department heads can establish their own work week schedules with their individual employees in each department upon the recommendation of the Personnel

Director and then with the approval of the County Administrator. The hours of work information is under Yuba County Resolution, Article five, § 5.01.

FINDINGS:

All findings have been substantiated by Yuba County Resolution, Article Four, § 4.01 Office Hours a., b., c., d., e., f.

RECOMMENDATIONS:

None

RESPONSE REQUIRED ON RECOMMENDATIONS:

None

