

**YUBA - SUTTER JUVENILE HALL
CAMP SINGER YOUTH GUIDANCE CENTER**

FRANK D. SORGEA
Superintendent of Institutions

SEP 5 2008



FILE
YUBA COUNTY SUPERIOR COURT
H. STEPHEN KOWSHI
SUPERIOR COURT CLERK
BY *[Signature]*
COURT CLERK

TO: Honorable Julia Scrogin
Judge of the Superior Court
County of Yuba

FROM: Frank D. Sorgea, Superintendent of Institutions

DATE: August 18, 2008

[Signature of Frank D. Sorgea]

RE: RESPONSE TO 2007-08 GRAND JURY

The following is offered in response to the findings and recommendations of the Yuba County Grand Jury's Final Report concerning the Yuba – Sutter Juvenile Hall.

Finding and Recommendation 1: Concerning stained carpet in entrance corridor

Agree with Finding and Recommendation:

Recommendation is to replace or remove carpet in the intake reception area of the Juvenile Hall. The carpet in this area has been professionally cleaned annually. This is a very high traffic area as it is the only entry point into the Juvenile Hall. We intend to replace the carpeting in this area with a more durable tile or vinyl surface this year.

Finding and Recommendation 2 Concerning Cell Doors and Windows

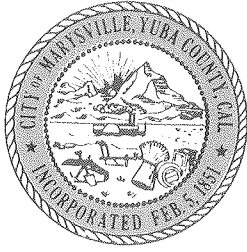
Agree with Finding and Recommendation

Cell doors within the facility have received a great deal of abuse throughout the past 32 years. Currently all locking mechanisms are in good working order. Doors are repaired as necessary. The mechanism to open the cell windows screens on the interior of the cells has suffered a mechanical failure. The window screens are stuck in the locked and secured position. Minors in the rooms have placed paper materials between the screens and the window which cannot be removed without opening the screen. While this is unattractive, it does not represent a threat to the safety or security of the facility. It is our desire to replace all windows and door structures as funding becomes available.

Finding and Recommendation 3 Concerning utilization of the Camp Kitchenette

Agree with Finding and Recommendation

The kitchenette in the portable classroom within the Camp Singer compound is occasionally utilized for nutrition and cooking programs. These programs are dependant on available staffing. In addition, camp youth are provided the opportunity to work in the central kitchen. Youth who work in the central kitchen are supervised by the cooking staff, and are responsible for developing a special menu at the completion of their time of service.



CITY OF MARYSVILLE

SEP 15 2008

FILED
YUBA COUNTY SUPERIOR COURT
H. STEPHEN KONISHI
SUPERIOR COURT CLERK
BY *Emily Allen*
COURT CLERK

526 "C" Street • P.O. Box 150 • Marysville, CA 95901 • (530)749-3901 • Fax (530)749-3992

September 9, 2008

The Honorable Julia Scrogin
Judge of the Superior Court
215 Fifth Street
Marysville, CA 95901

Subject: Response to 2007-2008 Grand Jury Report

Dear Judge Scrogin:

This letter is sent in response to the findings made by the 2007-2008 Grand Jury regarding the City of Marysville's operating budget. The findings and recommendations were made in the Grand Jury's Final Report.

First, on behalf of the Council and staff, we would like to thank the members of the Grand Jury for their time and effort. We appreciated the willingness of various members of the Grand Jury to meet with members of the City Council and staff regarding issues and challenges facing our community. We found the Grand Jury Committee Members to be open, frank, and objective in their review of the City. We commend their dedication and service to the people of our community.

Relative to the specific findings and recommendations of the Grand Jury, the City makes the following comments:

Finding 1

There are no restrictions imposed on the City Council with regard to spending funds gained from the sale of city property.

Recommendation 1

Draft an ordinance requiring funds from the sale of city property to be deposited in a reserve account. The funds would be limited to use on capital improvement projects.

City response to Finding and Recommendation 1

The City shares the concerns expressed by the Grand Jury regarding the use of one-time monies, but the reality is that this City is not in a financial situation which allows the City Council the luxury of restricting the use of any discretionary funds. The City Council believes that as the elected representatives of the people of Marysville, their job is to make difficult decisions and they need as much flexibility as possible regarding the use of funds. The Council should not place themselves in a situation where they would limit their ability and options regarding the best use of funds.

Finding 2

Although losses have been decreased substantially, Gold Sox Baseball continues to cost the City of Marysville. Net costs to the City for the 2005/2006 season were \$77,385.00 and the estimate for 2006/2007 is \$63,582.00. The cost estimate for 2007/2008 is \$39,500.00

Recommendation 2

Enter into discussions with Yuba-Sutter Community Baseball, Inc. (YSCBI), to explore the potential for negotiating a new agreement. Any new agreement should move the City to a minimum of a breakeven cost.

City response to Finding and Recommendation 2

As the Grand Jury correctly points out, the City and YSCBI have substantially reduced costs within the framework of the existing contract over the last several years. It has been both the City's and YSCBI's intent to have a community program, without expending unnecessary public monies. While the concept of whether the City should have ever been involved with baseball can legitimately be argued, the fact is, the City now owns a facility it must maintain regardless of whether it is being used or not. There will always be some expense to maintain the stadium because the City owns it. We agree with the Grand Jury's main point that it is in the best interest of the City to find ways and means to reduce its contributions to the maintenance of the facility, with the goal of reaching a break even point.

Finding 3

The Marysville Fire Department changed from a City-operated Fire Department to a contract Fire Department. The California Department of Forestry (CDF) is the Contract Agency and they have been since November of 1997. No in-depth study has been performed since 1997, to determine if operating with a CDF contract continues to be advantageous to the City.

Recommendation 3

Conduct a study to verify that operating a contract Fire Department with CDF continues to be advantageous to the City.

City response to Finding and Recommendation 3

In January of 2008, Mayor Bill Harris appointed an Ad Hoc Committee to review our existing situation with CDF (now known as Cal-Fire) and to also look at potential alternatives. The Committee has looked at potential cost saving issues within the existing contract, as well as looking at other viable options for service. To date, the Committee has not made any specific recommendations regarding the Fire Department Contract or other alternatives. It has been made clear through this process that a fine line exists between saving money and providing the highest quality fire protection to the people of Marysville and District 10. While the committee is still reviewing options, it has been recommended that the City consider sending a letter to Cal-Fire indicating that the City is giving the one-year notice required to vacate the agreement, in case other options open up.

If you have any additional questions or concerns or require additional clarification of our responses, please contact me at 530-749-3901.

Sincerely,



Stephen R. Casey
City Manager



Levee District • 526 "C" Street • P.O. Box 150 • Marysville, CA 95901

SEP 15 2008

FILED
YUBA COUNTY SUPERIOR COURT
H. STEPHEN KONISHI
SUPERIOR COURT CLERK

BY *[Signature]*
COURT CLERK

September 11, 2008

The Honorable Julia Scrogin
Judge of the Superior Court
Yuba County Grand Jury
215 Fifth Street
Marysville, CA 95901

SUBJECT: Response to 2007-2008 Grand Jury Report

Dear Judge Scrogin:

This letter is being sent in response to the findings made by the 2007-2008 Grand Jury regarding the Marysville Levee District's budget sufficiency and developing a contingency plan for hiring and training an additional individual(s) in the operation of the Levee District as outlined in the June 26, 2008, Grand Jury Report (see Pages 13 through 23). Finding 1 required no response.

Finding 2

The Marysville Levee District budget is not sufficient. Current tax assessment has been in effect since the mid 1990's (see Exhibit G – Budget).

Recommendation

Place a measure on a future ballot to increase the tax assessment for the Marysville Levee District.

Response

As noted in the "Facts and Observations," the Commissioners expressed a concern that the current budget is insufficient to meet the future needs for the required repairs and maintenance of the "ring levee" surrounding the City of Marysville and added repairs and maintenance to the spur levee section from the "ring levee" to Hallwood Boulevard.

The Levee District has entered into contract with SCI to formulate the establishment of a new assessment on the citizens of the City of Marysville for providing sufficient funding for the required match for State and Federal funding needed for the required repairs to bring the "ring levee" to the 200-year flood protection level. The assessment will also

provide for expanded maintenance to the levee system to meet the needs to maintain the system so as to remain in compliance with proposed maintenance requirements.

The Consultants, SCI, are presently reviewing our current status and proposed needs to provide the Commissioners and citizens with a new recommended assessment. They are also reviewing our current assessment and land use to make a determination on how to divide the costs among the various land uses.

In response to the Grand Jury's report, the Commissioners are in agreement with the Grand Jury's findings and have committed to request additional funding through the proposed Levee Assessment process.

Finding 3

Marysville Levee District operations are dependent on one extremely experienced employee.

Recommendation

Develop contingency plan for hiring and training additional individual(s) in the operation of the Levee District.

Response

As stated in the "Facts and Observations", the Commissioners expressed concern that the current budget is insufficient to hire additional personnel who could be trained in levee operation and maintenance procedures. In past years the Commissioners and/or Fire Department have provided periodic training through the State on flood control methods. The City of Marysville is also working with the Department of Water Resources to provide training on flood controls. During periods of heavy rain, updated training is provided to the Commissioners, Fire Department, Police Department and Public Works Department. The proposed maintenance requirements that have been discussed in Finding 2 above will potentially require an additional full time employee to be hired to ensure maintenance standards are being met. The new assessment review, mentioned in Finding 2 above, will provide additional funds to insure maintenance needs are met and a succession plan for the continued maintenance and inspection of the levee system is maintained for the future.

In response to the Grand Jury's report, the Commissioners are in agreement with the Grand Jury's findings and have committed to request additional funding through a proposed Levee Assessment.

We appreciate the opportunity to meet with the Grand Jury and respond to the findings of the Grand Jury.

Sincerely,

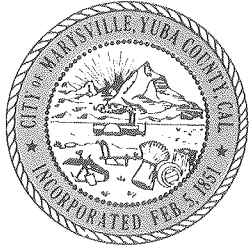


Pat Ajuria
President
Marysville Levee Commission

**BUDGET TO ACTUAL AND ESTIMATED ACTUAL FOR FISCAL 2006-2007, AND ADOPTED BUDGET
FOR THE FISCAL YEAR 2007-2008**

| | Actual 05-06 | Actual To 05-31-07 06-07 | Amended Budget To 05-31-07 06-07 | Pct Activity To 05-31-07 06-07 | Estimated Actual 2006-2007 | Adopted Budget 2007-2008 |
|---|-----------------|--------------------------------|---|---|----------------------------------|--------------------------------|
| 736 Levee Commission Fund | | | | | | |
| 4736-001 Secured Property Tax - Current | 32,584 | 36,382 | 34,000 | 107.01% | 38,000 | 34,000 |
| 4736-002 Unsecured Property Tax - Current | 2,151 | 1,668 | 2,500 | 66.72% | 2,200 | 2,000 |
| 4736-003 Supplemental Property Tax | 5,492 | | 49 | 0.00% | | 2,000 |
| 4736-004 Special Assessments | 78,424 | 75,363 | 76,300 | 98.77% | 78,500 | 78,500 |
| 4736-005 Homeowners Property Tax Relief | 4,172 | 321 | 3,800 | 8.45% | 400 | 400 |
| 4736-006 Miscellaneous Revenue | 8,373 | | | | | |
| 4736-007 Sale of Property | | 392 | | 0.00% | 392 | |
| 440 Interest Earnings | 10,397 | 15,077 | 9,000 | 167.52% | 20,000 | 12,000 |
| Total Revenue | 141,593 | 129,203 | 125,649 | 102.83% | 139,492 | 128,900 |
| 601 Salaries, Permanent | 41,040 | 34,200 | 41,861 | 81.70% | 41,861 | 43,503 |
| 602 Salaries, Temporary | 986 | 800 | 5,000 | 16.00% | 5,000 | 5,000 |
| 606 Salaries, Annual Leave | 3,631 | 3,631 | 3,600 | 100.86% | 3,631 | 3,600 |
| 609 Employee Benefits | 17,385 | 16,944 | 19,110 | 88.67% | 19,110 | 20,500 |
| 611 Uniforms/ Gear | | | 200 | 0.00% | 200 | 200 |
| 612 Training & Travel | | | 200 | | 200 | 200 |
| 621 Water | 207 | 191 | 400 | 47.75% | 400 | 400 |
| 622 Electricity & Gas | 329 | 211 | 800 | 26.38% | 800 | 800 |
| 623 Telephone | 770 | 730 | 800 | 91.25% | 800 | 800 |
| 631 Materials & Supplies | 987 | 3,653 | 4,100 | 89.10% | 4,100 | 5,300 |
| 633 Gas & Oil | 2,076 | 1,525 | 3,000 | 50.83% | 3,000 | 3,000 |
| 634 Repairs & Maintenance, Rolling | 1,192 | 1,271 | 1,150 | 110.52% | 1,150 | 1,300 |
| 635 Repairs & Maintenance, Other | 454 | 56 | 700 | 8.00% | 700 | 950 |
| 641 Rents & Leases | 315 | 11 | 1,000 | 1.10% | 1,000 | 1,000 |
| 642 Property Taxes | | | 50 | 0.00% | 50 | 50 |
| 643 Insurance Premium | 24,831 | 20,491 | 30,000 | 68.30% | 30,000 | 26,000 |
| 651 Postage | 12 | 16 | 50 | 32.00% | 50 | 50 |
| 652 Advertising | | | | | | |
| 661 Outside Services | 2,387 | 3,015 | 5,000 | 60.30% | 5,000 | 5,000 |
| 663 Legal Fees | 1,500 | 1,500 | 1,500 | 100.00% | 1,500 | 1,500 |
| 664 Property Tax Admin Cost | 1,594 | 1,305 | 1,700 | 76.76% | 1,700 | 1,700 |
| 680 Capital Equipment | | | 1,000 | | 1,000 | 4,000 |
| 697 Interest Expense | | | | | | |
| Total Expense | 99,696 | 89,550 | 121,221 | 73.87% | 121,252 | 124,853 |
| Net Revenue (Expense) | 41,897 | 39,653 | 4,428 | | 18,240 | 4,947 |
| Fund Balance/Working Capital | 475,387 | 515,040 | 479,815 | | 493,627 | 497,674 |

EXHIBIT G



CITY OF MARYSVILLE

POLICE DEPARTMENT

316 6th Street • P.O. Box 670 • Marysville, CA 95901

Wallace C. Fullerton
Chief of Police

SEP 15 2008

FILED
YUBA COUNTY SUPERIOR COURT
H. STEPHEN KONISHI
SUPERIOR COURT CLERK
BY *[Signature]*
COURT CLERK

September 9, 2008

The Honorable Julia L. Scrogin
Grand Jury Presiding Judge
Superior Court of California
Yuba County Courthouse
215 Fifth Street, Suite 200
Marysville, California 95901

Dear Judge Scrogin:

We are in receipt of the Final Report of the 2007-2008 Yuba County Civil Grand Jury. Please convey to the members of the 2007-2008 Grand Jury our regards and our thanks for their diligent work.

As is required by Penal Code Section 933.05, the City of Marysville provides the following response to the five findings made by the members of the Grand Jury in their 2007-2008 report:

Finding 1

Some Police Department job descriptions do not accurately describe what the employees are actually doing in the performance of their duties.

Recommendation 1

Job descriptions should be reviewed and rewritten as necessary to reflect work being done.

City Response to Finding 1 and Recommendation 1

The Respondent (City of Marysville) agrees with the finding. The City has recently completed a job classification review of seven specific positions within the Police Department. The City contracted with an outside personnel consulting firm, Bryce Consulting, that specializes in the review of job functions and employee duties. Bryce Consulting developed specific job duty statements and recommended proper pay schedules for these positions.

These reviewed positions include:

- Community Services Officer I
- Community Services Officer II
- Senior Community Service Officer
- Crime Scene Technician I
- Crime Scene Technician II
- Sergeant I
- Sergeant II

Bryce Consulting provided an in-depth review of the first four positions listed above and provided assistance in the development of the Sergeant I and II job descriptions. As a result of the review, these seven positions were created and up-to-date job descriptions were completed. In addition, at least two employees received pay increases to reflect the actual responsibilities of the jobs they are doing. We also anticipate the promotion of two additional employees in the near future into positions created by this reclassification. These personnel position changes were approved by the Marysville City Council, on May 20, 2008.

Finding 2

There is no "Traffic Safety Fund" in the City of Marysville Budget as is required by the California Vehicle Code Section 42200.

Recommendation 2

The City should establish a Traffic Safety Fund in the budget and expend the monies according to California Vehicle Code Section 42200.

City Response to Finding 2 and Recommendation 2

The Respondent (City of Marysville) partially agrees with the findings; however, the following information is provided by the City Administrative Services Manager Dixon Coulter, outlining our difficulty in complying with the provisions of Vehicle Code Section 42200.

The City of Marysville agrees that Vehicle Code Section 42200 requires that a Traffic Safety Fund be established for monies received by the City that fall under the provisions of that Code Section. The City of Marysville disagrees that the establishment of such a fund is possible because the County of Yuba and the State of California, who collect such fines, do not report the required information to the City of Marysville detailing the amounts collected and dispersed to the City, which is referenced in Vehicle Code Section 42200, which in part reads: **"that proportion which is represented by fines and forfeitures collected from any person charged with a misdemeanor under this code following arrest by an officer employee."**

Finding 3

The computer system is inadequate, obsolete and lacks offsite back-up.

Recommendation 3

Upgrade the Marysville Police Department computer system and install backup at the City Maintenance Yard.

City Response to Finding 3 and Recommendation 3

The Respondent (City of Marysville) agrees with the finding. Shortly after taking command of the Department, members of my senior staff advised me of serious inadequacies of the Department's computer servers and software systems, which provide access to Federal and State law enforcement databases along with the computer resources needed to manage and operate our dispatch and records systems. For reasons which are unclear, prior Police management had not made a convincing argument to the City Manager or the City Council as to why the resources were needed to update the computer system. In addition, no action plan was formulated by prior Police management to accomplish the goal of updating these critical systems. After learning of this critical need, a presentation was developed and an action plan, including provisions for potential funding, were developed. This presentation was first made to the City Manager and Administrative Services Manager who both immediately approved of the plan. The plan was then presented to the City Ad-Hoc Budget Committee, comprised of two Council members, who also immediately approved the plan and the expenditure. Finally, the proposed plan, including the potential provisions for funding, was presented to the entire City Council on December 4th, 2007. This proposal was unanimously approved. The contract was issued shortly thereafter and the updated system, including off-site backup, was completed and running in late February, 2008.

Finding 4

Dispatch Center is not staffed 24/7.

Recommendation 4

Hire sufficient personnel to fully staff the Dispatch Center.

City Response to Finding 4 and Recommendation 4

The Respondent (City of Marysville) disagrees wholly with the finding. In fact, the Dispatch operation for the Marysville Police Department is staffed 24 hours per day, 7 days a week. The only issue of concern we believe to be pertinent regarding our Dispatch operation is a decision made by prior Police management that the Dispatch operation was not to be routinely staffed with two dispatchers 24 hours per day, 7 days a week. Shortly after assuming command, I addressed this issue by giving the Dispatch Supervisor greater latitude in hiring personnel on an overtime basis to fill shortages and by obtaining authorization to increase our reserve dispatcher positions to help cover those periods where there were shortages.

Finding 5

Police Vehicle Maintenance is performed by the City of Marysville at the City Yard.

Recommendation 5

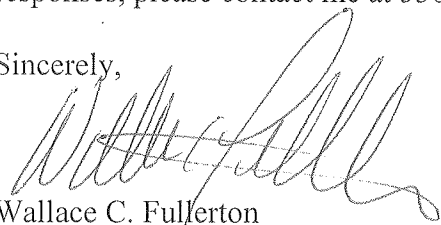
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City Response to Finding 5 and Recommendation 5

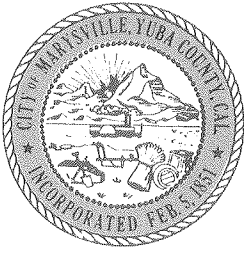
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If you have any additional questions or concerns or require additional clarification of our responses, please contact me at 530-749-3929.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Wallace C. Fullerton', written over a horizontal line.

Wallace C. Fullerton
Chief of Police



CITY OF MARYSVILLE

SEP 18 2008

FILED
YUBA COUNTY SUPERIOR COURT
H. STEPHEN KONISHI
SUPERIOR COURT CLERK
BY *[Signature]*
COURT CLERK

526 "C" Street • P.O. Box 150 • Marysville, CA 95901 • (530)749-3901 • Fax (530)749-3992

September 16, 2008

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Superior Court of California
Yuba County Courthouse
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Marysville, California 95901

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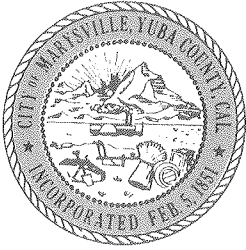
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Sincerely,



Stephen R. Casey
City Manager



CITY OF MARYSVILLE

SEP 18 2008

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YUBA COUNTY SUPERIOR COURT
H. STEPHEN KONISHI
SUPERIOR COURT CLERK
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September 16, 2008

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Finding 2

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Enter into discussions with Yuba-Sutter Community Baseball, Inc. (YSCBI), to explore the potential for negotiating a new agreement. Any new agreement should move the City to a minimum of a breakeven cost.

City response to Finding and Recommendation 2

As the Grand Jury correctly points out, the City and YSCBI have substantially reduced costs within the framework of the existing contract over the last several years. It has been both the City's and YSCBI's intent to have a community program, without expending unnecessary public monies. While the concept of whether the City should have ever been involved with baseball can legitimately be argued, the fact is, the City now owns a facility it must maintain regardless of whether it is being used or not. There will always be some expense to maintain the stadium because the City owns it. We agree with the Grand Jury's main point that it is in the best interest of the City to find ways and means to reduce its contributions to the maintenance of the facility, with the goal of reaching a break even point.

Finding 3

The Marysville Fire Department changed from a City-operated Fire Department to a contract Fire Department. The California Department of Forestry (CDF) is the Contract Agency and they have been since November of 1997. No in-depth study has been performed since 1997, to determine if operating with a CDF contract continues to be advantageous to the City.

Recommendation 3

Conduct a study to verify that operating a contract Fire Department with CDF continues to be advantageous to the City.

City response to Finding and Recommendation 3

In January of 2008, Mayor Bill Harris appointed an Ad Hoc Committee to review our existing situation with CDF (now known as Cal-Fire) and to also look at potential alternatives. The Committee has looked at potential cost saving issues within the existing contract, as well as looking at other viable options for service. To date, the Committee has not made any specific recommendations regarding the Fire Department Contract or other alternatives. It has been made clear through this process that a fine line exists between saving money and providing the highest quality fire protection to the people of Marysville and District 10. While the committee is still reviewing options, it has been recommended that the City consider sending a letter to Cal-Fire indicating that the City is giving the one-year notice required to vacate the agreement, in case other options open up.

If you have any additional questions or concerns or require additional clarification of our responses, please contact me at 530-713-7665.

Sincerely,

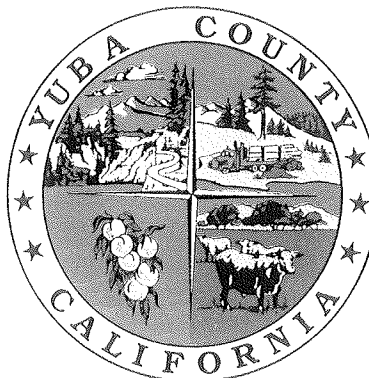
A handwritten signature in dark ink, appearing to read 'Bill D. Harris', with a stylized flourish at the end.

Bill D. Harris
Mayor

The County of Yuba

OFFICE OF THE COUNTY ADMINISTRATOR

GOVERNMENT CENTER - 915 8TH STREET, SUITE 115
MARYSVILLE, CALIFORNIA 95901-5273
(530) 749-7575 FAX (530) 749-7312



ROBERT BENDORF
COUNTY ADMINISTRATOR
RANDY MARGO
ASSISTANT COUNTY ADMINISTRATOR
AARON WARD
DEPUTY COUNTY ADMINISTRATOR/
EMERGENCY SERVICES
JOHN FLEMING
ECONOMIC DEVELOPMENT COORDINATOR
RUSS BROWN
COMMUNICATIONS & LEGISLATIVE
AFFAIRS COORDINATOR
GRACE M. MULL
ADMINISTRATIVE ANALYST
TEENA CARLQUIST
EXECUTIVE ASSISTANT TO THE
COUNTY ADMINISTRATOR

SEP 25 2008

FILED
YUBA COUNTY SUPERIOR COURT
H. STEPHEN KONISHI
SUPERIOR COURT CLERK
BY *[Signature]*
COURT CLERK

Date: September 16, 2008

The Honorable Debra L. Givens
Yuba County Superior Court
215 Fifth Street, Suite 200
Marysville, CA 95901

Re: RESPONSE TO 2007/08 GRAND JURY RESPONSE

Dear Judge Givens:

Provided pursuant to Penal Code Section 933(c) is the comments from the Board of Supervisors related to the findings and recommendations contained in the 2007/08 Grand Jury Final Report. Consistent with Section 933(c), responses do not address departments under control of elected officials or outside agencies, except where a specific response was solicited and then our response is consistent with provision of Penal Code Section 933.05(c). Therefore, we incorporate the responses of the various departments with our responses.

JUVENILE HALL/MAXINE SINGER YOUTH GUIDANCE CENTER

Finding 1: The carpet in the entrance corridor area of the Hall is badly stained.

Response to Finding 1: Agree

Recommendation 1:

Response to Recommendation 1:

Finding 2: Several cubicle doors in the Hall wings do not close properly and some windows will not open.

Response to Finding 2:

Recommendation 2: Replace or repair as necessary.

Response to Recommendation 2:

Finding 3: The fully-equipped kitchen area in the Camp is not utilized.

Response to Finding 3:

Recommendation 3: Develop a program to teach cooking skills to residents. This is a life skill that is beneficial in any family environment.

Response to Recommendation 3:

RIVER HIGHLANDS COMMUNITY SERVICE DISTRICT

Finding 1: Concerns on how the \$2.78 million in Gold Village bond funds were disbursed have been around for several years. Unfortunately, it may not be possible to locate 15-year old records which would be used to prepare an accounting of the funds. If records are located, professional services will be needed to audit the records.

Response to Finding 1:

Recommendation 1: Yuba County should facilitate the organization of an ad-hoc committee to discuss the degree of interest in pursuing an audit on the disbursement of \$2.78 million in Gold Village bond funds. The committee should determine if such an audit could prove beneficial to Gold Village residents and if the costs justify the effort. Members of the committee should include top County management, RHCS D board members, Gold Village residents, and others as deemed appropriate.

Finding 2: RHCS D, as a special service district, is a legal identity separate from any city or county. As Gold Village was the only development within this district, the RHCS D's primary responsibility was to provide water delivery, wastewater treatment and collections to the 84 homes. However, with the failure of the wastewater treatment plant, the Superior court of California, County of Yuba has ordered Yuba County to become responsible for overseeing the RHCS D. Therefore, Yuba County could ultimately be held accountable for any community service district within its borders;

Response to Finding 2:

Recommendation 2: Yuba County should develop training, education and support services for the service districts within its borders. Yuba County government should be pro-active with the community service districts in an effort to avoid a repeat of RHCS D.

YUBA COUNTY AIRPORT

Finding 1: Both fences are currently being installed.

Response to Finding 1:

Recommendation 1: Continue work on fences until completion.

Response to Recommendation 1:

YUBA COUNTY COMMUNITY DEVELOPMENT AND SERVICES AGENCY
BUILDING DEPARTMENT

Finding 1: As mentioned above, every construction professional required a promise of anonymity and secrecy before agreeing to be interviewed about their experiences with the building department because of a fear of reprisals.

Response to Finding 1:

Recommendation 1: The building department needs to build a friendly approachable reputation, especially with construction professionals.

Response to Recommendation 1:

Finding 2: One general finding, gleaned from a review of the County Committee's notes and the satisfaction survey, is that persons who had completed projects several years ago had more, as well as more severe, complaints than more recent customers. The Grand Jury County Committee concluded that the building department is maturing and that the current staff is more professional and customer-focused than the prior field and counter staff (4 plus years ago.)

Response to Finding 2:

Finding 3: Senior building officials have questioned, even rejected, engineered "stamped" plans for homes, especially those that employ more modern construction techniques.

Response to Finding 3:

Recommendation 3: Yuba County should retain the services of a licensed engineer to explain plans that employ new technology with which building officials are unfamiliar.

Response to Recommendation 3:

Finding 4: Over the past few years the county has improved the quality of building inspection as reflected by the professional demeanor of the inspectors whom the County Committee interviewed.

Response to Finding 4:

Recommendation 4: Inspectors should continue their supervised weekly meetings. Field inspectors should also be allowed unsupervised meetings to compare field notes and educate themselves on new construction techniques.

Response to Recommendation 4:

Finding 5: While the field interviews showed that newer projects suffered fewer complaints than older construction, there were still complaints and frustrations with the permit process.

Response to Finding 5:

Recommendation 5: The building department needs to formalize a complaint process. Complaints and their solutions should be documented. Community Development and Services management should periodically review the complaint/solution database to determine that complaints are being resolved. Customers of the building department need to be made aware that such a system exists and that there will be no reprisals for using it.

Response to Recommendation 5:

Finding 6: AdvanTex filtration systems are currently being introduced as experimental systems in Yuba County in locations where sand filters were the only effluent processing means. The experimental program prudently allows the county Environmental Health Department to gather data from AdvanTex filter systems to compare with the large volume of available third party data. Once satisfied that AdvanTex systems process effluent as well or better than sand filtration, AdvanTex filters can become mainstream selections for homeowners, especially in the foothills.

Response to Finding 6:

Finding 7: The county surveyor has been working to simplify the lot line adjustment process. As a result of his work, a lot line adjustment is cheaper and easier than before.

Response to Finding 7:

Finding 8: During the housing boom, consultants were brought in to augment staff. Some of the contractors interviewed claimed that the consultants were actually slowing the permit process. Now that the housing boom has abated, consultants are still in use in at least one department.

Response to Finding 8:

Recommendation 8: Review the functions performed by the outside consultants and assess whether those activities could be accomplished more efficiently and cost effectively in-house.

Response to Recommendation 8:

YUBA COUNTY SHERIFF'S DEPARTMENT JAIL DIVISION

Finding 1: The jail is not overcrowded and still accommodates offenders serving out their time on weekends.

Response to Finding 1: The respondent agrees with this finding.

Recommendation 1: Develop a program that will use the weekend offenders that are working off a sentence to do some service within the community.

Response to Recommendation 1: This recommendation requires further analysis which has already been initiated. Work release programs are authorized by California Penal Code Section 4024.2. The law requires Board of Supervisors approval. Yuba County Sheriff's Department staff is currently examining similar programs in other California counties to develop policies, procedures, eligibility criteria, fees, and staffing needs. Staff is also making inquiries of other Yuba County departments to identify interest in using weekend offenders to perform community service. We expect the background information to be compiled in the next two months when we will make a determination concerning the feasibility of such a program.

Commendation: The Grand Jury Law Committee has determined that the Yuba County Jail facility is run efficiently.

The Board of Supervisors would like to express their gratitude to the members of the 2007/08 Grand Jury for their dedication and commitment to improving government in Yuba County.

Sincerely,

A handwritten signature in cursive script, appearing to read "Daniels Logue".

Daniels Logue, Chairman
Board of Supervisors



**YUBA - SUTTER JUVENILE HALL
CAMP SINGER YOUTH GUIDANCE CENTER**

FRANK D. SORGEA
Superintendent of Institutions



TO: Honorable Julia Scrogin
Judge of the Superior Court
County of Yuba

FROM: Frank D. Sorgea, Superintendent of Institutions

DATE: August 18, 2008

RE: RESPONSE TO 2007-08 GRAND JURY

The following is offered in response to the findings and recommendations of the Yuba County Grand Jury's Final Report concerning the Yuba – Sutter Juvenile Hall.

Finding and Recommendation 1: Concerning stained carpet in entrance corridor

Agree with Finding and Recommendation:

Recommendation is to replace or remove carpet in the intake reception area of the Juvenile Hall. The carpet in this area has been professionally cleaned annually. This is a very high traffic area as it is the only entry point into the Juvenile Hall. We intend to replace the carpeting in this area with a more durable tile or vinyl surface this year.

Finding and Recommendation 2 Concerning Cell Doors and Windows

Agree with Finding and Recommendation

Cell doors within the facility have received a great deal of abuse throughout the past 32 years. Currently all locking mechanisms are in good working order. Doors are repaired as necessary. The mechanism to open the cell windows screens on the interior of the cells has suffered a mechanical failure. The window screens are stuck in the locked and secured position. Minors in the rooms have placed paper materials between the screens and the window which cannot be removed without opening the screen. While this is unattractive, it does not represent a threat to the safety or security of the facility. It is our desire to replace all windows and door structures as funding becomes available.

Finding and Recommendation 3 Concerning utilization of the Camp Kitchenette

Agree with Finding and Recommendation

The kitchenette in the portable classroom within the Camp Singer compound is occasionally utilized for nutrition and cooking programs. These programs are dependant on available staffing. In addition, camp youth are provided the opportunity to work in the central kitchen. Youth who work in the central kitchen are supervised by the cooking staff, and are responsible for developing a special menu at the completion of their time of service.

The County of Yuba

Office of the County Administrator



MEMO

TO: Robert Bendorf, CAO
FROM: Aaron Ward, Deputy CAO *AW*
DATE: 08/22/08
RE: Response to Grand Jury Report regarding the RHCS D

Finding 1

Concerns on how the \$2.78 million in Gold Village bond funds were disbursed have been around for several years. Unfortunately, it may not be possible to locate 15-year old records which would be used to prepare an accounting of the funds. If records are located, professional services will be needed to audit the records.

Recommendation 1

Yuba County should facilitate the organization of an ad-hoc committee to discuss the degree of interest in pursuing an audit on the disbursement of \$2.78 million in Gold Village bond funds. The committee should determine if such an audit could prove beneficial to Gold Village residents and if the costs justify the effort. Members of the committee should include top county management, RHCS D board members, Gold Village residents, and others as deemed appropriate.

Response

The County Administrator's Office had previously discussed the possibility of conducting a forensic audit of the Gold Village bonds at the request of the former Chairman of the Board of Supervisors. At that time it was determined that the cost of such an audit far outweighed any benefit that may come of it. First, the cost of such an audit would be carried on the backs of the RHCS D rate payers, who are already facing a significant increase in their monthly water/sewer assessments. Second, any findings of wrong doing would result in a decision needing to be made as to whether or not pursuing legal action would be cost effective. Any award or settlement that may come to the RHCS D could very well be years away and offer no immediate relief to the cash strapped district. It is also a possibility, based on the current state of affairs, that the documentation required to complete a forensic audit of the district bonds may be unavailable. Consistent and reliable record keeping is something the RHCS D has lacked over the years.

Finding 2

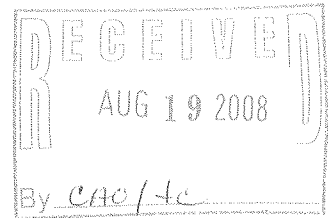
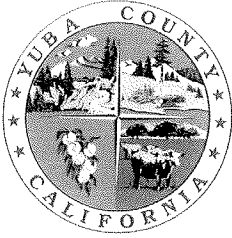
RHCS D, as a special district, is a legal identity separate from any city or county. As Gold Village was the only development within this district, the RHCS D's primary responsibility was to provide water delivery, wastewater treatment and collections for 84 homes. However, with the failure of the wastewater treatment plant, the Superior Court of California, County of Yuba has ordered Yuba County to become responsible for overseeing the RHCS D. Therefore, Yuba County could ultimately be held accountable for any community service district within its borders.

Recommendation 2

Yuba County should develop training, education and support services for the service districts within its borders. Yuba County government should be pro-active with the community service districts in an effort to avoid a repeat of RHCS D.

Response

The Court ordered “receivership” agreement between the County and the RHCSD pertains to the current wastewater treatment plant replacement project only. The County has been ordered to assist the RHCSD with resolving the issue and has pledged to do so. The County has also, outside of the receivership order, assisted the RHCSD in obtaining assistance from the Rural Community Assistance Corporation. The RCAC is a non-profit organization dedicated to assisting rural communities in achieving their goals and visions by providing training, technical assistance and access to resources. The RCAC has already provided valuable assistance to the RHCSD with bookkeeping/records management.



Administrative Services Memorandum

To: Robert Bendorf, CAO's Office
CC:
From: Doug McCoy, Dir, Administrative Services
Date: 8/18/2008
Re: Response to the Grand Jury report

Attached please find the response from Mary Hansen at the Yuba County Airport regarding her Response to the Grand Jury report.

Please call with any questions.

Interoffice

MEMORANDUM



8/18/2008

TO: DOUG MCCOY, Administrative Services Director
FROM: MARY A. HANSEN, Airport/EZ Manager
SUBJECT: RESPONSE TO GRAND JURY REPORT WITH REFERENCE TO AIRPORT

This memorandum is a response to the recommendations made by the Yuba County Grand Jury 2007/08 as it relates to the Yuba County Airport:

Reason for Investigation

The Grand Jury County Committee was concerned about security measures at the Airport.

Finding

Both fences are currently being installed.

Recommendations

Continue work on fences until completed.

Response

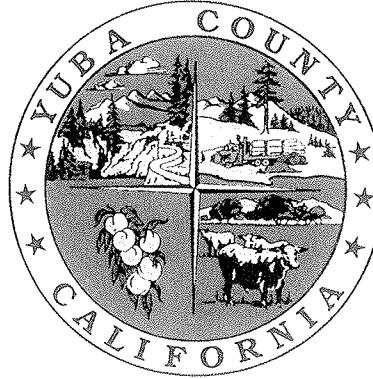
The finding and recommendation made is a continuing project of the Yuba County Airport in order to improve and maintain security. Fencing and electronic gates have been completed at both the Airport main aircraft hangar area and the Airport's emergency access. A new manual gate and perimeter fencing have been constructed along the front entry of the airport and the corporate hangar area. Additional electronic mechanisms have been added to insure quick access by emergency agencies, such as ambulance, fire, and sheriff. All tenants and operators have been issued security cards. The Airport will be pursuing additional federal grant funds in order to complete the fencing and gates at the front apron entrance as its next security-related project for the coming fiscal year.

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

Phone - (530) 749-5430 • Fax - (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us



BUILDING
749-5440 • Fax 749-5616

CODE ENFORCEMENT
749-5455 • Fax 749-5464

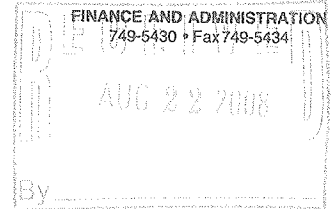
ENVIRONMENTAL HEALTH • CUPA
749-5450 • Fax 749-5454

HOUSING AND COMMUNITY SERVICES
749-5460 • Fax 749-5464

PLANNING
749-5470 • Fax 749-5434

PUBLIC WORKS • SURVEYOR
749-5420 • Fax 749-5424

FINANCE AND ADMINISTRATION
749-5430 • Fax 749-5434



August 22, 2008

The Honorable Julia L. Scrogin
Grand Jury Presiding Judge
Superior Court of California
Yuba County Courthouse
215 Fifth Street, Suite 200
Marysville, CA 95901

Subject: Response to Findings: 2007-2008 Yuba County Grand Jury Final Report:
Yuba County Community Development and Services Agency

Your Honor:

Thank you for the opportunity to provide a Response to Findings in the 2007-2008 Yuba County Grand Jury Final Report: Yuba County Community Development and Services Agency. It was a pleasure meeting with Grand Jury members to discuss various issues related to the services we provide the community. Some time was spent with Grand Jury members discussing the organizational structure of the Community Development and Services Agency (CDSA) which appears to have been misunderstood based on how some of the information is presented in the Grand Jury's report. I have attached an organizational chart to help clarify how we are structured and also to validate why I am responding to all of the findings made pertaining to the Agency.

Below are the Grand Jury's findings and recommendations followed by our responses:

Finding 1:

As mentioned above, every construction professional required a promise of anonymity and secrecy before agreeing to be interviewed about their experiences with the building department because of a fear of reprisals.

Recommendation 1:

The building department needs to build a friendly approachable reputation, especially with construction professionals.

Response to 1:

We disagree with the inference of reprisal stated in the finding and a process is already in place that addresses the recommendation.

The Building Department as well as all Departments within CDSA are expected to make good customer service a top priority. All staff within CDSA including the Director have undergone customer service training over the past year and training will continue on into the future. In addition CDSA is providing the public the opportunity to comment anonymously on the service they received thru our Customer Service Questionnaire. The questionnaire is available at our front counter, on our website and provided to each customer as part of the permit process. There have been thousands of the questionnaires provided and we have received hundreds of responses. Of those that have responded to date:

87% stated they had a good experience dealing with CDSA

9% had an okay experience

4% had a bad experience.

I personally evaluate all of the responses received and discuss written comments provided in the questionnaire with the Department identified. Some of the comments are how someone feels they have been treated through a particular process while others are comments on where we could improve. All comments received help us evaluate our business processes and that is what is important.

In addition to the questionnaire process CDSA reaches out specifically with the building industry by hosting a monthly round table discussion with members of the Building Industry Association (BIA). The BIA represents the majority of the builders we provide building and land development services to and the monthly meeting is geared toward being as open and approachable as possible so that they can get their questions answered and they have an opportunity to provide input. Myself as well as the Planning and Building Directors attend these meetings. Finally attached is a letter from a developer who had a large commercial project processed recently and his comments about our processes which included "Each and every time we turned to you for help, you were there to answer the call..."

Finding 3:

Senior building officials have questioned, even rejected, engineered "stamped" plans for homes, especially those that employ more modern construction techniques.

Recommendation 3:

Yuba County should retain the services of a licensed engineer to explain plans that employ new technology with which building officials are unfamiliar.

Response to 3:

We disagree with the finding and the intent of the recommendation has already been satisfied.

It is the responsibility of the Building Department to review all plans submitted to ensure code compliance. This includes all plans “stamped” by a licensed engineer. Although the staff in the Building Department who review plans are not licensed engineers, they are certified in their knowledge of the building codes. In addition, if there is some aspect of a set of plans that they are not familiar with the codes or have a question about interpretation the County has under contract Structural Engineers ready to assist. There are also several licensed engineers within CDSA that would be more than happy to assist if necessary including myself.

Finding 4:

Over the past few years the county has improved the quality of building inspection as reflected by the professional demeanor of the inspectors whom the County Committee interviewed.

Recommendation 4:

Inspectors should continue their supervised weekly meetings. Field inspectors should also be allowed unsupervised meetings to compare field notes and educate themselves on new construction techniques.

Response to 4:

We agree with the finding and the recommendation has been implemented.

Yuba County Building Department will continue weekly building inspector meetings, along with the counter staff weekly meetings. Although the building inspectors are supervised in their weekly meeting by the Supervising Building Official who is also a field inspector, the Chief Building Official and Assistant Chief Building Official allow the field inspectors' weekly meeting to cover all aspect of products and inspection consistencies. Management only attends field inspectors' meetings when a code interpretation is required, needs clarification, when new products are brought to management's attention, when informing inspectors of new county regulation or upon request of the field inspectors.

Finding 5:

While the field interviews showed that newer projects suffered fewer complaints than older construction, there were still complaints and frustrations with the permit process.

Recommendation 5:

The building department needs to formalize a complaint process. Complaints and their solutions should be documented. Community Development and Services management should periodically review the complaint / solution database to determine that complaints are being resolved. Customers of the building department need to be made aware that such a system exists and that there will be no reprisals for using it.

Response to 5:

We agree with the finding and the recommendation has already been implemented.

As outlined in response to Finding 1 there is currently a process in place for people to anonymously present their views on the service they received and it is readily available. In addition, the information is currently compiled in a database and complaints are discussed with affected Departments and followed up to ensure resolution. Due to the rules protecting County employees the questionnaire process does not result in any kind of discipline towards an employee and is only used to evaluate processes. Persons also have the opportunity to voice complaints and do so on occasion and call or speak with myself, the County Administrator or a County Board of Supervisor. Complaints through this process are also analyzed and resolved but not tracked in a database.

The part we do agree that there are customers who are not satisfied and have made complaints. We would love to get to a point where we have 100% satisfied customers, but know it is an unrealistic expectation considering our regulatory role. However, there is always room for improvement and we will strive to continue soliciting feedback on our processes, tracking the responses, and making adjustments to improve.

Finding 8:

During the housing boom, consultants were brought in to augment staff. Some of the contractors interviewed claimed the consultants were actually slowing the permit process. Now that the housing boom has abated, consultants are still in use in at least one department.

Recommendation 8:

Review the functions performed by the outside consultants and assess whether those activities could be accomplished more efficiently and cost effectively in-house.

Response to 8:

We partially disagree with the finding and have already implemented the recommendation.

There are currently consultants being used to assist on projects in the Building, Public Works and Planning Departments. The finding was focused on the Planning Department and as such the response is to the use of consultants in Planning, although the use and reason for the use is similar in the other Departments.

The Planning Department has historically used consultants to work on a wide range of projects in primarily two areas: (1) consultants with specific expertise in the biological sciences, traffic analysis, air quality and noise assessment among other disciplines and (2) contract planners to assist County staff with the processing of various entitlement applications including tentative subdivision tract maps, parcel maps, specific plan applications, use permits, and similar “current planning” entitlement applications.

It appears that **Finding 8** and the accompanying **Recommendation 8** focus on contract planners hired to process entitlement applications. It should be noted that consultants with specific expertise are hired for an agreed upon contractual period of time and a single project described in a contract, whereas contract planners are hired for a fiscal year to assist with a wide range of projects.

During the years 2003 to 2006 the County of Yuba Planning Department (Planning) experienced a significant increase in entitlement applications. To accommodate the increased workload, the County recruited to increase staffing while concurrently entering into agreements with several consulting firms: Pacific Municipal Corporation (PMC), Wildan and Associates, as well as several independent contractors to assist with entitlement application processing.

At the same time that the County was experiencing a significant increase in applications, Planning Department staffing underwent a dramatic change with the departure of key staff members to other agencies. As a result of the increased application numbers and staff changes, the County assigned approximately 50% of the outstanding applications to contract planners.

Since 2007, the County has significantly reduced reliance on contract planners for current planning projects. Although the Planning Department is not fully staffed, we have been able to fill several vacated staffing positions. Beginning in fiscal year 2006-2007, and again in fiscal year 2007-2008 we are at 60% staffed (filled 9 of 15 allocated positions). Filling key positions along with improvements to application processing procedures, extensive staff training, and a decrease in current planning applications has allowed the Planning Department to significantly reduce reliance on contract planners. In addition, the Board of Supervisors directed staff to reduce reliance on contract planners. At this time contract planners have a very limited role with the County and account for less than 4% of active applications; these are primarily projects that were assigned prior to Board direction and the current application slowdown.

In general, it is recognized that there are levels of efficiency which can be more effectively achieved when projects are handled with "in-house" staffing. However, the County will continue to contract with consultants who have expertise in specific fields. This is a common practice in smaller jurisdictions throughout the state that do not have the resources or workloads to justify having "in-house" biologists, hydrologists, noise and air quality analysts or other specialists. At the same time, we are improving our oversight and management of consultants and contract planners to provide Yuba County with the best services available. Finally we recognize that the development process is cyclical and are doing our best to prepare for the next building boom so we do not have to be as reliant on consultants.

Sincerely,

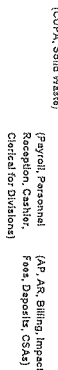
A handwritten signature in dark ink, appearing to read 'Kevin Mallen', with a stylized flourish at the end.

Kevin Mallen, P.E.
CDSA Director

Attachments:

CDSA Organizational Chart
Letter from Developer

Community Development & Services Agency Director





June 23, 2008

County of Yuba
Department of Community Development
915 8th Street, Ste. 123
Marysville, CA 95901

Dear Team,

Petrovich Development Company would like to recognize and congratulate all of the Yuba County staff and our consultant team for their exceedingly important roles that each took in the entitlement process for our Plumas Lake Town Center and Plumas Lake Commons development.


We were only able to achieve these entitlements within the required timelines because everybody worked as one team, something we have never experienced between government and consulting personnel. Each and every time we turned to you for help, you were there to answer the call and continue to do so to this day.

Thank you for being such a wonderful team of individuals to work with and we sincerely appreciate the unwavering cooperation that helped us accomplish our respective goals. Our Company realizes that it was only through your extra efforts and hard work that we realized these goals.

It is a pleasure to work with such reliable and dedicated team of people and we look forward to working with all of you in the future.

Appreciatively,

Petrovich Development Company, LLC



Paul S. Petrovich
President

Yuba County Sheriff's Department

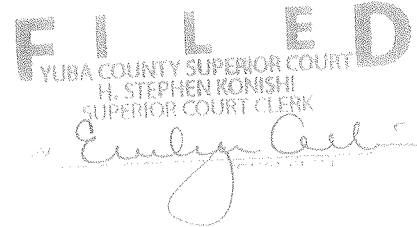
Steven L. Durfor, Sheriff - Coroner

215 5th Street, Suite 150, Marysville, CA 95901

Ph: 530-749-7777 • Fax: 530-741-6445

JUN 26 2008

The Honorable Julia Scrogin
Yuba County Superior Court
215 5th Street, Suite 200
Marysville, CA 95901



RE: Response to 2007/2008 Grand Jury Findings and Recommendations

Dear Judge Scrogin:

This letter, provided pursuant to California Penal Code Section 933, is the Yuba County Sheriff's Department's response to 2007/2008 Grand Jury Final Report -- Findings and Recommendations concerning the investigation into the Yuba County Sheriff's Department -- Jail Division. The investigation is conducted annually by the Grand Jury pursuant to California Penal Code Section 919(b) which states "The grand jury shall inquire into the condition and management of the public prisons within the county."

I would like to express my thanks to the 2007/2008 Yuba County Grand Jury for their dedication and professional approach to their duties. It was a pleasure meeting with them and discussing our jail operations. I would also like to thank them for acknowledging that the Yuba County Jail is run efficiently by granting a commendation to that effect.

Please accept the following response to the 2007/2008 Grand Jury Findings and Recommendations:

Finding 1

The jail is not overcrowded and still accommodates offenders serving out their time on weekends.

We agree with this finding.

Recommendation 1

Develop a program that will use the weekend offenders that are working off a sentence to do some service within the community.

This recommendation requires further analysis which has already been initiated. Work release programs are authorized by California Penal Code Section 4024.2. The law requires Board of Supervisors approval. Yuba County Sheriff's Department staff is currently examining similar programs in other California counties to develop policies, procedures, eligibility criteria, fees, and staffing needs. Staff is also making inquiries of other Yuba County departments to

YCSO Grand Jury Response

identify interest in using weekend offenders to perform community service. We expect the background information to be compiled in the next two months when we will make a determination concerning the feasibility of such a program.

Again, I would like to thank the 2007/2008 Yuba County Grand Jury for their service and for the opportunity to respond to the findings and recommendations. I look forward to working with the 2008/2009 Grand Jury. If you have any questions, please feel free to contact me at 749-7779.

Sincerely,



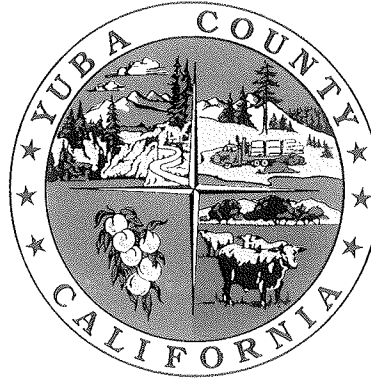
Steven L. Durfor
Sheriff-Coroner

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

Phone - (530) 749-5430 • Fax - (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us



BUILDING
749-5440 • Fax 749-5616

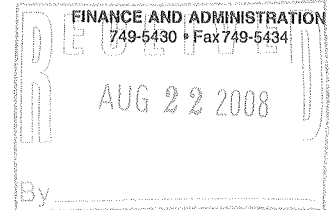
CODE ENFORCEMENT
749-5455 • Fax 749-5464

ENVIRONMENTAL HEALTH • CUPA
749-5450 • Fax 749-5454

HOUSING AND COMMUNITY SERVICES
749-5460 • Fax 749-5464

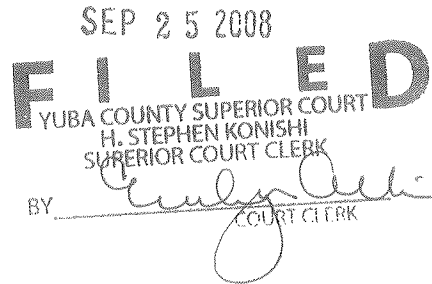
PLANNING
749-5470 • Fax 749-5434

PUBLIC WORKS • SURVEYOR
749-5420 • Fax 749-5424



August 22, 2008

The Honorable Julia L. Scrogin
Grand Jury Presiding Judge
Superior Court of California
Yuba County Courthouse
215 Fifth Street, Suite 200
Marysville, CA 95901



Subject: Response to Findings: 2007-2008 Yuba County Grand Jury Final Report:
Yuba County Community Development and Services Agency

Your Honor:

Thank you for the opportunity to provide a Response to Findings in the 2007-2008 Yuba County Grand Jury Final Report: Yuba County Community Development and Services Agency. It was a pleasure meeting with Grand Jury members to discuss various issues related to the services we provide the community. Some time was spent with Grand Jury members discussing the organizational structure of the Community Development and Services Agency (CDSA) which appears to have been misunderstood based on how some of the information is presented in the Grand Jury's report. I have attached an organizational chart to help clarify how we are structured and also to validate why I am responding to all of the findings made pertaining to the Agency.

Below are the Grand Jury's findings and recommendations followed by our responses:

Finding 1:

As mentioned above, every construction professional required a promise of anonymity and secrecy before agreeing to be interviewed about their experiences with the building department because of a fear of reprisals.

Recommendation 1:

The building department needs to build a friendly approachable reputation, especially with construction professionals.

Response to 1:

We disagree with the inference of reprisal stated in the finding and a process is already in place that addresses the recommendation.

The Building Department as well as all Departments within CDSA are expected to make good customer service a top priority. All staff within CDSA including the Director have undergone customer service training over the past year and training will continue on into the future. In addition CDSA is providing the public the opportunity to comment anonymously on the service they received thru our Customer Service Questionnaire. The questionnaire is available at our front counter, on our website and provided to each customer as part of the permit process. There have been thousands of the questionnaires provided and we have received hundreds of responses. Of those that have responded to date:

87% stated they had a good experience dealing with CDSA

9% had an okay experience

4% had a bad experience.

I personally evaluate all of the responses received and discuss written comments provided in the questionnaire with the Department identified. Some of the comments are how someone feels they have been treated through a particular process while others are comments on where we could improve. All comments received help us evaluate our business processes and that is what is important.

In addition to the questionnaire process CDSA reaches out specifically with the building industry by hosting a monthly round table discussion with members of the Building Industry Association (BIA). The BIA represents the majority of the builders we provide building and land development services to and the monthly meeting is geared toward being as open and approachable as possible so that they can get their questions answered and they have an opportunity to provide input. Myself as well as the Planning and Building Directors attend these meetings. Finally attached is a letter from a developer who had a large commercial project processed recently and his comments about our processes which included "Each and every time we turned to you for help, you were there to answer the call..."

Finding 3:

Senior building officials have questioned, even rejected, engineered "stamped" plans for homes, especially those that employ more modern construction techniques.

Recommendation 3:

Yuba County should retain the services of a licensed engineer to explain plans that employ new technology with which building officials are unfamiliar.

Response to 3:

We disagree with the finding and the intent of the recommendation has already been satisfied.

It is the responsibility of the Building Department to review all plans submitted to ensure code compliance. This includes all plans “stamped” by a licensed engineer. Although the staff in the Building Department who review plans are not licensed engineers, they are certified in their knowledge of the building codes. In addition, if there is some aspect of a set of plans that they are not familiar with the codes or have a question about interpretation the County has under contract Structural Engineers ready to assist. There are also several licensed engineers within CDSA that would be more than happy to assist if necessary including myself.

Finding 4:

Over the past few years the county has improved the quality of building inspection as reflected by the professional demeanor of the inspectors whom the County Committee interviewed.

Recommendation 4:

Inspectors should continue their supervised weekly meetings. Field inspectors should also be allowed unsupervised meetings to compare field notes and educate themselves on new construction techniques.

Response to 4:

We agree with the finding and the recommendation has been implemented.

Yuba County Building Department will continue weekly building inspector meetings, along with the counter staff weekly meetings. Although the building inspectors are supervised in their weekly meeting by the Supervising Building Official who is also a field inspector, the Chief Building Official and Assistant Chief Building Official allow the field inspectors' weekly meeting to cover all aspect of products and inspection consistencies. Management only attends field inspectors' meetings when a code interpretation is required, needs clarification, when new products are brought to management's attention, when informing inspectors of new county regulation or upon request of the field inspectors.

Finding 5:

While the field interviews showed that newer projects suffered fewer complaints than older construction, there were still complaints and frustrations with the permit process.

Recommendation 5:

The building department needs to formalize a complaint process. Complaints and their solutions should be documented. Community Development and Services management should periodically review the complaint / solution database to determine that complaints are being resolved. Customers of the building department need to be made aware that such a system exists and that there will be no reprisals for using it.

Response to 5:

We agree with the finding and the recommendation has already been implemented.

As outlined in response to Finding 1 there is currently a process in place for people to anonymously present their views on the service they received and it is readily available. In addition, the information is currently compiled in a database and complaints are discussed with affected Departments and followed up to ensure resolution. Due to the rules protecting County employees the questionnaire process does not result in any kind of discipline towards an employee and is only used to evaluate processes. Persons also have the opportunity to voice complaints and do so on occasion and call or speak with myself, the County Administrator or a County Board of Supervisor. Complaints through this process are also analyzed and resolved but not tracked in a database.

The part we do agree that there are customers who are not satisfied and have made complaints. We would love to get to a point where we have 100% satisfied customers, but know it is an unrealistic expectation considering our regulatory role. However, there is always room for improvement and we will strive to continue soliciting feedback on our processes, tracking the responses, and making adjustments to improve.

Finding 8:

During the housing boom, consultants were brought in to augment staff. Some of the contractors interviewed claimed the consultants were actually slowing the permit process. Now that the housing boom has abated, consultants are still in use in at least one department.

Recommendation 8:

Review the functions performed by the outside consultants and assess whether those activities could be accomplished more efficiently and cost effectively in-house.

Response to 8:

We partially disagree with the finding and have already implemented the recommendation.

There are currently consultants being used to assist on projects in the Building, Public Works and Planning Departments. The finding was focused on the Planning Department and as such the response is to the use of consultants in Planning, although the use and reason for the use is similar in the other Departments.

The Planning Department has historically used consultants to work on a wide range of projects in primarily two areas: (1) consultants with specific expertise in the biological sciences, traffic analysis, air quality and noise assessment among other disciplines and (2) contract planners to assist County staff with the processing of various entitlement applications including tentative subdivision tract maps, parcel maps, specific plan applications, use permits, and similar “current planning” entitlement applications.

It appears that **Finding 8** and the accompanying **Recommendation 8** focus on contract planners hired to process entitlement applications. It should be noted that consultants with specific expertise are hired for an agreed upon contractual period of time and a single project described in a contract, whereas contract planners are hired for a fiscal year to assist with a wide range of projects.

During the years 2003 to 2006 the County of Yuba Planning Department (Planning) experienced a significant increase in entitlement applications. To accommodate the increased workload, the County recruited to increase staffing while concurrently entering into agreements with several consulting firms: Pacific Municipal Corporation (PMC), Wildan and Associates, as well as several independent contractors to assist with entitlement application processing.

At the same time that the County was experiencing a significant increase in applications, Planning Department staffing underwent a dramatic change with the departure of key staff members to other agencies. As a result of the increased application numbers and staff changes, the County assigned approximately 50% of the outstanding applications to contract planners.

Since 2007, the County has significantly reduced reliance on contract planners for current planning projects. Although the Planning Department is not fully staffed, we have been able to fill several vacated staffing positions. Beginning in fiscal year 2006-2007, and again in fiscal year 2007-2008 we are at 60% staffed (filled 9 of 15 allocated positions). Filling key positions along with improvements to application processing procedures, extensive staff training, and a decrease in current planning applications has allowed the Planning Department to significantly reduce reliance on contract planners. In addition, the Board of Supervisors directed staff to reduce reliance on contract planners. At this time contract planners have a very limited role with the County and account for less than 4% of active applications; these are primarily projects that were assigned prior to Board direction and the current application slowdown.

In general, it is recognized that there are levels of efficiency which can be more effectively achieved when projects are handled with "in-house" staffing. However, the County will continue to contract with consultants who have expertise in specific fields. This is a common practice in smaller jurisdictions throughout the state that do not have the resources or workloads to justify having "in-house" biologists, hydrologists, noise and air quality analysts or other specialists. At the same time, we are improving our oversight and management of consultants and contract planners to provide Yuba County with the best services available. Finally we recognize that the development process is cyclical and are doing our best to prepare for the next building boom so we do not have to be as reliant on consultants.

Sincerely,

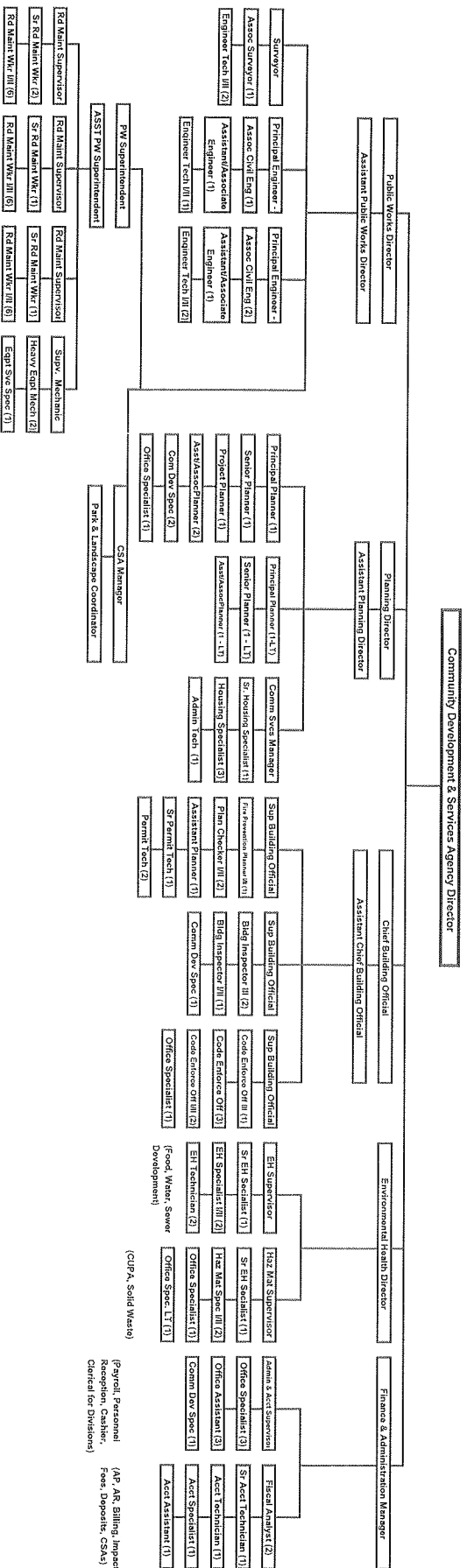
A handwritten signature in dark ink, appearing to read 'Kevin Mallen', with a stylized, flowing script.

Kevin Mallen, P.E.
CDSA Director

Attachments:

CDSA Organizational Chart
Letter from Developer

COMMUNITY DEVELOPMENT & SERVICES AGENCY





June 23, 2008

County of Yuba
Department of Community Development
915 8th Street, Ste. 123
Marysville, CA 95901

Dear Team,

Petrovich Development Company would like to recognize and congratulate all of the Yuba County staff and our consultant team for their exceedingly important roles that each took in the entitlement process for our Plumas Lake Town Center and Plumas Lake Commons development.

We were only able to achieve these entitlements within the required timelines because everybody worked as one team, something we have never experienced between government and consulting personnel. Each and every time we turned to you for help, you were there to answer the call and continue to do so to this day.

Thank you for being such a wonderful team of individuals to work with and we sincerely appreciate the unwavering cooperation that helped us accomplish our respective goals. Our Company realizes that it was only through your extra efforts and hard work that we realized these goals.

It is a pleasure to work with such reliable and dedicated team of people and we look forward to working with all of you in the future.

Appreciatively,

Petrovich Development Company, LLC



Paul S. Petrovich
President