



SHASTA COUNTY GRAND JURY 2013-2014

*Investigates
Finds
Recommends*



FINAL REPORT



Final Report



2013 - 2014 Grand Jury Members

Foreperson

Eleanor Townsend

Richard Camillieri
Katharine Ann Campbell
Michelle H. Dusel
Dennis A. Edwards
Paul L. Genoud
Kathleen M. Griffin
James G. McClary
Mary Ann McCorquodale

Pro Tem

Phillip Perry

Claudia J. O'Connell
Terry Oxley
Shawn Pearce
Lawrence F. Robins
Patricia A. Stout
Beatrice B. Howell
Fred Weatherill
Stella Webb
Lynn Yelverton



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Graphics by Patricia Stout



Shasta County

GRAND JURY



P. O. BOX 992086
REDDING, CA 96099-2086
VOICE MAIL: (530) 225-5098

June 24, 2014

The Honorable Gregory Gaul
Presiding Judge of the Superior Court
Shasta County Courthouse
1500 Court Street
Redding, Ca. 96001

Dear Judge Gaul:

The 2013-2014 Shasta County Grand Jury hereby respectfully submits to you its Final Report.

We have worked steadfastly, and as a team, to produce a report that we hope will prove beneficial to the citizens of Shasta County. It has been a unique and memorable experience for each of us, and we have especially appreciated your honor's support and interest.

We have achieved our goal in large part due to the excellent training by the Shasta County Grand Jury Association. The guidance of Marsha Caranci, David Plowman, Ray Frisbie, Karen Jahr and Larry Johnson has been an immensely positive influence on our work. Senior Deputy County Counsel David Yorton has been our touchstone regarding legal aspects of grand juries. We also thank his assistant Paula Holsten, your honor's staff Diana Wasson and Melissa Fowler-Bradley, and Megan Dorney, Jennifer Lange, Kari Piazza and Candace Martin from the County Administration office. All of these individuals have been so gracious and so helpful to us throughout the year.

Thanks to all of my fellow jurors, who retained their sense of humor, and worked tirelessly to produce this report.

The year has flown so fast, and as we leave our roles as jurors, I know that each of us will always remember this amazing experience, and all those who collaborated to make our report a positive influence for Shasta County.

Sincerely,

Eleanor Townsend
Foreperson



Your Shasta County Grand Jury

Authority to Act

In California, the state constitution requires the Superior Court in each county to impanel at least one grand jury each year. The California Penal Code and other state laws govern and guide grand juries. More specifically, Section 925, et Seq. of the Penal Code authorize the grand jury to investigate and report on the operations of any local governmental agency within the county.

The Shasta County Grand Jury functions as an arm of the judicial branch of government, operating under the guidance of the Presiding Judge of the Shasta County Superior Court. In this capacity, the grand jury inquires into and investigates the operations of local government agencies and officials, ensuring that their activities are authorized by law and services are efficiently provided.

All communications with the grand jury are confidential. Information provided to the grand jury to support a complaint is carefully reviewed to determine what further action, if any, is required. If it is determined that the matter is not within the investigative authority of the grand jury, no further action is taken. If the matter is within the legal scope of the grand jury's investigative powers and warrants further inquiry, the grand jury will contact and interview those individuals who may be able to provide additional information. During an investigation, all information and evidence will be considered; however, a review may not result in any action or report by the grand jury.

Jurisdiction

Acting on its own initiative or responding to a written complaint, the grand jury:

- may investigate aspects of county and city government departments and programs, local public officials' functions and duties, and the operations of special districts. Almost any governmental entity that receives public money may be examined;
- may return indictments for crimes committed in the county. When an indictment has been voted on, the case proceeds through the criminal justice system. The decision whether or not to present criminal cases to the grand jury is made by the county District Attorney;
- may bring formal accusations against public officials for willful misconduct or corruption in office.

Each year, the grand jury must enquire into the condition and management of all prisons within the county.

The grand jury is not allowed to continue an oversight from a previous panel. If the grand jury wishes to look at a subject that a prior panel was examining, it must start its own investigation and independently verify all information. It may use information obtained from the prior jury, but this information must be verified before it can be used by the current jury.

The grand jury is exempt from the requirements of the state's open meeting law (the Brown Act). Actions are taken by vote of the jury, in accordance with an approved set of rules of procedure. The ability to internally police itself allows the grand jury to operate completely independently of external

pressures. The desired result is a self-directed body of citizens that has the power to investigate conduct within local government.

Reports issued by the grand jury do not identify the individuals interviewed. Penal Code Section 929 requires that reports of the grand jury not contain the name of any person or facts leading to the identity of any person who provides information to the grand jury. The intent of this provision is to encourage full candor in testimony in civil grand jury investigations by protecting the privacy and confidentiality of those who participate.

Citizen Complaints

The grand jury reviews all complaints and investigates when appropriate. Each complaint is treated confidentially. The complainant may be asked to appear as a witness. A complaint form may be obtained by contacting:

Shasta County Grand Jury
PO Box 992086
Redding, Ca. 96099-2086
(530) 225-5098 or online at www.co.shasta.ca.us

Why should you serve?

As a grand juror, you will have an opportunity to make a difference. You will become involved with other interested citizens in learning more about the operations of local government, including the county, cities, special districts and school districts. The grand jury issues reports about the performance of local government agencies, offering recommendations aimed at improving the agencies that serve this community. A challenging year of investigations, interviews and reporting will give you a unique experience and insight into local government issues.

Becoming a Grand Juror

The Shasta County Grand Jury is composed of 19 county citizens. A prospective juror should be willing to work as a team member, understand small group dynamics and operate in a collaborative manner to reach consensus. Although not essential, access to a computer and the ability to research topics on the internet will be helpful to the prospective juror. Prospective jurors apply in April for the coming fiscal year. The Presiding Judge randomly selects grand jurors from a pool of up to 30 applicants. To preserve continuity, the Presiding Judge may select a few jurors to continue into a second term; however, jurors may not serve more than two consecutive terms. An application to serve on the grand jury may be requested from:

Shasta County Superior Court
Room 205
1500 Court Street
Redding, Ca. 96001, or online at www.co.shasta.ca.us

Responses to the Grand Jury Final Report

Section 933 of the California Penal Code requires that the responses to the final report of the grand jury be submitted to the court no later than 90 days after the report is released to the public if the respondent

is a governing body, or 60 days if the respondent is an elected official. The responses must be sent to the Presiding Judge of the Superior Court.

The respondents are required to comment on the findings and recommendations contained in the report. With regard to each finding, the respondent must indicate whether the respondent agrees with the finding, or disagrees partially or wholly with the finding, and the grounds for any disagreement. With regard to recommendations, the respondent must indicate that the respondent has implemented the recommendations, plans to implement the recommendation in the future, will further analyze and study the recommendation, or will not implement the recommendation and, if not, provide an explanation as to why it will not be implemented.

Copies of the Shasta County Grand Jury's reports and the responses made by governing boards and elected officials may be found on the Shasta County Grand Jury's web page at www.co.shasta.ca.us. Electronic copies of reports and responses date back to 2001/02.

At the time this Consolidated Final Report was compiled, the information it contained was accurate to the best of the grand jury's knowledge and belief. However, some facts may have changed since the individual reports were completed.

When there is a perception of a conflict of interest involving a member of the grand jury, that member has been required to recuse herself or himself from any aspect of the investigation involving such a conflict and from voting on the acceptance or rejection of that report.



SHASTA COUNTY GRAND JURY 2013-2014

Shasta County Grand Jury Committees



Audit and Finance
City Government
County Government
Continuity and Editorial
Criminal Justice
Information Technology/ Report Publication
Local Districts and Agencies



Summary of Grand Jury Committee Activities

Committee	Meetings	Interviews	Reports	Site Visits	Autopsies
Audit	2	0	1	0	
City	43	14	3	0	
Continuity-Editorial	12	0	1	0	
County	42	9	1	0	
Criminal Justice	32	7	3	3	2
Information Tech/Publication	6	0	0	0	
Local Districts and Agencies	39	12	2	2	
Plenary Committee	28	0	0	5	
Special Ad Hoc	4	4	0	0	
Totals	208	46	11	10	2

Sites and Facilities visited during 2013-14:

- | | |
|--|------------------------------|
| Shasta County Jail | RABA transit stops |
| Sugar Pine Conservation Camp | Community Corrections Center |
| Shasta County Juvenile Rehabilitation Facility | Redding Police Department |
| SHASCOM | Coroner's Office |
| RABA Maintenance Facility | Redding Power Plant |

Activities during 2013-2014:

Agencies, Departments and Facilities Visited	10
Autopsies Attended	2
Committee Meetings Held	180
Interviews Conducted During Course of Investigations	46
Final Reports Issued	11
Governmental Board Meetings Attended	11
Joint Audit Committee Meetings Attended	2
Meetings of the Full Grand Jury	28
Complaints Received*	24

*Not all complaints received fall within the purview of the Grand Jury.



SHASTA COUNTY GRAND JURY 2013-2014

Looking Back . . .



Responses to the Shasta County Grand Jury Report Fiscal Year 2012-2013

This report addresses the responses received to the findings and recommendations concerning the investigations completed and published by the 2012-2013 Grand Jury. Section 933 of the California Penal Code requires that responses to the final report of a Grand Jury be submitted to the court no later than 90 days after the report's release to the public if the respondent is a governing body or 60 days if the respondent is an elected official. The responses must be sent to the Presiding Judge of the Superior Court.

All responses to Grand Jury Report Fiscal Year 2012-2013 were received in a timely manner.

The Grand Jury may require elected officials and governing boards to respond to its reports. The Grand Jury may not require department heads or other officials who are appointed (rather than elected) to respond to reports. Nothing prohibits the Grand Jury, however, from inviting or requesting a response from responsible parties. Penal Code section 933.05 requires responses to contain specific information. Respondents must state whether they agree or disagree with each finding. Disagreement with all or part of a finding must be explained.

Respondents must state with regard to each recommendation the extent to which the recommendation has been implemented, when it will be implemented, whether the recommendation requires additional study, or why the department or public entity will not implement the recommendation.

All responses to the findings and recommendations of the Grand Jury Report Fiscal Year 2012-2013 met the statutory requirements.

Last year's Grand Jury Report contained seven investigative reports, of which five included recommendations aimed at solving various problems identified by the Grand Jury. The following are the findings and recommendations made in the five reports, the responses received from the responsible boards and officials, and the results of this year's Grand Jury investigation into whether the agreed-to recommendations were implemented. We determined that the governing boards and officials implemented all of the prior Grand Jury's recommendations.

Report: *Quality Takes Time*

Recruitment/Hiring Process for Correctional Officers

This report addressed the hiring of correctional officers to staff the Shasta County Jail.

The Sheriff was required to respond to Finding 1 (F1) and Recommendation 1 (R1) the Shasta County Administrative Officer was requested to respond to F2 and R2.

Findings

- F1 While the hiring process is lengthy and cumbersome a revision of current procedures and/or the lowering of current standards could result in the hiring of less qualified correctional officers.

Sheriff's Response: "The respondent concurs with the finding."

- F2 Applicants were not fully informed of the length of time necessary to complete the recruitment/hiring process.

Shasta County Chief Administrative Officer's response: "The County Executive Officer agrees with this finding and concurs with this recommendation. A more thorough explanation of projected time frames to all pre-qualified applicants has been incorporated into Shasta County's hiring process."

- F3 The delay in opening the third floor of the jail was due to the lack of adequate correctional officer staffing and extensive recruitment/hiring process.

No response required or requested.

Recommendations

- R1 The Sheriff's office and Shasta County Support Services (SCSS) should continue to adhere to the standards of the current recruitment/hiring process.

Sheriff's Response: "The respondent concurs with the Recommendation."

- R2 In order to minimize the number of applicants who withdraw from the process, SCSS should fully inform them of the projected timeline of the remaining steps in the hiring process. This should be done at the time that applicants are informed that they have passed the written test.

Shasta County Chief Administrative Officer's response: "The County Executive Officer agrees with this finding and concurs with this recommendation. A more thorough explanation of projected time frames to all pre-qualified applicants has been incorporated into Shasta County's hiring process."

Report: Facilitating Conservation

Western Shasta Resource Conservation District

This report addressed the resources and services provided to the public through the Western Shasta Resource Conservation District (WSRCD).

The Board of the WSRCD was requested to respond to all findings and recommendations.

Findings

F1 Additional members added to the Board of Directors would allow for a greater diversity of opinion in the operation of the district and would reduce difficulties in setting up subcommittees due to constraints imposed by the Brown Act.

Western Shasta Resource Conservation District Board's response: Response requested, but not required. No response received.

F2 Marketing the availability of the resources of the WSRCD to the public on selected “fee for service” projects would both promote resource conservation and assist the District in meeting its financial obligations.

Western Shasta Resource Conservation District Board's response: Response requested, but not required. No response received.

F3 Inmate labor from the Sugar Pine Conservation Camp is the most economical way for the WSRCD to obtain experienced and qualified labor at minimal cost while working on selected projects.

Western Shasta Resource Conservation District Board's response: Response requested, but not required. No response received.

F4 The WSRCD website is out-of-date and fails to provide the public with necessary information.

Western Shasta Resource Conservation District Board's response: Response requested, but not required. No response received.

Recommendations

R1 The Grand Jury recommends that the WSRCD seek out interested citizens in order to nominate them to the Shasta County Board of Supervisors for appointment to the board. This should be accomplished within the next three months.

Western Shasta Resource Conservation District Board's response: Response requested, but not required. No response received.

R2 The Grand Jury recommends that the WSRCD review its practice of not marketing “fee for service” contracts with a view toward performing such services for private landowners who would not otherwise avail themselves of conservation work on their property. This review should be undertaken as soon as possible following the addition of new members to the Board.

Western Shasta Resource Conservation District Board's response: Response requested, but not required. No response received..

R3 The Grand Jury recommends that the WSRCD continue to utilize (through Cal-Fire) inmate labor from the Sugar Pine Conservation Camp as a means of obtaining experienced and qualified labor while at the same time keeping down the cost of services provided

Western Shasta Resource Conservation District Board's response: Response requested, but not required. No response received.

- R4 The Grand Jury recommends that the WSRCD review and update its website for the specific purpose of providing the public with accurate, relevant and timely information concerning its activities and the dates, times and agendas of the WSRCD Board meetings. The review and update of the website should be completed within three months (the committee feels that 3 months is adequate).

Western Shasta Resource Conservation District Board's response: Response requested, but not required. No response received.

Report: What is a Permissible Gift?

City of Redding Employee Conduct and Honesty Policy

This report addressed a complaint brought by a member of the public concerning gifts allegedly received by a City of Redding employee.

The Redding City Council was required to respond to F1, F2, F3, and F4 and R1, R2, R3, R4, and R5.

Findings

- F1 The City of Redding's Conduct and Honesty Policy disallows the acceptance of gifts. However, the policy does not define "gifts"; therefore, misinterpretation is possible.

Redding City Council's response: "The respondent agrees with this finding."

- F2 City employees lack an understanding of what constitutes a gift and what constitutes a violation of the policy.

Redding City Council's response: "The respondent agrees with this finding; more clarification would be beneficial."

- F3 While city management reviews FPPC 700 Forms Schedule D&E only if reported gifts are over \$440, there is no provision to alert management of city employees receiving lesser gifts.

Redding City Council's response: "The respondent respectfully disagrees with this finding. Designated City employees must report any gift that is worth \$50 or more on FPPC Form 700."

- F4 Violations of the *Honesty and Conduct Policy* concerning acceptance of gifts are not enforced.

Redding City Council's response: "The respondent respectfully disagrees with the finding. Violations of the City's Employee Conduct and Honesty Policy are subject to disciplinary action as deemed appropriate by City management."

Recommendations

- R1 The Grand Jury recommends the Redding City Council, working with city management, revise and adopt an Employee Honesty and Conduct Policy specific to accepting gifts.

Redding City Council's response: "This recommendation will be implemented by October 31, 2013."

R2 The Grand Jury recommends the Employee and Honesty Conduct policy clearly defines what is a gift, what is an acceptable gift, and set a maximum value any employee may receive.

Redding City Council's response: "This recommendation will be implemented by October 31, 2013."

R3 The Grand Jury recommends the Redding City Council, working with management, develop a vehicle for employees not required to file FPPC 700 forms to report gifts received.

Redding City Council's response: "This recommendation will be implemented by October 31, 2013."

R4 The Redding City Council adopt a policy that requires department heads or immediate supervisors to review all FPPC 700 Forms to determine if employees are adhering to the adopted City gift policy.

Redding City Council's response: "The City does not intend to implement this recommendation. Compliance with the requirements set forth in the Political Reform Act is the individual responsibility of each employee (similar to filing an individual tax return). Enforcement responsibilities are specified in state law. Enforcement does not involve oversight by supervisors or department heads and that responsibility should not be imposed upon them by City policy."

R5 The Grand Jury recommends the Redding City Council develop a plan to enforce the adopted City gift policy.

Redding City Council's response: "This recommendation will be implemented by October 31, 2013."

Follow-up conducted by the current Grand Jury Fiscal Year 2013-2014 with the City of Redding:

The current impaneled Grand Jury conducted a follow-up investigation with the City of Redding administrative staff to determine if actions for implementing those recommendations agreed as above were completed. All recommendations and actions agreed upon have been addressed.

Report: Diploma or Certificate of Completion?

*Shasta Union High School District,
Special Education Department Adult Transition Program*

This report addressed complaints received from parents of students in the Shasta Union High School District (SUHSD) Special Education Department's Adult Transition Program.

The SUHSD Board of Trustees was required to respond to F1 and R1. The Director of Special Education was requested to respond to F1, F2 and R1 and R2.

Findings

- F1 There has been a lack of communication between SUHSD's Special Education Department and the parents/guardians of special needs high school students regarding graduation options (Diploma vs. Certificate of Completion pathways).

The SUHSD Board of Trustees' response: "With respect to the required response to the first finding in the report, the Board acknowledges a communication breakdown between the Shasta Union High School District's (SUHSD) Special Education Department and some parents of special needs high school students regarding graduation options."

The Director of Special Education's response: "With respect to the required response to the first finding in the report, the Special Education Department acknowledges a lack of communication with some parents/guardians of special education students regarding graduation options. This is an area where improvement can be made."

- F2 There is no adequate forum for groups of parents/guardians to communicate with the special education staff on a regular and ongoing basis.

The Director of Special Education's response: "With respect to the required response to the second finding in the report, the Special Education Department acknowledges a regular forum for parents to communicate with special education staff would improve parents understanding of the special education graduation options and allow them to ask general questions about the programs available to their students."

- F3 The Adult Transition Program Parents' Club funds were not managed according to district policy; however, this has since been rectified.

- F4 The SUHSD Board of Trustees was responsive to several of the parents' concerns, for example reinstating the use of a van and resuming recycling.

- F5 Based on the ratio of staff to students of 1:2 the SUHSD Adult Transition Program is staffed appropriately when compared to other local school districts.

Recommendations

- R1 The Grand Jury recommends that by September 1, 2013 the SUHSD Board of Trustees finalize the Course of Study Decisions document. It should contain a clear explanation of the outcomes of choosing the educational pathway leading to a diploma versus the pathway leading to a certificate of completion. The district should provide it to parents/guardians in a timely fashion.

The SUHSD Board of Trustees' response: "With respect to the required response to the first recommendation in the report, the Board agrees communication is a priority and it can always be improved. The Board has been assured by the Superintendent and the Director of Special Education that the Course of Study Decisions document, along with other written material (the Adult Transition Program pamphlet and the Special Education Program Completion Conditions document) are to be provided to all pertinent parents in a timely fashion. These documents contain a clear explanation of the pathways leading to a diploma versus the pathway leading to a certificate of completion."

The Director of Special Education's response: "With respect to the required response to the first recommendation in the report, the Special Education Department will distribute to all pertinent parents during each Individualized Educational Program meeting in the 2013-2014 school year and beyond, the following documents: Course of Study Decisions document, the Adult Transition Program pamphlet, the Special Education Local Planning Area, Community Advisory Committee Parent Handbook and the Special Education Program Completion document."

- R2 The Grand Jury recommends that SUHSD schedule regular meetings between parents/guardians and the special education staff to address and discuss general concerns beginning at the start of the next semester.

The Director of Special Education's response: "With respect to the required response to the second recommendation in the report, to improve communication the Special Education Department has taken the following steps: the creation of a district wide phone message and e-mail system to inform parents of upcoming Special Education Local Planning Area, Community Advisory Committee, and Area 2 Board workshops and events; connecting parents to Rowell Family Empowerment (a local parent support agency); the production of a parent newsletter to be delivered quarterly; and open access to the Director of Special Education at the start of the next semester during "Back to School Night" in the fall and the "Curriculum Faire" in the spring, as well as other school functions. Parents will be informed of these functions and opportunities for an open dialogue regarding the special education program."

Follow up conducted by the current Grand Jury Fiscal Year 2013-2014 with the Shasta Union High School District

The current impaneled Grand Jury conducted a follow-up investigation with the Shasta Union High School District administrative staff to determine if actions for implementing those recommendations agreed as above were completed. All recommendations and actions agreed upon have been addressed.

Report: *Let There Be Light - At A Discount*

Big League Dreams

This report addressed a complaint received from a member of the public concerning the electricity rate provided to Big League Dreams Redding, LLC by Redding Electric Utility. The City Council was required to respond to F1, F2 and F3 as well as R2 and R3. The Redding Electric Utility Director was requested to respond to F1 and F4 as well as R1 and R4.

Findings

- F1 The Redding Electric Utility staff report dated September 8, 2011 contained misleading and inaccurate information which led to misunderstanding as to the savings afforded Big League Dreams Redding, LLC under the recommended "blended rate" rate.

The City Council's response: "The respondent agrees with this finding."

The Redding Electric Utility Director's response: "The respondent agrees with this finding."

- F2 The City Council failed to follow its established procedure concerning its Consent Calendar when it considered and approved a rate reduction for Big League Dreams Redding, LLC during its regular meeting on September 20, 2011

The City Council's response: "The respondent respectfully disagrees with this finding. When considering the Consent Calendar, City Council members and members of the public are entitled by law (Brown Act) to comment on individual items on the Consent Calendar. Additionally, Council Members are permitted to vote no on an item found on the Consent Calendar while voting to approve the balance of the Consent Calendar. On September 20, 2011, the City Council of the City of Redding followed its procedures."

- F3 The City Council failed to respond to a request from a member of the public that the item related to the electric rate change for Big League Dreams Redding, LLC be taken off the Consent Calendar and moved to the general agenda.

The City Council's Response: "The respondent respectfully disagrees with this finding. City Council Policy 204 states "It shall be the prerogative of any Council Member to pull any agenda item off the Consent Calendar, and place it on the regular portion of the agenda." At the meeting of September 20, 2011, a member of the public spoke on the agenda item regarding the stadium lighting rate for Big League Dreams. At the end of his dialogue, he requested the Council to reconsider the item being on the Consent Calendar. Following this comment, no Council member asked for the item to be removed from the Consent Calendar."

- F4 Redding Electric Utility adjusted the electrical billings for Big League Dreams Redding, LLC retroactive to June 2011 without specific City Council approval.

The Redding Electric Utility Director's response: "The respondent agrees with this finding but notes that the adjustments were within staff authorities."

- F5 The rate reduction afforded Big League Dreams Redding, LLC was in substantial compliance with the terms of the Big League Dreams Redding, LLC lease agreement.

Recommendations

The Grand Jury recommends:

- R1 Redding Electric Utility ensure that all staff reports provided to members of the City Council are complete and accurate.

The Redding Electric Utility Director's response: "The Redding Electric Utility staff has implemented this procedure in the past and will continue to implement this procedure."

- R2 The City Council follow its established procedure and either remove an item from the Consent Calendar to allow for discussion or allow no separate discussion of that item.

The City Council's response: "The City Council will partially implement this recommendation immediately. While the Council has consistently adhered to its policies and procedures and did so at the subject meeting in 2011, language changes will be made on the agenda to more clearly describe the Council's established practice with respect to consideration of the Consent Calendar. The new language will be as follows:

Consent Calendar

The Consent Calendar contains items considered routine and/or which have been individually scrutinized by City Council Members and are anticipated to require no further deliberation. If a member of the public wishes to address an item on the Consent Calendar, please fill out a "Speaker Request" form and submit it to the City Clerk before the Consent Calendar is considered. It shall be the prerogative of any Council Member, before the Consent Calendar is acted upon, to: (1) comment on an item; (2) respond to any public comment on an item; (3) request the record reflect an abstention or nay vote on an item; or (4) remove an item and place it on the Regular portion of the agenda for delivery of a staff report and/or an extended discussion or deliberation."

- R3 The City Council respond to and verbally approve or disallow any request from the public that an item on the Consent Calendar be moved to the general agenda.

The City Council's response: "The recommendation will not be implemented. City Council Policy 204 states "It shall be the prerogative of any Council member to pull any agenda item off the Consent Calendar, and place it on the regular portion of the agenda. Should a member of the public request an item to be removed from the Consent Calendar, it is the prerogative of any individual Council Member to grant said request. A new policy requiring the Council as a body to act would actually be more restrictive than the current practice."

- R4 Redding Electric Utility fully inform the City Council and the public whenever any significant retroactive rate reduction is afforded any large commercial customer.

The Redding Electric Utility Director's response: "The respondent will implement this recommendation immediately."

Follow-up conducted by the current Grand Jury Fiscal Year 2013-2014 with the City of Redding:

The current impaneled Grand Jury conducted a follow-up investigation with the City of Redding administrative staff to determine if actions for implementing those recommendations agreed as above were completed. All recommendations and actions agreed upon have been addressed.



Not in *my* backyard!



CODE VIOLATION MANAGEMENT

SUMMARY

The Shasta County Grand Jury received a complaint regarding the ability of Shasta County to enforce its Medical Marijuana Ordinance and the untimeliness of the County to follow up on building and land use code violations. After we began an investigation, the Shasta County Board of Supervisors revised the Medical Marijuana Cultivation Ordinance. Subsequently, the revised ordinance qualified for a ballot measure. To avoid any involvement in the political process, the Grand Jury limited its investigation to general code enforcement for land use and building violations.

As of March 25, 2014, there were 1,728 open and unresolved building and land use code enforcement cases dating back to 1997. This report highlights the need for increased management and oversight of code enforcement. Based on complaints and news articles, the Grand Jury became concerned that the County does not effectively enforce its adopted rules and regulations. Our recommendations include the establishment of protocols and procedures to address the backlog and to manage the current and future workload

BACKGROUND

The County's code enforcement process pertains only to privately owned land in the unincorporated area, and to County-owned land and easements anywhere within the County. State and federal lands are excluded, as is land within incorporated cities. According to the County General Plan, the County is responsible for code enforcement on 2,197 square miles of privately owned land or 58.2 percent of the land area within Shasta County.

The overall intent of code enforcement is to protect property from uses or activities that will impact people's investments and to allow neighbors to safely coexist. These rules and regulations are adopted to prevent or solve problems or to meet mandates from federal or state agencies. Zoning, grading, subdivision, environment, building codes, signage, and fire safety regulations are intended to prevent the use of property for illegal activities or unsafe or unpermitted structures.

The County enforces only the rules for land use that it adopts or those that are mandated by state or federal agencies. It does not enforce the rules of incorporated cities, nor does it enforce tract restrictions, property owner association's rules and regulations or lease agreements between an owner and a tenant.



Code Enforcement 1728 Open



APPROACH

The Grand Jury:

- reviewed Shasta County ordinances pertaining to building and land use code enforcement;
- reviewed Shasta County budgets for 2012-13 and 2013-14;
- reviewed code violation files;
- reviewed media reports;
- reviewed information available on the County website related to this topic;
- interviewed the complainant;
- interviewed County staff involved with managing and funding code enforcement; and
- interviewed a Shasta County Supervisor.

DISCUSSION

In Shasta County, building and land use code enforcement is assigned to the Department of Resource Management under the supervision of the Building Official and the department's Director. The exception to this concerns the cultivation of medical marijuana, where Shasta County assigned co-enforcement responsibilities to the Sheriff.

The Department of Resource Management consists of five divisions including Planning, Building, Air Quality, Environmental Health and Community Education. Within the Department of Resource Management, the Building Official has day-to-day oversight and management of code enforcement.

The County relies on building code inspectors to perform code enforcement along with their other duties related to building permits. A building code inspector approves construction progress so that it meets minimum building code and land use requirements. As building activity increases, non-building code enforcement takes a back seat, except for persistent complaints or safety issues. When the volume of building construction inspections is high, other code enforcement is deferred.

Only four of the Resource Management Department's seven building inspector positions are currently filled. One of these four positions has been vacant for nine months (at the time of this report) because the employee is on medical leave. This position was left vacant without bringing in temporary help to offset the loss of work hours. As of January 2014, there is one inspector for medical marijuana code enforcement, and two for both building inspection and general code enforcement. According to the department, excluding the building inspector assigned to medical marijuana, on average only 2.4% of the building inspectors' time is spent on code enforcement. The remainder of the inspectors' time is spent on building inspection.

The number of County building inspectors rises and falls with construction activity as these positions are funded by revenues from building permits. Beginning in 2007, three of the seven building inspectors were let go as a result of the recession. Along with the loss of building inspectors, there was a corresponding drop in enforcement. Shasta County is having difficulty recruiting and retaining building inspectors due to wage disparities with other jurisdictions (e.g., Tehama County and the City of Redding). The department is currently advertising to fill these vacant positions.

The Resource Management Department is supported by the Office of County Counsel, which assists in prosecuting violations and represents County staff in compliance hearings. The Board of Supervisors has the ultimate responsibility to enforce regulations, fund code enforcement and make sure its regulations are reasonable. The County Executive Officer is responsible for submitting a budget for code enforcement for the Board's consideration as part of the County Budget. County administrators stated to the Grand Jury that the top priority for the County General Fund is public safety. It was further stated that public safety becomes an issue when a violation results in health and safety issues for neighbors and/or the environment.

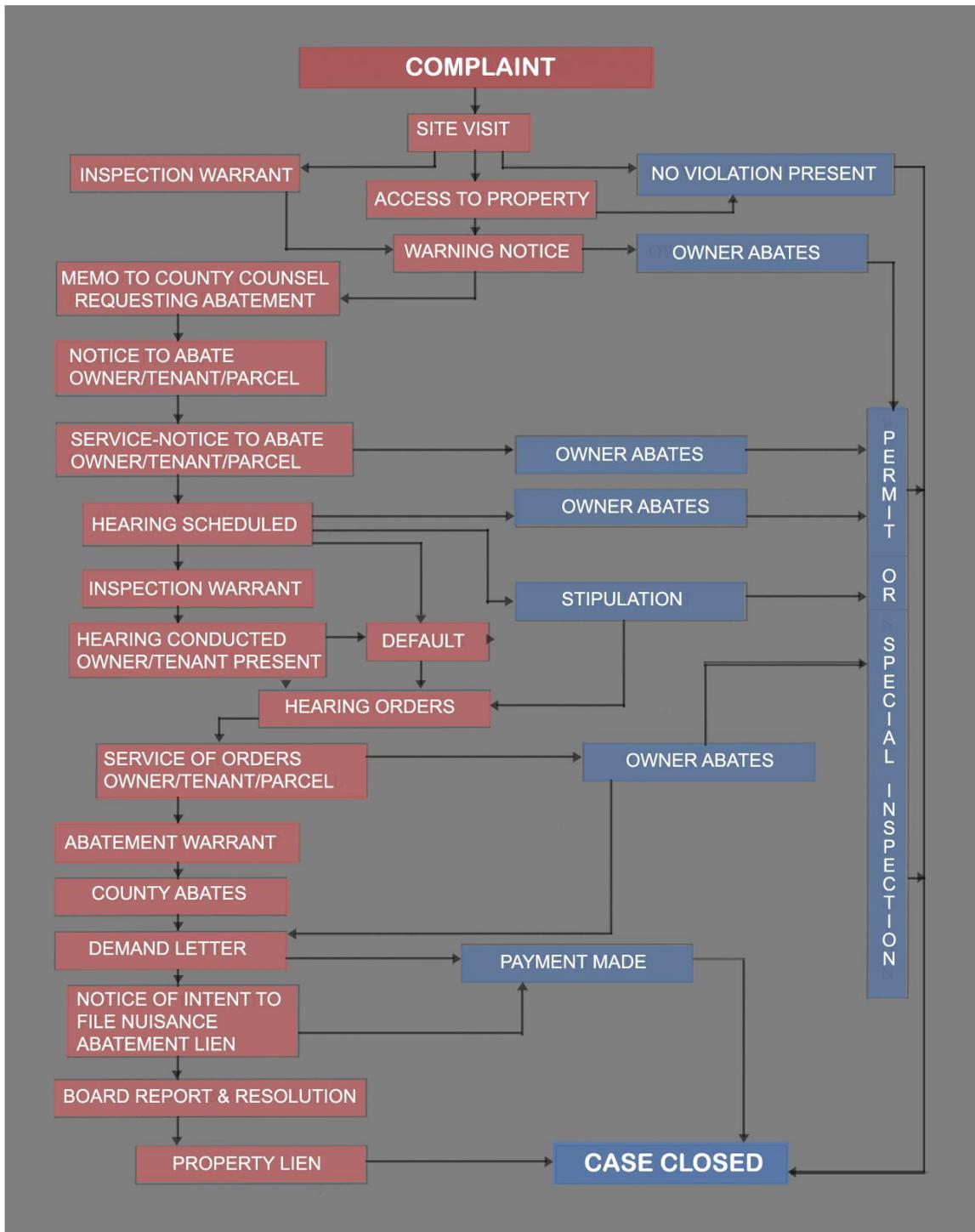
A building inspector's training is primarily related to building codes, but does not include all the codes they are expected to enforce. When a code violation crosses into the province of another department, an inspector may not have the necessary expertise and must seek support from someone in the department that handles permits for the affected area. This could also involve other agencies such as California Fish and Game or the California Regional Water Quality Control Board where there are overlapping areas of responsibility.

What is the Code Enforcement Process?

The County's process is complaint driven. A complaint can come from a property owner, another agency or department, or a County Supervisor acting on behalf of a citizen. The complaint must be received in writing before it is assigned for investigation and confirmation by a building inspector.

Code enforcement can occur quickly, or it can be time consuming and costly. Compliance depends upon the reaction of the property owner. The County first seeks the owner's voluntary compliance by citing applicable codes, rather than assessing fines or going to court to abate the violation. There is a distinction between voluntary compliance and enforced compliance. Figure 1 on the following page illustrates the County's code enforcement process as of December 2013.

Figure 1-Code Enforcement Flow Chart



Source: Resource Management Department, December 2013

After receiving a complaint, a building inspector is assigned and sent to the site to determine if a violation exists. If a violation is confirmed, a warning notice is then sent that explains the violation and

asks the owner to bring the property into compliance within a specified deadline. This initial warning notice starts the formal process. If the violation is not resolved, a notice to abate is sent that again asks for compliance. Recently, the County began to record a notice of violation when it sends the notice to abate, so future prospective buyers of the property will be aware there is a problem that needs to be resolved before they purchase. This procedure is not reflected in the flow chart in Figure 1. Occasionally, an individual who is notified of a violation will apply for permits without intending to comply with County code. If and/or when the owner complies and remedies the violation, the case is closed.

Several staff members noted the desirable time to resolve a violation would be 60 days or less, but they indicated it more likely takes 90 days or more to gain voluntary compliance. When the County chooses to utilize the abatement process (the process to remove the violation) as shown on Figure 1, it can take up to nine months before resolution. If building staff cannot resolve a violation, the matter is sent to the County Counsel's office to start abatement. In 2013 alone, there were about 125 violations referred for abatement.

Under County Code Section 1.12.050(B) (5), a property owner may contest a fine or other penalty through an administrative hearing process. The County uses an independent hearing officer to hear these cases. There is no appeal fee for someone using this procedure; in some cases, it is used to stall cleanup of the violation. Ultimately, an owner can appeal to the Board of Supervisors. An owner who still disputes the decision can also seek relief at the Superior Court.

Under section 16.04.150(D) of the Shasta County Code, the County can charge double fees for building permits as a penalty to resolve building violations. For other violations, Chapter 1.12 of the County Code allows the County to impose an administrative fine or penalty for each violation and for each day of the violation. The amount of these fines is established by Section 25132 of the California Government Code. The County also issues citations and levies fines as a means of enforcement. When a fine is not paid, a lien may be placed on the property and a violation is not removed from active status until all fines are paid. Once the property is in lien status, the collection is handled by the Tax Collector. The County also may record a notice of violation which will appear in the title report on the property.

The County also enters into stipulated agreements in lieu of abatement. These agreements are written contracts that set a deadline for a person to resolve the violation. Failure to comply is a breach of contract and can result in penalties, fines and levies on the property.

What is the Volume of Code Enforcement Activity?

As of March 25, 2014, there are 1,728 open cases dating back to 1997. Of the 1,728 open cases, Resource Management was unable to provide how many of those cases were in lien status. Within the past five years, 783 cases were opened; 334 were opened six to ten years ago; and 611 were opened over ten years ago. In total since 1997, the County has received 7,245 complaints and has resolved 5,517, or 76.1%. This includes all types of violations.

Figure 2 on the next page depicts the code enforcement activity that has occurred within the last ten years. The trend over this period shows an increase in the number of unresolved violations.

Figure 2- Code Enforcement 2004-2013

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Complaints	514	547	536	471	450	363	384	320	382	402
Not Valid	22	7	4	15	12	4	2	0	4	4
Citation	0	0	0	0	0	0	0	0	0	3
Abated	5	11	16	12	8	3	5	6	25	61
Resolved	458	482	457	354	321	249	258	178	163	103
Unresolved	29	47	59	90	109	107	119	136	190	231

Source: County Department of Resource Management, December 2013.

Resource Management expressed particular concern about the impact of the number of medical marijuana violations. Beginning in 2013, the number of land use violations due to medical marijuana represents an amount equal to about one-half of a normal year's worth of code enforcement activity. Medical marijuana violations often include multiple violations such as illegal occupancy, sewage disposal and water diversion.

The statistics provided by the County do not lend themselves to easy analysis. The complaints are not shown by type of violation. Building, zoning, signage, sewage disposal, grading and property division violations are not delineated; they are combined, and it is not clear what is driving the workload. What is clear in this data is the number of complaints and violations that have been left unresolved for a long period of time.

The Grand Jury reviewed a random sampling of unresolved cases in active status. The cases are recorded on hard copy and contain a summary sheet of actions taken by staff. Supporting documents are posted to the file to track what has occurred on each case. On the cases reviewed, the summary narratives indicated that follow-up actions were needed and/or specific follow up dates were posted. We noted that follow up actions by staff were either non-existent or untimely with several cases not being handled for follow up for three years or more. None of the cases we looked at had an entry or indication that a supervisor or manager had reviewed the case to ensure that appropriate actions were taken.

The County operates on the side of avoiding higher cost procedures when attempting to gain compliance. County Code Section 1.12.030(A) states, "Every enforcing officer may use administrative processes such as notices of non-compliance, warning letters, stop orders, or cease and desist orders in lieu of or prior to enforcing any provision of this code if the officer determines that the process may result in compliance with this code at less expense to the county." It is unclear if keeping costs down pursuant to this policy has contributed to the backlog of unresolved violations. Whatever the reason for the backlog, neighbors must tolerate the ongoing violations.

The Permits Plus software used by county staff limits the data that can be produced to manage code violations and the categories it allows them to track. There is also an inability to link permit issuance to existing data files in other departments. As a result, staff must manually search files for outstanding violations. It is noted that modern permit software would allow better tracking of permits and violations.

The inability to do effective code enforcement is due to the lack of sufficient staff, adequate software and a time-intensive enforcement process. The extended leave of absence for one building inspector exacerbated this problem. The County partially addressed the problem by hiring a full-time code enforcement officer (a building inspector) to deal with medical marijuana cultivation.

What does Code Enforcement Cost?

Most of the funding for code enforcement comes from the County General Fund. Occasionally, the County levies a fine or puts a lien on property after going through the expense of resolving a violation.

Neither the Board of Supervisors nor budget preparation staff receives a written quarterly or annual report on code enforcement activity. Consequently, they do not know the volume of activity prior to their annual budget consideration. Code enforcement work is currently spread among three building inspectors, the Building Official and a secretary or clerk. Even though by training, the new code enforcement officer is a building inspector, he is assigned only to medical marijuana enforcement. Other costs associated with code enforcement include support from the County Counsel's Office, the Sheriff's Department and the Auditor/Tax Collector. In addition, the County contracts for a hearing officer, and must pay the officer's travel expenses from Sacramento. The County also pays the costs associated with serving warrants and court orders. The costs of code enforcement are absorbed in the various department budgets, but are not identified as code enforcement related; thus, the County's full cost for code enforcement is unclear.

Code enforcement cases referred to County Counsel are estimated to cost about \$2,000 per case. For the approximately 125 cases referred in 2013, this amounts to approximately \$250,000 for the year. This figure excludes the costs of cleanup and debris removal. In cases where an owner has caused or allowed a significant violation to occur, the County must front the cost of cleanup if the violator does not have the financial means or is uncooperative. For dumps and other high cost cleanup sites, the costs become problematic for the County and cleanup may have to wait for future funding. These costs are funded by the General Fund.

The County budget is unclear as to the total cost of code enforcement for all departments involved. The Fiscal Year 2013-14 budget for the entire Building Division is \$1,473,935. The budget message reflects \$174,205 for two full-time building inspectors assigned to code enforcement activities and cleanup of nuisance sites, but does not show the cost for all departments and personnel involved. Although code enforcement costs are absorbed within other departments, their budgets do not show the costs of code enforcement.

FINDINGS

The Grand Jury finds that:

- F1. the lack of timely application of the County's current code enforcement process has contributed to the existing backlog of cases. As of March 25, 2014, the County has a backlog of 1,728 building and land use code violations, of which 611 are over ten years old;
- F2. there is a lack of specific timelines for the steps within the code enforcement process (Figure 1). As a result, the County does not conduct timely follow-up action to move cases to conclusion;
- F3. the County's permit tracking system (Permits Plus) is not providing enough information to clearly understand the type and the nature of the violations occurring within the County or which open cases still need remediation;
- F4. the Board of Supervisors cannot provide effective oversight of the code enforcement process because it does not receive written reports regarding code enforcement activities and statistics; and
- F5. the total cost of code enforcement is not clear from the County Budget.

RECOMMENDATIONS

The Grand Jury recommends that:

- R1. the County develop a focus and commitment to resolving the backlog of existing violations by adopting a policy within 90 days that will require Resource Management staff to evaluate and prioritize violations;
- R2. the Board of Supervisors, the County Executive Officer and the Director of Resource Management work together to establish specific timelines for implementation of code enforcement measures, and that this be accomplished by January 1, 2015;
- R3. the County assess the capabilities of its current permit tracking system to determine if it is able to allow managerial oversight of the code violation process. If it is found inadequate, Resource Management staff submit to the Board of Supervisors a proposal to obtain an appropriate permit tracking software system for consideration as part of the budget process. This software should include the ability for staff in all affected departments to view outstanding violations prior to building and land use permits being issued;
- R4. a quarterly written report be submitted to the County Executive Officer and the Board of Supervisors, beginning October 1, 2014, showing the progress made on resolving the backlog of violations. An annual written report be submitted to the County Board of Supervisors and County Executive Officer, prior to budget consideration, classifying the nature and type of violations and backlogs of cases; and
- R5. beginning in Fiscal Year 2014-2015, there be separate cost accounting of both expenditures and revenues associated with code enforcement so that the true cost to the general public and County may be calculated, including the costs from all departments that are involved in code enforcement activities.

REQUIRED RESPONSES

the Shasta County Board of Supervisors as to F1, F2, F3, F4, F5 and R1, R2, R3, R4, R5.

REQUESTED RESPONSES

the County Executive Officer as to F1, F2, F3, F4, F5 and R1, R2, R3, R4, R5;

the Director of Resource Management as F1, F2, F3, F4, F5 and R1, R2, R3, R4, R5.

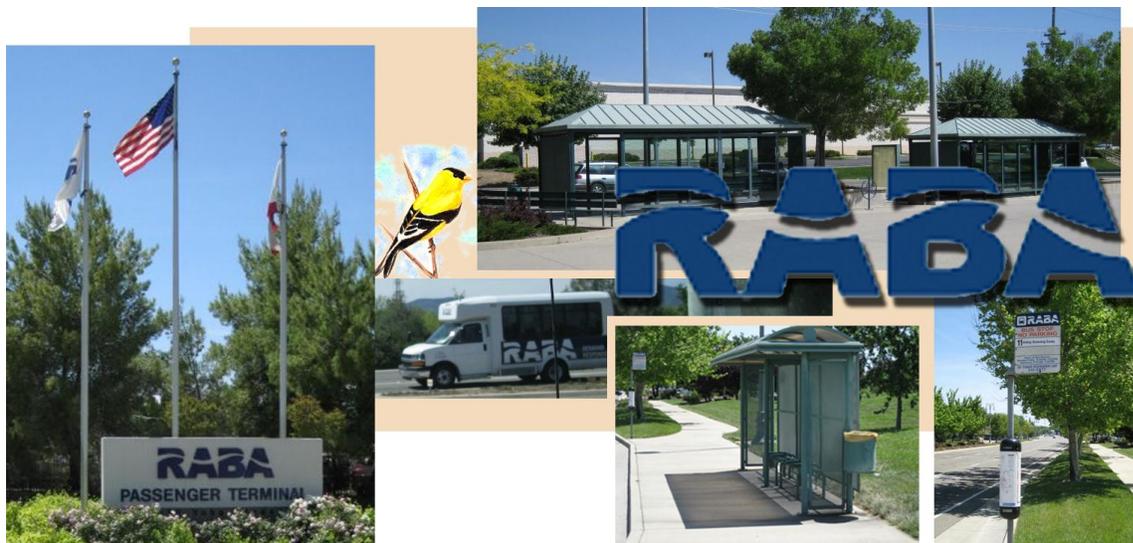


Wheels on the Bus

REDDING AREA BUS AUTHORITY

SUMMARY

For many people in Shasta County, the Redding Area Bus Authority (RABA) is an essential service upon which they rely for daily transportation or for transportation to obtain needed services. This report provides an overview of RABA, explores issues RABA faces today and makes recommendations regarding board meeting schedules, citizen participation, use of technology, exploring partnerships, and posting of bus schedules.



BACKGROUND

RABA provides a much needed service to those in our community who are dependent upon public transit. RABA, which is getting close to its 33rd anniversary of operation, is currently reviewing its routes and Mission Statement based upon its route analysis and a ridership survey. Whether major or minor changes will ensue is unknown; however, it represents a constructive look at the system and its focus in 2014.

The Shasta County Grand Jury investigated the Redding Area Bus Authority in 1997-98 and in 2006-07. Since the 2006-07 report made specific recommendations and RABA subsequently engaged in a major marketing effort, we decided to see what has changed in this multi-jurisdictional partnership. It should be noted that we have not received any complaints regarding RABA.

APPROACH

The Grand Jury:

- reviewed past Grand Jury reports, recommendations and responses;
- reviewed information available on the RABA and Shasta Regional Transportation Agency (SRTA) websites;
- attended a RABA workshop in November, 2013;
- reviewed recent RABA Working Papers, the 2013 system-wide map, recent staff reports to the RABA Board and its most recent Financial Statements;
- interviewed RABA staff and a board member;
- interviewed a representative of SRTA;
- reviewed the Shasta County 2013-14 Unmet Transit Needs Assessment and the draft of the 2014-15 Unmet Transit Needs Assessment;
- rode the bus;
- visited the RABA Maintenance Facility and several transit stops;
- reviewed staff reports to SRTA; and
- reviewed the contract with the current bus operator.

DISCUSSION

The following discussion provides an overview of RABA at the beginning of 2014. It is organized by topic to build an understanding of RABA and the current and long range issues RABA is facing.

What is RABA and how it is managed?

RABA was formed in 1976 as a joint powers agency by the County of Shasta and the City of Redding. In 1997, Anderson and Shasta Lake joined the joint powers agency as members. Redding is the lead agency providing staff and management services to RABA. The RABA Board currently consists of eight members as follows:

- one member from the Anderson City Council;
- one member from the City of Shasta Lake City Council;
- five members of the Redding City Council; and
- one member of the Shasta County Board of Supervisors.

RABA is not a special district nor is it a city. It does not have taxing or police powers. Its income comes from fares, advertising revenue and grants or allocations from the SRTA.

The RABA Board meets on the third Monday of each month. Fifty-two percent of the Board's regular meetings have been canceled over the last four years as shown in Figure 1.

Figure 1 – Board Meetings

Year	2010	2011	2012	2013
Regular meetings held	5	6	6	6
Regular meetings canceled	7	6	6	6
Special meetings held	2	2	3	1

Source: RABA Website

As reflected above, RABA has held one or two special meetings each year in order to accomplish business. The stated reason for the number of cancellations is a lack of agenda items.

How is RABA operated?

RABA operates a public bus service by contract as a public/private partnership. In this arrangement RABA owns the buses, fleet facility, bus and transit stops and related equipment. RABA contracts the operation and maintenance of the buses to a private operator. The current operator is Veolia Transportation Services, Inc. (Veolia). Veolia provides drivers, maintenance and supervisory personnel for the day to day operation of the fleet. In short, Veolia keeps the buses running, keeps them clean and operates them to meet the service goals set up by the contract.

The Veolia contract was entered into as a three year contract in 2011, after a competitive bidding process, and may be extended for up to an additional four years through two year extensions which are subject to mutual agreement by the RABA Board and Veolia. The 2013-14 cost of this contract is \$3,591,300 and consists of two components:

- fixed cost at \$135,895 per month (\$1,630,740 per year);
- variable cost at \$27.23 per hour x 72,000 vehicle service hours (\$1,960,560 per year).

The fixed cost covers Veolia’s operation and maintenance. The variable cost tracks the actual service hours the buses are driven each year. In addition to the contract cost, RABA also funds the cost of fuel, supplies, City personnel, transit studies, vehicle replacement, and related incidental costs in the amount of \$2,452,320 for a total projected operating cost of \$6,043,620 in 2013-14. The major change in the budget from the prior fiscal year to the current year is that the expenditures for capital outlay have dropped. Operating costs are essentially flat. RABA operates on a balanced budget of revenues to expenditures.

What services does RABA provide and where?

RABA is serving an area of about 100 square miles with a population of about 117,500 persons with four levels of service. The service area of RABA extends from the south end of Anderson to Summit City to the north, from Shasta College to the east and to Buenaventura Boulevard in Redding to the west.

The first and biggest level of service is the Fixed Route system using 27 to 33 seat passenger buses. RABA currently operates 10 fixed routes using 16 buses. Each month the Fixed Route system carries nearly 70,000 riders including 2,500 riders in wheelchairs in addition to those carried in Demand Response.

The second level of service is the Demand Response system that RABA operates to meet Americans with Disabilities Act (ADA) requirements. The system utilizes 20 smaller buses or vans to pick up disabled passengers and their aides within three-quarters of a mile of fixed routes. Demand Response carries 4,642 riders each month. The seating capacity of these vehicles is 12-18 persons depending upon how many wheelchairs are on board at any one time. Demand Response covers about 75 square miles of the RABA service area, and RABA tries to group riders to combine trips. Based on discussions with RABA and SRTA staff, there may be some opportunities to explore cost savings in Demand Response type services where service providers have overlapping service areas.

The third level of service is Express Routes. Currently, there is an Express Route to the Burney area. The Burney Express had about 505 riders per month or about 0.75 percent of the RABA ridership in 2011-12. The Burney Express uses two vans; seating capacity depends upon the number of wheelchairs.

There are also local express routes to Shasta College, IASCO at the Municipal Airport, Simpson University and the Redding School of the Arts. In the past, Express Routes to Shingletown and Cottonwood were offered. Whether additional Express Routes are restored or added will be a function of unmet needs assessments and partnerships that help underwrite the cost of service.

The fourth level of service is to contract for service to events, e.g., bus service to parking areas for Kool April Nights at the Civic Auditorium or the Old Peddlers Faire in Old Shasta. Revenues from this service are nominal and do not show a significant opportunity to increase revenue or service.

Bus operators in Lassen, Modoc and Trinity Counties also run buses to the RABA Intermodal depot in downtown Redding. This enables the riders to obtain services available in the Redding area. These are not funded by SRTA, but may afford multi-county opportunities for joint ridership along State highways within the county that have not been discussed.

How is RABA funded?

Only a small portion of the costs for RABA is paid by its customers. RABA raised just 17.39 % of its overall operating cost from fares in fiscal year 2012-2013. However, each type of service generates a different level of revenue as shown below:

- Fixed Routes generate a 19.67 % fare box return;
- Demand Response generates a 12.01 % fare box return; and
- the Express routes generate a 13.56 % fare box return.

The most expensive service is Demand Response, and that service has the greatest subsidy per passenger. The return on Fixed Routes varies by route. Routes that have high student usage perform better at the fare box than routes with low student usage.

Apart from fares, funding to operate RABA comes from several sources including interest on investments, rentals, advertising and grants. By far and away the biggest source of income is the State Transportation Development Act (TDA) which is a one-quarter cent State Sales Tax that is allocated back to counties for public transit and street maintenance. To a lesser extent, Federal Transit Development Act funds are also important. Both of these funds provide both operating and capital funds for RABA capital improvements and fleet purchases. Figure 2 shows the projected revenues for 2013-14 by funding source.

Figure 2 – Projected Revenues – 2013-14

Revenue Source	Fiscal Year 2013-14		
	Operating	Capital	Total
Fares – Fixed Route	\$ 700,000	\$ 0	\$ 700,000
Fares – Demand Response	195,000	0	195,000
Fares – Burney Express	25,000	0	25,000
Misc. RABA income	103,000	0	103,000
Overall Work Program(SRTA)	61,680	0	61,680
State TDA	3,597,900	468,628	4,066,528
Federal TDA	750,000	41,712	791,712
Shasta County	100,700	0	100,700
Total	\$ 5,533,280	\$ 510,340	\$ 6,043,620

Source: RABA Website/Board Memos

Compared to the prior year, operating revenues are essentially flat. Capital expenditures vary with needs and grant cycles. In the case of RABA this is mainly bus or van replacement and transit stop improvements. The Overall Work Program funding shown above is from SRTA and is used for staff and consulting work for studies and plans. The Shasta County funding is for the Burney Express contract.

RABA obtains transit funding through SRTA based on a cost formula developed in 1993 by local agencies. SRTA is the vehicle used by State and Federal agencies to distribute transportation funds to agencies within Shasta County. Once all other transit revenue is exhausted, any remaining State TDA funds can be used for maintenance of streets and roads. Any change in the RABA cost sharing formula directly affects available funding for streets and roads and the ability of RABA members to meet their transit obligations.

Public transit is expensive given the hours of operation and the area being served. RABA’s affordability and level of service are determined by the funds available. Service planning is based upon a funding formula established 21 years ago and the annual needs assessment prepared by SRTA. The annual needs assessment sets forth each jurisdiction’s unmet transit needs and obligations along with a minimum fare box goal to meet based on state and federal guidelines. There is some discussion at SRTA on whether or not the formula is still valid, but a conclusion has not been reached.

Who uses RABA?

Working Papers Nos. 1 and 2 prepared for RABA by Mobility Planners, a consultant, provide some insight into RABA’s ridership based on interviews of a sample of RABA riders in October 2012. Again, this is a sample and actual rider profiles may differ; however, the following are noteworthy observations from the Working Papers:

- Most of RABA’s riders are dependent upon public transportation. The majority (58%) have neither a car nor a driver’s license, while another 33% lack either a car or a driver’s license. In short, 91% do not have the ability to drive themselves.
- The majority of riders have household incomes of less than \$15,000 per year.
- People riding RABA’s buses do so on a regular basis, and 66% of riders use RABA four or more days per week.
- Nearly two-thirds of RABA’s riders (64%) use more than one bus to complete a one-way trip, 45% use two buses and 19% use three buses to get to their destination.

- About 27% of RABA’s riders are employed full-time, 3% have part-time employment and 10% are unemployed.
- Students comprise 35% of ridership with 51% of those going to Shasta College.
- Disabled persons comprise 16% of ridership.
- Retirees comprise 10% of ridership.
- Seniors comprise 3% of ridership.
- Only about 9% of riders had both a driver’s license and a car.
- Over half of riders are using RABA to commute to work or school.
- Only 40% of RABA’s riders use RABA’s website for information.
- Fixed Routes carry about 93% of all riders, Demand Response carries about 7% of all riders, and the Burney Express carries less than one percent of all riders.
- Students comprise 92% of the Burney Express Riders.

What stands out is that RABA’s riders are highly dependent upon RABA to meet their transportation needs. Affordability is a key issue to many riders. Whether or not people are making decisions on where to live based on RABA routes is unknown. Once a route is established it is difficult to adjust, as changing the routes will impact riders by making access to service either easier or harder.

What are current trends in RABA ridership?

Fixed Route ridership has increased significantly over the last three years and Demand Response ridership has declined as RABA has tightened up eligibility requirements. These changes occurred at the same time as RABA reduced its marketing budget. Overall, Fixed Route buses have an average utilization of 60% during the course of a day, fuller at peak times and nearly empty at other times. Some routes have heavier use than others.

Figure 3 below shows ridership for the last three fiscal years by type of service.

Figure 3 – Ridership Trends

Fiscal Year	Fixed Route/ Express Ridership	% Change	Demand Response Ridership	% Change	Total Ridership
2010-11	665,246	1.1	61,848	-4.4	717,094
2011-12	755,396	13.6	56,951	-7.9	812,347
2012-13	807,894	6.9	55,699	-2.2	863,593

Source: 2011 and 2012 Comprehensive Annual Financial Report for RABA, and August 6, 2013 staff report to the RABA Board.

Route planning and public input

Route planning is a continuous and ongoing effort by RABA with Short Range Transit Plans being the forum for more extensive reviews of routes and service levels. RABA held workshops with customers in 2013. While the workshops provide feedback to staff, they may not be reflective of the opinions of the service area as a whole or all riders. They are focused on the few riders that show up and the individual impact of changes upon them. RABA does not have a standing citizen advisory panel to review or suggest actions to be considered. RABA staff noted that the Social Services Transportation Committee of SRTA provides citizen input; however, according to the SRTA staff, this committee is primarily influenced by social service advocates and does not represent the community as a whole.

The primary growth opportunities for RABA are seniors and students, particularly college, vocational school, high school and middle school students. Not all schools are served or are within reasonable walking distance of existing routes. According to staff, routes funded in part by businesses, churches or public agencies would be given high consideration if proposed.

As part of the route analysis, RABA is exploring ways to move people using Express Routes where there are enough passengers to support the service between designated transit stops. The advantage of this, according to staff, is that Express Routes do not have to have the three-quarter mile Demand Response zone around them. Thus, Express Routes allow more timely service from point to point at the expense of a few riders in rural areas and avoid expanding the area required to be served by Demand Response.

What issues does RABA face?

RABA is looking at changing its Mission Statement to focus on those who are transit dependent rather than trying to get motorists to change to RABA. RABA staff has identified multiple issues that they need to address in updating its Mission Statement/business focus. These include:

- a large area to cover with generally low to moderate residential densities;
- bus schedules that make people wait a long time and discourage casual ridership because of extended routes, multiple transfers and the size of the area being serviced;
- insufficient funds to extend service hours and/or add Sunday service;
- use of personal vehicles for most people is more convenient than using RABA, thus limiting the number of potential customers;
- an ongoing need to increase ridership to keep up with operating cost increases;
- the conflict between running RABA as a cost effective operation while recognizing that it is also a social service for many who are limited in their ability to pay;
- maintaining customer satisfaction and community support;
- meeting Federal ADA requirements for Demand Response at a much higher cost per rider than occurs for Fixed Routes;
- geographic choke points, including the Sacramento River, Interstate 5 and the railroad which provide east-west barriers to more direct ridership; and
- making use of newer technology to help manage the system and help riders use the system.

Currently, riders have to rely on published schedules which cannot reflect delays en-route due to passenger volume, access difficulties, vehicle breakdowns or traffic delays. Route maps and posted arrival times are not available at all transit stops, nor are they available at all identified locations as stated on RABA's website. Based on the RABA survey, a majority of riders do not use the RABA website to obtain route information.

The last issue in the list above relates to using Global Positioning Satellites (GPS) to track buses for on-time performance and to let customers know when the bus will arrive. Services Section 5.11 of the Performance Standards in the bus operator's contract indicates that RABA can use GPS that is independent of the bus operator to verify on-time performance. GPS technology can let both RABA and the bus operator see where the buses are at any given time. Smart phone applications can also let riders track in real time when a bus will arrive at a bus stop. RABA currently relies on the bus operator to track on-time performance. GPS technology can be used either as a stand-alone unit or integrated with the fare box system to monitor bus performance. If integrated with the fare box, technology can also

track where and how many people get on or off a bus and also track transfers in order to get a better estimate of how many people actually use the system on a daily basis.

FINDINGS

The Grand Jury finds that:

- F1. because 52% of the regular Board meetings are cancelled, the public's ability to monitor RABA Board activity is compromised;
- F2. RABA does not have broad based citizen input to reflect the community as a whole;
- F3. the on-time tracking of buses is done by the bus operator and is not verified by RABA;
- F4. there is potential for greater coordination of Demand Response type services within Shasta County and potential for partnerships with buses running along state highways from out of county;
- F5. bus schedules and route maps were not available to the extent stated on the RABA website which inhibits casual ridership and ability of riders to use the system;
- F6. RABA cannot keep pace with operating cost increases without increasing ridership, raising rates, cutting service or a combination of these actions; and
- F7. RABA continues to look for efficiencies in operating its Fixed Routes.

RECOMMENDATIONS

The Grand Jury recommends that:

- R1. RABA change its by-laws to hold bi-monthly or quarterly meetings;
- R2. whenever route changes are proposed, or at least every two or three years, RABA appoint an ad hoc committee representing business, social service agencies, riders, non-riders, and governmental agencies to review community issues related to RABA over a set time period. This committee's membership should reflect the divergent views of the community as a whole, not just riders and social service agencies, and provide a public forum for discussion of RABA issues and possible changes;
- R3. RABA incorporate GPS technology to track buses for on-time performance before the next bus operator contract extension;
- R4. RABA develop partnerships that benefit RABA and its customers in the areas of Demand Response and regional bus service with SRTA that could help reduce operating costs;
- R5. within one year, RABA needs to have bus arrival times posted at locations used by its riders and update the information on locations stated on the website where schedules and maps are available and insure distribution of and post schedules and maps at service agencies, schools, high volume rider destinations and transit stops; and
- R6. RABA explore partnerships to help increase ridership.

REQUIRED RESPONSE

The RABA Board as to F1, F2, F3, F4, F5, F6 and R1, R2, R3, R4, R5, and R6



Calling all cars....

CALLS FOR POLICE SERVICE AND RESPONSE

SUMMARY

The Grand Jury investigated the process and protocols regarding how calls for services are received from citizens and the resulting response by the Redding and Anderson Police Departments. This report is limited to these two police departments. We received complaints stating that some calls do not result in a response and/or a report being written. Included in the investigation was how the Shasta Area Safety Communications Agency (SHASCOM) interacts with and manages calls from the public to the Redding Police Department (RPD) and the Anderson Police Department (APD).

It was found that the length of time it takes an officer to arrive on the scene after a call for service is received is the result of:

- the policies and procedures employed by SHASCOM as established by the local police departments involved;
- the number of calls directed to the officer at any given time;
- the availability of officers; and
- the nature of the incident.

For the public who need to report a crime but do not require personal contact by an officer, RPD developed an “online reporting” system to report non-emergency incidents. This enables the public to report non-emergency incidents that they want logged or investigated at the RPD police website: www.reddingpolice.org.

Law enforcement personnel stated that the computer system presently used to gather and analyze crime statistics cannot interpret all the information currently available to enable optimal use of staff and resources. RPD and APD are currently developing a joint proposal to acquire a modern system which would allow for better collection of crime data and more efficient use of police resources. We also found that the volume of calls received by SHASCOM does not correspond to the crime statistics publicly reported by the Bureau of Crime Statistics. This is because the Bureau of Crime Statistics only reports specific types of crimes.



BACKGROUND

We wanted to know what happens when a 911 call is received by SHASCOM. SHASCOM is the consolidated 911 emergency response agency serving Shasta County. It receives and dispatches calls for law enforcement and other emergency services, including calls for the Redding and Anderson Police Departments. The 911 calls are prioritized by SHASCOM dispatchers, who then transmit the information to officers on the street. Because of this, the officers have limited control over the calls to which they respond.

Complainants stated that their trust in law enforcement is undermined when they do not understand why some calls generate action and others do not. They questioned why it took so long for the police officer to arrive and how it was determined whether a report would be written.

The Grand Jury decided to investigate these concerns to provide a description of the procedures established by RPD and APD for SHASCOM.

APPROACH

The Shasta Grand Jury:

- interviewed complainants;
- reviewed Policy and Procedure Manuals for the cities of Redding and Anderson;
- reviewed RPD General Order F-10.13 (the “do not respond list”);
- examined crime statistics for the cities of Redding and Anderson;
- reviewed the incident report numbers from SHASCOM for 2011, 2012, 2013;
- interviewed representatives of Redding and Anderson police departments;
- interviewed SHASCOM staff;
- toured the SHASCOM facility;
- observed the SHASCOM call center receiving and assigning calls; and
- reviewed Redding’s online reporting website: (www.reddingpolice.org).

DISCUSSION

The Redding and Anderson Police Departments' ability to respond to calls for service is directly related to available manpower. At any given time, RPD has between five to twelve officers plus supervisors and APD has three officers plus supervisors on duty to respond to calls for service. This coverage can change if officers are out due to illness or injuries. Officers on injury leave can be off for an extended amount of time. Consequently, there may be fewer officers on shift at any given time or officers may be required to work additional hours to handle the areas of patrol.

Taking into consideration the number of officers available for duty at any given time and the volume of calls that are occurring, it is essential that there be an organized and efficient system for response to calls for police service. In order to accomplish this, a call protocol system has been established by the police departments for SHASCOM's use. The objective is to ensure that service to the public will be based on priority of need. Because of the volume of calls and the number of officers available, RPD has identified civil issues to which officers will not respond. This "do not respond" list is used by SHASCOM to manage response priorities.

The types of calls to which Redding police will not respond are stated in RPD General Order F-10.13:

1. Child custody court order violations;
2. Overdue vehicle complaints (*vehicles that have been borrowed or rented and were not returned at the appointed time.*);
3. Incurable juveniles, unless there is associated violence;
4. (*Citizen's request for*) extra patrols (unless required by a supervisor);
5. Found property with a value of less than \$100, unless it contains personal ID such as driver's license, credit cards, etc.;
6. Civil advice on non-criminal matters.
(*Words in italics added for clarity.*)

APD does not currently have a "do not respond list" but is in the process of developing one.

SHASCOM's protocols for receiving and assigning calls.

In 2013, SHASCOM received a total of 120,040 calls. Each generated an "incident report" number for the responding police department. An incident report number is assigned every time a person calls 911 or uses the police business line to report a crime, get advice, or report a traffic collision. In addition, if an officer stops to talk to a suspicious person, conducts a traffic stop, or reports out for a building check or a suspicious vehicle check, an incident report is generated.

Some activities result in the assignment of "case numbers." In 2013 RPD handled 96,617 incidents that resulted in 90,930 case numbers. The APD handled 23,423 incidents which generated 20,137 case numbers. Figure 1 illustrates the volume of incidents and case numbers for the last three years.

Figure 1

Year	2011		2012		2013	
	Incidents	Case #'s	Incidents	Case #'s	Incidents	Case #'s
Redding	104,763	83,526	112,537	91,101	96,617	90,930
Anderson	25,365	22,275	24,172	20,077	23,423	20,137

As noted above, when a 911 call is received by SHASCOM, it is assigned an “incident number.” Incident numbers are recorded for both RPD and APD and represent an accurate record of all of the calls received for those agencies. In addition to getting an incident report number, anything immediately identified as criminal will also be assigned a “case number.” For example, a traffic stop by RPD or APD usually will not generate a case number, unless the driver is cited for an outstanding warrant, driving without a license, having an open container of alcohol, or cited for another misdemeanor violation.

Calls are assigned to an officer based on the priority of the call, which has been pre-determined by written protocols developed by RPD/APD for SHASCOM. If the responding officer determines that the situation is not a crime, the officer will write an incident report on the computer in their vehicle which is recorded at SHASCOM. If it is determined to be a crime, a crime report will be written and a case number will be assigned. It is from these crime reports that the Bureau of Crime Statistics gathers its statistics.

In review of the established procedures, it is the opinion of the Grand Jury that complaints about lack of reports and responses are explained by the existing protocols. This reflects the number of officers available at any given time and the volume of activity. The nature of calls to which an officer will respond is determined by the policies and procedures established by the police departments for SHASCOM. Calls to SHASCOM to which RPD will not respond are determined by RPD policies for SHASCOM, and are not at the officers’ discretion.

Crime statistics

Not all incident reports result in a crime report. For example, in 2012 Redding had 112,537 incidents that resulted in 5,085 Part 1 crime reports. In 2012, Anderson had 24,172 incidents which yielded 1,174 Part 1 crime reports. Part 1 crimes are reported in the Uniform Crime Report (UCR) compiled by the Bureau of Crime Statistics. Part 1 crimes are:

- **Violent Crimes:** Homicide, rape, robbery, assault;
- **Property Crimes:** Burglary, larceny, vehicle theft.

Information management

The current computer-based information management systems used by RPD and APD have evolved over many years. With the current computer software, both Redding and Anderson Police departments lack the ability to analyze, on a real-time basis, existing crime information such as the type of crime, location, frequency, time, etc. This ability would allow law enforcement to efficiently and effectively utilize existing resources. The Redding and Anderson Police Departments are currently considering and developing specifications for a new software system. These specifications are to be funded by a grant under Assembly Bill 109 (AB 109). This would allow better crime analysis. Currently, crime types and locations are manually plotted on maps with push-pins. An automated system would allow real time

analysis and quicker responses to crime trends. AB 109 is the Public Safety Realignment Act of 2011 which provides funding to local agencies.

FINDINGS

The Shasta County Grand Jury finds that:

- F1. the Redding and Anderson Police Departments are unable to fully utilize available crime information because of the limitations of their present computer system; and
- F2. the response time for 911 calls in Redding and Anderson depends on the nature and volume of the calls, officer availability, and the response priorities established by the Redding and Anderson police departments.

RECOMMENDATION

- R1. Redding and Anderson Police Departments should continue to explore avenues to improve upon present crime analysis capabilities through grant applications under AB 109 as funds are available.

REQUESTS FOR RESPONSES

Anderson Chief of Police as to F1 and R1
Redding Chief of Police as to F1 and R1

REQUIRED RESPONSES

Anderson City Council as to F1 and R1
Redding City Council as to F1 and R1



Open Parks - Closed Meetings

PARK DEVELOPMENT FEES

SUMMARY

In August 2013, the Redding City Council considered a proposal regarding development impact fees, including a proposal to increase the Park Development Fee from \$3,996 to \$6,773 for a typical new single family residential development and \$3,115 to \$5,403 for a typical multi-family dwelling for new residential development. The proposed increase did not pass and the fees were left at the existing level. This report focuses on Redding’s Park Development Fee. Other development impact fees are addressed in a separate report issued by this Grand Jury.

The “Development Impact Mitigation Fee Nexus Study Assumptions and Methodology Report” dated August 20, 2013, prepared for the city by two private consulting firms found that Redding’s current Park Development Fee is not high enough to maintain the adopted Level-of-Service (LOS) of 7.04 acres of parkland per 1,000 city residents. Accordingly, keeping the fee at the current level will result in a decrease of the existing LOS park space if population growth continues and as development occurs.

The Shasta County Grand Jury examined the funding methodology and funding sources necessary to maintain the August 2013 LOS. We also investigated City staff’s appointment of individuals to an ad hoc Advisory Group which gave input and recommendations to the City Council about park funding. We concluded that the ad hoc Advisory Group’s activities were duplicative, as the Community Services Advisory Committee (CSAC), established by the Redding Municipal Code, has the authority to provide input and make recommendations regarding park funding. We also found that the ad hoc Advisory Group’s meetings were not noticed or open to the public. In addition, we concluded that the Master Plan Goal of 10 acres per 1,000 city residents is not supported, and that the City needs to consider supplementing its existing park fees from other new sources.



BACKGROUND

In August 2013, the Redding City Council reviewed five development impact fees including the Park Development Fee. The Grand Jury felt that this was important enough for the community to warrant a review of the process used by the City Council and the conclusions that it reached. The Grand Jury focused on the following for park development impact fees:

- the methodology used to calculate park impact fees and their role in the development of the City's park system;
- whether or not the City's park impact fees will keep up with population growth as development continues;
- how these fees relate to the adopted 2004 Parks, Trails and Open Space Master Plan;
- the role of the Community Services Advisory Commission (CSAC) in the review process; and
- the appointment and purpose of an ad hoc Advisory Group to review five City Impact fees and that group's specific role in the park development fee process.

The City Council's review followed its receipt of a *Development Impact Mitigation Fee Nexus Study Assumptions and Methodology Report* (Nexus Study) prepared for the city by NBS Consulting and PMC Municipal Consultants. The LOS methodology used in the Nexus Study is prescribed in California Government Code Section §66477, which authorizes a county or city to require a subdivider to dedicate land or pay a fee for park or recreational purposes. Subdivision (a) (2) (A) of that section provides that park area shall be "derived from the ratio that the amount of neighborhood and community park acreage bears to the total population of the city." Using this formula, the park acreage of the City of Redding in August 2013 (635.07 acres) divided by the population (90,200) yielded the LOS of 7.04 acres per 1,000 residents.

The Nexus Study found that the LOS of 7.04 acres per 1,000 residents cannot be sustained with the current fee of \$3,996 for a typical single family dwelling and \$3,115 per unit for a typical multi-family dwelling without implementing other funding options. Due to this finding, a proposal was made by city staff to increase the Park Development Fee from \$3,996 to \$6,773 for a typical single family dwelling and from \$3,115 to \$5,403 for a typical multi-family dwelling for new residential development. Staff suggested that the increase be phased in over a period of three years. The proposed increase was not approved by the City Council and the park fees were left at the existing level. We sought to determine the effect(s) the City's decision will have on the park system.

The City had established by ordinance a standing committee, the CSAC, whose primary responsibility related to the development and management of City's park land, including giving funding recommendations to the City Council regarding the park system. As part of the development impact fee review process, City staff appointed an ad hoc Advisory Group to review five of the City's impact fees, including park fees. The two groups gave different input and made different recommendations to the City Council regarding the Park Development Fee.

APPROACH

The Grand Jury:

- interviewed city staff and a City Council member;
- reviewed City Council minutes;
- reviewed city staff reports to the City Council;
- reviewed the State Mitigation Fee Act;
- reviewed the State Subdivision Map Act;
- reviewed the State Brown Act;
- reviewed the 2004 adopted Parks Trails and Open Space Master Plan for the City of Redding;
- reviewed the August 2013 *Development Impact Mitigation Fee Nexus Study Assumptions and Methodology Report* prepared for the City of Redding by NBS Consulting and PMC Municipal Consultants;
- reviewed the Redding Municipal Code;
- interviewed members of CSAC; and
- interviewed the ad hoc Advisory Group.

DISCUSSION

California Government Code Section §66477 (a)(4) requires that, in order to impose Park and Recreation development impact fees, a city must have adopted a general or specific plan containing policies and standards for parks and recreational facilities. Redding develops and operates its park system in accordance with its Parks, Trails & Open Space Master Plan (Master Plan) which it reviewed and updated in 2004. The Master Plan identifies current and proposed park sites, as well as priorities for the development of various types of parks, open space, trails and special purpose facilities. The Master Plan, which established a goal of an LOS of 10 acres per 1,000 residents, is revised every ten years and is due for review in 2014.

Redding's park system relies upon two development-related impact fees. These are the Park In-Lieu Fee and the Park Development Fee. The Park In-Lieu Fee is authorized by the Subdivision Map Act (California Government Code §66410-§66413.5). The Park Development Fee is authorized by the Mitigation Fee Act (California Government Code §66000-§66025). Both fees are levied on new residential development for the purpose of acquiring and constructing parks.

Park In-Lieu Fee

The present Park In-Lieu Fee is based on a ratio of five acres of parkland per 1,000 residents. Developers must deed acreage to the City at the time of map subdivision or pay the cash equivalent value of the acreage. Since the City's August 2013 LOS was 7.04 acres per 1,000 residents, the Park In-Lieu fee results in a shortfall in the LOS of 2.04 acres per 1,000 residents. To address the LOS shortfall, the City adopted a Park Development Fee.

Park Development Fee

Park Development Fees are assessed when an application is made for a residential building permit and collected at the time of building occupancy. The Mitigation Fee Act requires that development fees must

bear a reasonable relationship and be proportional to the impact of growth. The City of Redding has the ability to implement a park development fee that would be equal to all the development costs necessary to construct park facilities at the LOS of 7.04 acres per 1,000 residents. Under the Mitigation Fee Act, the City cannot set Park Development Fees higher than an LOS of 7.04 acres per 1,000 residents. To reach the LOS goal set in the adopted 2004 Master Plan of 10 acres per 1,000 residents the City would have to implement funding options other than requiring additional land dedications or higher fee payments.

Nexus Study Conclusions

The Nexus Study concluded that the Park Development Fee would need to be increased from \$3,996 to \$6,773 for a typical single family dwelling and from \$3,115 to \$5,403 for a typical multi-family dwelling in order to maintain the City's 7.04 LOS as development continues. As the population increases, keeping fees at their current levels will result in a decrease of the existing LOS. Based on the Nexus Study including the park cost estimate, existing fees are able to maintain a LOS between 4.06 and 4.15 acres. As a consequence, the amount of developed City park will decline as residential development continues.

Other Funding Options

City staff indicated there are currently three additional methods the City of Redding uses to support its 7.04 LOS and/or to reach the Master Plan goal of 10 acres per 1,000 residents besides the adopted park-in-lieu fee and park development fee. They are:

- obtaining public/private grants;
- using the City's general fund;
- and/or seeking voluntary contributions and donations.

An additional option not currently utilized by the City of Redding is a non-residential park development fee. Other cities in California have implemented this type of impact fee to support their existing LOS. This non-residential park development impact fee is typically assessed on the square footage of three different types of non-residential development: industrial, commercial/retail and office. These fees would be collected at the time of building occupancy and as proposed to the City Council in August 2013 would amount to the following: \$597.41 for commercial, \$884.60 for office and \$478.20 for industrial. These figures are based on a LOS of 7.04 acres per 1,000 City residents for typical non-residential uses based on 1,000 square feet of floor area.

Community Participation

CSAC and the ad hoc Advisory Group provided input and recommendations to the City Council regarding the Park Development Fee increase. Both of these groups confirmed the Nexus Study's conclusion that the Park Development Fee needed to be increased in order to maintain the 7.04 LOS as residential development continues. However, each group's park funding recommendations were different as discussed below.

Community Services Advisory Commission [CSAC]

Section 2.55.110B of the Redding Municipal Code details the special responsibilities of CSAC, including "recommendations to the City Council and the Department of Community Services regarding long-range planning of the development of park improvements and open space policy improvements, as

well as the funding sources of said plans.” Section 2.55.020A states, “The commission shall consist of five members who shall be either residents of the city, employed within the city, or business owners of businesses located within the city.” Section 2.55.020B states, “The Mayor shall appoint the members of the commission subject to the approval of a majority of the members of the City Council.” CSAC has a formal application process for appointment of its members and is subject to the Brown Act, the state’s open meeting law.

To allow for community input CSAC took public testimony regarding the City park system and its funding. CSAC recommended that the Park Development Fee be increased to maintain the City’s LOS as residential development continues. Due to the current economy, CSAC recommended this increase be phased in over a three year period. CSAC also recommended that a non-residential park development impact fee be considered for new industrial, commercial/retail and office development. This fee would help offset the cost of raising park development fees solely on residential development in order to sustain the City of Redding’s LOS by placing part of the cost on non-residential development. The City Council decided not to adopt these recommendations.

Ad Hoc Advisory Group

City staff opted to appoint an ad hoc Advisory Group to provide feedback on the City’s development impact fees and utility rates. The ad hoc Advisory Group was appointed to give community input. The Advisory Group studied the following impact fees:

- Fire Facilities;
- Citywide Transportation Development;
- Water System;
- Wastewater System; and
- Parks and Recreation Facilities.

City staff formed this ad hoc Advisory Group through personal contact. The seven volunteers selected for the ad hoc Advisory Group included a citizen-at-large, two local real estate brokers, a local developer, a local business owner, a local civil engineer and a local non-profit business advocate.

Due to the fact that the ad hoc Advisory Group was not appointed by the City Council, it was not subject to the Brown Act. This meant for the 12 to 15 meetings with City staff and Nexus Study consultants, no public notices were posted in advance of the meetings nor were there minutes prepared. These meetings took place in City Hall.

The ad hoc Advisory Group found that:

- 1) “The methodology used in the Nexus Study was sound, but the resultant fee to fund the 7.04 LOS may not be affordable.”
- 2) “One potential method of arriving at a lower fee, should the Council so desire, is to reconsider the City’s parks standards, either by lowering the desired acres of parkland per 1,000 residents or reducing park amenities or undertaking some combination of the two.”
- 3) “The nonresidential fee component was a viable option for consideration by the Council.” (The ad hoc Advisory Group made no recommendation to support this non-residential development impact fee.)

In summary, City staff created the ad hoc Advisory Group to provide community participation for the development impact fees review. The ad hoc Advisory Group reviewed five development impact fees, including the park fee that already fell under the purview of CSAC. The City of Redding had created CSAC for the purpose of reviewing park funding plans and to provide recommendations to the City Council. Staff time, consultant time and the use of City funded facilities were utilized by the ad hoc Advisory Group which met between 12 and 15 times. This group duplicated the role of CSAC with respect to park funding recommendations to the City Council. There were already forums for any member of the public (including those individuals assigned by City staff to the ad hoc Advisory Group) to participate in community discussion regarding park funding such as public testimony at CSAC and at City Council meetings. The ad hoc Advisory Group meetings were not publicized or subject to other mandates of the Brown Act. The two groups made different input and recommendations to the City Council, while only one, CSAC, received public input and was authorized by Redding Municipal Code to speak on behalf of the public for park funding recommendations.

FINDINGS

The Grand Jury finds that:

- F1. the current City of Redding Park and Recreation Facilities Impact Fees will not financially support the LOS of 7.04 acres per 1,000 residents in the future;
- F2. if the park development fee stays at its current level, the LOS will decline as the population increases and residential development continues;
- F3. the City of Redding is not supporting the 2004 Park Master Plan Goal of 10 acres per 1,000 residents;
- F4. a fee assessed on non-residential development would be an additional funding source to support and prevent decline of the current LOS and reduce the burden on residential development;
- F5. the Community Service Advisory Committee has specific powers established in the Redding Municipal Code for making recommendations regarding city park funding. City staff selected an additional volunteer committee (the ad hoc Advisory Group) which duplicated a function of CSAC and resulted in different input and recommendations to the City Council; and
- F6. city staff appointed an ad hoc Advisory Group that was not subject to the Brown Act to review five development impact fees that affect City residents.

RECOMMENDATIONS

The Grand Jury recommends that:

- R1. the City Council adopt fees to support the City's current LOS of 7.04 acres per 1,000 residents;
- R2. the City Council consider maintaining its current LOS through the Park Development Fee from new development to prevent decline in the LOS;
- R3. as part of the Parks, Trails and Open Space Master Plan ten year review in 2014 the City Council adopt a plan that can be realistically funded by the City;
- R4. the City Council implement a non-residential park development impact fee to support the current LOS in order to share the cost burden with residential development;
- R5. staff-appointed committees do not duplicate the role of standing committees appointed by the City Council; and

R6. any committee having input to the City Council regarding impact fees be formally approved by City Council and subject to the Brown Act to allow for public participation and transparency in local government.

REQUIRED RESPONSE

Redding City Council as to F1, F2, F3, F4, F5 and F6; R1, R2, R3, R4, R5 and R6.

REQUESTED RESPONSE

Redding City Manager as to F1, F2, F3, F4, F5 and F6; R1, R2, R3, R4, R5 and R6.



Price of Admission



COMPARISON OF BUILDING PERMIT FEES

SUMMARY

The Shasta County Grand Jury investigated the disparity in development and building fees charged for the same services by the cities of Anderson, Redding and Shasta Lake. These fees include the costs for building permits, traffic impacts, water and sewer connections, park development, storm drains and water meters. The park development fees for the City of Redding are discussed at length in a separate report by this Grand Jury.

Each city sets and imposes its own development and building fees. All three cities provided the Grand Jury with the schedule of fees that would be imposed for the construction of identical single family dwellings (2,100 square feet, 3 bedroom/2 baths with an attached 20' x 20' garage). These fees vary considerably from city to city.

The Grand Jury reviewed the information provided by the cities, and determined that the data supported the various fees. We also determined that there was a structured decision making process utilized in each of the three cities that resulted in adoption of their fee schedules.

BACKGROUND

We inquired into the administrative process of how building and development fees were determined and sought to understand why there are differences in the fees set by the three cities. Shasta County was not included in this study since it does not provide all the urban services provided by incorporated cities.

In the context of this report, building permit fees are those fees charged by a city to review plans, inspect construction and complete the required paperwork to ensure that new construction complies with State Building Codes and city ordinances.

Development fees, also sometimes called impact fees, are fees to fund the construction of major capital improvements. These fees can be used to pay debt service on projects such as wastewater treatment plants that must be built in advance of development, or they can be accumulated until enough money is available to fund an improvement. Development fees are not used to fund operating costs.

APPROACH

The Grand Jury:

- interviewed staff and elected officials of the cities of Shasta Lake, Redding and Anderson;
- reviewed data supplied by the three cities including a comparative cost estimate for fees that would be assessed for a new 2,100 square foot residence; and
- reviewed staff reports to the three city councils regarding building permit and development impact fees.



Development Fees

DISCUSSION

Anderson's Fee Setting Process

To adopt or change fees, the Anderson City Council utilizes input from city staff, developers and citizen advisory groups. The city's intent is to set fees at a rate that will be low enough to encourage development, but high enough to avoid having the General Fund subsidize development. In order to keep fees as low as possible, the city tries to obtain grants to fund future projects. Due to high cost, city staff expressed their concerns about covering future water and waste water improvements with the existing fee structure.

The city staff brings proposed changes for building fees to the City Council. The Council then holds public hearings before adjusting fees. Development and building fees are scheduled to be reviewed every five years. A fee review and update, while due in 2010, was not undertaken. The City of Anderson held a public workshop in January 2013 to receive input on fees. After discussion, the City Council determined not to review or change fees in 2013 and to pursue a more in depth review in 2015.

Redding's Fee Setting Process

The City of Redding uses city staff, developers, consultants and citizen advisory groups to make recommendations to the City Council on adopting or modifying development and building fees. Both building and development impact fees are reviewed annually for inflation per City Council policy. Building fees were last adjusted in 2013.

The City's development impact fees were updated in 2013 and became effective in January 2014. Redding's development impact fees include fees for water, wastewater, traffic, park and storm drain. The basis for Redding's development fees are the master plans for each of the utilities, for streets and for parks. Other than annual inflation adjustments, Redding had not reconsidered its development fees for 13 years. The master plans identify what improvements are needed, estimate when they will be needed, and develop a current cost estimate for their design and construction.

The rate of growth occurring within an area of the City and in the City as a whole drives the timing of improvements. Some improvements are City-wide and some are more localized. Redding has also

adopted a number of special benefit districts that impact only certain geographical areas. These were not included in the comparison.

City of Shasta Lake's Fee Setting Process

The City of Shasta Lake uses both city staff and outside consultants to make recommendations to the City Council for final decisions on development and building fees. Development fees in Shasta Lake are based on the Wastewater System Master Plan, which was last updated in 2005 and the Master Water Plan, updated in 2004. Development fees were last adjusted in 2013. Park fees are based on the Park System Master Plan adopted in 2008. Traffic fees were adopted to cover a four year period beginning 2009/2010.

Cost Comparison

In order to determine what each city charges, the cities were asked to provide the fees for a typical 2,100 square feet, 3 bedrooms/2 bath home with an attached 20' x 20' garage. Figure 1 on the following page, is the result of this survey. The comparison was made in November 2013.

School fees are shown in the comparison (Figure 1) on the following page, but these are fees not charged by cities. They are collected by the Shasta County Office of Education on behalf of applicable school districts. They are shown in the comparison only to reflect total residential fee cost.

Fees vary based on the differences between the cities such as the sizes of houses and types of construction (single family, multiple family, office, commercial or industrial). Within each category, fees also track the level of impact. A use that generates a lot of waste discharge will have a higher wastewater fee than one that has much less discharge. For example, a restaurant compared to an office would have a different discharge. Anyone choosing to construct or change a use in a building needs to obtain a current fee estimate as fees change over time and are often adjusted annually for inflation.

Differences

We were interested as to why Redding's traffic impact fees were higher than those of the other jurisdictions. The difference is the result of the volume of traffic Redding is experiencing from new development. The City bases its traffic fees on a traffic model, current traffic counts, construction cost estimates and the projected population growth. Redding has been forced to adopt higher fees for traffic improvements due to higher traffic volume. If capacity improvements are not made, there will be more congestion in heavy traffic areas.

The City of Shasta Lake's development fee for sewers is significantly higher than that of the two other cities, because it has more stringent treatment requirements for its disposal of wastewater effluent (discharge of treated sewage). Anderson and Redding can discharge treated effluent to the Sacramento River, which has a high dilution capacity because of its high flows. The City of Shasta Lake discharges into Churn Creek, which requires more costly treatments. The City's fee covers both current and future capital expenditures to meet State discharge requirements.

FINDINGS

The Grand Jury finds that:

- F1. the differences among the various development and building fees charged by the cities of Redding, Anderson and Shasta Lake were justified by well documented factors; and
- F2. a structured decision making process was followed by all three cities.



Not Your Ordinary Bracelet

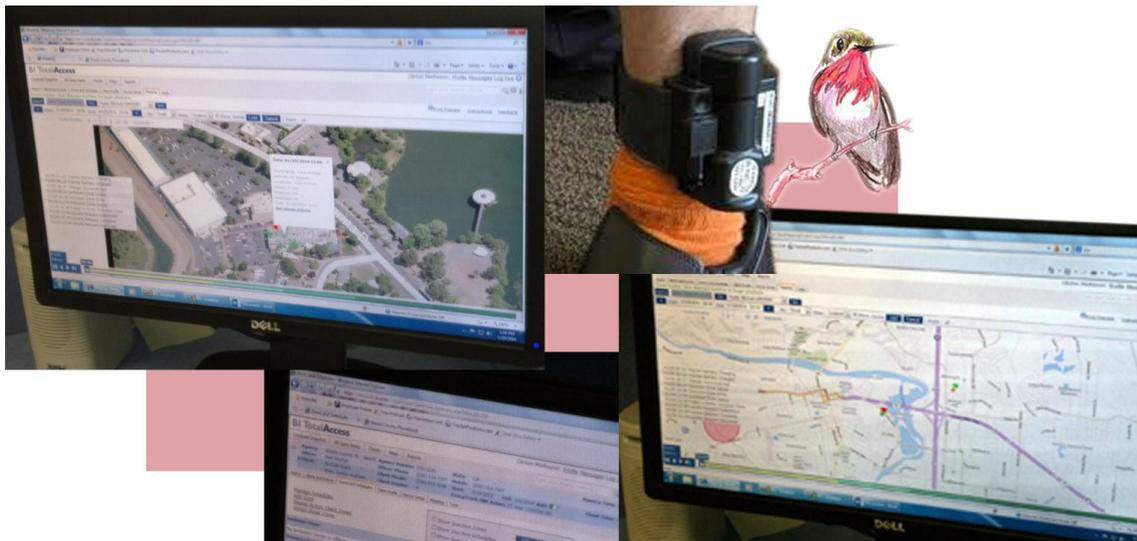
SUMMARY

The Public Safety Realignment Act of 2011 (Assembly Bill 109) began assigning the custody and supervision of certain felons released from state prisons to their home counties in October 2011. Those who break the conditions of their post-release supervision or commit a new crime may then be incarcerated in the county jail which can result in overcrowding. When this occurs, inmates must be released to comply with maximum incarceration levels. One remedy that allows these felons to remain supervised is the use of electronic Global Positioning Satellite (GPS) monitored ankle bracelets.

The Shasta County Grand Jury found positive results in the County's use of GPS monitored ankle bracelets.

BACKGROUND

In order to not exceed the maximum capacity of the Shasta County Jail, it is necessary to offer additional and expanded alternative custody programs so that offenders can be supervised outside of the jail and serve their period of supervision or sentence at the same time. In December of 2011, the Shasta County Board of Supervisors adopted a resolution authorizing alternate custody options such as Work Release, Involuntary Home Electronic Confinement (HEC), Home Detention (also known as House Arrest), and Sheriff's Office Parole. GPS monitoring is used for some of these options.



APPROACH

The Shasta County Grand Jury:

- toured the Shasta County Jail;
- toured the Community Corrections Center;
- toured the Work Release Program Center;
- interviewed law enforcement personnel;
- interviewed Probation Department staff;
- reviewed internet data;
- reviewed local news broadcasts; and
- reviewed minutes of Shasta County Board of Supervisors' meetings.

DISCUSSION

The Shasta County Board of Supervisors has authorized and funded 200 GPS monitored ankle bracelets. These are in use as required by both the Sheriff's Office through the Work Release Program and the Probation Department, and provide 24/7 supervision of those in both programs. Each department is funded for one hundred bracelets which are interchangeable between departments if needed. They are monitored separately by their respective staffing. At the time of this report 70 are in use by the Work Release Program, and 24 are being utilized by the Probation Department.

The Sheriff's Work Release Program currently has 190 participants. They are screened taking into consideration their current offense and their criminal, mental and physical history. Of the 190 participants, 70 are required to wear GPS ankle bracelets due to flight risk factors. Eighteen of the 70 are confined at home under the HEC program, which may be needed because of a medical or other problem that may not allow them to participate in Work Release. The remaining 52 are on Work Release. They are able to reduce some of their sentence through supervised community work. Individuals who participate in Work Release are assigned to non-profit businesses or to community projects, such as graffiti removal, gardening, Cal-Trans, Veterans' Cemetery, etc. They may also participate in educational programs. When their work is completed for the day they are required to return to their home. One identified problem in Shasta County has been the failure of convicted felons to appear in court for sentencing. The Sheriff's Office and Probation Department have indicated that the use of monitored ankle bracelets has resulted in an increased attendance at work and court dates, and as of the writing of this report stands at 85 to 90 percent.

The system uses GPS technology, utilizing 13 satellites. Each ankle bracelet has an individual Subscriber Identity Module (SIM) card that works as a mini computer. The ankle band, made of heavy plastic, is implanted with fiber optics. When the connection is broken it cannot be restored by the offender and an alert is sent out. This alert will show on the monitoring computer, and notifications will be sent to the appropriate monitoring officers. Individuals tampering with the device could be charged with "felony escape" which could cause them to lose their participation in the program and go back to jail. The battery on the bracelet must be charged twice a day for at least two hours, morning and evening. Failure to do so may result in additional criminal charges. The system "pings" the bracelet in either one or three minute intervals to indicate the wearer's location. The location is sent to the computer as a list, or the actual location can be viewed on a digital map of the area. The information stored in the system can be recalled when requested for up to the prior 48 hours.

Each participant signs a binding contract that explains the rules of wearing the bracelet. The contract is very restrictive, and any deviation can result in additional charges up to and including incarceration. Some offenders are limited to house arrest where the system creates a virtual fence around their residence. Similarly, other offenders have areas they are restricted from entering. Should the offender violate any term of the contract, a pre-recorded audible message will come through the bracelet with a specific instruction. If this instruction goes unheeded, an officer may be dispatched.

FINDING

The Grand Jury finds that:

- F1. electronic monitoring is increasing attendance at court hearings and work release assignments for those wearing the ankle bracelets.



Incarceration in Shasta County

SHASTA COUNTY JAIL SUGAR PINE CONSERVATION CAMP SHASTA COUNTY JUVENILE REHABILITATION FACILITY

SUMMARY

The Grand Jury is authorized under Penal Code sections 919 and 925 to inquire into the management and condition of local prisons, jails and other correctional facilities located within the county. The purpose of these inquiries is to determine the safety and security in operating those facilities and to ensure inmates are treated in a safe and humane manner. In Shasta County, those facilities include the Shasta County Jail and the Sugar Pine Conservation Camp, a prison jointly administered by the State of California Department of Corrections, and the California Department of Forestry and Fire (Cal Fire). This report details the findings and recommendations made regarding each of those facilities. In addition, the Grand Jury toured the new Shasta County Juvenile Rehabilitation Facility but did not feel a formal inspection was appropriate, as Shasta County Probation staff were in transition to their new facility at the time this report was written.

BACKGROUND

The Shasta County Grand Jury has routinely inquired into the condition and management of local correctional facilities each year.

The California Board of State and Community Corrections (BSCC) is a state regulatory agency that establishes and promotes standards for the construction, administration and operations of local detention facilities. They provide grand juries with guidelines to assist grand jurors in carrying out their inspections within specific counties. Those guidelines were used in conducting the Grand Jury's inspections as authorized under the Penal Code.

APPROACH

The Shasta County Grand Jury:

- reviewed previous Grand Jury reports to determine if identified concerns were rectified;
- reviewed the latest BSCC inspection report;
- reviewed local inspection reports;
- reviewed the policy and procedure manuals for each facility;
- reviewed inmate grievances;
- reviewed serious incident reports for the last twelve month period for each facility;
- toured the facilities with focus on observing health, security and safety issues;
- interviewed numerous inmates;
- interviewed Shasta County Jail administrative staff;
- interviewed State Department of Corrections administrators and line staff;
- interviewed Cal Fire staff;

- interviewed administrative staff with the Anderson Union High School District;
- interviewed administrative and line staff with the Shasta County Probation Department;
- reviewed the Mission Statement for the Shasta County Juvenile Rehabilitation Facility (JRF) and supporting documents;
- reviewed Shasta County Probation: “Evidenced Based Practices Implementation Guide for Juvenile Probation Services and Juvenile Institutions;” and
- reviewed media reports.



The Shasta County Jail has a rated capacity to house a maximum of 381 inmates. The sheriff is authorized under Superior Court Order No. 115258 to release inmates when the jail population grows to within 10% of capacity (343 inmates). At the time of our inspection, there were 335 inmates housed in the jail. In addition to housing inmates in the jail, Shasta County houses inmates under contract in jail facilities within Del Norte, Mendocino, El Dorado and Lassen Counties (18 total inmates). The County is also in negotiations for bed space for some inmates at State Department of Corrections Conservation camps.

The Public Safety Realignment Act of 2011(Assembly Bill 109 or AB109) began assigning custody and supervision of low-risk level felons from state control to counties in October 2011. Some felons who commit a new crime locally are now incarcerated in the Shasta County Jail, rather than state prison, which changes the jail demographics significantly. The inmate that is now in Shasta County Jail is typically serving a longer sentence for a more serious crime than in the past. Jail administration has seen a buildup in the prison culture resulting in an increase in assaults by prisoners upon prisoners or staff and, as a result, more severe disciplinary actions. There also has been an increase in prisoner infractions that jail staff identify and attempt to resolve through discipline and by rotating prisoners.

Disciplinary options vary from verbal warnings to restriction or denial of privileges such as the use of the commissary, curtailment of visitation rights, or no participation in other activities. An inmate can also be segregated from the mainstream population. Disciplinary actions are reviewed by a supervisor and can be appealed by the inmate. In order to ensure the safety of all inmates and staff during altercations and other potentially volatile issues, total lockdown of the jail can occur.

Our tour of the jail showed it was a clean and well maintained facility. Floors, walls, cells and common areas are cleaned regularly by inmates and staff. All systems and fixtures such as heating, air

conditioning, plumbing, lighting, and air vents were in working order. Inmates had clean clothing (jump suits and foot coverings) and were well groomed.

The Grand Jury reviewed grievances filed by inmates during the last two year period and incident reports during the last twelve month period. Those reports were reviewed to determine if there was a “common thread” within the grievances or incidents reported. None was found.

Meals served to inmates are approved by a registered dietician and must meet California State regulations. Meal menus prepared for the inmates were reviewed. In addition to scheduled meals, an inmate can purchase additional food items from the commissary.

Medical services are available on a continuous basis with a nurse on duty and other medical staff on call. Dental services are provided at the jail and are scheduled during the week in response to inmate needs. Mental health services are identified by nursing staff, and contracted mental health service providers can be called in for assistance.

Mental health is assessed during intake, and all staff are trained to recognize clues presented by inmates regarding suicide. An inmate who is suspected to be suicidal is placed in a padded room. Jail staff performs regular observation checks and the inmate is seen by a psychiatrist for further assessment and intervention. In 2013, there were seven attempted suicides and two successful suicides.

Inmate interviews indicated that there is a lack of early literacy educational training. Educational services that are available are provided under contract by the Anderson Union High School District (AUHSD) who agreed, as did Shasta County Jail administration, that such training was not included in their curriculum. Inmates can earn credits for their high school diploma, work towards achieving high school proficiency status or qualify for a GED. AUHSD provides instructors for computer learning on hardware and software maintained by the Shasta County Private Industry Council. Six one hour training sessions are scheduled during the day for up to 20 inmates. The inmates work at their own educational level, and instructors supervise multiple courses at different grade levels during each one hour session. The courses are funded by the Average Daily Attendance (ADA) rate generated through the classes and are reimbursed by the State of California to the AUHSD.

In addition to computer based learning to earn credits toward a GED, high school equivalency or high school diploma, course work is available in anger management, parenting skills and resolving addictive behavior. Beginning in February 2014, a group class began in moral reconnection, a curriculum based classroom program with interactive role-playing to help change personal behaviors.

An innovative program which has just begun is the Shasta Technical Education Program-Unified Partnership (Step-Up) program. It is a vocational skill development program wherein inmates attend Shasta College and are exposed to vocational training curriculum in heavy equipment operation, office administration and automobile technology.

Religious services are available on a weekly schedule, and a chaplain is available for consultation.

FINDING

The Grand Jury finds that:

F1. There are no educational services available for illiterate inmates.

RECOMMENDATION

The Grand Jury recommends that:

R1. The Shasta County jail administration should determine within the next 60 days of the issuance of this report if there is a need for educational services targeting illiterate inmates. If so, the program should be put in place by October 1, 2014.

REQUIRED RESPONSES

- The Shasta County Sheriff as to F1 and R1.
- The Shasta County Board of Supervisors as to F1 and R1.



The Fiscal Year 2012/13 Grand Jury issued a detailed report in July, 2013, regarding the Sugar Pine Conservation Camp. This year's inspection was focused on areas not contained within that review.

The Sugar Pine Conservation Camp has a maximum enrollment capacity of 132 inmates. The daily average is 127, and at the time of our interview with camp administration, the enrollment was 109. In the 2012/13 Grand Jury report, last year's Grand Jury expressed concern that the enactment of AB 109, which now sentences many low level felons to county jails rather than state prisons, might have a significant impact on the capacity of the camps to maintain full enrollment (some low level felons were transferred to fire camps from state prison, which boosted enrollment). The concern was that without maximum enrollment in the fire camps the number of inmates available to combat fires and perform community services in our area (as well as statewide) would be diminished. This concern is still relevant. The demographics of inmates assigned to the camps are changing as the camps now house more serious offenders and inmates sentenced for longer periods of time.

Camp administration indicated it is too early to tell if discipline issues will be increasing. Progressive discipline is used with inmates, and includes verbal warnings, loss of privileges and extra work detail. In the case of assault, the inmate is remanded back to state prison. It is noted that no assaults have been reported in the last two year period. Discussion with many of the inmates showed they realize their assignment to the camp is a privilege and exemplary behavior must be maintained at all times.

Counties previously contracted with the state to pay \$46 a day to house an inmate. At present there are only 70 low level inmates transferred under contract from county facilities statewide to fire camps. A lower rate is being negotiated to encourage more transfers to fill the need for firefighters.

Sugar Pine is a clean and well maintained facility. We observed one inmate who has the weekly responsibility of using a check list to inspect the upkeep and maintenance of building structures, fixtures and systems (heating, air conditioning, sewage treatment, water). The camp is self-sufficient in most maintenance and repair needs with sufficient expertise among the inmates and staff to undertake many of the necessary repairs. During the tour, there was a work crew of inmates remodeling the bathroom and shower area with new plumbing, fixtures, cement and tile work.

No grievances or incident reports were filed during the last two year period. There were two escapes defined as an inmate crossing the camp's boundary lines for any reason. Both inmates were remanded back to state prison.

Interviews with both Department of Corrections and Cal Fire staff indicated that there is a great deal of cooperation, respect and trust for the abilities that both departments bring to this unique partnership. On the fire lines, when Cal Fire has custody of the inmates, inmates entrust their lives to fire personnel. That trust is reciprocal as Cal Fire staff treats the inmates as firefighters first and rely on their experience and behavior to ensure the safety of the entire fire crew.

FINDINGS

The Grand Jury finds that:

- F1. Sugar Pine Conservation Camp provides an opportunity for low-level inmates to acquire skills to enable them to transition to the workplace after release;
- F2. Sugar Pine Conservation Camp provides a desirable environment when compared to state prisons, and prison inmates recognize that it is a privilege to be there.



Members of the Grand Jury toured the new Shasta County Juvenile Rehabilitation Facility (JRF) after completion of construction but before transfer of juveniles to the new facility. This 90 resident facility is replacing the existing, sixty year old Juvenile Hall. The new facility is designed to support the mission "of providing a safe and secure environment for detained youth, where professional staff holds

minors accountable while encouraging them to embrace positive community values, accept responsibility and cultivate healthy relationships.”

The overall goal of JRF staff is to become an evidence based agency, or a department that uses science and data to improve its outcomes and reduce crime. Key in these efforts is to shift priorities toward long-term outcomes instead of short-term compliance. The ongoing theme is to transition from incarceration to rehabilitation.

FINDINGS:

The Grand Jury finds that:

- F1. the mission of the new Shasta County Juvenile Rehabilitation Facility is to focus on long-term outcomes and to transition from incarceration to rehabilitation.



Final Observation



SHASTA COUNTY CORONER'S OFFICE

SUMMARY

At the request of the Shasta County Sheriff/Coroner, the Grand Jury may provide a minimum of two Grand Jury members to attend death inquests and autopsies. The Grand Jury participates in these proceedings in order to enhance the transparency of the proceedings and to ensure full disclosure of the findings related to the deaths of inmates who have died while in custody or for individuals who have succumbed while interacting with law enforcement personnel.

At the time this report was written the Grand Jury had observed two autopsies, both conducted on behalf of Shasta County by the California Forensics Medical Group. The autopsies took place in the Yolo County Coroner's Office. There is a standard process that is followed in the case of autopsies. The Grand Jury members observed this process and concluded that law enforcement and medical staff conducted themselves professionally, and the deceased were treated with respect and dignity throughout the entire process.

This report details our findings and makes recommendations regarding the process.



BACKGROUND

In officer-involved and in-custody deaths, a formal inquest is conducted. An autopsy is part of the inquest process and determines the cause of death, including existing medical conditions that may have contributed to the death. The inquest also includes a review of written reports establishing a timeline and other factors relevant to determining if law enforcement personnel acted appropriately and whether their reports were written without bias. All suspicious, violent, in-custody, unattended or unexpected deaths may be investigated.

Autopsies in Shasta County are ordinarily performed by a licensed medical doctor/forensic pathologist employed by the sheriff/coroner as a medical examiner. This position was vacant at the time of the subject autopsies.

The Grand Jury observed the autopsy process and determined it to be important for the public to be informed as to the quality of these services.

APPROACH

The Grand Jury:

- toured the Shasta County Coroner's Office;
- interviewed law enforcement personnel;
- interviewed members of the critical incident response team;
- observed autopsies conducted for Shasta County at the Yolo County Coroner's Office;
- interviewed staff from the Shasta County Coroner's Office; and
- reviewed the Shasta County Morgue Protocol Manual.

DISCUSSION

In the case of in-custody deaths and/or officer involved shootings, a multi-agency critical incident response team is deployed. The team may be comprised of investigators from the District Attorney's Office, the Sheriff's Office, the Redding Police Department and other law enforcement agencies. Grand Jury members may be invited to be present.

The critical incident response team's charge is to ensure that the inquest/autopsy examination is conducted in a manner that guarantees transparency, accountability, due process and the absence of conflict of interest. If the District Attorney's Office is concerned about the process or the conclusion(s) in any case, it is authorized to conduct an investigation separate from other members of the critical incident response team.

The Grand Jury was invited to attend two autopsies in order to represent the citizens of Shasta County. The purpose of having members of the Grand Jury present is to document that due process, transparency, and accountability exist in an investigation. The Grand Jury members in attendance were able to closely observe the autopsy, ask questions about the processes and watch the interactions of the team. We were satisfied that the purpose of attending this autopsy was achieved.

The established protocol for autopsies conducted by Shasta County is to give critical incident response team members the choice of staying in the examination room with the medical examiner or observing the autopsy from an adjoining observation room. In Shasta County, the autopsy is on a live video and

audio feed to a large monitor in the observation room. Sound from the autopsy room is transmitted and observers can question autopsy staff by microphone.

Both autopsies were conducted by a medical examiner under contract with the California Forensics Medical Group as Shasta County's Medical Examiner's position was vacant. This position has since been filled. The Yolo County Coroner's autopsy facility was used to complete both procedures. Shasta and Yolo Counties follow different audio procedures.

The first autopsy, conducted in July 2013, involved a shooting death by the Shasta County Sheriff's Special Weapons and Tactics (SWAT) team. A Shasta County Deputy Coroner as well as two Grand Jury members attended this autopsy. The second autopsy, conducted in October 2013, was due to the death of a suspect who was hospitalized and in custody after resisting arrest by Redding Police Officers.

During the second autopsy, a critical incident response team was deployed from Shasta County and was comprised of two investigators from the Shasta County Sheriff's Office, staff from the Shasta County Crime Lab, a Deputy Shasta County District Attorney, an investigator from the Shasta County District Attorney's Office and staff from the Redding Police Department, as well as a sworn Yolo County Deputy Coroner. Two members from the Shasta County Grand Jury were also in attendance.

All observers present at the autopsies were escorted directly into an enclosed observation room by Yolo County personnel. They were not offered the option at either autopsy to accompany the medical examiner into the autopsy room. While the actions of the medical examiner were clearly visible, sound was not transmitted to the observation room. During the second autopsy, a Shasta County Deputy Sheriff left the observation room and entered the autopsy room in order to hear the verbal findings of the medical examiner. There was a phone available in the observation room that could be used to phone the examiner to ask questions regarding the procedure or the findings. In order to gain the attention of the examiner on the autopsy floor, however, one would have to tap on the observation window. Those who remained in the observation room during the procedure could not hear the medical examiner and some questioned the deputy medical examiner at the conclusion of the autopsy.

FINDINGS

The Grand Jury finds that:

- F1. the procedures utilized in the Yolo County facility, which do not allow the persons in the observation room to hear what is being said in the autopsy room do not align with Shasta County's autopsy protocols. This hindered observers from fully understanding the procedures that were being conducted and the findings that were made during the autopsy;
- F2. observers were not made aware of an option to view the autopsy from inside the examination room; and
- F3. the attendance by Grand Jury members at these autopsy procedures assures transparency, accountability and due process.

RECOMMENDATIONS

The Grand Jury recommends that:

- R1. the Shasta County Sheriff/Coroner ensure that audio is present in all observation rooms where autopsies are being performed on behalf of Shasta County;

R2. the Shasta County Sheriff/Coroner ensure that observers are given the option of staying in the examination room with the medical examiner or observing from the observation room during autopsies performed on behalf of Shasta County.

REQUIRED RESPONSES:

- the Shasta County Sheriff/Coroner as to F1 and F2, R1 and R2;
- the Shasta County Board of Supervisors as to F1 and F2, R1 and R2.



VOLUNTEER FIRE COMPANIES

SUMMARY

Volunteer Fire Service (VFS) in Shasta County was investigated by the Grand Jury in 2006-2007 and 2011-12. Both reports indicated that a variety of problems negatively affect the functioning of volunteer fire companies in the county, including difficulties in recruiting and retaining volunteers. These ongoing problems call into question the premise that volunteers can be the primary and timely resource for the suppression of structure fires and the provision of emergency medical response in the rural areas of the county. Rural area fire protection is not just for the residents of rural areas; it also benefits visitors vacationing in these areas and the traveling public who use federal, state or county roads.

The current Grand Jury wanted to know if changes made by Shasta County after the last Grand Jury report had mitigated the concerns identified in the two earlier reports. We found that the volunteer service continues to be adversely impacted by diminishing response capacity. Shasta County needs to face the possibility that in some areas of the County, the volunteer fire service may become unable to fulfill its purpose, resulting in a greater need for paid fire personnel unless rural areas are ready to accept lower service expectations. Therefore, Shasta County should plan to develop and implement an alternate system of emergency service for those unincorporated areas that rely on volunteer fire response for initial fire and medical emergency response that will include paid personnel in key locations.

In 2014, the Board of Supervisors and the residents of the unincorporated area will be considering the big picture of volunteer emergency fire and medical response service with the development of a new Master Fire Plan. The choice for the County will be to either get in front of the topic by proactive planning or continue to react to the problems associated with the current system. The County and the Shasta County Fire Department need to involve the people dependent upon these services and the service providers to build community support for creating an improved system. It won't be easy, but if ever there were an opportunity to formulate a new direction, the development of a new Master Fire Plan would be the vehicle.

The role of the Grand Jury is not to set policy for the County; however, we feel strongly that with the development of a new Master Fire Plan, the Board of Supervisors has the opportunity to set policy for the next ten years to ensure that Shasta County Fire is being operated so that funding is stable and sufficient, expectations versus reality are understood and a minimum level of protection is provided for the resident, visitor or traveler.



BACKGROUND

As defined in the 2013-14 Shasta County Budget, the Shasta County Fire Department (SCFD or Shasta County Fire) provides fire suppression and protection services to County Service Area (CSA)#1, which consists of unincorporated areas that are not served by either an independent fire district or by a city fire department. Its mission, according to the Shasta County Code, “is to stand ready to protect life, property, and the environment, utilizing trained and equipped personnel.” This includes structure and wildland fire control, first response medical care, and assistance to other emergency service agencies. This scope of work is also reflected in the contract between Shasta County and the California Department of Forestry and Fire Protection (Cal Fire) whereby Cal Fire contracts with Shasta County to operate and administer the Shasta County Fire Department.

The Chief of the Shasta-Trinity Cal Fire Unit is also the Fire Chief for the Shasta County Fire Department. This joint duty includes the coordination of the activities of all SCFD volunteer fire companies, maintenance of mutual aid response agreements with cities and with all independent fire districts; and assurance that all fire safety, fire code, and fire department land use regulations are observed throughout the County.

Under the contract, Cal Fire’s scope of work includes the following:

1. emergency fire protection, emergency medical response and basic life support, but not advanced life support services;
2. dispatch services for volunteer fire units;
3. fire code inspection, prevention and enforcement services;
4. land use/Pre-Fire Planning Services;
5. extended fire protection service with contracted engines; and
6. administration of the preceding responsibilities.

According to the Shasta County Local Agency Formation Commission, CSA#1 is generally described as the unincorporated area in Shasta County that does not fall within the boundaries of either an independent special district, a city that provides fire protection services or under Cal Fire jurisdiction. Within its area, CSA#1 is responsible for fire protection, fire suppression, and emergency medical

services to a population of approximately 68,000 people in a service area of 3,400 square miles. In comparison, this is 56 times the area of the City of Redding with about three-quarters of Redding's current population.

The two previous Grand Jury reports indicated three issues affecting the viability of volunteer fire service:

- an aging volunteer force;
- increasing training requirements for volunteers; and
- diminished response capacity.

According to Shasta County Fire, the following are key concerns regarding the volunteer system in Shasta County:

- the volunteer system is very reliant on a small core of volunteers that respond to incidents;
- nine of the SCFD's eighteen stations have ten or fewer volunteers on their roster;
- the response by volunteers to calls (50%) is significantly lower than roster numbers would suggest should occur;
- the county has authorized a force of 385 volunteers, but only 189 volunteers are serving throughout the county;
- demographic shifts and societal changes (declining volunteerism, aging population) in the County contribute to problems staffing stations in certain areas;
- there are fourteen VFS companies that have volunteers who are 60 years of age or older;
- the average age of staffing fluctuates because Cal Fire hires many younger volunteers during fire season as temporary employees. This exacerbates both the age issue among the remaining volunteers during the fire season and the number of volunteers available;
- the majority of calls to which VFS companies respond are medical (73.2%); and
- the cost of training and providing equipment for volunteer firefighters is paid for by Shasta County.

To the above could be added the following additional problems Shasta County faces in 2014 as determined by the Grand Jury through our interviews and budget reviews:

- the demands of the economy require people to look outside rural areas for employment;
- long range funding forecasts do not support any major expansion of service; and
- Shasta County has been using reserves to fund fire protection services and those reserves, unless augmented, are in danger of being fully spent within the next two fiscal years.

The closing of the volunteer Platina station prompted the 2011-2012 inquiry. That Grand Jury's report indicated that four additional stations were also in danger of closing due to lack of personnel. This year, Cal Fire confirmed that concern, for the reasons listed above.

With so many residents choosing to live in a rural area there is a growing disparity between emergency medical and fire suppression needs and the ability to meet those needs. For the rural areas, the problems are real. It is not that a fire or medical response will not occur; rather, it is when it will occur and how far responders will have to travel. These issues may get worse in the future if additional volunteer stations close.

The total number of VFS volunteers has remained fairly steady since the 2006-07 Grand Jury reported that there were 182 volunteers. Information from Shasta County Fire indicates there is as great a concern over the total number of volunteers as the number of volunteers who can be counted on to respond. We learned that the response rate for the current 189 volunteers is estimated at 50% spread over the 18 volunteer fire stations, with some stations having a higher response rate and others a lower response rate.

APPROACH

The Grand Jury:

- interviewed two managers from Cal Fire;
- interviewed two volunteer fire chiefs;
- interviewed a county administrator;
- interviewed one member of the Shasta County Board of Supervisors;
- reviewed Grand Jury reports of 2006-07 and 2011-12;
- reviewed Shasta County Fire Department Annual Report of 2012;
- reviewed draft Shasta County Fire Department Master Plan 2014;
- reviewed the 2012-13 and the 2013-14 Shasta County budgets;
- reviewed the May, 2003 Municipal Service Review for County Service Area #1 prepared by the Shasta County Local Agency Formation Commission (LAFCO); and
- reviewed the current contract between Cal Fire and Shasta County Fire entered into in June 2013.

DISCUSSION

Funding

The 2013-14 Shasta County budget details the cost to the County for fire and emergency medical response in CSA#1. Not included in this calculation would be the value added of time donated by volunteers or purchases made from donations, or fund raisers by volunteer departments. In addition, where there is overlap with Cal Fire or with mutual aid agreements with other fire districts, there is value added which is not reflected in the budget.

With the adoption of the 2013-2014 budget, Shasta County increased the Department's expenditure budget to \$6,175,540. While this represents a net increase of \$1,738,316 over the 2012-13 budget, most of the increase was in the area of capital expenditures for equipment which are a one-time expenditure. If capital expenditures are excluded, the budget change from 2012-13 to 2013-14 is an increase of \$349,438 or 7.48%. By far, the biggest expenditure for Shasta County Fire is the cost of the contract with Cal Fire, which is shown in the budget as "Other Charges."

Expenditures in the 2013-14 budget for CSA#1 are as follows:

<u>Expenditure Category</u>	<u>Amount</u>
Salaries and benefits	\$ 356,404
Services and supplies	1,375,334
Other charges	<u>3,289,457</u>
Subtotal	\$ 5,021,195
Capital assets	<u>1,154,345</u>
Total	\$ 6,175,540

In terms of revenue, taxes (General Fund Support) provide \$1,657,550 or 26.8% of the funding in 2013-14. The remainder comes from various other funds or sources. The biggest of these is a Transfer In from the Department Fund Balance, which amounts to using unallocated reserves to fund current operating costs. This comprised 40% of the revenue to fund Shasta County Fire in the current budget. As of June 30, 2013, the Fire Reserve Fund balance was \$3,433,492. In the 2013-14 budget, \$1,729,657 was transferred to fund operating costs leaving a balance in this fund of \$1,703,835.

Following are the revenue sources used to fund Shasta County Fire in the current budget:

<u>Revenue Source</u>	<u>Amount</u>
Taxes	\$ 1,657,550
Licenses, Permits & Franchises	9,000
Revenue from Money and Property	10,000
Intergovernmental Revenue	298,000
Charges for Services	715,667
Miscellaneous Revenue	15,350
Transfers In	1,729,657
Other Financing Sources/Sale C/A	2,000
Total	\$ 4,437,224

As noted in the 2013-14 Shasta County budget, “the fire fund is being balanced on the Department Fund Balance and continued reliance on the Department Fund Balance to balance the fire budget could cause the Department’s Fund Balance to be depleted by FY 2015-16 and/or could eventually impact emergency response services in the future.” In other words, CSA#1 is being funded by reserves, which is not sustainable at the current rate of use. This means that the fiscal value of volunteers is even more important in the provision of emergency services to these rural areas than may be understood. Should revenues not allow an expansion of paid positions, and there is a further decline of volunteers, and if the present rate of expenditures continues, Shasta County Fire funding could be severely diminished.

Cal Fire places a value of \$100,000 on each VFS member’s worth to the community, the approximate replacement cost for a paid career fire position. If the County had to pay to replace the 189 volunteers, the cost would be \$1,890,000. Even if only the value of the 50% of volunteers that respond is considered, their value is \$950,000. As a further note, Cal Fire estimates that the cost of a manned station with a full time engine would be about \$800,000 per year excluding the cost of equipment,

buildings, and property. For the approximately \$5,000,000 that Shasta County Fire is spending on an annual basis, only about five stations could be staffed and operated with paid personnel, rather than the 18 stations that are currently providing emergency services using a combination of volunteers and four Cal Fire engines.

The volunteer system, while having primary responsibility for responding to emergencies, is not the only emergency resource available within CSA#1. Cal Fire, mutual aid agreements, and other resource agencies provide support by contract. This network of resources ensures that when someone calls for service, fire or EMS personnel will respond. What is critical to CSA#1 is that any decrease in volunteers will increase response times in certain areas. If volunteers continue to decline in either number or in their response rates, the system may evolve towards a greater role for paid fire personnel. The greatest effect will not be felt in response to fires; rather, it will be in the area of medical emergencies, which comprise 73% of calls for service.

Master Fire Plan for the Shasta County Fire Department

Shasta County Ordinance 2.32.070, Department Objectives, Part A states, “The department shall be guided by a long-range master plan approved and modified periodically, as appropriate, by the board of supervisors and short-range plans consistent with general policy direction from the board of supervisors following fire warden recommendations, that are responsive to changing community and county-wide emergency service needs.” As of this writing, in May 2014, County Fire staff is preparing a revision to the master plan and will present it to the Board of Supervisors this summer. A courtesy copy was provided to the Grand Jury by Shasta County Fire. County Administration confirmed that its staff was involved in the development of the draft.

This draft plan will be the blueprint for Shasta County as it moves forward on managing CSA#1 and meeting its emergency fire and medical needs. The final Fire Master Plan is subject to approval by the Board of Supervisors. Based on a review of the preliminary draft, the proposed Master Fire Plan will cover the following key issues:

- to encourage participation by volunteers, trainees and part-time firefighters, the integration of a combination of paid and volunteer fire personnel;
- the ongoing contract with Cal Fire to provide backup fire protection for selected areas of the County;
- meeting the emergency medical needs of these rural areas, which amounts to 73.2% of the service calls;
- the use of new technology and equipment in providing fire and medical protection;
- cost issues associated with the above and balancing expectations and requests against funding realities;
- educating the public on rural emergency response issues and expectations;
- expanding cost effective partnerships for mutual support, particularly with Shasta College and use of student trainees;
- the impact of any decline in fire protection on the Insurance Service Office (ISO) fire rating for these areas and the subsequent impact on fire insurance rates.
- providing paid firefighter engines at two additional locations; and
- the creation of an entry level county firefighter program and a paid reserve staff (“Reserve” Firefighters).

As noted, Cal Fire is under contract to work with Shasta County to support its volunteer fire service in meeting fire and medical needs in rural areas. Cal Fire is a career fire-fighting organization whose primary purpose is wildland fire protection. Cal Fire's contractual focus will be on what is most dependable in meeting its dual mission of wildland fire protection and its contractual obligations with Shasta County.

Negotiations between Shasta County and Cal Fire are critical for these rural areas. As has occurred in the past, both agencies recognize overlapping areas of responsibility with Cal Fire operating a seasonal force with a cadre of full time firefighters and Shasta County operating a year round volunteer force of fire and medical service providers. Both parties will need to be creative to maximize limited resources in dealing with seasonal fire and other emergency needs. Another party to the discussion will be medical providers that transport victims of accidents or illness to hospitals.

Developing a new Master Fire Plan could provide a forum for the County to involve the public, Cal Fire, medical providers and volunteer firefighters in the long-term implications of just getting by if additional resources are not available or undertaking a comprehensive discussion of dealing with fire and medical response needs. For the County, decisions will be made based on the funds available bearing in mind the long-term commitment each staffed engine will entail and the cost of emergency medical responses.

This process could involve creation of an ad hoc citizens group which would make recommendations to the Board of Supervisors and the County Fire Chief on several topics including:

1. The Status of CSA#1.

CSA#1 is the vehicle the County created to fund and coordinate volunteer fire protection and emergency medical response within the boundaries of the service area. Could changing the district from a County Service Area to a Fire Protection District capture the funds generated by the State Fire Protection Fee and retain them for local emergency service use? According to Cal Fire, residences within CSA#1 are assessed the full State Fire Protection Fee. Given the imposition of this fee on rural residents, it might be time to determine if residents would support a change to firm up fire and medical protection revenues within all or portions of CSA#1 if there could be an offset against the State fee. This could also be used to address the County reliance on using the Department Reserve Fund to balance the Shasta County Fire budget.

It is important to note that the State Fire Prevention Fee collection within CSA#1 collected by the State Board of Equalization does not go to CSA#1; rather, it goes to the State to support Cal Fire in Shasta County and elsewhere. In 2014, the State Fire Prevention fee is \$152.33 per habitable structure within the State Responsibility Area. If the habitable structure is within the boundary of a local agency that provides fire protection, the fee is reduced by \$35.00 to \$117.33 per structure. The fee is not applied to undeveloped land or land only occupied by non-habitable structures. A habitable structure is one that contains one or more dwelling units.

2. The opportunity for expanded partnerships and creating a reserve force.

The draft plan from Shasta County Fire makes references to expanding partnerships. While the focus was on Shasta College, this can also involve partnerships with local colleges, high schools, job

training centers or additional State inmate crews. For those who seek a career in fire and medical service, this could provide opportunities for part-time or summer employment to supplement the existing paid career and volunteer forces. Once a certain amount of training has been completed, it could be possible to exchange room and board, or scholarship grants for fire or emergency medical technician service at some locations that are under staffed. Likewise, the establishment of another inmate crew camp in the County might be of benefit in the overall fire protection strategy for rural areas and extend the time seasonal crews are available.

3. Ownership of equipment and facilities.

If Shasta County expands its contract with the State for fire protection service in the future, the County needs to ensure it has the ability to step in and provide fire protection in the event there ever is a dispute with the State as a result of a budget shortfall or additional funds are diverted from the County. As occurs now with capital expenditures, Shasta County can fund equipment, facilities and training as its contribution to a contract. Perhaps the contract could require the State to provide staff to operate stations where volunteers are not available. This would leave the County with the ability to have equipment for fire protection if it is ever needed without being totally reliant on the State. It would also ensure standardization in equipment and training throughout the county for Shasta County Fire.

4. Creation of a Reserve Force.

The reserve firefighting force using entry level fire and medical personnel mentioned in the draft Fire Master Plan needs to be explored for feasibility, cost and workability. As an option, this might meld with other alternatives to provide more flexibility so the County can avoid risk associated with disability, pension and long-term employment obligations. For the County, a reserve force would need to include both firefighters and emergency medical personnel.

FINDING

The Grand Jury finds that:

- F1. the development and consideration of a Master Fire Plan can provide a forum for the community and County staff to discuss emergency fire and medical response expectations, realities and opportunities for the area served by Shasta County Fire.

RECOMMENDATION

The Grand Jury recommends that:

- R1. Shasta County use the development and consideration of a Master Fire Plan by July 1, 2015 as a vehicle to explore any or all of the issues, problems and options outlined in this report on the future of Shasta County Fire.

REQUIRED RESPONSE

Shasta County Board of Supervisors as to F1 and R1.

REQUESTED RESPONSES

Shasta County Executive Office as to F1 and R1

Shasta County Fire Chief as to F1 and R1.



AUDIT AND FINANCE

SUMMARY

Penal Code section 925 requires the Grand Jury to annually examine the accounts and records of Shasta County, while Government Code section 25250 requires the Board of Supervisors to conduct an annual audit of all County accounts. The audit itself is conducted by a “contract auditor” pursuant to Government Code section 31000. Oversight is provided by a Joint Audit Committee, comprised of members of the Grand Jury, County financial/audit staff, elected officials, County administrative staff and County Counsel.

The Grand Jury reviewed the fiscal year 2012-2013 audit report in which no exceptions or findings were noted by the contract auditor.

DISCUSSION

The annual audit is performed to review and assess the respective financial position and activities of each governmental fund and unit of Shasta County to obtain reasonable assurance that the County’s financial statements are free of material misstatements. The County’s contracted audit firm, Gallina, LLP, issued its final report for fiscal year 2012-2013 with an “unqualified opinion,” meaning no exceptions were noted.

The Grand Jury reviewed accounting data, financial reports, and departmental procedures, policies and reports for accuracy and content. We also reviewed the 2013-2014 Grand Jury “budget to actual accounting” data and determined that the grand jurors’ mileage and per diem reports and charges were accurate and complete.

In addition to the above, a monthly review of the “budget to actual accounting” data for all accounts assigned to the Grand Jury, including per diem and mileage reports, was performed. The Grand Jury Audit and Finance Committee monitored the charges applied to these accounts on a monthly basis and reported this information to the full Grand Jury.

APPROACH:

The Grand Jury:

- reviewed the County’s annual audit report for fiscal year 2012-2013;
- participated on the County’s Joint Audit Committee;
- met with County accounting and budget personnel;
- reviewed accounting and financial data for Grand Jury investigative activities;
- reviewed both Grand Jury monthly and annual “budget to actual” reports and monitored per diem and mileage charges for completeness and accuracy;
- attended the entrance and exit meetings with the contract auditor; and

- followed up with County administrative staff to ensure that all charges in the Grand Jury budget were appropriate.

FINDINGS

The Grand Jury:

- F1. concurred with the conclusion of Gallina, LLP's 2012-2013 audit that the County is performing its financial duties in an acceptable manner;
- F2. found that its budget to actual accounting information and charges to these accounts are correct and complete.
- F3. found that all grand jury per diem and mileage reports and the associated charges reviewed are accurate and complete.

A copy of the 2012-2013 Annual Audit for Shasta County is available for public review in the County Administrative Office or Auditor/Tax Collector's Office. The annual budget for the Grand Jury is included in the annual Shasta County budget. This budget is available online at www.co.shasta.ca.us.



Grand Jury Investigative Reports 2000 - 2014

CITY OF ANDERSON

City of Anderson	2006/07
Development Fees	2013/14
Economic Development:	2007/08
Police Reporting	2013/14

CITY OF REDDING

Development Services Department

Development Fees	2013/14
Land Purchases	2004/05
Redevelopment Agency	2005/06
Redding Fire Department	2005/06
Zoning and Planning	2004/05
Nuisance Water Complaint	2010/11
Stillwater Business Park	2007/08
Wastewater Treatment Plants	2010/11
Redding Ballot Measures A and B	2010/11
Redding Employees Gift Policy	2012/13
Redding City Transfer Station	2011/12
Redding Park Fees	2013/14

Electric Utility Department

Big League Dreams Complaint	2012/13
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Finance Department

Assessment Districts (General)	1999/00
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Information Technology

	2008/09
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Police Department

	2001/02,2005/06,2008/09
Police Department Complaints	2008/09
Police Department Facility	2008/09
Police Response Time	2013/14
Red Light Enforcement Program	2008/09,2011/12
Firearms Training Simulator	2011/12
Sobriety Check Points	2010/11

PUBLIC WORKS DEPARTMENT

Airport Expansion	2011/12
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CITY OF SHASTA LAKE

Economic Development	2007/08
Development Fees	2013/14

COUNTY OF SHASTA

Agriculture/Weights and Measures	2008/09
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Assessor/Recorder Office	2005/06,2008/09
Auditor/Controller's Office	2001/02,2008/09
Audit and Management Report	Annually
Code Enforcement	2013/14
Employee Orientation/Training	2000/01
Management Audit	2003/04
Audit – Retired Senior Volunteer Program	2002/03
County Clerk's Office	
Registrar of Voters	2000/01,2003/04
COUNTY OF SHASTA	
County Fire Department	2006/07,2011/12,2013/14
Economic Development	2007/08
Mental Health Department	2001/02,2004/05,2007/08
Registrar of Voters	2000/01,2003/04
Planning Division	2007/08
Probation Department	
Juvenile Assessment Center	2000/01
P.A.C.T	2008/09
Shasta County Juvenile Hall	Annually
Public Health Department	
Small Pox Vaccination Program	2002/03
Water Fluoridation Ballot Measure	2003/04
Public Works Department	
Fall River Mills and Shingletown Airports	2000/01
Public Works	2006/07
Sheriff/Coroner's Office	2013/14
Animal	2004/05,2006/07,2009/10
Ankle Bracelets	2013/14
Autopsy Report	2013/14
Boating Safety	2007/08
Crystal Creek Boy's Camp	Annually to closing in 2008
Firearms Confiscation	2008/09
Fire Arms Training Simulator	2010/11
Hiring Practices for Correctional Officers	2012/13
Jail Inmate Welfare Fund	2006/07
Property/Evidence Facility	2008/09
Shasta County Coroner	2010/11,2011/12
Shasta County Detention Annex	Annually to closing in 2004
Shasta County Jail	Annually
Shasta County Jail Cell Searches	2010/11
Shasta County Jail Female Inmates	2011/12
Sheriff/Patrol Division	2005/06

Sugar Pine Conservation Camp	2012/13
Training – Handling the Mentally Ill	2004/05
Work Release Program	2002/03,2003/04,2005/06, 2007/08
Missing Person Complaint	2011/12
Social Services Department	
Public Guardian	2002/03
Adult Services	2008/09
Support Services	2008/09
Treasurer/Tax Collector’s Office	
Use Permits	2004/05
Vehicle Usage	2004/05
Special Districts	
Management of District Boards	2009/10
Anderson/Cottonwood Irrigation District	2004/05
Anderson Fire Protection District	2009/10
Burney Fire Protection District	2000/01,2004/05,2005/06, 2007/08
Burney Water District	2010/11
Centerville Community Services District	2005/06
Cottonwood Fire Protective District	2004/05
Fall River Mills Community Services District	2003/04
Mountain Gate Community Services District	2008/09,2010/11,2011/12
Shasta Community Service District	2003/04,2005/06,2006/07
Shasta Mosquito and Vector Control District	2001/02.2004/05.2008/09
Shasta Lake Fire Protection District	2002/03
Western Shasta Conservation District (WSRCD)	2002/03,2012/13
SCHOOLS AND SCHOOL DISTRICTS	
Anderson Union High School District	2002/03
Black Butte School District	1999/00
Consolidation/Unification of Shasta County Schools	2005/06
Cottonwood Union School District	2007/08
Gateway Unified School District	2004/05
Grant Elementary School	2003/04
Safe School Initiative	2006/07
Shasta County Office of Education	
Camp Latieze	1999/00
Shasta Union High School District	2004/05
Shasta Union High School District Adult Transition Program	2012/13
MISCELLANEOUS	
City and County Websites	2007/08
Credit Cards – Usage by Public Entities	2003/04
Duration of Independent Audit Contracts	1999/00
Gangs/Gang Activities (SAGE)	2006/07

Law Enforcement Preparedness: School	2000/01
Railroad Operations in Shasta County	2001/02
Redding Area Bus Authority (RABA)	2006/07,2013/14
SHASCOM: Shasta Area Safety Communications	2000/01,2003/04,2005/06, 2007/08,2011/12
Shasta Interagency Narcotics Task Force	2003/04,2006/07
Special Districts in Shasta County	2007/08
What It Takes to Become a Law Enforcement Officer	2010/11
California Assembly Bill AB109 (Realignment	2011/12
Sugar Pine Conservation Camp	Annually



Cemetery Districts

Anderson Cemetery District
Burney Cemetery District
Cottonwood Cemetery District
Fall River Mills Cemetery District
Halcumb Cemetery District
Manton Joint Cemetery District
Millville Cemetery District
Pine Grove Cemetery District

Mosquito Districts

Burney Basin Mosquito Abatement District
Pine Grove Mosquito Abatement District
Shasta Mosquito & Vector Control District

Conservation Districts

Fall River Resource Conservation District
Western Shasta Resource Conservation District

School District

Anderson Union High School District
Bella Vista Elementary School District
Black Butte Union School District
Cascade Elementary School District
Castle Rock Elementary School District
Columbia Elementary School District
Cottonwood Union Elementary School District
Enterprise Elementary School District

Water Districts

Anderson Cottonwood Irrigation District
Bella Vista Water District
Burney Water District
Cottonwood Water District
Shasta County Water Agency

Community Service Districts

Centerville Community Service District
Clear Creek Community Service District
Fall River Mills Community Service District
Igo-Ono Community Service District
Mountain Gate Community Service District
Shasta Community Service District

Other Districts/Agencies

Shasta Area Safety Communications Agency
Mayers Memorial Health Care District
Shasta County Air Quality Management District
LAFCO

Fire Districts

Anderson Fire Protection District
Burney Fire Protection District
Castella Fire Protection District
Cottonwood Fire Protection District
Fall River Mills Fire Protection District
Happy Valley Fire Protection District
McArthur Fire Protection District
Millville Fire Protection District
Shasta Lake Fire Protection District
Buckeye Fire Protection District



Photo courtesy of T.A. Schmidt & Associates

Pictured from left to right: Patricia Stout, Bea Howell, Katharine Ann Campbell, Paul Genoud, Kathleen Griffin, James McClary, Foreperson Eleanor Townsend, Dennis Edwards, Pro Tem Phillip Perry, Shawn Pearce, Terry Oxley, Richard Camillieri, Stella Webb, Claudia O'Connell, Fred Weatherill, Mary Ann McCorquodale, Lawrence Robins, Michelle Dusel



July 15, 2014

The Honorable Gregory Gaul
Presiding Judge, Shasta County Superior Court
1500 Court Street
Redding, CA 96001

Dear Judge Gaul:

On behalf of the City of Anderson, we wish to express our thanks and appreciation for the work of the 2013-2014 Shasta County Grand Jury. As required by California Penal Code Sections 933 and 933.05, the City of Anderson offers the following response to the report titled, "Calling all cars... Calls for Police Service and Response".

Finding F1:

The Redding and Anderson Police Departments are unable to fully utilize available crime information because of the limitations of their present computer system.

Response:

The City of Anderson agrees with this finding.

Recommendation R1:

Redding and Anderson Police Departments should continue to explore avenues to improve upon present crime analysis capabilities through grant applications under AB 109 as funds are available.

Response:

The recommendation has been implemented and is ongoing. Recently, the Anderson Police Department, the Redding Police Department and the Shasta County Sheriff's Office have retained a consultant to assist the departments with modernization of the Records Management System (RMS). The consultant will help in identifying our current and future needs, such as, statistical analysis, crime reporting and data trends. AB 109 dedicated funds allocated to the County are being shared by the Anderson Police Department, the

The Honorable Gregory Gaul
July 15, 2014
Page 2

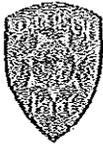
Redding Police Department and the Shasta County Sheriff's Office to fund the project. This is the first step in revamping and modernizing the current system developed in the 1970 era.

The City of Anderson appreciates this opportunity to respond to relevant portions of the 2013-2014 Shasta County Grand Jury Final Report.

Sincerely,

A handwritten signature in black ink, appearing to read "D Hopkins", with a long horizontal line extending to the right.

Debe Hopkins
Mayor, City of Anderson



Anderson Police Department

2220 North Street P.O. Box 1804

Anderson, CA 96007-1804

530-378-6600 · 530-378-6625 fax

Michael L. Johnson
Chief of Police

June 24, 2014

Shasta County Grand Jury
P.O. Box 992086
Redding, CA. 96099-2086

Presiding Shasta County Superior Court Magistrate;
Eleanor Townsend, Shasta County Grand Jury Foreperson;

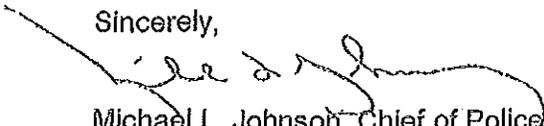
I am writing in response to the Shasta County Grand Jury's investigative report titled, *Calling all Cars...*, published June 24, 2014. Pursuant to Ca. Penal Code sections 933(b) and (c), 933.05(a) – (c), please find my responses listed below. Although my response was merely suggested and not technically required, I wanted to provide further clarification for finding F1 and recommendation R1 as listed in the Grand Jury report.

F1 – The Anderson Police Department (APD), Redding Police Department (RPD), and the Shasta County Sheriff Office (SCSO) collaboratively participate in an Integrated Public Safety System (IPSS) for computer generated database criminal information sharing. The system is a Records Management System (RMS) developed in the late 1970's and is an antiquated AS 400 IBM model foundational system. The equipment maintained and utilized for this system does not have accessibility, storage capacity, or program functionality to effectively serve the needs of our local law enforcement. Statistical information is extremely limited and generic in scope. I agree with the Grand Jury finding.

R1 – The recommendation has already been implemented but is not completed. The project is expected to take 18-24 months before completion. APD, RPD, and SCSO have recently contracted a consultant with specialized skill knowledge to assist us in acquiring a new RMS. The consultant will help our Shasta County agencies in identifying our particular needs (statistical analysis, crime reporting and trend data, etc.) to better serve our communities. Funds directed to our county through legislation associated with AB 109 are being "shared" by APD, RPD, and SCSO to pay for the costs associated with this much needed project. These State funds will be used to purchase and implement a new system that will drastically improve our crime analysis capabilities and ultimately improve police service efficiency.

Thank you for investigating the concerns of our community.

Sincerely,


Michael L. Johnson, Chief of Police



Superior Court of California
County of Shasta

GREGORY S. GAUL
Presiding Judge

GARY G. GIBSON
Asst. Presiding Judge

August 26, 2014

Robert Paoletti
Chief of Police
1313 California Street
Redding, CA 96001-3396

Re: *Grand Jury Report - "Calling All Cars...Calls for Police Service and Response."*

Dear Chief Paoletti:

This is to acknowledge receipt of your response dated August 12, 2014 to the 2013-2014 Grand Jury report regarding the "Calling All Cars...Calls for Police Service and Response."

I would like to thank you for your response to the Grand Jury Report. Pursuant to the provisions of Penal Code §933, I shall transmit your response to the Office of the County Clerk to be maintained on file there. An additional copy shall be provided to the Clerk of the Court also to be maintained on file.

Thank you again for your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory S. Gaul", is written over a horizontal line.

Gregory S. Gaul
Presiding Judge

cc: Office of the County Clerk (original response)
Melissa Fowler-Bradley, Clerk of the Court (for Admin file)
Grand Jury

Corrected

CITY OF REDDING



ROBERT F. PAOLETTI, CHIEF OF POLICE

POLICE DEPARTMENT

1313 California Street, Redding, CA 96001-3396

530.225.4200 FAX 530.225.4553

August 12, 2014

B-080-600-800

The Honorable Gregory S. Gaul
Presiding Judge
Shasta County Superior Court
1500 Court Street
Redding, CA 96001

Dear Judge Gaul:

The Shasta County Grand Jury recently published a report titled "Calling All Cars...Calls for Police Service and Response." The report includes two findings and one recommendation. The Grand Jury has requested the Chief of Police for the City of Redding respond to these findings and recommendation. The purpose of this letter is to respond to that request.

Finding No. 1

The Redding and Anderson Police Departments are unable to fully utilize available crime information because of the limitations of their present computer system.

Response to Finding No. 1

The respondent agrees with the finding.

Finding No. 2

The response time for 911 calls in Redding and Anderson depends on the nature and volume of the calls, officer availability, and the response priorities established by the Redding and Anderson Police Departments.

Response to Finding No. 2

The respondent agrees with the finding.

Recommendation No. 1

Redding and Anderson Police Departments should continue to explore avenues to improve upon present crime analysis capabilities through grant applications under AB 109 as funds are available..

RECEIVED

AUG 15 2014

SHASTA COUNTY SUPERIOR COURT
CRIMINAL DIVISION

Response to Recommendation No. 1

The recommendation is currently being implemented. It is the goal of the Redding Police Department, as part of the Integrated Public Safety System (IPSS) to upgrade our Records Management System (RMS) from the in-house developed system in use at present to a commercial package designed for law enforcement operations. Innovative Technologies was recently awarded the Consulting and Professional Services Agreement on May 20, 2014, and is currently meeting with personnel from all agencies to begin an in depth needs assessment. This project will be funded by grant monies from the State of California AB 109 Municipal funds.

The Redding Police Department appreciates and respects the important function that the Shasta County Grand Jury serves in local government.

If you have any questions regarding this matter, please do not hesitate to contact me at 225-4211.

Sincerely,



Robert F. Paoletti
Chief of Police

c: City Council Members
Kurt Starman, City Manager
Pam Mize, City Clerk



Shasta County

X COPY

BOARD OF SUPERVISORS

1450 Court Street, Suite 308B
Redding, California 96001-1680
(530) 226-5557
(800) 479-8009
(530) 226-5189-FAX

DAVID A. KEHOE, DISTRICT 1
LEONARD MOTY, DISTRICT 2
PAM GIACOMINI, DISTRICT 3
BILL SCHAPPELL, DISTRICT 4
LES BAUGH, DISTRICT 5

July 22, 2014

The Honorable Gregory Gaul, Presiding Judge
Shasta County Superior Court
1500 Court St., Rm. 205
Redding, CA 96001

Re: Response of Board of Supervisors to Fiscal Year 2013-2014 Grand Jury Report

Dear Judge Gaul:

The Shasta County Board of Supervisors appreciates the time and dedication which the 2013-2014 Grand Jurors contributed to their charge. The following findings and recommendations are under serious consideration and discussions are being held regarding solutions to any unresolved problems.

RESPONSES AND FINDINGS

A. An Evolving Mission in a Changing County: Volunteer Fire Companies

FINDINGS

The Grand Jury findings:

1. *The Development and consideration of a Master Fire Plan can provide a forum for the community and County staff to discuss emergency fire and medical response expectations, realities and opportunities for the area served by Shasta County Fire.*

Response: The Board of Supervisors agrees with the finding.

RECOMMENDATIONS

The Grand Jury recommends:

R1. Shasta County use the development and consideration of a Master Fire Plan by July 1, 2015 as a vehicle to explore any or all of the issues, problems and options outlined in this report on the future of Shasta County Fire.

Response: The Board of Supervisors plans to ensure implementation of the recommendation in the future.

B. Not in My Backyard – Land and Building Code Violation Management

FINDINGS

The Grand Jury findings:

F1. The lack of timely application of the County's current code enforcement process has contributed to the existing backlog of cases. As of March 25, 2014, the County has a backlog of 1,728 building and land use code violations, of which 611 are over ten years old.

Response: The Board of Supervisors agrees with the finding.

F2. There is a lack of specific timelines for the steps within the code enforcement process (figure 1). As a result, the County does not conduct timely follow-up action to move cases to conclusion.

Response: The Board of Supervisors agrees that the outline of the code enforcement process presented in the referenced figure does not include specific timelines. However, the Board of Supervisor's disagrees with the finding. Limited resources are directly related to the department's ability to conduct timely follow-up action to move cases to conclusion.

F3. The County's permit tracking system (Permits Plus) is not providing enough information to clearly understand the type and the nature of the violations occurring within the County or which open cases still need remediation.

Response: The Board of Supervisors agrees with the finding.

F4. *The Board of Supervisors cannot provide effective oversight of the code enforcement process because it does not receive written reports regarding code enforcement activities and statistics.*

Response: The Board of Supervisors disagrees with the finding. The Board of Supervisors receives adequate information through alternative methods of code enforcement results.

F5. *The total cost of code enforcement is not clear from the County Budget.*

Response: The Board of Supervisors disagrees with the finding. Information regarding cost associated with a department's activities is readily available.

RECOMMENDATIONS

The Grand Jury recommends:

R1. *The County develop a focus and commitment to resolving the backlog of existing violations by adopting a policy within 90 days that will require Resource Management staff to evaluate and prioritize violations.*

Response: The Board of Supervisors will further analyze and study the recommendation. The Board of Supervisors approved an increase budget for FY 2014-15 for code enforcement activities and personnel. This will help to reduce the backlog. The Department's practice is to prioritize all violations based on the health and safety of the public and staff.

R2. *The Board of Supervisors, the County Executive Officer and the Director of Resource Management work together to establish specific timelines for implementation of code enforcement measures, and that this be accomplished by January 1, 2015.*

Response: The Board of Supervisors disagrees with the recommendation. However, the Director of Resource Management, County Counsel and the County Executive Officer are working together to implement timelines for implementation of code enforcement measures.

R3. *The County assess the capabilities of its current permit tracing system to determine if it is able to allow managerial oversight of the code violation process. If it is found inadequate, Resource Management staff submit to the Board of Supervisors*

a proposal to obtain an appropriate permit tracking software system for consideration as part of the budget process. This software should include the ability for staff in all affected departments to view outstanding violations prior to building and land use permits being issued.

Response: The Board of Supervisors concurs with the recommendation and plans to implement the recommendation in the future. Staff is preparing a Request for Proposals (RFP) for companies specializing in permit tracking software programs for public agencies.

R4. A quarterly written report be submitted to the County Executive Officer and the Board of Supervisors, beginning October 1, 2014, showing the progress made on resolving the backlog of violations. An annual written report be submitted to the County Board of Supervisors and County Executive Officer, prior to budget consideration, classifying the nature and type of violations and backlogs of cases.

Response: The Board of Supervisors plans to implement the recommendation in the future.

R5. Beginning Fiscal Year 2014-2015, there be a separate cost accounting of both expenditures and revenues associated with code enforcement so that the true cost to the general public and County may be calculated, including the costs from all departments that are involved in code enforcement activities.

Response: The Board of Supervisors will not implement the recommendation. Costs associated with the department's activities are readily available.

C. Incarceration in Shasta County – A report on the Shasta County Jail, Sugar Pine Conservation Camp; and Shasta County Juvenile Rehabilitation Facility

FINDINGS

The Grand Jury findings:

F1. There are no education services available for illiterate inmates.

Response: The Board of Supervisors agrees with the finding.

RECOMMENDATION

The Grand Jury recommends:

R1. *The Shasta County jail administration should determine within the next 60 days of the issuance of this report if there is a need for education services targeting illiterate inmates. If so, the program should be put in place by October 1, 2014.*

Response: The Board of Supervisors will not require the Department to implement the recommendation. There is not a significant need for educational services targeting illiterate inmates at the Shasta County Jail. Quality educational services and programs are offered inmates including a G.E.D. program; the Alternative Custody Program offers a Vocations Certificate program in partnership with Shasta College. Additionally, limited resources prevent implementation of recommendation. However, staff will further examine alternative options to expand literacy levels of inmates.

D. Final Observation – Shasta County Coroner's Office

FINDINGS

The Grand Jury findings:

F1. *The procedures utilized in the Yolo County facility, which do not allow the persons in the observation room to hear what is being said in the autopsy room do not align with Shasta County's autopsy protocols. This hindered observers from fully understanding the procedures that were being conducted and the findings that were made during the autopsy.*

Response: The Board of Supervisor's agrees with the finding.

F2. *Observers were not made aware of an option to view the autopsy from inside the examination room.*

Response: The Board of Supervisors agrees with the finding.

F3. *The attendance by Grand Jury members at these autopsy procedures assures transparency, accountability and due process.*

Response: The Board of Supervisors agrees with the finding.

The Honorable Gregory Gaul, Presiding Judge
Shasta County Superior Court
July 16, 2014
Page 6 of 6

RECOMMENDATIONS

The Grand Jury recommends:

R1. The Shasta County Sheriff/Coroner ensure that audio is present in all observation rooms where autopsies are being performed on behalf of Shasta County.

Response: The Board of Supervisors concurs with the recommendation and the department has partially implemented the recommendation. The Coroner's Office has audio capabilities in its facility. The Shasta County Coroner cannot ensure audio is present in facilities not under its control, authority, or jurisdiction.

R2. The Shasta County Sheriff/Coroner ensure that observers are given the option of staying in the examination room with the medical examiner or observing from the observation room during autopsies performed on behalf of Shasta County.

Response: The Shasta County Board of Supervisor's concurs with the recommendation and the department has partially implemented the recommendation. This is the practice in place at the Shasta County Coroner's Office. However, due to space restrictions, exposure to contagious pathogens, practice by the Forensic Pathologist, and other reasons as necessary, observers may be restricted from the examination room.

This concludes the response of the Shasta County Board of Supervisors to the FY 2013-2014 Grand Jury Report.

Very truly yours,



LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta



Shasta County

ADMINISTRATIVE OFFICE

LAWRENCE G. LEES
COUNTY EXECUTIVE OFFICER

1450 COURT ST., SUITE A
REDDING, CALIFORNIA 96001-1680
VOICE – (530) 225-5561
(NORTH STATE) – (800) 479-8009
FAX – 229-8238

July 11, 2014

The Honorable Gregory Gaul
Presiding Judge, Shasta County Superior Court
1500 Court St., Rm. 205
Redding, CA 96001

Dear Judge Gaul:

Re: Response of County Executive Officer to Fiscal Year 2013-2014 Grand Jury Report

The County Executive Officer appreciates the time and dedication which the 2013-2014 Grand Jurors contributed to their charge. The County has implemented changes pursuant to the Grand Jury's Findings and Recommendations.

FINDINGS AND RESPONSES

A. Not in My Backyard – Land and Building Code Violation Management

FINDINGS

The Grand Jury findings:

F1. The lack of timely application of the County's current code enforcement process has contributed to the existing backlog of cases. As of March 25, 2014, the County has a backlog of 1,728 building and land use code violations, of which 611 are over ten years old.

Response: The County Executive Officer agrees with the finding.

F2. There is a lack of specific timelines for the steps within the code enforcement process (Figure 1). As a result, the County does not conduct timely follow-up action to move cases to conclusion.

Response: The County Executive Officer disagrees with the finding. The difficulty in conducting timely follow-up is a direct consequence of limited resources.

F3. The County's permit tracking system (Permits Plus) is not providing enough information to clearly understand the type and the nature of the violations occurring within the County or which open cases still need remediation.

Response: The County Executive Officer agrees with the finding.

F4. The Board of Supervisors cannot provide effective oversight of the code enforcement process because it does not receive written reports regarding code enforcement activities and statistics.

Response: The County Executive Officer partially disagrees with the finding. There are other methods of receiving results from code enforcement activities.

F5. The total cost of code enforcement is not clear from the County Budget.

Response: The County Executive Officer disagrees with the finding. Information regarding cost associated with a department's activities is readily available.

RECOMMENDATIONS

The Grand Jury recommends:

R1. The County develop a focus and commitment to resolving the backlog of existing violations by adopting a policy within 90 days that will require Resource Management staff to evaluate and prioritize violations.

Response: The County Executive Officer will further analyze and study the recommendation. Resource Management's budget was increased for FY 2014-15 for code enforcement activities to include two full-time Building Inspectors and an Agency Staff Services Analyst to assist with code enforcement. The additional staff will allow the Department to resolve the backlog of existing violations. The Department currently evaluates and prioritizes violations based on health and safety of the public and staff.

R2. The Board of Supervisors, the County Executive Officer and the Director of Resource Management work together to establish specific timelines for implementation of code enforcement measures, and that this be accomplished by January 1, 2015.

Response: The County Executive Officer will further analyze and evaluate current implementation of the recommendation.

R3. The County assess the capabilities of its current permit tracing system to determine if it is able to allow managerial oversight of the code violation

process. If it is found inadequate, Resource Management staff submit to the Board of Supervisors a proposal to obtain an appropriate permit tracking software system for consideration as part of the budget process. This software should include the ability for staff in all affected departments to view outstanding violations prior to building and land use permits being issued.

Response: The County Executive Officer plans to implement the recommendation in the future.

R4. A quarterly written report be submitted to the County Executive Officer and the Board of Supervisors, beginning October 1, 2014, showing the progress made on resolving the backlog of violations. An annual written report be submitted to the County Board of Supervisors and County Executive Officer, prior to budget consideration, classifying the nature and type of violations and backlogs of cases.

Response: The County Executive Officer plans to implement the recommendation in the future.

R5. Beginning Fiscal Year 2014-2015, there be a separate cost accounting of both expenditures and revenues associated with code enforcement so that the true cost to the general public and County may be calculated, including the costs from all departments that are involved in code enforcement activities.

Response: The County Executive Officer will not implement the recommendation. Information regarding cost associated with a department's activities is readily available.

B. An Evolving Mission in a Changing County: Volunteer Fire Companies

FINDINGS

The Grand Jury findings:

F1. The Development and consideration of a Master Fire Plan can provide a forum for the community and County staff to discuss emergency fire and medical response expectations, realities and opportunities for the area served by Shasta County Fire.

Response: The County Executive Officer agrees with the finding.

RECOMMENDATIONS

The Grand Jury recommends:

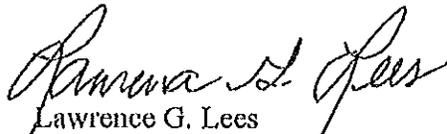
The Honorable Gregory Gaul
Shasta County Superior Court
July 11, 2014
Page 4

R1. Shasta County use the development and consideration of a Master Fire Plan by July 1, 2015 as a vehicle to explore any or all of the issues, problems and options outlined in this report on the future of Shasta County Fire.

Response: The County Executive Officer plans to implement the recommendation in the future.

This concludes the response of the Shasta County Executive Officer to the FY 2013-2014 Not in My Backyard – Code Violation Management and An Evolving Mission in a Changing County – Volunteer Fire Companies Grand Jury Report.

Sincerely,


Lawrence G. Lees
County Executive Officer

LGL:jd



Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Richard W. Simon, AICP
Director

July 17, 2014

The Honorable Gregory Gaul
Presiding Judge, Shasta County Superior Court
1500 Court Street, Room 205
Redding, CA 96001

Re: Response of Director of Resource Management to Fiscal Year 2013-2014 Shasta County Grand Jury Report "Not In My Backyard (Code Violation Management)"

Dear Judge Gaul,

The Resource Management Department respects the efforts and thoroughness of the 2013-2014 Grand Jury, and appreciates the opportunity to review and respond to the report entitled "Not In My Backyard (Code Violation Management)."

FINDINGS, RECOMMENDATIONS AND RESPONSES

Grand Jury Findings

F1. The lack of timely application of the County's current code enforcement process has contributed to the existing backlog of cases. As of March 25, 2014, the County has a backlog of 1,278 building and land use code violation, of which 611 are over ten years old.

Response: The Resource Management Department agrees with the finding.

F2. There is a lack of specific timelines for the steps within the code enforcement process (Figure 1). As a result, the County does not conduct timely follow-up action to move cases to conclusion.

Response: The Resource Management Department agrees that the outline of the code enforcement process presented in the referenced figure does not include specific timelines. Procedural timelines relevant to the County's code enforcement and nuisance abatement process are prescribed in the County Code and state codes related to civil, administrative and criminal proceedings. For the most part these represent minimum rather than maximum timeframes to ensure due process. The ability to conduct timely follow-up action is a function of the Department budget and staff resources and not published timelines. Therefore, the Department disagrees with the finding that the County does not conduct timely follow-up action as a result of not having specific published timelines.

☐ *Seite 101*
AIR QUALITY MANAGEMENT DISTRICT
(530) 225-5674
FAX: (530) 225-5237

☐ *Seite 102*
BUILDING DIVISION
(530) 225-5761
FAX: (530) 245-6468

☐ *Seite 103*
PLANNING DIVISION
(530) 225-5532
FAX: (530) 245-6468

☐ *Seite 201*
ENVIRONMENTAL HEALTH DIVISION
(530) 225-5787
FAX: (530) 225-5413

☐ *Seite 200*
ADMINISTRATION & COMMUNITY EDUCATION
(530) 225-5789
FAX: (530) 225-5807

Toll Free Access Within Shasta County 1-800-528-2850

F3. The County's permit tracking system (Permits Plus) is not providing enough information to clearly understand the type and the nature of the violations occurring within the County or which open cases still need remediation.

Response: The Resource Management Department agrees with the finding.

F4. The Board of Supervisors cannot provide effective oversight of the code enforcement process because it does not receive written reports regarding code enforcement activities and statistics.

Response: The Resource Management Department partially disagrees with the finding. The department provides sufficient information to the Board of Supervisors through other means regarding code enforcement activities and statistics. However, the Department plans to provide additional written reports to the Board of Supervisors in the future.

F5. The total cost of code enforcement is not clear from the County Budget.

Response: The Resource Management Department disagrees with the finding. Costs associated with the Department activities are readily available.

Grand Jury Recommendations

R1. The County develop a focus and commitment to resolving the backlog of existing violations by adopting a policy within 90 days that will require Resource Management staff to evaluate and prioritize violations.

Response: The Department will further analyze and study the recommendation. The Department's budget for FY 2014/15 was increased for code enforcement activities and personnel which will help reduce the backlog. As a matter of practice, Resource Management staff currently evaluates and prioritizes all violations based on public health and safety, staff safety and availability, contractor scheduling and available financial resources. The immediate priority will remain those violations, both backlogged and current, that pose the greatest threat to public health and safety and those that fall within the categories prioritized by the Board of Supervisors.

R2. The Board of Supervisors, the County Executive Officer and the Director of Resource Management work together to establish specific timelines for implementation of code enforcement measures, and that this be accomplished by January 1, 2015.

Response: Actions to substantially improve the efficiency and timeliness of code enforcement have already been implemented for the current year. The Department will continue to work with the Board of Supervisors, County Executive Officer and County Counsel to address the backlog of cases and implement code enforcement procedures in an efficient and timely manner.

- R3. The County assess the capabilities of its current permit tracking system to determine if it is able to allow managerial oversight of the code violation process. If it is found inadequate, Resource Management staff submit to the Board of Supervisors a proposal to obtain an appropriate permit tracking software system for consideration as part of the budget process. This software should include the ability of staff in all affected departments to view outstanding violations prior to building and land use permits being issued.**

Response: The Department plans to implement the recommendation in the future. The current permit tracking system is a legacy program that is no longer supported or updated by the parent company. The system is deficient for current demands and incapable of being up-dated. Staff is preparing a Request for Proposals (RFP) to be distributed to a number of companies specializing in permit tracking software programs for public agencies. The Department will forward a recommendation to the County Executive Officer for consideration.

- R4. A quarterly written report be submitted to the County Executive Officer and to the Board of Supervisors, beginning October 1, 2014, showing the progress made on resolving the backlog of violations. An annual written report be submitted to the County Board of Supervisors and County Executive Officer, prior to budget consideration, classifying the nature and type of violations and backlogs of cases.**

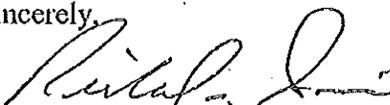
Response: The recommendation to provide regular reports to keep the Board of Supervisors and County Executive Officer apprised of code enforcement activity will be implemented in the future.

- R5. Beginning in fiscal year 2014-2015, there be a separate cost accounting of both expenditures and revenues associated with code enforcement so that the true cost to the general public and County may be calculated, including the costs from all departments that are involved in code enforcement activities.**

Response: The Resource Management Department will not be implementing the recommendation. Costs associated with the department are readily available.

This concludes the response of the Director of Resource Management to the Fiscal Year 2013-2014 Shasta County Grand Jury Report.

Sincerely,


Richard W. Simon
Director of Resource Management



CITY OF REDDING

RICK BOSETTI, MAYOR

777 Cypress Avenue, Redding, CA 96001

P.O. Box 496071, Redding, CA 96049-6071

530.225.4447 FAX 530.225.4463

August 20, 2014

B-080-600-800

The Honorable Gregory Gaul
Presiding Judge
Shasta County Superior Court
1500 Court Street
Redding, CA 96001

Dear Presiding Judge Gaul:

The Shasta County Grand Jury published a report titled "Open Parks - Closed Meetings" in June 2014. The Grand Jury's report includes six findings and six recommendations. The City Council of the City of Redding is required to respond to the findings and the recommendations. Therefore, the purpose of this letter is to comply with that requirement:

- F1. The current City of Redding Park and Recreation Facilities Impact Fees will not financially support the LOS of 7.04 acres per 1,000 residents in the future.

Response: The City Council agrees that impact fees alone will not support the LOS referenced above. It is possible, however, that other funding sources, such as grants, could be utilized to maintain or enhance the LOS.

- F2. If the park development fee stays at its current level, the LOS will decline as the population increases and residential development continues.

Response: The City Council respectfully disagrees with this finding. The LOS may or may not decline, depending on the availability of other funding sources, such as grants.

- F3. The City of Redding is not supporting the 2004 Park Master Plan Goal of 10 acres per 1,000 residents.

Response: The City Council respectfully disagrees with this finding. The City of Redding has actively pursued other funding sources, such as grants and private-public partnerships, to increase park amenities since the Parks, Trails and Open Space Master Plan was first adopted. The LOS has increased since the original Master Plan was first adopted.

- F4. A fee assessed on non-residential development would be an additional funding source to support and prevent decline of the current LOS and reduce the burden on residential development.

Response: The respondent agrees with this finding. That is factually accurate.

- F5. The Community Service Advisory Committee (sic) has specific powers established in the Redding Municipal Code for making recommendations regarding city park funding. City staff selected an additional volunteer committee (the ad hoc Advisory Group) which duplicated a function of CSAC and resulted in different input and recommendations to the City Council.

Response: The City Council partially disagrees with the finding. The Redding Municipal Code does not designate CSAC as the only commission or committee that has the ability to review City-wide impact fees. The Advisory Group did not duplicate a function of the Community Services Advisory Commission (CSAC). The Advisory Group reviewed all City impact fees, in total, and provided valuable input to staff and the City Council that may or may not have been available from CSAC.

- F6. City staff appointed an ad hoc Advisory Group that was not subject to the Brown Act to review five development impact fees that affect City residents.

Response: The City Council partially disagrees with this finding. The primary purpose of the Advisory Group was to work with staff and the City of Redding's consultants on the background information and analysis that was needed in order to update the City of Redding's impact fees and provide community input during that stage of the process. The primary purpose was not to simply review final impact fees.

- R1. The City Council adopt fees to support the City's current LOS of 7.04 acres per 1,000 residents.

Response: The City Council does not intend to implement this recommendation. The City Council reviewed this issue in detail in 2013 and determined that the existing Park Development Fee should not be increased at this time. It is the City Council's responsibility to consider all of the relevant facts and make the final public policy decision.

- R2. The City Council consider maintaining its current LOS through the Park Development Fee from new development to prevent decline in the LOS.

Response: The City Council does not intend to implement this recommendation. The City Council reviewed this issue in detail in 2013 and determined that the existing Park Development Fee should not be increased at this time. The City of Redding will, however, continue to pursue other funding sources, such as grants, to maintain or increase park amenities.

- R3. As part of the Parks, Trails and Open Space Master Plan ten year review in 2014 the City Council adopt a plan that can be realistically funded by the City.

Response: This recommendation will be implemented when the Master Plan is updated.

- R4. The City Council implement a non-residential park development fee to support the current LOS in order to share the cost burden with residential development.

Response: The City Council does not intend to implement this recommendation. The City Council reviewed this issue in detail in 2013 and determined that the existing Park Development Fee should not be increased or expanded to include non-residential development at this time. It is the City Council's responsibility to consider all of the relevant facts and make the final public policy decision.

- R5. Staff appointed committees do not duplicate the role of standing committees appointed by the City Council.

Response: This recommendation has already been implemented. As noted above, the City Council respectfully disagrees with R5 above.

- R6. Any committee having input to the City Council regarding impact fees be formally approved by City Council and subject to the Brown Act to allow for public participation and transparency in local government.

Response: This recommendation will not be implemented because it is too broad and too rigid. The City of Redding is an advocate for public participation and transparency. The City of Redding has an excellent record in this area. It is not practical or advisable, however, for every ad hoc working group to adhere to this recommendation. The City of Redding will continue to fully comply with the provisions of the Brown Act.

Thank you for the opportunity to comment on the Grand Jury's report. The City of Redding appreciates and respects the important function that the Shasta County Grand Jury serves in local government.

Sincerely,



Rick Bosetti
Mayor

RB:KS:ls
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C: Honorable Council Members
Kurt Starman, City Manager
Rick Duvernay, City Attorney
Pam Mize, City Clerk
Members of the Community Services Advisory Commission
Eleanor Townsend, Shasta County Grand Jury Foreperson



CITY OF REDDING

OFFICE OF THE CITY MANAGER

777 Cypress Avenue, Redding, CA 96001

P.O. Box 496071, Redding, CA 96049-6071

530.225.4060 FAX 530.225.4325

Kurt Starman, City Manager

Barry Tippin, Assistant City Manager

Greg Clark, Deputy City Manager

August 5, 2014

B-080-600-800

The Honorable Gregory Gaul
Presiding Judge
Shasta County Superior Court
1500 Court Street
Redding, CA 96001

Dear Presiding Judge Gaul:

The Shasta County Grand Jury published a report titled "Open Parks - Closed Meetings" in June 2014. The Grand Jury's report includes six findings and six recommendations. The Grand Jury requested that the City Manager of the City of Redding respond to the findings and the recommendations. Therefore, the purpose of this letter is to honor the Grand Jury's request:

F1. The current City of Redding Park and Recreation Facilities Impact Fees will not financially support the LOS of 7.04 acres per 1,000 residents in the future.

Response: The respondent agrees that impact fees alone will not support the LOS referenced above. It is possible, however, that other funding sources, such as grants, could be utilized to maintain or enhance the LOS.

F2. If the park development fee stays at its current level, the LOS will decline as the population increases and residential development continues.

Response: The respondent respectfully disagrees with the finding. The LOS may or may not decline, depending on the availability of other funding sources, such as grants.

F3. The City of Redding is not supporting the 2004 Park Master Plan Goal of 10 acres per 1,000 residents.

Response: The respondent respectfully disagrees with the finding. The City of Redding has actively pursued other funding sources, such as grants and private-public partnerships, to increase park amenities since the Parks, Trails and Open Space Master Plan was first adopted. The LOS has actually increased since the original Plan was first adopted.

- F4. A fee assessed on non-residential development would be an additional funding source to support and prevent decline of the current LOS and reduce the burden on residential development.

Response: The respondent agrees with this finding. That is a public policy decision, however, that is best made by the elected City Council.

- F5. The Community Service Advisory Committee (sic) has specific powers established in the Redding Municipal Code for making recommendations regarding city park funding. City staff selected an additional volunteer committee (the ad hoc Advisory Group) which duplicated a function of CSAC and resulted in different input and recommendations to the City Council.

Response: The respondent partially disagrees with the finding. The Redding Municipal Code does not designate CSAC as the only commission or committee that has the ability to review City-wide impact fees. The Advisory Group did not duplicate a function of the Community Services Advisory Commission (CSAC).

- F6. City staff appointed an ad hoc Advisory Group that was not subject to the Brown Act to review five development impact fees that affect City residents.

Response: The respondent partially disagrees with this finding. The primary purpose of the Advisory Group was to work with staff and the City of Redding's consultants on the background information and analysis that was needed in order to update the City of Redding's impact fees and provide community input during that stage of the process. The primary purpose was not to simply review the final impact fees.

- R1. The City Council adopt fees to support the City's current LOS of 7.04 acres per 1,000 residents.

Response: The City Manager is not able to implement this recommendation. Policy decisions are made by the City Council of the City of Redding.

- R2. The City Council consider maintaining its current LOS through the Park Development Fee from new development to prevent decline in the LOS.

Response: The City Manager is not able to implement this recommendation. Policy decisions are made by the City Council of the City of Redding.

- R3. As part of the Parks, Trails and Open Space Master Plan ten year review in 2014 the City Council adopt a plan that can be realistically funded by the City.

Response: This recommendation will be implemented when the Master Plan is updated.

R4. The City Council implement a non-residential park development fee to support the current LOS in order to share the cost burden with residential development.

Response: The City Manager is not able to implement this recommendation. Policy decisions are made by the City Council of the City of Redding.

R5. Staff-appointed committees do not duplicate the role of standing committees appointed by the City Council.

Response: This recommendation is already in place. As noted above, the respondent respectfully disagrees with F5 above.

R6. Any committee having input to the City Council regarding impact fees be formally approved by City Council and subject to the Brown Act to allow for public participation and transparency in local government.

Response: This recommendation will not be implemented because it is too broad and too rigid. The City of Redding is an advocate for public participation and transparency. The City of Redding has an excellent record in this area. It is not practical or advisable, however, for every ad hoc working group to adhere to the recommendation. The City of Redding will continue to fully comply with the provisions of the Brown Act.

Thank you for the opportunity to comment on the Grand Jury's report. The City of Redding appreciates and respects the important function that the Shasta County Grand Jury serves in local government.

If you have any questions regarding this matter, please do not hesitate to contact me at 225-4060.

Sincerely,



Kurt Starman
City Manager

KS:ls
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c: Honorable Mayor and Council Members
Rick Duvernay, City Attorney
Pam Mize, City Clerk
Eleanor Townsend, Shasta County Grand Jury Foreperson



Shasta County

BOARD OF SUPERVISORS

1450 Court Street, Suite 308B
Redding, California 96001-1680
(530) 225-5557
(800) 479-8009
(530) 225-5189-FAX

DAVID A. KEHOE, DISTRICT 1
LEONARD MOTY, DISTRICT 2
PAM GIACOMINI, DISTRICT 3
BILL SCHAPPELL, DISTRICT 4
LES BAUGH, DISTRICT 5

July 22, 2014

The Honorable Gregory Gaul, Presiding Judge
Shasta County Superior Court
1500 Court St., Rm. 205
Redding, CA 96001

Re: Response of Board of Supervisors to Fiscal Year 2013-2014 Grand Jury Report

Dear Judge Gaul:

The Shasta County Board of Supervisors appreciates the time and dedication which the 2013-2014 Grand Jurors contributed to their charge. The following findings and recommendations are under serious consideration and discussions are being held regarding solutions to any unresolved problems.

RESPONSES AND FINDINGS

A. An Evolving Mission in a Changing County: Volunteer Fire Companies

FINDINGS

The Grand Jury findings:

F1. The Development and consideration of a Master Fire Plan can provide a forum for the community and County staff to discuss emergency fire and medical response expectations, realities and opportunities for the area served by Shasta County Fire.

Response: The Board of Supervisors agrees with the finding.

RECOMMENDATIONS

The Grand Jury recommends:

R1. *Shasta County use the development and consideration of a Master Fire Plan by July 1, 2015 as a vehicle to explore any or all of the issues, problems and options outlined in this report on the future of Shasta County Fire.*

Response: The Board of Supervisors plans to ensure implementation of the recommendation in the future.

B. Not in My Backyard – Land and Building Code Violation Management

FINDINGS

The Grand Jury findings:

F1. *The lack of timely application of the County's current code enforcement process has contributed to the existing backlog of cases. As of March 25, 2014, the County has a backlog of 1,728 building and land use code violations, of which 611 are over ten years old.*

Response: The Board of Supervisors agrees with the finding.

F2. *There is a lack of specific timeliness for the steps within the code enforcement process (figure 1). As a result, the County does not conduct timely follow-up action to move cases to conclusion.*

Response: The Board of Supervisors agrees that the outline of the code enforcement process presented in the referenced figure does not include specific timelines. However, the Board of Supervisor's disagrees with the finding. Limited resources are directly related to the department's ability to conduct timely follow-up action to move cases to conclusion.

F3. *The County's permit tracking system (Permits Plus) is not providing enough information to clearly understand the type and the nature of the violations occurring within the County or which open cases still need remediation.*

Response: The Board of Supervisors agrees with the finding.

F4. The Board of Supervisors cannot provide effective oversight of the code enforcement process because it does not receive written reports regarding code enforcement activities and statistics.

Response: The Board of Supervisors disagrees with the finding. The Board of Supervisors receives adequate information through alternative methods of code enforcement results.

F5. The total cost of code enforcement is not clear from the County Budget.

Response: The Board of Supervisors disagrees with the finding. Information regarding cost associated with a department's activities is readily available.

RECOMMENDATIONS

The Grand Jury recommends:

R1. The County develop a focus and commitment to resolving the backlog of existing violations by adopting a policy within 90 days that will require Resource Management staff to evaluate and prioritize violations.

Response: The Board of Supervisors will further analyze and study the recommendation. The Board of Supervisors approved an increase budget for FY 2014-15 for code enforcement activities and personnel. This will help to reduce the backlog. The Department's practice is to prioritize all violations based on the health and safety of the public and staff.

R2. The Board of Supervisors, the County Executive Officer and the Director of Resource Management work together to establish specific timelines for implementation of code enforcement measures, and that this be accomplished by January 1, 2015.

Response: The Board of Supervisors disagrees with the recommendation. However, the Director of Resource Management, County Counsel and the County Executive Officer are working together to implement timelines for implementation of code enforcement measures.

R3. The County assess the capabilities of its current permit tracing system to determine if it is able to allow managerial oversight of the code violation process. If it is found inadequate, Resource Management staff submit to the Board of Supervisors

a proposal to obtain an appropriate permit tracking software system for consideration as part of the budget process. This software should include the ability for staff in all affected departments to view outstanding violations prior to building and land use permits being issued.

Response: The Board of Supervisors concurs with the recommendation and plans to implement the recommendation in the future. Staff is preparing a Request for Proposals (RFP) for companies specializing in permit tracking software programs for public agencies.

R4. *A quarterly written report be submitted to the County Executive Officer and the Board of Supervisors, beginning October 1, 2014, showing the progress made on resolving the backlog of violations. An annual written report be submitted to the County Board of Supervisors and County Executive Officer, prior to budget consideration, classifying the nature and type of violations and backlogs of cases.*

Response: The Board of Supervisors plans to implement the recommendation in the future.

R5. *Beginning Fiscal Year 2014-2015, there be a separate cost accounting of both expenditures and revenues associated with code enforcement so that the true cost to the general public and County may be calculated, including the costs from all departments that are involved in code enforcement activities.*

Response: The Board of Supervisors will not implement the recommendation. Costs associated with the department's activities are readily available.

C. **Incarceration in Shasta County – A report on the Shasta County Jail, Sugar Pine Conservation Camp; and Shasta County Juvenile Rehabilitation Facility**

FINDINGS

The Grand Jury findings:

F1. *There are no education services available for illiterate inmates.*

Response: The Board of Supervisors agrees with the finding.

RECOMMENDATION

The Grand Jury recommends:

R1. *The Shasta County jail administration should determine within the next 60 days of the issuance of this report if there is a need for education services targeting illiterate inmates. If so, the program should be put in place by October 1, 2014.*

Response: The Board of Supervisors will not require the Department to implement the recommendation. There is not a significant need for educational services targeting illiterate inmates at the Shasta County Jail. Quality educational services and programs are offered inmates including a G.E.D. program; the Alternative Custody Program offers a Vocations Certificate program in partnership with Shasta College. Additionally, limited resources prevent implementation of recommendation. However, staff will further examine alternative options to expand literacy levels of inmates.

D. Final Observation – Shasta County Coroner’s Office

FINDINGS

The Grand Jury findings:

F1. *The procedures utilized in the Yolo County facility, which do not allow the persons in the observation room to hear what is being said in the autopsy room do not align with Shasta County’s autopsy protocols. This hindered observers from fully understanding the procedures that were being conducted and the findings that were made during the autopsy.*

Response: The Board of Supervisors agrees with the finding.

F2. *Observers were not made aware of an option to view the autopsy from inside the examination room.*

Response: The Board of Supervisors agrees with the finding.

F3. *The attendance by Grand Jury members at these autopsy procedures assures transparency, accountability and due process.*

Response: The Board of Supervisors agrees with the finding.

The Honorable Gregory Gaul, Presiding Judge
Shasta County Superior Court
July 16, 2014
Page 6 of 6

RECOMMENDATIONS

The Grand Jury recommends:

R1. *The Shasta County Sheriff/Coroner ensure that audio is present in all observation rooms where autopsies are being performed on behalf of Shasta County.*

Response: The Board of Supervisors concurs with the recommendation and the department has partially implemented the recommendation. The Coroner's Office has audio capabilities in its facility. The Shasta County Coroner cannot ensure audio is present in facilities not under its control, authority, or jurisdiction.

R2. *The Shasta County Sheriff/Coroner ensure that observers are given the option of staying in the examination room with the medical examiner or observing from the observation room during autopsies performed on behalf of Shasta County.*

Response: The Shasta County Board of Supervisor's concurs with the recommendation and the department has partially implemented the recommendation. This is the practice in place at the Shasta County Coroner's Office. However, due to space restrictions, exposure to contagious pathogens, practice by the Forensic Pathologist, and other reasons as necessary, observers may be restricted from the examination room.

This concludes the response of the Shasta County Board of Supervisors to the FY 2013-2014 Grand Jury Report.

Very truly yours,



LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta



Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Richard W. Simon, AICP
Director

July 17, 2014

The Honorable Gregory Gaul
Presiding Judge, Shasta County Superior Court
1500 Court Street, Room 205
Redding, CA 96001

Re: Response of Director of Resource Management to Fiscal Year 2013-2014 Shasta County Grand Jury Report "Not In My Backyard (Code Violation Management)"

Dear Judge Gaul,

The Resource Management Department respects the efforts and thoroughness of the 2013-2014 Grand Jury, and appreciates the opportunity to review and respond to the report entitled "Not In My Backyard (Code Violation Management)."

FINDINGS, RECOMMENDATIONS AND RESPONSES

Grand Jury Findings

F1. The lack of timely application of the County's current code enforcement process has contributed to the existing backlog of cases. As of March 25, 2014, the County has a backlog of 1,278 building and land use code violation, of which 611 are over ten years old.

Response: The Resource Management Department agrees with the finding.

F2. There is a lack of specific timelines for the steps within the code enforcement process (Figure 1). As a result, the County does not conduct timely follow-up action to move cases to conclusion.

Response: The Resource Management Department agrees that the outline of the code enforcement process presented in the referenced figure does not include specific timelines. Procedural timelines relevant to the County's code enforcement and nuisance abatement process are prescribed in the County Code and state codes related to civil, administrative and criminal proceedings. For the most part these represent minimum rather than maximum timeframes to ensure due process. The ability to conduct timely follow-up action is a function of the Department budget and staff resources and not published timelines. Therefore, the Department disagrees with the finding that the County does not conduct timely follow-up action as a result of not having specific published timelines.

Suite 101
AIR QUALITY MANAGEMENT DISTRICT
(530) 225-5674
FAX: (530) 225-5237

Suite 102
BUILDING DIVISION
(530) 225-5761
FAX: (530) 245-6468

Suite 103
PLANNING DIVISION
(530) 225-5532
FAX: (530) 245-6468

Suite 201
ENVIRONMENTAL HEALTH DIVISION
(530) 225-5787
FAX: (530) 225-5413

Suite 200
ADMINISTRATION & COMMUNITY EDUCATION
(530) 225-5789
FAX: (530) 225-5807

Toll Free Access Within Shasta County 1-800-528-2850

F3. The County's permit tracking system (Permits Plus) is not providing enough information to clearly understand the type and the nature of the violations occurring within the County or which open cases still need remediation.

Response: The Resource Management Department agrees with the finding.

F4. The Board of Supervisors cannot provide effective oversight of the code enforcement process because it does not receive written reports regarding code enforcement activities and statistics.

Response: The Resource Management Department partially disagrees with the finding. The department provides sufficient information to the Board of Supervisors through other means regarding code enforcement activities and statistics. However, the Department plans to provide additional written reports to the Board of Supervisors in the future.

F5. The total cost of code enforcement is not clear from the County Budget.

Response: The Resource Management Department disagrees with the finding. Costs associated with the Department activities are readily available.

Grand Jury Recommendations

R1. The County develop a focus and commitment to resolving the backlog of existing violations by adopting a policy within 90 days that will require Resource Management staff to evaluate and prioritize violations.

Response: The Department will further analyze and study the recommendation. The Department's budget for FY 2014/15 was increased for code enforcement activities and personnel which will help reduce the backlog. As a matter of practice, Resource Management staff currently evaluates and prioritizes all violations based on public health and safety, staff safety and availability, contractor scheduling and available financial resources. The immediate priority will remain those violations, both backlogged and current, that pose the greatest threat to public health and safety and those that fall within the categories prioritized by the Board of Supervisors.

R2. The Board of Supervisors, the County Executive Officer and the Director of Resource Management work together to establish specific timelines for implementation of code enforcement measures, and that this be accomplished by January 1, 2015.

Response: Actions to substantially improve the efficiency and timeliness of code enforcement have already been implemented for the current year. The Department will continue to work with the Board of Supervisors, County Executive Officer and County Counsel to address the backlog of cases and implement code enforcement procedures in an efficient and timely manner.

R3. The County assess the capabilities of its current permit tracking system to determine if it is able to allow managerial oversight of the code violation process. If it is found inadequate, Resource Management staff submit to the Board of Supervisors a proposal to obtain an appropriate permit tracking software system for consideration as part of the budget process. This software should include the ability of staff in all affected departments to view outstanding violations prior to building and land use permits being issued.

Response: The Department plans to implement the recommendation in the future. The current permit tracking system is a legacy program that is no longer supported or updated by the parent company. The system is deficient for current demands and incapable of being up-dated. Staff is preparing a Request for Proposals (RFP) to be distributed to a number of companies specializing in permit tracking software programs for public agencies. The Department will forward a recommendation to the County Executive Officer for consideration.

R4. A quarterly written report be submitted to the County Executive Officer and to the Board of Supervisors, beginning October 1, 2014, showing the progress made on resolving the backlog of violations. An annual written report be submitted to the County Board of Supervisors and County Executive Officer, prior to budget consideration, classifying the nature and type of violations and backlogs of cases.

Response: The recommendation to provide regular reports to keep the Board of Supervisors and County Executive Officer apprised of code enforcement activity will be implemented in the future.

R5. Beginning in fiscal year 2014-2015, there be a separate cost accounting of both expenditures and revenues associated with code enforcement so that the true cost to the general public and County may be calculated, including the costs from all departments that are involved in code enforcement activities.

Response: The Resource Management Department will not be implementing the recommendation. Costs associated with the department are readily available.

This concludes the response of the Director of Resource Management to the Fiscal Year 2013-2014 Shasta County Grand Jury Report.

Sincerely,



Richard W. Simon
Director of Resource Management



Shasta County

ADMINISTRATIVE OFFICE
LAWRENCE G. LEES
COUNTY EXECUTIVE OFFICER

1450 COURT ST., SUITE A
REDDING, CALIFORNIA 96001-1680
VOICE - (530) 225-5561
(NORTH STATE) - (800) 479-8009
FAX - 229-8238

July 11, 2014

The Honorable Gregory Gaul
Presiding Judge, Shasta County Superior Court
1500 Court St., Rm. 205
Redding, CA 96001

Dear Judge Gaul:

Re: Response of County Executive Officer to Fiscal Year 2013-2014 Grand Jury Report

The County Executive Officer appreciates the time and dedication which the 2013-2014 Grand Jurors contributed to their charge. The County has implemented changes pursuant to the Grand Jury's Findings and Recommendations.

FINDINGS AND RESPONSES

A. Not in My Backyard – Land and Building Code Violation Management

FINDINGS

The Grand Jury findings:

F1. The lack of timely application of the County's current code enforcement process has contributed to the existing backlog of cases. As of March 25, 2014, the County has a backlog of 1,728 building and land use code violations, of which 611 are over ten years old.

Response: The County Executive Officer agrees with the finding.

F2. There is a lack of specific timelines for the steps within the code enforcement process (Figure 1). As a result, the County does not conduct timely follow-up action to move cases to conclusion.

Response: The County Executive Officer disagrees with the finding. The difficulty in conducting timely follow-up is a direct consequence of limited resources.

F3. The County's permit tracking system (Permits Plus) is not providing enough information to clearly understand the type and the nature of the violations occurring within the County or which open cases still need remediation.

Response: The County Executive Officer agrees with the finding.

F4. The Board of Supervisors cannot provide effective oversight of the code enforcement process because it does not receive written reports regarding code enforcement activities and statistics.

Response: The County Executive Officer partially disagrees with the finding. There are other methods of receiving results from code enforcement activities.

F5. The total cost of code enforcement is not clear from the County Budget.

Response: The County Executive Officer disagrees with the finding. Information regarding cost associated with a department's activities is readily available.

RECOMMENDATIONS

The Grand Jury recommends:

R1. The County develop a focus and commitment to resolving the backlog of existing violations by adopting a policy within 90 days that will require Resource Management staff to evaluate and prioritize violations.

Response: The County Executive Officer will further analyze and study the recommendation. Resource Management's budget was increased for FY 2014-15 for code enforcement activities to include two full-time Building Inspectors and an Agency Staff Services Analyst to assist with code enforcement. The additional staff will allow the Department to resolve the backlog of existing violations. The Department currently evaluates and prioritizes violations based on health and safety of the public and staff.

R2. The Board of Supervisors, the County Executive Officer and the Director of Resource Management work together to establish specific timelines for implementation of code enforcement measures, and that this be accomplished by January 1, 2015.

Response: The County Executive Officer will further analyze and evaluate current implementation of the recommendation.

R3. The County assess the capabilities of its current permit tracing system to determine if it is able to allow managerial oversight of the code violation

process. If it is found inadequate, Resource Management staff submit to the Board of Supervisors a proposal to obtain an appropriate permit tracking software system for consideration as part of the budget process. This software should include the ability for staff in all affected departments to view outstanding violations prior to building and land use permits being issued.

Response: The County Executive Officer plans to implement the recommendation in the future.

R4. A quarterly written report be submitted to the County Executive Officer and the Board of Supervisors, beginning October 1, 2014, showing the progress made on resolving the backlog of violations. An annual written report be submitted to the County Board of Supervisors and County Executive Officer, prior to budget consideration, classifying the nature and type of violations and backlogs of cases.

Response: The County Executive Officer plans to implement the recommendation in the future.

R5. Beginning Fiscal Year 2014-2015, there be a separate cost accounting of both expenditures and revenues associated with code enforcement so that the true cost to the general public and County may be calculated, including the costs from all departments that are involved in code enforcement activities.

Response: The County Executive Officer will not implement the recommendation. Information regarding cost associated with a department's activities is readily available.

B. An Evolving Mission in a Changing County: Volunteer Fire Companies

FINDINGS

The Grand Jury findings:

FI. The Development and consideration of a Master Fire Plan can provide a forum for the community and County staff to discuss emergency fire and medical response expectations, realities and opportunities for the area served by Shasta County Fire.

Response: The County Executive Officer agrees with the finding.

RECOMMENDATIONS

The Grand Jury recommends:

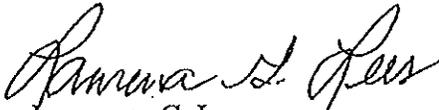
The Honorable Gregory Gaul
Shasta County Superior Court
July 11, 2014
Page 4

R1. Shasta County use the development and consideration of a Master Fire Plan by July 1, 2015 as a vehicle to explore any or all of the issues, problems and options outlined in this report on the future of Shasta County Fire.

Response: The County Executive Officer plans to implement the recommendation in the future.

This concludes the response of the Shasta County Executive Officer to the FY 2013-2014 Not in My Backyard – Code Violation Management and An Evolving Mission in a Changing County – Volunteer Fire Companies Grand Jury Report.

Sincerely,


Lawrence G. Lees
County Executive Officer

LGL:jd



Superior Court of California
County of Shasta

GREGORY S. GAUL
Presiding Judge

GARY G. GIBSON
Asst. Presiding Judge

September 4, 2014

Melissa Hunt
Chair, RABA Board of Directors
777 Cypress Avenue
Redding, CA 96001-3396

Re: Grand Jury Report - Wheels on the Bus

Dear Ms. Hunt:

This is to acknowledge receipt of your response dated August 20, 2014 to the 2013-2014 Grand Jury report regarding "Wheels on the Bus."

I would like to thank you for your response to the Grand Jury Report. Pursuant to the provisions of Penal Code §933, I shall transmit your response to the Office of the County Clerk to be maintained on file there. An additional copy shall be provided to the Clerk of the Court also to be maintained on file.

Thank you again for your response.

Sincerely,

A handwritten signature in black ink, appearing to read "G. S. Gaul", is written over a horizontal line.

Gregory S. Gaul
Presiding Judge

cc: Office of the County Clerk (original response)
Melissa Fowler-Bradley, Clerk of the Court (for Admin file)
Grand Jury



August 20, 2014
R-010-000

The Honorable Gregory S. Gaul
Presiding Judge
Shasta County Superior Court
1500 Court Street
Redding, CA 96001

SUBJECT: Response to 2013-2014 Shasta County Grand Jury Report

Dear Honorable Gregory S. Gaul:

The Shasta County Grand Jury published a report title "Wheels on the Bus" in June 2014 related to the operation of the Redding Area Bus Authority (RABA). The Grand Jury's report includes seven findings and six recommendations. The Grand Jury has requested that the RABA Board of Directors respond to six of the findings and all the recommendations within 90 days. The Board met on August 18, 2014, to receive the report and consider responses to the findings and recommendations. The purpose of this letter is the Board's response to the Grand Jury report.

FINDINGS

- F1. Because 52% of the regular Board meetings are cancelled, the public's ability to monitor (the) RABA Board activity is compromised.

Response: The respondent respectfully partially disagrees with this finding. Although it is true that Board meetings are often cancelled, that does not necessarily mean that the public does not have the ability to monitor the Board's activity. Board agendas, staff reports, minutes, policies and technical/planning documents are available on the RABA website or by request. The cancellation of meetings may, however, inhibit the public's ability to participate in the Board's activity due to the lack of predictability.

- F2. RABA does not have broad based citizen input to reflect the community as a whole.

Response: The respondent respectfully disagrees with this finding. RABA seeks public input through various avenues including:

- Board of Director meetings: Scheduled monthly with the ability to provide input on items on the agenda as well as a standing item to address the Board on non-agendized topics.

REDDING AREA BUS AUTHORITY (www.RABARide.com)

777 CYPRESS AVENUE, REDDING, CALIFORNIA 96001-3396 • (530) 225-4171 • FAX (530) 245-7024

- The Social Services Transportation Advisory Committee (SSTAC): Quarterly meetings with social service agencies and transportation providers. Similar public input process as Board of Director meetings noted above.
- The Shasta Regional Transportation Agency's (SRTA) Unmet Transit Needs process.
- RABA's website and social media forums
- RABA participation in community events: RABA provides service for community events such as the Shasta District Fair, the City of Redding's Energy Fair, Project Homeless Connects, and Kool April Nites
- The Short Range Transit Plan (SRTP): RABA staff and their consultants solicited input from the general public with community meetings, over 1000 surveys and local advertising, and
- RABA's 2010 Marketing Plan included solicitations through phone surveys from the general population (not just RABA riders) with questions concerning service awareness, service preferences, barriers to using the service and brand appeal.

F3. The on-time tracking of buses is done by the bus operator and is not verified by RABA.

Response: The respondent agrees with this finding. However, it is important to note that the process employed by the contractor operator includes random, independent checks by a road supervisor and does not rely on the bus driver to report the timed performance. RABA staff then receives monthly performance reports and reviews them for contract compliance.

F4. There is a potential for greater coordination of Demand Response type services within Shasta County and potential for partnerships with buses running along state highways from out of the county.

Response: The respondent respectfully partially disagrees with this finding. There is certainly the potential to coordinate and partner with other transportation providers to minimize duplication of services within RABA's service area. RABA agrees with this assertion. It is important to understand that RABA does not provide Demand Response type service to the general public. RABA's Demand Response system is actually a federally regulated Complimentary Paratransit service for certain eligible customers who are pre-approved through an extensive application process. The customers are unable to ride the fixed route service due to physical or mental disabilities. This service is limited to origins and destinations within 3/4 mile of the fixed route and must meet certain requirements relative to pick-up/drop-off windows, time on the bus, etc. RABA does not provide Demand Response type service outside of this service area.

Areas along state highways out of the county are the responsibility of other service providers in their corresponding jurisdictions. These are not areas that RABA can or should provide Demand Response type service. However, in an effort to provide comprehensive service to the public, RABA coordinates, to the extent practical, with other regional transportation agencies regarding routes and schedules. In addition, parking space is allocated at the Downtown Transit Center for other area providers to allow customers to transfer to the RABA system.

- F5. Bus schedules and route maps were not available to the extent stated on the RABA website which inhibits casual ridership and ability of riders to use the system.

Response: The respondent agrees with this finding

- F6. RABA cannot keep pace with operating cost increases without increasing ridership, raising rates, cutting service or a combination of these actions.

Response: The respondent agrees with this finding

RECOMMENDATIONS

- R1. The Grand Jury recommends that RABA change its by-laws to hold bi-monthly or quarterly meetings.

Response: The RABA Board of Directors will consider changes to its policies that may reduce the annual number of scheduled meetings. This may provide a more consistent meeting schedule for the public to provide input. However, as noted in the response to Finding F1 above, changing the meeting times does not necessarily increase the ability of the public to monitor Board activity which is available through other forums but it may provide a more consistent ability to participate in Board activity.

- R2. The Grand Jury recommends that whenever route changes are proposed, or at least every two or three years, RABA appoint an ad-hoc committee representing business, social service agencies, riders, non-riders, and governmental agencies to review community issues related to RABA over a set time period. This committee's membership should reflect the divergent views of the community as a whole, not just riders and social service agencies, and provide a public forum for discussion of RABA issues and possible changes.

Response: RABA does not intend to implement this recommendation. Every five to seven years, RABA undergoes a very extensive and comprehensive total system review that culminates in a new SRTP. This document typically includes major route changes and utilizes an extensive public outreach process. It typically takes data over multiple years beyond adoption to realize any trends that are attributable to the changes made. Consequently, any major changes to routes or fares between SRTP updates are rare and, per RABA Policy, would be subject to an extensive community outreach process to gain public input prior any modifications and would receive full Board consideration. Most changes, if any, to routes or fares in between updates are minor in nature and made for operational purposes. In addition, the other avenues for public input are still available to the public including Board of Directors meetings, the SRTA unmet needs process, the website, customer service channels and the SSTAC. As such, the need for an ad-hoc committee is not warranted with RABA's minimal staff allocation.

- R3. The Grand Jury recommends that RABA incorporate GPS technology to track buses for on-time performance before the next bus operator contract extension.

Response: RABA intends to implement this recommendation. However, it may not meet the intended timeline. The capital plans for both the recently adopted SRTP (enclosed) and the recently approved Seven Year Financial Plan includes provisions for upgrading the technology on the buses to include GPS technology. Staff expects this procurement to be in place by the end of the 2016-17 fiscal year. The initial term of the current contract with RABA's operator ran through June 30, 2014. The RABA Board executed the first two-year option on the contract that will expire on the June 30, 2016. Unless the Board executes the second two-year option on the contract, the GPS technology for on-time performance will likely not be available by this date. However, if the Board executes this second option, RABA should be able to meet the Grand Jury timeline.

- R4. The Grand Jury recommends that RABA develop partnerships that benefit RABA and its customers in the areas of Demand Response and regional bus service with SRTA that could help reduce operating costs.

Response: RABA agrees with this recommendation. SRTA is currently contracting with a consultant to provide recommendations on how to efficiently utilize the Consolidated Transportation Services Agency (CTSA) and other transportation providers to best serve the community needs. RABA staff will work closely with SRTA to develop options to coordinate and consolidate transportation services by multiple providers to ensure duplication of services is minimized and resources are shared to provide the most efficient and convenient service to the community. However, regional bus service outside the RABA service area is the responsibility of other jurisdiction providers and involvement is limited to communication and coordination of services.

- R5. The Grand Jury recommends that within one year, RABA needs to have bus arrival times posted at locations used by its riders and update the information on locations stated on the website where schedules and maps are available and insure distribution of and post schedules and maps at service agencies, schools, high volume rider destinations and transit stops.

Response: RABA intends to implement this recommendation. The RABA Board recently approved the SRTP. The SRTP proposes improvements to the fixed route system and includes recommendations on how the information is communicated to customers. This will include updated stop and schedule information at transit stops, transfer centers, and the RABA website. Staff will also update the Ride Guide distribution list to reflect current agencies and outlets. In addition, RABA intends to update its GPS technology and Intelligent Transportation Systems that will likely include real time bus monitoring and text messaging of arrival times and delays.

- R6. The Grand Jury recommends that RABA explore partnerships to help increase ridership.

Response: RABA will continue to pursue partnerships with local businesses and agencies that not only meet the specific transportation needs of their clients, but also serve the general public as well. These partnerships will likely include limited express services operating with fewer stops and during peak travel periods and may include funding and performance

The Honorable Gregory S. Gaul

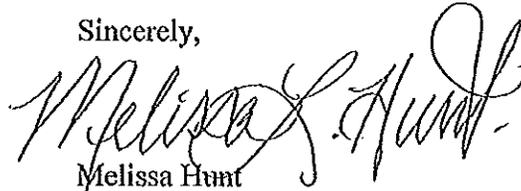
Page 5

August 20, 2014

agreements with the partner agency or business. The performance of these routes are usually predicated on meeting elevated passengers per hour rates and farebox ratios.

Should you have any questions, please feel free to contact Assistant Director of Public Works, Chuck Aukland, at (530) 225-4170.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa S. Hunt". The signature is fluid and cursive, with a large loop at the end.

Melissa Hunt

Chair, RABA Board of Directors

CA:sm

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Enclosed-Short Range Transit Plan

1 Final February 6, 2014

2 **Responses to the Shasta County Grand Jury Report Fiscal Year 2012-2013**

3 This report addresses the responses received to the findings and recommendations concerning the
4 investigations completed and published by the 2012-2013 Grand Jury. Section 933 of the
5 California Penal Code requires that responses to the final report of a Grand Jury be submitted to
6 the court no later than 90 days after the report's release to the public if the respondent is a
7 governing body or 60 days if the respondent is an elected official. The responses must be sent to
8 the Presiding Judge of the Superior Court.

9 *All responses to Grand Jury Report Fiscal Year 2012-2013 were received in a timely manner.*

10 The Grand Jury may require elected officials and governing boards to respond to its reports. The
11 Grand Jury may not require department heads or other officials who are appointed (rather than
12 elected) to respond to reports. Nothing prohibits the Grand Jury, however, from inviting or
13 requesting a response from responsible parties. Penal Code section 933.05 requires responses to
14 contain specific information. Respondents must state whether they agree or disagree with each
15 finding. Disagreement with all or part of a finding must be explained.

16 Respondents must state with regard to each recommendation the extent to which the
17 recommendation has been implemented, when it will be implemented, whether the
18 recommendation requires additional study, or why the department or public entity will not
19 implement the recommendation.

20 *All responses to the findings and recommendations of the Grand Jury Report Fiscal Year*
21 *2012-2013 met the statutory requirements.*

22 Last year's Grand Jury Report contained seven investigative reports, of which five included
23 recommendations aimed at solving various problems identified by the Grand Jury. The
24 following are the findings and recommendations made in the five reports, the responses received
25 from the responsible boards and officials, and the results of this year's Grand Jury investigation
26 into whether the agreed-to recommendations were implemented. We determined that the
27 governing boards and officials implemented all of the prior Grand Jury's recommendations.

28

29 **Report: *Quality Takes Time***

30 ***Recruitment/Hiring Process for Correctional Officers***

31 This report addressed the hiring of correctional officers to staff the Shasta County Jail.

32

33 The Sheriff was required to respond to Finding 1 (F1) and Recommendation 1 (R1) the Shasta
34 County Administrative Officer was requested to respond to F2 and R2.

35 **Findings**

36 F1 While the hiring process is lengthy and cumbersome a revision of current procedures
37 and/or the lowering of current standards could result in the hiring of less qualified
38 correctional officers.

39 *Sheriff's Response: "The respondent concurs with the finding."*

40 F2 Applicants were not fully informed of the length of time necessary to complete the
41 recruitment/hiring process.

42 *Shasta County Chief Administrative Officer's response: "The County Executive Officer
43 agrees with this finding and concurs with this recommendation. A more thorough
44 explanation of projected time frames to all pre-qualified applicants has been
45 incorporated into Shasta County's hiring process."*

46 F3 The delay in opening the third floor of the jail was due to the lack of adequate
47 correctional officer staffing and extensive recruitment/hiring process.

48 *No response required or requested.*

49 **Recommendations**

50 R1 The Sheriff's office and Shasta County Support Services (SCSS) should continue to
51 adhere to the standards of the current recruitment/hiring process.

52 *Sheriff's Response: "The respondent concurs with the Recommendation."*

53 R2 In order to minimize the number of applicants who withdraw from the process, SCSS
54 should fully inform them of the projected timeline of the remaining steps in the hiring
55 process. This should be done at the time that applicants are informed that they have
56 passed the written test.

57 *Shasta County Chief Administrative Officer's response: "The County Executive Officer
58 agrees with this finding and concurs with this recommendation. A more thorough
59 explanation of projected time frames to all pre-qualified applicants has been
60 incorporated into Shasta County's hiring process."*

61 **Report: Facilitating Conservation**

62 *Western Shasta Resource Conservation District*

63 This report addressed the resources and services provided to the public through the Western
64 Shasta Resource Conservation District (WSRCD).

65 The Board of the WSRCD was requested to respond to all findings and recommendations.

66 **Findings**

67 F1 Additional members added to the Board of Directors would allow for a greater diversity
68 of opinion in the operation of the district and would reduce difficulties in setting up
69 subcommittees due to constraints imposed by the Brown Act.

70 *Western Shasta Resource Conservation District Board's response: Response requested,*
71 *but not required. No response received.*

72 F2 Marketing the availability of the resources of the WSRCD to the public on selected “fee
73 for service” projects would both promote resource conservation and assist the District in
74 meeting its financial obligations.

75 *Western Shasta Resource Conservation District Board's response: Response requested,*
76 *but not required. No response received.*

77 F3 Inmate labor from the Sugar Pine Conservation Camp is the most economical way for the
78 WSRCD to obtain experienced and qualified labor at minimal cost while working on
79 selected projects.

80 *Western Shasta Resource Conservation District Board's response: Response requested,*
81 *but not required. No response received.*

82 F4 The WSRCD website is out-of-date and fails to provide the public with necessary
83 information.

84 *Western Shasta Resource Conservation District Board's response: Response requested,*
85 *but not required. No response received.*

86 **Recommendations**

87 R1 The Grand Jury recommends that the WSRCD seek out interested citizens in order to
88 nominate them to the Shasta County Board of Supervisors for appointment to the board.
89 This should be accomplished within the next three months.

90 *Western Shasta Resource Conservation District Board's response: Response requested,*
91 *but not required. No response received.*

92 R2 The Grand Jury recommends that the WSRCD review its practice of not marketing “fee
93 for service” contracts with a view toward performing such services for private
94 landowners who would not otherwise avail themselves of conservation work on their

95 property. This review should be undertaken as soon as possible following the addition of
96 new members to the Board.

97 *Western Shasta Resource Conservation District Board's response: Response requested,*
98 *but not required. No response received..*

99 R3 The Grand Jury recommends that the WSRCD continue to utilize (through Cal-Fire)
100 inmate labor from the Sugar Pine Conservation Camp as a means of obtaining
101 experienced and qualified labor while at the same time keeping down the cost of services
102 provided.

103 *Western Shasta Resource Conservation District Board's response: Response requested,*
104 *but not required. No response received.*

105 R4 The Grand Jury recommends that the WSRCD review and update its website for the
106 specific purpose of providing the public with accurate, relevant and timely information
107 concerning its activities and the dates, times and agendas of the WSRCD Board meetings.
108 The review and update of the website should be completed within three months (the
109 committee feels that 3 months is adequate).

110 *Western Shasta Resource Conservation District Board's response: Response requested,*
111 *but not required. No response received.*

112 **Report: What is a Permissible Gift?**

113 ***City of Redding Employee Conduct and Honesty Policy***

114 This report addressed a complaint brought by a member of the public concerning gifts allegedly
115 received by a City of Redding employee.

116 The Redding City Council was required to respond to F1, F2, F3, and F4 and R1, R2, R3, R4,
117 and R5.

118 **Findings**

119 F1 The City of Redding's Conduct and Honesty Policy disallows the acceptance of gifts.
120 However, the policy does not define "gifts"; therefore, misinterpretation is possible.

121 *Redding City Council's response: "The respondent agrees with this finding."*

122 F2 City employees lack an understanding of what constitutes a gift and what constitutes a
123 violation of the policy.

124 *Redding City Council's response: "The respondent agrees with this finding; more*
125 *clarification would be beneficial."*

126 F3 While city management reviews FPPC 700 Forms Schedule D&E only if reported gifts
127 are over \$440, there is no provision to alert management of city employees receiving
128 lesser gifts.

129 *Redding City Council's response: "The respondent respectfully disagrees with this*
130 *finding. Designated City employees must report any gift that is worth \$50 or more on*
131 *FPPC Form 700."*

132 F4 Violations of the *Honesty and Conduct Policy* concerning acceptance of gifts are not
133 enforced.

134 *Redding City Council's response: "The respondent respectfully disagrees with the*
135 *finding. Violations of the City's Employee Conduct and Honesty Policy are subject to*
136 *disciplinary action as deemed appropriate by City management."*

137 **Recommendations**

138 R1 The Grand Jury recommends the Redding City Council, working with city management,
139 revise and adopt an Employee Honesty and Conduct Policy specific to accepting gifts.

140 *Redding City Council's response: "This recommendation will be implemented by*
141 *October 31, 2013."*

142 R2 The Grand Jury recommends the Employee and Honesty Conduct policy clearly defines
143 what is a gift, what is an acceptable gift, and set a maximum value any employee may
144 receive.

145 *Redding City Council's response: "This recommendation will be implemented by*
146 *October 31, 2013."*

147 R3 The Grand Jury recommends the Redding City Council, working with management,
148 develop a vehicle for employees not required to file FPPC 700 forms to report gifts
149 received.

150 *Redding City Council's response: "This recommendation will be implemented by*
151 *October 31, 2013."*

152 R4 The Redding City Council adopt a policy that requires department heads or immediate
153 supervisors to review all FPPC 700 Forms to determine if employees are adhering to the
154 adopted City gift policy.

155 *Redding City Council's response: "The City does not intend to implement this*
156 *recommendation. Compliance with the requirements set forth in the Political Reform Act*
157 *is the individual responsibility of each employee (similar to filing an individual tax*
158 *return). Enforcement responsibilities are specified in state law. Enforcement does not*

159 *involve oversight by supervisors or department heads and that responsibility should not*
160 *be imposed upon them by City policy.”*

161 R5 The Grand Jury recommends the Redding City Council develop a plan to enforce the
162 adopted City gift policy.

163 *Redding City Council’s response: “This recommendation will be implemented by*
164 *October 31, 2013.”*

165 **Follow-up conducted by the current Grand Jury Fiscal Year 2013-2014 with the City of**
166 **Redding:**

167 *The current impaneled Grand Jury conducted a follow-up investigation with the City*
168 *of Redding administrative staff to determine if actions for implementing those*
169 *recommendations agreed as above were completed. All recommendations and actions*
170 *agreed upon have been addressed.*

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174 **Report: Diploma or Certificate of Completion?**

175 *Shasta Union High School District,*

176 *Special Education Department Adult Transition Program*

177 This report addressed complaints received from parents of students in the Shasta Union High
178 School District (SUHSD) Special Education Department’s Adult Transition Program.

179

180 The SUHSD Board of Trustees was required to respond to F1 and R1. The Director of Special
181 Education was requested to respond to F1, F2 and R1 and R2.

182 **Findings**

183 F1 There has been a lack of communication between SUHSD’s Special Education
184 Department and the parents/guardians of special needs high school students regarding
185 graduation options (Diploma vs. Certificate of Completion pathways).

186 *The SUHSD Board of Trustees’ response: “With respect to the required response to the*
187 *first finding in the report, the Board acknowledges a communication breakdown between*
188 *the Shasta Union High School District’s (SUHSD) Special Education Department and*
189 *some parents of special needs high school students regarding graduation options.”*

190 *The Director of Special Education's response: "With respect to the required response to*
191 *the first finding in the report, the Special Education Department acknowledges a lack of*
192 *communication with some parents/guardians of special education students regarding*
193 *graduation options. This is an area where improvement can be made."*

194 F2 There is no adequate forum for groups of parents/guardians to communicate with the
195 special education staff on a regular and ongoing basis.

196 *The Director of Special Education's response: "With respect to the required response to*
197 *the second finding in the report, the Special Education Department acknowledges a*
198 *regular forum for parents to communicate with special education staff would improve*
199 *parents understanding of the special education graduation options and allow them to ask*
200 *general questions about the programs available to their students."*

201 F3 The Adult Transition Program Parents' Club funds were not managed according to
202 district policy; however, this has since been rectified.

203 F4 The SUHSD Board of Trustees was responsive to several of the parents' concerns, for
204 example reinstating the use of a van and resuming recycling.

205 F5 Based on the ratio of staff to students of 1:2 the SUHSD Adult Transition Program is
206 staffed appropriately when compared to other local school districts.

207 **Recommendations**

208 R1 The Grand Jury recommends that by September 1, 2013 the SUHSD Board of Trustees
209 finalize the Course of Study Decisions document. It should contain a clear explanation of
210 the outcomes of choosing the educational pathway leading to a diploma versus the
211 pathway leading to a certificate of completion. The district should provide it to
212 parents/guardians in a timely fashion.

213 *The SUHSD Board of Trustees' response: "With respect to the required response to the*
214 *first recommendation in the report, the Board agrees communication is a priority and it*
215 *can always be improved. The Board has been assured by the Superintendent and the*
216 *Director of Special Education that the Course of Study Decisions document, along with*
217 *other written material (the Adult Transition Program pamphlet and the Special*
218 *Education Program Completion Conditions document) are to be provided to all pertinent*
219 *parents in a timely fashion. These documents contain a clear explanation of the*
220 *pathways leading to a diploma versus the pathway leading to a certificate of*
221 *completion."*

222 *The Director of Special Education's response: "With respect to the required response to*
223 *the first recommendation in the report, the Special Education Department will distribute*
224 *to all pertinent parents during each Individualized Educational Program meeting in the*

225 2013-2014 school year and beyond, the following documents: Course of Study Decisions
226 document, the Adult Transition Program pamphlet, the Special Education Local Planning
227 Area, Community Advisory Committee Parent Handbook and the Special Education
228 Program Completion document.”

229 R2 The Grand Jury recommends that SUHSD schedule regular meetings between
230 parents/guardians and the special education staff to address and discuss general concerns
231 beginning at the start of the next semester.

232 *The Director of Special Education’s response: “With respect to the required response to*
233 *the second recommendation in the report, to improve communication the Special*
234 *Education Department has taken the following steps: the creation of a district wide*
235 *phone message and e-mail system to inform parents of upcoming Special Education*
236 *Local Planning Area, Community Advisory Committee, and Area 2 Board workshops and*
237 *events; connecting parents to Rowell Family Empowerment (a local parent support*
238 *agency); the production of a parent newsletter to be delivered quarterly; and open access*
239 *to the Director of Special Education at the start of the next semester during “Back to*
240 *School Night” in the fall and the “Curriculum Faire” in the spring, as well as other*
241 *school functions. Parents will be informed of these functions and opportunities for an*
242 *open dialogue regarding the special education program.”*

243 **Follow up conducted by the current Grand Jury Fiscal Year 2013-2014 with the Shasta**
244 **Union High School District**

245 *The current impaneled Grand Jury conducted a follow-up investigation with the*
246 *Shasta Union High School District administrative staff to determine if actions for*
247 *implementing those recommendations agreed as above were completed. All*
248 *recommendations and actions agreed upon have been addressed.*

249

250 **Report: *Let There Be Light - At A Discount***

251 ***Big League Dreams***

252 This report addressed a complaint received from a member of the public concerning the
253 electricity rate provided to Big League Dreams Redding, LLC by Redding Electric Utility.

254 The City Council was required to respond to F1, F2 and F3 as well as R2 and R3. The Redding
255 Electric Utility Director was requested to respond to F1 and F4 as well as R1 and R4.

256 **Findings**

257 F1 The Redding Electric Utility staff report dated September 8, 2011 contained misleading
258 and inaccurate information which led to misunderstanding as to the savings afforded Big
259 League Dreams Redding, LLC under the recommended “blended rate” rate.

260 *The City Council’s response: “The respondent agrees with this finding.”*

261 *The Redding Electric Utility Director’s response: “The respondent agrees with this*
262 *finding.”*

263 F2 The City Council failed to follow its established procedure concerning its Consent
264 Calendar when it considered and approved a rate reduction for Big League Dreams
265 Redding, LLC during its regular meeting on September 20, 2011.

266 *The City Council’s response: “The respondent respectfully disagrees with this finding.*
267 *When considering the Consent Calendar, City Council members and members of the*
268 *public are entitled by law (Brown Act) to comment on individual items on the Consent*
269 *Calendar. Additionally, Council Members are permitted to vote no on an item found on*
270 *the Consent Calendar while voting to approve the balance of the Consent Calendar. On*
271 *September 20, 2011, the City Council of the City of Redding followed its procedures.”*

272 F3 The City Council failed to respond to a request from a member of the public that the item
273 related to the electric rate change for Big League Dreams Redding, LLC be taken off the
274 Consent Calendar and moved to the general agenda.

275 *The City Council’s Response: “The respondent respectfully disagrees with this finding.*
276 *City Council Policy 204 states “It shall be the prerogative of any Council Member to pull*
277 *any agenda item off the Consent Calendar, and place it on the regular portion of the*
278 *agenda.” At the meeting of September 20, 2011, a member of the public spoke on the*
279 *agenda item regarding the stadium lighting rate for Big League Dreams. At the end of*
280 *his dialogue, he requested the Council to reconsider the item being on the Consent*
281 *Calendar. Following this comment, no Council member asked for the item to be removed*
282 *from the Consent Calendar.”*

283 F4 Redding Electric Utility adjusted the electrical billings for Big League Dreams Redding,
284 LLC retroactive to June 2011 without specific City Council approval.

285 *The Redding Electric Utility Director’s response: “The respondent agrees with this*
286 *finding but notes that the adjustments were within staff authorities.”*

287 F5 The rate reduction afforded Big League Dreams Redding, LLC was in substantial
288 compliance with the terms of the Big League Dreams Redding, LLC lease agreement.

289 **Recommendations**

290 The Grand Jury recommends:

291 R1 Redding Electric Utility ensure that all staff reports provided to members of the City
292 Council are complete and accurate.

293 *The Redding Electric Utility Director's response: "The Redding Electric Utility staff has*
294 *implemented this procedure in the past and will continue to implement this procedure."*

295 R2 The City Council follow its established procedure and either remove an item from the
296 Consent Calendar to allow for discussion or allow no separate discussion of that item.

297 *The City Council's response: "The City Council will partially implement this*
298 *recommendation immediately. While the Council has consistently adhered to its policies*
299 *and procedures and did so at the subject meeting in 2011, language changes will be*
300 *made on the agenda to more clearly describe the Council's established practice with*
301 *respect to consideration of the Consent Calendar. The new language will be as follows:*

302 *Consent Calendar*

303 *The Consent Calendar contains items considered routine and/or which have been*
304 *individually scrutinized by City Council Members and are anticipated to require no*
305 *further deliberation. If a member of the public wishes to address an item on the Consent*
306 *Calendar, please fill out a "Speaker Request" form and submit it to the City Clerk before*
307 *the Consent Calendar is considered. It shall be the prerogative of any Council Member,*
308 *before the Consent Calendar is acted upon, to: (1) comment on an item; (2) respond to*
309 *any public comment on an item; (3) request the record reflect an abstention or nay vote*
310 *on an item; or (4) remove an item and place it on the Regular portion of the agenda for*
311 *delivery of a staff report and/or an extended discussion or deliberation."*

312 R3 The City Council respond to and verbally approve or disallow any request from the
313 public that an item on the Consent Calendar be moved to the general agenda.

314 *The City Council's response: "The recommendation will not be implemented. City*
315 *Council Policy 204 states "It shall be the prerogative of any Council member to pull any*
316 *agenda item off the Consent Calendar, and place it on the regular portion of the agenda.*
317 *Should a member of the public request an item to be removed from the Consent Calendar,*
318 *it is the prerogative of any individual Council Member to grant said request. A new*
319 *policy requiring the Council as a body to act would actually be more restrictive than the*
320 *current practice."*

321 R4 Redding Electric Utility fully inform the City Council and the public whenever any
322 significant retroactive rate reduction is afforded any large commercial customer.

323 *The Redding Electric Utility Director's response: "The respondent will implement this*
324 *recommendation immediately."*

325

326 **Follow-up conducted by the current Grand Jury Fiscal Year 2013-2014 with the City of**
327 **Redding:**

328 *The current impaneled Grand Jury conducted a follow-up investigation with the City*
329 *of Redding administrative staff to determine if actions for implementing those*
330 *recommendations agreed as above were completed. All recommendations and actions*
331 *agreed upon have been addressed.*

332