

This document is an extract of a larger publication.

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APPENDIX B

**LETTER FROM THE FOREPERSON OF THE YUBA COUNTY GRAND JURY TO THE CITY OF
MARYSVILLE REQUESTING A COPY OF THE MARYSVILLE EMERGENCY ACTION PLAN**

(Provided by the 2011-2012 Yuba County Grand Jury)

The County of Yuba

GRAND JURY



To: The City of Marysville

From: The Yuba County Grand Jury 2011-2012

Date: January 30, 2011

The Grand Jury hereby requests the following documents from the City of Marysville:

- Copy of the City of Marysville Emergency Action Plan (or the equivalent title)

These documents can be copied onto a DVD or CD if more convenient for the City staff to provide than hard copies.

Since these documents were requested a while ago verbally, and we were informed almost two weeks later, it would be appreciated by the Grand Jury if these documents were available for pick up by Wednesday, February 1st, 2012.

Please leave a message on the jury office phone (530-749-7341) when these documents are ready.

Thank you for your attention to this request.

Mike Boom
Yuba County Grand Jury Foreman

215 FIFTH STREET, SUITE 200 • COURTHOUSE • MARYSVILLE, CALIFORNIA 95901
PHONE (530) 749-7341 • FAX (530) 749-7304 • E-mail: yubagrandjury@yubacourts.org

APPENDIX C

LETTER FROM THE CITY OF MARYSVILLE CHIEF OF POLICE TO EMERGENCY OPERATIONS MANAGER OF YUBA COUNTY REQUESTING YUBA COUNTY OES ASSISTANCE IN COMPLETING NIMS REQUIRED TRAINING

(Provided by Emergency Operations Manager)



CITY OF MARYSVILLE

POLICE DEPARTMENT

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

Wallace C. Fullerton
Chief of Police

November 2, 2010

Scott Bryan, Emergency Services Officer
County Office of Emergency Services
County of Yuba
915 8th Street, Suite 117
Marysville, CA 95901



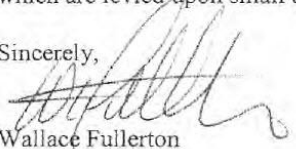
Dear Mr. Bryan:

Some weeks ago, both you and the County Administrator, Mr. Bendorf, offered the services of your office to assist us with our state of NIMC compliance. I am in receipt of your recent letter, dated October 27, 2010, regarding updated information regarding new NIMS courses and NIMS implementation objectives for 2010 and beyond, and I believe that it is time to take the County up on the offer of assistance.

Considering the negative impact to any grant recipient agency that fails to fully comply with NIMS requirements, I am asking for your assistance in the identification of specific personnel within my agency who require additional NIMS courses and a description of what specific courses that they should take in order to be compliant for 2010 and beyond. Just recently, we forwarded a complete list of our personnel, along with the individual NIMS certificates that have been obtained to date, to your office. I was hoping that armed with this information that you could provide me with a list of additional NIMS training that is required for our personnel, along with a basic time-line for compliance.

As you know, budget cuts have severely reduced the ability of my agency to complete the never ending requirements of training and reporting to both Federal and State agencies. Your assistance would go a long way in helping us address these unfunded and excessive requirements which are levied upon small agencies, such as mine.

Sincerely,


Wallace Fullerton
Chief of Police
City of Marysville

Business: (530) 749-3900
Fax: (530) 749-3990

Drug Hotline: (530) 74 DRUGS

APPENDIX D

**LETTER OF RESPONSE FROM EMERGENCY OPERATIONS MANAGER TO THE CITY OF
MARYSVILLE CHIEF OF POLICE (APPENDIX C)**

(Provided by Emergency Operations Manager)

THIS DOCUMENT HAS BEEN REDACTED

The County of Yuba

OFFICE OF EMERGENCY SERVICES



(530) 749-7520 - PHONE
(530) 749-7524 - FAX

November 16, 2010

Wallace Fullerton
Chief of Police
City of Marysville
316 6th St.
Marysville, CA 95901

Chief Fullerton,

I am in receipt of your letter dated November 2, 2010, requesting assistance from Yuba County Emergency Services in determining the Marysville Police Departments level of National Incident Management System (NIMS) implementation, specifically as it relates to training levels. Thank you for this opportunity to provide you with assistance on this matter.

As you know, NIMS implementation objectives include a wide range of requirements in addition to training in the Incident Command and National Incident Management System, as well as the Standardized Emergency Management System in California; per the requirements set forth by the California Emergency Management Agency (CalEMA).

Beginning in 2005, per Homeland Security Presidential Directive (HSPD) -5, issued in February 2003, states, territories, tribes and local governments were to begin the implementation of NIMS into all aspects of emergency planning, principals and policies, training, response, exercises, equipment and evaluation of response. Each year the National Integration Center (NIC) has provided additional adoption guidelines and requirements regarding preparedness guidelines to include training, exercises, and planning, communications and information management, resource management, command and management to include, public information, multi-agency coordination systems and that all incidents be managed via the Incident Command System. These objectives should be reviewed internally to determine the level of compliance for the City of Marysville.

In the letter I sent you and numerous other entities required to implement and follow NIMS adoption guidelines on October 27, 2010, I provided a copy of the FY 2009 NIMS Implementation Objectives, which included all implementation objectives to date, along with the recently released requirements for FY 2010. As of this date, the Federal Emergency Management Agency (FEMA) has not produced the NIMS Implementation Objectives form for FY 2010 for us to follow and we must utilize the FEMA "Fact Sheets" regarding the required courses.

915 8TH STREET, SUITE 117 - MARYSVILLE, CALIFORNIA 95901 - 5273

I have completed the review and assessment of the Marysville Police Department staffs level of training compliance, per the list of employees and training certificates you had provided in August 2010. In completing the assessment I utilized the FY 2009 NIMS Implementation Objectives, the NIMS Five Year Plan and the NIMS Guide for County Officials, prepared in coordination by the National Association of Counties and the International Association of Emergency Managers.

The attached spreadsheet shows the employees who would typically be required to complete specific courses based on their job titles, based on what I know regarding your departments command structure. As I am unfamiliar with your Emergency Management structure and Emergency Operations Center staff, I have provided information as to what level EOC staff should typically be trained to based on the SEMS.

I did find that there was a large number of staff who I was not provided SEMS certificates for and ultimately caused the list of staff that are listed as not having the training to be excessive. I am sure that with contacting POST you will find a majority of the staff listed have completed the required training during the academy or through reserve police officer courses.

If you have questions regarding the enclosed information, please do not hesitate to contact me. I would welcome an opportunity to sit down and discuss the City of Marysville's emergency management structure to determine how the City and the County can coordinate our efforts in emergency management planning.

Sincerely,



Scott Bryan
Emergency Services Officer
Yuba County Emergency Services
Office of the County Administrator

Oh Say Can You See...?:

(The Star Spangled Banner by Francis Scott Keyes)

The City Of Marysville's Display of the U.S. Flag



"What's this?"

Similar to an old-fashioned bar code, a QR (which stands for "quick response") code is a black and white graphic box holding valuable information. Download any QR Reader for your smart phone and scan the above symbol to take you to the complete electronic version of this report. QR Reader programs are available for no charge and make information easily available to access and read. These codes will be found throughout the Grand Jury reports to take you to the full electronic version of the report, the Yuba County Grand Jury home page, or other valuable information.

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“Oh, Say Can You See...?”

(The Star Spangled Banner by Francis Scott Keyes)

THE CITY OF MARYSVILLE’S DISPLAY OF THE U.S. FLAG

SUMMARY

Many people visit D Street, the City of Marysville’s “main” street. Like many small towns in America, it has that Main Street U.S.A. look and appeal. The City of Marysville has made every effort to make the business district inviting for visitors and shoppers. To enhance this Main Street look, the City installed decorative arches over the intersections along D Street between 3rd and 6th Streets. Atop each of the arches, the City flies the flag of the United States. While the flags are visible in the noon-day sun, the same cannot be said when the sun goes down. The flags are not illuminated at night, although the lighting system appears to be in place. This is contrary to Title 4, United States Code.

BACKGROUND

Members of the Grand Jury were concerned the City of Marysville was not following the law regarding the illumination of the U.S. flag at night, in particular, those flags displayed atop the decorative arches along D Street.

APPROACH

Members of the Grand Jury interviewed the Marysville City Manager to determine why the light fixtures atop the arches located on D Street at the intersections of 3rd, 4th, 5th and 6th streets were turned off. Was it to save energy or were they just overlooked?

Research was conducted to ensure the Grand Jury knew the law pertaining to the display of the United States Flag.

Members of the Grand Jury also examined the structures and flags from street level to confirm the problem existed.

DISCUSSION

Members of the Grand Jury studied a Congressional Research Service Report for Congress. This report presents, verbatim, the United States "Flag Code" as found in Title 4 of the United States Code. The report (Luckey, 2008) states, “Failing to illuminate the U.S. flag at night is contrary to Title 4, United States Code, § 6 (a).” This Code declares “It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaves in the open. However, when a patriotic effect is desired, the flag may be displayed 24 hours a day if properly illuminated during the hours of darkness.”

A decision by the 11th Circuit Court of Appeals (*Dimmitt v. City of Clearwater* 1993) has ruled Title 4, United States Code, § 6, is advisory only, not mandatory. Furthermore, to not illuminate the flag at night is disrespectful to the traditional customs for display of the flag.

Members of the Grand Jury viewed the affected flags and verified they were not illuminated during darkness, but were still flown. It was also noted there were facilities on the structures to light the flags.

During an interview with the City of Marysville City Manager, he stated he was unaware the flags were not being properly illuminated and would take immediate action to rectify the problem.

FINDINGS

- F1. U.S. Flags flown over the decorative arches along D Street are not being illuminated between sundown and sunrise.
- F2. Proper light fixtures are in place to light the U.S. flags; however, they are not being used.
- F3. The Marysville City Manager was unaware that the lights were off.

RECOMMENDATIONS

- R1. Ensure that proper respect is provided by keeping the flags atop the arches along D Street illuminated between sundown and sunrise.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following individuals:

- Marysville City Manager F1-F3, R1

BIBLIOGRAPHY

Luckey, J. R. (2008). *The United States Flag: Federal Law Relating to Display*. Washington, D.C.: Congressional Research Service.

Reports issued by the Civil Grand Jury do not identify 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 Civil Grand Jury.

This report "*Oh, Say Can You See?*" is issued by the 2011-2012 Grand Jury with the exception of one member of this Grand Jury. This Grand Juror was excluded from all parts of the investigation, which included interviews, deliberations, and the making and acceptance of the report. This report is based on information obtained from outside sources with none of the information being obtained from the excluded Grand Juror.



Has the County Made You a Lawbreaker? Conflict Exists between Two County Ordinances



"What's this?"

Similar to an old-fashioned bar code, a QR (which stands for "quick response") code is a black and white graphic box holding valuable information. Download any QR Reader for your smart phone and scan the above symbol to take you to the complete electronic version of this report. QR Reader programs are available for no charge and make information easily available to access and read. These codes will be found throughout the Grand Jury reports to take you to the full electronic version of the report, the Yuba County Grand Jury home page, or other valuable information.

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HAS THE COUNTY MADE YOU A LAWBREAKER?

CONFLICT EXISTS BETWEEN TWO COUNTY ORDINANCES

SUMMARY

Yuba County's Consolidated Fee Schedule and Standards of Building Construction (building code) are out of alignment and need to be fixed. The fee schedule, which is the list of all items requiring permits and fees, mandates that permits be obtained and fees paid for a long list of home improvements. However the building code includes a list of "exempted" improvements that don't need a permit and therefore no fee. These exempted items are home improvements that do not entail structural changes, such as a fence less than six-feet high or a small prefabricated swimming pool. Because of this inconsistency, many county residents are unaware that they may be in violation of the county's fee ordinance and are at risk of facing up to six months in jail and/or a \$1,000 fine even though their minor home improvements do not require a permit according to the county's building code.

GLOSSARY

CBC The California Building Code consists of the following:

- California Administrative Code, Part 1
- California Building Code, Part 2
- California Residential Code, Part 2.5
- California Electrical Code, Part 3
- California Mechanical Code, Part 4
- California Plumbing Code, Part 5
- California Energy Code, Part 6
- California Historical Building Code, Part 8
- California Fire Code, Part 9
- California Existing Building Code, Part 10
- California Green Building Standards, Part 11
- California Referenced Standards Code, Part 12
- International Wild land-Urban Interface Code
- Uniform Swimming Pool, Spa and Hot Tub Code
- Uniform Solar Energy Code

BACKGROUND

It came to the attention of members of the Grand Jury that two county ordinances are in conflict with each other. There is a possibility that permit fees are being charged, per Yuba County's Consolidated Fee Schedule, for construction projects specifically exempted from the permit fee process pursuant to the county's building codes.

APPROACH

Members of the Grand Jury interviewed several of the current members of the Board of Supervisors, the County Administrative Officer and the Director of Community Development Services Agency. In addition, members of the Grand Jury researched the 2010 California Building Code and the Yuba County Ordinance Title X Chapter 10.05 Standards of Building Construction, adopted by the Board of Supervisors November 9, 2010. The Yuba County Ordinance Title XIII Chapter 13, Consolidated Fee Ordinance was also reviewed.

DISCUSSION

The State of California requires cities and counties to adopt updated construction codes that are adopted by the State Building Standards Commission on a triennial basis. These construction codes are known as the California Building Code (CBC).

CBC requires permits be obtained from the enforcing agency prior to the erection, construction, reconstruction, installation, moving or alteration of any building or structure. (CBC Part 2, Chapter 1, Section 1.8.4 and CBC Part 2.5, Chapter 1, Section 1.8.3)

CBC also requires that fees be paid on buildings, structures, electrical, gas, mechanical and plumbing systems or *alterations* requiring a *permit*, in accordance with the schedule as established by the applicable governing authority. (CBC Part 2, Chapter 1, Section 109.1)

In 2010, as required by the State, the Board of Supervisors adopted the aforementioned codes, as Yuba County Ordinance Title X Chapter 10.05, Standards of Building Construction. The California Building Code, Part 2, and the California Residential Code, Part 2.5, were adopted in their entirety.

In order to comply with fee requirements of the CBC, the Board of Supervisors also adopted Yuba County's Consolidated Fee Ordinance, Title XIII, wherein all fees chargeable by Yuba County Departments in connection with the delivery of governmental services are located. This ordinance is usually repealed and re-enacted on an annual basis. This ordinance, at Section 13.20.200, contains the list of all building construction-related items that require permits.

As adopted by Yuba County Ordinance Title X, Chapter 10.05, the California Residential Code states the following:

“1.8.3.1 Permits. A written construction permit shall be obtained from the enforcing agency prior to the erection, construction, reconstruction, installation, moving or alteration of any building or structure.

Exceptions:

1. Work exempt from permits as specified in Chapter 1, Division II, Administration, Section R105.2.
2. Changes, alterations or repairs of a minor nature not affecting structural features, egress, sanitation, safety or accessibility as determined by the enforcing agency.”

In other words, most types of construction projects involving residential property require obtaining and paying for a permit from the county in order to perform the work. But the California Residential Code, as adopted by Yuba County Ordinance Title X, Chapter 10.05, does exempt some work from the permit process.

Specifically, Section R105.2 of Title X, Chapter 10.05, referred to above, states: “Permits shall not be required for the following.”

The following are examples of items specifically exempted from the permit process pursuant to the California Residential Code, Chapter 1, Section R105.2, and as adopted by Yuba County, but for which Yuba County charges a permit fee.

Table 1:

Yuba County Residential Code Exempted Item (No Permit Fee Required)	Yuba County Fee ordinance (Permit Fee Required)
Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support	\$357
Decks not exceeding 200 square feet in area, are not more than 30 inches above grade at any point, are not attached to a dwelling and do not serve the exit door	\$357
Prefabricated swimming pools that are less than 24 inches deep	\$313 to \$492
Retaining walls less than four feet high	\$290
Water tanks supported directly upon grade if the capacity is less than 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1	\$357

Incorporating the “exempted” items into the Consolidated Fee Ordinance is a significant problem due to further language within the Yuba County’s Ordinance Title X, Standards of Building Construction. Specifically, Yuba County Ordinance Title X, Standards of Building Construction, at Section 10.05.140, states that any person doing construction projects requiring permits on his home, without permits, is guilty of a misdemeanor, and, upon conviction, is subject to up to six months in the county jail, or a maximum of \$1,000.00 in fines, or both.

Members of the Grand Jury learned through their interviews with several members of the Board of Supervisors, the County Administrative Officer and the Director of the Community Development Services Agency that the interviewees were unaware that permits are being required by the Consolidated Fee Schedule on items specifically exempted in Yuba County’s building codes.

By failing to follow the requirements of the California Residential Code, adopted in its entirety as Title X, Chapter 10.05, Standards of Building Construction, the Yuba County government has created a potential “lawbreaking” class of its residents, who are at risk of jail time, fines or both.

As a result of the Grand Jury's inquiry, several members of the Board of Supervisors, the County Administrative Officer and the Community Development Services Agency Director indicated that a top-to-bottom review of the Consolidated Fee Schedule needs to be performed on a regular basis to ensure it is in agreement with all other county ordinances so that unnecessary fees are not charged to residents.

FINDINGS

- F1. The State of California requires cities and counties adopt updated construction codes that are adopted by the Building Standards Commission on a triennial basis.
- F2. The Board of Supervisors adopted the 2010 California Building Code, Part 2, and the 2010 California Residential Code, Part 2.5, among others, as Title X, Chapter 10.05, Standards of Building Construction.
- F3. The California Residential Code, as adopted by Yuba County, exempts certain items from the building permit process if the changes, alterations or repairs are of a minor nature not affecting structural features, egress, sanitation, safety or accessibility as determined by the enforcing agency.
- F4. Yuba County Consolidated Fee Schedule requires permits and fees for certain items specifically exempted in its Title X, Chapter 10.05, Standards of Building Construction.
- F5. Neither the County Administrative Officer, the Director of the Community Development Services Agency, nor the interviewed members of the Board of Supervisors were aware that permits were being required for specifically exempted items within the county's building codes.
- F6. Through conflicting county ordinances, the residents of Yuba County are required to pay for permits for items that are specifically exempted by the county's building codes.
- F7. The residents of Yuba County, who have performed work that is specifically exempted from the permit process pursuant to the county's building code, have been put in a position of being in violation of the county's consolidated Fee Schedule and are subject to possible jail time, fines and/or both.

RECOMMENDATIONS

- R1. The Board of Supervisors should direct the County Administrative Officer and the Community Development Services Agency Director to perform a thorough review of the building permits, identify those that do not affect structural features, egress, sanitation, safety or accessibility, as well as those specifically exempted in Section R105.2 of the California Residential Code, adopted by Yuba County as Title X, Chapter 10.05, Standards of Building Construction, and submit such permit items to the Board of Supervisors for official removal from the Consolidated Fee Schedule.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following individuals:

- Director, Community Development Services Agency F1-7, R1
- County Administrative Officer F1-7, R1

From the following governing bodies:

- Board of Supervisors F1-7, R1

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

BIBLIOGRAPHY

Reports issued by the Civil Grand Jury do not identify 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 Civil Grand Jury.

This report of the “*Has the County Made You a Lawbreaker?*” is issued by the 2011-2012 Grand Jury with the exception of two members of this Grand Jury. These Grand Jurors were excluded from all parts of the investigation, which included interviews, deliberations, and the making and acceptance of the report. This report is based on information obtained from outside sources with none of the information being obtained from the excluded Grand Jurors.

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Appendix

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The Grand Jury Process

Applications for service are received by the Jury Commissioner and reviewed by the Presiding Judge. Every effort is made to impanel an ideal jury of qualified men and women of diverse socio-economic, ethnic, educational backgrounds, representative geographical areas of the county, as well as age groups. By court policy, and at the discretion of the Presiding Judge, up to 10 members of the previous year's jury may serve a second term to provide continuity. A total of 19 people serve on the Grand Jury. From the remaining candidates, a drawing is held to provide for alternates.

Yuba County jurors are sworn in and begin their one-year term commencing the first day of July. The Presiding Judge appoints a foreperson to preside at meetings. The jury then chooses the remaining officers and organizes itself into committees. Each committee sets its own program of meetings, investigations and interviews. The committee investigates various departments and functions of local government as assigned by a super majority vote of the plenary group. It also chooses and reviews compliance with previous Civil Grand Jury recommendations. Department heads are interviewed, on-site visits are made and departments' strengths and weaknesses are investigated.

Some subjects to be investigated are brought about by letters from citizens regarding complaints of alleged mistreatment by officials, suspicion of misconduct or governmental inefficiencies. Such complaints are kept confidential. If the situation warrants, and after investigation, the Grand Jury may make appropriate recommendations for action.

A large portion of the public mistakenly believes that an individual appearing before the Grand Jury, particularly a public official, suggests malfeasance or misfeasance. It should be clearly understood that it is the constitutional responsibility of the Grand Jury to review the conduct of county government each year. This entails having public officials appear before the jury to provide information to the jury relative to their departments or offices. While Grand Jurors are a part of the Judicial System and are considered as officers of the court, the Grand Jury is an entirely independent body. The Presiding Judge, the District Attorney, the County Counsel, and the State Attorney General act as advisors, but cannot limit actions of the jury except for illegality.

Because of the confidential nature of a Grand Jury's work, much of it must be done in closed session. Members of a Grand Jury are sworn to secrecy, thus assuring all who appear that their complaints will be handled in an entirely confidential manner. No one may be present during sessions of the Grand Jury except those specified by law (Penal Code 939), and the minutes of its meetings may not be inspected by anyone, nor can its records be subpoenaed.

The law provides that every Grand Juror must keep secret all evidence adduced before the Grand Jury, anything said by a Grand Juror or the manner in which a grand juror may have voted on a matter. By law it is a misdemeanor to violate the secrecy of the Grand Jury room. A Grand Juror must not confide any information concerning testimony of witnesses or action of the jury even to a spouse or close friend. "Leaks" concerning Grand Jury proceedings inevitably will impair or even destroy the effectiveness of Grand Jury efforts.

Mid-year and final reports are prepared that describe problems and contain findings and recommendations. Responses are required within 90 days from any public agency, and 60 days from any elective county officer or agency head.

Grand Jury Application Form

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF YUBA**

GRAND JURY APPLICATION

(Please attach additional sheets if necessary)

I. PERSONAL INFORMATION

Name: _____
(Last) (First) (Middle)

Other Names Used: _____

Residence Address: _____ City _____ Zip _____

Mailing Address: _____ City _____ Zip _____
(If Different)

Home Telephone: _____ Work Telephone: _____

Cell Telephone: _____ Pager: _____

Email Address: _____ Supervisorial District: _____

Social Security Number: _____

Drivers Lic. Number: _____

Date of Birth: _____

Place of Birth: _____

Marital Status: Married Single Divorced Widowed

Spouse's Name: _____

Spouse's Occupation: _____

Spouse's Employer: _____

II. EDUCATION

Circle your highest level of education: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 Other: _____

High School _____ City & State _____

College/University _____ City & State _____

Graduate Level _____ City & State _____

Degrees _____ Honors _____

III. OCCUPATION(S)

Are you retired? Yes No

If yes, what was your occupation? _____

Employer(s) or company name(s): _____

Business address: _____ Business Phone: _____

Highest position held and job title: _____

Are you currently working? Yes No

If yes, what is your occupation? _____

Employer(s) or company name(s): _____

Business address: _____

Highest position held or job title: _____

Former Occupation: _____

IV. ABILITIES AND EXPERIENCE

Do you have any ability and experience in writing, editing, and collating correspondence, minutes of meetings, reports, etc?

Yes **No**

If "yes," please describe: _____

Do you have ability and experience in gathering facts and analyzing data?

Yes **No**

If "yes," please describe: _____

Please list the computer programs with which you are familiar: _____

V. QUALIFICATIONS

1. Are you a citizen of the United States? Yes No
2. Are you eighteen years or older? Yes No
3. On July 1, 2012, will you have been a continuous resident of Yuba County for one year? Yes No
4. Are you in possession of your natural faculties, of ordinary intelligence, of sound judgment and of fair character? Yes No
5. Do you speak, write and understand English? Yes No
6. Have you been discharged as a Grand Juror in any court of this State within the last year? Yes No
7. Have you ever served as a Grand Juror? Yes No
If so, what county and when? _____
8. Have you applied for the Grand Jury in the past? Yes No
If so, what year(s)? _____
9. Are you a registered voter? Yes No
10. Are you able and willing to define and evaluate issues without expressing personal bias? Yes No
11. If you are employed, does your employer know that you are

interested in serving on the grand jury, and does he/she understand the nature and extent of the duties of a grand juror? Yes No

12. Are you capable of and willing to conduct detailed investigations of city and county governmental issues and prepare reports on those issues? Yes No

13. Are you currently serving as an elected public official or do you plan to run for public office within the next eighteen months? Yes No

14. Are you related to and closely associated with any of the following:

Yuba County Superior Court judge? Yes No

Current or former elected or appointed public official? Yes No

Current or former employee of any local governmental entity? Yes No

If yes, please explain: _____

15. As a member of any profession or organization or as a holder of any office, have you ever been suspended, disbarred or otherwise disqualified?

Yes No

Have you been charged with any of the following:

Malfeasance in office

Yes

No

Felony

Yes

No

Misdemeanor (including driving under the influence and reckless driving)

Yes

No

If you answered "yes" to any of the above, please provide details below:

Offense	City/State	Date	Penalty

Please note that a misdemeanor conviction is not an automatic bar to acceptance of your application.

Each case is considered individually and confidentially.

VI. CLUBS & ORGANIZATIONS

(List any fraternal, civic, professional, service or social organizations to which you have belonged.)

VII. GENERAL

Other interests, experience, comments or suggestions:

Is there anything you would specifically like to accomplish during your tenure on the grand jury?

Would you be willing to be the Jury Foreperson?

Yes

No

I hereby certify that the foregoing information is true and correct to the best of my knowledge and belief and is submitted in support of my application for selection as a member of the Yuba County Grand Jury.

Executed under penalty of perjury this _____ day of _____
_____, 20____ at _____, California.

Signature of Applicant

NOTE

All applications to serve as a member of the Yuba County Grand Jury will be subject to investigation by an appropriate law enforcement agency relative to the statutory qualifications for service and any other information that may bear on the prospective Grand Juror's ability and suitability for service.

PLEASE RETURN COMPLETED APPLICATION TO:

YUBA COUNTY JURY SERVICES

215 Fifth Street, Suite 200

Marysville, CA 95901

(530) 749-7601

Website: www.yubacourts.org



Pursuant to California Rules of Court, rule 989.3 and the Americans with Disabilities Act (ADA), the Superior Court of California, County of Yuba does not discriminate against persons with disabilities. Please advise Jury Services (530) 749-7601 if you will require special accommodations to participate in this application process.

Superior Court of California

County of Yuba County Superior Court

Grand Jury Application

Last Name: _____

How did you learn about becoming a candidate for grand jury service:

Random draw

Community Organization

Newspaper

Received application in the mail

Public Meeting

Television/radio

Other: _____

Nominated by: _____

Complaint Form & Instructions

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COMPLAINT PROCESS

- Present your complaint as soon as possible. The Grand Jury's term of service begins July 1st and ends June 30th of the following year.
- Identify your specific concern and describe the circumstances as clearly and concisely as possible.
- Document your complaint with copies of pertinent information and evidence in your possession.
- Mail or deliver your complaint in a sealed envelope to:

Yuba County Grand Jury
c/o Yuba County Superior Court
215 Fifth Street, Suite 200
Marysville, Ca 95901

Among the responsibilities of the Grand Jury is the investigation of the public's complaints to assure that all branches of city and county government are being administered efficiently, honestly and in the best interest of its citizens.

Complaints submitted to the Grand Jury will be treated confidentially whenever possible. However, it may be impossible to conduct an investigation without revealing your name and complaint.

The results of the complaints investigated by the Grand Jury are published in its final report in which the residents of the county are made aware of its investigations, findings and recommendations and the entities reported on are required by statute to respond.

GENERAL INFORMATION

A major function of the Yuba County Grand Jury is to examine local county and city government, special districts, school districts, and any joint powers agency located in the county to ensure their duties are being carried out lawfully.

The Grand Jury:

- May review and evaluate procedures used by these entities to determine whether more efficient and economical methods may be employed;
- May inspect and audit the books, records and financial expenditures as noted above to ensure that public funds are properly accounted for and legally spent;
- May investigate any charges of willful misconduct in office by public officials;
- Shall inquire into the condition and management of the public prisons within the county.

Anyone may ask the Grand Jury to conduct an investigation of an issue within its jurisdiction. Whether it chooses to investigate such a complaint is entirely in its discretion and may be affected by workload, resource limitations or legal restrictions. It is important to note that the Grand Jury may not investigate a matter that is currently being litigated in the court system.

By law, the proceedings of the Grand Jury are confidential. The findings and recommendations and issues it chooses to address are published in its final report.



**YUBA COUNTY
GRAND JURY
COMPLAINT FORM**

GRAND JURY COMPLAINT FORM

PERSON OR AGENCY ABOUT WHICH COMPLAINT IS MADE

NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

GRAND JURY USE ONLY:

Date Received: _____

Number: _____

Subject: _____

NATURE OF COMPLAINT (Describe events in the order they occurred as clearly and concisely as possible. Use extra sheets if necessary and attach copies of any correspondence you feel is pertinent. Documentation becomes the property of the Grand Jury and will not be returned.) ***Please note: The Yuba County Grand Jury has no jurisdiction over state or federal agencies, the courts, judicial officers, private companies or most organizations.***

WHAT PERSONS OR AGENCIES HAVE YOU CONTACTED ABOUT YOUR COMPLAINT?

Person or Agency	Address	Date of Contact	Results

WHO SHOULD THE GRAND JURY CONTACT ABOUT THIS MATTER?

Person or Agency	Address	Telephone No.

Your Name:

Address:

Telephone No:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Complainant's Signature

Date

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Previous Investigations

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Special Reports	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11
Board of Supervisor - Salary												X											
Capital Improvement				X																			
Consent Agendas				X																			
Mail Carrier Safety				X																			
Physical Security in Schools															X								
School Meals Program													X										
Sewage Appeals Board							X			X													
Tire Waste Program										X													
Youth Project - Runaway Youth																X							
Yuba County - 1997 Flood								X															
Yuba County - Budget Procedures				X																			
Yuba County - Office Hours										X													
Yuba County - Ordinances													X										
Yuba Goldfields				X																			
Yuba Park										X													
Yuba River Access				X				X															

Health & Human Services	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11
Adult Services					X							X			X			X					
CAL Works																	X						
Child Protective Services				X	X	X				X	X	X		X							X		
Day Care																							
Environmental Health	X	X				X										X							
- EH Personnel								X															
- Onsite Sewage								X															
- YSDI																X							
First Five Yuba Commission																						X	
Fraud Investigations																X							
Health & Human Services	X	X	X	X	X	X	X										X				X		
Health Department	X	X	X			X							X	X									
- Mental Health Services	X	X																					
- Peach Tree Clinic				X	X	X	X																
Public Guardian	X											X				X							

Special Districts	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11
Browns Valley Irrigation District										X													
Camp Far West Irrigation District		X																					
Cemetary District													X										X
Cemetary District - Peoria														X									
Foothill Fire Protection						X																	
Levee District 817			X																				
Linda Fire District							X																
Marysville Levee District			X																				
Olivehurst PUD - Water			X					X															
Olivehurst PUD - Fire											X					X							
Olivehurst PUD - Sewer			X											X									
Reclamation District 10			X																				
Reclamation District 2103			X																				
Reclamation District 817			X																				
Reclamation District 784	X	X	X						X		X				X		X						
River Highlands Community Service																					X	X	
Smartsville Fire Department																					X		
Three Rivers Levee Improvement Authority (TRLIA)													X										X
Yuba County Water Agency	X	X				X		X					X								X		
Yuba County Water District						X											X	X					

Law	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11
Child Support Services	X						X			X	X												
Municipal Court	X	X	X																				
District Attorney		X	X					X															
Grand Jury			X	X									X										
Juvenile Traffic Court	X																						
- Victim Witness																							
Juvenile Hall	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Probation	X	X	X			X									X	X							
Public Defender						X																	
Sheriff	X	X	X		X			X	X						X	X				X			
- Animal Care Services	X		X	X			X		X	X					X							X	
- Jail	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
- Canine																						X	
Police Department																				X			
- Wheatland Police Department																				X			
County																							
Administrative Services	X		X	X						X													
- Airport Enterprise Zone	X									X													
- Print Shop		X																					
- Information Services																		X					
Agriculture	X	X																					
- Weight & Measures						X																	
Assessor	X	X																					
Auditor / Controller	X																					X	
Board of Supervisors	X	X	X	X						X													
- Clerk of the Board	X	X		X																			
Community Development	X	X	X	X	X			X												X	X		
- Building																				X			X
- Code Enforcement																				X			
Clerk/Recorder/Elections	X	X		X														X					
County Administrator	X	X					X																
County Counsel	X		X				X																
- Public Administrator										X													
Emergency Services	X		X					X													X		X
Health and Human Services																							X
Library	X					X																	
Yuba County Airport																				X			
Personnel Risk Management	X	X	X					X															
Public Works	X	X	X	X							X												
Treasurer/Tax Collector	X											X											
Veteran Services	X	X																					
Cities																							
City of Marysville	X	X								X				X	X	X				X			X
- Better Improvement District									X								X						
- City Administrator/Clerk						X																	
- City Council			X		X																		X
- City Council Meeting Minutes																							
- Emergency Services			X																				
- Levee District																				X			
- Fire Department	X	X	X								X					X							
- Police Department	X	X		X											X	X							
- Police Depart. Vehicle Compliance																							X
- Public Works, Parks & Recreation	X	X					X									X							
- Redevelopment Agency				X	X																		
- Red Light Camera System																	X						
- Website																						X	
City of Wheatland	X	X										X			X	X	X						
- City Council			X		X	X	X	X															
- City Treasurer				X	X																		
- Police Department	X	X	X	X		X																	

Schools Committee	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11
Abraham Lincoln (home) School									X														
Anna McKenney Intermediate																X							
Browns Valley Elementary																X							
Camptonville Union School District	X	X																					
Charter School									X														
Dobbins Elementary School																			X				
Lindhurst High															X								
Mary Covillaud Elementary																	X						
Marysville High																							
- Food Service																							X
Marysville Joint Unified School Dist	X	X	X	X	X	X		X			X				X	X				X			
- Alternative Educaton Program																							
- Citizen Bonds Oversight Committee																						X	
- Loma Rica Elementary																					X		
Office of Education																			X				
Olivehurst Elementary																	X						
Plumas Elementary	X	X																					
Regional Career Center - JPTA	X								X								X						
Wheatland High	X	X	X																X				
Wheatland School District	X	X	X			X															X		
- Elementary School District Building																							
Yuba College			X								X												
Yuba County Office of Education	X	X								X						X							

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Email yubagrandjury@yubacourts.org