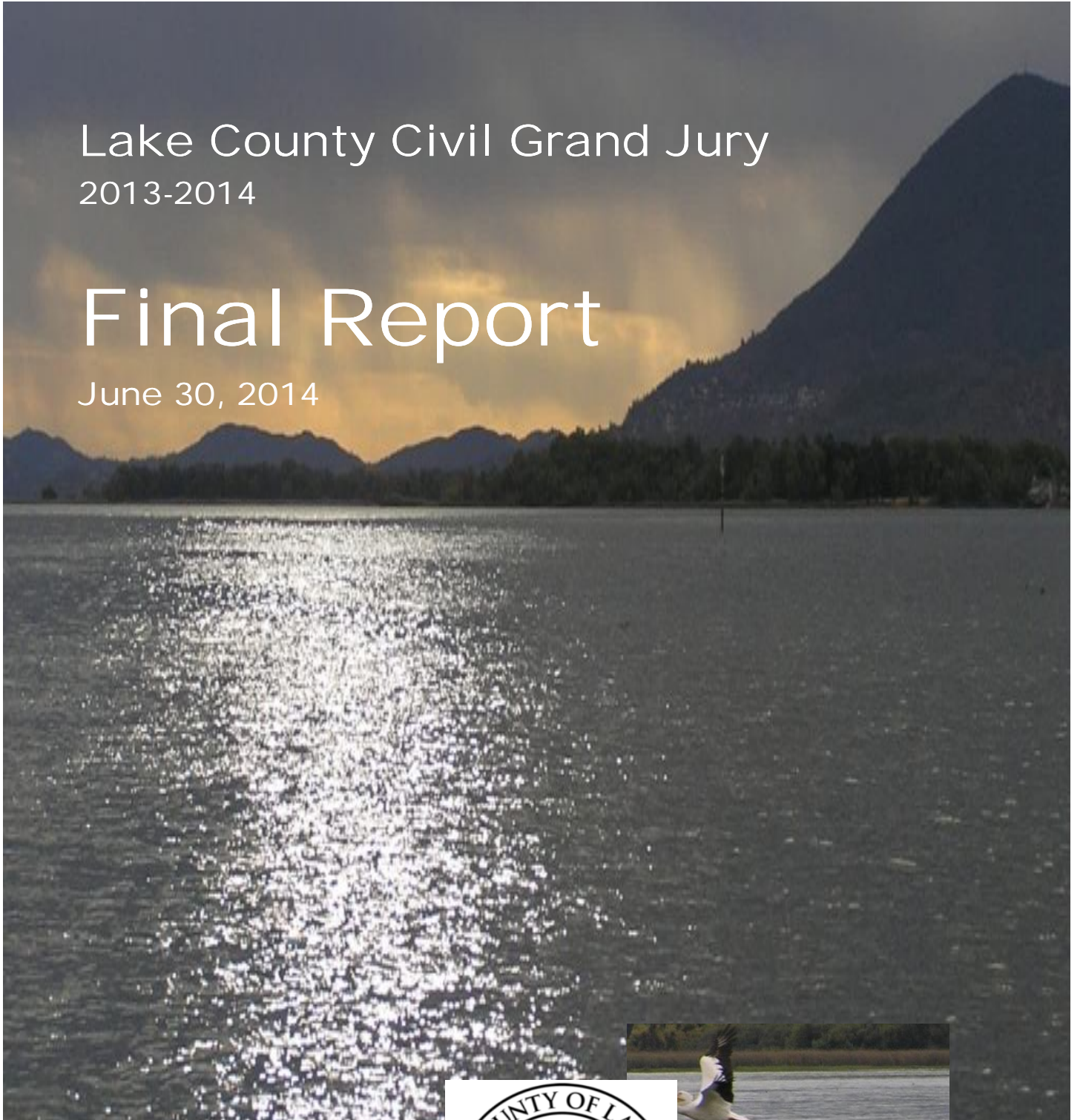


Lake County Civil Grand Jury
2013-2014

Final Report

June 30, 2014



**Lake County Civil Grand Jury
5250 Second Street
Kelseyville, CA 95451**

Contact Information

Telephone: 707-279-8619

Fax: 707-279-1983

To obtain complaint forms online:

<http://www.co.lake.ca.us/residents/law/complaints.htm>

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Lake County Civil Grand Jury

HISTORY

The institution of the Grand Jury is of ancient origin. Its use as an instrument of government predates its introduction into our county during colonial times. It has been continued and used throughout American history.

As constituted today, the Grand Jury is a part of the judicial branch of government – “an arm of the court”. It does not have the functions of either the legislative or executive branches, and is not a police agency. Additionally, it does not mandate policy changes. It is an examining and investigative body that makes recommendations to improve systems, procedures, and methods of operations in designated local government.

In Lake County, the Grand Jury generally performs only civil functions.

ORGANIZATION

The Grand Jury is composed of nineteen men and women of various backgrounds chosen from throughout Lake County.

The presiding Superior Court Judge appoints a foreperson who presides over all full jury proceedings and is responsible for directing the business of the Grand Jury.

Most Grand Jury work is done by committees. The areas of focus of these committees usually includes: Environment, Juvenile Justice, Social Services, Health, Administration, Criminal Justice, Public Works, Special Districts and Public Schools.

The Grand Jury and its committees meet several times a month. They meet with county and city officials, visit county facilities, and conduct independent research on matters of interest or concern. The committees report to the full Grand Jury and conclusions are reached after discussion and study of issues. The Grand Jury may seek advice or request the services of the County Council, District Attorney, Presiding Judge of the Superior Court, or State Attorney General.

FUNCTIONS

Watchdog Responsibilities:

The major function of the Lake County Grand Jury is to examine county and city government and special districts to ensure that their duties are being lawfully carried out. The Grand Jury reviews and evaluates procedures, methods and systems utilized by these entities to determine whether more efficient and economical programs may be employed. The Grand Jury is also authorized to:

1. Inspect and audit books, records and financial expenditures to ensure that public funds are properly accounted for and legally spent.
2. Inspect books and records of special districts in Lake County.
3. Examine the books and records of any nonprofit organization receiving county or city funds.
4. Inquire into the conditions of jails and detention facilities.
5. Inquire into any charges of willful misconduct in an office by public officials or employees.

Response to Citizens Complaints:

The Grand Jury receives letters from citizens alleging mistreatment by officials, suspicions of misconduct or governmental inefficiencies. Anyone may ask the Grand Jury to conduct an investigation. All complaints are confidential. The jury generally limits investigations to the operations of governmental agencies, charges of wrongdoing within public agencies, or the performance of unlawful acts by public officials. The Grand Jury cannot investigate disputes between private parties.

FINAL REPORT

At the end of its term the Grand Jury issues a final report, including reports released during the year, documenting its investigations and recommendations. Copies of the final report are distributed to public officials, libraries, the news media, any interested parties and any entity that is the subject of one of the reports. According to law, the elected County officers must respond within sixty (60) days following the release of the final report. The Board of Supervisors and other public agency governing boards must respond within ninety (90) days.

The Grand Jury's final report summarizes the year's activities and contains its findings and recommendations for action and study. The new Grand Jury reviews the responses of the affected public agencies and the process of protection the public interest begins anew.

SUBMISSION OF COMPLAINTS

Although it is not required, complaints should first be addressed to those responsible for resolution unless it will be detrimental to the complainant.

The Lake County Grand Jury will respond to all citizens submitting complaints. The citizen may not have further acknowledgement other than their complaint was received.

Complaint Forms may be requested from:

**Lake County Civil Grand Jury
PO Box 1078
Kelseyville, CA 95451
(707) 279-8619**

Or on the web at <http://www.co.lake.ca.us/Government/Boards/GrandJury/>

GRAND JURY SELECTION PROCESS

The court solicits applications for the Grand Jury by advertising in the local papers. Applications may be obtained by mailing a letter with a self-addressed, stamped envelope to:

**Grand Jury Coordinator
255 North Forbes Street
Fourth Floor
Lakeport, CA 95453.**

Applications are also available at each Superior Court Clerk's office at the above address or at 7000 A South Center Drive, Clearlake.

Once applications have been screened and approved, they are randomly selected to be members of the Grand Jury.

QUALIFICATIONS FOR GRAND JURORS

Prospective Grand Jurors must possess the following qualifications (Penal Code 893):

1. Be a citizen of the United States, of the age of eighteen (18) years or older who shall have been a resident of the state and county for one year immediately prior to being selected.
2. Be in possession of his or her natural faculties, or ordinary intelligence, sound judgment, and fair character.
3. Possess sufficient knowledge of the English language.

A person is not legally required to serve if any of the following apply:

1. The person is serving as a trial juror in any court of this state.
2. The person has been discharged as a Grand Juror in any court of the state within one year.
3. The person has been convicted of malfeasance in office or any felony or other high crime.
4. The person is serving as an elected public officer.

Desirable qualifications for a Grand Juror include the following:

1. Have the time to make the necessary commitment. It is not uncommon to serve ten to fifteen hours a week or more.
2. Be open-minded with concern for the positions and view of others.
3. Have the ability to work with others.
4. Have an interest in community affairs.
5. Possess investigative skills and an ability to write reports.
6. Have a general knowledge of the functions, authorities and responsibilities of count and city government and other civil entities.

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**COUNTY OF LAKE
GRAND JURY**

PO Box 1078
Kelseyville, CA 95451
Telephone (707) 279-8619
Fax (707) 279-1983

Letter to Citizens of Lake County

The Lake County Civil Grand Jury acts as a “watchdog” to ensure that all aspects of the local government are working properly as prescribed by law. The Grand Jury must work in a manner and adhere to a philosophy in agreement with the legal requirements mandated for Civil Grand Juries by the State of California. The 2013-2014 Civil Grand Jury was impaneled in July 2013.

The Civil Grand Jury began to form committees and review assigned responsibilities and to list priorities for oversights and investigations.

The Grand Jury’s basic duties include:

- Review and investigate all complaints received by the Grand Jury
- Conduct mandatory yearly oversights
- Conduct any Ad Hoc oversights needed
- Produce a final report of all activities at the end of the term (June 30, 2014)

Members of the Civil Grand Jury are selected from individuals in Lake County from all walks of life, with different life experiences, skills, and work experiences. The members worked long hours to investigate and research all matters brought before them.

During the course of their investigations the Grand Jury found hard working and dedicated employees at all levels of city and county government.

Some of the submitted reports are interesting, some are informational, some are thought provoking, and some could possibly lead to cost savings if implemented.

It has been a privilege to serve as foreperson of the Lake County Civil Grand Jury for the term of 2013-2014. I wish to thank each member for the time and work they contributed to make the year a success and a job well done.

Sincerely,

Virginia Cline, Foreperson
2013-2014 Lake County Civil Grand Jury



COUNTY OF LAKE
GRAND JURY
PO Box 1078
Kelseyville, CA 95451
Telephone (707) 279-8619
Fax (707) 279-1983

2013-2014 Lake County Grand Jury Foreperson's Letter

June 30, 2014

The Honorable Stephen O. Hedstrom
Superior Court of California
County of Lake
255 Forbes Street
Lakeport, CA 95453

Dear Judge Hedstrom:

Pursuant to California Penal Code 933 (a), the 2013-2014 Lake County Civil Grand Jury submits to you their Final Report.

Sincerely,

A handwritten signature in blue ink that reads "Virginia Cline". The signature is written in a cursive style.

Virginia Cline
Foreperson. 2013-2014



Superior Court of California

COUNTY OF LAKE
255 NORTH FORBES STREET
LAKEPORT, CALIFORNIA 95453

STEPHEN O. HEDSTROM
SUPERIOR COURT JUDGE

(707) 263-2374 EXT 2231
FAX (707) 262-1327

June 18, 2014

Dear Members of the 2013-2014 Lake County Civil Grand Jury:

The submission of your final report is the result of your hard work. I have reviewed that report, and I find that it complies with Title 4 of Part 2 of the California Penal Code (§§888 et seq.). I direct the clerk of the court to accept and file one copy the final report pursuant to Penal Code §933, subd. (b).

Although there may be disagreement with some of your findings and recommendations, you have acted in the best interests of your community. While you have no power to enforce your recommendations, the law requires governing bodies, elected officials, and agency heads to provide meaningful responses to your findings and recommendations. Respect for your hard work and the importance of your final report should also motivate meaningful responses. Your findings and recommendations, together with official responses and publicity should lead to honest debate and ultimately improve the fairness, quality, and efficiency of local government.

You volunteered thousands of hours as grand jurors at a great personal sacrifice. You brought the independence, experience, knowledge, and wisdom of the community to bear upon your final report. You served with dedication and diligence to make Lake County a better place.

I express my appreciation and that of the entire court for your very valuable public service.

Sincerely,

A handwritten signature in blue ink that reads "Stephen O. Hedstrom".

Stephen O. Hedstrom
Presiding Judge of the Superior Court

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2013-2014 Grand Jury Roster

Karen Burtness		Hidden Valley Lake
Johnallen Chamberlain		Clearlake
Virginia (Ginny) Cline	Foreperson	Lakeport
Rosemary Dontje	Administrative Secretary	Kelseyville
Janice Eckert		Lakeport
Sunol Grayhorse		Lakeport
Reba Hawley		Clearlake
Polly Ann Johnston		Kelseyville
William Magoolaghan		Kelseyville
Nanette Marschall	Recording Secretary	Lakeport
Cliff Morgan	Sergeant at Arms	Spring Valley
Robert Mix		Lakeport
Phil Myers		Lakeport
Jack Scialabba		Clearlake
Linda Schreiber		Lakeport
Christopher Twohy		Lakeport
Carol Vedder		Lakeport

**Lake County/City –Agencies/Departments
Required to Respond
To All Findings and Recommendations**

Agency/Department	Page Numbers
Administration Office	7, 66
Assessor-Recorder	4
Board of Supervisors	4, 7, 19, 24, 26, 46, 56, 58, 60, 66
Chief Probation Office	24, 60
Clearlake Police Department	58
Community Development Director	7
District Attorney	7, 19, 24, 58
Environmental Health Department	26, 46
Lake County Sheriff	56, 58
Lakeport Police Department	58
Museums Curator	66
Public Services Department	66
Public Works and Water Resources Department	46
Social Services Department for IHSS	24

Budget and Finance Committee

**The Budget and Finance Committee conducted oversights
of the following department
and found no significant issues at this time.**

County Administrative Office

Assessor's Office Complaint Follow-Up

Summary:

The 2013-2014 Lake County Civil Grand Jury received a complaint concerning the non-response of the Assessor-Recorder Office. After acceptance of the complaint, it was assigned to the Budget and Finance Committee (Committee) for investigation and resolution. It was found that the complaint was warranted, but there were extenuating circumstances that contributed to the delay in responding.

Background:

After reviewing the complaint, the Committee decided that a visit to the Office of the Assessor-Recorder was appropriate. The interview with the Assessor-Recorder's Office took place on September 26, 2013.

Methodology:

The Committee questioned the department's protocol for handling requests from the public. The Committee inquired about the particular situation to determine if it might be indicative of a larger problem.

Discussion and Analysis:

The Assessor-Recorder's office is responsible for determining the fair market value of all real property and recording and maintaining public records of all properties in Lake County. All property ownership transfers occurring during the course of each year must be recorded by July 1 of the following year. A number of factors contributed to a large backlog of work as the July 1 deadline approached in 2013. Those factors include, but are not limited to:

- Requests (appeals) for property tax reductions due to reduced property values during the economic recession.
- Reduction in the number of department staff. This is due to the combined effect of retirements, budget cuts, and the long term medical leave of a staff member responsible for researching titles.

The Assessor-Recorder cited the above reasons as contributing to falling behind on response to correspondences, including the letters which prompted complaint number 17. The Committee was assured that a response to those particular letters would be prepared and that the Committee would be informed upon completion.

Findings:

- F1 There are no major problems with the procedures in the Office of the Assessor-Recorder. The delay in corresponding with the property owner in Complaint number 17 was a result of the seasonally heavy workload and the absence of a key employee. This committee does not see a pattern of slow response to public inquires.

Recommendations:

- R 1. Explore the creation and use of an acknowledgement form letter that could be used during the exceptional busy times of the year. The letter should inform the correspondent that there may be a delay in responses and give a reasonable time frame when the matter will be addressed.

Request for Responses:

- Assessor-Recorder (60 days)
- Board of Supervisors (90 days)

Disclaimer:

The investigation into Complaint #17 has been issued by the 2013/2014 Lake County Civil Grand Jury with the exception of one member of this grand jury who knows the parties involved. The grand juror was excluded from all parts of the investigation which included interviews, deliberations, and the making and accepting of this report. This report is based on information obtained from the Assessor-Recorder's Office with none of the information being obtained from the excluded grand juror.

Lake County Code Enforcement (Community Development)

Summary:

Code Enforcement activities are less effective due to a shortage of staff based on a reduced budget.

Background:

Code Enforcement in Lake County is handled by the Community Development Department. Responsibilities include enforcement of all codes and ordinances as defined in Appendix 1.

Methodology:

The Budget and Finance Committee (Committee) met with Community Development management on February 14, 2014, the District Attorney's Office on March 5, 2014, and the Sheriff's Office on March 10, 2014, with specific questions. Past Grand Jury reports and state laws were researched.

Discussion and Analysis:

The Code Enforcement staffing level has varied greatly over the last twelve year period from a low of two to a high of ten. At one time, Code Enforcement was a separate division. The responsibilities are now rolled into the Building and Safety and Planning divisions. This has resulted in the inability to easily identify the cost of Code Enforcement.

A major activity of the Community Development Department this year is a revision of the Zoning Ordinance. The ordinance currently consists of 71 separate and distinct chapters. The revised ordinance will have eight sections interconnected via an on-line access mechanism. Once this is finished, permit approval and ordinance abatement by Community Development Department will be dramatically more efficient. This is expected to be in draft form for public review by July 15, 2014.

The abatement process has been improved and simplified (Appendix 2). The lack of technician staffing forces senior management to perform technician level tasks. As a result of inadequate staffing, abatements are being processed slowly.

Marijuana nuisances often require cooperative activities between the Sheriff's Office and Community Development due to the code violations present in most grow houses and the danger involved.

Asset forfeiture monies recovered are currently used by law enforcement agencies, the state and the District Attorney's Office. The Committee investigated the possibility of allocating some of the asset forfeiture monies seized to fund the Code Enforcement support of marijuana abatement activities.

Findings:

- F1 The Grand Jury found it impossible to track and compare the costs of Code Enforcement over the years as the data is not readily available.

- F2 The shortage of manpower in the Community Development Department has caused delays in performing Code Enforcement duties in spite of revised and simplified procedures.
- F3 Marijuana ordinance enforcement is the responsibility of the Sheriff's Department. During 2013, Code Enforcement in cooperation with the Sheriff's Office was called between two and three times a month to inspect and tag indoor marijuana grow houses. Delays occur when it is necessary to coordinate the schedules of law enforcement and the Code Enforcement personnel.
- F4 California Health and Safety Code Section: §11469 states that, "Law enforcement is the principal objective of forfeiture." The monies obtained by asset forfeiture of marijuana abatements is currently shared between the state, the District Attorney, and the law enforcement agencies involved in the abatement per California Health and Safety Code Section: §11489. This section of the code is specific in the ways the money can be utilized: It is for law enforcement agencies, which precludes using it to fund the code enforcement support of marijuana abatement activities.
- F5 There is a Memorandum of Understanding (MOU) between the District Attorney and Sheriff's Office detailing the distribution of seized and forfeited property.
- F6 Lake County Sheriff's Policy 606 clearly defines the handling of asset forfeiture cases.
- F7 The Committee verified that the Sheriff's Office is organized and efficient in its handling and processing of asset forfeiture monies in a timely manner.
- F8 The District Attorney's Policy Manual does not address asset forfeiture.
- F9 The Board of Supervisors (BOS) is waiving permit fees as an enticement to increasing jobs in Lake County. There is no evidence that waiving permit fees is a factor in the decision of individuals or companies regarding initiating a project in Lake County.

Recommendations:

- R 1. The BOS and County Administration consider re-establishing a separate Code Enforcement Division so a true cost/benefit relationship can be tracked.
- R 2. County Administration provide budget adjustments to fund a Community Development Technician.
- R 3. The BOS reconsider the practice of waiving permit fees on developments.
- R 4. The BOS initiate a study of permit fees in surrounding counties with the objective of realigning the permit fee structure to be competitive
- R 5. Future fees should take into consideration inflation measurements such as the Consumer Price Index (See End Notes).
- R 6. The District Attorney add an Asset Forfeiture policy and procedure to the District Attorney's Policy and Procedural Manual.

Request for Responses

Pursuant to Penal Code 933.05 the Grand Jury requests responses as follows:

- District Attorney (60 days)
- County Administration via the Board of Supervisors (90 days)
- Community Development Director via the Board of Supervisors (90 days)
- Board of Supervisors (90 days)

Appendices

Memo from Community Development Director

End Notes

A Consumer Price Index (CPI) measures changes in the price level of a market basket of consumer goods and services purchased by households. A CPI can be used to index (i.e., adjust for the effect of inflation) the real value of wages, salaries, pensions, for regulating prices.



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

MEMO

TO: Lake County Civil Grand Jury
William Magoolaghan

FROM: Richard Coel, Community Development Director *RC*

SUBJECT: List of County Ordinances Enforced by the Community Development Department

DATE: March 18, 2014

Good afternoon. In response to your voice message, here is a listing of the various county ordinances and state regulations that are enforced entirely or partly by the Lake County Community Development Department:

Chapter 13 of L.C. Code Nuisance Abatement Ordinance *(think of this as the umbrella under which the County enforces the below county codes along with several other codes that are administered by other County Departments).*

Chapter 5 of L.C. Code Building Regulations *(includes graffiti ordinance and Boarded Buildings, and is the local modifier of the State Building Codes)*

Chapter 17 of L.C. Code Subdivision Ordinance

Chapter 21 of L.C. Code Zoning Ordinance

Chapter 29 of L.C. Code Storm Water Management

Chapter 30 of L.C. Code Grading Ordinance

2013 California Building Standards Code (State Building, Electrical, Plumbing, Mechanical, etc., codes)

2012 International Property Maintenance Code

2012 International Wildland-Urban Interface Code

If you have any questions, please do not hesitate to contact me.

Government Services Committee

**The Government Services Committee conducted oversights
of the following department
and found no significant issues at this time:**

City of Lakeport

Oversight of Public Defender Program

Summary:

The Government Services Committee (Committee) conducted an oversight of the Public Defender Program in Lake County as part of its mandate from the county.

Background:

The Public Defender Program in Lake County has gone through several variations in an attempt to balance competent representation of the indigent population with the cost of supplying that representation. In the mid 1980's, the county had public defender services as a county department, but found the county is more cost-effectively served by contracting for the services with an independent company.

Since August 2, 2005, the public defender services have been supplied by Lake Legal Defense Services, Inc. (LLDS).

The LLDS contract states:

“Contractor shall provide competent subcontractors [i.e. attorneys] to provide adequate coverage to all Courts within the County. ‘Adequate coverage’ means generally that the business of the Courts is not delayed because of absence of and/or lack of preparation and/or experience of Contractor and/or its subcontractors.

Contractor shall provide for such ancillary and supportive services as may be necessary to ensure adequate representation, including, but not limited to, investigative services, where deemed necessary by the subcontractors, and such other services properly required by its subcontractors designed to assist in the preparation and presentation of the Indigent's case . . .” (See End Note #1)

The Committee also contacted the Public Defender Program Oversight Committee. The Oversight Committee was set up by the Board of Supervisors (BOS) in 2005 upon recommendation of the Lake County Civil Grand Jury. As a body that is independent from LLDS, the Oversight Committee meets monthly to review the Public Defender Program's issues or concerns; and it reviews complaints. The Oversight Committee receives quarterly reports from LLDS on the overall Public Defender Program for Lake County. LLDS reports primarily deal with attorney staffing changes, subcontractor caseloads, transfer of cases between courts in Lake County, and the cost of defending each person represented by them. The Oversight Committee reports yearly to the BOS regarding the operation of the Public Defender's Department.

Methodology:

The Committee interviewed a representative of Lake Legal Defense Services Inc., and a representative of the Public Defender Program Oversight Committee. Additionally, the Committee reviewed the Indigent Criminal Legal Defense Services Agreement with the current amendments. The following facts were gleaned from those three sources unless otherwise noted.

Discussion and Analysis:

1. The term of the LLDS contract with Lake County has been extended by Amendment six times since its inception. The current Sixth Amendment covers a term ending September 30, 2014.
2. The Sixth Amendment to the LLDS contract allocates an operating budget of \$964,500 per annum.
3. LLDS has the responsibility to hire, train, and monitor the performance of its subcontractors. It reports, as required or requested, to the Oversight Committee.
LLDS has staffing of:
 - a. 7 felony attorneys (including LLDS President)
 - b. 4 misdemeanor attorneys
 - c. 2 juvenile case attorneys
 - d. 1 conservatorship attorney
 - e. 2 investigators
4. Attorneys are paid a flat monthly fee depending upon experience, but not dependent upon caseloads.
5. Eligibility for representation by a public defender is determined by sitting judge after review of Superior Court of California Form MC-210, Defendant's Financial Statement and Notice to Defendant. [See Appendix A]
6. Cases are assigned by the sitting judge on a rotational basis depending on caseload and/or possible conflict of interest.
7. Cases have several levels of litigation which determine the level of defense necessary for adequate representation. If the caseloads of the subcontractors are such that they cannot accept another client, an outside attorney can be appointed. Outside attorneys' services are paid at a negotiated rate.
8. A representative of LLDS attends the Lake County Criminal Justice Committee which is tasked with "identify[ing] and eliminate[ing] problems in the criminal court system and to discuss other problems of mutual concern."
(See End Note #2)

Findings:

- F1. The Public Defender Program works well with the courts, the District Attorney's office, and other Lake County agencies with whom it interacts. The Oversight Committee presently monitors the operation of the Public Defender Program and gives an annual report to the BOS.

Recommendations:

- R1. The Grand Jury has found the Public Defender Program and its Oversight Committee are performing efficiently and competently. Therefore, the Committee recommends that the Public Defender Program and its Oversight Committee continue to function at the current level of performance.

End Notes:

1. Indigent Criminal Legal Defense Services Agreement between The County of Lake and Lake Legal Defense Services, Inc. Copies of the entire contract can be obtained from the office of the County Administrator
2. California Rules of Court, Title 10 Judicial Administrative Rules, Division 4, Chapter 13, Rule 10.952: Meetings concerning the criminal court system.

Appendices:

Appendix A: MC-210, Defendant's Financial Statement and Notice to Defendant

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY CASE NUMBER:
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	
DEFENDANT'S FINANCIAL STATEMENT AND NOTICE TO DEFENDANT <i>(check all that apply)</i> <input type="checkbox"/> ELIGIBILITY FOR APPOINTMENT OF COUNSEL <input type="checkbox"/> REIMBURSEMENT FOR COST OF COURT-APPOINTED COUNSEL <input type="checkbox"/> ELIGIBILITY FOR RECORD ON APPEAL AT PUBLIC EXPENSE	

1. a. Defendant's name: _____ d. Date of birth: _____
 b. Other names used: _____ e. Telephone number: _____
 f. Driver's license number: _____
 c. Address: _____

2. Defendant's present employment:
 a. Occupation:
 b. Name of employer:
 c. Address:
 d. Gross pay per month: \$ _____ week: \$ _____ day: \$ _____
 e. Take-home pay per month: \$ _____ week: \$ _____ day: \$ _____
 f. Name of union: _____
 g. Name of credit union: _____

3. *If defendant is not now working, state the name and address of defendant's last employer and the last date defendant was employed.*
 a. Name: _____
 b. Address: _____
 c. Last date of employment: _____

4. Defendant is is not married.

5. a. Spouse's name: _____ d. Date of birth: _____
 b. Other names used: _____ e. Telephone number: _____
 f. Driver's license number: _____
 c. Address: _____

6. Spouse's present employment
 a. Occupation:
 b. Name of employer:
 c. Address:
 d. Gross pay per month: \$ _____ week: \$ _____ day: \$ _____
 e. Take-home pay per month: \$ _____ week: \$ _____ day: \$ _____
 f. Name of union: _____
 g. Name of credit union: _____

7. *If spouse is not now working, state the name and address of spouse's last employer and the last date spouse was employed.*
 a. Name: _____
 b. Address: _____
 c. Last date of employment: _____

8. Dependents

<u>Name</u>	<u>Address</u>	<u>Relationship</u>	<u>Age</u>
-------------	----------------	---------------------	------------

PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:

CASE NUMBER:

9.		<u>Defendant</u>	OTHER MONTHLY INCOME	<u>Spouse</u>	
a.	Unemployment and disability	\$ _____	a.	Unemployment and disability	\$ _____
b.	Social Security	\$ _____	b.	Social Security	\$ _____
c.	Welfare, TANF	\$ _____	c.	Welfare, TANF	\$ _____
d.	Veteran's benefits	\$ _____	d.	Veteran's benefits	\$ _____
e.	Worker's compensation	\$ _____	e.	Worker's compensation	\$ _____
f.	Child support payments	\$ _____	f.	Child support payments	\$ _____
g.	Spousal support payments	\$ _____	g.	Spousal support payments	\$ _____
h.	All other income not elsewhere listed ...	\$ _____	h.	All other income not elsewhere listed ...	\$ _____
Total: \$			Total: \$		

10.		EXPENSES			
Monthly expenses being paid by defendant alone or by defendant and spouse					
a.	Rent or house payments	\$ _____	f.	Clothing and laundry	\$ _____
b.	Car payments	\$ _____	g.	Food	\$ _____
c.	Transportation payments	\$ _____	h.	Support payments	\$ _____
d.	Medical and dental payments	\$ _____	i.	Insurance payments	\$ _____
e.	Loan payments	\$ _____	j.	Other payments (union, taxes, utilities) ...	\$ _____
					Total (a-j): \$

11.		Installment payments other than those listed in item 10.		
	<u>Name of Creditor</u>	<u>Monthly Payment</u>	<u>Balance Owed</u>	
a.	_____	\$ _____	\$ _____	
b.	_____	\$ _____	\$ _____	
c.	_____	\$ _____	\$ _____	
d.	_____	\$ _____	\$ _____	
e.	_____	\$ _____	\$ _____	
		Total: \$	Total: \$	

12.		ASSETS			
What do you own? (State value):					
a.	Cash	\$ _____			
b.	House equity	\$ _____			
c.	Cars, other vehicles and boat equity	\$ _____			
			(List make, year, and license number of each)		
d.	Checking, savings, and credit union accounts	\$ _____			
			(List name and account number of each)		
e.	Other real estate equity	\$ _____			
f.	Income tax refunds due	\$ _____			
g.	Life insurance policies (ordinary life, face value)	\$ _____	Length of ownership _____		
h.	Other personal property (jewelry, furniture, furs, stocks and bonds, etc.)	\$ _____			
		Total: \$			

13. **ELIGIBILITY FOR APPOINTMENT OF COUNSEL AND NOTICE TO DEFENDANT:** If an attorney is appointed to represent you, the court will, at the conclusion of the criminal proceedings, after a hearing, make a determination of your ability to pay all or a portion of the cost of the attorney. If the court determines that you are at that time able to pay, the court will order you to pay all or part of such cost. Such an order will have the same force and effect as a judgment in a civil action and will be subject to execution.

Declaration of Defendant

I declare under penalty of perjury that the foregoing is true and correct, and that I understand the notice contained in item 13, under the laws of the state of California.

Date: _____

(Signature of Defendant)

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Overview of District Attorney's Office

“To prosecute vigorously but seek justice”

Summary:

The Government Services Committee (Committee) conducted an overview of the District Attorney's Office (DA's Office). The Committee discovered that the DA's Office does not have the proper format (Criminal Grand Jury for indictments), funding or personnel to adequately prosecute environmental crimes such as illegal marijuana grows, illegal dumping and illegal grading of open areas. The reduction or elimination of the environmental crimes is essential to the health of the lake and the growth and vitality of our economy.

Methodology:

The Committee interviewed a representative of the DA's Office to gain a working knowledge of the department and review its effectiveness. Please also see the Disclaimer at the end of this report.

Background:

Each county in the State of California is mandated to have a DA's Office. There are statutes and legal guidelines that apply to the proper set up and running of a DA's Office contained in the California Government Code. The Code was enacted in 1943 and continues to this day with amendments made as necessary. (See End Note #1).

The California Penal Code details the definitions of crimes, how law enforcement is to act regarding crimes and punishment, imprisonment, prevention of crimes, the apprehension of criminals, the control of deadly weapons, etc. The specific codes and their wording can be found on the CA Legislative Information website by choosing Penal Code.

Discussion and Analysis:

1. During our interviews the Committee found the present District Attorney spent fifteen years as a Lake County Deputy Sheriff. After graduating from law school he spent ten years in private practice before being elected District Attorney for Lake County.
2. The DA's Office has 39 full time employees and one volunteer. The operating budget for the DA's Office in 2013/2014 is \$2.7 million (including grant monies). (See End Note #2) This includes the operating expenses for the department and following employees' salaries:
 - a. The District Attorney
 - b. The office staff consists of an Administrative Coordinator, an Office Manager with four legal secretaries and five office assistants.
 - c. A Chief DA under whom are thirteen attorneys: Two handling misdemeanors and eleven handling felonies covering vehicular crimes, welfare fraud, domestic violence, sexual crimes (95% involving minors in child molestation crimes), elder abuse, white collar crimes and other felonies.
 - d. A Chief DA of Investigations under whom are six investigators who primarily handle investigations covering casino crimes, vehicular crimes, domestic

violence, elder abuse, white collar crimes and other felonies. There is also a volunteer (retired public service officer) who serves subpoenas.

- e. A Victims Witness Coordinator who has five advocates.
3. The DA's Office receives grant money to fund the prosecution in specific programs, such as casino crimes (100% from the casinos), vehicular crimes (100% grant money) and domestic violence (40% grant money). When this money is received it goes into the Lake County General Fund, but is earmarked specifically for the DA's individual programs.
4. The District Attorney meets his staff on a regular basis to keep everyone current on the cases in the department. The DA's Office is currently working on a Policy and Procedure Manual for the department that is estimated to be completed early in 2014.
5. The DA's Office is seeking to add an Environmental Crimes unit consisting of one new attorney and one investigator. The unit will investigate environmental crimes as related to the illegal marijuana growers, illegal dumping and grading among others.
6. The DA's Office is seeking to impanel a Criminal Grand Jury to indite defendants in criminal cases brought by the DA's Office.

Findings:

- F1 The DA's Office is currently working well with other parts of Lake County law enforcement, but it is understaffed to handle all the workload.
- F2 The Environment Crimes unit proposed by the DA to the BOS in the spring of 2013 was tabled until the 2013/2014 budget was created. The DA's Office is in meetings with County Counsel and the Planning Department. The office is looking for initial set up monies from the Lake County General Fund. After the initial training and set up of a unit, the District Attorney estimates that two large cases a year would fund the program.
- F3 The DA's Department is planning to demonstrate what can be done with the present staff by picking the five worst environmental crimes cases, take them to a Criminal Grand Jury for indictment and DA's Office prosecution.
- F4 The DA's Office is requesting from the court that a Criminal Grand Jury be impaneled. This could take the format of a Grand Jury impaneled for specific cases, or a sitting jury impaneled for a term of one to two years. These options are under consideration at the court. There has been no Criminal Grand Jury impaneled for over twenty years until the 2013 provisional grand jury was chosen. In those cases the jury was drawn from the general electorate similar to general trial jury selection for determination of some specific cases.
- F5 At present, there is no Consumer Crimes Unit. These types of crimes are prosecuted using the DA Office's general felony attorneys.

Recommendations:

- R 1 The Board of Supervisors approve the DA's request for additional monies in their budget to initiate the acquisition and training of additional personnel for an Environmental Crimes Unit.
- R 2 The DA's Office, with the cooperation of the court, continue to do discovery on the feasibility (including costs) involved in empaneling a Criminal Grand Jury.

This could speed up the prosecution of environmental crimes and possibly result in the monies from fines and judgments being collected sooner in all departments, especially in the Environmental Crimes Unit.

R 3 The DA's Office create a Consumer Fraud Unit within their present structure.

Disclaimer:

This overview of the District Attorney's Office has been issued by the 2013/2014 Lake County Civil Grand Jury with the exception of two members of this grand jury who either have a conflict with the DA's Office or who have family member(s) working in said department. These grand jurors were excluded from all parts of the investigation which included interviews, deliberations, and the making and accepting of this report. This report is based on information obtained from the DA's Office with none of the information being obtained from the excluded grand jurors.

End Notes:

1. Codes for the operation of the District Attorney's Office are to be found on the California Legislative Information website: leginfo.legislature.ca.gov. The progression to find specific statutes for the District Attorney is: Government Code – GOV; Title 3 – Government of Counties; Division 2 Officers; Part 3 Other Officers; Chapter 1 District Attorney; Articles 1 through 3; Codes 26500 – 26543.
2. www.co.lake.ca.us. On home page choose Budget & Finance > County Budget > 2014 Budget. The pdf of adopted budget appears: County of Lake, Adopted Budget, Fiscal Year 2013-2014. Go to Section B County Government Financial Uses. District Attorney's budget appears on pages B40 through B41.

Request for Responses:

- District Attorney's Office (60 days)
- Board of Supervisors (90 days)

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Health and Human Services Committee

**The Health and Human Services Committee conducted
oversights of the following departments
and found no significant issues at this time:**

**Child Protective Services
Social Services**

Oversight of In-Home Supportive Services

Summary:

The Health and Human Services Committee (Committee) conducted an oversight of the In-Home Supportive Services (IHSS) program. The program is administered by the Lake County Department of Social Services. There are currently 1811 clients in Lake County that need care providers. There are only 1596 care providers. Of the 1596 only 300 are registered providers.

Background:

The IHSS program provides a wide range of services to meet individual needs. To receive IHSS benefits a person must be blind, or disabled, and eligible for Medi-Cal. People who receive Supplemental Security Income (SSI) / State Supplemental Payment (SSP) also meet the program's financial need requirement. Others may be eligible but may need to pay a portion of the cost. A social worker will determine the number of hours per week a care provider will be needed to assist the individual and establish the share of cost, if any, that the client must pay.

Methodology:

The Committee went to the Lake County Department of Social Services and conducted an interview with IHSS staff and Social Services staff.

Discussion and Analysis:

1. The purpose of the program is to provide nonmedical in-home care and services to prevent lengthy stays in the hospital or institutional care centers.
2. The County share of cost for the program known as a Maintenance of Effort (MOE) for IHSS Administration, Public Authority Administration and IHSS provider wages is fixed by the state and is \$4,465,173 for fiscal years 2012/2013 and 2013/2014. This amount will increase by 3.5% the coming fiscal year, 2014/2015 and go up 3.5% every year after. The total cost of the IHSS program (county staff and IHSS provider wages in fiscal year 2012/2013 was \$26,054,214). The Federal reimbursement averages 50% or \$13,027,107. The state reimbursement averages 35% or \$8,561,934. The County pays the rest through the MOE. To assist the counties in paying their MOE's, the state created a revenue stream known as Realignment. It is based on the collection of sales tax revenue in the state which can vary with each reporting period.
3. There are 1811 clients currently receiving services from the IHSS for their care. There are 1596 providers being paid hourly wages of \$8.75 per hr.
4. All care providers are finger printed and background checked. Once this is done, the client is informed of the results of the check and may hire the provider regardless of whether or not they have a record. A registered provider list is provided by the Public Authority. Registered providers have gone through background checks and are persons without a criminal record.
5. Total paid hours per month for providers is approximately 200,000.
6. The possibility of fraud between the client and the state, the provider and the state, and/or the client and the provider can be a significant problem. There is currently one investigator in Northern California for both IHSS and Medi-Cal fraud.³

Findings:

- F1 The program is comprehensive within the scope of practice so the clients remain in their homes rather than be subject to extensive stays in hospital or institutional care centers.
- F2 The IHSS program is compassionately and professionally managed according to state law.
- F3 IHSS is a significant employment opportunity for minimally skilled persons in the County of Lake.
- F4 Social Services is in the process of hiring a full time fraud investigator specifically for IHSS.
- F5 The Department of Social Services is in negotiation with the District Attorney's office for a half time position to follow up and prosecute fraud.

Recommendations:

- R 1 IHSS complete the negotiations with the County Probation Department for the hiring for a fraud investigator. (F4)
- R 2 IHSS complete the negotiations for hiring the half time prosecutor for the District Attorneys Office. (F5)

Request for Responses:

- District Attorney (60 days)
- County Probation Department by and through the BOS (90 days)
- Social Services Department head for IHSS by and through the Board of Supervisors (90 days)
- Board of Supervisors (90 days)

Environmental Health Oversight

Summary:

The Health and Human Services Committee conducted an oversight of Environmental Health Division of Lake County Health Services (EH) specifically looking into the inspection of retail facilities serving food to the people of Lake County.

Background:

The EHD is charged with issuing permits for the safe handling and preparation of food sold for consumption by the general public in Lake County. EH also approves the design and installation of septic systems and hazardous materials used and disposed of in the county.

The purpose of our visits was to determine if there were appropriate inspections of the food facilities of Lake County. For the purpose of brevity, this report is focused on the handling, preparation and serving of food products in Lake County.

Methodology:

The Committee visited the EH three separate times. On October 8, November 19, and December 10, 2013.

Discussion and Analysis:

1. The Committee requested and received documentation from EH concerning the number of food facilities there are in Lake County to be inspected. After the documents were received the Committee discovered, for the purposes of inspection, that there are 202 facilities that are considered high risk, 27 facilities that are medium risk and 142 that are low risk. High risk facilities require three to four visits per year, medium risk require two visits and low risk facilities require visits every other year. Examples of high risk include preschools, hospitals, licensed health care facilities and facilities conducting food processing in retail situations (e.g. venues that have complex menus with foods that are at high risk for perishability). Examples of medium risk include retail food store operations, schools not serving a highly susceptible population and quick service operations. Low risk examples are most convenience store operations, hot dog carts and coffee shops. Total number of visits per year would be approximately 972. Documentation clearly shows that required inspections were not accomplished. Some of the dates on the documentation showed that 42 businesses had not been inspected since 2012, 26 had not been inspected since 2011 and that 3 had not been done since 2010.
2. Currently EH is budgeted for two full-time Environmental Health Specialists for food oversight. These specialists also cover other environmental inspections as needed.
3. It was relayed to the Committee that the EH is mostly self funded. 55% of their funds comes from County permits. 40% is received from the State of California,

5% is received from grants. The food oversight money is the Environmental Health budget.

4. Some facilities may receive fee waivers granted by the Board of Supervisors, so they do not pay for permits.

Findings:

- F1 The number of required food inspections were not accomplished. The lack of inspections were spread equally between all risk levels.
- F2 There are not enough Environmental Health Specialists to perform the required number of food inspections.
- F3 The granting of fee waivers negatively impacts the department's revenue = which impedes their ability to hire additional food safety inspectors.

Recommendations:

- R 1 The Board of Supervisors, in conjunction with the Environmental Health EH for food inspection in Lake County, explore avenues to increase revenue for food inspection in Lake County. (F1, F2, F3)
- R 2 The EH reassign other employees within Environmental Health to help the department become current on food inspections. (F1)

Request for Responses:

- Health Services/Environmental Health Director by and through the Board of Supervisors (90 days)
- Board of Supervisors (90 days)

Ad Hoc Committee

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What is AB109, and Why Should I Care?

Summary:

“For too long, the state’s prison system has been a revolving door for lower-level offenders and parole violators who are released within months – often before they are even transferred out of a reception center. Cycling these offenders through state prisons wastes money, aggravates crowded conditions, thwarts rehabilitation, and impedes local law enforcement supervision.” *Governor Edmund G. Brown, Jr., Governor’s Press Release, April 5, 2011.P*

Assembly Bill 109 Criminal Justice Alignment (AB109) Legislation was enacted in October 2011. The legislation has reduced the number of offenders sentenced to state prisons, but it has transferred the overcrowding problem to the local level and has caused significant problems in Lake County’s Hill Road Correctional Facility (Jail).

The 2013/2014 Lake County Civil Grand Jury Ad Hoc Committee prepared this informational report to interpret the legislation and try to dispel several myths that have arisen regarding its fulfillment. This report gives an overview of various ways that Lake County is addressing the Jail overcrowding problem.

Background:

In 2011, California Governor Brown signed AB109 (also referred to as The Public Safety Realignment Act) and Assembly Bill 117 (AB117). This was historic legislation to enable California to close the revolving door of low-level inmates cycling in and out of state prisons. It is the cornerstone of California’s solution to the US Supreme Court order to reduce the number of inmates in the state’s 33 prisons to 137.5% of original design capacity.

In November 2012, California voters approved Governor Brown’s Proposition 30, which created a constitutional amendment that protected ongoing funding to the counties for realignment. The amendment prohibits the Legislature from reducing or removing funding to the counties.

Methodology:

The Lake County Civil Grand Jury examined the following documents and official websites in compiling this report:

1. The Text of AB109. See <http://www.leginfo.legislature.ca.gov> for the complete text AB109 Criminal Justice Alignment law.
2. The Chief Probation Officers of California (CPOC) Issue Brief Realignment Perspective, A First Look at Statewide Data Trends and Impacts, July 2012. <http://www.cpoc.org>

3. California Department of Corrections and Rehabilitation/Public Safety Realignment website, including the April 15, 2013, and December 19, 2013, Fact Sheets.
www.cdrc.ca.gov
4. Lake County Sheriff's Office Jail Assessment Study, September 16, 2013, presented to Lake County Board of Supervisors on September 28, 2013.
5. CalRealignment.org: provides county officials realignment updates and guidance on the most effective strategies to improve safety and reduce costs. It is a clearinghouse with links to the California Department of Corrections and Rehabilitation, the California State Sheriff's Association, the California State Association of Counties, and the Chief Probation Officers of California websites among others.

Discussion and Analysis:

The following statements were obtained from the California Department of Corrections and Rehabilitation/Public Safety Realignment webpage:

- AB109 covers adult offenders, and AB117 covers juvenile offenders.
- No inmates currently in state prison have been or will be transferred to county jails or released early. Under realignment newly-convicted low-level offenders without current or prior serious or violent offenses stay in county jail to serve their sentence.
- AB109 shifts the responsibility for a substantial number of non-serious, non-violent, non-sexual felony offenders (N3) from state prisons to county jail systems or an alternative form of community corrections.
- The AB109 legislation reassigns three groups of offenders previously handled through the State Prison and Parole System to California Counties:
 1. The first group includes convicted offenders receiving sentences for new N3 crimes that will be served locally (one year or more). Offenders in this category will have no prior violent or serious convictions.
 2. The second group involves post-release offenders (up to three years) coming under Probation Department supervision for N3 crimes released from State Prison. Offenders in this category may have had prior convictions for violent or serious crimes.
 3. The third group includes State parole violators who are revoked back to custody. With the exception of offenders sentenced to life with parole, this group will be revoked to local County Jail instead of State Prison.
- The 2011 Realignment is funded with a dedicated portion of the state sales tax revenue and Vehicle License Fees (VLF) outlined in trailer bills SB 89 and AB118. The first provided revenue to counties for local public safety programs and the second established the Local Revenue Fund for counties to receive the revenues and appropriate funding for 2011 Public Safety Realignment.
- As of October 1, 2011, all state prison revocations of parole are served in county jail instead of state prison and can only be up to 180 days.
- AB109 authorizes flash incarceration at the local level for up to ten days. Flash incarceration is for routine violations of parole, i.e. missing an appointment, testing positive for drugs, failing to attend anger management or substance abuse classes.

The Lake County Sheriff's Office Jail Assessment Needs Study reveals:

- The Jail is located at 4913 Helbush Drive in Lakeport and is a full service Type II facility. Type II facility means it is a local detention facility used for the detention of persons pending arraignment, during trial, and upon a sentence of commitment to one year.
- The offenders anticipated for Jail custody, supervisions and treatment under AB109 Realignment will have high needs in the area of substance abuse, persistent association with negative peer influences, anti-social thinking, insufficient problem-solving skills, mental health issues, lack of vocational and educational skills, post release homelessness, and/or other basic needs.
- The present Jail was completed in 1997 and has a capacity of 286 inmates. The average daily population is 308. On August 5, 2013, 110 of those inmates were as a result of AB109.

Findings:

- F 1. In order to address persistent crowding in the Jail, the Sheriff's Office has begun to develop and implement an array of alternatives to incarceration programs and case processing procedures which will allow the jail system to function with the limits of available custody beds. These alternatives include, but are not limited to:
- **Cite and Release policies:** Once a misdemeanor offender is cited for their crime they are released.
 - **Sheriff's Alternative Work Program:** which functions as Lake County's primary incarceration alternative program in lieu of jail confinement. The goal of the program is to help relieve crowding in the Jail facility while providing an alternative service to the community. The program has been significantly expanded since AB109 was enacted. The program currently has an average daily participant population ranging from 14 – 17 offenders per month.
 - **Sheriff's Home Detention Electronic Monitoring Program (EM):** The Program allows selected AB109 offenders and other local incarcerated offenders to participate in the alternative to incarceration program that is administered by the Sheriff's staff utilizing electronic monitoring equipment (ankle bracelets).
- F 2. The Sheriff's Office has applied for grant monies under State Bill 1022 (SB1022) for Phase 2 Jail Construction Grant Funds. Phase 1 will include adding 39 new Special Use Beds to help improve medical and mental health services to inmates and a new female dormitory that will have 40 new beds (which will allow the male dormitory capacity to expand). The results of the application was publically announced on January 16, 2014. Lake County was approved for funds under SB1022 for expansion of the Jail.

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Planning and Public Works Committee

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Planning and Public Works Report On Water Quality in Lake County

Introduction:

The Planning and Public Works Committee (Committee) considered the concerns of the general public regarding the water quality of Lake County. The Committee explored how public interests are being served by local agencies in cooperation with federal and state agencies as well as by private contractors. Considering the vital importance of our water resources and the wide range of water quality concerns, we divided our study into three areas:

- Drinking water systems
- Waste water systems (sewer and septic systems)
- The water quality of Clear Lake

These are the three main components of the water cycle dynamics in Lake County.

Maintaining and improving water quality is the responsibility of the following local agencies:

- Public Works/Water Resources Department
- Health Services: Environmental Health and Public Health
- Special Districts Administration (NOTE: Most special districts are autonomous from Lake County government. Ten districts are under the county umbrella. This report reflects those water and wastewater systems which are under Lake County supervision.)

The Committee interviewed representatives from all of the above agencies. The agencies have overlapping responsibilities and coordinate with each other frequently. The Committee also interviewed State of California Water Quality enforcement personnel with authority in Lake County. Additional information from independent professional consultants, literature and previous Grand Jury reports was gathered.

Part One: Drinking Water Systems:

Summary:

Clean, safe drinking water is a concern of every resident in Lake County. The public needs to have a high level of confidence that the appropriate agencies are doing the job of constructing and maintaining the infrastructure to deliver high quality drinking water to the public.

The committee looked into the above concerns with the hope of reassuring the public that all aspects of the public drinking water systems are being professionally handled.

Methodology:

The Committee conducted a series of interviews and follow-up with each of the agencies listed in the introduction. In the interviews the Committee asked each agency representative about the following:

1. Their involvement and responsibility concerning drinking water
2. Their job priorities
3. Their employee qualifications
4. Their funding
5. Their effectiveness, problems, and limitations
6. Their relationship to the other water agencies and to the public
7. Their policy regarding response to emergencies

Discussion and Analysis:

Public Works and the Department of Water Resources have the responsibility for the water quality of Clear Lake. There are three public drinking water systems that draw directly from the lake. Therefore, coliform bacterial sampling, blue-green algae (Cyanobacteria) blooms, turbidity and chemical pollutants are public health concerns of this department, in addition to other environmental and ecological issues. The Committee found this department to be well informed on the water related issues and effective in delegating to well-qualified engineers, personnel knowledgeable about biology of the lake.

The department appears to receive cooperation from other departments. The representatives of the department attend regular meetings with Public Health and Environmental Health where they share information and update each other on current issues. (See Appendix C) The department relies on County and State Public Health officials to provide them with timely water quality data, health risks, and related information. They coordinate with Special Districts to insure the water supply is safe. The Water Resources Department can then serve to inform the public as issues arise and respond accordingly. By providing equipment, materials, and manpower, they respond to emergency spills of wastewater, flooding and quarantines.

Public Health Division of Health Services, County of Lake (Public Health) is primarily responsible for informing and educating the public about health issues related to drinking water in a timely manner to prevent or minimize health risks. Public Health does not have a regulatory function other than enforcing the reporting of health data on communicable diseases reported by the medical community. The department's interest is in the science of water quality, and interpreting relevant concerns for Lake County. Public Health studies the literature and water sampling data analysis.

Potential epidemics and emergency response planning are a high priority because 50% of the health officer's salary is from federal and state public health emergency preparedness grant funds. Public Health works closely with other agencies including Water Resources, Environmental Health Division of Health Services, Special Districts, State Department of Public Health, and citizen groups.

The water quality problems scrutinized and evaluated by Public Health include:

- Blue-green algae (Cyanobacteria) blooms and toxins
- Coliform and other bacteria revealed through County and State water sampling
- Mercury levels in the lake water

Special Districts Administration (Special Districts) has a major role in the construction, maintenance and monitoring the activities of the qualified engineers and certified employees who

operate each water system. Of the ten systems operated by the County of Lake, seven utilize ground water (wells), three draw water directly from surface water: two from Clear Lake and one from the North Fork of Cache Creek. Therefore, all water quality issues affecting Clear Lake are of concern to Special Districts. All of the ten systems present different management challenges, but each system must supply quality water as defined by The Environmental Protection Agency (EPA) standards and enforced by the California Department of Public Health (CDPH). Achieving this end requires a dedicated, highly trained and certified staff. Each system is closely monitored with the analysis of samples reported to the CDPH.

Treatment of drinking water is by filtering, chlorinating, and blending. Turbidity and taste/odor are the basic criteria of sampling for quality production during daily operation. Sampling and monitoring for bacteria (coliform), algae, cyanobacteria (microcystin), phosphorus, and nitrates are closely monitored in cooperation with other agencies, especially CDPH.

A Consumer Confidence Report (CCR) is provided annually to each water customer of every water district. If there is a problem with either water quality or supply, the customers of the affected district will receive formal notification as required by CDPH. Where it is determined that a system requires a significant upgrade, Special Districts has the responsibility (with authorization of the Board Of Supervisors (BOS) to implement capital projects through the annual budget, or sooner in the case of an emergency. CDPH has the authority to require capital improvements to water systems if they identify deficiencies. (See Appendix B for a map of Lake County water systems)

State of California Public Health Division, Drinking Water Program, Field Operations Branch, through state law, enforces the drinking water standards in Lake County. This agency is staffed by professionally licensed engineers who are qualified to perform regular water sampling, monitoring, and inspecting of all private and public drinking water facilities in the county. While the regional office is located in Santa Rosa, the staff assigned to Lake County work on site regularly. They are intimately familiar with the water quality and processes used at each facility.

All drinking water facilities must comply with the laws and standards as mandated by the California Safe Water Act chaptered in the Health and Safety Code. If these standards are not met as determined through water sample analysis, and/or on site inspection, the agency has a full range of enforcement options of increasing severity, including but not limited to: written citations, fines, 'cease and desist' orders, and referral to the State Attorney General. The preferred method of achieving compliance is through strong financial incentives to repair or replace inadequate processing systems through grants or loans of equal or greater monetary value than the fine levied. The agency has monies available from Prop 50 (End Note #1) and the State Revolving Fund (End Note #2) to assist water companies in updating and modernizing equipment and infrastructure. The close working relationship between the regulatory people and operators of drinking water facilities is commendable.

Environmental Health Division of Health Services (EH) is limited in its regulatory role to the category of State Small Drinking Water Systems: those having five or more but less than fifteen residential connections.

Environmental Health (EH) reviews a property owner's application and technical report describing the proposed system, then sets the requirements from California Code of Regulations that apply. EH charges an annual permit fee, requires regular sampling and analysis with copies of the reports forwarded to the department.

The EH inspects each small water system at least once a year. When a problem is detected, voluntary compliance is usually sufficient to bring a system back into compliance. If that approach fails, EH can issue citations or make a civil or criminal complaint through the Superior Court. Very small and private systems, those with less than five residential connections or those serving less than 25 individuals for less than 60 days during the year, are not regulated.

Findings:

- F1 Safe public drinking water is supplied to residents of Lake County from surface water sources (Clear Lake, creeks, etc.) and from ground water sources, (i.e. wells).
- F2 Public Works and Water Resources as “super agency” might seem to be too diverse (e.g., from road maintenance and construction, flood control and Lake water quality) to be administered by one individual. However, the Committee found this department well informed and effective in discharging their duties.
- F3 Lake County Public Health Department and Water Resources Department/Public Works Department provides information to the public on water quality issues. (See Appendix A)
- F4 Emergency contingencies are a large part of the interagency cooperation to take timely measures to protect and inform the public.
- F5 Fifty percent of the health officer’s salary is from federal and state emergency preparedness grant funds, therefore at least 50% of the health officer’s focus should be on emergency preparedness planning and practice.
- F6 Lake County Special Districts Administration build, maintain and direct the operation of all of the public drinking water facilities.
- F7 The ten public drinking water systems present different management challenges in providing potable water, requiring a dedicated, highly trained staff.
- F8 Drinking water must comply with California state drinking water standards. (End Note #3)
- F9 Special Districts must regularly make public reports on drinking water quality (CCR).
- F10 State of California standards are enforced by the State Department of Public Health, Sonoma County branch. The personnel regularly perform sampling, laboratory analysis, and inspection of drinking water facilities in the county.
- F11 When there is a violation of the law with water quality or a processing system there is a range of enforcement options used depending upon the urgency and/or threat to public safety.
- F12 In addition to legal enforcement, there are financial incentives used to achieve compliance in the form of grants and loans to privately managed systems and state funds for public water systems. This approach is taken when the problem is the result of old and outdated equipment or inadequate infrastructure of the water system.
- F13 Special Districts, California Department of Public Health, Drinking Water Division, and Lake County of Lake Public Health Department, express confidence in the high degree of safety and quality of public drinking water supplied to county residents.
- F14 The Grand Jury is concerned about future drinking water demands. With increased population and ongoing drought conditions, the question becomes ‘will there be enough for all?’

Recommendations:

- R 1. Special Districts, as a self-funded department, be able to increase employee pay scale of its personnel to maintain and attract highly-trained staff.
- R 2. Because disproportionate time and money goes into emergency response, the Grand Jury recommends that more staff time be directed to update research on epidemiology and water quality issues.
- R 3. The BOS and the Community Development Department rigorously abide by the General Plan goals by not allowing future development to over-extend our water supply. This is especially important in light of on-going drought End Note #5)

Part Two: Waste Water

Summary:

Waste water treatment in Lake County falls into two categories: sewer and septic systems. Sewer systems are designed to, and function to handle larger volumes of waste water (effluent) from higher density areas of habitation. Sewer systems collect and treat wastewater and pump (move) treated effluent to a specific location and return treated water back to the environment.

Lake County is unique in that it has an effluent pipeline to the Cal Pine Geysers which is the largest geothermal power plant in the world. The Pipeline moves 85% of the treated effluent collected from ten communities through five sewer systems for recycling. (See Appendix C)

A septic system is a small private system where treatment of effluent and distribution of waste water back to the environment is done on location. The private septic system relies on the ability of the soil environment to accommodate the waste water on a sustained basis.

As with drinking water standards, there are waste water standards that must be in compliance with the federal, state and local laws. The same local and state agencies that oversee drinking water are responsible for waste water compliance.

There is public concern regarding health risks that are highlighted by the occasional reports of storm drain overflows and sewer spills into the lake. Assuming a growing population with more suburban and urban development, the question is raised whether Lake County is upgrading and modernizing its waste water system to be environmentally sound for present and future needs.

Methodology:

The Committee conducted interviews with representatives of the local and state agencies who have waste water responsibilities. The Committee discussed their mandated legal obligations, priorities, qualifications, and expertise of personnel, funding and response to waste water emergencies.

Discussion and Analysis:

Special Districts play a major role in waste water management and recycling by way of the various public sewer systems they operate in Lake County. Each system has its own history and challenges. Each sewer system is unique. Most of these aging systems were built 25-40

years ago, therefore, are in need of upgrading. In the Special Districts Rules and Regulations for Water and Waste Water Systems, it was decided that often developments greater than three single family dwellings are required to connect to a sewer system, thereby increasing demand on capacity and driving improvement to sewer systems all over the county. California Regional Water Control Board requirements are pushing further improvements to county sewer systems through cease and desist orders and moratoriums. Winter spills, resulting from increased waste water overflows and high water table intrusions require immediate improvements to the affected systems. Special Districts must comply, over a set period of time, to accomplish these upgrades to the infrastructure and capacity of each system. (End Note #6)

In addition to managing the individual sewer systems, Special Districts is continuing to expand and improve the movement of treated sewage with connections to the geothermal recycling pipeline. The Special Districts Sewer Districts are self-funded. Funding of these ongoing improvements is pro-rated by the number of customers in each community served. (End Note #7)

Environmental Health Department (EH) is the local regulatory agency charged with enforcing laws concerning private septic system construction. Any new septic system must follow a permit and inspection process. The new septic system is site specific based on soil and other environmental conditions and must have enough capacity to safely handle waste water from a given source of effluent (e.g., one residence of 3 bedrooms and 2 bathrooms).

There are minimum setback distance requirements from flowing water (streams) for new septic systems. There are also restrictions where there is risk of drainage into reservoirs and lakes. (End Note #8). The legal standards for septic systems have been revised and strengthened over time. Before 1960 there were no required permits or records. From 1960 to 1985, there are records, but they are less reliable and incomplete. From 1985 to the present, complete and accurate records have been required for all new construction and repairs to old systems. Stricter on-site wastewater requirements by the State will go into effect in Lake County over the next two to three years.

Local agencies are informed about a septic system permit requirement as it relates to new construction and development. Planning Department a division of the Community Development Department, Building Department, and well water drilling development permits accompany the permit for a septic system. When a new septic system has been approved and completed, the information is recorded by the county.

When a standard septic system is not possible at a given site, alternatively designed systems are available through newer technologies that may provide an environmentally safe option. These new technologies may be approved by the EH and likewise, become part of the permanent records for the property. Once approved and constructed, it is recommended that septic systems be serviced on a regular basis (every few years depending on the individual septic system). There is no legal requirement for subsequent inspection of existing and older septic systems by EH. The permitting and inspection of septic systems relies entirely on the property owner or contractor to voluntarily apply for the appropriate permits.

The Committee attempted to gather a consensus of opinion regarding the contribution of old and faulty septic systems to the pollution of groundwater, and the polluting effect of runoff seepage into Clear Lake. There are area specific pollution studies, some of which resulted in the construction of community sewer systems. However, with the information and knowledge available, only broad assumptions can be made. These assumptions are based on factors such as

the density of the community, age of the developments, repair history, land use and geographic features (e.g., streams, gullies, high water table).

Other than voluntary cooperation with the permit and inspection process, there is no enforcement of private septic system construction and maintenance. Deficiencies are brought to the attention of EH by complaints from people outside the department. EH inspected 55 complaints relating to waste water in 2013. The complaints originated from neighbors, realtors, tenants, and other agencies including building inspectors, law enforcement officers, road crews and utility workers. There is no regular patrol or surveillance survey for illegal septic systems in this county. EH does not believe it will be affordable to seek out illegal operations.

Findings:

- F1 The public sewer systems that are being operated by the Special Districts Administration do so in cooperation with and monitoring by the California Regional Water Control Board and in compliance with state law.
- F2 Unique to Lake County, is a pipeline to Cal Pine Geysers which moves 85% of the treated effluent collected from the five public sewer systems to geothermal injection sites.
- F3 Public safety of sewage treatment is a daily responsibility of facility operators and subject to inspection by state regulators.
- F4 Environmental concerns from sewage overflows, spills, or contamination are part of a coordinated Lake County Emergency Response Plan.
- F5 Long-term environmental concerns resulting from aging, outdated or inadequate capacity of sewer systems is being addressed through the Lake County General Planning policy on future development and by the enforcement of requirements imposed by the state.
- F6 Private septic systems are permitted and inspected by EH.
- F7 For a new septic system to be approved, it must be designed and constructed to recycle the household wastewater into the environment safely, be sustainable and be confined to a designated area.
- F8 Prior to 1960, there were no septic system requirements or records. Overtime, legal standards for septic systems have been revised and strengthened. Since 1985, complete and accurate records are required for all new construction and repairs to old systems. (End Note #9)
- F9 The number and location of old septic systems built before 1960 in the county are unknown.
- F10 The environmental safety of existing older septic systems is largely unknown. It is the recommendation of EH that the owner of a private septic system have it serviced every few years. Property owners, or contractors, are required to obtain permits and have inspections done of any new system or repairs to an existing system. EH has a policy of voluntary applications for permits.
- F11 Investigation into illegally built or faulty septic systems is complaint driven. There is no surveillance or regular patrol for the presence of illegal septic systems. The committee finds that Environmental Health is doing a very good job of inspecting new septic systems under construction by builders and owners who have complied with the law by obtaining the proper permits. The committee does see a problem with a public policy of complaint driven enforcement of septic system requirements. A

complaint only policy is flawed as it can be used by one party against another e.g. neighbor against neighbor, renter against landlord, to settle a grudge, thereby wasting the inspector's time on false claims and unrelated disputes. It also relies on a non-professional to determine flaws in design or function of a septic system. More importantly, it encourages those who choose to avoid the planning and permit process by signaling that there is little or no risk of being caught because there are no inspectors in the field doing general surveillance.

F12 There is no consensus of opinion between EH, Public Health and Water Resources regarding the contribution of old and faulty septic systems to the pollution of ground water, runoff, or seepage into Clear Lake.

F13 Places of interest can be more efficiently located, then followed up by the traditional surveillance by driving the county roads. When the public knows there is an enforcement policy, individuals are more likely to comply, come forward and pay the fees thus increasing revenues to the department. Those previously unpermitted projects will be subject to double the fees and penalties.

Recommendations:

- R 1. EH develop a change of policy be made for identifying problem areas from a complaint driven procedure to enforcement through surveillance, along with complaints.
- R 2. Satellite imaging technology be used to provide access to view excavation, new construction, and vegetation changes on properties.
- R 3. Increase salaries to recruit and maintain highly qualified and motivated public employees essential to providing these valuable services.
- R 4. EH renew the existing outlets (i.e. newspaper announcements, flyers with tax bills, etc.) for informing the owners of private septic system of the importance of maintaining these systems.

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Part Three: Water Quality

Summary:

Historical changes and challenges made by man's activities to the Clear Lake ecosystem have been studied by previous Lake County Grand Juries.(End Note #10) This report will be considering the water quality of the lake as it affects drinking water. The water quality of Clear Lake varies widely at different times of the year due to seasonally heavy rainfall on mountainous terrain bringing huge amounts of nitrogen and phosphorus laden sediments from hillside erosion, (i.e., the watersheds) and runoff which flow into Clear Lake. The Committee studied these natural cycles and man's influence on them. There are major effects on the turbidity, nitrogen, phosphorus and plant and animal abundance within the Lake year around. The Committee reviewed the water/septic system offsite pollution concerns and other sources of runoff into Clear Lake. The Committee relied on information from local water agencies, private consultants, satellite imaging, scientific literature and previous Grand Jury reports.

The Committee believes there are overlapping concerns and confusion among the general public and professionals about the relative importance of different chemical pollutants entering, and cycling within, the Clear Lake ecosystem. It was this Committee's intention to sort out some of these questions.

Methodology:

The Committee conducted a series of interviews with representatives of county and state agencies and private consultants who have a role in maintaining or improving the water quality of the lake. The Committee discussed with the entities their specific job responsibilities that affect the water quality of Clear Lake and the tools used to assess and evaluate sources of runoff.

Discussion and Analysis:

Public Works Department and Water Resources have comprehensive involvement with issues of water quality and must be cognizant of public health concerns and environmental changes. The department is responsible for designing, engineering and constructing containment ponds, culverts, bridges, and road grading. These are designed to minimize soil erosion and keep polluting runoff from reaching Clear Lake. (End Note #11)

Special Districts plays a major role in providing safe drinking water to the public. Drinking water taken from the Lake is monitored primarily by turbidity, smell, bacterial populations, and the level of plant nutrient pollutants, (i.e., nitrogen, phosphorus). Sampling is also done for mercury and other metals.

When lake water quality deteriorates seasonally, Special Districts discontinues drawing from the lake. Potable water is supplied by truck to customers in affected areas until lake water quality improves.

Public sewer systems, including the pipeline transport of treated effluent to the geothermal injection sites, have greatly reduced pollution into the lake. (End Note #12)

Environmental Health along with Water Resources, Public Health, and Special Districts prepare and coordinate a response to environmental spills and flood overflows into Clear Lake. Detailed records are kept of every reported spill. In studying these records, the Committee was advised that though large in number, the size of spills (e.g. gallons) has been decreasing in recent years due to the rapid and coordinated response from these departments.

The contribution of old or faulty private septic system pollution into Clear Lake is not documented. Many private residences around the lake, once on septic systems, now tie into public sewer systems, lessening this concern.

Private consultant presentation and literature review has provided information to the Committee about satellite imaging technology currently available to county agencies. Satellite imaging has advanced to the degree that specific pollutants such as phosphorus, blue-green algae blooms, and chlorophyll-a, can now be mapped and studied. Phosphorus in the watershed uplands and in the sediment plumes entering Clear Lake can now be quantitatively measured. Cyanobacteria (blue-green algae), green algae blooms, and die-off cycles can now be studied. It is now understood that the amount of available phosphorus in lake water directly determines the growth of cyanobacteria.

Funding for this recent satellite image interpretation was authorized by the BOS in a contract with Blue Water Satellite (End Note #13). Sequential images following a major rain event, tracks phosphorus coming into Clear Lake via the Middle Creek drainage system. These images show how phosphorus has moved throughout the entirety of the lake by wind and currents. The image sequence, filtered to show cyanobacteria levels, allows for a science-based understanding of the inter-relationship of nutrient cycles on the plant populations within the Clear Lake ecosystem.

The practical application of this information for county agencies such as Special Districts is in predicting where cyanobacteria blooms are likely to occur and to adjust drinking water

treatment accordingly. The satellite images validate the importance of the Middle Creek Restoration Project. The settling and filtering effect of vegetation on flood water runoff moving over the Middle Creek flood plain is now understood to have limited the phosphorous load entering Clear Lake. This natural filtering process in the Middle Creek flood plain ended about 1920 with the construction of levees to drain this wetland to add farmland acreage to supply food during WWI.

Findings:

- F1 Public Works and Water Resources do their part in reducing polluting runoff into Clear Lake by requiring containment ponds on new construction and correctly engineered road grading.
- F2 Special Districts manages the pipeline which moves the treated waste water away from the communities close to the lake for disposal at the Cal Pine facility. EH cooperates with other agencies to respond to sewage spills, thereby minimizing the impact of a spill on the environment and health risk to the community. This department is responsible for regulating private septic systems including specifications on set-back distances from lake shore or stream banks. EH inspects the construction of new private septic systems with proper permits to prevent contamination of the lake from surrounding residences.
- F3 Satellite imaging provided by Blue Water Satellite is a significant tool in evaluating polluting runoff into Clear Lake because it detects streams that are significant sources of phosphorous which contribute to cyanobacteria blooms. By analyzing the overlay of satellite images, pollution can now be tracked back to its source. Relevant agencies can use this information to locate and correct the problem. The Blue Water Satellite Imaging contracted in 2013 has contributed greatly to our understanding of Clear Lake's water quality, particularly the role of the phosphorus cycle. (See Appendix D)
- F4 In the Committee's interview with the Water Resources department management, it was discovered that the department needs to have a professional to analyze the wide range of pertinent water quality data being provided to the department.
- F5 There is a wealth of existing and new data measuring the water quality of Clear Lake, most of which has not been evaluated for the relevance to water quality. Satellite Imaging adds much more to that data store, all of which needs focused study to render it into information an agency can use. This Committee recognizes the need for a designated position (e.g., a qualified environmental scientist) either in Public Works/Water Resources or Public Health, to compile, analyze and interpret the data for use by county agencies and to develop a clearer, up to date understanding of water quality issues.

Recommendations:

- R 1. The BOS assist the involved agencies with the procurement of funds for a qualified environmental scientist.
- R 2. The contract with Blue Water Satellite be continued in 2014 to gather further measurements of phosphorous and other nutrients from different sources of the lake and surrounding watershed.

Glossary:

Algae: Any of a large group of simple, non-flowering plants containing chlorophyll, but lacking true stems, roots leaves and vascular tissue. [Concise Oxford English Dictionary, 2011.]

Algal Bloom: a rapid increase or accumulation in the population of algae (eg.,cyanobacteria) in an aquatic system which occur when conditions are optimal. [www.cdph.ca.gov/healthinfo/]

Blue-green algae: see cyanobacteria

Cyanobacteria: aka blue-green algae (old nomenclature) are a group of bacteria which contain chlorophyll and are photosynthetic. [www.cdph.ca.gov/healthinfo/]

Coliform bacteria: are a group of aerobic bacillus normally found in the colon. In the context of water quality, coliform bacteria are used as an indicator organism to assess the effectiveness of drinking water treatment systems. [1989 Total Coliform Rule, Revised 2012, <http://water.epa.gov/>]

Effluent: is an outflow. In the context of water quality, it is the discharge from a wastewater treatment plant. [EPA definition]

Public water system: is a system for provision of water for human consumption through pipes that has fifteen or more service connections or regularly serves at least twenty-five individuals daily at least sixty days out of the year. [California Health and Safety Code, Part 12. Drinking Water, §116275. Definitions]

State small water system: is a system for provision of piped water to the public for human consumption that serve at least five, but not more than fourteen service connections and does not regularly serve more than an average of twenty-five individuals daily for more than sixty days. [California Health and Safety Code, Part 12. Drinking Water, §116275. Definitions]

End Notes:

1. California Proposition 50, Bonds for water projects passed November 2002, provides for funding of public water systems through grants and loans. [www.grantsloans.water.ca.gov/]
2. Drinking Water State Revolving Fund is part of the Safe Drinking Water Act, amended 1996, a federal program, to provide funds to small and disadvantaged communities for infrastructure improvements. Monies are distributed to the states by allotments. [water.epa.gov/grants_funding/]
3. The Federal and California Safe Drinking Water Acts are the statutes for drinking water. Title 22 of California Code of Regulations provides the details for waterworks standards and water monitoring requirements.
4. Information gathered from interviews with Public Health, Water Resources and Special Districts Administration indicated good cooperation, communication, and strategizing on issues of emergency preparedness.

5. Lake County General Plan September 2008, Section 5.2 Water Supply, Policy PSF-2.6, PSF-2.7, PSF-2.8; pages 5-4 to 5-5.
6. Special Districts Administration operates under the jurisdiction of California Regional Water Control Board, Central Valley Region. California Health and Safety Code and California Water Code are the statutes regarding water pollution, sewage treatment and spill reporting. Title 23 of California Code of Regulations gives the specific law for Waste Discharge to Land program. County requirements for sanitary disposal of sewage are in County of Lake Ordinance Code, Chapter 9, Article III.
7. See 2013-14 Budget, Special District Administration
8. Lake County Rules and Regulations for On-site Sewage Disposal, revised 2010, Table 1. Dates and information provided by interview with Environmental Health Division.
9. The Civil Grand Jury's oversight role of County government participation in Clear Lake water quality included studying the major restorative projects such as the Mercury Mine Cleanup Super Fund (2005-06 and 2006-07) and the Middle Creek Reclamation Restoration Project (2006-07 and 2013).
10. See also Discussion and Analysis, Water Resources Department, Parts One and Two.
11. See also Discussion and Analysis, Water Resources Department, Parts One and Two.
12. Blue Water Satellite is a provider of algorithmically-enhanced satellite images. Useful in Lake County when natural color images are filtered and interpreted for phosphorus, chlorophyll-a and cyanobacteria for both land and water area.
<http://www.bluewatersatellite.com>

Request for Response:

- Environmental Health, Division of Health Services, through the Board Of Supervisors (90 days)
- Public Works and Water Resources through the Board of Supervisors (90 days)
- Board of Supervisors (90 days)

Appendix A

Excerpt from Record Bee

The illness and subsequent euthanization of a dog who had been swimming in Clear Lake the summer of 2013 demonstrated the intradepartmental response to emergency situations. The County Health Officer, Karen Tait, M.D. made the public aware of the safeguard measures in water recreational activities where cyanobacteria bloom is present. Water Resources and Public Health made arrangements for water sampling and testing from the site where the dog had been swimming and necropsy of the dog with special focus on mycostins and related toxins.

Public access areas of Clear Lake that showed signs of algal bloom, were posted with signage stating standard precautionary measures. The EHD was available to assist with signage for lakefront property owners.

The special testing ruled out cyanotoxins as cause of the dogs illness. To date, no confirmed link between a pet death and cyanotoxins has been documented for Clear Lake.

For the full story see:

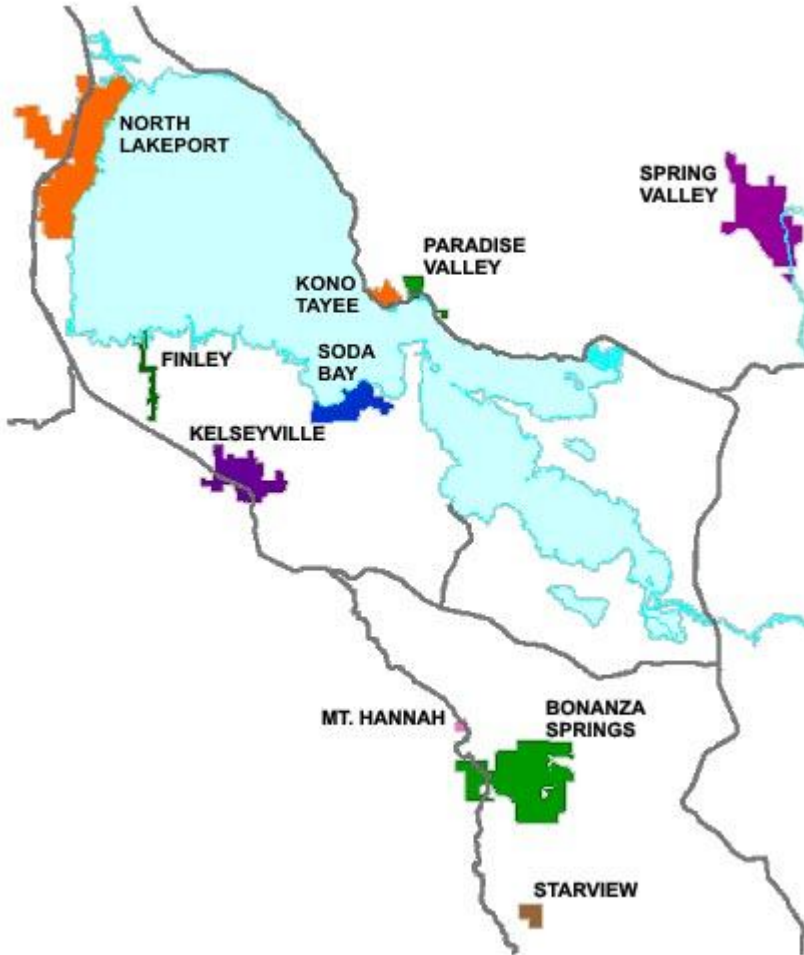
Lake County Record Bee, Tuesday, August 6, 2013, page A1, *Updates* by Terry Knight R-B
Outdoors Writer

Lake County Record Bee, Thursday, August 15, 2013, page A1, *Officials investigate possible algae link to dog illness*, Staff report

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Appendix B

Lake County, California Water Systems



Appendix C: Pipeline History

In the 1980s, LACOSAN found its wastewater systems in need of treatment and disposal upgrades because of growth pressures. At the same time, the region's geothermal industry began to experience productivity declines in the nearby Geysers steamfield. Approximately seven percent of California's electricity has been generated at the Geysers since the 1970's, but power plant steam usage was exceeding the steamfield's natural recharge rate and steam production was falling. The geothermal heat source remained constant, but injection of additional water was needed to convey the geothermal heat to steam production wells. A survey was conducted in 1990-91 of potential injection water sources available in the region, including surface water, groundwater, and wastewater. That survey concluded that surface and groundwater supplies were already committed to other uses, but that wastewater could achieve two critical objectives at once: first, as a continuous supply of steamfield recharge water that could help mitigate Geysers productivity declines; and second, as an effluent disposal method that would be environmentally-superior to conventional surface water discharge or land irrigation methods.

Once the effluent injection concept emerged, the key stakeholders formed a public/private partnership to confirm project feasibility and pursue implementation. This core group included LACOSAN and the main geothermal operators in the southeast portion of the Geysers, including Northern California Power Agency (NCPA), Calpine Corporation, Unocal Corporation, and Pacific Gas & Electric Company. (Calpine has since acquired Unocal's and PG&E's interests in the Geysers).

Phase 1 groundbreaking for the project was held on October 6, 1995, and following two years of construction, the pipeline was formally dedicated on October 16, 1997. The total construction cost was \$45 million, including \$37 million for the pipeline and \$8 million in wastewater system improvements. Construction costs were shared by the core participants, known as the Joint Operating Committee (JOC), with additional funding from the California Energy Commission, California Water Resources Control Board, U.S. Department of Energy, US Department of Commerce, US Department of the Interior, and US Environmental Protection Agency.

Phase 2 of the project began in 1999 with extension of the pipeline from LACOSAN's Southeast Treatment Plant to the Clearlake Oaks' treatment plant at a cost of approximately \$1 million. The Oaks treatment plant is operated by the Clearlake Oaks County Water District, who shared construction costs with the California Water Resources Control Board and LACOSAN. Phase 2 proceeded in 2000 with the construction of the project's first wetland at Lyons Creek near Lakeport. This 22-acre facility contains four wetland cells and a system of interpretive trails and signage for wildlife viewing and education. The Lyons Creek construction cost of \$600,000 was shared by LACOSAN and US EPA. The 20-mile Phase 2 pipeline was finished in early 2003 at a total cost of approximately \$30 million, which was shared again by the system's co-funding partners.

The JOC members have entered into a 25-year operating agreement wherein LACOSAN operates the pipeline as far as the Middletown Wastewater Treatment Plant/Bear Canyon "0" Pump Station, after which it is industry-operated to its terminus in the southeast Geysers steamfield. LACOSAN pays an annual operation and maintenance (O&M) cost share equivalent to conventional effluent disposal, and the industry partners pay remaining O&M costs based on the quantity of effluent they each receive at their injection wellheads. LACOSAN is responsible for operating the project's wetlands at the NW facility.

See more at: http://www.co.lake.ca.us/Government/Directory/Special_Districts/Wastewater

Notes:

- Lake County is part of the world's foremost geothermal resource areas.
- Today, the Geysers is the largest complex of geothermal power plants in the world.

Appendix C: Pipeline History



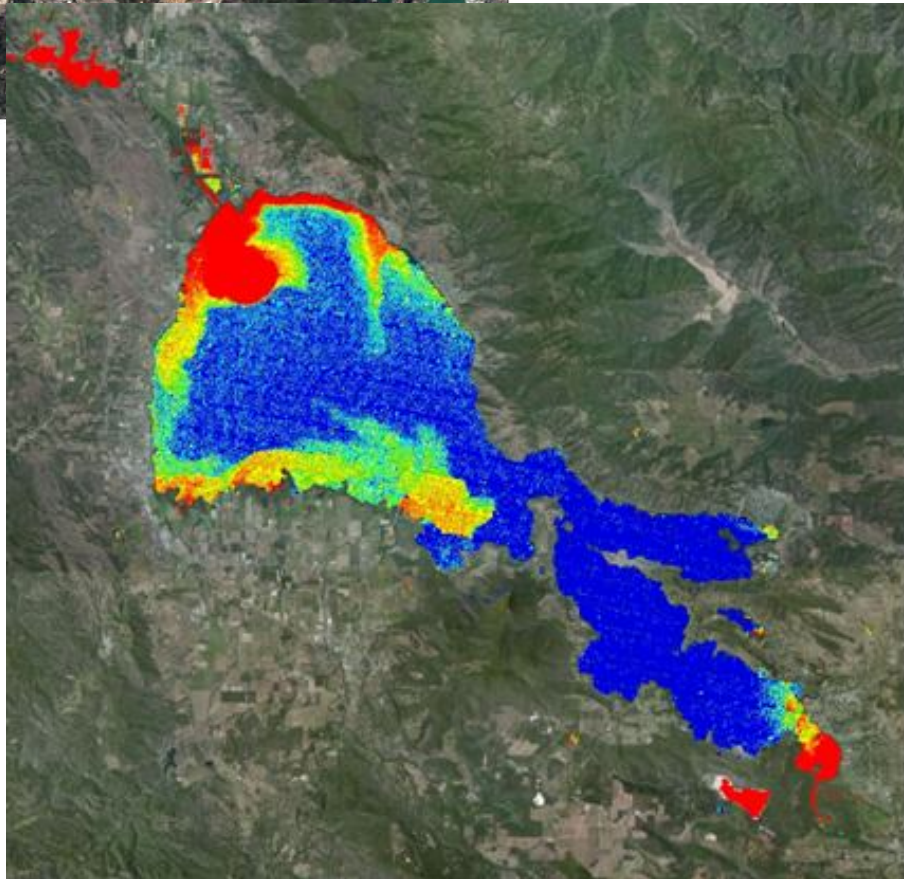
Appendix D

Sample Blue Water Images



Clear Lake, California
02-26-2013

Natural Color Image



Clear Lake, Ca
12-24-2012

Total Phosphorus
in Water (ppb)



0 3,500 7,000 M

Public Safety Committee

**The Public Safety Committee conducted oversights of the
following departments
and found no significant issues at this time:**

**Konocti Conservation Camp
South Lake County Court Holding Facility
Office of Emergency Services**

Hill Road Jail Oversight

Summary:

The Public Safety Committee (Committee) of the Lake County Civil Grand Jury performed an annual mandatory oversight of the Lake County Detention Facility, commonly referred to as the Lake County Jail. Three visits were conducted by the Committee.

Background:

The Lake County Jail, Hill Road facility is located at 4913 Helbush Drive, Lakeport, California. Construction of the jail was completed in 1997. The facility consists of a reception area, booking area, minimum security pods, maximum security cells, observation towers, laundry room, kitchen, dining/visitation room, including an American Disabilities Act (ADA) accessible visitor space, and administrative offices. A pod is an area designed to house up to 40 inmates and it combines dayroom space with sleeping space. The jail houses inmates before and after sentencing. The jail is under the command of the Sheriff of Lake County. The Lake County Undersheriff is the overseer of the jail. Day-to-day management is provided by lieutenants who alternate day and night shifts. The jail staff consists of correctional officers, administrative staff, nurses and numerous volunteers including chaplains of various denominations. Medical services are provided by California Forensic Medical Group (CFMG). There is a dedicated mental health pod. Acute medical care is provided by community hospitals. There is an inmate grievance process to address concerns of the inmates.

Methodology:

On August 19, and October 7, 2013, the Committee visited the jail and met with representatives of the administrative staff. A tour of the facility was conducted. The Committee was provided samples of that day's meal served to inmates.

On October 21, 2013 the committee met with CFMG to discuss policy and procedures for medical attention at the jail.

Discussion and Analysis:

1. Overcrowding appears to be a significant issue. The Lake County Jail was designed to house a maximum of 286 inmates. Between August 19, 2013, and November 18, 2013, the number of inmates fluctuated from 300 to 325. At some point in 2014, it is estimated that the jail could house 365 inmates. This is partially caused by the fact that the California Assembly Bill # 109 (AB109) mandates inmates who are sentenced for non-serious, non-violent, non-sexual felonies, and previously sentenced to state prison are instead to be sentenced to local jails.
2. Security was a problem in the minimal security area due to inadequate fencing. This resulted in the transfer of minimal security inmates to a higher security area, causing overcrowding in these pods and the mixing of higher and lower security inmates. During a jail oversight, it was noted that one of the higher security pods presently housed 51 inmates in a pod that was designed for 24. The overflow inmates are sleeping on the common area floor on foam mattresses in containers that are called boats.
3. The committee addressed an issue raised by a prior Grand Jury regarding the need for a Spanish language inmate handbook.

4. It was relayed to us that a significant number of inmates had mental health issues. There are only 13 cells available to accommodate these inmates.
5. Jail administrators have applied for state grant SB1022 that would provide for a new Type II, 40-bed women's jail with a new stand alone 39-bed Medical/Mental Health Services building with program space, and a new administration building. The grant was submitted on October 24, 2013. The Lake County Jail was awarded the grant on January 16, 2014.

Findings:

- F1 Overcrowding will continue to be a significant issue as long as AB 109 exists. Jail administrators are addressing these problems. They have applied for a grant to expand the jail. The mental health housing issue is being addressed in the grant proposal.
- F2 There are also creative steps being taken to resolve the security issue in the minimal security area. To prevent inmates from escaping, security fencing was to be constructed in order to enclose the outside area. Upon completion, some of the inmates will be moved back to the minimal security area from the higher level security discussed above. As of November 18, 2013, the security fencing had been erected and the project would be complete, pending some corrections by the contractor.
- F3 The Spanish language handbook is complete and will be available to all Spanish speaking inmates.

Recommendations:

- R 1 Given that there are overcrowding and other issues that are beyond the control of the Lake County jail and administrators, our only recommendation at this time is to continue with their creative and innovative problem solving strategies.

Request for Responses:

- Lake County Sheriff (60 days)
- Board of Supervisors (90 days)

Hill Road Jail Follow-up visit 2/10/14

Summary:

The Public Safety Committee conducted a follow up visit to the Hill Road Jail on 2/10/14. The purpose of the visit was to address issues of overcrowding, security, and compliance with the American Disabilities Act (ADA) regulations. The Committee met with jail staff supervisors and medical staff. The tour focused on ADA accommodations for visitors and inmates.

Discussion and Analysis:

1. Regarding overcrowding: The Lake County Jail was awarded a \$20 million state grant (SB 1022) for a new Type II facility, 40 bed women's jail with a new stand alone 30 bed Medical/Mental Health Services building with program space, a new administration building, and renovations so that existing space can accommodate programs.
2. Regarding safety: The protective cage around the low-risk exercise area that was in progress during prior visits has been completed. As inmates are gradually being moved back into the low risk accommodation area, overcrowding is being eased, and safety is enhanced.
3. The jail provided the Committee with a copy of their ADA policy and procedures. ADA training for staff is provided at the Academy and during a four hour class held annually. There are four opportunities for staff to identify inmates with disabilities. At intake, there are two separate intensive interviews with two separate staff members. Within ten days after admission, the inmate has a health risk assessment conducted by a nurse practitioner. If a disability is identified during arraignment the jail will be contacted. If a community physician states that an inmate has a disability, the medical staff will make necessary accommodations. There are two floor levels in the jail, and each level has its own visiting areas. Inmates with known disabilities are not housed on the second floor. Visiting rooms are first come, first served. If they have difficulty with ambulation, inmates are issued a walker because they are not permitted to have canes or crutches. Wheelchairs are available. If security is an issue, they will be given a separate cell. For those who are hearing impaired, a Telecommunication Device for the Deaf (TDD) phone is available. For those who are visually impaired, magnifying glasses are available.

Findings:

- F1 Overcrowding is being aggressively addressed by jail supervisors. The acquisition of the grant is a huge success and will address overcrowding, safety and improve the quality of life for inmates and staff.
- F2 Jail administrators are embarking upon multiple innovative programs to improve safety and address overcrowding. Successful models in other counties that address overcrowding, such as ankle bracelets for inmates who are not incarcerated, are being studied. Jail administrators are researching use of

electronic and remote telephonic methods to improve communication between inmates and their families.

- F3 The Committee was favorably impressed with the improvements in the jail and the ongoing, innovative thinking of Jail Administrators.

Recommendations:

- R 1 Encourage elected officials and the community to support the jail administration's ongoing efforts, because Lake County will benefit from their achievements.

Request for Responses:

- Lake County Sheriff (60 days)
- District Attorney (60 days)
- Lakeport Police Department (90 days)
- Clearlake Police Department (90 days)
- Board of Supervisors (90 days)

Juvenile Hall Oversight

Summary:

The Public Safety Committee of the Lake County Civil Grand Jury conducted the annual mandatory oversight of Lake County Juvenile Hall located at 1111 Whalen Way, Lakeport, CA. Juvenile Hall is a detention center for those who are in violation of the law and under the jurisdiction of the Juvenile Court. Detention varies, but is not usually longer than one continuous year.

Methodology:

An oversight was conducted by the committee on September 9, 2013. The Committee met with the administrative staff and toured the facility.

Background:

The Juvenile Hall facility was built in 1984 and has yearly inspections by various agencies. These include but are not limited to:

- Fire/Life Safety Inspection by the Lakeport Fire Department. Fire drills are conducted quarterly
- County of Lake Community Development Department Building and Safety Division
- Health inspection by Lake County Health Services Department
- Lake County Office of Education
- California State Corrections Standards Authority

There are three wings in the facility. Wings A&B have 28 usable beds. Wing B is used for interviews with law enforcement, mental health staff, clergy and medical staff. There are two modular classrooms, with a secured walkway, adjacent to the main facility. The main facility has a regular classroom and a computer lab. The outside recreational area consists of a basketball court with hoops, a baseball diamond (currently not in use due to security issues), and a net for volleyball. The facility has a total capacity of forty beds. At the time of the oversight there were 22 wards of the court, three females and nineteen males.

Discussion and Analysis:

1. The average number of juveniles in the facility is 19 to 21.
2. Some repeat offenders, over 18 years of age are returned to Juvenile Hall because they were originally sentenced for a juvenile offense and remain under the jurisdiction of the Juvenile Court.
3. Individual needs are evaluated by a classification procedure managed on Assessments.com website.
4. Health needs are addressed by County Jail medical services.
5. Juvenile Hall has three levels of correctional officers with varying levels of education/certification required.
6. Average cost per ward of the court is \$104 per day.
7. Educational programs are overseen by the Lake County Office of Education.
8. Recreational time allocated is three hours per day during the week, and five hours per day on the weekends.

Findings:

- F1 Juvenile Hall is clean and not overcrowded at the time of the Grand Jury inspection.
- F2 Juvenile Hall is subject to numerous annual inspections by various agencies.
- F3 Juvenile Hall has an educational program and facilities, including a separate computer lab and is modern and well-staffed.
- F4 Juvenile Hall staff has not presently developed a Rules and Regulations Handbook for the juveniles to keep in their cells as reference material. The handbook could also be used as an informational booklet for parents and/or guardians.
- F5 The Juvenile Hall Superintendent and staff appear to be committed to give the best possible care and direction to their wards, given their budget and personnel resources.

Recommendations:

- R 1 Develop a Rules and Regulations Handbook to be given to a juvenile at intake and available for issuance to the parents and/or guardian. The Handbook should be offered in both English and Spanish language versions.(F4)

Request for Responses:

- Chief of Probation by and through the Board of Supervisors (90 days)
- Board of Supervisors (90 days)

Public Services Committee

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MUSEUMS

Summary:

The Public Services Committee of the Lake County Civil Grand Jury conducted oversights of Lake County's two historic museums: the Courthouse Museum and the Lower Lake Schoolhouse Museum. This department is a division of the Lake County Public Services Department.

Background:

The Committee conducted a review of documentation provided by the staff of each museum and reviewed the museums' marketing internet site (www.lakecounty.com).

Lake County owns the buildings and grounds of both museums. County funds pay for workers, utilities, upkeep, advertising, and brochures. Only the curator and assistant curator are benefited employees. Other staff are designated part-time and receive no benefits. The curator preserves artifacts and develops exhibits designs. The curator also has an administrative role that includes staff evaluation, publicity, and marketing.

The Courthouse Museum and the Lower Lake Schoolhouse Museum each collect and preserve artifacts of historical value that reflect the County's archaeological and cultural past. Each museum has community and school educational and outreach programs. County funding sources are the Transient Occupancy Tax (TOT)¹ and the General Fund. Each museum is also supported by a non-profit, community support organization (501c3).²

Procedure:

The Public Services Committee conducted oversights of the Schoolhouse and Courthouse Museums and interviewed the staff of each museum and the Public Services Department staff. The Public Services Committee reviewed the Lake County Economic Development Marketing Strategic Plan (2011-2013). The Public Services Department staff and museums staff responded in writing to Committee inquiries regarding museum brochures.

Discussion and Facts:

SCHOOLHOUSE MUSEUM

The Lower Lake Schoolhouse, including an upstairs auditorium, was built in 1876-1877 and served as a schoolhouse until 1935. In 1935, the building was sold but was later traded back to the County in the 1960s, but little or no maintenance was done over many years. In 1986, the Lower Lake School Preservation Committee was formed to preserve and restore the

LAKE COUNTY'S HISTORIC SCHOOLHOUSE MUSEUM



EXHIBITS

- 19th-Century Classroom
- Pioneer Tools, Clothing, & Household Items
- Native American Items
- Victorian Parlor



EVENTS

- Living History Days
- Group & School Tours
- Weaver Auditorium



HOURS

Wednesday-Saturday
11 am to 4 pm

16435 Main Street
Lower Lake, CA 95457
(707) 995-3565

www.co.lake.ca.us/government/directory/museums
llmuseum@lakecountyca.gov

building. The first floor was dedicated in 1993 after which time the upper floor was restored and the stage completely rebuilt. An elevator was later installed to comply with the Americans with Disabilities Act (ADA).

1. A tour of the Schoolhouse Museum revealed the Museum houses early settler and Native American artifacts. The Weaver Auditorium has a stage and is a venue for art shows, music, plays, and meetings. The upstairs is an auditorium with a stage. There are artifacts in various display cases, there are also many displays allowing direct access to the items.
2. The Schoolhouse Museum is a research facility in and outside of Lake County. This museum is a living history of former days. Artifacts have been and are being donated by local groups, long-time residents, and pioneer families. The staff is currently cataloging museum artifacts into a computer database.
3. The Schoolhouse Museum provides space for theatre, dance recitals, children's theatre, and other activities such as the Living History Quilt Show. On Living History Days, individuals dress up in period clothing and demonstrate crafts such as rope making, tools of the times, and flintknapping (arrowhead shaping). The Schoolhouse Museum can also be rented after hours. Rental income is remitted to the County General Fund.
4. The Lower Lake Historic School Preservation Committee is the non-profit organization dedicated to preserving the museum and supporting it through fund raising and donation of services. The Committee holds regular meetings. There is a Board of Directors (11 members) and approximately 200 general members. Finances are available for review. The organization holds fundraisers only for the Schoolhouse Museum. It collects donations and membership fees to fund what the County budget does not cover. Most recently, it paid for a fire protection system. Friends of the Museum pay for school children to be bused to the museum.

COURTHOUSE MUSEUM

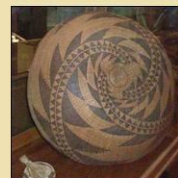
The two story Lakeport Courthouse building was completed in 1871. This structure was used until 1968 when a new, larger courthouse replaced it. The old building was placed on the National Register of Historic Places in 1970, and in 1972 Lake County citizens voted to restore it as a museum. The refurbishing was completed in 1978.

1. The Courthouse Museum is a centerpiece of downtown Lakeport and is located only a few blocks from Clear Lake. A tour of the museum revealed a Native American exhibit (Pomo Room); a Victorian Parlor; a Rock and Mineral Room; and numerous historic photographs of early settlers, Native Americans, celebrities, outlaws, landscapes, towns and resorts. The historic courtroom (1872-1968) is upstairs and contains County records available for research and review.
2. In 1936, a small building near the Courthouse Museum was built to house various collections of historical

LAKE COUNTY'S Historic Courthouse Museum



EXHIBITS



- History of Clear Lake
- Clear Lake Hitch
- Gem & Mineral Room
- Pomo Basketry & tools
- Historic Courtroom
- Joe Waite Gun Room



HOURS

Wednesday-Saturday
10 a.m. to 4 p.m.
Sunday Noon to 4 p.m.

EVENTS

Group & School tours
Historic Readings &
Lectures

255 N. Main Street, Lakeport, CA 95453
(707) 263-4555

www.co.lake.ca.us/government/directory/museums
museum@lakecountyca.gov

artifacts. When the Courthouse Museum was opened, the collection pieces from the above-mentioned small building were moved to the first floor. Final building renovation was completed in 2006, and many additional items were added to the collections. The upper level of the courthouse, previously used for storage, has been renovated over the past eight years to have a restored courtroom. Community groups can rent space in the upstairs courthouse. Groups may also meet during regular museum hours, if such meetings do not inconvenience other visitors to the museums.

3. The Friends of the Lake County Museum (FLCM) is the non-profit organization that supports the Courthouse Museum. Volunteers visit schools with information and artifacts prior to class visits to the museum. The FLCM meets every other month and supplements the museum's budget. It runs the gift shop with profits going to the organization. Donations to the museum go to the County General Fund. During the past fiscal year the organization donated a new security system (8 cameras) bringing the museum up to date with current technology. The FLCM provides a public accounting of its fund raising and the use of funds.

BROCHURES

The museums work with County Administration to make their presence and services known to the public. Museums are important for Lake County tourism. The local newspapers run announcements of upcoming museum events and current activities. Press releases are run in two non-profit organizations' publications. Informational brochures featuring the two county museums are placed in public places such as hotels.

The Lake County Economic Development Strategic Marketing Plan (2011-2013) was approved by the Board of Supervisors in November 2011.³ Review of the Marketing Plan, which is available on-line, revealed the following recommendations, among others:

1. Online marketing will be the most important area for outreach in the future. As of 2011, the budget for online marketing was \$13,205.00. The Marketing Plan recommends increasing this budget to \$25,000.00.
2. There is a reduction in print advertising. As of 2011, the budget for print advertising was \$71,600.00. The Marketing Plan recommends decreasing this budget to \$20,000.00.

Subsequent Public Services Committee inquiries to the Public Services Department staff produced the following information:

1. In the past, requests for new museum brochures have gone to the Marketing Division of the County Administrative Office. These requests were reviewed by Marketing and became a part of Marketing's annual budget preparation.
2. In June 2013, museums identified a funding source for brochures and submitted a brochure draft to the County Marketing Division for review and approval. Since that time there has been no response from the Marketing Division.
3. The Public Services Department was informed that the fiscal year 2013-2014 does not include any money for museum brochures.
4. Funding for museum brochures depends on the 2014-2015 budget process, at which time the museums can submit a funding request for new brochures. This request is processed through the Public Services Department for inclusion in the budget request to the Administrative Office.

Findings:

- F1 Lake County's two historic museums are assets to the community.
- F2 Marketing of the two museums to the local community and beyond is not consistently dependable.
- F3 The Lake County Administration's Marketing Division did not respond to the museums' submission of a completed draft brochure, and the opportunity to access a funding source was lost.
- F4 The museums are not getting any new brochures because there are no funds allocated in the 2013/2014 budget for that purpose. Future funding cannot be assured. The Lake County Economic Development Marketing Strategic Plan (2011-2013) recommends an increase of online marketing and a reduction in print advertising.
- F5 The brochures displayed in this report were submitted for review as required but not approved for printing.

Recommendations:

- R 1 Lake County Public Services Department develop a procedure for the museums to obtain printed brochures. (F4)
- R 2 The Committee recommends that the museums and the Public Services Department submit funding requests for brochures to Administration for fiscal year 2014-2015. (F4)
- R 3 The museums explore the extent of print media marketing needs and explore alternative interventions such as printing their own brochures and/or obtaining assistance from their dedicated non-profit organizations to produce brochures. (F4)
- R 4 The Marketing Division respond to the museums current submission of draft brochures for production. The Marketing Division respond to any subsequent requests in a timely manner. (F3)
- R 5 The Marketing Division recommend changes in marketing strategy only after consulting with impacted County departments. (F4)

End Notes:

1. Transient Occupancy Tax (TOT) This refers to a tax charged to transients (tourists, for example) and collected from establishments providing transient lodging such as hotels or motels.
2. 501(c)(3) is a section of the Internal Revenue Code that defines tax-exempt organizations, which are commonly referred to as charitable organizations.
3. Web address for the Lake County Economic Development Strategic Marketing Plan (2011-2013): www.co.lake.ca.us/Business/InCounty/MarketingPlan.htm

Request for Responses:

- Museums Curator (90 days)
- Lake County Administrative Office, Marketing Division (90 days)
- Public Services Director by and through the Board of Supervisors (90 days)
- Board of Supervisors (90 days)