

LAKE COUNTY



*Ely Stage Stop and Country Museum
9921 Soda Bay Rd., Kelseyville, CA 95451*

Civil Grand Jury Final Report

2023-2024
(June 30, 2024)

PAGE INTENTIONALLY BLANK

Ely Stage Stop and Country Museum

The Ely Stage Stop and Country Museum has been many enterprises during its existence. Originally established in the late 1800's it was a way station for cattle being driven through the area to slaughterhouses in San Francisco. It has served as a general store, post office, and provided other functions necessary for the community during that time. It was initially located on a Native American trail, which ultimately became Highway 29.



Prior to acquisition of the property by the Ely family, the James Jamison family settled on the property, however, there are no records showing Jamison was the actual owner of the property. The first record of ownership documents appears to be a United States Government Land Patent issued in 1878 issued to a member of the Ely family. Not only did the

property act as a rest stop for cattle, but it also provided an area for a change of horses for stages moving through Lake County. *(Photograph of Ely Stage Stop prior to relocation to present site)*

During that time stage transportation was essential to the survival of the community. Due to the geographics of Lake County, access to the areas outside of Lake County was extremely limited, with what is now Highway 29, being about the only way to reach areas such as Napa or San Francisco.

In the not-so-distant past, the building, which is now the Museum, has been a personal residence again, without being operated in any of its prior commercial enterprises.

In 2007 the historic building was scheduled for demolition to allow completion of road work planned on Highway 29. As a result of community and local governmental cooperation, the building was moved across a highway, under power and communication lines, and across wild terrain to its present location. The Museum presents numerous activities dedicated to preservation of, and education about, Lake County's history. On May 19, 2024, the Richard

Paddock Blacksmith Shop was opened to visitors, allowing another glimpse into the past of Lake County.

The Museum is owned by the County of Lake and operated by the Lake County Historical Society. John Parker, Ph. D., is President.

The Museum has been gracious enough to permit the Grand Jury to use the historical photographs included in our Final Report of the 2023-2024 Civil Grand Jury.



Church and House on Middle Street, Upper Lake, CA

TABLE OF CONTENTS

List of Final Reports 6
Letter from Presiding Judge..... 7
Letter from the Foreperson of the Grand Jury 8
Civil Grand Jury Foreperson’s Letter to the Community..... 9
What is the Grand Jury10
Jury Roster 2023-2024..... 11
Responses to Grand Jury Report of 2023-2024.....128
Complaints from Citizens.....157

**FINAL REPORTS OF
LAKE COUNTY CIVIL GRAND JURY
2023-2024**

CLEARLAKE ANIMAL SHELTER	13
HOMELESSNESS IN LAKE COUNTY	20
RECYCLING IN LAKE COUNTY	35
PACIFIC GAS AND ELECTRIC UNDERGROUNDING IN LAKE COUNTY	49
QUAGGA MUSSEL FUNDING	56
OFFICE OF EMERGENCY SERVICES	68
LAKE COUNTY JAIL	76
KONOCTI CONSERVATION CAMP #27 TOUR	80
THE STATE OF CANNABIS IN LAKE COUNTY	84
INDIGENT LEGAL REPRESENTATION	111
CONCLUSION OF FOUR-YEAR GRAND JURY INVESTIGATION OF ELIJAH HOUSE	116



Superior Court of California

COUNTY OF LAKE
255 NORTH FORBES STREET
LAKEPORT, CALIFORNIA 95453

J. DAVID MARKHAM
SUPERIOR COURT JUDGE

(707) 263-2374 EXT 2282
FAX (707) 262-1327

June 24, 2024

Dear Members of the 2023-2024 Lake County Civil Grand Jury:

Thank you for the submission of your Final Report. I have reviewed the Final Report and find it complies with governing law. The clerk of the court is directed to accept and file the Final Report pursuant to Penal Code section 933(b).

The role of the Grand Jury is essential to preserving public trust in our local government. The Final Report serves as an important resource for both the public and policymakers, providing insights that can drive positive change and promote the efficient functioning of our local government.

I would like to take this opportunity to extend my gratitude for the dedicated service, diligent efforts, and unwavering commitment of each member of the Grand Jury. You have demonstrated the true essence of public service. On behalf of the Court, thank you for your service.

The 2023-2024 Civil Grand Jury is to be commended for their work to improve local government and the lives of the citizens of Lake County.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. David Markham".

J. David Markham
Presiding Judge of the Superior Court



Civil Grand Jury 2023-2024
County of Lake
P.O. Box 1078
Kelseyville, CA 95451
June 23, 2024



The Honorable J. David Markham
Presiding Judge
Superior Court, County of Lake
255 No. Forbes Street
Lakeport, CA 95453

Dear Judge Markham:

The 2023-2024 Lake County Civil Grand Jury hereby submits its Final Report pursuant to California statutes.

The members of the Civil Grand Jury have reviewed various issues of interest in the County. As members of our community, all the jurors spent significant time and effort becoming familiar with aspects of County life and functions resulting in the completed reports transmitted herewith.

Lake County is a very special place in the State of California. It has been an honor to serve as a member of the Lake County Civil Grand Jury.

Respectfully submitted,

A blue ink signature of Arleen D. Russo.

ARLEEN D. RUSSO
Foreperson,
Lake County Civil Grand Jury, 2023-2024.



Civil Grand Jury 2023-2024

County of Lake

P.O. Box 1078

Kelseyville, CA 95451

June 23, 2024

CIVIL GRAND JURY FOREPERSON'S LETTER
TO THE COMMUNITY

The purpose of the Civil Grand Jury is to act as a “watch dog” over all aspects of local government actions.

Members of the Civil Grand Jury are selected from a cross-section of the community. When first empaneled members generally have no initial thoughts regarding issues to be reviewed. Shortly thereafter, ideas and thoughts begin to coalesce, and requests for investigations from members of the community are received and reviewed. After members develop their own direction and discuss these issues, the direction for various investigations form.

Once formed, the hard work begins. Members, coming from different backgrounds and experiences, work long hours to research and investigate matters before them. The result is the reports submitted.

The hours worked by members of a grand jury during its term are uncountable. The members face many challenges but can overcome them. This is the essence of a grand jury.

I have been privileged to serve as Foreperson of this Grand Jury. I appreciate all of the time and effort contributed by each member this year to make it a success.

Arleen D. Russo

Foreperson, Lake County Civil Grand Jury, 2023-2024.

WHAT IS THE GRAND JURY

The Grand Jury has been in existence since approximately 1170 in England. It continued to be used in Colonial America and formalized by the 5th Amendment of the Bill of Rights of the United States Constitution. In California it is a part of the judiciary branch of the government: “an arm of the court”. Its function is to investigate and make recommendations to improve operations of local governments.

ORGANIZATION

The Grand Jury is composed of 19 screened and approved individual residents of Lake County. They are from various backgrounds, who have an interest in community affairs. The grand jury is dedicated to serving the interests of the citizens of Lake County.

GRAND JURY FUNCTIONS

The primary function of the Grand Jury is to act as a “watch dog” about county and city functions. The Grand Jury reviews procedures, methods and systems utilized by these entities to ensure efficient and economical use of these programs.

In order to perform these functions, the grand jury receives requests for investigation from citizens. Complaints are confidential. Investigations are limited to complaints involving governmental agencies. The grand jury cannot investigate disputes between individuals. Any complaint that involves possible criminal activities is referred to the District Attorney

Complaints may be filed online at: <https://www.lakecountyca.gov/1217/Filing-Complaints> (6.12.24 accessed)

At the end of its term (July 1, xxxx to June 30, xxxx) the Grand Jury issues its final report containing the results of its investigations. The report makes findings and recommendations. Copies of the report are distributed to public officials, libraries, news media, interested parties, and any entity that is the subject of one of the reports. Responses to the recommendations are required from elected county officers within sixty (60) days of release of the report. The Board of Supervisors and other public agency governing boards must respond within ninety (90) days of report release. Those responses are reviewed by the incoming grand jury.

GRAND JURY SELECTION PROCESS

The court solicits applications for the Grand Jury by several means. Additionally, Application Forms are available online, or by mailing a letter with a self-addressed, stamped envelope to:

Grand Jury Coordinator
255 North Forbes Street, 4th Floor
Lakeport, CA 95453
(707) 263-2374. Ext. 2282

Jury Roster 2023-2024

NAME	ROLE	CITY
MARY ANN BANNAN-HAINES		NICE
PETER CARAVELLA	COMMITTEE CHAIR	LAKEPORT
KERRY DUVALL	PRO TEM COMMITTEE CHAIR	LOWER LAKE
BOB HUME	COMMITTEE CHAIR	KELSEYVILLE
KEVIN HARPER	COMMITTEE CO-CHAIR	MIDDLETOWN
SHIRLEY KOELLING	COMMITTEE CHAIR	KELSEYVILLE
BILL LINDSEY	COMMITTEE CHAIR	LUCERNE
MAGGIE MAGOOLAGHAN	COMMITTEE CHAIR	KELSEYVILLE
SCOTT PARKHURST	COMMITTEE CO-CHAIR	CLEARLAKE
ARLEEN RUSSO	FOREPERSON	LOWER LAKE
DEBOARH SAFRANEK	SCHEDULER	HIDDEN VALLEY LAKE
JEFFREY SCHMIDT	COMMITTEE CHAIR	HIDDEN VALLEY LAKE
ANNETTE TUCKER		KELSEYVILLE
JOHN WILCOX		COBB MOUNTAIN
GENEE' WOODSON		KELSEYVILLE

Bill Smith Blacksmith shop and Streng Bean Saloon



PAGE INTENTIONALLY BLANK

CITY OF CLEARLAKE ANIMAL SHELTER



Pleeeese -----

Take Me Home

SUMMARY

The purpose of this report is to educate the public and improve conditions at the Clearlake Animal Shelter. After receiving several complaints from the public, the Civil Grand Jury began its investigation.

Among the problems was the fact that the shelter was overcrowded due to the high rate of new animals entering the shelter making it hard, if not impossible, to care for all the animals in a humane way. There was also no provision in the contract with North Bay Animal Services (NBAS) as to how the budget was to be spent, the number of staff needed or even if the money donated by Lake County residents would be used in Clearlake.

In addition, the 10-year contract with NBAS at a set amount of \$375,000.00 per year is unrealistic and under budget. Other problems that were apparent included a slow response to animals needing medical care, a lack of transparency, and inconsistent quality of food and infrequent delivery.

METHODOLOGY

Interviews were conducted with the management of North Bay Animal Services, their former employees, the police and former veterinarians who also worked there. A number of citizens who sent in complaints to the Civil Grand Jury were also interviewed. In addition, a total of five visits were made by the Civil Grand Jury members to the shelter in Clearlake.

BACKGROUND

Lake County has two shelters, one in Lakeport run by Lake County, and a second one in the City of Clearlake run by North Bay Animal Services. Previously, the County ran both shelters but in the summer of 2022 the City of Clearlake decided to run its own shelter. After North Bay Animal Services initially provided help over a period of several months, the City of Clearlake entered into a 10 year contract with them at a cost of \$375,000.00 per year.

DISCUSSION

There were too many animals being abandoned or surrendered. People were no longer able to care for their animals after COVID. There was a lack of affordable spay and neuter services, and few veterinarians were available which contributed to the shelter's overcrowding. In Lake County, it costs between \$300.00 to \$1,200.00 for spay and neutering services. However, North Bay Animal Services has an agreement with local veterinarians to be charged only \$300.00 for those services.

The "no kill" philosophy which the Clearlake shelter adheres to, puts an additional strain on the shelter as well. Thus, the number of animals needing to be placed at the Clearlake shelter overwhelms its capacity to house them properly. One possible solution is for the shelter to prioritize spay and neutering services. Another consideration could be increasing the number of animals in respite or foster care. However, there are also times when terminating an animal's life due to illness or dangerous behavior is a choice as these animals are unlikely to be adopted. It also reduces the danger to the staff when dealing with an overly aggressive animal.

When the population of the shelter was 70 dogs or more, the shelter was too small to house the animals properly. Some of the dogs were left in cages outdoors exposed to the rain, cold and snow. Fortunately, now although the animals are still outside in cages, the cages have covering on three sides and a roof overhead.

Because the City of Clearlake, Public Works, still has equipment and trucks at the site of one the larger buildings, the shelter is unable to expand and develop the adjacent property to accommodate more animals. At this time, the shelter has 43 animals. There are however, 35 more animals in foster care.

With prices rising every year, the contract for the next 10 years at \$375,000.00 per year is not likely to be sufficient to provide quality care for the animals at the shelter. Besides caring for the animals, the present contract requires North Bay Animal Services to patrol and respond to calls as dispatched, to complete reports, testify at hearings, pick up animals and enforce local, state, and federal laws relating to animals. In addition, they must issue citations, investigate bite reports, and also cases of animal cruelty, neglect and public nuisance. They oversee rabies control, as well as filing records with the County Health Department, and providing care and control as part of a disaster response.

Under the contract, there is to be one certified animal control officer on duty from 9:00a.m. to 6: 00p.m., seven days a week, excluding federally recognized holidays. The agreement also

addresses the animal population and euthanasia. It states, “Contractor will endeavor to operate under the No Kill philosophy. However, the Contractor and the City recognize that some animals will need to be humanely euthanized for public safety and/or animal health issues. The Contractor is responsible for managing the shelter population to insure that space is available for additional animals.”

Presently there is limited oversight on how money received is being used. This includes donations from individuals, and funds from the thrift store, the budget and any grants received. There is no indication funds received from the local community are being used locally.

In interviews with members of the public, the conditions that the animals live in was mentioned as inadequate. For example, feces and urine were left on the floor of the cages for a long period of time and excrement was smeared on the wires of the cages. Cleanliness, or rather the lack of cleanliness, was a major issue.

Other complaints were about the slow response to animals needing medical care. A veterinarian refused to work at the shelter because of the way they were treated and in their own words “Because of the deplorable conditions at the shelter.” Another veterinarian refused to work there until past due bills were paid. A foster family was told that they would have to pay the medical bills, despite being told earlier, that the shelter would be responsible for the bills.

Chain of command had been a problem, causing medical treatment for sick or injured animals to be delayed. Delaying medical treatment for sick or injured animals is unacceptable. Complaints were also made about the lack of responsiveness to the community. For example, phone calls were not being returned. There is now a plan to train an on-site supervisor to respond to the public on a timely basis.

Another problem cited in the past has been a lack of on-site supervision at the shelter. NBAS is currently training an on-site staff member to facilitate direct on-site supervision at the shelter.

Another similar complaint is that food is delivered by the manager who may be there only once a month. In addition, donations of “expired” food are being accepted and fed to the dogs.

For a period of time, the locking mechanism at the shelter was in disrepair which allowed unauthorized access to the site. Volunteers and citizens had unsupervised access to the shelter and the Public Works yard, which caused safety and security issues for NBAS and the City of Clearlake. Evidently, this situation was also unsafe because it allowed access to areas where aggressive animals were being housed. Unfamiliar people were around these dogs which caused them stress. The situation was resolved, and the lock was fixed.



Despite the problems and complaints cited, Clearlake still needs a shelter for abandoned and mistreated animals. There were several events in the past that the public genuinely appreciated. For example, on February 7th of this year, the shelter had a free vaccination and microchip clinic, and treated over 50 animals. Also, during a community event at Austin Park the Shelter participated to promote the adoption of the animals in its care as well as other services. North Bay Animal Services benefits from low cost spay and neuter services provided by local veterinarians which is required for adoption. In addition, NBAS runs a “no kill” animal shelter which spares the lives of many animals.

If it were not for North Bay Animal Shelter, many more animals would be roaming the streets seeking food and shelter. Hopefully, when Public Works removes its equipment and trucks, more animals can be cared for and the site could be developed to accommodate them.

FINDINGS

- F-1 The animal shelter is overcrowded when there are more than 40-45 dogs being housed there.
- F-2 The 10-year contract at \$375,000.00 per year has no provision for an increase over time.
- F-3 Timely medical care is not always provided.
- F-4 There continues to be an overall lack of communication between NBAS and the community.

- F-5 Cleaning practices need improvement.
- F-6 There is no set schedule for food deliveries and expired food is being fed to the dogs.

RECOMMENDATIONS

- R-1 That the City of Clearlake limit the population to 40-45 dogs at this time. F-1
- R-2 That the Clearlake City Council review the contract with North Bay Animal Services annually. F-2
- R-3 That the Clearlake City Council exercise regular oversight of NBAS to ensure that timely medical care is provided. F-3
- R-4 That the Clearlake City Council ensure that that NBAS improve communication with the public. F-4
- R-5 That the Clearlake City Council ensure that NBAS comply with the terms of the contract regarding the University of California at Davis, Veterinary School’s recommendations for cleanliness. F-5
- R-6 That the Clearlake City Council support regular food deliveries through a local food distributor. F-6

RESPONSES

According to the Penal Code, Section 933.05 the following responses are required:

Clearlake City Council (R-1), (R-2), (R-3), (R-4), (R5), (R-6)	60 days
City of Clearlake Police Chief (R-1)	90 days

Polk's Grocery and Odd Fellows Hall



Oxen Pulling Logs

Upper Buck Ridge Sawmill



HOMELESSNESS IN LAKE COUNTY

SUMMARY

"The number of homeless Californians has increased by 50% in despite the state's spending about \$20 billion on the various anti-homelessness programs during the last five years." Dan Walters, *CALmatters Commentary*, April 12, 2024, (10)

The article quoted above demonstrates the failure of the California Legislature's scattergun approach to addressing crises, particularly homelessness. Despite the significant funds allocated to various anti-homelessness programs over the years, State Auditor Grant Parks' recent critical report reveals a lack of coordination and efficacy in these efforts. Despite the creation of the California Inter-agency Council on Homelessness (ICH) in 1971, which aimed to coordinate activities, the new audit suggests persistent issues with tardy reporting, misaligned action plans, and inaccurate data collection. The public's skepticism, reflected in the recent narrow approval of Proposition 1, Homeless Mental Health Spending Bill underscores growing disillusionment with politicians' promises to tackle homelessness effectively. Overall, the article highlights the need for more effective coordination, evaluation, and accountability in addressing California's homelessness crisis.

Mr. Walters' article addresses the issue as a state problem in the aggregate which is most prominent and visible in the metropolitan areas of Sacramento, the San Francisco Bay area and Los Angeles.

Lake County is no exception to the general homelessness predicament in which the State of California finds itself. The population of Lake County is approximately 68,000. Unofficial estimates put the number of homeless at approximately 1000 or 1.5 per cent. Temporary group shelters are available for less than 100 of these. There are virtually no Section 8 rental housing assistance vouchers available and approximately only 2 per cent of the homeless population, or around 20 people per year, are able to get Emergency Housing Vouchers (EHV's) for families with critical short-term housing needs. The term "under-served" is certainly in-line with where Lake County stands in the overall situation the State of California finds itself in with respect to the homeless.

METHODOLOGY

Several Lake County career professionals involved and dedicated to serving the homeless community were interviewed. Government websites and news sources were researched. The Lakeport homeless shelter was visited, and informal conversations were held with operating personnel. The county-wide Forum on Homelessness was also attended late last year.

DISCUSSION

I. INFLUENTIAL FACTORS

A. CAUSES:

Financial: Economic instability and poverty contribute significantly to homelessness in Lake County. Many individuals and families struggle to afford housing due to low wages, unemployment, or insufficient financial resources.

Disaster: Natural disasters such as fires, earthquakes, tornadoes, and floods can displace residents and lead to homelessness. These events can destroy homes and disrupt communities, leaving individuals without shelter or resources.

Job Loss: The loss of employment is a common trigger for homelessness. Without a steady income, individuals may struggle to afford rent or mortgage payments, leading to eviction or foreclosure.

Lack of Low-Income Housing: Lake County faces a critical shortage of affordable housing options, making it difficult for low-income residents to find suitable accommodations. The high cost of housing, relative to income levels, exacerbates the problem of homelessness.

Resource Limits: Limited access to social services, support programs, and community resources can hinder individuals' ability to overcome homelessness. Insufficient funding and capacity constraints may restrict the availability of essential services.

Local and Regional Economic Limitations: Economic challenges specific to Lake County, such as a lack of diverse industries or limited job opportunities, can contribute to homelessness by restricting residents' ability to find stable employment or affordable housing.

Demotivational Factors – Hopelessness: Prolonged experiences of homelessness can

lead to feelings of hopelessness and despair, making it challenging for individuals to pursue opportunities for housing stability or self-improvement.

Substance Abuse/Dependency - Alcohol and Drugs: Substance abuse and addiction issues are prevalent among the homeless population in Lake County. Dependency on alcohol or drugs can exacerbate homelessness by impairing individuals' ability to maintain employment, housing, and social relationships.

Mental Health Factors Affect Income Stability: Mental health disorders, such as depression, anxiety, and schizophrenia, can impact individuals' ability to maintain stable employment and housing. Without access to adequate mental health services and support, individuals may struggle to address underlying issues contributing to homelessness.

Lifestyle Habits - Criminal Behavior: Involvement in criminal activities or a history of incarceration can contribute to homelessness by limiting individuals' access to housing, employment opportunities, and social support networks. Substance abuse, mental health issues, and socioeconomic factors may intersect with criminal behavior, further complicating efforts to address homelessness.

Disabilities - Mental & Learning: Individuals with mental or learning disabilities may face additional barriers to accessing housing, employment, and support services. Discrimination, stigma, and lack of accommodations can exacerbate their vulnerability to homelessness.

Physical Health: Physical disabilities or chronic health conditions can impact individuals' ability to maintain stable housing and employment. Without access to appropriate medical care and support services, individuals with disabilities may face increased risk of homelessness and social isolation.

Legal, Statutory, and Enforcement Changes with Unintended Consequences: Changes in laws, regulations, or enforcement practices may inadvertently contribute to homelessness by limiting individuals' access to housing, support services, or legal protections. Unintended consequences of policy decisions can exacerbate existing vulnerabilities and perpetuate cycles of homelessness.

B. THOSE AFFECTED: “VICTIMS”/ “CLIENTS” PERCEPTIONS & ATTITUDES:

Temporary, Just Need Some Help: Some individuals experiencing homelessness may view their situation as temporary and believe they just need temporary assistance or support to regain housing stability.

Trapped, Need Help to Change: Others may feel trapped in their circumstances and recognize the need for external assistance or intervention to overcome barriers to housing stability, such as financial insecurity, substance abuse, or mental health issues.

Defeated, But Will Take Aid to Survive: Individuals who feel defeated by their experiences of homelessness may be willing to accept aid or support to meet their immediate survival needs, even if they lack hope for long-term improvement.

Survivalist: Don't Help Me/Won't Change: Some individuals may adopt a survivalist mindset, rejecting offers of assistance or support and preferring to rely on their own resources or strategies to meet their basic needs. Resistance to external help may stem from distrust, self-reliance, or autonomy concerns.

C. ISSUES:

Government Legal and Bureaucratic Environment Provides Little Motivation or Encouragement for the Homeless Individual to Attain Self-Improvement Without Outside, Expert Help: The bureaucratic nature of government systems and legal frameworks may create barriers to accessing support services or navigating complex eligibility requirements for housing assistance, employment programs, or social benefits. Individuals experiencing homelessness may require additional support from trained professionals or advocates to effectively engage with government agencies and achieve sustainable outcomes.

Section 8 Housing Has a Bad History: It is repugnant to most landlords and is therefore, mostly unavailable. Housing vouchers can only be obtained for 1 to 2% of eligible homeless. Negative perceptions of Section 8 housing programs among landlords, property owners, and community members can limit the availability of affordable housing options for individuals experiencing homelessness. Additionally, bureaucratic challenges and limited funding may restrict access to housing vouchers, leaving many eligible individuals without timely support or resources to secure stable housing.

Legal, Statutory, and Enforcement Environment Contributes and Exacerbates Conditions for Homelessness: Existing legal frameworks, statutes, and enforcement practices may inadvertently perpetuate homelessness by criminalizing behaviors associated with poverty, addiction, or mental illness, rather than addressing underlying systemic issues or providing support services and resources to individuals in need. The criminalization of homelessness,

restrictive zoning laws, and lack of affordable housing policies may exacerbate vulnerabilities and barriers to housing stability for marginalized populations.

II. SERVICES BEING PROVIDED TO THE HOMELESS POPULATION

Lake County has three Departments which provide a variety of services to the homeless community: Behavioral Health, the Department of Social Services, and the Department of Veterans Services. The discussion that follows lists and details some of the major services provided by these departments. Though comprehensive, it is not all-inclusive, but intends to show how the county services can partner with HUD's Continuum of Care (COC) as they strive to achieve COC's Mission to "End Homelessness."

Every year the U.S. Department of Housing and Urban Development (HUD) compiles a Point in Time (PIT) report, publishing data regarding population, factors that contributed to lack of housing, and the amount of time spent unhoused.

The PIT count is used by HUD to determine the level of funding to be used for Lake County's Behavioral Health and Social Services Departments in support of homeless care and service needs.

In 2022-2023, Lake County, California allocated funding for homeless services and relief through various sources. Lake County Behavioral Health Services received \$3,039,323.00 for the Mental Health Services Act (MHSA) from the California Mental Health Services Oversight and Accountability Commission. [2] Additionally, Lake County Behavioral Health Services received funding for housing and homelessness programs within the Department of Housing and Community Development in the 2022-23 California spending plan, which authorized \$7.2 billion over three years to 20 major housing and homelessness programs in various counties. [1] At the present time, it is unknown what portion is made available to Lake County.

Homeless Shelters:

Xamatin Haven

Xamatin Haven, located at 1111 Whalen Way in Lakeport, provides up to 35 guests with stable shelter, breakfast, dinner, showers, laundry support, and most importantly, navigational housing services with the goal of finding permanent, affordable housing. Xamatin Haven is operated by Redwood Community Services, a non-profit organization under contract with Behavioral Health for the COC, which authorizes the funding from HUD. The three-year contract amounts to \$2,417,489.00 which covers shelter service only.

The Lakeport facility is not ideal for the restorative and recovery services they provide because of the location away from city center, and it is still configured as a correctional facility, from which it was adapted. Staff are trained to handle mental health disorders and substance abuse problems.

Hope Center

Hope Center, located at 3400 Emerson St., in Clearlake, provides housing and supportive services to 20 persons experiencing homelessness. It is an interim housing facility as well as a Housing Navigation Hub which provides additional navigation services and resources for those not sheltered at Hope Center. The program's goal is to provide safe housing and services that would remove barriers to housing, employment, and economic self-sufficiency, and allow for the development of skills needed to transition to permanent housing, thus reducing homelessness in the county.

Hope Center is operated by Hope Rising Lake County, a 501(c)(3) non-profit, community benefit organization composed of health systems and services, county leaders, non-profits and other relevant organizations that serve Lake County.

Examples of services available to participants include (but are not limited to):

- Housing case management
- Medical services and health screenings
- Mental health and substance use disorder treatment
- 12-step meetings
- Health and nutrition education
- Benefit enrollment
- Legal assistance
- Transportation.

Lake County Housing Programs

The County provides various housing services (not restricted to housing the homeless) with funding from the California Department of Housing and Community Development (CDHCD), and HUD. The primary functions of these services are described below:

Section 8

The Housing Choice Voucher Program (HCVP), commonly known as Section 8, is a rental assistance program for low-income households. It is funded by HUD. The purpose of this program is to meet three primary goals:

- Provide decent, safe, and sanitary housing for very low-income households while maintaining their rent payments at an affordable level.
- Promote freedom of housing choice and spatial de-concentration of low-income households of all races and ethnic backgrounds
- Provide an incentive to private property owners to rent to low-income households by offering timely rental payments

The program also supports the local rental market by encouraging unit maintenance by property owners, responsible tenancy by program participants, and self-sufficiency among participating families.

The Lake County Department of Social Services administers the Section 8 program. The annual budget is approximately \$270,000. The HCVP waiting list is currently closed and not accepting applications at this time.

Two Hundred Twenty-Four (224) housing vouchers, plus 15 Veterans Affairs Housing Support vouchers are available from HUD for those who qualify. These vouchers are available to low-income families to pay for housing. One hundred eighty-nine (189) of the vouchers have been issued by Lake County to eligible families. There is no shortage of eligible families wanting housing assistance, but voucher holders are unable to find eligible housing within allowable HUD-established payment standards. This is due, in part, to the loss of 5.5% of our housing supply due to wildfires since 2015. There are currently zero subsidized housing units available in the county. Local apartment unit complexes report wait-lists of approximately 4 years for subsidized units. Although there are vouchers available for use and a list of qualified potential voucher recipients, there is no housing available, resulting in vouchers going unused.

Emergency Housing Voucher Program

The Emergency Housing Voucher (EHV) program is available through the American Rescue Plan Act (ARPA). Through EHV, HUD is providing housing choice vouchers to local Public Housing Authorities (PHAs) in order to assist individuals and families who are:

- Homeless
- At risk of homelessness
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking
- Were recently homeless or have a high risk of housing instability

Less than 2% of homeless actually received an EHV.

Here is a detailed report on the HCVP and its eligibility criteria in Lake County, CA:

Application Process:

The application process for the HCVP in Lake County involves the following steps:

1. Completion of pre-application during specific open periods.
2. Typically, there are more pre-applications submitted than the limited number of vouchers. A lottery system is then used to randomly select applicants for placement on a waiting list.
3. Applicants are required to list all family members, provide details about income, and select applicable preferences. Completion of a pre-application must be made during specific open periods.
4. Applicants must be at least 18 years old, and only one application per family is permitted.
5. Preferences are given to families currently living in non-subsidized housing, those who live/work in Lake County, and households with seniors or disabled individuals.
6. Once placed on the waiting list, applicants must promptly notify the housing authority of any changes in their application information.

Obtaining a Voucher

Once an eligible family reaches the top of the waiting list, the housing authority issues

them a housing choice voucher (HCV). The family then needs to find a suitable rental unit in the private market that meets the program's housing quality standards.

Rental Assistance

The housing authority pays a portion of the rent directly to the landlord on behalf of the HCVP participant. The amount of assistance is based on factors such as family income, family size, income deductions, and the contract rent for the unit. Generally, the HCVP participant is required to pay approximately 30% of their adjusted monthly income towards rent and utilities.

In summary, the HCVP in Lake County is intended to provide critical rental assistance to low-income families and individuals, with eligibility determined by total annual gross income and family size. The application process involves a pre-application, lottery selection, and preferences for certain household types.

GENERAL RELIEF PROGRAM

The General Relief Program provides necessary assistance to eligible persons who are without resources to meet their minimum basic needs for food, sanitation services, clothing and medical care. The Behavioral Health Department has several mobile units that travel around the county to those living in tents, cars, doorways or other makeshift shelters to provide meals, showers, clothing and medical services where needed. The annual budget for Lake County is approximately \$50,000.

CalWORKS

Eligible families receive cash payments on a monthly basis to help pay for housing, food, utilities and other necessary expenses. Additional payments can be made if there are special circumstances, such as pregnancy or homelessness. The annual budget for Lake County CalWORKS is approximately \$5 million.

CalFRESH

CalFRESH is the California implementation of the federal Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp Program, which provides financial assistance for purchasing food to low-income California residents.

OTHER PROGRAMS IN THE COUNTY:

In addition, the county's Community Development Department (CDD) is designing a program, in compliance with Accessory Dwelling Units; Preapproved Plans, Assembly Bill 1332, that went into effect January 1, 2024, to foster development of accessory dwelling units with the intent of adding housing stock and reducing overcrowding. Leaders of the CDD are expected to execute this program by the third quarter of 2024.

North Coast Opportunities

North Coast Opportunities (NCO), a private non-profit organization, operates the New Digs Program in Lakeport. This program helps community members that are homeless or at risk of becoming homeless to secure permanent housing. New Digs works to end homelessness as soon as possible, through interim or permanent housing, offering tiered financial assistance for a minimum of 6 months. Once a client is placed in housing, New Digs Housing Case Managers work to address any barriers that contributed to prior homelessness, whether that is job skill development or mental health support. NCO also operates a Disaster Case Management Program that supports the needs of survivors from the wildfires of 2015-2018.

Redwood Community Services NEST program

Redwood Community Services offers the Nurturing Education and Skills Training program (NEST), which provides transitional housing for young (age 18-25) pregnant or parenting families and their children for 15 months. It also offers the Healthy Opportunities for Mothering Experiences Sober Living Environment (HOME), which provides long-term residential support for homeless families.

Lake Family Resource Center

Lake Family Resource Center provides housing support to victims of domestic violence, sexual assault, dating violence, and/or stalking. They offer up to 90 days of transitional housing in their 17-bed facility and up to one year of rent payments in market housing. The Lake County Resource Center's annual budget is \$4.5 million, of which approximately \$200,000 per year is provided by Lake County.

Restoration House

Adventist Health operates a 10-bed transitional housing facility for individuals with complex medical needs.

Miracle Messages Program

Miracle Messages provides reunion services for individuals experiencing

homelessness. After a homeless individual records a message to a loved one (or vice versa), they attempt to locate the loved one to deliver the message.

Middletown Rancheria of Pomo Indians of California

The Middletown Rancheria of Pomo Indians of California prepared an Environmental Assessment in August 2023 describing their plan to develop low-income housing on 62.87 acres near the Twin Pines Casino. The project foresees development of up to 45 homes, 5 cabins, and a 21-space RV park.

Hospitals

Hospitals offer charity care programs which provide free or low-cost medical treatment at hospitals for people who can't pay. This includes all emergency room care. For patients who are admitted, it also includes inpatient care. The American Hospital Association reports that for 2020, the most recent year available, more than \$8 million per hospital of uncompensated care was provided.

Others

The Sheriff's Office, police departments, fire departments, ambulance services, District Attorney's Office, Public Defenders Office, all spend significant portions of their annual budgets dealing with homeless individuals. These individuals are at a higher risk of needing health and legal interventions and therefore often have recurring needs.

Homeless Management Information System

Federal regulations (24 CFR 578) require the Continuum of Care to:

“In consultation with recipients of Emergency Solutions Grants program funds within the geographic area, establish and operate either a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. The Continuum must develop a specific policy to guide the operation of the centralized or coordinated assessment system on how its system will address the needs of individuals and families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, or stalking, but who are seeking shelter or services from nonvictim service providers. This system must comply with any requirements established by HUD by Notice.”

The Continuum of Care has established a Homeless Management Information System

(HMIS) to be responsible for planning, coordinating, and evaluating the implementation of HMIS for Lake County. The HMIS is intended to provide data needed by policymakers to better understand the complex factors contributing to homelessness and develop more targeted solutions. The HMIS is expected to collect the following types of data:

- Demographics (age, gender, ethnicity, family composition)
- Housing history (length of time homeless, previous housing, history of homelessness)
- Health (physical and mental health conditions, substance abuse issues)
- Income and employment (source and stability of income, employment status and history, education level)
- Access to services (utilization of shelters/food assistance, access to healthcare)
- Geographic information – location of homelessness, concentration of homelessness
- Causes of homelessness – job loss, eviction, domestic violence, mental illness, substance abuse
- Risk factors – history of trauma or abuse, involvement in criminal justice system
- Service needs – housing preferences, supportive services needed, barriers to access
- Outcomes – housing stability, employment status, health improvements
- Qualitative data – personal narratives, feedback from stakeholders

FINDINGS

- F-1: Section 8 Housing in Lake County is limited.
- F-2: Only approximately 2% of applied-for EHV's are awarded.
- F-3: Homelessness has increased despite the funds that are spent for abatement.
- F-4: Once a person or family becomes homeless, returning to a normal sheltered life seems insurmountable.
- F-5: The housing voucher system is ineffective; essentially “broken” due, in part, to the loss of the housing supply as a result of wildfires since 2015.
- F-6: The cost of homelessness abatement has risen along with everything else.
- F-7: Government rules for homeless relief are too complex.

RECOMMENDATIONS

- R-1: That the Board of Supervisors investigate if a quick-response county-run Housing Agency would be more effective in finding, negotiating, and procuring available housing space in a shorter time to serve more clients with less delay. (F-1), F-2), (F-5), (F-7)
- R-2: That the Board of Supervisors improve oversight of county-wide homeless services, including comprehensive use and analysis of HMIS data. (F-3), (F-5)
- R-3: That the Board of Supervisors develop a comprehensive plan to increase low-income housing supply in Lake County. (F-3), (F-4), (F-5), (F-7).

REQUEST FOR RESPONSE

Pursuant to Penal Code, Sections 933, ad 933.5, the Grand Jury requests responses as follows:

Board of Supervisors	R-1, R-2, R-3	60 days.
----------------------	---------------	----------

References:

- [1] Housing Choice Voucher Pre-Application Instructions, <https://www.lakehousing.org/housing-choice-voucher-pre-application-instructions/>
- [2] Rental Assistance – Lake County, <https://www.lakecountyfl.gov/Housing/Rental-Assistance>
- [3] Housing Choice Voucher Program (HCVP) | Rental Assistance, <https://lakecountyfl.gov/housing/rental-assistance/hcvp>
- [4] Mainstream Vouchers | HUD.gov / U.S. Department of Housing and ..., https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/mainstream
- [5] Housing Choice Voucher Program – Forms for Landlords – HUD, https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/landlord/forms
- [6] Housing Choice Voucher Program – Tenant Obligations – HUD, https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/landlord/tenant_obligations
- [7] Tenant Based Vouchers – HUD – HUD, https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/tenant
- [8] Lake Metropolitan Housing Authority, <https://www.lakehousing.org/>
- [9] Housing Choice Voucher Applications, https://www.cmha.net/housing/applicants/housing_choice_vouchers.php
- 10) “Audit shows massive failure of homelessness policies,” DAN WALTERS, *CALmatters Commentary*, April 12, 2024.
- 11) COUNTY OF LAKE, State of California Annual Comprehensive Financial Report, Fiscal Year Ended June 30, 2023

PAGE INTENTIONALLY BLANK

RECYCLING IN LAKE COUNTY

SUMMARY

Adoption of California's waste reduction and recycling law (California Integrated Waste Management Act [AB939]) was problematic from the start. Single-stream recycling doesn't work. The state regulator, CalRecycle, has been ineffective and inefficient in recycling cans and bottles. The waste industry is a problem, not a solution. Lake County's recycling efforts are related to landfill problems only.

METHODOLOGY

The Grand Jury interviewed Lake County employees who are responsible for Lake County's recycling programs.

BACKGROUND

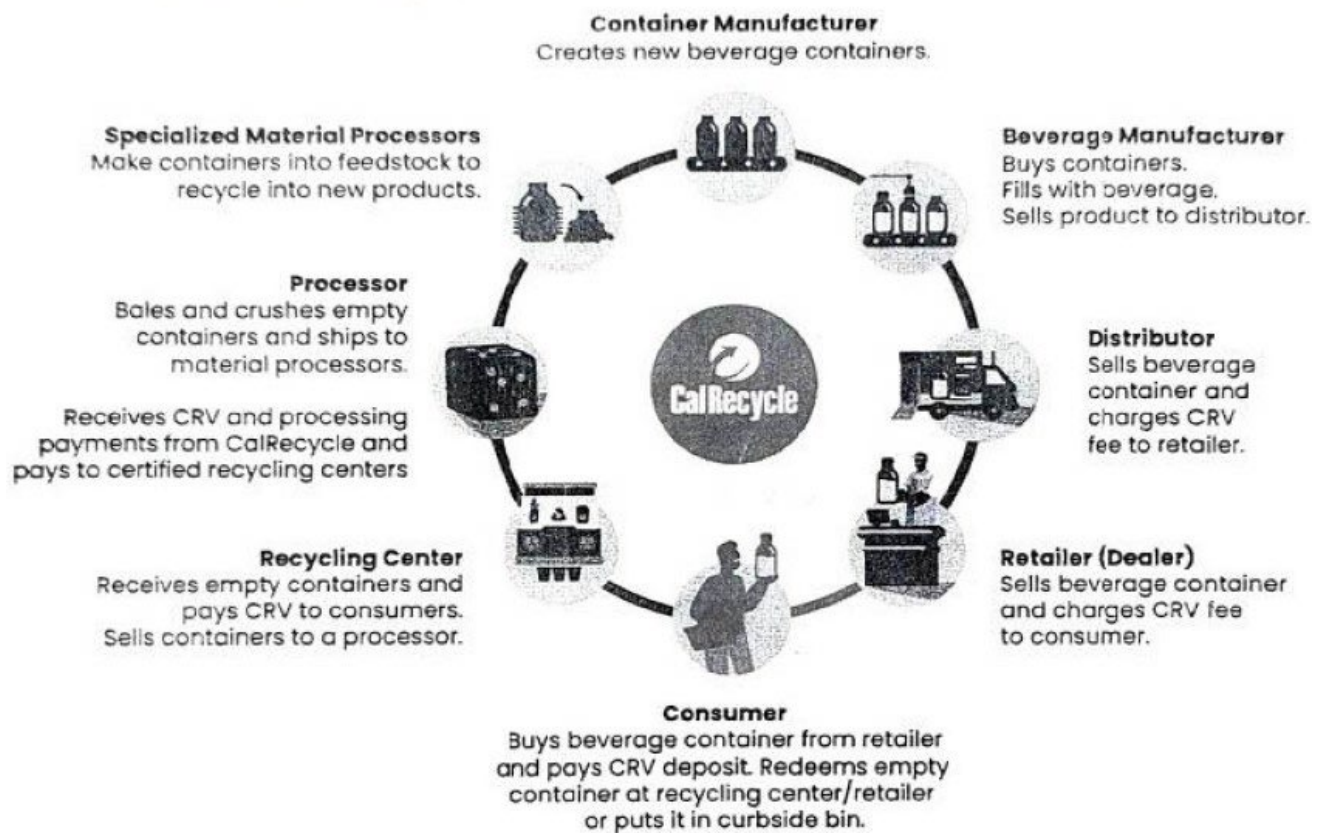
In the 1990's waste haulers introduced single-stream recycling. In 2011 the State of California had set the goal for 75% recycling by 2020. See web page:

<http://leginfo.ca.gov/pub/11-12/bill/asm/ab-0301-0350/ab-341.20111006-chaptered.pdf>

In the 2000s many laws were passed by the State but only one even remotely addresses the core problems of recycling, Household Hazardous Waste: Facilities; Transportation and Acceptance, AB 2481 (amended in 2021-2022).

SINGLE STREAM RECYCLING DOESN'T WORK

Overview of Beverage Container Recycling Program



The single stream recycling we have today is the following: the consumer brings his recycling to a Recycle Center, who sends it to a Processor, who in turn gives it to a Specialized Material Processor. This is how a consumer gets money for his recycling efforts. See figure above. However, most get the recycling dumped with the trash. The consumer is instructed to separate the recyclables for the waste haulers, who get paid twice.

Seven other states have a multi-stream approach. They provide convenient, automated redemption at every supermarket, convenience, drug, and big box stores, so returning empties is as easy as buying a beverage.

But in California beverage retailers from grocery chains to big box, convenience and drugstore chains, are not required to take back empties along with the redemption centers. California law (AB939) obligated retailers to be recyclers of last resort if redemption centers failed to materialize or closed. Now that redemption centers are closing, the majority of retailers are refusing to fulfill those responsibilities. Returning empties right to the store where you do your shopping dramatically increases consumer convenience.

Seven other states and the vast majority of other programs worldwide mandate redemption at both stores and redemption centers. In the State of Michigan, consumers have only one way to redeem recycling at retail stores that sell beverages. Residents there redeem 89% of the beverage containers they buy, spurred by the ease of access to deposit refunds. This creates a benefit to the recycle centers and creates more locations for the consumer to get paid for recycling.

The main reason recycling centers have closed in California is their inability to remain solvent. In 2017, waste haulers operating recycling programs wound up getting paid \$170 million by the State for container recycling, plus earned another \$13 million for scrap metal. But they recycled only 12% of the containers in the program, according to analysis of CalRecycle data by the nonprofit Container Recycling Institute (CRI).

Redemption centers, however, were paid only \$155 million for handling 88% of the containers. Waste haulers were paid ten percent more than redemption centers for recycling a fraction of the empties.

**THE STATE REGULATOR, CALRECYCLE,
HAS BEEN INEFFECTIVE AND INEFFICIENT
IN RECYCLING CANS AND BOTTLES**

The state regulator, CalRecycle, has not policed or fined the retailers to make sure consumers can redeem their deposit. Three thousand nine hundred ninety-six (3,996) stores have

signed up with CalRecycle to redeem empties in zones with no centers. CalRecycle is abetting retailers by not widely enforcing the current bottle deposit law or cracking down on violations. Instead, the agency granted more than 1,200 exemptions from retailer recycling responsibilities in the last three decades according to agency data. If caught by CalRecycle, the penalty is between \$100 and \$1,000, depending on whether it is a repeat offense. Chances are retailers will never be inspected. After many years, CalRecycle finally made this list public, unlike a shrinking list of redemption centers that consumers have long been able to search online.

Website: <https://www2.calrecycle.ca.gov/BevContainer/InStoreContainer> . (type in *Lake County* to get list for the County)

The redemption rates are low and getting lower, yet CalRecycle has done nothing that solves this problem. Part of the solution is to have deposit programs set deposits high enough to incentivize redemption.

CalRecycle commissioned a study on how to restructure the deposit system over a decade ago. The 2009 report, by the Sacramento-based R3 Consulting Group and CM Consulting of Ontario, Canada, compared bottle deposit programs in British Columbia, Ontario, and Germany to California's. The report stated:

“The government’s role is to set performance standards in the public interest (with stakeholder input), and then step aside and let producers design and operate effective programs to recover their products. Then, the government’s role is to ensure transparency and accountability for outcomes.”

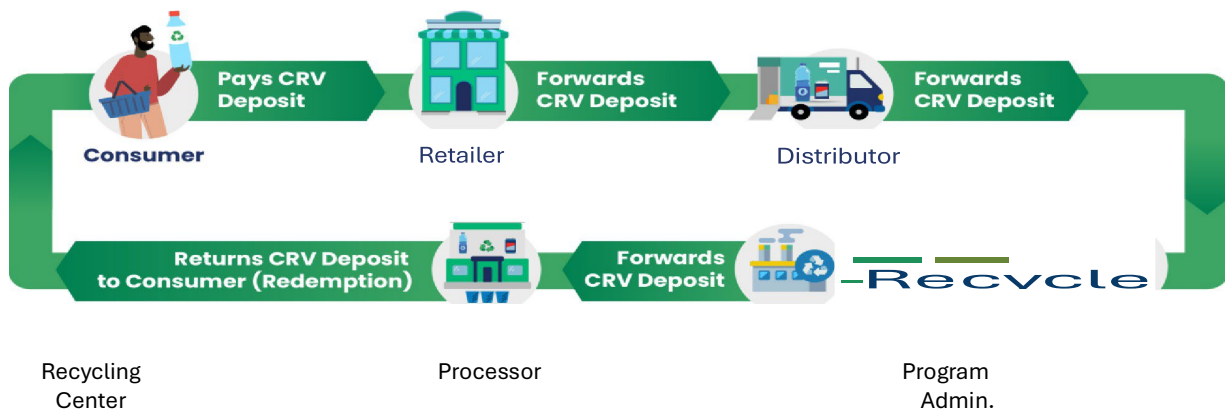
As the report pointed out, the three most important elements to successful bottle deposit programs are the amount of the deposit, consumer education, and wide access to redemption centers. (See chart below.) Yet, California’s system is the most inconvenient out of more than 50 beverage container recycling programs around the world.

To be fair to CalRecycle, this is a legislative issue, and CalRecycle’s response to this report is unknown.

CHARACTERISTICS OF BOTTLE DEPOSIT PROGRAMS

Characteristic	Oregon	Michigan	Norway	Germany	Lithuania	CALIFORNIA
Redemption Rates:	81%	89%	95%	98%	93%	68%
Beverage Industry						

Responsible Running Program	YES	YES	YES	YES	YES	NO
Responsible Deposit Amount (in cents)	YES	YES	YES	YES	YES	NO
Deposit Amount (in cents)	10	10	Up to 30	25	13	5-10
Haulers Collect Consumer Deposits	NO	NO	NO	NO	NO	YES



In the 1990s, in response to new recycling laws, waste haulers introduced single-stream recycling as a way to protect their landfill profits, not to increase recycling rates. The waste industry started investing in facilities to sort garbage and grew its profits by cutting costs on labor and delivery time. They no longer had to empty more than one recycling bin or use trucks with multiple compartments. One can never get things 100 percent clean in a single stream plant. Therein lies the root of one of the problems with the waste industry.

Contamination rates can cancel out any benefit from collecting larger quantities of recyclable materials. A 2002 study in Minnesota, compared five different methods of recycling collection in St. Paul and found single stream recycling increased tonnage collected compared to multi-sort systems. But it decreased the tonnage leaving the sorting facility ready for recycling.

Manufacturers who buy processed material to make into new products, are rejecting more offerings after finding that they have to divert larger amounts of substandard scrap. They have to pay landfill for what is unusable and then buy clean substitutes, a losing proposition.

Hand sorting by consumers “would save billions of dollars currently spent to remove contaminants from the recycling stream”.

Bottle deposit programs are an example of that hand-sorting. Glass processors report that 60% of glass coming from single-stream programs, is usable for making into glass bottles or fiberglass, according to CRI. Another 19% goes into glass fines (small bits that can be used as road base or landfill cover), but another 21% is mixed with contaminated non-glass residue and must go straight to a landfill.

In contrast, 90% of the glass that comes from dual-system programs which divert it from other materials, can become new containers or fiberglass. The other ten percent can be used for low-end applications. Bottle deposit programs deliver color-sorted glass, resulting in 98% being recycled into high-end applications.

Letting these companies control recycling is a conflict of interest. “The key takeaway is that a critical activity such as recycling in U.S. cities should not be entrusted to consolidated companies whose main business is landfilling and incinerating garbage,” according to the Institute For Local Self-Reliance. “This is an obvious conflict of interest that has been the focus of attention in the grassroots recycling movement for quite a while.”

<https://www.nytimes.com/2019/03/16/business/local-recycling-costs.html>

Overall recycling rates for solid waste have fallen in California from a peak of 33-50% in 2012 to 42% in 2017. Since 2012, trash disposal has increased per resident from 5.3 pounds to 6 pounds every day. That amounts to the weight of a subcompact car per person per year. But the redemption rate for consumers is a mere 66% because operators of consumer curbside and recycling “*drop-off progCalRecycle* fund,” fund “supplemental programs” that have never been assessed for their environmental or cost effectiveness. These include \$15 million annually in “supplemental payments” to curbside and drop-off programs, up to \$10 million for “quality incentive payments” directly to glass processors to improve the cleanliness of glass, and \$5 million in “market development payments” for plastic bottles. These curbside operators take in 12% of the beverage containers in the recycling program, while shrinking numbers of recycling centers take in 88%, according to CRI’s analysis of CalRecycle data.

The operators running curbside pickup or drop-off programs are overpaid by Cal-Recycle. In 2017, these operators collected \$170 million in consumer deposits and payments to make up for materials worth less than the cost of recycling.

The cost of actually handling the containers was \$43 million, leading to a calculation by CRI of \$140 million in gross profits, or a profit of 326%. CalRecycle pays operators this deposit, known as a California Redemption Value (CRV) of a nickel or a dime corresponding to the container size based on tonnage of container materials collected. Curbside operators submit weight records to CalRecycle and the agency then calculates the value per pound based on statewide survey data. CRI found that the current system of providing CRV based on weight of baled containers results in overpayments of \$10 million a year. That is because contaminants present in those bales make them heavier, creating a perverse incentive for waste haulers to continue contaminating recyclables. In addition, operators are allowed to submit the results of their own surveys and also apply to CalRecycle for higher than standard refund rates, likely totaling millions of dollars more in extra payments.

In 2017, curbside and drop-off operators received 17 times more in payments from CalRecycle for PET (a type of plastic), than the material would normally be worth, according to CRI. They received about nine times as much as it cost them to recycle aluminum cans, and three times as much as it cost them to recycle glass bottles.

Meantime, the agency radically underpays redemption centers. CRI estimates that redemption centers were shorted by \$42.7 million between 2013 and 2016 by the State. As the value of aluminum has fallen, these centers that rely on the risky scrap metal market to generate 80% of their revenues, have closed in droves.

As of January 24, 2020, only 1,205 redemption centers remained open statewide, according to CalRecycle. That leaves fewer than 50% that operated in 2013, making it harder for consumers to get their recycling deposits back.

Today, the virtual closing of China's market because of the U.S.'s high rates of scrap contamination, has these waste haulers increasing rates for their recycling services, but it is unclear how much of recyclables that they collect go straight to landfills or incinerators instead.

The only industrial sector that benefits from single-stream recycling is waste hauling. Waste haulers hold lucrative waste and disposal contracts, and municipal recycling contracts.

POLITICAL INFLUENCE OF WASTE COMPANIES, CONTAINER MAKERS, AND USERS

Some municipal leaders are growing wary of Waste Haulers/Recyclers Total

Contributions to the Legislature from 2017-2019:

Recology PAC	\$284,150.00;
Recology	\$278,050.00
Republic Services	\$102,449.99
Athens Services	\$ 48,200.00
Waste Management	\$ 42,500.00
CR&R	\$ 17,880.00
Waste Connections	\$ 17,800.00

The total sum contributed was \$791,029.99

These companies control virtually every aspect of the waste and recycling system.

In addition, the industry that produces, distributes and retails beverages simply does not want to spend any money helping to recycle the waste it creates. The American Beverage Association, representing soda brands in the U.S. from Cokecola to Pepsico, plows money into initiatives promoting single-stream recycling that protects their financial interests.

Powerful lobbies representing beverage makers, distributors, and retailers successfully resisted any responsibility for the end-of-life of containers by fighting off a bottle bill in California until 1986 when they wound up shaping key elements of it.

Last year, the American Beverage Association, that represents Pepsi, Coke, Dr. Pepper, Red Bull and other brands, spent \$914,000 on lobbying compared to \$380,000 the year before, according to the Los Angeles Times.

In the State of California, many bills have passed since 2020, but none of them have addressed the core problem, which is single stream recycling and corporate container control of recycling.

The Governor of California, lawmakers and recycling stakeholders agreed that a major reform of the bottle deposit system was needed and should have been undertaken in 2020 but was ineffective.

LAKE COUNTY RECYCLING EFFORT RELATED TO LANDFILL ONLY

Lake County has two inspectors who make sure the landfill is within county specifications, yet none for recycling. It has been stated the County has no control of recycling, it is a state matter. While that is true, the State does give recycling grants to counties.

GRANTS

Here are two grants the County could have applied for:

GRANT 1:

Notice of Funds Available: Beverage Container Recycling City/County Payment Program (FY 2023-24).

The Department of Resources Recycling and Recovery (CalRecycle) administers a program to provide opportunities for beverage container recycling and litter cleanup activities. Pursuant to Public Resources Code, Section 14581(a)(3)(A) of the California Beverage Container Recycling and Litter Reduction Act, CalRecycle is distributing \$10,500,000. In fiscal year 2023-24 to eligible cities and counties specifically for beverage container recycling and litter cleanup activities.

Cities are eligible to receive a minimum of \$5,000 and counties are eligible to receive a minimum of \$10,000 per award.

The calculation is based upon the population in the incorporated areas of a city, or a city and county, or in the unincorporated area of a county as of January 2023 (Department of Finance E-1 Population Estimates for Cities, Counties, and the State with Annual Percentage Change – January 1, 2022, and 2023, Sacramento, California May 2023).

GRANT 2:

Notice of Funds Available: Beverage Container Redemption Pilot Project Grant Program (FY2021-22).

The Department of Resource Recycling and Recovery (CalRecycle) allows any previously approved pilot project grantee to apply for additional funding after the initial \$1 million funding allocation is expended (or close to).

Additional funding shall be used for expending the pilot project in some way. This may include, but is not limited to, adding additional areas, increasing redemption methods use, serving an increasing population and/or disadvantaged communities,

serving various geographic locations throughout the state, including new ideas for reaching consumers, adding additional locations, and increasing hours of operation.

Recycling and Recovery (CalRecycle) administers a program to provide opportunities for the California local government and recycling center operators to improve redemption opportunities for eligible beverage containers and increase recycling rates in unserved convenience zones statewide.

Possible Solutions

There are a number of possible steps to solve the problem, including the following:

- Unveil regulations that require at least one automated redemption point for every 9,000 people in every area designated for a recycling center so California can hit the statutory goal of consumers returning 80% of all CRV containers.

- Direct supermarket cooperatives to propose where new automated redemption points go based on population density.

- Designate that every big box-style store selling CRV beverages provides consumers with at least two automated recycling machines on-site.

- Ensure that both supermarket redemption locations and depots are open at least 70 hours a week – and not just during the typical 9a.m. to 5p.m. hours when most people are working.

- Require CalRecycle to enforce the existing bottle deposit law by levying meaningful fines on retail stores for each day, including retroactively, that they shirk their current recycling responsibilities.

- Double consumer deposits to incentivize consumers to recycle.

- Require CalRecycle to educate consumers about their in-store return options and the new availability on their website of a searchable list of stores redeeming deposits.

- Eliminate unjustified subsidies to waste haulers.

- Call for reform of the bottle law to shift responsibility for the recycling of containers to the beverage industry with the legislature setting a 90% redemption target with CalRecycle enforcing the law and efficiently run bottle deposit systems at a lower cost.

- In addition to a redemption target of 90%, add new financial penalties to the beverage industry if the target is missed.

Fortunately, CalRecycle already has a partial solution with Household Hazardous Waste: Facilities: Transportation and Acceptance, AB2481 (paint recycling.). AB2481 has a

stewardship approach. A bill like AB2481 for can and bottle recycling would be a good foundation for changing to a multi-stream recycling system.

This stewardship started on October 18, 2012.

Product Stewardship/Extended Producer Responsibility

CalRecycle ensures sustainable funding is available for end-of-life management for carpet, paint and used mattresses through partnerships with statewide, industry-led stewardship organizations. The regulated communities include manufacturers, brand owners, recyclers, and renovators. CalRecycle compliance responsibilities fall into two main categories: ensuring stewardship organizations for each product are administering programs to increase the recovery and recycling of products and listing compliant manufacturers/brands/renovators. Activities include reviewing and approving stewardship plans and conducting investigations to verify regulated manufacturers' or renovators' compliance to ensure a level playing field.

The American Coatings Association's non-profit, PaintCare Inc., runs the program in California.

Program Goals and Activities:

- Reduce the generation of postconsumer paint;
- Promote the reuse of postconsumer paint;
- Properly manage postconsumer paint at end-of-life in an environmentally sound fashion, including recovery, recycling, and proper disposal of postconsumer paint; and
- Properly manage paint containers and undertake market development activities, if a manufacturer or stewardship organization chooses to engage in these activities.
- Describing how each consumer of architectural paint in California will have an opportunity to recycle and properly manage their unwanted architectural paint on a statewide basis, including the proposed number, location, and type of collection points located in the State.

- Address the coordination of the architectural paint stewardship program with existing local household hazardous waste collection programs.
- Address the coordination of the architectural paint stewardship program with potential retail collection points.

California Public Resources Code, Section 48703 states, in relevant part:

“(d) The plan shall include goals established by the manufacturer or stewardship organization. Under the California law, paint manufacturers are required to submit plans to CalRecycle and report annually on their progress. Noncompliance can bring civil penalties of up to \$10,000 per day. “

FINDINGS

- F-1 The role of waste management companies needs to be reevaluated and regulated.
- F-2 The California State Legislature should consider passing legislation that entails multi-stream, free market-driven system.
- F-3 CalRecycle should be responsible to audit, oversee, and enforce mandates of the State.
- F-4 Lake County has no one to oversee the recycle grants from the State of California.

RECOMMENDATIONS

- R-1 That the Lake County Board of Supervisors should appoint someone to oversee recycling grants. (F-4)

RESPONSES

As per California Penal Code, Section 933.05(a), (b), (c), the following responses are required:

Lake County Board of Supervisors	R-1	60 days.
----------------------------------	-----	----------

BIBLIOGRAPHY

[https://calrecycle.ca.gov/bevcontainer/grants/citycounty/fy202324/Notice of Funds Available: Beverage Container Redemption Pilot Project Grant Program \(FY 2021-22\)](https://calrecycle.ca.gov/bevcontainer/grants/citycounty/fy202324/Notice%20of%20Funds%20Available%20Beverage%20Container%20Redemption%20Pilot%20Project%20Grant%20Program%20(FY%202021-22))
<https://calrecycle.ca.gov/bevcontainer/grants/bevcontainer/rpp/fy202122>
<https://calrecycle.ca.gov/cagrocers.com/hundreds-california-recycling-centers-close-now/#:~:text=Global%20commodity%20prices%20lar>

13

<https://scrapprecycling.medium.com/how-5-countries-do-recycling-a-little-differently-89af7aa602>

2

<https://www.nrcm.org/sustainability/four-ways-improve-our-worsening-waste-recycling-crisis/>
https://consumerwatchdog.org/wp-content/uploads/2020/01/2020-01_
<https://www.consumerwatchdog.org/energy/consumer-watchdog-report-shows-66-grocery-stores-surveyed-refused-recycle>

<https://www.nbcbayarea.com/news/local/Cash-in-the-Can-Californias-Recycling-RunAround-564236811.html>

<https://abc7news.com/society/stores-required-to-redeem-crv-on-bottles/5553583/>
: <https://www.consumerwatchdog.org/report/half-nickel-how-california-consumers-get-ripped-every-bottle-deposit-they-pay>
<https://fivethirtyeight.com/features/the-era-of-easy-recycling-may-be-coming-to-an-ttp://www.container-recycling.org/images/stories/PDF/CACurbsideandDropoffProfitsFINAL.pdf>
<https://ilsr.org/monopoly-and-the-us-waste-knot/>
<https://www.wastedive.com/news/10-9-insights-from-public-waste-company-10-ks/549576/> .36
<https://ilsr.org/explaining-the-10-waste-knot/> 11
<https://www.nytimes.com/2019/03/16/business/local-recycling-costs.html> 12
<https://www.mercurynews.com/2019/04/12/editorial-fix-californias-broken-bottle-and-can-recycling-system/>
<http://www.bottlebill.org/assets/pdfs/pubs/2009-13-BeverageSystemsCalifornia.pdf> 14:
<http://www.bottlebill.org>
<https://www.consumerwatchdog.org/energy/consumer-watchdog-report-shows-66-grocery-stores-surveyed-refused-recycle> 16
<http://www.ncsl.org/research/environment-17-and-natural-resources/state-beverage-container-laws.aspx>
: https://www.michigan.gov/documents/deq/deq-ogl-mglpf-stutz_249882_7.pdf
<https://consumerwatchdog.org/sites/default/files/2019-10/CaliforniaReportV3-2019.pdf>
<https://nerc.org/news-and-updates/blog/nerc-blog/2019/11/19/a-brief-history-of-recycling>

14

https://www.google.com/search?q=when+did+recycling+begin+ca.&rlz=1C1QJDB_enUS1089U

S1089&oq=when+did+recycling+begin+ca.&aqs=chrome..69i57j0i22i30j0i390i512i650l3.12934j0j15&sourceid=chrome&ie=UTF-8
<https://nerc.org/news-and-updates/blog/nerc-blog/2019/11/19/a-brief-history-of-recycling>
<https://matteroftrust.org/big-chunk-of-californias-recycling-centers-close-down/#:~:text=More%20than%20a%20fifth%20of,when%20purchasing%20bottles%20and%20cans.>
<https://www2.calrecycle.ca.gov/BevContainer/InStoreRedemption>
http://leginfo.ca.gov/pub/11-12/bill/asm/ab_0301-0350/ab_341_bill_20111006_chaptered.pdf
http://leginfo.ca.gov/pub/11-12/bill/asm/ab_0301-0350/ab_341_bill_20111006_chaptered.pdf
https://consumerwatchdog.org/wp-content/uploads/2020/01/2020-01_Trashed-How-California-Recycling-Failed-and-How-to-Fix-It.pdf
Recycling Partnership, “2019 West Coast Contamination Initiative Research Report,” May 2020, http://recyclingpartnership.org/wp-content/uploads/2020/04/The-Recycling-Partnership_WCCI-Report_April-2020_Final.pdf.
https://consumerwatchdog.org/wp-content/uploads/2020/01/2020-01_Trashed-How-California-Recycling-Failed-and-How-to-Fix-It.pdf
<https://www.paintcare.org/wp-content/uploads/docs/ca-brochure.pdf>
<https://www.paintsquare.com/news/view/?12682>
<https://www.paintsquare.com/news/view/?12682>
<https://www.paintcare.org/wp-content/uploads/docs/ca-program-plan-103121.pdf>



Ladies in Horse-drawn Buggy with Lakeport Pavilion in Background

PACIFIC GAS AND ELECTRIC UNDERGROUNDING IN LAKE COUNTY

SUMMARY

Several comments about Pacific Gas & Electric (PG&E) traffic issues and construction issues were brought forward to the Civil Grand Jury in September 2023. The Spring Valley and Cobb areas were of concern to residents about the performance of PG&E.

METHODOLOGY

The Civil Grand Jury conducted the following:

- Interviews with Lake County Public Works (DPW) personnel.
- Review of Encroachment Permits issued by DPW.
- Public comments at the Cobb Area Council meetings.
- Interviews with residents of the Cobb area.
- Review of California Temporary Traffic Control Handbook (CATTCH).
- Comments by Spring Valley residents.

BACKGROUND

PG&E is undergrounding electricity county wide at various locations throughout Lake County.

DISCUSSION

The importance of PG&E's performance, and its subcontractors adhering to the DPW permit for safety concerns, cannot be overemphasized. Traffic control and road construction are of concern to residents of Lake County due to the scope and length of time to do the work that is

required to help reduce fire danger and increase resiliency for a reliable supply of electricity. This process will take several years to complete. Concerns are noted by observing PG&E's performance in several locations by multiple eyewitnesses. PG&E should strive to correct the issues.

The County of Lake Department of Public Works issues the Encroachment Permits to PG&E for construction. DPW permitting processes specifically under the CATTCH, recommends traffic to not be held for more than 10 minutes. The length of traffic held in the Spring Valley area was reported from numerous sources to be over 30 minutes.

In addition, DPW specifically highlighted in a recently issued Encroachment Permit to PG&E in bold letters: "**ADEQUATE TRAFFIC CONTROL per approved traffic control plan and per CATTCH guidelines.**"

During inspections in the Golf Road area in Cobb, there were several crews working at the same time choking off emergency vehicle access. DPW inspectors also had difficulty doing inspections due to roads being restricted so no vehicle could pass. The issue was not with just one crew in the Golf neighborhood, there were several crews working at the same time without coordination to allow emergency vehicle access.

DPW inspectors were not able to adequately inspect county wide as the PG&E work was undertaken simultaneously at various locations in Lake County.

FINDINGS

F1. PG&E did not follow the guidelines set forth in the CATTCH handbook to which PG&E is a signatory. DPW stated explicitly in writing, that PG&E was to follow CATTCH recommendations.

F2. PG&E did not notify emergency services when it closed off access to the Golf Road area in Cobb.

F3. PG&E did not notify the Golf Road area residents that the access to individual roads would be closed, with no alternative routes set out.

F4. There was insufficient oversight by Lake County DPW, due to simultaneous projects by PG&E running county wide.

F5. The distance between several PG&E crews working simultaneously stretches DPW inspection resources.

RECOMMENDATION

R1. That DPW explore funding additional inspectors, at the expense of PG&E. F4, F5

R2. That DPW contract with a licensed engineering firm to perform inspections of PG&E, and their subcontractors, during heavy inspection times. F4, F5

R3. That DPW enforce the CATTCH guidelines, per their encroachment permits. F1

R4. That DPW ensure that PG&E make all required emergency service and residential notifications in a timely manner. F2, F3

RESPONSE

As per the California Penal Code, Section 933.05(a), (b), (c), the following responses are required:

Lake County Department of Public Works (DPW) R1, R2, R3, R4 90 days



Steam Dredger

EXHIBITS:

Exhibit A: SIGNATORY PAGE OF THE CATTCH HANDBOOK

California Temporary Traffic Control Handbook

The California Temporary Traffic Control Handbook (CATTCH) is a joint effort among members of the California Inter-Utility Coordinating Committee. This handbook was previously known as the California Joint Utility Traffic Control Manual (CJUTCM). The member logos below are proudly displayed as a sign of their support in developing safe working conditions for their employees as well as for the traveling public. We are a dedicated group who wants safety first. As you read through this handbook, please keep in mind that safety is everyone's business and it is up to each one of us to do our part in ensuring a safe work zone.



Exhibit B: Excerpts from the California Temporary Traffic Control Handbook

“Many cities and counties have granted Southern California Edison, as an electric utility, Southern California Gas Company (SoCal Gas), as a gas utility, and Pacific Gas and Electric Company as an electric and gas utility the right to use public streets. These grants, known as the city or county franchises, are granted in accordance with: (1), the Broughton Act, set forth in Section 6001, et seq. of the Public Utilities Code, or (2) the Franchise Act of 1937, set forth in Section 6201, et seq. of the Public Utilities Code.

...

Illustrative of the franchise rights granted by counties and cities to public utilities, Section 6265 of the Public Utilities Code provides that:

...

Page 7:

...

g. Early coordination with officials having jurisdiction over the affected cross streets and providing emergency services should occur if significant impacts to roadway operations are anticipated.

...

Page 11:

...

- R. Good public relations should be maintained by applying the following principles: a. The needs of the road user should be

assessed such that appropriate advance road notice is given and clearly defined alternative paths are provided. California Temporary Traffic Control Handbook 12 b. The cooperation of the various news media should be sought in publicizing the existence and reasons for TTC zones because news releases can assist by keeping the road user well informed. C. The needs of abutting property owners, residents, and businesses should be assessed and appropriate accommodations made. D. **The needs of emergency service providers (law enforcement, fire, and medical) should be assessed and appropriate coordination and accommodations made.** [emphasis added] The needs of railroads and transit should be assessed and appropriate coordination and accommodations made. F. The needs of operators of commercial vehicles such as busses and large trucks should be assessed and appropriate coordination and accommodations made.



*Cliff Face With Apparent Mine Shaft
At Base*

QUAGGA MUSSEL FUNDING



SUMMARY

The Grand Jury received a complaint about a lack of response from the Lake County Board of Supervisors, concerning tax dollars expended on the Quagga Mussel Program. The complaint was received by the Grand Jury on November 20, 2023.

METHODOLOGY

Requesting financial statements from the County of Lake Department of Water Resources. Visual observations of highway signs and boat launching facilities. Internet resources are provided by official Lake County web pages.

BACKGROUND

Lake County Quagga and Zebra Mussel Prevention Plan

Purpose: To guide the implementation and maintenance of the Lake County Quagga and Zebra (“Q/Z mussels”) Invasive Mussel Program. The purpose of this program is to prevent the introduction and establishment of invasive mussels in Lake County waterbodies, including Clear Lake, Indian Valley Reservoir, Blue Lakes, Hidden Valley Lake, Highland Springs Reservoir, and Lake Pillsbury (“Lake County waterbodies”). These waterbodies are located within Lake County and are wholly or partially managed by the Lake County Watershed Protection District and their affiliated partners.

DISCUSSION

Authorization of Responsibility

The County of Lake accepted responsibility for the protection of Clear Lake's basin from the State Lands Commission in 1973; This transfer of responsibility resulted in lakebed management and shoreline protection ordinances in Lake County's Municipal Code. In 2009 Lake County's Water Resources Department, (Water Resources) separated from the Department of Public Works, and responsibility for District management was transferred to Water Resources. California delegates the responsibility for preventing and managing dreissenid (aka quagga and zebra mussels) mussel infestations to local water body managers (Fish and Game Code, and Title 14 of California Code of Regulations). Local codes and ordinances are therefore critically important in establishing local authorities to create prevention groups.

Due to the large numbers of private boat launching facilities around all areas of Clear Lake and surrounding lakes, self-enforcement of preventing the spread of invasive mussel, and other aquatic plants is dependent on responsible boaters following the guidelines.

At the request of the Civil Grand Jury, The Department of Water Resources provided financial information regarding the Quagga Mussel Program, which is set forth in Exhibits A, B and C. Photographs contained in Exhibit D shows the result of lake infestation of the quagga and zebra mussels and were obtained from the website for California Department of Water Resources.

FINDINGS

- F-1 Funds, revenues and expenditures by year was not found on the Water Resources Department web page. <https://www.lakecountyca.gov/407/Water-Resources> (accessed April 5, 2024) for expenditures of the Lake County Quagga and Zebra (herein “Q/Z mussels”) Invasive Mussel Program. No accounting sheets were found on the DWR web site.
- F-2 Observations of billboards along state highways leading into Lake County. Signs are generally in good repair; the reflective material is fading and needs rejuvenation.
- F-3 At municipal boat launch facilities in Lakeport, the inspectors and Quagga sniffer dogs were present most boating days even during winter months.
- F-4 Private boat launches, such as small developments in mobile home parks, clusters of homeowner groups, lack signage about invasive species. The public billboards posted on all state highways leading into Clear Lake are a key part of educating boaters about being a responsible operator.

RECOMMENDATIONS

- R-1 That the Department of Water Resources conduct monthly inspections of highway signs for condition, and February nighttime inspection to observe reflectivity, allowing time to repair or maintain signage before boating season starts. (F-2)
- R-2 That the Department of Water Resources post yearly expenses and expenditures on its website for the Invasive Mussel Program. See Exhibit A-C. (F-1)
- R-3 That the Department of Water Resources improve its web page to show revenue and expenditures by year. (F-1)

RESPONSES

According to California Penal Code, Section 933.05 (a), (b), (c) the following responses are required:

Lake County Department of Public Works (DPW) R-1, R-2, R-3 90 days

BIBLIOGRAPHY

(DWR) <https://www.lakecountycalifornia.gov/407/Water-Resources>

Report as accessed April 5, 2024.

EXHIBITS

Lake County Invasive Mussel Prevention Program, Revenue & Expense Statements:

Exhibit A – Report for Fiscal Year Ended June 30, 2021

Exhibit B -Report for Fiscal Year Ended June 30, 2022

Exhibit C – Report for Fiscal Year Ended June 30, 2023

Exhibit D – Photos of Mussel Invasion. Choking off pipes. Outboard motor fouling.
Shoreline infestation.

Exhibit A



**COUNTY OF LAKE
DEPARTMENT OF WATER RESOURCES**

**Lake County Invasive Mussel Prevention Program
Revenue & Expense Statement
For the fiscal year ended June 30, 2021**

Program Equity July 1, 2020		\$ 59,999.58
REVENUE		
Inspection sticker sales (via Dept. of Water Resources)		\$ 27,528.00
Inspection sticker sales (via local vendors)		\$ 206,528.00
Citations		\$ 200.00
Reimbursement payments from grants (State)		\$ 163,974.42
Total Revenue		<u>\$ 398,230.42</u>
EXPENDITURES		
Staff wages and benefits (billed to grants)		\$ 201,960.66
Staff wages and benefits (local program/match)		\$ 151,942.11
	<i>Staff labor expenses subtotal</i>	<u>\$ 353,902.77</u>
Program operating expenses/supplies (billed to grants)		\$ 32,420.09
Program operating expenses/supplies (local program/match)		\$ 45,295.29
	<i>Operating expenses subtotal</i>	<u>\$ 77,715.38</u>
Total Expenditures		<u>\$ 431,618.15</u>
Program Equity June 30, 2021		\$ 26,611.85

Exhibit B



**COUNTY OF LAKE
DEPARTMENT OF WATER RESOURCES**

**Lake County Invasive Mussel Prevention Program
Revenue & Expense Statement
For the fiscal year ended June 30, 2022**

Program Equity July 1, 2021		\$ 26,611.85
REVENUE		
	Inspection sticker sales (via Dept. of Water Resources)	\$ 17,320.00
	Inspection sticker sales (via local vendors)	\$ 141,069.00
	Citations	\$ -
	Reimbursement payments from grants (State)	\$ 362,461.73
	Reimbursement payments from grants (Federal)	\$ 1,993.04
	Total Revenue	<u>\$ 522,843.77</u>
EXPENDITURES		
	Staff wages and benefits (billed to grants)	\$ 254,039.26
	Staff wages and benefits (local program/match)	\$ 108,123.08
	<i>Staff labor expenses subtotal</i>	<u>\$ 362,162.34</u>
	Program operating expenses/supplies (billed to grants)	\$ 81,043.70
	Program operating expenses/supplies (local program/match)	\$ 28,893.10
	<i>Operating expenses subtotal</i>	<u>\$ 109,936.80</u>
	Total Expenditures	<u>\$ 472,099.14</u>
Program Equity June 30, 2022		\$ 77,356.48

Exhibit C



**COUNTY OF LAKE
DEPARTMENT OF WATER RESOURCES**

**Lake County Invasive Mussel Prevention Program
Revenue & Expense Statement
For the fiscal year ended June 30, 2023**

Program Equity July 1, 2022		\$ 77,356.48
REVENUE		
Inspection sticker sales (via Dept. of Water Resources)		\$ 20,720.00
Inspection sticker sales (via local vendors)		\$ 129,402.00
Citations		\$ -
Reimbursement payments from grants (State)		\$ 322,106.74
Reimbursement payments from grants (Federal)		\$ 145,172.01
Total Revenue		<u>\$ 617,400.75</u>
EXPENDITURES		
Staff wages and benefits (billed to grants)		\$ 310,304.95
Staff wages and benefits (local program/match)		\$ 110,650.81
	<i>Staff labor expenses subtotal</i>	<u>\$ 420,955.76</u>
Program operating expenses/supplies (billed to grants)		\$ 162,941.63
Program operating expenses/supplies (local program/match)		\$ 45,449.30
	<i>Operating expenses subtotal</i>	<u>\$ 208,390.93</u>
Total Expenditures		<u>\$ 629,346.69</u>
Program Equity June 30, 2023		\$ 65,410.54

Exhibit D



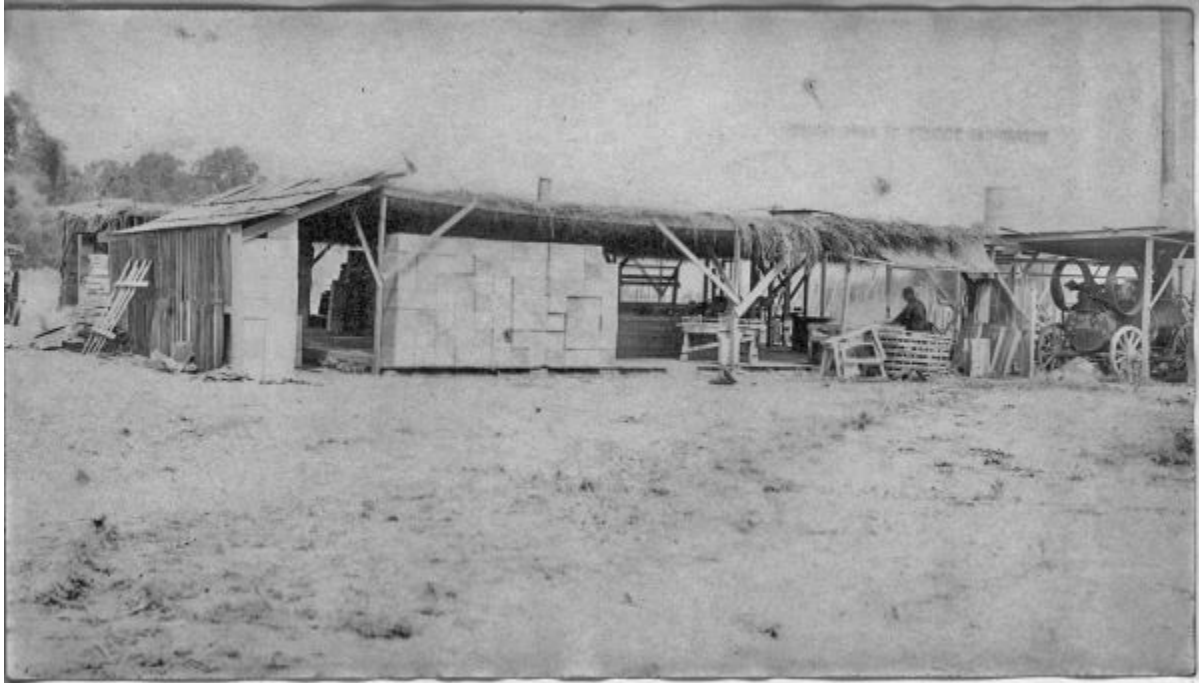
Lake Mead Nevada



Quagga Mussle Fouling of a Outboard Motor



Lake Mead Quagga Mussel attachment to shoreline rocks



Harvesting Shed with Steam Engine

OFFICE OF EMERGENCY SERVICES

SUMMARY

The Grand Jury investigated the preparedness and function of our local Office of Emergency Services (OES). The Grand Jury found that the coordination of emergency services was organized among the various governmental agencies. In 2018 the Strategic Plan was updated by the OES manager. The Office of Emergency Services has updated their plan, and is in the process of updating the Emergency Operations Plan.

GLOSSARY

OES - Office of Emergency Services

OA - Operational Area

EOC - Emergency Operations Center

RRA - Risk Reduction Authority

Limnology - Study of the biological, chemical, and physical features of lakes and other bodies of fresh water.

METHODOLOGY

The Grand Jury investigation included interviews with county officials, first responders and fire personnel. The Grand Jury also conducted internet research on OES operations with surrounding counties and emergency plans from Lake County.

BACKGROUND

The OES works under the Sheriff's Office. Its role is to make sure Lake County is ready for disasters, either natural or manmade. Approximately half of OES personnel costs and all

training/professional development costs are included elsewhere in the Sheriff's Office budget. The Sheriff's Budget Unit 2704 is currently used to track the Emergency Management Performance Grant, the Homeland Security Grant revenues, and how the revenues are spent. Only a portion of OES cost is shown in Budget Unit 2704.

Since the fires in 2015, OES has updated its procedures. The Emergency Operations Center (EOC) and disaster service workers are activated on the order of the OES, i.e. the Sheriff of Lake County. This activation initiates the coordination of disaster services between agencies required relating to the particular disaster involved.

OES Mission Statement:

“The OES mission is to enhance the resilience of Lake County (the operational area) in the face of disaster. The Lake County Sheriff's OES meets its mission through activities focused on mitigation, preparation, response, and recovery.

“This is accomplished by engaging County, City and Tribal governments, special districts, private sector agencies. Lake County OES calls these entities and agencies ‘partners.’ OES may also call on various local media outlets as needed to provide information to the public.”

The Operational Area (OA) referred to in the OES Mission Statement is defined by the geographical boundaries of Lake County, CA. The OA is created in accordance with California Government Code, Section 8605, to allow the coordination of emergency activities to serve as a link in the communication system during a local state of emergency.

The OA includes the entirety of the County, and its cities, towns, special districts, tribal government, and other political subdivisions.

The Lake County OES team consists of two employees and relies on its OA partners to effectively mitigate, prepare for, respond to, and recover from disaster. Each city is responsible for its own boundaries and can request assistance from the OA when the emergency exceeds its local resources.

DISCUSSION

The current Grand Jury had concerns about the preparedness of the OES during the 2015-2016 fires – especially the community outreach notifications and the preparedness of all emergency agencies working together.

Due to the issues which were observed, the OES updated their 2023 Hazard Mitigation Plan with the following goals:

“Goal One: Minimize loss of life, injury, damage to property, the economy, and the environment from natural hazards.

“Goal Two: To increase community awareness of natural hazards and shared responsibility in preparedness, response, mitigation, and recovery activities.

“Goal Three: Improve local mitigation capabilities that protect the community from natural hazards.”

Mitigation is an action to reduce and/or eliminate the impacts to life, property, and the environment from hazards.

The U.S. Disaster Mitigation Act of 2000 required hazard mitigation planning in order to receive federal hazard mitigation funding. A hazard mitigation plan details potential hazards, risks and mitigation goals and objectives. The Lake County Local Hazard Mitigation Plan was last updated, and FEMA approved it in July 2018. The plan is required to be updated every 5 years in order to remain current.

A big concern of the Grand Jury was communication between emergency services during a disaster. Investigation shows communications were improved since 23 repeater sites and 400 channels for statewide communication were added to Starlink satellite communications. In addition, portable repeaters were set up on Goat Mountain to help eliminate dead spots in radio coverage.

As a part of resiliency planning for Lake County, the Sheriff's Department has prepared, published and distributed information for Lake County communities relating to disaster notifications and preparation. Included are the following recommendations:

1. Get Alerts: Register with Lake County Alerts to receive alerts by cell phone, text, email, and social media. www.lakesheriff.com
2. Know Your Zone: This is the Genasys Protect program: *Protect.genasys.com*. The County has been divided into hundreds of zones to be referenced during alert notifications when a disaster occurs. This site identifies specific areas in Lake County for alert notifications regarding disasters in progress. Emergency information, instructions and actions required specific to the zones affected will then be provided.
3. Make A Plan: Have your "go to bag" ready for you, and your family. Also have a plan for your pets. For example, "go to bags" should include: medications, important documents, clothing for a few days, water, non-perishable food, and anything else you might need. Don't forget non-perishable pet food and medications.
4. Prepare Your Home: Fire-safe starts with defensible space. Take the time to ensure that property is clear of dead or overgrown brush, trees, and grass. Further

information can be obtained from Lake County Fire Safe Council, your local homeowners association, landlord, or local fire department.

5. Help Your Community: Talk with your neighbors about being Fire Safe ready. Start making plans to ensure your neighbors stay safe and have the help they need. Don't forget the elderly and/or disabled.
6. Remain Vigilant: Any incident can develop unpredictably and rapidly. If the threat is imminent, call 911, and move to safety.

In addition to preparations instituted by various local governmental agencies in preparation for disaster response, various local residential communities have instituted plans with the California Fire Safe Council to address disaster preparedness.

Another entity created in Lake County to address disaster results is the Risk Reduction Authority (RRA). Since 2015, 60% of the land area in Lake County has been destroyed by wildfire. It was apparent that a unified approach to disaster management and control was needed. In 2019 the RRA was created by the County of Lake to support the entire Lake County community, and includes numerous fire districts within the County.

The RRA is committed to:

1. Development of low to no cost resources to reduce the risks of fire from hazardous vegetation, earthquakes, and environmental causes.
2. Development of community infrastructure improvements.
3. Development and management of funding sources necessary to support the RRA risk reduction programs.
4. Development of educational and training tools to assist RRA members, the public, and non-member governmental agencies in discovering, assessing, and

reducing the risks associated with fire and other disasters, and mitigating the potential impacts.

5. Development of community programs and improving the resilience of our local forested areas.
6. Enforcement of County, State and Federal laws.

The RRA seeks to make Lake County the epicenter of Fire Science and Research, putting Lake County at the forefront of fire and water sciences and limnology, leading to the establishment of a world-class, multi-disciplinary science facility here in Lake County.

To support its mission, the RRA intends pursuing grant funding and donations, along with prospective alliances with the California Earthquake Authority, The Blue Ribbon Committee for the Rehabilitation of Clear Lake, and local tribes. The RRA will serve as a funding clearing house which conducts outreach and invites other groups to become members.

FINDINGS

- F-1 The OES is currently updating their EOP (Emergency Operating Plan).
- F-2 The OES is part of the Sheriff's Office. Part of its operations are budgeted and tracked in Budget Unit 2704, Emergency Services. Other parts are budgeted elsewhere in the Sheriff's Office budget.
- F-3 The use of Emergency Services funding is confusing and lacks clarity about the true cost of OES.
- F-4 The Office of Emergency Services, together with the Sheriff's Department, has made substantial improvements in the ability of county emergency responders to respond to disasters of all types which may occur in Lake County.
- F-5 The emergency notification systems are not user friendly to the public.

RECOMMENDATIONS:

- R-1 That the Sheriff's Department/OES complete the updating of the EOP. (F-1)
- R-2 That the Sheriff's Department needs to segregate OES Budget Unit 2704, from the remainder of the Sheriff's Department budget, to include all costs related to OES operations. (F-2)
- R-3 That the Sheriff's Department take immediate steps to improve public access to the emergency notification system. (F-5)

RESPONSES

As per the California Penal Code, Section 933.05(a), (b), (c), the following responses are required:

Lake County Sheriff	R-1, R-2, R-3	90 days
---------------------	---------------	---------



*Spring Box with People Tasting
and Filling Bottles*

Waterfall



Loaded 4-horse Stage

LAKE COUNTY JAIL

SUMMARY

California Penal Code, Section 919(b) states that the Grand Jury shall inquire into the condition of and management of the public prisons within the County. The Civil Grand Jury toured the Lake County Jail, both inside and outside, and discussed several issues with members of the jail staff, including staffing levels and morale. The Grand Jury found the facility very clean inside and out.

METHODOLOGY

In September 2023, members of the Lake County Civil Grand Jury toured the Hill Road Facility (the Lake County Jail). During that tour we met with several members of the jail staff.

BACKGROUND

According to the Lake County Sheriff's website, The Hill Road Correctional Facility, at 4913 Helbush Drive, Lakeport, California was opened in 1990 when the first phase of construction was completed. Construction continued until 1999, when the 68,193 square foot facility became fully operational. The facility is rated by the State of California to hold 297 inmates and the Sheriff's Office is allocated 58 full time employees, including 52 sworn positions to ensure the safety and security of the facility.

The facility is almost completely self-contained by providing on-site medical care, food services, laundry, visitation, and educational opportunities. The facility is the central reception center for all persons arrested within Lake County. It serves:

Lake County Sheriff's Office

Clearlake Police Department

Lakeport Police Department

California Highway Patrol, and

Various other local, State and Federal enforcement agencies.

Over 4,000 people on average are brought into and booked at this facility annually.

DISCUSSION

During 2023-2024 reporting period, the Board of State and Community Corrections (BSCC) conducted its inspection of the Lake County Hill Road Facility. This inspection was required to be conducted under Penal Code, Section 6031, Welfare and Institutions Code, Section 209, and the Federal Juvenile Justice and Delinquency Prevention Act (JJDPA). It was conducted on September 12, 2023.

The purpose of the inspection was to determine compliance with the minimum standards for Local Detention Facility as outlined in Titles 15 and 24 of the California Code of Regulations.

In addition to the inspections by the BSCC, inspections are also required annually by the County Health officials and biannually by the State Fire Marshall or an authorized representative. (Health and Safe Code, Sections 101045, and 13146.1)

As a part of the inspection conducted by BSCC a review of the Lake County Sheriff's Office Custody Policy and Procedure Manual was performed. A site visit was conducted to review operations, physical plant, and relevant documents. The agency also conducted interviews with administration, facility staff, inmates, and collaborative partners.

The agency identified numerous items of non-compliance with the various statutory requirements. These issues of non-compliance were brought to the attention of the facility administration. The administration and staff of the Lake County Jail are taking steps to rectify these deficiencies.

During the tour by the members of the Civil Grand Jury, staff members commented the facility is short of female custodial staff members.

FINDINGS

F-1 The correctional facility has a shortage of female custodial officers.

RECOMMENDATIONS

R-1 That the Sheriff's Department expand its efforts to obtain female correctional officers.

(F-1)

RESPONSES

As per the California Penal Code, Section 933.05(a), (b), (c), the following responses are required:

Lake County Sheriff

R-1

90 days

BIBLIOGRAPHY

www.bscc.ca.gov



Spud Howard's Stable & Blue Wing Saloon

KONOCTI CONSERVATION CAMP #27 TOUR

SUMMARY

On December 8, 2023, the Grand Jury toured the Konocti Conservation Camp #27.

The Konocti Conservation Camp #27 is jointly operated by the California Department of Corrections and Rehabilitation (CDCR), and Fire Protection (CalFire). The primary mission of the campus is to provide incarcerated hand crews to support local, state and federal agencies in response to emergencies such as wildfires or floods.

The Grand Jury was very impressed with how well maintained the facility was, inside and outside. We saw how dedicated and committed the Camp staff was for the treatment, rehabilitation, and safety of the inmates.

The interior buildings were clean and neat. The kitchen was immaculate with no unpleasant smells, as were the sleeping areas.

METHODOLOGY

Inspection of Konocti Conservation Camp #27 (hereinafter “the Camp”), by the Grand Jury is authorized by Sections 919(a) and 919(b) of the California Penal Code.

BACKGROUND

The Camp was opened in April 1961 and is one of 28 conservation camps in the State of California. CalFire and CDCR jointly operate the camps. The primary mission is to provide inmate fire crews for state-wide fire suppression. In addition to fire suppression, the inmate hand crews provide a work force for conservation programs and community service projects in Lake, Napa, Yolo, Colusa, and Mendocino counties.

DISCUSSION

The Grand Jury was greeted by the Camp Commander and Correctional Officers. We discussed various procedures of the Camp and how the Camp was managed.

The Camp staffs a CalFire Mobile Kitchen Unit (MKU) that provides meals to thousands of emergency personnel assigned to major fires. The MKU cooks are comprised of inmate kitchen staff. CDCR staff provides security supervision of the inmate cooks who respond to incidents with the MKU.

The Camp also operates a mobile equipment maintenance and repair shop that performs emergency and routine equipment maintenance for numerous vehicles. A CalFire heavy fire equipment mechanic trains and supervises shop mechanic inmates to assist in mobile equipment maintenance and repair. They also staff the Mobile Equipment Unit (MEU) when it is dispatched to major emergency incidents. CDCR staff provides security and supervision of the inmate mechanics who respond with the MEU. All inmates must have 24/7 supervision while assigned to projects and incidents. These services are vital to the emergency fire suppression mission.

CDCR is responsible for the selection, security, supervision, care and discipline of the inmates. CalFire maintains the camp facilities, provides mandatory safety training and supervises the work of the inmate fire crews. They are also responsible for the custody of the inmates while performing daily CalFire work projects. CDCR staff accompanies the inmate fire crews when they respond to major incidents and for local projects as needed to provide for their security, care and custody.

The Camp facility design capacity is 100 low level convicted male felons, plus 10% reserve (110 total). At least 85% of the population must be “grade eligible”. This means the inmate must be able to work on community work projects and emergency incidents. The inmate fire crews are typically five 15-man crews. The remaining “in camp” inmates serve as:

- Fire fighters assigned to the Camp’s fire engine
- Cooks/kitchen workers
- Mobile equipment mechanics
- Facility maintenance (plumbing, electrical, carpentry, etc.)
- Warehouse workers
- Laundry workers
- Porter/janitorial
- Landscape/maintenance
- Vegetable/fruit gardener
- Water/wastewater plant operations
- CalFire and CDCR office clerks

During the 2022 calendar year, the Camp provided 189 crew days for community projects and conservation. In addition to conservation and project work, the inmates provided

approximately 16,916 hours of emergency response to fires and floods, responding to 22 emergency incidents.

As part of the Camp's mission to assist inmates' release on parole, the inmates are provided access to the following programs:

- Department of Motor Vehicles (DMV) assistance
- Employment and Parole resources
- Employment resume assistance
- Travel plan coordination (for release/parole)
- Alcoholics Anonymous (AA) meetings and Narcotics Anonymous (NA) meetings sponsored and chaired by community volunteers
- Faith and Church services
- Pre-release program
- Correspondence courses
- Certification programs
- GED programs
- College courses
- Ventura programs (enhanced firefighter training)
- Fire Engine Career preparation

The Camp provides local communities with thousands of crew hours through work projects and conservation efforts each year. Hand crews perform conservation and community service projects. CalFire determines which projects are undertaken. The projects have included:

- Boggs Mountain DSF
- Sonoma County Roads
- North Shore Fire Protection
- Mt. Konocti Recreation Area
- Napa County Fair
- USFS Upper Lake
- Local and County Fire Stations

FINDINGS

F-1 The Konocti Conservation Camp #27 was very pleased to announce one of the inmates had successfully completed his program while at the Camp and is now a CalFire employee.

RECOMMENDATIONS

There are no recommendations at this time



Seven Stagecoaches and One Freight Wagon

THE STATE OF CANNABIS IN LAKE COUNTY

2023-2024



SUMMARY

Though the cannabis industry is growing, and its use is becoming more accepted in society, it faces major challenges, which have created a volatile and fast-changing environment both for investors and cannabis companies in 2024. For investors, the challenge will be deciding

which of the scores of startups, IPOs, and established cannabis companies can surmount the upheaval and succeed long term.

The possibility of rescheduling cannabis to Schedule 3 (a federal drug classification) will remove some of the tax burden on cannabis businesses. The Secure and Fair Enforcement (SAFE) Banking Act will allow banks to create loans to cannabis businesses. The process to acquire a permit from the County is lengthy, but the Lake County Community Department is exceptional at processing permits.

Water usage and theft are problematic.

Change happens fast in the cannabis world, so the facts presented in this report may have changed after this report is finalized, for example, a federal bill is pending which would decriminalize cannabis.

METHODOLOGY

The Grand Jury interviewed members of the County of Lake Community Development Department, the Sheriff's Office, the Board of Supervisors, and a cannabis grower.

BACKGROUND

In 2800 BC – the first documented case of medical pharmacopeia was noted by Emperor Shen Nungis.

In 1996 – California became the first state to make medical cannabis use legal (Compassionate Use Act).

In 2003 – California passes Senate Bill 420, Medical Marijuana.

In 2016 – California passed Proposition 64 which makes the following legal: It allows adults, age 21 and older, to possess, transport, purchase, consume, and share up to one ounce of cannabis. The adult may legally grow up to 6 cannabis plants as long as they are not visible by the public and is secure from children. The local government (city and county) is allowed to regulate cannabis business. State regulation began in 2018.

From 2018 to the present, many bills and ordinances have been passed by the State and counties to improve, regulate, and define the processes of cannabis business.

DISCUSSION

TYPES OF LICENSES

Cultivation: The Licensee plants, grows, harvests, dries, cures, grades, or trims cannabis. The type of license issued may vary according to several factors, including the size of the cultivated area, and whether cannabis grows indoors or outdoors.

Manufacturing: The Licensee makes products from cannabis plants, such as edible cannabis. Businesses vary according to the activities performed and the processes used for production.

Testing Laboratory: Cannabis goods are tested before they are sold by a retailer.

Retail: Retailer sells cannabis products through storefronts.

Distribution: A Distributor transports cannabis products between other licensed cannabis businesses, such as by taking finished cannabis products from a manufacturer to a retailer. This business type may also provide storage of cannabis products for other licensees and arrange for the testing of cannabis goods.

Microbusiness: The Licensee performs at least three of the licensed activities at one location: cultivation of no more than 10,000 square feet, manufacturing, distribution, or retail sales.

CULTIVATION LICENSES ARE BASED ON THE FOLLOWING:

- The amount of square footage
- Lighting source (natural, artificial, or mixed). Mixed light licenses are for cultivators who grow cannabis in a greenhouse, hoop-house, glass house, conservatory, hot house or other similar structures. There are two tiers based on the amount of artificial light used: Tier 1, up to 6 watts per square foot of artificial light, and Tier 2, 6-25 watts per square foot of artificial light
- Indoor or outdoor. Outdoor licenses are for cultivators who grow cannabis outside without any artificial light on mature plants. Indoor licenses are for cultivators who grow cannabis in a permanent structure
- Type of overhead protection (canopy made of cloth or other material)
- Nursery – for cultivators that only grow clones, immature plants, seeds or other types of cannabis used for propagation

PROCESSING LICENSES:

Processor – for cultivators that only trim, sift, cure, dry, grade, package, or label cannabis.

MANUFACTURING LICENSES ARE BASED ON THE FOLLOWING ACTIONS:

- Chemicals used in extraction and postproduction of cannabis produce
volatile/non-volatile solvent used
- Infusion of product
- Packing and labeling
- Moving cannabis between cultivator, manufacturing, retail, storage location or testing service
- Moving cannabis directly to consumer

LABORATORY TESTING AND WHAT THEY DO: Testing laboratories must obtain and maintain ISO/IEC 17025 accreditation. Testing laboratories test cannabis goods for cannabinoids, terpenes, and collect the minimum number of samples for testing.

RETAIL LICENSE: A retail licensee sells from a store front only.

EVENT LICENSE: An event license is issued for a specific time period.

EVENT ORGANIZER LICENSE: An event organizer license is issued for a specific event and for a specific time period.

LAKE COUNTY CANNABIS ORDINANCE TASK FORCE

The Cannabis Ordinance Task Force of Lake County works in conjunction with the Board of Supervisors to set up ordinances for the Lake County Community Development Department (LCCDD) to follow.

LAKE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

The Lake County Community Development Department (LCCDD) has staff consisting of one person who works to help eliminate the unlicensed cannabis business and two enforcement officers who do yearly inspections, with the help of an outside agency that monitors grower plots by satellite. This doesn't include the people who take applicants through the permit process. Only 12 permits are processed in a month. Currently 97% of permits in Lake County are for cultivation.

COMMON COMPLAINTS RECEIVED BY THE LCDD

There are 3 main complaints: noise, safety, and groundwater use. Noise and safety complaints should be directed to local law enforcement agencies, while water complaints need to be addressed by the Board of Supervisors.

<https://countyoflake.legistar.com/gateway.aspx?M=F&ID=26bfddddd-90ea-43d4-bd04-311579c2e970.pdf>

GROUND WATER: There are three areas of concern: usage, wells running dry, and theft of water.

USAGE:

California's interconnected water system serves almost 40 million people and irrigates over 5,680,000 acres of farmland.

Average cannabis plant requires as much as 5 gallons of water a day and takes anywhere from 90 to 275 days to grow, with some illegal operations housing on average 2,000 to 5,000 plants. According to an analysis by the conservation non-profit, Pacific Institute, alfalfa production in California uses about 5-acre feet per acre of land, (1,629,500 gal), making it one of the most water-intensive crops alongside almonds, pistachios, and rice. One cannabis application in Lake County received a total of approximately 2,563,500 gallons of water used annually for 7.5 acres.

With the growth of cannabis farms in Lake County, fears of wells running dry is a major concern. Well use by cannabis farms is common statewide, with percentages in excess of 75% among permitted farms in nine of the 11 top cannabis producing counties. Results suggest that

proactive steps be taken to address ground water use in cannabis regulations in California and call for further research into the effects of groundwater use on streamflow, especially outside of large groundwater basins.

One Lake County resident wrote:

“The first resident on Kahms Lane had their well dry up during the illegal grow at that property, and we are extremely concerned with the water use impact on our wildlife. Also, the wildfire hazards this operation will have on our Valley which barely escaped the Valley Fire.”

The current annual fee for groundwater extractions, includes a base fee of \$300 per well plus either: \$25 per acre-foot of water extracted in an unmanaged area, or, \$20 per acre-foot of water extracted in probationary basins.

The State of California asks for water usage reports from growers, and nothing else. Within 90 days, anyone who pumps groundwater in the region must record the amount they remove, report it to the state board, and pay fees.

With the growth of cannabis cultivation in Lake County and the constant possibility of drought and fire, maintaining our ground water needs to be a priority for the Board of Supervisors. Perhaps a limit on the amount of groundwater used per day, and metering the wells of cannabis farmers, would lessen the problem.

GROUND WATER THEFT

In February 2022, an investigation into the theft of water in Clearlake Oaks led Lake County Sheriff’s Office deputies to the discovery of an illegal marijuana operation and the subsequent seizure of marijuana worth \$7 million. The find, 7,600 pounds of the crop, was the single largest seizure of processed marijuana by the Lake County Sheriff’s Office ever. During their investigation, detectives located three houses used to dry and process marijuana for sale where water was being stolen to use for their operation.

Earlier in July 2021, Code Enforcement complaints and concerns about water use in Clearlake led to police identifying and eradicating a large illegal marijuana grow. The Clearlake Police Department said its officers served a search warrant at the residence, and after the service of the warrant, approximately 921 marijuana plants in four separate “hoop houses” were seized.

One of the major concerns of the citizens was the amount of water being used to irrigate the marijuana, as the main source of water in the area is supplied by ground well water.

Law enforcement also discovered theft of power from the utility company. The power was being used to power pumps, lights, and fans inside the growing operation. There was additionally a substantial fire hazard caused by the improper connections and the large amount of brush in the area. The power was disconnected.

Bandits in water trucks are backing up to rivers and lakes and pumping free water they sell on a burgeoning black market. Others, under cover of darkness, plug into city hydrants and top off. Thieves also steal water from homes, farms and private wells. Some even created an elaborate system of dams, reservoirs and pipelines during the last drought. Others are “MacGyvering” break-ins directly into pressurized water mains, a dangerous and destructive approach known as “hot tapping”.

In Mendocino County, the thefts from rivers and streams are compromising already depleted Russian River waterways. In one water district, thefts from hydrants could compromise a limited water supply for fighting fires, which is why they have put locks on hydrants.

In May 2023, the Siskiyou County Board of Supervisors banned trucks carrying more than 100 gallons of water from certain county roads surrounding the Mount Shasta Vista subdivision. Last August, officials banned groundwater extraction for watering cannabis, prohibiting the few wells that largely supply the farms, from distributing water to the cannabis farms.

It’s as predictable as a dreary economics lesson: When a commodity becomes scarce and demand soars, it’s worth stealing. The most common culprit of water theft: Illegal pot farms.

PENALTIES

California Department of Fish and Wildlife (CDFW) is the primary enforcer of illegal water removal. CDFW Law Enforcement works collaboratively with the State Water Resources Control Board (SWRCB), and other allied local and state agencies to identify illegal grows on public and private land. CDFW may also work with each county’s planning and code enforcement department to bring non-compliant grows on private lands into compliance. Law Enforcement determines priorities based on these factors: science-based watershed priorities,

comments and complaints by the public and other permitted growers, and priorities developed with other agencies.

CDFW states members of the public are its best source of information related to illegal cannabis cultivation. Incidents of polluting or poaching, a Fish and Game Code violation, or any other information about a violation should be reported to CalTIP 1-888-334-CALTIP (888-334-2258), 24 hours a day, seven days a week.

There are additional penalties for violations of Fish and Game Code (FGC) sections: Section 1602, substantial diversions, obstructions, or use of stream; Section 5650, water pollution; Section 5652, disposal of trash near a water body, all in connection with the production or cultivation of a controlled substance (i.e., cannabis).

The penalty may be up to \$20,000 per violation when associated with a non-trespass cannabis grow (on land owned/leased/or used by permission by the owner), and each day violation “occurs or continues to occur” constitutes a separate violation. (FGC Section, 12025(b)(2)).

CDFW may refer violators to the county district attorney or the California Attorney General for criminal or civil action. CDFW also has the authority to impose civil penalties on those found to have violated FGC Sections 1602, 5650, and/or 5652, occurring on public or private lands.

Recently, a Humboldt County Superior Court judge approved a settlement that requires a cannabis cultivator to pay \$1.75 million for building and diverting water from illegal onstream reservoirs without first obtaining permits required by the California Water Boards and CDFW.

PERMITTING PROCESS

Local Permitting Process: The process can take up to 24 months. Times may vary as each project is different. In order to complete the process, the following forms, among others, can be found on the Lake County website relating to cannabis, as of April 19, 2024:

<https://www.lakecountycalifornia.gov/455/CDD-Cannabis-Webpage>

- Application Checklist (PDF)
- Application Checklist (PDF) with Citations
- Cultivation Article 27 (PDF)

This website contains information regarding timelines for the process in Lake County, together with extensive information relating to the application process, and links to relevant statutory requirements.

The Department of Cannabis Control (DCC) is the state agency that oversees the cannabis industry in California.

State Permitting Process:

Prior to seeking a state permit, it is necessary that the local permitting process be completed.

The DCC has requirements for standard operating procedures, training employees and how facilities must be set up which must be met prior to issuance of a permit.

The State regulations for cannabis businesses can be found at:

<https://cannabis.ca.gov/wp-content/uploads/sites/2/2023/12/dcc-commercial-cannabis-regulation.pdf> (as of April 10, 2024)

The forms to apply for a state license can be found at:

<https://cannabis.ca.gov/2023/10/annual-license-application-checklist/> (as of April 19, 2024)

PRODUCT APPROVED FOR SALE

The DCC classifies cannabis products approved for sale into the following categories:

- Plants, or plant material, such as packaged flowers, pre-rolls, packaged seeds, or immature plants.
- Manufactured cannabis products which contain cannabis extracts or non-cannabis ingredients, including edible cannabis products such as baked goods, mints, drinks, drink additives, candies and sweets.
- Cannabis concentrates like vape cartridges, tinctures, dab, shatter, wax, tablets, and pills made with cannabis extracts.

COUNTY TAX AND FEES

The annual County tax is two dollars (\$2.00) per square foot of a mixed-light cultivation site, and/or three dollars (\$3.00) per square foot of an indoor cultivation site. The average permit fee for an application is \$80,000.

STATE TAX AND FEES

Annual state fees are based on gross annual revenue and type of license and start at \$1,000 to \$300,000. For full list see Appendix 2.

FEDERAL TAX – The federal tax rate is 15% of annual gross revenue.

COUNTY TAXES COLLECTED

In 2020-2021 - \$8,344,877 collected in tax revenue
In 2021-2022 - \$6,414,915 collected in tax revenue. This decreased due to market stresses.

STATE TAXES COLLECTED

Since January 2018, total cannabis tax revenue to date is \$4.9 billion, with annual revenue as follows:

2018	\$ 401,591,935
2019	\$ 646,722,965
2020	\$1,135,818,964
2021	\$1,361,942,703
2022	\$1,115,154,227
2023	(Q1 and Q2) \$519,620,830

GRANTS

The County is making use of many grants available regarding the cannabis industry.

COUNTY ENFORCEMENT

The County has two code enforcement officers in the LCCD. County code enforcement lacks sufficient manpower to investigate illegal cannabis farms.

STATE ENFORCEMENT

The State created the Uniform Cannabis Enforcement Task Force (UCETF) in 2022 to align state efforts and increase cannabis enforcement coordination among state, local and federal officials. The Task Force aims to protect consumer and public safety, safeguard the environment, and take illicit revenue away from unregulated cannabis operators.

The results of UCETF's FY 2023 and Q4 2023 enforcement actions are:

UCETF Operations	Q4 2023	CY 2023
Search Warrants Served	24	188
Pounds of Cannabis Seized	13,393.65	189,854.02
Retail Value of Cannabis Products Seized	\$22,294,571.41	312,880,014.35
Cannabis Plants Eradicated	20,320	317,834
Firearms Seized	26	119
Money Seized	\$ 35,195.25	\$223,809.

Jan 16, 2024 (CY= CALENDAR YEAR

<https://cannabis.ca.gov/2024/01/california-seizes-over-312m-in-unlicensed-cannabis-during-task-forces-first-calendar-year-of-operation>

CONCERNS

BANKING:

Most loans are given to cannabis businesses by savings and loan companies. To be clear, the existing policy does not ban banking services for the cannabis industry. Rather, there are just too many legal risks and compliance costs, so most banking institutions stay away. In fact, only 518 of the nearly 5,000 commercial banks in the United States reported having served the cannabis industry in 2021.

Banking institutions were required to file reports with the United States government detailing a customer's suspicious or illegal activities, which can prove costly. One small credit union in Oregon that serves marijuana businesses filed 13,500 reports over a two year period for approximately 500 cannabis clients.

In effect, banks and other financial institutions are largely required to act as drug enforcement investigators if they wish to work with the cannabis industry. While some of these investigations may be desirable for a banking institution assessing the risk of a client, banking institutions should not be investigators for the federal government-especially since the public is largely unaware that this financial surveillance is taking place.

SAFE Banking Act bill before Congress can moderate banking concerns. This bill provides protections for federally regulated financial institutions that serve state-sanctioned marijuana businesses. Currently, many financial institutions do not provide services to state-sanctioned marijuana businesses due to the federal classification of marijuana as a Schedule I controlled substance.

INSURANCE:

Basic coverage for cultivators in California can cost an estimated \$20,000 - \$30,000 a year, while non-cannabis cultivators' insurance can be only a few thousand dollars.

ILLEGAL FARMS

The estimate of illegal pot sold in Lake County is above 50% of all cannabis sold, which depresses the cost of cannabis and is one reason for failing cannabis businesses.

CANNABIS INTERSTATE COMMERCE

California produces more cannabis than it can consume, depressing the sales price of cannabis for legal cannabis companies. As a result, California had been looking into the feasibility of interstate commerce agreements with other states. However, the legal risk to the State has effectively put an end to that possibility.

CONTAMINATED PRODUCT

HOW IT SHOULD WORK

If a product is found to contain a banned pesticide or other contaminate, the product should be recalled by the producer and state regulators notified.

WHEN IT IS NOT WORKING

The pervasive lab-fraud problem in turn deals a serious blow to the \$34 billion marijuana industry's credibility – for cannabis consumers, lawmakers and law enforcement. Complaints of “lab shopping”, a practice in which marijuana product manufacturers select private, licensed labs for state-mandated potency and safety testing, have dogged legal cannabis markets for years.

Recently, an out-of-state licensed marijuana laboratory, obtained and analyzed anonymized data from unrelated testing labs. The analysis found that the labs routinely inflated THC levels by as much as 25%. Signs were also found that data was manipulated to allow cannabis to pass that should have failed for yeast and mold contamination.

States have launched or announced intentions to begin stepped-up enforcement, but results have been negligible.

California cannabis regulators have issued a long-anticipated warning to state-licensed marijuana businesses. The State was going to commence random tests of marijuana products pulled from retail shelves. Although issued in mid-September, California officials have not identified any products pulled from store shelves, nor has any punishment been meted out to labs as a result of the DCC investigation.

California's regulated adult-use market opened in 2018, but it wasn't until five years later that state regulators imposed a standardized cannabinoid-testing method for all labs to use. The Cannabis Control Commission continues to conduct routine inspections of all marijuana establishments, including independent testing laboratories, to ensure compliance. An agency spokesperson told MJBizDaily via email in response to questions, “A plan of correction is required if deficiencies are identified.”

FUTURE:

Schedule I is the only category of controlled substances not allowed to be prescribed by a physician. Under 21 U.S.C. Section 812, drugs must meet three criteria in order to be placed in Schedule 1:

1. The drug or other substance has a high potential for abuse.
2. The drug or other substance has no currently accepted medical use in treatment in the United States.
3. There is a lack of accepted safety for the use of the drug or other substance under medical supervision.

Many studies have proven that cannabis is an effective use for anxiety and depression and therefore should not be on Schedule 1.

We already know that non-medical cannabis can impact memory and attention. However, our findings show that patients prescribed medical cannabis by a doctor don't experience the same effects. <https://www.quora.com/What-is-the-current-state-of-cannabis-research-and-what-breakthroughs-have-been-made>.

Cannabis research has made significant progress in recent years, although it still faces limitations due to legal and regulatory obstacles in many countries. Nonetheless several breakthroughs have been achieved. Here is a summary:

Medicinal properties: Studies have demonstrated the therapeutic potential of cannabinoids such as THC and CBD for various conditions. Cannabis-derived medications have been developed and approved for epilepsy (Epidiolex), multiple sclerosis (Sativex), and chemotherapy-induced nausea (Marinol and Cesamet).

Pain management: Cannabis shows promise in providing pain relief, particularly for chronic pain. Research suggests that cannabinoids may modulate pain pathways and possess anti-inflammatory properties, offering potential alternatives to opioids.

Mental health: Cannabis's effects on mental health conditions like anxiety, depression, and PTSD have been investigated. While some individuals report benefits, further research is needed to determine optimal dosages, strains, and long-term effects.

Neurological disorders: Studies indicate that cannabinoids may alleviate symptoms associated with neurological disorders such as Parkinson's disease,

Alzheimer's disease, and multiple sclerosis. Cannabinoids demonstrate neuroprotective and anti-inflammatory effects.

Addiction and substance use disorders: Cannabinoids are being studied for their potential role in managing addiction and substance use disorders. CBD, in particular, may help reduce drug cravings and withdrawal symptoms. Further research is needed.

Agricultural advancements: Research extends to cannabis cultivation practices, breeding techniques, and genetic sequencing. Scientists aim to develop strains with specific cannabinoid profiles and desired traits.

While these breakthroughs are significant, it is important to acknowledge that cannabis research is still in its early stages. Further rigorous scientific studies are necessary to fully understand the potential benefits, risks, and optimal usage of cannabis. Continued legalization and regulatory changes will facilitate further advancements in research.

<https://www.scimex.org/newsfeed/new-research-finds-medical-cannabis-does-not-impair-cognitive-function-when-used-as-prescribed>

<HTTPS://jamanetwork.com/journals/jamanetworkopen/fullarticle/2804653>

Moving cannabis from Schedule 1 to Schedule 3 will allow cannabis companies to write off tax deductions that normal companies get. As long as rescheduling happens, tax relief happens, too. With a lower tax bill, there would be more liquidity available to reinvest into the business. Rescheduling cannabis to Schedule 3 would allow the state to sign interstate commerce agreements with other states.

See APPENDIX 1 for a list of Schedules 1-5.

SAFE BANKING ACT

The Secure and Fair Enforcement (SAFE) Banking Act allows banks, savings and loans, and insurance companies to treat cannabis companies as regular businesses.

FINDINGS

F-1 Due to the tax burden and the large number of illegal farms, many of the legal cannabis companies are going out of business or leaving the state.

F-2 Laboratory testing is unreliable and needs to be monitored more closely.

- F-3 There are no legal cannabis testing laboratories in Lake County.
- F-4 Lake County law enforcement has insufficient resources to investigate illegal farms.
- F-5 Illegal growers undercut the legal growers causing market deflation.
- F-6 Lake County’s ground water needs to be protected.

RECOMMENDATION

- R-1 That the Board of Supervisors increase oversight to inspect cannabis companies more closely and to shut down illegal grows in the County.

- R-2 That the Board of Supervisors consider a portion of cannabis revenues to be used to enforce compliance with cannabis laws.

- R-3 That the Board of Supervisors take steps to protect groundwater overuse by cannabis growers (legal and illegal).

REQUEST FOR RESPONSE

Pursuant to Penal Code, Sections 933 and 933.5, the Grand Jury request responses as follows:

Board of Supervisors	R-1, R-2, R-3	60 days
----------------------	---------------	---------

APPENDIX 1

SCHEDULE OF CONTROLLED SUBSTANCES:

Schedule I:

The drug or other substance has a high potential for abuse.

The drug or other substance has no currently accepted medical use in treatment in the United States.

There is a lack of accepted safety for use of the drug or other substance under medical supervision.

Example: heroin, LSD, marijuana, MDMA (ecstasy), methaqualone (quaalude).

Schedule II:

The drug or other substance has a high potential for abuse.

The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.

Abuse of the drug or other substance may lead to severe psychological or physical dependence.

Examples: cocaine, methadone, methamphetamine, methylphenidate (Ritalin), morphine, hydrocodone (Vicodin), oxycodone (OxyContin), phencyclidine (PCP).

Schedule III:

The drug or other substance has a potential for abuse less than the drugs or other substances in Schedules I or II.

The drug or other substance has a currently accepted medical use in treatment in the United States.

Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.

Examples: anabolic steroids, ketamine (Special K), synthetic THC (Marinol).

Schedule IV:

The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III.

The drug or other substance has a currently accepted medical use in treatment in the United States.

Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III

Examples: alprazolam (Xanax), diazepam (Valium).

Schedule V

The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV.

The drug or other substances has a currently accepted medical use in treatment in the United States.

Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV.

Examples: pyrovalerone, Iacosamide (Vimpat)

https://en.wikipedia.org/wiki/Removal_of_cannabis_from_Schedule_I_of_the_Controlled_Substances_Act (As of April 19, 2024)

APPENDIX 2

STATE TAX FEES

State fees are based on gross annual revenue and type of license and start \$1,000 to \$300,00:

Less than or equal to \$1,000,000	\$ 1,000. Each \$1,500.
\$1,000,001 to \$ 2,500,000	\$ 6,000.00
\$2,500,001 to \$ 5,000,000	\$ 11,250.00
\$5,000,000 to \$10,000,000	\$ 22,500.00
\$10,000,001 to \$20,000,000	\$ 45,000.00
\$20,000,001 to \$30,000,000	\$ 75,000.00
\$30,000,001 to \$50,000,000	\$ 120,000.00
\$50,000,001 to \$70,000,000	\$ 180,000.00

If a business transports only goods the business cultivates or manufactures, the business can get a reduced license fee.

California cannabis testing laboratory business application and license fees are based on gross annual revenue:

Less than or equal to \$160,000	\$ 1,000. Each \$3,000.
\$160,001 to \$320,000.	\$ 6,000.
\$320,001 to \$480,000.	\$ 8,000.
\$480,001 to \$800,000	\$ 13,000.
\$800,001 to \$1,200,000	\$ 20,000.
\$1,200,001 to \$2,000,000	\$ 32,000.
\$2,000,001 to \$2,800,000	\$ 48,000.
\$2,800,001 to \$4,400,000	\$ 72,000.
More than \$4,400,000.	\$ 112,000.

California cannabis retail business application and license fees are based on gross annual revenue.

Less than or equal to \$500,000	\$ 1,000. Each \$2,500.
\$500,001 to \$750,000	\$ 5,500.
\$750,001 to \$1,000,000	\$ 7,500.
\$1,000,001 to \$1,500,000	\$ 11,000.
\$1,500,001 to \$2,000,000	\$ 14,500.
\$2,000,001 to \$3,000,000	\$ 22,500.
\$3,000,001 to \$4,000,000	\$ 30,500.
\$4,000,001 to \$5,000,000	\$ 38,500.
\$5,000,001 to \$6,000,000	\$ 46,500.
\$6,000,001 to \$7,500,000	\$ 57,000.

More than \$7.5 million \$ 96,000.
APPENDIX 2, Page 2

California cannabis microbusiness application and license fees are based on gross annual revenue.

Less than or equal to \$1,000,000.	\$ 1,000. Each \$5,000.
\$ 1,000,001. To \$ 2,000,000.	\$ 12,000.
\$ 2,000,001. To \$ 3,000,000.	\$ 20,000.
\$ 3,000,001. To \$ 4,000,000.	\$ 32,000.
\$ 4,000,001. To \$ 6,000,000.	\$ 45,000.
\$ 6,000,001. To \$ 7,000,000.	\$ 60,000.
\$ 7,000,001. To \$ 10,000,000.	\$ 80,000.
\$ 10,000,001.to \$ 20,000,000.	\$ 100,000.
\$ 20,000,001 to \$ 30,000,000.	\$ 120,000.
\$ 30,000,001. To \$ 40,000,000.	\$ 140,000.
\$ 40,000,001. To \$ 50,000,000.	\$ 160,000.
\$ 50,000,001. To \$ 60,000,000.	\$ 180,000.
\$ 60,000,001 to \$ 80,000,000.	\$ 220,000.
More than \$80,000,000.	\$ 300,000.

Cannabis event annual license fees are based on the number of events planned for the year.

5 or fewer	\$ 1,000. Each \$3,000.
6 to 10	\$ 5,000.
11 to 20	\$ 9,000.
More than 20	\$ 20,000.

Temporary cannabis event licenses are \$1,000. Per event

BIBLIOGRAPHY

GENERAL

Articles by ca. department of cannabis control, marijuana movement , and Rural County Representatives of California Green Market Report

, lakecountyca.gov/ ,manzurilaw, 104ttorney.edu ,mjbizdaily.com

https://www.jennifermcgrath.com/104ttorney104d-cannabis-law-legislative-update/104ttorney104d-cannabis-bills-2023-california-legislature/?gclid=Cj0KCQiAyeWrBhDDARIsAGP1mWQEODXnoKC2GuvlpE7ihgVQ9e2GM5fl_wnrw57KstNU-oQHomInEuoaAo17EALw_wcB

<https://images.procon.org/wp-content/uploads/sites/16/ca-prop-64-marijuana.pdf>

[https://www.sydney.edu.au/lambert/medicinal-cannabis/history-of-cannabis.html#:~:text=The%20use%20of%20cannabis%20originated,father%20of%20Chinese%20medicine\)%20pharmacopia](https://www.sydney.edu.au/lambert/medicinal-cannabis/history-of-cannabis.html#:~:text=The%20use%20of%20cannabis%20originated,father%20of%20Chinese%20medicine)%20pharmacopia)

<https://www.mcglinchey.com/insights/rescheduling-marijuana-understanding-the-legal-impacts/>

https://www.democrats.senate.gov/imo/media/doc/safer_section_by_section.pdf<https://cannabis.ca.gov/licensees/testing-laboratories/>

<https://www.sclabs.com/cannabis/104ttorney104d-cannabis-compliance-testing/>

<https://www.sclabs.com/cannabis/104ttorney104d-cannabis-compliance-testing/>

<https://www.sclabs.com/cannabis/104ttorney104d-cannabis-compliance-testing/>

23

<https://countyoflake.legistar.com/gateway.aspx?M=F&ID=26bfddddd-90ea-43d4-bd04-311579c2e970.pdf>

<https://www.auditor.ca.gov/reports/2023-116/index.html#section3>

WATER CONCERNS

<https://www.bloomberg.com/news/newsletters/2023-05-08/104ttorney104d-s-illicit-marijuana-is-making-water-shortages-worse>

-water-shortages-worse

<https://countyoflake.legistar.com/View.ashx?M=F&ID=12101645&GUID=D97BC9F0-8752-4084->

<https://www.greenwichtime.com/business/article/crop-rich-california-region-may-fall-under-state-19405872.php>

19405872.php

<https://countyoflake.legistar.com/View.ashx?M=F&ID=12101645&GUID=D97BC9F0-8752-4084->

https://www.waterboards.ca.gov/sigma/reporting_and...

:

<https://www.sacbee.com/news/104ttorney104d/water-and-drought/article32762289.html#storylink=cpy>

<https://deeply.thenewhumanitarian.org/water/community/2017/02/06/why-californias-cannabis-in-dustry-will-lead-water-innovation>

dustry-will-lead-water-innovation

[https://files.ceqanet.opr.ca.gov/289807-](https://files.ceqanet.opr.ca.gov/289807-1/attachment/N9KhxvBNqWagXx7diKSKeT8rQlB8pDgU)

[1/attachment/N9KhxvBNqWagXx7diKSKeT8rQlB8pDgUPptn5rokYwlMFOst-CleOsIZP9_kIAdd4I9A2UE6BpOZciL80](https://files.ceqanet.opr.ca.gov/289807-1/attachment/N9KhxvBNqWagXx7diKSKeT8rQlB8pDgUPptn5rokYwlMFOst-CleOsIZP9_kIAdd4I9A2UE6BpOZciL80)

https://www.google.com/search?q=how+much+water+does+a+105torn+of+4+use+a+year&sca_sv=73a5863c59a470b2&rlz=1C1QJDB_enUS1089US1089&sxsrf=ACQVn0_Y6j7NfQzVs2Srd08Ge5vj7RZ8lg%3A1714415432115&ei=SOcvZuDYBoGoptQP5So92A0&ved=0ahUKEwjgnNC

Wh-

iFAxUBIIkEHeZhD9Sq4Dudcba&uact=5&oq=how+much+water+does+a+105torn+of+4+use+a+year&gs_lp=Egxnd3Mtd2l6LXNlcnAiLGhvdyBtdWNoIHdhGvYIGRvZXMgYYSBmYW1saXkgb2YgNCB1c2UgYSB5ZWZyMgYQABgNGB4yCxAAGIAEGIYDGIoFMgsQABiABBiGAXiKBTILEAAyGAYhgMYigUyCBAAGIAEGKIESPbnAVDJE1Jq4gFwA3gBkAEAmAHQAaABsiyqAQYwLjQ0LjG4AQPIAQD4AQGYAjCgAuU0qAIUwgIKEAAYsAMY1Gqyr8ICBxAjGCcY6gLCaHYQABgDGLQCGOUCGOoCGIwDGI8B2AEBwgIWEc4Yaxi0AhjlAhjqAhiMAxiPAdbAcICBBajGCfCAhAQLhiABBJRaxjHARgnGloFwgILEC4YgAQYkQIYigXCAhEQABiABBiRAhixAxiDARiKBcICERAUgIAEGLEDGNEDGIMBGMcBwgIOEC4YgAQYsQMYgweYigXCAgsQABiABBixAxiDacICfxAuGIAEGJECGLEEDGNEDGIMBGMcBGloFwgIFEAAyGATCAggQABiABBixA8ICHRauGIAEGNEDGMcBGloFGJcFGNwEGN4EGOAE2AECwgILEAAyGAYkQIYigXCAgQQABgDwgIOEAAYgAQYsQMYgweYigXCAikQLhiABBiRAhiKBRiXBRjCBBjeBBjgBBj0AxjxAxj1Axj2Axj3A9gBASiCCxAuGIAEGLEDGNQCwgINEC4YgAQYQxjJAXiKBcICCxAAGIAEGJIDGIoFwgIOEAAYgAQYkQIYyQMYigXCAgoQABiABBgUGIcCwgIHEAAyGAYDcICBhAAGBYHpgDOYgGAZAGCLoGBggBEAEYC7oGBggCEAEYFJIHBJMuNDQuMaAHxp4D&sclient=gws-wiz-serp

https://www.google.com/search?q=how+much+water+does+ca.+use+a+year&sca_esv=73a5863c59a470b2&rlz=1C1QJDB_enUS1089US1089&sxsrf=ACQVn08RIR7XGjnuBKJ3DghFcMIGaZVFg%3A1714416412942&ei=HOsvZtCROayZptQPmYKJ2A4&ved=0ahUKEwjQj6nqiuifAXWsj

IkEHRIBAusQ4Dudcba&uact=5&oq=how+much+water+does+ca.+use+a+year&gs_lp=Egxnd3Mtd2l6LXNlcnAilmhvdyBtdWNoIHdhGvYIGRvZXMgY2EuIHVzZSBhIHllYXlyBRAhGKABMgUQ

IRigATIFECEYoAEyBRAhGKABSL1UUABY2UVwAHgBkAEAmAG2AaAB4RCqAQQwLj
E1Uae
DyAEA-
AEBmAlPoALgE8ICBBAjGCfCagsQABiABBiRAhiKBcICChAAGIAEGBQYhwLCA
gUQA
BiABMICBhAAGBYHsICCxAAGIAEGYDGIoFwgIIEAAYgAQYogSYAwDiAwUSATEgQ
JIHBjAu
MTQuMaAH0X4&scient=gws-wiz-serp
https://www.google.com/search?q=how+much+water+does+ca.+pot+growers+use+a+year&sca_esv=73a5863c59a470b2&rlz=1C1QJDB_enUS1089US1089&sxsrf=ACQVn08sJjsamUirJx92M
b3X5byXrRQpzQ%3A1714416517073&ei=hesvZpz4A-
KiptQPr42gmAQ&dq=how+much+water
+does+ca.+pot+growers&gs_lp=Egxnd3Mtd2l6LXNlcnAiI2hvdyBtdWNoIHdhGvYIGRvZXMgY2
EuIHBvdCBncm93ZXJzKgIADIHECEYoAEYCjIHECEYoAEYCjIHECEYoAEYCkjMYICSG
1Jnsh
ABeAGQAQCYAcwBoAGUDqoBBjAuMTEuMbgBACgBAPgBAZgCDaACohDCAgoQABiw
AxjW
BBhHwglIEECMYJ8ICBhAAGBYHsICCxAAGIAEGYDGIoFwgIIEAAYgAQYogTCAGYQ
ABgNG
B7CaggQABgIGA0YHsICBRAhGJ8FwgIEECEYFZgDAIgGAZAGCJIHBjEuMTAuMqAHwl
g&scie
ent=gws-wiz-serp
<https://countyoflake.legistar.com/View.ashx?M=F&ID=12101645&GUID=D97BC9F0-8752-4084->
https://www.waterboards.ca.gov/sgma/reporting_and...
:
<https://www.sacbee.com/news/106ttorney106d/water-and-drought/article32762289.html#storylink=cpy>
<https://deeply.thenewhumanitarian.org/water/community/2017/02/06/why-californias-cannabis-in-dustry-will-lead-water-innovation>
LICENSE PROCESS – COUNTY
<https://www.lakecountyca.gov/162/Cannabis>
TAX AND FEES – COUNTY
[https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH18T_A_ARTVICACUTA#:~:text=In%20addition%20to%20any%20requirements,2.00\)%20per%20square%20foot%20of%20lakecountyca.gov/DocumentCenter/View/6269/2022-County-of-Lake-Annual-Comprehensive-Financial-Report-PDF](https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH18T_A_ARTVICACUTA#:~:text=In%20addition%20to%20any%20requirements,2.00)%20per%20square%20foot%20of%20lakecountyca.gov/DocumentCenter/View/6269/2022-County-of-Lake-Annual-Comprehensive-Financial-Report-PDF)
TAX AND FEES – STATE
<https://manzurilaw.com/current-cannabis-application-license-fees-in-california/>
https://www.fool.com/research/marijuana-tax-revenue-by-state/#toc_state-by-state-revenue-breakdown

https://www.fool.com/research/marijuana-tax-revenue-by-state/#toc_state-by-state-revenue-reak-down

PROCESS OF FARMING, MANUFACTURING, AND RETAIL

.

25

<https://californiacannabis.org/lake>

ENFORCEMENT – STATE

<https://www.gov.ca.gov/2022/10/13/governor-newsoms-cannabis-enforcement-task-force-eradic-ates-over-15-million-worth-of-illegal-cannabis/>

CONCERNS AND GRAY AREAS

<https://www.leadingretirement.com/blog/cannabis-banking>

<https://www.cato.org/blog/cannabis-banking-clash-between-federal-state-laws>

<https://www.cato.org/blog/cannabis-banking-clash-between-federal-state-laws>

https://www.google.com/search?q=isn+insurance+higher+for+cannabis+companys&rlz=1C1QJDB_enUS1089US1089&oq=isn+insurance+higher+for+cannabis+companys&aqs=chrome..69i57j33i10i160l2.31792j0j4&sourceid=chrome&ie=UTF-8

[https://www.crcgroup.com/Tools-Intel/post/understanding-the-issues-around-insuring-cannabis-related-businesses#:~:text=Basic%20coverage%20for%20cultivators%20in,to%20%24200%2C00%20annually%20\(source\).](https://www.crcgroup.com/Tools-Intel/post/understanding-the-issues-around-insuring-cannabis-related-businesses#:~:text=Basic%20coverage%20for%20cultivators%20in,to%20%24200%2C00%20annually%20(source).)

<https://kymkemp.com/2023/12/03/new-transfer-approval-process-in-the-california-cannabis-track>

-and-trace-system-will-go-into-effect-on-january-2nd/

<https://www.newsweek.com/107ttorney107d-marijuana-recall-after-banned-chemicals-found-1851713>

<https://mjbizdaily.com/marijuana-lab-testing-analysis-finds-routine-the-inflation-data-manipulation/>

n/

FUTURE

<https://mjbizdaily.com/rescheduling-marijuana-would-liberate-plant-touching-firms-from-section-2>

80e/

<https://www.forbes.com/sites/irisdorbian/2023/12/09/legal-weed-pros-predict-exciting-and-bumpy-ride-for-industry-in-24/?sh=120a65a7c506>

[investopedia.com/biggest-challenges-for-the-cannabis-industry-in-2019-4583874#:~:text=The%20cannabis%20industry%20is%20growing,continue%20to%20face%20many%20challenges](https://www.investopedia.com/biggest-challenges-for-the-cannabis-industry-in-2019-4583874#:~:text=The%20cannabis%20industry%20is%20growing,continue%20to%20face%20many%20challenges)

<https://www.investopedia.com/biggest-challenges-for-the-cannabis-industry-in-2019-4583874#:~:text=The%20cannabis%20industry%20is%20growing,continue%20to%20face%20many%20challenges>

.

26

ENFORCEMENT

<https://cannabis.ca.gov/2023/10/ucetf-q3-2023-stats/>

THE SAFE BANKING ACT

[https://www.google.com/search?q=what+is+the+safe+banking+act&sca_esv=14fbc76bdf925f77&authuser=0&sxsrf=ACQVn0_UN4-](https://www.google.com/search?q=what+is+the+safe+banking+act&sca_esv=14fbc76bdf925f77&authuser=0&sxsrf=ACQVn0_UN4-1LQWBrqIfiLpxi2VvcjPzyg%3A1708186802353&source=hp&ei=stzQZdSKEp6S0PEP2NmvyAs&iflsig=Anes7DEAAAAAZdDqwsTXe_Yeq_SD_yIxCEfjY5xZbsBE&ved=0ahUKEwjUq77c47KEAxUeCTQIHdjsC7Kq4dUDCBc&uact=5&oq=what+is+the+s)

1LQWBrqIfiLpxi2VvcjPzyg%3A1708186802353&source=hp
&ei=stzQZdSKEp6S0PEP2NmvyAs&iflsig=Anes7DEAAAAAZdDqwsTXe_Yeq_SD_yIxCEfjY5x

ZbsBE&ved=0ahUKEwjUq77c47KEAxUeCTQIHdjsC7Kq4dUDCBc&uact=5&oq=what+is+the+s

afe+banking+act&gs_lp=Egdnd3Mtd2l6lhx3Agf0IGlzIHRoZSBzYWZlIGJhbmtpbmcgYWN0

Mgs
QABiABBiKBRiRAjIFEAAyGaqYbHAAGBYyHjIGEAAYFhgeMgYQABgWGB4yBhAAGBYYHjIG

EAAYFhgeMgYQABgWGB4yBhAAGBYyHjIGEAAYFhgeSOuOAVCSE1i8iQFwAXgAkAEAmAH

JAaABixuqAQYwLjI3LjG4AQPIAQD4AQGoAgrCAGcQlxjqAhgnwgIQEAAYAXiPARjIAhjqAhiMA8I

CEBAuGAMYjwEY5QIY6gIYjAPCAgoQIXiABBiKBRgnwgIKEAAyGaqYigUYQ8ICChAuGIAEGIo

FGEPcAgSQAABiABBiXAXiDAcICDRAAGIAEGIoFGEMYyQPCAgSQAABiABBiKBRiSA8ICDBAAG

IAEGIoFGEMYCsICDhAAGIAEGIoFGLEDGIMBwgIKEAAyGaqYFBiHAsICCBAAGIAEGLEDwg

IJEAAyFhgeGMkD&sclient=gws-wiz

CANNABIS HEALTH STUDIES

<https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2804653>

<https://www.scimex.org/newsfeed/new-research-finds-medical-cannabis-does-not-impair-cognitive-function-when-used-as-prescribed>

[https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7605020/#:~:text=For%20instance%2C%20a%20recent%20double,\(mg\)%20increased%20negative%20mood%20overall.](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7605020/#:~:text=For%20instance%2C%20a%20recent%20double,(mg)%20increased%20negative%20mood%20overall.)

0recent%20double,(mg)%20increased%20negative%20mood%20overall.

CANNABIS LAB PROBLEMS

<https://mjbizdaily.com/state-cannabis-regulators-still-one-step-behind-questionable-thc-lab-data/>
INTERSTATE COMMERCE

[https://www.google.com/search?q=cannabis+interstate+commerce+in+ca&sca_esv=21d8767eaab99d7a&authuser=0&sxsrf=ACQVn0-](https://www.google.com/search?q=cannabis+interstate+commerce+in+ca&sca_esv=21d8767eaab99d7a&authuser=0&sxsrf=ACQVn0-QBFNCSfH51UvfAnXMkMZuU3t5Yg%3A1708275007857&source=hp&ei=PzXSZdPNMZu90PEP2MaJ2AE&iflsig=Anes7DEAAAAAZdJDTw10F-U276cw)

QBFNCSfH51UvfAnXMkMZuU3t5Yg%3A1708275007857&source=hp&ei=PzXSZdPNMZu90PEP2MaJ2AE&iflsig=Anes7DEAAAAAZdJDTw10F-U276cw

vBbey-

t1BwS9DysW&ved=0ahUKEwiT6ZOorLWEAxWbHjQIHVhjAhsQ4dUDCBc&uact=5&oq=

cannabis+interstate+commerce+in+ca&gs_lp=Egdnd3Mtd2l6liJjYW5uYWJpcyBpbmRlcnN0YXRI

IGNvbW1lcmNlIGluIGNhMgUQIRigATIFECEYoAFIkVABUOoKWOXWAXABeACQAQCY
AcIDoA
HpJqoBCDAuMzMuNC0xuAEDyAEA-
AEBqAIKwgIHECMY6Giyj8ICBBAjGCfCAgsQLhiABBikB
RiRAsICCxAAGIAEGIoFGJECwgIREC4YgAQYsQMYgwEYxwEY0QPCAggQABiABBixA
8ICCx
AuGIAEGLEDGIMBwgIXEC4YgAQYigUYkQIYxwEYrwEYmAUYjgXCAhAQLhiABBgUG
IcCGMc
BGNEDwgIKEC4YgAQYFBiHAsICDhAuGIAEGLEDGMcBGNEDwgIOEAAYgAQYigUYs
QMYgw
HCAg4QLhiABBikBRixAxiDAcICERAUgIAEGIoFGJECGMcBGK8BwgIFEC4YgATCAgsQ
ABiA
BBixAxiDAcICCxAuGIAEGMcBGK8BwgITEC4YgAQYsQMYgwEYxwEY0QMYCsICDhA
uGIAE

27

GLEDGIMBGNQCwgIFEAAygATCAhEQABiABBikBRiRAhixAxiDAcICDhAAGIAEGIoF
GJECGL
EDwgINEAAygAQYFBiHAhjJA8ICCxAAGIAEGIoFGJIDwgINEAAygAQYFBiHAhixA8IC
FBAuGI
AEGLEDGIMBGMcBGK8BGI4FwgIKEAAygAQYFBiHAsICBhAAGBYHsICCBAAGBY
YHhgK&
sclient=gws-wiz

GROUNDWATERWEBSITES-CANNABIS https://files.ceqanet.opr.ca.gov/289807-1/attachment/N9KhxvBNqWagXx7diKSKeT8rQlB8pDgU Pptn5rokYwIMFOst-CleOsIZP9_kIAdd4I9A2UE6BpOZciL80

<https://www.pressdemocrat.com/article/news/sheriff-stolen-water-investigation-leads-lake-county-deputies-to-7-million/#:~:text=cancels%20graduation%20ceremony-,Sheriff%3A%20Stolen%20water%20investigation%20leads%20Lake%20County%20deputies,%247%20million%20worth%20of%20marijuana&text=An%20investigation%20into%20the%20theft,million%20earlier%20in%20the%20week.>

THURSDAY, 22 JULY 2021 02:04 <https://lakeconews.com/news/69769-clearlake-police-serve-search-warrant-at-large-marijuana-g row>

<https://wildlife.ca.gov/Conservation/Cannabis/Enforcement>

April
30,2024 <https://wildlife.ca.gov/News/Archive/court-approves-175-million-settlement-for-cannabis-cultivato rs-environmental-violations#gsc.tab=0>



Lakeshore, Konocti, and Pavilion

INDIGENT LEGAL REPRESENTATION

SUMMARY

Lake County Indigent Defense, LLP (LID) is a business entity contracted with the County of Lake to provide public defender services to qualified indigent applicants. A complaint about LID’s performance was submitted in 2022. An investigation was begun by the 2022-2023 Civil Grand Jury. Its term concluded without resolving the complaint and a recommendation was made that it be continued by the 2023-2024 Civil Grand Jury. The Board of Supervisors appointed a new Public Defender in 2023, who will be replacing LID between June of 2024, and a projected completion by February of 2025. As LID is being replaced, complaints, investigations, findings and the report from the previous Civil Grand Jury are no longer applicable.

METHODOLOGY

An interview was conducted. A report by the Sixth Amendment Center (6AC.org) was reviewed which detailed the effectiveness, or lack thereof, of the Lake County Sixth Amendment right to counsel for the indigent program.

BACKGROUND

UPHOLDING THE SIXTH AMENDMENT

The United States and California Constitutions guarantee a criminal defendant effective assistance of counsel. California has delegated this responsibility to the county Board of Supervisors and/or the Superior Court judges in each county in all criminal cases.

Due to the complaint and a previous lawsuit, the County of Lake sought an evaluation of its existing services to indigent criminal defendants by the Sixth Amendment Center (6AC.org). In January 2023, it issued a critical report titled “The Right to Counsel in Lake County, CA.”

SUMMARY FROM THE SIXTH AMENDMENT CENTER REPORT

The greatest difficulty experienced by indigent defendants was in communicating with their appointed attorneys. It was observed consistently that appointed subcontractor attorneys met with their clients only on scheduled court dates, and then only consulted with their clients during the court proceedings.

It became common in Lake County for indigent defendants to ask the court to remove their assigned subcontractor attorney and appoint another.

LID subcontractor attorneys were allowed to take cases in other jurisdictions. However, there was no mechanism for either the County or the LID partners to monitor this. Prosecutors and judges commented at length that the LID subcontractor attorneys often seemed unprepared for their court appearances, having not communicated with, or prepared, their clients in advance. This led to the report's conclusion that Lake County had established an indigent representation system devoid of basic oversight. The absence of systemic accountability allowed deficiencies in the provision of direct services to indigent clients to become institutionalized. The U. S. Supreme Court cases described this situation as "the constructive denial of the right to counsel." According to the report, without oversight, Lake County lacks any mechanism to identify and rectify these indigent client services.

DISCUSSION

In response to the Sixth Amendment Center's report, the Board of Supervisors appointed a consultant to study the best way to move forward. The recommendation was that a Public Defender's Office should be established. The Board then interviewed many people. On September 19, 2023, a new Public Defender was appointed.

At the time of the first investigation, LID had 16 lawyers, 3 investigators, and 1 office manager at a base cost of \$1.8 million.

It is unclear at this time what the makeup of the Public Defender's office will be. The new Public Defender's office will start in June 2024. The new Public Defender's projections for staffing and timetable for replacement of LID are as follows:

PROJECTED TIMETABLE:

- June 1, 2024 - Takeover of misdemeanor appointments from LID
- Oct-Dec 2024 - Takeover of felony appointments from LID
- February 1, 2025 - Fully functional, LID will no longer provide

services in Lake County.

STAFFING: Three Lawyers, one investigator, one office worker.

COST: It is unclear at this time how much the State of California will participate in funding, nor has the cost to Lake County been publicly announced.

The new Public Defender talked about his plan to take a holistic approach to settling cases outside of court. It is estimated that approximately 90-95% of defendants charged with a criminal offense in Lake County will receive public paid appointed counsel. So, an approach that doesn't go to trial saves money and is better for the defendant. The new Public Defender sees this approach for use in non-violent misdemeanor and felony cases and would use a group of citizens in developing alternative resolutions.

FINDINGS

F-1 The Board of Supervisors acknowledged the problems with LID and appointed a Public Defender.

RECOMMENDATIONS

No recommendations at this time.

RESPONSES

No responses required.

BIBLIOGRAPHY

<https://www.defend.biz/lid/>

<https://www.governmentjobs.com/careers/lakecountyca/jobs/3857696/deputy-district-114-torrey-i-ii-senior?pagetype=jobOpportunities.Jobs&pagetype=jobOpportunitiesJobs>

<https://www.defend.biz./lid/team/>

<https://www.davisvanguard.org/2023/02/study-charges-california-lake-county-failing-indigent-clients-suggests-4-65-million-fix-state-accepting-more-responsibility-to-aid-counties-in-providing-help-for-those-who-cant-a/>

https://6ac.org/6AC/6AC_ca_LakeCountyReport-2023.pdf

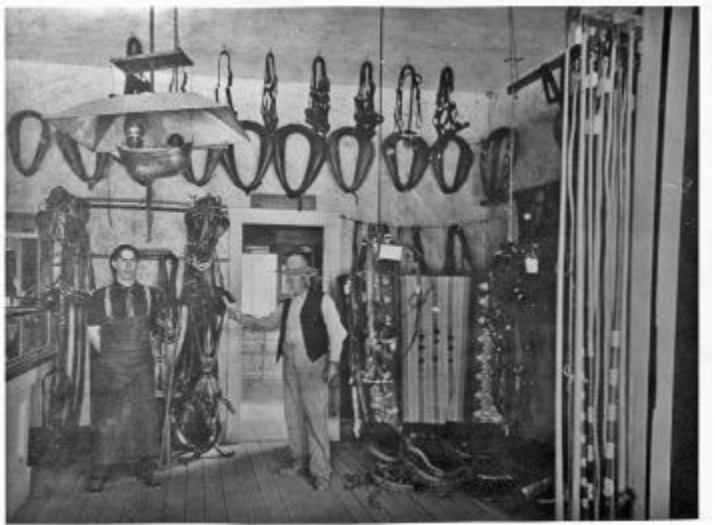
<https://www.lakecountyca.gov/directory.aspx?EID=229>

DISCLAIMER

This report was issued by the 2023-2024 Civil Grand Jury. However, one juror was recused due to a potential conflict of interest relating to its subject matter and did not participate in its preparation.



*Two Old Cars with
People (Model-T era)*



Inside of Harness Shop



Truck Hauling Sacks – 1918 era

CONCLUSION TO FOUR YEAR GRAND JURY INVESTIGATION OF ELIJAH HOUSE

SUMMARY

In the two years Elijah House ran the homeless shelter the record keeping was inadequate. In 2023 an internal audit was conducted by the county. Over \$200,000.00 in expenses are undocumented. A Memorandum of Understanding (MOU) between Lake County Behavioral Health (LCBH) and Continuum of Care (CoC) defined the roles and responsibilities of both parties and was approved by the Lake County Board of Supervisors on February 27, 2024.

METHODOLOGY

The Grand Jury interviewed senior County personnel and toured the shelter (now operated by Redwood Community Services). The Grand Jury also reviewed the contracts between the County and Elijah House, and the Memorandum of Understanding referred to above. The Grand Jury also received an audit conducted by Lake County staff.

BACKGROUND

Pertinent parts of the “MEMORANDUM OF UNDERSTANDING between LAKE COUNTY BEHAVIORAL HEALTH SERVICES and LAKE COUNTY CONTINUUM OF

CARE, Responsibilities for COLLABORATIVE APPLICANT AND LEAD AGENCY SERVICES” are set forth below.

“This MEMORANDUM OF UNDERSTANDING (MOU) is entered into this ___ day of _____ 2024, by and between the Lake County Behavioral Health Services, herein referred to as “LCBHS” and Lake County Continuum of Care, herein after referred to as “CoC”, hereinafter jointly referred to as the “Parties”. The purpose of this document is to set forth the types and terms of collaborative services between LCBHS, and CoC.

“WITNESSETH:

“WHEREAS, the CoC designated the LCBHS as the Collaborative Applicant and Lead Agency for the CoC by vote on September 18, 2019, and

“WHEREAS, the CoC reestablished the LCBHS as the Collaborative Applicant and Lead Agency for the CoC by vote on September 19, 2022, and

“NOW, THEREFORE, in consideration for their mutual covenants and conditions, the Parties hereto agree:

1. “PURPOSE:
2. “The purpose of this MOU is to confirm agreements between the CoC and LCBHS related to the roles of Collaborative Applicant and Lead Agency and the CoC.

“This MOU reestablishes the LCBHS as the Collaborative Applicant and Lead Agency for the CoC, defines general understandings, and defines the roles and specific responsibilities of each Party relating to the positions of Collaborative Applicant and Lead Agency.

“Collaborative Applicant is defined to mean an eligible applicant (a private nonprofit organization, State, local government, or instrumentality of State and local government) that has been designated by the CoC to apply for grant funding on behalf of the CoC.

“2. TERM:

The term of this MOU is _____ 2024, through December 31, 2025.

“.....

“7. RECORDS:

“All parties subject to this MOU shall maintain a record of services provided in sufficient detail to permit evaluation of the MOU. All such records shall be made available during normal business hours to authorized representatives of County, State and Federal governments during the term of this MOU and during the period of record retention for the purpose of program review and/or fiscal audit.

“....

“COMPLIANCE WITH LAWS/POLICIES:

“The Parties shall comply with all applicable laws, rules and regulations related to the U.S. Department of Housing and Urban Development (HUD), CoC, and Emergency Solutions Grant (ESG) regulations. As well as compliance with State and other funding regulations, standard, and guidelines.

“... ”

“ATTACHMENT 1”

“Unless indicated otherwise herein, LCBHS shall furnish all labor, materials, transportation, supervision, and management and pay all taxes required to complete the project described below:

“1. CoC Responsibilities:

- a) Designate a Collaborative Applicant and Lead Agency.
- b) Designate responsibilities to a Collaborative Applicant and Lead Agency.
- c) Review the CoC Governance Charter annually in consultation with the Collaborative Applicant.
- d) Fulfill the responsibilities as contained in the By-Laws for the General Membership, Executive Committee, providing oversight of how funding has been utilized.

“2. LCBHS Responsibilities:

A. As Collaborative Applicant, the LCBHS shall:

- a) Serve as the applicant for project sponsors who jointly submit a single application on behalf of the CoC, receive grants directly from the source, distribute grants to awarded project sponsors, and provide training to grant recipients as needed.
- b) Design a collaborative process for the development of applications for grant funding and for evaluating outcomes of projects for which funds are awarded, which includes:
 - Ensuring compliance with grant program requirements;
 - Ensuring compliance with grant selection criteria; and

- Establishing priorities for funding projects in the geographic area involved.

- c) Ensure that all funds disbursed are properly accounted for, appropriate services conducted, and records maintained in accordance with Generally Accepted Accounting Principles.

“... ”

- g) Review HUD rules, regulations, and guidance and suggest updates to the Governance Charter.

“... ”

- i) Submit the annual CoC Planning Funds application to HUD.

B. As Lead Agency, the LCBHS shall:

“... ”

- d) Create contract agreements for the CoC awardees and LCBHS, representing as the Lead Agency.

“... ”

- “g) Monitor provider agencies’ programmatic and financial management to ensure compliance with HUD, CoC, ESG, State, and other regulations, standards, and guidelines.

“... ”

- “h) ... This includes developing strategic goals to end homelessness, collecting, and disseminating data to measure performance toward those goals, and continuously evaluating and improving performance.”

The responsibilities for CoC and its collaborative applicant are further set forth in <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D> , as follows:

” Section 200.302 Financial management:

“Each state must expend and account for the Federal award in accordance with state laws and procedures for expending and accounting for the state’s own funds. In addition, the state’s and the other non-Federal entity’s financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award.

“...

“(b)(3) “Records that identify adequately the source and application of funds for federally funded activities. These records must contain information pertaining to Federal awards, authorizations, financial obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

“Effective control over, and accountability for, all funds, property, and other assets. The non-Federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes. See Section 200.303...”

“...

“(5) “Comparison of expenditures with budget amounts for each Federal award.”

24 Code of Federal Regulations (CFR) 578.103 in part sets forth record keeping requirements as follows:

“(a)(1) “Continuum of Care records: Each collaborative applicant must keep the following documentation related to establishing and operating a Continuum of Care:

“....

“(10) Services provided: The recipient or subrecipient must document types of supportive services provided under the recipient’s program and the amount spent on those services. The recipient or subrecipient must keep record that these records are reviewed at least annually, and that the service package offered to program participants was adjusted as necessary.

“...

“(17) Subrecipients and contractors:

(R) The recipient must retain copies of all solicitations of and agreements with subrecipients, records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients, as applicable.

“...

“(d)...

(1) Public rights: The recipient must provide citizens, public agencies, and other interested parties with reasonable access to records regarding any uses of Continuum of Care funds the recipient received during the preceding 5 years, consistent with State and local laws regarding

privacy and obligations of confidentiality and confidentiality requirements in this part.”

(All responsibilities assigned to collaborative applicant must be documented in the CoC’s governance charter.

https://www.hud.gov/sites/dfiles/State/documents/Collaborative_Applicant_Responsibilities_and_Best_Practices_Presentation.pdf)

DISCUSSION

During the period of contract with Elijah House, inadequate records were kept during Elijah House’s contract. The first contract with Elijah House was for the period July 30, 2020 to September 30, 2020. Elijah House was paid \$234,550 for this 62-day period. However, Elijah House’s Proposal to Operate COVID-19 Emergency Housing Hub, incorporated into the contract as estimated costs to be \$238,550 for 15 weeks (105-day period). These estimated costs were primarily composed of personnel costs to staff the facility. Since the contractual period was substantially shorter than assumed in the proposal, it is not clear why the County provided funding approximately equal to the amount Elijah House proposed.

On or about December 8, 2020, the County amended the contract to increase compensation to Elijah House by \$142,284.73. The amendment did not change the term of the contract or the services to be provided. The only description in the amendment for the increased compensation is “...the parties now wish to amend that agreement to allow for additional compensation to the contractor....” It is not clear why the County provided funding in excess of the amount Elijah House proposed.

The original contract with Elijah House was set to expire September 30, 2020. The County desired to extend the Elijah House’s operation of the shelter to April 1, 2021. The

extension was offered to Elijah House in a letter dated November 3, 2020. However, no contract amendment was entered. The Board of Supervisors approved the additional amount of \$142,284.73 on December 8, 2020.

The County desired to further extend the Elijah House's operation of the shelter to July 30, 2022. The County, as Lead Agency for the Lake County Continuum of Care, entered into a new contract with Elijah House. The contract called for Elijah House to operate an emergency shelter and no longer operate a COVID-19 temporary emergency shelter. Compensation for the 16-month contract term was not to exceed \$450,000. The contract did not mention that the County would provide the former Juvenile Hall facility and therefore there is no evidence who was responsible for repairs and maintenance of the facility. Although this contract was effective April 1, 2021, it was not signed until July 2021, and approved by the Board of Supervisors on July 20, 2021.

The Board of Supervisors approved the contract with Elijah House for the term of December 1, 2020 through November 30, 2022.

The County conducted an audit of Elijah House records, receipts and bank statements and issued its report on December 1, 2023. It states that "The Audit has been extremely difficult..." and lists eight specific items that caused the audit difficulties. The report also states that Elijah House personnel were "...able to provide documentation for some of the charges, however, were not able to provide all requested documentation." The audit report shows that 638 expense transactions totaling \$1,268,590.00 were reviewed. For each transaction, the audit report tells whether documentation was provided or not, and whether the transaction appears to be eligible for reimbursement by the County. For 94 transactions totaling \$215,164.00 no documentation to support the expenses was provided. The audit report showed that of the total \$1,268,590.00

expenses, \$1,245,322.00 was considered eligible. Since \$1,243,569.00 had previously been paid by the County to Elijah House, the audit report concluded that "...there are enough reasonable expenses to justify the amount that was charged for the operations, utilities, salary and TAY charges". The audit report recommended that Elijah House should repay \$3,983.55 for unallowable expenses relating to Rapid Rehousing (a program for homeless individuals).

The Grand Jury questioned the reasonableness of the 94 transactions totaling \$215,164.00 where no documentation was provided to support the expenses. Among other items the expenses included personnel costs, PG&E rates, etc., and thus were deemed reasonable.

The County's contract with Elijah House states that "[c]ontractor shall keep financial records for funds received hereunder, separate from any other funds and administered by contractor, and maintained in accordance with Generally Accepted Accounting Principles and Procedures and the Office of Management and Budget's Cost Principles," "[c]ontractor shall maintain books, records, documents and other evidence that demonstrates the funding was used for the appropriate purposes laid out in the Scope of Services," and further states "[c]ontractor shall reimburse County for all audit exceptions within 30 days of written demands...."

Members of Lake County Administration advised members of the Grand Jury that reimbursement of those improperly documented payments is not being pursued from a former vendor because it would be challenging, and that any amounts returned to the County from Elijah House would in turn need to be returned to the State of California, the granting agency.

FINDINGS

F-1 The internal audit was incomplete, because the County was provided incomplete documentation of how the money was spent.

- F-2 Oversight obligations set forth in the contract between Lake County and Elijah House, and required by statute, were not met by the LCBH or CoC, and resulted in approximately \$200,000.00 in undocumented expenses.
- F-3 The County now has entered a formal MEMORANDUM OF UNDERSTANDING with Continuum of Care relating to the operation of a homeless shelter for the people of Lake County.

RECOMMENDATIONS

- R-1 That the County of Lake Board of Supervisors review annually the financial records of the current holder of the contract as they relate to provision of homeless shelter services in Lake County. (F-1) (F-2)
- R-2 That the County of Lake Board of Supervisors pursue reimbursement from Elijah House for undocumented expenses more than \$200,000. (F-2)

RESPONSE

As per the California Penal Code, Section 933.05(a), (b), (c), the following responses are required:

Lake County Board of Supervisors	R-1, R-2	60 days
----------------------------------	----------	---------

BIBLIOGRAPHY

<https://www.govinfo.gov/content/pkg/CFR-2017-title24-vol3/xml/CFR-2017-title24-vol3-part578.xml#seqnum578.3>

https://www.hud.gov/program_offices/comm_planning/CoC/regulations

<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-11/part-200/subpart-D>

https://www.hud.gov/sites/dfiles/State/documents/Collaborative_Applicant_Responsibilities_and_Best_Practices_Presentation.pdf



M. B. Elliot Ranch, Clover Valley

**LAKE COUNTY CIVIL GRAND JURY
2023-2024**

**RESPONSES TO GRAND JURY REPORT
OF 2022-2023**

**IN MEMORY OF OUR BURIED HISTORY:
LAKE COUNTY'S CEMETERY DISTRICTS**

KELSEYVILLE CEMETERY

FINDINGS

- F-1** There is concern over the ownership and proper storage of the veteran's flags connected to Kelseyville Cemetery District.
- F-2** Headstones at the Kelseyville Pioneer Cemetery require cleaning and restoration.
- F-3** Kelseyville Cemetery District needs to facilitate public and county access to its website.
- F-4** The Avenue of the Flags organization in Lake County has no functional board, which affects the operations of the Kelseyville Cemetery Board.
- F-5** The Kelseyville Cemetery is well maintained, easily accessible to the public, and provides ample space for burial services.

RECOMMENDATIONS

- R-1** That the Kelseyville Cemetery District Board of Directors meet with the Avenue of the Flags President to clarify plans for future veterans' events. (F-1, F-4)
- R-2** That the Kelseyville Cemetery Board of Directors contact volunteer organizations or state preservation groups to clean and repair the Pioneer Cemetery headstones. (F-2)
- R-3** That the Kelseyville Cemetery Board of Directors contact Streamline Website Services in order to promote better public access to the LCBD website. (F-3)

UPPER LAKE CEMETERY

FINDINGS

- F-1** The cemetery website is not in compliance with current budget information required per state law, SB929. The link for access to the budget is broken.
- F-2** Flags for memorial ceremonies are currently stored on private property.
- F-3** Many of the older gravestones on the east side of the cemetery require cleaning and repair.

F-4 The Upper Lake Cemetery posts rules and regulations along the fence line, making it accessible for public viewing, and posts cemetery maps on its website for easy access to gravesites.

RECOMMENDATIONS

R-1 That the Upper Lake Cemetery District address the broken line issue with its website provider and update its website with current budget information. (F-1)

RESPONSE: Upper Lake Cemetery District has completed and updated their website to view budget information.

R-2 That the Upper Lake cemetery District step up efforts to properly house flags at their cemetery or return them to Lower Lake Cemetery for proper storage. (F-2)

RESPONSE: Upper Lake Cemetery District has purchased container to securely house the Avenue of the Flags and are locked in the office of the Upper Lake Cemetery District.

R-3 That the Upper Lake Cemetery District clean and repair gravestones. (F-3)

RESPONSE:

-Upper Lake Cemetery offers a “MARKER CLEANING SERVICE” to families, ranging in price from \$15.00 to \$75.00

-Markers are to be maintained by family members.

MIDDLETOWN CEMETERY DISTRICT

FINDINGS

F-1 The Cemetery does not have a credit card for purchase and bill paying.

F-2 The Middletown Cemetery District Board’s efforts to find and restore headstones of Middletown Civil War Veterans and other Middletown Pioneers interred at the Cemetery are admirable.

RECOMMENDATIONS

- R-1** That the Middletown Cemetery District apply for a credit card through the Lake County Auditor-Controller's office. (F-1)

RESPONSE: Disagree, will not be implemented. It is appreciated the Grand Jury is looking into ways to assist the Middletown Cemetery District with their purchase and bill paying capabilities. The County's current CalCard policy, administered by the County Administrative Office, allows for a CalCard to be issued to "designated county employees" only. The Middletown Cemetery District is not staffed by county employees.

HARTLEY CEMETERY

FINDINGS

- F-1** The Cemetery website is not compliant with budget and agenda information per state law, SB929.
- F-2** The Cemetery does not have a working surveillance camera.
- F-3** Cement liners are stored on top of graves near the maintenance shed.
- F-4** The Secretary and Maintenance Manager work closely together to maintain the Cemetery while staying with budget.

RECOMMENDATIONS

- R-1** That the Harley Cemetery District finish the update of their website per State Law, SB 929. (F-1)
- R-2** That the Hartley Cemetery District purchase or repair its surveillance camera. (F-2)
- R-3** That the Hartley Cemetery District move cemetery liners from gravesites to a more discrete location on the property. (F-3)

RESPONSE: No response to findings or recommendations received.

LOWER LAKE CEMETERY

FINDINGS

- F-1** The Lower Lake Cemetery has one board member vacancy. The Board has been missing a new member for quite some time.

- F-2** The Lower Lake Cemetery District website provides a comprehensive archive of yearly budgets, monthly agendas, and minutes that give the public access to many records of the Board’s operation of the Cemetery.
- F-3** The Lower Lake Cemetery District is fortunate to have many local volunteer groups – Lower Lake Community Action Group, Lower Lake High School, Lower Lake FFA, and Lake County Fire Protection District – to assist with the Cemetery’s maintenance.

RECOMMENDATIONS

- R-1** That the Lake County Board of Supervisors appoint a new board member for the Lower Lake Cemetery District. (F-1)

RESPONSE: Agree, will be implemented on receipt of a qualified application.

EXPLANATION: The County Administrative Office continuously receives Advisory Board applications and presents these to our Board for consideration. Vacancies are likewise periodically advertised, a press release regarding this vacancy was distributed the week of September 18, 2023. Our Board considers all qualified applications.

HERNDON-COPSEY PIONEER CEMETERY

FINDINGS

- F-1** The Lake County Board of Supervisors took responsibility for the maintenance of the Herndon-Copsey Pioneer Cemetery in 2005, but it is currently in disrepair.
- F-2** The Cemetery needs headstone restoration cleaning and a gated fence with stair access to the top of the Cemetery.

RECOMMENDATIONS

- R-1** That the Lake County Board of Supervisors clean repair, and restore the headstones, and build a gated fence with stair access to the top of the cemetery for the Herndon-Copsey Pioneer Cemetery. (F-1, F-2)

RESPONSE: Disagree, will not be implemented.

EXPLANATION: Our Board concurs with Public Services Director, Lars Ewing, “Disagree” is the most appropriate response, pursuant to Penal Code,

Section 933. This should not be construed as a lack of care or concern for appropriate maintenance. As noted by Director Ewing, Herndon-Copsey Pioneer Cemetery is not an endowment care cemetery. Therefore, it is not appropriate to apply the cemetery maintenance standards in Section 2333, of Division 23, of Title 16, of the California Code of Regulations, as referenced on page 26 of the Grand Jury Report.

GLENBROOK CEMETERY

FINDINGS

- F-1** The Glenbrook Cemetery District has recently applied for a website per State Law, SB 929.
- F-2** Glenbrook Cemetery is well maintained and is easily accessible to the public.

RECOMMENDATION

- R-1** That the Glenbrook Cemetery District complete its website and provide a website and provide a website address for the public. (F-1)

RESPONSE: No response received for findings or recommendation.

**CORONER'S PROCEDURES
FOR THE
INDIGENT AND UNIDENTIFIED**

FINDINGS

- F-1** While the Sergeant-Coroner and Technician are accomplishing especially sensitive tasks as well as they can with what they have, they need an additional investigator and separate secure stage.

SHERIFF'S RESPONSE: Neutral, requires further analysis to be completed within 12 months.

- F-2** The sensitivity and humanity of the Sergeant-Coroner in dealing with the anguished relatives of decedents who have died under troubling circumstances was greatly appreciated.

SHERIFF'S RESPONSE: None given.

RECOMMENDATIONS

- R-1** That the Sheriff fund a second investigator.

SHERIFF'S RESPONSE: Neutral, needs more analysis. Although I agree with the recommendation, we are dealing with a critical staffing shortage. I would be happy to add this position if staffing improves.

SEX TRAFFICKING - HIDING IN PLAIN SIGHT

FINDINGS

- F-1** Human/Sex trafficking cases are complex, require lengthy investigations, involve multiple agencies across county, state and country boundaries, and are costly to resolve.
- F-2** Lake Family Resource Center has developed detailed training materials on trafficking.
- F-3** Widespread education on trafficking, especially among youths and persons working with youths, can increase awareness and opportunities for potential intervention.

RECOMMENDATIONS

- R-1** That the six school district superintendents partner with Lake Family Resource Center to create and implement programs that focus on human/sex trafficking age-appropriate curricula and handouts for students, staff, and parents, and develop protocols for identifying and reporting a suspected case of human trafficking or responding to a potential victim. (F-2, F-3)

RESPONSE –

LUSD: LUSD needs more context to agree, partially agree, or disagree with the finding. LUSD has reached out to Lake Family Resource Center to learn more about training programs available to school districts Lake County. LUSD has also connected with our insurance provider and online training vendor to explore all virtual training options to increase the awareness and knowledge of staff members regarding human trafficking. Current California Education Code mandates all school district employees are mandated reporters. This responsibility includes situations in which a child is in a position of exploitation. Current school district policy governs the expectations and process associated for all school staff members filing a mandated report.

KVUSD: KVUSD will be reaching out to Lake Family Resource Center regarding their curriculum and instructional programs on human/sex trafficking. Last year, school counselors at the middle school taught lessons to students in 8th grade on human/sex trafficking. Both the middle school and high school will be happy to partner with LFRC to provide further instruction to students on this topic.

KVUSD provides mandated reporter training to all staff through our insurance company and the training does touch on human/sex trafficking. Current California Education Code mandates all school district employees are mandated reporters. This responsibility includes situations in which a child is in a position of exploitation. Current school district policy governs the expectations and process associated for all school staff members filing a mandated report. KVUSD will continue to explore ways to increase student and staff awareness of human/sex trafficking.

R-2 That the Lakeport Police Department, Clearlake Police Department and the Sheriff's Office provide annual training on Trafficking for their officers and staff. (F-1 F-2, F-3)

RESPONSE: LCSO: Agree, has been implemented. Peace Officer Standards and Training (P.O.S.T) already requires human trafficking, as well as party of recurring "perishable" training. In addition to that, the Sheriff's Office currently has two sergeants and two deputies that belong to a Human Trafficking Coalition. Those members do, and will continue to, provide annual training to Sheriff's office staff.

AMERICA IS BLEEDING: SCHOOL SHOOTINGS

FINDINGS

- F-1 School shootings are still relatively rare but have been increasing since 2017.
- F-2 The guns used in school shootings usually come from the student's or a relative's home.
- F-3 School violence is not uncommon at athletic events.
- F-4 SRO's benefit from specialized training focusing on non-violent communication with youths' social and emotional development.
- F-5 Single entrances and metal detectors at campus entrances are helpful in screening for weapons.
- F-6 School officials' outreach to parent/guardians to sensitize them to worrisome changes in students' behavior can help identify at-risk students needing intervention.

RECOMMENDATIONS

- R-1 That school district officials stress to parents that they have the responsibility to make sure that every firearm in their homes is locked, secured, and accounted for with separate storage for ammunition. (F-2)

RESPONSE:

LUSD: LUSD agrees with the finding.

KVUSD: The recommendation described in R-1 is currently state law with the recent passage of Senate Bill 906 in 2022. This is part of annual parent notifications that are mailed home to each family the first month of school.

- R-2 That school district officials and law enforcement officers include athletic events in their active shooter response plans. (F-3)

RESPONSE:

KVUSD: KVUSD includes all school programming in our comprehensive Safe School plan. The Lake County Sheriff's Department and Lake County Probation Department review our Safe School plans with administrators and are included in all safety drills conducted at KVUSD.

LCSO: Agree, has been implemented. The current Lake County Sheriff's Office Policy and Procedures Manual has a section (424.3.1) specific to "Response to School Threats". Under "Planning" in that section (424.5) "Sporting Event Venue" is identified as a "Critical Incident Target Site."

- R-3 That school district officials hire SROs and provide them with specialized training to better understand adolescent development and non-violent communication. (F-4)

RESPONSE:

KVUSD: KVUSD contacts with the Lake County Probation Department for a 1.0 FTE school resource officer. The Lake County Probation Department provides training to and maintains those records for the officer serving KVUSD. Additionally, KVUSD also has campus monitors assigned to each school site as another level of supervision and security.

LCSO: Neutral, requires further analysis to be completed within 12 months. Again, we agree with this finding and personally believe SROs are of tremendous value; however, we are dealing with a critical staffing shortage. We currently have four allocated SRO positions that will be filled when our staffing improves to a level where basic services can be provided. We are committed to assigning personnel to SRO positions.

- R-4** That school district officials reduce the number of campus entrances. (F-5)

RESPONSE:

KVUSD: Reducing the number of entrances at school sites has been a challenge for KVSUD. While each comprehensive school site has a main office with one main entrance, all campuses are constructed in an open manner that offers many classrooms with doors that open to the center and outer edge of campus. We have been successful in fencing in most of our comprehensive school sites which has helped reduce the number of campus entrances. However, with the current design and layout of each of our sites, it would take significant remodeling in order to reduce the number of campus entrances down to one. There is a positive to having multiple entrances to our school sites. These entrances also serve as exit points when there is a safety issue. Part of our Active Shelter Plan is that students and staff run when they can. This means, run away from the danger and leave campus. If we only had one entrance, then our students and staff would be potentially trapped in an “active shooter” situation.

- R-5** That school districts investigate available funding for the installation of metal detectors to prevent weapons from being brought on campus. (F-5)

RESPONSE:

KVUSD: Installing and monitoring metal detectors is not only a significant cost, but also a logistical challenge with the way our campuses are currently designed. Metal detectors only work if you have a limited number of entrances that you can funnel ALL students, staff and visitors through. The current layout and design of each of our comprehensive school sites makes the implementation of metal detectors very difficult.

R-6 That school officials set a goal of meeting with each student's parent or guardian at least once during the year to discuss recognizing changes in student's behavior

RESPONSE: None given.

GROW YOUR OWN

FINDINGS

- F-1** Our research has determined the following strategies to improve police officer retention, recruitment and hiring:
1. Develop a recruitment plan reflecting the ethnicity and gender of the community.
 2. Host pre-Academy programs for teen and college students.
 3. Ask officers to invest themselves in recruitment of the department.
 4. Update the marketing materials and outreach strategy.
 5. Ensure that background checks and department requirements align with actual department needs.
 6. Prioritize training.

SHERIFF'S RESPONSE: None given.

- F-2** The Massachusetts's State Police Cadet Program exemplifies a successful full time officer cadet program.

SHERIFF'S RESPONSE: None given.

- F-3** The Los Angeles Police Department ACOP provides successful participants, between the ages of 18 through 23, a paid civilian job as they matriculate in order to become a uniformed LAPD officer.

SHERIFF'S RESPONSE: None given.

RECOMMENDATIONS

- R-1** That Lake County establish an Associate Community Officer program targeting defined prospects and college students, between the ages of 18 through 21, and provide a paid internship (no benefits) for 20 hours a week. (F-1, F-3)

SHERIFF'S RESPONSE:

Agree, has been implemented. Although we do not have a position in the County titled "Associate Community Officer", we are already currently actively recruiting (targeting) students, not only in our local community college, but in colleges throughout the state. We also already have part-time positions available, training positions available (that require no education or experience beyond a high school diploma).

- R-2** That Lake Conty fund a part-time, 20 hours per week, Sheriff Cadet program for ten (10) cadets for fiscal year 2024. The projected cost is \$208,000.

Hourly wage: \$ 20.00

Hours per week: 20.00

Days of work:	5.00	
Number of Weeks:	52	
Per person cost:	\$ 20,800.00	
Total per person	\$ 20,800.00	
Number of interns	10	
Annual total costs:	\$ 208,000.00	(F-3)

BOARD OF SUPERVISORS RESPONSE:

Disagree. Will not be implemented. Under Lake County Code, setting of policy shall be by action of the Board of Supervisors with implementation through the department heads. Implementing a specific training program within the Lake County Sheriff's Office is under the purview of the Sheriff. If a request is brought forth, it will be given due consideration.

- R-3** That the Lake County Sheriff cadet programs participants be a reflection of the community with regard to ethnicity and gender. (F-1)

SHERIFF'S RESPONSE: Agree, has been implemented. We reach out to, encourage and accept cadets into our Explorer program from all facets of the community without discrimination of any kind.

LAKE COUNTY JAIL AND ARMORY TOUR

FINDINGS

F-1 There is a shortage of female correctional officers.

RESPONSE: None given.

F-2 The \$988,600.00 funding for the Lakeport Armory facility repurposing project has not yet been received.

SHERIFF OFFICE RESPONSE:

Agree. Waiting for final approval of grant.

F-3 The quality of services provided through the New Wellpath Health Service contract is progressing well.

RESPONSE: None given

F-4 Continuing staff shortages result in frequent 16-hour shifts, reduced morale, and persistent staff “burn out.”

RESPONSE: None given

F-5 Current staffing levels have led to lowered morale, bun-out, and lower retention.

RESPONSE: None given.

RECOMMENDATIONS

R-1 The Lake County Sheriff’s Department continue the grant request process to ensure receipt of the \$988,600.00 funding for the Lakeport Armory Facility repurposing project. (F-2)

SHERIFF’S DEPARTMENT RESPONSE:

Agree. Has been implemented. Application process is completed and are awaiting final approval from FEMA.

R-2 That the Board of Supervisors give the Sheriff greater salary spending flexibility. (F-1, F-4, F-5)

BOARD OF SUPERVISORS RESPONSE: None given.

TEHAMA JUVENILE HALL TOUR

FINDINGS

- F-1** The Tehama Juvenile Detention Facility holds periodic career days to educate juvenile internees about their career opportunities.

PROBATION DEPARTMENT RESPONSE: None given.

- F-2** The Tehama Juvenile Detention Facility has several mentoring programs coaching the youths and showing juvenile internees opportunities.

PROBATION DEPARTMENT RESPONSE: None given.

- F-3** The Tehama Juvenile Detention Facility has several athletic programs that enable juveniles to develop teamwork and cooperation.

PROBATION DEPARTMENT RESPONSE: None given.

RECOMMENDATIONS

- R-1** That the number of career days be increased at the facility. (F-1)

PROBATION DEPARTMENT RESPONSE: The Lake County Probation Department does not have authority to implement the proposed recommendation. The recommendation will be forwarded to Tehama County.

- R-1** That the facility further develop mentor-style programs for the internees. (F-2)

PROBATION DEPARTMENT RESPONSE: Will not be implemented due to Lake County Probation Department has no authority to implement the recommendation. Will be forwarded to Tehama County.

- R-3** That the facility develop additional athletic programs. (F-3)

PROBATION DEPARTMENT RESPONSE: Will not be implemented due to the fact that Lake County Probation Department has no authority to implement the recommendation. Will be forwarded to Tehama County.

KONOCTI CONSERVATION CAMP #27 TOUR

FINDINGS

- F-1** The inmates of the Konocti Conservation Camp provide their time donation to designated Lake County Community organizations.
- F-2** The inmates of the Konoctii Conservation Camp can receive training to achieve advanced mechanic certifications.

RECOMMENDATIONS

- R-1** That the inmates of the Konocti Conservation Camp increase/enhance their time donation to designated Lake County community organizations.
- R-2** The inmates of the Konocti Conservation Camp increase/enhance their vehicle maintenance program and ensure that all inmates working on vehicles complete advanced mechanical certification that will help them obtain employment when released.

RESPONSES: No responses were received all findings and recommendations.

**REPRESENTATION OF INDIGENT DEFENDANTS
IN LAKE COUNTY**

FINDINGS

- F-1** The Board of Supervisors was evidentially dissatisfied with LID's function and requested an evaluation of the program by the 6th Amendment Center in 2021.
- F-2** The 6th Amendment Center Report was published at the end of January 2023 and was critical of LID's independent-contractor model that lacked oversight and supervision of the attorneys providing indigent defense services.
- F-3** The 6th Amendment Center Report recommended that the County establish a formal office of Public Defender and hire the necessary support staff.
- F-4** The Board of Supervisors approved hiring a public defender overseer and is currently advertising for same.
- F-5** The 6th Amendment Center Report urged reinstatement of a Public Defender Oversight Committee, which is in process.
- F-6** The 6th Amendment Center Report urged the County to reach out to the State for funding assistance, as the State has the ultimate obligation under the Sixth and Fourteenth Amendments to provide effective legal assistance for the indigent.

RECOMMENDATION

- R-1** That the 2023-2024 Civil Grand Jury closely monitor progression of the planned improvement in the provision of indigent defense services and issue a follow-up report. (F-1, F-2, F-3, F-4, F-5, F-6)

**RESPONSE: NO RESPONSE BY ANY COUNTY AGENCY IS
REQUIRED.**

**PUBLIC DEFENDER PROGRAM
OVERSIGHT COMMITTEE-
OVERSIGHT OF AN OVERSIGHT**

FINDINGS

- F-1** Clients of the Public Defender have no means of contacting the PDPOC. There appears to be no avenue for complaints to be filed.
- F-2** According to the PDPOC Chairperson, input for the evaluation of the Public Defender program is limited to:
- A talk with the judge.
 - Informal conversations reported back by a committee member during jail visits.
 - And a report by the Public Defender.
- This constitutes the extent of the evaluation process by the Oversight Committee.
- F-3** The Grand Jury does not understand how the PDPOC performs any meaningful or effective oversight with such a circular review.
- F-4** The PDPOC monitors the Public Defender Program yet has demonstrated no evaluation of the program other than what the Public Defender reports.
- F-5** It may be that the Citizens of Lake County do not know that an oversight committee to monitor the Public Defender exists. There is no listed telephone number for the Committee. The meetings are not held regularly. The Grand Jury had difficulty contacting the Committee to observe one their open meetings.

RECOMMENDATIONS

- R-1** Develop a visible avenue for contact with the Oversight Committee. (F-1)

RESPONSE FROM COUNTY ADMINISTRATIVE OFFICE: Agree, will be implemented at the earliest opportunity, and no later than July 1, 2024.

- R-2** Schedule meetings at regular intervals. (F-5)

RESPONSE FROM COUNTY ADMINISTRATIVE OFFICE. Agree, will be implemented at the earliest opportunity, and no later than July 1, 2024.

R-3 Formal, professional-styled minutes to be prepared and times of meetings be better published to satisfy the intent of the Brown Act. (F-6)

RESPONSE FROM COUNTY ADMINISTRATIVE OFFICE: Agree, will be implemented at the earliest opportunity, and no later than July 1, 2024.

R-4 The Grand Jury's Government Services Committee conduct an annual oversight of the PDPOC.

BULLYING IN SCHOOLS

FINDINGS

- F-1 Students do not feel safe at school.
- F-2 Teachers do not have sufficient authority and responsibility for dealing with bullying incidents.
- F-3 There are not enough trained school resource officers in use.
- F-4 Students need more education regarding bullying.
- F-5 Improved communication is needed between schools and families.
- F-6 There are no metal detectors in the Lake County schools.
- F-7 Students benefit from after-school programs including the arts and sports programs.

RECOMMENDATIONS

- R-1 That the school districts develop clear and effective policies regarding student safety, including bullying. (F-1)

RESPONSES:

KVUSD: KVUSD has current student safety and bullying policies that comply with current California Education Code.

LAKEPORT USD: LUSD needs more context to agree, partially agree, or disagree with the findings. LUSD has current student safety and bullying prohibition policies that comply with current California Education Code. Additionally, LUSD has recently developed a progressive discipline handbook that provides the framework for student expectations and discipline at all LUSD school sites and programs.

- R-2 That the school districts develop clear lines of authority and responsibility for immediate response to bullying incidents. (F-2)

RESPONSES:

KVUSD: All KVUSD staff are responsible for teaching and reinforcing behavioral expectations at school, and we partner with our families to ensure that those expectation are reinforced at home. Bullying prevention lessons are taught

specifically in Grades K-8 by school counselors and teachers, and these lessons are reinforced throughout the school year. Bullying incidents investigated immediately by site administrators upon being reported, and appropriate consequences are assigned. KVUSD has designated district level administrators who investigate allegations of bullying when resolution is not successful.

LUSD: LUSD needs more context to agree, partially agree, or disagree with the finding. All adults and families at LUSD are responsible by teaching developmentally appropriate expectations for all students. School staff share responsibility in addressing bullying behaviors in an efficient and professional manner. The LUSD Progressive Discipline Handbook and school district policy outline the authority associated with student discipline and shape the school district response.

R-3 That the school districts expand their use of well-trained school resource officers. (F-3)

RESPONSES:

KVUSD: KVUSD current contracts Lake County Probation Department for a 1.0 FTE school resource officer. This position is currently meeting our needs for a resource officer.

LUSD: LUSD needs more context to agree, partially agree, or disagree with the finding.

R-4 That the school districts develop and implement additional educational programs for students regarding bullying. (F-4)

RESPONSES:

KVUSD: As stated above, bullying prevention lessons are taught in Grades K-8 by teachers and school counselors. Additionally, KFUSD has provided Challenge Day to middle school and high school students. Challenge Day is a workshop for students that focuses on developing empathy and compassion as a means to prevent bullying. We have seen great success among our students who participate in Challenge Day. All school sites work on age-appropriate social skills with all students at KVUSD.

R-5 That the school districts expedite communication and follow-through with parents regarding bullying, emphasizing consequences, prevention, and resolution. (F-5)

RESPONSE:

KVUSD: Effective and timely communication with parents is critical to address the impacts of bullying. KVUSD Administrative Regulations (5131.2) identifying behaviors that meet the definition of bullying. It also provides

information on prevention, staff development, student instruction, how to file a report/complaint, and possible corrective actions.

R-6 That the school districts install metal detectors in the schools. (F-6)

RESPONSE: KVUSD: As stated above, installing and monitoring metal detectors is not only a significant cost, but also a logistical challenge with the way our campuses are currently designed. Metal detectors only work if you have a limited number of entrances that you can funnel ALL students, staff and visitors through. The current layout and design of each of our comprehensive school sites makes the implementation of metal detectors very difficult. At the present time, KVUSD does not have a plan to significantly remodel our school sites, nor do we have a substantial funding plan that would allow us to install and operate metal detectors at schools.

R-7 That the school districts provide after-school programs that build skills and enhance growth. (F-7)

RESPONSE: KVUSD: KVUSD partners with Edventure More (EDMO) to offer programming until 6:00p.m. on all regularly scheduled days to students in Grades K-6. Additionally, the KVUSD after school program is also offered during the summer break on both elementary school campuses. All students at KVUSD are welcome to participate in our after-school programs. Edventure More's mission is providing equitable access to out-of-school programs that combine STEAM curriculum with social emotional learning to help every kid cultivate a sense of self, own their impact and show up in the world with curiosity, courage and kindness.

FLOODING IN UPPER LAKE AND THE HITCH

FINDINGS

F-1 The town of Upper Lake continues to flood regularly.

RESPONSE: DEPARTMENT OF WATER RESOURCES:

Disagree partially with finding. Upper Lake is situated behind levees. These protect the town from flooding when Clover and Middle Creek water levels rise. Drainage structures (culverts) were installed in the levees to allow stormwater runoff to flow from the town side of the levees into the creeks; however, when the water levels rise in the Creek to the point where they are higher than the town flap gates on the culverts close to prevent creek water from back-flowing into the town. While these gates are closed, water on the town side of the levee has nowhere to drain, which results in temporary localized flooding. This is exacerbated when drainage areas are obstructed by vegetation and sediment deposits. Those that most regularly flood are on private property. County responsibility areas are more regularly maintained.

F-2 Restoring the wetlands will alleviate flooding in Upper Lake.

RESPONSE: DEPARTMENT OF WATER RESOURCES:

Disagree partially with finding. "Restoring the wetlands" is presumed to represent the completion of the Middle Creek Flood Damage and Ecosystem Restoration Project. While this will have a positive effect on drainage upstream near the town of Upper Lake, the town will continue to experience temporary localized flooding during periods of high creek flows.

F-3 The Hitch have declined significantly, and additional spawning grounds are needed to for them to increase their numbers.

RESPONSE: None given.

RECOMMENDATIONS

R-1 That the Department of Water Resources and the Board of Supervisors secure the funds to complete the process for restoration of the wetlands. (RF-1, F-2)

RESPONSE: BOARD OF SUPERVISORS

Agree. Has been implemented. Recent budgets have dedicated funds for the local share of costs.

RESPONSE: DEPARTMENT OF WATER RESOURCES:

Agree. This has been implemented. In 2017, the Department of Water Resources secured a \$15 million dollar grant in support of the land acquisition phase the Middle Creek Project. The Department continues working with our consultant and the State of California to

purchase project area properties from willing sellers. The majority of the funding comes from the U. S. Army Corps of Engineers, and the project is under their control.

R-2 That the Department of Water Resources and the Board of Supervisors determine a reasonable completion date for the wetlands project which will include development of additional spawning grounds for the Hitch.

RESPONSE: BOARD OF SUPERVISORS:

Disagree. Will not be implemented. U. S. Army Corps of Engineers is the lead agency ad county staff have conducted all reasonable and appropriate follow-up,

RESPONSE: DEPARTMENT OF WATER RESOURCES:

Disagree, will not be implemented. U. S. Army Corps of Engineers is the lad agency. County staff have conducted all reasonable and appropriate follow-up. Completion is beyond the control of Lake County.

VOTING IN LAKE COUNTY

FINDINGS

- F-1** Some Election Day workers do not fully understand all aspects of polling place practices and procedures because they only attend roll-specific trainings.

RESPONSE: REGISTRAR OF VOTERS:

Disagree partially. Training sessions conducted by Lake County's Registrar of Voters Office are based on uniform standards provided by the California Secretary of State.

- F-2** Not all polling places were equally active on Election Day.

RESPONSE: REGISTRAR OF VOTERS: Agree.

- F-3** All registered voters receive an encrypted, postage paid envelope along with their official ballots by mail about a month prior to Election Day.

RESPONSE: REGISTRAR OF VOTERS: Agree.

- F-4** All envelopes must be signed by the registered voter for verification by the Registrar's Office.

RESPONSE: REGISTRAR OF VOTERS: Agree.

- F-5** Many voters prefer to drop off their completed ballots at their polling places on Election Day.

RESPONSE: REGISTRAR OF VOTERS: Agree.

- F-6** Election Day workers on the north side of the County expressed frustration at not being able to get through to the Registrar's Office on the cellphones they were issued. No such frustrations were reported on the south side of the County.

RESPONSE: REGISTRAR OF VOTERS:

Agree. All phones have been replaced with new 4G cellphones for use in the March 2024 Presidential Primary Election.

- F-7** Public observer and Grand Jury observer training and orientation procedures require clarification.

RESPONSE: REGISTRAR OF VOTERS:

Disagree wholly with finding. Registrar's Office prepared an election observer panel plan prior to every election.

RECOMMENDATIONS

- R-1** That the Registrar of Voters develop a training video for all poll workers that includes all aspects of polling place practices and procedures. (F-1)

RESPONSE:

Disagree, will not be implemented. Lake County practices mirror guidance from the Secretary of State. Production of separate resources in neither feasible nor desirable, in light of regularly changing election laws.

- R-2** That the Registrar of Voters emphasize repeatedly in its print materials the proper use of vote-by-mail ballots, including highlighting the location of the signature block on the envelope and reiterating the necessity of bringing both the envelope and ballot when voting in person. (F-3, F-4, F-5)

RESPONSE: Agree. Recommendation has been implemented.

- R-3** That the Registrar of Voters assess the reliable connectivity of County issued cell phones given to poll workers. (F-6)

RESPONSE: Agree. Recommendation has been implemented.

- R-4** That the Registrar of Voters recognize the difference between Registrar trained Election Day observers who are members of the public and Grand Jury observers. (F-7)

RESPONSE: Disagree. Recommendation will not be implemented. All observers adhere to standard election regulations and guidelines. This is the purview of the California Secretary of State.

**TAX COLLECTIONS AND PROPERTY ASSESSMENTS
IN LAKE COUNTY**

FINDINGS

F-1 The modernization of software and processing systems in the Treasurer-Tax Collector's office is long overdue.

RESPONSE – ASSESSOR'S OFFICE: None given.

RESPONSE – TREASURER'S OFFICE: None given.

F-2 When phones are turned off, calls from the public go unanswered in both offices, with no option to leave a message.

RESPONSE – ASSESSOR'S OFFICE: The Assessor's Office has not turned off phones during my tenure. We also have no intention of turning off the phones in the future.

RESPONSE – TREASURER'S OFFICE: Agree.

F-3 Any payment errors found in taxpayers' paperwork may cause further delays in the process.

RESPONSE – TREASURER'S OFFICE: Agree

F-4 Electronic transfer of checks, estimated to begin in Fall 2023, will greatly expedite processing time.

RESPONSE – TREASURER'S OFFICE: None given.

RESPONSE – ASSESSOR'S RESPONSE: Agree, although it is unclear whether finding was directed at the Treasurer-Tax Collector or the Assessor.

F-5 The Treasurer-Tax Assessor expects the backlog to be resolved by the end of 2024.

RESPONSE – ASSESSOR'S RESPONSE: Agree, although it is unclear whether this finding was directed at the Treasurer-Tax Collector or the Assessor.

F-6 Taxpayers are charged a fee of 23% to pay their bills with a credit card.

RESPONSE – TREASURER'S RESPONSE: Disagree.

RECOMMENDATIONS

- R-1** That the Treasurer-Tax Collector and Assessor-Recorder's Office answer taxpayer's calls promptly or have an option for taxpayers to leave a message. (F-2)

RESPONSE: ASSESSOR'S OFFICE: We answer phones as quickly as we can. Calls from customers is part of the normal operations of the Assessor's Office.

RESPONSE: TREASURER'S OFFICE: This has been implemented to the extent the Treasurer-Tax Collector staff capacity permits to do so.

- R-2** That the Treasure-Tax Collector, upon detecting an error in the tax payments, contact taxpayers immediately to resolve the problem. (F-3)

RESPONSE: TREASURER'S OFFICE: Recommendation has been implemented to the extent Treasurer-Tax Collector staff capacity permits to do so.

- R-3** That the Treasurer-Tax Collector absorb the Credit Card payment fee. (F-6)

RESPONSE: TREASURER'S OFFICE: Will not be implemented as the Treasurer-Tax Collector does not have the authority to absorb the credit card payment fee.

**ELIJAH HOUSE:
HERE TODAY, GONE TOMORROW**

FINDINGS

F-1 Elijah House’s non-profit status was being questioned by the State when they applied to Lake County to provide services for the homeless population, and they did not disclose that information, nor did Behavioral Health officials vet the organization to learn of this red flag.

NO RESPONSE GIVEN.

F-2 The allegations of former staff and clients, if true, raise potentially actionable legal issues.

NO RESPONSE GIVEN.

F-3 An internal audit of Elijah House finances during their operations in Lake County is said to be unfinished and unavailable for Grand Jury review.

DISAGREE, will not be implemented.

RECOMMENDATIONS

R-1 That the Board of Supervisors order an independent forensic financial audit of Elijah House during their time in Lake County. (F-2, F-3).

BOARD OF SUPERVISORS’ RESPONSE: An internal fiscal audit is ongoing. Any next steps will be determined in accordance with the findings of that internal audit.

R-2 That 2023/2024 Civil Grand Jury continue this inquiry into the financial procedures of Elijah House during their time in Lake County.

NO RESPONSE REQUIRED.

COMPLAINTS FROM CITIZENS

The Civil Grand Jury in California is the result of centuries of existence starting as early as 1170 in England. The first written details of grand jury proceedings appeared in the Magna Carta in 1215.

Continuing to be formalized in the 5th Amendment of the United State Constitution, it is now a part of the judicial branch of the State of California. It has no function under either the legislative or executive branch of California. It has no policing authority. (Below is a table of complaints received by the current Grand Jury)

LAKE COUNTY CIVIL GRAND JURY		
COMPLAINT LOG		
	GRAND JURY COMPLAINTS	
Complaint Date	Subject	Resolution
<i>Carried Over from Prior Grand Jury</i>		
5/18/2023	Review welfare check action of LCSO and Behavioral Health	County implemented new protocol
10/6/2022	Elijah House Foundation	Complete
12/14/2022	LID supervisor chronically absent	Resolved
12/17/2022	Request to investigate competency of LC Health Service Director	Resolved
<i>New Complaints for FY2023-24</i>		
7/13/2023	North Bay Animal Services	Complete
8/16/2023	Jail inmate - sexual harassment	No further action
7/19/2023 & 7/25/2023	Jail inmate - help filing a lawsuit	No further action
7/10/2023 & 7/12/2023	Jail inmate - attend out-of-county court dates	No further action
7/19/2023	Jail inmate - unavailable counsel	No further action
7/14/2023	Jail inmate - request release	No further action
7/19/2023	Jail inmate - incompetent counsel	No further action
7/19/2023	Jail inmate - rebuke & investigate judge	No further action
2023	Jail inmate - failure to receive mail	No further action
8/8/2023	Jail inmate - meals, masks, mail	No further action
8/8/2023	Jail inmate - revoke judge's waiver	No further action
8/8/2023	Jail inmate - covid-19 protocol	No further action
8/13/2023	Jail inmate - inappropriate request	No further action

8/15/2023	Jail inmate - request for release	No further action
9/28/2023	Supervisor made inappropriate comments	No further action
2023	Jail inmate - deputy assaulted minor	No further action
1/3/2024	Cannabis tax refund	No further action
8/16/2023	Jail inmate - various complaints vs judge, DA, sheriff, police	No further action
2023	Quagga Mussel program	Complete
3/12/2024	Jail inmate - various complaints	No further action
3/4/2024	Jurisdiction over submerged lands	No further action
4/2024	Jail inmate - sentence longer than negotiated	No further action
4/2024	Jail inmate - basis for search warrant	No further action
4/24/2024	Terminate County employee for lying	No further action

The function of a grand jury is to investigate complaints from citizens. This is otherwise known as the grand jury’s “watchdog function.” The watchdog function results in review and evaluation of procedures, methods and systems utilized by county and city governments, and special districts to ensure they are being lawfully carried out. Investigation may suggest more efficient and economical methods.

Investigations are generally limited to operations of governmental agencies, wrongdoing within public agencies, or performance of unlawful acts by public officials. Criminal complaints are referred to the district attorney. A grand jury cannot investigate private party disputes.

This Grand Jury has received 28 complaints, including 4 that were referred from the 2022-2023 Grand Jury. It has also received 1 complaint which will be referred to the next year’s Grand Jury and is not shown on the foregoing table.

STEPS IN MOVING ELY RESIDENCE



FIRST: WITH HELP OF UTILITY COMPANY, MOVE HOUSE ACROSS HIGHWAY AND UNDER UTILITY LINES

SECOND: MOVE HOUSE ACROSS CREEK



THIRD: MOVE HOUSE ACROSS WILD COUNTRY