

2014—2015  
Lake County  
Civil Grand Jury



**Final Report**  
June 30, 2015

# 2014-2015 CIVIL GRAND JURY FINAL REPORT



Photo by Bruce Maxwell of Lakeport

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# INTRODUCTION



Photo by Bruce Maxwell of Lakeport

# **LAKE COUNTY CIVIL GRAND JURY**

## **HISTORY**

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

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

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

## **ORGANIZATION**

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

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

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

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

## **FUNCTIONS**

### **Watchdog Responsibilities:**

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

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

### **Response to Citizens Complaints:**

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

## **FINAL REPORT**

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

The Grand Jury's final report summarizes the year's activities and contains its findings and recommendations for action and study. The new Grand Jury reviews

the responses of the affected public agencies and the process of protection the public interest begins anew.

### **SUBMISSION OF COMPLAINTS**

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

The Lake County Grand Jury will respond to all citizens submitting complaints. The citizen may not have further acknowledgement other than their complaint was received. A Complaint Form is available in the Appendix.

Additional Complaint Forms may be requested from:

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

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

### **GRAND JURY SELECTION PROCESS**

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

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

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

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

## **QUALIFICATIONS FOR GRAND JURORS**

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

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

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

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

### **Desirable qualifications for a Grand Juror include the following:**

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



**COUNTY OF LAKE  
CIVIL GRAND JURY**

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

To the Citizens of Lake County:

The final report of the 2014-2015 Lake County Civil Grand Jury summarizes the Jury's investigations into the procedures and performance of local government. It is the culmination of a great deal of work by the jurors, ordinary citizens committed to serving their community.

The Lake County Civil Grand Jury works for the people of Lake County by serving as a governmental watchdog. The Jury helps to maintain public confidence by holding our government to the highest standards of integrity and efficiency. The activities of the Grand Jury are closely defined under the law. Our mission is to bring to light any anomalies or inefficiencies that we encounter so that the public is informed and officials can take corrective actions.

Our chief observation is that Lake County employees at all levels are highly dedicated and honorable people. Often, they are dealing with low staffing levels, legal restrictions and other obstacles which they work hard to overcome. County staff was cooperative in the investigation process and forthcoming with information. A review of our final report will show a number of areas where improvements can be made.

This year's Grand Jury consisted of individuals from many backgrounds and walks of life, organized into six investigative committees and a continuity committee. These hard-working jurors conducted interviews, examined documents and archives, inspected facilities and produced the enclosed reports which were approved by the whole grand jury. Our group also developed new procedures for digital data storage and a smoother transition from one year's grand jury to the next.

After an eventful and educational year of learning more about County operations, I highly recommend participating in the Civil Grand Jury to my fellow Lake County residents. The work of the Grand Jury is a vital component of the democratic process that is so important to our way of life. It has been an honor to serve on the Jury.

If you would be interested in being on the grand jury, an Application Form is available in the Appendix. If you would like to file a complaint, a Grand Jury Complaint form is also available in the Appendix.

Sincerely,

James C. Baur  
Foreperson, 2014-2015



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

June 30, 2015

The Honorable Stephen O. Hedstrom  
Superior Court of California  
County of Lake  
255 Forbes Street  
Lakeport, CA 95422

Dear Judge Hedstrom,  
On behalf of the 2014-2015 Civil Grand Jury, and pursuant to California Penal Code 933(a), I am pleased to submit our final report.

The scope of our investigations covered a broad range. In the process of looking into the various issues, we interviewed and spoke with many people. I want to thank all of the County employees and members of the general public for their assistance as we went about doing our job. In particular, we highly valued the support of County Counsel Anita Grant, who provided guidance and timely advice as we worked to understand and process huge amounts of information.

This year's jury members set up a continuity committee to analyze grand jury processes and find ways to improve them. We succeeded in standardizing a number of processes and record-keeping. This included creating user-friendly forms, contact information and filing systems, and digitizing hundreds of records. In the coming years, grand jury members will find it easier to navigate the County government's structure and take care of routine business.

I would like to express my respect for all members of this year's jury. We came from different backgrounds and points of view, but that diversity served to make us a stronger, more effective group. We discussed, debated and collaborated, all within the context of our shared commitment to make Lake County a better place. I hold my grand jury colleagues in the highest regard, recognizing the long hours and many challenges that made up their workload this year. I am proud to have worked with such an enthusiastic and committed group of people.

Sincerely,

James C. Baur  
Foreperson, 2014-2015



## Superior Court of California

COUNTY OF LAKE  
255 NORTH FORBES STREET  
LAKEPORT, CALIFORNIA 95453

STEPHEN O. HEDSTROM  
SUPERIOR COURT JUDGE

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

June 7, 2015

Dear Members of the 2014-2015 Lake County Civil Grand Jury:

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

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

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

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

Sincerely,

Stephen O. Hedstrom  
Presiding Judge of the Superior Court

## 2014-2015 GRAND JURY ROSTER

NAME	ROLE	CITY
Linda Anido*	Administrative Secretary	Clearlake
James Baur	Foreman	Kelseyville
Johnallen Chamberlain		Clearlake
G. Elliot	Sergeant-At-Arms	Lake County
Bill Helldorfer	Foreman Pro-tem	Kelseyville
Pollyann Johnston		Kelseyville
Darryl Koelling*		Middletown
Rick Lewis		Cobb, CA
Maggie Magoolaghan		Kelseyville
Bruce Maxwell		Lakeport
John Moore*		Kelseyville
Jan Pankratz	Administrative Secretary	Lakeport
Patrick Potter		Upper Lake
Jim Rickel*		Clearlake
Nicola Selph	Recording Secretary	Kelseyville
Joy Swetnam*		Lakeport
Dennis Van Meter		Lakeport
Rebecca Van Meter		Nice
Xian Yeagan		Lakeport

\*Unable to complete full-term

## **Lake County/Cities – Agencies/Departments Required to Respond to all Findings and Recommendations**

Pursuant to Penal Code section 933.05, Section C, the Grand Jury requests responses from the following individuals/Departments/Agencies:

<b>AGENCY/DEPARTMENT</b>	<b>PAGE NUMBERS</b>
Board of Public Authority	14
Department of Public Works	27, 28, 29
Department of Social Services – In Home Supportive Services Division	14
Environmental Health Director	7
Health Services Director	7
Lake County Board of Supervisors	3, 7, 20, 27, 28, 29
Lake County Sheriff	3
Lake County Tax Collector	27

Responses are to be submitted to the presiding judge of the Lake County Civil Grand Jury via hard copy. The Grand Jury also requests a digital copy in MS Word delivered to the presiding judge as well.

# **FINAL REPORTS ALPHABETICAL BY TOPIC**



Photo by Debbie Worra of Lakeport

# **DETENTION HOLDING FACILITIES**

Criminals look at identity theft and say only 1 in 700 criminals gets convicted of it. And they look at check forgery and they know that for every 1,400 forgers arrested, only about 123 get convicted and about 26 go to jail. So the rewards are great, but the risks are very slim. So that's one of the reasons that make it very popular. - Frank Abagnale

Be thine own palace, or the world's thy jail. - John Donne

# Detention Facilities in Lake County

## SUMMARY

Detention facilities are an important part of public safety. The Civil Grand Jury (Grand Jury) is mandated per California Penal Code Section 919 (b) to inquire into the condition and management of the public prisons within the county. We observed that both Konocti Conservation Camp and the Juvenile Detention Center are well maintained. The educational system at the Juvenile Detention Center is up to date and impressive. The staff is focused on the welfare of their wards.

Konocti Conservation Camp is a year round asset available to the county's fire prevention and firefighting responses. The camp was inspected and appeared clean, neat and well maintained. The kitchen at Konocti Conservation camp is staffed by the inmates.

The Sheriff's Department Hill Road Detention Facility and Clearlake Police Department Holding Facility also demonstrated well run operations along with the Main Court Holding Facility in Lakeport. The holding facility at South Lake Superior Court was also inspected.

## METHODOLOGY

The Grand Jury interviewed officials and staff members of each detention facility and holding facility and made more than one inspection to several locations.

- Konocti Conservation Camp, jointly operated by the California Department of Corrections and Rehabilitation (CDCR) and California Department of Forestry and Fire Protection (CALFIRE)
- Lake County Hill Road Jail
- Lake County Sheriff's Department
- Clearlake Police Department and Holding Facility
- Main Court Holding Facility, Lakeport
- South Court Holding Facility, Clearlake
- Lake County Juvenile Detention Center
- Lake County Probation Department

The Grand Jury used inspection forms from the California Grand Jury Association Training Manual to evaluate the general conditions of the facilities. The Grand Jury members also reviewed documents gathered from responsible departments such as organizational charts, budgets, required health and fire safety inspections and previous Grand Jury Reports.

## **DISCUSSION**

South Lake Superior Court is currently only hearing non-criminal and lower court cases. The criminal division of Department IV was moved to Lakeport on August 6, 2012 (2012-13 Grand Jury Report).

Persons in custody are usually brought in at the time of their hearing rather than kept in a holding cell until called.

The Grand Jury was shown three holding cells. We were told these cells are not being used. The entire area in and around the former holding facility is used for storage of files and supplies. It was observed that the clerk had difficulty gaining access to the area with her cell key, as if the key or the lock was not working properly.

An inspection was accomplished by the Lake County Environmental Health Agency on January 27, 2012; the notice is posted in the holding cell area, and is valid 7-01-2014 through 6-30-2015. No other inspection notices by other agencies were posted at the time of the Grand Jury's visit.

## **FINDINGS**

F1. The Grand Jury found that all active detention facilities appear to be in compliance with the Grand Jury Inspection Forms.

F2. At the South Court Holding Facility in Clearlake it appeared the lock to the main door leading to the holding facilities was difficult to open.

## **RECOMMENDATIONS**

R1. Should the Superior Court have a need to use the holding cells at South Lake Superior Court, the Sheriff of Lake County should contact the appropriate agency to ensure the cells meet with all in-custody security and public safety standards. (F2)

## **NOTE:**

Two Grand Jury members recused themselves from site visits to Hill Road Jail, and one member recused him/herself from visits to Clearlake Police Holding.

## **REQUEST FOR RESPONSES**

Pursuant to Penal Code section 933.05, Section C, the Grand Jury requests responses from the following individuals:

- Lake County Sheriff R1 (90 days)
- Lake County Board of Supervisors R1 (90 days)

Responses are to be submitted to the presiding judge of the Lake County Civil Grand Jury via hard copy. The Grand Jury also requests a digital copy in MS Word delivered to the presiding judge as well.

# **FOOD SAFETY FUNDING IN LAKE COUNTY**

Food safety involves everybody in the food chain. - Mike Johanns

The table is a meeting place, a gathering ground, the source of sustenance and nourishment, festivity, safety, and satisfaction. A person cooking is a person giving: Even the simplest food is a gift.

- Laurie Colwin

# **FOOD SAFETY FUNDING IN LAKE COUNTY**

## **Summary**

While everyone in Lake County should be concerned about food safety, it is the responsibility of the Environmental Health Division of Lake County Health Services (EHD) to ensure that food safety standards established by Lake County and the California Retail Food Code (a part of the California Health and Safety Code) are enforced. The 2013-14 Civil Grand Jury (Grand Jury) made a number of Findings and Recommendations, not the least of which was that due to staffing shortages, EHD was significantly behind on their inspection goals. EHD should be congratulated for becoming current on all incomplete inspections identified during last year's Grand Jury investigation.

The purpose of our investigation into EHD was two-fold: First, we wanted to determine to what extent EHD had addressed the Recommendations and Findings from the 2013-14 Grand Jury. Second, since EHD is primarily a self-funded agency, we wanted to look specifically at the financial considerations that fund the EHD budget. It was our intention to help explore ways to increase revenue so that EHD will have the funds necessary to keep our community safe.

## **Background**

EHD is charged with issuing and maintaining permits for the safe handling and preparation of prepared food sold for consumption by the general public in Lake County. Any establishments wishing to offer food to the public must meet certain health and preparation standards for food processing prior to receiving a food permit. These establishments include a variety of food service providers, such as: restaurants, cafes, drive-through coffee stations, hot dog carts, hospitals, schools, churches, fraternal organizations, and community events. In most cases these establishments pay for the permit according to a fee schedule. In some cases the County of Lake Board of Supervisors provides waivers exempting certain organizations or events from the permit fee. In other cases, establishments are exempted by the state from paying these fees. All food service providers must maintain the standards of quality throughout the year and if not exempt, they pay an annual permit fee. There is no fee required when an inspector must re-inspect a food service provider which has not met the standards of the food service code. No funds are received by EHD from county departments that provide food services (Jail, Fire Departments, etc.) for the required inspections. Waivers, exemptions, and re-inspections reduce the income of EHD.

## **Methodology**

Interviews with EHD officials were conducted on October 29<sup>th</sup> and November 12<sup>th</sup> 2014. Internet research was performed. The following documents were obtained and reviewed:

- Grand Jury Report from 2013-14
- Responses to the 2013-14 Grand Jury Report
- Final Recommended County of Lake Budget 2014-15
- California Retail Code
- California Health and Safety Violations Coding System
- New Restaurants in Lake County ([www.ReferenceUSA.com](http://www.ReferenceUSA.com))
- Department of Labor Salary Survey ([www.onetonline.org](http://www.onetonline.org))

### EHD Documents

- List of Food Service Establishments
- Food Establishment Permit Fees
- Risk Categorization of Food Facilities
- Health Services Organizational Chart
- Sample Inspection Report

## **Discussion and Analysis**

Environmental Health has a challenging job. It is their responsibility to permit and inspect all 371 food service providers in the county. According to the inspection tracking spreadsheet provided by a top official at the Health Department on 10/29/14, there were 962 violations of county food service standards this year. Sixteen (16) of those were critical violations of major significance. EHD ranks organizations in three categories of risk to the public: low, medium and high. Low risk examples typically sell prepackaged foods with a limited menu of food prepared onsite (70 inspections county-wide per year). Medium risk examples include retail food store operations, schools not serving a highly susceptible population and quick service operations (54 inspections county-wide per year). High risk examples (e.g. venues that have complex menus with foods that are at high risk for perishability) include preschools, hospitals, licensed health care facilities and facilities conducting food processing in retail situations (848 inspections county-wide per year). State statutes do not specify the number or frequency of inspections; the risk levels and number of inspections are set by EHD policy.

The 2013-14 Grand Jury found that 42 businesses had not been inspected since 2012, 26 had not been inspected since 2011 and three had not been inspected since 2010. There were not enough inspectors to meet the demand. This year one inspector came back from an approved leave and funds were found to hire a third inspector enabling EHD to become current this year on all inspections. The recently hired inspector resigned and relocated to Southern California where he took a

similar job for a higher salary. Now EHD is short one inspector until a new one can be hired.

One challenge is finding qualified people and being able to pay them a desirable wage. There has been no cost-of-living increase for current employees for eight years. All new employees must be trained on the job to learn the tasks of a food service inspector. According to the Federal Department of Labor, the average starting salary nationwide for food inspectors (Occupation Health and Safety Specialist) is \$19.00 per hour (or \$40,500 per year). In California the average starting salary is \$23.00 per hour (or \$47,300 per year). The job title for an entry level food inspector at EHD is Environmental Health Specialist I. Starting salaries for this position are \$18.02 per hour (or \$37,482). Student interns may provide a cost-effective option. Low cost student interns have been used by Health Services in the past to increase staffing levels but no program exists to recruit interns for EHD.

Since EHD is mostly self-funded (55% of their funds comes from County permits; 40% is received from the State of California through the Public Health Realignment; 5% is received from grants), the easiest way to increase revenue is to increase fees and/or create new ones. According to top management, if EHD had more funds they could pay their staff more, hire an additional inspector, increase the number of inspections performed, increase their use of technology to make inspections easier (i.e., inspection forms on handheld devices, violation tracking, employer violation history, and online permitting), give more training to staff, and put a greater focus on providing information and customer service.

## **Findings**

- F1 EHD is now current on all incomplete inspections identified during the 2013-14 Grand Jury investigation.
- F2 Based on the current number of food service providers in the county, EHD needs to have three inspectors serving consumers.
- F3 EHD needs to increase their income in order to have adequate staff to effectively serve the public.
- F4 EHD loses considerable revenue due to fee waivers and exemptions.
- F5 Currently the public has no way of knowing the safety ranking of a food service provider or what risk level or code violations an organization has been given.

## Recommendations

- R1 EHD should continue to aggressively recruit a third inspector. (F2)
- R2 In accordance with the California Retail Food Code (Health and Safety Code Sections 114381, 114387, 114395, 114419.3), when inspection violations are identified, offending organizations should have to pay the defined fine or fee. We recommend that the amount of the fine or fee should be based on the severity of the violations, the level of risk faced by the public, and/or the limits set by the Code. (F3)
- R3 When inspection violations are identified, offending organizations should be required to pay a set rate for EHD inspectors for every re-inspection. This may require a change in current county ordinances. (F3)
- R4 There should be an annual increase in permit fees. (F3)
- R5 Since some county departments (i.e., IT) charge other county departments/agencies for their services, EHD should be able to charge county departments/agencies for their services or be paid for them out of the county funds. (F3)
- R6 A way should be found to make up lost revenue from fee waivers granted by the Board of Supervisors. (F3, F4)
- R7 Have staff certified as trainers in this field and start offering training for a fee (like that required for a Food Handlers Permit which is no longer offered locally). (F3)
- R8 In coordination with California Retail Food Code (Health and Safety Code Section 114381(e)), develop a color coded/alpha-numeric system posted on each facility that the public can easily see to verify the safety rating of the organization and that a current, valid permit exists. (F5)
- R9 Research the possibility of opening an EHD testing laboratory as an income generator and offer those services to other counties. (F3)
- R10 To ensure that all permit funds due are collected, online sources should be used to identify new start-up food service organizations in the area. (F3)
- R11 Develop a program to recruit student interns (paid and unpaid) among college students in California. (F2, F3)
- R12 Post organizations in violation on the EHD website. Add the website address to the posted permit ([http://www.co.lake.ca.us/Government/Directory/Environmental\\_Health.htm](http://www.co.lake.ca.us/Government/Directory/Environmental_Health.htm)). (F5)

## **REQUEST FOR RESPONSES**

Pursuant to Penal Code section 933.05, Section C, the Grand Jury requests responses from the following individuals:

- Board of Supervisors respond to R2, R3, R4, R5, R6, and R8 (90 days).
- Health Services Director respond to R1, R2, R3, R4, R5, R7, R8, R9, R10, R11, and R12 via the Board of Supervisors (90 days).
- Environmental Health Director respond to R1, R2, R3, R4, R5, R7, R8, R9, R10, R11, and R12 via the Board of Supervisors (90 days).

Responses are to be submitted to the presiding judge of the Lake County Civil Grand Jury via hard copy. The Grand Jury also requests a digital copy in MS Word delivered to the presiding judge as well.

# **IN-HOME SUPPORT SERVICES**

Beginning today, treat everyone you meet as if they were going to be dead by midnight. Extend to them all the care, kindness and understanding you can muster, and do it with no thought of any reward. Your life will never be the same again. - Og Mandino

# **IN-HOME SUPPORTIVE SERVICES**

## **Summary**

As the largest employer in Lake County, In-Home Supportive Services (IHSS) strives to meet the needs of almost two thousand recipients (those who receive care) with various needs and levels of care. This year the 2014-2015 Lake County Civil Grand Jury (Grand Jury) followed up on a report from the prior year to see if the issues raised, concerning fraudulent activity by providers (those who provide care) and recipients of IHSS, had been resolved. We were pleased to find that, to a large extent, this was the case. However in the course of our investigation, the Grand Jury found other areas where improvements in the care of IHSS recipients could be made.

The concerns about providers include compensation, lack of training, no drug testing, and no criminal records check outside of the State of California. The concerns about social workers include high caseloads, inadequate number of vehicles for site inspections, and lack of technological devices. There is a concern about the frequency of inspections in order to improve care, reduce fraud activity and adjust care hours to actual recipient needs.

## **Background**

The purpose of this program is to assist those elderly and/or disabled recipients, who are eligible for Medi-Cal, to remain in their homes as opposed to a convalescent home. As part of the recipients' application process, a doctor first evaluates their disability and then an IHSS social worker visits them on-site to determine the number of hours necessary to meet their needs.

A case review and a field visit by a social worker to evaluate whether the current plan meets the needs of the recipient is only required once a year. At that time, the social worker may find that the hours should be adjusted or that the recipient no longer needs services and is removed from the program.

A very important component of this program is the IHSS Public Authority which is best introduced by its Mission Statement: "As an enhancement to the In-Home Supportive Services (IHSS) program, the IHSS Public Authority (Public Authority) strives to assist the elderly and people with disabilities to remain safely in their homes." This agency is administered by the county and was created in 1999 by Assembly Bill 1682. The Public Authority acts as the "employer of record" for IHSS providers, negotiates the contract with the local union for wages and benefits, and provides training. In Lake County, the members of the Board of Supervisors comprise the members of the Board of the Public Authority.

According to the IHSS Recipient Handbook, an IHSS recipient is a person who has been authorized to receive In-Home Supportive Services. An IHSS provider is a person approved by the Public Authority who is hired by an IHSS recipient to provide services authorized by an IHSS social worker. The recipient is the employer of the provider. Recipients have the right to hire whomever they choose for their provider. A Registry Provider is a provider who has completed the Public Authority screening and training process and qualifies to be included in the Registry. Of the almost 2000 providers, only 300 are listed in the Registry.

Other services offered to recipients using the Registry may include: conflict resolution between providers and recipients, assistance with arranging provider interviews, assistance with understanding recipient responsibilities and researching payroll issues. There is no charge for using the Registry.

A committee called the IHSS Advisory Committee provides advice and recommendations to the Board of Supervisors and to any other county entity involved in the administration of the IHSS program. The committee has 11 members, of which at least half must be current or past recipients of personal assistance paid for by public or private funds. In addition, the composition of the committee must include two IHSS provider representatives, four senior and two disabled consumer representatives, and two senior and one disabled community representatives. IHSS Advisory Committee members are appointed by the Board of Supervisors to a two-year term. Members may be appointed to a subsequent term at the desire of the Committee members and approval of the Board of Supervisors.

The duties of the IHSS Advisory Committee include providing ongoing advice and recommendations regarding the IHSS program to the Board of Supervisors and any administrative entity in the county that is related to the delivery and administration of IHSS.

## **Methodology**

Interviews and observations performed:

- Interviews with senior agency officials from IHSS
- Interviewed a member of the Board of Public Authority
- Interviewed several IHSS social workers
- Interviewed California United Health Care union representatives
- Interviewed providers of IHSS
- The Grand Jury observed a Public Authority Advisory Committee meeting which included a presentation by the IHSS Fraud Investigator

Reviewed the following documents related to IHSS:

- Organizational Charts of the Dept of Social Services, By Functions Chart
- IHSS Enrollment Forms, Provider and Recipient Handbooks, Timesheet Form
- IHSS Provider Orientation Handouts
- IHSS Fraud Statistical Reports
- IHSS Assessment Narrative Forms
- IHSS Application/Approval/Denial/Termination Listing Summary for 12/01/2014-12/31/2014 for Lake County
- IHSS Recipient Rights
- Public Authority Statistical Reports
- Oversight of In-Home Supportive Services the 2013-2014 Lake County Grand Jury Final Report

Information was gleaned from the following websites:

- [www.capaihss.org](http://www.capaihss.org) California Association of Public Authority for IHSS
- [www.co.lake.ca.us/Residents/..in-home\\_Support.Services.htm](http://www.co.lake.ca.us/Residents/..in-home_Support.Services.htm) primary site for IHSS
- [www.cdss.ca.gov/](http://www.cdss.ca.gov/) Issues and facts connected to quality assurance of IHSS
- [www.sdihsspa.com](http://www.sdihsspa.com) San Diego County IHSS Public Authority
- [www.payscale.com/research/us/job=In-Home-Support-Services](http://www.payscale.com/research/us/job=In-Home-Support-Services)
- <http://pubauth.saccounty.net/Documents/Education/>
- [www.pamarin.org/care/providers/union/](http://www.pamarin.org/care/providers/union/)
- [www.ihssco.org/training.html](http://www.ihssco.org/training.html) TAPCA Training Academy
- [www.udwa.org](http://www.udwa.org) Union for providers
- [www.co.lake.ca.us/..Adult\\_Services/Public\\_Authority.htm](http://www.co.lake.ca.us/..Adult_Services/Public_Authority.htm)

## **Discussion and Analysis**

Certain types of fraud, noted by social workers and investigators, are very difficult to uncover and prosecute. The additional full-time investigator and part-time prosecutor recommended in last year's Grand Jury Report have been hired. Several individuals interviewed by this year's Grand Jury were optimistic about the impact of the county's new effort to combat fraud in the IHSS program. Continued close scrutiny by social workers, Public Authority supervisors and other dedicated personnel will be needed for a successful outcome.

Providers must be fingerprinted for a criminal records check. Those found to have engaged in government health care fraud and certain other conditions that are classified as Tier 1 crimes are prevented from being employed by IHSS. Providers with Tier 2 crimes require a waiver from the Public Authority in order to qualify as an IHSS provider. The results of the criminal records check, other than Tier 1 or Tier 2 crimes, are made available to recipients. One concern noted by IHSS staff is

that the criminal records check is restricted to the State of California, thereby allowing someone with a criminal record from another state to be hired without this knowledge being available to recipients. Even if the provider has a criminal record, the decision of whether the person is hired or not is left up to recipients.

There is no mandatory drug testing for providers at any time. This issue is of great importance as many recipients have prescription medications containing opiates and other commonly abused drugs.

Some providers are required to supply transportation for recipients. When providers transport recipients they are not reimbursed for their vehicle expenses, only for the drive time. They also do not get paid for the time spent waiting in the doctor's office for recipients.

Providers in Lake County are paid \$9.30 per hour. The national average is \$9.91 per hour with a range of \$8.12 - \$14.77 per hour. A review of the salaries from counties with comparable IHSS budgets include: Merced, \$9.00, Placer, \$10.99, Shasta, \$9.64, Yolo, \$11.02. Marin County, which also has a comparable budget, just increased pay to \$13.00 in February, 2015. There is no differential in rate of pay although several categories of care are identified in the IHSS Definition of Services.

The state minimum wage is scheduled to rise to \$10.00 per hour in January, 2016. Several of the individuals we interviewed noted that providers in this system often qualify for public assistance programs even while working full-time.

A ranking system is used as a guideline to assess needed hours of care that will be allocated to the recipient. Based upon the level of disability demonstrated by the recipient, a provider might be needed to remind a recipient to perform some domestic chores or even provide all mobility, such as lifting a recipient from bed to wheelchair under the ambulation category. However, the complexity of care has no impact on the salary received by the provider. All providers are paid the same hourly rate regardless of the difficulty of the work, the training they have received, or the number of hours they work.

The state Department of Social Services and the Public Authority each has a library of training videos and materials on care procedures. Additional training is available to providers; however there are no pay incentives to complete additional training. It was suggested by one official connected to Public Authority that incentive pay for completion of training leading to a certificate should be part of a program to improve the care provided.

To qualify as a social worker for IHSS requires previous experience in a related field. However, a Bachelor of Arts degree in Social Work is preferred. The current policy of IHSS is that all social workers attend the IHSS Social Worker

Training Academy offered by the state in which training in assessment and recognizing fraudulent activity are provided.

Based on documents and interviews, caseloads of social workers range from a high of 350 to as few as 100 cases depending on other duties.

More frequent home inspections could better align the needs of recipients with the number of hours provided. If substandard performance by a provider is identified, either by the social worker or a filed complaint, no action can be taken until the appropriate paperwork is completed and a home inspection performed.

It is not standard procedure to consult with a doctor when hours are adjusted. After a home inspection the social worker may adjust the hours allocated to the recipient even though the doctor previously approved a different level of care.

Another way to increase the number of home inspections would be greater use of technology in the inspection process. An input device such as a tablet or smart phone could be used to complete the report immediately and if necessary, make a video recording of conditions found during the home inspection. According to some social workers, as much as half of their time is spent in transcribing notes from the visit to the required report forms.

There is often a shortage of vehicles available to social workers when they need to perform home inspections. Furthermore, two more social workers were recently added to reduce individual caseloads. This is a good step by IHSS management to improve the quality of care. At the same time, however, it may increase the transportation problem if the shortage of vehicles is not addressed as well.

## **Findings**

- F 1. Fraudulent activity exists and is being investigated within the limits of the laws governing IHSS.
- F 2. Providers are not screened for criminal records outside of California.
- F 3. Providers are not tested for drug use.
- F 4. Some impediments to full efficiency exist due to the shortage of vehicles for social workers.
- F 5. The rate of pay per hour is low compared to some other similar sized counties.

- F 6. Improvements in the quality of care might be achieved if providers were offered pay incentives for completing advanced training.
- F 7. Use of latest technology available is not being utilized at present. On-site reporting should increase accuracy and provide for more time in the field.

## **Recommendations**

- R 1. Provide a more extensive background check that extends outside of the State of California. (F2)
- R 2. Provide random drug testing of providers to increase public confidence and protect vulnerable recipients. (F3)
- R 3. Provide additional vehicles for IHSS social workers. (F4)
- R 4. Increase wages to attract and retain more qualified providers and provide a livable wage. (F5, F6)
- R 5. Increase training for providers that perform higher ranking tasks in each category. (F6)
- R 6. Establish a certificate program for advanced training for providers as part of a pay incentive program. (F5, F6)
- R 7. Purchase on-site input devices with the reporting software installed and train social workers in their use. (F7)

## **REQUEST FOR RESPONSES**

Pursuant to Penal Code section 933.05, Section C, the Lake County Civil Grand Jury requests responses from the following individuals:

- Board of Public Authority for IHSS R1, R2, R4, R5, R6 (90 days).
- Department of Social Services, In-Home Supportive Services Division via the Board of Supervisors R1, R2, R3, R4, R5, R6, R7 (90 days).

Responses are to be submitted to the presiding judge of the Lake County Civil Grand Jury via hard copy. The Grand Jury also requests a digital copy in MS Word delivered to the presiding judge as well.

# **LAKE TRANSIT AUTHORITY**

Transportation is the center of the world! It is the glue of our daily lives. When it goes well, we don't see it. When it goes wrong, it negatively colors our day, makes us feel angry and impotent, curtails our possibilities. - Robin Chase

# Lake Transit Authority

## Summary

Public transportation is important to many Lake County residents. Businesses and schools are dependent, to various degrees, on public bus systems for transporting customers and students. Many residents depend on public transportation for access to medical care, shopping, employment and entertainment.

The Lake County Civil Grand Jury (Grand Jury) began this investigation in order to find the causes of reduced ridership on Lake County busses. As the investigation proceeded, we looked into associated subjects: safety, administration, the Lake Transit Authority (LTA) website (<http://laketransit.org/>) and scheduling, advertising, and contracts between LTA and Paratransit, the current bus service contractor.

## Background

The Grand Jury 2014-15 investigated the Lake Transit Authority for the first time since 2009. Jury members accessed the LTA website in order to find schedules, information and minutes of meetings.

Lake County, CA has a population of 64,260 people according to the 2010 census. Of this number, approximately 25% live below the federal poverty level. In 2012, 22% of the civilian non-institutionalized population reported a disability. The county population has several factors that affect the level of transportation services; these include a large elderly population, a high percentage of people with disabilities, and many low-income residents. These groups tend to rely on public transportation to meet their travel needs.

Lake County consists of 1,327 square miles of land bordered by mountains, with the largest natural lake in California in the middle of the county, creating many transportation barriers. Most of the population lives in five main population areas: North-shore (Upper Lake, Nice, Lucerne, Glenhaven, Clearlake Oaks), Lakeport, Clearlake (including Lower Lake), Kelseyville and Middletown (including Hidden Valley Lake, Cobb Mountain).

The LTA is a Joint Powers Agency, an independent agency created by contract to manage powers held by its members.

Senate Bill 787 provided \$1.5 million toward construction of a \$2.1 million operations and maintenance facility that opened in 2004. The LTA is a relatively new and growing agency, with an annual budget of \$5,161,998.

## Methodology

Interviews and observations performed:

- Direct observation of busses in operation and at bus stops
- Interviews with employees and management personnel
- Interviews with LTA Board of Directors members
- Interviews with community organizations
- Interview with LTA Contractors

Reviewed the following documents:

- County of Lake Memoranda
- Transportation Joint Powers Agreement Document
- LTA Board of Directors Minutes from 2013-2015
- LTA Bus Schedules
- Local newspaper articles
- LTA operating documents
- Past Grand Jury Reports
- Lake Transit Authority 2014/15 budget
- Lake Transit Authority List of Funding Sources
- Request for Proposals for Mobility Programs Coordinator
- Agreements between Lake Transit Authority and Paratransit including:
  - AMENDMENT NO.1 TO THE AGREEMENT FOR LAKE TRANSIT SYSTEM MANAGEMENT, OPERATIONS AND MAINTENANCE SERVICES
    - Bus Stop Furniture
  - DIAL-A-RIDE POLICIES, STANDARDS, CRITERIA Revised 10-05-2005
  - AGREEMENT - MANAGEMENT AND OPERATION OF THE LAKE TRANSIT AUTHORITY SYSTEM
    - And amendments from 1-6
  - Letters from Department of Transportation, Paratransit services,

Information was gleaned from the following websites:

### Federal Websites

Federal Transit Administration ([www.fta.dot.gov](http://www.fta.dot.gov))

Federal Transit Administration Safety and Oversight

([www.transit-safety.volpe.dot.gov](http://www.transit-safety.volpe.dot.gov))

Federal Transit Administration Transit Bus Safety Program

([www.bussafety.fta.dot.gov/splash.php](http://www.bussafety.fta.dot.gov/splash.php))

Transit Bus Safety Resource Guide ([www.3.cutr.usf.edu/bussaftg/](http://www.3.cutr.usf.edu/bussaftg/))

([www.ntd.fta.dot.gov](http://www.ntd.fta.dot.gov)),

National Transit Database

([www.ntdprogram.gov/ntdprogram/archives.htm](http://www.ntdprogram.gov/ntdprogram/archives.htm))

## **State Websites**

Caltrans ([www.caltrans.ca.gov/hg/tap/](http://www.caltrans.ca.gov/hg/tap/))  
California State Controller's Office ([www.sco.ca.gov/sl.html](http://www.sco.ca.gov/sl.html))

## **County Websites**

Lake Transit ([www.laketransit.org](http://www.laketransit.org))  
Lake County/City Area Planning Council ([www.lakeapc.org](http://www.lakeapc.org))  
Lake County Information Portal ([www.co.lake.ca.us](http://www.co.lake.ca.us))  
Lake County Record Bee ([www.record-bee.com](http://www.record-bee.com))  
Lake County News ([www.lakeconews.com](http://www.lakeconews.com))  
Napa Register ([www.napavalleyregister.com](http://www.napavalleyregister.com))  
Santa Rose Press Democrat ([www.pressdemocrat.com](http://www.pressdemocrat.com))

## **Discussion and Analysis**

The LTA is responsible for providing public transportation throughout Lake County and connecting bus service to Northern Napa County and Ukiah in Mendocino County. Bus service operates Monday through Saturday except Holidays from approximately 7:00 a.m. to 6:00 p.m. LTA has instituted a new service called "Night Rider" with busses running during evening hours.

The LTA Board of Directors (BOD) has eight members: two from the Lake County Board of Supervisors (BOS), two from the Clearlake City Council, two from Lakeport City Council and two at-large members appointed by the BOS (who may not be members of the BOS).

The BOD meets on the second Wednesday of each month, according to the website. The Joint Powers Agreement mandates that the Board will meet no less than once per quarter. Meetings alternate between the Lake Transit offices in Lower Lake, and the Lakeport City Hall. They occasionally meet at other areas around the county.

The LTA owns all of the busses and the bus yard, including offices and maintenance buildings, located at 9240 Highway 54, Lower Lake. The daily operation and maintenance is contracted to an outside service provider.

The LTA utilizes an independent contractor who is responsible for the overall administration of the transportation system and acquiring state and federal transportation grants. The contractor has the title of Executive Director (ED).

The ED, in turn, engages additional contractors to run and maintain the busses and to handle tasks such as bus advertisements, and installation of bus stops and shelters.

The ED is the only link between BOD and the operation and administration of the transit system. The ED has held this position since the founding of the LTA, and has great experience in rural transportation. He is skilled and knowledgeable about grant writing. He directs a similar rural transportation system in another part of the state, and has worked for other transportation systems. He works alone and has no assistant. There is no written succession plan in place to provide continuity should the ED become temporarily or permanently unavailable.

The LTA operates a website ([www.laketransit.org](http://www.laketransit.org)). The website is a tool for residents to find bus schedules, minutes and agendas of the LTA Board, and other information about the LTA. A link allows customers to file a complaint.

There is a webpage called "Where's My Bus" for people to find the location of an operating bus in real-time. On days when no busses are running, it has a notice of that. In early 2015, the page was not functioning and stated that the busses were not running, even though they were.

The Grand Jury accessed the LTA's website many times to locate the minutes and agendas for the LTA Board of Directors meetings. Numerous visits to this website at various dates revealed few minutes and agendas available. The information available varied from nothing at all to the minutes and agendas for two meetings. Further investigation revealed that the complete minutes and agendas are posted on the Lake County/City Area Planning Council (APC) website, however there is no notice on the LTA website that the APC website has the LTA minutes. All members of the LTA board are members of the APC board.

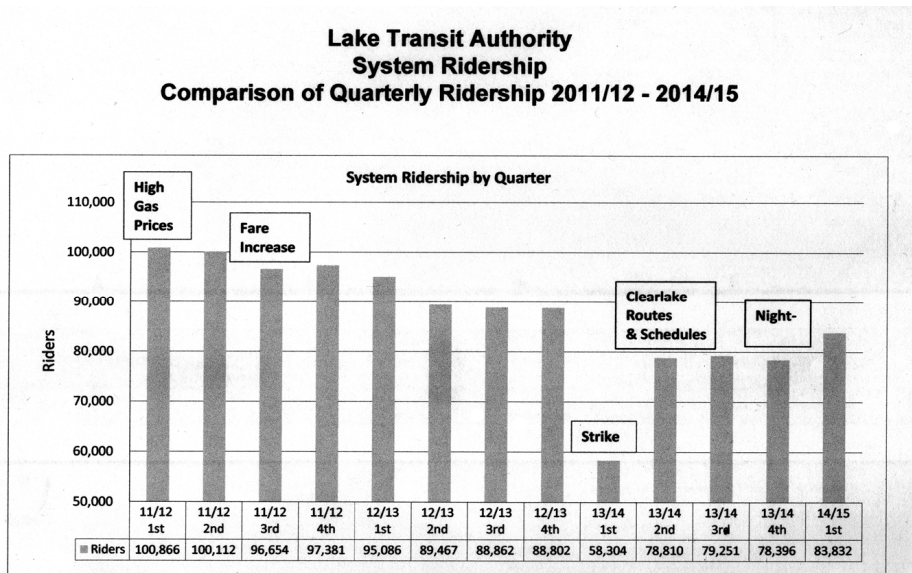


Figure 1. From Lake Transit Authority 2014-15 First Quarter Report.

A labor action of 2013 reduced the ridership of LTA busses. Since the strike has ended, ridership has gradually risen, and is very nearly at the pre-strike level (Fig. 1). The ridership has fallen overall from the 1997 - 2003 numbers, as seen in this graph. (Fig. 2)

**Chart 1.4 - Annual System Ridership  
1996/97 to 2002/03**

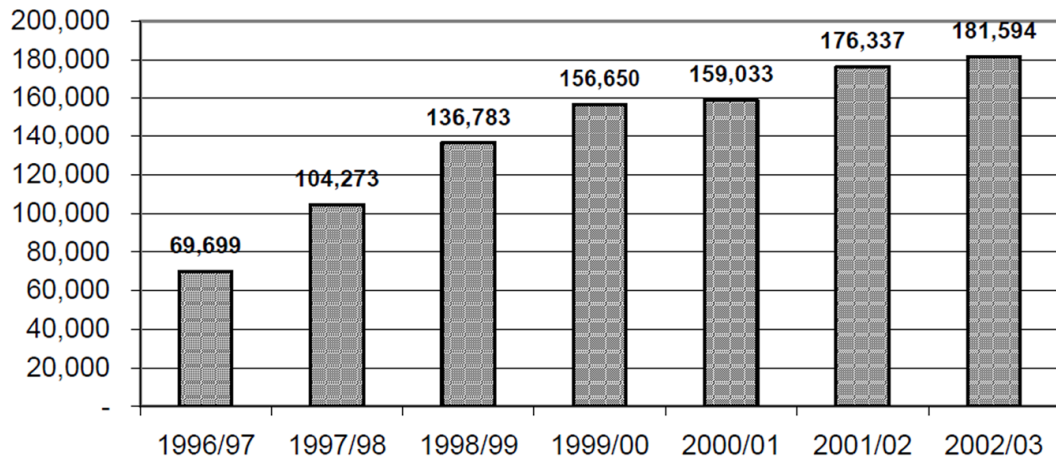


Figure 2. From the Lake Transit Authority Transit Development Plan, 2004

The transfer station at Rays Food Market in Clearlake has schedules posted in shelters; no schedules were observed at the Lakeport Transfer Station or other covered shelters.

Not all busses carry printed bus schedules. The LTA apparently assumes that most passengers have the ability to access the LTA website on their smartphones, or call the main office.

Thirteen 9' x 5' bus shelters are provided at heavily used stops where there is room for the bus to pull over. The land for the shelter must be in the public domain or an arrangement must be made with the property owner. Bus shelters are placed according to various criteria, such as budget, property availability, public or private land, and whether or not there is room for a bus to pull over safely. Poles with signs are placed where it is safe for the bus to pull over. Busses will pick up passengers at non-official sites if it is safe for the bus to pull off the road.

Advertising is handled by a contractor, who sells the advertising contracts, designs the advertising in some cases, prints and installs the advertising, including advertising occupying large areas of the exterior of the bus. Bus advertising brings

in approximately \$30,000 per year to the LTA. The advertising contract does not specify a quota of sales. There is advertising space on both the exterior and interior of busses that is not being utilized. The advertising panels inside the busses are approximately 80% unused. There is not a link on the LTA website for potential advertisers.

## **Findings**

- F1. Transit services and grant applications may be interrupted if the current Executive Director becomes unable to fulfill the conditions and terms of his contract.
- F2. The LTA website does not list places, dates and times for upcoming Board meetings. This makes it difficult to find out when meetings occur.
- F3. It is difficult to find the minutes and agendas of the LTA board meetings, since the LTA website is not updated on a regular basis
- F4. Printed schedules are not always available on busses or in bus shelters. This could lead to reduced ridership.
- F5. The "Find Your Bus" button links to a map that shows the location of operating busses. This could be a very useful page on the website, however this page was not available for many days during this investigation.
- F6. No forms or phone numbers were visible on busses for riders to communicate directly to LTA regarding complaints, which hampers communication between riders and LTA administration.
- F7. Advertising on busses would appear more effective if more advertising space were sold. The community would benefit if unsold ad space were donated to local non-profit organizations.

## **Recommendations**

- R 1. The LTA should have a succession plan in place for the ED if he is unable to perform his duties.(F1)
- R 2. Informational panels should be located inside the busses to make the public aware of the Board of Directors' meeting times and dates, and noting the meetings will allow public input, complaints or suggestions. (F2, 6)
- R 3. LTA should allow public service notices, such as: community services, drug and alcohol programs, Veterans Administration options and senior center

- R 4. information, to be posted inside busses in some of the empty advertising spaces. (F7)
- R 5. LTA should create a link on their homepage to minutes and agendas located on the Lake County/City Area Planning Council website (<http://lakeapc.org/>). (F3)
- R 6. Bus schedules should be available on each bus in a visible and convenient location. (F4)
- R 7. LTA should create a link on their website to promote bus advertising. (F7)
- R 8. LTA should make it easier for riders to comment by placing web address, phone numbers and complaint/satisfaction forms on all busses. (F6)
- R 9. The "Find Your Bus Now" page on the LTA website should be made available at all times. (F5)

## **REQUEST FOR RESPONSES**

Pursuant to Penal Code section 933.05, Section C, the Lake County Civil Grand Jury requests responses from the following individuals:

- Lake Transit Authority Board, R1, R2, R3, R4, R5, R6, R7, R8 (90 days).
- Lake County Board of Supervisors, R1, R2, R3, R4, R5, R6, R7, R8 (90 days).

Responses are to be submitted to the presiding judge of the Lake County Civil Grand Jury via hard copy. The Grand Jury also requests a digital copy in MS Word delivered to the presiding judge as well.

# **LAMPSON FIELD AIRPORT**

All human life can be found in an airport. - David Walliams

Seems like half my anxiety dreams are about airports.  
- Lois McMaster Bujold

# Lampson Field Airport

## Summary

The Board of Supervisors (BOS) and the Chamber of Commerce are working on improving the economy of Lake County via increased tourism. Lake County needs an upgraded airport that we can be proud of, an airport where visitors fly in to sample Lake County wines while enjoying the beautiful scenery, catch a trophy bass, kayak on Clear Lake, hike or bike the trails or just enjoy the fresh air. With the largest natural lake entirely within the state, imagine the positive impact on our economy a first rate airport could have. Lampson Field Airport can be and should be a source of pride for all of Lake County citizens.

Lampson Field Airport (Airport) is the only paved airport in Lake County and serves critical public safety and economic roles; however, it appears to be falling into a state of disrepair.

Several visits were made to the airport and research conducted. The Lake County Civil Grand Jury (Grand Jury) was impressed with the Airport's potential for improving the economy of Lake County; however, the state of the airport is not conducive to attracting out of county pilots. Currently there are deficits in safety, revenues and oversight.

## Background

This investigation was prompted by a written citizen complaint regarding safety at Lampson Field Airport. The Airport is a regional general aviation airport located on 68 acres of land approximately three miles south of Lakeport. The Airport was activated in 1941 and acquired by the County in 1955. The existing runway is 60 feet wide and 3600 feet long with a "B1" rating (see Glossary for definition). Lake County owns two buildings at the Airport. There is private land, adjacent to the County owned land, with several rows of hangers on the north side of the runway and older hangers and buildings on the south side. Several of these hangers are owned by only a few people and most are available for rent. All hangers have a taxiway access to the Airport. There is fencing of various heights in different parts of the Airport. Access to any part of the Airport is unrestricted with extremely low security.

## Methodology

The following documents were reviewed and site visits were conducted:

- Lampson Field Airport Master Plan, June 1993
- Lake County Policy and Procedures Manual

- Lake County Code of Ordinances
- Lake County Comprehensive Economic Development Strategy, 2013
- Department of Public Works spreadsheets
- Department of Public Works Management and staff interviews
- Department of Public Works letters and memos
- Department of Public Works and FAA correspondence
- Mead & Hunt documents
- Public records research of County Assessor/Recorder records
- County Treasurer/Tax collector records
- California Revenue and Taxation Code
- Federal Aviation Regulations
- FAA records
- National Fire Protection Association Codes
- Airport site visits
- Internet research of government websites

## **Discussion and Analysis**

### **Safety**

Fueling at the airport is provided by a private contractor with the fueling station located on private land; however, aircraft are parked on county-owned land during the fueling process. The Grand Jury, while on a site visit of the Airport, noticed that the grounding wire (which is attached to the aircraft during fueling) did not have a proper electrical connection and furthermore, there was a non-retracting wire that was difficult to attach to the airplane, thus discouraging its use. This grounding connection wire is critical to prevent static electricity from starting a fire or explosion during refueling. (The Grand Jury is pleased to report that the old grounding wire system has been replaced with a modern retractable grounding cable.) Grand Jury members also noticed that the required fuel spill kit was housed in a makeshift non weather proof container making the fuel spill clean-up material useless in wet weather. It was noted that the receptacle container for flammable materials did not have a self-closing lid as required by the National Fire Protection Association Code 407 and Article X of Chapter 19 of the Lake County Code.

The runway was recently repaved; however, the taxiway pavement and tarmac have numerous cracks. Some cracks are two to three inches wide, over eight inches deep, and show signs of widening.

The Automated Weather Observing System (AWOS) has been an issue for several years. This system allows pilots to obtain the latest available weather information at the Airport by aircraft radio or by phone. There are several variations of the AWOS System. The basic AWOS-A only reports barometric pressure adjusted altitude, whereas upgrades, such as the AWOS-II or AWOS-III, report on several more critical weather related items including wind speed, cloud cover, wind direction, visibility, and surface temperature.

The old AWOS-II System was unreliable and has been replaced with a basic AWOS-A. Public Works Department has assured the Grand Jury that once the FAA has signed off on the AWOS-A, they are prepared to upgrade to an AWOS-II/III and has already set aside some funds for that purpose. An upgrade of the AWOS System will improve safety of aircraft operations and be very beneficial in attracting more transient aircraft to the airport.

## **Funding**

The airport receives funds from various sources. Among these are daily tie-down fees, monthly tie-down fees, an annual Aeronautical Use Fee (Use Fee), as well as monthly lease payments on two county owned hangers and county, state, and federal funding.

Daily tie-down fees are \$5.00 for single engine aircraft and \$7.50 for multi-engine aircraft. Monthly tie-down fees are \$50.00 per aircraft regardless of the number of engines. A tie-down is an outdoor location, exposed to the weather, where the airplane is securely fastened to rings set in the tarmac.

Daily tie-down fees are to be placed into a payment envelope and then deposited into the payment lockbox. Payment envelopes are either placed on the aircraft by a part time county employee or the envelopes are available for the pilot at the payment lockbox. There is no full time employee on duty at the airport and the envelopes are not always available at the lockbox. There does not appear to be any procedures in place to determine if all transit aircraft parking at the Airport pay the required fees. Monthly tie-down fees are paid at the beginning of each month or pro-rated as appropriate.

The \$500.00 annual aeronautical use fee (also known as a "through the fence fee") is required of any individual or business that engages in aeronautical activity on county-owned land or any land adjacent to county-owned airport property. Aeronautical activity is defined in the Lake County Code Section 19-111.14a as

*"...any activity which involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations. Such activities include but are not limited to: Aeronautical activities within this definitions; repair and maintenance of aircraft; aircraft rental and sightseeing, aircraft sales and services; sale of aircraft parts and accessories; pilot training; charter operations; aerial photography; crop-dusting; aerial advertising and surveying; air carrier operations; sale of aviation petroleum products whether or not conducted in conjunction with other included activities; and any other activities which because of their direct relationship to the operation of aircraft can appropriately be regarded as an aeronautical activity."*

This annual Aeronautical Use Fee was last increased from \$300 to \$500 in fiscal year 2006-2007. In addition to the annual fee the County Code also requires the individual or business to provide "...single limit liability insurance in the amount of one million dollars with Lake County as an additional insured."

Unpaid user fees have resulted in a loss to the county of \$8300.00 not including penalties.

The Department of Public Works sends out past due notices for delinquent Use Fees. The Lake County Policy and Procedures Manual (Section 7 C 1) clearly states that "...collection of all delinquent (overdue in payment) accounts shall be the responsibility of the Tax Collector's office." The manual (Section 7 C 2) also states that "...departments which collect accounts shall transfer all records of delinquent accounts to the Tax Collector's office within thirty (30) days of the date on which the accounts became past due." There has been neither transfer of nor collection of delinquent Use Fees.

One lessee is currently over \$41,333.00 past due in lease payments according to the Airport Billing Recap FY 14/15 (the monthly lease payment is \$1,435.00 per month). There is little or no indication that action has been taken to collect the past due amount.

The FAA Airport Improvement Plan (AIP) grants the county \$160,000 per year for FAA approved airport projects. The FAA allows the county to set aside some or all of its yearly AIP Grants for FAA Approved projects that exceed \$160,000, but sets a maximum limit of \$600,000 accumulation. Lake County has reached that limit, and no additional funds can be awarded until these funds are spent.

The FAA has determined that security fencing around the entire airport is its highest priority use for the AIP funds. Representatives from the Department of Public Works stated to the Grand Jury that in their opinion the security fencing is not necessary and the AIP funds could be better spent on repaving the tarmac and taxiway. However, the Airport Master Plan (AMP) lists the need for security fencing as a high priority and prior Grand Juries have also recommended the need for security fencing. It is also noted that in January 2014, the Department of Public Works contracted with Mead and Hunt, a consulting firm, to conduct a feasibility study to determine the cost and best method of installing security fencing. The results of that study have not been released to the public.

### **Airport Master Plan**

The AMP was written in June 1993 and has not been revised since. The AMP suggests that it should be revised every five years.

A B2 runway as referred to in the AMP would be thicker, 4600 feet long and

75 feet wide thus allowing larger and heavier commercial type aircraft to use the Airport. The B2 rating would also be beneficial in the event of a disaster when larger and heavier aircraft will be needed to bring in supplies. Considering the mountain roads leading into Lake County, the upgrade to B2 rating could be crucial.

In 2011 the County acquired seventeen acres of land south of the taxiway intending to implement the AMP goals of constructing County owned hangers, a fuel station, additional tie downs, and public restrooms. Unfortunately the land has problems meeting sewage requirements and this remains unresolved.

The Grand Jury conducted several onsite visits and concluded that Lampson Field was *not* visitor friendly. The only restroom facility is a port-a-potty. There is little or no information available on site for restaurant or hotel accommodations, no information on taxi service or rental car options. Information on tie-down fees and how to pay them is difficult to locate. No phone numbers are available to report problems or get tourist information. The two hangers on county owned property need repainting and repair.

There is no current active advisory body for the Airport. Creating an Airport Advisory Committee would be beneficial in promoting the airport, reviewing airport policies and procedures, and in generating additional funding to help reach the AMP's goal of self-sufficiency.

## **Findings**

- F 1. Airport fees have not been assessed or collected consistently due to non-compliance of existing policies and procedures.
- F 2. Lease payments are currently delinquent on one hanger, and they have been for an extended period of time.
- F 3. Aircraft fueling operations do not fully meet the required safety standards.
- F 4. There is a general lack of airport security and adequate safety signage.
- F 5. The current AWOS-A system provides inadequate information for pilots.
- F 6. Taxiway and tarmac areas have had little recent preventative maintenance performed.
- F 7. Lampson Airport appears to lack viable goals and objectives for current and future use.
- F 8. There has not been recent action to resolve the sewage issue on the Airport Expansion project

F 9. Since the County and the F.A.A. are currently at an impasse concerning the need for security fencing, and the county has reached the \$600,000.00 limit of the F.A.A. AIP fund, the county is forfeiting \$160,000.00 in additional funding per year until such time as the reserved funds are spent.

## **Recommendations**

- R 1. Department of Public Works and Treasurer/Tax Collector review the Lake County Policy and Procedures, Section 7 Chapter 8, concerning collections of past due accounts and take the appropriate actions to collect all past due accounts for Aeronautical Use Fees and Lease payments. (F1, F2)
- R 2. The Airport Manager should review and equitably enforce the Lake County Codes and Ordinances (Article X of Chapter 19 of the Lake County Code) to all property owners who own property abutting or adjacent to the Airport with access to the taxiway and have any aeronautical activities. (F1)
- R 3. Department of Public Works should (in conjunction with the Fire Department) perform periodic site inspections of hangars, fueling points, and other facilities to ensure the buildings are in compliance with building codes and the National Fire Protection Association Codes. (F3)
- R 4. The transit parking lockbox and envelopes should be made more prominent and available to advise visiting airmen that transit fees are required and must be paid. (F1)
- R 5. Develop a five to ten year plan to perform maintenance to the taxiway and tarmac pavement to address the cracking and washout of the pavement. The worst areas should be repaired first. This would help preserve the existing asphalt until a re-pavement project can be funded and accomplished. (F6)
- R 6. Due to the differences in various listings and reports the County Auditor should perform a special audit of the Department of Public Works accounting system. They should cross-reference the accounts in the Tax Collectors office with the Assessor's Office and Department of Public Works office. (F1, F7)
- R 7. Establish the Airport Advisory Committee to advise the Board of Supervisors of the needs toward maintaining and improving the Airports operation and safety. (F3, F4, F5, F6, F7)
- R 8. Install signs with information on how to report concerns and safety problems, or deficiencies, from both resident and transient airmen. (F3)

- R 9. Continue efforts to upgrade the AWOS-A to an AWOS-II or III to improve the weather reporting system. (F5)
- R 10. Establish a remote office at the Airport for the Airport Manager and maintenance personnel. This would provide a location to perform various administrative duties and function as a physical point of contact. (F4, F7)
- R 11. The Board of Supervisors should review the Aeronautical Use Fee Ordinance, to consider increasing fees based on CPI increases since the last increase of 2009. (F1)
- R 12. Improve the signage indicating the name of the Airport, the name of the Airport Manager, the elevation and contact information. (F7)
- R 13. Install a kiosk which would provide visitors with local information, a lockbox and envelopes for daily tie-down fees, information on public transportation, taxi and car rental information as well as points of interest in Lake County. This should be located prominently in the area of the Transit Parking Area. (F1, F7)
- R 14. Install signage at each taxiway entrance prohibiting autos, trucks, and other vehicles from entering, or crossing the taxiway and active runway in accordance with Lake County Code (Article X, Chapter 19). (F4)
- R 15. The Department of Public Works should expedite the installation of the security fence around the airport. (F4, F9 )
- R 16. The Department of Public Works should actively pursue action to resolve the sewage problems with the property. This will allow for further action to proceed toward the Airport Improvement Plan. (F8)

## **Glossary**

AIP: Airport Improvement Plan.

AMP: Airport Master Plan

AWOS: Automated Weather Observing System

B1: Runways 60 feet wide and aircraft weighing less than 12,500 lbs.

B2: Runways 75 feet wide and aircraft weighing over 12,500 lbs.

FAA: Federal Aviation Administration

IFR: Instrument Flight Rules

102: Lampson Airport's designated identification.

CPI: Consumer Price Index

**NOTE:**

One member of the Grand Jury recused himself from this investigation.

**REQUEST FOR RESPONSES**

Pursuant to Penal Code section 933.05, Section C, the Lake County Civil Grand Jury requests responses from the following individuals:

- Department of Public Works, respond to R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15 and R16 via the Board of Supervisors (90 days).
- Tax Collector, R1, R6 via the Board of Supervisors (90 days).
- Board of Supervisors respond to R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15 and R16 (90 days).

Responses are to be submitted to the presiding judge of the Lake County Civil Grand Jury via hard copy. The Grand Jury also requests a digital copy in MS Word delivered to the presiding judge as well.

# STANDING COMMITTEE



Photo by Debbie Worra of Lakeport

## **2014-15 CONTINUITY COMMITTEE**

In the summer of 2014 members of the 2014-2015 Lake County Civil Grand Jury (Grand Jury) attended the grand jury training offered by the California Grand Jury Association (CGJA). The CGJA recommends that all grand juries have a Continuity Committee to provide continuity and a smooth transition between the out-going and incoming grand juries. In 2014-15 the Grand Jury established the first Continuity Committee in Lake County as a standing committee.

One of the first things a new grand jury must do is to decide which government departments or agencies to investigate (beyond those mandated by law). To facilitate these decisions, the Continuity Committee evaluates the previous year's grand jury Report and the Responses to that report to determine to what extent the departments or agencies followed (or even responded to) the recommendations made in the Final Report. This year's Continuity Committee developed several tools and established new procedures to facilitate both the examination of previous reports and the writing of this year's final report.

One of these tools is titled, "2013-14 Final Report Responses Chart" which lists the agencies and departments investigated that year, the number of recommendations made, the number of responses requested, and the number of responses received. It is our hope that future grand juries will expand on the functionality of this tool to include the extent to which agencies and departments implemented the recommendations made by the Grand Jury.

Another challenge each grand jury faces is to determine the extent to which previous grand juries have investigated any particular governmental department or agency. While the reports and responses of previous grand juries for the last five years are available on the county Grand Jury website, those reports and responses are only available in the Adobe Acrobat PDF format. Most computers cannot search these documents electronically which means that they must be reviewed and evaluated manually.

To address this problem, the Continuity Committee converted the last five years of reports and responses into MS Word documents so that they can be searched electronically and in addition, created a Grand Jury Reports Index (Index) covering the past five years which can be used to identify the subjects of the investigations performed in the past and the years in which those investigations were performed. Now future grand juries can easily determine what (if any) previous investigations have been completed on any topic. A copy of our Index is available in the Appendix and we hope this Index will be as valuable to the public as it will be to future grand juries.

In addition, the Continuity Committee developed or compiled a number of resources, procedures, and forms that facilitate record-keeping and researching for

future grand juries. To ensure the safekeeping of grand jury materials, the committee also established the procedure for providing an off-site back-up of the material on the grand jury computer which will be turned in each year to the Superior Court Judge.

# APPENDIX



The 2014-15 Civil Grand Jury wishes to acknowledge the contribution of "Sanctanimity", artwork by Jake Hogan, age 17, from Kelseyville High School, Lake County winner of the 2015 Congressional Art Competition.

## Grand Jury Final Reports Index: 2010 – 2015

Who	When	Areas Reviewed	Findings
<b>Agriculture Department</b>	2010/2011	In-field grocery store scale and gas pump testing Marijuana dispensaries Website	
<b>Administration</b>	2010/2011	Budget Process External Audits CalPERS Measureable Dept. Goals	Many findings and recommendations
Purchasing Agent	2010/2011	Types of Management Staff Appointed/Elected Availability of Grand Jury complaint forms	
	2009/2010	Budget Quagga Mussel Eradication Reviewed Independent Audit	
	2010/2011	Training Policies and Procedures Use of Assistant PA Fixed Assets Audits Disposal of Assets	
<b>Animal Care and Control</b>	2012/2013	Procedures for responding to complaints	Resident Complaint re: barking dog
	2010/2011	Budget Staffing Euthanasia Rates Overview of facility	
<b>Assessor's /Recorder Department</b>	2013/2014	Citizen Complaint Response	
	2011/2012	Staffing levels Budget	
<b>Behavior Health Services</b>	2010/2011	Computer System and Software Use of outside contractors Finances	Loss of funds due to misuse  Co-mingling of funds
<b>Board of Supervisors</b>	2009/2010	Policies and Procedures	

Who	When	Areas Reviewed	Findings
<p><b>City of Clearlake</b></p>   <p>Animal Control</p> <p>City Council</p>	<p>2011/2012</p>  <p>2009/2010</p>  <p>2010/2011</p> <p>2009/2010</p>	<p>Road Maintenance Staffing</p> <p>City Manager and Finance Director Budget Policy and Procedures</p> <p>Department Overview</p> <p>Diligence – Lowe’s Development Project</p>	
<p><b>Clearlake Police Department</b></p>          <p>Clearlake Police Department Holding Facility</p>	<p>2012/2013</p>      <p>2009/2010</p>   <p>2009/2010</p>   <p>2011/2012</p>	<p>General Procedures Staffing levels Budget</p> <p>Multiple Complaints – Brutality, No “Miranda rights,” civil right violation</p> <p>Loss of Property</p> <p>General Procedures Safety &amp; Security Issues</p>	<p>CPD did not cooperated with Grand Jury or respond to subpoena ordered by the LC Superior Court</p>   <p>Lack of communication between officers caused citizen to lose a large number of items stolen from his home</p>
<p><b>Community Development</b> LC Code Enforcement</p>	<p>2013/2014</p> <p>2012/2013</p> <p>2010/2011</p> <p>2010-2011</p> <p>2010/2011</p>	<p>Department Procedures</p> <p>Code enforcement procedures and inspection certifications</p> <p>Violation of Civil Rights Harassment Lack of Due Process</p> <p>Fiscal/Budget Staffing</p> <p>Complaint Response Procedures Staffing Safety</p>	<p>Citizen Complaint</p>

Who	When	Areas Reviewed	Findings
		Training Illegal Dumping	
<b>County Council</b>	2010/2011	Staffing Budget Conflict of Interest protocol	
<b>Department of Social Services</b> In-Home Supportive Services  Senior Centers  Transitional Housing Program (TTPP) – Through Redwood Children’s Services  Adult Protective Services	2013/2014  2011/2012  2009/2010  2012/2013  2011/2012  2009/2010	Department Procedures  Budget adherence Advisory Committee openings  Fraud Procedures IHSS Advisory Committee  Continuity of Services Marketing  MOU compliance  Overview of Program	Continued need for Committee?      Transitional housing for young adults (16 - 24 years of age) formerly in foster care or otherwise in court system
<b>District Attorney</b>	2012/2013  2011/2012  2010/2011  2009/2010	General office practices Staffing levels Policies & Procedures Manuals Adherence to Brady Policy General office practices Staffing levels Policies & Procedures Manuals Adherence to Brady Policy General office practices Policies & Procedures Manuals Adherence to Brady Policy Response to 2008/2009 Grand Jury recommendations	Follow-up to previous Grand Jury findings    No P&P Manual

Who	When	Areas Reviewed	Findings
Victim Witness Program	2012/2013       2010/2011	General office practices, including ability to provide information re: number of individuals/families served Age and condition of office equipment  Facilities Budget Data re: services provided Data re: clients served	Victim Witness Program
<b>First 5 Commission</b>	2011/2012	Budget	
<b>Health Services Department</b> Environmental Health Division          Public Health Division	2013/2014       2010/2011       2009/2010       2013/2014  2012/2013   2010/2011	Food facility Inspections Waste Management  Financial Reports Fees Operations and Procedures Manual  Overview of Department  Drinking Water Safety  Continuity of Services and Collaboration with other LC Depts.  Policy and Procedure Manual Financial Reports	
<b>Human Resources Department</b>	2011/2012       2009/2010	Departmental Operations Policies and Procedures Memoranda of Understanding (MOU's)  Departmental Operations Policies and Procedures Memoranda of Understanding (MOU's)	

<b>Who</b>	<b>When</b>	<b>Areas Reviewed</b>	<b>Findings</b>
<b>Information Technology Department</b>	2011/2012	Budget County Web Page Mission Statement	
<b>JPA's – all</b>	2013/2014	Definition and list of JPA's operating locally	Follow-up to previous Grand Jury action
	2011/2012	Definition	
	2010/2011	Legal requirements for formation Structure of JPA's State filing requirements	
<b>Kelseyville Fire Protection District</b>	2010/2011	Staffing Budget Training	
<b>Konocti Conservation Camp #27</b> State Prison	2012/2013	General Procedures Community Education	Operated by State of CA Prisons and CALFIRE
	2011/2012	Maintenance Inmate qualifications for transfer to KCC#27	
	2010/2011	Overview of Operation	
<b>Lake County Local Agency Formation Commission (LAFCO)</b>	2012/2013	Adherence to CA LAFCO requirements Budget Staffing	Out of compliance re: reporting requirements
<b>Lake County Sheriff's Department</b>  Lake County Jail	2010/2011	Personal Use of Sheriff vehicles	Citizen Complaint
	2013/2014	Overcrowding Medical Services (Availability)	Prisoner complaint  Effect of overcrowding on ability of medical staff to respond in timely and appropriate manner
	2012/2013	Medical Services	
	2012/2013	Medical Services	

Who	When	Areas Reviewed	Findings
Juvenile Hall	2012/2013	Condition of shower area – A Pod	Response to prisoner complaint re: inoperable showers and mold due to water leaks
	2012/2013	Use of force	Prisoner complaint
	2012/2013	Jail condition and maintenance	Several areas had inoperable equipment – inadequate prevention maintenance
	2011/2012	Medical Services	Prisoner complaint
	2011/2012	Time served calculation	Prisoner complaint
	2011/2012	Education/GED preparation Inmate Welfare Fund	Prisoner complaint
	2011/2012	Access to law library	Prisoner complaint
	2011/2012	Disciplinary Meatloaf - allergy issues	Prisoner complaint
	2011/2012	Eye Glasses Inmate Welfare Fund	Prisoner complaint and resolved
	2011/2012	Kitchen and Meals Education Programs Medical Procedures	Prisoner Complaint
	2010/2011	Medical Services	
	2010/2011	Overview of Facility	
	2009/2010	Inmate Telephone Service Agreement	
	2009/2010	Inmate suicide	Family requested investigation
	2009/2010	Mail delivery	Inmate complaint
2013/2014	Department Procedures		

Who	When	Areas Reviewed	Findings
Holding Facilities <i>Main Court</i> <i>Holding Facility</i> <i>Southlake Holding Facility</i>  <i>Main Court</i> <i>Holding Facility</i> <i>Southlake Holding Facility</i>  Central Dispatch	2012/2013  2011/2012  2010/2011 2010/2011 2009/2010  2011/2012 2010/2011 2010/2011	Intake Procedures/Evaluation of inmates Medical Procedures  General Procedures Discipline  Medical Services  Facilities Meals  Inmate Telephone Service Agreement  General Procedures Safety & Security Issues  Oversight of Facility Safety & Security Issues  Procedures IT Staffing Budget	No written protocol
<b>Lakeport Police Department</b>	2012/2013	Budget Staffing	
<b>Mental Health Department</b>  Alcohol and Other Drug Services	2009/2010  2009/2010	Budget  Budget Compliance Certification	Several negative findings
<b>Other</b>  Mold infestation  Threat by Public Official  Photo Line-up	2010/2011  2010/2011 2009/2010  2010/2011	Investigation into which LC Dept. is responsible for mold health and safety issues  Investigation under oath Referred to 2010/2011 GJ  Identifying perpetrator to victim prior to line-up	Ref: Toxic Mold Protection Act of 2001  Citizen Complaint  Perpetrator Complaint  Citizen Complaint

<b>Who</b>	<b>When</b>	<b>Areas Reviewed</b>	<b>Findings</b>
Citizen Arrest	2010/2011	Lack of response by law enforcement	
<b>PEG Channel (TV8)</b> <i>City of Clearlake</i> <i>County of Lake</i>	2009/2010	Compliance with 2007 Agreement	22 Recommendations No evidence of follow-up
<b>Public Defenders Program</b> Lake Legal Defense Services, Inc.    Public Defender Program Oversight Committee	2013/2014  2009/2010  2010/2011	Review of Contract/MOU with contracted provider  Review of Contract/MOU with contracted provider  Policy and Procedures	Poor rating
<b>Public Services Department</b>  Museums  Ely Stage Stop   East Lake Landfill	2010/2011  2013/2014  2011/2012  2011/2012	Staffing Budget  Marketing Materials  Budget ADA Compliance  Budget General Procedures Compliance with AB939 Web Page	
<b>Public Works Department</b> Water Resources Department    Water Resources Dept. – <i>Middle Creek Project</i>	2013/2014  2011/2012  2012/2013  2011/2012	Drinking Water Safety  Algae management  Project timeline and advancement re: efforts  Staffing levels Budget Policies and Procedures Pavement Management	Resident complaint  Middle Creek Flood Damage Reduction and Ecosystem Restoration Project

<b>Who</b>	<b>When</b>	<b>Areas Reviewed</b>	<b>Findings</b>
Corporation Yard		Program	
<b>Redevelopment Agency</b>	2009/2010	Enabling law Local Area Plan	
<b>Special Districts Administration</b>	2013/2014	Drinking Water Safety Waste Management	
	2012/2013	Procedures for responding to complaints	In response to resident complaint re: water turnoff
CLO County Water District	2012/2013	Procedures for responding to complaints	In response to resident complaint re: annual assessment
Hidden Valley Lake Community Service District	2010/2011	Fiscal Practices Political Environment Staffing and Salaries Purchases Rate Increases Water Quality	Citizen Complaints (2)
	2012/2013	Procedures Budget Issues Rates Consolidation feasibility	
10 Largest independent water Districts and 10 dependent water districts	2009/2010	Budget Staffing	
Redbud Health Care District			
<b>Treasurer-Tax Collector Department</b>	2011/2012	Staffing Clarification of Dept. duties (collection of taxes, fines, fees, etc.) Office procedures/equipment	Follow-up to previous Grand Jury findings
	2010/2011	Budget Audit of change fund Staffing	

<b>Who</b>	<b>When</b>	<b>Areas Reviewed</b>	<b>Findings</b>
		Safety Issues Accounting Software	

## 2013-14 Final Report Requested Responses Chart

<b>Department/Agency</b>	<b>Areas Reviewed</b>	<b>Recmndtns</b>	<b>Request for Responses</b>	<b>Recvd f. dept</b>
<b>Assessor's /Recorder Department</b>	Citizen Complaint Response	1	Assessor/Recordr	1
<b>Community Development</b> LC Code Enforcement	Department Procedures	5	District Attorney, County Admin., Comm. Dev. Dir.	5
<b>Department of Social Services</b> IHSS	Department Procedures	2	DA, Prob. Dept., Soc. Serv. Dept.	2
<b>Health Services Department</b> Environmental Health Division Public Health Division	Food facility Inspections Waste Management Drinking Water Safety	2 4 2	Health Servs/ Environ. H. Dir. Environ. H., Div. Hlth. Servs., Pub Works	2 4 2
<b>Lake County Sheriff's Department</b> Lake County Jail Juvenile Hall	Overcrowding Medical Services (Availability) Department Procedures Intake Procedures/Ev al of Officers	1 1	LC Sheriff, DA, Lkprt PD Clearlake PD. Chief of Probation	1 1
<b>Public Defenders Program</b> Lake Legal Defense Services	Review of Contract/MOU with providers	1	none	1
<b>Public Services Department</b> Museums	Marketing Materials	5	Museum curator, LC Admin. Office Marketing Div., Pub. Serv. Dir.	5



**COUNTY OF LAKE**  
**LAKE COUNTY GRAND JURY**  
P.O. BOX 1078  
KELSEYVILLE, CALIFORNIA 95451

**COMPLAINT FORM**

WHEN COMPLETED – MAIL THIS FORM TO THE ABOVE ADDRESS  
**ALL COMMUNICATIONS TO THE GRAND JURY ARE CONFIDENTIAL**

This complaint should be submitted after all attempts to resolve a situation have been explored unsuccessfully.

Person or agency your complaint is about

Name and Title

Organization

Address

(707) -

Telephone

My complaint is: (be as precise as possible, providing dates, times, and names of individuals involved. Describe more specific instances instead of making broad statements. Attach any available photographs, correspondence or documentation which pertains to this complaint. Use extra sheets as necessary.)

Other persons or agencies you have contacted about this complaint.

Describe the action you wish the Grand Jury to take.

Using additional sheets, provide any further information you feel may be helpful in an investigation.

COMPLAINANT:

Name (please print)

(707) -

Telephone

CA -

Address

City

State

Zip Code

Signature

Tuesday, April 17, 2007

Date

*Your confidentiality will be vigorously protected. All complaints will be acknowledged promptly.*

Please read additional instructions attached.

**COUNTY OF LAKE**  
**LAKE COUNTY GRAND JURY**  
**FURTHER INFORMATION REGARDING CITIZENS COMPLAINTS**

Anyone may ask the Grand Jury to investigate a complaint. The Grand Jury will review all complaints received from the public and, when appropriate investigate those complaints which contain allegation of wrong doing or misconduct. While the Grand Jury will accept and review each complaint this is no assurance that the matter will be officially investigated or any formal action taken. The following procedures govern the submission and processing of such complaints.

A formal complaint should be prepared after all attempts to correct a situation have been explored unsuccessfully.

All complaints should be submitted in writing, dated and signed by the complainant. Anonymous complaints are usually given less weight by the Grand Jury in deciding what to investigate.

Complaints may be submitted by letter, but this complaint form is preferred. Upon request, members of the Grand Jury will assist citizens with the preparation of the complaint form.

**Content of a complaint**

Whether or not the standard complaint form is used, the following information should be included if at all possible:

- Name, address and telephone number of the individual or organization the complaint is against.
- If the complaint is against an individual in an organization, include the individual's title or position in the organization.
- Describe the problem as clearly as possible.
- Be as concise as possible, including dates, times, and names of individuals involved.
- Cite specific examples as opposed to broad general accusations.
- Attach any available evidence such as correspondence, documentation, photographs, etc..
- Include the name, address and telephone number of the person preparing the complaint. Please state all efforts or action taken to resolve the complaint up to this time. All materials, photos, statements, documents or other evidence will be retained for confidentiality by the Grand Jury.

**Confidentiality**

The Grand Jury is forbidden by law to release any information about a complainant or about any investigation that may be in progress. The confidentiality of the person making the complaint is rigorously protected.

The Grand Jury will study each complaint submitted. Each complaint will be acknowledged by letter as soon as possible after it is received. After studying the complaint, the Grand Jury will determine if further investigation should be undertaken.

The Grand Jury may call on the complainant for further information or clarification of the complaint.

## Lake County Civil Grand Jury Complaint Guidelines

Receipt of all complaints will be acknowledged by mail. A complaint does not necessarily result in an investigation or issuance of a report. A report will only be issued in the Grand Jury's formal, final report published at the end of its term, usually June 30<sup>th</sup>. You will not necessarily receive any further communications from the Grand Jury.

The jurisdiction of the Civil Grand Jury includes the following:

- Consideration of evidence of misconduct by public officials within the County of Lake,
- Inquiry into the condition and management of jails within the County,
- Investigation and reports on the operations, accounts and records of the officers, departments or functions of county and cities including special districts created by state law.

Some complaints are not suitable for Jury action. For example, the Grand Jury does not have jurisdiction over judicial performance, actions of the court or pending litigation. Grievances of this nature must be resolved through the established judicial system. The Grand Jury has no jurisdiction or authority to investigate federal or state agencies or private enterprise. Only causes of action occurring within Lake County are eligible for review. Except in rare cases when a Grand Jury determines to "roll over" an investigation from one year to the next, each year's Grand Jury begins its investigative/oversight process anew.

### **PROCESS FOR FILING A COMPLAINT OR REQUEST FOR INVESTIGATION**

Any private citizen, governmental employee or officer may ask the Lake County Civil Grand Jury to conduct an investigation. This complaint must be in writing and is treated by the jury as confidential. The Grand Jury will determine whether the complaint is suitable for jury action. Any request for investigation must include detailed evidence supporting the complaint or request for investigation. If the Grand Jury believes that the evidence is valid and sufficient to support the complaint, a detailed investigation may be held. The written complaint should cover the following points:

- Specifically who or what agency is the complaint against
- What is the nature of the complaint
- What action was improper or illegal
- When and where did the incident(s) occur
- What were the consequences of this action
- Why/how. Attach relevant documents and correspondence with dates.
- Sign form. Unsigned complaints may receive less or no attention.

Additional information about the Grand Jury is also available on the jury's website:  
[http://www.co.lake.ca.us/government/grand\\_jury.htm](http://www.co.lake.ca.us/government/grand_jury.htm)

Rev. 12/10/14



7. Other Specialized Training: \_\_\_\_\_

**LEGAL QUALIFICATIONS**

- |                              |                             |  |                              |                             |   |
|------------------------------|-----------------------------|--|------------------------------|-----------------------------|---|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | I am a US Citizen and at least 18 years old.   | <input type="checkbox"/> Yes | <input type="checkbox"/> No | I have been convicted of malfeasance in office or a felony. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | I will have been a resident of Lake: County for at least 1 year by next July 1.                              | <input type="checkbox"/> Yes | <input type="checkbox"/> No | I am presently serving as an elected public officer.        |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | I am in possession of my natural faculties, of ordinary intelligence, of sound judgment, and fair character. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | I understand the spoken and written English language.       |

8. List any organization(s) in which you are presently and/or have been active over the past five years.

Name of Organization	Purpose	Duties	Dates
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

9. Prior County Grand Jury Service: Yes \_\_\_\_\_; County: \_\_\_\_\_ Year(s): \_\_\_\_\_  
Prior Federal Grand Jury Service: Yes \_\_\_\_\_; No: \_\_\_\_\_

10. An appointment to the Lake County Grand Jury generally demands attendance at Grand Jury plenary sessions, an assignment to two committees, regular attendance at committee meetings, and extensive investigative duties. If appointed to the Lake County Grand Jury, how many hours each week can you devote to these responsibilities? \_\_\_\_\_

11. Do you have a disability or illness which would have to be accommodated in order to allow your full participation in Grand Jury activities? \_\_\_\_\_ If yes, please explain. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Do you currently hold a civic elective position (school board, commission, etc.)? \_\_\_\_\_  
If yes, please list the identity of the agency, position held and term of expiration date. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Why would you like to serve on the Grand Jury?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. What departments of County or City government or County/City services, if any, do you believe warrant closer scrutiny, and why?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. Are you or your spouse now, or have you ever been employed by a governmental body or agency, and if so in what capacity?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Penal Code Section 903.2, I understand an investigation that will include a criminal record check will be conducted to help determine my eligibility to serve as a Grand Juror. I further understand that if my name is drawn as a Grand Juror or as an alternate, I may be required to attend grand jury training; if I am seated as a Grand Juror, I will be available to attend grand jury meetings and devote the required time to complete grand jury work for one year, from July through June. I further understand that if my name is drawn as an alternate, I will remain available for one year to serve as a member of the grand jury if called upon.

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

Dated: \_\_\_\_\_  
(Please insert date signed)

Signature: \_\_\_\_\_  
(Please sign your name here)

**For statistical records, please mark appropriate boxes.**

Age Range; specifically:  18-25  26-34  35-44  45-54  55-64  65-74  75 and over

Gender:  Male  Female

Race or Ethnicity:  American Indian or Alaskan Native  
 Asian  Black or African American  
 Hispanic/Latino  Native Hawaiian or other Pacific Islander  
 White (Anglo)  Other Race or Ethnicity (Please state \_\_\_\_\_)  
 Decline to Answer

Place of Residence by Supervisorial District:  
 District 1  District 2  District 3  District 4  District 5

Please return application to: Lake County Superior Court

Lakeport Division      Clearlake Division  
255 N. Forbes St.      7000 A South Center Dr.  
Lakeport, CA 95453      Clearlake, CA 95422



Photo by Bruce Maxwell of Lakeport

**Lake County Grand Jury  
5250 Second Street  
Kelseyville, CA 95451  
(707) 279-8619 or Fax (707) 279-1983**

**Obtain Complaint Forms online at:  
[www.co.lake.ca.us/residents/law/complaints.htm](http://www.co.lake.ca.us/residents/law/complaints.htm)**

**Review current or past Grand Jury Final Reports  
and department or agency responses online at:  
[www.co.lake.ca.us/Government/Boards/Grand\\_Jury.htm](http://www.co.lake.ca.us/Government/Boards/Grand_Jury.htm)**