



County of Mendocino Grand Jury
(707) 463-4320
www.mendocinocounty.org/government/grand-jury

grandjury@mendocinocounty.org
Post Office Box 939
Ukiah, CA 95482

Mendocino County Civil Grand Jury Report Response Requested

Date: June 3, 2020

Dear Carmel Angelo, CEO Mendocino County:

Your response to the report by the Mendocino County Civil Grand Jury, The Emergency Communications System In Mendocino County, is requested and a copy is attached. Please submit your response within 90 days. A copy of Penal Code §933.05 is included for your review.

Penal Code §933.05 requires the following:

- A signed and dated response
- Responses, other than agreement, must include an attachment with justification for the answer
- When a response includes “has been implemented” or “will be implemented,” a timeline must be provided
- When a response includes “needs further analysis,” it requires an explanation of the scope and parameters of the planned analysis with a timeframe not to exceed six months
- When a recommendation “will not be implemented because it is not warranted and/or not deemed reasonable,” an explanation must be attached

Penal Code §933.05(f) specifically prohibits disclosure of the contents of this report by a public agency or its officers or governing body prior to the release to the public. The report will be released to the public and posted on the grand jury website two (2) or more business days after the date of this letter.

If you have any questions, please contact the Grand Jury at grandjury@mendocinocounty.org or 707-463-4320.

Sincerely,

Fred Branson, Foreperson

2019-2020 Mendocino County Civil Grand Jury

REQUESTED RESPONSE FORM

Page 1 of 2

Grand Jury Report Title : The Emergency Communications System In Mendocino County

Report Dated : June 3, 2020

Your Response is REQUESTED no later than 90 days from the report date.

I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:

- I (we) agree with the Findings numbered:
F2, F3, F5, F7

- I (we) disagree wholly or partially with the Findings numbered below, and have *attached* a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.
F1, F4, F6, F8, F9, F10

I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:

- The following Recommendation(s) have have been implemented and *attached, as requested*, is a summary describing the implemented actions:
R1, R2, R5

- The following Recommendation(s) have not yet been implemented, but will be implemented in the future; *attached, as requested*, is a time frame for implementation:
R3

- The following Recommendation(s) require further analysis and *attached, as requested*, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)
R6

REQUESTED RESPONSE FORM

Page 2 of 2

- The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable; **attached, as requested**, is an explanation therefore:

R4 _____

I have completed the above responses, and have attached, as requested the following number of pages to this response form:

Number of Pages attached: 4

I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: www.mendocinocounty.org/government/grand-jury. The clerk of the responding agency is required to maintain a copy of the response.

I understand that I must submit this signed response form and any attachments as follows:

First Step: E-mail in pdf file format to:

The Grand Jury Foreperson at:

grandjury@mendocinocounty.org

The Presiding Judge:

grandjury@mendocino.courts.ca.gov

Second Step: Mail all originals to:

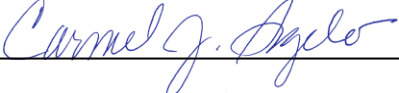
Mendocino County Civil Grand Jury

P.O. Box 939

Ukiah, California 95482

Printed Name: Carmel J. Angelo

Title: Chief Executive Officer

Signed:  Date: 9/10/20

SUMMARY OF PENAL CODE §933.05

Penal Code §933.05 provides for only two (2) acceptable responses with which agencies and/or departments (respondents) may respond with respect to the **findings** of a Grand Jury report:

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the findings, *in which case the respondent shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.*

Penal Code §933.05 provides for only four (4) acceptable responses with which agencies and/or departments (respondents) may respond with in respect to the **recommendations** of the Grand Jury.

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be in the future, with a timeframe for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis, with a timeframe for the matter to be prepared for discussion by the officer or head of the agency/department being investigated or reviewed, including the governing body of the public agency when applicable. *This timeframe shall not exceed six (6) months from the date of publication of the Grand Jury Report.*
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with a detailed explanation therefore.

However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected official, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department. (Penal Code §933.05(c))

Confidentiality Notice: This electronic mail transmission may contain privileged and/or confidential information only for use by the intended recipient(s). Any usage, distribution, copying or disclosure by any other person, other than the intended recipient is strictly prohibited and may be subject to civil action and/or criminal penalties. If you received this transmission in error, please notify the sender by reply email or by telephone and immediately delete this email transmission and any attachments contained in this email.

Email is covered by the Electronic Communications Privacy Act, 18 USC SS 2510-2521 and is legally privileged.

FINDINGS

F1. County leadership has not published a strategic plan for the maintenance, upgrade, and replacement of the system. This has allowed the ECS microwave equipment to continue at end of life with an increasing number of outages,

Partially disagree. The Board of Supervisors adopted the IT Master Plan in November 2018. The IT Master Plan identified upgrades and replacements to the County's Public Safety Communication Radio System. The plan was discussed and recommendations given to the Board of Supervisors during the presentation in October 2019 outlining the phased in approach to provide needed upgrades.

F2. With an increasing ECS failure rate, as shown in the graph on page 3, every emergency the County faces puts first responders at even greater risk.

Agree.

F3. There is substantial building degradation at the remote sites (vaults), and deferring the needed site upgrades puts any new ECS equipment in jeopardy.

Agree. There has been substantial degradation at three of the nine remote sites.

F4. The lives of Mendocino County residents depend on the integrity of the remote microwave-radio buildings. By de-prioritizing these buildings, the County is not well positioned to protect the Life, Health, Safety, and Welfare of its residents through the ECS.

Partially Disagree. The Board of Supervisors has approved and prioritized projects on the ECS. The three buildings with degradation issues are currently identified in the 5-year Capital Improvement Plan.

On October 22, 2019, the Board of Supervisors accepted a presentation regarding an assessment and needs of the County's Public Safety Communications Microwave Radio System. This presentation included building needs. On November 19, 2019, the Board approved first quarter adjustments that included \$200,000 for Waterproofing and deferred maintenance repairs at repeater sites.

Over the past two years, the Board has approved \$200,000 for emergency repairs and upgrades to the San Hedrin Power Line. Three of the nine County owned or leased buildings have building degradation. The building with degradation are identified in the CIP 5 year plan and have been worked on as the Board of Supervisors approves funding. County utilizes a combination of Contractor services as well as County staff to complete this work. Recent work on ECS includes:

1. San Hedrin – Building owned by United States Forest Service (USFS). Facilities has made repairs to exterior windows making them weather proof, has installed additional 1000 gallon propane tank to increase run time during power outages. Added electrical circuits to establish interior room for movement of radio equipment. Items remaining at this site include replacement of the roofing membrane, replacement of metal siding panels, painting of concrete block with elastomeric sealer, and repairs to interior structures.
2. San Hedrin Power Line. Currently working on a hazardous tree removal and power pole replacement project (estimated at \$130,000) to replace six of the 28 wooden power poles that have degraded and sustained "bear" damage, and removal of seven large high hazard dead or damaged pine trees adjacent to the line.

3. Spanish – In FY 2019-2020 completed exterior painting of the block building with an elastomeric sealer. Items left for this site include replacement of electrical conduit inside of building that has degraded because of condensation issues and interior paint.
4. Pt Arena Air Force Base (AFB) – Building owned by United States Air Force (USAF). Funding was added in FY 2019-20 to expand the microwave ring. Currently moving building locations. New location is a seven story concrete building. No known roofing leaks at this time. Upgrades to building include installation of electrical utility to new location with electrical service to top story of building, Installation of new radio/microwave equipment, installation of new back up emergency generator and transfer switch.

Facilities and IS meet weekly to coordinate improvements to the Public Safety Microwave radio systems and monthly to discuss issues affecting the Departments.

F5. The current BOS faces a planning scenario similar to the 2007 and 2009 BOS, including impending risks to funding due to the current economic situation. Tabling funding for the new microwave system and infrastructure upgrades a second time will impact Mendocino County residents' safety.

Agree.

F6. By not actively pursuing chargebacks for co-location from participating entities at remote microwave sites, the County is losing a potential revenue stream to augment funding for the new system.

Partially disagree. The Board of Supervisors directed Information Services to prepare a Public Safety Microwave Radio cost recovery plan. Information Services staff have been working with the IT Ad-Hoc on different cost recovery models and will be presenting recommendations to the Board.

F7. By not using the work order system consistently to track maintenance and repairs, there is no supporting documentation for accurate forecasting and budgeting.

Partially Agree. Information Services and Facilities are working together to assess work order processes and identify what modifications can be made to improve tracking. There are several budget forecasting resources that are currently utilized by Information Services and Facilities; however, the resources require that the technical budgeting be done simultaneously to the maintenance and capital project improvement budgeting.

F8. The separate tracking and reporting systems used by Facilities and IS do not interface. This inhibits communication between the two departments and severely limits a coordinated effort to maintain remote sites and associated ECS microwave equipment.

Disagree. Facilities and Information Services have different tracking and reporting systems because the Departments have different tracking and reporting requirements. Facilities and Information Services meet weekly to coordinate improvements to the Public Safety Microwave radio systems and monthly to discuss issues affecting the Departments.

F9. The lack of cross training within IS and little formal documentation of maintenance procedures put the ECS at risk by leaving the department without a sufficient number of qualified technicians to manage the County's investment.

Partially Disagree. Information Services increased internal resources by adding one fulltime Communications Technician. Information Services is continuing efforts to cross train staff. Information Services has a significant amount of existing documentation and resources on the complex Public Safety Communications Microwave Radio System. Information Services is analyzing existing documentation and identifying appropriate updates.

F10. While the GJ found budgeted line items for Phase 2, Phase 3, and the sheriff's console relocation and replacement, in the IT Master Plan it found no evidence of committed funding by the BOS. This leaves all residents and first responders vulnerable.

Disagree. The Board of Supervisors has committed \$5,929,474 in IT Reserve funding to date towards IT Master Plan projects; of that, \$3,769,858 in funding to improvements to the Public Safety Communications Microwave Radio System including Phase 1 and 2. The Board also dedicated \$400,000 for building and infrastructure improvements. Completion of these two phases is anticipated within FY 21-22. Information Services will be presenting funding options for Phase 3 to the Board of Supervisors through the County's budget process.

RECOMMENDATIONS

R1. the BOS commit funding for Phase 2 and Phase 3 of the Public Safety Microwave Replacement Project and replacement of the sheriff's dispatch console. (F1, F5, F10)

This recommendation has been partially implemented; although Phase 3 funding will require further action by the Board of Supervisors. The Board of Supervisors has committed \$3,769,858 in funding towards improvements to the Public Safety Communications Microwave Radio System including Phase 1 and 2. The Information Services will be bringing funding recommendations for Phase 3 to the Board of Supervisors through the County's budget process.

R2. the Executive Office classify structures housing ECS equipment with the same priority as buildings housing people to ensure the required maintenance issues are promptly addressed. (F3-F4)

This recommendation has been implemented. Structures housing ECS equipment are critical to the County infrastructure and upon receipt of information regarding needed attention issues are addresses quickly and thoroughly.

R3. both IS and Facility departments utilize the existing work order system for all maintenance and repairs of the ECS and associated remote sites to promote accurate forecasting and budgeting. (F7)

This recommendation has not yet been implemented, but will be implemented in the future. Information Services and Facilities are developing procedures to formalize criteria for work order processing between the Departments. Information Services and Facilities are working together to promote accurate forecasting and budgeting.

R4. as part of Phase 2 of the ECS replacement, the Wiki and work order systems be replaced with a single, index-based system used by both departments which would create efficiency in tracking projects and work orders. (F8)

The following recommendation will not be implemented because it is not warranted. The Information Services Wiki is a documentation system and is not used for work order processing. Information Services

and Facilities meet weekly to coordinate improvements to the Public Safety Microwave radio systems and monthly to discuss issues affecting the Departments. However, Information Services and Facilities are working together to assess work order processes and identify what modifications can be made to improve tracking.

R5. IS develop maintenance procedures for the ECS equipment and documented maintenance schedules. This would support efficiencies in equipment repair and maintenance and facilitate training of new technicians. (F9)

This recommendation has been implemented. Information Services has a significant amount of existing documentation and resources on the complex Public Safety Communications Microwave Radio System. Information Services is analyzing existing documentation and identifying appropriate updates and has developed schedules accordingly.

R6. the County pursue co-location chargebacks for revenue as recommended in the 2009 Grand Jury report 'Out With The Old And In With The New'. (F6)

The following recommendation requires further analysis and action by the Board of Supervisors. The Board of Supervisors directed Information Services to prepare a Public Safety Microwave Radio cost recovery plan. Information Services staff have been working with the Board of Supervisors' IT Ad-Hoc on cost recovery models and will be presenting recommendations to the Board during the FY 2020-21 First Quarter Budget report.