

**MENDOCINO COUNTY  
GRAND JURY  
2004-2005**

**FINAL REPORT**





July 7, 2005

The Honorable Eric Labowitz  
Presiding Judge, Superior Court  
100 North State Street, Room 303,  
Ukiah, Ca. 95482

Reference: 2004-2005 Mendocino County Grand Jury Final Report

Dear Judge Labowitz:

The 2004-2005 Mendocino County Grand Jury herewith submits its final report in fulfillment of its oath and charge. This report contains the result of investigations required by law, suggested by citizen complaints, or generated by the Grand Jury itself. Thirty eight citizen complaints were received. Some citizen complaints submitted late in the term were referred to the incoming 2005-2006 Grand Jury for their consideration.

Budget constraints and the search for cost-effective solutions were constant themes running throughout the departments. The Grand Jury also noted a general lack of supervision of some county departments. Of particular interest is a report containing Department head responses to a series of budget-related questions and a report considering the change from a chief administrative officer to a chief executive officer in Mendocino County.

In the course of its work this past year, the Grand Jury has interviewed numerous local citizens, most of them current or former employees of the County and of other local governments. The Grand Jury extends its gratitude and admiration for the dedicated work being done by the overwhelming majority of people we interviewed.

I would like to thank the members of the Grand Jury who put in the hundreds of hours of dedicated and skillful service that has created this report. I would urge others interested in contributing to our community to consider service on the Grand Jury - especially if they have ever been inclined to complain about county services.

The Grand Jury performs important work in diligent public oversight of our elected officials and government agencies for the citizens of Mendocino County. It has been a great honor for me to have served on the 2004-2005 Mendocino County Grand Jury.

Sincerely,

*Kathy Wylie*

Kathy Wylie  
Foreperson



Mendocino  
County  
Grand Jury  
2004-2005

Teresa Casillas	Paul Jack	Bev Robison
Peggy Clinton	Jean Jahr	JoAnn Salisbury
Ken Dennis	Dan Lowden	Benj Thomas
Robert Gardner	Jessica Lowden	David Vilner
Nancy Gray	Barbara Madden	Kathy Wylie
Richard Hurst	Al Pierce	

The Final Report was issued by the Grand Jury on June 21, 2005

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code §929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.

# Mendocino County Grand Jury

## Final Report 2004-2005

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**BOLD** indicates that the Report contains Department Responses

(Remaining Department responses will be published in October 2005 and available at the Grand Jury website: <http://www.co.mendocino.ca.us/grandjury/>)



## **Report on the County Clerk and Assessor's Office** (February 28, 2005)

### **SUMMARY**

As part of its obligation to conduct periodic reviews of County agencies, the Grand Jury performed an oversight of the Office of the County Clerk and Assessor.

### **BACKGROUND**

According to the mission statement of the Clerk and Assessor, "The combined offices are responsible for a wide range of services. Our mission is to carry out the legal requirements in a manner resulting in equitable and fair treatment of all County Taxpayers, to maintain and preserve the public's records in a secure and easily accessible environment for retrieval by the public and to promote public confidence in the administration of fair and impartial elections." The office performs an extensive and varied number of functions on behalf of the County and its residents, including maintenance of property and voter rolls, assessment of real and personal property, issuing of licenses, recording of births and deaths, and the conduct and tallying of local, state, and national elections.

### **METHODOLOGY**

The Grand Jury visited the Clerk/Assessor's Office and conducted interviews of office personnel. It reviewed documents pertaining to the organization and performance of the duties of the office.

### **FINDINGS**

1. The office of the Clerk has a total permanent staff of nine.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

2. Staff turnover is higher at the lower paid, entry level positions than among more senior personnel.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors)** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

3. To the fullest extent possible, functions of the Clerk's Office are computerized in a very technology-intensive environment.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

4. A portion of the document processing fees goes to pay for up-to-date technology.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

5. The remainder of revenues from the Office goes into the County General Fund.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

6. Requests for information and documents are met in a timely fashion.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

7. Despite a considerable increase in recent years in the volume of work, the Clerk's Office has functioned without an increase in staffing for the last 20 years.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

8. The conduct of County elections by the Clerk's Office has gone smoothly despite the increasing complexity of the process.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

9. The conduct of elections depends heavily on a well-organized group of temporary hires.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

10. Election results, sent by modem from the polling places, are now available almost immediately after the closing of the polls at the Clerk's Office and the Mendocino County website.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

11. Safeguards for a fair election process appear to be both adequate and appropriate.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

12. Between elections voting machines are warehoused in two separate facilities, one of which has a leaky roof.



**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (General Services):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the responses of both departments.

13. The Assessor's Office has an authorized staff of 24 permanent workers and supervisors.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

14. The Assessor's Office is increasingly computerized, enabling it to handle the workload much more efficiently.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

15. Shortage of staff in the Assessor's Office, particularly those with specific skills, is a serious problem, leading to a grievous overburdening of existing personnel.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

## ***RECOMMENDATIONS***

1. The Grand Jury recommends that the Board of Supervisors require the Department of Human Resources to perform desk audits for workers in the Clerk/Assessor's office to determine the appropriateness of current salaries for those jobs. (Finding 2)

**Response (County Clerk/Assessor):** This recommendation requires further analysis. I have met with the Human Resources Director regarding the shortage of adequately skilled employees in the Assessor's office as well as desk audits for workers in the Clerk/Assessor's office to determine the appropriateness of current salaries of these jobs. I believe it is appropriate for Human Resources to perform desk audits and determine the appropriateness of current salaries of these jobs.

**Response (Human Resources):** The Human Resources Department is prepared to review the job classes which are voted as high turnover (Staff Assistant I) and shortage of skilled staff (Auditor Appraiser) to determine if the positions are properly classified and compensated. The Human Resources Department has a backlog of over 30 positions requiring classification review, but these positions will be given a higher priority.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this recommendation. The Human Resources Department will perform desk audits for the classifications unique to the County Clerk/Assessors Office and will research salary levels for those positions. This work will be completed by January 1, 2006 and the results will be presented to the County Clerk/Assessor, as well as the Board of Supervisors for their consideration.

2. The Grand Jury recommends that election machines be stored in one secure, structurally sound facility. (Finding 12)

**Response (County Clerk/Assessor):** This recommendation requires further analysis. I have met with the General Services Director regarding the storage election machines in one secure, structurally sound facility. Currently, the Accu-vote optical scan ballot counters are stored in the County Clerk-Recorder-Elections designated section of the storage facility adjacent to the County Administration Center at 501 Low Gap Road while the voting booths and optical scan ballot boxes are maintained in a storage shed with a leaky roof in back of the General Services Department. The optimum solution would be to have all of our election equipment stored in the storage facility adjacent to the County Administration Center. However I recognize that this storage facility has already been partitioned out to other departments and there is now not room to expand our space. The General Services Director has therefore agreed to make space available in the General Services warehouse to store election voting booths and ballot boxes. The General Services warehouse is secure and structurally sound.

**Response (General Services):** This recommendation requires further

analysis. General Services has met with County Clerk-Recorder/Assessor Marsha Wharff to review the situation and discuss alternatives. We agree that the current storage location at General Services for the ballot boxes and portable voting booths is inadequate in that the ballot boxes are required to be stacked three high and that the metal roof over the storage area needs to be repaired. To resolve that situation, we have agreed to create an adequate and secure storage area for this equipment within the General Services warehouse.

The electronic ballot tabulators are currently stored in the Clerk-Recorder/Elections' designated portion of the new storage facility adjacent to the County Administration Center at 501 Low Gap Road. This area is adequate and secure and convenient to the Elections office, and therefore preferable to the General Services warehouse. There is not additional space available in the new storage facility for all of the elections equipment, and therefore General Services is not able to implement the Grand Jury's recommendation that all "elections machines" be stored in one secure, structurally sound facility. Instead, as noted above, pursuant to our understanding with the Clerk-Recorder, the equipment will be housed in two separate but secure and structurally sound facilities.

The Clerk-Recorder anticipates the delivery of some number of computerized, touch-screen voting "booths" in the near future. Prior to such delivery, General Services and the Clerk-Recorder will collaborate on a plan to ensure that this equipment is adequately and securely warehoused in a location convenient and acceptable to the Clerk-Recorder.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this recommendation in part. The County Clerk/Assessor and Department of General Services have developed a viable proposal for improved storage of election equipment. This proposal would address the issue of protection of equipment from the elements, but would utilize two locations rather than one. This solution is acceptable to the Board.

3. The Grand Jury recommends that further efforts to address the shortage of adequately skilled employees in the Assessor's office be undertaken. (Finding 15)

**Response (County Clerk/Assessor):** This recommendation requires further analysis. I have met with the Human Resources Director regarding the shortage of adequately skilled employees in the Assessor's office as well as desk audits for workers in the Clerk/Assessor's office to determine the appropriateness of current salaries of these jobs. I believe it is appropriate

for Human Resources to perform desk audits and determine the appropriateness of current salaries of these jobs.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this recommendation. The Board notes that the County Clerk/Assessor is currently working with the Human Resource Department on addressing the shortage of adequately skilled employees in the Assessor's Office.

***COMMENTS***

The astute use of technology by the office of the Clerk/Assessor has mitigated the effect of budget cuts that have had such a negative impact on many County agencies. The Grand Jury commends the administration of the office for both the overall efficiency and helpfulness demonstrated in the workplace.

***RESPONSES REQUIRED***

Mendocino County Board of Supervisors  
Mendocino County Clerk/Assessor

***RESPONSES REQUESTED***

Director of Human Resources  
Director of General Services



## **ANIMAL CARE AND CONTROL COMPLAINT REPORT** (May 6, 2005)

### ***Summary***

Following receipt of a complaint by county residents describing a less than optimal experience in interaction with staff at the Mendocino County Animal Care and Control (ACC), the Grand Jury attempted to verify the report and recommend steps to avoid such incidents in the future.

### ***Background***

The Mendocino County ACC Mission Statement asserts that the Department will “serve the citizens of Mendocino County by providing animal regulation services that promote public safety, health and responsible pet ownership and deliver these services in a timely, courteous, professional and cost effective manner.”

The Grand Jury responded to a citizen complaint which seemed to indicate that representatives of the Department might have acted in disregard or without knowledge of this statement. During the process of retrieving their two dogs from the Ukiah ACC, the complainants were given misinformation, treated with insensitivity and a lack of professionalism, and recovered their dead animal by entering the incinerator and removing the pet from a pile of dead animals.

### ***Methodology***

In the course of investigating the complaint, the Grand Jury interviewed ACC personnel, a local veterinarian, and the citizens who lodged the complaint. The Grand Jury also researched the Policies and Procedures manual of the Department, toured the Ukiah Animal Control facility, and consulted various records, documents and memorandums pertaining to State and County Animal control policies and ordinances.

### ***Findings***

1. Mendocino County ACC utilizes both paid staff and volunteers in the day-to-day functioning of the Ukiah facility.
2. The ACC Policy and Procedures manual was revised thirteen years ago (1992).
3. While all new ACC employees may be asked to read the Policy and Procedures within one or two weeks of hire, records indicate that verification of this reading is inconsistent.

4. ACC volunteers are not required to become familiar with the Policy and Procedures.
5. There are three microchip scanners available at the Ukiah facility to assist in pet identification, one at the front desk, one in the clinic and one in the back room where animals are euthanized.
6. An unidentified dog brought to the Ukiah facility would be scanned for a microchip within a time frame which can be as long as 24 hours.
7. A dead dog brought to the Ukiah facility might or might not be scanned for a microchip.
8. It is unclear whether a dead dog arriving at the Ukiah facility would be placed in the freezer or in the incinerator.
9. The incinerator at the Ukiah facility is kept locked and must be unlocked by a staff member for a specific purpose.
10. It is unclear whether an owner, under ACC procedures, might be allowed by an employee or a volunteer to retrieve a dead animal from the incinerator prior to a burning.
11. The incinerator at the Ukiah facility may contain, at any given time, dead animals which are color-coded as possible biohazards.
12. It is unclear whether an owner attempting to recover a dead animal would be offered, by an employee or volunteer, a plastic bag in which to carry the remains.
13. The ACC Policy and Procedures manual, as currently written, does not contain specific references to the urgency of scanning dogs immediately for a microchip and the importance of scanning all dogs received at the facility.
14. The ACC Policy and Procedures manual, as currently written, does not contain specific regulations regarding who may enter the incinerator to retrieve a dead animal.

### ***Recommendations***

1. Grand Jury recommends that all ACC employees be required to read and develop a working knowledge of the Policy and Procedures manual within two weeks of hire and that verification of this task be timely and consistent. (Findings 2,3)

2. The Grand Jury recommends that the Policy and Procedures manual distinguish between tasks that volunteers may do and tasks only to be performed by trained staff. (Findings 1,2,3,4)
3. The Grand Jury recommends that ACC volunteers become trained in and knowledgeable of those sections of the Policy and Procedures manual which pertain to tasks appropriate to their status. (Findings 1,2,4)
4. The Grand Jury recommends that relevant changes in State and County policy be immediately communicated to staff and volunteers as well as added to the Policy and Procedures manual. (Findings 1,2,3,4)
5. The Grand Jury recommends that the Policy and Procedures manual be reviewed and revised on a biannual basis by a panel of ACC employees and volunteers; the manual should be displayed and available for use by all employees, volunteers and clients of the ACC. (Findings 2,3,4,14,)
6. The Grand Jury recommends that the pages of the Policy and Procedures manual be numbered sequentially and that they be dated to reflect updates. (Finding 2)
7. The Grand Jury recommends that the Policy and Procedures manual contain clear guidelines which prevent anyone other than an ACC employee from entering the incinerator. (Findings 11,12,)
8. The Grand Jury recommends that all dogs be scanned upon arrival at the ACC facility, regardless of their condition, and that the scanning occur before a dog is placed in a cage, freezer or incinerator. (Findings 6,7,8,14)

### ***Comments***

Whatever the circumstances, the death of a pet is a difficult, often traumatic experience for the owner. The treatment of a bereaved owner by a government agency which must often deal with such incidents should be, at the very least, professional.

Two owners living outside Ukiah Valley learned from other sources that their two dogs, one unharmed and one dead, had been taken by an ACC employee to the city facility. They left phone messages indicating their desire to retrieve both pets. Although both dogs carried microchips, there is no indication that either was scanned at the Ukiah facility. Upon arrival, they were told at the reception desk that the dead dog was in the freezer. Indeed, the Grand Jury was told that an



identified dead animal would be kept in the freezer until the owner is reached, then released to the owner or burned.

When one of the owners was directed to the rear of the facility, he was told by another staff member that his animal was in the incinerator. The door was opened, his dead pet was pointed out, and the owner himself entered the incinerator to retrieve the dog. He was not offered, as a courtesy, a container such as a large plastic bag in which to carry the remains to his car.

The Grand Jury recognizes the important and necessary work of Animal Care and Control workers. Spaying and neutering programs, the rescue of strays, organization and promotion of the adoption process are all vital services to this community. The Grand Jury believes, however, that those services would be improved by clear and concise guidelines in a Policy and Procedures manual disseminated to all staff members and volunteers.

Finally, when saddened owners arrive at the facility to recover a dead pet, Mendocino County citizens expect courtesy and professionalism from ACC employees and volunteers. The Grand Jury would hope, in addition, that such clients be shown sensitivity and understanding.

***Response Required***

Mendocino County Board of Supervisors

***Response Requested***

Mendocino County Chief Executive Officer  
Director, Department of Animal Care and Control

**WET KENNELS AND LOW MORALE  
ANIMAL CARE AND CONTROL REPORT** (June 16, 2005)

***Summary***

Several problems found through previous oversights of the Mendocino County Animal Care and Control Department (ACC), particularly in the areas of management, staff training, and public service, continue to cause concern within the County. Care of animals and euthanasia protocols at the Ukiah facility also surfaced as issues in the course of this year's investigation. Recommendations include new and previously stated ideas for improvements.

***Background***

The Animal Care and Control Complaint Report, published recently by the 2004-2005 Grand Jury, dealt with a specific incident at the Ukiah facility. During the course of that investigation, however, the Grand Jury was alerted to other problems, some of long standing, which seem endemic at the facility. An unhealthy hierarchy of retribution and intimidation between management and staff seems to pervade the entire ACC. County employees, past employees, professionals and volunteers in animal care and the community at large all recognize the need for change in this County Department and express hope that the Board of Supervisors will step forward to exercise their oversight responsibility.

***Methodology***

The Grand Jury interviewed a number of persons both directly and indirectly associated with the ACC, County officials and various clients of the Department. The Jury toured both the Ukiah and Fort Bragg facilities and consulted both State and County documents regarding animal control and welfare, including reports published by prior Grand Juries.

***Findings***

1. In the past, the Board of Supervisors has exercised only indirect oversight of the ACC; oversight and evaluation responsibility was assigned to the County Administrative Officer, but neither the intent of the Board nor the oversight practices of the CAO's office has been apparent to the public.
2. A flawed management style in which both favoritism and intimidation are used to keep employees unsettled creates a culture of fear at the ACC which affects work efficiency, staff interaction and, inevitably, treatment of the animals housed at the facility.

3. The ACC Policies and Procedures manual omits or imprecisely describes many procedures which are performed frequently, even daily, by staff and/or volunteers. (See ***ACC Complaint Report 2004-2005 Grand Jury.***)
4. As a result of Finding 3, there is a potentially dangerous gap between procedures and “practices”. The “practices” are described by employees as verbal or understood instructions which vary in application and consistency.
5. Education and training of ACC employees is sporadic and inconsistent; some employees may receive formal training, others receive informal and often insufficient training onsite, still others receive little or no training for mandatory tasks.
6. There are no funds in the latest ACC budget allocated to education and training. While it is possible that this is the result of a bookkeeping procedure, it may also reflect the lack of priority given to these activities within the Department.
7. CHAMELEON, a highly rated, complex and expensive software specifically designed for use by agencies such as ACC, is underused by the County Department, primarily due to a lack of employee training.
8. While the ACC advertises itself as “working towards eliminating euthanasia”, there is no stated and transparent policy regarding the definition of an “adoptable” animal. Which employees make these decisions and what guidelines are followed are not clear; the “unadoptable” animal faces euthanasia.
9. The situation described in Finding 8 makes it impossible to measure the degree to which ACC euthanizes animals which private animal shelters and rescue groups might judge as adoptable.
10. Euthanizing animals as a necessary professional activity is rated statistically as one of the most stressful tasks an employee is asked to perform. There is no evidence that ACC offers any formal counseling and/or debriefing to employees who must routinely euthanize animals at the Ukiah or Fort Bragg facilities.
11. Both the ACC Administration and numerous additional witnesses have testified that generating revenue is the primary goal of the department.

12. Beds, although available, are not used in the Ukiah ACC facility, forcing dogs to sit, stand and lie on cold, often wet, concrete floors. This situation, which can be injurious as well as uncomfortable, arises because facility attendants complain of extra work required in cleaning cages which contain beds.

### ***Recommendations***

1. The Grand jury recommends that the Board of Supervisors ensure the formation of a Citizen's Advisory Committee to oversee the Department of ACC. (Findings 1,2)
2. The Grand Jury recommends that the Ukiah ACC facility utilize the beds at their disposal; dogs in all cages must have a dry place off the concrete available to them. (Finding 12).
3. The Grand Jury recommends that the ACC give education and training for employees a high priority in budget expenditures; a skilled, proficient staff should mean a more efficient use of ACC software and equipment and reduce staff turnover in the Department. (Findings 3, 4, 5, 6, 7).
4. The Grand Jury recommends that the ACC institute formal stress management procedures to meet the needs of those staff members who are involved in the euthanasia process. (Finding 10).
5. The 2003-2004 Grand Jury recommended that the ACC "develop a positive working relationship with the Humane Societies." These non-profit groups were encouraged to reciprocate. This Grand Jury reiterates this recommendation and, in addition, strongly urges the ACC to utilize licensed, non-profit animal shelters and rescue groups in a concerted effort to promote adoption rather than euthanasia. (Findings 8,9, 12).

### ***Comments***

The management of the ACC appears to be primarily committed to showing a profit, in contradiction to its Mission Statement. This may explain the ACC's reputation in the animal welfare community as more interested in collecting fees from those groups offering adoption services than in finding good homes for as many animals as possible.

Too many clients are met with hostility and rudeness at the front desk of the Ukiah facility; too many employees serve multiple probations which seem more a means of staff control than a time for education and training; too many

directives to employees are verbal and inconsistent rather than clearly codified in written form to which all can refer; too many animals are designated as “unadoptable” for reasons that are unclear and/or arbitrary.

It is true that the Board of Supervisors has the ultimate responsibility for the management philosophy and style of every County Department. As stated in Recommendation 1, however, the Grand Jury strongly urges the Board to form a community advisory committee to facilitate public scrutiny of a troubled Department.

***Responses Required***

Mendocino County Board of Supervisors

***Responses Requested***

County Executive Officer  
Director, Mendocino County Animal Care and Control  
President, Mendo-Lake Veterinary Medical Association

## **SUMMARY**

In response to citizen complaints, the Grand Jury performed an investigation of the Mendocino County Public Library.

## **BACKGROUND**

The Mendocino County Library has been at the center of conflict and controversy, much of it public, for several years. Some of this is the result of difficult budget decisions, but a number of other problems have arisen. Recent changes in the administration of the Library may have opened the way for some improvements in working conditions, but there remain important questions about the way in which the troubles in the Library were handled.

## **METHODOLOGY**

The Grand Jury visited the Library and conducted interviews of current and past Library personnel as well as other county government officials. Additionally the Grand Jury interviewed private citizens well informed on conditions in the Library system. We reviewed documents and Internet materials.

## **FINDINGS**

1. The Library Director's and Administrative Assistant's offices are located in the Ukiah Branch.
2. Strong, supportive and creative volunteer groups such as the Friends of the Library have provided vital services and financial support throughout the Mendocino County Library system.
3. The Libraries have functioned remarkably well as a result of the dedication of many hard-working employees.
4. In comparison to similar California counties, Mendocino County has a very high proportion of County residents who hold library cards.
5. Under recent administration, employee morale, particularly in the Ukiah branch, has been a serious on-going problem.
6. The Bookmobile was out of service during much of 2004, for lack of a qualified driver.
7. Over the last five years, a substantial number of grievances have been filed with the County and the Union by Library employees.
8. There was a significant failure to follow through on a negotiated mediation agreement within the Library Department, involving library personnel and administration, a representative of the Human Resources Department, and a representative from the Service Employees International Union (SEIU).
9. There have been inadequate audit functions within the County Library to account for cash receivables.

The Board of Supervisors (BOS) failed to complete the mandated annual performance review of Library administration.

10. Collectively and individually, members of the BOS received many written and oral complaints about conditions in the Library.
11. The BOS failed to respond to a survey of Library personnel that disclosed serious management problems in the department.

## **RECOMMENDATIONS**

1. The Grand Jury recommends that consideration be given to the appropriate location of the offices of the Library Director and Administrative Assistant. (Finding 1)
2. The Grand Jury recommends that cash receivables be handled in dual custody (two individuals working together to handle, verify and record cash transactions), thus providing an audit trail, and that transportation of funds be assigned to bonded employees. (Finding 9)
3. The Grand Jury recommends that the Library Administration make every effort to ensure that the Bookmobile, a treasured resource for County residents in the outlying areas, provides continuous service to County residents. (Finding 6)
4. The Grand Jury recommends that the BOS create a policy and procedure to ensure that grievances and mediation agreements between employees and/or County management are tracked to guarantee compliance and resolution. (Findings 5, 7, 8, 12)

## **COMMENTS**

All but one of the recommendations above address practices to be followed within the library. The Grand Jury chose to write only one recommendation that responded to the broader and more important issue of supervision.

The troubles in the Mendocino County Library system were in part the result of poor management within the department, but the supervisory system within the County government failed utterly to respond to warning signs that were plain from the beginning. The Department of Human Resources, the Chief Administrative Officer and the BOS were unable to intervene in any effective manner. These officials are all heavily burdened with multiple responsibilities, but their inaction had consequences for the County, for its employees, and for the patrons of the Library, that were real, considerable, and expensive.

The buck stops with the BOS, as they would be the first to admit. The supervision of department administrators requires both time and specific training, both in short supply for our Supervisors. The creation in March 2005 of the position of the Mendocino County Chief Executive Officer is being touted as a fix for the problem of evaluation and performance review of department heads, as well as general oversight of department functioning. The Grand Jury joins the citizens of Mendocino County in hoping that this will be the case.

Our libraries are a grievously under-funded enterprise. When it comes to bang for the buck, money invested in the Library system yields extraordinary returns that

are both intangible and material. This free service to County residents enriches the lives of all who use the system, particularly those of school age. At a time when other services must be cut back, additional funding for the library could help to address some of the pervasive inequities in our society.

**RESPONSE REQUIRED**

The Mendocino County Board of Supervisors

**RESPONSE REQUESTED**

Director, Mendocino County Library  
Director, Department of Human Resources  
Mendocino County Chief Executive Officer  
Director, Mendocino County Office Local 707, SEIU





## ***Budget Impact Report*** (June 1, 2004)

### ***Summary***

The Grand Jury asked all 28 Mendocino County department heads to respond to a seven-question survey regarding the impact of the recent budget cuts on each department. The questionnaire and the responses received are included in this report.

### ***Background***

In 2004 the Mendocino County Board of Supervisors voted to impose an 8% overall budget reduction for most County agencies. The Grand Jury voted to create and publish a report that would convey to taxpayers the impact of such a significant cut on the 28 agencies which provide services to the County. The ultimate impact, of course, is on the residents.

### ***Methodology***

The Grand Jury reviewed the County of Mendocino Final Budget for fiscal year 2004-2005, then designed seven relevant questions and a letter to explain the purpose of the survey to department heads. As the responses were received, the Grand Jury asked the advice of the County Counsel's office as to the legality of publishing the information verbatim. Counsel agreed, permission was asked of and given by each department head, and the jury prepared the material for publishing.

### ***Findings***

1. The Final Budget for fiscal year 2004/05 including total appropriations was \$169,614,835.00.
2. The Final Total Budget reduction for 2004-2005 was \$13,853,748.00, which was an 8% reduction over the previous year.
3. The Final Budget states that over the last four years departments have been required to reduce their resources by approximately 41%.
4. The Final Budget states that the largest source of revenue is State and Federal government funding amounting to 53% of the budget.
5. The Final Budget states that 48% of the total budget goes to health and human services, 24% to public protection, 14% to general government (Administration), 7% to roads and bridges, 1% to education and recreation and 6% to other (Farm Advisory services, Debt service commitments and contingency funds).

## ***Recommendations***

- 1 The Grand Jury recommends that the Board of Supervisors (BOS) and the Chief Executive Officer consider this report and its attachments as a valuable overview of the budget crisis across all the county departments. (Findings 1,2,3,4,5)
- 2 The Grand Jury recommends that the BOS move beyond the practice of publishing the minutes of their meetings to fully inform the public about developments in the budget process. (Findings 1,2,3,4,5)

## ***Comments***

The Grand Jury wishes to thank all the County government personnel who had a hand in preparing responses to the survey. Without their work, there would be no report.

We hope that our fellow residents, in reading this report, gain a clearer picture of the effects of State budget decisions on County governments, of County decisions on Mendocino residents, and the need at each level to assign priorities wisely.

## ***Department Head Survey Questionnaire***

1. In the 2004/05 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?
2. Explain what impact(s) the budget reductions have had on your department.
3. What adjustments(s) are you making in your department as a result of budget cuts? What projects, personnel, or services have been curtailed or diminished?
4. What other sources of revenue does your department receive? (List dollar amount(s) and sources.
5. If the budget cut was restored to your department, what would be the first action taken by you as department head?
6. How would a budget cut of similar magnitude in the future affect your department? What projects, personnel, or services would be curtailed or diminished?
7. In a perfect world, what changes would you make that may or may not be within the scope of your department to save the county money?

## **COUNTY DEPARTMENTS**

- |                             |   |
|-----------------------------|---|
| 1. Administrative Office    | 16. Library*  |
| 2. Agriculture              | 17. Mental Health*  |
| 3. Air Quality Management   | 18. Museum  |
| 4. Animal Care and Control* | 19. Planning and Building   |
| 5. Assessor/Clerk-Recorder* | 20. Probation*  |
| 6. Auditor-Controller       | 21. Public Defender   |
| 7. Child Support Services   | 22. Public Health   |
| 8. County Counsel           | 23. Risk Management   |
| 9. Clerk of the Board       | 24. Sheriff*  |
| 10. District Attorney       | 25. Social Services   |
| 11. Farm Advisor            | 26. Transportation  |
| 12. General Services        | 27. Treasurer-Tax Collector   |
| 13. Grand Jury              | 28. Water Agency  |
| 14. Human Resources         | *Subject of 2004-2005 Grand Jury Report                                 |
| 15. Information Services    | <b>All Actual Department Responses Attached as Appendix 1 (Pg 118).</b> |

### ***Response Required***

Mendocino County Board of Supervisors

### ***Response Requested***

All Mendocino County Department Heads



***There's a Change in the Weather*** (June 30, 2005)

***A Report on the New Position of Mendocino County Chief Executive Officer***

**SUMMARY**

In response to citizen questions and concerns, the Grand Jury looked at the changes anticipated as a result of the shift from a County Administrative Officer (CAO) to a County Executive Officer (CEO).

**BACKGROUND**

On March 1, 2005 the Board of Supervisors (BOS) passed by a unanimous vote an ordinance (No. 4140) creating the position of CEO. Associated with the announcement of the change from a CAO was the expectation that the CEO will supervise and evaluate the work of County agencies more effectively than the BOS has been able to in the past.

**METHODOLOGY**

The Grand Jury reviewed job descriptions and Ordinance 4140 and conducted numerous interviews of both county personnel and others not currently serving in government.

**FINDINGS**

1. Reports published earlier this year by the Mendocino County Grand Jury (on Animal Control and the Library) cited the failure of the BOS to exercise proper and sufficient control over the administration of those departments. The same criticism occurs in a number of Grand Jury reports from previous years.
2. Under the new organization, the BOS retains direct supervisory responsibility only for the Clerk of the Board, the County Counsel and the CEO. All other County agencies are ultimately the responsibility of the BOS but will be supervised by the CEO.
3. The language in the ordinance, which does not clearly assign responsibilities for supervision of departments, leaves considerable room for confusion and misinterpretation.
4. Mendocino County Supervisors are elected officials who do not necessarily have the training and expertise to be personnel managers.
5. The CAO's office had seven funded positions in the 2004-5 County budget.
6. There is no anticipated increase in staffing for that office under the CEO.
7. The CEO is an at-will employee of the County – that is, his employment may be terminated at any time by a vote of the BOS.

**RECOMMENDATIONS**

1. The Grand Jury recommends that the BOS and the CEO, with the County Counsel, devote ample time to the drawing up of lines of authority and responsibility, in particular with regard to the supervision of agency directors.

2. The Grand Jury recommends that the BOS step back from the management of individual departments as well as the hiring, retention and evaluation of department heads, in order that the CEO may do his job without undue interference.

## **COMMENTS**

“Policy and personnel management don’t mix,” as one interviewee observed. The creation of the CEO position is clearly intended to provide for better management and, in the process, allow the BOS to focus on policy without the added friction brought on by difficult personnel issues. Agency directors may be relieved, in fact, by having to report to one person rather than a Board, but the change should also mean that a coherent and consistent management process will be in place.

Whether or not the BOS will give the CEO the power to manage effectively remains to be seen. If the Board meddles and micro-manages, then the change will have brought no improvement. Put another way, we will be no worse off than we were before, but no-one thinks that’s a good option.

The BOS has, in fact, a lot invested in the success of the CEO; at this point, the CEO has therefore considerable power to establish a good working environment. In addition to his relationship with the BOS, the CEO needs to make himself available to the public who deserve to know more about the person who takes this new position.

There are some who fear that the CEO position will act to insulate further the County government from the public and thereby make County officials less responsive to public needs and wishes. The Grand Jury understands that concern.

The important questions about lines of authority have to be worked out carefully. That such questions are still pending is inevitable, as this venture into a new kind of administration is a work in progress, with details to follow. It has been undertaken by County officials who are seeking to make changes in an organization that badly needs change.

Supervisors, as well as outside observers, are unanimous in their agreement that politics and conflict have diminished the effectiveness of the BOS in the past. We can only hope that those days are over and that this group has realized that the budget crisis, along with all the other crises, demands cooperation and effective action. The decision to create the CEO position supports that hope.

## **RESPONSE REQUIRED**

Mendocino County Board of Supervisors

## **RESPONSE REQUESTED**

Mendocino County Chief Executive Officer  
Mendocino County Counsel

## ***Form 700, Conflicts of Interest & Fair Political Practices***

(July 1, 2005)

### ***Summary***

The objective of this Grand Jury investigation was to review the Form 700 conflict of interest filing requirements for Mendocino County Grand Jury members.

### ***Background***

Grand Jurors have questioned whether the Form 700 filing requirement is an appropriate and necessary disclosure of potential conflict of interest. Initially, several Grand Jurors refused to sign Form 700; all eventually signed except two Jurors who were subsequently discharged from the 2004/05 Grand Jury by the Presiding Judge, upon advice from County Counsel, on April 26, 2005.

### ***Methodology***

The Grand Jury made visits to various county offices and had meetings and correspondence with the county Board of Supervisors, members of the Mendocino County Court Staff, the District Attorney's office, the County Counsel staff, the Clerk-Recorder's Office, the County collections office, the Presiding Judge, the California Grand Juror's Association, the Fair Political Practices Commission (FPPC), and private citizens.

### ***Findings***

1. Form 700 is a public document which discloses economic interest, and is required by Mendocino County Ordinance to be completed, signed and filed at the Clerk-Recorder's office.
2. The Form 700 filing is required within 30 days of both assuming and leaving office. An annual statement update is also required by April 1st each year. Form 700 information can be found on the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov).
3. Government Code §87100 covers conflict of interests matters for public officials. It outlines procedures which must be followed by an official on a matter of conflict before any discussion or vote is taken on the matter.
4. Pursuant to Section 4 of the County Standard Code, "designated employees shall file statements of economic interests with the Mendocino County Clerk/Elections Department where they will be retained".
5. Grand Juries are considered local government agencies, and as such are required to file Form 700.
6. Form 700 filing is monitored by the California FPPC using the most recent legislation which became effective January 1, 2003.
7. The Mendocino County Grand Jury Procedures manual requires that every Grand Juror file Form 700 in accordance with the Grand Jury Conflict of Interest Code and County ordinance. The Mendocino County Grand Jury adopted their Conflict of Interest Code in compliance with the Political Reform



8. Act of 1974, Gov. Code §87100, which was approved on March 21, 1989 by the Mendocino County Board of Supervisors.
9. Under current County ordinance, failure to file Form 700 is a misdemeanor.
10. The Form 700 filing requirement was not disclosed to potential jurors during the Grand Jury application process for the 2004/05 Grand Jury. The Form 700 filing requirement was disclosed to 2004/05 Grand Jurors on the afternoon of the swearing-in ceremony when jurors were impaneled.
11. The Grand Juror application form has been amended by Court staff to include Form 700 filing requirement for all Grand Jurors.
12. Correspondence from the office of the Mendocino County Clerk-Recorder stated that the "Government Code § 91013 imposes a \$10 per day fine up to a maximum of \$100 for the late filing of a Statement of Economic Interest. Persons who receive adequate notice of their filing requirement prior to the filing deadline and nevertheless file late, but who file within 30 days after receiving a reminder to file notification are eligible to have their fine reduced or waived if they have no prior history of filing late". The Clerk-Recorder's office may turn claims over to a collection agency. The collection agency may file a legal action to enforce payment of the fine and obtain a judgment to collect the fines.
13. The FPPC has the authority to levy additional fines upon a failure to file Form 700.
14. There is no public mechanism other than Form 700 to determine possible conflicts of interest on the part of Grand Jurors.

### ***Recommendations***

1. The Grand Jury recommends that no changes be made to the Form 700 filing requirements for Grand Jurors. (Findings 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13).
2. The Grand Jury recommends that each Grand Jury Foreperson ensure timely filings of Form 700 by all Grand Jurors. (Findings 5, 6, 7, 8, 9, 10, 11, 12, 13).

### ***Response Required***

Mendocino County Board of Supervisors  
Mendocino County District Attorney  
Mendocino County Counsel

### ***Response Requested***

Mendocino County Clerk-Recorder

## **Safe-surrender Sites for Abandoned Newborns** (December 29, 2004)

### **Summary**

***“Every safely surrendered infant is a success.”***

-- Garrison Frost, LA County's First Five Commission

Sparking the label “No Shame, No Blame,” the State of California acted in 2001 to amend the Health and Safety Code and the Penal Code to ensure that parents or individuals who have lawful custody of a child could deliver an unwanted newborn infant safely and without penalty to welcoming and prepared institutions. The objective of the Grand Jury investigation was to examine Mendocino County's response to this legislation.

The Grand Jury found that some effort had been made to protect these innocent lives. For the most part, however, nothing has been done by the Board of Supervisors (BOS) to ensure that **safe-surrender sites** have been established and publicized in Mendocino County.

It is the hope of this Grand Jury that this report will help to make all hospitals safe surrender sites. In addition, it is recommended that 911 emergency phone calls be dispatched appropriately to address safe surrender emergencies. The State of California provides free educational materials in English and Spanish to all counties. The Grand Jury urges the BOS to ensure that these materials are placed in locations in which they will be readily available to those in need, and to take all necessary steps to comply with this legislation.

### **Background**

Pursuant to California Health and Safety Code §1255.7 (A), "A location designated by the BOS of a county to be responsible for accepting physical custody of a minor child who is seventy-two hours old or younger from a parent or individual who has lawful custody of the child and who surrenders the child pursuant to §271.5 of the Penal Code."

In 2001, the State of California passed Health and Safety Code §1255.7 for the express purpose of trying to save the life of a newborn baby by allowing a parent or individual who has lawful custody of the child to deliver the child to a **safe-surrender site**. Other counties have designated public and private hospitals and fire stations as **safe-surrender sites**.

On July 6, 2004, the Associated Press reported, "Since California emergency rooms began accepting unwanted newborns with no questions asked, in three years fifty-six babies have been safely surrendered. But ninety-eight other newborns have been found alive and abandoned – often in dangerous conditions – and authorities say many young women still have not heard about this bill." There is no legal responsibility for anyone who surrenders an infant to a safe-surrender site. (Penal Code §271.5) If a newborn is abandoned anywhere other than at a **safe-surrender site**, then the parent or individual who has lawful

custody of the child who unlawfully abandons the infant is subject to criminal prosecution.

### ***Methodology***

During the months of August and September 2004, the Grand Jury queried the Board of Supervisors to determine what sites had been designated as **safe-surrender sites** within Mendocino County. The Grand Jury made visits to various county offices for statistical information and to hospitals within the county to determine if they were aware of Health and Safety Code §1255.7. The Grand Jury also visited fire stations, food banks, and various public and private service agencies.

### ***Findings***

1. As of September 2004, the BOS has taken no action to designate "safe-surrender" sites in Mendocino County.

**Response (Sheriff):** The Sheriff has no reason to doubt this finding; however we have not conducted an independent examination of the Board of Supervisors' meeting records. The Department therefore can neither agree nor disagree with this finding.

**Response (Public Health):** The Department disagrees in part with this finding because the law automatically designates hospitals as surrender sites. The posters and literature that Public Health received from the State Health and Human Services Agency when the law went into effect state "Parents are permitted to bring a baby within 3 days of birth to any hospital emergency room or other designated safe haven in California." In Mendocino County, hospital emergency rooms are thus identified as the county's safe-surrender sites.

**Response (Social Services):** The Department disagrees in part with this finding because the law automatically designates hospitals as surrender sites. Mendocino County has three automatically designated surrender sites: Howard Memorial Hospital, Mendocino Coast District Hospital and Ukiah Valley Medical Center. The law requires any additional surrender sites, such as fire stations, to be designated by the board of supervisors. The Mendocino County Board of Supervisors has taken no action to designate any additional surrender sites.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Public Health and Social Services Departments, in that law does automatically designate hospitals as surrender sites. No further board action has been taken on designating additional surrender sites without the need for further information in regards to the legitimacy of this action.

2. There have been no reports of abandoned or surrendered newborns within Mendocino County.

**Response (Sheriff):** The Department agrees with this finding as it relates to records maintained by the Mendocino County Sheriff's Office. The Department neither agrees nor disagrees with the finding as to reports maintained by other agencies.

**Response (Public Health):** The Department agrees with this finding. Public Health has received no reports of abandoned or surrendered newborn infants.

**Response (Social Services):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department, Public Health and Social Services Departments.

3. The Adventist Health System distributed information regarding the law via email on or about September 2001, to all 21 California Member Hospitals when this Bill was passed in to law, including Howard Memorial Hospital and Ukiah Valley Medical Center.

**Response (Sheriff):** Without benefit of the documents reviewed by the Grand Jury, the Department can neither agree nor disagree.

**Response (Public Health):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Social Services):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree without further information.

4. While the Mendocino Coast District Hospital in Fort Bragg was aware of the code, no formal action had been taken to supply services dictated by the Abandonment of Newborns Bill. At the time of the grand jury's investigation, there had never been a newborn surrendered to the hospital; the executive that the Grand Jury interviewed felt this was not something to be overly concerned about. The executive was able to locate Health and Safety Code §1255.7 in the hospital's manual and said they would be able to take the proper steps if the need arose.

**Response (Sheriff):** Without further information, the Department can neither agree nor disagree with this finding.

**Response (Public Health):** This information was provided by another

agency. Without additional information the Department can neither agree nor disagree.

**Response (Social Services):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree without further information.

5. Ukiah Valley Medical Center has neither shown a readiness nor taken the initiative to supply services dictated by the Abandonment of Newborns Bill.

**Response (Sheriff):** Without further information, the Department can neither agree nor disagree with this finding.

**Response (Public Health):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Social Services):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree without further information.

6. Howard Memorial Hospital in Willits is in complete compliance with the Abandonment of Newborns Bill. The Emergency Department has posters and brochures as well as the safe-surrender site state emblem, which are visible and available to the public. The emergency room has prepared newborn abandonment packets that are readily accessible if needed. This hospital is the only hospital in the county that has performed in-house training for all personnel.

**Response (Sheriff):** Without further information, the Department can neither agree nor disagree with this finding.

**Response (Public Health):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Social Services):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree without further information.

7. Under current procedures, an emergency call to 911 to report an abandoned newborn is referred to law enforcement, resulting in a response by a uniformed officer.

**Response (Sheriff):** The Department agrees with this finding as to the procedures of the Sheriff's Office, however there may be some confusion regarding use of the term, "abandoned." The surrender of a newborn in accordance with the safe-surrender laws is not a crime. The abandonment of a newborn is a felony, and an immediate response by law enforcement is essential to protect the child and begin a criminal investigation.

**Response (Public Health):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Social Services):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree without further information.

8. The educational literature regarding safe surrender, while provided free of charge by the state, does not list local safe-surrender sites.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Public Health):** The Department agrees with this finding. The posters and literature that Public Health received from the State Health and Human Services Agency when the law went into effect state "Parents are permitted to bring a baby within 3 days of birth to any hospital emergency room or other designated safe haven in California." In Mendocino County, hospital emergency rooms are thus identified as the county's safe-surrender sites, although the specific hospital names and addresses are not identified.

**Response (Social Services):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department, Public Health and Social Services Departments.

9. This educational literature was found only at Howard Memorial Hospital and the Fort Bragg Police Department.

**Response (Sheriff):** Without further information, the Department can neither agree nor disagree with this finding, except to say that, at the present time, the Sheriff's Office does not have a supply of safe-surrender educational literature. The point the Grand Jury makes in this finding is well-taken. A supply of this literature will be ordered for Sheriff's Office facilities.

**Response (Public Health):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree. Mendocino County Department of Public Health received posters and literature from the State Health and Human Services Agency

when the law went into effect. Posters in English and Spanish have been and continue to be prominently displayed in the Ukiah Public Health Clinics waiting area at 1120 S. Dora Street where clinic services for Family Planning, pregnancy testing, sexually transmitted infections, and immunizations are provided. The posters have also been displayed in the Ukiah WIC clinic waiting area. Public Health Nursing staff from Family Planning; Maternal, Child and Adolescent Health; Field Nursing; and WIC programs were provided with information about the Safely Surrender Baby Law in 2001 or 2002 at staff meetings when the posters and literature were received from the state. Information on the Safely Surrender Baby Law is provided to public health clients by staff as appropriate.

**Response (Social Services):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree without further information.

10. The Grand Jury found that no fire station in Mendocino County is manned 24 hours a day seven days a week.

**Response (Sheriff):** The Department disagrees with this finding. The City of Ukiah Fire Department and Ukiah Valley Fire Department are both manned 24-hours a day, 7-days a week. Other fire stations within the county are manned 24/7 during fire season.

**Response (Public Health):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Social Services):** This information was provided by another agency. Without additional information the Department can neither agree nor disagree.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

11. The Abandonment of Newborns Bill is due to expire Jan 1, 2006.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Public Health):** The Department agrees with this finding.

**Response (Social Services):** The Department agrees with this finding. The law will be repealed on January 1, 2006, unless subsequent legislation extends or repeals that date.

**Response (Board of Supervisors):** The BOS agrees with this finding.

## **Recommendations**

1. The Grand Jury recommends that the BOS designate all hospitals within Mendocino County to be "safe-surrender sites". (Finding 1).

**Response (Sheriff):** This recommendation is directed to the Board of Supervisors.

**Response (Public Health):** The recommendation will not be implemented because it is not warranted or is not reasonable. The Safely Surrender Baby Law already identifies all hospital emergency rooms as safe-surrender sites therefore, the recommendation will not be acted upon by this department.

**Response (Social Services):** This recommendation has not been implemented because the law automatically designates hospitals as surrender sites and Board designation is unnecessary. All hospitals within Mendocino County are already "safe-surrender sites". If requested by the Board, the Mendocino County Department of Social Services will prepare a resolution affirming County support for this law and its automatic designation of local hospitals as safe-surrender sites, by May 2005.

**Response (Board of Supervisors):** The BOS agrees with the responses represented by the Public Health and Social Services Departments. This recommendation may be implemented in the future upon further analysis, but because the law does automatically designate hospitals as surrender sites the BOS feels this recommendation is unwarranted.

2. The Grand Jury recommends that the BOS require that protocols for the 911 emergency service include an appropriate response to calls regarding the possible abandonment of a newborn. (Finding 7)

**Response (Sheriff):** The Board of Supervisors lacks the authority to implement this recommendation. The Board cannot set dispatch policies for the Sheriff's Office, because the Sheriff is an elected, constitutional officer. The other public safety dispatch centers in the county are operated either by the cities or by state agencies.

**Response (Public Health):** The recommendation will not be implemented because it is not warranted or is not reasonable. This recommendation does not fall within the authority of the Public Health Department and therefore, this recommendation will not be acted on or implemented by this department.

**Response (Social Services):** This recommendation as worded is not being implemented by the Mendocino County Department of Social Services because it is beyond the Department's scope. The Department will coordinate its 24-hour Children's Services emergency response



services with law enforcement protocols, in response to 911 emergency calls regarding possible abandonment of a newborn.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department. This recommendation will not be implemented by the BOS because this recommendation is outside the jurisdiction of the BOS.

3. The Grand Jury recommends that all safe-surrender sites and local hospitals provide at least one in-service training session per year to inform personnel of this code. (Findings 3, 5, 6)

**Response (Sheriff):** This recommendation is directed to safe-surrender sites and local hospitals.

**Response (Public Health):** The specific recommendation will not be implemented because it is not warranted as it is directed at the safe surrender sites and local hospitals. However, Public Health staff will also be provided with annual in-service training about the Safely Surrendered Baby Law and safe-surrender sites within Mendocino County within the 2005 calendar year.

**Response (Social Services):** This recommendation is not being implemented by the Mendocino County Department of Social Services because it is directed to local hospitals. The Department is willing to assist the hospitals, if requested by them, in implementing annual in-service training on the safe surrender program. The Department includes information on the safe surrender law as part of staff training for Children's Services emergency response services.

**Response (Board of Supervisors):** The BOS agrees in part, with the recommendation relative to Departments within Mendocino County. The BOS supports the assistance by Mendocino County Departments, upon request, of local hospitals and safe-surrender sites regarding the implementation of annual in-service training.

4. The Grand Jury recommends that the BOS require that emergency 911 calls regarding abandonment of a newborn be routed to proper medical personnel rather than uniformed officers. (Finding 7)

**Response (Sheriff):** As with Recommendation #2, the Board of Supervisors lacks the authority to implement this recommendation. This recommendation requires further analysis prior to any changes in Sheriff's Office dispatch protocols. In particular, this recommendation requires a clarification of how the Grand Jury interprets the term, "abandonment."

As noted my response to Finding #7, abandonment of a newborn is a felony. Law enforcement must respond to these incidents. Given the possibility of medical complications and the fact that patrol cars are not equipped to

transport newborns, common sense dictates that an ambulance should also be summoned. However it appears that the Grand Jury may have used the term, “abandonment,” to describe calls involving the surrender of a newborn. Following the release of this report, a Grand Jury member stated that the basis for this recommendation was the Grand Jury’s concern that a woman seeking to surrender her child might flee at the sight of a patrol car but not at the sight of an approaching ambulance. This may be true, but even in this scenario, dispatching an ambulance by itself as a mobile safe-surrender site is not necessarily the most appropriate response.

A dispatcher’s first consideration when receiving a call from someone who wants to abandon or surrender a newborn must be the safety of the newborn. The caller may only need directions to a safe-surrender site. However if the caller gives any indication that their safety or the safety of the newborn is in peril, then law enforcement should be dispatched. An ambulance should also be dispatched, but they will generally not enter until law enforcement has secured the scene.

The safe surrender dispatch guidelines currently under development will address circumstances in which it is appropriate to dispatch a peace officer, an ambulance or both.

**Response (Public Health):** This department will not be acting on this specific recommendation, as it is not applicable to this department. The Public Health Department does not have medical personnel on call 24 hours a day for this purpose. We believe that Child Protective Services staff are the appropriate responders in conjunction with the uniformed officers.

**Response (Social Services):** This recommendation is not being implemented by the Mendocino County Department of Social Services because it is beyond the Department’s scope. The Department will coordinate its 24-hour Children’s Services emergency response services with the safe surrender dispatch guidelines being developed by the Sheriff’s Office.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff’s Department. The recommendation will not be implemented because it is outside the jurisdiction of the BOS.

5. The Grand Jury recommends that a concerted effort be made to post educational materials at locations where they will do the most good, e.g., homeless shelters, medical clinics, food banks, post offices, service agencies, libraries, middle schools, and high schools. (Finding 9).

**Response (Sheriff):** This recommendation has not yet been implemented

at the Sheriff's Office, but will be implemented in the near future. As noted in my response to Finding #9, a supply of safe-surrender educational literature will be ordered for Sheriff's Office facilities. The materials should be on display no later than March 1, 2005.

**Response (Public Health):** The recommendation has been implemented in this department. Mendocino County Department of Public Health will continue to display the English and Spanish Safely Surrender Baby posters in the Public Health Clinics and/or WIC waiting areas at 1120 S. Dora Street in Ukiah where services for Family Planning, pregnancy testing, sexually transmitted infections, immunizations and/or WIC are provided. Public Health will also determine whether space is available to post these materials at the Willits and/or Fort Bragg Public Health offices. Public Health staff will provide information on the Safely Surrender Baby Law to clients as appropriate, and to other agencies via existing committees and collaboratives.

**Response (Social Services):** This recommendation will be implemented as follows: The Mendocino County Department of Social Services will develop a plan for distribution and posting of materials by April 30, 2005 and will complete the distribution and posting, in coordination with the sites and agencies listed, by June 30, 2005.

**Response (Board of Supervisors):** The BOS agrees with this recommendation.

6. The Grand Jury recommends that all educational materials list the locations of the "safe-surrender sites" within the county. (Finding 8)

**Response (Sheriff):** This recommendation requires further analysis. The State Department of Social Services website has downloadable brochures describing the safe-surrender law (<http://www.babysafe.ca.gov>). The text of the brochures clearly identifies hospital emergency rooms as safe-surrender sites. These sites are already well-known in the community. The brochure also states, "If there are additional places, they will be listed on this brochure." Until such time as the Board of Supervisors designates additional sites, then there is nothing else to list.

**Response (Public Health):** The recommendation has not yet been implemented, but will be implemented in the future. Although the posters on the Safely Surrender Baby Law that Public Health displays identify "hospital emergency rooms" as the county's safe-surrender sites, the specific names and addresses of the three hospitals in the county will be added to the posters by March 31, 2005. If other safe-surrender sites are added by the BOS, those will also be added to the posters within 60 days of the designation.

**Response (Social Services):** This recommendation will be implemented as follows: The Mendocino County Department of Social Services will develop or alter educational materials to list the locations by May 31, 2005.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department in as much as additional sites have not been designated. If additional sites are designated in the future by the BOS, this recommendation will be implemented and those additional designated sites will be listed.

7. The Grand Jury strongly encourages the general public to contact their state representatives to request that the Abandonment of Newborns Bill be extended beyond January 1, 2006 (Finding 10).

**Response (Sheriff):** This recommendation has not been implemented by the Sheriff's Office, but will be implemented in the future. The Sheriff would like to thank the Grand Jury for informing the public about this important law and alerting all of us about its impending repeal. Senator Robert Dutton has introduced SB 116, which would eliminate the repeal date and extend the safe-surrender statutes indefinitely. Senator Wes Chesbro is a co-author of the bill. The Sheriff will be contacting Senator Chesbro and Assembly member Patty Berg within the next few days to express support of this legislation.

**Response (Public Health):** The recommendation will not be implemented because it is not warranted, as this recommendation will be acted on by the Department of Social Services and is therefore, not in need of additional action on the part of this department.

**Response (Social Services):** This recommendation will be implemented as follows: The Mendocino County Department of Social Services will forward this issue to all advisory bodies and groups concerned with child safety and will prepare an agenda summary to recommend that the Board of Supervisors convey support for the extension to State legislators, by April 30, 2005.

**Response (Board of Supervisors):** The BOS agrees with this recommendation and supports the extension to State Legislators for the Abandonment of Newborns Bill.

### ***Comments***

The Grand Jury is pleased that Mendocino County has had no reported abandoned newborns. The Grand Jury considers Health and Safety Code §1255.7 to be vitally important and believes the actions recommended to the BOS and others may save lives.

The Grand Jury compliments Howard Memorial Hospital on their compliance with and implementation of the Abandoned-Newborn Bill. During an unannounced

visit, the Grand Jury found the staff to be very well prepared and informed. The Grand Jury also acknowledges the efforts of the nursing and risk management staff training all hospital personnel to accept an abandoned newborn at any hospital entrance.

The Grand Jury believes that this serious problem has a quick, easy and inexpensive solution. The Grand Jury urges the BOS to act immediately to bring Mendocino County into complete compliance with the Abandoned Newborn Bill.

**Response Required**

Mendocino County Board of Supervisors  
Mendocino County Sheriff

**Response Requested:**

Mendocino County Public Health Officer  
Mendocino County Department of Social Services  
Mendocino Coast District Hospital  
Ukiah Valley Medical Center  
Frank R. Howard Memorial Hospital

## **Fort Bragg Police Department and Holding Cells** (January 26, 2005)

### ***Summary***

In accordance with duties required, the Grand Jury visited the Fort Bragg Police Department, the department office, and the holding cells on the adjoining property of the Mendocino County Sheriff's Department.

### ***Background***

California Penal Code § 919 (b) states "The Grand Jury shall inquire into the condition and management of the public prisons within the county." The Grand Jury also has a general authority to review city affairs under Penal Code § 925 (a). The 2004-2005 Mendocino County Grand Jury undertook their charge with a visit to the Fort Bragg Police Department and Holding Cells.

### ***Methodology***

On two occasions the Grand Jury interviewed members of the Fort Bragg Police Department and made an on-site visitation of the Department. A visit to their Cypress Street station and the adjoining holding cell situated immediately next door at the facility managed by the Mendocino County Sheriff's Department was performed.

### ***Findings***

1. The City of Fort Bragg budget authorizes 21 full-time positions in the Police Department.
2. 77% of the 2004 budget goes to salaries.
3. The high incidence of staff turnover in the Department is due primarily to the high cost of available housing.
4. Taser weapons were introduced in 2003, replacing stun guns.
5. The rate of police officer injuries has been reduced since the introduction of the Taser.
6. The K-9 unit has been in service for ten years.
7. The average length of stay in the holding cells is two hours.
8. The Department has a policy of book and release when appropriate.
9. Prisoners are transported to Mendocino County Jail by Community Service Officers (CSO).
10. The Fort Bragg Police Department web site is not up to date.

***Recommendations***

1. The Grand Jury recommends that every effort be made to staff the Fort Bragg Police Department from community residents. (Finding 3).
2. The Grand Jury recommends that the web site be updated. (Finding 10).

***Comments***

The Fort Bragg Police Department continues to perform well in the face of financial adversity. The Department is able to provide the necessary services and protection for their community. The Department would like to be able to do more with education and prevention within the local school systems. The Fort Bragg Police Department is also trying to find grant funding to carry out special projects and is making special efforts to find affordable housing for police personnel.

***Response Required***

Fort Bragg City Council

***Response Requested***

Fort Bragg Police Chief

## **Mendocino County Jail, Courthouse Holding Cells, and Fort Bragg Sheriff's Holding Cells** (January 26, 2005)

### **Summary**

In accordance with duties required, the Grand Jury visited the Mendocino County Jail (MCJ), the Mendocino County Courthouse Holding Cells, and the Fort Bragg Sheriff's Holding Cells.

### **Background**

California Penal Code Section § 919 (b) states that "The Grand Jury shall inquire into the condition and management of the public prisons within the county." The 2004-2005 Mendocino County Grand Jury undertook their charge with visits to the Mendocino County Jail, the Mendocino County Courthouse Holding Cells, and the Fort Bragg Sheriff's Holding Cells.

### **Methodology**

The Grand Jury toured the Mendocino County Jail Facility, including the Sally Port (inmate delivery) and Booking Area, and the Holding Cells in the Courthouse and Fort Bragg. The Grand Jury interviewed Jail personnel: officers, medical personnel, education instructors, and kitchen staff.

### **Findings**

1. The MCJ is currently understaffed at 39 Corrections Deputies, although the County Budget provides funding for 44.

**Response (Sheriff):** The Department disagrees in part with this finding. At the time of the Grand Jury's investigation, only 39 of the 44 funded Corrections Deputy positions were filled. As of February 4, 2005, only 36 of the 44 positions are filled, and 7 of these 36 are off work due to injury. The Sheriff's Office continues to recruit and test applicants, but the attrition rate during the background investigation process has been very high.

In 1995 the Board of Corrections conducted a comprehensive staffing analysis at the Mendocino County Jail. The resulting report recommended a staffing level of 57 corrections deputies. A 2002 analysis commissioned by the Sheriff's Office and conducted by Steven Reader & Associates recommended 54 corrections deputies. The Board of Corrections subsequently accepted this latter study. Jail understaffing is also discussed in Grand Jury reports for the years 1997-1998, 1998-1999, 1999-2000 2000-2001, and 2002-2003 (the 2001-2002 report did not investigate the jail).

**Response (Buildings and Grounds):** The Department can neither agree nor disagree with this finding. However, the Department has no reason to doubt the Sheriff's response to this finding.



**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

2. The MCJ can currently accommodate 302 inmates.

**Response (Sheriff):** The Department disagrees in part with this finding. The Board of Corrections' rated capacity for the Mendocino County Jail is 295 inmates. In addition, the jail has seven specialty/isolation cells, bringing the total capacity to 302.

**Response (Buildings and Grounds):** The Department can neither agree nor disagree with this finding. However, the Department agrees with the Sheriff's response to this finding.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

3. A new 64-bed addition to the MCJ is expected to open in July 2006.

**Response (Sheriff):** The Department agrees with this finding, but there are significant challenges. Skyrocketing construction costs, in particular the prices for steel and concrete, have forced the County to reject two rounds of construction bids. The Sheriff's Office and General Services/Buildings and Grounds have been working with a local architect on a redesign that meets Board of Corrections' standards within the amount of available funding.

**Response (Buildings and Grounds):** The Department agrees in part with this finding. A new 64-bed addition to the Jail is currently in the design phase. If adequate funds are available to proceed with the project and it is allowed to stay on schedule, the Department's commitment to the State Board of Corrections is that the addition will be open by September 2006.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Buildings and Grounds Department.

4. The MCJ has two padded Safety Cells in the men's wing.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Buildings and Grounds):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

5. A doorframe in one of the men's Safety Cells is missing padding and poses a safety concern.

**Response (Sheriff):** The Department disagrees with this finding. The condition was present at the time of the Grand Jury's inspection but has since been repaired. A temporary repair was completed on January 24, 2005. Permanent repairs will be performed by a private company under arrangements made by County Buildings & Grounds.

**Response (Buildings and Grounds):** The Department disagrees with this finding. As the Sheriff states in his response, the condition has been repaired since the Grand Jury's inspection. A temporary repair was completed on January 24, 2005, to be followed by a permanent repair performed in the near future by a private company under arrangements made by Buildings and Grounds.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Buildings and Grounds Department.

6. The MCJ has one padded Safety Cell in the women's wing.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Buildings and Grounds):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

7. The MCJ Holding Cells do not contain television or any other means of occupying inmate time.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding; however, it has no reason to doubt either the Grand Jury's finding nor the Sheriff's response in agreement.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding, but has no reason to doubt the response represented by the Sheriff's Department or the Buildings and Grounds Department.

8. There is continuing staff turnover at the MCJ because the patrol division is considered more desirable work.

**Response (Sheriff):** The Department disagrees with this finding only because it singles out losses to the patrol division. Turnover also results from failure to pass probation, dismissal, resignations to accept employment with other agencies, and resignations for personal reasons. For those corrections deputies whose goal is to become a patrol officer, it is clearly in the best interests of the Sheriff's Office to "lose" them to our own patrol division rather than to another department.

**Response (Buildings and Grounds):** The Department can neither agree nor disagree with this finding. The information required to verify this finding is outside the purview of Buildings and Grounds.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information.

9. The Booking Area lacks adequate organizational space for efficient use.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding; however, it has no reason to doubt either the Grand Jury's finding nor the Sheriff's response in agreement.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information.

10. There is only one MCJ Booking Officer per shift.

**Response (Sheriff):** The Department disagrees with this finding. There are two booking officers per shift in the men's jail. There is one booking officer per shift in the women's jail.

**Response (Buildings and Grounds):** The Department can neither agree nor disagree with this finding. However, the Department has no reason to doubt the Sheriff's response to this finding.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information.

11. A new electronic control board for monitoring and controlling inmate activity was recently installed.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Buildings and Grounds):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with this finding.

12. The remote video monitoring station has a digital video recorder to monitor inmate behavior and provide staff liability protection.

**Response (Sheriff):** The Department disagrees in part with this finding. Video surveillance is used inside and outside the jail to monitor inmate behavior, and maintain facility safety and security. The digital video recording system provides a visual record of incidents occurring within the field of view of the attached surveillance cameras. This record can be used to investigate incidents, identify misconduct and protect staff from false allegations of misconduct.

**Response (Buildings and Grounds):** The Department agrees in part with this finding. While it is the case that the remote video monitoring station has a digital video recorder, we are not aware of its specific purpose(s).

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information.

13. In the coming year, MCJ will provide video conferencing for remote attorney/client consultation and family visitation.

**Response (Sheriff):** The Department disagrees in part with this finding. Attorney/client video conferencing is available now. The Sheriff's Office and County Information Services continue to work on implementing video visitation. Completion will depend on available funding.

**Response (Buildings and Grounds):** The Department can neither agree nor disagree with this finding. However, the Department has no reason to doubt the Sheriff's response to this finding.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information.

14. A renovation of the laundry room has not been completed.

**Response (Sheriff):** The Department disagrees with this finding. Renovation of the laundry room was not complete at the time of the Grand Jury's inspection. Work was completed on January 7, 2005.

**Response (Buildings and Grounds):** The Department disagrees with this finding, and agrees with the Sheriff's response that renovation of the laundry room was completed on January 7, 2005.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding, but has no reason to doubt the response represented by the Sheriff's Department or the Buildings and Grounds Department.

15. Classroom education and computer lab instruction under the direction of the Ukiah Adult School are offered to inmates.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. This issue is not within the purview of Buildings and Grounds.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

16. A Life Skills class, offered through the Ford Street Project, includes instruction in anger management, health, and abusive behavior reduction.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. This issue is not within the purview of Buildings and Grounds.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

17. Inmates may attend on site meetings of Alcoholics Anonymous and Narcotics Anonymous.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. This issue is not within the purview of Buildings and Grounds.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

18. Religious services are available to the inmates.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. This issue is not within the purview of Buildings and Grounds.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

19. The money generated from MCJ pay phones, through a service provider contract, defrays the cost of Inmate Services.

**Response (Sheriff):** The Department agrees with this finding. Inmate phone and commissary commissions provide the funding for Inmate Services.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. This issue is not within the purview of Buildings and Grounds.

**Response (Board of Supervisors):** The BOS agrees with this finding.

20. There is a significant number of outstanding maintenance issues.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Buildings and Grounds):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with this finding

21. The Courthouse Holding Cells now provide space for attorney/client consultation.

**Response (Sheriff):** The Department agrees with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding; however, it has no reason to doubt neither the Grand Jury's finding nor the Sheriff's response in agreement.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

22. Graffiti exist on holding cell walls in Ukiah and Fort Bragg.

**Response (Sheriff):** The Department agrees with this finding. It is an ongoing problem. We paint; they scratch the paint; we repaint. There are some paints and surface finishes that are resistant to vandalism, but most are toxic and require closure of the cell during curing. There is no such thing as a “graffiti proof” or “inmate proof” surface.

**Response (Buildings and Grounds):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff’s Department.

23. A significant number of the transients arriving in Mendocino County further stress the criminal justice system.

**Response (Sheriff):** Without further information the Department can neither agree nor disagree with this finding. The Jail staff has observed an increase in the number of transients booked, together with a high incidence of mental health problems among this group. Whether or not the number of transient arrestees represents a significant portion of the overall transient population would require a count of that larger population.

**Response (Buildings and Grounds):** The Department can neither agree nor disagree with this finding. The information required to verify this finding is outside the purview of Buildings and Grounds.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information.

24. Since the closure of the Psychiatric Health Facility (PHF) in November, 2000, many of the individuals who would have been served at that location are now under the care of the MCJ, at a higher cost to Mendocino County.

**Response (Sheriff):** Without further information the Department can neither agree nor disagree with this finding. It is extremely difficult to identify the impact of services that were not delivered.

**Response (Buildings and Grounds):** The Department can neither agree nor disagree with this finding. The information required to verify this finding is outside the purview of Buildings and Grounds.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information.

25. The kennel used for detainees' dogs at the Fort Bragg Holding Facility is not clean.

**Response (Sheriff):** Without further information the Department can neither agree nor disagree with this finding. The kennel is not owned by the Sheriff's Office. Sheriff's Deputies assigned to the Fort Bragg Sub-Station take arrestees' animals to the Department of Animal Care & Control shelter in Fort Bragg.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. The Department of Animal Care and Control is responsible for cleaning the kennels at the Fort Bragg Animal Shelter.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

### ***Recommendations***

1. The Grand Jury recommends that the staffing for 54 Corrections Deputies be implemented upon completion of the new MCJ addition. (Findings 1 and 3)

**Response (Sheriff):** This recommendation has not yet been implemented, but will be implemented in the future. The Sheriff's Office and Board of Supervisors committed to the staffing increase as part of accepting the construction grant.

**Response (Buildings and Grounds):** This recommendation is directed to the Board of Supervisors and the Sheriff's Office.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department, and does recognize the staffing needs to be implemented if the jail expansion moves forward.

2. The Grand Jury recommends that the doorframe of the Safety Cell be repaired. (Finding 5)

**Response (Sheriff):** This recommendation has been implemented. A temporary repair was completed on January 24, 2005. Permanent repairs are being arranged by County Buildings & Grounds.

**Response (Buildings and Grounds):** This recommendation has been implemented. Permanent repairs are being arranged by Buildings and Grounds.



**Response (Board of Supervisors):** The BOS agrees with the recommendation.

3. The Grand Jury recommends that the MCJ increase the number of Safety Cells from three to ten. The men's wing needs four additional cells and the women's wing needs three additional cells. (Findings 4 and 6)

**Response (Sheriff):** This recommendation will not be implemented because it is unreasonable. This is an example where none of the statutorily defined response options are appropriate. On one hand, I agree wholeheartedly that the jail needs more safety cells, but from a practical standpoint the loss of space needed to create ten safety cells would entail a massive disruption of jail operations. The planned construction of the 64-bed addition will allow some reconfiguration of existing space, but at some point the County must begin to plan for a new, modern jail with a sufficient number of safety, segregation and medical isolation cells, each designed and built for their intended purposes—not retrofitted from some other use.

**Response (Buildings and Grounds):** This recommendation is directed to the Sheriff's Office.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

4. The Grand Jury recommends that the MCJ provide television in Holding Cells. (Finding 7)

**Response (Sheriff):** This recommendation has not yet been implemented, but will be implemented in the future. The Jail Commander is working on this project with our Inmate Services Coordinator, however, compared to resolving some of the serious maintenance problems in the facility, this is a low priority. We will attempt to have the televisions installed by the end of this year.

**Response (Buildings and Grounds):** This recommendation is directed to the Sheriff's Office.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

5. The Grand Jury recommends that an assistant be available to allow the Booking Officer to efficiently perform required duties. (Finding 10)

**Response (Sheriff):** This recommendation requires further analysis. This recommendation refers back to Finding #10, which states, "There is only one MCJ Booking Officer per shift." This is incorrect; there are two booking

officers per shift in the men's jail and one per shift in the women's jail. The Grand Jury may have had in mind the addition of a non-sworn booking clerk. Such a position would have value so long as it did not result in a reduction of the number of Corrections Deputies. In an emergency a Corrections Deputy can leave his or her post in booking to assist other officers. A non-sworn position does not provide that flexibility. The addition of non-sworn booking assistants would require increased funding from the Board of Supervisors.

**Response (Buildings and Grounds):** This recommendation is directed to the Sheriff's Office.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this recommendation without further information.

6. The Grand Jury recommends that the MCJ complete renovation of the laundry area. (Finding 14)

**Response (Sheriff):** This recommendation has already been implemented. Renovation of the jail laundry was completed on January 7, 2005.

**Response (Buildings and Grounds):** This recommendation has already been implemented. The renovation of the laundry area was completed on January 7, 2005.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Buildings and Grounds Department.

7. The Grand Jury recommends that the MCJ's maintenance problems be addressed and solved with adequate funding to Building and Grounds. (Finding 20)

**Response (Sheriff):** This recommendation is directed to the Board of Supervisors. The Sheriff's Office has already transferred \$15,000 in unanticipated revenue to accelerate the hiring of a Buildings & Grounds maintenance technician.

**Response (Buildings and Grounds):** The Department agrees with this recommendation; however, this recommendation is directed to the Board of Supervisors.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this recommendation without further information. Details on maintenance issues should be provided to the CAO's office for further analysis.

8. The Grand Jury recommends that the graffiti on the walls of the Courthouse Holding Cells and the Fort Bragg Holding Cells be removed. (Finding 22)

**Response (Sheriff):** This recommendation is directed to Buildings & Grounds. As I stated in my response to Finding #22, graffiti in the holding cells is an ongoing problem. Special wall finishes may deter damage, but they cannot prevent it altogether. Increasing maintenance personnel at the jail would speed up the removal of graffiti.

**Response (Buildings and Grounds):** This recommendation has not yet been implemented. The Department anticipates that the recommendation will be implemented within sixty days of this response.

**Response (Board of Supervisors):** The BOS agrees with the response represented by Building and Grounds Department.

9. The Grand Jury recommends that further study be done to resolve the costly problem created by the closure of the PHF, with particular consideration given to the establishment of dual-diagnosis beds. (Finding 24)

**Response (Sheriff):** This recommendation is directed to the Board of Supervisors and County Mental Health.

**Response (Buildings and Grounds):** This recommendation is directed to the Board of Supervisors, the Sheriff's Office, and the Department of Mental Health.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this recommendation without further information. This recommendation should be forwarded to the CAO's office and the Mental Health Director for further analysis.

10. The Grand Jury recommends that a policy be established to ensure timely cleaning of the Fort Bragg dog kennels. (Finding 25)

**Response (Sheriff):** This recommendation should be directed to the Fort Bragg Police Department.

**Response (Buildings and Grounds):** This recommendation is directed to the Department of Animal Care and Control and the Fort Bragg Police Department.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

### ***Comments***

The three major reasons for inmates coming to MCJ are substance abuse, theft, and domestic violence. Ninety-nine percent of these inmates have problems related to alcohol, other drugs, or mental health issues. Methamphetamine is a factor in 80% of the arrests in the County. The use of this drug increases the combative and suicidal tendencies in the inmate population. The use of Methamphetamine is a primary factor in the higher rate of women incarcerated. There is an increase of indigent inmates in MCJ during the cold winters and hot summers.

The Booking Officer needs an assistant to answer telephone calls and take messages in regard to bail-related matters, court appearances, attorneys, and other relevant matters. This would increase the efficiency of the booking process. The recently installed electronic control board ensures the reliable function of all the security doors in the facility.

Jail personnel do an excellent job of providing basic custody services with available facilities and funds.

### ***Response Required***

Mendocino County Board of Supervisors  
Mendocino County Sheriff

### ***Response Requested***

Mendocino County Building and Grounds Director



## **Willits Police Department and Holding Cells** (January 26, 2005)

### **Summary**

In accordance with duties required, the Grand Jury visited the Willits Police Department and the Holding Cells located at 125 East Commercial Street in Willits.

### **Background**

California Penal Code § 919 section (b) states "The Grand Jury shall inquire into the condition and management of the public prisons within the county. "The Grand Jury also has a general authority to review city affairs under Penal Code § 925 (a). The 2004-2005 Mendocino County Grand Jury undertook their charge with visits to the Willits Police Department and Holding Cells.

### **Methodology**

On three occasions, the Grand Jury interviewed members of the Willits Police Department during on-site visitations.

### **Findings**

1. The Willits Patrol Police Officers earn approximately 15% less than other law enforcement officers in Mendocino County.

**Response (Sheriff):** Without additional information the Department can neither agree nor disagree, however the Department has no reason to doubt the Grand Jury's finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. The finding is outside the purview of Buildings and Grounds.

**Response (Board of Supervisors):** Without further information the BOS can neither agree nor disagree with this finding.

2. The current maximum salary for a Willits Patrol Police Officer is \$39,686 annually. The reported average salary for the same work in the Mendocino County Jail or Sheriff's Office is \$45,864 annually.

**Response (Sheriff):** Without additional information the Department can neither agree nor disagree with the Grand Jury's finding regarding the maximum salary for Willits PD officers. The Department disagrees in part with that portion of the finding related to the Sheriff's Office. First, the County Jail and the Sheriff's Office are not two separate entities. Second, comparing the maximum salary of one agency to the average salary of

another is problematic. A better comparison is to use salary ranges. The salary range for a Corrections Deputy is from \$36,109 per year (starting), to \$46,114 per year (top step with longevity pay). The salary range for a Deputy Sheriff is \$36,109 per year (Deputy-I, starting), to \$50,690 (Deputy-II with POST Advanced Certificate). Additional premiums are paid for assignment to a resident post, or as a training officer or detective.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. The finding is outside the purview of Buildings and Grounds.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

3. In 2004, the Willits Police Department lost a key health benefit. The benefit was a non-deductible policy and was used as a recruitment and retention tool.

**Response (Sheriff):** Without additional information the Department can neither agree nor disagree with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. The finding is outside the purview of Buildings and Grounds.

**Response (Board of Supervisors):** Without further information the BOS can neither agree nor disagree with this finding.

4. The current number of authorized patrol police officers for the Willits Police Department is ten.

**Response (Sheriff):** Without additional information the Department can neither agree nor disagree with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. The finding is outside the purview of Buildings and Grounds.

**Response (Board of Supervisors):** Without further information the BOS can neither agree nor disagree with this finding.

5. The Willits Police Department has eliminated all three Community Service Officers (CSO) due to budget cuts.

**Response (Sheriff):** Without additional information the Department can neither agree nor disagree with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. The finding is outside the purview of Buildings and Grounds.

**Response (Board of Supervisors):** Without further information the BOS can neither agree nor disagree with this finding.

6. There is no Detective position in the Willits Police Department.

**Response (Sheriff):** Without additional information the Department can neither agree nor disagree with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. The finding is outside the purview of Buildings and Grounds.

**Response (Board of Supervisors):** Without further information the BOS can neither agree nor disagree with this finding.

7. There are no Reserve Willits Police Officers.

**Response (Sheriff):** Without additional information the Department can neither agree nor disagree with this finding.

**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. The finding is outside the purview of Buildings and Grounds.

**Response (Board of Supervisors):** Without further information the BOS can neither agree nor disagree with this finding.

8. The Sobering Cell lacks a partition or handrail located next to the toilet in such a manner that it provides support to the user.

**Response (Sheriff):** The Department disagrees with this finding. There was no handrail in place at the time of the Grand Jury's inspection; however a handrail was installed on January 17, 2005.

**Response (Buildings and Grounds):** The Department disagrees with this finding, and agrees with the Sheriff's response that a handrail was installed on January 17, 2005.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

9. There is no mention in the Willits Police Department's Jail Manual of an agreement between the Willits Police Department and the Mendocino County Sheriff's Department addressing the responsibility for supervising inmates who are being held in the Willits facility pending transfer or other disposition.

**Response (Sheriff):** Without additional information the Department can neither agree nor disagree with this finding.



**Response (Buildings and Grounds):** The Department neither agrees nor disagrees with this finding. The finding is outside the purview of Buildings and Grounds.

**Response (Board of Supervisors):** Without further information the BOS can neither agree nor disagree with this finding.

***Recommendations***

1. The Grand Jury recommends that the City of Willits increase the pay scale of the Willits Police Department to equal the pay scale of law enforcement agencies within Mendocino County. (Finding 1)

**Response (Sheriff):** This recommendation is directed to the City of Willits, however the Department wishes to note that merely equaling the pay scale of other law enforcement agencies within the county will not address competition from agencies in other areas.

**Response (Buildings and Grounds):** This recommendation is directed to the City of Willits.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

The Grand Jury recommends that the City of Willits reinstate the previous health care coverage for the Willits Police Department. (Finding 3)

**Response (Sheriff):** This recommendation is directed to the City of Willits.

**Response (Buildings and Grounds):** This recommendation is directed to the City of Willits.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

2. The Grand Jury recommends that the City of Willits add at least one additional police officer to the Police Department. (Finding 4)

**Response (Sheriff):** This recommendation is directed to the City of Willits.

**Response (Buildings and Grounds):** This recommendation is directed to the City of Willits.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

3. The Grand Jury recommends that the City of Willits fund at least one Community Service Officer. (Finding 5)

**Response (Sheriff):** This recommendation is directed to the City of Willits.

**Response (Buildings and Grounds):** This recommendation is directed to the City of Willits.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

4. The Grand Jury recommends that the City Of Willits create the position of Detective within the Willits Police Department. (Finding 6)

**Response (Sheriff):** This recommendation is directed to the City of Willits.

**Response (Buildings and Grounds):** This recommendation is directed to the City of Willits.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

5. The Grand Jury recommends that the City of Willits and the Willits Police Department join forces to create a Reserve Willits Police Program. (Finding 7)

**Response (Sheriff):** This recommendation is directed to the City of Willits, however the Department wishes to note that the current requirements for a Level II Reserve Officer (the lowest level allowed to function as a backup officer) make it difficult for even a large department to maintain a reserve program. To be eligible for appointment as a Level II Reserve, an applicant must complete 390 hours of training in specified courses from a presenter certified by the California Commission on Peace Officer Standards & Training. The applicant must complete the same background investigation as a regular peace officer, including a pre-employment psychological exam and medical exam. After appointment, a Level II reserve is required to attend 24 hours of continuing professional training (including specific mandated subjects) every two years. None of the training or background expenses are reimbursable by the state.

**Response (Buildings and Grounds):** This recommendation is directed to the City of Willits and the Willits Police Department.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Buildings and Grounds Department.

6. The Grand Jury recommends that the concerned agencies determine and install the type of rail needed for the Sobering Cell. (Finding 8)

**Response (Sheriff):** This recommendation has already been implemented. A safety bar was installed on January 17, 2005.

**Response (Buildings and Grounds):** This recommendation has been implemented. A safety rail was installed on January 17, 2005.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Sheriff's Department.

7. The Grand Jury recommends that the Willits Police Department create written policy and procedures for inmate supervision in the Willits Police Department's Jail Manual. (Finding 9)

**Response (Sheriff):** This recommendation is directed to the City of Willits, however the Department wishes to note that the Sheriff's Office Corrections Division has assisted and will continue to assist the Willits Police Department in the maintenance of its holding cell policies and procedures.

**Response (Buildings and Grounds):** This recommendation is directed to the Willits Police Department.

**Response (Board of Supervisors):** The BOS agrees with the response represented by the Buildings and Grounds Department.

### ***Comments***

The City of Willits loses a great deal of money and experience when a trained law enforcement officer leaves the Willits Police Department to work for higher pay in a neighboring agency. Retention of officers should be a priority for the Department. The current annual disparity of salary exceeds \$6,000 for a Willits Police Officer. An equal peer pay raise and the restoration of the previous health care benefits would do a great deal to reduce the loss of trained, experienced law enforcement officers in Willits.

The high cost of overtime pay can be reduced by the addition of at least one officer to the Police Department. An additional officer would ease the stress on the current officers who must work extended overtime and on their days off when illness, injury or vacations occur. Overtime costs would also be cut by the employment of at least one Community Service Officer. The CSO could work in the evidence room, handle cold reports at the office window, process abandoned vehicles, transport inmates and other necessary duties.

The position of detective in the Willits Police Department is essential for a growing community. A Willits-based detective, familiar with the environs and the community, would provide the skills necessary for effective major crime law enforcement.

Even in an era of spending cuts and reduced services, an efficient, well-trained

law enforcement agency is nonetheless absolutely essential for every community. If the City of Willits is to maintain such an agency, strong and creative city leadership must explore every avenue of grants, taxation, fundraising, etc., to support the Willits Police Department. Acceptance of the Grand Jury Recommendations would start the process of strengthening a viable but struggling agency. Doing anything less could lead to the closure of the Willits Police Department.

***Response Required***

Willits City Council  
Mendocino County Sheriff

***Response Requested***

Willits City Manager  
Willits Police Chief  
Mendocino County Building and Grounds Director



## **Mendocino County Juvenile Hall** (February 23, 2005)

### **Summary**

In accordance with duties required, the Mendocino County Grand Jury visited the Mendocino County Juvenile Hall.

### **Background**

California Penal Code Section § 919 (b) states that “The Grand Jury shall inquire into the condition and management of the public prisons within the county.” Juvenile halls fall under this directive, so the 2004-2005 Mendocino County Grand Jury undertook their charge with visits to the Mendocino County Juvenile Hall.

### **Methodology**

The Grand Jury toured the Mendocino County Juvenile Hall, including the cells, recreation areas, educational facilities, and dining facilities. The Grand Jury reviewed Inspection Documents and interviewed supervisory personnel and staff.

### **Findings**

1. The staff turnover rate at the Mendocino Juvenile Hall is very low.

**Response (Probation/Juvenile Hall):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information.

2. In response to budget cuts, management has been able to keep line-staffing levels by not filling the office of Assistant Superintendent.

**Response (Probation/Juvenile Hall):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees in part with this finding, in that the BOS does recognize, that due to budget constraints in FY 04/05, vacant positions were not filled to achieve a balanced budget.

3. The Juvenile Work Program, which provides community service opportunities for juveniles on probation, has been discontinued due to lack of funding.

**Response (Probation/Juvenile Hall):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with this finding, however, the BOS may support the reinstatement of this program pending future funding information.

4. Most juvenile arrests are drug related.

**Response (Probation/Juvenile Hall):** The Department agrees in part with this finding. Alcohol/drugs is the nexus of most juvenile crime.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information.

5. Most juvenile crime does not result in a stay in Juvenile Hall.

**Response (Probation/Juvenile Hall):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with this finding.

6. Most juvenile incarceration is the result of probation violation.

**Response (Probation/Juvenile Hall):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with this finding.

7. Juvenile Hall has experienced an increase in incarcerations as a result of gang activity.

**Response (Probation/Juvenile Hall):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information.

8. Officials working in Juvenile Hall state that ninety-five percent of the incarcerated youth at Juvenile Hall come from dysfunctional homes.

**Response (Probation/Juvenile Hall):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with this finding.

9. Resident youth who are incarcerated at the Mendocino County Juvenile Hall receive educational opportunities through the services of the Mendocino County Office of Education (MCOE).

**Response (Probation/Juvenile Hall):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with this finding.

10. Legal guardians are expected to pay \$15 per day while their charge is in Juvenile Hall.

**Response (Probation/Juvenile Hall):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with this finding.

11. Pay phones in Juvenile Hall pay for all recreational equipment.

**Response (Probation/Juvenile Hall):** The Department agrees with this finding.

**Response (Board of Supervisors):** The BOS agrees with this finding.

### ***Recommendations***

1. The Grand Jury recommends that the funding for the Juvenile Work Program be reinstated (Finding #3).

**Response (Probation/Juvenile Hall):** The recommendation has not been implemented due to budget constraints. The Department will reinstate the Juvenile Work Program when budgeting allows.

**Response (Board of Supervisors):** The BOS agrees with this recommendation and as stated in (Finding #3), supports the reinstatement of this Juvenile Work Program pending further information in regards to funding.

### ***Comments***

The Grand Jury finds that Juvenile Hall management and staff are doing a commendable job. They strive to find a balance between punishment and



rehabilitation. The Grand Jury believes the minimal staff turnover rate is the result of their commitment to making positive changes in the lives of local youth.

The absence of a Juvenile Work Program negatively impacts on the rehabilitation process for Mendocino County youth on probation. While the Graffiti Abatement program located in Ukiah could be restored at a cost of \$28,000, a broader program with centers in Willits, Fort Bragg and Ukiah would require funding up to \$280,000.

***Response Required***

Mendocino County Board of Supervisors

***Response Requested***

Mendocino County Juvenile Hall Superintendent

Mendocino County Chief Probation Officer

## **Mendocino County Patrol Officer Coverage & Emergency Service**

(April 18, 2005)

### **Summary**

In response to a citizen complaint, the Mendocino County Grand Jury investigated the staffing of the Mendocino County Sheriff's Department. In particular questions concerning the number of patrol officers and their shift hours were investigated. While the Round Valley area was found to be of particular interest, general information for the entire County was compiled to ensure a comprehensive understanding of the work performed by patrol officers and their superiors. In addition, the Grand Jury investigated the ability of the Mendocino County Sheriff Dispatch to respond to emergency (911) calls.

### **Background**

According to the Mendocino County Sheriff's Department Mission Statement, the Department is "directly responsible for providing general law enforcement services to the unincorporated areas of the county, approximately 69% of the county residents." The Sheriff's Office also provides contract law enforcement services to the City of Point Arena, the Bureau of Land Management (Cow Mountain Recreation Area), U.S. Army Corps of Engineers (Lake Mendocino), and contract police-dispatching services for the city of Fort Bragg. Jurisdiction for coroner's investigations and the service of civil process extends countywide, including within the four incorporated cities.

### **Methodology**

The Grand Jury interviewed members of the Mendocino County Sheriff's Department; they studied records, official publications and other documents. On several occasions, the Grand Jury observed Department personnel at work.

### **Findings - Countywide issues**

1. The number of patrol officers in the service of the Mendocino County Sheriff's Department is the same (68) as it was 30 years ago.
2. Most of the County does not have around -the-clock (24/7) patrol personnel on duty.
3. Ukiah and its environs have continuous patrol coverage.
4. Duty assignments for patrol officers are adjusted to ensure that personnel are on duty at the most critical times.
5. Approximately 30% of a patrol officer's time is spent writing reports.

### **Findings - 911 Issues**

6. The Mendocino County Sheriff Dispatch Communication Center (911 calls) has personnel on duty 24/7.
7. The majority of 911 calls to the Mendocino County Sheriff Dispatch come from the greater Ukiah area.
8. Telephone land lines in the northern part of the County, including Round Valley, are owned and serviced by Verizon Communications, while the rest of the county is served by SBC.
9. On occasion the Verizon 911 system for the northern part of the County fails.
10. Mendocino County Sheriff Dispatch has a contingency plan to supplant the Verizon 911 system when it fails.
11. State legislation and funding exists which in the future will result in the consolidation of dispatch facilities that are currently operated by other agencies.

### **Findings - Round Valley Issues**

12. The County Sheriff's Department has its main office on Low Gap Road in Ukiah, with substations located in Willits, Round Valley, Laytonville, Fort Bragg, Point Arena, Anderson Valley, Potter Valley, and one soon to be located by the Grace Hudson Elementary School in South Ukiah.
13. A policy unique to Round Valley allows for patrol officers to receive incentive pay as an inducement to live and work in the valley.
14. Round Valley has one sergeant and three patrol officers to share the daily duties; this represents a higher staffing ratio than is found in other remote parts of the County.
15. Round Valley patrol officers have the support and assistance of tribal police in performing their duties.
16. The Sheriff's Department holds monthly meetings in Round Valley as a community relations effort, but they are poorly attended by the community unless a hot button issue is on the agenda.

## **Findings - Incidental Issues**

17. Mendocino County has curfew laws on the books, but they are unevenly enforced.
18. The Mendocino County Sheriff's Department uses the expertise of the California Division of Forestry (CDF) in arson fire investigations.
19. Through mutual aid agreements, other local, State and Federal agencies assist the County in law enforcement when necessary.
20. The City of Point Arena contracts with the County Sheriff's Department to provide law enforcement protection for their city.

## **Recommendations**

1. The Grand Jury recommends that the Sheriff's Department and local authorities strive to better inform the public when monthly meetings are being held in Round Valley. (Finding 16.)

## **Comments**

The Mendocino County Sheriff's Department is doing well with the staff available. In an era with so many funding issues, it is remarkable that the work of the Department continues with a high degree of efficiency and professional dedication which provides the citizens of Mendocino County a reasonable level of police protection. Should citizens in a given area feel the need for additional protection Neighborhood Watch Groups can be organized. The Sheriff's Department is willing to assist in the formation of such groups if their help is requested.

The Mendocino County Sheriff's Department must patrol approximately 3800 square miles with a patrol staff of 68. Their duties are varied and complex. In response to a growing County population and a growing drug problem they work to provide the best service possible with the funds available. Citizens within the County will find that they are best served when involved with their communities and willing to invest time to make the County a better place in which to live and work. For example, volunteers who dedicate time to the Reserves and Search and Rescue teams are to be commended.

The duty assignments for patrol officers in the County provide a very challenging logistical problem. With the staff available the Department must strive for maximum protection at the most critical times. Citizens of the county must realize

that the remote areas will not have 24/7 coverage. Other deputies must cover for personnel who are injured, on sick leave, or on vacation. Law enforcement personnel within the County and beyond must be prepared to respond in a timely fashion to a wide variety of emergencies.

The Emergency Response System in the County does well to service such a vast area. Communication within all parts of the county continues to improve. The Sheriff Dispatch works constantly to improve the existing communication system. An upgrade of the microwave communication system used by officers on the ground is necessary. Verizon should give closer attention to their land line communication system in the northern part of the County. Citizens with a concern regarding the 911 response system should work with the Federal Communications Commission (FCC) to exact a change.

### **Responses Required**

Board of Supervisors  
Mendocino County Sheriff

### **Responses Requested**

Regional Manager, Verizon Landline Division  
California Highway Patrol  
Cahto Indian Tribe  
Coyote Valley Tribe  
Guidiville Band of Pomo Indians  
Hopland Band of Pomo Indians  
Manchester-Point Arena Band of Pomo Indians  
Pinoleville Band of Pomo Indians  
Potter Valley Rancheria of Pomo Indians  
Redwood Valley Little River Band of Pomo Indians  
Round Valley Tribe  
Sherwood Valley Rancheria  
Yokayo Tribe

## **Parlin Fork and Chamberlain Creek Conservation Camps** (May 23, 2005)

### ***Summary***

In accordance with California Penal Code § 919 (b), the Grand Jury is mandated to inquire into the conditions and management of the prisons within the county.

### ***Background***

Parlin Fork and Chamberlain Creek Conservation Camps are located on Highway 20 in Jackson State Forest, between Fort Bragg and Willits. There are 38 Conservation Camps in the State of California that function under the direction of the California Department of Corrections (CDC) and in partnership with the California Department of Forestry (CDF). Each camp has a CDF division chief and ten fire crew captains. The camps in Mendocino County, combined, have a maximum population of 220 inmates, who are minimum custody offenders with an average placement stay of one to two years.

There is a strong emphasis on physical fitness. After careful screening each inmate must pass a one-week physical fitness training class followed by two weeks of training in fire safety, fire suppression and ongoing physical fitness. Each fire crew has 17 inmates supervised by a CDF officer. Fire crews work 12 hour shifts or longer during fire season, under extreme conditions, often in steep terrain, wearing heavy, insulated clothing and carrying 30 pound packs of equipment in high heat and under difficult breathing conditions. As one officer said, "We go where equipment can't."

When they are not fighting fires, the crews work eight hours a day doing community service projects under the supervision of the CDF, or they may work within the camps. While in the camps they are under the supervision of CDC Officers.

### ***Methodology***

Members of the Grand Jury toured both camps. The Grand Jury was able to interview members of the staff (CDF & CDC) as well as inmates. The Grand Jury observed the operations of the camps such as the running of the sawmill, the water treatment plant, the cabinet shop and the living quarters.

## ***Findings***

1. The approximate cost to incarcerate an inmate in a Conservation Camp is \$10,000 annually compared to \$50,000 annually at a higher security State prison.
2. Inmate contributions to the community more than offset the cost of their incarceration. When inmates are not fighting fires they are available to do community work projects.
3. Inmates at Parlin Fork help support the Make a Wish Foundation by making and donating craft items, sold to the public over the past five years for over \$100,000.
4. The seventeen-man crews are available at nominal rates to any tax-supported entity.
5. Chamberlain Creek has a complete wood working shop and makes many types of cabinets and signs for city, county and State government.
6. Parlin Fork operates their own sawmill and provides lumber for various projects.
7. The Mendocino County Bookmobile serves both camps and is highly valued by the inmates.
8. Inmates do most of the jobs required to run the camps.
9. No tobacco products will be allowed in the camps after July 1, 2005. This will apply to staff as well as inmates.

## ***Recommendations***

The Grand Jury recommends that schools, special districts, city and county departments fully utilize the services of both conservation camps. (Findings 2, 4)

## ***Comments***

The Grand Jury believes that we are indeed fortunate to have these camps in our county. The fire crews may be the first on a fire scene and may be the last to leave. The fire crews are to be applauded for their efforts, which contribute to the safety and fire protection of our communities.

Parlin Fork and Chamberlain Creek Conservation Camps are well maintained, well organized and are an important and valuable asset to Mendocino County.

## **Response Required**

Board of Supervisors

## **Response Requested**

Director, Parlin Fork Conservation Camp, California Division of Forestry

Director, Chamberlain Creek Conservation Camp, California Division of Forestry

Director, California Department of Corrections

## **Round Valley Unified School District – A School Board Left Behind** (June 22, 2005)

### ***Summary***

Based on a citizen's complaint regarding compliance with law governing special education received in March of 2003 which was the subject of Grand Jury investigations last year as well as this, the 2004-2005 Mendocino County Grand Jury examined issues pertaining to Special Education Services in Round Valley Unified School District (RVUSD) in Covelo. Following this report is Appendix II with more general information about Special Education.

### ***Background***

Round Valley Unified School District is located in Covelo and serves approximately 445 students.

### ***Methodology***

The Grand Jury studied Federal and State Law and reviewed many websites regarding special education programs. The Grand Jury interviewed members of the Special Education Local Plan Agency, (SELPA), former and current employees, including Special Education personnel of RVUSD, both local and county school administrators, and School Board members. The Grand Jury examined the past three financial audits of the RVUSD, the most recent labor agreements covering RVUSD employees, RVUSD School Board minutes, the Policies and Procedures manuals for RVUSD, a 1991 Mendocino County Grand Jury Report concerning RVUSD, and a 1998 Mendocino County Grand Jury Report concerning SELPA. The Grand Jury performed site visits to Round Valley High School, Round Valley Elementary/Middle School, Yolla Bolly Continuation High School, and the Preschool and Infant/Toddler Program located adjacent to the high school in Covelo. Grand Jury members also attended several meetings of the RVUSD School Board. The Eel River Charter School was not a subject of this investigation.

### ***Findings – Special Education***

1. 10.7% of the RVUSD student population is served by Special Education Services. RVUSD has an average percentage of Special Education students compared with other districts in the Mendocino County SELPA.
2. California Education Code gives enormous authority and control to the parents over the education of their children in special education programs.
3. Parents of special education students may not be fully informed of these rights and may not therefore maintain complete, accurate records that could help them to exercise their rights.
4. Some RVUSD students who were qualified for special education services have not received them.



5. Mismanagement of special education services, including retention of staff, has precluded any discernible improvement in the delivery of special education services. An updated California Special Education Management Information System report which shows compliance dates and delivery of special education services, though requested, was not made available to the Grand Jury.
6. RVUSD does not avail itself of free diagnostic testing services and programs from within and outside the County that would identify and prescribe services for special education students.

### ***Findings - Personnel***

7. The geographical isolation and housing shortage in RVUSD make it difficult to attract and employ properly credentialed staff.
8. RVUSD has had an extremely high turnover of administrators and special education staff, resulting in the loss of services to special education students.
9. The RVUSD School Board has not acted to reduce turnover of essential Special Education staff, jeopardizing continuity of special education services.
10. Even after a change in personnel, the administration of RVUSD has continued to control and limit the flow of information to the School Board, thereby curbing its effectiveness.
11. RVUSD administration has had a pattern of using verbal abuse and intimidation to control staff at all levels.
12. The Administration has interfered with the employee complaint process and prevented witnesses from appearing before the School Board in closed session on employee matters.
13. RVUSD does not have a qualified school nurse, public health nurse, or licensed physician, available to supervise physical health care services in the school setting in accordance with law. (Education Code §49423.5, Code of Regulations, Title 5, §3051.12).
14. Staff members appropriately trained and certified to administer medications are not available during all school hours, thus compromising the health and safety of the students. (Education Code 49423.5; Code of Regulations, Title 5, Section 3051.12(b)(1)(C)).
15. Training certificates required to administer medications to students are not current.
16. Fax machines that transmit and receive confidential personnel information are not secured.

### ***Findings – General***

17. On the most recent California Annual Progress Index, RVUSD had the lowest possible score.
18. Significant other social issues which include crime, drug use and community turmoil, affect the functioning of the school community.

19. Parent apathy is reflected in low citizen attendance at School Board meetings, and low voter turnout for School Board elections.
20. School Board meeting agendas are not posted in a timely manner at conspicuous and accessible places throughout the district as required by the Brown Act. At one meeting attended by the Grand Jury, the only copy of the Agenda that they could find was pinned on a bulletin board over the copy machine inside the District Office.
21. The RVUSD Board members do not receive board meeting packets in a timely manner and are often unable to make informed decisions.
22. In the past three years School Board minutes have not been approved until as much as ten months after meetings.
23. The RVUSD Board Policy and Procedure Manual is not current, has sections missing, and is not available to staff and parents.
24. The RVUSD School Board has not taken valuable training in Board membership when it has been offered by both the Mendocino County Office of Education (MCOE) and California School Boards Association (CASBA).
25. The RVUSD School Board has been uninformed, misinformed, and willfully ignorant of its responsibilities and authority.
26. The supervisory authority of MCOE over RVUSD has been ineffective in ensuring that all special education services are delivered to RVUSD students.
27. RVUSD records indicate that some students have been admitted to classes without being properly immunized.
28. Student medications are not dispensed from a central location, in violation of State Education Code and the Policy and Procedures Manual of RVUSD.
29. Basic office management and organization procedures are not in place in the administrative offices, resulting in a loss of time and productivity.
30. Administrative offices in the school have not implemented an effective filing system, resulting in fire hazards and loss of records.
31. Students are allowed access to desks and computers where confidential student and employee information is maintained.
32. In the fall of 2004 the Grand Jury requested to be placed on the mailing list to receive School Board Meeting agendas and minutes of the meetings. None has been received by the Grand Jury.
33. During the course of this investigation the Grand Jury requested documents and records from the RVUSD. Most of the documents had to be picked up personally by members of the Grand Jury well after the requested delivery date, while others arrived late or were never provided at all.
34. An antiquated and uninsulated heating system in the high school administration building poses a significant fire risk.

### ***Findings - Funding***

35. The economic depression in Covelo is a huge contributing factor to the problems of the RVUSD.

36. Throughout the state of California, Federal and State funding is insufficient to cover the cost of special education programs. The difference in cost is drawn from the general fund of local school districts.
37. Per-pupil funding at RVUSD is among the highest of all local districts in Mendocino County.
38. RVUSD has been identified as an underperforming school for the past three years and thus has been receiving additional funds to address its problems.
39. RVUSD, because of its designation as an underperforming school, risks an external takeover by the State unless there is significant improvement.
40. RVUSD incurred a \$100,000 penalty because of an administrative oversight in the filing of paperwork for a one million dollar grant.

### ***Recommendations***

1. The Grand Jury recommends that RVUSD School Board adequately staff and support special education programs which identify and assist special education students at an early age. (Findings 1, 4, 5, 6, 7, 8, 9, 17, 25, 26, 36, 37, 38, 39).
2. The Grand Jury recommends that parents of special education students maintain files with all paperwork associated with their child's education. (Findings 2, 3, 4).
3. The Grand Jury recommends that parents take a proactive and participatory role in the education of their children. (Findings 2, 3, 4, 6, 17, 19, 20, 23, 25, 38, 39).
4. The Grand Jury recommends that RVUSD establish and support a Parent-Teacher Association. (Findings 1, 2, 3, 4, 5, 8, 9, 17, 18, 19, 20, 23, 25, 26, 38, 39).
5. The Grand Jury recommends that MCOE assert to the fullest extent its power to oversee, regulate and influence the RVUSD to be more effective in carrying out its mission and protecting students' welfare. (All Findings).
6. The Grand Jury recommends that RVUSD should make as much use as possible of the free services of The Northern California Diagnostic Center to identify and assist special education students. (Findings 1, 2, 3, 4, 5, 6, 36).
7. The Grand Jury recommends that the School Board and community members avail themselves of the free training offered through organizations such as MCOE, SELPA, and CASBA. (Finding 1, 3, 5, 10, 11, 12, 15, 20, 21, 22, 23, 24, 25, 29, 38, 39, 40W).
8. The Grand Jury recommends that RVUSD develop policies, procedures and incentive programs to attract and retain qualified Special Education teachers and staff that are certified to teach more than one subject or grade level, and that bring skills and qualities which make them a good fit in this unique community. (Findings 7, 8, 9, 13, 14, 15, 23).
9. The Grand Jury recommends that administrators consider recruiting candidates with rural backgrounds or with personal characteristics or educational experiences that predispose them to live in rural areas. (Findings 7, 8, 9, 13, 14).
10. The Grand Jury recommends that MCOE Human Resources Department conduct a

11. performance audit of RVUSD administration to correct the abuse and intimidation that pervade the entire organization. (Findings 10, 11, 12).
12. The Grand Jury recommends that RVUSD immediately contract with adequate medical staff in accordance with State Education Code. (Findings 13, 14, 15).
13. The Grand Jury recommends that RVUSD immediately make secure desks, computers, and fax machines where confidential student or personnel information is maintained or transferred. (Findings 16, 31).
14. The Grand Jury recommends that RVUSD immediately purchase a locking display case to post meeting agendas, job announcements, school calendars, and other public notices as appropriate. Such notices must be displayed in a place of public access, in accordance with the Brown Act. (Finding 20).
15. The Grand Jury recommends that RVUSD develop a calendar and tracking system to assure that all important deadlines are met. (Findings 4, 21, 22, 25, 29, 30, 32, 40).
16. The Grand Jury recommends that RVUSD immediately update the Policy and Procedures Manual and take steps to insure that these changes are implemented by staff and School Board members. (Findings 23, 25, 29, 30).
17. The Grand Jury recommends that MCOE oversee and enforce compliance with regulations requiring full immunization for all students in attendance. (Finding 27).
18. The Grand Jury recommends that RVUSD immediately organize and maintain in a professional manner all offices and storage areas. (Findings 29, 30).
19. The Grand Jury recommends that RVUSD digitally archive as many records and other documents as possible and use secure offsite storage. (Findings 29, 30, 31).
20. The Grand Jury recommends that RVUSD require all staff to adhere to an effective organizational system that is defined in the School Board's Policy and Procedures Manual. (Findings 23, 29, 30).
21. The Grand Jury recommends that RVUSD comply with all requests for School Board Meeting agendas and minutes in a timely manner. (Finding 32).
22. The Grand Jury recommends that RVUSD administrators comply with all future Grand Jury requests for information to avoid possible criminal charges. (Finding 33).
23. The Grand Jury recommends that a fire safety engineer perform an inspection of all RVUSD facilities and that all potential building or fire code violations be immediately addressed. (Findings 34).
24. The Grand Jury recommends that RVUSD generate additional revenue to compensate for the loss to the district General fund caused by mandated special education services. (Finding 36).
25. The Grand Jury recommends that RVUSD develop and use web-based informational resources to communicate with all concerned parties, and to network with others who share a concern for special education. (Findings 1, 3, 19, 20, 21, 22, 23, 25, 26, 27, 29, 30, 32, 33).

### ***Comments***

The Grand Jury believes that all parties, especially parents, should know their rights, responsibilities and obligations so that they work together in the best interests of the students. Appendix II contains some basic information for parents, teachers and others.

The findings in this report paint an initially discouraging picture. Wider community problems, poor communication, failure on the part of many to assume responsibility, lax standards of management, and even administrative misfeasance have created a tangle of problems that could seem almost insoluble.

RVUSD is at grave risk for losing local control. As it now stands, this may be the best solution – absent effective and immediate action by the School Board.

The Grand Jury recognizes the good will and hard work of members of the Covelo community, in particular many of the dedicated and skilled teachers and staff of the district.

### ***Response Required***

Superintendent, MCOE

RVUSD Board of Trustees

### ***Response Requested***

Director, MCOE, Human Resources Department

Director, SELPA

Superintendent, RVUSD

Special Education Director, RVUSD

Secretary of Education, State of California

## ***The Mental Health Board Report*** (March 15, 2005)

### SUMMARY

Established under the Welfare and Institutions Code (5600), The Mendocino County Mental Health Board (MHB) "review[s] and evaluate[s] the community's mental health needs, services, facilities, and special problems," (from the Mendocino County Mental Health Department website). The Grand Jury conducted an investigation of the MHB.

### BACKGROUND

Considerable controversy has surrounded the MHB in recent years, with much attention from the media. This has been part of the larger community concern with mental health services, which continues to be a topic of discussion, at times heated, throughout the County. Decisions in this area, particularly budgetary ones, are part of a large and very complex picture involving all aspects of county life and government. The MHB, in the performance of its function, is generally in the middle of the picture -- and of those heated discussions.

### METHODOLOGY

The Grand Jury reviewed documents, including mission statements, policy manuals, and public media. It also conducted interviews with County officials and private citizens.

### FINDINGS

1. The Board of Supervisors (BOS) has agreed that a desirable makeup of the MHB is five consumers, five family members of consumers and five members of the general public.

**Response (Mental Health):** The Department agrees with this finding.

**Response (Mental Health Board):** The Mental Health Board agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding.

2. Each member of the Board of Supervisors appoints three members of the MHB, one from each of the constituencies listed in Finding 1.

**Response (Mental Health):** The Department agrees with this finding, although at times, due to the number of vacancies and lack of applicants, Supervisors have recommended appointees who reside outside of their district.

**Response (Mental Health Board):** The Mental Health Board disagrees partially with this finding. The Board of Supervisors has not recognized the urgency of having a fully appointed Mental Health Board. Rarely has the MH Board had a full complement of 15 members. The Grand Jury is imminently correct in their finding No. 6. Each mental health board member spends a considerable amount of time each month in contact with consumer/clients.

It is our recommendation that the Board of Supervisors recognize the importance of the Mental Health Board and fulfill their policy stated in Finding 1.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and concurs with the response provided by the Mental Health Department.

3. The current makeup of the MHB falls somewhat short of the desired composition.

**Response (Mental Health):** The Department agrees with this finding.

**Response (Mental Health Board):** The Mental Health Board agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding.

4. One member of the BOS is assigned to meet regularly with the MHB.

**Response (Mental Health):** The Department agrees with this finding.

**Response (Mental Health Board):** The Mental Health Board agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding.

5. The MHB reports annually to the BOS.

**Response (Mental Health):** The Department agrees with this finding, in that it is required by State Statute, however, there have been occasions when the Mental Health Board was late and more than one year elapsed between formal reports.

**Response (Mental Health Board):** The Mental Health Board disagrees partially with this finding. The Mental Health Board, due to a number of reasons, has fallen short in this responsibility. All Board members are aware of this responsibility and many of the Board members are very conscientious in this duty.

The Mental Health Board requests that the Board of Supervisors consider the work load of the Mental Health Board this year in preparing for the implementation of Proposition 63 passed by the voters last year.

The Annual Report for 2005 will be late. As the MH Board goes through a continuing reorganization the Chair of the MH Board will assign members to ad hoc committees to study and report on particular aspects of the duties and responsibilities of the Mental Health Department.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding, however there have been occasions when the Mental Health Board was late and more than one year elapsed between formal reports.

6. The MHB serves as a liaison between the Director of Mendocino County Mental Health and the public, and in particular with mental health consumers.

**Response (Mental Health):** The Department agrees with this finding and would add mental health consumers and their families.

**Response (Mental Health Board):** The Mental Health Board agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding.

7. As an advisory board, the MHB can only make recommendations to the BOS and the Mental Health Director.

**Response (Mental Health):** The Department disagrees in part with this



finding. The duties of the Mental Health Board are contained in Welfare and Institutions Code section 5604.2. It is correct that the Mental Health Board does not have separate standing as a legal entity to, for example, enter into contracts, expend funds, or hire staff.

**Response (Mental Health Board):** The Mental Health Board disagrees wholly with this finding. In our opinion, and with all respect, the Finding is incorrect. The Mental Health Board has limited approval power, not just the responsibility of recommendation. The MH Board respectfully refers the Grand Jury, Board of Supervisors and the Mental Health Department director to review Welfare and Institutions Code 5604.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding. However, there are specific duties spelled out in Welfare and Institutions Code section 5604.2.

8. The MHB provides a combination of involvement, expertise and concern about mental health that would not otherwise be available in the County.

**Response (Mental Health):** The Department agrees with this finding in that no other formal organization with this mission exists.

**Response (Mental Health Board):** The Mental Health Board agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding.

9. There is widespread agreement that the Mental Health Board has the potential to contribute greatly to the effectiveness of mental health services in the County.

**Response (Mental Health):** The Department agrees with this finding.

**Response (Mental Health Board):** The Mental Health Board agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding.

10. Many of those serving on the MHB join the Board without prior experience in working on a board.

**Response (Mental Health):** The Department disagrees with this finding in part. While previous Board experience is not required, most members have numerous years of experience serving as volunteers in various capacities.

**Response (Mental Health Board):** The Mental Health Board disagrees with this finding in part. While the finding is accurate it insinuates that to be qualified to serve on the Board a prospective board member should have previous board experience. The Mental Health Board respectfully refers the Grand Jury and the Board of Supervisors to the situation which occurred some years ago when consumer/client MH Board member Leonard Cirino was asked to step down from the Board. Mr. Cirino represented the consumer/client seat of the Fifth District, and the First District Supervisor took great exception to what Mr. Cirino had done while mentally ill. After considerable debate in the chambers of the Board of Supervisors, it was decided that for a person to be eligible to serve on the MH Board that they meet no more of a criteria than that required to serve on the Board of Supervisors.

Each prospective MH Board member is given an extensive interview, has access to the Bylaws of the Board and is made fully aware that the MH Board intends to conduct its meetings using Robert's Rules of Order.

It is recommended that the Board of Supervisors, in its appointing capacity, recognize that the experiences of consumer/clients, family members and those members of the public who wish to serve, do so because of those experiences combined with a strong desire to enlighten and bring change to a system which is generally considered dysfunctional.

**Response (Board of Supervisors):** The Board of Supervisors disagrees with this finding in part. While previous Board experience is not required, most members have numerous years of experience serving as volunteers in various capacities.

11. The combination of inexperience and deep commitment on the part of MHB members has led to meetings that are at times passionate and conflicted.

**Response (Mental Health):** The Department disagrees with this finding in part. While the statement may have been true at certain times, overall the Mental Health Board has historically been active, involved, and effectively managed its "passion" and "conflict."

**Response (Mental Health Board):** The Mental Health Board disagrees with this finding in part. We agree with the use of the words "at times",

"passionate", and "conflicted" do occur, but believe that all members are passionate in their service. It is only because they feel as deeply as they do, and know the need for change that they volunteer. "Conflicted" means at cross purposes, it is considerably different from "conflict". We hold that MH Board members are anything but conflicted, and submit that during some portions of some board meetings there are lively debates and disagreements. Robert's Rules of Order allows for both dissent and a minority voice. Both of which should be encouraged (not only on this voluntary board, but on all boards).

We recommend that the MH Board choose a chair well versed in parliamentary rules and or continue their calling on a member to serve as parliamentarian.

**Response (Board of Supervisors):** The Board of Supervisors disagrees with this finding in part. While not all members of the MHB have previous experience, they meet the necessary minimum requirements to serve in their capacity.

12. There is in our community a tremendous range of opinion on what constitutes good mental health practices, which contributes to the confusion and disagreement.

**Response (Mental Health):** The Department agrees with this finding, although this is not unique to our community. The goal is to provide an array of services to meet the range of need, and the lack of adequate resources to provide this array is what often leads to disagreement on priorities.

**Response (Mental Health Board):** The Mental Health Board agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding.

## RECOMMENDATIONS

1. The Grand Jury recommends that individual members of the BOS take great care in making nominations to the MHB, recruiting and thoroughly screening potential candidates (Finding 2).

**Response (Mental Health):** This recommendation is outside the purview of the Mental Health Department. The Department notes that a process of interview and screening by the MHB of all prospective members exists. The

recommendation of the MHB is then submitted to the Board of Supervisors.

**Response (Mental Health Board):** This recommendation requires further analysis. The Grand Jury and the Board of Supervisors is again respectfully requested to remember that the MH Board is going through a period of reorganization. During the last six months two of its elected chairs have resigned. The requirements of Prop. 63 Plan for the Plan process have been onerous. Early expenditures have placed the budget in jeopardy. The current board is not up to full strength, but all are willing to serve to their ability.

That the MH Board itself review its charge as codified in state law and reorganize itself to meet its responsibilities (3 months). In addition it is recommended that the MH Board accept the offer for clerical help from Mental Health Department staff to augment the clerk/secretary to the MH Board. (3 months).

And it should be thoroughly discussed by the MH Health Board how best to allow for dissent and difference of opinion regarding all aspects of mental illness (read: normalcy, non-normalcy) to be considered in the various types of care and treatment offered and/or controlled by the Mental Health Department.

**Response (Board of Supervisors):** This recommendation has been implemented. The Board currently takes great care in making its nominations to the MHB.

2. The Grand Jury recommends that the BOS provide regular training for the MHB to prepare them for their duties and responsibilities (Finding 10, 11).

**Response (Mental Health):** This recommendation is outside the purview of the Mental Health Department. The Department notes that the Board of Supervisors provides funding each year for training and education for the mental Health Board. In addition, the California Institute for Mental health provides free training for MHB members throughout the State. The most recent training was in Redding in March 2005. Unfortunately, only four members of the MHB attended this all-expense paid event.

**Response (Mental Health Board):** This recommendation requires further analysis. See response to recommendation number one above.

**Response (Board of Supervisors):** This recommendation has been

implemented. Please see the response provided by the Mental Health Director.

3. The Grand Jury recommends that the MHB and the Mental Health Director, with the participation of the representative from the BOS, maintain clear communication about, and understanding of, each other's role, through regularly scheduled meetings as well as at times of crisis or change (Findings 2, 4, 5, 6, 7).

**Response (Mental Health):** This recommendation has already been implemented. In 1999, two MOUs – one defining the roles and relationship between the MHB and the Board of Supervisors and the other between the MHB and the Mental Health Department – were developed. These MOUs were last updated in September 2001 and January 2004, respectively. Based on the recommendation of the Grand Jury, perhaps the MOUs should be reviewed again for possible updating.

**Response (Mental Health Board):** This recommendation requires further analysis. See response to recommendation number one above.

**Response (Board of Supervisors):** This recommendation has been implemented. Please see the response provided by the Mental Health Department.

## COMMENTS

In its investigation, the Grand Jury encountered wildly divergent and contradictory perceptions of the MHB as well as of mental health services in the County. Many of these views have appeared in local media. Stepping back from the specifics of these articles and letters, the Grand Jury realized that it is axiomatic that, around this topic, passions and convictions are very strong. Government agencies and the general public should accept this as inevitable and even desirable. The MHB is a welcome and vital voice in our effort to create the best possible mental health system in our County.

## RESPONSE REQUIRED

Mendocino County Board of Supervisors

## RESPONSE REQUESTED

Director, Mental Health Department  
Mental Health Board

## **Report on Proposition 63 – The Mental Health Services Act** (May 11, 2005)

### ***Summary***

As part of its responsibility to oversee public health programs in Mendocino County, the Grand Jury has studied the process, currently underway, through which the County will establish programs and policies in response to the opportunity created by The Mental Health Services Act (MHSA).

### ***Background***

In November of 2004, the voters of California approved the MHSA, setting in motion a process of planning and program development that, it is hoped, will lead to significant improvement in mental health services in California. In Mendocino County, the planning process has been underway for several months. In early March the Board of Supervisors (BOS) approved the preliminary plan outlining the way in which the County will use the funds from Prop. 63, as the MHSA is generally referred to.

### ***Methodology***

In the course of this inquiry, the Grand Jury conducted interviews, attended public meetings, and reviewed documents and publications.

### ***Findings***

1. The guidelines and regulations governing the use of MHSA funds call for innovation grounded in the recovery-based model, that is, very much client-oriented and with much group and peer activities.
2. The emphasis in the vision statement of the MHSA (available at [http://www.dmh.cahwnet.gov/MHSA/docs/Vision\\_and\\_Guiding\\_Principles\\_2-16-05.pdf](http://www.dmh.cahwnet.gov/MHSA/docs/Vision_and_Guiding_Principles_2-16-05.pdf)) is for greater client involvement in providing mental health services. Programs funded under Prop. 63 must document that they are client-designed and client-driven.
3. Planning must involve the stakeholders in the broad domain of mental health services in our County: professionals in the County workforce involved with the provision of services for persons with mental illness; those who work in the private or non-profit sector concerned with mental health; and those who volunteer their time and money to mental health issues.

4. The planning process in Mendocino County uses the following 11 workgroups, open to all in the community, each of which will center on one aspect of the mental health process:

Children's Services	Medical Services
Client Self-Help Programs	Older Adult Services
Client's/Family Rights Advocacy	Supportive and Other Housing
Crisis Services	Transition Age Youth
Jail Diversion	Vocational/Educational Opportunities
Law Enforcement	

5. The Mental Health Board (MHB), which has been involved in the planning process to a degree largely unmatched in other California counties, helped draw up the County's plan before it was approved by the BOS.
6. The State of California has promised (though not delivered) about \$100,000 for our County in the fiscal year 2004-2005, to be used specifically for planning; the County has had to spend much of that amount before its arrival.
7. Beginning in fiscal year 2005-06, increased funding will be available, designated for both Adult and Children Community Services and Support, and Prevention and Early Intervention Programs, as well as for education, training, capital facilities, and technology.
8. The disbursement of funds will be spread out over several years, with Community Services and Support being the first area to receive funding.
9. Prop. 63 funds may not supplant existing budget allocations; all MHSA programs must demonstrate the potential for both significant innovation and improvement over past practices.
10. The planning process thus far has included considerable discussion over the process itself, most of all about the level of representation of different agencies and interests in the planning groups.

### ***Recommendations***

1. The Grand Jury recommends that officials, both elected and appointed, do everything possible to establish unity within the interest groups as the planning goes on. (Finding 4, 10)
2. The Grand Jury recommends that individuals and groups with concerns for the MHSA continue to participate in the planning process, most usefully perhaps by joining one of the workgroups. (Finding 3, 4)

3. The Grand Jury recommends that every effort be made to hold meetings of the workgroups at times that facilitate the attendance of the greatest possible number of stakeholders and that those meetings be well publicized. (Finding 3).
4. The Grand Jury recommends specifically that the work schedules of employees in departments with an interest in Prop. 63 be adjusted to allow their participation in the workgroups. (Finding 3, 4)

### ***Comments***

The Grand Jury welcomes the widely expressed commitment to openness and transparency in the planning process for Prop. 63 and urges that it be carried out to the fullest by all concerned.

The exercise in planning that we in this County are now engaged in presents a welcome opportunity to examine in the broadest possible perspective mental health services in the County. There are difficult choices to be made, and prior experience tells us that any decision made will be questioned. The best place to raise those questions is during the workgroup process rather than after the groups' work is done. Officials and members of the general public who participate in those groups will have much more influence on the final plans.

The guidelines call for an emphasis on new approaches and methods. Innovation for its own sake has limited value, but a study of alternatives to the status quo that is both rigorous and open-minded has great promise. And even if the specific programs initiated as a result of the MHSA accomplish relatively little, an honest and truth-seeking debate across all the boundary lines on the map of mental health services may yield great rewards.

### ***Response Required***

Mendocino County Board of Supervisors  
Mendocino County Sheriff's Department

### ***Response Requested***

Director, Department of Mental Health  
Mendocino Mental Health Board  
Director, Department of Social Services  
Director, Public Health Department  
Director, Alcohol and Other Drug Programs  
Director, Ford Street Project





# **The Elephant in the County – a Report on Mental Health Services**

(May 31, 2005)

## **SUMMARY**

The Grand Jury undertook an assessment of the overall condition of mental health services in Mendocino County.

## **BACKGROUND**

Given the budget crisis in the County, the state and the nation, funds for public mental health have shrunk drastically in recent years. Furthermore, the Mendocino County Mental Health Department (MHD) has been specifically stressed financially, to the point of going to a period of mandatory time off for its employees. Mental illness has a huge impact on many other government programs. The Grand Jury received several complaints that, when investigated, led us to look beyond those concerns to the broader picture.

## **METHODOLOGY**

The Grand Jury conducted interviews, reviewed County documents, attended public meetings, and undertook comparisons of our County with other California counties.

## **FINDINGS**

1. Mental illness is both a cause and a consequence for the most serious social issues facing our County.
2. The rate of identified mental illness among our County's homeless population is both high and increasing.
3. The rate of identified mental illness among our County's prison population is both high and increasing.
4. The rate of identified mental illness among our County's population that has substance abuse issues is both high and increasing.
5. The rate of identified mental illness among the senior residents of our publicly funded residential care facilities is both high and increasing.
6. Methamphetamine use, on the increase in our County, is indisputably a causal factor in mental illness.
7. As the need for mental health services has increased, the funding for mental health services has shrunk, and will continue to do so.
8. The overall number of front-line employees in the agencies that work directly with persons with mental illness has been drastically reduced. In the MHD alone, there are many fewer case managers now than there were five years ago and those managers carry a much larger caseload.

9. Mental health workers also are burdened by increased regulations and paperwork.
10. There is not at present a Board-certified child psychiatrist practicing in Mendocino County.
11. In the past, the MHD has relied upon federal and state funds to pay for services to persons with mental illness; the state is significantly behind in its compensation for those services and the federal government has been cutting funds for mental health support.
12. County tax dollars allocated to the MHD cover office expenses and very little more. (Other counties in California that have in the past funded mental health services from their general budget are now making drastic cuts.)
13. Many cuts in services, such as early intervention programs, that have been deemed less essential result in increased costs to the taxpayer.
14. The many private and non-profit institutions in our County that serve persons with mental illness are also in a state of financial crisis.
15. The Mental Health Services Act, the subject of a report on Proposition 63 issued earlier this year by the Grand Jury, promises some measure of relief through additional funds.

## **COMMENTS**

Mental illness is, both literally and figuratively, the member of the family many of us prefer to ignore. We find it scary. There is no easy fix for it. It carries a stigma in our society that deters us from confronting it and from dealing effectively with it. The consequence of our reluctance is an increase in suffering on the part of all. Historically, when tax dollars are distributed, mental health services will always be at the back of the line, in part as a result of public indifference. Such an attitude cannot be changed easily. What do we owe ourselves and our community and how can we best meet the severe challenges posed at this time?

To assign complete responsibility for the care for persons with mental illness to the MHD would be both impossible and wholly counter-productive. The following agencies and departments are among those that also respond to the needs of this population: Law Enforcement; Department of Corrections; Department of Probation; Public Housing; Public Health; Child Protective Services; Alcohol and Other Drug Programs; and Senior Services. The impact on the budget allocations in those agencies demanded by their service to the mentally ill would be difficult to calculate precisely, but no one could argue that the overall cost is not immense.

If the annual expenditures of the private and non-profit entities that serve those with mental illness were added to the amount of taxpayer dollars, the total would rise even further. The Grand Jury cannot even estimate that figure, but in the context of the County's economy it must be staggering.

Many elements of the crisis in mental health apparent in the findings above would exist even without the budget crisis. But the shortage of funds suggests several responses: a clear and uncompromising setting of priorities that work within the funds available; an increase in the number of self-help groups that can, with some professional guidance, give tremendous support to persons with mental illness; the elimination of duplication of tasks across different agencies as well as the curbing of any turf battles that might develop; and the explicit cultivation of alternatives to traditional (more costly) methods of assisting those with mental illness. The reality of the situation is that we may also have to choose which groups NOT to treat; “treat the treatable” may become the mantra as government increasingly reduces funding, and the result will be a kind of mental health triage.

## **RECOMMENDATIONS**

1. The Grand Jury recommends that the Board of Supervisors create an ad hoc committee to consider the full cost of mental illness to our County and to report on the implications of their findings. (Findings 1-6, 8, 9, 12, 13)
2. The Grand Jury recommends that either that committee or another body canvass other counties or political entities to learn how they are responding to the shortage in funds for mental health. (Findings 11, 12)
3. The Grand Jury recommends that the Board of Supervisors ask all County departments to assess the impact of mental illness on their productivity and monetary expenditures. (Findings 8, 11, 12)
4. The Grand Jury recommends that the Board of Supervisors assess the amount of overlap and duplication of services resulting from the many separate agencies and departments that serve people with mental illness. (Finding 8)
5. The Grand Jury recommends that mental health programs that stress prevention and early intervention be given particular emphasis. (Finding 13)

## **RESPONSE REQUIRED**

Mendocino County Board of Supervisors  
Sheriff, Mendocino County  
District Attorney, Mendocino County

## **RESPONSE REQUESTED**

Mendocino County Mental Health Board  
Director, Mendocino County Department of Mental Health  
Director, Mendocino County Department of Social Services  
Director, Alcohol and Other Drug Programs  
Director, Department of Public Health



## **SEVEN FIRE DISTRICTS OF RURAL MENDOCINO COUNTY** (June 28, 2005)

### **SUMMARY**

In the course of performing an oversight on a Mendocino County agency, the Grand Jury was alerted to a growing crisis facing rural fire districts throughout much of California. This news prompted the Grand Jury to undertake a limited but in-depth investigation of a sampling of County fire districts. The seven fire districts include Albion/Little River, Covelo, Hopland, Long Valley (Laytonville), Piercy, Potter Valley, Redwood Valley-Calpella.

### **BACKGROUND**

There are twenty-one rural fire districts in Mendocino County. The seven districts chosen for oversight in this report constitute, in the Grand Jury's judgment, a representative cross-section of rural firefighting agencies. They include the well funded and the poorly funded, the inland and the coastal, well-trained personnel and those who struggle for time and funds for adequate training. They vary in size both in roster numbers and in geographic areas. These rural fire districts in all their differences and commonalities are crucial safeguards to lives and property throughout Mendocino County.

### **METHODOLOGY**

The Grand Jury visited the sites of each of the seven districts, interviewed fire chiefs and, when available, other officers and fire personnel, Emergency Medical Technicians (EMTS), and district board members. The Grand Jury examined budgets, operational records, organizational charts and State of California Regulatory documents affecting rural fire districts. In addition, the Grand Jury interviewed officials of the Local Agency Formation Commission (LAFCO), the Mendocino County Office of Risk Management and the Ukiah Valley Fire District.

### **COMMON FINDINGS**

1. The two basic functions of a fire department are quick fire suppression and fire prevention.
2. The National Fire Protection Association has established universally recognized standard as guides for proper fire protection.
3. The State of California governs the functions of LAFCO and Special Districts including the rural fire districts.
4. The amount of State tax revenue returned to the rural fire districts has not increased although the cost of operating these districts has continued to increase.
5. Government Code §56381 and the Cortese-Knox-Hertzberg Act regulate the LAFCO funding formula; LAFCO receives 1/3 of its income from

the cities in the County, 1/3 from the County governments and 1/3 from the Special Districts, including rural fire districts.

6. Some rural fire districts indicate that the services they receive from LAFCO fall far short of the value of the funds they lose to support this agency.
7. Many rural fire districts incur more annual expenses than revenue.
8. Workman's Compensation absorbs a major part of the budget in many of the surveyed districts.
9. Most rural fire districts must supplement their budgets with fundraising events.
10. Those districts which operate their own ambulance service derive a portion of their income from this service.
11. Most surveyed fire districts are 100% volunteer.
12. Some rural fire districts do not offer adequate training.
13. Some rural fire districts offer training both on-site and out of district.
14. No rural fire district has 24/7 station staffing although volunteers are on-call 24/7.
15. Most fire district volunteers carry their turnout gear in their vehicles.
16. Most fire district volunteers carry radio receivers.
17. Most rural fire districts have defibrillators and the Jaws of Life readily available.
18. Many rural fire districts must rely on aging vehicles requiring frequent and expensive maintenance.
19. Some rural fire districts have difficulty recruiting volunteers.
20. The majority of calls in the surveyed fire districts are for medical emergencies.
21. A high percentage of the medical emergencies cited in Finding 18 are the result of traffic accidents.
22. Insurance Service Organization (ISO) ratings for rural fire districts are scaled from 1 to 10; the higher the number, the higher the insurance premium for structure owners.
23. Most of the surveyed districts are rated at 7 or 8 by the ISO.
24. ISO ratings for rural districts are based, in part, on the number of hydrants available within the district; without hydrants, a district is rated no lower than 8.
25. The California Division of Forestry and Fire Protection (CDF) assists most of the fire districts countywide, providing technical support and paid personnel; all surveyed rural fire districts depend upon this support and reciprocate. The districts are most often first on the scene to suppress a wildlands fire.
26. Most CDF stations are closed on a seasonal basis.
27. The surveyed districts all have mutual aid agreements with CDF and adjacent districts.

28. CDF provides, if requested, arson investigation services for any county fire district.
29. There are numerous structures, including residences, which do not have adequate fire protection because of their isolation and/or inaccessibility.
30. The Mendocino County Fire Chief's Association (FCA) meets on a regular basis with representatives of other County and State agencies, public utilities and private organizations to discuss mutual needs and concerns and to attempt resolution of problems.
31. Mendocino County does not have a program of fire prevention, as opposed to fire suppression. The Mendocino Board of Supervisors has the authority to adopt a more stringent fire safety code that would incorporate a fire prevention program.

## **RECOMMENDATIONS**

1. The Grand Jury recommends that the Board of Supervisors reevaluate the financial support given to rural fire districts in order to prevent impending rural fire department financial ruin and collapse. (Findings 4,5,6,7).
2. The Grand Jury recommends that the FCA encourage and assist rural fire districts in facilitating staff and volunteer training through cooperation and, where feasible, collaboration. (Findings 10,11,28 )
3. The Grand Jury recommends that the FCA, in conjunction with **local** fire districts, raise public awareness of the need to replace aging equipment that is expensive to maintain and becoming obsolete. (Findings 16,28)
4. The Grand Jury recommends that the FCA continue to inform the public of the accomplishments of rural fire districts as well as the increasing difficulties in some districts in recruiting and training staff and volunteers. (Findings 9,10,11,28)
5. The Grand Jury recommends that, to the extent possible, rural fire districts provide incentive pay and/or other benefits to assist in recruiting and training volunteers. (Findings 5,10,11)
6. The Grand Jury recommends that the Board of Supervisors create, as soon as possible, a centralized authority for overseeing the operations and funding of the rural fire districts. (Finding 2, 3, 4, 5, 6, 7)



ALBION/LITTLE RIVER FIRE PROTECTION DISTRICT  
ALBION/LITTLE RIVER VOLUNTEER FIRE DEPARTMENT

**Specific Findings**

1. Albion/Little River Fire District (A/LRFD) protects an area of 40 square miles and a population of approximately 3500.
2. Water supplies for the A/LRFD are provided by the Albion Water District; the Department maintains several large water storage tanks within their area and has access to hydrants at The Woods, a senior living facility, and two wells adjacent to fire stations.
3. A/LRFD, through a ballot measure passed in 2000, became a taxing authority; these local funds form a substantial portion of their annual \$80,000 budget.
4. The annual A/LRFD emergency response breakdown is approximately 60% medical, 25% traffic accidents, 15% fires/cliff or ocean rescues.
5. A/LRFD is 100% volunteer; members average 7 to 8 years of service, significantly higher than the state wide average of 2 to 3 years. All volunteers are firefighters, eight are EMTS.
6. A/LRFD has an annual training budget; the twenty volunteers can be sent out of district for training sessions and trainers are recruited to hold sessions on site.
7. In addition to light and heavy trucks, engines and water tenders, A/LRFD equipment includes an oceangoing Zodiac rescue boat.

COVELO FIRE PROTECTION DISTRICT  
COVELO VOLUNTEER FIRE AND AMBULANCE SERVICE

**Specific Findings**

1. The Covelo Fire Protection District (CFPD) protects an area of 50 square miles and a population of approximately 3000.
2. Water supplies for the CFPD are provided by one hydrant; water is supplied by one well. Electricity is backed up by a generator.
3. The CFPD has sufficient equipment to accomplish its mission, but much of the equipment is old and in need of replacement. For example, the 1970 International Type III engine is outdated.
4. The CFPD has 23 members, two salaried and 21 volunteers, including two cadets. At present, the District also has three volunteers in training.
5. The CFPD annual revenues from taxes are \$34,000; this amount is supplemented by donations, fundraisers, and interest from an endowment. Calls answered to Bureau of Indian Affairs (BIA) lands are usually reimbursed if it is a wildlands fire.
6. The CFPD has two ambulances, a 1991 Type II and a 1997 Type III, staffed by the volunteers indicated in Finding 4. This staffing includes nine EMTS and two first responders.
7. The geographic isolation of Covelo creates problems in training EMTS and volunteer firepersons. The problem is compounded by volunteer inability to devote time to travel and training while committed to fulltime employment.

HOPLAND VOLUNTEER FIRE PROTECTION DISTRICT  
HOPLAND VOLUNTEER FIRE DEPARTMENT

**Specific Findings**

1. The Hopland Volunteer Fire Department (HVFD) protects an area of 350 square miles and a population of approximately 1,400.
2. Water supplies for the HVFD are provided by the municipal district to 72 hydrants and to Department storage tanks.
3. HVFD has the equipment necessary to accomplish its mission, but much of the equipment is old and in need of replacement. The Department has only one 22 year old water tender and it is in need of major repairs.
4. Although HVFD is authorized to carry 30 volunteer firefighter positions, only 17 of these positions are currently filled. From December to April, the Department carries four salaried positions, three fulltime and one part-time.
5. HVFD members, trained by in-house and off-site instructors, must sometimes pay for their own training.
6. Because the District has an arrangement with the CDF and has been working and training in CDF space for several years, the HVFD must comply with CDF standards.

LONG VALLEY FIRE DISTRICT  
LAYTONVILLE FIRE DEPARTMENT

**Specific Findings**

1. The Laytonville Fire Department (LFD) protects an area of 250 square miles and a population of approximately 3500.
2. Water supplies for the LFD are provided by a hydrant system which extends for two to three miles from the firehouse; water is supplied by the Laytonville Water District.
3. The LFD owns the most up-to-date equipment of the seven surveyed districts. For example, the Department's oldest engine was built in 1989.
4. The LFD has 32 members, two salaried and 30 volunteers, including a chaplain. The department has two ambulances; the volunteers include four paramedics.
5. The LVFD is supported by a \$120,000 tax base.
6. The LFD offers an EMT class onsite annually to which other County districts send their volunteers. The District also offers a community classroom at the station in which interested high school students spend a class period learning the tasks and responsibilities of fire service.

POTTER VALLEY COMMUNITY SERVICES DISTRICT  
POTTER VALLEY VOLUNTEER FIRE DEPARTMENT

**Specific Findings**

1. The Potter Valley Volunteer Fire Department (PVVFD) protects an area of 275 square miles and a population of approximately 2000.
2. Water supplies for the PVVFD are provided by a hydrant with generator backup located at the firehouse and supplied by a well.
3. A water tender holding 5000 gallons is a PVVFD standby water source.
4. PVVFD has the equipment necessary to accomplish its mission, but much of the equipment is old and in need of replacement.
5. The PVVFD is a 100% volunteer district; the 21 members include a chief, two assistant chiefs, four active EMTS and one paramedic, and four volunteers who are also CDF employees. Two Junior firemen (cadets) also serve the district.
6. PVVFD volunteer training includes Swift Water Rescue training for Russian and Eel River incidents.

## REDWOOD VALLEY-CALPELLA FIRE DISTRICT

### Specific Findings

1. The Redwood Valley-Calpella Fire District (RVCFD) protects an area of 60 square miles and a population of approximately 7800.
2. Water supplies for the RVCFD are provided by 110 hydrants in Redwood Valley and 38 in Calpella; water is supplied by three water districts and various private water sources. These sources are primarily on the Valley floor; few are in the rural or foothill areas.
3. RVCFD has sufficient equipment to accomplish its mission, but much of the equipment is old and in need of replacement. For example, the mutual aid wildland 1979 Ford Type 3 pumper is no longer reliable enough to be taken on out-of-County Strike Teams.
4. The RVCFD has 26 members; of these, three are salaried, 16 are volunteers, and seven are cadets.
5. The RVCFD's recently purchased water tender was funded by the volunteers, private donations, and a grant through the Sho-Ka-Wah casino in Hopland.
6. The RVCFD has converted a retired ambulance into a mobile compressed air support to refill firefighters' portable air tanks at the scene of an incident.

PIERCY FIRE PROTECTION DISTRICT  
PIERCY VOLUNTEER FIRE DEPARTMENT

**Specific Findings**

NOTE: The Piercy Fire Protection District, supporting a 100% volunteer Fire Department, was formed in 1956 when three lumber mills were flourishing in the area. On January 1, 2004, the Department was no longer a viable entity: OSHA specifications could not be met, the Chief retired and two of the remaining volunteers resigned. Residents of this bedroom community in northern Mendocino County, while they do not seem willing to pay additional taxes, continue to be hopeful that their District can support an active Fire Department in the near future.

1. The Piercy Volunteer Fire Department (PVFD) protected an area of 98 square miles and a population of approximately 290.
2. Water supplies for the PVFD were provided primarily by the South Fork of the Eel River and landowner's private reservoirs when available. PVFD also had access to the hydrants in Richardson's Grove. Two of three storage tanks in the district are presently unusable.
3. The PVFD owns a 1972 Chevrolet Type I 1200 gallon pumper and a 1978 Dodge one ton 4x4 wildlands truck. Two International engines obtained through the Federal Excess Program had to be returned following the collapse of the Department. The Department also has eight sets of turnout gear that do not meet OSHA requirements.
4. The PVFD has, at present, no members. After recent recruiting efforts by the Interim Chief and the two remaining Fire Commissioners, fifteen residents expressed an interest in joining a reconstituted PVFD.
5. There is, at present, \$15,000 in the District Funds account in the State Controller's office in reserve for the Piercy Fire Protection District. Piercy receives \$8000 annually from the County from which various fees and expenses are deducted.

## **COMMENTS**

In a State as huge and geographically diverse as California, fire protection services range from well-trained, well-paid urban districts using state of the art equipment to rural, 90% to 100% volunteer districts struggling for time and funds to train members and searching for ways to replace aging, outmoded equipment. Much of Mendocino County is served by the latter, many caught in an economic “perfect storm” as they attempt to protect their communities.

Even as retirees flock to the County and developers rush to meet the demands of the second home market, the cost of firefighting equipment increases, potential volunteers see jobs decline and home prices soar, and the State imposes additional training hours and mandated services on rural fire districts.

The portion of property taxes allotted to rural fire districts has not increased since 1956, although the cost of district operations continues to rise. While some fortunate districts receive endowments and gifts from members of the community, others write and rewrite grant requests, raffle patchwork quilts, and pray that the annual district barbeque will attract paying customers from beyond their boundaries into the outlying areas. It is estimated that a rural fire district in our County of between 20-25 volunteers and an annual budget of between \$75,000-\$85,000 is equal to the cost of **one** fully equipped journeyman firefighter employed by the San Francisco Fire Department.

The volunteer, who may well hold a full time job and cherish time with his/her family, must also manage on-call and training hours and State mandated services to public buildings in addition to dwellings, small businesses and wildlands. Volunteer EMTS may be called to the scene of a midnight heart attack or a vehicle accident on State 101, State 1 or any of the myriad of winding, deteriorating County roads.

Mendocino County residents would surely agree with the thought that one of the finest ways to serve your community is to join their volunteer fire department. Thousands of us depend on rural fire districts for our safety, our health and the integrity of our communities. The Grand Jury recommends that both State and County governments serve these districts as fairly and faithfully as these districts serve their residents.

### **Response Required**

Mendocino County Board of Supervisors



**Response Requested**

Chairman, Local Agency Formation Commission  
President, Mendocino County Fire Chief's Association  
Mendocino County Safety Officer  
Director, Mendocino County Department of Building and Planning  
Mendocino County Unit Manager, California Department of Forestry and Fire Protection  
Chief, Little River Fire Department  
Chief, Covelo Volunteer Fire and Ambulance Service  
Chief, Hopland Fire Department  
Chief, Long Valley Fire District  
Chief, Potter Valley Volunteer Fire Department  
Chief, Redwood Valley-Calpella Fire District  
Interim Chief, Piercy Fire Department

# **Mendocino County Department of Transportation Unpaved Road Report**

(February 15, 2005)

## ***Summary***

There are 1020 miles of roads in Mendocino County under the jurisdiction of the Department of Transportation (DOT). This report deals primarily with the 360 miles of unsurfaced (unpaved) roads.

## ***Background***

The DOT is responsible for Roads and Bridges, Business Services, the County Surveyor, Land Improvement, Solid Waste, and Engineering. In accordance with the mission statement "The Road Division has a key role in accommodating the statutory functions of the County Road Commissioner in accordance with requirements of the California Streets and Highways Code and restricted Road Fund provisions. In order to address these responsibilities, road maintenance forces operate out of seven Road Maintenance Yards throughout the County."

## ***Methodology***

The Grand Jury interviewed various members of the DOT and reviewed agency documents to gather information needed for this report.

## ***Findings***

1. The DOT top priority is safe roads and safe driving conditions.

**Response (Department of Transportation):** The Department agrees with the finding.

**Response (Board of Supervisors):** The BOS agrees with this finding.

2. The local yard Senior Road Crew Supervisors are the public's primary contact for local maintenance work and are available by phone.

**Response (Department of Transportation):** The Department agrees with the finding.

**Response (Board of Supervisors):** The BOS agrees with this finding.

3. Applications of fresh water are required prior to any grading of un-surfaced roads.

**Response (Department of Transportation):** The Department agrees with the finding. Road Division personnel try to take advantage of weather conditions and grade un-surfaced roads when they are at good moisture content conditions – e.g. after the first several rains in the fall and before the road structure dries out in late spring / early summer

**Response (Board of Supervisors):** The BOS agrees with this finding.

4. If water must be applied, it may have to be purchased by the DOT and hauled to the work sites.

**Response (Department of Transportation):** The Department agrees in part with this finding. Because the California Department of Fish & Game is requiring conditions, which make drafting water from streams more restrictive, the department has found it more economic to purchase the water rather than comply with the mitigation. The main restriction is a requirement that no more than 25% of the flow of a stream be removed and if the flow is low we would need to slowly fill our water truck. We have determined that the loss in efficiency to the grading operation in “slow fills from streams” makes purchase and haul a viable option.

We are exploring purchase of tanks for slow fill and rapid transfer to water trucks but other agencies have warned us that there can be vandalism issues with leaving a slow fill tank unattended. We believe the solution is access to ponds, which we are attempting to do where possible.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding, however, the BOS has no reason to doubt the response by the Department of Transportation.

5. A consistent supply of water is required for efficient roadwork; thus progress may be slowed when water must be hauled from a distance.

**Response (Department of Transportation):** The Department agrees with this finding. See response to #4 above.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding. See response to # 4 above.

6. The California Department of Fish and Game sets stringent requirements for the taking of water from waterways, which can affect both the cost and efficiency of road maintenance.

**Response (Department of Transportation):** The Department agrees with this finding. See response to #4 above.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding. See response to # 4 above.

7. Motorists have a tendency to increase speed after grading has been completed. This driving pattern causes the road to return to its prior condition of disrepair within a short time.

**Response (Department of Transportation):** The Department agrees in part with this finding. Some studies indicate that traffic volume has more effect than traffic speed on the condition of un-surfaced roads.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information on studies done relative to driving patterns and their effect on road conditions.

8. Very few un-surfaced roads are posted for speed limits.

**Response (Department of Transportation):** The Department agrees with the finding.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information.

9. Vegetation growth along roadways impedes maintenance work and creates hazardous driving conditions, decreasing visibility and narrowing the usable road surface.

**Response (Department of Transportation):** The Department agrees with the finding.

**Response (Board of Supervisors):** The BOS agrees with this finding.

10. Magnesium chloride, a bonding agent, is used to improve unpaved roads, control dust, and create a longer lasting surface.

**Response (Department of Transportation):** The Department agrees with the finding.

**Response (Board of Supervisors):** The BOS agrees with this finding.

11. The DOT Engineering Division has recently acquired four new pneumatic traffic-counting devices.

**Response (Department of Transportation):** The Department agrees with the finding.

**Response (Board of Supervisors):** The BOS agrees with this finding. The pneumatic traffic-counting devices were purchased in approximately November 2004. A laptop computer with the software to operate these devices was purchased in approximately February 2005.

12. Some of the maintenance yards lack adequate surveillance and security features, leading to serious theft and vandalism.

**Response (Department of Transportation):** The Department agrees in part with this finding. Our yards have gates and are locked during non business hours. Sometimes the yards (not the office or shop) are left open and unattended during business hours because of deliveries and utility company meter readers that need access. The theft and vandalism, which has occurred, is a result of non-business hour activities. One event might well have been someone with an unauthorized copy of a key. We are considering changing certain lock systems.

**Response (Board of Supervisors):** The BOS agrees with this finding. While there have been incidents of non-business hour unauthorized access, investigations have been conducted by the DOT, and some of the lock systems have been considered for a more secure system.

13. For the past three years, funding for road maintenance has been so inadequate as to create an impending transportation crisis and a threat to public safety.

**Response (Department of Transportation):** The Department cannot support this finding. Inadequate funding creates a large problem, and while driver comfort is a priority, safety issues and concerns are a greater priority, and have been and will continue to be dealt with swiftly and as efficiently as possible even when driver comfort must be sacrificed to do so.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this finding without further information. However, while budget constraints are a major concern for the county as a whole, the BOS has always taken the position that public safety is a major priority.

## **Recommendations**

1. The Grand Jury recommends that the DOT make every effort to contact local reservoir/pond owners to assist in supplying adequate water in close proximity to road grading work. (Findings 3,4,5,6)

**Response (Department of Transportation):** Recommendations have been implemented.

**Response (Board of Supervisors):** The BOS agrees with this recommendation.

2. The Grand Jury recommends that the DOT increase the number of speed limit signs on un-surfaced roads. (Finding 8)

**Response (Department of Transportation):** Recommendation requires further analysis. We don't believe that speed limits can be set in order to keep the road from falling into a condition of disrepair faster. We would have to find justification based on the following:

Legal speeds on California roads are established by provisions of the California Vehicle Code (CVC). CVC Section 22349 sets a maximum speed limit of 55 MPH on two lane highways, and 65 MP on four lane highways. In all cases, speeds on California roads are governed by the Basic Speed Law (CVC 22350 drive no faster than is safe). Posted speed limits, other than for the maximum speeds above, are designated in the CVC as Prima Facie Speed Limits.

Prima facie speed zones are established in two different ways. The State Legislature, through the CVC, has established prima facie speed limits in business and residential districts, school zones and a few other locations. The County Department of Transportation need only determine that a section of road meets the CVC requirements and definitions in order to post these speed zones. If the County wishes to post any of these zones at a speed other than as provided in the CVC or to establish a prima facie speed limit elsewhere on any County road, it must be done on the basis of an Engineering and Traffic Survey, followed by action on the part of the County Board of Supervisors.

The purpose of an Engineering and Traffic Survey is to make the process of establishing prima facie speed limits as objective as possible (no speed traps). Survey requirements are contained in Section 627 of the CVC and, by reference, the Caltrans Traffic Manual. Briefly, it shall include consideration of:

- 1) Prevailing speeds
- 2) Accident records
- 3) Conditions not readily apparent to the driver

The only practical benefit of a prima facie speed limit is to relieve law enforcement officers of the need to develop proof of a violation each time they issue a citation. Except for violations of the Maximum Speed Law, speeding citations are written up as violations of the Basic Speed Law, not as violations of the posted speed limit. The posted speed is not the law; it is prima facie evidence of a safe and reasonable speed under the Basic Speed Law and is included on the citation as such. To defend themselves, CVC 22351 requires violators of a prima facie speed limit to establish that they were not in violation of the Basic Speed Law. This is most easily done by showing that the Engineering and Traffic Survey required by the CVC does not support the posted speed limit. If the County establishes an unrealistically low prima facie speed limit, it will not hold up as evidence and serves no useful purpose at all.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this recommendation without further information and analysis.

3. The Grand Jury recommends that DOT increase the use of magnesium chloride for unpaved road maintenance. (Finding 10)

**Response (Department of Transportation):** Recommendation has not yet been implemented, but is being considered for future implementation. The uncertain and inadequate funding faced by the County DOT over the last several years is an issue here. Because partial funding from the Air Quality Management District had been eliminated for this program and Department funding was down, the magnesium chloride program was suspended in 2004 and deleted in the 2005 budget. The Department wanted to make sure it could meet the safety needs of the road system and any unforeseeable demands of a hard winter. Now that the 04-05 winter is almost over, we feel that we can reinstate the 20 to 25 miles of road previously treated with magnesium chloride. Expanding the program in the future is dependent on adequate funding and the possibility of more substantive road system demands.

**Response (Board of Supervisors):** The BOS can neither agree nor disagree with this recommendation without further information. Analysis would have to be conducted regarding developing a plan that increases the use of magnesium chloride for unpaved road maintenance. What are the benefits and long-term effects of this recommendation?

4. The Grand Jury recommends that the Engineering Department use the newly acquired traffic counting devices to develop a maintenance plan for un-surfaced roads consistent with the increased use of such roads in rapidly developing areas. (Finding 11)

**Response (Department of Transportation):** Recommendation has not yet been implemented, but will be implemented in the future. We are short staffed right now. The engineering technician who was doing traffic counts left County employment last fall. We are in the process of filling that position now.

**Response (Board of Supervisors):** The BOS agrees with this recommendation. See response # 11. Upon increasing staffing levels, the BOS supports staff training and implementation of this equipment in the near future.

5. The Grand Jury recommends that security be increased at problem maintenance yards. (Finding 12)

**Response (Department of Transportation):** Recommendation has not yet been implemented, but will be implemented in the future. We are considering changing certain lock systems.

**Response (Board of Supervisors):** The BOS agrees with this recommendation (See Finding # 12 Response).

6. The Grand Jury recommends that the DOT, in cooperation with the Board of Supervisors, act to ensure public awareness of this rapid decline in the infrastructure caused by lack of appropriate funding (Finding #13).

**Response (Department of Transportation):** Recommendations are in the process of implementation. Whenever we are interviewed by the media we remind the public that the funding, which has been recommended for proper maintenance and the amount we actually receive has a major gap – anywhere from \$600,000 to \$2.5 million annually (depending on the level of funding from non-county sources).

**Response (Board of Supervisors):** The BOS agrees with this recommendation. The BOS has tried to ensure public awareness regarding state impacts to the county budget and the effects of these impacts to the Department of Transportation. Counties across the State are facing the same impact of decline in infrastructure because of State Budget cuts. Mendocino County is no exception. The Department of Transportation has done a good job in maintaining our roads with limited funding.



**Comments**

The Grand Jury believes that the DOT is doing an acceptable job just to maintain our present road system with the amount of dollars and manpower available, even though many roads are falling behind on maintenance and improvements.

**Mendocino County DOT Director Comment:** I applaud the efforts of the department staff to make do with less. To take the material from slides and fix slip outs; To get ahead on brush clearing because there is not money for rock and pavement; To use their time as efficiently as possible without the money for materials and new equipment that they really do need.

***Response Required***

Board of Supervisors

***Response Requested***

Director, Mendocino County DOT

## ***Report on the Mendocino Transit Authority*** (June 17, 2005)

### **SUMMARY**

Acting on complaints received about safety, misuse of public facilities, and employee intimidation, the Mendocino County Grand Jury undertook an investigation of The Mendocino Transit Authority (MTA).

### **BACKGROUND**

The Mendocino Transit Authority is a Joint Powers Agency created in 1975 to provide transportation services within Mendocino County. The MTA board has seven appointed members, three of whom are appointed by the Board of Supervisors, with the remaining four members representing the cities of Ukiah, Point Arena, Willits and Fort Bragg,

In 1972, the State of California formed a state wide Regional Transportation Planning Agency (RTPA), to make sure dollars were available to provide transportation throughout the state. The legislation designated one quarter cent of sales tax be set aside for the state wide RTPA'S. The Mendocino County Council of Governments (MCOG) is the county's RTPA and receives approximately 2.5 million dollars annually, depending on sales tax revenue.

The majority of funds for MTA'S operating budget are publicly generated. Most of the funds come from MCOG with approximately \$500,000 more from fares annually. Other funding sources may be generated through federal grants, charters and contracts with the Ukiah Senior Citizen Center for the maintenance and storage of their fleet. Finally, since transit dollars are tied to sales tax revenue, MCOG has set up a 5% reserve account to take care of both transit dollars that do not materialize and unforeseen expenditures.

### **METHODOLOGY**

The Grand Jury interviewed elected county officials, MTA management and employees, and conducted an on-site visit of the MTA Ukiah facility. Audits, financial documents and internal operational documents were reviewed. The U.S. Department of Transportation Federal Transit Administration Policy and Procedures Mandated Random Drug and Alcohol Testing Procedures were examined. Various on-line documents were examined including the 2003-2004 Mendocino County Grand Jury MTA report and responses.

### **FINDINGS**

1. The MTA management reports directly to the MTA Board of Directors.
2. The MTA Board of Directors is responsible for the hiring and firing of MTA management.
3. The MTA annual operating budget is approximately \$ 3 million.

4. The MTA permits the use of its publicly funded shop space, tools, hydraulic lift and other equipment for the repair and maintenance of a private corporation's vehicle fleet for the personal gain (unjust enrichment) by an employee.
5. The MTA permits its employees to purchase automotive parts through the maintenance shop and permits the repair and maintenance of personal vehicles in the MTA shop.
6. The MTA permits the storage of old and non-operable vehicles belonging to employees and their friends, creating a *de facto* junkyard at the Ukiah facility.
7. Substantial liability to Mendocino County taxpayers has been created by the activities in findings 4, 5 and 6.
8. Some MTA hourly employees are not required to track their work hours.
9. The MTA does not have a policy and procedures manual covering the daily operation of the maintenance shop.
10. Some high-level MTA managers use verbal abuse and intimidation to control employees, creating a workplace of fear and anxiety.
11. The MTA bus drivers are on call and have at times been required to assist in cleaning the MTA fleet without the benefit of proper safety attire.
12. The MTA maintenance shop has no written safety guidelines for bus drivers to follow when cleaning the MTA fleet.
13. The MTA has failed to implement an Injury Illness Prevention Program.
14. The MTA receives a portion of its funding from the federal government which mandates implementation of random drug and alcohol testing.
15. U.S. Department of Transportation, Federal Transit Administration provides policy and procedures for the mandated Random Drug and Alcohol Testing (RDAT) program.
16. Under this mandate, the MTA is required to identify personnel who perform Safety Sensitive functions (ones that have a direct effect on day-to-day operations) who are subject to RDAT.
17. In small rural transit authorities all personnel have a direct effect on day to day operations and therefore perform Safety Sensitive functions.
18. The MTA does not identify all personnel who have a direct effect on the transit authority's day to day operations as Safety Sensitive.
19. The MTA Drug and Alcohol testing program is selective not random.
20. Some Safety Sensitive employees have gone untested for extended periods of time.
21. The MTA submits to a yearly Single Audit, a Triennial Performance Audit for the benefit of Mendocino Council of Governments (MCOG), and a Safety & Loss Control Survey conducted by the California Transit Insurance Pool (CalTIP).
22. The MTA has failed to implement goals and objectives contained in the 1999 Five Year Transit Development Plan, the Safety and Loss recommendations outlined in the 2002 CalTIP survey, and recommendations in the 2000/01–2002/03 Triennial Performance Audit, all of which are designed to assess and improve the overall health and strength of the transit authority.
23. MTA employees responsible for handling cash are not bonded.

## Recommendations

1. The Grand Jury recommends the immediate end to the process of unjust enrichment available to the individual employee. (Finding 4)
2. The Grand Jury recommends immediate remedial attention by management and the MTA Board of Directors relating to questionable policy decisions. (Findings 4, 5, 6)
3. The Grand Jury recommends that the MTA Board of Directors, MCOG and the Mendocino County Board of Supervisors meet with the MTA management to discuss the problems and potential liabilities to Mendocino County raised by the findings in this report. (Findings 4 through 23)
4. The Grand Jury recommends that all hourly MTA employees be required to individually record their work hours by use of a time clock to assure accuracy of actual work hours. (Finding 8)
5. The Grand Jury recommends that a policy and procedures manual be created covering the daily operations of the maintenance shop. (Findings 4, 5, 6, 8, 9, 11, 12)
6. The Grand Jury recommends an external review of management practices associated with abuse and intimidation of employees. (Findings 10, 19)
7. The Grand Jury recommends that cleaning procedures for bus drivers to follow when called on to clean the fleet be incorporated into the Policy and Procedure manual for the maintenance shop and be made readily accessible to all bus drivers. (Finding 11, 12 )
8. The Grand Jury recommends that the MTA adopt and implement an Injury Illness Prevention Program. (Finding 13)
9. The Grand Jury recommends that the MTA designate all employees, including all levels of management, as Safety Sensitive and therefore subject to Random Drug and Alcohol Testing. (Findings 14, 15, 16, 17, 18, 19, 20)
10. The Grand Jury recommends that the MTA adopt and adhere to the U.S. Department of Transportation Federal Transit Administration Best Practices which ensures a truly random drug and alcohol testing program. (Findings 14, 15, 16, 17, 18, 19, 20)
11. The Grand Jury recommends that the MTA Board of Directors consider monitoring the transit authority's drug and alcohol testing procedures to ensure a random policy is in place. (Findings 14, 15, 16, 17, 18, 19, 20)
12. The Grand Jury recommends that the MTA management and MTA Board of Directors implement, insofar as is feasible, the recommendations of all audits, particularly those relating to safety. (Findings 11, 19, 20)
13. The Grand Jury recommends that the MTA Board of Directors and MCOG develop new management strategies to ensure the transit authority's future viability. (Findings 1 through 22)
14. The Grand Jury recommends that the MTA management immediately bond all employees who handle cash. (Finding 23)

## **COMMENTS**

Taxpayers in Mendocino County expect a proactive MTA management team which holds safety and future sustainability as top priorities. In order to tackle the complex puzzle of rural public transportation, the existing management team has been presented with a comprehensive list of goals, objectives and performance measures all designed to reduce liability, costs and to improve the safety and performance records and ensure future sustainability of the agency (see Findings 21, 22). These guidelines are apparently being ignored. The instability of fuel prices and the economy exacerbate the MTA's problems. As reflected in this complaint report, the Grand Jury lacks confidence in the MTA management team's ability to carry out the agency's responsibilities.

## **RESPONSES REQUIRED**

Mendocino County Board of Supervisors  
Mendocino Transit Authority Board of Directors

## **RESPONSES REQUESTED**

MTA Management  
Director of MCOG

County of Mendocino  
Grand Jury



Post Office Box 629  
Ukiah, CA 95482  
(707) 463-4320

# **Appendix 1**

**Department Head Responses  
to  
Grand Jury  
Budget Impact Questionnaire**



## COUNTY OF MENDOCINO

ADMINISTRATIVE OFFICE  
501 Low Gap Road • Room 1010  
Ukiah, California 95482  
(707) 463-4441  
Fax: (707) 463-5649

March 21, 2005

Grand Jury  
Courthouse  
Ukiah, CA 95482

Re: Survey response

Dear Grand Jury members:

The following is a revised response to the Department Head survey request received by Risk Management November 23, 2004.

- ❖ **Question:** In the 2004-2005 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?

**Response:** There was no budget reduction within Risk Management Budget Units (General Liability BU 0713, Workers' Compensation BU 0714, Health Insurance BU 0715, and Retirement Health Insurance BU 0716). These budget units are considered trust accounts and are charged back to departments based on specific criteria. Three budget units were cut in FY 03/04 to eliminate/reduce funding in the following line items: In County Travel & Transportation (with the exception of the required employee drivers training), education, and out of County Travel & Transportation.

- ❖ **Question:** Explain the impact of the budget reduction.

**Response:** The impact of cutting education and travel in Fiscal Year 03/04 was difficult in that staff was unable to attend education functions in order to keep up with trends in the safety and insurance industry.

- ❖ **Question:** What adjustments are being made as a result of the budget cuts?

**Response:** There are limited funds through CSAC Excess Insurance Authority that the County can utilize when sending staff to safety related trainings and education.

- ❖ **Question:** What sources of revenues does the department receive?

**Response:** Internal Service Funds for General Liability and Workers' Compensation. County, employee/retiree contributions for Health Insurance and Retirement Health Insurance.

- ❖ **Question:** If the budget cuts were restored, what would be the first action taken by the department head?

**Response:** Restore training, travel and education.

❖ **Question: What would a budget cut of similar magnitude in the future affect your department?**

**Response:** The only non-mandatory costs associated with running all four budget units would be Salaries. If the Department were to cut back it would be in the way of staffing.

❖ **Question: In a perfect world, what changes would you make to save the county money?**

**Response:** I don't think a perfect world exists. Risk Management's job is to identify and measure all risks (uncertainty of loss) of the County of Mendocino by developing and implementing appropriate techniques for assessing and resolving these exposures via risk assumption, risk reduction, risk retention, risk transfer or the purchase of insurance.

Sincerely,

Kristin McMenomey  
Former Risk Manager/Now Deputy CAO

cc: Grand Jury File



***Grand Jury***  
***Department Head Survey FY04-05 Budget***

November 22, 2004

TO: Kathy Wylie, Foreman of the Grand Jury

Re: **Questionnaire on Budget Cuts to the Department of Agriculture**

**Preface and Editorial Comment: It does not make sense in my opinion to look at one fiscal year's budget. It cannot be completely isolated because there have been previous impacts that carry over from one year to the next. The departments are not all equal either. Elected officials run some and others are appointed, some are purely county departments, while others are extensions of state agencies with state mandates. My department receives its primary funding from the state one year in arrears, and sometimes receives funding up to three years in arrears. Since 1977 there has not been enough funding for local government. There have been three major budget crises during my career, 1978-79, 1991-92, and the present one we are in now.**

1. The budget reduction in FY04-05 was \$14,217, which was a 3.7% reduction in NCC from FY03-04.
2. Budget reductions have had the following impacts: We have no weights & measures lab, biology lab, cooler room or storage counters (see #5 below). This is mostly an impact from General Services Budget. We cannot inspect electric meters or gas vapor meters in our lab. We have not been able to purchase all of the fixed assets, especially weights, and equipment that we need. We have cut programs. We have eliminated non-mandated and unessential programs. We took on a new program this past year for West Nile Virus with no extra staff or money provided for in the budget, and we have been mandated through the initiative process to do the same for the ban on Genetically Modified Organisms. We have taken on two new programs for exotic pests, the vine mealybug and the olive fruit fly, with no new augmentation of our budget. We cannot fully respond to these new programs, and when we do respond, it means that some other

programs have to suffer. We essentially operate like a fire agency going from one emergency to another, doing high priority jobs, and ignoring low priority jobs even though they may be mandated.

3. Adjustments that have been made include the following: We have kept vacancies open for long periods of time (6 months) and under filled positions for a salary saving of \$16,500 in FY 02-03. We had no vacancies in 03-04. We purchase 50% off items out of the Curry's Office Supply Book. We have been using surplus vehicles so that we do not get billed from the vehicle replacement fund. We have gone to fewer meetings and training sessions. We have purchased very few vehicles in the past fifteen years, and we continue to drive ours long after most departments surplus their vehicles. We turn off the lights and work in natural light. We shifted the testing of large capacity scales and LPG meters from one fiscal year to the next for a one-time savings (State law requires testing in the calendar year, so we still stay legal). We have contracted with Lake County for large capacity scale testing equipment and contracted with Sonoma County for LPG testing equipment thereby eliminating the state's higher rates and per diems. We have paid for mandated annual conferences out of management funds rather than departmental budget. We have cut down on the number and frequency of weights and measures devices that we inspect. In 2002-03 I transferred \$4,108 into the Capital Fund Projects, Fund 113. In 2003-04, I transferred \$9,022 into this fund. I did this so they would have more money to complete our building relocation and help finish the cold room and labs. In the same spirit, the Health Department bought a microscope and loaned it to us so that we could use it for mosquito identification in our joint program for West Nile Virus.

**NOTE: A major reason that the budget reductions have not had a more negative impact on our department is because we have been increasing our revenue** in the past few years. We obtained new funding for the Glassy-winged Sharpshooter and Sudden Oak Death: \$56,241 in 01-02; \$69,411 in 02-03, and \$78,161 in 03-04. We increased the pesticide enforcement contract by \$20,400 in 02-03, which carried over into 03-04. Even though this contract has been eliminated for 04-05, the increased amount has been included in the mill fee that we will receive in 2005. In 03-04 we received an additional \$103,753 for Unrefunded Gas Tax, which decreased our NCC, and I expect it to help this year.

4. Revenue sources are many and varied. Also see #3 above for an explanation. They include the following as listed: **State Unrefunded Gas Tax – \$176,665** (unknown), this is impossible to determine exactly but I am giving it my best guess. It depends upon work done in the previous year and future gas sales, **State Pesticide Mill Fee** - \$88,575 (unknown). This is impossible to determine ahead of time because it depends upon future pesticide sales and work done in the current year. **California Department of Food & Agriculture Contracts include:** Glassy-winged Sharpshooter - \$44,172, Sudden Oak Death - \$33,965, Nursery Inspection - \$612, Weights & Measures Petroleum Inspection - \$4,425, Weights & Measures Weighmaster Inspection - \$2,250, National Organic Act

Enforcement - \$5,700, and High-risk Pest Exclusion - \$1,338. **California Department of Pesticide Regulation Contract** for Electronic Pesticide Use Reporting - \$3,022. **Structural Pesticide Control Board Contract** for Administering Licensing Exams – approximately \$150 (unknown). We don't know how many people will take exams in the future. **Registration fees** for licensed pest control advisors, pest control operators, pilots, etc. - \$1,700 (unknown). We don't really know how many people will register in the future. **Miscellaneous Fines - \$1000 (unknown)**. This could be zero or it could be thousands of dollars. We have no way of knowing. It depends upon if there are any cases. **Agricultural Commissioner's Salary Subvention - \$6,600**. **Reimbursement for Winegrape Sugar Inspection** - \$20,350 (unknown). This is paid for completely by the wineries, so it is a wash (no impact on NCC). It could be much more or less, but they would have to pay the full expense of any program. **Agricultural Certification Programs** - \$6,470. **Inspecting weighing and measuring device** - \$85 (unknown). This is really an unknown. The law allows us to charge for inspecting non-commercial devices and equipment on a second re-inspection. **Other sales** - \$50 (unknown). This is an account for charging the public for copies, tapes, information, etc.

**IMPORTANT NOTE:** If you total all these up, there will be a slightly different number than the budget number. That is because at the time of budget preparation, we do not have some of the exact figures for the contracts.

5. If the budget cut were restored to our department, the first step that I would take would be to complete some of the rooms in our new location. Our weights and measures lab, biology lab, cooler room, and storage closet are unfurnished and incomplete at this time. We recently moved into a new building and the weights and measures lab was not moved over or reinstalled yet. As a result, we cannot inspect electric meters or gas vapor meters, which we are mandated to inspect by law. We also have not had our new biology lab installed or furnished. We need counter space, storage space, and a sink. We only have a temporary desk with no lab counter spaces or equipment to work on. Our cooler room has not been completed, so we cannot even use it yet, and the only storage closet in the department has no shelves or compartment for storing equipment. **Note: There is not enough money to do all these things even if the money were restored, so we would do what we could and wait for additional revenue to finish.**
6. If there were a similar budget cut in the future, the department would be affected in the following ways: I am not sure. What I have done in the two previous budget years has been to propose cutting the budget for USDA-Wildlife Services. This is the federal program to control wildlife problems (bears, coyotes, lions, skunks, etc.) that is funded out of our budget. The reason I propose cutting them is because: (1) they are federal and it would not hurt county employees (2) I have no mandate to do this program, and (3) it follows BOS policy, which says to make cuts along the same lines as the state has cut programs. In both years, the BOS has made a policy decision to maintain this program at its current level. If another

cut is proposed, I will continue to propose cutting this program for the aforementioned reasons.

7. In a perfect world, the changes that I would make within our department to save the county money include: I would amend Prop 13 so that county and local government could raise taxes, and there would exist an equitable tax system for the public. Prop 13 has now created a tax system, which is just as unfair as the one that it was intended to fix. I would stop the state government from being able to rob the counties. I would require that any new federal, state, and county programs or mandates have a funding mechanism or they cannot be passed. This would include county and state initiatives in California. I would require that the state provide monies upfront to the counties to implement the programs without using contracts. Some of the contracts have been so much reduced, such as our High Risk Pest Exclusion contract, that they only provide for a few weeks work instead of an entire year. Much of our time is wasted on approving, billing for, and checking contracts, which reduces our efficiency to do the jobs we are mandated to do. We used to just receive the money up front, and we were told to do the jobs. I would do away with "term limits." The elected officials that fall under these limits barely have time to learn how government works and how to do their jobs before they are out of office. There are no longer legislators with a collective memory or experience that know how things work. The deregulation of the electric industry was an example of this. If the legislature were experienced like the one during the budget crisis in 1991-92, before term limits came into being, I think they would be able to hammer out a budget just as they did then, but they do not now have the experience to do this.

**A lot of the answers to these questions are just my own personal opinions based upon my years in county government. If you would like to discuss any of my answers or would like to discuss anything else, please do not hesitate to give me a call.**

Sincerely,

David Bengston  
Agricultural Commissioner/Sealer

C. D. Wolbach, Ph.D.  
Air Pollution Control Officer

Donna Roberts Nash  
Office Manager



**COUNTY OF MENDOCINO**  
**AIR QUALITY MANAGEMENT DISTRICT**  
UKIAH, CALIFORNIA 95482

306 East Gobbi Street  
Ukiah, California 95482  
(707) 463-4354  
Fax: (707) 463-5707  
e-mail [mcaqmd@co.mendocino.ca.us](mailto:mcaqmd@co.mendocino.ca.us)  
[www.co.mendocino.ca.us/aqmd](http://www.co.mendocino.ca.us/aqmd)

12 November 2004

Kathy Wylie  
Foreman, County of Mendocino Grand Jury  
P.O. Box 629  
Ukiah, CA 95482

Subject: Department Head Survey budget questionnaire

Dear Ms. Wylie:

This is in response to your questionnaire concerning the impacts of budget cuts on the Air Quality Management District. Like many members of the public you may be unaware of the somewhat unique status of the District *vis-a-vie* the County. First, please be advised that the District is an independent agency of the state, not a true County Department. The confusion arises because the County Board of Supervisors sits as the District Board (wearing, of course, a different hat). Second, we receive no funds from the County. Rather we reimburse the County General Fund for administrative services. Our funding comes from multiple sources but primarily permit fees and a \$4.00 fee on vehicle registrations. Third, within our jurisdiction we are a regulatory and enforcement agency with mandated programs.

With that said, and within that context, I will try to answer your questions as best I can.

1. *In the 2004-2005 Mendocino County budget, what was your (District)'s dollar amount and percentage reduction?*

The District budget for 2004-2005 is \$784,665. The previous year budget was \$813,936. The reduction was \$29,271, or 3.6%. Please note that reductions are not from County cutting, but from District attempts to bring the budget in line with the loss of two major permit holders, Masonite-Ukiah and Georgia Pacific-Ft. Bragg.

2. *Explain what impacts the budget reductions have had on your (District).*

The primary reductions were in training, travel, and equipment maintenance. A secondary effect has been the curtailment of overtime. This translates to minimal enforcement activity during evening hours and on weekends.

3. *What adjustment(s) are you making in your (District) as a result of budget cuts? What project(s), personnel, or service(s) have been curtailed or diminished?*

The primary impact has been not to fill the Senior Air Quality Specialist/Deputy APCO position. This has resulted in a significant slow-down in our ability to keep our regulations up to date with state law and recent Health & Safety Code changes.

4. *What other sources of revenue does your (District) receive?*

The District's revenue sources are as follows:

**Stationary Source Revenue**

Existing Permits  
New Permits  
Variance Applications  
Asbestos Removal  
Burn Permits  
Other Court Fines  
Forfeitures and penalties  
Interest  
Subvention  
State Other  
Major Emissions  
AB2588 (Toxic Air Contaminants) Fees  
Other Sales  
Restricted Fund Balance

**Mobile Source Revenue**

Motor Vehicle Funds  
Interest  
Federal PM2.5  
Restricted fund balance

5. *If the budget cut was restored to your (District), what would be the first action taken by you as (District) head?*

This question is not applicable to the District as our Board did not cut our budget.

6. *How would a budget cut of similar magnitude in the future, effect (sic) your (District)? What projects(s), personnel, or service(s) would be curtailed or diminished?*

Not applicable. See above.

7. *In a perfect world, what changes would you make (that may or may not be) within the scope of your (District) to save the County money?*

Since we are a net contributor to the County general fund, this question is not applicable. However, in a perfect world, enforcement of air quality regulations would not be necessary.

If you have any questions please call the District at (707) 463-4354. Thank you.

Yours truly;

C. D. Wolbach, Ph.D.  
Air Pollution Control Officer

# MEMORANDUM

## Animal Care & Control Department

To: Grand Jury 2004-2005  
From: Gregory W. Foss, Director  
Subject: Department Head Survey  
Date: January 24, 2005

1. What was your department dollar and percentage of budget reduction?

In a four-year period, fiscal years 01-02 through 04-05, Animal Care & Control has had a 36.47% reduction in funding. Amounting to a cut of some \$131,645 dollars per year ongoing. Our 04-05 dollar reduction was \$23,792 with a 5.81% reduction.

2. Explain the impacts?

Over that four-year fiscal period we have eliminated two animal control officer positions, two animal control manager positions, one spay & neuter coordinator position.

3. What adjustments have been made?

The department is without first-line supervision or mid-management staff. The Director is responsible for supervision and day-to-day control. The Care-A-Van mobile project has been reduced to once or twice month. Field calls are handled on a priority basis with emergencies first.

4. What sources of revenue exist?

See attached report.

5. If the budget cut was restored what action would you take.

Would re-staff the department with a Supervising ACO position and push the Care-A-Van back into full service.

6. How would similar cuts effect the Department?

Cuts would need to be supplemented with new sources of revenue as the staffing is already at minimal levels.

7. What changes would I make?

Require the State to pay for its mandates!

**MARSHA A. WHARFF**

ASSESSOR-COUNTY CLERK-RECORDER

REGISTRAR OF VOTERS

COMMISSIONER OF  
CIVIL MARRIAGES

E-MAIL

acr@co.mendocino.ca.us



ASSESSOR  
(707) 463-4311

COUNTY CLERK  
(707) 463-4370

RECORDER  
(707) 463-4376

REGISTRAR OF VOTERS  
(707) 463-4371

FAX  
(707) 463-4257 (County Clerk-Recorder)  
(707) 463-4311 (Assessor)

**COUNTY OF MENDOCINO**

**OFFICE OF THE ASSESSOR-COUNTY CLERK-RECORDER**

501 LOW GAP ROAD, RM. 1020  
UKIAH, CALIFORNIA 95482

DEPARTMENT HEAD SURVEY

ASSESSOR-COUNTY CLERK-RECORDER OFFICE

1. In the 2004-2005 Mendocino County budget what was your department's dollar amount and percentage of budget reduction?  
Answer: No budget reduction.
2. Explain what impact(s) the budget reductions have had on your department?  
Answer: None.
3. What adjustment(s) are you making in your department as a result of budget cuts?  
Answer: None.
4. What other sources of revenue does your department receive? (List dollar amount(s) and source(s).  
Answer: Micrographics, \$35,000.00, Modernization, \$50,000.00, Vital Records, \$8,000.00 and Property Tax Administration Grant, \$160,435.00.
5. If the budget cut were restored to your department, what would be the first action taken by you as department head?  
Answer: Budget wasn't cut.
6. How would a budget cut of similar magnitude in the future, effect your department? What project(s), personnel, or service(s) would be curtailed or diminished?  
Answer: None.
7. In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the county money?  
Answer: We are always upgrading our technology to improve our service and keep our costs at a manageable level.



# MEMORANDUM

**COUNTY OF MENDOCINO**

**AUDITOR-CONTROLLER**

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DATE: November 10, 2004

TO: Mendocino County Grand Jury

FROM: Dennis Huey  
Auditor-Controller

SUBJECT: Response to budgetary questionnaire

The purpose of this memorandum is to respond to the Grand Jury's inquiry of the fiscal impact to the Auditor-Controller's budget. As you may or may not know, our department's primary function is to act as a service provider to all of the operating departments within the agency with limited services provided to the outside public. What follows is a response in the same numerical sequence as the questions posed in your questionnaire.

1. Early on in the budgetary process for the 2004-05 budget, the Auditor-Controller's budget was initially asked to reduce its budget by some \$38,000 that represented approximately a 10% reduction. However, during final budget deliberations in August, the board of supervisors rescinded the reduction and reinstated the \$38,000 of appropriation to the department's budget.
2. No impact. See question #1 response.
3. Had I been forced to implement the savings required, I was prepared to recommend office closure for eighteen business days during the remainder of the 2004-05 fiscal year. Fortunately, this did not come to pass.
4. Our department's primary sources of external revenues are derived from a combination of accounting and auditing fees for providing services to outside agencies as well as cost offset reimbursements for property tax collections as prescribed by law in the Revenue and Taxation Code.
5. Not applicable.
6. See response for question #3. Since the vast majority of my budget is personnel costs, cuts of any magnitude would require reductions in work time through mandatory or voluntary time off.
7. As a department which provides a full array of fiscal services to departments during a time (post Proposition 13) that saw the employee population of this agency more than double in size, staffing allocations within my offices were reduced by almost 30% (from 14 FTE to 10 FTE). In a perfect world, I would argue that with better technology and support for information services and software enhancements that higher productivity could be achieved at a lower per unit of service cost. I believe

that it is absolutely critical that the county invest its limited resources into this area because ALL functions of government will benefit in a very material way. My department is living proof of that.

Please feel free to call me should you wish further comment or clarification as to my response.

## ANSWERS TO DEPARTMENT HEAD SURVEY FROM THE GRAND JURY.

### CHILD SUPPORT SERVICES

November 2004

1. In the 2004-2005 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?

Answer: Child Support is funded from State and Federal money. The State determines our allocation. We received the same amount of funding as in 2003-2004.

2. Explain what impact(s) the budget reductions have had on your department.

Answer: With flat funding from the state, Child Support had to absorb all the salaries, services and supplies increases, including increases in the cost of insurance such as Health, General Liability and Workers' Compensation. Due to these increases we had to reduce our staffing by two people. This was done by not hiring.

3. What adjustment(s) are you making in your department as a result of budget cuts? What project(s), personnel, or services(s) have been curtailed or diminished?

Answer: We reduced available staffing from 42 to 40 in the Department. We are not reducing services other than we are closed on a temporary basis during the lunch hour. Other staff members are taking up the work of the reduced employee count by increasing caseloads.

4. What other sources of revenue does your department receive? (List dollar amount(s) and sources(s)).

Answer: The revenue for the Department comes from the State of California. The State acts as the pass through agency for Child Support funds from the Federal Government. We do not use County General Fund money; in fact, we are a contributor to the General Fund by having a negative Net County Cost.

5. If the budget cut was restored to your department, what would be the first action taken by you as department head?

Answer: If the Department received additional money from the State, I would sit down with the Management Team of the Department to analyze the best use. The State has indicated that additional funding cannot take place this fiscal year.

6. How would a budget cut of similar magnitude in the future, effect your department? What project(s), personnel, or services(s) would be curtailed or diminished?

Answer: Given that most of the department funding goes toward salaries and benefits, the department would reduce staffing again. We would continue to provide all the services necessary and mandated by State Law. Collections may be reduced due to caseload increases.

7. In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the county money?

Answer: I cannot speak for other departments, but in Child Support, we are creatures of State regulations and legal requirements for the collection of child support. Anything we do will not save the County money. To the extent possible, the Department works with other County departments to use their services. These departments include Building and Grounds, Auditor-Controller and Information Services.

Thank You  
Bruce Mordhorst  
Director  
Mendocino County Department of Child Support Services

February 2, 2005

**TO:** Grand Jury  
**FROM:** H. Peter Klein, County Counsel  
**RE:** Department Head Survey

- 1) In the 2004-2005 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?

*The Board of Supervisors wanted the County Counsel Office to reduce our budget by \$35,903. (6.58%)*

- 2) Explain what impact(s) the budget reductions have had on your department.

*We left a Legal Secretary (reclassified from a Staff Assistant II) position vacant to meet the required reduction during 2004-2005 fiscal year. This vacancy causes backlogs in office filing, keeping up with legal paperwork, inserting legal book updates and other miscellaneous duties. Our required salary savings will be met in March 2005. However, with the current County Administrative Office remodel impacting this office, we will need the balance of the savings for remodeling offices within the County Counsel Office. Also, for a number of budget years, we had an attorney position allocated, but not filled. This position was left unfilled and unfunded during each budget year. During the 2004-2005 fiscal year, the Board of Supervisors removed and unallocated this attorney position.*

- 3) What adjustment(s) are you making in your department as a result of budget cuts? What project(s), personnel, or service(s) have been curtailed or diminished?

*We kept our Staff Assistant position vacant due to these budgetary reductions. The Special Departmental Expense (86-2239) – legal books/legal research account was reduced. This year we cancelled several subscriptions to legal updates to cut costs. Attorney staff did not attend many of our annual conferences and seminars. However, due to mandated MCLE requirements, attorney staff must attend a certain number of courses to keep their Bar licenses in effect. The attorneys use their management training benefit first before we pay out of departmental funds, to lessen the financial impact on the Department's budget.*

*The County Counsel's Office finds itself in a paradoxical situation. As the County departments attempt to deliver services with reduced staffing, in an ever increasing complex legal environment, the County's exposure to legal liability increases; however, the County Counsel's Office, particularly because it is a General Fund supported Department is vulnerable to and has been subject to ongoing cuts in funding. Against this backdrop and with the goal of protecting the County from the financial risks attendant to adverse judgments against the County, this office has found it necessary to either scale back or entirely discontinue services, which are not legally mandated.*

*We are no longer able to provide legal advice and litigation support to independent special districts within the County. We have also been forced to scale back on the legal support provided to Joint Powers Authorities and Independent Boards and Commissions. Even though County Counsel charges an hourly rate for services provided to these agencies, the County Counsel's primary responsibility is to the County of Mendocino and County agencies and departments. Our existing staffing resources can barely meet our legal obligation and mandates to our County agency clients. Building Code and Land Use Violation enforcement has been functioning in a triage mode for many years due to inadequate funding and staffing.*

4) What other sources of revenue does your department receive?

*We receive reimbursement for: legal services provided to the Department of Social Services for Child Dependency representation; from Risk Management/the Liability Trust Fund for defense of Tort and Civil Rights Actions filed against the County; and the Public Guardian/Public Administrator for legal services related to conservatorships and estates.*

*We also bill Special Districts, Independent Boards and Commissions and Joint Power Authorities \$110.00 per hour for legal services. As mentioned above, our staffing is inadequate to fully meet this discretionary responsibility.*

5) If the budget cut was restored to your department, what would be the first action taken by you as department head?

*As mentioned above, the budgetary impacts to this department have been occurring over many years. Restoring the 2004-2005 budget cuts will not dramatically increase the level of services we provide. It would enable us to fill the currently vacant Legal Secretary position. This would greatly improve the efficiency of the office and be a tremendous morale booster. We would also be able to purchase a time, billing, and document management program for this office, which a past Grand Jury recommended, and allow the restoration of some funds to the Special Department Expense account for legal reference materials. It may also provide funds to purchase a new computer printer.*

- 6) How would a budget cut of similar magnitude in the future, effect your department? What project(s), personnel, or service(s) would be curtailed or diminished?

*The work this office performs is principally mandated by State law. Any further cuts would directly impact attorney staffing. Support staff cannot absorb any more reductions. Reductions in attorney staffing would require the County to retain private legal counsel at commercial rates. Risk Management and the County Administrative Office have periodically examined the possibility of shifting tort defense responsibility to private defense counsel but have determined having County Counsel defend these suits is far more cost effective.*

- 7) In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the County money?

*If this office were fully staffed and staff received a competitive salary for the work they performed, I would reinstitute training workshops for the County's managers in all the area of risk management which pose the greatest risk of adverse legal rulings against the County. Principally, I envision this as a partnership between the Human Resources Office and this office.*

*The County does not adequately compensate its professionals, administrators. And para professionals. Compensation in this County has not kept pace with some of the smallest counties in the State, and we cannot even attract legal secretaries from private firms in Ukiah.*

*In the big picture, this is the greatest threat to the County; the inability to attract qualified professionals and to retain the ones already working here. Consider this, an entry-level attorney for the County must have at least 7 years of higher education (4 years for a Bachelor's Degree and 3 years of Law School). Many of these individuals have a crushing student loan obligation, sometimes into the six figures. Entry pay for Deputy County Counsels is roughly \$25.00 per hour. The promotional ranges leading to senior attorney status are so narrow that a senior deputy County Counsel salary tops out at roughly \$35.00 per hour. A similar scenario exists for other professional and managerial employees working for the County. It is telling when the County can barely attract a handful of applicants to interview for these positions, including Department Head positions, and then only after one or two failed recruitments.*

HPK/ctm



## MENDOCINO COUNTY *MEMORANDUM*

**Date:** April 4, 2005  
**To:** Honorable Mendocino County Grand Jury  
**From:** Kristi Furman, Clerk of the Board  
**Subject:** Response to Grand Jury Budget Questionnaire

Thank you for the opportunity to provide the Grand Jury with information pertaining to the state of the department as it relates to our current financial condition and corresponding service challenges. Listed below is a brief background summary pertaining to our budget, followed by the individual responses to the questionnaire.

### **BACKGROUND INFORMATION:**

As of this writing, this department is currently working under the same staffing allocation as was in place in 1980 – some twenty-five years ago, despite remarkable growth in program mandates and business mandates since that period. In 1999/2000, the department experienced a 100% staff turnover of its four staff members. As a means of providing resource to assist in rebuilding the department, a fifth staff position was allocated in late 1999 (and subsequently eliminated in F/Y 2002/2003 due to budget constraints).

The “divisions” of the Clerk of the Board department include: Operations/administration; Board operations/Board business services; Clerk of the Board services/records management; and constituency services. During the past five years, service changes have exceeded the department’s resource capacity largely due to increased program mandates, increased regulatory and legal standards, changing service demands, rapid growth in business technology standards, and customer service needs. As much of the department’s workload is based on mandated 24 to 72 hour deadlines, staff has been increasingly challenged in meeting its mandated and non-mandated service responsibilities with a smaller workforce. As is the case in many departments, departmental functions are classified into two categories: internal services (infrastructure/administration/operations) and external services (public service/programmatic). Internal administrative and operational functions have been most impacted by the loss of staff in an effort to preserve the highest level of public service.

During the 2002/2003 budget cycle, the operating budget was further reduced due to the County’s worsening financial condition (as were other departments), resulting in the elimination of 1.0 FTE staff in the Clerk of the Board’s department; the equivalent of a 20% staffing reduction. Staff has been working with this 20% staffing reduction for the past 30 months, with minimal extra-help assistance to offset the loss of staff. The department is at risk of non-compliance in a number of areas, as the most pressing deadlines receive priority attention, while other service needs have been set aside.

### **QUESTIONNAIRE RESPONSES:**

- 1. In the 2004/2005 Mendocino County budget, what was your department’s dollar amount and percentage of budget reduction?**
  - Budget Unit 1010 – 2004/2005 Net County Cost Allocation for the Clerk of the Board Operating Budget = \$406,535; Overall Budget Unit 1010 Allocation = \$702,968
  - Percentage of budget reduction for Clerk of the Board operating budget = 3%
  - *Note: Throughout the past several years, countywide budget policies have dictated that individual operating budgets absorb inflationary costs associated with salaries, benefits, insurance, and related non-departmental expenses further reducing departmental operating budgets.*



**2. Explain what impact(s) the budget reductions have had on your department.**

Clerk of the Board staff provide services to four distinct customer bases – public service/general; public service/categorical; service to fellow County departments; service to the Board and its five members.

- **Public Service-General:** Requests for assistance with non-mandated program level support do not receive the priority attention that was afforded the staff under a “full-staffing” scenario; availability of knowledgeable staff to assist customers has been greatly diminished;
- **Public Service-Categorical:** Public service requests and management of appointments to Boards, Commissions, Committees, and Districts are now processed in a more intermittent fashion; as is coordination of land use appeals before the Board;
- **Service to fellow County Departments:** County departments are held to more stringent deadlines with regard to agenda and Board meeting management; availability of knowledgeable program-level staff to provide guidance or assistance to departments has significantly diminished; staff participation on county-wide functions/advisory committees has been eliminated;
- **Business services to members of the Board:** While basic business services continue to be provided to the members of the Board, the timeliness in which staff is able to respond to priority service requests has been hampered, as has the speed and frequency of information management, program reporting, etc.;
- **Impacts to staff:** The reduced staffing environment has had the greatest impact internally. Under the current staffing configuration, it is not possible to provide dedicated personnel resources to all mandated Clerk of the Board functions, creating situations in which staff proficiency is not fully developed in all functional areas. Despite the strong commitment demonstrated by staff, the pressure of meeting daily production deadlines with a four-member staffing configuration is taking a toll on the staff’s performance in maintaining current service levels;
- **Retention of Experienced Staff:** For a staff that prides itself on providing quality customer service, the implications of that service being impaired has resulted in low employee morale. Striving for high-productivity and accuracy in such a challenging work environment places staff in a position of feeling substandard; low job satisfaction is a significant concern.

**3. What adjustment(s) are you making in your department as a result of budget cuts? What project(s), personnel, or service(s) have been curtailed or diminished?**

- **External Service Modifications:** Public service office hours were modified to Monday-Thursday in April of 2003; mass-distribution of weekly agendas/minutes has been discontinued; redesigned Board minutes from “summary” minutes to “action” minutes was instituted; public requests for assistance and requests pursuant to the California Public Records Act are processed in a less frequent manner; automation projects to provide customers with greater access to Board records have been suspended;
- **Internal Service Modifications:** Discontinuation of dedicated resource for management of active, inactive, and archived Board and Clerk of the Board records; non-mandated programmatic responsibilities have been placed in a “non-active” or suspended service category; departmental infrastructure and systems operations projects have been suspended or abandoned; suspension of out-of-the area staff training; increased overtime expenses have been incurred to meet mandated deadlines.

**4. What other sources of revenue does your department receive? (List dollar amount(s) and sources(s)).**

- Net County Cost = \$702,968
  - SB90 Revenues = \$50,000-\$70,000 annual (unstable revenue source; State reimbursement is currently “suspended” with an I.O.U. for future payment to counties)
  - Fees for Service (Land use appeal matters) = \$5,000
  - Fees for Service (Various) = \$2,600

5. **If the budget cut was restored to your department, what would be the first action taken by you as department head?**
- Reassessment of service and program needs; reassessment/inventory of project and infrastructure needs; re-evaluation of methods of restoring above noted areas of service;
  - Implementation of business technology solutions; restoration of staff.
6. **How would a budget cut of similar magnitude in the future, effect your department? What project(s), personnel, or service(s) would be curtailed or diminished?**
- Should the budget be further reduced, the primary consideration would be to evaluate discontinuation or reassignment of business support services to the members of the Board of Supervisors, and/or reorganize/restructure the department in partnership with the County Administrative Office;
  - Further reductions in resources would likely result in the departure of experienced staff as the burden to would be greater than the staff's capacity to deliver the mandated services; the integrity of the department's infrastructure would be compromised.
7. **In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the county money?**
- From my perspective, Department Heads are to be commended for their entrepreneurial spirit in developing creative and innovative programs to serve the diverse needs of our county. In healthy financial times, the County would be commended for its far reaching, responsive, and customized levels of service provided to our constituents. With that said, our County service base has grown beyond our capacity to deliver the service, given the circumstances of diminishing revenues and resources. It would appear beneficial for the organization to consider moving from a "business as usual" mode to an "organizational downsizing" mode and to align our expenditures with available revenues. A program-by-program assessment could be conducted to ascertain areas in which the County could reduce, suspend, or eliminate services under this reduced capacity period. Similarly, potential benefits of a "centralized" travel, training, and fixed asset allocation for the County, as compared to the current department-by-department allocation of general fund monies, could liberate some savings (administered as a "lottery" with requests being reviewed and granted in consideration of the county's overall capacity to provide the funding). Greater emphasis on regular reporting of our financial condition to the Board of Supervisors, allowing for more precise and timely monitoring of our changing financial condition is also recommended.

**CONCLUSION:**

While the working environment has become more challenging, Clerk of the Board staff remains committed to its Mission Statement – *to provide responsive, courteous, and professional service to our customers*, and looks forward to improved working conditions when the County's financial outlook improves.

Thank you for your thoughtful consideration of this information. I look forward to responding to any questions you may have relative to this questionnaire.

/kf

OFFICE OF THE DISTRICT ATTORNEY



Rec'd  
12/28/14  
K. Wylie

Mendocino County Grand Jury

Re: Department Head Survey

Attn: Robert C. Hurst

In response to your inquiry re my budget I told you that I was not a department head but an office holder. The import of this is that as a Constitutional Officer the Office of the District Attorney is charged with the investigation of crime and the charging thereof.

In terms of a budget this means that we submit a requirement of our needs for the year and it is the Board's obligation to fund these needs unless they can show they are not reasonable or necessary to meet my duties.

This means that they have to pay my bills whether or not they budget for them. This year they deducted \$350,000.00 from my proposed budget without any explanation for this move. This is a process that has gone on since I took office and doesn't show any signs of change.

If you need further information please advise.

Respectfully,

A handwritten signature in black ink that reads "Norman L. Vroman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Norman L. Vroman

**Norman L. Vroman**

District Attorney

P.O. Box 1000 • Courthouse • 100 N. State St. • Ukiah, CA 95482  
(707) 463-5450 • Fax (707) 463-4687 • vromann@co.mendocino.ca.us



**UNIVERSITY OF CALIFORNIA  
COOPERATIVE EXTENSION  
Mendocino County**



890 N. Bush Street, Ukiah, CA 95482

Phone: (707) 463-4495 Fax: (707) 463-4477 Email: [cemendocino@ucdavis.edu](mailto:cemendocino@ucdavis.edu)

November 23, 2004

Ms. Kathy Wylie, Foreman  
Mendocino County Grand Jury  
PO Box 629  
Ukiah, CA 95482

RE: Department Head Survey to the Grand Jury

Following are my responses to the Grand Jury's questions.

**Q1: In the 2004-05 budget, what was your department's dollar amount and percentage of budget reduction?**

A: zero.

**Q2: Explain what impacts the budget reductions have had on your department?**

A: The Services/Supplies portion of our budget has seen a 15% reduction over the last three years to the point where we were compromising our programmatic efforts in order to fund the increasing costs of Salaries/Benefits even though our Net County Cost remained somewhat static. We also saw an increase in one-time expenses associated with our move to a new building.

**Q3: What adjustments are you making in your department as a result of budget cuts?**

A: With continuing increases in Salaries/Benefits and the difficulty of maintaining drastic cuts to our programmatic efforts, we chose to layoff a Staff Assistant II (4-H Secretary). (This person subsequently elected to retire.) The reasoning behind this decision was that the currently vacant University-funded 4H Youth Development Advisor position remains frozen pending a change in University funding, and our grant-funded Food Stamp Nutrition Program was cut (eliminating another position). Until funding is restored for new UC staff or programs, the clerical functions for the 4-H program have been absorbed by the Office Manager and Staff Assistant I.

**Q4: What other sources of revenue does your department receive?**

A: The office per se receives some nominal reimbursements from the sale of UC publications and for copies and printing. Each individual academic advisor is encouraged to seek external funding to support his/her program efforts. These monies can come from a number of private and public sources through the University and fluctuate annually.

**Q5: If the budget cut was restored to your department, what would be the first action taken by you as a department head?**

A: Without a doubt, my first action would be to restore the 4-H Secretary position to better meet the needs of the 450 youth members and 200 Adult volunteers.

**Q6: How would a budget cut of similar magnitude in the future effect your department?**

A: We cannot reduce our office staff any further and still provide the necessary service to the public we serve. Currently, the University is providing the service of seven academics for the people of Mendocino County. The ratio of dollars between county and UC is heavily skewed toward the UC side of the equation. It would be difficult for me to justify this level of support for the county if services were further curtailed.

**Q7: In a perfect world, what changes would you make within the scope of your department to save the county money?**

A: In a perfect world, I would advocate that the county explore opportunities to generate funds by expanding its activities in timber management and community working landscapes. For example, 1) Can the county expand its current timber holdings beyond the current acreage at the Little River Airport to increase timber harvest revenues? (The Airport tract was harvested with support from UC in 1996 and generated \$250K (net) of funding for the county budget? 2) Can the county explore the options to developing co-generation wood/electricity production to address the imbalance of hardwoods currently occupying potentially productive forestland while simultaneously producing energy for sale to the grid? 3) Can the county explore potential collaborative ventures with NGOs to restore depleted timberlands in order to increase/maintain wood-related employment, and ultimately increase timber revenues that would translate into increased timber yield taxes?

Please let me know if you have any additional questions.

Sincerely,

Gregory A. Giusti  
County Director

GAG:ljb

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# *S T A F F   R E P O R T*

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**DATE:** November 19, 2004 (*Revised April 12, 2005*)  
**TO:** Kathy Wylie, Foreman, Grand Jury  
**FROM:** Pete Halstad, Director, General Services  
**RE:** Department Head Survey

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Below is General Services' response to the questions contained in the Department Head Survey distributed to County department heads on November 4, 2004:

**1. In the 2004-2005 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?**

The current economic downturn and the State's fiscal crisis, which resulted in reduced funding for County departments (i.e., reduced net County cost assignments), began in Fiscal Year 2002-03. Therefore, the below figures are intended to demonstrate the total net County cost impact to General Services over that three-year period. General Services' operating budgets include Budget Units 1160 (General Services), 1610 (Buildings and Grounds), and 1620 (Garage). General Services also manages the Capital Improvement Projects budget (1710), which is made up of Capital Maintenance Reserve funds for maintenance, repair, and some improvements to County facilities, as well as contributions for specific projects from County departments.

Aggregate net County cost assignment for Budget Units 1160, 1610, and 1620 in Fiscal Year 2001-02: \$2,788,771

vs.

Fiscal Year 2004-05: \$2,437,839

*Percentage of reduction: 12.6%*

The reduced net County cost assignment between Fiscal Year 2001-02 and the current fiscal year (2004-05) is compounded by the requirement that departments also absorb employee salary and benefit cost increases, which, over that four-year time frame, have amounted to approximately 17% per departmental employee. This increase is the result of cost of living and merit increases, as well as dramatic increases in the cost of workers' compensation and County (i.e., departmental) contributions to the employee health insurance and retirement programs.

Also contributing to the challenge of meeting the net County cost reductions have been dramatic increases in non-employee related operating costs. These costs include, for example, utilities, gasoline, household supplies, and contracted maintenance. In virtually every case, these costs are unavoidable and largely uncontrollable. Buildings and Grounds, for example, has no choice but to provide an adequate level of lighting, heating and air conditioning, janitorial service, and trash hauling. The County Garage is required to provide fuel and maintenance for County vehicles.

**2. Explain what impact(s) the budget reductions have had on your department.**

In terms of personnel, the second Buyer position, originally funded in Fiscal Year 2001-02, has never been filled. The funds for the position have been used to pay salary and benefit increases for existing staff. Despite the addition of over 100,000 square feet of new facilities in that time frame, no new groundskeeping or building maintenance staff have been added, and custodial staff has increased only to the extent the occupying departments have been willing to reimburse the custodial costs. Three of the department's four management positions became vacant through retirements at the beginning of the fiscal year, two of which have been forced to remain vacant for the entire fiscal year, and may continue to remain vacant in Fiscal Year 2005-06. This places an inordinate burden on the remaining department head, management, and supervisory positions. Vacant line staff positions are required to be left unfilled at least part of the year (see below regarding Building Maintenance Technician). Two full-time custodian positions (whose costs were not reimbursed by client departments) and a half-time groundskeeper position were eliminated. The work load on the remaining line staff has also increased as a result of the new facilities and the cancellation of outside landscaping and maintenance contracts as a cost savings measure. Two key administrative support employees voluntarily work less than full time.

The current budget provides little or no funding for training opportunities for technical staff (for example, auto mechanics and building maintenance technicians). Neither Buildings and Grounds nor the Garage are sufficiently staffed nor funded to perform cost-effective and timely preventive maintenance to County facilities and vehicles.

The County Parks system, which Buildings and Grounds "inherited" in 1992, is minimally staffed and funded. The seven County parks, from Redwood Valley to Gualala, are maintained in effect by one groundskeeper. Maintenance of the parks is minimal, at best, and enhancements have been virtually curtailed other than those that are able to be funded through State bond allocated monies. Most importantly, the Parks system suffers from the inability to fund a parks and recreation professional, someone with the time and expertise to oversee the development of the Parks system for the benefit of the public and to pursue grant funding opportunities.

The inability to properly fund the routine and capital maintenance and repair of County facilities has a short-term effect on the condition of the facilities and a long-term detrimental impact on the cost of repairs. (For example, the cost of repairing or replacing a roof or parking lot is vastly greater than the cumulative cost of timely, preventive maintenance.) The Capital Maintenance Reserve Fund in Budget Unit 1710, which was budgeted at \$341,000 in Fiscal Year 2002-03, was reduced to \$219,000 in Fiscal Year 2003-04 and \$75,000 in Fiscal Year 2004-05; this is barely - if at all - adequate to pay the cost of routine and emergency repairs. Based on the industry standard capital maintenance cost of \$0.64 per square foot per year, the Reserve Fund should be budgeted annually at approximately \$400,000.

Finally, the current net County cost assignment in Budget Unit 1710 does not allow funding for such necessary projects as the retrofitting of facilities for disabled access (approximately \$1,000,000 total cost) and the remediation of contaminated former underground storage tank sites; nor does it allow for the retrofitting of facilities for increased energy efficiency.

*(As a footnote, it is our understanding that the County Executive Officer will recommend funding the Capital Maintenance Reserve Fund in the amount of \$344,000 in Fiscal Year 2005-06.)*

**3. What adjustment(s) are you making in your department as a result of budget cuts? What project(s), personnel, or service(s) have been curtailed or diminished?**

As noted above, several management positions are left vacant for an extended period; individual employees are working less than full time (voluntary time off); preventive maintenance and landscaping contracts have been terminated, and the work brought in-house; training and non-essential travel have been severely reduced or eliminated; and non-essential facility maintenance requests have been postponed or declined.

As noted under Question 2 above, a building maintenance technician position, which became vacant in the spring of 2004 due to a retirement, was left vacant until early December. The position would have remained vacant even longer were it not for one-time funding assistance in the amount of \$15,000 from the Sheriff's Department. This temporary vacancy exacerbated Buildings and Grounds' documented (by the Grand Jury) difficulty in providing adequate and necessary maintenance to County facilities - in particular, the County Jail. Absent supplemental funding from the Sheriff's Department and/or adequate additional net County cost in Fiscal Year 2005-06, it is questionable whether this position will be able to remain filled full-time after July 1, 2005.



**4. What other sources of revenue does your department receive? (List dollar amount(s) and source(s).)**

- A. General Services (BU 1160) anticipates revenue in Fiscal Year 2004-05 in the total amount of \$653,489 from client departments and some outside agencies for the following:

- Microwave radio maintenance
- Cell phone service
- Typewriter maintenance
- Federal Express/UPS costs
- Legal advertising
- Copy machine rental and maintenance
- Printing services
- Stores/Purchasing services
- Vending machine commission
- Sale of surplus non-automotive equipment at auction

- B. Buildings and Grounds (BU 1610) anticipates revenue in Fiscal Year 2004-05 in the total amount of \$775,000. This revenue is primarily from reimbursements from the departments of Social Services, Mental Health, Child Support Services, and Library for costs related to the operation and maintenance of their respective facilities. In addition, Public Health reimburses its portion of facility maintenance costs at the Willits Integrated Services Center, and the Courts, through an annual agreement with the County, reimburse Buildings and Grounds for custodial service.

- C. Garage (BU 1620) anticipates revenue in Fiscal Year 2004-05 in the total amount of \$750,000 from an operating and maintenance cost per mile of \$0.26 charged for all County vehicles, except those belonging to and maintained by the Department of Transportation.

**5. If the budget cut was restored to your department, what would be the first action taken by your as department head?**

The first step would be the reinstatement to full time of all employees and the filling of vacant positions. (The exception would be those employees whose less than full-time schedules are voluntary and approved by the department.) In addition, we would reinstate adequate, timely, and preventive maintenance programs for facilities and vehicles, and ensure the replacement of all County vehicles at the Board-approved milestone of 100,000 miles. Training for technical staff would be reinstated. Antiquated equipment (e.g., postage machine) would be replaced at the earliest opportunity. A fully staffed and more professional centralized purchasing function focusing on strategic rather than transactional purchasing would be developed to ensure that the County's procurement dollars were wisely and appropriately spent.

**6. How would a budget cut of similar magnitude in the future affect your department? What project(s), personnel, or service(s) would be curtailed or diminished?**

The negative impact on employee morale of job uncertainty, increased workload, inadequate training, and the inability (because of short staffing) in all cases to perform one's work to a minimum standard (e.g., custodial work), which have already taken place, would be magnified. Since all the services and supplies General Services/Buildings and Grounds/Garage provide to departments are either essential (e.g., utilities, housecleaning, facility and vehicle maintenance, fuel) or cost-effective (e.g., centralized purchasing, printing, mail delivery), it is frankly hard to imagine which services would be curtailed or diminished. The effect of any further diminishment of services would not be limited to General Services/Buildings and Grounds/Garage. Instead, they would be felt by all departments. For example, if a Sheriff's vehicle could not be maintained or fueled, law enforcement would suffer; if a building could not be adequately cleaned, maintained or climate-controlled, employees throughout the County would be at risk of injury or illness; if centralized purchasing, printing, or mail service were curtailed, all departments would suffer from waste and inefficiency; if parks were not properly maintained, the public's safety would be compromised.

With further (or continued) reductions in funding, the County would be forced to continue to defer the timely and cost-effective maintenance and repair of facilities and replacement of vehicles. Such deferred maintenance, repair and replacement over time serve to increase operating costs and undermine the efficient delivery of essential services.

**7. In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the County money?**

Firstly, I would ensure that the growth in internal support departments, such as General Services, was commensurate with the growth - particularly in terms of staffing - of "service" departments. Over the past 10 to 20 years, several "service" departments, in particular, health and human services departments, have grown significantly, while the staffing level for General Services and, indeed, most (if not all) support departments, has remained virtually stagnant. While in many cases the service departments are billed (for example, through the "A-87" process) through the County Auditor for support services, a significant amount of the revenue flows to the General Fund as discretionary funds; too seldom and to too little extent are such funds utilized to pay the cost of providing adequate support services.

In this same vein, the County over the past many years has seen fit to pursue and expand a variety of grant-funded programs without ensuring that the internal services (e.g., maintenance, custodial, purchasing) required to support these programs are adequately staffed and funded.

Secondly, as noted above, the County's centralized purchasing function should be expanded. An organization with an annual budget (in Fiscal Year 2004-05) approaching \$170,000,000 requires professional, centralized purchasing oversight. One of the peculiarities of the current "have" and "have-not" culture of the County organization is that the departments that can afford to do so in some cases have support staff which duplicates or even exceeds the staff in the internal support departments. Support services such as purchasing should be centralized and standardized, not spread unevenly among County departments to the benefit of some and the detriment of many and, ultimately, the disservice to the taxpayer.

Thirdly, as also noted above, I would ensure that facility and vehicle maintenance staff and funding were always adequate to ensure safe occupancy and use of County facilities, including parks, and the safe and reliable operation of County vehicles. Not doing so costs the County money.

*Postscript: Since this report was prepared at the Grand Jury's request on November 30, 2004, net County cost assignments for Fiscal Year 2005-06 have been distributed to County departments. As of this writing, April 12, 2005, it appears that General Services and Buildings and Grounds, along with many – if not most – County departments, will be required to absorb a further budget reduction of approximately 10.8% in the coming fiscal year. The Garage budget, or net County cost assignment (-24,017) is the same as Fiscal Year 2004-05. In the aggregate, if the proposed net County cost assignments are adopted in the Final Budget for Fiscal Year 2005-06, General Services, Buildings and Grounds, and Garage budgets will have been reduced a total of 22.1%, or \$616,566 over the past four fiscal years.*

cc: Honorable Board of Supervisors  
Alison Glassey, Interim County Executive Officer



## ***Department Head Survey – Grand Jury***

1. In the 2004-2005 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?  
**Answer:** Approximately \$8000; 10% of the budget reduction
2. Explain what impact(s) the budget reductions have had on your department.  
**Answer:** It caused the Grand Jury to rethink methods of publication and distribution of the Grand Jury reports to the taxpayers of Mendocino County.
3. What adjustment(s) are you making in your department as a result of budget cuts? What project(s), personnel, or service(s) have been curtailed or diminished?  
**Answer:** No personnel have been reduced. (The Jury by statute consists of 19 jurors). We are in the process of changing the Memorandum of Understanding (MOU) regarding publication of the Final Report. The final report will be made available to the general public via the Grand Jury website at:  
<http://www.co.mendocino.ca.us/grandjury/>. A reduced number of printed versions will be produced and distributed throughout Mendocino County.
4. What other sources of revenue does your department receive? (List dollar amount(s) and source(s).  
**Answer:** none
5. If the budget cut was restored to your department, what would be the first action taken by you as department head?  
**Answer:** I would improve/upgrade the office equipment
6. How would a budget cut of similar magnitude in the future, effect your department? What project(s), personnel, or service(s) would be curtailed or diminished?  
**Answer:** A similar budget cut could potentially limit the number of complaints and overviews the Grand Jury is charged with performing, in service of the taxpayers.
7. In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the county money?  
**Answer:** I would make it mandatory that all county employees show sufficient levels of computer proficiency before being placed or advanced in any county position. I would work closely with the IT



County of Mendocino  
Grand Jury

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department and county training facilities (Such as Regional Occupations Programs) to provide ongoing training for key county personnel. I would provide incentive programs for all county workers to find ways to curtail budgets and increase productivity through the use of computer technologies and solutions.

## Department Head Survey Response

1. The Human Resources Department reduction in the 2004-05 County budget was \$24,000 or 3.5% of our budget.
2. The budget reduction has somewhat reduced the amount of employee relations support available to the Director and has also slowed recruiting and selection work due to holding one of the Human Resources Analyst positions vacant for salary savings.
3. The employee relations workload has been assumed by an HR Analyst and the Director on a part time basis which has also impacted our ability to do as many classification reviews as we would otherwise do. Recruiting and selection was initially slow in the beginning of the fiscal year due to the inability to fill a second Human Resources Analyst position.
4. The Human Resources Department receives virtually no sources of revenue other than the general fund as we are a service department to the other County departments.
5. If the budget cut was restored to our department, we would assign some employee relations tasks, including grievance processing, to the Human Resources Technician position. That would free up time of the Human Resources Analyst to do more classification and recruiting and selection work.
6. A similar budget cut in the future would reduce our employee relations support further, meaning we would have less time available to review complaints and advise departments on HR issues. Also, recruiting and selection would slow, which means that positions in other County departments would be filled at a slower pace than present.
7. In a perfect world, we would do joint recruiting and selection with the City of Ukiah and possibly the Mendocino Community College to share the workload and costs of recruiting and selection in common classifications shared by the three agencies. We would also create a volunteer program with part time regular staffing which would allow the County to generate a large number of volunteers to supplement the efforts of paid staff. Those volunteers could be people re-entering the labor market, young people looking for experience, and people looking to change locations and wishing to gather some additional experience for their resume.

# Memorandum

**To:** Grand Jury, County of Mendocino  
**From:** Jay Johnson, Director of Information Services  
**Date:** November 18, 2004  
**Re:** DEPARTMENT HEAD SURVEY

I present the following responses to the Department Head Survey:

1. In the 2004-2005 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?

Information Services did not suffer a reduction in budget for fiscal year 2004-2005.

2. Explain what impact(s) the budget reductions have had on your department.

N/A

3. What adjustment(s) are you making in your department as a result of budget cuts? What project(s), personnel, or service(s) have been curtailed or diminished?

N/A

4. What other sources of revenue does your department receive? (List dollar amount(s) and source(s))

3 Title Companies and the Department of Justice (3 systems) have access to the Property Tax System for a monthly charge of \$95.00 for a total of 6 systems for annual revenue of \$6,840.00.

GIS mapping projects are billed out for \$22.00 for a standard map (cost of paper, ink, employee time, etc.). Number of mapping projects requested throughout the year varies.

5. If the budget cut were restored to your department, what would be the first action taken by you as a department head?

N/A

6. How would a budget cut of similar magnitude in the future, effect your department? What project(s), personnel, or service(s) would be curtailed or diminished?

*April 24, 2005*

Information Services main expenditures are within the Maintenance and Salaries/Benefits account strings. Maintenance costs increase each year for legacy systems, which are being replaced/upgraded when the budget allows.

If IS we're hit with a budget reduction it would be reflected in the Salaries and Benefits account. The consequence of said reduction would impact the entire County. Application maintenance/development, computer support, and network support would decrease drastically, not only causing a backlog of projects in this department but also in the requesting departments.

7. In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the County money?

With sufficient funding the Information Services Department could be adequately staffed allowing for faster response times and additional services to other County departments.

Cc: Neil Martin, Assistant County Administrative Officer



- 1. In the 2004-2005 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?**

In the Operating Transfer In from the County, the Library received a reduction of \$57,008.00, but the budget is not balanced and has a shortfall of \$51,272.00, so the total difference from 2003-2004 is \$108, 280. This is a reduction of 12.1%.

- 2. Explain what impact(s) the budget reduction has had on your department.**

The budget reduction is such that the Operating Transfer In does not even meet the cost of salaries and benefits. There are two full-time unfilled vacancies this year, a Library Technician in Ft Bragg and a Bookmobile Specialist.

The budget has a great impact on morale. Every year, the Board of Supervisors have pulled the Library budget from the final consent calendar and have added an increase to it. This may give the Board and the Library some positive press, but the fact is that the public and the staff think that there is some hidden money that can be "found".

The staff and the union see this and wonder why salaries are not increased and benefits not matched by the County. Library staff are working very hard with fewer employees and they think I can find more funding from the County, which I cannot.

The budget reduction also means that I must try to earn additional funds from the Transactional Based Reimbursement. This is funding earned by our libraries for sending library materials out of county as a form of resource sharing. The State Library pays the Mendocino County Library quarterly for each transaction. However, this year the State Department of Finance will not be issuing these quarterly payments until early 2005 so I do not know what the Library will receive.

3. **What adjustment(s) are you making in your department as a result of budget cuts? What project(s), personnel, or service(s) have been curtailed or diminished?**

The library budget has been reduced or had remained the same in almost all line items. I had planned for several important projects that will not implemented this year, and probably not next year. I had intended to have key staff members and volunteers attend staff development /training on grant writing, customer service, word processing and other trainings to keep up with professional activities in and out of Mendocino County.

Our volunteers who serve at the circulation desks and shelve library materials are essential to our libraries. We simply would not be open without them. I have curtailed my plan to have comprehensive volunteer trainings due to the unavailability of staff and have not had the time to complete a volunteer training manual. This will diminish our service levels at the libraries.

I am unable to fill two full-time positions that are on the personnel roster. With the re-opening of the Coast Community Library in Pt Arena, we need an additional paid staff member as there is only one part-time Library Technician at the facility. The Coast Library is open six days per week and is mainly run by dedicated volunteers. With our increasing dependence on volunteers, the level of professional service will diminish. Programs for adults, reading groups, publicity of services and many brochures are no longer provided

The Ft Bragg Library has experienced a increase in patrons and circulation and the staff is down by one full time Library Technician. There are 2.5 FTE that keep the library open and this has lead to a morale issue and heavy work loads. The Library is open 38 hours per week.

The Round Valley Library in Covelo is staffed by a part-time Library Assistant. There are few left. When she is ill or on vacation, the Library is closed. The Library is open 30 hours per week.

The Willits Library also has an FTE of 2.5 and they also rely on the volunteers who staff the desk and shelve and process materials. The Childrens Librarian works Thursday and Fridays in Willits. The Library is open 38 hours per week.

The Ukiah Library has a FTE of 4.5 of public service staff, with the Childrens Librarian working Monday, Tuesday and Wednesday and an occasional Saturday. The Library is open 38 hours per week. The Bookmobile Driver is stationed here, but his work is on the bus. The Secretary works in the Ukiah Library, but her responsibilities generally do not include working with the public. A Library Technician, working out of the Ukiah Library, is responsible for interlibrary loans for all the libraries and processes book deliveries.

Due to an administrative leave situation for the Bookmobile Driver, and no Bookmobile Specialist hired, I spent most of my weeks this summer providing a curtailed bookmobile service. This meant I was doing the work of the Bookmobile, plus my own responsibilities. Our staffing is so tight that it is very difficult to schedule vacations and we scramble to cover the public service areas when staff are absent.

**3. What other sources of revenue does your department receive? (List dollar amounts and sources).**

The Mendocino County Library will receive \$35,456.00 from the Public library Fund, administered by the California State Library. The payment will be sent in March, 2005.

The Mendocino County Library will receive funding from the Transactional Based Reimbursement, administered through the California State Library. The exact amount is not known because the Department of Finance has not set the per-item allocation. Last year the Library earned \$232,944.00.

The Mendocino County Library also receives revenue from fines and fees. Last year the libraries earned \$23,376.00, but it changes every year.

The Mendocino County Library receives \$8,000.00 from Sonoma County for Bookmobile services to the Sea Ranch and Stewarts Point stops.

The Mendocino County Library receives money from the copies in the libraries. Last year the amount was \$3,274.00.

The libraries also receive donations from the public. Last year the libraries generated \$7,672.00 in total.

In addition, each library has a Friends of the Library organization that purchase materials and services that are not presented in the County budget. The exact amounts vary from each Friends organization and differ each year. The Friends cannot pay for salaries or benefits of staff. This had been done in the past and raised concerns about hiring practices and performance reviews and does not conform to Civil Service practices.

Below are examples of the Friends contributions:

Round Valley: The Friends pay the rent and utilities of the Library amounting to approximately \$6,000.00 per year. They also pay for the janitorial services and for furniture.

Coast Community Library: The Friends purchased a building, refurbished it with all new materials, pay the utilities and staff it. They spent almost half of a million dollars for the building and renovation and have a goal of \$1000.00 per month to keep the building open. They also underwrite the cost of the Summer Reading program and the literacy project and give extra funds for readings and special projects. They also pay for janitorial services.

Fort Bragg Library: The Friends are fundraising for the renovation of the County owned library building. They have raised close to one half million dollars and have an annual budget for staff development, library materials and fundraising. It is hoped that a renovation will commence in 2005, as approved by the County. They also underwrite the costs of Summer Reading program, the film series and special events.

Willits Library: The Friends pay large library materials invoices, as presented by the Branch Librarian, and underwrite Summer Reading program. They have also paid for carpet cleaning and landscaping of the library grounds.

Ukiah Library: The Friends have refurnished the Children's Room, purchased new chairs, paid for carpet cleaning, purchased curtains and rugs and underwrite the Summer Reading program and other events. They also pay for library materials, as requested by the Branch Manager.

There is yet another source of revenue that is not revealed in the County budget: donations. Each library receives donations to that specific library and it is accounted in the book budgets as a separate line item for each library. The donation accounts, as of November, 2004 are as follows:

Ukiah: \$22,300.00  
Bookmobile: \$6,350.00  
Children's: \$3,050.00  
Willits: \$9,700.00  
Ft Bragg: \$10,950.00

There is no donation account for Round Valley or the Coast Community libraries.

These donation accounts can be used for the purchase of library materials only and the funding does not revert to the County at the end of the fiscal year.

**5. If the budget cut was restored to your department, what would be the first action taken by you as a department head?**

If the budget were to be increased by 12.1 %, I would restore staffing. However, the two FTE salaries would be allocated differently to meet changing needs. I would most likely increase the part-time position in the Coast Community Library to full time and create another half-time position in Ft Bragg. With the increase in the costs of medical benefits and potential increases in salaries, the allocation might not fund two FTE.

**6. How would a similar budget cut of similar magnitude in the future, effect your department? What project(s), personnel, or service(s) would be curtailed or diminished?**

If the library were to receive yet another 12% cut in funding from the County, we would have to curtail hours of service, possibly closing an extra day, or closing a holiday week such as between Christmas and New Years. We might also explore closing one week each quarter, as Humboldt County Library does. Other scenarios might be asking for VTO (voluntary time off without pay) from staff,

layoffs, or reduction in FTEs. Any personnel change would have to be done in conjunction with the union, SEIU, and management.

The subject of funding for the Bookmobile would have to be addressed if we were to have yet another 12% reduction. Presently it circulates annually what Ft Bragg, Willits or Ukiah separately circulate in a matter of months. The schedule might be changed to once per month, rather than twice per month to each outlet, with the driver being assigned other duties. The service provided by the Bookmobile is valuable as it is one of the few County services offered to the remote areas and is seen as a “roving ambassador” by the Board of Supervisors.

We already rely on the goodness of our volunteers and the union would be especially concerned about any paid position being converted to a volunteer track. This simply cannot be done as it goes against the County’s agreement with SEIU and further erodes our staffing levels.

I truly believe the morale of the Library staff and volunteers would suffer with budget cuts and layoffs. As is, we are in a precarious position from one year to the next and our continual reliance on volunteers has reached a maximum.

Furthermore, we must maintain MOE (maintenance of effort) in order to receive funding of the Public Library Fund and the Transactional Based Reimbursement from the State Library. If we do not meet the MOE, the County might not be able eligible to receive those funds.

**6. In a perfect world, what changes would you make (that may or may not be) Within the scope of your department to save the county money?**

In a perfect world, the cities of Ukiah, Willits, Ft Bragg and Pt Arena would contribute funding to their local libraries. They certainly use the libraries as part of their promotion to their areas, yet do not give any monetary support.

Other thoughts include:

The County might offer a one-time “golden handshake” or some incentive for early retirement to get some others into the system. It may be hard to recruit for the top level positions, but there are good people in the community who want to work for the County at the present salary and benefits package.

If I could, I would rewrite job descriptions so the experience and educational requirements are not so restrictive. As is the case in other public libraries, staff learn on the job, no matter what their previous training and experience.

I know we could get more response to the job openings if there was more scope in the basic requirements and thereby hire locally. This might not save money, but it would be a mechanism to recruit locally.

Solano County Library has a comprehensive training program for para-professional library employment. The paraprofessional class run the smaller branches, work at the circulation desk, provide children's programs, select materials, offer computer training and backup, and take on other responsibilities once thought to be only in the realm of the Librarian. I would like to have such latitude in the Mendocino County Library, but have faced great resistance.

The County might look at closing between Christmas and New Years, a week in the summer or some schedule that would obligate staff to take paid time off. This would reduce the amount of vacation, compensation time off or management time on the books. This could also reduce the county's obligation toward retirement, such that the County would not pay out, at the highest salary, as much time at retirement.

This is a time of great uncertainty. If you have any questions, please call me at 463-4492.

Respectfully submitted by Erika DeMille, Library Director

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860 N Bush St.  
Ukiah, CA 95482  
Phone (707) 463-4480  
FAX (707) 463-5443

**Medical Records**  
Phone (707) 463-4996  
FAX (707) 467-6395

**Willits Mental Health Center**  
221-B South Lenore Avenue  
Willits, CA 95490  
Phone, Adult Services (707) 456-3850  
Phone, Children's Services (707) 456-3852  
FAX (707) 456-3808



**COUNTY OF MENDOCINO**  
**MENTAL HEALTH DEPARTMENT**  
Beth M. Robey, M.P.A.  
**Director**

**Ukiah Mental Health Center**  
860 N Bush St.  
Ukiah, CA 95482  
Phone (707) 463-4303  
FAX (707) 463-5443

**Coast Mental Health Center**  
790-B South Franklin St.  
Ft. Bragg, CA 95437  
Phone (707) 964-4747  
FAX (707) 961-2698

April 6, 2005

**TO:** Grand Jury  
**FROM:** Beth Robey, Director  
**RE:** Impact of Budget Cuts

Thank you for the opportunity to respond to your survey.

**Question 1**

The Mental Health Department is in a slightly different situation than most other county departments. The Department gets no county general fund revenue. Last year's reductions were based on the amount of general fund dollars received, so we were not given a reduced "budget target." However, as you may be aware, the Mental Health Department has been experiencing significant budget difficulties for the past few years. The Mental Health Fund currently has a negative fund balance of \$2.2 million. It was the hope of the Board of Supervisors that by establishing a separate fund for Mental Health, the Department would be able to deal with its negative fund balance over several years rather than being forced to take massive cuts.

The Mental Health Department is a revenue-driven department which must be self-sufficient – i.e., able to earn as much as it spends. Since FY 01-02, the Department has reduced its expenditures in personnel and in services and supplies. For example personnel costs have gone from \$8.7 million in FY 01-02 for 176 positions to \$7.3 million in FY 04-05 for 125 positions. Service and supply costs have gone from \$2.9 million to \$1.5 million in the same time period (it should be noted that a portion of these costs were transferred to the "Other Charges" section of the budget rather than eliminated.)

The costs which are uncontrollable, those listed under "other charges," are for direct client services such as the MediCal entitlement programs, acute psychiatric hospitalizations, and residential care. These costs have increased from \$1.2 million to \$4.3 million during this same four-year period. As previously noted, some of this cost increase is due to an accounting decision to show all client-related service costs in one section of the budget. However, most of it is due to a dramatic increase in MediCal service utilization and the increased cost in hospitalization and residential care.

Last year's Grand Jury commended the Mental Health Department for expanding access to care through contracting with three local non-profits which serve children and youth. These agencies are providing approximately \$2 million worth of services which is reflected as an increase in expenditures in our budget. Second, we take seriously our obligation to provide our clients with care in the least restrictive setting. As a result, we are now subsidizing many more adult supportive housing environments than in previous years.



Both of these issues, while increasing cost, also reflect improvements in client care. Another reason for cost increase is the increase in the health care and hospital industry. While the number of persons needing hospitalizations has remained somewhat static over the years, the cost per day has increased from an average of \$550 per day to \$850 per day. In addition, the average length of stay has increased from 4-5 days to 8-9 days. Because we must contract with out-of-county hospitals for this care, and there are tremendous bed shortages in Northern California, we have little choice but to pay the going rate. A new acute facility is currently under construction in Yuba City which will only serve the small northern counties and which will have a bed day rate of approximately \$560. Mendocino County Mental Health has committed to buying two dedicated beds at that facility.

The fiscal problems of the Department, however, are primarily due to a shortfall in revenue rather than over-expenditures. For example, the State of California owes the county \$1.6 million for 3 years of services provided to children in need of mental health services in order to be successful in school. This special education mandate was passed on to county mental health departments without any source of funding. As a result, the County has been filing SB 90 claims for reimbursement since FY 01-02. All payments for SB 90 claims were suspended by the State and will be repaid over a 5-year period beginning in FY 06-07 with interest. This unfunded mandate alone accounts for nearly 75% of the Department's fund deficit.

The good news is that during the first quarter of FY 04-05, the Department appears to be managing within its budget in that anticipated revenues are in line with expenditures. In fact, at mid-year, the Department estimates that it will be able to reduce the existing fund deficit from \$2.2 million to \$1.8 million.

### **Questions 2 and 3**

Following are significant changes that have occurred during the last year as a result of budget cutbacks:

1. A 10% mandatory time off (MTO) plan was enacted for all employees of the Mental Health Department. This means that all employees work and get paid for 72 hours each pay rather than the 80 hours enjoyed by all other county employees.
2. While all three service centers remain open, the Ft. Bragg office is closed to the public on Fridays at noon. Willits and Ukiah are open, but lightly staffed, on Fridays.
3. Crisis response continues to be available both in Ukiah and Ft Bragg 24-7, and in Willits from 8-5, Monday-Friday. In Ft. Bragg, the crisis workers are at the office during the workday and we contract with a local non-profit to provide on-call crisis response after-hours and on weekends. After-hours crisis assessments are conducted at the Coast Hospital. In Ukiah, crisis workers are at the office from 8 A.M. – 11 P.M., seven days per week. Between 11 P.M. and 8 A.M., crisis workers respond either on the phone or conduct in- person assessments at UVMC. As of last Spring, clients who experiencing a crisis, but who are not in need of acute hospitalization, are no longer able to spend the night at the Mental Health Department offices. Clients may spend the night in a supervised bed at a local non-profit, however, it is not a mental health treatment environment.

### **Question 4**

The Mental Health Department receives revenues as follows:

MediCal	\$5.9 million
Realignment (sales tax and VLF)	\$3.5 million
State Categorical Funds	\$1.2 million
Managed Care	\$1.0 million
Other (insurance, grants)	\$0.6 million

As previously mentioned, the State of California owes the Mental Health Department \$1.6 million for mandated services for school-age children. Payment of this debt will not begin until FY 2006-07.

### **Question 5**

If I had the ability to restore some of the programs which we have had to cut, they would include:

1. The restoration of full-time status to employees. This would allow the office in Ft. Bragg to be open all day on Fridays.
2. Reinstatement of a 23-hour pre-crisis facility for individuals who need a safe and supportive place to work through their issues, but who are not in need of acute hospitalization.
3. Increase the amount of case management services and support a client-operated resource and socialization center to improve the quality of life for our clients and possibly reduce the need for high-end services.

I am hopeful that Proposition 63, the Mental Health Services Act, will help us accomplish some of these unmet needs. The State plans to roll out the provisions of the act in phases. The largest component, "Community Services and Support," will be released first. While the amount of funding per county is not yet known, our best estimate is that Mendocino County will be eligible for \$1-2 million annually to enhance community-based services for adults, children, and older adults. During the next 6 months, we will be involved in a community planning process to determine our priorities for use of these funds.

### **Question 6**

Given the amount of cuts endured by this Department over the past few years, there is no more "fat" and we are already into the "bone." More cuts would necessitate further centralization such as the closure of the Ft. Bragg and Willits offices. However, this would be catastrophic to our clients and I would never recommend it. I believe the fact that our employees agreed to be the only county employees to take a 10% cut in pay during these difficult economic times is indicative of the fact that there simply is no where else to cut without devastating our clients.

### **Question 7**

I am hopeful that the programs which we will be able to implement with Proposition 63 funding will reduce high-end medical costs in the long run – more preventive care and less "emergency room" care. In response to your "perfect world" scenario, it would be nice if all county employees had been subject to a small furlough rather than just the Mental Health employees having to bear a 10% cut. The MTO saved the Mental Health Department \$425,000. If the dollar value had been spread among 1400 employees rather than the 125 in the Department, the individual sacrifice would have been much less – maybe 2-3 days of pay per person per year, instead of 26 days of pay.



# Mendocino County Museum

400 East Commercial Street, Willits, California 95490  
707.459.2736 - Fax: 707.459.7836

## MECOMU STAFF

HERBERT E. PRUETT  
*Director*

ELAINE HAMBY  
*Curator of Exhibits*  
*"A Community Storyteller"*

NIKKI BURGESS  
*Administrative Assistant*



April 24, 2005

Ms. Kathy Wylie, Foreman  
County of Mendocino – Grand Jury  
P.O. Box 629  
Ukiah, California 95482

## **Re: Department Head Survey (BU 7110 – Museum)**

Dear Ms. Wylie:

I am responding to your letter of November 4, 2004, and answer your seven questions to the best of my ability.

1. In the 2004-2005 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?  
**BU 7110 – 2004-2005 Budget total Net County Cost = \$291,419.00 representing a NCC reduction of \$9,688 for the Museum Department amounting to a 3.3% General Fund Reduction**
2. Explain what impact(s) the budget reductions have had on your department.  
**Though we retained one of two Curator positions, the second one was vacated due to a probationary period failure. The position was temporarily de-funded in order to meet the \$9,688 reduction and to pay substantially increased utility and operational costs associated with 24,000 sq. ft. of new space added to the Museum just before the economic decline.**
- 3a. What adjustment(s) are you making in your department as a result of budget cuts?  
**The new 24,000 sq. ft. addition to the facility was completed in 2003, thus there was no precedent as to what added utility costs would be. We have minimized occupation of some parts of the new facility, but it tends to be an affront to taxpayers that the space is underutilized. We have spread what would have been a curatorial salary over several operational line items as well as substantially increased utility costs, and have maintained seven day per week operation. (Regular business hours, Mon – Fri, Public Visitor hours Wed - Sun. During tourist season and special events, the facility requires a minimum of two staff at all times incases of safety and emergency. This expected schedule is difficult to maintain with only four employees. I do have the dedicated assistance of volunteers for some events, making these hours possible.**
- 3b. What project(s), personnel, or service(s) have been curtailed or diminished?  
**Moving and re-storing our entire collection of over 100,000 objects from the old storage space to**

## ADVISORY BOARD

JAMES EDDIE 1st District - JUDY PRUDEN Chair & 2nd District - LYNN KENNELLY 3rd District  
DON NELSON 4th District - MEL MCKINNEY 5th District

**the newly built space has been delayed because of the lack of staff, and not enough funding to provide proper door seals & airlocks, and to cover the additional cost of utilities. We have lost the services of a Curator of Collections which means the backlog of access requests for research and archives is very slow to address. Exhibitions in the Redwood Empire Railroad History Project galleries have been delayed.**

4. What other sources of revenue does your department receive? (List dollar amount(s) and source(s).

**Mendocino County Museum is an "Enterprise" department.**

**1. We operate a Book & Gift Shop on the premises. All operating costs, stock purchases, and revenues are handled through BU 7111 and is not combined with BU 7110. We can only estimate revenues from the Book & Gift Shop at \$24,065 in the 2004-2005 Budget. However we recently acquired Credit Card Transaction capability which has greatly increased sales, and we have broadened the selection of publications stocked.**

**2. Admission to the Museum is free by order of the Board of Supervisors (who act as Museum Trustees), however a suggested donation provides some income. This is the first year we will establish a precedent, but \$45,000 has been estimated for the current year.**

**3. The Museum has a small (apprx. \$125,000) Endowment Trust Fund established with the Auditor's office. Principal in this fund is derived by private donations specifically for the purpose of building an endowment. The principal is allowed to grow, thus interest income, estimated at \$15,000 (including donation interest) can be used to help support museum programs.**

**4. Two classrooms are leased to Mendocino College for an established fee of .70 per sq. ft. = \$1,008 per month of which \$542.12 is applied to amortize a \$35,000 advance from the college to pay for original construction. The remaining \$465.88 per month is used to lower our NCC. The remainder is listed as income for benefit of the Museum.**

**5. A rental fee structure is established for rental of a meeting room which has no track record at this time, but internally we estimate income from that source to be approximately \$5,000 in the current FY.**

**6. An emerging branch of Museum operation is its *Grassroots History Publications* enterprise. With 23 books under its imprint, GHP is an important and growing source of revenue, however that too has been recently enhanced by the addition of Library of Congress numbers and ISBN numbers designed for more effective marketing. We cannot estimate income accurately at this time because of the newness of the enterprise, and costs of publishing are near the income derived. Publishing in general is an important outreach of the Museum.**

5. If the budget cut was restored to your department, what would be the first action taken by you as a department head?

**The now vacant Curatorial position would be filled.**

- 6a. How would a budget cut of similar magnitude in the future, effect your department?

**We would likely experience an even greater problem of employee morale and uncertainty.**

- 6b. What project(s), personnel, or services(s) would be curtailed or diminished?

**FTE hours would be reduced to levels that protect health plans and retirements, but such a reduction would assure a reduction of public hours of service, either closure on weekends, or loss**

**of two business days. We would likely cover week-ends only for special events or the Fourth of July holiday which is our most active (and lucrative) day. A larger reduction would bring archival and collections services to a complete standstill**

7. In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the county money?

**We are already trying to “grow” the enterprise aspects of the Museum’s operation. More publishing of material that is in demand by the public, an increase in tourist memento types of Book & Gift Shop merchandise, and a more aggressive campaign to have ticketed events in or at the Museum are already in the offing. These promise to help us significantly reduce our net county cost factor, but it takes time to build these revenue sources and we’ve only begun this emphasis in the last eighteen months. My goal as Museum Director is to make the Museum as financially independent as possible by instituting a membership plan, growing our endowment fund, finding more grants for specific projects, and dramatically increasing our advertising budget to make us a tourist point of interest or destination.**

I sincerely hope this is helpful and informative information for you regarding the Museum Department. If you have further questions, my direct telephone line is 707 459-7698, or you can email me at [pruetth@co.mendocino.ca.us](mailto:pruetth@co.mendocino.ca.us).

Very truly yours,

Herbert E. Pruet



COUNTY OF MENDOCINO  
DEPARTMENT OF PLANNING AND BUILDING SERVICES  
501 LOW GAP ROAD · ROOM 1440 · UKIAH · CALIFORNIA · 95482

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December 1, 2004

KATHY WYLIE, FOREMAN  
MENDOCINO COUNTY GRAND JURY  
PO BOX 629  
UKIAH CA 95482

Re: Questionnaire on Budget Cuts

Dear Ms. Wylie:

Thank you for the opportunity to respond to your survey. Below are my responses to the questions posed:

**Response to Question #1:** I've attached a copy of the final budget for the Planning and Building Services Department. The two budget units combined (2851 and 2852) for Fiscal Year 2004/2005 include a total net appropriation of \$2,598,936, total revenues of \$1,649,826 and a total net county cost of \$949,110.

The budget for fiscal year 2003/2004 contained the following figures:

Appropriates	\$3,024,912
Revenue	\$1,737,263
Total Net Cost	\$1,287,649

Thus the decrease in appropriations is 14%, in revenue 5% and in total net county cost 26%.

**Response to Questions #2 and #3:** The narrative submitted with the draft budget in April 2004 discusses the impact of budget cuts:

“The substantial decrease (7.8% from Fiscal Year 2003-04) in Net County Cost represents the third consecutive year of reductions despite increasing costs associated with retirement, disability, insurance and workers compensation. The cost reductions necessitate that the Department not re-fill a recently vacated Planner position and that other positions that become vacant throughout the year will either be left unfilled for the remainder of the year or for extended periods of time, to achieve the necessary salary savings. The above dilemma is compound by the fact that the Fiscal Year 2003-04 budget resulted in the layoff of a Staff Assistant as well as elimination a Planning Technician position. Further the assigned net county cost results in cuts to other areas of the budget including communication, office expense, legal notice, rent, and vehicle travel both in and out of county. The County Administrative Office, Board of Supervisors and public should be advised that these measures will have a detrimental effect upon permit processing, customer service and other Department programs. The cost cutting measures necessary to achieve the reduced net county cost will clearly result in a visible reduction in service and/or quality of service to our clients.

Additionally, it should be noted that the assigned net county cost does not include the funding necessary to (1) administer and enforce a local grading ordinance; (2) prepare a Hazard Mitigation Plan in compliance with the Federal Disaster Mitigation Act of 2000; (3) prepare, adopt or implement local regulations of “less than three acre timber conversion”; (4) implement programs called for in the Ukiah Valley Area Plan; (5) implement new State regulations currently being processed (i.e. oak wood lands management plans); (6) implement regulations of the County Storm Water Pollution Prevention program. Further, it is doubtful that the Department will be able to commit more than minimum resources towards:

- ❖ Studies and ordinance called for in the draft Brush Street Triangle-Land Use Agreement.
- ❖ Revisions to the County Floodplain regulations requested by FEMA.
- ❖ Studying feasibility and efficacy of PBS identifying for project applicants all local, State and Federal permits that may be necessary in association with the applicants building or planning permit.
- ❖ Updating the Permit Place and public handout information and hold training for County staff on permit processing.
- ❖ Assist the Planning Commission in review and possible revisions to Local Wireless Guidelines.”

During budget hearings in August of 2004, the Board of Supervisors did authorize and fund re-filling a recently vacated Planner position.

**Response to Question #4:** Revenue sources for the Department in Fiscal Year 2004/2005 include the following:

General Fund:	\$949,110
Permits fees, charge for services, sales:	\$1,487,447
Grant:	\$104,409
State Vehicle License Fees:	\$28,000

**Response to Question #5:** If the budget cuts were restored, the first action would be to review the current status of appropriations to determine if additional funds were necessary to conclude the fiscal year at the funding levels contained in the budget. In other words, backfill any projected deficit in the appropriations series of the budget. The second action would be to consider re-filling the two positions (Planning Technician and Staff Assistant) that were eliminated as a result of the 2003/2004 budget reductions.

**Response to Question #6:** A budget cut of a similar magnitude in the future would result in layoff(s). Most likely the Division directly affected would be Code Enforcement.

**Response to Question #7:** Saving the County money can occur either through a decrease in appropriations and/or an increase in revenues. Relative to the savings that are outside the scope of the PBS Department I would direct your attention to two work products:

- (1) SEIU Potential Savings #1 – 04/05 Budget
- (2) Executive Summary of Department Head Retreat held at the Mendocino County Museum on December 30, 2003.

To “save” the County money in the future, consideration should be given to increasing building permit fees, reviewing the contract with the City of Fort Bragg for building inspection services (currently in

progress) and consideration of development impact fees to (1) cover County costs for service and (2) expand infrastructure.

Should you have any questions, please don't hesitate to contact me at 463-4281.

Sincerely,

Raymond Hall  
Director

RH:sb

Attachments



STATE CONTROLLER  
COUNTY BUDGET ACT  
(1985)

COUNTY OF MENDOCINO  
STATE OF CALIFORNIA  
BUDGET UNIT FINANCING USES DETAIL  
FINAL BUDGET FOR FISCAL YEAR 2004-05

COUNTY BUDGET FORM  
SCHEDULE 9

CLASSIFICATION:  
FUNCTION: 2 PUBLIC PROTECTION  
ACTIVITY: 207 PUBLIC PROTECTION - OTHER PROT

BUDGET UNIT: 2851 PLANNING & BUILDING SERVICES  
FUND: 1100 COUNTY GENERAL

FINANCING USES CLASSIFICATION (1)	2002-03 BUDGET (2)	2002-03 ACTUALS (3)	2003-04 BUDGET (4)	2003-04 ACTUALS (5)	2004-05 REQUEST (6)	2004-05 RECOMMEND (7)	2004-05 ADOPTED (8)
				06/30/04			
SALARIES & EMPLOYEE BENEFITS							
861011 REGULAR EMPLOYEES	1,500,621	1,419,327	1,524,139	1,484,848	1,466,152	1,556,941	1,556,941
861012 EXTRA HELP	13,000	18,298	0	1,618	0	0	0
861013 OVERTIME REG EMP	15,000	13,894	3,000	5,847	5,000	3,000	3,000
861021 CO CONT TO RETIREMENT	174,259	160,524	188,182	186,817	192,867	192,867	192,867
861022 CO CONT TO OASDI	91,922	85,814	91,026	89,019	90,663	94,293	94,293
861024 CO CONT TO RET INCREMENT	21,497	20,385	21,288	20,914	21,204	22,052	22,052
861030 CO CONT TO EMPLOYEE INSUR	83,352	76,419	92,670	91,839	94,904	94,904	94,904
861031 CO CONT UNEMPLOYMENT INSUR	164,476	238,833	189,013	176,056	187,831	193,841	193,841
861035 CO CONT WORKERS COMPENSAT	0	0	3,062	3,062	3,062	15,737	15,737
	22,841	22,841	39,178	39,178	39,178	41,883	41,883
TOTAL SALARIES & EMPLOYEE BENEFITS	2,087,008	2,056,335	2,151,558	2,099,198	2,100,861	2,215,518	2,215,518
SERVICES & SUPPLIES							
862060 COMMUNICATIONS	16,000	11,914	14,000	11,541	11,000	11,000	11,000
862101 INSURANCE-GENERAL	18,917	18,916	20,744	20,141	20,744	19,355	19,355
862120 MAINTENANCE-EQUIPMENT	4,328	16,557	19,328	16,302	19,500	19,500	19,500
862150 MEMBERSHIPS	1,750	1,626	1,500	1,544	1,550	1,550	1,550
862170 OFFICE EXPENSE	65,000	47,965	57,000	39,481	49,000	49,000	49,000
862187 EDUCATION & TRAINING	1,600	249	1,100	585	1,100	1,100	1,100
862189 PROF & SPEC SVCS-OTHR	13,500	11,925	13,500	10,125	12,500	12,500	12,500
862190 PUBL & LEGAL NOTICES	16,000	6,689	11,000	7,377	8,000	8,000	8,000
862210 RNTS & LEASES BLD GRD	4,500	1,350	3,500	841	2,900	2,900	2,900
862239 SPEC DEPT EXP	935,400	214,070	669,782	99,573	20,000	20,000	20,000
862250 TRNSPRATION & TRAVEL	49,400	35,449	45,400	34,009	39,000	40,000	40,000
862253 TRAVEL & TRSP OUT OF COUN	10,900	5,731	6,900	3,574	5,000	5,000	5,000
TOTAL SERVICES & SUPPLIES	1,137,295	372,481	863,754	245,093	190,294	189,905	189,905
FIXED ASSETS							
864370 EQUIPMENT	57,796	25,178	9,600	0	25,000	10,000	10,000
TOTAL FIXED ASSETS	57,796	25,178	9,600	0	25,000	10,000	10,000
EXPEND TRANSFER AND REIMB							
865380 INTRAFUND TRANSFERS	-500	0	0	0	0	0	0
TOTAL EXPEND TRANSFER AND REIMB	-500	0	0	0	0	0	0
TOTAL NET APPROPRIATIONS	3,281,599	2,453,994	3,024,912	2,344,291	2,316,155	2,415,423	2,415,423
LESS: REVENUES							
821501 TRANSPORTATION FUNDS	4,450	1,206	450	15,225	15,189	15,189	15,189
822250 MOBILE HOME SET UP FEE	35,000	27,510	28,000	31,000	30,000	30,000	30,000
822300 CONSTRUCTION PERMIT	735,000	986,080	900,000	887,575	850,000	859,000	859,000
822500 ZONING PERMIT	12,545	10,763	8,000	10,040	12,000	12,000	12,000
822600 OTHER PERMIT	9,835	12,080	10,870	11,465	10,870	10,870	10,870
822605 VARIANCE & USE PERMIT	77,750	69,469	70,000	107,695	70,000	72,000	72,000
822605 COASTAL ZONE PERMIT	104,305	107,485	98,305	121,705	101,000	106,000	116,000
825396 COASTAL COMMISSION	70,000	4,857	40,000	47,111	0	0	0
825490 STATE OTHER	32,000	24,442	32,000	35,012	28,000	28,000	28,000
825670 FEDERAL OTHER REVENUE	0	0	28,894	10,000	0	0	0
826180 PLANNING & ENGINEERING	103,720	68,903	55,720	111,648	75,000	78,000	78,000
826184 ENVIRONMENTAL IMPACT REPO	2,000	1,370	2,000	950	2,000	2,000	2,000
826185 GENERAL PLAN AMENDMENT	9,040	7,770	9,040	8,760	8,760	8,760	8,760
826186 OTHER PERMIT FEE	24,100	23,495	20,000	25,375	20,000	21,000	21,000
826187 ABANDONED VEHICLE ABATE F	17,000	18,242	17,000	6,769	13,814	17,942	17,942
826260 MICROGRAPHIC FEE	35,220	32,834	30,596	35,024	0	0	0
826390 OTHER CHARGES	103,300	119,483	103,300	131,265	120,600	121,600	121,600
827600 OTHER SALES	9,453	11,110	11,453	10,831	12,000	12,139	12,139
827700 OTHER	69,000	53,840	66,635	5,054	26,106	26,106	26,106
827802 OPERATING TRANSFER IN	300,000	95,593	205,000	16,511	0	0	0
TOTAL REVENUES	1,753,718	1,676,432	1,737,263	1,629,015	1,395,339	1,420,606	1,430,606
TOTAL NET COUNTY COST	1,527,881	777,562	1,287,649	715,276	920,816	994,817	984,817

STATE CONTROLLER  
 COUNTY BUDGET ACT  
 (1985)

COUNTY OF MENDOCINO  
 STATE OF CALIFORNIA  
 BUDGET UNIT FINANCING USES DETAIL  
 FINAL BUDGET FOR FISCAL YEAR 2004-05

COUNTY BUDGET FORM  
 SCHEDULE 9

CLASSIFICATION:  
 FUNCTION: 2 PUBLIC PROTECTION  
 ACTIVITY: 207 PUBLIC PROTECTION - OTHER PROT

BUDGET UNIT: 2852 PLANNING & BUILDING - SPECIAL  
 FUND: 1222 GENERAL PLAN UPDATE

FINANCING USES CLASSIFICATION (1)	2002-03 BUDGET (2)	2002-03 ACTUALS (3)	2003-04 BUDGET (4)	2003-04 ACTUALS (5) 06/30/04	2004-05 REQUEST (6)	2004-05 RECOMMEND (7)	2004-05 ADOPTED (8)
SERVICES & SUPPLIES							
862239 SPEC DEPT EXP	0	0	0	0	183,513	183,513	183,513
TOTAL SERVICES & SUPPLIES	0	0	0	0	183,513	183,513	183,513
TOTAL NET APPROPRIATIONS	0	0	0	0	183,513	183,513	183,513
LESS: REVENUES							
821501 TRANSPORTATION FUNDS	0	0	0	0	17,220	17,220	17,220
824100 INTEREST	0	0	0	4	0	0	0
825670 FEDERAL OTHER REVENUE	0	0	0	0	10,000	10,000	10,000
826260 MICROGRAPHIC FEE	0	0	0	0	30,000	30,000	30,000
826390 OTHER CHARGES	0	0	0	11,012	100,000	100,000	100,000
827802 OPERATING TRANSFER IN	0	0	0	0	62,000	62,000	62,000
TOTAL REVENUES	0	0	0	11,016	219,220	219,220	219,220
TOTAL FUND BALANCE CONTRIBUTION	0	0	0	-11,016	-35,707	-35,707	-35,707

## **Response to Department Head Survey**

1. In the 2004-2005 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?

TANF restoration bailed us out, etc...restored training and one position, averting the loss of 10 other positions etc.....

2. Explain what impact(s) the budget reductions have had on your department.

In Juvenile Hall, we were able to maintain the state-mandated staff ratio of counselors to youth, but lost the recently acquired position of Assistant Superintendent. This placed facility maintenance and associated functions back on the Superintendent, thus reducing his time for program development and ensuring a safe and healthy environment for inmates.

The department was required to eliminate seven (7) probation assistant positions that were assigned to the Juvenile Division to assist in the Juvenile Drug Court and the Placement Unit. Their functions had to be absorbed by existing staff.

Reimbursement for State-mandated training (Standards and Training for Corrections) was eliminated in the State budget last year and not reinstated this year. To balance the 2004-05 budget, county funds were eliminated entirely from the proposed budget. In the final budget, \$20,000 was restored for training. This will barely meet the cost of core training (mandated basic training) needed before a deputy or counselor completes the first year of employment. To comply with the state requirements for annual training, the department will either put on local training or find further funding.

3. What adjustment(s) are you making in your department as a result of budget cuts?

As many positions as possible have been shifted to mandated programs to provide services to the Courts and juvenile offenders.

With Adult services limited primarily to the preparation of court investigations and reports, supervision of adult offenders on the regular caseloads is reactive and at best minimal. Programs funded by outside sources, such as the Prop 36 drug offender collaborative, remain working efficiently to reduce recidivism.

We could no longer absorb the costs of staffing positions for the Therapeutic Courts, thus losing the supervision of mentally ill offenders and case management of the Adult Drug Court clients.

With the loss of the Probation Assistant positions, the line deputy probation officers are required to perform the duties thereof assigned. This has resulted in an increase to each deputy in client contacts and paperwork. Placement visits.

4. What project(s), personnel, or services(s) have been curtailed or diminished?

Adult offenders are not receiving supervision in the community as often as before. Court ordered adult presentence reports are consistently high in volume and frequently rushed or late.

The Juvenile Weekend Work Program has not been resurrected.

5. What other sources of revenue does your department receive? (List dollar amount(s) and sources(s).)

6. If the budget cut was restored to your department, what would be the first action taken by you as department head?

I would immediately assess the supervision levels of both juveniles and adults, and hire officers to provide enhanced supervision.

I would reactivate the Juvenile Hall Weekend Work Program, so that the low-level juvenile offenders could perform community projects in lieu of incarceration. This program required a juvenile hall counselor as a supervisor. The tools and safety equipment are already in place.

7. How would a budget cut of similar magnitude in the future effect your department? What project(s), or services(s) would be curtailed or diminished?

I would have to notify the Board of Supervisors and the Presiding Judge of the Superior Court, pursuant to Penal Code Section 1203.74, that staff and resources available to me are insufficient to meet the statutory or court ordered responsibilities of this department. These responsibilities include the preparation of investigation reports and dispositional recommendations in both juvenile and adult courts, supervision of offenders in the community, searches and rearrests of probationers, and placement and supervision of juveniles in foster or group homes.

Any decrease will again result in the laying off of staff. The ability of officers to enforce court ordered terms and conditions of community supervision would be severely limited. Aggressive collection of restitution would be curtailed, resulting in a continued loss to victims.

All remaining staff will be assigned to funded, mandated, and revenue generating programs.

I would be forced to cancel contracts for counseling services with the Victim Offender Reconciliation Program, the Mendocino Youth Project, and Nuestra Casa.

8. In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the county money?

By enhancing the department's ability to provide community protection through aggressive and intensive supervision of offenders, crime rates can be reduced and victims made whole. With sufficient staff and resources, offenders will receive the services needed to correct inappropriate and violent behavior and will be held accountable for their actions in the community. Early intervention is a key to reducing criminal behavior. Offenders will be referred to timely and individualized counseling programs, while be monitored for compliance with court ordered terms of probation.

Working as a collaborative with other County Health and Human Services agencies, we could further reduce the number of children in out-of-home placement. By providing more local resources and after-school activities, our youth could use their energy in a productive manner. This would save placement costs for Social Services and Probation.

By reestablishing the Juvenile Weekend Work Program, low-level juvenile offenders can provide community services, such as landscaping, road clean up, shopping cart round up, and yard work for the elderly or disabled. This would reduce the costs associated with housing youth in the Juvenile Hall for short periods of time.

## Public Defender Budget

1. The Public Defender's budget for fiscal year 2004-2005 is as follows:

2003-2004		2004-2005
1,667,725.00	TOTAL NET APPROPRIATIONS	1,739,919.00
262,547.00	LESS: REVENUES	248,193.00
1,464,583.00	TOTAL NET COUNTY COST	1,491,726.00

The Public Defender budget was not reduced overall for the 2004-2005 period. However, the Public Defender's Office had twelve full-time attorneys and one extra-help attorney in 2003-2004. The extra-help position was eliminated in the 2004-2005 budget leaving this office short one attorney, in a time of rising caseloads.

2. Although the overall budget has not been reduced for the 2004-2005 fiscal year, the budget reductions over the last several years has had an impact on this department. During the last several years, caseloads have gone up immensely. The Public Defender reported handling 8,000 cases in the year 2003, while the attorney staff has remained constant. The Public Defender budget for the fiscal years 2002-2003, 2003-2004, 2004,2005 has remained constant at about \$1,700,00.00, with a net county cost of around \$1,490,000.00 for those years. The rising caseloads without an increase in the number of attorneys and support staff have put a strain on the office. Attorneys often devote their personal time during the evenings and weekends to make sure their work is completed properly. The office used to employ four investigators, but now number three. The chief investigator has noted this results in more phone interviews with witnesses and less face-to-face contacts, which, at times, make it difficult to evaluate witnesses.

3. Projects, personnel, and services appear to remain constant.

4. The department is projected to receive \$75,000 in homicide reimbursement funds this fiscal year. The county is reimbursed funds for defense in homicide cases. The department is also projected to receive \$173,193.00 reimbursement from the courts for representation in dependency cases. The actual reimbursement for representation in dependency cases in 2002-2003 was \$94,602.00; 2003-2004 was \$88,158.00. It is not likely this department will be reimbursed the full \$173,193.00 this fiscal year, as the department is only reimbursed for the cost of one dependency attorney.

5. If additional monies were available I would first add additional attorneys, then additional investigators and support staff (legal secretaries) to handle the increased caseload/workload.

6. To keep this department's budget constant or reduce the budget in the future would result in having to cut personnel and reduce services. The 2003-2004 expenses for salaries and employee benefits were \$1,441,963.00. The expected 2004-2005 figure for the same account is \$1,557,163.00, or an increase of approximately \$115,000.00 during the 2004-2005 fiscal year. It would be expected that these salaries and benefits would

continue to increase annually even though staff remains constant as people progress and advance up the pay scale.

To decrease the budget or fail to increase it appropriately could result in laying off people, which could result in ineffectived representation of the clients we are obligated to represent. Further budget cuts could also mean that this office could not staff the Willits court, which would actually result in additional costs to the county if the county had to pay other counsel to represent those clients

7. I am not aware of any additional changes that could be made to save the county money. Of the \$1,739,919 2004-2005 budget, almost all of it, or \$1,557,163.00 is tied to employee salaries and benefits. There is just no wiggle room in this department's budget for further cuts.

### Alternate Defender's Budget

As the Alternate Defender from 1997 until October, 2004, I did not negotiate the budget with the county, but was responsible for keeping expenses within the budget.

1. The Alternate Defender's budget for fiscal year 2004-2005 is as follows:

2003-2004		2004-2005
561,876.00	TOTAL NET APPROPRIATIONS	575,045.00
140,625.00	LESS: REVENUES	144,106.00
421,251.00	TOTAL NET COUNTY COST	430,939.00

The Alternate Defender's budget was not reduced overall for the 2004-2005 period.

2. Although the overall budget of the Alternate Defender's Office was not reduced for the 2004-2005 fiscal year, the budget reductions over the past several years have had a vast impact on the Alternate Defender's Office. Up until August 2002, the Alternate Defender's Office employed four attorneys who handled juvenile, misdemeanor, and felony cases. In August 2002 the office was required to begin representing clients in dependency cases. This resulted in the office employing one full-time dependency attorney, resulting in three attorneys (reduction of one attorney) representing juvenile, misdemeanor, and felony clients. This change resulted in the state paying for the dependency attorney, which resulted in lowering the net county costs for operating that office.

The addition of the dependency attorney greatly increased the office's caseload/workload, taxing the one Office Administrator (legal secretary) and the one investigator in that office.

3. Projects, personnel, and services appear to remain constant. The department has hired a new Alternate Defender, Berry Robinson, from Tulare County. Mr. Robinson has 34 years experience as a lawyer and begins work on December 6, 2004.

4. The department is projected to receive \$25,000.00 this fiscal year in homicide reimbursement funds. The source of these funds is noted above. The office is also projected to receive \$119,106.00 reimbursement from the courts for representation in dependency cases. As with the Public Defender's Office noted above, this figure appears to be high as the Alternate Defender's Office is reimbursed for the cost of one dependency attorney, which falls well short of the \$119,106.00, projected reimbursement.

5. If additional monies were available it would be imperative to add additional secretarial staff. The one legal secretary handles the needs of four attorneys and one investigator. With the added responsibility of the dependency cases, the legal secretary position is greatly understaffed. Additional investigative personnel would also be a priority

6. Basically the same answer as to #5 above regarding the Public Defender's budget.

7. As noted above, I am not aware of any additional changes that could be made to save the county money. Of the \$575,045.00 budget, almost all of it, or \$519,801.00 is tied to employee salaries and benefits. This office has no wiggle room for further budget cuts.



**1. In the 2004-05 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?**

Budget Unit 4010 contains the budget for the Administrative Division of the Public Health Department. Division staff oversees financial and administrative activity in the following general fund budget units:

4011- Environmental Health	4016- Emergency Medical Services
4012- Alcohol & Other Drug Programs	4025- Employee Wellness Program
4013- Nursing	4070- Medically Indigent Program
4014- Laboratory	4080- California Children's Services

Administration staff also monitor grant funds, including Women, Infants and Children (WIC), Maternal & Child Health, Family Planning, AIDS, and oversees the tobacco settlement grant making process and bioterrorism program.

**Budget Unit 4010, 4011, 4013, 4014**

These Public Health budget units are funded with state-realignment funds (sales tax and vehicle license fees). The County is required to fund a Maintenance of Effort level. On FY 04-05, the MOE was maintained.

**Budget Unit 4012 – Alcohol and Drug Programs**

The 2003-04 County Contribution to Alcohol and Drug Programs (AODP) was \$529,332. Based on instructions, AODP submitted a budget with a county contribution of \$427,498, a reduction of \$101,834 or 19%. However, in computing the final budget, the County allocated significant additional workers compensation and general liability insurance premiums to AODP and made AODP whole with additional county contribution to fund these increases. The result is a county contribution of \$577,478, an increase of \$48,146, or 9%, with an effective 19% decline in county funding available for services.

**Budget Unit 4025 – Wellness:**

Reduction of \$43,816

**2. Explain what impact(s) the budget reductions have had on your department.**

Public Health budget units listed above (#1), used some or all of the following budget reducing strategies to construct a balanced budget: reduced extra help staffing, planned vacancy savings (delaying hiring) layoffs, reduced service and supply line items (office supplies, training, travel, equipment replacement, professional services), increased fees, voluntary leave without pay,

**Budget Unit 4010 – Administration**

In addition, reallocation of funds from the Public Health Realignment Trust Fund is not sustainable next year or beyond without significant cuts in staffing and services.

**Budget Unit 4011 Environmental Health:**

Reduced supplies and training.

Reduction in staffing levels through planned vacancies of three staff on extended medical leave. Two of the three have returned to work and the third is expected to return in 2005, thus planned savings will not be available in FY 2005/2006.

Use of designated reserve to support operations in a manner that will be unsustainable in future years

**Budget Unit 4012 – Alcohol and Drug Programs**

In addition to the cuts listed above, AODP planned in the budget process to use designated reserves to support operations in a manner that will be unsustainable in future years.

**Budget Unit 4013 - Nursing:** planned vacancy savings; reduced training; reduced medical supplies

**Budget Unit 4014 - Lab:** not refilling vacant position; reduced professional services

**Budget Unit 4016 – Emergency Medical Services:** reduction in travel, education and training, equipment

**Budget Unit 4025 – Wellness:** eliminate extra help, equipment maintenance and memberships. Reductions in travel, education and training, office supplies, medical supplies, and professional services

**Budget Unit 4080 California Children’s Services:** planned vacancy savings; reduced office expenses

3. **What adjustment(s) are you making in your department as a result of budget cuts? What project(s), personnel, or service(s) have been curtailed or diminished?**

**Budget Unit 4010 – Administration**

Delayed filling vacant positions, workload transferred to other staff including managers and supervisors, Department IT Strategic Plan delayed, new staff training required

**Budget Unit 4011 Environmental Health:**

Other staff including managers are absorbing additional workload.

Services were delayed or reduced, costing clients money in project delays.

**Budget Unit 4012 – Alcohol and Drug Programs**

The cuts listed in item 2 above, when put in terms of service reduction, are as follows: AODP eliminated childcare for clients in Willits, and a reduced number of contracted residential treatment days, reduced dollar amounts for contracts providing services to the Latino community, and Youth services on the South Coast. Staff Training and associated travel budgets have been reduced, but new strategies of using scarcer staff training dollars to bring in trainers and offer in-house training are being explored.

**Budget Unit 4013 - Nursing:** accruing more CTO

**Budget Unit 4014 - Lab:** reduced numbers of tests offered

**Budget Unit 4025 Wellness :** reduction in classes offered including health screenings and tobacco cessation

**Budget Unit 4080 California Children’s Services:** supervisors have bigger workload, working longer hours without benefit of OT

**4. What other sources of revenue does your department receive? (List dollar amount(s) and source(s)).**

**Budget Unit 4010 – Administration**

State Realignment (sales tax and Vehicle License Fees - \$932,007

Misc Court Fines - \$2,500

County Health Subvention - \$5,000

Federal Public Health Planning - \$5,908

**Budget Unit 4011 Environmental Health:**

Fees:	\$1,187,055
Intrafund Transfer (Solid Waste Div.):	35,179
Realignment:	449,173
Haz Mat Reserve Acct:	63,061
Ocean Monitoring Grant:	14,457
Solid Waste Grant:	21,830

**Budget Unit 4012 – Alcohol and Drug Programs**

State Aid (includes Federal Block Grants, MediCAL, and State Funds)	\$1,532,696
Client Fees (estimated)	67,500
Grant Reimbursements for Staffing and Administrative Costs ( <i>Note 1</i> )	557,098
Dept of Social Services – Child Protective Services, Job Alliance, and Childrens System of Care program funds ( <i>Note 1</i> )	378,944
Dept of Mental Health – Reimbursement for partial cost of staffing at PACE classroom ( <i>Note 1</i> )	88,846
Designated Reserves – Drug / Alcohol Fines & Fees ( <i>Note 2</i> )	148,200
DUI Program fees	18,642
Employee Assistance Program Insurance Reimbursements	141,000

*Note 1: Grant Funding and funding from other county agencies will vary from year to year.*

*Note 2: Roughly double the amount of fines and fees received on an annual basis is budgeted to be used in Fiscal Year 2004-05*

**Budget Unit 4013 - Nursing:** realignment \$808799; Fees \$54276; Targeted Case Management \$170000; Indirect from grants \$ 92237; Donations \$8925

**Budget Unit 4014 Lab:** fees \$188987; realignment \$89934

**Budget Unit 4016 Emergency Medical Services:** Misc Court Fines \$19000; County Hospital \$22325; Educational Services \$6000; EMS Per Call Fee \$22325; Other Charges \$2338

**Budget Unit 4025** Wellness – employee health insurance premiums, approximately 80%

**Budget Unit 4080 – California Children’s Services:** realignment \$105938; CCS State Aid \$1004908; fees \$2235

**5. If the budget cut was restored to your department, what would be the first action taken by you as department head?**

**Budget Unit 4010 – Administration:** restore positions

**Budget Unit 4011 Environmental Health:**  
Restore positions

**Budget Unit 4012 – Alcohol and Drug Programs**  
Add residential services, and youth services in the North Coast and Willits areas

**Budget Unit 4013 - Nursing:** increase staff to reduce workload and CTO

**Budget Unit 4014 - Lab:** increase staff to increase services which are revenue producing

**Budget Unit 4080 – California Children’s Services:** increase staff to reduce workload

**6. How would a budget cut of similar magnitude in the future, effect your department? What project(s), personnel, or service(s) would be curtailed or diminished?**

**Budget Unit 4010 Administration:** reduction in operations

**Budget Unit 4011 Environmental Health:**  
Increase fees.

If a vacancy occurred, the vacated position would not be filled immediately which would result in reduced services and collecting fees for services that exceed the cost of the service provided or are not provided at all.

Reduced inspection services could put the public at risk (for example, due to reduced enforcement at food facilities or businesses that handle hazardous materials or due to delays in responding to hazardous waste incidents).

**Budget Unit 4012 – Alcohol and Drug Programs**

When combined with one-time sources of revenues in the 2004-05 budget, a future budget reduction of similar magnitude would result in the need to drastically cut services

**Budget Unit 4013 - Nursing:** reserves are gone, staff would be cut, services to special populations (HIV) would be cut.

**Budget Unit 4014 - Lab:** further cuts equals further test reduction equals further reduction in revenues. If we have to contract with another county for mandated services, it will cost us money that cannot be billed for revenues.

**Budget Unit 4016 Emergency Medical Services:** restore operations budget line items

**Budget Unit 4080 – California Children’s Services:** this is a mandated service – further cuts means more workload and greater burnout of staff

**7. In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the county money?**

**Budget Unit 4012 – Alcohol and Drug Programs**

Alcohol and Drug Abuse is a force **driving** costs in many County systems as well as other divisions within Public Health: In the Department of Social Services, Child Abuse and Neglect and related Foster Care costs; In the Mental Health Department, the dually diagnosed; throughout the Criminal Justice System (Sheriff, Jail, Probation, Courts); and in Environmental Health, toxics from methamphetamine labs are a concern.

The 1994 CALDATA study demonstrated that for every dollar spent on drug and alcohol treatment, \$7 was saved on criminal justice and health care costs. In 2004, The Washington State Institute for Public Policy undertook a study for the Washington Legislature on whether prevention and early intervention programs for youth could generate more than a dollar’s worth of benefits per dollar spent, and found that “there is credible evidence that certain well-implemented programs can achieve significantly more benefits than costs.” Some successful programs covered by the study generated cost savings in the \$18-\$25 range for every dollar spent.

Therefore, increasing county dollars spent on effective drug and alcohol prevention and treatment would no doubt reduce county costs over the longer term. Specifically, expanding prevention to reach 100% of county youth in school based prevention efforts, initiating school-based treatment programs with a strong prevention component countywide, making treatment available to all youth and families who need it, and broadening outreach to make availability of services more widely known, including specific outreach to the Latino and Native American communities.

## **Risk Management**

See CAO Responses (Page 1)

**Anthony J. Craver**

Sheriff-Coroner



**Gary Hudson**

*Undersheriff*

**Captain Kevin Broin**

*Field Services*

**Lt. Tim Pearce**

*Corrections*

**County of Mendocino  
Office Of The Sheriff-Coroner**

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January 18, 2005

Robert Gardner  
Mendocino County Grand Jury  
P.O. Box 629  
Ukiah, CA 95482

**Sent Via E-Mail & U.S. Mail**

Dear Mr. Gardner:

You have asked the Sheriff's Office to respond to several questions regarding our budget.

1. In the 2004-2005 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?

The Total Net County Cost for the Sheriff's law enforcement and jail operations for 2004-2005 increased by \$1.3 million over 2003-2004. The 8.5% increase in Net County Cost is the result of a reduction in anticipated revenue, combined with an increase in costs over which we have no control (e.g. salaries, retirement costs, health insurance costs, workers compensation, and liability insurance). The Sheriff's Office began the 2004-2005 budget process with an Assigned Net County Cost that would have necessitated the layoff of 22 deputy sheriffs. A funding augmentation from the Board of Supervisors, combined with the restoration of the \$500,000 Rural & Small Counties Law Enforcement Grant by the state, allowed the Sheriff's Office to maintain its staffing at 2003-2004 levels.

2. Explain what impact(s) the budget reductions have had on your department.

As noted above, the Sheriff's Office has maintained status quo in staffing. It must be noted however that the current status quo represents the same level of patrol staffing in place 30 years ago. Impacts of this 30 year-old staffing level include, but are not limited to: extended response times to calls for service; less back-up for officers on high-risk calls; limits on time available for follow-up investigation; inability to devote officers to proactive programs; lack of 24-hour patrol in all but the greater Ukiah area; and increased dependence on overtime to backfill for vacations, injuries, sick leave and training.

3. What adjustment(s) are you making in your department as a result of budget cuts? What project(s), personnel, or service(s) have been curtailed or diminished?

In addition to the impacts noted above, staffing reductions imposed in prior years resulted in the elimination of 6 Deputy Sheriffs and 6 Corrections Deputies.

4. What other sources of revenue does your department receive?

Criminal Justice Construction Funds	\$250,000
Homicide Trail Reimbursement (amount varies)	\$50,000
Contracted Services (amount varies)	\$322,000
Calif. Small & Rural Counties Law Enforcement Grant	\$500,000
Asset Forfeiture (amount varies)	\$75,000
Booking Fees	\$149,000
Work Release Program Fees	\$50,000
Reimbursement for State Parole Holds	\$90,000

5. If the budget cut was restored to your department, what would be the first action taken by you as department head?

Restore the previously cut 6 Deputy Sheriffs and 6 Corrections Deputies.

6. How would a budget cut of similar magnitude in the future, effect your department? What project(s), personnel, or service(s) would be curtailed or diminished?

Current staffing levels provide only enough personnel for basic law enforcement and corrections services. State mandates dictate that staffing in the jail cannot be reduced below current levels. Accordingly, any further budget reductions would almost certainly require a reduction in the number of Deputy Sheriffs.

7. In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the county money?

It is somewhat pointless to consider what changes we would make in a perfect world, since that is not the world in which we must operate. As for suggested changes to save money, it is not a topic that lends itself to one or two paragraphs. Very often it is a matter of timing, opportunity and circumstance. More importantly, it is a matter of commitment.



Thank you for the opportunity to respond to these questions. I hope the information I have provided will be of use. As always, please do not hesitate to contact me if you need anything further.

Sincerely,  
ANTHONY J. CRAVER  
Sheriff-Coroner

By: \_\_\_\_\_  
GARY HUDSON, Undersheriff

<b>Mendocino County Department of Social Services</b>
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## Response to Grand Jury Department Head Survey

December 17, 2004

**1. In the 2004-2005 Mendocino County Budget, what was your department's dollar amount and percentage of budget reduction?**

Budget Unit	FY 03/04 Amount	FY 04/05 Amount	Difference +/-	Percent +/-
<b>MCDSS Operations</b>				
BU# 5010      Total	29,469,643	28,898,691	(570,952)	-1.94%
County Net	1,642,502	1,523,455	(119,051)	-7.25%
<b>CalWORKs &amp; Foster Care Payments</b>				
BU# 5130      Total	20,142,132	22,041,458	1,899,326	9.43%
County Net	2,376,749	1,366,918	(1,009,831)	-42.49%
<b>In-Home Supportive Services – Non-Federal and State \$</b>				
BU# 5170      Total	3,081,476	3,366,859	285,383	9.26%
County Net	187,932	187,932	0	0.00%
<b>General Assistance Payments and Contracts</b>				
BU# 5190      Total	884,879	1,051,880	167,001	18.87%
County Net	687,379	854,380	167,001	24.30%
<b>Department Total</b>	53,578,130	55,358,888	1,780,758	3.32%
<b>Total Net County Cost</b>	4,894,566	3,932,685	(961,881)	-19.65%

[Net County Cost amounts exclusive of designated reserve expenditures.]

In Budget Unit # 5010, which contains all staffing and support costs for the Department, Net County Cost was reduced by 7.25%, or \$119,051 in 2004-05, due to the decline in the County's discretionary funding. This reduction resulted in the loss of an additional \$451,901 because we could not provide local matching funds for Federal funding. Since the cost of doing business increased this year as well, the lack of a corresponding increase in revenues also resulted in a reduction of approximately 5% in the budget's "purchasing power" compared to the previous year.

The Department of Social Services is provided by the State with annual allocations – amounts of money that the Department can claim each year, to cover expenditures on approved personnel, supplies, and infrastructure to provide authorized services to authorized clients. Unexpended/unclaimed money is retained by the State, not the County. The State reimburses only for the Federal and State shares of the expenditures.

The unreimbursed portion of the expenditures is considered the County's match. The challenge in the Department's budget is to have the prospectively budgeted Net County Cost equal the retrospectively calculated County Match at the close of each fiscal year.

In Budget Unit # 5130, which contains payments to clients for CalWORKs and to foster/adoptive parents and group homes for children in out-of-home care, Net County Cost was reduced because of a significant anticipated increase in Realignment/Sales Tax revenue. The total budgeted amount in the budget unit actually went up, reflecting both projected increases in numbers of cases, as well as increases in the costs per case. The County funding that was replaced by the Realignment dollars went into the County's General Fund. Part of that Realignment increase is in one-time only growth funds and will need to be replaced with County funds in 2005-06 if future Realignment growth funds are not as high.

In Budget Unit # 5170, which contains the local matching funds for In-Home Supportive Services payments to providers, the budgeted total increased due to projected increases in caseload and provider pay. The increase is completely covered by Realignment/Sales Tax revenues, as well as a reserve fund established by the Board of Supervisors three years ago, and does not require a transfer from the County General Fund beyond the \$187,932, which is the County's mandated annual Maintenance-of-Effort.

In Budget Unit # 5190, which contains payments to and contract services for General Assistance clients, the total budgeted went up due to projected increases in caseload. The increase is entirely County funds. General Assistance, although mandated by the State in Section 17000 of the Welfare and Institutions Code, is wholly funded by counties.

In summary, in those budget units where costs cannot be controlled because they reflect mandated payments to clients and providers, overall budgeted amounts increased and were offset with non-County funds whenever possible. In the budget unit responsible for the operations of the Department, cuts in Net County Cost and the inability to make up for increases in the cost of doing business resulted in the loss of over half a million dollars of staffing and purchased services.

The Department has developed designated reserve funds in several program areas where we hold non-County funds that can be retained for special projects (e.g. intensive support services for children in high level placements) or for amortization of substantial multi-year commitments (e.g. pay increases and health insurance for IHSS providers). In all cases, the intent of these designated reserves is to be able to meet service mandates while protecting the County General Fund from liability for these items in the future.

## **2. Explain what impacts the budget reductions have had on your department.**

The budget reductions in Budget Unit # 5010 resulted from decreased County funding, cuts in State and Federal funding, and increases in costs of doing business due to employee step raises, health insurance premiums, and other items. These budget reductions led to significant reductions in staff throughout the Department.

Due to these staff reductions, caseload levels have increased in all programs. This has made it more difficult for staff to meet statutory and regulatory mandates and time frames, especially in the public assistance programs. It has forced staff to focus primarily on crisis situations rather than to be able to provide more ongoing supportive services in the areas of adult and child protective services. The funding shortfall has also resulted in the Department delaying preventive maintenance to its equipment, technology, and facility infrastructures.

**3. What adjustments are you making in your department as a result of budget cuts? What projects, personnel or services have been curtailed or diminished?**

The Department has budgeted a staff vacancy rate of 12.86%. Based on an allocated workforce of 420 positions, this translates into 54 vacancies, with a value in salaries and benefits of \$3,461,854.

The Department's response has been to prioritize workload activities and identify what can no longer be done, so that staff can handle the increased caseloads with the resources available. Although staff development is mandated and funded mostly by the State, the Department has reduced its training budget by half in the past two years. The Department consolidated three office locations in the Willits area to the Willits Services Center and located the Ukiah Veterans Services Office in the main Yokayo facility in Ukiah. These consolidations saved \$130,441 in rent costs per year. Improvements in teleconferencing and other technological improvements will result in additional savings. Every effort has been made to reduce costs in ways that minimize reductions in services to clients.

**4. What other sources of revenue does your department receive? (List dollar amounts and sources.)**

The Department's other sources of revenue are aggregated as follows:

Federal	\$30,078,745
State	\$11,366,814
Realignment	\$8,287,473
Other	\$505,470
<hr/> Total	<hr/> \$50,238,502.00

Federal and State funds are provided to county social services departments as annual allocation amounts for specified programs, which are governed by Federal and State regulations as to what services are to be provided, to which clients, by which staff. Funding can only be claimed for authorized expenditures in the specified program for which it is allocated. Funding cannot be mixed or transferred among programs. Federal funds cannot match other Federal funds. The Department tracks expenditures to over 30 separate allocations, each with its own program regulations and requirements.

Realignment/Sales Tax revenues are calculated based on funding histories in specified social services programs and are designated to serve as County match and offset the

required Net County Cost in Social Services. They can be appropriated flexibly among all of the Department's budget units, for most of the Department's programs, except for General Assistance, Veterans Services, placements of Severely Emotionally Disturbed Children, and Budget Unit # 5190, General Assistance.

**5. If the budget cut was restored to your department, what would be the first action taken by you as department head.**

With the restoration of funding in Budget Unit # 5010, the following would be the priorities for action:

- The staffing level of the Department would be restored to 95% of the allocated staffing level. With a department the size of Social Services, a 5% vacancy rate is a "natural" level of vacancy reflecting normal turnover and retirement. This would allow caseload levels to be lowered to more reasonable levels (although they would still be above State targets).
- The best practice models developed within the Department would be adequately funded and/or expanded. Examples of such programs are the Family Connections collaboration, the network of Family Resource Centers, FAST Track services in the schools, and the Social Services Wraparound Services program in Children's Services; the Older Adult System of Care collaboration, In-Home Supportive Services case management, and APS and Public Guardian crisis response in Adult Services; and CalWORKs/Job Alliance welfare-to-work services, youth employment programs, and Medi-Cal outstation and outreach positions in Employment and Family Assistance Services.
- The deferred maintenance needs of the Department, especially facility conditions that could deteriorate into safety concerns, would be addressed.
- A free-standing Veterans Services Office would be reestablished in the Ukiah area. Additional outreach, particularly to North County veterans, would be added.
- Information technology projects that would increase efficiency and/or improve client services delivery and customer satisfaction would be implemented.

**6. How would a budget cut of similar magnitude in the future affect your department? What projects, personnel, or services would be curtailed or diminished?**

A budget cut of similar magnitude in the future would not be sustainable by the Department. The County currently provides \$1,523,455, just 5.3% of the funding for Budget Unit # 5010, the MCDSS Operations Budget, but those matching funds, along with \$2,253,752 in Realignment revenues, leverage over \$25 million in State and Federal funds. Further cuts in County general funding to the Department would lead to even greater loss of external revenues with no corresponding diminishment of the mandates under which we operate. The current level of staffing in the Department is such that over time the Department will be unable to meet its statutory and regulatory mandates and time frames on an ongoing basis, thereby placing children, families, disabled individuals and the elderly at greater risk. Through close management of our resources and strategic reductions in staff, the Department has been able to maintain most of its programs in an environment of very tight funding. Such a strategy of reduced staffing is a short-term

necessity, which cannot be sustained over the long-term. High caseloads are already having negative impacts on staff and service time frames are lengthening. These negative impacts will eventually be reflected in noticeable deterioration of services to and diminished protections for our clients.

**7. In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the county money?**

The reality of the County's budget situation is that the Federal and State governments and the people of Mendocino County have placed demands for service upon county government that simply cannot be met within available funding. Given the low proportion of County funding and the high level of State oversight of Social Services, this Department's contribution to the County is to continue to operate as efficiently and effectively as possible, maximize our use of external funds, and consistently stay within our approved budget.

That having been said, the following are possible ways the County could save money:

1. Convert the entire County to County-run Voice-Over-IP telephone systems.
2. Increase staffing at General Services to allow for aggressive bulk buying and vendor negotiations for purchases and services to all departments.
3. Hold all Department Heads accountable for staying within their approved budgets, particularly the personnel line items.
4. Ensure that overtime pay is used judiciously and sparingly in all departments.
5. Increase the use of video-conferencing within the County to reduce travel time and costs.
6. Invest in a highly functional, user-friendly County-wide automated financial system, with more detailed tracking and increased reporting capabilities.
7. Look into better coordinating and consolidating County programs and departments with similar services and/or clients, when administratively effective. [Based on experiences of other counties, consolidation may streamline structure or improve services, but does not save substantial amounts of money.]
8. Look into the overall impact of substance abuse throughout the county and orient the substance abuse treatment and criminal justice systems for greater alignment and effectiveness of services and legal outcomes.
9. Look into better coordinating or consolidating identical functions in different jurisdictions, focusing particularly on water districts, fire departments, and law enforcement agencies. Multiple organizations providing identical services separated only by geography spend a certain amount of time communicating and coordinating across jurisdictions, obtaining and maintaining equipment, as well as sometimes competing with each other for personnel. [Governance and responsiveness to local concerns are probably the greatest challenges to inter-jurisdictional consolidation.]
10. As time allows, experiment with Balanced Scorecard and "Comstat"/"Citistat" approaches to strategic planning, implementation, monitoring, and evaluation of County services. Follow the money – examine the high-end uses of County funds and seek out best practices for efficiencies.
11. Consider new revenue sources for services of great value to County residents.

# **MENDOCINO COUNTY MEMORANDUM**

**TO:** Grand Jury Foreperson and Members  
2004

**DATE:** Dec. 21,

**FROM:** Alison Glassey, Director of Social Services

**SUBJECT:** Response to Department Head Survey

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Attached please find the response to your budget survey from the Mendocino County Department of Social Services. I appreciate your patience in allowing me time to fully describe the fiscal issues facing our department. The complexities of our financial systems, which serve two masters, the State and the County, require some explanation. If you have any questions regarding my response to the survey or would like more information on the Department's budget, please contact me at 463-7733 or Steve Prochter, Assistant Director, at 463-7732.

**Thank you.**

22 April 2005

County of Mendocino Grand Jury  
Post Office Box 629  
Ukiah, CA 95482  
Attn: Kathy Wylie, Foreman

RE: DEPARTMENT HEAD SURVEY QUESTIONNAIRE — FY 04/05 BUDGET IMPACTS

Dear Ms. Wylie:

This provides Mendocino County Department of Transportation (DOT) response to the subject questionnaire. I regret that the Department's response took so long to come about.

For ready reference, the survey questions are listed, as well as my responses.

*1. In the 2004-2005 Mendocino County budget what was your department's dollar amount and percentage of budget reduction?*

As background, the Department of Transportation receives funds for its operations through a variety of sources and programs. Looking exclusively at the funding provided by the County's annual budget, we receive funding through both the Road Fund, which is the basis for Budget Units 3010, 3030 and 3041, and through the General Fund, which is the basis for Budget Units 1910, 3050, 3060, 3080, 3090, 4510 and 4511. The Road Fund is a restricted fund and its monies are to be used only for needs of the County Maintained Road System (including support functions).

Budget aspects for DOT divisions supported primarily by the General Fund are similar to those of other County departments/offices and are subject to Net County Cost (NCC) guidance and modification from the County Executive Office (based on coordination between the County Executive Officer and the Auditor-Controller). In the case of Budget Units 3010, 3030 and 3041 somewhat of a distinction is made. A major portion of the County's Road Fund is composed of monies provided by the County's General Fund—due to various established programs and requirements—and such monies are formally designated Operating Transfers In (OTI).

It is the OTI figure that is most characteristic of the County budget support level for the Road Fund, which in turn reflects the Department's ability to fulfill its key mission—safe, effective and efficient operation of the County's road network. The net change in OTI between FY 03/04 and



FY 04/05 was a decrease of some \$230,000. This came about due to a reduction in “discretionary” General Fund support in the amount of \$378,175 and (actually) an increase in Road Tax proceeds in the amount of \$146,720...yielding a net reduction of \$231,455 for FY 04/05. The associated percentage reduction in OTI amounted to 7.4% from FY 03/04 to FY 04/05.

Note — It is readily acknowledged that the State’s suspension/deletion of Proposition 42 funds to counties and cities had a much more significant impact (than OTI changes) on the “well being” of the County Road Fund, including a \$776,000 shortage in FY 04/05. (The \$776,000 is in addition to the Proposition 42 amounts for FY 02/03 and FY 03/04 that were “borrowed” or taken by the State. These shortfalls total \$1,376,000 for the two fiscal years...FY 02/03 and FY 03/04.)

2. *Explain what impact(s) the budget reductions have had on your department.*

The key impact on the Department of Transportation has been a yet further reduction in our personnel strength — mostly in Road Crew positions. The reduction is especially significant in that it follows reductions in personnel strength to the point that we are now operating at a level that’s 20% below the personnel strength needed for even a “lean” staffing and DOT’s operating capability is significantly lower than it was even a few years ago. The Department had to reduce its staffing by fifteen positions in FY 03/04 and by an additional five positions in FY 04/05, bringing our current level to 108 employees.

It should also be considered that a 20% reduction in personnel translates to an even larger reduction in crew productivity (i.e., greater than a 20% reduction) due to inefficiencies stemming from less than optimum crew sizes.

Another negative impact of the budget reductions was that we had to pare down the amount of funding allotted for road maintenance materials to a bare-bones/“survival” level. While this mechanism allowed us to address the more urgent needs of the County Maintained Road System, it precluded us (much of the time) from employing the most effective maintenance and repair operations for a given situation. In other words, we often have to “patch things up” instead of doing a thorough, long-term repair or reconstruction. A key precept of the pavement management program rationale used by the County and many other transportation entities is that preventive maintenance and repair operations applied early-on are much less expensive over the life of a road than major repairs or reconstruction. Yet (again) if sufficient funding isn’t available to perform an effective program, we’re faced with “deferred maintenance,” which invariably requires a much higher level of resources for future accomplishment.

A final, major impact of budget reductions is an inability to replace aging equipment to an extent that reflects sound management practice. In a scenario quite similar to the “deferred maintenance” situation, it is very costly not to replace equipment that’s outlived its useful life. In our case, operating and maintenance costs for old, worn-out equipment continue to escalate and (frequently) our Heavy Equipment Mechanics must actually fabricate replacement parts to get certain equipment items back in operation — because the equipment is so old that various repair parts are no longer available. We’ve tried to use available funding as effectively as possible, including lease-purchase procedures, yet the bottom line is that the available funding is insufficient to conduct a viable equipment replacement program.

*3. What adjustment(s) are you making in your department as a result of budget cuts? What project(s), personnel, or service(s) have been curtailed or abandoned?*

We reduced our personnel strength by twenty positions compared to that of two years ago (reduction of fifteen positions in FY 03/04 and an additional five positions in FY 04/05). The staffing reductions were achieved through attrition and conscious decisions to not fill vacant positions.

Other adjustments included reducing our materials budget for Road Division maintenance work (materials funding for FY 04/05 was \$71,216 lower than such funding for FY 03/04 and \$680,327 lower than materials funding for FY 02/03).

We saw a reduction of \$1,900,076 in funding for DOT projects (BU 3041) compared to such funding for FY 03/04. It should be noted, however, that project funding in FY 04/05 showed an increase of \$1,209,709 over that for FY 02/03. This aspect of the Department's budget is highly variable, depending on such external factors as project approvals and funding availability through State and Federal programs. Nevertheless, we've had to forgo participation in many significant grant programs because of an inability to provide the required local match amounts due to budget constraints.

Finally, we also saw a reduction of \$462,750 in funding for the Little River and Round Valley Airports (BU 3050 & 3060) compared to FY 03/04. This reduction is FAA Grant funding that we are unable to secure due to the insufficient amount of staff available in our Land Improvement Division.

*4. What other sources of revenue does your department receive? [List dollar amount(s) and source(s).]*

Please see Enclosure (1).

*5. If the budget cut was restored to your department, what would be the first action taken by you as department head?*

Purchase more materials for road system maintenance, use lease-purchase to replace aging equipment and fill Road Crew vacancies. Start the process for creating NEW positions within the Land Improvement Division (General Fund) Airports and the County Surveyor's Office to meet coming development workload and additional environmental compliance support staff to meet Total Maximum Daily Load (TMDL) compliance; National Pollutant Discharge Elimination System (NPDES) Phase II requirements; and Americans with Disabilities Act (ADA) requirements.

*6. How would a budget cut of similar magnitude in the future effect [sic] your department? What project(s), personnel, or service(s) would be curtailed or diminished?*

Depending on the level of matching funds needed for projects (Roads & Bridges and Storm Damage Repair Programs), such budget cuts would result in yet further reductions in the Department's personnel strength (especially in the Road Division — perhaps requiring temporary combining of

various County Road Yard crews...with attendant inefficiencies stemming from extended travel times), would require untenable reductions in road maintenance materials and (likely) the need to put various equipment items on an indefinite “deadline” status because we couldn’t afford critical but expensive repairs.

7. *In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the county money?*

- Get Proposition 42 funding reinstated (as it was intended by voters throughout the State), including the reimbursement of funds “borrowed” from this and previous fiscal years. Furthermore, the reimbursement should include a fair and appropriate interest amount.
- Find a way to ensure that all County departments/offices comply with budget constraints set by and (possibly) modified by the Board of Supervisors, incorporating recommendations from the County Executive Officer and the Auditor-Controller.
- Start configuring programs — including applicable charges and fees — needed to address unfunded mandates from the State and/or Federal government. In the near, intermediate and distant future, such unfunded mandates will have drastic impacts on the County’s fiscal structure. Programs that will require major (additional) funding/resource requirements for the Department of Transportation (and many other County departments) include Total Maximum Daily Load (TMDL) compliance; National Pollutant Discharge Elimination System (NPDES) Phase II requirements; and Americans with Disabilities Act (ADA) requirements.
- Particulate Matter Control Measures for On-Road, Mobile Diesel Equipment Owned/Operated by Municipalities and Utilities: Join with other counties/cities in California to overturn a recently-enacted rule of the State Air Resources Board (ARB) requiring municipalities (including counties) and utilities to achieve compliance with particulate matter restrictions that are much more stringent and that require much earlier compliance than comparable equipment in the private sector. Allow the County the same amount of time to comply as the private sector in order to budget for, or find grant funds to meet the \$4 million price tag for replacing or retrofitting the applicable DOT equipment items (mainly, older-model dump trucks). Please see Enclosure (2).

Should there be any questions, please call Bob Parker, Assistant Director of Transportation, at 463-4079 or contact me at 463-4363.

Very truly yours,

HOWARD N. DASHIELL  
Director of Transportation

cc: Alison Glassey, Interim County Executive Officer  
DOT File 10-7  
Budget Book (FY 04/05)

DEPARTMENT HEAD SURVEY QUESTIONNAIRE  
 FY 04/05 BUDGET IMPACTS  
 DEPARTMENT OF TRANSPORTATION RESPONSE  
 OTHER SOURCES OF REVENUE

<u>BU 1910</u>	<u>SOURCE</u>	<u>AMOUNT</u>
	Land Improvement Fees	\$ 227,010
	Sale of Maps	<u>1,500</u>
	Total Revenue	\$ 228,510
<u>ROAD FUND</u>	<u>SOURCE</u>	<u>AMOUNT</u>
<u>BU 3010</u>	Transportation Funds (MCOG)	\$ 74,750
	Permit Fees	77,000
	Vehicle Code Fines	66,000
	Interest	10,000
	Gas Taxes	2,810,000
	Federal & State Exchange Dollars	602,390
	Federal Forest Reserve Receipts	280,863
	Flood Control Lands	500
	Inter-Fund Revenues	45,000
	Other	<u>35,000</u>
	Subtotal	\$4,001,503
<u>BU 3030</u>	State Aid for Disaster	578,500
<u>BU 3030</u>	Project Reimbursements	<u>3,289,500</u>
	Total Revenue	\$7,869,503
	Fund Balance Contribution	<u>676,578</u>
	Total Funding	\$8,546,081
<u>AIRPORTS</u>	<u>SOURCE</u>	<u>AMOUNT</u>
	Rents & Concessions	\$ 44,335
	Other Sales	20,000
	State Aid for Aviation	39,000
	Federal Aid for Aviation	<u>160,000</u>
	Total Revenue	\$ 263,335

DEPARTMENT OF TRANSPORTATION RESPONSE  
OTHER SOURCES OF REVENUE (CONT.)

<u>SOLID WASTE</u>	<u>SOURCE</u>	<u>AMOUNT</u>
	Disposal Site Fees	\$ 936,935
	Interest	14,000
	Caspar/Fort Bragg Share Landfill Closure	
	Other Charges	<u>363,748</u>
	Total Revenue	\$1,480,664

## COUNTY LEGISLATIVE PROPOSAL FORM

**DEPARTMENT:** Transportation

**DATE:** 23 December 2004

**NAME:** Bob Parker

**TITLE:** Interim Director of Transportation

- 1. TITLE OF LEGISLATIVE PROPOSAL:** PARTICULATE MATTER CONTROL MEASURES FOR ON-ROAD, MOBILE DIESEL EQUIPMENT OWNED/OPERATED BY LOW POPULATION COUNTIES
- 2. WHY IS LEGISLATIVE REMEDY APPROPRIATE TO THIS ISSUE:** Under a recently-enacted rule of the State Air Resources Board (ARB), on-road (heavy duty) mobile diesel equipment owned/operated by municipalities (including counties) and utilities must achieve compliance with particulate matter restrictions that are much more stringent and that require much earlier compliance than counterpart equipment in the private sector.
- 3. IS THIS A NEW PROPOSAL OR AN UPDATE OF AN EXISTING ONE?** New
- 4. CODE SECTION(S) AFFECTED:**
- 5. BRIEFLY DESCRIBE EXISTING LAW:** Existing statutes allow the State Air Resources Board to set particulate discharge requirements for on-road (heavy duty) mobile diesel equipment that's owned/operated by municipalities (including counties) and utilities, as well as counterpart equipment in the private sector. The requirements set by the ARB for municipal and utilities equipment is much more stringent than those applicable to private sector equipment. Furthermore, the deadline applicable to the municipalities and utilities for achieving compliance is much earlier (by many years) than the deadline for private sector compliance.
- 6. HOW WOULD THIS PROPOSAL CHANGE EXISTING LAW:** For small counties (i.e., those with a current population less than 125,000) the particulate discharge requirements for on-road (heavy duty) mobile diesel equipment owned/operated by the county would be identical to the requirements for counterpart equipment in the private sector. Also, the deadline for achieving fleet compliance with the particulate discharge requirements for small counties would be the same as the deadline for private sector equipment.
- 7. FISCAL IMPACT:** From an overall program aspect, the fiscal impacts would be negligible; the ARB would be faced with administrative cost that are the same — or even less — than those associated with an earlier compliance deadline than the one included in the proposal. From the standpoint of a small county, the fiscal impacts resulting from having to comply with the current ARB rule would be severe and disastrous. If the requested relief were not provided, Mendocino County would be faced with a \$4 million funding requirement to bring its equipment fleet into compliance with the ARB rule. The County simply does not have the resources to achieve compliance with the ARB mandate as its now configured.
- 8. SIGNIFICANT INDIVIDUALS OR GROUPS THAT MIGHT SUPPORT THIS PROPOSAL:**
  - California State Association of Counties (CSAC)
  - County Engineers Association of California (CEAC)
  - California Rural Counties Task Force
  - California Air Pollution Control Officers Association (CAPCOA)

**9. SIGNIFICANT INDIVIDUALS OR GROUPS THAT MIGHT OPPOSE THIS PROPOSAL:**

- Environmentalist organizations
- Private industry trucking lobbyists

**10. WHAT, IF ANY, ARE THE NEGATIVE EFFECTS OF THIS PROPOSAL:**

Under the proposal timeframe, it will take a longer period for achieving compliance with the particulate discharge requirements — i.e., the same schedule would apply to small counties as the one applicable to private sector equipment.

**11. ANY ADDITIONAL COMMENTS:**

- A couple of months ago (October 2004), County representatives heard that the ARB was going to provide an exemption under its particulate discharge rule for small counties (those with a population less than 125,000). As it turned out, the “exemption” was merely a revised deadline for applicable counties to achieve compliance with the ARB rule. The revised deadline is still earlier (by many years) than the one applicable to the private sector...and the particulate discharge restrictions are still much more stringent than those applicable to the private sector.
- The \$4 million cost estimate described under “Fiscal Impacts” relates only to up-front costs to retrofit or replace the various items of County equipment. There are major (much higher) operational costs associated with the particulate reduction systems (existing state-of-the-art), based on situations experienced by other jurisdictions.

November 30, 2004

County of Mendocino  
Grand Jury  
P.O. Box 629  
Ukiah, CA 95482

REF: Department Head Survey

1. The reduction in Net County Cost for the Treasurer – Tax Collector office for FY 2004-2005 was \$12,673.
2. In order to present a balanced budget I had to leave a vacant position vacant for sufficient period of time during 2004-2005 to meet assigned Net County Cost (NCC). The position will be vacant for approximately ½ year.
3. No projects or services are being curtailed. We are attempting to do the work that is ordinarily done by 6 people with 5 full time people and one part time employee who comes in during the peak tax collection times.
4. These are shown in the county budget, therefore I see no need to detail them here.
5. The vacant position was being filled by a employee who has been out on workers compensation leave since March of 2004, therefore I can not fill the position until that person either leaves permanently or returns to work. If the budget cut were restored I would extend the use of extra help to catch up on some things that are not being done.
6. A similar budget cut would result in the need to leave the one position vacant for a longer period of time or furlough the other
7. I would not begin to comment about changes out side of my department that could save the county money, those types of comments can only be counter productive and serve no useful purpose. In my department we are constantly looking at ways to decrease costs, although with a small department, 7 total positions, and a department that the major expense is salaries and the major job is processing and collecting property taxes we can not just drop an expense optional program or service. We do, before being short one employee, attempt to increase revenues by finding new businesses that have not obtained a business license, or are not collecting and or reporting Transient Occupancy Taxes (TOT).

Timothy J. Knudsen,  
Treasurer – Tax Collector





**MENDOCINO COUNTY WATER AGENCY**  
**890 North Bush Street, Room 20**  
**Ukiah, California 95482**  
**(707) 463-4589 fax (707) 463-4643**

November 29, 2004

Ms. Kathy Wylie, Foreman  
 County of Mendocino Grand Jury  
 Post Office Box 629  
 Ukiah, California 95482

Subject: Response to Questionnaire on Budget Cuts

Dear Ms. Wylie:

Pursuant to your request I have prepared the following responses to the Grand Jury's November 4, 2004 Questionnaire on Budget Cuts:

- 1) **In the 2004-2005 Mendocino County budget, what was your department's dollar amount and percentage of budget reduction?**

<u>FY 2003-2004</u>	<u>FY 2004-2005</u>	<u>Total \$ Change</u>	<u>% Change</u>
\$ 470,930	\$ 480,851 (*)	+ 9,921	+ 2.1

(\*) Does not include approximately \$ 70,000 of "unanticipated income" that the Agency has received since the FY 2004-2005 budget was formally adopted in September 2004. Since adoption of the FY 2004-2005 budget, the Water Agency has signed two Professional Service Contracts; one with the City of Fort Bragg to provide "water measurement services" (\$35,000) and a second with the Mendocino County Resource Conservation District (MRCD) to provide water measurement services over the current and next fiscal year (\$73,000). It is anticipated that the MRCD Service contract will generate approximately \$35,000 of revenue for the Water Agency in FY 2004-2005. Collectively, the two Professional Services Contracts will provide approximately \$ 70,000 of revenue in FY 2004-2005.

- 2) **Explain what impact(s) the budget reductions have had on your department**

As noted above, the Water Agency's FY 2004-2005 budget is actually slightly larger than the prior fiscal year. Accordingly, the Water Agency did not experience budget reduction impacts in FY 2004-2005.



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- 3) What adjustment(s) are you making in your department as a result of Budget cuts? What project(s), personnel, or service(s) have been curtailed or diminished?**

The Water Agency's FY 2004-2005 budget is actually slightly larger than the prior fiscal year. Accordingly, it has not been necessary to curtail or diminish the level of service, number of personnel or progress of Water Agency projects in FY 2004-2005.

- 4) What other sources of revenue does your department receive (List dollar amount(s) and sources(s))?**

Approximately 85 percent of the Water Agency's FY 2004-2005 revenue is obtained from the General Fund and the Water Agency's share of County property taxes. The balance is obtained from grants and/or professional service contracts. As of November 23, 2004 the Water Agency has signed two professional service contracts that will augment FY 2004-2005 revenues; one with the City of Fort Bragg to provide "water measurement services" (\$35,000) and a second with the Mendocino County Resource Conservation District (MRCD) to provide water measurement services over the current and next fiscal year (\$73,000). It is anticipated that the MRCD Service contract will generate approximately \$35,000 of revenue for the Water Agency in FY 2004-2005. Collectively, the two Professional Services Contracts will provide approximately \$70,000 of revenue in FY 2004-2005.

- 5) If the budget cut was restored to your department, what would be the first action taken by you as department head?**

Not Applicable – the Water Agency's FY 2004-2005 is actually larger than the prior fiscal year budget.

- 6) How would a budget cut of similar magnitude in the future, effect your department? What project(s), personnel, or service(s) would be curtailed or diminished?**

Budget cuts of 1 to 25 percent would be absorbed by curtailing on going technical studies in support of new water supply projects. Budget cuts in excess of 25 percent would result in the suspension of all on going water supply technical studies.



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**7) In a perfect world, what changes would you make (that may or may not be) within the scope of your department to save the county money?**

The Water Agency consists of just three permanent employees and has historically operated on a "shoe-string" budget. No significant new opportunities to save money have been identified at this time.

As you can see from the above responses, the Water Agency is fortunate in that the Agency's FY 2004-2005 budget is actually greater than that of FY 2003-2004. The Mendocino County Board of Supervisors, who also serves as the Board of Directors for the Water Agency, made the revitalization of the Water Agency a top priority in 2003, and on February 4, 2003 passed Resolution Number 03-032, which among other things directs the Water Agency to "... assume a leadership role in addressing water related matters in Mendocino County". Prior to FY 2003-2004, the Water Agency's annual budget was generally less than \$250,000. Although the FY 2003-2004 is still well below the \$1,000,000 annual budget recommended in the recently completed "Situational Analysis of the Mendocino County Water Agency" prepared by the University of California Cooperative Extension, current funding levels are sufficient to provide a portion of the services identified in Resolution Number 03-032.

Feel free to call me at 707-463-4589 if you have any questions or need more information.

Sincerely,

Roland A. Sanford  
 General Manager

Cc: MCWA Board of Directors

County of Mendocino  
Grand Jury



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# ***Appendix 2***

## ***Special Education Information***

## ***Special Education Information***

The Early Start Infant Program is a federally funded program that provides assessment and intervention services to children from birth through two years of age. The philosophy of the Early Start program is to provide quality, comprehensive, family-centered services that address the unique circumstances of each baby's special needs. Assessment and intake are provided by an inter-agency, multi-disciplinary team to determine eligibility for services. Parents are a critical part of the Individual Family Service Plan team that helps determine eligibility and recommends services. Services provided to the infant and the family may include: vision services, audiological services, assistive technology, occupational therapy, physical therapy, service coordination, special instruction, home visits, developmental programs, transportation, speech therapy, and respite.

All parties (the Local School Board, students, parents, teachers and administrators), in the educational process have specific rights spelled out in Individuals with Disabilities Education Act, (IDEA) law, which was enacted by federal legislation in 1975, and amended in 1997, and applies to children ages three to twenty-two. It provides that a child with a disability is to have a "free appropriate public education", (FAPE). IDEA expanded the definition of disabilities. Children with disabilities or special needs are now not only defined as the blind, the deaf, the crippled and the mentally deficient; they are also children with reading, math, listening and speech disorders amongst other conditions -- thirteen categories in all. IDEA requires the delivery of special education services to an identified student through the use of an Individualized Education Plan, (IEP) that is tailored to his or her needs. IDEA requires that all children with disabilities in the state of California must be identified, located and evaluated by trained and knowledgeable personnel.

Once a child has been assessed as one with special needs, a team is assembled and an IEP is created. The IEP team participants may vary, but a parent must always be a member of the IEP team, unless the parent chooses not to attend. The student may be an active participant in the IEP. Parent participation in eligibility and placement decisions is encouraged by IDEA regulations. Parents may choose to have an advocate present at the IEP meetings. An IEP meeting must be scheduled at a mutually agreed upon time and place. The Parent/legal guardian or surrogate parent must receive prior notification of each IEP meeting at least 10 days in advance. An IEP must be in place for the student, within 30 days of student identification.

The educational team must consider specific factors when developing the student's IEP. These factors include behavioral issues and the student's specific communication needs. For example, does the student have a communication impairment? Is the student blind or visually impaired? Is the student deaf or hearing-impaired? In addition, the IEP should specify the special education and appropriate behavior interventions and

strategies for the student. It should also determine which supplementary aids and services might be needed for the student. It is not enough that a student has one of these disabilities. There must also be evidence that the student's disability adversely affects his educational performance.

The plan covers more than academics. If other services are necessary for the child to benefit from Special Education, the school district must provide them as part of the plan, to provide the "least restrictive environment" to the student. Some examples of individualized and adapted services the district may provide are transportation, counseling, physical therapy and school health services. The practice known as mainstreaming or providing a fully inclusive environment, allows the student to participate in the everyday life of the school, as a member of the general student population. IDEA encourages mainstreaming. The IEP could also mean sending the student to a special school in another city at the school district's expense, if that is what an appropriate education calls for. All this is incorporated into the formal IEP document, which must have the parent's approval and is the essence of Special Education service(s) delivered by the public school for a specific student.

A copy of the IEP must be given to the parent. Parents have a right to inspect, review, and obtain copies of their children's educational records. Student records are held to be strictly confidential.

Once an IEP has been agreed to and signed off it may not be changed by any individual without the entire IEP team meeting and agreeing to a change. Any member of the team, including the parent, has a right to request such a meeting if one feels it is necessary. Individual IEPs should include specific measurable annual goals, including benchmarks or short-term objectives. The IEP requires that the student must be tested on an annual basis to determine if goals are being met, not reached, being exceeded, or need to be adjusted in specific areas.

Special Education Local Plan Areas or SELPAs, were created by the State of California to monitor the development of instructional programs that meet the individual handicapped student's learning needs and enables the student to be educated in the least restrictive environment. SELPAs are each tailored to the community they serve, and are charged with the oversight of special education services in the local area. Mendocino County SELPA provides special education and related services within the county geographic area. SELPA is a consortium made up of the 12 school districts in Mendocino County plus the County Office of Education, and employs the director of the Mendocino County SELPA. The Superintendents of each school district plus the Mendocino County Superintendent make up the governing board of the Mendocino County SELPA. Mendocino County SELPA allocates State and Federal funds to augment the costs of special education programs to local districts based on the Local Plan for special education and allocation agreements as determined by the SELPA Policy Council. The SELPA Director facilitates the meetings, monitors and advises all

members of the SELPA, including the Mendocino County office of education (a de facto additional school district), in his role as keeper of Special Education. When disputes arise between the parent and school district, the SELPA should be viewed as a neutral third party, representing both evenhandedly.

If a parent disagrees with the IEP or district actions regarding the special education student, IDEA requires the State of California to provide and pay for a voluntary mediation system for parents and schools. This mediation system includes a qualified and impartial mediator. This measure is directed at reducing litigation costs and the adversarial posturing that sometimes occurs between schools and parents of students with disabilities. In addition, the parent can request a due process hearing and a review from the State educational agency, if applicable, who must issue a written report of findings within 60 days of receipt of the complaint. A decision of the State educational agency can be appealed in either State or Federal court.

There are specific rules regarding the suspension and expulsion of students with IEPs. Generally, a student with a disability may be suspended or placed in an alternative educational setting to the same extent that these options apply to students without disabilities. If a special education student is in such a placement for more than ten days, an IEP meeting must be held to consider the appropriateness of the student's current placement and the extent to which the disability is the cause of the misconduct.

Public domain references:

[http://www.mcoe.k12.ca.us/cgi-bin/Internal/Webedit/page\\_display.mp?dept=selpa&page=gen\\_info](http://www.mcoe.k12.ca.us/cgi-bin/Internal/Webedit/page_display.mp?dept=selpa&page=gen_info)  
<http://www.calstat.org/learningCenter/index.html>  
<http://www.capta.org/>  
<http://www.csba.org/GR/IDEA.pdf>  
<http://www.nolo.com/>  
<http://www.nsba.org/site/index.asp>