



**COUNTY OF LAKE
BOARD OF SUPERVISORS**

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September 26, 2023

The Honorable J. David Markham
Presiding Judge of the Superior Court
County of Lake
255 North Forbes Street
Lakeport, CA 95453

RE: Response to the 2022/2023 Civil Grand Jury Final Report

Dear Judge Markham:

Pursuant to Penal Code Section 933 et seq., the Board of Supervisors submits this response to the FY 2022/2023 Civil Grand Jury's Final Report.

Our Board's responses are presented in the same sequence as the Recommendations appear in the Grand Jury's Final Report. We have provided responses to all items for which the report indicated a response was required by the Board of Supervisors.

Where applicable, responses from County Department Heads are likewise attached.

The Lake County Board of Supervisors extends our thanks to each member of the Civil Grand Jury for their commitments of time and energy in preparing this report. Our Board values the oversight role played by Civil Grand Juries in ensuring just governance within the State of California. The persistence of this Grand Jury in dutifully executing their civic role in a manner consistent with State Law is commendable.

While we could not agree and implement every Recommendation made by the Grand Jury, our Board shares the Civil Grand Jury's goal of ensuring all residents are well served. We continually strive to maintain and improve services within resource and other limitations.

RESPONSE TO CIVIL GRAND JURY RECOMMENDATIONS

"IN MEMORY OF OUR BURIED HISTORY: LAKE COUNTY'S CEMETERY DISTRICTS"
Middletown Cemetery District

R1. That the Middletown Cemetery District apply for a credit card through the Lake County Auditor-Controller's Office.

DISAGREE, will not be implemented.

Explanation: Please see the attached Response from Jenavive Herrington, Lake County's Auditor-Controller/County Clerk, which notes the County's current CalCard Policy, administered by the County Administrative Office, allows for a CalCard to be issued to "designated county employees," only. The Middletown Cemetery District is not staffed by County employees.

Lower Lake Cemetery District

R1. That the Lake County Board of Supervisors appoint a new Board member for the Lower Lake Cemetery District.

AGREE, will be implemented on receipt of a qualified application.

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

Herndon-Copsey Pioneer Cemetery

R1. That the Lake County Board of Supervisors clean, repair, and restore the headstones, and build a gated fence with stair access to the top of the cemetery for the Herndon-Copsey Pioneer Cemetery.

DISAGREE, will not be implemented.

Explanation: Our Board concurs with Public Services Director, Lars Ewing, "Disagree" is the most appropriate response, pursuant to Penal Code Section 933. This should not be construed as a lack of care or concern for appropriate maintenance. As noted by Director Ewing, Herndon-Copsey Pioneer Cemetery is not an endowment care cemetery; therefore, it is not appropriate to apply the cemetery maintenance standards in section 2333 of Division 23 of Title 16 of the California Code of Regulations, as referenced on page 26 of the Grand Jury Report.

"CORONER'S PROCEDURES FOR THE INDIGENT AND UNIDENTIFIED"

R1. That the Sheriff fund a second Investigator.

NOTE: No response was required or requested of the Board of Supervisors. Our Board will consider any proposed changes to Position Allocations brought forward by Sheriff Howe, following Departmental analysis.

"SEX TRAFFICKING: HIDING IN PLAIN SIGHT"

R2. That the Lakeport Police Department, Clearlake Police Department, and the Sheriff's Office provide annual training on Trafficking for their officers and staff.

NOTE: No response was required or requested of the Board of Supervisors. Our Board encourages readers to review the Response of Lake County's Sheriff, Rob Howe, which indicates this Recommendation has been implemented.

"AMERICA IS BLEEDING: SCHOOL SHOOTINGS"

R2. That School District officials and law enforcement officers include athletic events in their active shooter response plans.

NOTE: No response was required or requested of the Board of Supervisors. Our Board encourages readers to review the Response of Lake County's Sheriff, Rob Howe, which indicates this Recommendation has been implemented.

R3. That School District officials hire [School Resource Officers] and provide them with specialized training to better understand adolescent development and non-violent communication.

NOTE: No response was required or requested of the Board of Supervisors. Our Board will consider any proposed changes to Position Allocations brought forward by Sheriff Howe, following Departmental analysis.

“GROW YOUR OWN”

R2. That Lake County fund a part-time, 20 hours per week Sheriff Cadet program for ten (10) cadets for Fiscal Year [2024-25]. The projected cost is \$208,000.00.

DISAGREE, will not be implemented.

Explanation: Pursuant to Penal Code Section 933, this is the most appropriate response. Section 2-1.7 of the Lake County Code notes, “...the setting of policy... shall be by action of the Board of Supervisors, with implementation through the Department Heads. Implementing a specific training program within Lake County Sheriff's Office is under the purview of the Sheriff. If such a request is brought forth through the 2024-25 Budget process, it will be given due consideration.

Our Board encourages readers to review Sheriff Howe's Response to this Report, which addresses further Recommendations.

“TEHAMA JUVENILE HALL TOUR”

No response was required or requested of the Lake County Board of Supervisors. Readers are referred to the Departmental Response of Lake County's Chief Probation Officer, Wendy Mondfrans.

“KONOCTI CONSERVATION CAMP #27 TOUR”

No response was required or requested of the Lake County Board of Supervisors.

“REPRESENTATION OF INDIGENT DEFENDANTS IN LAKE COUNTY”

AND

“PUBLIC DEFENDER PROGRAM OVERSIGHT COMMITTEE – OVERSIGHT OF AN OVERSIGHT”

No response was required or requested of the Lake County Board of Supervisors.

Members of the Grand Jury will be aware, Raymond Buenaventura was appointed Chief Public Defender for the County of Lake on September 19, following rigorous review of Indigent Legal Defense in Lake County. Our Board is committed to supporting Mr. Buenaventura's work to establish an effective and dynamic County of Lake Public Defender Office.

Readers are referred to the attached response of County Administrative Officer, Susan Parker.

“BULLYING IN SCHOOLS”

No response was required or requested of the Lake County Board of Supervisors. School Resource Officers were again referenced in this report. Our Board will consider any proposed changes to Position Allocations brought forward by Sheriff Howe, following any request by the School Districts and subsequent Departmental analysis.

“FLOODING IN UPPER LAKE AND THE HITCH”

R1. That the Department of Water Resources and the Board of Supervisors secure the funds to complete the process for the restoration of the wetlands.

AGREE, has been implemented. As discussed in Water Resources Director, Scott De Leon's, Departmental Response, recent budgets have dedicated funds for the local share of design costs. Our Board supports completion of the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project at the earliest opportunity, acknowledging the project is subject to Federal funding allocations; the United States Army Corps of Engineers (USACE) is Lead Agency.

R2. That the Department of Water Resources and the Board of Supervisors determine a reasonable completion date for the wetlands project which will include development of additional spawning grounds for the Hitch.

DISAGREE, will not be implemented.

Explanation: Our Board concurs with Director De Leon's Response. USACE is the Lead Agency, and County staff have conducted all reasonable and appropriate follow-up.

“VOTING IN LAKE COUNTY”

No response was required or requested of the Lake County Board of Supervisors. Readers are referred to the Departmental Response of Lake County's Registrar of Voters, Maria Valadez.

“TAX COLLECTIONS AND PROPERTY ASSESSMENT IN LAKE COUNTY”

R3. That the Treasurer-Tax Collector absorb the credit-card payment fee.

DISAGREE, will not be implemented.

Explanation: The Lake County Board of Supervisors was not requested or required to respond to any Recommendations in this report. However, members of the Grand Jury will be aware Treasurer-Tax Collector, Patrick Sullivan, noted “Any decision for the County to pay the various payment processing vendor fees must be made by the Board of Supervisors.”

This Recommendation will not be implemented. Revenue losses would be considerable, and affect all local taxing agencies, not just County government; Mr. Sullivan estimates losses from absorption of credit card fees for Property Taxes, alone, would reach \$2M.

Administrative Office Staff, further, consulted with Lake County's Auditor-Controller, Jenavive Herrington, who advised the County absorbing credit card fees would mean those expenses were shared by all Lake County taxpayers, not only those who utilize that option. Currently, there is no fee for those who pay with check in person or online.

“ELIJAH HOUSE: HERE TODAY, GONE TOMORROW”

R1. That the Board of Supervisors order an independent forensic financial audit of Elijah House during their time in Lake County.

DISAGREE, will not be implemented.

Explanation: An internal fiscal audit is ongoing. Any next steps will be determined in accordance with the findings of that internal audit.

This concludes the Board of Supervisors' Response to the 2022/2023 Civil Grand Jury Final Report.

Sincerely,

LAKE COUNTY BOARD OF SUPERVISORS

Jessica Pyska
Chair, Lake County Board of Supervisors

cc: 2022-2023 Civil Grand Jury Foreperson
2023-2024 Civil Grand Jury Foreperson