



**COUNTY OF LAKE**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
Planning Division  
Courthouse - 255 N. Forbes Street  
Lakeport, California 95453  
Telephone 707/263-2221 FAX 707/263-2225

## MEMO

**TO:** Board of Supervisors

**FROM:** Michalyn DelValle, Community Development Director

**DATE:** August 9, 2018

**SUBJECT:** Grand Jury Report 17/18 Responses

### Report Name: Lake County Senior Centers

#### Finding #F1

There is a real need for the Centers to be able to communicate with the County District Supervisors.

Disagree wholly with the finding. Coordinating communication between the BOS and the Senior Centers is beyond the scope of work for Code Enforcement and Building Inspection Services.

#### Finding #F2

The Senior Centers do not have adequate signage on the main thoroughfares to direct patrons to their locations.

Disagree wholly with the finding. The Senior Centers adequacy of signage is beyond the scope of the Code Enforcement and Building Inspection Services.

#### Finding #F4

The sidewalks in front of the Lucerne Center are in dis-repair.

Disagree wholly with the finding. The maintenance and or repair of sidewalks is beyond the scope of the County Community Development Department.

#### Recommendation #R1

The BOS should communicate quarterly with their associated Senior Center representatives in order to address specific concerns. (F1)

Disagree will not be implemented. Coordinating communication between the Senior Centers and the BOS is beyond the scope of the County Code Enforcement and Building Inspection Department.

#### Recommendation #R2

Install correct or additional signage to direct patrons to the Senior Centers. (F2)

Disagree will not be implemented. Installing signage for the Senior Center is beyond the scope of County Code Enforcement and Building Inspections Department.

#### Recommendation #R4

The County should repair the sidewalks in front of the Lucerne Alpine Senior Center. (F4)

Disagree will not be implemented. The maintenance and or repair of sidewalks is beyond the scope of the County Community Development Department.

**Report Name: Where's my Building Permit.**

**Finding # F1**

The Lake County Community Development Department was unprepared to fulfill its role in rebuilding after the wildfires.

Disagree partially with the finding. Post wildfire, the Community Development Department was prepared but was unable to fulfill all of its duties due to suffering several staff losses for a host of reasons. It takes a great deal of time to recruit and hire qualified staff. The Community Development Department contracted with a company to provide plan check services and a Chief Building Official. A hiring event was held in the Board Chambers and several extra-help staff inspection staff was hired and the City of Lakeport aided in inspections.

**Finding #F4**

The public became increasingly frustrated with the Lake County Community Development Department's lengthy delays in processing their rebuilding permits and inspections.

Disagree partially with the Finding. The Community Development Department is the clearinghouse for permitting. We are responsible for verifying that all agencies involved have received their fees and or have signed off on the building permits. Rebuilding efforts include involvement with many of the following agencies: water, sewer, septic, school, fire, Calfire, water resources, homeowners associations, roads ect. This process is time consuming even not dealing with rebuilding after a disaster.

**Finding #F8**

The County Community Development Department does not communicate with the Cities of Clearlake and Lakeport regarding mutual aid.

Post Sulphur Fire, the Community Development Department provided damage assessment assistance to the City of Clearlake, Post Valley Fire, and the Community Development Department requested and obtained building inspection assistance from the City of Lakeport.

**Recommendation #R2**

The Lake County Community Development Department should create an apprentice program similar to the one used by the City of Clearlake in order to promote new employment in their department. (F4)

Disagree partially with the finding. A building Inspector I which is an entry level building inspector is required to have two years of journey level of experience in construction work and building trades performing a wide variety of building alteration and construction work. This experience cannot be obtained through an apprenticeship program where only inspections are occurring in the Department.

**Recommendation #R3**

The Community Development Department should be prepared to streamline their processes in an emergency. (F1)

Agree has been implemented. The Community Development Department does streamline processes where possible as long as there is no compromise to the Health Safety and Welfare of the Community.

**Recommendation #R4**

The Community Development Department should establish a fund specifically allocated for emergencies. (F1)

Disagree will not be implemented. An emergency fund would not provide any additional assistance for the Community Development Department during a County wide emergency.

**Recommendation #R5**

Establish yearly Countywide Community Development/Building and Inspection Department meetings to include the representatives from the cities of Lakeport and Clearlake Building and Planning Departments. (F8)

Neutral, requires further analysis to be completed prior to December 2018.



## COUNTY OF LAKE

### Administrative Office

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**CAROL J. HUCHINGSON**

County Administrative Officer

### MEMORANDUM

**TO:** The Honorable Andrew S. Blum

**FROM:** Carol J. Huchingson, County Administrative Officer

**DATE:** October 18, 2018

**SUBJECT:** 2017-18 Grand Jury Final Report Response

The County Administrative Office appreciates the contributions of time and energy made by each member of the Grand Jury in preparation of your report. Please see our discussion of your Findings and Recommendations, below.

#### **“Chaos After the Fires”**

F1. AGREE with finding.

F2. DISAGREE partially with finding.

Section 2 of the Right-Of-Entry (ROE) Permit clearly indicates, “State law requires the Owner to reimburse the County for the cost of removing wildfire-generated debris to the extent covered in the Owner’s Insurance Policy.”

Out of respect for the owners of the more than 1,200 properties served by the debris removal program, we will not speculate about the interpretation of “Many owners,” in aggregate. Our office has regularly responded to requests for further information and complaints from individual property owners, and will continue to do so.

F3. AGREE with finding.

A draft Agreement was sent to the State agency for review/signature, and was never returned.

F4. AGREE with finding.

F5. DISAGREE wholly with finding.

All Administrative staff have contributed, as needed.

F6. DISAGREE wholly with finding.

As soon as invoicing information was received, duties were developed, responsive to that data. It is very common practice in disaster response to “build the plane while flying,” and the County operated absent specific direction from the State.

F7. DISAGREE partially with finding.

The County received cost information in May 2017, sought needed clarifications, and issued billing information to property owners in July 2017.

F8. AGREE with finding.

Initially, information was limited to ROEs and limited insurance documentation.

F9. DISAGREE wholly with finding.

The County acted under advisement from the California Department of Insurance. Their staff indicated, at the time, that insurance companies had greater discretion in whether to respond to the County's invoices after the two-year window, and we thus elected to take every caution to ensure that debris removal costs would not become the individual responsibility of the property owner, due to failure to file a timely claim.

Additionally, as Valley Fire Recovery Coordinator, I understood that dispersal of cost information would reopen wounds for many; public meetings were held so we could deliver this news in person. Further, our office gathered a complement of County and State officials appropriate to substantively respond to all questions from Valley Fire survivors.

F10. AGREE with finding.

Explanations of the "Lot fee" and "Community costs" were provided by CalRecycle subsequent to invoices being issued, and this information was provided to property owners, upon request.

F11. DISAGREE partially with finding.

Our office's role was limited to conveying cost and other supportive information provided by the tree debris removal contractor. When no trees were removed, costs were attributable to surveying. Property owners were responsible only to submit these invoices to their insurance provider for consideration, and reimburse any proceeds received.

F12. DISAGREE wholly with finding.

This information is and has been on file, available upon request.

F13. DISAGREE partially with finding.

We will not speculate upon or second guess the feelings and unique experiences of property owners, and neither agree nor disagree with this portion of the Grand Jury's finding. Absent data illustrating the actual scope, we are likewise unable to generally comment.

Because of the volume of claims, more than 1,450 properties received debris removal services from the government program, there have been times when communications and requests for information needed to be handled on a flow basis. The periods just after we issued a batch of more than 1,000 letters required some asynchronous communication, for example.

Even during those peak periods, however, staff almost always responded within 24-48 hours, taking any action available to the County. Because the County's role is limited to collection, some inquiries were routed to State agencies, always in a timely manner.

F14. DISAGREE partially with finding.

Supportive documentation explained that property owners were only responsible to submit and insurance claim, and remit and funds received in consideration of the County's invoice.

F15. AGREE with finding.

CalRecycle and the California Office of Emergency Services (CalOES) asked Administrative staff to submit complaints in writing.

F16. AGREE with finding.

There are many components to executing debris insurance repayment plans, and our office is awaiting direction from the State regarding what happens in the event of property owner default. The property owner's financial obligation is not to the County, directly, and the County is not financially positioned to remit funds to the State on behalf of property owners and wait to be reimbursed upon transfer of the property.

F17. AGREE with finding.

Despite issuance of three notices to 100% of uninsured property owners, some have not responded.

F18. DISAGREE wholly with finding.

The County welcomes the opportunity to directly respond to a party that felt threatened. We are required to report to the Federal Emergency Management Agency (FEMA) any possible Duplications of Benefits, if we confirm that a property owner received insurance funds.

F19. DISAGREE wholly with finding.

The County has yet to receive Clayton Fire cost information from the State. We have created a database to document/track payments, but have no obligation information to serve as a basis for collection.

F20. NEUTRAL.

Absent details regarding how this conclusion was reached, we are unable to comment.

R1. DISAGREE, will not be implemented.

The ROE is a State mandated and approved form.

R2. DISAGREE, will not be implemented.

"Disaster response" is too broad an assignment for a single County contact.

R3. DISAGREE, will not be implemented.

Every process instituted from the beginning of the County's debris insurance collection project has been designed to serve Valley Fire survivors.

R4. DISAGREE, will not be implemented.

Environmental Health staff already collect insurance information in the immediate aftermath of disastrous fires.

R5. DISAGREE, will not be implemented.

The cost summary served as an invoice for insurance company consideration and reimbursement, the title is thus appropriate.

R6. DISAGREE, will not be implemented.

The availability of actual insurance coverage information is subject to the release of information policies of the homeowners insurance providers.

R7. DISAGREE, will not be implemented.

Formal training was sought and unavailable.

R8. DISAGREE, will not be implemented.

See R7.

R9. DISAGREE, will not be implemented.

The Administrative Office's main line was provided, as this line is always answered.

R10. DISAGREE, will not be implemented.

Frequently Asked Questions were readily available to Valley Fire survivors, and other inquiries were handled on a case-by-case basis.

R11. DISAGREE, will not be implemented.

Voicemail was only ever used as a backup procedure.

R12. NEUTRAL.

Agree, in principle, that the process should be defined, but the County sought an Agreement, and our efforts went without a response.

R13. DISAGREE, will not be implemented.

See F16 and F18. The property owner's financial obligation is not to the County.

R14. DISAGREE, will not be implemented.

Databases were in place prior to receipt of the Grand Jury report.

R15. DISAGREE, will not be implemented.

Valley Fire-related information and documents from other departments were integrated into Administration databases prior to receipt of the Grand Jury report.

### **"Making Connections"**

F1. NEUTRAL.

While there may be some accuracy in this statement, the Grand Jury report did not include facts upon which this finding is based, and it is not possible to agree or disagree. However, it is correct that County departments are inadequately staffed, and our budget is severely limited.

F2. NEUTRAL.

While there may be some accuracy in this statement, again, the Grand Jury report did not include facts upon which this finding is based, and it is not possible to agree or disagree. However, the County regularly works with community groups and uses volunteer employees in many capacities.

F3. DISAGREE wholly with finding.

Human Resources is the portal through which volunteers can apply. County departments work with community groups as appropriate and a centralized approach would not be effective given the many diverse functions of County government.

F4. NEUTRAL.

The Grand Jury report did not include facts upon which this finding is based and it is not possible to agree or disagree. As noted in F3, Human Resources is the portal through which volunteers can apply.

F5. NEUTRAL.

This finding appears to consist of philosophical statement lacking facts upon which to agree or disagree.

F6. DISAGREE wholly with finding.

Vision 2028 is a strategic plan delineating goals for the next decade. "Financial Facts and the Future", developed during the Community Visioning process, describes tax loss, disaster funding and other areas affecting the budget.

R1. DISAGREE, will not be implemented.

However, as stated above under F3, Human Resources is the portal through which volunteers can apply. County departments work with community groups, as appropriate, and a centralized approach would not be effective given the diverse functions of County government.

R2. NEUTRAL.

As stated above under F6, the existing document, "Financial Facts and the Future" describes tax loss, disaster funding, the budgetary shortfall the County is facing over the next five years as well as other areas affecting the budget.

R3. NEUTRAL.

This recommendation pertains to Clearlake Animal Control.

R4. DISAGREE, will not be implemented.

The County has had follow up communication with the individual who offered to volunteer at the Lakeport forum. Citizens can sign up anytime to volunteer through Human Resources.

R5. NEUTRAL.

This recommendation pertains to the local senior centers which are all private agencies not under the purview of the Grand Jury.



# COUNTY OF LAKE

## County Library

1425 North High Street  
Lakeport, California 95453  
Telephone (707)263-8816

Christopher Veach  
County Librarian

## MEMORANDUM

**To:** Board of Supervisors

**FROM:** Christopher Veach, County Librarian

**DATE:** July 31, 2018

**RE:** 2017-18 Grand Jury Final Report

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### Recommendation #: "Mandated Prison Inspections" R3

- ✓ AGREE, will be implemented within six months.

### Recommendation #: "The Touchable Soul of Lake County" R1

- ✓ DISAGREE, will not be implemented. Explanation: The library agrees with the finding that a bookmobile service could be a method of getting library services to underserved students, however it has not been determined that it would be a cost-effective solution. Regardless, the library has a very lean budget and is not in the position to pursue adding additional service outlets. A bookmobile could add at least \$75,000 to \$100,000 in additional ongoing operational costs in addition to the initial cost of the vehicle.

### Recommendation #: "The Touchable Soul of Lake County" R3

- ✓ DISAGREE, will not be implemented. Explanation: The library strives to have convenient operating hours for the citizens of Lake County. The Lakeport and Clearlake branches of the library are open Wednesday evenings and all branches of the library are open on Saturday to accommodate people who work an 8 to 5 work schedule. Compared to other libraries around the state serving similar populations with similar funding and a similar number of service outlets the Lake County Library is open the same or more hours to the public. Again, the library has a very lean budget and is not in the position to pursue expanding hours open to the public.

### Recommendation #: "The Touchable Soul of Lake County" R5



- ✓ AGREE, has been implemented.

**Finding #: "The Touchable Soul of Lake County" F7**

- ✓ DISAGREE partially with finding (response shall specify the portion of the finding disputed). Explanation: The Library disagrees that more vigorous recruitment of volunteers than what is already occurring is necessary. The Grand Jury may not realize that the library already utilizes a wide variety of volunteers to provide programs to the public for all ages, provide proctoring services, literacy instruction, repair library materials, library inventory, customer service and more. The library tasks volunteers with activities that match their skills. For the past three years we have solicited volunteers through our own website, internet websites such as Volunteer Match, social media, press releases to local media, in the library, and by attending volunteer fairs and has increased the number of volunteers assisting the library.




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**Public Services Department**  
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**LARS EWING**  
Director

**KATI GALVANI**  
Deputy Director

## MEMORANDUM

To: Lake County Board of Supervisors

From: Lars Ewing, Public Services Director 

Subject: 2017-2018 Civil Grand Jury Final Report

Date: July 25, 2018

The Public Services Department offers the following in response to the 2017-2018 Lake County Civil Grand Jury Report, "Lake County Libraries and Museums":

**R3:** The (libraries and) museums need to expand hours of operation to increase accessibility and usage.

- Agree. In early 2017 the Lake County museum system was comprised of two museums: the Historic Schoolhouse in Lower Lake and the Historic Courthouse Museum in Lakeport. At that time those two museums were staffed by two permanent County employees (Museum Curator and Assistant Museum Curator) and several "Extra Help" employees. Later in 2017 the Gibson Museum & Cultural Center was added to the museum system as a County owned and operated museum; however, permanent staffing was reduced with the freezing of the Assistant Museum Curator position due to financial constraints. Furthermore, in the past the three non-profits that support the museums had sufficient membership to help provide docents and were able to operate the museum gift shops. Now, none of the non-profits have sufficient volunteers to operate the gift shops and these duties have fallen to county staff. While staff agrees that expanded hours of operation and increased accessibility and usage are desirable, the addition of a museum coupled with the loss of a permanent staff makes this problematic to achieve.

**R4:** Creative and interactive programs should be established to encourage more participation of young people/students at the museums.

- Agree. Creative and interactive programs have been established to encourage more participation of young people/students at the museums. We have had several Family Fun Fridays this summer as well as hosting over 1,500 students this past year for museum tours and "Dig Archeology" days at the three museums. We currently have a college intern designing our first travelling history trunk on Lake Pomo Culture for use by K-12 teachers in their classes. Several large school tours have been conducted at the museums which require

staff or volunteers on site to conduct the tours at a single museum and leaves the other museums short staffed.

**R5:** The (libraries and) museums need vigorous recruitment of young adults, retired educators and seniors to serve as volunteer staff. They should be tasked with the goal of creating programs directed at younger children.

- Agree. The museums welcomes more volunteers. Work is progressing with the Lake County Office of Education this upcoming school year to promote museum volunteerism as well as offering internships and opportunities for high school senior projects in the museums.


**R6:** Increased publicity of Museum events should be funded and enacted.

- Agree. Most museum publicity graphics are produced in house, and staff strives to have a presence on local radio, PEG TV, and social media. However, there is not enough staff to attend every meeting of local Chambers of Commerce and other community organizations and still conduct collection care and conservation, public programming, education, write grants, and create compelling exhibits. Lake County Museums get excellent reviews from our visitors but it is unrealistic to expect a small, mostly part time staff to increase services with limited resources.



## MEMORANDUM

TO: The Honorable Andrew S. Blum  
Presiding Judge of the Superior Court

FROM: Scott De Leon, Director 

SUBJECT: Grand Jury Report Response

DATE: July 20, 2018

The 2017-18 Grand Jury Report (Report) performed a review of Senior Centers throughout the County and they made a number of recommendations as a result of their investigation. At the invitation of the Grand Jury, the following is my response to recommendation R4, which reads:

*"The County should repair the sidewalks in front of the Lucerne Alpine Senior Center"*

Recommendation #: R4

- ☐ AGREE, has been implemented.
- ☐ AGREE, will be implemented within (*no timeframe in PC 933.05*): \_\_\_\_\_
- ☐ NEUTRAL, requires further analysis to be completed within \_\_\_\_\_ (timeframe not to exceed six months from June 20, 2018)
- ☒ DISAGREE, will not be implemented. Explanation:

Staff reviewed the conditions at the Lucerne Alpine Senior Center and based on our observations the issues identified in the Report are outside of the County right of way, and therefore are not the responsibility of the County Department of Public Works. On page 33 of the report, the bottom two photographs and top right photograph are of the main stairs into the facility. Some time ago, it appears these stairs received a thin patching of concrete and the spalls shown in the top and bottom right photographs illustrate the delamination of that thin patching layer. The top left photograph is of a section of sidewalk adjacent to the parking area off Country Club Drive. Located property corners were used to visually establish the approximate property line and the sidewalk area and several feet of the parking area are outside the county right of way. The use of county funds to make repairs on private property is not appropriate, and therefore the Department of Public Works will not be able to perform the requested work.

It should be noted that although not specifically noted in the Report, staff did identify two locations in the sidewalk on Tenth Street that could pose as a tripping hazard, and since they are within the right of way staff will make repairs to them in the near future.



# PROBATION DEPARTMENT

COUNTY OF LAKE, STATE OF CALIFORNIA



**ROB HOWE**

Chief Probation Officer

To: The Honorable Board of Supervisors

From: Rob Howe, Chief Probation Officer

Date: July 23, 2018

Subject: Response to the 2017-2018 Grand Jury Report

The following is my response to the Grand Jury's final report for 2017-2018. The portion of the report pertaining to the Probation Department can be found on pages 48 through 51, "The Wards of Lake County".

The Grand Jury's recommendations and my responses, in the Grand Jury's requested format, are as follows:

**Name of Report: The Wards of Lake County**  
**Finding #: F1**

- ☐ AGREE, has been implemented.
- ☐ AGREE, will be implemented within 90 days.
- ☐ NEUTRAL, Requires further analysis to be completed within:
- ☒ DISAGREE, will not be implementing. Explanation

**Explanation:**

**"F1) The Lake County Probation Department decision to relocate the wards to Tehama County was primarily based on financial considerations and made without adequate consultation with other involved County departments (Lake County Office of Education, Lake County Health Department, Lake County Department of Behavioral Health, Lake County Juvenile Justice Commission)."**

Although, with an obviously limited budget, monetary concerns have to be part of the decision making process, numerous factors were considered prior to the decision to relocate our wards to Tehama County. We evaluated several juvenile hall facilities, all offering similar costs, to determine the facility, staff and programming we thought best suited our ward's needs. As for

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# PROBATION DEPARTMENT

COUNTY OF LAKE, STATE OF CALIFORNIA



**ROB HOWE**

Chief Probation Officer

adequate consultation with other involved County departments, I am unaware of that being an issue. I have not been contacted by any Department Head or Director with such concerns, nor do I see any mention of that in the body of the Grand Jury Report. In addition to personally speaking with numerous Department Heads, Directors and Administrators prior to this decision, this was a Board of Supervisors approved item and, as such, was placed on the agenda and accessible to anyone with interest.

**Name of Report: The Wards of Lake County**

**Finding #: F2**

- ☐ **AGREE, has been implemented.**
- ☐ **AGREE, will be implemented within 90 days.**
- ☐ **NEUTRAL, Requires further analysis to be completed within:**
- ☒ **DISAGREE, will not be implementing. Explanation**

**Explanation:**

**“F2) There was a lack of continuity and completeness of information reading the wards provided by the Juvenile Probation to the Juvenile Justice Commission and the appropriate Presiding Judge.”**

This “finding” is vague so I am assuming it is referring to Probation contracting with Tehama County. Whether referencing the contract or, more generally speaking, I see nothing in the narrative of the Grand Jury’s report to substantiate finding there has been a “lack of continuity and completeness of information regarding the wards”. I can say that I personally made a presentation to the Juvenile Justice Commission regarding the process, discussions and plans to contract with Tehama County for juvenile ward placement. In addition to that presentation, the Commission meets monthly and I am unaware of any meeting in the past several years that was not attended by a Probation staff member (usually multiple members). Our attendance at these meetings is specifically to answer any questions the Commission might have regarding our juvenile wards and probationers (within the privacy laws surrounding juveniles of course). As for the mention of the “appropriate Presiding Judge”, I have not heard this concern from Lake County’s Superior Court Judges. In fact, when first considering contracting with

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# PROBATION DEPARTMENT

COUNTY OF LAKE, STATE OF CALIFORNIA



**ROB HOWE**

Chief Probation Officer

Tehama County, the Superior Court Judge overseeing juvenile matters was the first person I met with.

**Name of Report: The Wards of Lake County**

**Finding #: F4**

- ☐ **AGREE, has been implemented.**
- ☐ **AGREE, will be implemented within 90 days.**
- ☐ **NEUTRAL, Requires further analysis to be completed within:**
- ☒ **DISAGREE, will not be implementing. Explanation**

**Explanation:**

**“F4) The current contract with Tehama County lacks specificity regarding the details of care for the Lake County wards.”**

Although I agree the contract lacks specificity regarding the details of care for the wards, I have marked “DISAGREE” as I will not seek to implement changes at this time. A facility’s responsibilities to provide care (health care, mental health care and education) are all State mandated and are defined, inspected and approved by the Board of State and Community Corrections (BSCC). As for specific goals, programs are tailored based on the individual needs of a ward and are subject to change frequently. Not only does an individual’s needs change, but the wards themselves change as they cycle in and out of custody. Trying to include all of the frequently changing “specific goals” in any contract would be impracticable if not impossible.

**Name of Report: The Wards of Lake County**

**Finding #: F5**

- ☐ **AGREE, has been implemented.**
- ☐ **AGREE, will be implemented within 90 days.**

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**ROB HOWE**

Chief Probation Officer

☐ **NEUTRAL, Requires further analysis to be completed within:**

☒ **DISAGREE, will not be implementing. Explanation**

**Explanation:**

**"F5) At the time of the inspection of the Tehama County Juvenile Hall, the meal schedules were not appropriate to maintain good nutrition and optimal health for teenagers."**

Nutritional health guidelines for facilities are mandated, defined, inspected and approved by the BSCC. This process includes the approval of the facilities plan by a licensed nutritionist. I am unaware of Tehama County failing to abide by any State mandated requirement.

**Name of Report: The Wards of Lake County**

**Finding #: F6**

☐ **AGREE, has been implemented.**

☐ **AGREE, will be implemented within 90 days.**

☐ **NEUTRAL, Requires further analysis to be completed within:**

☒ **DISAGREE, will not be implementing. Explanation**

**Explanation:**

**"F6) the 'benefits' offered by the Tehama County Juvenile Hall, as cited on their website, specifically regarding accessibility of medical oversight/care and in rehabilitative programs available for the wards, were inadequate or non-existent. This website was taken down upon the Grand Jury's questioning of the discrepancies."**

We contacted Tehama County's Juvenile Hall Website Administrator and he disagreed with this finding. He said he reviewed the website, dating back for approximately the past three years, and found no such discrepancies. He did not recall any discussion with

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# PROBATION DEPARTMENT

COUNTY OF LAKE, STATE OF CALIFORNIA



**ROB HOWE**

Chief Probation Officer

Lake County's Grand Jury, or any other direction to make changes or take down the website. He was unaware of any such interruption to the website.

As for the rehabilitative programs being "inadequate or non-existent" I simply disagree. We researched the programs offered by many facilities, not to mention our own experience offering programming at the Lake County Juvenile Hall (when it was operational) and I believe the programs offered by Tehama County are exceptional. I found nothing in the narrative of the Grand Jurys report to substantiate this finding.

**Name of Report: The Wards of Lake County**

**Recommendation #: R1**

- ☒ **AGREE, has been implemented.**
- ☐ **AGREE, will be implemented within 90 days.**
- ☐ **NEUTRAL, Requires further analysis to be completed within:**
- ☐ **DISAGREE, will not be implementing. Explanation:**

**Name of Report: The Wards of Lake County**

**Recommendation #: R2**

- ☒ **AGREE, has been implemented.**
- ☐ **AGREE, will be implemented within 90 days.**
- ☐ **NEUTRAL, Requires further analysis to be completed within:**
- ☐ **DISAGREE, will not be implementing. Explanation:**

**Name of Report: The Wards of Lake County**

**Recommendation #: R3**

- ☒ **AGREE, has been implemented.**
- ☐ **AGREE, will be implemented within 90 days.**



# PROBATION DEPARTMENT

COUNTY OF LAKE, STATE OF CALIFORNIA



**ROB HOWE**

Chief Probation Officer

☐ **NEUTRAL, Requires further analysis to be completed within:**

☐ **DISAGREE, will not be implementing. Explanation:**

**Name of Report: The Wards of Lake County**

**Recommendation #: R5**

☐ **AGREE, has been implemented.**

☐ **AGREE, will be implemented within 90 days.**

☐ **NEUTRAL, Requires further analysis to be completed within:**

☒ **DISAGREE, will not be implementing. Explanation:**

**Explanation:**

**“R5) Future contracts should include specific goals and responsibilities for health care, mental health care, and education for the Lake County Wards. (F1,F3,F4,F5,F6)”**

As earlier mentioned, a facility's responsibilities to provide health care, mental health care and education are all State mandated and are defined, inspected and approved by the Board of State and Community Corrections (BSCC). As for specific goals, programs are tailored based on the individual needs of a ward and are subject to change frequently. Not only does an individual's needs change, but the wards themselves change as they cycle in and out of custody. Trying to include all of the frequently changing “specific goals” in an contract would be impracticable if not impossible.

**Further details regarding Recommendation 1 (R1):**

“R 1. Decisions regarding wards should not be prioritized by monetary concerns alone.”

**Response:**

Although I agree with R1, I believe some clarification is necessary. Again, with an

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**LAKE COUNTY PROBATION DEPARTMENT**

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# PROBATION DEPARTMENT

COUNTY OF LAKE, STATE OF CALIFORNIA



**ROB HOWE**

Chief Probation Officer

obviously limited budget, monetary concerns have to be part of the decision making process. That being said, decisions regarding our wards are not prioritized by “monetary concerns alone”. In this particular instance, the decision to contract with Tehama County was based on numerous factors. We evaluated several juvenile hall facilities, all offering similar costs, to determine the facility, staff and programming we thought best suited the needs of our wards.

## **Further details regarding Recommendation 2 (R2):**

“R 2. The accurate location and status of the wards shall be shared by the Lake County Probation Department with the Lake County Juvenile Justice and Delinquency Prevention Commission.”

## **Response:**

Again, I agree but believe clarification is necessary. The Juvenile Justice and Delinquency Prevention Commission meets monthly and I am unaware of any meeting in the past several years that was not attended by a Probation staff member (usually multiple members). Our attendance at these meetings is specifically to answer any questions the commission might have regarding our juvenile wards and probationers (within the privacy laws surrounding juveniles of course). In addition, I personally made a presentation to the commission regarding the process, discussions and plans to contract with Tehama County for juvenile ward placement.

I’m not sure what the Grand Jury is implying with this recommendation, but I am unaware of any situation when the “accurate location and status” of our wards was not clear.

## **Further details regarding Recommendation 3 (R3):**

“R 3. The Lake County Probation Department should consult with all stakeholders and agencies when drafting any new contracts or contract extensions regarding juvenile detentions.”

I agree, and believe we already have a process in place that ensures stakeholders have the

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opportunity to give input and allows us to consider that input. We hold quarterly stakeholder meetings specifically to ensure such input can be considered for many of our functions, including contracts and contract extensions.

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# LAKE COUNTY SHERIFF'S OFFICE

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Brian L. Martin  
Sheriff/Coroner

August 24, 2018

Honorable Andrew Blum  
Presiding Judge  
Lake County Superior Courts  
255 N. Forbes Street  
Lakeport, CA 95453



To the Honorable Judge Andrew W. Blum,

I am writing this letter in accordance with Penal Code Section 933.05 as a response to the June 20<sup>th</sup>, 2018 final report from the Lake County Civil Grand Jury. I first want to thank the Court for its role in facilitating this process. I would also like to thank the Court for granting an extension to the required response time that was necessary as a result of the Mendocino Complex fire that continues to burn as of the writing of this response.

I welcome the opportunity to have oversight and feedback regarding the Sheriff's Office's operations, and I constantly strive to improve the professional services provided by this agency to the people in Lake County.

In responding to this year's report, I want to recognize that Penal Code Section 933.05 authorizes the Grand Jury to "request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release." Surprisingly, I was not requested to appear before the Grand Jury, though I have been invited in past years. I have always welcomed the opportunity to interact directly with the Grand Jury. It would seem that such interaction with the elected, constitutional officer who is charged with overseeing several of the subjects reported on in this year's report would have been beneficial for a comprehensive fact finding investigation. I was disappointed that I wasn't offered this opportunity, and I hope that future Grand Juries implement investigative techniques that result in reports that reflect more accurately the activities of my department. I don't know whether or not other elected officials and department heads were interviewed, but I certainly would have appreciated the courtesy. In response to the 2017-2018 Grand Jury Report, the Lake County Sheriff's Office respectfully submits the following responses:

Name or Report: Public Safety, Mandated Prison Inspections  
Finding or Recommendations #: R3



AGREE, will be implemented at whatever time a suitable volunteer is identified. The Sheriff has sent a letter to the County Librarian with a request to find a qualified volunteer who would be interested in performing this service. The Jail Commander has already been seeking qualified volunteers, however one has not yet been identified.

Name or Report: Ad Hoc 3-EOP, Go Jump in the Lake

Finding or Recommendations #: R1

DISAGREE, will not be implemented. Explanation: At its core, this recommendation and finding is deficient. There is no "overall authority and responsibility for implementation of the OEP (sic)." Responsibility is shared by various departments and entities at various stages of emergency response, preparation, mitigation, and recovery. The BOS does not assign "overall authority and responsibility to the Sheriff's Office..." The authority and responsibility is shared by multiple entities and organizations.

Name or Report: Ad Hoc 3-EOP, Go Jump in the Lake

Finding or Recommendations #: R2

DISAGREE, will not be implemented. Explanation: Functions, responsibilities, and authority specific to actions in emergency response are already outlined in the NIMS and SEMS processes. Recreating, duplicating, or altering these existing items would likely result in additional unnecessary confusion and conflicts. Creation of an MOU that would adequately address every possible scenario, identify the corresponding responsibility and authority of each organization, and identify specific actions each organization would take in a wildfire (or any emergency) is not possible. Every fire is different. Every fire has its own challenges. The response to wildfires over the last four years have shown that a response that was suitable for one particular incident, may not be effective for another.

Name or Report: Ad Hoc 3-EOP, Go Jump in the Lake

Finding or Recommendations #: R3

DISAGREE, will not be implemented. Explanation: Functions, responsibilities, and authority specific to actions in emergency response are already outlined in the NIMS and SEMS processes. Recreating, duplicating, or altering these existing items would likely result in additional unnecessary confusion and conflicts. Creation of an MOU that would adequately address every possible scenario, identify the corresponding responsibility and authority of incorporated city, and identify specific actions each jurisdiction would take in a wildfire (or any emergency) is not possible. Every fire is different. Every fire has its own challenges. The response to wildfires over the last four years have shown that a response that was suitable for one particular incident, may not be effective for another.

Name or Report: Ad Hoc 3-EOP, Go Jump in the Lake

Finding or Recommendations #: R4

AGREE, has been implemented

OES personnel do interact with community groups. OES personnel have participated in several community presentations in Hidden Valley Lake, the Clear Lake Rivas, and other neighborhoods. They participate in the annual "Heroes of Health and Safety Fair." There are a

large number of “community groups” that exist, and interaction with all of them is not possible. Clearly, members of the Grand Jury feel that participation with a particular organization or class of organizations is needed. OES uses its limited resources, staff, and time to interact and plan with groups as much as is practically and logistically able to, while performing its other functions.

Name or Report: Ad Hoc 3-EOP, Go Jump in the Lake

Finding or Recommendations #: R5

NEUTRAL, Requires further analysis to be completed when time permits. In assigning duties, tasks, and responsibilities, I constantly evaluate where the most beneficial use of time and resources exist. I will analyze whether or not spending time to create educational materials and information which already exist in other models, such as the ones cited by the Grand Jury (Calfire and the Hidden Valley Lake Association) as well as the Red Cross and other groups, is a productive and beneficial use of staff time.

Name or Report: Ad Hoc 3-EOP, Go Jump in the Lake

Finding or Recommendations #: R6

PARTIALLY AGREE, has been implemented: Siren systems are not the responsibility of the Sheriff’s Office and OES. Much talk and discussion has been had surrounding the use of Sirens following the Valley Fire. The siren systems that were in place decades ago are the property and responsibility of their respective Fire Districts. Efforts are underway to reactivate some of those sirens. When they are activated and capable of providing alerts, the Sheriff’s Office will work with the respective jurisdictions to develop protocols. The Hidden Valley Lake Association has implemented its own siren system, and the Sheriff’s Office does work with the HVLA Security Division to respond in the event of siren activation. The Sheriff’s Office and OES would certainly consider implementation of a county wide system if and when a funding source was identified for implementation and maintenance.

Name or Report: Ad Hoc 3-EOP, Go Jump in the Lake

Finding or Recommendations #: R7

AGREE, has been implemented

As seen during this year’s fires and evacuations, we were able to evacuate an estimated 19,000 residents. Numerous shelters were established and staffed. There were no reported civilian deaths or injuries during these evacuations. There were no reports of anyone needing and requesting assistance with evacuation who was unable to receive such assistance.

Name or Report: Ad Hoc 3-EOP, Go Jump in the Lake

Finding or Recommendations #: R8

DISAGREE, will not be implemented. Explanation:

“The issue of effective evacuation from neighborhoods, particularly where egress is limited, such as Anderson Springs and Spring Valley...” need not be investigated. Many of these communities, by nature of their design, topography, do indeed have limited ingress and egress. An investigation would reveal just that. People who choose to live in these communities know, or reasonably should know the hazards of living in such an environment. An investigation to tell people in Spring Valley that they should evacuate by way of the only egress road that is passable (New Long Valley Road) is not a responsible use of our limited resources, time, and efforts.

Evacuation plans need to be a part of every individual's emergency preparedness plan. An evacuation route or protocol for one neighborhood during one event, might not be appropriate for the same neighborhood during a different event. Individual residents need to take responsibility for their individual preparedness. During the Sulphur Fire, there were no evacuation routes available to many residents in the area of Windflower Point. We were able to adjust our response and provide rescue evacuation by boat during this event. Implementation of a specific protocol was not necessary for this to occur. Again, the success of our evacuations this year and last year during the Mendocino Complex and Sulphur Fires, demonstrate that the methods we have in place were effective in saving lives and getting people to safety.

Name or Report: Ad Hoc 3-EOP, Go Jump in the Lake

Finding or Recommendations #: R9

NEUTRAL, Requires further analysis to be completed within a year. This recommendation by the Grand Jury appears to be the result of members of the Grand Jury valuing a particular community organization. If we are to start creating MOU's with every community organization suggested by the Grand Jury, we will find ourselves in the business of creating MOU's instead of preparing for, responding to, and recovering from emergencies and disasters.

Name or Report: Ad Hoc 3-EOP, Go Jump in the Lake

Finding or Recommendations #:

DISAGREE, will not be implemented. Explanation: Configuration of radio antennas requires interaction with the FCC. OES contracts with a professional radio technician to service our radio systems in a manner that is compliant with applicable laws, rules, and regulations.

Name or Report:

Finding or Recommendations #:

AGREE, has been implemented

AGREE, will be implemented within:

NEUTRAL, Requires further analysis to be completed within

DISAGREE, will not be implemented. Explanation:

In closing, I would like to express my disappointment with the Grand Jury's distasteful decision to title its report on the Office of Emergency Services as "Go Jump in the Lake." On page 121 of the report, the Grand Jury writes "The title of this report, in fact, comes directly from a conversation one grand juror had with a public safety official about evacuation routes from the Riviera communities along Soda Bay Road. The response was, 'If I were you, I'd go jump in the Lake.'" The title seems to infer that County employees and first responders don't care about people during times of disaster. Nothing could be further from the truth. I have witnessed countless acts of heroism, selfless service, sacrifice, and dedication from many different county employees. I have seen firsthand these acts because I, and many other public servants, including first responders and non-first responders, have been available and responsive during many years of disaster. I know my commitment. I know the commitment and leadership of many other county employees. And I know that we will continue to serve our community in a dedicated manner. It is certainly easy for non-participating bystanders to look at things with perfect clarity after the fact. It is easy for people who didn't participate to be critical and portray the people who have committed their time, efforts, and careers towards a career of public service as less than caring and come up with clever, disparaging titles for their reports.



I'm certain that many people who read the Grand Jury Report will be able to implement a bit of critical thinking when examining the context of the conversation that occurred between the unnamed Grand Juror and the unnamed public safety official about evacuation routes from the Riviera community along Soda Bay Road during an incident in which their egress route "is overrun with flames or...interferes with firefighting activities."<sup>1</sup> Whether or not the quote attributed to the unnamed public safety official by the unnamed Grand Juror is accurate can't be determined due to the confidential nature of these investigations. I'll assume that it is accurate. In the scenario presented that resulted in the quoted response, with egress routes being blocked by fire in the Soda Bay area of the Rivas, there are no viable options of escape available other than to seek refuge in the lake. Certainly, climbing over Mt. Konocti is not an option. So what one might actually be faced with is the only possible life saving step. That is to seek refuge in the lake. To me, this is valid direction. In fact, this is exactly what five people did during the Sulphur Fire. After sustaining burn injuries, and having nowhere else to go, they sought refuge in the lake and were picked up by Sheriff's Office Marine Patrol boat units and taken to safety. An October 12, 2017 news article<sup>2</sup> in the New York Post detailed a story of a 65 year old woman and a 70 year old man who survived the North Bay wildfires by seeking refuge in a neighbor's pool.

If that's what "go jump in the lake" means, I'll stand behind that advice in that scenario every day of the week. It is unfortunate that the Grand Jury didn't see this in such a light, but instead took it as an opportunity to craft a snide, disparaging, and divisive title for their report.

True leaders, and dedicated public employees, such as those you will find working tirelessly in Lake County to serve this community will undoubtedly be disheartened by this Grand Jury's inadequate investigatory process and report. They will be disheartened by the complete lack of recognition they deserve for the great things they've accomplished, and for the valuable service they've provided to this community. They will be saddened to know that no matter how hard they work, often with less staff than is necessary (the Sheriff's Office has an overall vacancy rate of 27.8% with 47 of its 169 allocated positions unfilled), there will always be a segment of society who refuses to acknowledge their successes, and instead chooses to cast condescending criticism from the shelter of anonymity. Those of us who have committed to a life of public service and leadership will continue to do our best to ensure that these employees are recognized. We will continue to ensure that their accomplishments are recognized. And we will continue to demonstrate our appreciation for the work they do.

I found this year's Grand Jury Report to be divisive, condescending, and the result of an apparent effort to nitpick, and find fault in the hard work of many dedicated employees. I found that it completely disregarded successes, and ignored successful deeds performed by public employees who work in often less than desirable conditions. It failed to take into consideration the lack of available staff to perform the services that society expects and deserves. I hope that future Grand Juries are able to conduct investigations in a manner that results in a comprehensive, accurate investigation to include identifying and interviewing appropriate personnel. I hope that future Grand Juries are able to provide a final report that doesn't seek to portray dedicated public employees as uncaring people. I hope that future Grand Juries find in themselves an ability to recognize and acknowledge successes in governmental operations, and to acknowledge those

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<sup>1</sup> Page 121, Grand Jury Report

<sup>2</sup> <https://nypost.com/2017/10/12/married-couple-survives-california-blazes-by-hiding-in-pool/>

successes. Acknowledging positive performance is a much more effective way of bringing out positive performance. As stated on page 9 of this year's report, the "major function of the Grand Jury is to examine county and city government and special districts to ensure that their duties are being lawfully carried out." I hope that future Grand Juries are able to stick to that function.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian L. Martin", with a long horizontal flourish extending to the right.

Brian L. Martin  
Sheriff-Coroner  
Emergency Services Director  
County of Lake