

# **2018-19 TEHAMA COUNTY GRAND JURY FINAL CONSOLIDATED REPORT**



**The Tehama County Grand Jury consists of nineteen citizens. It is an investigative body having for its objective the detection and correction of flaws in government. The Grand Jury seeks to assure honest, efficient government in the best interest of the people.**



# GRAND JURY FINAL REPORT

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**Tehama County Grand Jury**  
**P. O. Box 1061**  
**Red Bluff, CA 96080**



June 20, 2019

California Penal Code §933(a) states:

"Each Grand Jury shall submit to the Presiding Judge of the Superior Court a final report of its findings and recommendations that pertain to county government matters during the 2018-19 fiscal or calendar year..."

In conformance with the aforementioned Penal Code requirement, the 2018-19 Tehama County Grand Jury approves and respectfully submits this report to the Honorable Laura S. Woods, Presiding Judge, Superior Court of California, and County of Tehama.

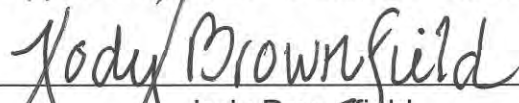
Respectfully submitted,

  
Jody Brownfield  
Foreperson




**2018-19 TEHAMA COUNTY GRAND JURY**  
**FINAL REPORTS SUBMITTAL/APPROVAL STATEMENT**

The 2018-19 Tehama County Grand Jury  
Approved this Consolidated Final Report:

  
\_\_\_\_\_  
Jody Brownfield  
Foreperson, 2018-19 Tehama County Grand Jury

I Accept for Filing the Consolidated Final Report of this  
2018-19 Tehama County Grand Jury

  
\_\_\_\_\_  
Honorable Laura S. Woods  
Supervising Judge of the 2018-19 Tehama County Grand Jury



## What is the Tehama County Civil Grand Jury?

The Civil Tehama County Grand Jury investigates and reports on the operation of county and local government entities. The Grand Jury also investigates misconduct by local public officials.

The Tehama County Grand Jury is an investigatory body created for the protection of society and the enforcement of the law. The U.S. Constitution's Fifth Amendment and the California Constitution call for Grand Juries. Grand Juries were established throughout California during the early years of statehood. As constituted today, the Grand Jury is a part of the Judicial Branch of government, an arm of the Court.

There are two types of Grand Juries: civil and criminal. The Grand Jury in Tehama County is impaneled only for civil purposes. As part of the civil function, the Grand Jury receives many letters from citizens alleging mistreatment by officials, suspicions of misconduct, or governmental inefficiencies.

The Grand Jury may examine all aspects of County and City government and special districts to ensure that the best interests of Tehama County citizens are being served. The Grand Jury reviews and evaluates procedures, methods and systems utilized by County government to determine whether more efficient and economical programs may be employed.

### **THE TEHAMA COUNTY GRAND JURY IS ALSO AUTHORIZED TO:**

- Inspect and audit books, records and financial expenditures.
- Ensure that public funds are properly accounted for and legally spent.
- Inspect financial records of special districts in Tehama County.
- Inquire into the conditions of jails and detention centers.
- Inquire into charges of willful misconduct in office by public officials or employees.

All Grand Jury findings and recommendations are issued in written reports at the end of each fiscal year. Each report must be approved by at least 12 members (supermajority) of the Grand Jury. Within 60 to 90 days following issuance of a report, officials responsible for matters addressed in the report are required to respond in writing. The Grand Jury reviews the responses of the affected public agencies. Grand Jury reports become public record and are available for viewing on the Tehama County Grand Jury website.

In Tehama County, the Grand Jury is impaneled annually and is comprised of 19 members. The Superior Court Judge appoints a foreperson who presides at all full jury proceedings and is responsible for directing the business of the Grand Jury.

Grand Jurors are officers of the Court, but work as an independent body. It is critical to the effectiveness and credibility of the Grand Jury that all members function without influence from outside parties. All Grand Jury proceedings, including complaints, are confidential. Jurors may not discuss the business of the jury with spouses, friends, or acquaintances.

Most Grand Jury work is done by committees. These may include: Audit & Finance, County Government, City Government, Law Enforcement and Criminal Justice, Continuity, Special Districts, and Editorial. Other committees may be appointed as required. The Grand Jury and its committees meet several times a month. They meet with County and City officials, visit County facilities, and conduct independent research on matters of interest or concern. The committees report to the full Grand Jury and conclusions are reached after discussion and study of the issues. The Grand Jury may seek advice or request the services of the County Counsel, District Attorney, and the presiding Judge of the Superior Court.

It is a privilege and an honor to be selected. The opportunity to serve may only occur once in a lifetime. If and when you are asked to serve as a Grand Juror, you are encouraged to accept this unique opportunity to represent the well-being of Tehama County.

**TEHAMA COUNTY GRAND JURY  
P. O. Box 1061  
RED BLUFF, CA 96080**



June 27, 2019

**TO: The Citizens of Tehama County**

The 2018-19 Tehama County Grand Jury is pleased to present its Consolidated Final Report (CFR) to the citizens of Tehama County. Throughout its one-year term, the Grand Jury issued eight Final Reports regarding the results of its investigations. The CFR brings these reports together in a final compendium for the year.

The Tehama County Grand Jury is a civil grand jury. Some of our investigations were mandated by state statutes; others were chosen by our Grand Jury. It has been a very busy year, and all 19 Grand Jurors were dedicated to producing a comprehensive report that details our investigations and inquiries that stem from the communications received from constituents. We took each communication very seriously, and strived to address concerns within the realm of our Grand Jury jurisdiction. Our investigations included numerous interviews of residents, elected and appointed officials, County and City employees, as well as detailed document reviews, facility tours and site visits. Not all of our investigations resulted in published reports.

As fixed by law, our Grand Jury consisted of nineteen members that were sworn into service on June 28, 2018, for a one-year term. During this term, three jurors resigned because of professional and/or personal commitments, and were replaced by three alternates who smoothly transitioned into their roles. We served under Tehama County Superior Court Presiding Judge Laura Woods. As required by law, Chief Deputy County Counsel Trisha Weber reviewed each of the Grand Jury's reports to ensure compliance with applicable statutes before they were consolidated into one report and submitted to Judge Woods for final approval. We extend a deep appreciation for the

ongoing support, accessibility, and valuable legal advice Chief County Counsel Weber provided to our Grand Jury.

I also want to compliment Judge Woods for her astute intuition in putting together a very diverse Grand Jury that worked extremely well together. I also would encourage our future Grand Jurors to take advantage of all Grand Jury trainings that are offered through the California Grand Jurors Association. All of our originally appointed Grand Jurors attended the Grand Jury training in July 2018. I also attended the Foreperson training in July, and several of us attended the Report Writing training that was offered in November. I sincerely believe that this training assisted in our united focus within the Grand Jury. I thank each Grand Juror for their dedication and hard work in assuring that we serve our County with professionalism and credibility.

My Grand Jury colleagues and I express our appreciation and privilege to serve Tehama County. We extend our utmost respect and support to the 2019-20 Grand Jury.

Respectfully,

  
Jody Brownfield  
Foreperson





## **Tehama County 2018-19 Grand Jury Acknowledgements**

The Tehama County Grand Jury acknowledges the enormous assistance and support throughout the 2018-19 Grand Jury term from:

- Honorable Laura Woods, Presiding and Grand Jury Supervising Judge
- Trisha Weber, Chief Deputy County Counsel – Special thanks for her ongoing guidance, expertise and support
- Matt Rogers, Tehama County District Attorney
- Tehama County Board of Supervisors
- Tehama County Elected and Appointed Officials
- Brant Mesker, Staff Analyst, Tehama County Administration
- Tracy Brown, Court Administrative Assistant, Tehama County Superior Court
- Kimberly Smith, Office Assistant, Tehama County Department of Agriculture
- California Grand Jury Association, Special thanks to: Marsha Caranci and Karen Jahr
- The Tehama County Employees who assisted in our investigations
- The 2018-19 Tehama County Grand Jury Members

## 2018-19 TEHAMA COUNTY GRAND JURY

### OFFICERS

Foreperson: Jody Brownfield  
Pro Tempore: Ashley McLeod  
Secretary: Terry Rapley  
Sergeant-at-Arms: Jon Mathis  
Librarian: Doug Kennady

### MEMBERS

Lisa Bartsch  
Terry Brown  
Jody Brownfield  
Marjorie Cagle  
Tammy Cardenas  
Faith Cole  
Mark Deveraux  
Lisa Gentry  
Brenda Graham  
Brian Inns  
Doug Kennady  
Linda Kohler  
Ashley McLeod  
Jon Mathis  
Karen Milligan  
Nonie Randles  
Terry Rapley  
Kyle Rebello  
Chris Sinclair

## 2018-19 GRAND JURY COMMITTEES

**AUDIT & FINANCE COMMITTEE:** The Penal Code section 925 requires the Grand Jury to annually examine the accounts and records of the County. In addition, Government Code section 25250 requires the Board of Supervisors to conduct an annual audit of all County accounts. This audit is conducted by a “contract auditor” pursuant to Government Code section 31000. Penal Code section 926 allows the Grand Jury to enter into a joint contract with the Board to employ an auditor for both of these purposes. Two or more county offices are to be given a cash-flow audit and a functional-type audit each year.

Brenda Graham, Chairperson  
Tammy Cardenas  
Mark Deveraux  
Doug Kennady  
Linda Kohler  
Jon Mathis  
Kyle Robello

**CRIMINAL JUSTICE COMMITTEE:** The Grand Jury must inquire into the condition and good management of Ishi Conservation Camp and Salt Creek Conservation Camp (PC §919(b)). The Grand Jury does not have to write a report following its inquiry. The Grand Jury may investigate the District Attorney, Probation Department, Public Defender, Sheriff, Coroner’s Office, Animal Control Division of the Sheriff’s Department, County Fire Department, City Police and Fire Departments, and County and City Emergency Services, Dispatch Operations, and the Superior Court.

Ashley McLeod, Chairperson  
Lisa Bartsch  
Terry Brown  
Margi Cagle  
Lisa Gentry  
Terry Rapley

**COUNTY GOVERNMENT COMMITTEE:** The County Government Committee should concern itself with the investigation of the offices, departments and functions of county government that do not fall under the categories listed in any other committee description. This would include the administrative branches of county government; county airports; county service areas; the County Planning Department; The Public Works Department; public libraries within the county; and all aspects of health care and social services operations in the county, including the county’s Health and Human Services Agency (the departments of Mental Health, Public Health, and Social Services.) The Penal Code (PC §925, §933(a)) requires the Grand Jury to investigate and report on the operations, accounts, and records of at least one officer, department, or function of the county every year.

Doug Kennady, Chairperson  
Terry Brown  
Margi Cagle  
Lisa Gentry  
Jon Mathis  
Karen Milligan

**CITY GOVERNMENT COMMITTEE:** Penal Code Section 925a authorizes Grand Jury investigations of cities located within the county. Therefore, in addition to investigating the County, the Grand Jury should consider looking into the operations or functions of one or more city departments or functions each year. This would include the administrative branches of city government; city airports and other transportation departments; city parks and recreation departments; city planning, zoning and building departments; city utility departments; and any other departments or agencies that do not fall under the categories listed in any other committee description.

Lisa Bartsch, Chairperson  
Terry Brown  
Tammy Cardenas  
Faith Cole  
Brenda Graham  
Chris Sinclair

**LOCAL DISTRICTS AND AGENCIES:** The Grand Jury has the authority to investigate and report on the operations of the local agency formation commission (LAFCO) which coordinates special district and city formation, boundaries, and annexations. Penal Code Sections 925a and 933.1 allow the Grand Jury to investigate and report on any joint powers agency in the county, and Penal Code 933.5 allows the Grand Jury to examine the books and records of LAFCO or any special-purpose assessing or taxing district located wholly or partly in the county. Special Districts include: Public School Districts, College Districts, County Office of Education, Joint Powers Agencies, and non-profit corporations established or operated by a public entity under the jurisdiction of the Grand Jury.

Faith Cole, Chairperson  
Lisa Bartsch  
Brian Inns  
Chris Sinclair

**CONTINUITY COMMITTEE:** This Committee is responsible for ensuring the seamless transition from the current Grand Jury to the succeeding Grand Jury. With the Foreperson and Librarian, the Committee monitors the filing of responses to the previous year's Grand Jury

Reports, and advises the Grand Jury if those responses are complete and legally sufficient or if additional follow-up is required. The Committee also assists in the review of the responses to the prior Grand Jury's report.

Jody Brownfield, Chairperson  
Doug Kennady  
Jon Mathis  
Ashley McLeod  
Karen Milligan  
Nonie Randles

**EDITORIAL COMMITTEE:** This Committee serves as Editor for all drafts of the investigative committees' reports, making changes for ease of reading, uniformity of style and organization, grammar and punctuation, and coordination of the report. The Editorial Committee will monitor the progress of each report. The Committee will propose appropriate photographs and graphics for the consolidated final report.

Nonie Randles, Chairperson  
Jody Brownfield  
Faith Cole  
Mark Deveraux  
Brian Inns  
Karen Milligan  
Kyle Rebello



## CITY GOVERNMENT COMMITTEE

### Red Bluff Economic Development



#### SUMMARY

The poverty rate within the City of Red Bluff is 24.6% according to [welfareinfo.org](http://welfareinfo.org). The City Government Committee set out to identify how city officials drive the stimulation of economic growth within the city. Inquiries focused on efforts being taken to plan for future economic growth, promote the City's local and recreational attractions, increase interest to the downtown "Main Street" shopping experience, and encourage occupancy of vacant buildings with new or expanding businesses, therefore increasing revenue to the community.

The committee conducted interviews, researched the City of Red Bluff's current General Plan and published information, and as well as reviewed City Council Meeting Minutes for accuracy.

It is the committee's position that the City of Red Bluff lacks economic direction and fails to adequately seek and pursue growth opportunities. Further, the committee believes public resources such as water, sewage, waste disposal, and poor parking accessibility pose significant challenges to future growth through new business developments and increased population. The inability to generate growth puts economic strain on the City and further impacts already limited resources and poverty levels. **The City's 20-Year City General Plan for Economic Development** will expire in 2022, which causes concern that attention is not being given to the challenges the community faces. Without a clear growth plan, city officials lack clear understanding of the challenges and requirements to improve current resources and public facilities, and the financial resources needed to support future growth. The absence of defined initiatives prevents the ability to measure progress or hold Red Bluff City officials accountable for achieving planned initiatives.

The City Government Committee recommends the City engage with subject matter experts, local business owners, and community stakeholders to define the City's growth goals and requirements to determine how to address certain deficient or inadequate resources. In addition, the City should dedicate resources to advertise local recreational attractions, such as Lassen National Park, the Sacramento River, established Wineries in Manton and surrounding areas, and outdoor activities, such as hiking, hunting and fishing to increase tourism and revenue generating opportunities.

## **BACKGROUND**

The United States Environmental Protection Agency (EPA) published a report in May 2015, "**HOW SMALL TOWNS AND CITIES CAN USE LOCAL ASSETS TO REBUILD THEIR ECONOMIES: LESSONS FROM SUCCESSFUL PLACES**". In their Executive Summary they listed several successful tactics that other small communities can use, including:

- Identify and build on existing assets.
- Engage all members of the community to plan for the future.
- Take advantage of outside funding.
- Create incentives for redevelopment and encourage investment in the community.
- Encourage cooperation within the community and across the region.
- Support a clean and healthy environment.

The City Government Committee used this list to help develop interview questions.

## **METHODOLOGY**

The City Government Committee read prior City Council Minutes, researched local newspaper articles, conducted internet research, and interviewed individuals in order to gain an understanding of the City's current and future growth plans, as well as how to address challenges with the infrastructure supporting economic and sustainable growth. There were several questions the Committee sought the answers to, including: What are the City's assets, and what uniquely identifies Red Bluff? What challenges does Red Bluff's economic development face? Who is involved in promoting economic development in the community? Does the City have a written plan for bringing in new business and development? Does the City have a grant writer? Are there incentives for redevelopment and investment in the community? How are development deals negotiated?

## **DISCUSSION**

The City Manager/City Attorney position spends 80% of his time performing duties as City Manager and 20% of his time on legal work. The dual role benefits the City by having legal counsel available at all times, because the City lacks funds to employ a full-time City Manager and full-time City Attorney. The City Manager reports to the City Council, and all other department staff report to the City Manager accordingly. The City Manager is responsible for department oversight, approval of all payment requests, negotiating contractual agreements, and input related to personnel decisions (especially legal) as needed. In the City Council Minutes for June 19, 2018, a Council member stated, "The City Manager/City Attorney gives the City Council his advice, but the City Council can decide if they follow that advice or not."

The current Community Development Director is a contract employee from ECORP Consulting, Inc., Chico, CA. The Community Development Director works in Red Bluff Tuesday and Thursday of each week. The Director's main duties include planning, building, and code enforcement. This position reports directly to the City Council. In City Council Minutes for August 7, 2018 the contract with ECORP Consulting, Inc. was renewed for 2018/2019, and it is stipulated that, "...the Agreement can be cancelled on 30 days' notice by either party."



## **RED BLUFF**

The City of Red Bluff's assets include a historical downtown with a traditional Main Street giving the town a classic old western feel. The local geography allows for many outdoor recreational activities, such as hunting, fishing, hiking, horseback riding, off-road riding/driving, camping, boating, and kayaking to name a few. In our area, mornings can begin with a sunrise of majestic Mount Lassen Peak, in the Lassen National Park, and end with a sunset view of the beautiful and little known Yolla Bolly Mountains in the West.

The Downtown Red Bluff Business Association (DRBBA) is designated as the Advisory Board for the Business Improvement Area. The DRBBA has its own webpage that advertises shopping, services, entertainment, dining, bar and tasting rooms and the promotion of local events. Fees are assessed by the City of Red Bluff according to Resolution 1-18 to its DRBBA members to assist in the promotion of the downtown district. Resolution 1-18 was adopted January 16, 2018, by the City Council. Resolution 1-18 has the DRBBA broken into two zones, Zone A and Zone B. The assessment for Zone A is \$250 per year for retail and \$175 per year for non-retail entities, while the assessment for Zone B is retail \$125 per year and non-retail \$100 per year. The money collected by the City of Red Bluff goes back to the DRBBA; the assessment is not money the City uses or retains.

The Red Bluff-Tehama County Chamber of Commerce (RBTCCC) is a local organization established to further the interests of local businesses and the community. According to the July 17, 2018 City Council Minutes, "The City has historically contracted with the local Chamber of Commerce to provide services related to promotion of tourism and visitor services." The Agreement between the City of Red Bluff and the RBTCCC was renewed for 2018/2019. This Agreement is renewable by mutual consent. The City Council receives a quarterly report on updates from the RBTCCC.

The City of Red Bluff does not currently have an entity or committee that promotes economic development outside of the work that is being done by both the DRBBA and RBTCC. The City of Red Bluff does not actively promote economic growth. The City is not the builder or recruiter, but rather the facilitator.

## **GENERAL PLAN: ECONOMIC DEVELOPMENT ELEMENT**

The City of Red Bluff General Plan and Economic Development Element is a 20-year plan that was written in April of 2002. California Government Code Section 65300 requires every city and county prepare and adopt a comprehensive, long-term general plan for the physical development of the community. Under California Government Code Section 65302, the plan must address the following seven elements:

- Circulation
- Conservation
- Housing
- Land Use
- Noise
- Open Space
- Safety

California Planning law states that the general plan may include optional elements which relate to the physical development of the community. Red Bluff's General Plan includes one optional element, the Economic Development element. The Economic Development element is only a small portion of the overall General Plan. Within the Economic Development Element there are six subject categories:

- Economic Development Program
- Economic Development Funding
- Tourism/Marketing
- Employment
- Infrastructure
- Natural Resources

Each of the six subject categories is assigned one or more goals, a corresponding policy, and one or more implementation measures.

## **CHALLENGES**

One of the challenges facing Red Bluff is the large vacant buildings. The old Walmart building redevelopment is one success story, and is currently, being refaced and turned into a Ross department store. Also, the vacant Staples building is being converted to a new Grocery Outlet and will be opening in June 2019. Another success story is the hotel on Sutter Street. This hotel was in disrepair and the City Council had discussed demolishing it (June 19, 2018 City Council Minutes). However, a sale went through and the City received a tentative timeline and cleanup schedule (December 18, 2018 City

Council Minutes). As of January, repairs were in progress (January 15, 2019 City Council Minutes).

Development requirements pose a big challenge for developers planning to build within the City. There are a number of needs such as fire equipment, street and sewer improvements that the City imposes on prospective developers.

The Downtown area is more complicated to support and encourage economic growth. The challenge is ensuring the infrastructure can adequately support increased usage of City services such as water and sewer demands, and have sufficient parking, not only for current populations but for future growth.

Every project is different, there is no checklist. As per an interviewee, “The City is so small that they don’t need a checklist - everyone pretty much works out of the same place.” They will set up a pre-development meeting with representatives from several departments upon request (examples - public works, fire department, planning department, etc.) all in one room to discuss what requirements need to be met. The Community Development Director sometimes suggests who should attend this meeting. The Community Development Director follows the City Council’s direction. This direction can change when City Council members change.

The various elements of the City of Red Bluff General Plan were adopted by the City Council in the early 1990s. Since the plan’s adoption, the City has sought to implement the programs contained in it. However, as has been the case for much of the recent past, the programs related to development have continued to be particularly difficult for the City of Red Bluff to implement due to the decline in developer application volume since the burst of the housing bubble in 2007. Following a substantial increase in development and entitlement requests in 2006–2007, requests tapered in number afterwards. However, the amount of development in 2017 increased slightly and the City is starting to see an increase in development as compared to the stagnant years of 2008–2010. The reasons for the increased interest in commercial development in Red Bluff are varied, but are most likely related to the continuing recovery of the nation’s economy and Red Bluff’s geographical location on major regional transportation routes. These and other market forces, including the generally depressed conditions of the local job market, have resulted in a nearly flat rate of growth in residential development, but a slight increase in commercial development in the City, which will hopefully increase the number of jobs in the City. The City is currently in the initial process of updating the General Plan due to its age.

## **OUTSIDE FUNDING**

The City of Red Bluff contracts with Adams and Ashby to apply for grants. Adams and Ashby Group is based in Sacramento and bills the City hourly. The Adams and Ashby Group are actively and continually seeking out funding sources that match the needs of Red Bluff. There are more State grants than Federal grants and some are matching grants. Adams and Ashby are mostly administrators and monitors. As noted in the May 1, 2018 City Council Minutes, "Grants create a heavier workload for the Finance Department. Without the outside consulting, they would need to hire another person to help with the workload." The contracted grant writers for the City are also under contract with the County per the February 26, 2019 Minutes of the County Board of Supervisors (maximum compensation \$49,200 and \$36,000 for 2019/2020).

## **INCENTIVES**

The City does waive fees for some projects; the Developmental Impact Fees in particular. This is determined on a case-by-case basis. An interviewee gave an incentive example of a local business owner who wanted to add on to and expand their business building, doubling the current workforce. The City agreed to waive the \$60,000 in fees because the business was a good community member and the project added desired infrastructure (waterlines). The company did not increase the number of employees. Processing fees are not normally waived or reduced, because they are just covering City's costs. In some cases, the City may also give building permit breaks. There are no written specific guidelines to document this process. This is a "nuts and bolts" operation and meets only the minimum requirements of law and code. The City of Red Bluff's goal is to get it done as soon as possible. According to an Interviewee, Red Bluff does not have the resources available nor the demand to have a developed streamlined process.

As per the City of Red Bluff, "All businesses are encouraged to build, revitalize and develop. A new business must comply with land use ordinances and boundaries." The California legislature has delegated its authority to set the boundaries of cities and special districts to the Local Agency Formation Commission (LAFCO). One of LAFCO's objectives is to discourage urban sprawl (irregular and disorganized growth, resulting in the inefficient delivery of municipal services). According to LAFCO, "Business owners ultimately make the decision to come or not to come to Red Bluff". Interviewees believe that the City must do, "Whatever it takes to facilitate new growth and employment."

Good infrastructure is critical in attracting businesses to the City and that would include water flow, sewer, streets, and bridges. City officials are aware of the issues, although money to address issues is an ongoing problem.

The timber industry in Tehama County has decreased in the last decade with a loss of many good paying jobs. Businesses that the County/City may have lost, generally have a lot of employees that fit our current demographic. An Interviewee stated, “Generally, these are good paying jobs for the people that live in the City of Red Bluff. In turn, those citizens spend their money in town and pay local taxes to help support local government agencies.” It was also noted that when a big business chooses to go somewhere which requires skilled labor, they have higher expectations for attributes of the community.

## **FINDINGS**

- F1.** The City of Red Bluff does not employ a full-time City Manager, City Attorney and Community Development Director. Currently, the City has a combined City Manager/City Attorney position and uses a contracted Community Development Director who travels to Red Bluff twice a week from Chico, CA.
  
- F2.** The City of Red Bluff’s 20-Year City General Plan is set to expire. The current plan includes an Economic Development Element that clearly conveys the challenges facing the City of Red Bluff. A new 20-year plan is currently in the process of being created and approved by the Red Bluff City Council.
  
- F3.** The City of Red Bluff took the initiative to write a very good Economic Development Plan that was created and approved in April of 2002. Many of the goals, policies, and implementation measures are still relevant and continue to be issues in 2019.
  
- F4.** Financial resources are a big challenge for Red Bluff. Development requirements pose a big challenge for developers planning to build within the city. The City’s infrastructure and public facilities lack ease when planning for new or expanding structures posing significant growth restrictions.

- F5.** Economic development is not actively promoted, it is facilitated. There are no defined incentives for redevelopment and investment in Red Bluff. The City of Red Bluff Building and Planning Department may reduce or waive development fees, as approved by the City Council, however, considerations are made on a case-by-case basis as opposed to following specific guidelines for granting financial relief if developments align with the City of Red Bluff’s specific growth objectives.
- F6.** The City of Red Bluff does not consistently require individual or joint city developments involving improvements or changes to the city’s infrastructure or public facilities such as water, sewer, and solid waste facilities. They do not have a fully executed Business Development Agreement on file outlining terms, financial obligations and agreed upon deliverables.

## **RECOMMENDATIONS**

- R1.** The Grand Jury recommends that the City of Red Bluff employs a full-time Community Development Director that actively pursues outside funding for community revitalization from local, state and federal funding sources by July 1, 2020.
- R2.** The Grand Jury recommends that the City of Red Bluff incorporate financial incentives tied to “individual positions compensation packages” in order to increase the vested interest in the community development and help to achieve long-term growth opportunities by July 1, 2020.
- R3.** The Grand Jury recommends that the City of Red Bluff continue to include the Economic Development Element in the new 20-year General Plan by July 1, 2020. Input should come from as many stakeholders as possible, including the DRBBA and RBTCCC in the creation of the goals, policy, and implementation measures.
- R4.** The Grand Jury recommends that the City Manager present to the Red Bluff City Council an annual progress report update of the City’s 20-Year General Plan beginning with the adoption of the new 20-Year General Plan. Progress reports beginning in July 1, 2020.

- R5.** The Grand Jury recommends that the City of Red Bluff determine their available financial resources to be used for infrastructure and public facilities that can support future growth by July 1, 2020.
- R6.** The Grand Jury recommends that the City of Red Bluff create specific guidelines for granting financial relief to proposed developments that align with the City's specific growth objectives by July 1, 2020.
- R7.** The Grand Jury recommends that the City of Red Bluff require all developments be under contract that will outline expectations and requirements in order to protect both the City's and Developers' vested interests, by December 31, 2019.

## **REQUIRED RESPONSES**

Pursuant to Penal Code section 933.05, the Grand Jury requests responses as follows:

From the following individuals:

- The Grand Jury requires a response within 60 days from Richard Crabtree, Red Bluff City Manager, 555 Washington Street, Red Bluff, CA 96080 on R1, R2, R3, R4, R5, R6, R7.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 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 Grand Jury.

## **BIBLIOGRAPHY**

- City of Red Bluff Minutes and Agenda, <http://www.cityofredbluff.org/agendasminutes/>
- City of Red Bluff General Plan, Economic Development Element, <http://www.cityofredbluff.org/resources/Economic%20Development%20Element.pdf>
- How small towns and cities can use their local assets to rebuild their economies, [https://www.epa.gov/sites/production/files/2015-05/documents/competitive\\_advantage\\_051215\\_508\\_final.pdf](https://www.epa.gov/sites/production/files/2015-05/documents/competitive_advantage_051215_508_final.pdf)

# **COUNTY GOVERNMENT COMMITTEE**

## **The State of Tehama County Elections**

### **SUMMARY**

The Grand Jury conducted numerous observations and interviews into the integrity and security of our Elections in Tehama County. These dealt mainly with voter registration, ballot collection and processing, and the accuracy of the tabulation processes.

The Grand Jury concluded that the integrity in the tabulation of the ballot contests was above satisfactory, and that every effort was made by the Tehama County Elections staff to provide the checks and balances necessary to make sure every vote was correctly counted. Recent changes in the law allowing for individuals to collect and return anyone's VBM ballot to the Elections office has raised concerns over the integrity and security of having their vote counted. The Grand Jury found, through no fault of Tehama County Elections, issues with the implementation of the DMV's voter registration interface with the Secretary of State's database directly impacting the integrity of numerous voter applications and updates. There was also concern over no required procedures in California to verify U.S. citizenship.

### **GLOSSARY AND ACRONYMS**

Vote by Mail or Absentee Ballot herein referred to as VBM.

California Department of Motor Vehicles herein referred to as the DMV.

ImageCast Evolution (voting/tabulation machines) herein referred to as ICE.

Compact Flash card herein referred to as CF.

Secretary of State herein referred to as SOS.

Supreme Court of the United States herein referred to as SCOTUS.

### **BACKGROUND**

Many federal and state mandated regulations have impacted the way in which voters are registered and elections are processed in Tehama County. These government mandates have dealt mainly in the pursuit of greater voter participation through



convenience of voter registration and the voting process itself. We now have various ways to register to vote, and various means in which to vote in Tehama County. A consequence of having these choices has led to questioning the integrity and security of our elections process. The Grand Jury set out to look into how Tehama County administers elections and if proper procedures are in place to accomplish the concept of one citizen, one vote.

As stated in their mission statement:

*The Tehama County Elections Department is here to protect and promote public trust and confidence by providing an exemplary level of professional, courteous, efficient service. To ensure the highest possible degree of integrity for the County's election process through the administration of all federal, state, local and special election laws in a uniform and consistent manner.*

## **METHODOLOGY**

On October 10, 2018, the Tehama County Elections Department invited the Grand Jury to observe the election process for the November 6, 2018 Consolidated General Election. The Grand Jury had not participated in any observance since 2010.

These observer activities included:

- Logic and Accuracy testing of the Dominion Voting system equipment
- Participation in the Poll worker training
- VBM ballot processing of returned ballots by the VBM Ballot Board and tabulation of these ballots prior to Election Day
- Election Day observation of poll sites procedures and processes
- Election Night procedures as the poll workers return all ballots cast and tabulation of the precincts results are conducted
- The processing of all remaining VBM ballots, processing Provisional Ballots, auditing the Ballot Statements and Rosters from all precincts, and conducting a 1% manual tally of all paper ballots cast.

The Grand Jury participated in most of these activities, interviewed Election officials, and interviewed a member of the Election Observer Panel which oversees all critical procedures of the vote tallying process.

## **DISCUSSION**

As part of California Senate Bill No. 360, signed into law in 2013, voting systems must now be certified by the Secretary of State. No part of the voting system can

send/receive any wireless communications or be connected to the Internet, and must produce a paper audit trail of all ballots cast. Today, California voting is done by 100% paper ballots.

In January, 2016, Tehama County entered into a 6 year lease agreement with Dominion Voting Systems, Inc., one of three vendors currently certified in California, at approximately \$160,000 per year. This equipment consists of 40 ImageCast Evolution voting machines to handle the current 34 polling place precincts, the ImageCast Central Count Scanner system and the Democracy Suite Tabulation System. All ballots created for Tehama County are written in the English language only. In this last election, 14 different ballots were created to handle the 46 precincts in Tehama County.

### **Logic and Accuracy Testing of Voting Equipment**

On October 22, 2018, the Grand Jury observed the Logic and Accuracy Testing of the Dominion voting system alongside the Election Observer Panel and Logic and Accuracy Board. A test deck of ballots was used, for which a predetermined outcome was established. The procedures included:

- Setup and power on the ICE machine
- Open the polls (user/password required) and print a zero report
- Process the test deck of ballots
- Create an audio test ballot (this actually turns the ICE machine into an actual voting machine by creating a physical ballot from a blank one)
- Close the polls (user/password required)
- Print two result tapes (One to be placed at the polling site, the other sent to the Elections office)
- Confirm the printed results match the pre-marked test deck of ballots
- Remove the ballots from the ICE machine and confirm that the number of ballots counted match the number on the screen
- Power down ICE voting machine
- Remove Compact Flash card for Elections office tally. This is inserted into the Dominion Suite Tabulation system and verified that the counts match the pre-marked test deck.
- Re-insert the CF card
- Power up the ICE machine
- Re-zero out the results
- Verify ballot counter shows zero
- Power down and security seal the ICE machine
- The unit is now available for use on Election Day

Each of the 34 ICE machines were tested in this way to verify that the machines are accurate. The test deck of ballots is also run through the ImageCast Central Count Scanner and compared to the predetermined outcome for accuracy.

### **Poll Worker Training**

On October 31, 2018 the Grand Jury attended a Poll Worker training class. A manual was handed out to each worker detailing how to conduct an Election at a poll site. This was very informative in laying out procedures required to ensure a secure and accurate voter count at the polls.

Each poll worker is paid \$110 - \$125 for Election Day which starts before 6:00 a.m. and goes until 10:00 p.m. for many. Each polling site has four workers, so there are at least 136 people needed to man each of the 34 polling sites. High school students who meet GPA requirements are encouraged to participate as poll workers.

### **Counting VBM Ballots Pre-Election**

On November 5, 2018 the Grand Jury observed the initial counting of VBM ballots. Logs are maintained on a daily basis as to how each VBM ballot was received and how many were collected that day. VBM ballots can be received by Post Office, drop-box or at the Elections counter. Elections Code § 15101 allows for processing returned VBM ballots 10 business days prior to the Election. Twelve of the current 46 precincts in Tehama County are 100% VBM precincts. Current state law requires that you must have a polling place if there are more than 250 voters in a precinct. Capay is an example of a precinct that has gone back and forth over the years.

In order for a VBM ballot to count, a signature must be verified on the VBM envelope with the signature on file with the Elections Department. All signatures for an address are available for verification, and this is done manually for each of the VBM ballots. If there is an issue with the signature not matching, or if one is not on file, a notification is sent to the voter, and they have 8 business days after the Election to sign the signature verification form in order for the vote to count.

Once the signature is verified, it is considered a valid ballot, and the database is updated that you have voted. The VBM envelope is opened by machine (the ballot remaining in the envelope) and placed in a tray as a batch. Each envelope is counted as it is placed into the tray, and every tray is counted with a post-it on the side with the envelope count as they are placed on the rack, usually around 200 envelopes.

A batch of VBM ballots are split amongst the temporary workers (6 we observed) which make up the VBM Ballot Board. Each worker:

1. Counts the number of envelopes they are issued.
2. Opens and looks at each ballot for issues such as torn, damaged, spilled on, and written on ballots. If no issue, the ballots are spread into individual piles.
3. Sets aside problem ballots for duplication. Once all ballots have been validated, a worker gets the ballot(s) pertaining to the problem ones for the batch. One worker reads the problem ballot as another creates the new ballot while the others observe. The new ballot is given to the worker who found the problem and the original ballot is placed into a bag with 'DUPLICATE' written on it.
4. Counts the number of ballots they have looked over. The count must match the number of envelopes counted.

The spread out ballots are then placed back into the tray and placed on a rack. They are now ready for vote tallying. The total ballots in the tray must match the number of envelopes originally counted in the tray.

The VBM Ballot Board is also responsible for creating valid paper ballots for military and other authorized voters who may have had to fax or create their ballot on an unofficial ballot. For this past election, approximately 150 ballots had to be duplicated.

The rack containing trays of valid ballots are then moved into the secure vote tabulation room. Once a ballot is scanned, the image of the ballot is now available to be seen from the monitor for adjudication if necessary. Each batch of ballots in a tray are scanned separately to make sure each count of ballots that run through the tabulator scanner matches the number of ballots in the tray. This is done while the Election Observer Panel is present to oversee any issues that may arise.

While the Grand Jury was observing the vote tallying, an issue came up where the scanner could not read a ballot because of markings on its edges. This ballot was removed, the VBM Ballot Board duplicated the ballot, and the ballot was returned and scanned. Due to the large number of voters abstaining from voting for U.S. Senator, a more prevalent issue arose with the enormous amount of under-votes occurring that prevented tabulation without manual adjudication. As this was not a real issue as far as the vote counting was concerned, the system had to be reset to ignore this issue and the ballots rescanned.

## Election Observations

On November 6, 2018, the Grand Jury observed various polling sites around Tehama County. The poll workers were very helpful. The student workers greeted the voter as they entered. Voters went to their precinct table, signed the roster, got a ballot, voted at the 4-person voting booth, and scanned their ballot into the ICE voting machine. The ICE machine verifies under and over votes and allows the voter the chance to rectify any discrepancies at that time, or accept the ballot as is. Once the ballot is scanned by the ICE machine, it is considered to be counted. The voter may opt to place the ballot into the Auxiliary Bin of the ICE machine for counting post-Election Day. This is mainly for use when the ICE machine is in use as a ballot creating machine or there is a power outage whereby the ICE scanner is not available.

Every effort was made to maintain the secrecy of the ballot. Some voters showed up with their VBM ballot. These ballots would be placed into a bag for later counting post-Election Day. If it wasn't in the provided envelope, the VBM ballot is considered a provisional ballot to be manually verified by the Elections team. Other reasons for casting a provisional ballot would be if the voter did not surrender their VBM ballot but wishes to vote, the voter has moved within the County, the voter has 'Inactive' voting status, or no acceptable ID as a first time voter.

The Grand Jury observed the actual closing of a precinct. The ballots from the ICE machine were manually counted twice for accuracy. It matched the number count on the ICE machine. The ballots are placed into a bag and sealed. One of the two CF cards was removed from the ICE machine and placed into a container. The ICE machine was then shut down, sealed and locked for pick-up the next day.

The poll workers at each precinct are required to fill out and certify a Ballot Statement Form (Exhibit 1) which details the ballot counts from the Election. (Cal Elections Code § 14405,14420-21) This document details:

1. The total number of voters who signed:
  - a. The voting roster
  - b. The provisional log
2. The total number of provisional ballots cast (should match 1b)
3. The total number of ballots cast on the ICE voting machine
4. The total number of ballots in the Auxiliary Bin of the ICE machine

5. The grand total of ballots cast. (Add 2, 3, and 4)
6. The difference between 1 and 5 (there should not be any)
7. The total number of VBM ballots received at the precinct.

Discrepancies have happened in the Ballot Statement Form. An example is that a voter would vote a provisional ballot, but the ballot would be run through the ICE machine by accident and not placed into a provisional ballot envelope. Elections would then have to verify that the voter had not voted in any other way or at any other county within California.

Once all of the voting materials have been placed into various containers and ballot bags, and each one sealed, two poll workers from each precinct are required to transport all voting materials to the annex area outside the Elections office. Here, the ballot bags are carried into the Elections office and placed into a locked room. The CF card from each precinct's ICE machine is carried into the vote tabulation room and placed into a basket.

The Grand Jury observed the Election night process. An initial report of VBM counts was released at 8:00 p.m., once the polls had closed. The Election Observer Panel was present to observe the vote tally from the CF cards. Each of the 34 CF cards was placed into a flash card reader and loaded into the Democracy Suite Tabulation System. Once loaded, each ballot is counted and a ballot image made available to be seen on a monitor in case adjudication is needed.

As required by California law, the Elections office must report vote counts to the SOS by 10:00pm. At that time, 14/46 precincts were counted. By 10:30 p.m., all precincts had reported, and the only ballots left to be counted were provisional and uncounted VBM.

On November 13, 2018 the Grand Jury observed Post Election VBM and provisional ballot counting. Once again, the Election Observer Panel was also present. Fewer than 100 provisional ballots were counted without the Election Observer Panel present and only after mutual agreement.

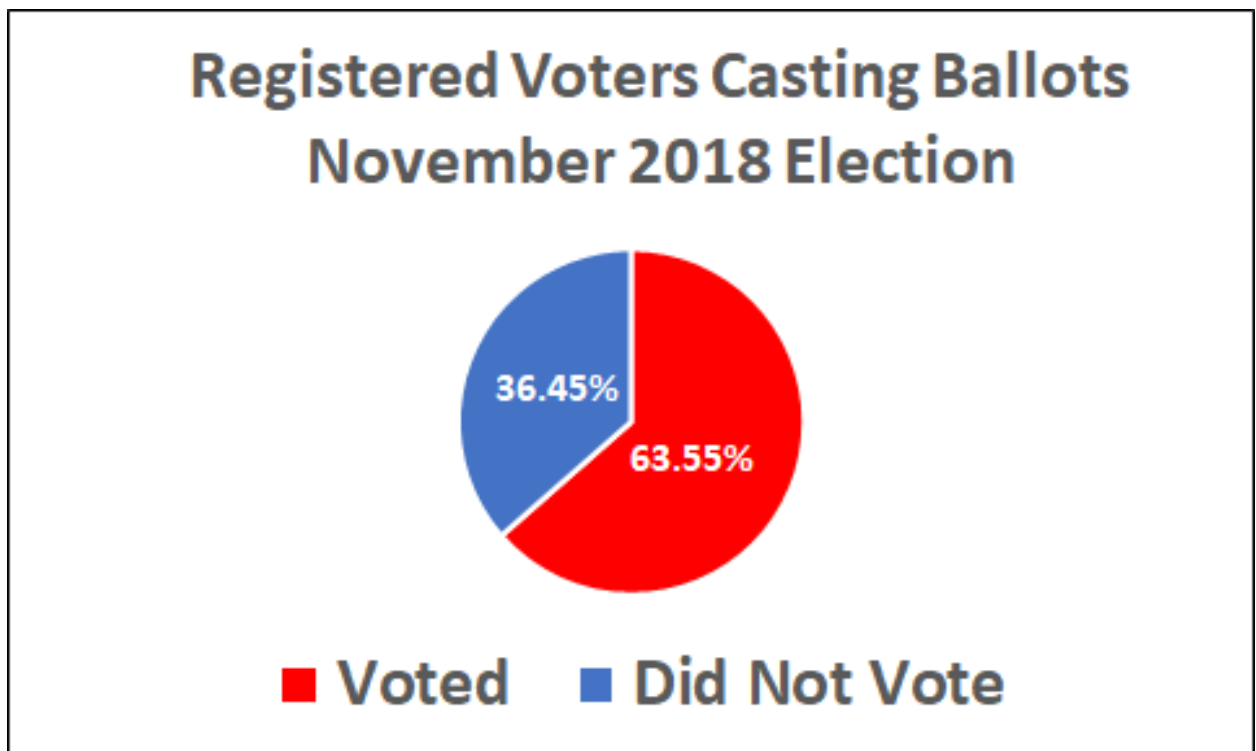
Counting provisional ballots are very time consuming as each one must be manually verified. For example, if a voter is registered in another county in California and they register here on Election Day, the state database will flag the voter as 'Pending'. The voter is then given a provisional ballot. When Elections verifies this voter's eligibility a few days later, the state database will know whether or not this voter voted in the previous county. The rule here is that first ballot counted wins.

## Election Results

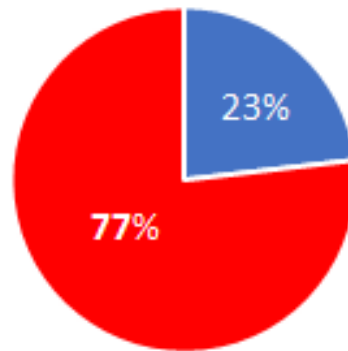
On November 21, 2018 the Final Official Results of the General Election were published. The Statement of Votes Cast is available at the Tehama County Elections website: <http://www.co.tehama.ca.us/dep-elections>

The Grand Jury found other interesting results and observations about this Election that should be noted:

- 9561 VBM had been counted by the close of the polls at 8:00 p.m. on Election night. This represents 45.2% of the total 21147 votes counted.
- After all 34 precincts had reported by 10:30 p.m. on Election night 4897 votes were counted from CF cards read from the ICE machines.
- 6121 VBM ballots were not returned to the Elections office.
- 275 votes for a contest were not counted due to over-votes (i.e. you can only vote for 2 and you voted for more than 2)
- 128 VBM ballots were rejected due to non-matching signatures or no signature
- 47 VBM ballots were rejected because they were received too late
- 4 VBM ballots were missing from their envelope.



## Voting Method Preference November 2018



■ Election Day Votes ■ Vote by Mail

### Ballot Collection

During our several interviews, Grand Jury Members became aware of Senate Bill No. 450 approved by the Governor on September 29, 2016 that amended VBM laws. Our concerns specifically focused on the changes of how VBM ballots are returned. The law previously read, “...a vote by mail voter who is unable to return the ballot may designate his or her spouse, child, parent, grandparent, grandchild, brother, sister, or a person residing in the same household as the vote by mail voter to return the ballot to the elections official who issued the ballot...”. The law was amended to read “...a vote by mail voter who is unable to return the ballot may designate any person to return the ballot to the elections official who issued the ballot...”

Our interviews and research have led us to the following observations:

1. This change could make it easier for certain individuals to return their ballots, but it is unnecessary since the same amendment will require the county to pay for all postage for ballots returned by US Mail.
2. This change will provide cover for organized political operatives to legally collect ballots from individuals in order to assist the VBM voter in returning his ballot.



3. Once collected, prompt delivery to the election official who issued the ballot, although the desired outcome, is almost impossible to enforce.

Our concern is that allowing anyone to collect and return ballots opens a vulnerability in the VBM process. Those vulnerabilities include:

1. Political operatives could collect ballots, sort them based on the voter registration list, and only return “their” party ballots or simply return opposition party ballots late.
2. This collection process will also make it easier for ballots to be tampered with by being opened and over-votes marked to invalidate the vote.

As stated on the VBM envelope (Exhibit 2), “If you give your ballot to someone else to return, complete the following authorization. I authorize the following person to return my ballot.” It is then signed by the person returning the ballot. It also states “the ballot cannot be counted if this section is not completed.” As Elections officials do not know who returns VBM ballots when they are placed into the various drop-boxes, this obligation is not being adhered to. Neither is this verification made if the VBM is returned to a polling place or hand delivered to the Elections Department.

### **Voter Registration and Verification**

In order to be eligible to vote in Tehama County, the voter must:

1. Be a United States citizen
2. Reside in Tehama County
3. Be at least 18 years old on Election Day (or pre-register at 16, but cannot vote until 18)
4. Not be in state or federal prison or on parole for a felony conviction
5. Not be found mentally incompetent to vote by a court.

To become a U.S. citizen you must:

- Have been born in the U.S.
- Have been born in certain territories or outlying possessions of the U.S. and subject to the jurisdiction of the U.S.
- Have had a parent who was a citizen at the time of your birth and meet other requirements

- Apply for derived or acquired citizenship through parents after your birth
- Apply for naturalization through the U.S. Customs and Immigration Services after your birth.

The voter declares under penalty of perjury that they meet all voter eligibility requirements, including citizenship. California law states “*A person may prove he or she is a citizen by his or her certification under penalty of perjury on the affidavit of registration.*” (Cal Elections Code § 2111) No other proof of citizenship, such as a birth certificate or passport, is required. “*Notwithstanding any other provision of law to the contrary, the fact that a person certifies to his or her United States citizenship by signing his or her affidavit of registration shall be deemed evidence of citizenship for voting purposes only.*” (Cal Elections Code § 2112)

In 2013, the SCOTUS decision in *Arizona et al. v. Inter-Tribal Council of Arizona, Inc., et al.* held that proof of citizenship in federal elections cannot be required as part of current Federal Form voter registration, but that states can require proof in state elections. As an option, states can petition the Election Assistance Commission (EAC) to alter the Federal Form, from certification under penalty of perjury to provide documentary evidence of citizenship. So far, the EAC has denied the petitions.

All registrations submitted to the SOS with no verification issues are determined “Active”. They are “Pending” if there is something on the application that needs further verification. A voter is deemed “Inactive” if they did not vote in two federal elections, moved, or a mailing is returned (but they can vote at the polls). There are currently 2690 voters on the Tehama County voter rolls who are “Inactive”. If you are flagged as “Cancelled”, you must re-register in order to vote.

Recently, new voter registration identification requirements have been enacted both at the federal and state level. Persons registering to vote in Tehama County must:

- Provide their California driver’s license or ID card number (if they have one), or
- Provide the last 4 digits of their social security number (if they have one and do not have a driver’s license or ID card).

Tehama County Elections must verify that the driver’s license or ID card number on the registration form is correct. If not provided, the elections official must verify that the voter does not have a driver’s license or ID card number. If not, they must verify the last 4 digits of the voter’s social security number. If verified that the voter has neither, the elections official assigns a unique voter identifying number, but the voter’s eligibility will be delayed until the voter provides the missing information.

Tehama County Elections are solely responsible for the integrity of the voter rolls for the county. They have found no evidence of voter fraud in the county. No voter has been denied eligibility due to non-citizenship. No voter has committed perjury by registering to vote willfully and not being entitled to register.

California has a statewide voter database that allows for maintaining the integrity of voter registrations in each of the 58 counties. If you register in Tehama County and you are currently registered in a different county, the statewide database will cancel your registration in the other county automatically. There is no such integrity if you are registered in another state. The Grand Jury considers this an integrity issue and a flaw in our elections process.

### **New Motor-Voter Program Registration**

In October 2015, Assembly Bill 1461 was signed into California law that automatically registers individuals who renew or apply for driver's licenses or ID cards. In January 2015, noncitizen residents of California were given the right to apply for, and receive a driver's license or ID card. As part of the bill, noncitizens would not be allowed the option of voter registration.

The bill also removed legal ramifications for the DMV if they incorrectly allowed a noncitizen to register to vote, creating a failure to verify the information, and without certification on the affidavit of registration. And, if the noncitizen votes or attempts to vote, they will not be criminally charged unless they voted when they knowingly were not entitled to vote. The Grand Jury considers this a flaw in our DMV registration process and justifies how a noncitizen can attempt to vote without criminal consequences.

The New Motor-Voter Program was implemented in April 2018. Individuals who register to vote at DMV offices began having their registrations electronically transmitted to the SOS. By September, nearly 23,000 registrations from the DMV were submitted erroneously in California changing voters' party preferences, VBM options, and language choices. Some of them "did not complete an affidavit of registration to vote." (Exhibit 3) In October, DMV officials have stated that a software fix was made to correct these issues. A number of voters in Tehama County were affected by these errors.

Once the Elections Department receives each registration from DMV they have to be verified and checked to see if there is any duplication of information, or if the individual is already registered, or has made changes on their registration. All new and updated registrations supersede what is currently in the Tehama County voter rolls, even when

incorrect. If the Elections Department is unclear of the voter's intent, or if the DMV has dropped the voter's VBM status, they notify the voter requesting clarification.

Currently, around 50% of all DMV updates require no changes but creates unnecessary work on the Elections staff currently under a soft hiring freeze. Regardless, a card is automatically mailed to the voter notifying them of a change. A current Grand Jury member made changes to their voter registration at the DMV in January 2019, and has not been notified, as required, of the change. The change has been verified at the SOS website.

## **COMMENDATION**

The Grand Jury considers the accuracy of the ballot counting process in Tehama County to be exemplary. The Elections Department and temporary staff who participated in the last election are to be commended for their integrity and dedication.

## **FINDINGS**

- F1.** Tehama County does not require any proof of citizenship in order to register to vote. Certification under penalty of perjury on the affidavit of registration is not proof of citizenship. While the Grand Jury knows that California Election Codes dictate proof of citizenship law, and SCOTUS decisions limit requiring documentary proof of citizenship, we consider this a flaw in not only the verification of voter registration, but the integrity of our elections process.
- F2.** The SOS has a statewide database of voter rolls. This is important for the integrity of voter registration around the state. But, the integrity is lost once a voter moves out of state.
- F3.** The SOS does not provide compensation to the Elections Department to process all the registrations it collects. This places additional workload on an understaffed Elections Department.
- F4.** State law changes will open additional vulnerabilities in the VBM system. No verification of who returns VBM ballots creates an integrity and security issue.
- F5.** Implementation of the DMV Motor Voter Law has compromised the integrity of voter rolls by allowing registrations without completion of an affidavit certifying that the person is applying and complying with voter laws.

## RECOMMENDATIONS

- R1.** The Grand Jury recommends that Tehama County Elections pursue voter registration integrity, emphasizing the details of the affidavit during the registration process, by all means necessary and afforded by the department. This may include a recommendation to the SOS of California to petition the Election Assistance Commission to alter the Federal Form for voter registration to require documentary proof of citizenship.
- R2.** The Grand Jury recommends that Tehama County, along with the State of California, establish read only access to all other voter registration databases within the United States.
- R4.** The Grand Jury recommends that additional safeguards be put in place to prevent ballot harvesting, such as sending post cards or emails when ballots are received.
- R5.** The Grand Jury recommends that Tehama County Elections scrutinize voter registration data received from the SOS, with any changes forcing a notification by post card or email to the voter within 30 days.

## REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows:

From the following elected county officials within 60 days:

- Tehama County Clerk and Recorder, Jennifer Vise, P. O. Box 250, Red Bluff, CA 96080, F1, F2, F3, F4, F5, R1, R2, R3, R4, R5.

## INVITED RESPONSES

- California Secretary of State Alex Padilla, F1, F2, F3, F4, F5, R2

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 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 Grand Jury.
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## BIBLIOGRAPHY

### California Elections Codes:

**14405.** (a) The members of the precinct board shall account for the ballots delivered to them by returning a sufficient number of unused ballots to make up, when added to the number of official ballots cast and the number of spoiled and canceled ballots returned, the number of ballots given to them. The accounting of ballots may either:

- (1) Take place at the polling place.
- (2) Be performed by the county elections official at the central counting place

(b) The precinct board shall complete the roster as required in Section 14107, and shall also complete and sign the certificate of performance prescribed in Section 15280, if that section applies.

(c) This section does not apply to elections conducted using vote centers.

**14420.** (a) Except as provided in subdivision (c), before or as soon as the polls are closed, the precinct board shall remove the voted ballots from the ballot container and take them out of the secrecy envelopes or detach them from the secrecy stubs. Where the envelope or stub is also the write-in ballot, and a write-in vote has been registered thereon, the ballot card shall not be separated from the envelope or stub. If two or more separate ballot cards have been used in the election, the precinct board shall sort them into groups, each of which shall contain the same series of ballot cards.

(b) After completing the action described in subdivision (a), the precinct board shall count the number of ballot cards in each group, and certify the number of ballots cast on the voting roster as provided by Section 14107. If there is any discrepancy between the number of voters listed in the roster and the number of ballots voted, this fact shall be noted with an explanation of the difference and signed by all the members of the precinct board.

(c) Before or at the close of the polls, the county elections official may direct the precinct board to seal the ballot container and record on forms provided by the elections official the information needed for the reconciliation of ballots required by Section 14405.

**14421.** Unless the county elections official has directed the precinct board to seal the ballot container and record information pursuant to subdivision (c) of Section 14420, the precinct board shall group voted ballot cards and voted separate write-in ballots, as directed by the elections official, and place them in containers. The board shall also place spoiled and void ballots, if any, in containers as directed by the elections official. All of these ballots, along with the containers for voted ballot cards, shall be placed in one or more boxes, which shall then be sealed and delivered as soon as possible to the receiving centers or central counting places with the unused ballots, supplies, and other materials as directed by the elections official.

**2111.** A person may prove he or she is a citizen by his or her certification under penalty of perjury on the affidavit of registration.

**2112.** Notwithstanding any other provision of law to the contrary, the fact that a person certifies to his or her United States citizenship by signing his or her affidavit of registration shall be deemed evidence of citizenship for voting purposes only.

Senate Bill 360 can be viewed by going to:

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140SB360](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB360)

Senate Bill 450 can be viewed by going to:

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160SB450](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB450)

Assembly Bill 1461 can be viewed by going to:

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB1461](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1461)

The SCOTUS decision in *Arizona et al. v. Inter Tribal Council of Arizona, Inc., et al.* can be viewed by going to: [https://www.supremecourt.gov/opinions/12pdf/12-71\\_7148.pdf](https://www.supremecourt.gov/opinions/12pdf/12-71_7148.pdf)

# APPENDIX

## Exhibit 1:

**BALLOT STATEMENT FORM**  
ENCLOSE THIS BALLOT STATEMENT IN THE BLUE BALLOT BAG

Precinct: \_\_\_\_\_ Election: **June 5, 2018 Statewide Direct Primary Election**

**BALLOT STATEMENT**  
(Elections Code Sections 14405, 14420, 14421)

1. TOTAL NUMBER OF VOTERS WHO SIGNED ROSTER _____ + PINK PROVISIONAL LOG _____ =	
2. TOTAL NUMBER OF PROVISIONAL BALLOTS CAST: (Reason if different than amount that signed Provisional Log)	
3. TOTAL NUMBER OF BALLOTS CAST ON ICE MACHINE: (Reason if different than amount that signed Roster)	
4. TOTAL NUMBER OF BALLOTS IN AUXILIARY BIN:.....	
5. GRAND TOTAL: ADD 2, 3 & 4 to get total CAST:.....	
6. DIFFERENCE BETWEEN 1 AND 5 (IF ANY).....	
7. TOTAL NUMBER OF VOTE BY MAIL BALLOTS RECEIVED (RED BAG) .....	

*(Do not open the I.D./Return Envelopes.)*

**WE THE UNDERSIGNED PRECINCT BOARD MEMBERS, HEREBY CERTIFY that the above accounting is true and correct.**

**CERTIFICATE OF PACKAGING AND SEALING**

**WE FURTHER CERTIFY** that the following containers were sealed in our presence, and that we have enclosed in the containers provided for such purpose, Items A,B,C,D,E,F,G,H, and I and their respective appropriate listed contents:

- A. BLUE BALLOT BAG - VOTED PAPER BALLOTS (This Statement needs to be enclosed and Sealed in the Blue Ballot Bag)
- B. CONTAINER 1 - UNUSED PAPER BALLOTS (Fill out Purple Form in Section 5 Pg. 15 and enclose and Seal in Plastic Slip on top of Container 1 - White)
- C. CONTAINER 2 - SURRENDERED VOTE BY MAIL BALLOTS
- D. CONTAINER 3 - PROVISIONAL BALLOTS
- E. CONTAINER 4 - SPOILED VOTED PAPER BALLOTS
- F. CONTAINER 5 - ALL SIGNED PAPER WORK: STREET INDEXES & PAYROLL
- G. CONTAINER 6 - CF CARD, ALL SEALS & PAPER WORK THAT GOES WITH SEALS
- H. BLUE BAG - CONTAINERS 2 - 6 AND ROSTER OF VOTERS
- I. RED BAG - ALL VOTE BY MAIL BALLOTS TURNED IN AT THE POLLS

Dated: _____	Time: _____ PM
Inspector: _____	Clerk: _____
Clerk: _____	Clerk: _____
Clerk: _____	Clerk: _____

White copy - Enclosed and Sealed in Blue Ballot Bag  
Yellow copy - Mailed in pre-stamped addressed envelope located in the white Precinct Supply Box

Section 7 14



# EXHIBIT 2:

**IMPORTANT:** Complete the information below if this ballot is hand delivered to the Elections Department or to a polling place by someone other than the voter. The ballot cannot be counted if this section is not completed. \*Pursuant to State law, only persons named here are authorized to return a voted ballot. If you give your ballot to someone else to return, complete the following authorization. I authorize the following person to return my ballot:

(Print Name) \_\_\_\_\_

(Signature of the person returning this ballot) \_\_\_\_\_

For Election Office Use Only

If you have spoiled your ballot and wish another sent to you, enclose the spoiled ballot and mark a check in this box.

**YOUR BALLOT WILL NOT BE COUNTED  
WITHOUT YOUR SIGNATURE**

**PRIVACY TAB  
(DO NOT REMOVE)**

The voter must sign the declaration underneath the flap of this envelope in order for the ballot to be counted.

SECRET

**WARNING: VOTING MORE THAN ONCE IN AN ELECTION IS A CRIME**

**VOTER: COMPLETE ALL INFORMATION BELOW**

I have not applied nor intend to apply for a vote by mail ballot from any other jurisdiction for the same election.

Residence Address as Registered (Do NOT USE PO BOX NUMBER)

\_\_\_\_\_  
City or Town, State, Zip Code

## Exhibit 3:

CALIFORNIA STATE TRANSPORTATION AGENCY  
OFFICE OF THE DIRECTOR  
DEPARTMENT OF MOTOR VEHICLES  
P.O. BOX 932328  
SACRAMENTO, CA 94232-3280

EDMUND G. BROWN JR., Governor



September 5, 2018

Honorable Alex Padilla  
Secretary of State  
1500 11th Street  
Sacramento, CA 95814

Dear Secretary of State Padilla:

The Department of Motor Vehicles and Department of Technology recently discovered an administrative processing error in the DMV system that impacted some California Motor Voter data transmitted to the California Secretary of State's office. The Departments completed a comprehensive review in order to prevent a reoccurrence of this error, and have implemented new and additional safeguards in the Motor Voter registration system, including software updates and staff training.

Following an extensive audit of the 1.4 million customer records that were transmitted to the Secretary of State's office between April 23 and August 5, 2018, we have determined approximately 23,000 customers may have been affected by this error. These errors occurred through no fault of the customer and were caused by DMV technicians who had more than one customer record open on their computer screens at the same time and those records were inadvertently merged. As a result, inaccurate customer information – largely affecting voter preferences such as, vote-by-mail options, language and political party selections – was transmitted to the Secretary of State. Some of those 23,000 customers did not complete an affidavit of registration to vote and their records were sent erroneously to the Secretary of State. None of the impacted customers are undocumented immigrants who received a driver license under AB 60.

We are committed to working collaboratively with your office to implement a quick and efficient resolution for impacted customers. Accordingly, during the next week, state officials will send notification to customers whose records contained errors so they can verify and correct that information well before the October 22, 2018 voter registration deadline for the upcoming General Election.

We will provide any additional information and assistance needed.

Sincerely,

Handwritten signature of Jean Shiomoto in black ink.

JEAN SHIOMOTO  
Director  
Department of Motor Vehicles

Handwritten signature of Amy Tong in black ink.

AMY TONG  
Chief Information Officer/Director  
Department of Technology

California Relay Telephone Service for the deaf or hearing impaired from TDD Phones: 1-800-735-2829; from Voice Phones: 1-800-735-2922

## **AUDIT & FINANCE COMMITTEE**

### **SUMMARY**

In 1984 Congress passed the Single Audit Act, which requires governmental entities (e.g., state and local governments) that expend more than a certain amount (\$750,000 currently) in federal assistance to have organization-wide financial and compliance audits on an annual basis. The Single Audit has specific components which must be included in the audit. It is the Tehama County Grand Jury's responsibility to confirm that this audit has been carried out.

The audit was conducted for the 2017-18 fiscal year. Audited financial statements were produced in accordance with Generally Accepted Accounting Principles (GAAP) and audited according to Government Auditing Standards (GAS). The auditors reported on internal control and compliance, and included the Schedule of Expenditures of Federal Awards (SEFA). They also produced a Schedule of Findings and Questioned Costs. Three Material Weaknesses were identified in the Schedule of Findings and Questioned Costs which concerned internal control. One of the Material Weaknesses also resulted in a Qualified Opinion on this matter for the financial statements. There were no questioned costs.

Management is required to submit Corrective Action Plans when there are audit findings. These were submitted by County departments named as having a Material Weakness. The Auditor-Controller Department does not have direct oversight over the accounting practices of individual departments and didn't have input in the Corrective Action Plans submitted by other departments. The external auditors do not weigh in on whether the corrective plans will "do the trick". Next year's audit will tell. In the case of the Public Works Department, the corrective plan for Material Weakness 2018-001 did not address the Material Weakness finding.

The current external auditors have been doing the Single Audit for Tehama County for eight years. In the past, they have taken the information sent to them and have corrected it in order to produce the SEFA. This year they made it clear that they expect correct information to be produced by departments, and they also expect the Auditor-Controller Department to review the information before submitting it to the external

auditors (Material Weakness 2018-001 and Material Weakness 2018-003). Departments identified as having submitted incorrect information have committed to producing correct information for this fiscal year – date of completion June 30, 2019. The Auditor-Controller Department will now take a more active role in advising departments and will review SEFA information prior to sending it to the external auditors – date of completion August 31, 2019. We recommend that the next Grand Jury follow up on this.

Material Weakness 2018-002 had to do with the lack of support for infrastructure values and construction in progress related to infrastructure. “The County does not have a system that tracks infrastructure projects in progress or keeps track of infrastructure owned by the County.” According to governmental accounting standards, all infrastructure and construction in progress is to be recorded in the County’s financial statements. The lack of support for values resulted in a Qualified Opinion on the financial statements.

The audit process begins when accruals for expenses and receivables have been recorded for fiscal year end. This occurs in July. The auditors come on-site in August and again in November. The audit is completed in late February; by law it must be completed by March 31. The audit is rarely requested by the general public. Its main use is for refinancing, issuing Certificates of Participation (bonds), and applying for grants. Material weaknesses from the audit can have an adverse effect on all three.

The Audit & Finance Committee of the Grand Jury reviewed the budget and looked at budget vs. actual reporting that is presented quarterly to the Board of Supervisors by the Auditor-Controller. The quarterly reporting adds numbers from numerous programs creating summary numbers, making it impossible to tell which programs are within budget. It is recommended that the Auditor-Controller produce an additional schedule with the budget that more accurately reflects the format of the quarterly reports.

The Committee also made an attempt to reconcile budget numbers with the financial statements. This was not possible since the categories are different and the purpose for each is different. It is recommended that the County and external auditors create a report for income and expenses that corresponds to budget categories (excluding categories that are unique to financial statements).

## **BACKGROUND**

The Single Audit is required annually by law. It is the Grand Jury's responsibility to see that this has been done. The Grand Jury also reports on Material Weaknesses reported in the Schedule of Findings and Questioned Costs and also follows up in subsequent years to see that weaknesses are corrected. This year's Grand Jury also reviewed the budget and budget vs actual reporting.

## **METHODOLOGY**

The Audit & Finance Committee reviewed the Single Audit and the budget. They interviewed individuals in the Auditor-Controller Department in order to get more clarity on the audit process, Material Weaknesses, and usefulness of the audit report. There were several questions the Committee sought the answers to: Why weren't these weaknesses identified in prior years? What are the possible repercussions of having Material Weakness findings and a Qualified Opinion on the financial statements? Were the responses written by the County adequate and did they address the issues? What is being done right now to correct the problems? What role does the Auditor-Controller Department have in the audit process? What oversight do they execute over other departments?

## **DISCUSSION**

In 1984 Congress passed the Single Audit Act, which requires governmental entities (e.g., state and local governments) that expend more than a certain amount (\$750,000 currently) in federal assistance to have organization-wide financial and compliance audits on an annual basis. The Single Audit has specific components which must be included in the audit:

1. Financial Statements
2. Opinion on Financial Statements
3. Schedule of Expenditures of Federal Awards (SEFA)
4. Opinion or Disclaimer of Opinion on Schedule of Federal Awards
5. Uniform Guidance Report on Internal Control
6. Uniform Guidance Report on Compliance
7. GAS (Government Auditing Standards) Report on Internal Control
8. GAS (Government Auditing Standards) Report on Compliance
9. Schedule of Findings and Questioned Costs

10. Summary Schedule of Prior Audit Findings (if had Prior Audit Findings)
11. Corrective Action Plan (if findings)

The audit was conducted for the 2017-18 fiscal year. Financial statements were produced in accordance with accounting principles generally accepted in the United States (GAAP) and were audited according to Government Auditing Standards (GAS). The auditors reported on internal control and compliance, and included the Schedule of Expenditures of Federal Awards (SEFA). They also produced a Schedule of Findings and Questioned Costs. Three Material Weaknesses were identified in the schedule of findings. A Material Weakness is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. One of the Material Weaknesses also resulted in a Qualified Opinion on this matter for the financial statements. The Material Weakness had to do with infrastructure and construction in progress values which would affect the assets and net position reported on the government-wide financial statements of the County.

Material Weakness 2017-001 from last year's Audit Report has been corrected.

### **Consequences of Material Findings**

Material Weakness findings on an audit affect the ability to get future funding, grants, or awards. In particular this has a big effect on the ability to get Federal grants.

The County has a Standard and Poor rating - this reflects the ability of the entity to repay bonded indebtedness. It has an impact on the interest rate on Certificates of Participation. This was reviewed/upgraded in 2014. This rating is used when seeking to refinance or issue Certificates of Participation (bonds). A copy of the audit is required for disclosure statements and Material Weaknesses could affect this rating, particularly if the Material Weaknesses are in the findings of future audits.

### **Auditor-Controller – Other Departments and Audit**

The Auditor-Controller is an elected position. The focus of the Auditor-Controller Department is on revenue and expenses as well as the County budget. The department reviews claims, audits them, and issues warrants (checks). The department processes payroll and also works with the Assessor, extending the property tax roll and apportioning the collections.

Each department is responsible for doing its own accounting and it is each department's responsibility to submit correct information to the external auditors. The Auditor-Controller Department does very little oversight in day-to-day accounting done by other departments. They interject when asked, but do not audit other departments. The Auditor-Controller Department does not generally conduct direct training of accounting staff for other departments. The individuals preparing the schedules can range from clerks to higher-level accountants; it all depends on the department. In the case of this year's audit, both of the departments with Material Weakness findings have accountants preparing their schedules.

The paperwork that comes with the federal funds, grants or awards shows how much money comes from federal sources. The original documents should enable departments which receive federal money to get pretty close to the correct ratios between federal and state funds. The final percentage breakouts are not available until after June, but they have claiming templates with sharing ratios. Once federal funds are exhausted, the funds will be pulled from state funds and then from the county. Funds will be realigned. There is a potential for overspending one source of funds (state vs federal) if funds are commingled. However, if funds are overspent in one area, this must be compensated for by a reduction in another area.

The Auditor-Controller Department does not know why there is a difference in amounts between Material Weakness 2018-001 (\$1.2 million overstated federal expenditures on initial schedules for two programs) and Material Weakness 2018-003 (\$2.34 million overstated federal expenditures on initial schedules that the Auditor-Controller is to review).

Corrective Action Plans are required whenever there is an audit finding. The Corrective Action Plans from other departments were read over but not edited by the Auditor-Controller Department. In light of the audit findings, the Auditor-Controller Department will be taking a much more active role in reviewing information submitted to external auditors.

## **Audit Process**

The audit process begins at the beginning of July (after the June 30 fiscal year ends). Accruals for expenses are done during July and receivables are recorded. The external auditors will come for a few days in August. At this time the external auditors will review accruals, treasury, investments, and long-term debt. They will also take time to visit some departments. They will return in November. During this visit they will work more directly on the Single Audit and the schedules that have been submitted to them.

The Auditor-Controller Department will have sent them a preliminary trial balance. The audit is completed the last week in February, but the official deadline for this is March 31.

This particular firm has conducted the audits for Tehama County for eight years. The length of the contract varies but is generally three years with a caveat to extend. When a Request for Proposal (RPF) is put out only a few firms typically respond and the process for selection takes six to seven months.

## **Budget and Financial Statements**

The budget content is determined by the State Controller's office with a specific format and categories. Special Revenue funds are not in the budget so the budget does not match up when budget vs. actual expenditures are reported. The Auditor-Controller produces and presents a quarterly report on budget vs. actual expenditures. This report adds amounts from a number of programs so it is impossible to see which departments are over or under on actual vs. budgeted expenditures.

The financial statements are very rarely requested by the general public (students, unions, etc. might request them, but not often). The auditors look over internal controls as well as insure compliance with various accounting standards. They show the financial condition of the County. The audited financial statements are required when applying for grants, for seeking an upgrade in Standard and Poor rating, for refinancing, and for issuing Certificates of Participation (bonds).

The financial statements do not have the same categories as the budget. Financial statements are constrained by a different set of rules than the budget. The financial statements also have a different "mission" than the budget. For these reasons, it is not possible to reconcile the financial statements to the budget.

## **FINDINGS**

- F1.** The Single Audit is required by law. The GJ reviews it. It was not sent to the GJ in a timely fashion.
- F2.** 2017-2018 Audit – Material Weakness 001 – Highway Planning & Construction: Did not provide accurate information to include on the SEFA that was provided at the beginning of the audit.



- F3.** 2017-2018 Audit – Material Weakness 001 - Medical Assistance Program: Did not provide accurate information to include on the SEFA that was provided at the beginning of the audit.
- F4.** 2017-2018 Audit – Material Weakness 002 – Infrastructure: The support for the infrastructure of the County and construction in progress related to infrastructure was not available.
- F5.** 2017-2018 Audit – Material Weakness 003 – Schedule of Federal Expenditures (SEFA): The SEFA at the beginning of the audit contained errors – it was materially incorrect. The Auditor-Controller Department did not review schedules from departments before turning them over to the auditing firm.
- F6.** Corrective Action Plans were written by the departments identified in the findings. The action plan for Public Works for Material Weakness 2018-001 did not address the Material Weakness of incorrect information on the initial schedule for the SEFA.
- F7.** The budget and budget quarterly reports cannot be reconciled to each other without having the work papers or a schedule from the Auditor-Controller to know how amounts were accumulated.
- F8.** The budget and financial statements cannot be reconciled to each other since categories and purposes for each are different.

## **RECOMMENDATIONS**

- R1.** It is recommended that the Auditor-Controller send a copy of the Single Audit and Financial Statement documents annually by March 1, 2020. These should be sent to the Grand Jury P.O. Box 1061, Red Bluff, CA 96080.
- R2.** It is recommended that Public Works give a progress report on this matter in their response to the Grand Jury on Material Weakness 2018-001. It is requested that the next Grand Jury follow up after June 30, 2019 to see that the Corrective Action Plan submitted by Public Works for Material Weakness 2018-001 has been implemented.
- R3.** It is recommended that Social Services give a progress report on this matter in their response to the Grand Jury on Material Weakness 2018-001. It is requested that the next Grand Jury follow up after June 30, 2019 to see that the Corrective

Action Plan submitted by Social Services for Material Weakness 2018-001 has been implemented.

- R4.** It is recommended that Public Works give a progress report on this matter in their response to the Grand Jury on Material Weakness 2018-002. It is requested that the next Grand Jury follow up after June 30, 2019 with Public Works to see what progress has been made for correcting Material Weakness 2018-002 as well as the Qualified Opinion on the financial statements.
- R5.** It is recommended that the Auditor-Controller give a progress report on this matter in his response to the Grand Jury on Material Weakness 2018-003. It is requested that the next Grand Jury follow-up after August 31, 2019 to see that the Corrective Action Plan submitted by the Auditor-Controller for Material Weakness 2018-003 has been implemented.
- R6.** It is recommended that by August 1, 2019, the Public Works amend their Corrective Action Plan for Material Weakness 2018-001 to address the weakness.
- R7.** It is recommended that the Auditor-Controller produce a schedule showing how budget program numbers have been added together for the quarterly reports to the Board of Supervisors by August 1, 2019.
- R8.** It is recommended that the Auditor-Controller and external auditors produce a report reconciling budget reports and financial statements by August 1, 2019.

## **REQUIRED RESPONSES**

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses as follows:

From the following elected county officials within 60 days:

- The Grand Jury requires a response from the Tehama County Auditor-Controller, Leroy Anderson, 444 Oak Street, Room J, Red Bluff, CA 96080 on F1 - R1, F5 - R5, F7 - R7, F8 - R8

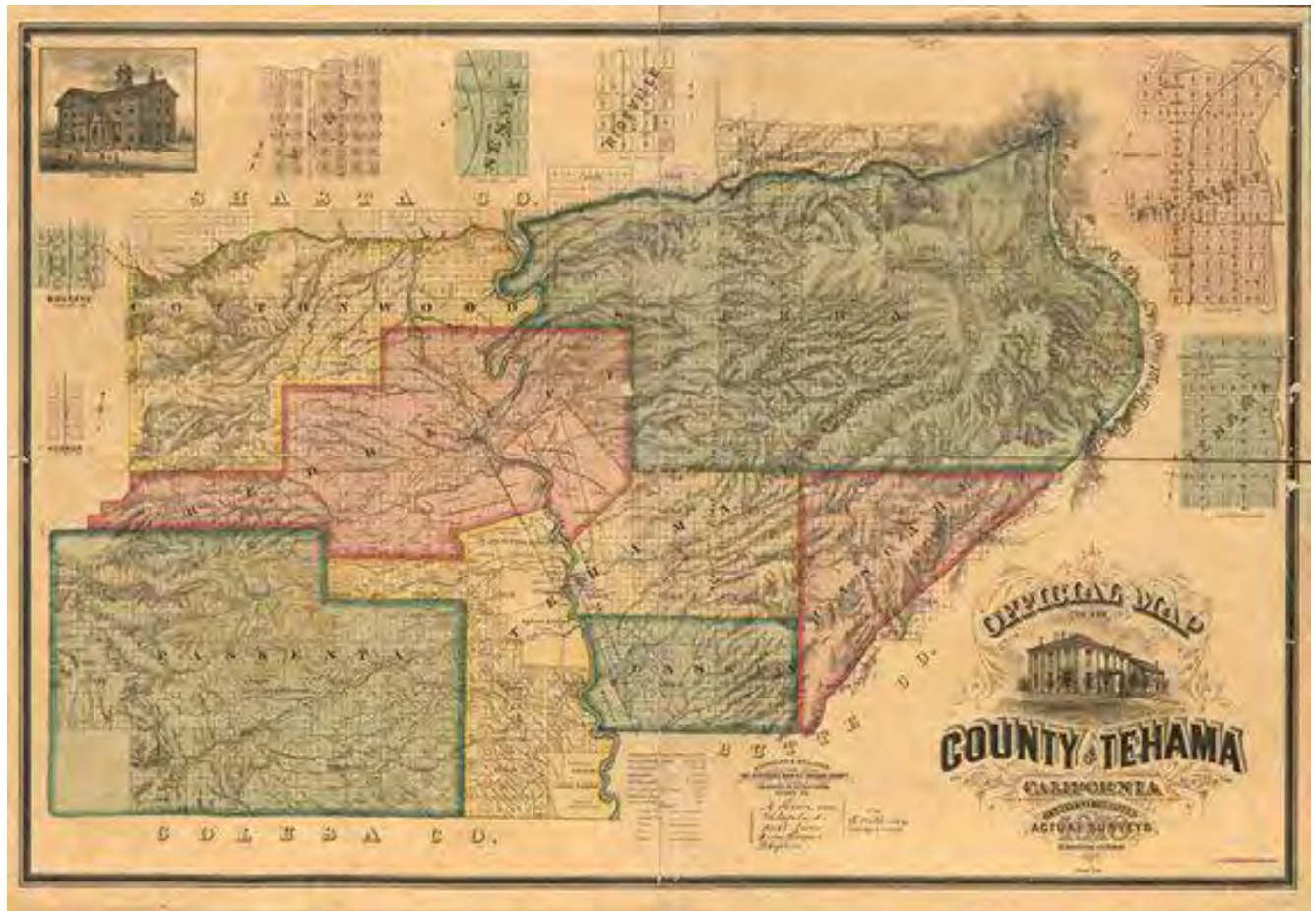
From the following governing bodies:

- The Grand Jury requires a response within 90 days from the Tehama County Board of Supervisors, P. O. Box 250, Red Bluff, CA 96080 on F7 – R7, F8 – R8.

## INVITED RESPONSES

- The Grand Jury invites a response within 60 days from Public Works Director, 9380 San Benito Avenue, Gerber, CA 96035 on F2 - R2, F4 - R4, F6 - R6.
- The Grand Jury invites a response within 60 days from Department of Social Services Director, 310 South Main Street, Red Bluff, CA 96080 on F3 – R3

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 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 Grand Jury.



**INDEPENDENT AUDITOR'S REPORT**

To the Board of Supervisors and Grand Jury  
County of Tehama  
Red Bluff, California

**Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the County of Tehama, California (County), as of and for the year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise the County's basic financial statements as listed in the table of contents.

**Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

**Auditor's Responsibility**

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

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To the Board of Supervisors and Grand Jury  
County of Tehama  
Red Bluff, California

#### **Basis for Qualified Opinion**

As discussed in Note 1J to the financial statements, the County has not maintained detailed records of infrastructure assets and infrastructure construction in progress. Accounting principles generally accepted in the United States of America require that infrastructure and infrastructure construction in progress be capitalized. The amounts by which this departure would affect the assets and net position of the government-wide financial statements of the County is not reasonably determinable.

#### **Qualified Opinion**

In our opinion, except for the effects of the matters discussed in the Basis for Qualified Opinion paragraph, the financial statements referred to above present fairly the financial position of the governmental activities of the County as of June 30, 2018, and the changes in financial position thereof for the year ended in accordance with accounting principles generally accepted in the United States of America.

#### **Unmodified Opinions**

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities, each major fund, and the aggregate remaining fund information of the County as of June 30, 2018, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### **Change in Accounting Principle**

As discussed in Note 1S to the financial statements, in 2017-18, the County adopted new accounting guidance, GASB Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions. Our opinion is not modified with respect to this matter.

#### **Other Matters**

##### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, County Pension Plan - Schedule of Changes in the Net Pension Liability and Related Ratios, County Pension Plan - Schedule of Contributions, Notes to County Pension Plan, County OPEB Plan - Schedule of Changes in the Net OPEB Liability and Related Ratios, Notes to County OPEB Plan, Infrastructure Assets Reported Using the Modified Approach and budgetary comparison information as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

To the Board of Supervisors and Grand Jury  
County of Tehama  
Red Bluff, California

*Other Information*

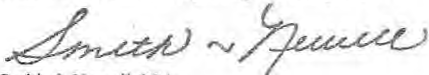
Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the County's basic financial statements. The introductory section and combining nonmajor fund financial statements are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining nonmajor fund financial statements are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining nonmajor fund financial statements are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

**Other Reporting Required by Government Auditing Standards**

In accordance with Government Auditing Standards, we have also issued our report dated February 22, 2019, on our consideration of the County's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the County's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the County's internal control over financial reporting and compliance.

  
Smith & Newell CPAs  
Yuba City, California  
February 22, 2019

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL  
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF  
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT  
AUDITING STANDARDS**

To the Board of Supervisors and Grand Jury  
County of Tehama  
Red Bluff, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the County of Tehama, California, (County) as of and for the year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise the County's basic financial statements and have issued our report thereon dated February 22, 2019.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the County's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the County's internal control. Accordingly, we do not express an opinion on the effectiveness of the County's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that have not been identified. We did identify certain deficiencies in internal control, described in the accompanying schedule of findings and questioned costs that we consider to be material weaknesses. (2018-002 and 2018-003)

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To the Board of Supervisors and Grand Jury  
County of Tehama  
Red Bluff, California

**Compliance and Other Matters**

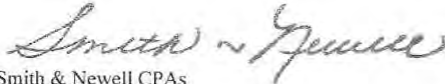
As part of obtaining reasonable assurance about whether the County's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

**County's Responses to Findings**

The County's responses to the findings identified in our audit are described in the management's corrective action plan. The County's responses were not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Smith & Newell CPAs  
Yuba City, California  
February 22, 2019



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To the Board of Supervisors and Grand Jury  
County of Tehama  
Red Bluff, California

**Compliance and Other Matters**

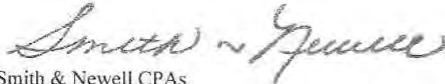
As part of obtaining reasonable assurance about whether the County's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

**County's Responses to Findings**

The County's responses to the findings identified in our audit are described in the management's corrective action plan. The County's responses were not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Smith & Newell CPAs  
Yuba City, California  
February 22, 2019

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To the Board of Supervisors and Grand Jury  
County of Tehama  
Red Bluff, California

**Opinion on Each Major Federal Program**

In our opinion, the County complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2018.

**Report on Internal Control Over Compliance**

Management of the County, is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the County's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the County's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that have not been identified. We identified certain deficiencies in internal control over compliance as described in the accompanying schedule of findings and questioned costs as item 2018-001 that we consider to be a material weakness.

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To the Board of Supervisors and Grand Jury  
County of Tehama  
Red Bluff, California

**Compliance and Other Matters**

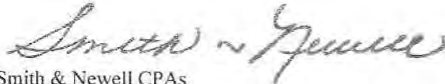
As part of obtaining reasonable assurance about whether the County's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

**County's Responses to Findings**

The County's responses to the findings identified in our audit are described in the management's corrective action plan. The County's responses were not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Smith & Newell CPAs  
Yuba City, California  
February 22, 2019

**COUNTY OF TEHAMA**  
**Schedule of Findings and Questioned Costs**  
**For the Year Ended June 30, 2018**

**SECTION I - SUMMARY OF AUDITOR'S RESULTS**

<b>Financial Statements</b>	<u>Status</u>
1. Type of auditor's report issued	Unmodified
2. Internal controls over financial reporting:	
a. Material weaknesses identified?	Yes
b. Significant deficiencies identified not considered to be material weaknesses?	No
3. Noncompliance material to financial statements noted?	No
 <b>Federal Awards</b>	
1. Internal control over major programs:	
a. Material weaknesses identified?	No
b. Significant deficiencies identified not considered to be material weaknesses?	No
2. Type of auditor's report issued on compliance for major programs:	Unmodified
3. Any audit findings disclosed that are required to be reported in accordance with 2 CFR Section 200.516 (a)?	No
4. Identification of major programs:	
20.205 Highway Planning and Construction	
93.659 Adoption Assistance	
93.778 Medical Assistance Program	
93.872 Tribal Maternal, Infant, and Early Childhood Home Visiting	
5. Dollar threshold used to distinguish between Type A and Type B Programs?	\$777,037
6. Auditee qualified as a low-risk auditee under 2 CFR Section 200.520?	Yes
 <b>SECTION II - FINANCIAL STATEMENT FINDINGS</b>	
Infrastructure	2018-002
Schedule of Federal Expenditures	2018-003
 <b>SECTION III - FEDERAL AWARDS FINDINGS AND QUESTIONED COSTS</b>	
20.205 Highway Planning and Construction	2018-001
93.778 Medical Assistance Program	2018-001

**COUNTY OF TEHAMA**  
**Schedule of Findings and Questioned Costs**  
**For the Year Ended June 30, 2018**

**2018-001**

**Name:** Highway Planning and Construction  
Medical Assistance Program  
**CFDA #:** 20.205  
93.778  
**Federal Grantor:** U.S. Department of Transportation  
U.S. Department of Health and Human Services  
**Pass Through Entity:** State Department of Transportation  
State Department of Health Services  
**Award No.:** Various  
**Year:** 2017-18

**Condition**

During our testing of major programs we noted that the Schedule of Federal Expenditures (SEFA) provided by the County at the beginning of audit fieldwork contained errors in the federal expenditures included on the SEFA. Expenditures included on the SEFA provided at the beginning of the audit were greater than actual expenditures by \$1,224,399 in the major programs listed above.

**Cause**

The County departments did not provide accurate information to include on the SEFA that was provided to us at the beginning of the audit.

**Criteria**

Good internal control over the SEFA requires that individual County departments provide accurate Federal expenditure information to the County Auditor in a timely manner.

**Effect of Condition**

The SEFA provided at the beginning of fieldwork was not materially correct and adjustments were needed to accurately reflect all Federal expenditures.

**Questioned Cost**

No costs are questioned.

**Recommendation**

We recommend that the County departments provide the County Auditor with accurate federal expenditure information prior to the beginning of audit fieldwork.

**COUNTY OF TEHAMA**  
**Schedule of Findings and Questioned Costs**  
**For the Year Ended June 30, 2018**

**2018-002 Infrastructure (Material Weakness)**

**Condition**

During our audit, we noted that support for infrastructure of the County and construction in progress related to infrastructure was not available.

**Cause**

The County road department does not have a system that tracks infrastructure projects in progress or keeps track of infrastructure owned by the County.

**Criteria**

Governmental accounting standards require that all infrastructure, including construction in progress related to infrastructure, be recorded on the County's financial statements. Good internal control requires that amounts recorded on the County's financial statements be supported by adequate documentation.

**Effect of Condition**

The amount by which this departure would affect the assets and net position of the government-wide financial statements of the County is not reasonably determinable.

**Recommendation**

We recommend that the County maintain a system that tracks all infrastructure owned by the County, including construction in progress related to infrastructure, and maintain adequate supporting documentation related to infrastructure.

**2018-003 Schedule of Federal Expenditures (Material Weakness)**

**Condition**

The Schedule of Federal Expenditures (SEFA) provided by the County at the beginning of audit fieldwork contained errors. The expenditures included on the SEFA at the beginning of the audit were greater than actual expenditures by approximately \$2.34 million.

**Cause**

County departments had not submitted information required for the Single Audit Report or had submitted incorrect information.

**Criteria**

Good internal control over the SEFA requires that individual County departments provide accurate information to the County auditor.

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**COUNTY OF TEHAMA**  
**Schedule of Findings and Questioned Costs**  
**For the Year Ended June 30, 2018**

**2018-003 Schedule of Federal Expenditures (Material Weakness) (Continued)**

**Effect of Condition**

The SEFA at the beginning of fieldwork was not materially correct and required adjustment.

**Recommendation**

We recommend that the County review the requirements of the Uniform Guidance to ensure that the expenditures reported on the SEFA are correctly stated.



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Mailing Address: P.O. Box 1515, Red Bluff CA 96080  
Red Bluff Office t (530) 527-1911 | f (530) 527-5410 | 310 South Main Street, Red Bluff, CA 96080  
Corning Office t (530) 824-9182 | f (530) 527-5410 | 275 Solano Street, Corning, CA 96021 [www.tcdss.org](http://www.tcdss.org)

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From: Shannon Conley, Fiscal Analyst Supervisor

Re: **Status of Prior Year Recommendation (2017-001 Adoption Assistance)**

**Status of Prior Year Recommendation  
For the Year Ended June 30, 2018**

**STATUS OF PRIOR YEAR RECOMMENDATION**

**Adoption Assistance (Audit Reference: 2017-001)**

**Prior Year Recommendation**

We recommend that the County incorporate into their monitoring process procedures to ensure that the AAP-4 documentation is maintained in each case file.

**Status**

Management's Corrective Action Plan (February 2, 2018) was implemented immediately upon receipt of the audit findings, and each aspect was completed within the identified timelines. Moreover, the addition of a new position focused specifically on communications, policy and procedures, quality assurance, stakeholder workgroups, etc. is being considered to further increase effectiveness of such monitoring process procedures.





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From: Shannon Conley, Fiscal Analyst Supervisor

Re: Management's Corrective Action Plan (2018-001)

**Management's Corrective Action Plan  
For the Year Ended June 30, 2018**

**2018-001 Federal Expenditures**

We recommend that the County departments provide the County Auditor with accurate federal expenditure information prior to the beginning of audit fieldwork.

**Responsible Individual(s):**

Deputy Director, Fiscal – Shelley Zimmerman  
Fiscal Analyst Supervisor – Shannon Conley

**Corrective Action Plan:**

Social Services has reviewed the federal expenditures noted in the audit findings, specifically CalWORKs Assistance (TANF), and has already begun implementing a Corrective Action Plan. Social Services has been in communication with the County Auditor's Office to obtain further clarification on the process related to the separation of CalWORKs assistance expenditures claimed on the CA 800. While the methodology provided by the California Department of Social Services for calculating appropriate federal funding is understood, clarification is needed regarding the County Auditor's process and expectations related to future end-of-year reporting, as this is a new request which differs from prior end-of-year reporting processes.

It should be noted that at the time of end-of-year reporting, final sharing ratios are not available. Social Services is willing and able to calculate the breakdowns according to the estimated sharing ratios available in order to better identify the estimated federal expenditures prior to submission to the County Auditor; however, final and accurate federal expenditures cannot be calculated/reported until final sharing ratios are released, which is typically (6) months after the end-of-year reporting is due.

**Anticipated Completion Date:**

Social Services will continue to work with the County Auditor to better define the process and expectations related to reporting of the CalWORKs assistance expenditures claimed on the CA 800 in time to provide the County Auditor with accurate federal expenditure information prior to the beginning of audit fieldwork for fiscal year 2018/2019 (by June 30, 2019).



**COUNTY OF TEHAMA  
DEPARTMENT OF PUBLIC WORKS**

9380 San Benito Avenue  
Gerber, CA 96035-9701  
(530) 385-1462

(530) 385-1189 Fax

Road Commissioner  
Surveyor  
Engineer  
Public Transit  
Flood Control  
& Water  
Conservation District  
Sanitation District No. 1

## MEMORANDUM

FROM: Timothy J. McSorley, Public Works Director

RE: 2017-18 FY Single Audit Corrective Action Plan

2018-001

HIGHWAY PLANNING AND CONSTRUCTION

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS BY DEPARTMENT:

The problem: annual invoices to Caltrans do not match the YTD expenditures. There are several factors contributing to the problem.

Invoices produced early in the fiscal year contain, mostly, prior year expenses.

Invoices may not be submitted to Caltrans for less than \$1,000. Some projects become stagnate and there are not enough expenditures to invoice.

Caltrans compounds the issue by failing to approve invoices within the subscribed timeframe - forcing us to change invoice dates and by sending thousands of dollars and many days chasing penny discrepancies (even after we graciously ask them to keep the pennies.)

Responsible Individual:

Timothy McSorley, Director of Public Works

Corrective Action Plan:

Always invoice on June 30<sup>th</sup> regardless of the cost or amount.  
Review project expenses in December and instruct Engineering to charge time to stagnated projects to ensure there's a minimum of \$1,000 per project for which to invoice.

Anticipated Completion Date:

June 30, 2019

## **CRIMINAL JUSTICE COMMITTEE**

### **Tehama County Coroner's Department**

#### **SUMMARY**

The Coroner has the responsibility to retrieve bodies of deceased citizens from all death scenes and determine if an autopsy is necessary in order to determine the cause of death. At the Coroner's discretion, as mandated by state law, autopsies will be conducted in the following situations:

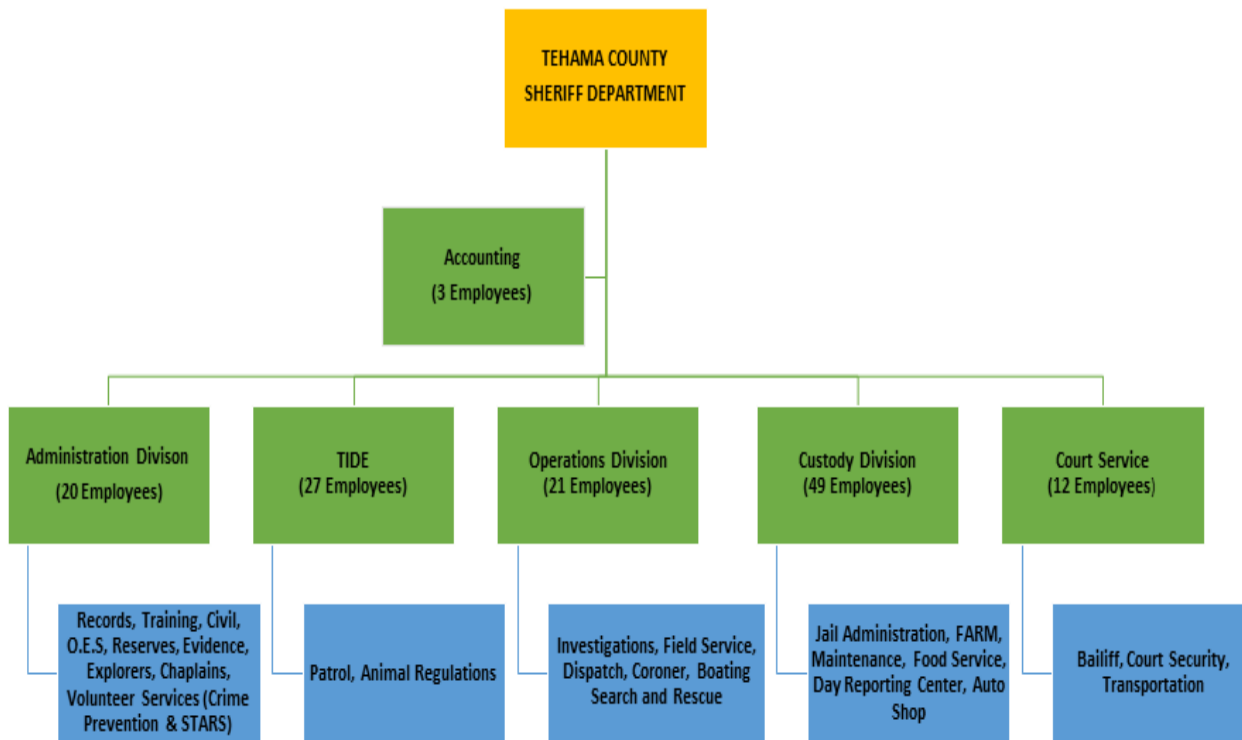
- Decedent had not seen a doctor within 20 days of death
- Death due to accident
- Death due to drug overdose
- Death related to criminal activity
- Death due to Sudden Infant Death Syndrome (SIDS)

The Coroner will transport the body to the Coroner's office and place it in a cooler. The type of autopsy to be performed, if necessary, is determined based on the type of death or if the decedent had been involved in a criminal case. Additionally, Government Code section 27520 authorizes an initial or second autopsy to be performed if requested in writing by a surviving spouse or next of kin, with those costs to be borne by the requesting party. There is no current operations manual for the removal of bodies.

All autopsies are contracted, and the costs vary. General autopsies done at the Coroner's office range from \$500 to \$750.

If a pathologist is required, the body may or may not have to be relocated for all the tests needed, and costs are dependent upon the services provided:

- Standard Autopsy: \$1700
- External Inspection: \$750
- Sudden Infant Death Syndrome (SIDS): \$2300
- Record Review: \$400
- Transportation Charges: \$600



## BACKGROUND

The Tehama County Coroner's Office has been housed at the Tehama County Sheriff's Office since 2007, with a functioning morgue since 2010. The office of the Coroner is administered by the Sheriff's Operations Division and holds two full-time Deputy Coroner Investigators. Tehama County does not have a full-time medical examiner or pathologist, but contracts out to doctors and dentists when necessary.

The Deputy Coroner's Investigators hold the full status of Sheriff Officer. The Deputy Coroner responds to all death scenes in Tehama County and is on call 365 days a year. The Coroner is required by State Government Code section 27491 to investigate any sudden, violent, or unusual deaths, or other deaths that fall within the jurisdiction of the coroner. The Coroner's Office is responsible for determining the decedent's identification, as well as the date, time, circumstance, and cause of death. A Deputy Coroner may question family members and witnesses to determine necessary facts, as well as collect evidence from the crime scene.

## **METHODOLOGY**

Grand Jury members interviewed members of the Sheriff's department and Coroner's Office. The Grand Jury toured the Coroner's facility and reviewed existing contracts with doctors and dentists utilized as Medical Examiners and Pathologists. Jurors also researched California law on the role of Coroner and possible fee charges.

## **DISCUSSION**

The Morgue contains 6 small drawer refrigerators for deceased bodies. There is also one oversized refrigeration unit, utilized for oversized individuals. Autopsies are conducted onsite in about 25% of deaths. The Deputy Coroner makes the decision as to whether an autopsy is necessary. An autopsy is waived if the deceased was under the care of a physician within 20 days of death, or no foul play was suspected. Currently, Tehama County utilizes contracts with various entities to conduct autopsies. Costs range from \$500 to \$2300, depending on the type of specialist required for the autopsy.

The Tehama County Sheriff/Coroner does not charge for the Coroner's services. According to California Government Code 27471: (a) Whenever the coroner takes custody of a dead body pursuant to law, he or she shall make a reasonable attempt to locate the family. After a reasonable attempt, the coroner may embalm the body or authorize the embalming by a mortician for purposes of preserving the remains for evidence, to prevent microbial and contagious disease hazards, or for investigative functions. If the embalming has been requested by the family or by a person authorized to take charge of the body prior to such embalming, and such family or person has agreed to accept the expense, the coroner may charge and collect up to one hundred thirty-five dollars (\$135). Any family, however, which has not been located within 24 hours of custody by the coroner of the body, shall not be charged more than sixty-five dollars (\$65).

This subdivision shall only apply to counties that own and maintain a central morgue with a paid, full-time staff that performs embalming.

(b) Except as provided in subdivision (a), whenever the coroner takes custody of a dead body pursuant to law, he or she may embalm the body, and charge and collect up to one hundred thirty-five dollars (\$135) from the person entitled to its custody, except when the body is that of a child not more than 14 years of age or a person for whose burial there is available less than one hundred fifty dollars (\$150), in which case the expense of embalming is a county charge. In any county where the coroner is paid a salary, the fee shall be paid into the county treasury, except that the board of supervisors

may order that the fee be paid to the coroner if the coroner is a funeral director in the county.

(c) The Board of Supervisors shall by ordinance establish the fee to be charged pursuant to this section.

(d) The Board of Supervisors may increase the amount of the fees specified in subdivisions (a) and (b) pursuant to Chapter 12.5 (commencing with Section 54985) of Part 1 of Division 2 of Title 5.

Pursuant to Government Code section 27472, if authorized by the County Board of Supervisors by ordinance, the coroner, whenever he or she takes custody of a dead body pursuant to law, may charge and collect from the person entitled to control the disposition of the remains, as specified in Section 7100 of the Health and Safety Code, the actual expense incurred by the coroner in removing the body from the place of death and keeping the body until its release to the person responsible for its interment. The charge shall not exceed one hundred dollars (\$100), shall not be imposed upon a person who claims and proves to be indigent, or in cases in which the body is that of a child not more than 14 years of age or in cases in which the coroner ascribes the death to the criminal act of another unless the coroner has reasonable grounds to believe that the deceased was involved in any criminal activity which contributed to his or her own death. The charge shall not include expenses of keeping the body during the time necessary for the coroner to perform his or her duties in connection with it. The charge, if not paid, may be considered a part of the funeral expenses and paid as a preferred charge against the estate of the decedent.

Bodies are transported with the use of two Coroner Vans. Vans have been modified for use as Coroner vehicles. The Coroner's Van does not contain a separation between decedent's bodies and drivers, nor is there a ramp to help lift bodies into the back. Tehama County has purchased a truck for Coroner use; however, the truck has not been in functioning condition and is currently undergoing modifications for use. Bodies are transported in either a body bag or a sheet at the Coroner's discretion. Body bags are reserved for severe cases of body decomposition due to the cost of each bag. Body bags costs are averaged in the amount of \$25 to \$50 per bag.

Currently, there is no operation manual in effect for the removal, storage, and care of the deceased. There is also no service fee for the Coroner's Services.

Identification of the body is completed with the help of blood tests and fingerprint scanners. Tehama County sends their identification tests to various counties for processing because they do not have their own fingerprint scanner in the morgue. The

Coroner also does not have the use of a scale to accurately weigh the decedent during a medical examination.

### The Coroner's Department





## **FINDINGS**

- F1.** The current vehicle being utilized to transport the deceased is outdated.
- F2.** A new Coroner's vehicle was purchased, but is not currently in commission for use.
- F3.** Body bags are not utilized for every deceased person due to costs.
- F4.** Tehama County Coroner's Office does not currently charge the public for services.
- F5.** The estimated weight of a deceased person is inefficient due to being conducted without a scale.
- F6.** Tehama County sends their identification fingerprints to various counties for processing as they do not have their own portable fingerprint scanner in the morgue.
- F7.** An operations manual is not utilized for the removal, storage, and care of deceased bodies.

## **RECOMMENDATIONS**

- R1.** The Grand Jury recommends the Sheriff's Office update the current Coroner's vehicle to comply with State regulations for the transport of a deceased person by July 1, 2020.



- R2.** The Grand Jury recommends that the Board of Supervisors provide in the Coroner's budget funds for a sufficient supply of body bags to be in stock and to be replenished on a Periodic Automatic Replenishment (PAR) level inventory system by January 1, 2020.
- R3** The Grand Jury recommends that the Board of Supervisors collaborate with the Coroner in establishing a Coroner's fee(s) schedule as outlined per California Government Code Sections 27471 and 27472 by July 1, 2020.
- R4.** The Grand Jury recommends the Sheriff's Office purchase a rolling weight scale to provide accurate weight assessment of deceased bodies by January 1, 2020.
- R5.** The Grand Jury recommends the Sheriff's Department procure a portable fingerprint identification scanner for the Coroner's Department by July 1, 2020.
- R6.** The Grand Jury Recommends that the Coroner's Office establish a procedure manual for the transportation, identification, processing, and care of deceased bodies by July 1, 2020.
- R7.** The Grand Jury recommends that the Board of Supervisors review and monitor the procedure manual progress quarterly with a completion date of July 1, 2020.

## **COMMENDATIONS**

The Grand Jury commends the Tehama County Sheriff and Deputy Coroners for their diligent service with a very limited budget.

## **REQUIRED RESPONSES**

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows:

From the following elected county official within 60 days:

- The Grand Jury requires a response from Tehama County Sheriff Dave Hencratt, P.O. Box 729, Red Bluff, CA 96080 on: F1, F2, F3, F4, F5, F6, F7, R1, R2, R3, R4, R5, R6, R7

From the following governing body within 90 days:

- Tehama County Board of Supervisors, 727 Oak Street, Red Bluff, CA 96080 on: F1, F2, F3, F4, F5, F6, F7, R2, R3, R4, R7

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 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 Grand Jury.

## BIBLIOGRAPHY

- Sheriff's, T. C. (2019, April 16). *Tehama County Coroner's Office*. Retrieved from Tehama County Sheriff's Office: <https://tehamaso.org/operations-division/coroners-office>
- California Code, Government Code - GOV § 27472



## IRON CANYON - SPRING 2019

## CRIMINAL JUSTICE COMMITTEE

### OFFICE OF EMERGENCY SERVICES Is Tehama County Prepared?



#### SUMMARY

Office of Emergency Services (O.E.S.) is a grant funded program housed by the Tehama County Sheriff's Department. They are responsible for:

- Emergency Evacuation Plans
- Tehama County Emergency Operations
- Providing Trainings to the public and emergency service personnel
- Providing an Emergency Alert System
- Responding to Emergencies 24 hours a day, 7 days a week.

The issues found include:

- Lack of O.E.S personnel
- Lack of funding
- Inadequate equipment storage
- Inadequate county emergency stores

## **GLOSSARY:**

- O.E.S: Office of Emergency Services
- CalOES: California State Office of Emergency Services
- CDPH: California Department of Public Health
- EMSA: Emergency Medical Service Authority
- WHO: World Health Organization
- HHS: US Department of Health and Human Services
- DHS: US Department of Homeland Security
- CDC: Center for Disease Control
- FEMA: Federal Emergency Management Agency
- SEMS: Standardized Emergency Management
- NIMS: National Incident Management System

## **BACKGROUND**

The California Governor's Office of Emergency Services (CalOES) is a California cabinet-level agency responsible for overseeing and coordinating emergency preparedness, response, recovery and homeland security activities within the state. The agency was created by AB 38 (2008), superseding both the Office of Emergency Services (OES) and the Office of Homeland Security (OHS). The State of California adopted the National Incident Management System (NIMS) on February 8, 2005, by Executive Order S-2-05.

National Incident Management System is a systematic, proactive approach to guide departments and agencies at all levels of government, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, in order to reduce the loss of life and property and harm to the environment.

The California Emergency Services Act 2015 Edition (ESA) requires SEMS for managing multi-agency and multi-jurisdictional responses to emergencies in California. State agencies are required to use SEMS, and local government entities must use SEMS in order to be eligible for any reimbursement of response-related costs under the state's disaster assistance programs.

The Office of Emergency Services is housed at the Tehama County Sheriff's Office in Red Bluff, California. O.E.S. is on call to respond to emergencies within Tehama County 365 days of the year. These emergencies can include floods, fires, earthquakes,

mudslides, evacuations, and other emergency functions. In the event of a declared emergency, Tehama County O.E.S. can provide services to other counties in need through mutual aid.

## **METHODOLOGY**

Members of the Grand Jury met with Office of Emergency Service management representatives, Sheriff's Department staff members, and members of the Board of Supervisors. Documents were reviewed. The purpose of this inquiry was to review Tehama County Emergency Preparedness Plans due to the recent States of Emergency in Northern California.

## **DISCUSSION**

Tehama County O.E.S. is managed by the Tehama County Sheriff's Office. It is an Intra-agency collaboration with various entities throughout Tehama County. O.E.S. is funded through a grant program managed through the Tehama County Sheriff's Office. The 2018/2019 budget was recommended at \$105,149, but was adjusted to \$134,289 due to increased costs for supplies and maintenance.

Currently O.E.S. is a sole position within the Sheriff's office. O.E.S. is on call 24 hours a day to respond to any emergency, such as floods, fires, hazardous materials spills, or other emergent needs. Tehama County participates in the State Mutual Aid System, and they assisted Butte County during the recent Camp Fire.

O.E.S. can provide services such as emergency notifications, evacuations, rescues, road blocks, as well as other emergency assessment and services. Currently, O.E.S. also provides training resources throughout the county, including Active Shooter Trainings for Tehama County businesses. Emergency personnel go through annual Flood Evacuation Training and monthly SWAT meetings to review new County Policies.

O.E.S has the use of emergency vehicles such as boats, 6-wheel drive trucks, and a Featherlite brand command trailer. Equipment is stored onsite at the Sheriff's Department, inside an open parking area. Additional personnel and equipment, such as helicopters, heavy equipment, trucks, trailers, and boats are available for use through various agreements.

O.E.S has use of the Tehama Alert System. In the event of an emergency within Tehama County, the system will send notifications about severe weather warnings, unexpected road closures, missing persons, or evacuation orders to residents. Tehama County residents can enroll free of charge on the Tehama County Sheriff's website.

Through grant funding, O.E.S. has established signal boosters on remote cellular towers within Tehama County. This allows for additional services and emergency communication availability to be utilized in outlying communities and remote areas. O.E.S. grants have also funded surveillance cameras in the police parking lot, updated radio equipment, and supplied new tactical gear for active shooter missions.

Some of the high risk areas in Tehama County include: flooding from Salt Creek to Dairyville; a levee in need of repair in Gerber; bridges throughout Tehama County subject to earthquake damages; and timberlands subject to fire danger. Currently, Tehama County does not have an emergency supply goal. O.E.S is to equip every major evacuation center with three days' supply of food and water for emergencies.

## **FINDINGS**

- F1.** The O.E.S budget was reduced from \$189,338 in 2016/2017 to \$134,289 for the 2018-19 fiscal year.
- F2.** O.E.S. equipment is stored in an unsecured parking lot.
- F3.** O.E.S equipment has become damaged due to weather exposure.
- F4.** The County does not maintain a three-day emergency supply stock of food and water.
- F5.** The County is responsible for 50% of grant funding and the State will match what is spent.

## **RECOMMENDATIONS**

- R1.** The Grand Jury recommends that the Board of Supervisors approve a budget increase for the 2020/2021 fiscal year.
- R2.** The Grand Jury Recommends the Sheriff's Department provide the funding to purchase a secure storage area for O.E.S. equipment by the end of the 2020 fiscal year.
- R3.** The Grand Jury recommends that the Board of Supervisors to give approval to the Sheriff's Department to seek grant funding to obtain a covered O.E.S. storage area by the end of 2020 fiscal year.

- R4.** The Grand Jury recommends that O.E.S. establish a plan to store three days' worth of supplies for County emergencies by the end of 2020 fiscal year.
- R5.** The Grand Jury recommends that the Board of Supervisors approve to seek grant funding to support an O.E.S. plan for emergency supply stock by the end of 2020 fiscal year.

## **REQUIRED RESPONSES**

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses as follows:

From the following elected county officials within 60 days:

- Tehama County Sheriff Dave Hencratt, P. O. Box 729, Red Bluff, CA 96080 on F4, F5, F6, R1,R3.

From the following governing bodies within 90 days:

- Tehama County Board of Supervisors, P.O. Box 250, Red Bluff, CA 96080 on F1, R2, R4.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 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 Grand Jury.

## **BIBLIOGRAPHY**

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## CRIMINAL JUSTICE COMMITTEE

### SALT CREEK CONSERVATION CAMP #7 REPORT



#### SUMMARY

Penal Code 919(b) stipulates that the Grand Jury shall inquire into the condition and management of the public prisons within the county, which includes both state and local correctional facilities.

Members of the 2018-2019 Tehama County Grand Jury toured the Salt Creek Conservation Camp and conducted interviews as required. The members of the Grand Jury found:

- The camp is housing 112 inmates, with a maximum capacity of 120
- The camp is comprised of 6 fire crews, each comprised of 17 inmates
- The inmates are selected to the program through a rigorous review process that excludes violent and sex offenders.
- Inmates from Salt Creek Conservation Camp provided 57,048 community service work hours in 2018
- Inmates from Salt Creek Conservation Camp provided 139,778 hours of firefighting work hours in 2018



## **GLOSSARY**

- Salt Creek Conservation Camp, herein referred to as SCCC
- California Department of Corrections and Rehabilitation, herein referred to as CDCR.
- California Department of Forestry and Fire Protection, herein referred to as CAL FIRE.

## **BACKGROUND**

Civil Grand Juries are required to examine, evaluate, and report on physical and administrative conditions of public jails within their county. Salt Creek Conservation Camp (SCCC), located west of Corning, was visited by members of the 2018-2019 Tehama County Grand Jury.

## **METHODOLOGY**

The Grand Jury visited the SCCC facilities on March 6, 2019. The interview and tour were facilitated by the California Department of Corrections and Rehabilitation (CDCR) and the California Department of Forestry and Fire Protection (CAL FIRE) staff.

## **DISCUSSION**

Established in 1984, the Salt Creek Conservation Camp is jointly operated by the California Department of Corrections and Rehabilitation (CDCR) and the California Department of Forestry and Fire Protection (CAL FIRE). The primary mission of the camp is to provide inmate fire crews for fire suppression, principally in the Tehama-Glenn Counties area. Also, inmate hand crews provide a work force for flood control, conservation projects, and community services. In-camp projects include a CAL FIRE vehicle shop where the inmate crews repair and restore state, federal and volunteer fire department vehicles. In addition, there is a CAL FIRE woodshop where inmates are utilized in building cabinets for government agencies. Also, there is a fire extinguisher shop servicing the CAL FIRE Unit and Tehama County Fire Departments.

CDCR is responsible for the selection, supervision, care, and discipline of the inmates. CAL FIRE maintains the camp, supervises the work of the inmate fire crews, and is responsible for the custody of inmates on CAL FIRE project activities.

## **INMATES**

The designed capacity of the camp is 120 minimum custody male convicted felons. This represents six crews comprised of up to 17-men each. The remaining inmates serve as cooks, clerks, landscapers, camp maintenance workers, and skilled shop workers.

## **INMATE SELECTION**

The inmates are committed to the CDCR, selected by a sophisticated classification system, trained at the California Correctional Center near Susanville, and assigned to the Salt Creek Conservation Camp.

Through this selection process inmates are excluded for any sex-related offense, murder, escape, arson, or history of violent crimes. Most of the inmates are committed for alcohol, drug, or property related crimes.

## **HOUSING**

Open dormitories with a dining hall house the inmates living at the camp. The housing is staffed with inmate cooks and supervised by CDCR 24-hours each day, seven days a week.

## **COMMUNITY SERVICE**

Salt Creek Inmates provided 57,048 community service hours in 2018. This was accomplished through project and conservation work.

## **COMMENDATIONS**

- The Salt Creek Inmates and staff are to be commended for providing 57,048 community service hours in 2018.
- The Salt Creek Inmates and Staff are to be commended for providing 139,778 firefighting hours in 2018.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 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 Grand Jury.
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## **BIBLIOGRAPHY**

Brochure: Salt Creek Conservation Camp

# CRIMINAL JUSTICE COMMITTEE

## Ishi Conservation Camp #18



### SUMMARY

Penal Code 919(b) stipulates that the Grand Jury shall inquire into the condition and management of the public prisons within the county, which includes both state and local correctional facilities.

Members of the 2018-2019 Tehama County Grand Jury toured the Ishi Conservation Camp and conducted interviews as required. The members of the Grand Jury found:

- The camp is housing 95 inmates, with a maximum capacity of 110.
- The camp is comprised of 4 fire crews with 15 inmates in each crew.
- The inmates are selected to the program through a rigorous review process that excludes those who have committed violent crimes and sex offenders.
- Inmates from Ishi Conservation Camp provided 52,612 hours community service work hours in 2018.
- Inmates from Ishi Conservation Camp provided 141,620 hours of firefighting work hours in 2018.
- Ishi Conservation Camp serves as a training ground for CAL FIRE qualifications for 44 inmate crews from northern California.

### GLOSSARY

- CAL FIRE: California Department of Forestry and Fire Protection
- CDCR: California Department of Corrections
- Ready "2" : Ready to Eat Meals

### BACKGROUND

The Ishi Conservation Camp #18 was opened in April 1961. The Camp is jointly operated by the California Department of Corrections (CDCR) and the California Department of Forestry and Fire Protection (CAL FIRE). The Camp's primary mission is

to provide inmate fire crews for fire suppression activities in the Tehama, Glenn, Shasta and Plumas County areas. In addition to fire suppression, inmate hand crews provide a work force for conservation and community service projects in the local area. The in-camp project is CAL FIRE Boxed Meal Shop, which produces boxed, (Ready-2) ready-to-eat meals for fire fighters which are distributed throughout the State (Ishi Conservation Camp #18, 2019). Ishi Camp also serves as a training ground for multiple Northern California Conservation Camps.

## **METHODOLOGY**

On March 8, 2019 members of the Grand Jury met with CDCR staff and CAL FIRE staff to tour Ishi Conservation Camp #18.

## **DISCUSSION**

**Inmates:** The camp is designed to house 110 inmates, currently they are under their maximum intake with 95 inmates. These numbers are constantly in flux as inmates rotate in and out of the program. This is an all-male conservation camp that is assigned to 4 fire crews, and inmate service workers such as cooks, clerks, landscapers, porters, camp maintenance workers and skilled shop workers. Inmates are selected based upon a CDCR rating scale that classifies the degree upon which their crimes were violent. Due to the nature of the program, inmates with sex-related offenses, murder, escape, arson, or history of violent crimes are excluded from the program. Inmates are supervised by CDCR employees 24 hours a day, 7 days a week.

**Inmate Benefits:** Inmates receive compensation for their work at \$2.67 per day. Those with higher vocational skills can earn up to \$4.90 per day. Inmates that are deployed on a fire or emergency are paid up to \$24 a day. Inmates are allowed to spend their earnings at the Camp Canteen, create trust funds for family members, or to collect upon parole.

Fire Crew Inmates receive intensive CAL FIRE Training. Inmates who do well in the program, upon parole, can apply to enroll in further education in Southern California. Skills learned during CAL FIRE training have aided in paroled inmates working in the private fire crew sector.

During their assignment with Ishi camp, inmates are provided resources to complete their GED. College courses are available to all inmates through Coastline College and Feather River College. Narcotics Anonymous (NA) and Alcoholics Anonymous (AA) programs are provided by local volunteer groups. Religious programs and Bible study programs are also provided by local volunteers. Inmates can engage in hobbies, sports, fishing, reading and other activities during their down time.



Inmates are housed in open dormitories with an attached mobile dining vehicle because of a fire which destroyed their kitchen facilities.

**Community Service:** Community Service is provided to the following organizations:

- Bureau of Land Management
- Fish & Game
- Caltrans
- Tehama County Resource Conservation District
- Tehama County Fairgrounds
- Red Bluff Schools
- CAL FIRE Facilities
- Tehama County Schools
- United States Forest Service
- Lassen Volcanic National Park
- Red Bluff City Parks & Recreation
- Adopt-A-Highway
- State Parks
- Butte County Snow Removal
- Tehama County Public Works
- Shasta County Schools

These Community Service projects consist of: Brushing Roads & Trails, Fuel Breaks, Fence Installation & Removal, Construction Projects, Trash & Litter Pick-up, Building Maintenance & Clean-up, Clearing Ditches, Flood Prevention, Tree Removal, Weed Abatement, and Snow Removal. Ishi inmates provided 52,612 hours of community service and 141,620 hours of firefighting work in 2018.

Ishi Camp Inmates also volunteer their time and skills to make items to sell at the Susanville Corrections Annual Hobbycraft Sale. All proceeds are donated to the victims of violent crimes. Inmates also restore bicycles to donate to Tehama County Social Services for foster children (Ishi Conservation Camp #18, 2019)



## COMMENDATIONS

- The crew and inmates of Ishi Conservation Camp should be commended for their ongoing community service hours (52,612) and firefighting hours (141,620) in 2018.
- The crew and inmates of Ishi Conservation Camp should be commended for their ongoing humanitarian projects to the citizens of Lassen and Tehama Counties.



Ishi is the name given by anthropologist Alfred L. Kroeber to the last surviving Native American from the Yahi Yana tribe. The Ishi Wilderness is located approximately twenty miles east of Red Bluff, California. The wilderness was created when the US Congress passed the California Wilderness Act of 1984. The Yahi Yana tribe had lived in the area for over three thousand years. Sometime after 1850, white settlers moving into the area killed all but a few of the Yahi. A few escaped and hid for years in the harsh wild country.

## BIBLIOGRAPHY

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Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 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 Grand Jury.

# CONTINUITY COMMITTEE REPORT

## SUMMARY

The Tehama County Grand Jury is impaneled annually to investigate city and county government, special districts, and certain non-profit corporations to ensure that their functions are performed in a lawful, economical and efficient manner. Findings and Recommendations developed from investigations are contained in the reports signed by the Grand Jury Foreperson and the Grand Jury Judge.

The 2018-19 Tehama County Grand Jury reviewed the responses to the findings and recommendations made by the 2017-18 Tehama County Grand Jury. The 2017-18 Grand Jury presented six investigative reports, each with Findings and Recommendations. The complete text of these reports can be accessed on the following website: <https://www.co.tehama.ca.us/grand-jury>

This website also provides links to the responses given by the various county agencies and the Tehama County Board of Supervisors to the Findings and Recommendations contained in the reports.

## BACKGROUND

The Continuity Committee reviewed all the 2017-18 Grand Jury Report Findings in the six presented reports. In order for the reader to understand the Recommendations and Request for Responses, the Committee felt it prudent to include these Findings in this summary. They include:

### TEHAMA COUNTY AUDIT AND FINANCE

#### **2017-18 FINDINGS:** *(These findings are directly from the 2017-18 Grand Jury Report.)*

- F1.** The Auditor's Office must be audited annually. Then a report must be issued.
- F2.** This requirement is commissioned from the State Controller.
- F3.** The selection of the third-party auditor is made through a solicitation process. It includes a baseline of credentials and requirements for interested bidders, and the determination of the successful bidder is based on best value to the County.

- F4.** The auditor has the same access to county records as the general public, inclusive of all public records and documents during the course of their audit. The 2017-18 Grand Jury found this acceptable.
- F5.** While reviewing the 2015-2016 Audit and Finance Committee report, independent audit recommendations, and the subsequent 2016-2017 excerpts above, the Grand Jury found that no apparent progress has been made on the reconciliation and correction of deficiencies in the Civil Trust Fund.

## **TEHAMA COUNTY HEALTH & WELFARE – HOMELESSNESS**

### **2017-18 FINDINGS:** *(These findings are directly from the 2017-18 Grand Jury Report.)*

- F1.** A local stakeholders group was created and came together to form its own designation for Continuum of Care (COC), a 501C3, non-profit, non-entity with certain responsibilities and a federal registry. Tehama County now has its own non-profit number and fiscal management for a COC.
- F2.** A resolution was passed to work on all four recommendations from the 2016-17 Grand Jury Final Report and was adopted by Council members and Board of Supervisors.
- F3.** Sub-committees were formed within the stakeholders group with three focus areas:
1. Establish a One Stop Center for day service resources with staffed facilities and services.
  2. Temporary Housing: Permanent year-round shelter, transitional housing, and mental health institutional housing
  3. Permanent Housing
- F4.** Tehama County Health Services Agencies (TCHSA) has \$800,000 in grant funding for a brick and mortar solution for housing for individuals with mental health needs. ***No Place Like Home*** is a second potential source of \$500,000 grant funding parallel to the COC for homeless individuals with mental health issues.
- F5.** TCHSA is currently funding a 10-year homeless plan; a hired consultant is reviewing all areas of homelessness to write the plan, which will be presented to elected local officials. Once this plan is complete, all resources will be published.
- F6.** The Point-in-Time count, a snapshot of the homeless population, taken January 24, 2017, reported 12 homeless individuals under the age of 18 in Tehama County.



- F7. There were 506 declared homeless youth enrolled in Tehama County schools during the 2016-17 school year. School Attendance Review Board (SARB) has lost track of 13 to 15 students from the 2016-17 school year with “no clue” where these students are now.
- F8. Tehama County agencies have resources and assistance programs for homeless individuals who are over 18 years of age or for those who are pregnant or parenting teens.

## **TEHAMA COUNTY GRAND JURY JAIL REVIEW**

### **2017-18 FINDINGS:** *(These findings are directly from the 2017-18 Grand Jury Report.)*

- F1. Loose computer cords in the booking area and inmate computer room pose a hazard to employees and inmates.
- F2. The West wing of the jail was constructed in 1974. The East wing of the jail was constructed in 1994. Based on those dates, the facility is meeting the ADA requirements for their respective build date.
- F3. For this year and the previous three years, the average daily occupancy of the jail has been at or exceeded the rated capacity (191) as set by Board of State and Community Corrections (BSCC.) In addition to the jail occupants, there are approximately 60 inmates per day assigned to alternative programs.
- F4. The capacity of the sobering cell and the safety cell at times is not adequate.
- F5. There is minimal use of produce from the jail farm in the meals served in the jail.
- F6. Jail staff is in the process of facilitating video arraignment capabilities and procedures.

## **TEHAMA COUNTY JUVENILE DETENTION FACILITY REVIEW**

### **2017-18 FINDINGS:** *(These findings are directly from the 2017-18 Grand Jury Report.)*

- F1. The Juvenile Detention Facility is well below its maximum capacity of 64. The current population is 27. Roughly 50% of the population is from Tehama County.
- F2. The Juvenile Detention Facility is housing youths from Glenn, Lake, Siskiyou, and Trinity Counties at a cost to the sending of county of \$100 per day per youth.

- F3. The revenues generated by housing out-of-county youths has generated approximately \$500,000. These funds have been used to add additional staff and offset operating costs.
- F4. Each youth, once in the facility, is evaluated mentally and physically within 90 hours.
- F5. The Probation Department has partnered with the Tehama County Senior Nutrition Program adding one staff member to the Juvenile Detention Facility. The Juvenile Detention Facility provides approximately 150 meals for the Senior Nutrition Program daily.
- F6. The waste of food as identified in previous Grand Jury reports has been addressed.
- F7. Juvenile Detention Facility staff members are receiving more than the minimum required annual training resulting in more effective supervision of the youth.

**TEHAMA COUNTY GRAND JURY PUBLIC WORKS/ROADS AND BRIDGES  
REPORT 2017-18 FINDINGS: *(These findings are directly from the 2017-18 Grand Jury Report.)***

- F1. There is no formalized process for review of maintenance schedules, tracking of road repairs, striping, or locations. Some repairs are complaint-driven.
- F2. The current severity scale software to assess road damage or areas to repair is outdated.
- F3. The procedure that is in place to handle complaints or requests for road maintenance and repairs is not easily accessible, causing public concern.
- F4. The position of Transportation Manager has been filled by an interim manager since May 2017. The position of Infrastructure Manager has been vacant since August 2017.
- F5. According to Tehama County Public Works Department (TCPWD), Roads Division, the Pavement Condition Index has fallen by three points in less than two years.
- F6. The Civil Trust Fund is considered an “accounting nightmare.”

From these Findings, The 2017-18 Grand Jury requested responses to recommendations in seven areas:

1. **Tehama County Audit & Finance**  
Recommendations: 4  
Request for Responses: 2
2. **Tehama County Health & Welfare – Homelessness Report**  
Recommendations: 6  
Request for Responses: 3  
Invited Responses: 3
3. **Tehama County Jail Review**  
Recommendations: 6  
Request for Responses: 1
4. **Tehama County Juvenile Hall Review**  
Recommendations: 1  
Commendations: 2  
Request for Responses: 1
5. **Tehama County Public Works, Roads & Bridges**  
Recommendations: 6  
Request for Responses: 1
6. **2017-18 Tehama County Audit Summary**  
Recommendations: 4  
Request for Responses: 2
7. **Continuity Committee Report**  
Recommendations: 3  
Request for Responses: 2

California Penal Code Section 933.05(a) requires the responding person or entity to indicate one of the following regarding the Grand Jury's findings:

1. *The respondent agrees with the finding.*

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

In reference to each Grand Jury recommendation, California Penal Code Section 933.05(b) requires the responding person or entity to provide one of four possible actions:

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

## **METHODOLOGY**

The penal code requires respondents to provide input on the Findings of a report, this report focuses upon the responses to Recommendations. The information provided in response to the Findings often affords valuable background and supplementary data.

The 2018-2019 Tehama County Grand Jury Continuity Committee evaluated responses to the 2017-2018 Tehama County Grand Jury recommendations to ensure compliance with the governing sections of the penal code. The following criteria were considered:

1. Were responses received by the presiding judge within the legal time limits from the date of each report's release?
2. Did the response indicate whether the respondent agreed or disagreed, either wholly or partially, with the finding? If the respondent disagreed, did the response include an explanation?

3. If a response indicated that a recommendation had been implemented, did it include a summary of what was done?
4. If a response indicated that a recommendation would be implemented, did it include a summary and timeframe for what would be done?
5. If a response indicated that a recommendation required further analysis or study, did it include an explanation of the scope, parameters, and timeframe of the proposed analysis or study?
6. If a response indicated that a recommendation would not be implemented because it was unwarranted or unreasonable, did the respondent include a reasoned explanation supporting that position?

The Continuity Committee designed a user-friendly table so readers will be able to see all Responses to Recommendations within each of the seven areas. The Committee then reviewed all Responses in order to determine if the Recommendation was Adequately Addressed. The following table will outline the Continuity Committee’s review and report:

## COUNTY DEPARTMENT RESPONSES TO 2017-18 GRAND JURY RECOMMENDATIONS

2016-17 TEHAMA COUNTY AUDIT SUMMARY REPORT
<p><b>Recommendation 1:</b> Reference Recommendation 7(2) from the Tehama County Assessment Practices Survey report by the California State Board of Equalization: Improve the audit program by enrolling all escape assessments and over assessments discovered during the course of an audit.</p>
<p><b>R-1: Response from Board of Supervisors:</b> We disagree with this recommendation. We believe that appraisal is not an exact science. No matter the type of property being appraised, value is a range. Based on this philosophy, we use appraisal judgment to conclude the entire assessment is either accurate or not. Taxpayers reporting correctly plays a significant role. <b>ADEQUATELY ADDRESSED: Yes</b></p>
<p><b>R-1: Response from Board of Equalization:</b> Section 531.9 provides a mechanism for the assessor to avoid making an escape assessment through a low value ordinance. Without an ordinance in place allowing the exemption of low value escapes, the assessor does not have the authority to ignore either</p>

over- or under- assessments discovered during an audit. In addition, by nullifying, offsetting, or ignoring the actual audit findings, the assessor inadvertently denies the assessee their rights to appeal the audit findings. **ADEQUATELY ADDRESSED: Yes**

**R-1: Response from Tehama County Assessor:** The State seems to be of the opinion that when doing a business property audit there is no room for appraisal judgment. As indicated in my previous response to the state survey, I simply disagree. One of the most important factors of being a good appraiser is the judgment he/she acquires with experience. This judgment makes us recognize that appraisal is not an exact science. We know that a car, or any piece of equipment, might sell for one price one day and a different price another day depending on the ability of the buyer to negotiate a deal. So, when we look at the actual costs to one buyer and compare it to the market we conclude that the value is in the range of what typical buyers and seller transactions are indicating. Once the audit is concluded and we determine that the audit value is in the range of the market value of all the property included in the audit we make a determination as to whether there is an escape or over assessment. If the value is in the range, we conclude no adjustment is needed. If the value is out of the range we will enroll the escape or the reduction depending on the audit result. The second suggestion is that our activity is inadvertently denying the taxpayer the right to appeal the Audit is also misleading. At the conclusion of the Audit we send our audit results to the taxpayer so that they understand our position and their rights. If there is an issue at the conclusion of this communication a taxpayer would always have the ability to appeal. If there is no issue then there simply is nothing to appeal. Thirdly, these surveys are meant to be helpful to promote assessment standards across the state. They are advisory. This appears to be an instance where I disagree with the recommendation. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 2:** Response received dated July 10, 2017 addressing recommendation, however the response states "The Tehama County Auditor is not familiar with the practices and procedures of the Tehama County Assessor's Office referenced in the survey and, therefore, does not have a response to the recommendations made." Adequately addressed: No R1. In regard to F1-R2, the Grand Jury should reach out to The Tehama County Auditor to review its unfamiliarity with the practices and procedures of the Tehama County Assessor's Office referenced in the survey.

**R-2: Response from Tehama County Assessor:** Section 531 of the Revenue and Taxation Code states "If any property belonging on the local roll has escaped assessment, the assessor shall assess the property on discovery at its value on the lien date for the year for which it escaped assessment." When we audit these accounts we are trying to reconcile the entity reported information as submitted on our questionnaires compared to their own books. What we often receive is not consistent with their business valuation methodology. Even though the reported number may be accurate, we sometimes have no idea what specific equipment may be included in the return. So, in turn we audit the books to verify actual cost and determine if a specific piece of equipment may be over or under assessed. As a result of not being able to reconcile these discrepancies, we look at the entire account to make a market determination if an account is accurate or whether the enrolled value is a fair market representation of the value of the equipment audited. If you cannot identify the particular equipment that may have escaped, it is difficult to

enroll. Regarding "making it difficult for the assessee to exercise a right of appeal", I have instructed my staff to be very clear with each and every taxpayer, real property or business property owner to make the taxpayer aware of their rights to appeal in every situation. In these cases, when we finish an audit a finding letter is delivered. This letter indicates the results, the value conclusion, the action the office proposes, and the rights of the taxpayer. **ADEQUATELY ADDRESSED: Yes**

**R-2: Response from Board of Supervisors:** The Board of Supervisors concur with the more thorough response from the Tehama County Assessor's Office.  
**ADEQUATELY ADDRESSED: Yes**

## TEHAMA COUNTY AUDIT & FINANCE REPORT

**Recommendation 1:** Annotate the annual financial report to include the commissioning remarks of the State Controller or agency who is requesting the report, with additional confirmation that the report is required to be issued annually, and that a third-party audit is also required annually.

**R-1: Response from the Board of Supervisors:** The Board of Supervisors concur with this recommendation and the response from the Auditor of his intent to implement this recommendation.  
**ADEQUATELY ADDRESSED: Yes**

**R-1: Response from Tehama County Auditor/Controller:** The Auditor-Controller agrees and will, in future iterations of the Management's Discussion and Analysis, endeavor to include statements reflective of F1 & F2. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 2:** The Independent Auditor best value selection criteria also require that the incumbent audit firm cannot conduct more than two audits in a row implying a selection process every two years. This could potentially result in the identification of other patterns or anomalies not seen or noted by the previous auditor.

**R-2: Response from Board of Supervisors:** The Board of Supervisors partially agree with this recommendation that preparation of the audit by a new auditor might result in new findings. However, adding a requirement that the incumbent audit firm cannot conduct more than two audits in a row is impractical as explained in the Auditor's response and is not necessary to achieve this result. The current audit firm rotates assigned auditors regularly providing a fresh look while ensuring continuity of approach and understanding of the County processes and financial statements. The Board would recommend that Administration consider issuing a Request for Proposals every five years; for a three year term with a three year renewal clause. This RFP process may result in a recommendation to retain the existing Independent

Audit firm with assurances that key personnel will be rotated after no more than two consecutive audits.

**ADEQUATELY ADDRESSED: Yes**

**R-2: Response from Tehama County Auditor/Controller:** The Auditor-Controller disagrees with this recommendation. During the most recent selection process, the Tehama County Auditor, along with Administrative staff of the County Chief Administrator, felt that the best value to the County was considered in extending the audit contract to the same firm for another 3 year period. In theory, the Grand Jury may be correct in their recommendation that one firm should not conduct the audit more than two years in a row, but in practice that position may be untenable. There is a limited amount of interest in auditing small rural counties. There is also a huge learning curve for both parties upon entry into a new working relationship. Many counties have long-term relationships with the auditing firms. Most audit contracts are written for a minimum of three years. Legislation has been contemplated to limit the term to 3 years, but those efforts have failed for various reasons. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 3:** The Auditor/Controller correct the deficiencies in the Civil Trust Fund.

**R-3: Response from Board of Supervisors:** The Board of Supervisors is pleased to inform the Grand Jury that this has been accomplished as described in the Auditor's response. Full implementation of the software purchased has resulted in precise reconciliation of the account beginning with the month ending June 30, 2017. Balance of deposits has been reduced from \$28,495.98 as of June 30, 2017 to \$19,998.46 as of June 30, 2018; further evidence of the effectiveness of this software. **ADEQUATELY ADDRESSED: Yes**

**R-3: Response from Tehama County Auditor/Controller:** To this point, the Auditor must respectfully disagree. In reference to Finding F5, and as indicated by both the Auditor-Controller and the Sheriff in their respective response to the 2016-17 Grand Jury, whose letters can be found in this same 2017-2018 Tehama County Grand Jury Report, this issue was resolved with the purchase and implementation of new software in 2016. This finding was not present in the audit of fiscal year ending June 30, 2017. **ADEQUATELY ADDRESSED: Yes**

**R-3: Response from Tehama County Sheriff:** No response from the Sheriff regarding the Civil Trust Fund.



**TEHAMA COUNTY HEALTH & WELFARE  
HOMELESSNESS REPORT**

**Recommendation 1:** Board of Supervisors and members of City Councils, as well as Chief Administrator and City Manager need to align efforts and work together regarding the homeless situation in Tehama County.

**R-1: Response from the Board of Supervisors:** The Board of Supervisors concur with the recommendation. Working groups were created that included regional and local agencies and advocacy groups to study issues and develop solutions. This effort has resulted in the current Stakeholders' Group that has presented a resolution calling for the development of a 10-year plan to be adopted by all three cities and the county. **ADEQUATELY ADDRESSED: Yes**

**R-1: Response from Tehama County Chief Administrator and Red Bluff City Manager:** We concur with this recommendation. Several meetings have been held at the City of Red Bluff and the County of Tehama over the past four years with participation by both agencies. The City of Red Bluff has taken proactive steps with regards to public safety response and dedicates an annual Homelessness Fund that is distributed to local nongovernment groups who provide direct services to this population. The County created working groups that included regional and local agencies and advocacy groups to study the issues and develop solutions. This effort has resulted in the current Stakeholders' Group that has coordinated the development of a Ten-Year Plan, authored a model Resolution that has been adopted by all three cities and the county, and has identified potential facilities of both a mobile shower unit and the re-use of a county facility as a Navigation Center. Both the City of Red Bluff and County of Tehama responses to the FY 2016-17 Grand Jury Report committed the agencies to cooperate with each other to find real solutions to the emergency and transitional housing needs of the homeless population. As managers of our agencies, we are committed to moving this effort forward. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 2:** Complete the 10-year plan, which may serve as a collective impact plan by July 1, 2019.

**R-2: Response from the Board of Supervisors:** The Board of Supervisors concur with the recommendation. A 10-year plan has been developed and was presented at a joint meeting of the Tehama County Board of Supervisors and all three cities on Monday, September 10, 2018. **ADEQUATELY ADDRESSED: Yes**

**R-2: Response from the Tehama County Health Agency:** We agree with R2: The Tehama County 10-Year Plan to End Homelessness (August 2018), is in final draft form and will be presented to the Board of Supervisors and the city councils of Corning, Red Bluff, and Tehama in a Joint Study Session on

September 10, 2018. It is the intention of the Tehama County Housing and Homeless Stakeholder Collaborative to have the final plan before each of the four jurisdictions for adoption by December of 2018.  
**ADEQUATELY ADDRESSED: Yes**

**R-2: Response from Tehama County Social Services:** We are in agreement with this recommendation. Members of the Social Services Administration team and additional staff within the Department of Social Services and Community Action Agency are participants of the Homeless Stakeholders Group and are actively executing the 10-year plan through the Group's committee structure.  
**ADEQUATELY ADDRESSED: Yes**

**Recommendation 3:** Continue working with the hired consultant and real estate agent to secure property for temporary, permanent, and transitional housing for homeless individuals.

**R-3: Response from the Board of Supervisors:** The Board of Supervisors concur with the recommendation. Through active participation in the Stakeholders' Group by the Board of Supervisors and staff members; we are continuing to work cooperatively with hired consultants to finalize the 10-year plan and to solicit proposals for the development of temporary, permanent and transitional housing.  
**ADEQUATELY ADDRESSED: Yes**

**R-3: Response from Tehama County Chief Administrator and Red Bluff City Manager:** We concur with this recommendation. Through active participation in the Stakeholders' Group by our elected officials, staff members and ourselves; we are continuing to work cooperatively with hired consultants to finalize the Ten-year Plan and to solicit proposals for the development of temporary, permanent and transitional housing. These meetings have resulted in creative thinking including the possible purchase of a mobile shower unit by a non-profit that would be placed on public land near county services and the engagement of an architect to develop plans for the re-use of a county facility on Vista Way as a Navigation Center to include temporary housing. **ADEQUATELY ADDRESSED: Yes**

**R-3: Response from Tehama County Health Services Agency:** We agree with R3: The housing consultant is working with developers and members from the Stakeholder Collaborative on permanent supportive housing projects for chronically homeless individuals with mental illness and their families. A County facility on Vista Way in Red Bluff, has been identified and offered up as a potential site for co-located temporary housing and a one-stop navigation center. Architects have been engaged to assess the site for appropriateness and cost. The Stakeholder Collaborative has formed two new subcommittees to address options for transitional housing and to identify funding resources to support all the 10-year plan goals. **ADEQUATELY ADDRESSED: Yes**

**R-3: Response from Tehama County Social Services:** We are in agreement with this recommendation. In collaboration with the Homeless Stakeholders Group, there is now a fiscal sub-

committee, headed by a Social Services Manager, whose goal it is to identify funds for both real estate and renovation. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 4:** Promote and hold the LIFT event at a convenient location on the weekend or when homeless youth and unaccompanied minors are not in school.

**R-4: Response from Board of Supervisors:** The Board of Supervisors concur with the recommendation and supports the response provided by the Tehama County Department of Social Services. **ADEQUATELY ADDRESSED: Yes**

**R-4: Response from Tehama County Social Services:** We are in agreement with this recommendation. The timing of the LIFT event was determined through a survey of homeless and needy individuals in the County and is currently in the most suitable location for providing the needed services. This time and location allow agencies and providers to send employees to the event as part of their regular paid work. Holding the event on the weekend has been cost-prohibitive due to the cost of the venue. However, every attempt to create a second event on a weekend would be considered. Holding the event in the summer or extending the hours of the regular event may provide a better opportunity for homeless youth and unaccompanied minors to attend. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 5:** Ensure that school districts are following McKinney-Vento Homeless Education Assistance Act and have a local liaison appointed to assist and inform homeless students of their rights and of county resources.

**R-5: Response from Tehama County Department of Education:** We are in agreement with this recommendation. McKinney-Vento liaisons are appointed at every school and/or district in Tehama County. The districts and schools are provided group training every fall and individual training throughout the school year from the TCDE on-site school staff. The TCDE Homeless Coordinator provides information on the McKinney Vento Act, educational rights of homeless students, and available community resources to the liaisons at the district and school level. TCDE staff make quarterly visits to the school and district liaisons as needed, to help with case management. During these visits, TCDE staff provides backpacks, school supplies, relevant information, and resource referral information. Case management includes coaching for student rights advocacy, data cleansing and accurate reporting. However, in preparing this response we have found that our list of liaisons needs updating. This will be done by September 1, 2018. We are committed to being diligent to keep strong communications with schools to reflect changes in personnel and responsibilities. Though the report indicates some youth are not aware of resources and the rights of homeless youth, collaboration with local agencies has been strong and will be a continued focus of improvement for the 2018-19 school year. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 6:** Encourage the stakeholders group to add homeless youth and unaccompanied minors ages 13-18 to their areas of focus.

**R-6: Response from Board of Supervisors:** The Board of Supervisors concurs with the recommendation and supports the response provided by the Tehama County Health Services Agency. Homeless youth and unaccompanied minors' needs will be included in the 10-year plan. Tehama County Department of Education, Department of Social Services, Probation Department and Health Services Agency have agreed to develop a joint plan to address the needs of homeless youth and unaccompanied minors in a timely manner and in a multidisciplinary fashion.

**ADEQUATELY ADDRESSED: Yes**

**R-6: Response from Tehama County Chief Administrator and Red Bluff City Manager:** We concur with this recommendation. Policies, rules and facilities for this vulnerable population are not generally under the direct purview of City and County management. However, the Stakeholders' Group does include advocates for youth. We remain committed to working with the Department of Education, Tehama County Social Services, Tehama County Health Services and non-profit service providers to address these needs. We will work with our elected officials to take actions as requested to support the efforts of these groups. **ADEQUATELY ADDRESSED: Yes**

**R-6: Response from Tehama County Health Services Agency:** We agree with R6: Homeless youth and unaccompanied minors' needs have been included in the 10-year plan and will also be a focus in a homeless awareness campaign that is in the planning stages. Members of the Stakeholder Collaborative have renewed efforts to reach out to education agencies and encourage their participation in our work to end homelessness. Additionally, the leadership of the Tehama County Department of Education, Department of Social Services, Probation Department, and Health Services Agency have agreed to develop a joint plan to address the needs of homeless youth and unaccompanied minors in a timely manner and in a multidisciplinary fashion. **ADEQUATELY ADDRESSED: Yes**

**R-6: Response from Tehama County Social Services:** We are in agreement with this recommendation. All community agencies and providers were encouraged and invited to join the Homeless Stakeholders Group from its inception. It is hoped that this Grand Jury report will signal Educational entities to join the Stakeholders Group so their voices can be heard and their expertise can be applied to discussions and decision-making. **ADEQUATELY ADDRESSED: Yes**

## TEHAMA COUNTY JAIL REVIEW REPORT

**Recommendation 1:** The Grand Jury recommends the hazard created by the computer cables and cords in the booking area and inmate computer room be eliminated.

**R-1: Response from Board of Supervisors:** The Board of Supervisors concur with the recommendation and is pleased that the Sheriff took immediate action to eliminate the exposed cabling.  
**ADEQUATELY ADDRESSED: Yes**

**R-1: Response from the Tehama County Sheriff:** We appreciate the Grand Jury for bringing this to our attention. We immediately eliminated the exposed computer cables in the jail booking area by combining and securing them off the floor. The inmate computers have been removed and the program has been replaced by a wireless tablet system for the inmates. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 2:** The Grand Jury recommends to develop plans and repurpose vacated space created by the jail expansion to add additional sobering and safety cells.

**R-2: Response from Board of Supervisors:** The Board of Supervisors concurs with the recommendation and agrees with the response of the Tehama County Sheriff's Department.  
**ADEQUATELY ADDRESSED: Yes**

**R-2: Response from Tehama County Sheriff:** We are looking forward to the jail expansion project and are confident, once in place, it will allow us to establish additional space in the current jail facility for additional safety cells. We are currently managing our jail population with the safety cells we have and will continue to do so. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 3:** The Grand Jury recommends to utilize the jail farm to provide a larger portion of the meals served in the jail.

**R-3: Response from Board of Supervisors:** The Board of Supervisors concurs with the recommendation and is pleased with the ongoing success of the work farm program. We are confident that it will meet the goal to increase quantities of produce provided to the jail and expand the menu in the future. **ADEQUATELY ADDRESSED: Yes**

**R-3: Response from Tehama County Sheriff:** We have an ongoing process in place to provide the jail with products and produce by our work farm. We will continue to provide food products to the jail and other community food programs as regulations allow. We are optimistic the jail kitchen will be able to expand their menu to include food stuffs provided by the farm. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 4:** The Grand Jury recommends implementing video arraignment prior to the end of 2018.

**R-4: Response from Board of Supervisors:** The Board of Supervisors respectfully disagrees with the recommendation. The recommendation timeline is impractical. We understand the importance of the implementation and will continue to work with the Sheriff's Department to find funding and to move forward with full implementation. **ADEQUATELY ADDRESSED: Yes**

**R-4: Response from Tehama County Sheriff:** We have installed the wiring for this project in our jail. However, due to budget restraints, we are in a standby mode in the project. We have currently budgeted for a new jail security system. We are exploring options on how to fund the video arraignment system. The Grand Jury's recommendation to have this in place by the end of 2018 is not realistic. I can assure the Grand Jury that we understand the importance of a video arraignment system. We are dedicated to implementing a system in the future. **ADEQUATELY ADDRESSED: Yes**

### TEHAMA COUNTY JUVENILE HALL REVIEW REPORT

**Recommendation 1:** A cost analysis is performed of the daily fee collected for housing out-of-county youths to determine if the fee is sufficient.

**R-1: Response from the Board of Supervisors:** Agree. County Management agrees with the Grand Jury recommendation. The Board of Supervisors concur with the recommendation and will ask that the Chief Probation Officer provide an analysis prior to June 30, 2019. **ADEQUATELY ADDRESSED: Yes**

**R-1: Response from Chief Probation Officer:** Agree. As part of the analysis, the actual cost per bed will be calculated. In addition, a check of the rates offered from the competition will also be reviewed. Lastly, the existing contracts have various terms and expiration dates. When each of these contracts come due for negotiation, competitive rates, actual cost, judgment and administrative review will be utilized to set the daily fee collected for out-of-county youth. **ADEQUATELY ADDRESSED: Yes**

### PUBLIC WORKS: ROADS AND BRIDGES REPORT

**Recommendation 1:** Create a formal computerized maintenance schedule and tracking system for road repair and locations.

**R-1: Response from the Board of Supervisors:** The Board of Supervisors concur with the recommendation and is supportive of the steps taken by the Public Works Department as outlined in the department response. **ADEQUATELY ADDRESSED: Yes**

**R-1: Response from the Public Works Director:** The Department agrees with this recommendation. We are transitioning to a new software that will not only enable us to track maintenance issues but also inventory items such as signage, culvert locations and size, and log pavement condition indexes for specific locations and types of pavement distress. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 2:** Create a page on the Public Works website for residents to register complaints with a specific response time.

**R-2: Response from the Board of Supervisors:** The Board of Supervisors concur with the recommendation. However, there should be recognition that direct communication with department personnel may result in more complete and thorough complaint documentation, resulting in better workload planning and response. **ADEQUATELY ADDRESSED: Yes**

**R-2: Response from the Public Works Director:** The Department partially agrees with the recommendation. The current system has worked well for many years. We are looking at options to adding a "maintenance request" element to our website. This would add a page to the website specifically for residents to submit complaints. The resident would be able to receive a response with an option of preferred response (email or phone). TCPW administrative staff will receive the complaint and forward it to the appropriate supervisor who will review the complaint, determine what action needs to be taken, and a response will be transmitted to the complainant. Administrative staff will keep records of all the information. However, for such a page to be useful, we must rely on residents to fill out the forms in enough detail to address the issue. Often, while taking the information over the phone, our staff can ask more detailed questions to be able to pinpoint the location and magnitude of the issue. In either scenario, the requests are given to our crews who fold the work into their regular schedule. This is the most cost-effective and efficient manner to address the situation. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 3:** Fill the positions for Transportation Manager and Infrastructure Manager. Require grant writing skills in the job description.

**R-3: Response from the Board of Supervisors:** The Board of Supervisors concur with the recommendation and supports the response provided by the Public Works Department. **ADEQUATELY ADDRESSED: Yes**

**R-3: Response from the Public Works Director:** The Department agrees with this recommendation. The Transportation Manager position cannot be permanently filled until resolution is reached with the incumbent. The Department is reviewing the job description for the Infrastructure Manager to make it more attractive to potential candidates. Both existing job descriptions are broad enough that grant writing is easily within the scope of the respective qualifications and job assignments. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 4:** Create a plan on how the Roads Division will improve management of and follow-through on all road maintenance.

**R-4: Response from the Board of Supervisors:** The Board of Supervisors concur with the recommendation and supports the response provided by the Public Works Department.  
**ADEQUATELY ADDRESSED: Yes**

**R-4: Response from the Public Works Director:** This recommendation has already been implemented. We have purchased a new software package that will allow us to better track maintenance as well as inventory items such as signage, culvert locations and size, and log pavement condition indexes for specific locations and types of pavement distress. **ADEQUATELY ADDRESSED: Yes**

**Recommendation 5:** Create a plan on how the Roads Division will improve management of and follow-through on all road maintenance.

**R-5: Response from the Board of Supervisors:** The Board of Supervisors concur with the recommendation and supports the response provided by the Public Works Department.  
**ADEQUATELY ADDRESSED: Yes**

**R-5: Response from the Public Works Director:** The Department agrees with this recommendation.  
**ADEQUATELY ADDRESSED: Yes**

**Recommendation 6:** Clarify the use and administration of the Civil Trust Fund.

**R-5: Response from the Board of Supervisors:** The Board of Supervisors concur with the recommendation and is pleased with the steps that have been taken to reduce the funds held in this account. **ADEQUATELY ADDRESSED: Yes**

**R-5: Response from the Public Works Director:** This recommendation has already been implemented. Public Works staff has worked with the Auditor in reducing the funds held in the account. We have instituted policies to help us track deposits. **ADEQUATELY ADDRESSED: Yes**





## Responses to the Recommendations of the 2017-18 Tehama County Grand Jury Consolidated Report

Each year, the sitting Grand Jury reviews the previous year's Grand Jury Final Consolidated Report, to ensure that all items have been addressed. This process assures transparency between the public officials and the citizens of Tehama County.

The Continuity Committee is responsible for following up with the responses from public officials to the Findings and Recommendations made by the 2017-18 Consolidated Grand Jury Report for legal compliance. Pursuant to Penal Code 933.05 all county entities must respond in a timely manner, which means 90 days for governing bodies (Tehama County Board of Supervisors) and 60 days for elected officials. The Board of Supervisors will receive all responses, officially approve them, and forward on to the Presiding Judge of the Grand Jury. The Presiding Judge makes the final approval of the Consolidated Grand Jury Report.

The 2018-19 Continuity Committee reviewed the responses to the 2017-18 Grand Jury Consolidated Report from the following public officials:

- Tehama County Assessor
- Tehama County Auditor-Controller
- Tehama County Chief Administrator and Tehama County City Manager/City Attorney
- Tehama County Superintendent of Schools
- Tehama County Health Services Agency
- Tehama County Department of Social Services/Community Action Agency
- Mayor, City of Red Bluff – 2018
- Mayor, City of Red Bluff – 2017
- Tehama County Sheriff
- Tehama County Chief Probation Officer
- Tehama County Public Works Department

**Responses are attached.**

DALE STROUD  
ASSESSOR

Office of County Assessor  
COUNTY OF TEHAMA  
P.O. BOX 426, RED BLUFF, CALIFORNIA 96080  
TELEPHONE (530) 527-5931  
FAX (530) 529-4018

RECEIVED  
AUG 1 2018  
BY: .....

July 31, 2018

Honorable Mathew C. McGlynn  
Judge of the Superior Court  
1740 Walnut Street  
Red Bluff, California 96080

RE: Response to Grand Jury Pursuant to Penal Code Section 933.05(f)

Honorable Judge McGlynn;

The Tehama County Grand Jury has again requested that I respond to the 2014-15 State Board of Equalization Sample and Survey recommendation item #7 (2).

Contained within the final report are the following State Board of Equalization observations:

- 1) Section 531 of the Revenue and Taxation Code states "If any property belonging on the local roll has escaped assessment, the assessor shall assess the property on discovery at its value on the lien date for the year for which it escaped assessment."
- 2) Section 469 "provides that if the result of an audit discloses property subject of an escape assessment, the assessee is entitled to appeal the assessment of all the property at the location of the trade, profession, or business."
- 3) Section 5096 requires refund of taxes paid if they were paid on an assessment in excess of the value of the property.

I will try to respond to each siting individually.

- 1) Section 531: The State is accurate in its interpretation of this section. However, when we audit these accounts we are trying to reconcile the entity reported information as submitted on our questionnaires compared to their own books. What we often receive (especially with large accounts) is not consistent with their business valuation methodology. What this means is that they may report a total number of \$1,000,000 which in turn is what we use as a value basis for the property and then depreciate the equipment value based on an estimated allocation for each specific depreciation category (i.e. equipment vs. fixtures). Even though the reported number may be accurate, we sometimes have no idea what specific equipment may be included in the return. So, in turn we audit the books to verify actual cost and determine if a specific

piece of equipment may be over or under assessed. As a result of not being able to reconcile these discrepancies, in some instances we look at the entire account as a whole to make a market determination if an account is accurate or whether the enrolled value is a fair market representation of the value of the equipment audited. Again, this is because we are unable to reconcile the specific piece of equipment that might be in question. If you cannot identify the particular equipment that may have escaped, it is difficult to enroll.

- 2) Section 469: The State alleges my office is "making it difficult for the assessee to exercise a right of appeal". I have been with the Tehama County Assessor's Office for 41 years, throughout my career I have always felt that my number one responsibility to each and every taxpayer within my jurisdiction was that of a public servant. Audit situations are no different, I have instructed my staff to be very clear with each and every taxpayer, real property or business property owner to make the taxpayer aware of their rights to appeal in every situation. In these cases, when we finish an audit a findings letter is delivered. This letter indicates the results, the value conclusion, the action the office proposes, if any, and the rights the taxpayer has if they chose to dispute any or all of our findings. For this reason, I find this portion of the State's conclusion totally unfounded.
- 3) Section 5096: The response to this point is similar to the response to #1. For reasons already stated, we often times have difficulty identifying which specific piece of equipment may be over or under assessed or may have escaped assessment. Again, with reporting inconsistencies versus actual book values of a business, it becomes challenging to reconcile individual specific equipment items. Consequently, at times, due to the complexity of some accounts we make fair market appraisal value determinations. With these determinations we ensure the assessment falls within the range of accepted value for the type of property being assessed. Whenever an over assessment is discovered refunds are promptly issued and if a discrepancy or increased assessment occurs the tax payer is immediately notified of their right to appeal.

The last statement in the State recommendation says "the current arbitrary minimum audit enrollment policy fails to meet the assessor's obligation to assess all property subject to taxation." I believe this statement is in conflict with the State's findings. The survey results were issued in September of 2016. This survey was only a portion of the study completed at that time. The study was a survey of the 2014 roll, which was in the first part focused on staff procedures and the second part being a valuation sample. The sample purpose is to determine if the office valuation of Tehama County property assessments were accurate. The state reviews both real property and business property records to review our valuation conclusions. They use various samples to estimate the appraisal accuracy of the entire assessment roll. The State concluded that my office enrolled an average assessment ration of 100.17%. This conclusion indicates a near perfect job in the valuing of properties within the county.

My last comment is that I am disappointed to find this particular item is a concern of the Grand Jury. Neither the 2016/2017 nor the 2017/2018 Grand Jury came to me to express a concern over this issue. I always appreciate and welcome questions from assessee's, taxpayers and the Grand Jury

alike. However, I am dismayed that this topic is again a Grand Jury Report inclusion which comes as a total surprise. The last physical visit this office received from the Grand Jury was the 2015/2016. I and Deputy Assessor, Ken Brown, met with several members of the Grand Jury at that time. We had about an hour conversation about the operation of the office, staffing levels, office needs and concerns that we had at the time. No Grand Jury conversation has taken place since that date. I am unsure why this report indicates that there was a visit to my office by the 2016/2017 and the 2017/2018 Grand Jury (See page 72 of the report). Again, neither Ken nor I has had any contact with the Grand Jury since the 2015/2016 visit.

I hope that this response answers any concern the Grand Jury has about the topic. If there are continued thoughts or questions, please do not hesitate to contact myself or Ken Brown. The assessor's office always maintains an open door policy for communication. The policy includes not only the Grand Jury but any member of the public. As public servants it is our desire to provide a clear understanding of our procedures and practices whenever possible. We believe this is the best mindset in serving the taxpayers of Tehama County.

Respectfully,



Dale Stroud  
Tehama County Assessor

LEROY M. ANDERSON  
Auditor-Controller



KRISTA K. PETERSON  
Assistant Auditor-Controller

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TEHAMA COUNTY AUDITOR-CONTROLLER

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8/15/18

The Honorable Matthew C. McGlynn  
Judge of the Superior Court  
1740 Walnut Street  
Red Bluff, CA 96080

RECEIVED  
AUG 16 2018

BY: \_\_\_\_\_

Re: 2017-2018 Grand Jury Response to Findings and Recommendation

Honorable Judge McGlynn:

In regard to the Grand Jury request for a response to R1 – R3 of the Audit and Finance Committee Audit Summary, we offer the following:

R1. Recommends that the annual financial report be annotated to include commissioning remarks of the requesting agency, confirmation that the report is required annually and that a third-party audit is also required annually.

The Auditor-Controller agrees and will, in future iterations of the Management's Discussion and Analysis, endeavor to include statements reflective of F1 & F2.

R2. Recommends that the best value selection criteria also require that the incumbent audit firm cannot conduct more than two audits in a row.

The Auditor-Controller disagrees with this recommendation. During the most recent selection process, the Tehama County Auditor, along with Administrative staff of the County Chief Administrator, felt that the best value to the County was considered in extending the audit contract to the same firm for another 3 year period. In theory, the Grand Jury may be correct in their recommendation that one firm should not conduct the audit more than two years in a row, but in practice that position may be untenable. There is a limited amount of interest in auditing small rural counties. There is also a huge learning curve for both parties upon entry into a new working relationship. Many counties have long-term relationships with the auditing firms. Most audit contracts are written for a minimum of three years. Legislation has been contemplated to limit the term to 3 years, but those efforts have failed for various reasons.

R3. Recommends that the Auditor – Controller correct the deficiencies in the Civil Trust Fund.

To this point, the Auditor must respectfully disagree. In reference to Finding F5., and as indicated by both the Auditor-Controller and the Sheriff in their respective response to the 2016-17 Grand Jury, whose letters can be found in this same 2017-2018 Tehama County Grand Jury Report, this issue was resolved with the purchase and implementation of new software in 2016. This finding was not present in the audit of fiscal year ending June 30, 2017.

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444 Oak Street Room J, Red Bluff, CA 96080 • (530) 527-3474 • FAX (530) 529 2015

R4. Recommends that the 2018-2019 Grand Jury follow up on the corrections noted in R3.

The Auditor-Controller is confident that the 2018-19 Grand Jury will find that this issue was resolved.

Thank you to all the Grand Jury members for their service and diligence in investigating and reporting.

Respectfully,

  
LeRoy M. Anderson  
Tehama County Auditor-Controller



Tehama County  
 Williams J. Goodwin  
 Chief Administrator  
 727 Oak Street, Red Bluff, CA 96080  
 Phone (530) 527-4655/Fax (530) 527-3764



City of Red Bluff  
 Richard Crabtree  
 City Manager / City Attorney  
 555 Washington St., Red Bluff, CA 96080  
 Phone (530) 527-2605/Fax (530) 529-6878

RECEIVED  
 AUG 24 2018

BY: .....

August 23, 2018

Honorable Matthew C. McGlynn  
 Judge of the Superior Court  
 1740 Walnut Street  
 Red Bluff, CA 96080

Subject: 2017 – 2018 Grand Jury Report, Tehama County Health and Welfare – Homelessness Report

Honorable Judge McGlynn:

The 2017 – 2018 Grand Jury requested that the City Manager of the City of Red Bluff and the Chief Administrator of the County of Tehama respond to the same recommendations related to the Tehama County Health and Welfare – Homelessness Report. We are submitting a joint response in keeping with the spirit of Recommendation 1 that the agencies “align efforts and work together regarding the homeless situation in Tehama County.” We thank the members of the Grand Jury for the thoroughness of their investigation and the thoughtful findings and recommendations. We are pleased to respond to Recommendations 1, 3 and 6.

We concur with all of the findings of the Grand Jury with one clarification. The One-Stop Facilities sub-group of the Stakeholders Group contacted local real estate agents early in the process to try to identify available and appropriate locations for reuse and/or new build for both emergency and transitional housing. It was determined that the inventory is fluid and that properties identified today might not be available when a project developer with secured funding is ready. It was found that locations within City limits with appropriate zoning are limited, and processing a zoning change request will result in delays and public debate.

**RECOMMENDATIONS**

**R1. Board of Supervisors and members of City Councils, as well as the Chief Administrator and City Manager, need to align efforts and work together regarding the homeless situation in Tehama County.**

Response: We concur with this recommendation. Several meetings have been held at the City of Red Bluff and the County of Tehama over the past four years with participation by both agencies. The City of Red Bluff has taken proactive steps with regards to public safety response and dedicates an annual Homelessness Fund that is distributed to local non-government groups who provide direct services to this population. The County created working groups that included regional and local agencies and advocacy groups to study the issues and develop solutions.

This effort has resulted in the current Stakeholders' Group that has coordinated the development of a Ten-year Plan, authored a model Resolution that has been adopted by all three cities and the county, and has identified potential facilities of both a mobile shower unit and the re-use of a county facility as a Navigation Center. Both the City of Red Bluff and County of Tehama responses to the FY 2016 – 2017 Grand Jury Report committed the agencies to cooperate with each other to find real solutions to the emergency and transitional housing needs of the homeless population. As managers of our agencies, we are committed to moving this effort forward.

**R3. Continue working with the hired consultant and real estate agent to secure property for temporary, permanent, transitional housing for homeless individuals.**

Response: We concur with this recommendation.

Through active participation in the Stakeholders' Group by our elected officials, staff members and ourselves; we are continuing to work cooperatively with hired consultants to finalize the Ten-year Plan and to solicit proposals for the development of temporary, permanent and transitional housing. These meetings have resulted in creative thinking including the possible purchase of a mobile shower unit by a non-profit that would be placed on public land near county services and the engagement of an architect to develop plans for the re-use of a county facility on Vista Way as a Navigation Center to include temporary housing.

**R6. Encourage the Stakeholders' Group to add homeless youth and unaccompanied minors ages 13-18 to the areas of focus.**

Response: We concur with this recommendation.

Policies, rules and facilities for this vulnerable population are not generally under the direct purview of City and County management. However, the Stakeholders' Group does include advocates for youth. We remain committed to working with the Department of Education, Tehama County Social Services, Tehama County Health Services and non-profit service providers to address these needs. We will work with our elected officials to take actions as requested to support the efforts of these groups.

Again, we are grateful for the thoughtful work by the Grand Jury on this difficult subject, and appreciate the opportunity to address these recommendations.

Sincerely,



Williams Goodwin  
Chief Administrator  
Tehama County



Richard Crabtree  
City Manager / City Attorney  
City of Red Bluff

cc: R. Crabtree  
V. Lucero





## Tehama County Department of Education

Richard DuVamey  
Tehama County  
Superintendent of  
Schools

1135 Lincoln Street Red Bluff CA 96080 | 530.527.5811 | www.tehamaschools.org

August 15, 2018

Honorable Matthew C. McGlynn  
Judge of the Superior Court  
County of Tehama  
1740 Walnut Street  
Red Bluff, CA 96080

RECEIVED  
AUG 21 2018

BY: .....

Subject: 2017-2018 Grand Jury Report

Dear Judge McGlynn:

The Tehama County Department of Education (TCDE) would like to thank the Grand Jury for their dedication and hard work over the past year. One of the biggest challenges to our community and others in the state is the challenge to support and improve the lives of our homeless population. As educators, we are specifically concerned about the homeless youth in our county. We are pleased to respond to the recommendation made by the Grand Jury.

R5—Ensure that school districts are following McKinney-Vento Homeless Education and Assistance Act and have a local liaison appointed to assist and inform homeless students of their rights and county resources.

Response: We are in agreement with this recommendation.

McKinney-Vento liaisons are appointed at every school and/or district in Tehama County. The districts and schools are provided group training every fall and individual training throughout the school year from the TCDE on-site school staff. The TCDE Homeless Coordinator provides information on the McKinney Vento Act, educational rights of homeless students, and available community resources to the liaisons at the district and school level. TCDE staff make quarterly visits to the school and district liaisons as needed, to help with case management. During these visits, TCDE staff provides backpacks, school supplies, relevant information, and resource referral information. Case management includes coaching for student rights advocacy, data cleansing and accurate reporting.

However, in preparing this response we have found that our list of liaisons needs updating. This will be done by September 1, 2018. We are committed to being diligent to keep strong communications with schools to reflect changes in personnel and responsibilities.

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### Serving Students, Schools, and the Community

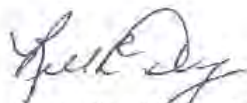
Antelope | Corning Elementary | Corning High | Elkins | Evergreen | Flournoy | Gerber | Kirkwood  
Lassen View | Los Molinos | Red Bluff Elementary | Red Bluff High | Reeds Creek | Richfield

Honorable Judge Matthew C. McGlynn  
Judge of the Superior Court  
August 15, 2018  
Page Two

Though the report indicates some youth are not aware of resources and the rights of homeless youth, collaboration with local agencies has been strong and will be a continued focus of improvement for the 2018-2019 school year.

Again, we would like to express our appreciation to the Grand Jury for their focus on our most vulnerable students.

Sincerely,



RICHARD DUXARNEY  
Tehama County Superintendent of Schools

# TEHAMA COUNTY HEALTH SERVICES AGENCY

VALERIE S. LUCERO  
EXECUTIVE DIRECTOR

DEANNA GEE  
ASSISTANT EXECUTIVE  
DIRECTOR, ADMINISTRATION

JAYNE BOTTEK  
ASSISTANT EXECUTIVE  
DIRECTOR, PROGRAM

RICHARD WICKENHEISER, MD  
PUBLIC HEALTH OFFICER



ADMINISTRATIVE & FISCAL/DATA DIVISION  
818 MAIN STREET  
MAILING ADDRESS: PO BOX 400, RED BLUFF, CA 96080

(530) 527-8491  
FAX (530) 527-0240  
**RECEIVED**  
SEP 11 2018

August 31, 2018

Honorable Judge Matthew C. McGlynn  
Judge of the Superior Court  
1740 Walnut Street  
Red Bluff, CA 96080

BY: .....

Dear Judge McGlynn,

Thank you for the opportunity to respond to the 2017-2018 Grand Jury Report. I would like to thank the members of the Grand Jury for their in-depth review of homelessness issues in Tehama County and their focus on homeless youth and unaccompanied minors.

## Homelessness Report

Recommendation 2: Complete the 10-year plan, which may serve as a collective impact plan, by July 1, 2019.

We agree with R2: The Tehama County 10-Year Plan to End Homelessness (August 2018), is in final draft form and will be presented to the Board of Supervisors and the city councils of Corning, Red Bluff, and Tehama in a Joint Study Session on September 10, 2018. It is the intention of the Tehama County Housing and Homelessness Stakeholder Collaborative to have the final plan before each of the four jurisdictions for adoption by December of 2018.

Recommendation 3: Continue working with the hired consultant and real estate agent to secure property for temporary, permanent, and transitional housing for homeless individuals.

We agree with R3: The housing consultant is working with developers and members from the Stakeholder Collaborative on permanent supportive housing projects for chronically homeless individuals with mental illness and their families. A County facility on Vista Way in Red Bluff, has been identified and offered up as a potential site for co-located temporary housing and a one-stop navigation center. Architects have been engaged to assess the site for appropriateness and cost. The Stakeholder Collaborative has formed two new subcommittees to address options for transitional housing and to identify funding resources to support all the 10-year plan goals.

Recommendation 6: Encourage the stakeholder group to add homeless youth and unaccompanied minors ages 13-18 to their areas of focus.

We agree with R6: Homeless youth and unaccompanied minors' needs have been included in the 10-year plan and will also be a focus in a homeless awareness campaign that is in the planning stages. Members of the Stakeholder Collaborative have renewed efforts to reach out to education agencies and encourage their participation in our work to end homelessness. Additionally, the leadership of the Tehama County Department of Education, Department of Social Services, Probation Department, and

Health Services Agency have agreed to develop a joint plan to address the needs of homeless youth and unaccompanied minors in a timely manner and in a multidisciplinary fashion.

Jail Review

Although not required to respond to the Grand Jury report of the Jail Review, I would like to provide information regarding the Health section of the report, page 31. The report states, *"There are no trained mental health personnel on staff. Mental health services are provided via a phone line available to inmates through Tehama County Mental Health. The phone location provides limited privacy. These services are available based on the arrestee's health history taken at the time of booking or upon request."* It is correct that there is a 24-hour mental health "hotline" that rings directly to the Tehama County Health Services Agency - Community Crisis Response Unit, for use by inmates at their request.

The Tehama County Health Services Agency is the provider of Jail Health Services, including primary medical care, mental health care, and substance use disorder services. In Fiscal Year 2017-2018 the Agency provided an average of 30.75 hours/week of mental health personnel, 2.4 hours/week of telepsychiatry services from a psychiatrist/clinical psychologist, and 14.2 hours/week of substance use recovery personnel. This totals to an average of 47.35 hours/week of mental health/substance use recovery services provided within the jail.

Respectfully submitted,



Valerie S. Lucero  
Executive Director

cc: Williams Goodwin, Chief Administrator



Annalisa Sharp, MBA, CFSW, Director  
1001 RED BLUFF • TEHAMA COUNTY • 999 JEWELL • CHICO STATE COLLEGE • RED BLUFF, CA 96080  
www.tcdss.org

June 29, 2018

RECEIVED  
JUN 29 2018

BY: \_\_\_\_\_

The Honorable Matthew C. McGlynn  
Judge of the Superior Court  
1740 Walnut Street  
Red Bluff, CA 96080

Re: 2017 – 2018 Grand Jury Report

The Tehama County Community Action Agency wishes to thank the Grand Jury for the thoroughness of their review of the issue of homeless youth in Tehama County. We are pleased to respond as requested to four recommendations made by the Grand Jury.

R2. Complete the 10-year plan, which may serve as a collective impact plan, by July 1, 2019.

Response: We are in agreement with this recommendation.

Members of the Social Services Administration team and additional staff within the Department of Social Services and Community Action Agency are participants of the Homeless Stakeholders Group and are actively executing the 10-year plan through the Group's committee structure.

R3. Continue working with the hired consultant and real estate agent to secure property for temporary, permanent, and transitional housing for homeless individuals.

Response: We are in agreement with this recommendation.

In collaboration with the Homeless Stakeholders Group, there is now a fiscal sub-committee, headed by a Social Services Manager, whose goal it is to identify funds for both real estate and renovation.

R4. Promote and hold the LIFT event at a convenient location on the weekend or when homeless youth and unaccompanied minors are not in school.

The Honorable Judge Matthew C. McGlynn  
June 29, 2018  
Page 2

Response: We are in agreement with this recommendation.

The timing of the LIFT event was determined through a survey of homeless and needy individuals in the County and is currently in the most suitable location for providing the needed services. This time and location allow agencies and providers to send employees to the event as part of their regular paid work. Holding the event on the weekend has been cost-prohibitive due to the cost of the venue. However, every attempt to create a second event on a weekend would be considered. Holding the event in the summer or extending the hours of the regular event may provide a better opportunity for homeless youth and unaccompanied minors to attend.

R6. Encourage the stakeholders group to add homeless youth and unaccompanied minors ages 13-18 to their areas of focus.

Response: We are in agreement with this recommendation.

All community agencies and providers were encouraged and invited to join the Homeless Stakeholders Group from its inception. It is hoped that this Grand Jury report will signal Educational entities to join the Stakeholders Group so their voices can be heard and their expertise can be applied to discussions and decision-making.

Thanks again to the Grand Jury for their time and attention to important community issues.

Yours Sincerely,



Amanda Sharp, Director  
Tehama County Department of Social Services/Community Action Agency



## CITY OF RED BLUFF

555 Washington Street Red Bluff, California 96080 (530) 527-2605 Fax (530) 529-6878 www.ci.red-bluff.ca.us

August 8, 2018

RECEIVED  
AUG 8 2018

BY: .....

Judge Matthew C. McGlynn  
Superior Court of California  
County of Tehama  
1740 Walnut Street  
Red Bluff, CA 96080

RE: 2017-2018 Tehama County Grand Jury Report  
Response to Findings and Recommendations – City of Red Bluff

Dear Judge McGlynn:

Pursuant to Penal Code § 933(c), the City Council of the City of Red Bluff presents the following responses to the findings and recommendations contained in that portion of the 2017-2018 Grand Jury Report which pertains to homeless issues. (See, 2017-2018 Grand Jury Report, p. 52-59)

The 2017/2018 Grand Jury Report erroneously states that the "Red Bluff City Council did not respond to recommendations as noted in the 2016-2017 Grand Jury Report." (2017-2018 GJ Report, p. 59) However, the City did submit a timely response to the 2016-2017 GJ Report. On July 24, 2018, Judge McGlynn issued a minute order finding that "the Red Bluff City Council did submit a timely response to the 2016-2017 Tehama County Grand Jury Report."

A copy of the City's August 25, 2017 response to the 2016-2017 Grand Jury report is attached hereto and incorporated by reference. The City's responses are updated as set forth below:

### RESPONSE TO FINDINGS

The 2017-2018 GJ Report did not request that the City of Red Bluff provide further responses to Findings noted in the 2016-2017 GJ Report. The City's responses to Findings in the 2016-2017 GJ Report are attached hereto and incorporated herein by reference.

### RESPONSE TO RECOMMENDATIONS – Tehama County Homeless

**R.1** The Grand Jury recommends the City Council place a member on the [Tehama County] Continuum of Care Steering Committee by September 1, 2017.

**Response to Recommendation:** The recommendation has been implemented. On August 15, 2017, Councilmember Amanda Jenkins was appointed as the Council's representative to the Continuum of Care Steering Committee.

**R2.** The Grand Jury recommends a task force be created by October 1, 2017. The task force should include at a minimum a representative of City Council, Tehama County Continuum of Care Steering Committee (COC), PATH, Community Action Agency, Law Enforcement, Faith Works, and any other interested parties to unify sheltering solutions, with the purpose of working towards ending homelessness in Tehama County.

**Response to Recommendation:** The recommendation requires further analysis. The City needs to gauge if such a Task Force would be duplicative of already existing area committees working on homeless issues within the County. For example, the Tehama Homeless Issues Stakeholders' Workgroup and the Continuum of Care Steering Committee (each discussed below) already exist to develop and implement programs to address homelessness in the City (and County). These programs welcome the participation of all of the parties identified in the Grand Jury's recommendation R2.

The Tehama County Continuum of Care Steering Committee is the Executive Leadership branch of the COC. They meet on the 4th Wednesday of the month. The COC has invited the City of Red Bluff to participate. The COC General Committee is the community wide group of agencies, nonprofits and individuals who are working with, and to end homelessness. They meet on the 2nd Tuesday of the month, 8 AM - 10 AM at the Tehama County Department of Education.

The Homeless Issues Stakeholder's Workgroup is a Community Wide group of people who touch or are touched by the homeless. Participants include the Red Bluff Police Department, Public Health Department, Head Start, Faith Works, Library, COC, Corning Planning, etc. They are: (1) looking at what might impede and what might have the most positive impact on homelessness, (2) working to set priorities and, (3) developing a 10-year plan.

The 2017-2018 GJ Report finds that the Recommendation R2 has been **adequately addressed**. (2017-2018 GJ Report, p. 56)

**R3.** The Grand Jury recommends that this newly created Task Force, as one of its main priorities, establish a permanent homeless shelter.

**Response to Recommendation:** See Response to R.2 above. Regardless of whether a new Task Force is formed, the City will support the goal of establishing a permanent homeless shelter at an appropriate location in or near Red Bluff. The Tehama County Continuum of Care Steering Committee and the Tehama Homeless Issues Stakeholders' Workgroup, are each pursuing a permanent homeless shelter.

\*The City of Red Bluff is an Equal Opportunity Provider\*



The 2017-2018 GJ Report finds that the Recommendation R3 has been adequately addressed. (2017-2018 GJ Report, p. 56)

**R4.** The Grand Jury encourages the City Council [to] continue to grant financial support to groups that provide homeless services.

**Response to Recommendation:** The recommendation has been implemented. The City Council set aside \$5,000 in the City's 2017/2018 Annual Budget, and \$10,000 in the 2018/2019 Annual Budget, for grants to local providers of services for the homeless. Applications for the grant funds have been evaluated and the funds allocated to providers as directed by the City Council.

Respectively submitted,

  
Mayor Daniele Eyestone  
City of Red Bluff

Attachment: City of Red Bluff Responses to 2016-2017 GJ Report

\*The City of Red Bluff is an Equal Opportunity Provider\*



## CITY OF RED BLUFF

555 Washington Street Red Bluff, California 96080 (530) 527-2605 Fax (530) 529-6878 www.ci.red-bluff.ca.us

August 25, 2017

Judge Todd Bottke  
Superior Court of California  
County of Tehama  
1740 Walnut Street  
Red Bluff, CA 96080

RE: 2016-2017 Grand Jury Report  
Response to Findings and Recommendations

Dear Judge Bottke:

Pursuant to Penal Code § 933(c), the City Council of the City of Red Bluff presents the following responses to the findings and recommendations contained in that portion of the 2016-2017 Grand Jury Report which pertains to homeless issues. (See, Grand Jury Report, p. 37-47, copy attached)

### RESPONSE TO FINDINGS

F1. PATH is a non-profit organization that receives its monies from grants, fundraisers, and donations. PATH would be willing to oversee a permanent shelter.

**Response to Finding:** The City agrees with the finding.

F2. The Tehama County Continuum of Care Steering Committee currently does not have a representative from the City of Red Bluff.

**Response to Finding:** The City agrees with the finding.

F3. There is no permanent homeless shelter in Red Bluff.

**Response to Finding:** The City agrees with the finding.

F4. A \$10,000 grant was recently awarded and divided among three applicants who serve the homeless. This grant was funded by Red Bluff City general funds.

*The City of Red Bluff is an Equal Opportunity Provider*

**Response to Finding:** The City agrees with the finding.

F5. A "Homeless compliance team" has been formed and they have been credited with the most recent homeless camp cleanups. This team is comprised of members of the following organizations: Tehama County Sheriff's Department, Fish and Wildlife, District Attorney's Office, Probation Department, Public Works, Green Waste, and RBPB.

**Response to Finding:** The City agrees with the finding.

F6. The interviewed City Council member and the City representative both believe that Red Bluff needs a permanent homeless shelter and are willing to work with other city, county, and private organizations to help create solutions to the homeless problem.

**Response to Finding:** The City agrees with the finding.

#### **RESPONSE TO RECOMMENDATIONS**

R.1 The Grand Jury recommends the City Council place a member on the [Tehama County] Continuum of Care Steering Committee by September 1, 2017.

**Response to Recommendation:** The recommendation has been implemented. On August 15, 2017, Councilmember Amanda Jenkins was appointed as the Council's representative to the Continuum of Care Steering Committee.

R2. The Grand Jury recommends a task force be created by October 1, 2017. The task force should include at a minimum a representative of City Council, Tehama County Continuum of Care Steering Committee (COC), PATH, Community Action Agency, Law Enforcement, Faith Works, and any other interested parties to unify sheltering solutions, with the purpose of working towards ending homelessness in Tehama County.

**Response to Recommendation:** The recommendation requires further analysis. The City needs to gauge if such a Task Force would be duplicative of already existing area committees working on homeless issues within the County. For example, the Tehama Homeless Issues Stakeholders' Workgroup and the Continuum Of Care Steering Committee (each discussed below) already exist to develop and implement programs to address homelessness in the City (and County). These programs welcome the participation of all of the parties identified in the Grand Jury's recommendation R2.

The Tehama County Continuum Of Care Steering Committee is the Executive Leadership branch of the COC. They meet on the 4th Wednesday of the month.

The COC has invited the City of Red Bluff to participate. The COC General Committee is the community wide group of agencies, non profits and individuals who are working with, and to end homelessness. They meet on the 2nd Tuesday of the month, 8 AM - 10 AM at the Tehama County Department of Education.

The Homeless Issues Stakeholder's Workgroup is a Community Wide group of people who touch or are touched by the homeless. Participants include the Red Bluff Police Department, Public Health Department, Head Start, Faith Works, Library, COC, Corning Planning, etc. They are: (1) looking at what might impede and what might have the most positive impact on homelessness: (2) working to set priorities and, (3) developing a 10-year plan. The Red Bluff Police Department is a participating agency. However, the Stakeholders Group has decided not to invite local elected officials (including the County CAO and the City Manager) to participate while the Group is developing their 10-year plan. Presentations to elected officials will follow after the 10-year plan is developed.


**R3.** The Grand Jury recommends that this newly created Task Force, as one of its main priorities, establish a permanent homeless shelter.

**Response to Recommendation:** See Response to R.2 above. Regardless of whether a new Task Force is formed, the City will support the goal of establishing a permanent homeless shelter at an appropriate location in or near Red Bluff. The Tehama County Continuum Of Care Steering Committee and the Tehama Homeless Issues Stakeholders' Workgroup, are each pursuing a permanent homeless shelter.

**R4.** The Grand Jury encourages the City Council [to] continue to grant financial support to groups that provide homeless services.

**Response to Recommendation:** The recommendation has been implemented. The City Council set aside \$5000 in the City's 2017/2018 Annual Budget for grants to providers of services for the homeless.

Respectively submitted,

  
Mayor Gary Jones

The COC has invited the City of Red Bluff to participate. The COC General Committee is the community wide group of agencies, non profits and individuals who are working with, and to end homelessness. They meet on the 2nd Tuesday of the month, 8 AM - 10 AM at the Tehama County Department of Education.

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**Response to Recommendation:** The recommendation has been implemented. The City Council set aside \$5000 in the City's 2017/2018 Annual Budget for grants to providers of services for the homeless.

Respectively submitted,

  
Mayor Gary Jones



# TEHAMA COUNTY SHERIFF'S OFFICE

Dave Hencratt, Sheriff-Coroner

Mailing Address: P.O. Box 729, Red Bluff, CA 96080

Main Office: 22340 Antelope Blvd., Red Bluff, CA 96080  
Jail/Dispatch: 502 Oak St., Red Bluff, CA 96080

(530) 529-7940 / (530) 529-7933 FAX  
(530) 529-7900 / (530) 528-7614 FAX

July 11, 2018

Tehama County Grand Jury 2017-2018  
P.O. Box 1061  
Red Bluff, CA 96080

The Honorable Matthew C. McGlynn  
Judge of the Superior Court  
1740 Walnut Street  
Red Bluff, CA 96080

RECEIVED  
AUG 27 2018

BY:.....

Re: Tehama County Sheriff's response to 2017-2018 final report

Dear Honorable Judge McGlynn:

As always, let me start by thanking the members of the Grand Jury for their hard work and dedication this past year. I have received and thoroughly reviewed the 2017-2018 Tehama County Grand Jury Final Report. I am pleased to respond to items R1 through R4.

R1: We appreciate the Grand Jury for bringing this to our attention. We immediately eliminated the exposed computer cables in the jail booking area by combining and securing them off the floor. The inmate computers have been removed and that program has been replaced by a wireless tablet system for the inmates.

R2: We are looking forward to the jail expansion project and are confident, once in place, it will allow us to establish additional space in the current jail facility for additional safety cells. We are currently managing our jail population with the safety cells we have and will continue to do so.

R3: We have an ongoing process in place to provide the jail with products produced by our work farm. We will continue to provide food products to the jail and other community food programs as regulations allow. We are optimistic the jail kitchen will be able to expand their menu to include food stuffs provided by the farm.

R4: We have installed the wiring for this project in our jail. However due to budget restraints we are in a standby mode in this project. We have currently budgeted for a new jail security system. We are exploring options on how to fund the video arraignment system. The Grand Jury's recommendation to have this in place by the end of 2018 is not realistic. I can assure the Grand Jury that we understand the importance of a video arraignment system. We are dedicated to implementing a system in the future.

I would like thank the Grand Jury for their service. I am always impressed with the Grand Jury's willingness to meet with staff and their desire to make things better. We continue our dedication to meeting the needs of the community and the Office of the Sheriff/Coroner.

Sincerely,

Dave Hencratt  
Sheriff/Coroner

Serving Our Community with P.R.I.D.E.  
Patriotism, Respect, Integrity, Dedication, Equality



**TEHAMA COUNTY  
PROBATION DEPARTMENT**

*Chief Probation Officer, Richard A. Muench*  
P.O. Box 99, Red Bluff, CA 96080



August 15, 2018



BY: .....

To: The Honorable Matthew C. McGlynn  
From: Richard A. Muench  
Chief Probation Officer

Copy: Williams J. Goodwin, Chief Administrator

Re: 2017-2018 Grand Jury Response

The 2017-2018 Grand Jury conducted a visit at the Tehama County Juvenile Detention Facility to examine, evaluate and report on physical and administrative conditions. As a result of that visit, the Grand Jury made a number of positive findings and one recommendation. The recommendation is as follows:

R1: Perform a cost analysis of the daily fee collected for housing out-of-county youth to determine if the fee is sufficient.

Response: Agree

County Management agrees with the Grand Jury recommendation.

Juvenile population in detention facilities is down across the state. Small counties are finding that maintaining youth in local detention/treatment facilities has become more expensive given consistent operational costs and reduced populations. Many counties have closed their Juvenile Halls and others, like Tehama are contracting out beds in order to maintain local facilities and reduce costs. Competitive rates along with actual costs are part of the decision making process to determine a fee. The advantage to keeping the local facility is being able to treat both the youth while incarcerated but also work with the parents. In addition, while in treatment, setting up service providers and local support systems in the local community is key to successful, long term results. Further, transporting youth to and from another facility is expensive and the contracting county is at risk of increased bed costs just like the Grand Jury is recommending.

Adult Probation Office: 1840 Walnut Street, Red Bluff, CA 96080 – P: (530) 527-4052 – F: (530) 527-1579  
Juvenile Justice Center: 1790 Walnut Street, Red Bluff, CA 96080 – P: (530) 527-5380 – F: (530) 527-2717  
Day Reporting Center: 780 Antelope Boulevard, Red Bluff, CA 96080 – P: (530) 527-4048 – F: (530) 527-4021

*Fewer Crimes, Fewer Victims*



## TEHAMA COUNTY PROBATION DEPARTMENT

Chief Probation Officer, Richard A. Muench  
P.O. Box 99, Red Bluff, CA 96080



Tehama County is currently competing with Shasta, Butte, Nevada, Tri-County Facility, Mendocino and Humboldt counties with contracted beds. As part of the fee analysis, those county rates will be considered. It should be noted that since the Grand Jury's review, Trinity County has stopped utilizing Tehama County and is now utilizing Shasta County. Shasta County met our rates and is a shorter distance for Trinity County to transport. In that same vein, Lake County switched from Mendocino to Tehama when Mendocino raised the per bed price even though Tehama is a further distance.

As part of the analysis, the actual cost per bed will be calculated. In addition, a check of the rates offered from the competition will also be reviewed. Lastly, the existing contracts have various terms and expiration dates. When each of these contracts come due for negotiation, competitive rates, actual cost, judgment and administrative review will be utilized to set the daily fee collected for out-of-county youth.

Sincerely,

  
Richard A. Muench

---

Adult Probation Office: 1840 Walnut Street, Red Bluff, CA 96080 – P: (530) 527-4052 – F: (530) 527-1579  
Juvenile Justice Center: 1790 Walnut Street, Red Bluff, CA 96080 – P: (530) 527-5380 – F: (530) 527-2717  
Day Reporting Center: 780 Antelope Boulevard, Red Bluff, CA 96080 – P: (530) 527-4048 – F: (530) 527-4021

*Fewer Crimes, Fewer Victims*





**COUNTY OF TEHAMA  
DEPARTMENT OF PUBLIC WORKS**

9380 San Benito Avenue  
Gerber, CA 96035-9701  
(530) 385-1462  
(530) 385-1189 Fax

Road Commissioner  
Surveyor  
Engineer  
Public Transit  
Flood Control & Water  
Conservation District  
Sanitation District No. 1

August 15, 2018



18-052

The Honorable Matthew C. McGlynn  
Judge of the Superior Court  
1740 Walnut Street  
Red Bluff, CA 96080

BY: .....

Subject: 2017-2018 Grand Jury Response

Honorable Judge McGlynn:

The Tehama County Department of Public Works is pleased to provide its response to the 2017-2018 Grand Jury Report which we received on July 2, 2018.

FINDINGS

F1. There is no formalized process for review of maintenance schedules, tracking of road repairs, striping, or locations. Some repairs are complaint driven.

The Department partially agrees with the Finding. We track costs through the Cost Account Management System (CAMS). We track scheduling and specific repairs/work using a hard-copy, manual system. Many of the repairs are complaint driven.

F2. The current severity scale software to assess road damage is outdated.

The Department agrees with the Finding.

F3. The procedure that is in place to handle complaints or requests for road maintenance and repairs is not easily accessible causing public concern.

The Department disagrees with this Finding. The Department phone number is clearly displayed on our website along with all our various programs and functions. Members of the public can call in to report a problem or submit a request. That information is then logged-in and distributed to the appropriate Road District Supervisor. This process has been in place for many years and the Department is unaware of public concerns thereto.

F4. The position of Transportation Manager has been filled by an interim manager since May 2017. The position of Infrastructure Manager has been vacant since August 2017.

1

F4. The position of Transportation Manager has been filled by an interim manager since May 2017. The position of Infrastructure Manager has been vacant since August 2017.

The Department partially agrees with this Finding. The position of Transportation Manager has been vacant since May 2017 due to a long-duration illness of the incumbent. The position has been temporarily filled with an interim manager since February 2018. The Department has conducted one recruitment for the Infrastructure Manager. This recruitment resulted in no viable candidates.

F5. According to TCPWD, Roads Division, the Pavement Condition Index has fallen by three points in less than two years.

The Department agrees with this Finding.

F6. The Civil Trust Fund is considered an "accounting nightmare."

The Department agrees with this Finding.

#### RECOMMENDATIONS

R1. Create a formal computerized maintenance schedule and tracking system for road repairs and locations.

The Department agrees with this recommendation. We are transitioning to a new software that will not only enable us to track maintenance issues but also inventory items such as signage, culvert locations and size, and log pavement condition indexes for specific locations and types of pavement distress.

R2. Create a page on the Public Works website for residents to register complaints with specific response time.

The Department partially agrees with the recommendation. The current system has worked well for many years. We are looking at options to adding a "maintenance request" element to our website. This would add a page to the website specifically for residents to submit complaints. The resident would be able to receive a response with an option of preferred response (email or phone). TCPW administrative staff will receive the complaint and forward it to the appropriate supervisor who will review the complaint, determine what action needs to be taken and a response will be transmitted to the complainant. Administrative staff will keep records of all the information.

However, for such a page to be useful, we must rely on residents to fill out the forms in enough detail to address the issue. Often, while taking the information over the phone, our staff can ask more detailed questions to be able to pinpoint the location and magnitude of the issue. In either scenario, the requests are given to our crews who fold the work into their regular schedule. This is the most cost-effective and efficient manner to address the situation.

R3. Fill the position of Transportation Manager and Infrastructure Manager. Require grant writing skills in the job description.

The Department agrees with this recommendation. The Transportation Manager position cannot be permanently filled until resolution is reached with the incumbent. The Department is reviewing the job description for the Infrastructure Manager to make it more attractive to potential candidates. Both existing job descriptions are broad enough that grant writing is easily within the scope of the respective qualifications and job assignments.

R4. Create a plan on how the Roads Division will improve management of and follow-through on all road maintenance.

This recommendation has already been implemented. We have purchased a new software package that will allow us to better track maintenance as well as inventory items such as signage, culvert locations and size, and log pavement condition indexes for specific locations and types of pavement distress.

R5. Inspect roads more frequently than every three years.

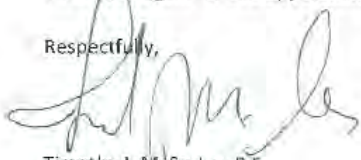
The Department agrees with this recommendation.

R6. Clarify the use and administration of the Civil Trust Fund.

This recommendation has already been implemented. Public Works staff has worked with the Auditor in reducing the funds held in the account. We have instituted policies to help us track deposits.

Thank you again for this opportunity.

Respectfully,



Timothy J. McSorley, P.E.  
Director of Public Works

Cc: Williams Goodwin, Chief Administrator



## TEHAMA COUNTY CITIZEN COMPLAINTS

### HOW TO FILE A COMPLAINT

Any Tehama County citizen may address the Grand Jury to express concerns regarding all levels of misconduct by public officials or employees of inefficiencies in local government. Complaints can be submitted by either completing a Grand Jury Complaint Form or by writing a letter to the Grand Jury. Complaints are treated as confidential. The Grand Jury is NOT REQUIRED to investigate any or all complaints, but chooses which to investigate as part of its watchdog duties.

Complaint forms can be obtained as follows:

Via the Superior Court of California County of Tehama website:

<https://www.co.tehama.ca.us/grand-jury>, then click on Complaint Form.

By calling (530) 527-3946, Option 1, and leaving your name and address for a form to be mailed to you, or a form can be picked up at the Courthouse upon request.

Complaints must be in writing, signed, dated, and addressed to:

#### **TEHAMA COUNTY GRAND JURY**

P. O. Box 1061

Red Bluff, CA 96080

The 2018-19 Tehama County Grand Jury received, reviewed and acknowledged several complaints. All complaints were treated with the utmost respect toward the citizens of Tehama County.