

**2005-2006  
SOLANO COUNTY  
GRAND JURY  
FINAL REPORT**

Honorable David Edwin Power  
Presiding Judge  
Superior Court of California  
County of Solano



*600 Union Avenue, Hall of Justice  
Fairfield, California*

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## Members of the 2005 - 2006 Solano County Grand Jury

Marshall Blaufarb .....	Benicia
Judy Calpo.....	Rio Vista
Phil Carrubba.....	Benicia
J. W. Davison .....	Vallejo
Elizabeth Dyke .....	Vacaville
Don Edmisten .....	Fairfield
Robert Emler.....	Rio Vista
John Gales.....	Fairfield
Jimmie Jones.....	Vallejo
Loretta McCracken .....	Fairfield
Surry Poole .....	Vallejo
Richard Powell.....	Vacaville
Ray Rasmussen .....	Vacaville
Terry Riddle.....	Vacaville
Peggy Sherrod .....	Fairfield
Patricia Sorrick.....	Vacaville
Jim Stewart.....	Vallejo
Diane Swain .....	Vallejo
DeWayne Tobias .....	Benicia



# 2005 - 2006 SOLANO COUNTY GRAND JURY

## Final Report

**Solano County Grand Jury  
Final Report**  
Honorable David Edwin Power  
Presiding Judge  
*Superior Court of California  
County of Solano  
600 Union Avenue, Hall of Justice  
Fairfield, California*

Honorable David Edwin Power  
Presiding Judge  
Solano County Superior Courts  
600 Union Ave.  
Fairfield CA 94533

Dear Judge Power,

It is with much pleasure that I present the Final Report of the 2005-2006 Solano County Grand Jury. It reflects the diligent efforts of a wonderful group of citizens who worked tirelessly on behalf of the residents of this County.

This Jury was selected and appointed by the Honorable Peter B. Foor in June 2005, in accordance with Penal Code regulations covering Grand Jury selection. The Jury enthusiastically began work and has served since that time.

A great number of complaints were received and processed. Some cases were left over from the previous Grand Jury and were studied and in most cases, a report was prepared. Because of the time-crunch each Jury faces, several cases could not be completed and will be referred to the 2006-2007 Grand Jury for action.

All 19 members of the Jury contributed to the final report. We began with 19 members and one alternate and lost one Juror due to transportation issues early in the term. Otherwise, it was a smooth year, and it was a privilege and honor to serve as foreman to such a talented and diverse group of individuals who worked together with unity of purpose and good humor.

I must thank Court Executive Officer Linda Ashcraft for her assistance to the Jury during the past year. Several times, she provided the Jury with valuable advice on issues facing us as well as support services.

Jurors are not trained on many legal issues and we are grateful for the support from Dennis Bunting's County Counsel's office. Our deputy for the Grand Jury was Lori Mazzella and she has provided keen legal insight for our reports, plus helpful advice on grammar and punctuation issues.

Finally, we could not have accomplished our work without the invaluable assistance of Jamielynn Harrison, our Administrative Assistant. She handled so many tasks for the Jury from making witness appointments, formatting and preparing reports, to sorting incoming complaints, files and documents from residents and agencies.

It has been a pleasure working with you and thank you, Judge Power, for your support. And my personal thanks go to all this term's Grand Jurors for sharing your talents for the Solano residents' benefit. This has been a memorable year for me. I have enjoyed so much working with such a dedicated, community-minded group of citizens.

Respectively submitted,

Jimmie Jones  
Foreman  
2005-2006 Grand Jury

### 2005 - 2006 Solano County Grand Jury



Front Row: Judy Calpo, Jimmie Jones - Foreman, Honorable David Edwin Power, DeWayne Tobias, Richard Powell.

Middle Row: Jamielynn Harrison - Administrative Assistant, Peggy Sherrod, Elizabeth Dyke, Patricia Sorrick, Diane Swain, Loretta McCracken.

Back Row: Phil Carrubba, Robert Emler, J.W. Davison, John Gales, Terry Riddle, James Stewart, Don Edmisten, Ray Rasmussen, Surry Poole.

Not Present: Marshall Blaufarb

# Note: To All Affected Agencies

California Penal Code §933.05 is summarized as follows:

## Findings §933.05 (a)

For each finding in the Grand Jury Report, the responding party must give one of the following two responses:

- Responding party agrees with the finding.
- Responding party disagrees wholly or partially, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons for disagreement.

## Recommendations §933.05 (b)

For each recommendation in the Grand Jury Report, the responding party must state that one of the following four actions has been taken:

- Recommendation has been implemented with a summary of implemented action
- Recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation
- Recommendation requires further analysis or entity requires detailed explanation of analysis or study with timeframe not to exceed six (6) months; analysis/study submitted to officer, director or governing body of the agency being investigated.

- Recommendation will not be implemented because it is not warranted, is not reasonable, with an explanation included.

## Budgetary and Personnel Matters §933.05 (c)

If a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a county department head by an elected officer, both the department head and Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only budgetary or personnel matters over which it has some decision making authority. The response of the elected department head shall address all aspects of the findings and recommendations affecting his/her department.

Advance release of a report is prohibited before public release.

## Response Time and Responding Party

- **Public Agency:** governing by of any public agency must respond within 60 days.
- **Elected Officer or Agency Head:** elected officers or heads of agencies and department heads are required to respond in 60 days.
- **City or County:** The mayor shall also comment on the findings and recommendations.

## INDEX OF AFFECTED AGENCIES

### Benicia

Benicia City Manager  
Benicia City Council  
City of Benicia  
Benicia Police Department  
Benicia Fire Chief  
Benicia Public Library  
Benicia Unified School Board  
Benicia Middle School

### Dixon

Dixon City Manager  
Dixon City Council  
City of Dixon  
Dixon Police Department  
Dixon Fire Chief  
Dixon Public Library  
Dixon Library Board of Trustees

### Fairfield

Fairfield City Manager  
Fairfield City Council  
City of Fairfield  
Fairfield Police Department  
Fairfield Fire Chief

### Rio Vista

Rio Vista City Manager  
Rio Vista City Council  
City of Rio Vista  
Rio Vista Police Department  
Rio Vista Fire Chief  
Rio Vista High School

### Suisun City

Suisun City - City Manager  
Suisun City - City Council  
City of Suisun City  
Suisun City Police Department  
Suisun City Fire Chief  
Suisun Resource Conservation District

### Vacaville

Vacaville City Manager  
Vacaville City Council  
City of Vacaville  
Vacaville Police Department  
Vacaville Fire Chief  
Vacaville Public Library  
Board of Trustees  
Vacaville ADA Title II/  
Section 504 Coordinator

### Vallejo

Vallejo City Manager  
Vallejo City Council  
City of Vallejo  
Vallejo Police Department  
Vallejo Fire Department

### Special Districts

Cordelia Fire Protection District  
Dixon Fire Protection District  
East Vallejo Fire Protection District  
Greater Vallejo Recreation Department  
Montezuma Fire District  
Ryer Island Fire District  
Suisun Fire Protection District  
Vacaville Fire Protection District

### Unified School Districts

Solano County Office of Education  
Benicia Unified School District  
Dixon Unified School District  
Fairfield Suisun Unified School District  
River Delta Unified School District  
Vacaville Unified School District  
Vallejo City Unified School District  
- State Administrator

### Travis Unified School District

Travis Unified School District  
Golden West Middle School

### Additional Agencies

California Department of Corrections  
California Department of Forestry  
California Highway Patrol  
California Medical Facility  
California State Prison Solano  
Colusa County Board of Supervisors  
Placer County Board of Supervisors  
Solano County Administrative Officer  
Solano County Assessor/Recorder  
Solano County Board of Supervisors  
Solano County Department of Health &  
Social Services  
Solano County Department of Probation  
Solano County Dept of Resource  
Management  
Solano County District Attorney  
Solano County Office of Emergency  
Services  
Solano County Sheriff/Coroner's Office  
Solano County Treasurer/Tax Collector/  
County Clerk  
Solano County Local Agency  
Formation Commission

## “Taxpayers Get Mugged - Part 2” Missing Vallejo Ferry Ticket Revenues 2005-2006 Grand Jury Report

### I. Reason for Investigation

The 2005-2006 Solano County Grand Jury elected to follow-up on the 2004-2005 Grand Jury’s report on the Vallejo Citizens Transit Corporation (VCTC) entitled “Taxpayers Get Mugged.”

### II. Procedure

- Reviewed the 2004-2005 Grand Jury report and documentation
- Interviewed the former Vallejo City Manager
- Reviewed Vallejo City Council agendas and minutes
- Reviewed the Final Triennial Review on transit operations
- Reviewed City of Vallejo’s response to the 2004-2005 Grand Jury report

### III. Background

In September, 2004, the City of Vallejo was notified by VCTC that ferry ticket revenues collected by Muggs Coffee Emporium for the months of January and February, 2004, had not been remitted. This amounted to a loss of \$189,844 in tax-payer dollars.

The City of Vallejo on December 9, 2004, entered into an Assignment of Debt Agreement with VCTC. This agreement caused the City of Vallejo to assume responsibility for collection of the debt from Muggs Coffee Emporium. VCTC had a ticket sales contract with Muggs Coffee Emporium to sell tickets during the time the missing revenue was reported.

In accordance with U.S. Code, Volume 49, Section 5307 (I) the Federal Transit Administration (FTA) required the City of Vallejo to have a Triennial Review Final Report prepared on transit operations by April, 2005. This report depicted deficiencies in 10 of the 23 review areas. Areas with deficiencies were financial, technical, satisfactory continuing control, maintenance, procurement, Disadvantage Business Enterprise, public comment, drug and alcohol program, safety and security. This report placed the City of Vallejo as a high risk grantee; therefore, this could cause withholding of future grant awards. The FTA has stated they will conduct a follow-up inspection to ensure that all deficiencies have had corrective actions implemented.

In November, 2005, the City of Vallejo signed a repayment agreement with Muggs Coffee Emporium. This agreement requires repayment of \$500 or \$1,000 per month, based on Muggs Coffee Emporium’s seasonal sales. The agreement includes interest at eight percent per annum and a balloon payment at the end of five years. During the time from January, 2004 until November, 2005, when the agreement was finalized, no lost revenue or interest was paid to the City of Vallejo and it has not been reimbursed for any legal fees or staff costs involved in reaching this agreement.

### IV. Findings and Recommendations

**Finding #1:** The City of Vallejo has not been reimbursed for expenses incurred in reaching a repayment agreement with Muggs Coffee Emporium.

**Recommendation #1:** The City of Vallejo should not operate as a lending institution, thus, incurring the costs of reaching a repayment agreement with Muggs Coffee Emporium. This matter should have been handled between VCTC and Muggs Coffee Emporium.

**Finding #2:** The City of Vallejo will not receive full repayment of the missing revenues for five years.

**Recommendation #2:** The City of Vallejo should have required full repayment when the \$189,844 shortage was discovered.

### V. Comments

All City of Vallejo contracts currently in effect and all future such contracts should be reviewed for appropriate bonding requirements. The City did not take the most expeditious action to recoup the missing funds immediately for the benefit of the City of Vallejo taxpayers.

### VI. Affected Agencies

- [City of Vallejo City Manager](#)
- [City of Vallejo City Council](#)

## Management Incentive Program (MIP) Review “MIP=Money in Pocket??” 2005-2006 Grand Jury Report

### I. Reason for Investigation

The Solano County Grand Jury elected to investigate the County’s Executive Evaluation Procedures and accompanying MIP award.

### II. Procedure

The Grand Jury

- Interviewed the Solano County Board of Supervisors (BOS)
- Interviewed Solano County Administrator Officer (CAO)
- Interviewed Solano County Counsel (CC)
- Reviewed Solano County Executive Management Salary Schedule
- Reviewed Solano County Job Title / Salary Plan
- Reviewed Employment Agreement for Services of the CAO and CC
- Reviewed Solano County MIP
- Reviewed minutes for December 22, 2004 Special BOS Meeting
- Reviewed evaluation of CAO for 2004 by Solano County BOS
- Reviewed evaluation of CC for 2004 by Solano County BOS
- Reviewed CAO submitted 2004 accomplishments
- Reviewed BOS 2005 consultant compensation study
- Interviewed Solano County Director of Human Resources/ Risk Management
- Attended Solano County BOS meetings
- Reviewed California Political Reform Act 87100 on Conflict of Interest

### III. Background

The BOS is the elected body for the citizens and taxpayers of Solano County. One of the board’s major responsibilities is procuring capable and competent persons to fill two executive positions (CAO and CC) to serve Solano County. These executives are provided specific goals and/or objectives that meet the needs of Solano County. Evaluations of these executives are completed annually by the BOS. The BOS has employed and contracted with the current CAO since 1992 and employed the CC since 1995. In 2001, the current CAO designed and provided the BOS, an evaluation tool to be used by the BOS to evaluate all defined county executives.

A resolution was developed addressing the MIP. The MIP resolution was passed February 6, 2001, which amended the Personnel and Salary Resolution #2000-142, as requested by the BOS. “The purpose of the MIP is to recognize and encourage exemplary management performance and maintain a high level of professionalism and accountability among employees in the executive and senior management groups who are at-will and exempt from civil service.” After a careful review of the current Solano County budget, the Grand Jury could not determine that MIP awards are identified as line items in the budget. However, the county provided the Grand Jury with figures that showed \$580,000 was paid in MIP awards in 2005.

The CAO is authorized to compensate department heads in the executive management group additional compensation up to 15% of base salary using a point system with a corresponding percentage increase as listed below. The evaluation compensation shall be based on annual performance evaluations. The assessment shall be conducted using specific management performance criteria with a numeric rating (1 to 5) for each of the following areas that include, but not limited to: budget forecasting and financial management, accountability, agenda preparation and staff work, compliance with County policies and procedures, teamwork, organization and planning, leadership/supervisory, judgment, issue resolution, innovation/creativity, decisiveness/risk taking, dependability, initiative, customer/client services, analysis/decision making and adaptability/flexibility. At this time, no written comments/rationale are required. The following are the overall performance evaluation points with the corresponding bonus percentage:

Ranking	EDH*	RDH*	SM*
3.05 - 3.29	2.5%	1.5%	1.5%
3.30 - 3.54	5.0%	2.0%	2.0%
3.55 - 3.79	7.5%	2.5%	2.5%
3.80 - 4.04	10%	5.0%	3.0%
4.05 - 4.34	12.5%	7.5%	3.5%
4.35 - 5.00	15.0%	10.0%	5.0%

1.00-3.04=No MIP Award

Ratings: 1 = Unacceptable; 2 = Needs Improvement; 3 = Meets Expectations; 4 = Exceeds Expectations; 5 = Distinguished  
Legend: \*EDH - Executive Department Head \*RDH - Reports to Department Head \*SM - Senior Management

# I: Audit and Finance

The MIP resolution further states “the additional compensation shall not affect the employee’s base rate, shall be distributed over twenty-six (26) pay periods, shall be subject to the Public Employees’ Retirement System (PERS), and shall continue at the CAO’s discretion based on the employee’s annual performance evaluation.”

Review of the CAO’s 2004 evaluation revealed that the BOS completed and submitted four written and one verbal evaluation. During a closed meeting on December 22, 2004, the BOS determined that all the evaluations did not meet the previously agreed upon contract between the BOS and the CAO that specified that all evaluations be written. After considering a legal opinion by the CC as to the board’s options for voting on and assessing evaluations, the BOS, by resolution, determined their actions to be legal. Thereafter, the lowest written and the verbal evaluations were excluded from this MIP calculation. The BOS, in an open meeting, approved a MIP for the CAO of 15%, by a vote of three ayes and two noes. This equated to a MIP award of \$1,232 per pay period, or \$32,041 for 2005. However, if evaluations from all five members of the BOS had been included in the 2004 evaluation, the MIP for the CAO would have been 5% or an award of \$411 per pay period or \$10,680 for 2005. The difference between these two MIP rankings (15% and 5%) is \$821 per pay period and \$21,346 for 2005.

During the same December 22, 2004 meeting, the CC received four written ratings and one verbal evaluation. The verbal evaluation was excluded. The BOS, in an open meeting, approved an MIP for the CC of 15% by a vote of four ayes and one no. This equated to an award of \$974 per pay period and \$25,321 for 2005. However, if evaluation from all five members of the BOS had been included in the 2004 evaluation, the MIP for the CC would have been 12.5% or an award of \$811 per pay period or \$21,101. The difference between the two MIP rankings 15% and 12.5% is \$163 per pay period and \$4,238 for 2005.

Each member of the BOS was interviewed during the months of October/November 2005 and all were forthright and responsive to questions. However, a marked difference was apparent when questioned concerning the subject two executives. Two members of the BOS were highly laudatory of the executives. One supervisor even went to the point where the supervisor would have given the CAO a rating of “7,” if possible, to override a low score given by another member of the BOS. This particular supervisor appears to have demonstrated a cavalier attitude, which presupposed a “distinguished” rating for the executive.

Another supervisor interviewed gave reasoning for less than a “distinguished” rating. There appeared to be a perceived lack of trust on the part of the rated executive. Another supervisor provided low ratings in an attempt to keep the MIP award at a low percentage for the rated executive. The BOS’s actions gave the perception of a conflict of interest when they asked the CC, “...if the Rule of 3 was within their legal rights.” The Grand Jury was concerned that the BOS should not have asked the CC to submit an opinion on an issue that could possibly affect his MIP. The CC found that the exclusion of two BOS evaluations was within the BOS legal rights and therefore the “Rule of 3” was adopted to apply to the issue of MIP. The CAO provided the BOS with personal data highlighting his accomplishments, which he wanted to be considered in his evaluations and MIP award. During Grand Jury interviews of BOS, it was learned that the MIP dollar awards continues for each executive until changed or modified by the BOS.

## IV. Findings and Recommendations

**Finding #1** - The BOS contract with the CAO provides for the written evaluation of the CAO by the BOS. The BOS, during the 2004 evaluation, did not complete the CAO evaluation as required by contract.

**Recommendation #1** - The BOS should comply with the CAO’s contract and include written evaluations from all BOS members to determine the appropriate MIP award.

**Finding #2** - If evaluations from all BOS members had been included instead of using the “Rule of 3,” the CAO would have received a MIP of 5.0% or \$411 per pay period instead of the MIP of 15% equaling \$1,232 per pay period, a difference, or unjustified use of public funds, of \$821 per pay period or \$21,346 for 2005 and this continues to date because the BOS has failed to complete the annual evaluation process.

**Recommendation #2** - The BOS should conform to the contract in awarding incentive pay to its executives and abandon the “Rule of 3” for future MIP award evaluations.

**Finding #3** - If evaluations from all BOS members had been included instead of excluding the one verbal evaluation, the CC would have received a MIP of 12.5% or \$811 per pay period instead of the MIP of 15% equaling \$974 per pay period. This is a difference or an unjustified award of public funds, of \$163 per pay period or \$4,238 for 2005.

**Recommendation #3** - The BOS should include all evaluations in determining any MIP award for the CC.

**Finding #4** - The cost of the MIP resolution does not have a set budget for each year.

**Recommendation #4** - The BOS should require the CAO to provide a budgetary line item for each department identifying the maximum dollar amount available for MIP distribution.

**Finding #5** - The BOS excluded the opinions of the representatives for two of the five county districts by enacting the “Rule of 3” on December 22, 2004.

**Recommendation #5** - Each member of the BOS should fulfill his or her responsibility by annually completing the written evaluation of its executives. Each member of the BOS should be required to complete a written adopted evaluation form for each of the two executives for MIP consideration and should be included in the final ranking to determine the MIP award.

**Finding #6** - The MIP has three categories including: department heads in the executive management group, executive management group reporting to department heads and department senior management. Each category contains a defined percentage of incentive pay according to the position: up to 15% for executive department heads, 10% for executives reporting to department heads and 5% for senior management.

**Recommendation #6** - The BOS should re-evaluate the top percentage allowed in the MIP and simplify the process by having one universal rating scale, that is reasonable and not discriminating by position, for all categories recognized by the MIP resolution.

**Finding #7** - The MIP ranking provides for an incentive bonus for doing “meets expectations” rating of 3.05 - 3.29. Based on this resolution, a manager doing what is “expected” can receive an incentive bonus of 2.5% of base salary.

**Recommendation #7** - The BOS should develop a modified incentive plan, which provides management with a bonus for exceeding above and beyond what is expected of them.

**Finding #8** - An appearance of a conflict of interest was raised when the CC ruled that the BOS “Rule of 3” was within the BOS’ right, which could also have applied to the CC.

**Recommendation #8** - When a monetary award ruling is to be obtained and the CC could be a beneficiary of such a ruling; an independent counsel should be retained to rule on such actions

**Finding #9** - A MIP award, by resolution, is spread over twenty-six pay periods.

**Recommendation #9** - The BOS should adhere to the MIP award resolution by making the MIP a one-time payment/award paid immediately following the executive’s evaluation.

## V. Comments

This Grand Jury determined that the BOS failed to adhere to a contract with the one of its executives. The contract calls for specific evaluation criteria, which the BOS failed to follow, thus failing to properly evaluate the CAO. By this action the BOS utilized taxpayer dollars that could have been better allocated. The county has under-funded critical budget categories that need to be addressed.

The Grand Jury took note of directive by the BOS December 22, 2004 meeting that “The Board also directed the County Counsel to return next year with language to amend the Salary and Personnel resolution to address the future MIP as it applies to the County Counsel and to the County Administrator.” As of the date of this report, the Grand Jury is not aware that this action has occurred or this directive has been satisfied, therefore the 2004-2005 MIP awards continue to be paid.

Use of the MIP award should be totally limited to the policy and resolution for MIP. MIP awards should never affect the executives’ base salary. The 2005-2006 Grand Jury recommends that future Grand Juries monitor the MIP process.

## VI. Affected Agencies

- Solano County Board of Supervisors
- Solano County Administrative Officer
- Solano County Counsel

## Board of Supervisors Response:

**Response to Finding #1:** The Board of Supervisors partially agrees with the finding. The contract provides for the written evaluation of the County Administrative Officer by the Board of Supervisors. The Board of Supervisors disagrees that the Board did not complete the evaluation. The contract does not call for 5 individual Supervisor evaluations; it calls for one – that of the Board.

**Response to Recommendation #1:** This recommendation will not be implemented because it is unwarranted. The contract calls for the Board of Supervisors to complete a written evaluation of the County Administrator which was done.

**Response to Finding #2:** The Board of Supervisors disagrees with this finding. The Board completed the evaluation process and awarded a 15% MIP. This is not an unjustified use of public funds.

**Response to Recommendation #2:** This recommendation will not be implemented because it is unwarranted. The Board of Supervisors decision conforms to the contract requirements of the County Administrative Officer. The Board properly adopted the Rule of 3, as set forth in Government Code Section 25005. Section 25005 establishes an express exception to the common law rule that the vote of the majority of a quorum is sufficient for action, and instead provides that three votes are always required. This procedural rule governs most of the Board's actions.

**Response to Finding #3:** The Board disagrees with this finding. The difference is not an unjustified award of public funds.

**Response to Recommendation #3:** The recommendation will not be implemented because it is unwarranted. The Board of Supervisors consists of 5 individuals each of which prepares their own individual evaluation. The Board considers all individual positions yet makes decisions as a body.

**Response to Finding #4:** The BOS agrees with this finding.

**Response to Recommendation #4:** The recommendation will not be implemented because it is unwarranted. The Board of Supervisors believes the budgetary process as it is currently established is adequate; departments budget for performance pay in the existing salary line.

**Response to Finding #5:** The Board disagrees. Each individual Board member opinion was considered.

**Response to Recommendation #5:** The recommendation has been implemented. Each Board member will annually provide a written evaluation for each of the two executives. Each evaluation will be considered by the Board of Supervisors in arriving at its overall evaluation.

**Response to Finding #6:** The Board agrees with this finding.

**Response to Recommendation #6:** The recommendation will not be implemented because it is unwarranted. The percentages were established after due diligence and a deliberative process recognizing the rights and benefits held by each level of executives that were given up. The three rates are warranted and justified

**Response to Finding #7:** The Board disagrees with this finding. "Meets expectations" is a 3.0 rating and an individual with an average of 3.0 is not eligible for a MIP. An individual must do better than an average of 3.05 in order to be eligible for a MIP

**Response to Recommendation #7:** The recommendation will not be implemented because it is unwarranted. The Board of Supervisors believes the current system works effectively.

**Response to Finding #8:** The Board disagrees with this finding. County Counsel provided legal advice to the Board regarding the voting methodology – which is a part of his normal assignment.

**Response to Recommendation #8:** The recommendation will not be implemented because it is unwarranted. The Board agrees that independent counsel should be retained in conflict of interest situations. The Board disagrees that this is one of those situations.

**Response to Finding #9:** The Board partially agrees with this finding. The intent is for evaluations to occur on an annual basis or every 26 pay periods. However, performance reviews are ongoing

and dynamic. The Board retains the right to be flexible in its time schedules for reviews – some may occur earlier than 26 pay periods, others later.

**Response to Recommendation #9:** The recommendation will not be implemented because it is unreasonable. There may be circumstances where an individual leaves the service of the County immediately after receipt of the MIP. The process as currently established provides an annualized incentive.

Comments: On January 11, 2005, the Board of Supervisors established a Personnel Subcommittee to review personnel matters related to salaries, benefits, compensation for department heads, review of the 7 county survey and Management Incentive Program. The work of the Personnel Subcommittee is ongoing.

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## Suisun City Budget Review 2005-2006 Grand Jury Report

### I. Reason for Investigation

Based on the 2004-2005 Grand Jury report, the 2005-2006 Grand Jury elected to continue this investigation.

### II. Procedure

The Grand Jury:

- Interviewed Suisun City's City Manager
- Reviewed Suisun City's current and proposed budget

### III. Background

The 2004-2005 Grand Jury reported that the Suisun City budget was deficient in certain areas. Since the release of that report, the city has implemented several positive changes. The city has filled some vacant personnel positions. The city plans to analyze their employee compensation packages for possible adjustment in benefits.

Parcels of city properties have been sold and the proceeds have been added to the city's reserve funds. A capital improvement plan is in progress and should be adopted by the City Council by June 2006. A mid-year budget review was presented to the City Council in March 2006 and projects a surplus in the 2006-2007 budget of \$300,000. The annual budget will be presented for adoption by July 1, 2006, as required by the state law.

### IV. Findings and Recommendations

**Finding #1** - The city has made considerable improvements since the last year's Grand Jury report.

**Recommendations #1** - The city should aggressively follow-up with all scheduled budget actions.

### V. Comments

The Grand Jury commends the City of Suisun if they are able to achieve their projected budget goals.

### VI. Affected Agencies

- [City of Suisun City](#)

### Suisun City Police Department Waterways Grant 2005-2006 Grand Jury Report

#### I. Reason for Investigation

The Grand Jury elected to investigate an anonymous complaint that the Suisun City Police Department was misusing state funds. The complaint alleged that officers were painting the interior of the police department and falsely documenting their city employee payroll time records stating that they worked overtime performing the duties of boat patrol. It was further alleged that the time records were accepted and approved by the Chief of Police.

#### II. Procedure

The Grand Jury interviewed current and former supervisors and management personnel from Suisun City Police Department (SCPD). The Grand Jury reviewed documents from:

- The State of California Department of Boating and Waterways Safety and Enforcement Financial Aid Program Manual.
- Boating Safety and Enforcement Program Manual
- Geiss Consulting, 2004-2005 fiscal year financial review of the City of Suisun's Boating Safety and Enforcement Financial Aid Program.
- SCPD's time keeping logs.
- SCPD's Boating and Safety and Enforcement daily activity reports
- SCPD's documents for overtime and actual time worked.

#### III. Background

Suisun City is a small city with a population of approximately 30,000. The SCPD has a total of twenty-two sworn personnel including a Chief, with one Lieutenant and four Sergeants. Witnesses told the Grand Jury that morale was low and that SCPD is void of strong leadership skills. It was also stated that many officers who can pass a background check are leaving and going to other city departments as soon as they get their Police Officer Standard Training (POST) certificate.

The SCPD has had a Waterways Grant for approximately 25 years and a Sergeant is in charge of the day-to-day operations. The total grant money is about \$45,000. Included in the grant is about \$4,000 that Suisun City gets from the taxes and license fees that residents of Suisun City pay for their boats. The local boating taxes have to be exhausted before the actual state grant money can be used. Suisun City has a marina with approximately 2.5 square miles of waterways to patrol.

During its investigation, the Grand Jury learned the Waterways Grant is not a regular time salary grant. Officers work on the boats on their days off and it is always on overtime. There have been 6 to 8 officers trained to operate the boats. Surprisingly, the SCPD has no written operating procedures for their boat patrol. If an officer was qualified, he or she would only have to call to ascertain if the boat was available before taking the boat out to patrol the marina. It was stated that on many occasions, officers worked the boats on standby status, meaning they would check the boat out, wait in the marina for any type of emergency calls before actually going out in the Suisun Slough or Bay. It was learned that a sergeant and another officer were working the boats on stand-by when they decided to paint the interior of the police station. They then submitted overtime documents stating that they had worked on the boats, when they had actually painted the police station. A witness said there were a total of 48 hours of overtime charged to the Waterways Grant, but this could not be verified by documents obtained. Witnesses said the sergeant and a female officer received personal praise and recognition from the Chief for painting the interior of the police station.

Contradictory testimony was given to the Grand Jury that on one hand indicates the chief became aware of the painting in January 2005 but he did not know that the overtime was charged to the Waterways Grant until March 2005. According to this version of events, the Lieutenant authorized the painting and approved the overtime since he was in charge when the Chief was away. Staff meetings are held weekly and during one of these meetings, the Lieutenant told the Chief about the overtime and he instructed the Lieutenant to change the overtime coding and charge it to the police budget.

The majority of the witnesses contradicted this account by stating the Chief reviews all overtime cards and the Chief had authorized the painting and the overtime. These witnesses told the Grand Jury that several members of the department were upset about the fact that a Sergeant and a female Officer were working together painting the police station and getting paid overtime from the Waterways Grant.

Witnesses said that these two officers had also been the subject of a previous internal investigation for unprofessional conduct. The allegations were sustained and corrective actions were recommended to the Chief but he pushed the investigation report aside and never implemented corrective action.

Witnesses agreed the Sergeant who submitted the overtime card was a special friend of the Chief. Witnesses claimed the Chief was seldom there and department morale was bad.

Testimony revealed the Chief did not become concerned about the overtime that was paid to the Sergeant and the female Officer until another Officer submitted an overtime card charging the regular police budget for eighteen hours for also painting a portion of the interior of the police station. This overtime request was denied, and it was at this time that the Chief told his Administrative Assistant to change the overtime previously charged to the Waterways Grant and charge it to the police budget.

Not all the witnesses were forthright in their testimony to the Grand Jury and would reply: "I don't know" or "I don't recall" or "I don't remember."

The Grand Jury requested and received from Suisun City the following:

- Copy of the Audit Letter dated October 7, 2005
- Copies of claims for reimbursement
- All four quarters of FY 2004-2005
- Copy of application for Financial Aid for FY 2004-2005
- Copy of letter dated June 16, 2003, offering proposed budget for FY 2004-2005
- State of California Boating Safety and Enforcement Program Manual

During the review of these documents it was determined that many documents were not complete. Based on witnesses' interviews, the Grand Jury believes that several signed and unsigned documents and some missing supporting documents were not included in the package. In the documents that were found to be credible, it showed that the Sergeant that was in-charge of the Waterways Grant received 54 percent of the overtime used and the female officer received 22 percent. In reviewing the audit report, it was learned and corroborated by witness #1 that the officer in-charge of the grant was the only one interviewed for the audit report.

A summary of the audit is as follows:

"During the review, we notice on several timecards and daily activity reports that hours were claimed to the boat patrol for a special project which involved painting the interior of the police department. We also were informed of this activity prior to our review through an anonymous letter submitted to the department of boating and waterways. The employees spent time painting the interior of the police department while assigned on-call to the boat patrol and were ready to respond to any emergency boating calls. However, hours spent assigned on-call to the boat patrol are not allowable under the Boating Safety and Enforcement Financial Aid Program. Only the actual hours spent responding to such any boating emergency emergencies can be claimed to the program. Thus, the hours spent by employees painting the police department should not have been claimed to the boat patrol program. The hours equated to approximately \$2,800 in employee compensation that was inappropriately claimed to the boat patrol program."

The California Department of Boating and Waterways wrote a letter to the Suisun City Police Chief summarizing their financial review and findings of the city of Suisun's Boating Safety and Enforcement Financial Aid Program. It stated: "The police department's total reported program cost were \$3,178.02 more than state reimbursement and estimated boat tax revenues which represent the city contribution of their own funds for conducting boating safety and enforcement activities.

"Approximately \$2,800 was inappropriately claimed to the program for activities outside the Boating Safety and Enforcement Program. However, approximately \$2,600 of allowable direct cost could have been claimed to the program (\$4,600 in salaries and \$2,000 in fringe benefits) as well as unidentified amount of administrative cost. Therefore, the department will not be requesting the amount of \$2,800 be returned."

The majority of the witnesses interviewed express a belief that the Chief knew and authorized the painting of the interior of the police station. One witness stated that he knew for a fact that the Chief authorized the purchase of furniture for the rooms before the rooms were painted. Another witness stated, based on the size of the police station, anyone working for the police department would have been exposed to the paint odor and most would have seen the painting being done.

### IV. Finding and Recommendations

**Finding #1** –The Sergeant in charge of the Waterways Grant misused grant funds by authorizing and/or approving overtime for Officers assigned on-call to the boat patrol.

**Recommendation #1** – The Chief should ensure that all Officers follow policy and procedures when assigning and/or approving overtime.

**Finding #2** – The Sergeant in-charge of the Waterways Grant had the knowledge that a subordinate Officer submitted a time sheet requesting overtime for working on boat patrol when the Sergeant knew that the officer had instead painted the interior of the police station.

**Recommendation #2** – The Chief should take corrective action against the Sergeant to ensure these types of incidents do not become a part of SCPD Culture.

**Finding #3** –The Sergeant in-charge of the Waterways Grant submitted overtime sheets charged to the boat grant when in fact he and another officer had been painting the interior of the police station.

**Recommendation #3** – The Chief should take corrective action against the Sergeant as well as implementing in writing a policy and procedure for boat patrol.

**Finding #4** –The Lieutenant did not do his job after learning that the approved overtime that was charged to the Waterways Grant was actually overtime for painting the interior of the police station. He did not follow up on correcting the overtime.

**Recommendation #4** – The Mayor, City Manager and City Council should consider hiring a consultant to do an accreditation study to determine the competence of leadership at all levels of Suisun City Police Department.

**Finding #5** –The Chief misused taxpayers' money by allowing overtime charges to paint the police station whether he charged the time to the Waterways Grant or to the police budget.

**Recommendation #5** – Refer to Recommendation #4.

**Finding #6** –Based on incomplete information provided by the Chief to the Grand Jury as well as witnesses statements gave the perception that the Chief has a myopic view of his responsibility as Chief of Suisun City Police Department. His leadership is not strong and on many occasions the Chief has failed to provide due diligence as well as the attention to detail while in the performance of his duties as Chief of Suisun City Police Department.

**Recommendation #6** – Refer to Recommendation #4.

### V. Comments

SCPD is seriously understaffed. For a city of approximately thirty thousand people, adequate staffing should be approximately twenty-eight to thirty sworn officers. Currently Suisun has twenty-two sworn officers.

In an effort to mediate the staffing shortage, Suisun has a \$200,000 contract with the Solano County Sheriff Department to police and staff their 11 p.m. – 7 a.m. shift. Based on this contract, Suisun City should conduct a study to determine if contracting with the Solano County Sheriff Department for all of their Police services would be more cost effective.

### VI. Affected Agencies

- Suisun City Mayor
- Suisun City Council
- Suisun City Manager
- SCPD

#### Courtesy Copy

- Department of Boating and Waterways

## Solano County Sheriff/Coroner's Office Facilities Inspection and Tour 2005-2006 Grand Jury Report

### Solano County Jail, Fairfield - Superior Court Holding Cells, Fairfield

#### I. Reason for Investigation

The California Penal Code §919(b) mandates that the Grand Jury inquire into the management and condition of public prisons within the county.

#### II. Procedure

The Grand Jury:

- Met with the Solano County Sheriff and his senior staff
- Viewed a PowerPoint overview of the department's operation
- Interviewed staff at the various facilities
- Toured and inspected the detention facilities and the Superior Court holding cells
- Reviewed pertinent documentation

#### III. Background

The two Solano County jails (Fairfield and Claybank facilities), Superior Court holding cells (Fairfield) and Sheriff's office holding facility in Vallejo are under the oversight of the Solano County Sheriff. At the time of this inspection, the Fairfield jail and Superior Court holding cells were clean and appeared to be safe.

The Solano County jail in Fairfield is approved for 740 beds by California Department of Corrections. Every 29 minutes an inmate is booked into the Solano County jail. There were 17,780 bookings in 2005 and 58% were for felony crimes. A study by Kitchell/DSA/KMD, commissioned by Solano County, indicates that the total number of required beds for the inmates in Solano County is projected to be 2,054 by the year 2015. This compares to the 1,119 beds that are currently available in the Solano County Detention facility. This strongly suggests that there is a greater need for more staff.

The Solano County jail Fairfield contracted with California Forensic Medical Group (CFMG) for medical and mental health needs in March, 2004. The staff said the contract with CFMG has improved the medical care over the former county provided services. According to documents received, medical staff had 47,581 contacts per month and mental health staff had 769 contacts per month as of September 2005.

A Custody Response Team (CRT) has been formed by Solano County Sheriff's Office to deal with combative inmates and emergency situations. According to staff, Workers' Compensation claims have been reduced by the program.

#### IV. Findings and Recommendations

**Finding #1**-The projected inmate population growth rate in Solano County is substantial and this will have a negative impact on staff and inmate safety.

**Recommendation #1** -The Sheriffs' staff recruitment plan should be implemented and funded appropriately.

#### V. Comments

The Solano County Sheriff's Department is a well-run organization and supportive of the Sheriff's overall mission.

### County of Solano Response:

**Sheriff Response to #1:** The Sheriff concurs with the finding of the Grand Jury. The Sheriff, working with the County Administrator's Office, has provided the Solano County Board of Supervisors with a comprehensive plan to manage the inmate population for the next 20 years. The Board of Supervisors has decided on one of several options provided, a source to provide funding for construction has been identified and a construction project manager has been selected. The first phase of the project is the expansion of the Claybank Facility by adding 226 inmate beds. Expansion of the Claybank Facility is currently in the design phase and we anticipate starting construction on or before October, 2007.

**Board of Supervisors Response #1:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation. The County Board of Supervisors is committed to working with the County Administrator's Office, Human Resources and the Sheriff on continued efforts to address immediate and future jail construction needs and on the ongoing recruitment plan to ensure adequate staffing of existing and new facilities.

### Claybank Detention Facility Facility Inspection

#### I. Reason for Investigation

The California Penal Code § 919(b) mandates that the Grand Jury inquire into the condition and management of public prisons with the County.

#### II. Procedure

The Grand Jury:

- Met with Claybank Detention Facility staff and the Lieutenant in Charge
- Received an overview of departments' operations by the staff
- Interviewed staff
- Toured and inspected the Claybank Detention Facility
- Received a presentation on the Electronic Monitoring Program
- Reviewed prior Grand Jury reports

#### III. Background

The Claybank Detention Facility opened in 1979. It is located on 37 acres of land within the City of Fairfield. The facility has 379 beds. The population varies from 379 - 400 inmates and houses both female and male inmates. Approximately 20 % of the inmates have been sentenced by the County Court. The remaining inmates (approximately 80%) are awaiting trial or pending court proceedings.

The Claybank Detention Facility administers the Electronic Monitoring Program for the Solano County Sheriff's Department. The program allows furlough inmates to be away from home for a maximum of 12 hours per day, enabling them to work while they are on furlough.

The Claybank Detention Facility provides laundry service for both jails operated by the Solano County Sheriff's Department. The Claybank Detention Facility, with the cooperation of the Solano County Animal Shelter, developed and implemented a kitten-raising program. At this time, only female inmates can participate in this program. The inmates informed the jury of their enthusiasm and appreciation of the program.

The facility is currently understaffed by 20 positions. Retirement of officers and difficulty in hiring qualified personnel to fill vacancies has driven facility overtime extremely high, with some officers working 16-hour shifts.

The day of the Grand Jury tour, the facility was under lockdown. Old and worn carpeting was observed in the halls and walkways. Debris and litter were found in many areas. Windows in the visitors' area were scratched, smudged and dirty. One window on the inmates' side was cracked.

#### IV. Findings & Recommendations

**Finding #1** -The carpet in the Claybank Detention Facility is old, very worn, and a potential safety hazard.

**Recommendation #1** - Remove existing carpet immediately and replace it with tile.

**Finding #2** - The floors are dirty and have debris littering them.

**Recommendation #2** - The floors should be cleaned and mopped daily and a process should be established to ensure floors are maintained, cleaned, and free of debris.

**Finding #3** - Windows in the visiting area are scratched, smudged and dirty. One window was cracked.

**Recommendation #3** - The cracked window should be replaced and a process should be established to ensure window cleaning and inspections are done on a regular basis.

**Finding #4** - The Electronic Monitoring Program is an asset to the County and to the inmates.

**Recommendation #4** - The Electronic Monitoring Program should be continued and expanded where possible.

**Finding #5** - The kitten-raising program appears to be beneficial to the female inmates.

**Recommendation #5** - The kitten-raising program should be continued with oversight of the County Animal Control facility.

**Finding #6** - Shortage of staff could result in unsafe working conditions.

**Recommendation #6** - Recruit, hire and train applicants to fill vacant positions in the Claybank Detention Facility. This should eliminate staff shortages, reduce overtime and lessen unsafe working conditions.

#### V. Comments

Staff at the Claybank Detention Facility was very cordial and helpful. Staff willingly provided answers to our many questions and conducted a thorough tour of the facility.

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#### County of Solano Response:

**Sheriff Response #1:** The Sheriff concurs with the finding of the Grand Jury. At the time of the Grand Jury inspection the removal of the carpet had been planned and we were waiting for the floor installer to arrive and complete the job. The carpet has been removed and a new tile floor has been installed.

**Board of Supervisors Response #2:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

**Sheriff Response #2:** The Sheriff concurs with the finding of the Grand Jury. On the day of the Grand Jury inspection the floors at the Claybank Facility had not been cleaned. Due to the scheduled execution of Crips gang founder Tookie Williams, the Solano County Jail, along with many other jails and prisons throughout the State of California, were on lockdown status as a means of preventing riot. While on lockdown status, inmate workers were not available to sweep floors. Once it had been determined that the potential for riot had passed, the lockdown status was incrementally relaxed and the floors were cleaned. A process is in place in all of the Sheriff's Detention Facilities to ensure that the floors are maintained. When we receive reliable intelligence indicating a strong potential for riot, the safety of the facility and the community takes priority over the sweeping of floors.

**Board of Supervisors Response #2:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

**Sheriff Response #3:** The Sheriff concurs with the finding of the Grand Jury. Facility inspection is conducted on a daily basis and the crack in this window had been previously noted and was scheduled for repair. As the location of this window posed no threat to facility security, replacement was deemed a lower priority. The cracked window has been replaced. Some of our windows are made of composite materials and are easily scratched. Although a scratched window may not be aesthetically pleasing, window scratches pose no threat to facility security. We have budgeted for the cost of replacing these windows with glass.

**Board of Supervisors Response #3:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

**Sheriff Response #4:** The Sheriff concurs with the finding of the Grand Jury. The Electronic Monitoring Program is budgeted and will continue for the foreseeable future. The Sheriff will continue to work with the Superior Court to identify opportunity to expand the Electronic Monitoring Program.

**Board of Supervisors Response #4:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

**Sheriff Response #5:** The Sheriff concurs with the finding of the Grand Jury and we will continue our rewarding partnership with Solano County Animal Control for the foreseeable future.

**Board of Supervisors Response #5:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

**Sheriff Response #6:** The Sheriff concurs with the finding of the Grand Jury. The Sheriff's Office currently has a vacancy rate of approximately 10%, most of this driven by staff retirement over the last 18 months. We are diligently working with the Department of Human Resources to recruit qualified applicants to the profession of Corrections. The Claybank Facility is fully staffed and all vacant positions are carried at the Fairfield Facility. We currently have a sufficient number of applicants in hiring process with potential to significantly reduce the number of vacant custody positions over the next six to nine months.

**Board of Supervisors Response #6:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### Solano County Sheriff's Office Holding Facility, Vallejo 2005-2006 Grand Jury Report

#### I. Reason for Investigation

The California Penal Code § 919(b) mandates that the Grand Jury inquire into the condition and management of public prisons with the County.

#### II. Procedure

The Grand Jury:

- Met with the Sheriff's Office Holding Facility staff and the Lieutenant in Charge
- Interviewed staff
- Toured and inspected the Sheriff's Office Holding Facility

#### III. Background

The Grand Jury toured the holding facility at the County Courthouse on Tuolumne Street in Vallejo. The Grand Jury found it to be overcrowded by prisoners who are transported daily from the main jail in Fairfield to appear in Vallejo's seven Courts. Morning and afternoon bus transfers take place every weekday, not counting van transfers for segregated prisoners or those with mobility issues. On a day just prior to the Grand Jury's visit, 90 prisoners were bused to and from the facility for arraignment or other court appearances, severely overcrowding the unit.

The unit has six community holding cells, which sometimes must serve as segregation cells for prisoners who must be housed separately for safety reasons. There are real security issues between the holding facility and courthouse that could threaten the safety of judges, staff, spectators and other prisoners. To reach the courtrooms, prisoners are led down hallways past staff offices and judges' chambers. In addition, there are clearly marked exit doors that cannot be secured due to fire and earthquake safety issues. It is apparent the sheriff's staff is diligent in its efforts to mitigate the dangers but they are victims of improperly designed facilities. The facility is clean and the staff appears well trained.

#### IV. Findings & Recommendations

**Finding #1** - There are no secure hallways designated for prisoner transport in the Vallejo Courthouse between the detention quarters and courtrooms.

**Recommendation #1** - The building should have secured hallways for prisoner transfers between the holding area and courtrooms.

#### V. Comments

The Sheriff's Office Holding Facility in Vallejo has been converted from the old Sheriff's Office branch jail that once housed 50 to 75 prisoners full-time. Its antiquated cells are tiny and once housed up to five prisoners in an area no larger than a broom closet. Staff said that under present state and federal regulations, they cannot be used even for short periods. Prisoners do not spend nights in the facility but are returned to the newer facilities in Fairfield. Transportation up and down the busy I-80 corridor is another concern not within the scope of this study. However, with the development of warring gangs within the county, plus a newer, arrogance-driven criminal who has no compunction with killing over a perceived "dis" or disrespect of status, brings the danger to those who must deal with these criminals to a new level of peril.

#### VI. Affected Agencies

- Solano County Sheriff's Department/Coroner's Office
- Solano County Board of Supervisors

### County of Solano Response:

**Sheriff Response #1:** During the most recent re-model of the Vallejo Court facilities, representatives from the Sheriff's Office were invited to participate in the design phase, with the specific task of making recommendations for the security needs of the facility. The Sheriff's Office strongly recommended the construction of a secure hallway leading from holding cells to courtrooms, minimizing potential for escape. This recommendation was considered too costly and a more cost effective compromise was adopted. The existing hallway utilized to move inmates from holding facilities to courtrooms does provide an inter-lock system, preventing adjoining offices from accessing the hallway during inmate movement. When in operation, the inter-lock system is disruptive to the movement of court staff and provides a level of security that is less than optimal.

The Sheriff's Office has just completed the bi-annual inspection of our detention facilities conducted by the State of California Corrections Standard Authority, Solano County Environmental Health Services and the State Fire Marshal. The result of these inspections revealed that the Sheriff's Detention and Holding Facilities are in compliance with or exceed mandated standards.

**Board of Supervisors Response #1:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

**Sheriff Closing Remarks:** In closing I would like to thank the Solano County Grand Jury for their professionalism while touring my facilities and in the development of their annual report. As always, it is a pleasure working with the members of the Grand Jury and we appreciate the opportunity to provide a response to the findings of the Grand Jury.

### Solano County Juvenile Hall Inspection 2005-2006 Grand Jury Report

#### I. Reason for Investigation

California Penal Code §919 (b) mandates the Grand Jury inquire into the condition and management of public detention facilities within the county.

#### II. Procedure

The Grand Jury

- Reviewed documents
- Interviewed Juvenile Hall staff
- Toured Solano County Juvenile Hall
- Spoke with minors in Juvenile Hall

#### III. Background

The Grand Jury met with a member of the staff of the Juvenile Detention Facility for Solano County. The new facility opened in December 2004 and is well maintained. The parking lot is large, paved, and well lit. Juveniles are no longer called "wards", but are called "minors" and they do the cleaning and floor polishing.

The Grand Jury learned there is no way to track recidivism among juvenile offenders due to confidentiality laws. When a juvenile is booked into the hall, they are fingerprinted, photographed and examined by medical staff which includes a TB test. If being booked for a felony, a DNA sample is taken.

Juveniles must have a hearing within 72 hours of detention, to determine if the minor will be held or go home with parents or guardian. Ages range from 12 to 18. The average stay is 16.4 days; however, some stay as long as 13 months. Parents or required to pay for keeping a minor at Juvenile Hall, based on a sliding scale. Cost of housing a Juvenile is \$113 a day.

The facility is divided into four pods. All pods are complete with classrooms, dorms, dining tables, and access to outside yard with a basketball court. The classroom has one teacher and one aide for each 15 minors.

All meals are cooked in the facility and served in each pod. They are served three hot meals a day at a cost of \$2.10 for each meal. There are 120 beds at the facility, 90 are for detention and 30 are for medical.

First offenders are not housed with violent offenders. There are cells for minors who are under suicide watch. These minors are given special tunics to wear as well as a special sleeping bag that can not be torn or shredded. While under suicide watch their personal clothing is place out side of their cells. Staff has a 24-hour direct view of minors on suicide watch.

Minors wear blue jumpsuits, although the highest security risk wears green jumpsuits. Staff was neatly dressed and most wore badges. The nurse exchanges the employees badge for keys to drug cabinet. An Associate Degree is required to work for the Juvenile Detention Facility. New Foundations, a drug and alcohol treatment facility is on the grounds and provides anger management as well as domestic violence classes. There are optional Alcoholics Anonymous and Narcotics Anonymous meetings. Weapons are not permitted in the facility.

#### IV. Findings and Recommendations

**Finding #1** - Nurses must exchange their identification badge for keys.

## II: Criminal Justice

**Recommendation #1** - A key tag system should be established so as not leave the nurse without identification while in the facility.

### V. Comments

The facility is new and well maintained. However, one road leading to the secured transfer area is rough and unpaved, and becomes a mud hole when it rains. The county should look into paving it.

### VI. Affected Agencies

- Solano County Department of Probation
- Solano County Juvenile Hall

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### County of Solano Response:

**Probation Response #1:** The Probation Department concurs with this recommendation. No later than June 1, 2006 individual Juvenile Detention Facility (JDF) key cards will be issued to each regular nurse assigned to the JDF. Each nurse will retain their County Identification Card and use the JDF key card to obtain the JDF medical keys from the JDF Control Center. At the end of their shift they will exchange the medical keys for their key card. The key cards will include photo identification.

**Board of Supervisors Response #1:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

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## Fouts Springs Youth Facility 2005-2006 Grand Jury Report

### I. Reason for Investigation

The California Penal Code § 919(b) mandates that the Grand Jury inquire into the condition and management of public prisons within the County.

### II. Procedure

The Grand Jury

- Met with Probation Service Manager and his staff at the Fouts Springs facility
- Received an overview of facility operations by the staff
- Talked with wards
- Toured Fouts Springs Facility and grounds
- Reviewed latest inspection reports by the California Safety Company, Colusa County Department of Health and Human Services and California Corrections Standard Authority (CSA)
- Met with Solano County Chief Probation Officer
- Attended a "special meeting" of the Fouts Springs Joint Powers Agreement (JPA) Board of Directors and key stakeholders
- Reviewed documents provided by the JPA Board of Directors
- Reviewed information provided by the Solano County Probation Department

### III. Background

Fouts Springs was established in 1959 at a remote location in the Mendocino National Forest in Colusa County on land leased from the Federal Government.

The facility is operated under a JPA between Solano and Colusa counties. Solano County is designated by the JPA as the administering county providing staffing, budget, and accounting functions. Fouts Springs operates under administrative authority of the Solano County Probation Department.

Fouts Springs has a capacity of 160 wards and at the time of the Grand Jury visit, had only 43 wards. The Average Daily Population (ADP) for Fouts Springs has shown a decline over the past several years. In 2003, an ADP of 91 wards fell to an ADP of 70 wards in 2004, an overall decline of 23%. From January 2005, the ADP of 62 wards dropped to an ADP of 44 wards in October 2005, a decline of 29%. However, it must be noted that between February 2003 and April 2005, there also was a statewide decrease of 8.5% in ward population at juvenile camps and ranches that could be attributed to the opening of new juvenile facilities.

Wards sent to Fouts Springs are from 12 different counties. The cost per ward, per month, is \$3,500 for all participating counties, except Solano and Colusa. Solano and Colusa counties pay \$5,400 per month per ward. The

difference in cost is designed to encourage other counties to participate in the Fouts Springs Youth facility.

Juveniles are placed at Fouts Spring only after an extensive review process. All other placement options are considered prior to remanding youths to the facility. The Solano County Probation Office considers removal of a youth from home for placement in a residential treatment program to be a very serious decision.

The Probation Department prepares disposition reports on youths for potential placement at Fouts Springs. Prior to placement at Fouts Springs, a judge reviews the Probation Department disposition reports. Typically, youths placed at Fouts Springs have been convicted of two sustained felonies and possess a moderate to high risk to the community.

The purpose of Fouts Springs is to return to communities a more responsible and productive member of society. A military-type environment is used to instill discipline and respect. Since the last Grand Jury visit, a new direction has been taken with the introduction of self-enrichment classes. Some of these classes include anger management, drug avoidance, victim awareness, and life skills.

The Colusa County Office of Education operates Nielson High School, which is located at Fouts Springs. The school provides wards with four hours of educational services each regular school day. This is in addition to vocational training that focuses on marketable skills including welding, carpentry, and electrical classes.

### IV. Findings and Recommendations

**Finding #1** - Fouts Springs is not being used to capacity.

**Recommendation #1** - Solano and Colusa counties should send more wards to Fouts Springs and encourage increased participation by other counties.

**Finding #2** - Solano and Colusa counties are paying more to send wards to the facility than other counties.

**Recommendation #2** - Solano County, as the administrator of the JPS should determine steps necessary to equalize the cost to all counties that send wards to Fouts Springs.

**Finding #3** - The "boot camp," a military-style program, has been altered to include self-enrichment classes.

**Recommendation #3** - Solano County, in cooperation with other counties sending wards to Fouts Springs, should monitor and evaluate current self-enrichment programs to determine if there has been a reduction in recidivism rates and if employment opportunities have increased for wards completing the Fouts Springs program.

**Finding #4** - Fouts Springs is operating at an annual deficit of \$800,000. By mid-year 2006, the total deficit at Fouts Springs is projected to reach \$2.1 million.

**Recommendation #4** - Solano County should develop a plan to recoup costs by increasing ADP to 60 or more wards. Implementing an aggressive marketing program to associated counties will encourage placement of wards at Fouts Springs.

### V. Comments

The 2005-2006 Grand Jury finds that Fouts Springs is an effective alternative to other juvenile detention facilities. The Grand Jury recommends the 2006-2007 Grand Jury inquire further into making the facility financially viable.

### VI. Affected Agencies

- Fouts Springs Youth Facility Superintendent
- Solano County Board of Supervisors
- Solano County Department of Probation

#### Courtesy Copies

- Solano County Juvenile Courts
- Colusa County Board of Supervisors
- Colusa County Department of Probation
- Colusa County Juvenile Courts

#### Affiliated Counties

- Solano County Juvenile Hall

### County of Solano Response:

**Probation Response #1:** Probation concurs in part with this recommendation. First, Solano County has no influence over the juvenile court of Colusa County or the Probation Department of Colusa County. The Solano County juvenile court is precluded by law from removing a youth from the custody of their parents unless this is the least restrictive means possible to correct the youth's behavior. The Solano County Probation Department has worked over the last year on an extensive marketing effort to other Probation Departments. Since those efforts have begun, as well as the implementation of the revised program, which emphasizes evidence based practices, several additional counties have visited Fouts Springs and additional counties have begun placing youngsters at the facility. In support of Fouts Springs financial future, the Fouts Springs Board of Directors has voted that beginning July 1, 2006 Solano County will pay for sixteen beds for local youth (occupied or not) and Colusa County will pay for four (occupied or not).

**Board of Supervisors Response #1:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

**Probation Response #2:** Probation disagrees with this recommendation. Solano County has surveyed the market and found that the current rate charged to contract counties is as high as the market will tolerate. Approximately three years ago when the rate structure was altered and rates were increased significantly one contract county that contracted for ten beds withdrew due to the increased costs. Due to the market competition, and budget constraints on contract counties significantly raising rates could reduce the population to a level that would force closure.

**Board of Supervisors Response #2:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

**Probation Response #3:** Probation concurs in part with this recommendation. Probation does track the success of the youth who successfully complete the Fouts Springs program who return to this county. While we communicate with the contract counties regarding the youth who have left the program and request information we are not in a position to compel them to either track the youth or to provide the information. In addition, Solano County is not in a position to monitor aftercare services provided by other counties.

**Board of Supervisors Response #3:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

**Probation Response #4:** Probation concurs in part to this recommendation. The Probation Department is currently working with the County Administrator's office as well as the Solano County Board of Supervisors on a plan to eliminate the negative fund balance associated with Fouts Springs. There has been an ongoing, extensive marketing campaign, which has brought other counties to the facility and increased the population. The Department and the Fouts Board of Directors has developed the budget for the facility for 2006-2007 that allows for sound fiscal management while not discouraging participation by other counties. It has been determined that increasing the capacity to over sixty youth would require additional expenditures for staffing that would drive the facility into further deficit spending as State regulations require a certain level of staffing and the number would increase if the population rose to over sixty.

**Board of Supervisors Response #5:** The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation. As the county with the direct responsibility for administering Fouts Springs, Solano County shares the concerns that low populations at Fouts Springs in recent years may jeopardize the continuation of programs at this unique juvenile facility. The JPA Board of Directors, the Solano Board of Supervisors, the Solano County Administrator's Office, and the Solano Probation Department have all worked to enhance marketing efforts for Fouts Springs' programs to other counties' juvenile justice systems and are beginning to see results.

Fouts Springs is a valuable resource for juvenile rehabilitation for Solano County, Colusa County and other non-member California counties. The Board expects to receive a comprehensive report on the Fouts enrollments and financial situation in August, after the Auditor-Controller has closed the books for FY2005/06.

### Delta Fire Camp 2005-2006 Grand Jury Report

#### I. Reason for Investigation

The California Penal Code §919(b) mandates that the Grand Jury inquire into the condition and management of public prisons within the county.

#### II. Procedure

The Grand Jury:

- Interviewed management and staff
- Reviewed vocational and educational programs
- Inspected the facility

#### III. Background

The Delta Fire Camp is a collaborative effort between the California Department of Forestry (CDF) and California Department of Corrections (CDC). Inmates must be classified as minimum security risks for this program. Inmates age range from 20 to approximately 50 years of age. All inmates come to the Delta Fire Camp via Susanville CDC.

The average inmate stay is two to three years. Inmates must be I top physical condition to be eligible for firefighter training. Inmates are paid \$1.47 per day plus \$1 per hour for fighting fires and assisting with disasters. Inmates receive two days off their sentence for each day served in this program. Upon completion of training, inmates are fully certified in firefighting or receive training in other vocational trades. Upon their release, the inmate is deemed eligible for employment with the CDF.

There is one division chief, twelve fire captains from CDF, one lieutenant, two sergeants; eight correctional officers and an administrative assistant. The staff is not armed.

The facility was established in 1988 and is located on twenty-three acres northeast of Highway 12 in rural Solano County off Lambie Road.

It is designed to house 120 inmates and there are no females housed at this facility. There are 38 fire camps in California; 16 camps in Northern California and the remainder in Southern California.

The camp is in year-round operation and called upon for many state disasters from fire to flooding and other natural disasters.

At the time of the Grand Jury visit there were 127 inmates at the Delta Fire Camp. The CDC allows a ten percent over population margin at any given time. This does not create an officer safety concern as all inmates are minimum security risks.

There are six fire crews comprised of seventeen inmates, one CDF Fire Captain and a CDC Correctional Officer for each crew. Each crew takes meals together, sleeps in the same dormitory, rides in the same truck to disasters and works as a group. This creates a greater sense of responsibility and camaraderie among the inmates.

Delta Fire Camp policy provides an on-site multi-day conjugal and family visitation program which includes a cottage furnished with donated items from concerned individuals and groups. CDC does not provide funding to maintain this program.

#### IV. Findings and Recommendations

**Finding #1** – The overall fire program appears to be beneficial to the rehabilitation of inmates and is a much sought-after placement by the minimum risk inmates' population at CDC.

**Recommendation #1** – The Grand Jury encourages CDF and CDC to continue to fund and support this program.

**Finding #2** – The facility maintains an on-site location to accommodate the family visits of an inmate.

**Recommendation #2** – This is a positive program for inmates' rehabilitation and should be continued.

**Finding #3** – Upon completion of training, firefighting inmates are fully certified in firefighting plus receive training in other vocation trades. Upon the release, the inmate is deemed eligible for employment with the CDF.

**Recommendation #3** – The Grand Jury encourages CDC and CDF to help find other employment opportunities for released inmates.

**Finding #4** – When not actively involved in firefighting, inmates perform other related community services like brush removal and creek clearing.

**Recommendation #4** – The Grand Jury encourages the CDF and CDC to continue to fund and support this program.

# II: Criminal Justice

## IV. Comments

The Delta Fire Camp is a positive alternative placement program for incarcerated males. The program develops camaraderie and teamwork among the inmates, more importantly, pride in themselves for doing a job well done and while providing a service to the community.

The Grand Jury is concerned that there is not a left turn lane from or onto Highway 12 from Lambie Road. This is a major safety concern for both the Highway 12 traffic and CDF fire trucks and personnel.

## V. Affected Agencies

- California Department of Corrections (CDC)
- California Department of Forestry (CDF)
- California Department of Transportation (CALTRANS)
- Solano County Transportation Authority (STA)

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## Solano County Police Department Holding Facilities Inspections 2005-2006 Grand Jury Report

### I. Reason for Investigation

California Penal Code § 919 (b) mandates the Grand Jury conduct an annual inspection of detention holding facilities.

### II. Procedures

The Grand Jury inspected the following facilities and interviewed the police chief or the chief's representative in each of the following cities:

- Benicia Police Department (BPD)
- Dixon Police Department (DPD)
- Fairfield Police Department (FPD)
- Rio Vista Police Department (RVPD)
- Suisun City Police Department (SSPD)
- Vacaville Police Department (VVPD)
- Vallejo Police Department (VPD)

### III. Background

#### Benicia Police Department

The Grand Jury inspected the police department holding cells and found conditions the same as in past years. The department has two holding cells. One is larger than the other and both are secured by sliding locks. There are no bathroom facilities either in the cells or nearby and staff must escort prisoners past offices and staff working spaces to use the toilet facilities, which are located near exits. The bathrooms have no locks, which means staff must keep prisoners in sight at all times. There is no sally port (enclosed secured area) to transfer prisoners to and from vehicles. There is no dedicated holding cell for juveniles. Average in-custody stay for prisoners is four to six hours.

On the day of the inspection, the Grand Jury was shown blueprints of modifications being made to the old police station which includes lockable toilet facilities in the area of the holding cells and the installation of chain-link fencing and remote-operated sliding gates to create a secure vehicle transfer area. The detention area will be walled off from nearby offices to provide better security for the staff. Awarding of bids has been made and these improvements should be under way by the time this report is released. The need for juvenile holding cells was not addressed in the remodeling.

**Finding #1** - The holding cells are not secure due to the use of sliding bolt locks.

**Recommendation #1** - Install key or electronic locks on the cells during the remodeling so only staff can release the cell doors, as recommended by previous Grand Jury findings.

**Finding #2** - There are no dedicated cells for juveniles.

**Recommendation #2** - Future plans should include cells specifically set apart for juvenile prisoners.

#### Comment

Remodeling of the facility should bring marked improvements to the detention facility at the Benicia Police Department.

#### Dixon Police Department

The Grand Jury inspected the police department's three holding cells with restroom facilities in each cell. Prisoners are normally placed one per cell with the possibility of placing two prisoners in one cell if the need arises. When needed, a bench in the booking area is used to secure additional prisoners awaiting transfer to the county jail. The facility has a sally port and gun lockers. The booking room and the overall facility are clean and appeared safe. When the new police facility was built several years ago, it was designed with the potential to add a second story to the present building should additional space be needed.

**Finding and Recommendation** - None.

#### Fairfield Police Department

The Grand Jury inspected three holding cells and two interview rooms at the FPD. It was noted there is no dedicated holding cell for juveniles. The cells and booking area are clean and appeared safe and secure.

The sally port continues to be used to store bicycles on the south wall and the bicycles do not appear to be a safety concern. The vehicle maintenance previously housed at this location has been relocated to another facility. The sally port appeared to be clean and safe.

**Finding #1** - The Fairfield Police Department does not have designated holding cells for juveniles.

**Recommendation #1** - Convert one of the interview rooms into a dual-purpose room for juveniles.

#### Rio Vista Police Department

The RVPD pre-booking room was clean and appeared safe. There are no holding cells on site. Pursuant to department policy, the RVPD does not accept violent prisoners. They are transported directly to the Solano County Jail. The city and RVPD plan to build a new facility to accommodate the projected growth of this city. At present, the RVPD is located in a modular building with limited space.

**Finding #1** - There is no holding cell in this temporary facility because of limited space.

**Recommendation #1** - A holding cell should be added to the existing facility and included in the new facility plans. Similar recommendations have been made by previous Grand Juries.

#### Suisun City Police Department

The SCPD has one holding cell with restroom facilities. There is a sally port and gun lockers. The booking room appeared safe and clean. Pursuant to SCPD policy, they do not accept violent prisoners. They are transported directly to the Solano County Jail.

**Findings and Recommendations** - None.

#### Vacaville Police Department

The new Vacaville police department opened in the fall of 2005. They have eight holding cells, five of which have restroom facilities and each cell will hold two prisoners. There is a separate cell for holding juveniles. There is a large sally port with gun lockers. The booking area and large interview rooms are state of the art. There is a classroom for training officers with individual computers built into the top of the desks. There is a large exercise room for the officers. There is ample space available for administration, officer report writing and overall growth as the population increases.

**Finding and Recommendation** - None.

#### Vallejo Police Department

The VPD's holding cells are well designed and provide toilet facilities in each cell, secure electronic door locks and camera monitoring of prisoners. There are four cells for adults and three for juveniles. All are sanitized daily. Average in-custody stay is three hours. An adjacent sally port provides for transfer of prisoners. This facility is a leader in the area of safety, sanitation and compliance.

**Findings and Recommendations** - None.

## IV. Affected Agencies

- [City of Benicia Police Department, City Manager & City Council](#)
- [City of Dixon Police Department, City Manager and City Council](#)
- [City of Fairfield Police Department, City Manager & City Council](#)
- [City of Rio Vista Police Department, City Manager & City Council](#)
- [City of Suisun Police Department, City Manager and City Council](#)
- [City of Vacaville Police Department, City Manager & City Council](#)
- [City of Vallejo Police Department, City Manager & City Council](#)

### California State Prison Solano Facility Inspection 2005-2006 Grand Jury Report

#### I. Reason For Investigation

Under the authority of California Penal Code §919(b), the 2005-2006 Grand Jury inspected the California State Prison-Solano (CSP-Solano) located in Vacaville.

#### II. Procedure

- Interviewed the CSP-Solano warden and staff
- Toured the facility
- Reviewed Metal Fabrication unit of the Prison Industry Authority (PIA)
- Reviewed CSP provided pamphlets and historical notes.

#### III. Background

CSP-Solano was designed to house 2,610 inmates. In the 2004-2005 Grand Jury Report, CSP-Solano inmate population was 5,848 on the day of their visit. On the day of the 2005-2006 Grand Jury visit, the CSP-Solano inmate population was 6,110, a staggering 3,500 more inmates than it was designed to house. Staff has been forced to convert the gymnasium and other buildings, originally designed for other uses, into housing units to accommodate the inmate housing shortage.

CSP-Solano's mission is to incarcerate, control and care for male felons while providing an opportunity for meaningful work, training, education and other programs. CSP-Solano is a level II and level III facility. Level III inmates are a higher security risk and require more supervision. CSP-Solano custody staff is comprised of 660 officers, 330 support staff employees and 114 medical personnel staff, working with an operating budget of \$109.5 million. On the day of the Grand Jury visit, the facility was clean, and staff appeared enthusiastic and committed to keeping the environment healthy for themselves, as well as the inmates. CSP-Solano has a no-smoking policy mandated by the state. Staff and inmates may not smoke in the facility or on facility grounds.

The PIA at CSP-Solano employs approximately 500 inmates. There are over 600 additional inmates on the waiting list as the PIA does not have enough jobs to employ the inmates that are waiting to get training. The Grand Jury toured the PIA Metal Fabrication unit. This unit employs 155 inmates with a staff of one superintendent and six industrial supervisors that produce \$2.3 million in revenue each year. This unit produces a variety of goods:

- Detention furniture for state prisons, county jails and furniture for universities
- Bear-proof containers, clip and bolt shelving, cabinets, truck bodies and oil tanks that are made for California Department of Transportation.

Inmates received training in the areas of:

- Welding, paintings, machine operations, shear operations, tool and die making, punch press operations, equipment repair and maintenance.

Certification programs are available through the National Institute for Metal Workers to enhance the employability of inmates upon parole. PIA has developed a statewide Inmate Employability Program (IEP), which includes certification programs for inmates. Inmates must have 1,500 hours performing job-related skills to be certified.

#### IV. Finding and Recommendations

**Finding #1** – CSP-Solano houses 3,500 inmates in excess of its designed capacity.

**Recommendation #1** – California Department of Correction should build additional units to accommodate the growth of inmate population.

**Finding #2** – CSP-Solano does not have enough jobs in its PIA program to accommodate the inmate applicant pool.

**Recommendation #2** – The PIA program should work toward enlarging its facilities/capacity to meet inmate interest in the program's training.

#### V. Comments

The staff of CSP-Solano is to be commended for its leadership and creativity in attempting to solve problems in this overcrowded facility.

#### VI. Affected Agencies

- California State Prison - Solano
- California Department of Corrections

### California Medical Facility Inspection 2005-2006 Grand Jury Report

#### I. Reason For Investigation

Under the authority of California Penal Code §919(b), the 2005-2006 Grand Jury inspected the California Medical Facility (CMF) located in Vacaville.

#### II. Procedure

- Interviewed the warden's staff
- Toured the AIDS unit
- Toured the CMF hospital unit
- Reviewed CMF-provided pamphlets and historical notes

#### III. Background

The CMF is a joint operation between the California Department of Corrections (CDC) and the California Department of Mental Health. CMF provides a centrally located medical and psychiatric institution for the health care needs of the male felon population in California's prisons. CMF operates with a \$150 million budget and has approximately 1,758 employees. CMF houses a general acute care hospital, an in-patient and out-patient psychiatric facility, a hospice unit for the terminally ill inmates and housing and treatment for inmates identified with AIDS/HIV. CMF has the only hospice program in the CDC system.

CMF's mission is to provide evaluation and treatment of the mentally disordered and developmentally disabled inmates in a safe, secure, well-maintained, therapeutic and self-enhancing environment, while maintaining security and control of individuals who have been determined to be a danger to self or to the people of the state of California.

On the day of inspection, the CMF inmate population was 3,300, approximately 200 below the designed capacity of 3,503 inmates. Inmates are classified based on their security risk, one through four, with four being the highest security risk. Each inmate's annual cost is approximately \$32,000, plus another \$13,500 for medical treatment. Inmate visits to the CMF clinic exceeded 100,000 per year, averaging 30 visits per inmate per month. CMF recruitment and retention of medical staff is an on-going problem. Nurse staffing is down 54 percent and physician staffing is down approximately 30 percent. Information received indicates that the shortage of nurses and physician is a by-product of the state wage for nurses that are well below the wage scale from authorized staff levels in the private sector.

CMF provides 65 licensed general acute care beds, three negative pressure isolation rooms and surgical services with two operating rooms. Emergency medical services are provided to all inmates housed at CMF. Registered nurses staff the emergency room 24-hours a day. A physician is present during the day and a medical officer provides after-hours care. CMF has a special housing unit for approximately 600 HIV positive/AIDS patients and 17 beds for hospice patients. CMF operates three community work crews to assist local cities with a workforce to accomplish many needed projects:

- A crew provides gardening and janitorial support to Napa State Hospital
- A Keating Park crew provides gardening and maintenance at the local ball parks
- An Alamo Creek crew provides weed abatement, fire and flood protection to the city of Vacaville

CMF Education Department has expanded inmate educational services and staff development opportunities through the use of correspondence courses, independent study, and a satellite/television downlink system. These programs are federally funded and are taken at the inmate's expense.

There are approximately twenty-five inmates at CMF who participate in college correspondence courses at their own expense. These courses are taken through Penn State University, Ohio University, Ashcroft College and the University of California at Berkeley. The supervisors of the correctional education proctor the exams for inmates who participate in these programs. This program is voluntary for inmates who wish to receive college credits and/or work toward a degree.

#### IV. Finding and Recommendations

**Finding #1** – CMF has a major shortage in nurses & other medical personnel.

**Recommendation #1** – CMF should consider developing a recruiting program for medical personnel.

**Finding #2** – CMF's cost for medical services per inmate is high due to the critical care needs of the inmates at CMF.

**Recommendation #2** – CMF should consider conducting a study to reduce costs.

## II: Criminal Justice

### V. Comments

The staff of CMF was well organized. The facility was clean and orderly. The hospice facility was impressive; the dignity of everyone is a priority for the staff and they adhere to the motto: "No man should die alone."

### VI. Affected Agencies

- California Medical Facility - Solano
- California Department of Corrections

**Recommendation #1** – With the installation of a filtering system, all library staff should keep data to document any violations or circumvention of the program.

**Finding # 2** – The city-operated libraries of Benicia and Dixon have elected not to install filtering systems.

**Recommendation #2** – The Grand jury recommends installation of filters at the Benicia and Dixon libraries.

### V. Comments

It is recommended that the 2006-2007 Grand Jury follow up on the impact of this program.

### VI. Affected Agencies

- City of Benicia
- City of Benicia Library Board of Directors
- City of Dixon
- Dixon Unified School District
- City of Fairfield
- City of Rio Vista
- City of Suisun City
- City of Vacaville
- City of Vallejo
- Solano County Board of Supervisors
- Solano, Napa and Partners Library Consortium

## III: Education and Library

### Installation of Filters on Computers at Solano County Libraries

#### “To Filter or not to Filter, that is the Question” 2005-2006 Grand Jury Report

### I. Reason for Investigation

The 2005-2006 Solano County Grand Jury elected to investigate all county libraries, and including the city operated libraries of Benicia and Dixon, and assess the need for the installation of computer filters which preclude users from viewing internet web sites that contain inappropriate material.

### II. Procedures

The Grand Jury:

- Reviewed the Follow-up Report on the Library's Internet and Electronic Use Policy, dated November 8, 2005
- Conducted on site visits and discussions with library staff members at each library
- Reviewed information received from the Administrative Librarian, Automation/Technical Services, Solano County Library/Solano, Napa & Partners (SNAP)
- Researched materials obtained from selected websites
- Reviewed the Board of Supervisors (BOS) meeting minutes

### III. Background

During the May 10, 2005 BOS meeting, the library staff presented information about the Library's Internet and Electronic Information Use Policy. This information was requested by the board after a user complained about her children viewing pornography on a computer at the Vacaville Town Square Library. Several alternatives were offered ranging from keeping the existing policy intact and unfiltered to installing filters on the library's computers. The BOS directed staff to obtain more community input by holding forums on the topic and return within six months to report the results. The National Issues Forum (NIF) approach was suggested as a neutral method, spearheaded by a couple with expertise in teaching and conducting NIF discussions. A stakeholder group, comprised of a County Supervisor, Library Advisory Council member, the general public, which included the complainant and other professionals, was formed. Prior to the public forums, the stakeholder group met and discussed their viewpoints and developed three approaches to discuss at the forums. These approaches were:

1. Filtering on all computers
2. No filtering on computers, as is the practice
3. Filtering on some, but not all computers

At the conclusion of the November 6, 2005 BOS meeting, the board directed staff to install filtering software on all computers connected to the internet at libraries under the jurisdiction of Solano County.

On March 15, 2006, the Solano County Library installed internet filtering software at a cost of approximately \$18,000 onto 225 internet access computer terminals at its seven county libraries. This filtering system blocks all adult and sexually explicit content but also allows adults and children with an adult's permission to surf the net unfiltered by making special requests. The city-operated libraries of Benicia and Dixon opted not to participate.

### IV. Findings and Recommendations

**Finding #1** – At the time the Grand Jury visited each library, there were no filters on any internet accessible computers.

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### County of Solano Response:

**Library's Response to Finding #1:** The Library assumes this is true based on the timeframe of staff discussions with members of the Grand Jury. Filtering software was installed on all Solano County Library public computers on March 15, 2006.

**Library's Response to Recommendation #1:** Concur. The Solano County Library has been documenting all violations since June 2005 and this procedure is now an on-going practice.

**Board of Supervisors Response to Finding & Recommendation #1:** The Board of Supervisors agrees with the Department's response to the Grand Jury's Recommendation regarding the implementation of filtering procedures.

**Library's Response to Recommendation #2:** The Grand Jury lists the Solano, Napa and Partners Library Consortium as an affected agency but only makes recommendations regarding two members of the Consortium, Benicia and Dixon. As the representative agency for the Consortium, the Solano County Library can respond only for Solano County Library. The other members are governed by independent jurisdictions. Installation of filtering software is a local decision, which each of those jurisdictions must determine for themselves. It would be inappropriate for Solano County Library to comment on their behalf.

**Board of Supervisors Response to Finding & Recommendation #2:** The Board of Supervisors agrees with the Department's response to the Grand Jury's Recommendation. The Board of Supervisors has no decision making authority regarding the operation of the Benicia and Dixon libraries.

### Rio Vista High School Renovation “Wheels of Progress Turn Ever So-o-o Slow” 2005-2006 Grand Jury Report

#### I. Reason For Investigation

The Grand Jury elected to investigate the progress in the renovation of Rio Vista High School (RVHS).

#### II. Procedure

The Grand Jury:

- Toured and observed minor renovations at RVHS
- Interviewed the RVHS Principal
- Interviewed the Interim Superintendent of River Delta Unified School District (RDUSD)

#### III. Background

In the November 2004 general election, the voters passed Bond Measure U or a \$14 million modernization and renovation of schools in the RDUSD. There is a three-year limit to use Measure U funds; however, this time can be extended. A year later, a decision was made to rebuild RVHS rather than renovate. This decision caused RDUSD to pursue matching state funds.

After Measure U was passed, an ad hoc committee of local citizens and school officials was formed to make recommendations for the utilization of RDUSD Measure U bond funds. This ad hoc committee reports to the RDUSD Board for final approval of the committee's recommendations.

The RVHS rebuilding project continues to languish due in part to modification in the ad hoc committee membership, changes in the RDUSD administration and the decision to rebuild instead of renovate.

#### IV. Finding and Recommendations

**Finding #1** – There has been only minor renovations at RVHS since passage of Measure U.

**Recommendation #1** – The RDUSD should proceed with due diligence toward rebuilding plans for RVHS.

**Finding #2** – There is a three-year limit for the use of Measure U bond funds. Since November 2004, 18 months have elapsed with little or no progress.

**Recommendation #2** – The RDUSD should proceed posthaste in applying for state matching funds and the bidding process for the rebuilding of RVHS.

#### V. Comments

This Grand Jury has been assured that any personnel changes in the RDUSD would not alter the present rebuilding plans and recommends that the 2006-2007 Grand Jury follow through in monitoring the progress of the project.

#### VI. Affected Agencies

- Rio Vista High School
- River Delta Unified School District

### Americans with Disabilities Act Compliance Golden West Middle School 2005–2006 Grand Jury Report

#### I. Reason for Investigation

The Grand Jury elected to follow-up the 2004–2005 Grand Jury inspection of Golden West Middle School (GWMS), due to the renovation project to comply with the Americans with Disabilities Act (ADA).

#### II. Procedure

The Grand Jury:

- Interviewed the GWMS Principal
- Toured GWMS
- Reviewed the 2004–2005 Grand Jury report of GWMS
- Reviewed document from Travis Unified School District (TUSD)

#### III. Background

GWMS is part of the TUSD where 40 percent of the student population comes from Travis Air Force Base and the remainder from the developments of Cambridge and Foxboro in Vacaville, as well as Fairfield residences in the immediate area. The modernization program, formally titled the “Golden West Restroom Modernization Project”, was completed on August 12, 2005, with very little interruption in GWMS's day-to-day operation.

Presently, GWMS has one visually impaired student, whose assigned classroom doors are identified with large letters and numbers. The student's textbooks are printed in larger font and a special keypad for the computer is provided when needed. A wheelchair disabled teacher, who gave a “glowing review of the ease of accessibility” to the 2004–2005 grand jury, is still on campus, but was not interviewed.

All restrooms are now ADA compliant with additional stalls in the girls' restrooms, and heat and smoke detectors have been installed in each restroom. For the staff there are ADA unisex restrooms and ladies only restrooms in each building. Drinking fountains are strategically placed at each building, including one that is wheelchair accessible. Cracked pavement has been removed and repaved with rounded edges to prevent accidents. Lockers in the hallways and in both boys and girls gymnasium locker rooms have been upgraded to accommodate student backpacks. Crash bars have been installed on most access doors and the fire alarm system is directly tied into the Fairfield Fire Department.

#### IV. Findings and Recommendations

**Finding #1** – The completed ADA compliance renovation project has created a favorable environment for special needs students and provides them easier access to all school facilities.

**Recommendation #1** - None

#### V. Comments

The Grand Jury observed the clean and open appearance of the campus, the walkways are wide and all shrubbery is artfully maintained.

#### VI. Affected Agencies

- Golden West Middle School
- Travis Unified School District
- Solano County Office of Education

# IV: Land Planning and Environment

## Solano County Food Establishment Inspection “Good Plan, Poor Execution” 2005–2006 Grand Jury Report

### I. Reason for Investigation

The Grand Jury elected to continue the 2004-2005 Grand Jury investigation into the Solano County food inspection procedures.

### II. Procedure

The Grand Jury:

- Interviewed Solano County Resource Management Director
- Interviewed Solano County Environmental Health Manager
- Interviewed Solano County Environmental Health, Consumer Section Manager
- Accompanied Food Inspectors on routine inspections
- Reviewed California Food Facility Law
- Reviewed various California Food Establishment Rating Systems
- Reviewed Internal Data Based Program Information System
- Reviewed Current Food Inspection checklist
- Reviewed Re-inspection process and fees
- Reviewed topic related newspaper articles
- Reviewed Environmental Health Specialist job descriptions

### III. Background

On January 1, 2004, Solano County implemented the California Uniform Retail Food Facility Law (CURFFL) §11370 et seq. of the California Health and Safety Code, initiated food inspections. This section is detailed and covers all areas of food inspections. Solano County also has a Risk Based Food Inspection Program (RBFIP), which has been in place since July 1, 2002. The Environmental Health Services Division of the Solano County Department of Resource Management is charged with operating the RBFIP. Currently, the program categorizes facilities by three key food borne disease risk factors: types of food handled, extent and type of preparation, and age and volume of the patronage. The Solano County Department of Resource Management classifies facilities by using a Risk Assessment Analysis form. The categories are identified as Low Risk: facilities requiring one routine inspection per calendar year; Medium Risk: facilities requiring two routine inspections per calendar year; and High Risk: facilities requiring three inspections per calendar year. Please see Exhibit A to further define risk categories.

Solano County presently has eight Environmental Health Specialists. These specialists conduct inspections, investigations, evaluations, review plans and reports, prepare written reports and records, process permits and provide information to the public to ensure compliance and enforcement of regulations governing environmental health and safety. Health inspectors expend approximately 75-80 percent of their time performing food inspections. Although the inspection form has been updated, it is still a cumbersome document. The use of a portable handheld computerized device could eliminate duplicate documentation of inspection results. The Grand Jury was informed that research is being conducted to validate the use of such devices.

The following table was compiled by the Grand Jury from information received from the Resource Management Department covering the period January 1, 2005 to December 21, 2005:

Solano County Risk Based Food Inspection Program  
Establishment Risk Criteria Categories January 1, 2005 to December 21, 2005

Establishment Risk Level	Number of Establishments	Routine Inspections Required	Routine Inspections Performed	Difference in Inspections
*HIGH	405	1215	619	-596
*MEDIUM	335	670	460	-210
*LOW	223	223	227	+4

\* Required routine inspections per year: HIGH=3 MEDIUM=2 LOW=1

When an establishment applies for a license to operate, the cost of the license includes the initial routine inspection and a follow-up inspection. If additional inspections are required, those inspections are referred to as re-inspections. When an establishment has major violations (i.e. improper food temperatures, rodents or food spoilage) a follow-up inspection is required. Depending upon the severity of the violation, the food establishment is given a specific period of time to correct the violation and come into compliance.

If the violation(s) is/are not corrected within the specified period of time, a re-inspection fee (not a fine) can be assessed. Totals of \$10,087 were collected for re-inspections for the aforementioned period. The re-inspection fee prior to July 1, 2005 was \$138. The re-inspection fee after July 1, 2005 was increased to \$145. RBFIP fees are evaluated and adjusted annually.

Solano County does not utilize a grading system for food facilities. A grading system would keep the public informed of the most current inspection results. The Department of Resource Management staff has informed this Grand Jury that they are in the information gathering stage for the development of a grading system. This information gathering process has been ongoing for more than a year. It should be noted that several other counties in California have a fully implemented food establishment grading system. The Department of Resource Management provided the Grand Jury a copy of Sacramento County's approved grading system (Exhibits B, C and D).

### IV. Findings and Recommendations

**Finding #1** - The eight Environmental Health Specialists are not completing the required routine inspections as outlined in the RBFIP.

**Recommendation #1** - The Department of Resource Management should take action to ensure compliance with the program.

**Finding #2** - The current re-inspection fee is \$145. This rate applies to all risk categories.

**Recommendation #2** - The formula that determines the cost of re-inspection fees for food establishments should not incorporate the “one size fits all” way of thinking.

**Finding #3** - The current three-part, carbonless form for food inspections is cumbersome and not user friendly for either the Environmental Health Specialist or the food facility personnel.

**Recommendation #3** - The Grand Jury echoes the recommendation of the 2004-2005 Grand Jury to implement an alternative such as a handheld device for reporting data. The data could then be downloaded into a laptop with the inspection form printed on site.

**Finding #4** - Solano County does not have a food establishment grading system.

**Recommendation #4** - The Department of Resource Management should provide relative information to the Board of Supervisors to establish a grading system.

### V. Comment

The Department of Resource Management has failed to demonstrate the ability to comply with its own food inspection program. This lack of compliance will impede any progress on a rating system to keep the public better informed on the results of food establishment inspections.

### VI. Affected Agencies

- Department of Resource Management
- Solano County Board of Supervisors

### Courtesy Copies

- City of Benicia
- City of Dixon
- City of Fairfield
- City of Rio Vista
- City of Suisun
- City of Vacaville
- City of Vallejo

# IV: Land Planning and Environment

## County of Solano Response:

### Resource Management Response to Finding #1:

The Department partially disagrees with this finding by the Grand Jury. The information provided in the Grand Jury report clearly shows that the routine inspection frequency for Type 1 food facilities was met, while the number of routine inspections for Type 2 and Type 3 facilities is below the goal established by the Department. The Grand Jury's report also only illustrates the number of routine inspections, and does not provide insight into the total number of inspections performed by Environmental Health Specialists within these food facility types. This gives the impression that these facilities are only inspected at the frequency listed in the report.

The Environmental Health Services Division, Consumer Protection Section's Risk Based Food Inspection Program (RBFIP) was implemented to enhance food safety, and hence protection of public health, by focusing staff resources on higher risk establishments. Risk levels were established based on a variety of factors, including the types of foods prepared and number of patrons served. As the State of California does not mandate any minimum inspection level for food facilities, the Department developed its own program with goals to inspect those that posed a higher risk to public health (Type 3 facilities) three times per year, medium risk (Type 2) facilities twice per year, and low risk (Type 1) facilities once per year.

To accomplish its mandate of public health protection at food facilities, the Department performs a variety of inspections. These include routine inspections, follow-up inspections, and inspections based on public concerns. All these inspections types bring the Environmental Health Specialist into a food facility and allow them to observe the food handling practices that are occurring there at the time of inspection.

Between January 1, 2005 and December 31, 2005, Environmental Health Specialists performed a total of 1,318 inspections in Type 3 food facilities, of which 652 were classified as routine inspections. This means that Environmental Health Specialists performed an average of 3.25 inspections inside Type 3 food facilities during the

year. Environmental Health Specialists also performed a total of 855 inspections in Type 2 food facilities, of which 488 were classified as routine inspections during this same time period. This means that Environmental Health Specialists performed an average of 2.5 inspections inside Type 2 food facilities during the year. Finally, 383 inspections were performed in Type 1 food facilities in 2005, of which 253 were routine inspections. This provides an average of 1.8 inspections per Type 1 facility.

By reviewing the total number of inspections performed by Environmental Health Specialists in each of the food facility categories, it is apparent that the overall goal of increasing the presence of Environmental Health Specialists within food facilities that pose a higher risk is being met and the health of the public is being protected.

### Resource Management Response to Recommendation #1:

The recommendation has been implemented. The Department has always taken steps to achieve the inspection frequencies established. In order to improve the number of routine inspections by the Consumer Protection Section, the motel/hotel inspection program has been consolidated within another section of the Department. The Department has implemented status review meetings between staff and the supervisor within the Consumer Protection Section to review inspection status and adjust as needed.

### Board of Supervisors Response to Finding & Recommendation #1:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### Resource Management Response to Finding #2:

The Department agrees with the finding of the Grand Jury.

### Resource Management Response to Recommendation #2:

The recommendation will not be implemented. This recommendation would require modification to the currently approved local ordinance and fee tables. State law does not require the implementation of any local fines for repeat violations of CURFFL and the current county approved fee ordinance and schedule only authorizes re-inspection

## RISK ASSESSMENT EVALUATION

### Overview

Many factors can contribute to a foodborne illness outbreak in a food establishment. Three factors have been identified as the main risks of foodborne illness. These are food property risk, population risk (volume and typical age of patronage), and food operational risks.

In order to evaluate the risks present in each establishment, a "Risk Assessment Analysis Form" (Attachment 1) was created. The form was developed by adopting similar forms used in other Counties and States during their conversion to a risk-based food inspection program and is based upon foodborne illness risks established by the Centers for Disease Control and Prevention.

### Methods

During FY 00/01 each food establishment was evaluated using the Risk Assessment Analysis Form. With the assistance of the owner/operator of the establishment, the environmental health specialists conducted an inventory of potentially hazardous foods, determined the population at risk, and evaluated the food handling operational risks. A numerical risk value was given to each establishment ranging from 0-99 points. Establishments with a score of 100 and above were entered into the data base program (SWEEPS) as having a score of 99 points. This is due to the limitations of the program to only store two-digit numerical data.

After 900 establishment's numerical values were entered into SWEEPS, a frequency histogram was created to determine the approximate numerical range for each risk category. The histogram revealed three distinct bell curves in the low, medium and high end of the scale. The breaks in between the bell curves were used to create dividing scores to define the high, medium and low categories. The food handling activities for each group were confirmed to have distinct levels of food handling risks that justified the placement in the risk categories. The categories and numerical scores are below:

Category	Score
High Risk Establishment	≥ 80
Moderate Risk Establishment	38-79
Low Risk Establishment	≤ 37

## SOLANO COUNTY ENVIRONMENTAL MANAGEMENT RISK ASSESSMENT ANALYSIS FORM

Name: \_\_\_\_\_ Risk Category: \_\_\_\_\_  
Address: \_\_\_\_\_ Comp. No: \_\_\_\_\_

<b>I. Food Property Risk</b>		
A. Roast Beef, Ham, Turkey, Modified Atmosphere Foods, Chicken, Ground Beef, Pork, Fish, Shellfish	10 points	_____
B. Eggs, Beans, Rice, Gravy, Sushi, Noodles	8 points	_____
C. Salads (Macaroni, Potato, Tuna), Dairy Products, Cheeses, Vegetables	6 points	_____
D. Prepackaged Potentially Hazardous Foods (Hot/Cold)	2 points	_____
<b>II. Population at Risk-Typical Patronage</b>		
A. Daily Patronage		
1. >500/day	10 points	_____
2. 250-500/day	8 points	_____
3. 100-249/day	4 points	_____
4. <100/day	1 point	_____
B. Typical Patron		
1. Children, Seniors (+63), immuno-compromized	5 points	_____
2. Others (18-62)	1 point	_____
<b>III. Foodservice Establishment Operational Risks</b>		
A. Potentially Hazardous Food Process		
1. Temperature/Time controlled product	15 points	_____
2. Product reheated after cooking once	15 points	_____
3. Product cooled after cooking once	15 points	_____
4. Product handled manually (assembling, cutting)	15 points	_____
<b>Gross Score (Composite)</b>		<b>+</b> _____
<b>IV. Seasonal/Weekend Food Establishments minus 15 points- (Operates no more than 7 months/year or 3 days/week)</b>		<b>-</b> _____
<b>Training (credit) (-10 Points)</b>		
1. Foodservice Employees Certification minus 5 points- (at least one employee during operation)		<b>-</b> _____
2. Operates under an approved HACCP plan minus 5 points		<b>-</b> _____
<b>Score:</b>	<b>Risk Analysis Score</b>	<b>=</b> _____
<b>Category:</b>	High Risk Establishment ≥ 80	
	Moderate Risk Establishment 38-79	
	Low Risk Establishment ≤ 37	
<b>Rating:</b>	Risk Analysis Rating (L.M.H.)	_____

Approved:

\_\_\_\_\_  
Environmental Health Specialist, Date

\_\_\_\_\_  
Environmental Health Supervisor, Date

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EXHIBIT A

## IV: Land Planning and Environment

fees. The re-inspection fee is based on the time it takes to perform re-inspection work and the hourly charge (rate) necessary to cover the cost to the Department for the employee. The Board of Supervisors does require annual review and adjustment to the Department's fees, and the re-inspection fee is evaluated and adjusted annually as part of this process. Based on the most recent review of the cost to the Department, the Board approved a fee of \$220 for fiscal year 06/07 for re-inspections.

The Department has a variety of enforcement tools already available to assist in obtaining compliance from recalcitrant food facility operators. Issuance of re-inspection fees is the initial step in this overall enforcement process. If re-inspection fees do not result in compliance, then we proceed with other enforcement tools. These tools include formal enforcement actions including compliance meetings between the food operator and the Department to establish a time frame for abatement of chronic violations, administrative hearings before a hearing officer to determine if the permit should be suspended and/or revoked, and/or referral to the District Attorney for prosecution.

### **Board of Supervisors Response to Finding & Recommendation #2:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### **Resource Management Response to Finding #3:**

The Department partially disagrees with this finding. All forms and paperwork, especially while performing inspections, can be somewhat cumbersome to their user, and while every effort is taken to make them user friendly, improvements can always occur. However, staff had complete input into development of the current form in use and no complaints have been received regarding the Department's form from food facility operators or staff. Some staff have commented that operators informed them that they liked the new form as it has code sections and corrective actions typewritten onto it.

The Department implemented use of the revised Official Inspection Report approximately the same time as the Grand Jury made its review. It is likely that during this initial use period, staff had some difficulty using the forms as they became accustomed to its features.

However, the Department continues to explore ways to improve customer service and inspection frequency. Most recently, the Department has begun a process to implement the use of portable Tablet PCs and printers during food facility inspections. This topic will be discussed below.

### **Resource Management Response to Recommendation #3:**

The recommendation has not yet been implemented, but is anticipated to be implemented within six months.

While no public or operator complaints have been received about the current inspection forms in use, the Department is always searching for ways to improve the manner and speed in which inspections are performed and data is managed. The Department purchased in FY 05/06 tablet PCs and portable printers for food inspection staff to use in their field activities. These devices are part of a project to evaluate potential improvement in efficiency to the Environmental Health Services Division's inspection program utilizing different handheld devices and portable printers compared to the standard field inspection form currently in place.

The time frame provided for implementation is required to allow for electronic inspection forms to be constructed, software and hardware needs to support the devices to be configured, and to adequately train staff. For the fiscal year 06/07, the Department's budget includes a new position allocation for a full time IT individual. This position will assist the Department and the Division with implementation of new technology and support of existing automation systems. The first project for FY 06/07 when the position is filled will be to oversee the EH project utilizing the tablets and portable printers. After the use of this equipment has occurred, evaluation of the food inspection program can occur to determine if a time savings and increase in inspection frequency is provided.

### **Board of Supervisors Response to Finding & Recommendation #3:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### **Resource Management Response to Finding #4:**

The Department agrees with the Grand Jury finding.

COUNTY OF SACRAMENTO  
 ENVIRONMENTAL MANAGEMENT DEPARTMENT

PASS

FACILITY NAME \_\_\_\_\_

FACILITY ADDRESS \_\_\_\_\_

This establishment was inspected by the Sacramento County Environmental Health Division in accordance with the California Uniform Food Facilities Law (CURFFL), and passed the inspection conducted on:

\_\_\_\_\_ Date by \_\_\_\_\_ Environmental Specialist

A copy of the most recent inspection report is required to be posted for viewing.

Results of previous inspection conducted on \_\_\_\_\_ Date

**PASS**   
  **CONDITIONAL PASS**   
  **CLOSED**  
 **Enforcement Action Taken**

Mel Knight, REHS  
 Director of Environmental Management Department  
 County of Sacramento

For further information contact Sacramento County Environmental Management Department at (916) 875-8440, E-mail: [EMDInfo@Saccounty.net](mailto:EMDInfo@Saccounty.net) or visit the EMD website at [www.emd.saccounty.net](http://www.emd.saccounty.net)

THIS PLACARD IS THE PROPERTY OF THE SACRAMENTO COUNTY ENVIRONMENTAL MANAGEMENT DEPARTMENT AND SHALL NOT BE REMOVED OR ALTERED IN ANY WAY

EXHIBIT B

COUNTY OF SACRAMENTO  
 ENVIRONMENTAL MANAGEMENT DEPARTMENT

CONDITIONAL PASS

FACILITY NAME \_\_\_\_\_

FACILITY ADDRESS \_\_\_\_\_

This establishment was inspected by the Sacramento County Environmental Health Division in accordance with the California Uniform Food Facilities Law (CURFFL), and has conditionally passed the inspection on:

\_\_\_\_\_ Date by \_\_\_\_\_ Environmental Specialist

At the time of this inspection, this establishment was required to correct the following major violations immediately. A reinspection will be conducted within 72 hours.

<input type="checkbox"/> INADEQUATE FOOD TEMPERATURE CONTROLS	<input type="checkbox"/> FAILURE TO PROTECT FOOD FROM CONTAMINATION/CROSS CONTAMINATION
<input type="checkbox"/> FOOD FROM UNSAFE SOURCE	<input type="checkbox"/> UNACCEPTABLE FACILITY SANITATION
<input type="checkbox"/> FAILURE TO ENSURE/PROVIDE FOR PROPER EMPLOYEE HYGIENE/HANDWASHING	<input type="checkbox"/> INADEQUATE VERMIN CONTROLS (EVIDENCE OF INSECT OR RODENT ACTIVITY)
<input type="checkbox"/> IMPROPER SANITIZATION OF FOOD CONTACT SURFACES/UTENSILS - CONTAMINATED EQUIPMENT	

A copy of the most recent inspection report is required to be posted for viewing.

Results of previous inspection conducted on \_\_\_\_\_ DATE

**PASS**   
  **CONDITIONAL PASS**   
  **CLOSED**  
 **Enforcement Action Taken**

Mel Knight, REHS  
 Director of Environmental Management Department  
 County of Sacramento

For further information contact Sacramento County Environmental Management Department at (916) 875-8440, E-mail: [EMDInfo@Saccounty.net](mailto:EMDInfo@Saccounty.net) or visit the EMD website at [www.emd.saccounty.net](http://www.emd.saccounty.net)

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EXHIBIT C

## IV: Land Planning and Environment

### Resource Management Response to Recommendation #4:

This recommendation will not be implemented because immediate implementation of a grading or evaluation system is not required under state law and the Department's inspection program is protective of public health. State laws providing for the protection of public health contain no provision requiring jurisdictions to provide a grading or evaluation system as part of their retail food protection program. The decision to implement this type of program is a local decision requiring Board of Supervisor direction and adoption. The Department has not provided information to the Board of Supervisors relative to a grading program for the following reasons:

- The State of California, Department of Health Services does not provide standardization for the use of grading or evaluation systems either by statute, regulation, or policy and procedures. Therefore, there is no statewide or regional consistency in what a letter grade actually means.
- During the past year the Department's review of grading systems used by other jurisdictions using standard A-B-C designations based on straight percentages (90%-80%-70%) showed that some facilities with "B" grades had been closed and those with "C" grades were allowed to remain open. Therefore, the standard grading system using percentages does not seem to actually provide useful information to the public as to the severity of the violations existing at a facility.
- Implementation of alternative grading programs, those that use a point or color scoring system other than just straight percentage points based on the last inspection, have not yet been implemented in other counties. The Sacramento County "Red, Yellow, Green" scoring system is scheduled for implementation beginning January 1, 2007. It will take at least one year from implementation to evaluate its total effectiveness and to determine any modifications required in the program to improve results. Additionally, Napa County's proposed grading program that would have used a weighted grading system based on findings from the current and prior inspections was not passed by its Board of Supervisors. This absence of other types of systems has not allowed for a good comparison of the effectiveness of these alternative

systems to the standard percentage based grading system. Therefore, a recommendation as the best approach to take, if any, cannot be made with any certainty.

If directed by the Board to implement a grading program, development will require appropriate operating procedures to be established, staffing levels and cost recovery mechanisms to comply with county budget guidelines. Also, there could be substantial cost to food facility operators as they train or modify their staff and develop their own operational policies to conform to whatever grading system is to be implemented. Before a grading system is chosen, it is important to know that the cost associated with it will provide beneficial results in terms of increased inspection frequency, improvement in sanitation, and education of the public regarding the true nature of the conditions existing within a food facility. At this point, the Department is not convinced that the standard grading systems in place provide this benefit and is monitoring the implementation of other types of grading programs.

Until such time that a grading system is recommended to and approved by the Board of Supervisors, the Department will focus its effort on performing inspections within food facilities based on the level of risk the food service may potentially pose to the public.

### Board of Supervisors Response to Finding & Recommendation #4:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation in that the establishment of a grading system should not be entered into without considering all of the possible consequences such as cost, staffing, potential litigation, etc. The Board appreciates the Department's caution in desiring a standardized grading system that is delineated by Department of Health Services' statutes and regulations and is in the best interests of the public's health and safety.

Since a grading system is not required under state law, the Board agrees to wait until the Department is prepared to recommend and institute a uniform grading system for food establishments. At that time, the Board will consider the merits of implementing a program.

COUNTY OF SACRAMENTO  
ENVIRONMENTAL MANAGEMENT DEPARTMENT

# CLOSED

**DUE TO TEMPORARY SUSPENSION OF  
HEALTH PERMIT  
THIS FOOD FACILITY IS CLOSED**

FACILITY NAME \_\_\_\_\_  
FACILITY ADDRESS \_\_\_\_\_

During inspection on the date indicated below, this establishment was found to have violations which constitute an immediate danger to the public health or safety. As a result, the permit to operate has been temporarily suspended and this facility has been ordered to remain closed until a written reinstatement of permit has been issued.

Date \_\_\_\_\_ by \_\_\_\_\_  
Environmental Specialist

A copy of the most recent inspection report is required to be posted for viewing.

Results of previous inspection conducted on: \_\_\_\_\_ DATE \_\_\_\_\_

PASS  CONDITIONAL PASS  CLOSED

Enforcement Action Taken

Mel Knight, REHS  
Director of Environmental Management Department  
County of Sacramento

For further information contact Sacramento County Environmental Management Department at (916) 875-8440, E-mail: EMDinfo@Saccounty.net or visit the EMD website at www.emd.saccounty.net

THIS PLACARD IS THE PROPERTY OF SACRAMENTO COUNTY ENVIRONMENTAL MANAGEMENT DEPARTMENT AND SHALL NOT BE REMOVED OR ALTERED IN ANY WAY

EXHIBIT D

# V: Transportation and Public Buildings

## Solano Transportation Authority (STA) Solano Transportation Improvement Authority (STIA) “Smoothing Out the Bumps” 2005-2006 Grand Jury Report

### I. Reason for Investigation

The 2005-2006 Grand Jury elected to investigate the STA and the STIA.

### II. Procedure

The Grand Jury:

- Reviewed STA/STIA Policy and Procedures
- Interviewed STA/STIA Executive Director
- Reviewed STA/STIA Executive Director Employment Agreement
- Interviewed STIA Chairperson
- Interviewed STA/STIA Legal Counsel
- Reviewed STA Financial Statements
- Attended STA/STIA Meetings
- Reviewed STA Organizational Chart
- Reviewed STA/STIA Media Releases
- Reviewed STA Joint Powers Agreement

### III. Background

Since 1975, the seven cities in Solano County and Solano County (name of agency) have jointly conducted coordination and planning of transportation needs within Solano County under the group named the Solano County Transportation Council (SCTC). On August 21, 1990, by subsequent agreement, the SCTC was renamed the Solano Transportation Authority (STA). The STA is composed of the mayors of the seven cities in Solano County and one member from the Solano County Board of Supervisors. The STA is designated to refine the county transportation plan, review and coordinate transportation planning and coordinate implementation of transportation improvements. Additionally, the STA prepares an annual budget and work program, submits claims to the Metropolitan Transportation Commission (MTC), operates or contracts for the operation of transit and paratransit services and performs all other transportation related functions deemed important by the STA. STA manages program dollars from various sources to include the Solano County General Fund, MTC, California Transportation (CalTrans) and U.S. Dept. of Transportation. Solano County has not passed a transportation sales tax and therefore is considered a non-self-help county. As a non-self-help county, Solano County depends mainly on federal and state funding. Solano County has not raised matching funds to work in conjunction with other funding sources. Currently, the STA has identified 50 highway improvement projects for Solano County. This number does not represent other transportation services.

On January 1, 1988, in accordance with Public Utilities Code 131053, the STIA was created to administer funds generated by sales tax initiatives placed on local ballots for voter approval. The composition of the STIA board is similar to the board of the STA. The STIA also has a citizen advisory board; however, it is primarily composed of city and county government employees.

A Grand Jury review of the STA/STIA found that the meetings were not adequately publicized and were lightly attended by the public. Transportation acronyms used in the meetings were not well understood by the general public in attendance. This creates a situation where input from the public becomes secondary to the STA/STIA process. The STA requests a project prioritization list annually from each city in Solano County. These lists are developed by city officials with little or no public input.

Review of STA records revealed an ambiguity in accounting practices. Credit card finance charges are being assessed due to partial and late payments. An independent audit of the STA revealed inadequate analysis or adjustment to accounts and improper depreciation of STA capital assets. The STA has switched from outsourcing their accounting functions to completing accounting processes internally. Although some current staff attended accounting seminars, a financial analyst was hired to deal with the multiple funding sources. The STA has detailed policy and procedure manuals for each department. Review of these manuals revealed the over-involvement of upper management in ordinary day-to-day operations strains the true mission of the STA.

STA/STIA spends one third of its total transportation improvement funding to conduct required state and federal Environmental Impact Reports (EIR) and Environmental Impact Statements (EIS). Each EIR and EIS is completed on their own individual schedules. The results of this are fewer projects completed and prolonged funding requests, causing a depletion of the initial funding slated for each project.

### IV. Findings and Recommendations

**Finding #1** – The STIA Citizen advisory board is primarily composed of county and city government employees.

**Recommendation #1** – The STIA should encourage more general public participation by publicizing the importance of this committee. Television, newspapers and public forums should be utilized to ensure public awareness.

**Finding #2** - STA/STIA meetings were inadequately announced.

**Recommendation #2** - STA/STIA needs to be much more consumer-friendly. Public participation should be encouraged by announcing meetings, at least three working days in advance, in a major newspaper, in each city in Solano County.

**Finding #3** - STA/STIA transportation acronyms limit public participation at meetings.

**Recommendation #3** – Prior to each meeting, the STA/STIA should announce to the public that a list of transportation acronyms is attached to the agenda.

**Finding #4** – The STA has ambiguous accounting practices and internal controls, which in turn, cause more taxpayer- money to be spent.

**Recommendation #4** – The recently hired financial analyst should direct that all STA bills be paid on time eliminating credit card finance charges and any other fees related to delayed payments.

**Finding #5** – The STA policy and procedure manuals mandate upper management’s over-involvement in day-to-day tasks.

**Recommendation #5** – STA upper management should delegate menial tasks (i.e. signing timecards, vacation requests, work schedule changes, etc.) and apply the time saved to lobbying for and securing future project funding.

**Finding #6** - Substantial transportation funding is spent on environmental studies that are conducted separately.

**Recommendation #6** – Wherever possible, the STA should seek to combine similar studies for projects and apply the results to all projects when the projects are scheduled within a standard period of time.

### V. Comments

Solano County should view transportation improvements on a greater regional scale. Transportation improvements in Solano County would enhance the commute and leisure travel of all who utilize county roadways and transportation services. A portion of Solano County transportation project funding is dependent on future local elections.???? Every delay in funding adds approximately a five percent cost increase in yearly projects. California legislative representation has previously stated that of nine bay area counties, only two do not have approved transportation related taxes, Solano County being one of the two. Without such a measure in place, matching federal funds for local transportation improvements may not be authorized.

### VI. Affected Agencies

- [Solano Transportation Authority](#)
- [Solano Transportation Improvement Authority](#)
- Solano County Board of Supervisors

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### County of Solano Response:

The Solano Transportation Authority (STA) was established under a Joint Powers Agreement in 1990 to provide coordinated, continuous and comprehensive transportation planning in Solano County. While the County is represented on the STA Board, the STA is an independent entity whose activities and actions are not under the control of the Solano County Board of Supervisors.

The Solano Transportation Improvement Authority (STIA) was established in May of 2002 as the authority to impose and collect a sales tax and issue limited tax bonds to finance capital expenditures in the County transportation expenditure plan. This local authority is not under the control of the Solano County Board of Supervisors.

The Board of Supervisors does not have any authority concerning the Findings and Recommendations in this Report. The STA response to the Grand Jury Report is included as Attachment C for informational purposes.

## Solano County Veteran's Buildings "Going, Going, Almost Gone" 2005-2006 Grand Jury Report

### I. Reason for Investigation

Due to recent media reports regarding conditions at county Veteran's facilities, and the celebration of the opening of a new Veteran's facility in Vallejo, the 2005-2006 Grand Jury elected to investigate the current status of all Solano County Veterans' buildings.

### II. Procedure

The Grand Jury:

- Interviewed the Solano County General Services Director
- Toured all county Veterans' buildings
- Interviewed managers of Veterans' buildings
- Interviewed Veterans in the community
- Reviewed the proposed County Real Asset Management Plan (RAMP)
- Reviewed Veteran's building maintenance agreements and inspection reports
- Reviewed portions of the Americans with Disabilities Act (ADA)

### III. Background

#### Solano County

This investigation revealed years of a financial struggle between the County and the Veterans' organizations, low county maintenance priority and inconsistent operational and management agreements.

Solano County General Services has developed the RAMP to address all county owned real estate properties. The RAMP does not address the historical significance or value of the Veteran's buildings. The RAMP does not include a collective plan for future management and operational issues concerning Veterans' buildings. The RAMP in its infancy is in the first step of righting maintenance wrongs of the past. At the time of this report, the RAMP proposal had not been presented to the Board of Supervisors for approval.

Current maintenance agreements between various Veterans organizations and Solano County calls for the county to maintain the exterior of buildings while the interior is to be maintained by the Veteran's organization.

This Grand Jury was advised that a member of the Board of Supervisors (BOS) is pursuing the formation of a countywide Veterans' Council to address all Veterans' building functions.

Currently the Solano County budget does not have a line item for maintenance of the Veterans' buildings. This has resulted in rapid deterioration of these structures and often makes repairs more costly than replacement.

All maintenance agreements should be under one common umbrella for consistency of services. Implementing the RAMP along with an advisory type of Veterans' Council would be beneficial to all county Veterans' buildings. An immediate infusion of county money from the general fund, designated solely for Veterans' building maintenance, would be cost effective to repair rather than replace.

**Finding # 1** - Maintenance agreements are separated and confined to each building.

**Recommendation # 1** – The BOS must provide maintenance agreements under one common umbrella.

**Finding #2** – Implementation of the RAMP and a unified Veterans' Council is vital and necessary.

**Recommendation #2** – The BOS needs to implement the RAMP and institute a Veterans' Council.

**Finding #3** – Most buildings are in dire need of a monetary transfusion to fix identified problems.

**Recommendation #3** – The BOS needs to provide an immediate infusion of county money from the general fund, designated solely to repair and maintain county Veterans' buildings.

During early 2006 the Grand Jury toured the county Veterans' buildings and found the following:

#### Benicia

Located at 1150 First Street, this building was built in 1948 on city owned property. Currently the building is not compliant with the ADA. Kitchen windows and ventilation are in poor condition. Windows in the main hall are in disrepair. Due to the low height and lack of security of the windows, a small child could fall out of an open window in this area. The building utilizes the original electrical and water systems installed in 1948. There is no cover on the main electrical box, which leaves wires exposed. When there are problems with these systems, replacement parts are hard to obtain or non-existent. All of the ceilings in the building have water damage. Ceiling tiles are warped, cracked and stained. This building is rented to the public for private and city sponsored functions. This building also doubles as a community center. In 2002, this building received a new roof. Members of the American Legion manage the building and have expended \$13,000 a year for maintenance. Although Solano County is responsible for outside building maintenance, members of the American Legion have performed that duty on an on-going basis. County inspections are performed yearly.

**Finding #1** – The building is not ADA compliant.

**Recommendation #1** – The County should budget sufficient funds for exterior and interior ADA compliance, which would aid the Veterans' organizations' responsibility in future maintenance agreements.

**Finding #2** – The building has immediate health and safety concerns (i.e. windows, electrical and water systems and ceiling damage).

**Recommendation #2** – The County should inspect and correct all Health and Safety Hazards and building code violations immediately.

#### Dixon

This building located on 231 North First Street, built in 1928, is a stucco/wood building with a capacity of 334 occupants. The building only has limited street parking. There is a public handicapped parking space close to the building; however, it is not dedicated for the Veterans' building use. There are no fire sprinklers or burglar alarm systems. This is a two-story building without an elevator, and the door to the second floor is locked. The second floor is in a dire condition (e.g. floors weak and warped). At the time of the inspection, utilization of the second floor was mainly limited to storage. The second floor windows leak and are nailed shut. The floor is also musty smelling, with mold forming, cracked walls and water damage. The air conditioner is in a state of disrepair. The restrooms on the first floor located close to the entrance are not ADA compliant. The kitchen had an inoperable dishwasher that needs to be replaced. There is no garbage disposal in the kitchen and the sink had a small leak. The stove has to be manually lit and displays inaccurate temperatures. The walls have holes and the ceiling has water damage. Sewer lines are shared with another building, which causes ongoing sewage problems. The wiring in the building is antiquated and the heating system is old causing high-energy costs. The main floor was made of hardwood but looked abused due to water damage. At the time of the Grand Jury inspection, the roof needed to be replaced. It was "patched" recently, which only resolved a small portion of the problem. Until the roof is replaced, most of the other defects cannot be addressed.

**Finding #1** – The building is not ADA compliant.

**Recommendation #1** – The County should budget sufficient funds for exterior and interior ADA compliance, which would aid the Veterans' organizations' responsibility in future maintenance agreements.

**Finding #2** – The building has immediate building code concerns.

**Recommendation #2** – The County should conduct inspections and correct all building code violations immediately.

**Finding #3** – The roof continues to leak even after recent repair.

**Recommendation #3** – The roof should be replaced.

#### Rio Vista

This cinder block building located at 610 St. Francis Street, was built in 1970. The main entrance to the hall is not ADA compliant. There are two handicap parking spaces, which are located at the rear entrance, allowing handicapped access only through the kitchen area. Landscaping needs to be improved. There is no automatic watering system and during the summer months, vegetation turns brown and dead looking. The retainer wall at the

# V: Transportation and Public Buildings

main entrance is fractured. The surface of the parking lot contains rubble and is in need of resurfacing. Water collects in the handicapped parking area when it rains, due to inadequate drainage. The interior of the building was clean including all trash areas. The dishwasher is not operational. The stove needs immediate replacement as the pilot light is not functioning and could create a possible explosion. The restrooms are not ADA compliant and the exhaust fan in one of the restrooms needs replacement. The hall is rented to private parties by the hour and renters must provide insurance.

**Finding #1** – The building is not ADA compliant.

**Recommendation #1** – The County should budget sufficient funds for exterior and interior ADA compliance, which would aid the Veterans' organizations responsibility in future maintenance agreements.

**Finding #2** – There are immediate building code concerns.

**Recommendation #2** – The County should conduct inspections and correct all building code violations immediately.

**Finding #3** – The malfunctioning pilot light is a disaster waiting to happen.

**Recommendation #3** – The stove should be fixed, removed or replaced.

## Suisun City

This building is located at 111 Main Street and was built in 1929. The building was formerly the county library and was renovated in 1980. At the time of the Grand Jury inspection, the roof leaked due to improperly installed down spouts, which caused water to drain into the kitchen. A new roof has been requested, but no repairs had begun at the time of the Grand Jury inspection. Tile floors installed in 1980 are breaking up due to age and wear. A recent county inspection noted that a triple sink is needed in the kitchen. The building's electrical system is antiquated and in dire need of replacement. Current revenue is insufficient to maintain the interior of the building. An inspection noted that the elevator is need of a new motor. The water fountains are presently unusable. The restrooms need upgrading to meet ADA requirements. The building lacks an outside refuse enclosure as required by county health regulations.

**Finding #1** – The building is not ADA compliant.

**Recommendation #1** – The County should budget sufficient funds for exterior and interior ADA compliance, which would aid the Veterans' organizations responsibility in future maintenance agreements.

**Finding #2** – The building has immediate building code concerns.

**Recommendation #2** – The County should conduct inspections and correct all building code violations.

**Finding #3** – The building's roof is in total disrepair.

**Recommendation #3** – The roof needs immediate replacement to eliminate ongoing water damage to the building.

## Vacaville

This building located at 549 Merchant Street, was built in 1935 and was remodeled in 1991. This building was in the best condition of any Veterans' building in the County. There were no building code or ADA compliance issues noted. The Veterans spend an average of \$32,000 a year to maintain this facility. In addition to rental proceeds, \$1,500 a year is donated by a local business entity for the maintenance of this building. The county has provided assistance in replacing refrigeration, air conditioning units and elevator repairs. The veterans have basically maintained this building through active community and Veterans group participation.

**Finding #1** – This is a well-maintained and operated building.

**Recommendation #1** – The County should inspect and correct all Health and Safety Hazards and building code violations immediately.

## Vallejo

This building is located at 420 Admiral Callaghan Lane. It was built by members of the Veterans of Foreign Wars (VFW) Post 550 in the 1940's. It is the latest Veterans' building acquisition of the county, which occurred in September 2005 due to the former Veteran's building being condemned.

The building meets ADA compliance standards. This building is used by six separate Veteran's organizations. Although the current maintenance agreement requires the county to maintain the outside of the building, the first county maintenance project resulted in the removal of the main entrance enclosure. This was done without the knowledge of the veteran's groups involved and this created health and safety hazards such as exposed bolts, chards of glass, rough and uneven sidewalks and varied construction debris, which was not cleaned up by the work crew. Leasing the building for private functions and various membership dues raises revenue. At the time of the Grand Jury inspection, the Veterans' had their own councils established for maintenance issues with the building; however, they would be open to discussion of an overall countywide Veterans' council. The county has performed minimum exterior maintenance since acquiring this property. The personal involvement of the Veterans in maintaining the interior of this structure is commendable.

**Finding #1** – The County began renovation of the main entrance but the work has not been completed.

**Recommendation #1** – The County should complete work on the main entrance and eliminate liability issues.

**Finding #2** – The exterior vegetation on the property needs to be trimmed.

**Recommendation #2** – The County should inspect and correct all Health and Safety Hazards and building code violations immediately.

## IV. Comments

As a whole, these buildings and the people represented, provide historical significance to our county and country. The 2006-2007 Grand Jury should follow-up this investigation and the issues involved.

## V. Affected Agencies

- Solano County Board of Supervisors
- Solano County General Services

## Courtesy Copies

- Veterans' Building Manager, Benicia
- Veterans' Building Manager, Dixon
- Veterans' Building Manager, Rio Vista
- Veterans' Building Manager, Suisun City
- Veterans' Building Manager, Vacaville
- Veterans' Building Manager, Vallejo

# V: Transportation and Public Buildings

## County of Solano Response:

### Solano County

#### General Services Response to Finding #1:

General Services agrees with the finding.

#### General Services Response to Recommendation #1:

General Services disagrees with the recommendation. While each Operations and Management Agreement is executed separately with each of the veterans group for each building, the Agreement itself consists of identical terms and conditions to ensure clarity in responsibilities and consistency with each veterans association.

#### Board of Supervisors Response to Finding & Recommendation #1:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

#### General Services Response to Finding #2:

General Services agrees with the finding.

#### General Services Response to Recommendation #2:

General Services agrees with the recommendation. The Real Asset Management Program (RAMP) was presented to and received by the BOS in December 2005. Many aspects of the RAMP have been implemented including participation in quarterly Veterans Affairs Subcommittee meetings that are led and moderated by two (2) BOS members who are also former veterans.

#### Board of Supervisors Response to Finding & Recommendation #2:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation regarding the RAMP process and the role of the Veterans Affairs Committee. The Board expects to review the RAMP, which will include prioritized facility projects, project timelines and funding requirements, later this fiscal year.

#### General Services Response to Finding #3:

General Services agrees with the finding.

#### General Services Response to Recommendation #3:

General Services partially agrees with the recommendation. While the Veteran's buildings are in need of Capital Renewal, the County assesses the needs and makes decisions regarding capital expenditures based on the established hierarchy of Capital Renewal project needs for all County facilities. This hierarchy includes:

- Priority 1 - Emergency, Life Safety, Code violations affecting safety
- Priority 2 - Urgent, Needed to protect the facility integrity
- Priority 3 - Medium, maintain Facility integrity and replace items which have exceeded their expected useful life.
- Priority 4 - Low, Necessary or desirable for optimal performance of the facility, System upgrades and aesthetic considerations
- Priority 5 - Optional.

#### Board of Supervisors Response to Finding & Recommendation #3:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation. The Board is committed to providing safe well maintained facilities and will consider the capital project funding needs of all County buildings, including Veteran's Halls, as they are prioritized and recommended by the Department of General Services.

### Benicia

#### General Services Response to Finding #1:

General Services agrees with the finding.

#### General Services Response to Recommendation #1:

General Services agrees with the recommendation. ADA improvements have been identified in the County's ADA transition plan. The improvements are scheduled to be completed in the final phase of ADA related work which is anticipated to occur in 2008.

#### Board of Supervisors Response to Finding and Recommendation #1:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

#### General Services Response to Finding #2:

General Services agrees with the finding.

#### General Services Response to Recommendation #2:

General Services agrees with the recommendation. General Services is conducting a Facilities Condition Assessment of County owned buildings including all the Veteran's Buildings. The department will use the findings from the assessment and work with the Veteran's organization, in accordance with their operating agreement, to remedy the identified issues. Remedy will begin in FY2006/07.

#### Board of Supervisors Response to Finding & Recommendation #2:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### Dixon

#### General Services Response to Finding #1:

General Services agrees with the finding.

#### General Services Response to Recommendation #1:

General Services agrees with the recommendation. The County, in Partnership with the City of Dixon, has commissioned a comprehensive modernization study for the Dixon Veteran's Building to be completed in FY2006/07. This study will identify modernization options and associated costs for bringing the building into full code compliance. The recommended option will be presented to the BOS for approval in FY2006/07.

#### Board of Supervisors Response to Finding & Recommendation #1:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

#### General Services Response to Finding #2:

General Services agrees with the finding.

#### General Services Response to Recommendation #2:

General Services agrees with the recommendation. The County, in Partnership with the City of Dixon, has commissioned a comprehensive modernization study for the Dixon Veteran's Building. The study will identify modernization options and associated costs for bringing the building into full code compliance. The recommended option will be presented to the BOS for approval.

#### Board of Supervisors Response to Finding & Recommendation #2:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

#### General Services Response to Finding #3:

General Services agrees with the finding.

#### General Services Response to Recommendation #3:

General Services agrees with the recommendation. The County has appropriated the necessary funding in the FY2006/07 Accumulated Capital Outlay budget to perform the roof replacement. The County, in partnership with the City of Dixon, has commissioned a comprehensive modernization study for the Dixon Veteran's Building. Upon completion of the study the County will determine if the future improvements for the Dixon Veterans Building will jeopardize the roof system and either continue with the roof replacement immediately or include the roof replacement in a larger more comprehensive modernization project.

#### Board of Supervisors Response to Finding & Recommendation #3:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### Rio Vista

#### General Services Response to Finding #1:

General Services agrees with the finding.

#### General Services Response to Recommendation #1:

General Services agrees with the recommendation. ADA improvements have been identified in the County's ADA transition plan. These improvements are scheduled to be completed in the next phase of ADA related work which is anticipated to begin in 2007. Funding for ADA compliance will be requested at that time.

# V: Transportation and Public Buildings

## **Board of Supervisors Response to Finding & Recommendation #1:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

## **General Services Response to Finding #2:**

General Services agrees with the finding.

## **General Services Response to Recommendation #2:**

General Services agrees with the recommendation. General Services is conducting a Facilities Condition Assessment in FY 2006/07 of County owned buildings including all the Veteran's buildings. The department will use the findings from the assessment and work with the Veteran's organization, in accordance with their operating agreement, to remedy the identified issues.

## **Board of Supervisors Response to Finding & Recommendation #2:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

## **General Services Response to Finding #3:**

General Services agrees with the finding.

## **General Services Response to Recommendation #3:**

General Services agrees with the recommendation. The stove with the malfunctioning pilot light was replaced by the Veteran's Association prior to the issuance of the Grand Jury Report.

## **Board of Supervisors Response to Finding & Recommendation #3:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

## **Suisun City**

### **General Services Response to Finding #1:**

General Services agrees with the finding.

### **General Services Response to Recommendation #1:**

General Services agrees with the recommendation. ADA improvements have been identified in the County's ADA transition plan. The project has been identified in the Capital Improvement Plan and is receiving further investigation through the County's Facilities Condition Assessment. The work for this project is anticipated to begin in FY 2006/2007.

### **Board of Supervisors Response to Finding & Recommendation #1:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### **General Services Response to Finding #2:**

General Services agrees with the finding.

### **General Services Response to Recommendation #2:**

General Services agrees with the recommendation. General Services is conducting a Facilities Condition Assessment of County owned buildings including all the Veteran's Buildings. The department will use the findings from the assessment and work with the Veteran's organization, in accordance with their operating agreement, to remedy the identified issues.

### **Board of Supervisors Response to Finding & Recommendation #2:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### **General Services Response to Finding #3:**

General Services agrees with the finding.

### **General Services Response to Recommendation #3**

General Services agrees with the recommendation. The roof replacement project has been funded in the Accumulated Capital Outlay budget and is anticipated to be completed in FY 2006/2007.

### **Board of Supervisors Response to Finding & Recommendation #3:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

## **Vacaville**

### **General Services Response to Finding #1:**

General Services agrees with the finding.

### **General Services Response to Recommendation #1:**

General Services agrees with the recommendation. General Services is conducting a Facilities Condition Assessment of County owned buildings including all the Veteran's Buildings. The department will use the findings from the assessment and work with the Veteran's organization, in accordance with their operating agreement, to remedy the identified issues.

### **Board of Supervisors Response to Finding & Recommendation #1:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

## **Vallejo**

### **General Services Response to Finding #1:**

General Services agrees with the finding.

### **General Services Response to Recommendation #1:**

General Services agrees with the recommendation. At the time of this report, General Services was identifying funding sources and procuring construction services to replace the damaged concrete at the main entrance. This work has since been completed.

### **Board of Supervisors Response to Finding & Recommendation #1:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### **General Services Response to Finding #2:**

General Services agrees with this finding. Maintenance of the exterior landscaping is the responsibility of the veterans' organizations. General Services will work with the veterans' organization to ensure that the landscaping is maintained.

### **General Services Response to Recommendation #2:**

General Services agrees with the recommendation. General Services is conducting a Facilities Condition Assessment of County owned buildings including all the Veterans buildings. The County will use the findings from the assessment and work with the Veteran's organization, in accordance with their operating agreement, to remedy the identified issues.

### **Board of Supervisors Response to Finding & Recommendation #2:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

# VI: *Special Districts*

## Solano County Special Districts & Local Agency Formation Commission “Ignorance Isn’t Always Bliss” 2005-2006 Grand Jury Report

### I. Reason for Investigation

This Grand Jury chose to investigate the functions and operations of the Solano County Special Districts (SD) and the Local Agency Formation Commission (LAFCo).

### II. Procedure

The Grand Jury:

- Interviewed LAFCo Executive Director
- Interviewed Solano Irrigation District (SID) General Manager
- Interviewed Solano County Water Agency (SCWA) General Manager
- Reviewed “Year 2000 Little Hoover Commission Report”
- Reviewed “Citizen’s Guide to Special Districts in California, 3rd Edition”
- Reviewed Agenda and Minutes of the Solano County Cemetery District
- Reviewed California Water Code, §10515
- Reviewed Solano County Assessor Special District Tax Information
- Reviewed Solano County Election Information
- Developed a SD and LAFCo Knowledge Questionnaire
- Conducted a SD and LAFCo Knowledge Survey

### III. Background

There are currently 45 SD in Solano County that fall into 12 categories: cemetery, community service, county service areas, fire, irrigation, levee maintenance, library, mosquito abatement, reclamation, recreation and parks, resource conservation and sewer.

Special Districts are considered to be the third leg of local government; the other two are the cities and counties. SD are separate local government agencies formed to deliver public services within limited geographical boundaries and are overseen by elected or appointed board members who live within that geographical boundary. SD permit a group of citizens to purchase specific services for their local area that are not generally provided by local government at a cost that is paid in the form of taxes. Only those citizens living within the geographical boundaries are permitted to vote on issues dealing with their SD. SD are either Dependent or Independent. Independent SD are those governed by an independent board of directors, elected directly by the district’s voters or appointed to a fixed term of office by another governing body. Dependent SD are governed in full by other existing legislative bodies such as city councils or the Board of Supervisors. SD board members are appointed for a fixed period of time. All except one of the county’s forty-five SD are independent. In reality, the greater number of SD dependent board members are appointed. If an independent board member runs unopposed for re-election, and most do, their name does not have to appear on the ballot. Since the public is mostly unaware of SD, the same people tend to be reappointed.

In May 2000, the Little Hoover Commission published its findings on California SD and LAFCo. There has been no follow-up study to determine if any of the findings have been addressed. Of the many findings that were made, four stand out:

- **Education:** SD and LAFCo need to make greater efforts in educating the public about their functions and operations, stressing their importance.
- **Visibility:** SD need to become more visible to the citizens so that oversight and accountability are not compromised.
- **Oversight:** LAFCo needs to exercise its authority in the oversight of Independent SD.
- **Elections:** The County Board of Supervisors and City Councils need to make it a priority to hold SD elections during even years when general elections are held.

SD and LAFCo make little effort to educate the public as to who they are and what they do. Information available to the public is at least two years old. LAFCo’s responsibility appears to end with the paperwork needed

to form new SD and set boundaries. One of LAFCo’s tasks is to study the possible elimination of SD that are no longer needed and consolidate those that overlap thereby saving money for residents of the county.

LAFCo were created to encourage the orderly formation of local government agencies to preserve agricultural land resources and to encourage orderly urban development. LAFCo is responsible for the development of local government services that is consistent with urban and agricultural growth of the county. LAFCo also has the responsibility for the approval, creation and termination of SD.

The Grand Jury sought to determine the public’s knowledge about SD and LAFCo by developing a questionnaire and conducting a survey in the seven cities of Solano County. Twenty-five to fifty people per city participated in this survey for a total of 207 people surveyed. The survey consisted of 14 questions; the first nine dealt with basic knowledge about SD and the last five with basic knowledge about LAFCo. The results of the survey, as well as the questionnaire, are attached to this report (Exhibits A and B). The Grand Jury survey results indicated that only a very small percentage of people knew the functions and operations of an SD or LAFCo. That data from the survey shows little time or effort is spent educating the public about the critical roles of both SD and LAFCo.

### IV. Findings and Recommendations

**Finding #1** - SD and LAFCo place little emphasis on educating the public on the importance of their work.

**Recommendation #1** - More emphasis needs to be placed on public awareness through mailers, public meetings and enclosures with billing statements. Local public television broadcasts can be used for this same purpose.

**Finding #2** - SD elections are not necessarily held to coincide with the general election.

**Recommendation #2** - SD elections should be held to coincide with the general election.

**Finding #3** - SD board members running unopposed for re-election do not appear on election ballots.

**Recommendation #3** - Listing all candidates and a line for a write-in candidate would give the public the opportunity to exercise their voice as voters.

**Finding #4** - LAFCo does not exercise its authority in the oversight of Independent SD.

**Recommendation #4** - LAFCo needs to monitor SD to determine their effectiveness or the need to be eliminated.

### V. Comments

The re-election or reappointment of SD board members by default discourages new ideas and could create the real threat of nepotism. Lack of public education regarding SD and LAFCo leads to less scrutiny and diminished accountability. These organizations would prefer to stay out of the limelight; however, the more the public knows the better.

### VI. Affected Agencies

- Solano County LAFCo
- Solano County Water Agency
- Solano Irrigation District
- Solano County Board of Supervisors

#### Courtesy Copies

- City of Benicia
- City of Dixon
- City of Fairfield
- City of Rio Vista
- City of Suisun
- City of Vacaville
- City of Vallejo

# VI: Special Districts

## Exhibit A

### QUESTIONNAIRE Special Districts and LAFCO

1. Do you now what a Special District is?  
(If #1 missed, go to question 10)
2. Do you know what a Special District does?
3. Do you know who oversees the workings of a Special District?
4. Do you know the difference between a dependent and independent Special District?
5. Does your city have Special Districts?
6. Do you know what kind(s) of Special Districts your city has?
7. Do you know when, where and what time the Special Districts meet?
8. Do you know how to become a member of an independent Special District?
9. Would you now where to go to find out information about Special Districts?
10. Do you know what LAFCO is?  
(If # 10 missed terminate questions)
11. Do you know what LAFCO does?
12. Do you know where, when and what time LAFCO meets?
13. Who oversees the workings of LAFCO?
14. If you wanted to become a member of LAFCO, would you know how to go about it?

## EXHIBIT B

Question #	Fairfield		Vacaville		Rio Vista		Dixon		Suisun City		Benicia		Vallejo		County	
	Y	No	Y	No	Y	No	Y	No	Y	No	Y	No	Y	No	Y	No
1	1	23	4	23	1	24	9	40	0	27	8	21	4	22	27	180
2	1	23	0	27	1	24	4	45	0	27	7	22	3	23	16	190
3	1	23	0	27	1	24	2	47	0	27	0	29	0	26	4	203
4	1	23	2	25	1	24	1	48	0	27	2	27	1	25	8	199
5	1	23	1	26	1	24	5	44	0	27	8	21	4	22	19	188
6	1	23	1	26	1	25	4	45	0	27	7	22	3	23	16	191
7	1	23	0	27	1	25	0	49	0	27	0	29	0	26	1	206
8	1	23	0	27	1	25	1	48	0	27	5	24	3	23	10	197
9	1	23	1	26	1	25	7	42	0	27	8	21	4	22	21	186
10	3	21	0	27	3	25	4	45	0	27	0	29	0	26	7	200
11	1	23	0	27	1	25	1	48	0	27	0	29	0	26	2	205
12	1	23	0	27	1	25	0	49	0	27	0	29	0	26	1	206
13	1	23	0	27	1	25	0	49	0	27	0	29	0	26	1	206
14	1	23	0	27	1	25	0	49	0	27	0	29	0	26	1	206

### County of Solano Response:

#### **BOS Response to Finding and Recommendation #1:**

Of the 12 categories of special districts investigated by the Grand Jury, only the Consolidated County Service Area (CSA) and the East Vallejo Fire Protection District are under the control of the Board of Supervisors. The CSA provides street lighting in the unincorporated areas of Solano County. The East Vallejo Fire Protection District exists solely for the purpose of disbursing property tax revenues collected within the District's jurisdiction to the City of Vallejo for fire protection services the City provides to the citizens in the District. As dependent special districts, matters concerning the CSA and East Vallejo Fire Protection District are addressed as part of Board of Supervisors meetings that are noticed, publicized and televised on the local cable station. Due to the specialized nature of these two districts, the Board of Supervisors does not feel that implementation of an enhanced public awareness effort is warranted.

#### **BOS Response to Finding #2:**

The Board of Supervisors agrees with this finding. Special districts whose principal acts provide for elections held in accordance with the Uniform District Election Law (UDEL), conduct their elections on the first Tuesday after the first Monday in November of odd-numbered years, as specified by Elections Code sections 1303 -1304. The governing body of the district may, by resolution, and with approval by the Board of Supervisors, require its governing board member elections to be consolidated with the statewide general election held in November of even-numbered years.

#### **BOS Response to Recommendation #2:**

The recommendation will not be implemented because it is not warranted and not reasonable for the following four reasons:

First, the transfer of special district elections to a general election does not necessarily mean voters will pay more attention to these contests because in statewide general elections voters are often distracted by a plethora of state propositions and higher profile state contests, such as the race for president or governor.

Second, the transfer of special district elections to a different ballot may mean higher costs to those jurisdictions such as cities and schools which continue to elect their governing boards in November of odd-numbered years.

Third, the goal of achieving greater public awareness of special districts is not necessarily achieved if the districts have an insufficient number of nominees to trigger a ballot-listed contest, regardless whether the election is held in the even or odd-numbered year.

Fourth, some special districts are landowner districts which elect on the basis of assessed value of property owners who may or may not be registered voters. These districts may not, by existing state law, conduct their elections on the same day as the statewide general election or any other established election date.

As an alternative, the Registrar of Voters will explore the feasibility of educating the public about special districts by inserting a page explaining these districts in sample ballot and voter information pamphlets which are mailed to all voters prior to the November odd-year election. Because some districts may not have sufficient funds to cover this cost or might not have a ballot-listed contest, the cost of this page could be borne by the County as part of the Registrar of Voters budget.

#### **BOS Response to Finding #3:**

The Board of Supervisors agrees with this finding. Elections Code section 10515 provides that if no one or only one candidate files for a contest, or if fewer than the number to be elected to a multi-member board file, the supervising authority shall make appointments to the office or board and the contest does not appear on the ballot. Corollary practices occur in city and school district contests when fewer candidates file for office than the number to be elected.

#### **BOS Response to Recommendation #3:**

The recommendation will not be implemented because it is not warranted and not reasonable for the following reasons:

Neither the Board of Supervisors nor the Registrar of Voters has legal authority to implement the recommendation to list the office on the ballot when there are insufficient or no nominees. State law requires the Registrar to report insufficient nominees to the supervising

authority and request the authority to make an appointment. Elections Code section 10515 provides that under these circumstances the contest shall be listed on the ballot only if a petition is signed by 10 percent or 50 voters, whichever is the smaller number, to request the appearance of the contest on the ballot. The Grand Jury's recommendation would require a change to state election law.

The recommendation would also result in election costs for sample and official ballot printing and mailing that districts do not presently incur if they do not appear on the ballot. Some districts are not in a position to afford these costs.

It should be noted that votes for write-in candidates are counted only if a candidate files as a qualified write-in candidate. It is improbable that an insufficient number of persons would muster interest to file for the office but that one or more persons would be interested to run as write-in candidates.

#### **BOS Response to Finding and Recommendation #4:**

The Board of Supervisors does not have any authority concerning this Finding and Recommendation.

# VII: Cities & Joint Powers

## City of Vallejo Fire Department “Define Union Business, Please” 2005-2006 Grand Jury Report

### I. Reason for Investigation

The Grand Jury, acting on complaints, elected to conduct an investigation of alleged misuse of City of Vallejo donated hours by the Fire Department's Union.

### II. Procedure

The Grand Jury:

- Interviewed the complainants
- Interviewed the former City Manager of Vallejo
- Interviewed the Vallejo Fire Chief
- Interviewed members of the City Council
- Interviewed the Assistant Fire Chief/Union President
- Interviewed the Mayor of the City of Vallejo
- Reviewed the International Association of Fire Firefighters (IAFF) current contract and supplements
- Reviewed documents from the complainants
- Reviewed documents from the City of Vallejo Fire Department (VFD)
- Reviewed miscellaneous documents, including videos of the City of Vallejo budget hearings, letters and memos

Documentation presented to the Grand Jury from witnesses provided additional information that is relevant to the report. It is reproduced as Appendix A to this report.

- Appendix A - Page 4 of 6 IAFF Supplemental Agreement signed by the City and Union bargaining team dated July 15, 2003

### III. Background

A supplemental agreement of the contract, between the City of Vallejo and Local 1186, dated July 15, 2003 (see Appendix A), increased city-donated hours to the VFD Local 1186, from 180 to 600 hours per year. Witnesses stated that the increase from 180 to 600 hours was in place of a delayed wage increase, and to match the number of city-donated hours granted to the Vallejo Police Department's Union. The 600 hours give members of Local 1186 time off from duty to conduct Union business, as designated by the Union President, such as “attending educational conferences beneficial to the bargaining unit”. Pursuant to the supplemental agreement, “at least two, but preferably five days notice to the Fire Chief is required, unless waived by the Fire Chief.”

During fiscal year 2004-2005, Local 1186 Union President/Assistant Fire Chief participated in the negotiations of contracts for the cities of Napa, Benicia, Rio Vista, Suisun City, American Canyon, Cordelia and Fairfield. During his absence, the City of Vallejo's overtime budget was impacted, when the Assistant Fire Chief position had to be covered by other firefighters.

Documentation indicates that some of the city-donated hours were used by Local 1186 to participate in a charity dunk tank, Vallejo waterfront festival, seafood extravaganza, etc, which the complainants alleged were not union related business.

The VFD has approximately 105 employees. The contract requires minimum staffing of 28 firefighters, plus one captain for each 24-hour shift. When an employee is granted time off for union business leave and the minimum staffing requirement is not met, the employee must be replaced at the pay rate of time and a half, which is paid from the overtime budget. Documentation presented to this Grand Jury indicates that on several occasions, employees on Local 1186 union business leave did not return to work to complete his/her 24 hour shift though the time spent for union business leave was less than 24 hours. The employee was paid for 24 hours, as was the replacement employee whose rate of pay was time and a half. The same documentation revealed that some employees did return to work and relieve their replacement, when the union business leave did not require 24 hours.

The interpretation of Local 1186's “business leave” was not defined by any of the witnesses, due to contract terminology recognizing “past practices.” The question of Local 1186's business leave, was addressed to the City's legal department by this Grand Jury. The City's response stated:

*“With regard to your question of subsection (B) of the IAFF Supplemental Agreement dated July 2003, you have asked whether it is ‘legal’ for firefighters to be awarded leave under that section ‘to participate in charity events such as dunk tanks.’ The section you cite provides leave for firefighters to engage in ‘Union business’ and then provides the following example: ‘such as attending educational conferences beneficial to the bargaining unit.’ To determine the ‘legality’ of any leave taken under this section would first require a determination of whether the activity could be construed as ‘union business.’ Next, it would be necessary to decide if the example used in the section (i.e. – educational conferences) was intended to be specific limitation on the use of the leave. Past practice of the City and the firefighters might help determine the extent of that limitation. We do not believe that it is possible to give a definitive answer to the question of the legality of the leave you describe without more facts and without making the two determinations described above. We are currently looking into what restrictions the City can place on the use of Union business leave.”*

A letter to a city official from the Fire Chief, written on May 23, 2005 stated that it is the responsibility of the Union President and Executive Board to determine if the reason for union business leave is appropriate and is not the Fire Chief's responsibility. Evidence indicated that the Fire Chief does not exercise leadership in determining how the city-donated union hours are used. The Fire Chief uses the contract waiver clause to circumvent the two to five days' notification. This is a misinterpretation of the contract. The Fire Chief has the authority to waive advance notification. However if he waives the two to five days' notification on a regular basis, then prior notification, according to the contract is rendered meaningless.

A witness also stated for Fiscal year 2004-2005, the Fire Department proposed a plan to save \$1.95 million from the budget. However, in March 2005, the Fire Department requested an additional \$175,000 to cover overtime that was over and above the overtime budgeted for the above-mentioned fiscal year. In March 2006, the Fire Department requested additional overtime funds of \$683,000, which was unanimously approved by the City Council. According to newspaper accounts, the adoption of the additional overtime funds by the City Council was tempered by a recent decision to have and outside audit of the fire department operations, coupled with the arrival of interim City manager, who has been charged to take steps to rectify the department's overtime problems.

### IV. Findings and Recommendations

**Finding #1** – The contract between the City of Vallejo and IAFF allows for an ambiguous interpretation and possible abuse of Local 1186 business leave.

**Recommendation #1** – When the City and Local 1186 renegotiate the contract, there should be a clear understanding of “union business leave” between both parties prior to signing.

**Finding #2** – During the investigation, documents indicated approximately 90% of Local 1186 business leave taken, required a replacement employee paid at time and a half.

**Recommendation #2** – The Vallejo City Manager and Fire Chief should evaluate overtime procedures jointly and agree on procedures to keep all overtime costs within the negotiated budget and continue to monitor and adhere to the contract.

**Finding #3** – On a regular basis, the Fire Chief does not exercise the contract guidelines of two to five days' notification when granting requests for Local 1186 union business leave. Perpetual use of the waiver clause has caused the two to five days notification requirement to become meaningless.

**Recommendation #3** – The Fire Chiefs use of the waiver of the two to five day notifications should not be the norm, but an exception. Steps need to be taken to enforce the contract.

**Finding #4** – Although the time required for Local 1186 union business leave was less than 24 hours, there were many occasions where employees on union business leave did not return to work to complete their 24-hour shift. The employee was paid for 24 hours as well as his/her replacement being paid time and a half out of the city overtime budget.

**Recommendation #4** – The City of Vallejo should negotiate in future contracts that employees only are paid for actual hours that were required to complete union business.

**Finding #5** – The Assistant Fire Chief is a management-level employee and also serves as the Local 1186 President.

**Recommendation #5** – The City of Vallejo should preclude management-level employees from holding “rank and file” union offices, to eliminate any possible “conflict of interest.”

### V. Comments

The City of Vallejo has previously complained about the excessive use of overtime by the VFD. To date, no corrective actions have been introduced to reduce overtime by either the City of Vallejo or VFD, and the City Council continues to approve additional funds for overtime when requested.

### VI. Affected Agencies

- City of Vallejo Mayor
- City of Vallejo – City Manager
- City of Vallejo City Council
- City of Vallejo City Attorney
- City of Vallejo Fire Department

## Appendix A

### IAFF SUPPLEMENTAL AGREEMENT JULY 2003

#### b. 40 hour schedule

i) Less than five years service	408.96 hours
ii) Five through twelve years	613.44 hours
iii) Thirteen through twenty three years	817.92 hours
iv) More than twenty four years	886.08 hours

#### Delete and Replace Subsections “B” and “D” of SECTION 31: UNION BUSINESS LEAVE

B. Officers and members of the Union, as designated by the Union President, shall be granted leave from duty with regular straight time pay for Union business such as attending educational conferences beneficial to the bargaining unit, provided that the total leave provided by the City for such purpose shall not exceed 600 hours in any fiscal year. At least two, but preferably five days notice to the Fire Chief is required, unless waived by the Fire Chief.

D. On July 1, 2003, 2004, 2005, 2006, and 2007, the City shall deduct annual leave from each member of the bargaining unit (up to twelve (12) hours annual leave for Fire Suppression Personnel and eight and one half (8.5) hours annual leave for Fire Prevention and Training Personnel) to establish a separate Employee Contributed Union Leave Bank. The Union shall notify the City no later than May 1<sup>st</sup> of each calendar year as to the amount of annual leave to be deducted for that year. If such notification is not given to the City by May 1<sup>st</sup>, then the annual deduction shall remain at the same level as the previous year. The dollar value of the bank shall be determined by multiplying each employee's hourly rate by the number of hours he/she contributed. The amount deducted from the fund for such leave shall be determined by multiplying the number of hours used by the user employee's regular straight hourly rate. Any portion of the fund unused in any fiscal year shall be carried over to the following year and the fund accumulation shall be unlimited. The Union President shall designate which Bank is to be utilized for each application of Union Business leave (City provided Union Business Leave Bank or Employee Contributed Union Business Leave Bank).

#### Add New Subsection “G” to SECTION 39: RETIREMENT PLAN

F. Effective July 1, 2003 or as soon as possible thereafter the City shall make available an ISOP or 401A plan for all employees to utilize at their option, provided that such plan can be implemented within the deferred compensation and/or Internal Revenue Laws.

1. The City shall spend no more than \$1,500 to set up such program for both IAFF and VPOA.
2. The City shall spend no more than \$1,000 annually for members of both IAFF and VPOA.

# VIII: Emergency Services – Homeland Security

## Homeland Security & Emergency Services “Is Solano County Adequately Prepared?” 2005-2006 Grand Jury Report

### I. Reason for Investigation

The 2005-2006 Solano County Grand Jury elected to investigate the preparedness of the county and the seven cities within the county to determine their preparedness to react to a natural disaster or terrorist attack.

### II. Procedure

The Grand Jury:

- Reviewed city, county, state and federal websites that addressed Homeland Security or Emergency Services
- Requested and reviewed written survey questionnaires from key personnel of the county and each city to assess their preparedness for responding to emergencies
- Requested and reviewed county and city Emergency Operation Plans (EOP)
- Received in-depth briefings by key emergency personnel; the Solano County Emergency Services Manager and the Solano County Sheriff
- Received an orientation and tour of the Solano County Emergency Operations Center (SCEOC), located at 530 Clay Street, Fairfield
- Reviewed After Action Reports from the county and cities on actions taken in response to the area flooding that occurred in December, 2005
- Reviewed the 2004-2005 Grand Jury Report
- Reviewed newspaper articles relating to Solano County Emergency Services/Preparedness and Federal Emergency Management Agency (FEMA) activities
- Toured flooded areas and facilities in the county
- Reviewed Survey Questionnaire responses and the EOP's to determine if they:
  - Were current, adequate, updated, and viable
  - Included necessary procedures to obtain assistance from surrounding communities, state and federal agencies, and knowledge of the required procedures to obtain federal funding for equipment and training
  - Included recent/current participation in training exercises with neighboring communities
  - Utilized an interoperable communications system
  - Utilized Citizen Emergency Response Teams (CERT)
  - Informed residents as to what to do in case of an emergency
  - Addressed natural disasters which are most probable to occur in this area
  - Addressed the utilization of all available resources for assistance
  - Reviewed summary of State of California Little Hoover Commission's Release "Commission Declares State Unprepared for Catastrophe", dated April 27, 2006 (Exhibit A)
  - Compiled List of Acronyms (Exhibit B)

### III. Background (Solano County)

Solano County lies on the northeast section of the San Francisco Bay Area's nine counties. A majority of its 907 square miles lies in the Sacramento Valley. The population is estimated to be 422,848. Approximately 19,650 of its residents live in unincorporated areas of the county, with the remainder residing within the seven incorporated cities: Benicia (27,500); Dixon (17,574); Fairfield (105,601); Rio Vista (7,376); Suisun City (27,748); Vacaville (96,395); and Vallejo (121,099). Solano County's economic base is farming and light industry. The county is noted for the fine growing qualities of its soil.

The Solano County Emergency Operation Plan (SCEOP) is based on the State of California Standardized Emergency Management System (SEMS); a program developed in response to Senate Bill 1841 in Section 8607 of the government code. One of the primary pieces of SEMS is the Incident Command System (ICS). The ICS ensures that every emergency incident has an Incident Commander and appropriate support staff to effectively manage the incident. The ICS will expand or shrink as necessary to request/coordinate essential resources, manage priorities, as well as perform recovery and shut down operations.

The plan requires that department heads review the SCEOP, and ensure that management teams and their staffs are familiar with and understand its contents. The SCEOP does not list telephone number for key personnel or agencies. Primary and backup individuals, having responsibilities in the EOC are designated in the plan. The SCEOP provides guidance for Solano County's

response to extraordinary emergency situations associated with natural disasters, technological incidents, terrorism and weapons of mass destruction. The SCOES rates severe earthquakes as one of the worst natural disasters that must be prepared for, and has made this a major focus of its emergency planning efforts. The SCEOP does not address day-to-day emergencies, which are handled by local agencies, trained and equipped, to respond to such emergencies. The plan does address the county's emergency response functions and each function is described in a separate annex, and each annex covers all hazards. Review of the SCEOP revealed that neither the plan nor its annex's mention emergency response actions to be taken at public school facilities during extreme emergency situations. The SCEOC is responsible for planning and conducting emergency training exercises. Funds for this training are available from state and federal agencies. The SCEOP recognizes the need for ongoing drills and training in the emergency response field, but the county has not taken advantage of some free Hazardous Materials (HAZMAT) training provided by private business entities.

The SCEOC will be activated when a disaster occurs that cannot be controlled by County Emergency Responders or through the mutual aid (MA) system. Solano County Dispatch is responsible for alerting and notifying emergency response personnel and the public in time of a disaster. Solano County Dispatch continuously monitors both the California Law Enforcement Telecommunications System (CLETS) for law enforcement and terrorist activity, and the National Warning System (NAWAS) for natural and human disasters affecting Solano County. The chain of command in Solano County for activating the SCEOC is as follows: County Administrator, Emergency Services Manager, the Assistant Director/Sheriff or the Field Incident Commander on scene at the emergency. The Grand Jury tour of flooded areas in the county revealed past and ongoing problems.

The SCEOP has been distributed to county and city officials within the county, fire and law enforcement agencies; but it has not been distributed to major industrial facilities in the county or businesses handling large volumes of hazardous materials. Solano County has formed its own HAZMAT, but information concerning this team is not included in the SCEOP.

Under the SCEOP, the county functions as an Operational Area (OA) and is the focal point for transfer of information and process support requests from cities and Special Districts within the county. SCEOP states that Special Districts may have a representative at the EOC, if their district is involved in the emergency. The County Administrative Officer (CAO) is in charge of the OA. The primary responsibility for alerting the public in time of an emergency rest with the following Solano County agencies: OES, Sheriff, and local Police and Fire departments. Alerting and warning the public can be accomplished through the Emergency Alert System (EAS), City Watch, Emergency Digital Information System (EDIS) special broadcasts, and mobile public address systems.

The Solano County Dispatch has the primary responsibility for notifying SCEOC staff to report to the EOC when it has been activated. Before the SCEOC is activated and under EOP, it is the responsibility of each department head to assign three alternates for each key position in the SCEOC. Department heads must also ensure that designated alternates have knowledge and training in their SCEOC assigned job functions.

A U.S. Geological Survey publication "Putting Down Roots In Earthquake Country" that is designed to assist residents of the Bay Area prepares for a major earthquake and is available on the Internet at <http://pubs.usgs.gov/gip/2005/15/> or download it as a PDF file at the site.

### IV. Findings and recommendations (Solano County)

**Finding #1** - SCEOP does not list telephone numbers for key personnel or agencies in the SCEOP.

**Recommendation #1** - Phone numbers for key personnel and agencies should be listed and continually updated.

**Finding #2** - SCEOP states that Special Districts may have a representative at the EOC, if their district is involved in the emergency.

**Recommendation #2** - SCEOP should be revised to include that if an emergency effects the services of any Special District, which are critical to the public's health, welfare or safety, then that Special District must have a representative at the EOC.

**Finding #3** - SCEOP does not address emergency response actions to be taken if a major disaster occurs that prevents parents from picking up their children from schools.

**Recommendation #3** - The Shelter and Care Annex of the SCEOP should add a requirement for school facilities to have supplies on hand, i.e. water, food, and bedding for children, until they can be safely returned to their homes.

## VIII: Emergency Services – Homeland Security

**Finding #4** – Copies of SCEOP were distributed copies of this plan only to county and city officials within the county.

**Recommendation #4** - Copies of the SCEOP should be distributed to other entities that may be affected by, or could aid in mitigating the emergency, including Special Districts and industrial facilities and entities handling volumes of hazardous material.

**Finding #5** - Solano County has formed its own HAZMAT, however, information about this team is not included in the SCEOP.

**Recommendation #5** - The County HAZMAT information should be incorporated into the SCEOP as soon as possible.

**Finding #6** - Department heads and personnel having responsibilities under the SCEOP are required to be familiar with the contents of the plan.

**Recommendation #6** - Each department head having responsibilities under the SCEOP should be signatory to the plan.

**Finding #7** - Under the SCEOP, Solano County will make emergency preparedness information available to the public.

**Recommendation #7** - SCOES should increase public awareness concerning what residents should do in time of an emergency. “Residents should be made aware that in any emergency, they will be the first line responders and need to take necessary precautions and actions to sustain themselves and their families for 3-5 days.”

**Finding #8** - The primary responsibility for alerting the public in time of emergency in Solano County is the SCOES, Sheriff’s Department, and local police/fire departments. Tools used in the alert process are the Emergency Alert System, Emergency Digital Information System, City Watch, Bull Horns, etc.

**Recommendation #8** - The SCOES should focus attention on alerting the public in a timelier manner, which could save lives and reduce property damages.

**Finding #9** - The SCEOP requires OA members to be familiar with emergency preparedness information, but does not address involving the general public in this process. To accomplish this, some cities in the county have set up CERT.

**Recommendation #9** - CERT can be utilized to disseminate information in time of an emergency, and all cities should be encouraged to develop these teams as soon as possible. The county, together with its cities, should take appropriate action to obtain funding or grants to establish these teams and provide them with necessary equipment and training.

**Finding #10** - SCEOP does not utilize all emergency response-training resources available from private business concerns that handle HAZMAT in and throughout the county.

**Recommendation #10** - SCOES should contact entities such as the Association of American Railroads/Bureau of Explosives, Union Pacific Railroad, Shell and Chevron Oil Companies for hands-on tank car and tank truck incident HAZMAT training opportunities.

**Finding #11** - OES informs county departments and OA cities of training opportunities associated with emergency management.

**Recommendation #11** - Individual departments must maintain records of training exercises. Training exercises must be attended by all OA cities. Training should also include “no notice” tabletop exercises. Funds should be sought from state and federal sources to conduct these training exercises.

**Finding #12** - The SCEOC Director has overall responsibility and authority for opening of the SCEOC.

**Recommendation #12** - The Director should set specific timelines as to when the SCEOC is to be opened in an emergency or disaster. This timeline should specify the time that the SCEOC staff should be in place, functioning and stated in the SCEOP.

**Finding #13** - The Solano County Sheriff’s Office and a portion of the SCOES had been flooded repeatedly due to a drainage problem in nearby Clay Creek.

**Recommendation #13** - The BOS needs to take immediate action to correct a reoccurrence of this problem. The SCOES and the County Sheriff’s Offices are vital facilities that must be protected from flooding.

**Finding #14** - The primary agencies that notify citizens in time of an emergency are SCOES/Sheriff, Police and Fire Departments. After Action Reports reveal that in the December 2005 flooding, some of these agencies did not make timely notification to citizens in known flood-prone areas of the County.

**Recommendation #14** - SCOES should analyze how to issue timely warnings to residents in a major flood emergency. Use should be made of the Emergency Alert System and the Emergency Digital Information System, especially when bad weather is imminent and streams/rivers are beginning to rise.

**Finding #15** - After Action Reports reveal that much of the flooding which occurred in Solano County in December 2005 was the result of creek beds that were filled with wood debris and other materials which impacted their ability to carry extremely heavy water flows. This debris served to dam up creeks and divert them from their banks, as was the case of the flooding in American Canyon Creek in the Cordelia Village area.

**Recommendation #15** - The SCOES should arrange for an immediate study of the creeks and areas that overflowed in the county. This study should include input from members of the affected City’s Public Works Departments and the County Public Works Department, in unincorporated areas of the county. Corrective actions required should be completed by the appropriate agencies as soon as possible.

**Finding #16** - Not all emergency response agencies in the county are equipped to communicate with neighboring jurisdictions. This has resulted from each agency designing its own communications system. Communications between emergency response agencies are vital in handling emergency situations. Without inter-operable communications, all residents remain at risk.

**Recommendation #16** - Available technology makes it possible for emergency response agencies to correct these deficiencies. While the county owns an emergency response mobile unit that has partially corrected these problems, and the BOS has received grant monies for this same purpose, the county needs to correct this problem in its entirety immediately.

**Finding #17** - SCOES has placed a high emphasis on training for and responding to emergencies that will be created by future large earthquakes affecting the county.

**Recommendation #17** - SCOES should assign a higher priority to responding to HAZMAT incidents that will/could occur in this county. HAZMAT incidents can be expected to occur with a greater frequency than large earthquakes.

### Comments

Solano County has developed a strong EOP as required by California’s SEMS. However, the EOP is no better than its actual implementation in an emergency. During the December 2005 countywide flood, the SCEOC was activated, but well after the flooding was in progress and adversely effecting county residents. The SCEOC was not receiving updated reports from various fire and police agencies as to where the worst flooding was occurring or when it had begun. This negated an SCEOC effort in warning local residents that flooding was not only imminent, but had already begun in some areas in the county. Some cities in the county did notify residents where flooding was expected to occur and kept residents advised as the flooding progressed. Other cities that experienced severe flooding did not provide any notification to residents. This resulted in property damage that could have been prevented if residents had received timely warnings. The flooding that occurred at the SCEOC and the Sheriff’s Office could have been minimized or prevented if debris had been removed from creek and streambeds prior to the start of the winter season. The SCOES should use the lessons learned from the December 2005 flooding to lessen the impact on residents of the county.

The State of California’s Little Hoover Commission stated in a release on April 27, 2006, that the “state is unprepared for a catastrophe”. This Grand Jury did not investigate or assess the preparedness of any state or federal agencies, but accepts the Commission’s determinations as being accurate. Thereby, it is imperative that Solano County and its cities take immediate action to ensure that all residents understand that they must be prepared to sustain their families for three-to-five days, without expectations of assistance from the city, county, state or federal agencies. Preparation for a disaster is paramount for all Solano County residents.

### V. Background (City of Benicia)

The City of Benicia has a functional EOP adopted April 2002. At the time of this report, a city official stated that the EOP was currently being

# VIII: Emergency Services – Homeland Security

updated and would be presented to the City Council no later than April 2006, as stated by a city official. The original EOP was developed under the direction of the City Manager, Director of Emergency Services (DES) and the Benicia Fire Chief, using a template provided by the SCOES. The EOP includes the state-mandated SEMS. Focus of the EOP is centered on utilization of Benicia city employees as determined by the City Council resolution, and implemented by the City Manager/Director of Emergency Services.

The emergency services process includes the importance of family and households assuming responsibility for one to four days following the emergency, with assistance from the well-formed and trained Benicia Emergency Response Teams (BERT). The next line of support is the City of Benicia Fire and Police departments and Operations department under the direction of the DES in coordination with the SCOES. The EOC is located at the fire department with backup at the City Hall/Police Department. When necessary, the city has a cadre of Amateur Radio Operators who are activated at the direction of the DES. Citywide Amateur Radio Operators communication exercises are conducted twice a year to ensure necessary connections with the SCOES. These groups meet weekly to hone and exercise their radio skills.

The city has notification and education plans enforce where citizens receive mailings, notifications at city functions, monthly siren tests, safety informational magnets (to be placed in the home), and special notices announced on the local television channel.

## VI. Findings and recommendations (City of Benicia)

**Finding #1** - The city EOP has not been revised since 2002.

**Recommendation #1** - The EOP must be updated at least annually.

## VII. Background (City of Dixon)

The city of Dixon consists of a triangular-shaped piece of flat land covering about 5.5 square miles. The city is bordered on the south and east by agricultural lands. Interstate 80 forms most of the entire northwest border. The City of Dixon is a rural community with an expanding population, which increased from 7,500 in 1980 to 16,300 in 2001, and presently is 17,179.

The City of Dixon has a 123 page EOP that was last revised in May 2004. Public and private sectors of the City of Dixon and the Preparedness Division of the Governor's OES jointly prepared this EOP. This EOP concentrates on operational concepts and response procedures relative to large-scale disasters. It does not address smaller day-to-day emergencies.

Each city department is required to develop and maintain current standard operational procedures which detail how their assigned responsibilities will be performed to support implementation of the city's EOP. The planning/intelligence area assigns situation analysis, damage assessment, resource status, documentation unit and technical specialist. The logistics area is divided into a service branch overseeing communications, coroner, utilities, underserved and vulnerable populations and personnel unit, and a support branch that is responsible for supplies, transportation, care and shelter unit and facilities manager.

The Fire Chief is responsible for ensuring that necessary changes and revisions to the EOP are prepared, coordinated, published and distributed. Revisions are to be forwarded to the City Manager (Director of Emergency Services). The City of Dixon's primary EOC is located at Fire Department Headquarters, at 205 Ford Way. The first alternate EOC is located at Police Department Headquarters, 201 West A Street, and the next alternate location is in City Hall, 600 East A Street.

The City of Dixon's emergency maintenance organization is headed by the Director of Emergency Services (City Manager) who in turn coordinates with the City Disaster Council. The Director of Emergency Services is supported by the Emergency Management Staff with the following responsibilities: organizing, staffing, operating the EOC, operating communications and warning systems, providing public information functions, and supplying resource management. Dixon is located in Region II of the State's designated regions. The State Regional Office also serves as a Regional EOC, when necessary. The EOP does not include useful resources in the community such as Amateur Radio Operators or CERT.

The EOP does not address the following concerns in the event of a major disaster:

- Whether the city's telephone system has the capability of transmitting recorded messages to alert residents
- Method of notifying parents when children are at school

- Provisions for medical care to residents
- Preparedness advice to residents for the first 3-5 days after a disaster

## VIII. Findings and recommendations (City of Dixon)

**Finding #1** - The EOP does not address certain critical concerns in the event of a major disaster.

**Recommendation #1** - That the EOP be updated to address concerns that the Grand Jury has identified in the event of a major disaster, i.e. whether the city's telephone system is capable of transmitting recorded alert messages to residents, method of notifying/communicating with parents when children are at school, provisions for medical care to residents, and preparedness advice to residents for the first 3-5 days after a disaster.

**Finding #2** - Communication functions are grouped with other logistical areas of responsibilities.

**Recommendation #2** - Communications is such an important and essential function that it should be considered a separate responsibility in the EOP.

**Finding #3** - The EOP does not include useful resources in the community such as Amateur Radio Operators or CERT.

**Recommendation #3** - The city should develop and utilize the resources of Amateur Radio Operators and CERT and incorporate them into the EOP.

## Comments

The EOP needs to be reviewed to ensure that all-important areas are included and updated annually. Training should be conducted to ensure that city personnel are aware of all changes to the EOP.

## IX. Background (City of Fairfield)

The 322 page multi-pronged, bound EOP for the city of Fairfield (population 105,601) was approved by the Fairfield City Council November 15, 2005. Included in this plan is a seating chart, by position, for the staffing of the Fairfield EOC, numerous emergency operations checklists and maps to potential emergency shelter sites. The Fairfield Fire Chief has responsibility for the maintenance of the EOP through the direction of the Fairfield City Manager. The EOP identifies the Fairfield City Manager as the Director of Emergency Services (DES). The DES is responsible for the activation of the EOP.

The EOP is presented in three sections to answer basic questions in time of emergency: Who is in charge? What should I do? Where can I get help? The EOP is to be used as the guide and the initial management resource during large-scale emergencies. The EOP delineates Fairfield City government roles and responsibilities, as well as coordination with county, mutual aid, state and federal agencies. The working pages of the EOP are contained in annexes.

The EOP identifies the location of the City of Fairfield EOC at 1000 Webster Street, Fairfield. This facility is a controlled access; secure location within the Fairfield Police station. An alternate EOC is located at Fire Station 37; however, no address is provided. The Fairfield Police Mobile Command Center is identified as a secondary alternate. The EOP does not address adaptability to the SCEOP, but acknowledges that a copy of the SCEOP is on file in the EOC.

A key position, Operations Section Chief, is to be filled based upon the type of incident involved. The EOP provides a general view of emergencies with specific checklists for some positions in the event of floods, earthquakes, HAZMAT incidents, and dam failures.

## X. Findings and Recommendations (City of Fairfield)

**Finding #1** - Information contained in this EOP is extremely useful; however, the plan is bound by a multi-pronged flexible hinge, which precludes easy, frequent or occasional page replacement/updating.

**Recommendation #1** - The city should replace the current binding mechanism with a loose-leaf binder that will permit easy updating and replacing of pages.

**Finding #2** - No address is listed in the plan for the alternate EOC at Fire Station No. 37.

**Recommendation #2** - An address should be listed in the EOP for Fire Station No. 37.

## VIII: Emergency Services – Homeland Security

**Finding #3** - The EOC does not incorporate the function of entities such as a CERT or Amateur Radio Operators.

**Recommendation #3** - The city should explore the usefulness of these unique resources for possible incorporation into the EOP.

**Finding #4** - The EOP does not address public reassurance to indicate that all is in control or will be, during emergency situations.

**Recommendation #4** - The city should request assistance from the publishers of the "Fire & Rescue" publication and the Fairfield Observer Newsletter to compile information and emergency tips for public dissemination.

### Comments

The EOP reflects that the City of Fairfield is well organized and prepared to handle emergency and crisis situations. However, during the December 2005 flooding, the functions of the EOC were not utilized as written in the EOP. Regardless how well a plan is written, unless it is implemented, it is of no value.

### XI. Background (City of Rio Vista)

The City of Rio Vista has an EOP that is well thought out, especially for a city, which has doubled in population in the past ten years. The City Manager is the Homeland Security Manager, as well as the Emergency Services Manager. The City of Rio Vista has a website that has information which is very valuable to the residents of the city, if they know how to access it. However, it needs some adjustment to make it user-friendlier. The website informs residents that they must be prepared to be on their own for the first few days of a disaster. The city has formed CERT and applied for and received a federal Homeland Security grant to purchase equipment for these teams.

The City is forming a group of amateur radio operators who will provide additional communications capabilities. The Fire Chief and the Police Chief will be participating in upcoming drills scheduled with the Solano County Office of Emergency Services. Rio Vista has a regional approach of disregarding boundaries in order to fully cooperate with other agencies. The City of Rio Vista has a Mutual Aide Agreement with Fire Departments in Solano, Sacramento and Contra Costa Counties, and requests assistance through the Solano County OES. Rio Vista emergency personnel have a need for more training, staffing and equipment.

### XII. Findings and Recommendations (City of Rio Vista)

**Finding #1** - The EOP has been updated, but essential training for emergency responders is lacking.

**Recommendation #1** - Expedite completion of the necessary training for emergency responders.

**Finding #2** - The city's website is not user-friendly to some uses. The wording and pictures overlap making the messages difficult to understand.

**Recommendation #2** - Redesign the website for easier use, and consider mailing emergency preparedness information to residents to ensure they have materials to study and review for their personal safety and survival.

### XIII. Background (City of Suisun City)

Suisun City is located in the middle of Solano County, five miles east of Highway 80. Suisun City is bordered on the north and west by the City of Fairfield and on the east by Travis Air Force Base. The 47,000-acre Suisun Marsh Wildlife Area borders the City on the south. The City has an area of 4.5 miles and a population of approximately 27,748.

On February 5, 2002, the City of Suisun City adopted an Emergency Operation Plan (EOP), which was to be updated annually. In the event of an emergency the city's Emergency Operations Center (EOC), located in the Police Station at 701 Civic Center Boulevard would be activated. This facility is centrally located and it has been determined that emergency operations can be directed and coordinated from this primary site. On a day-to-day basis, the EOC is not activated. Partial or full activation may be instituted by either the Director of Emergency Services, or his/her designee. Likewise, these personnel may institute deactivation. The City Manager is designated as the Director of Emergency Services and the Fire Chief serves as the Assistant Director of Emergency Services, under an appointment by the Director of Emergency Services. Both designated positions are as specified in the Suisun City Code.

The Police and Fire Departments have been active participants in joint training exercises occurring in Solano County; the city feels that this

is very beneficial to ensure coordination of large-scale incidents involving multiple jurisdictions. Both Police and Fire Departments have been trained in the Standardized Emergency Management System (SEMS) as required by the State of California. Training for National Incident Management System (NIMS) was scheduled to begin January 20, 2006, and by or before June 30, 2006. All City Council members, Department Heads and employees will be trained in NIMS as required by State and Federal law. The City of Suisun City does not have any organized Citizens Emergency Response Teams (CERT). It has been several years since a "no-notice" tabletop exercise was conducted in the city. However, planning is now underway for this to be completed sometime in 2006 or 2007, according to the City Manager. The EOP for Suisun City does not indicate that, in the event of a disaster or terrorist incident, any arrangements have been made with resources in the immediate or surrounding areas. The resources that could be included: Solano Community College, Budweiser Brewery, Clorox Products Manufacturing, Ball Metal Container Group, North Bay Hospital in Fairfield and David Grant Hospital at Travis Air Force Base, as well as bus and transportation services. These facilities, as well as others, are tremendous resources and would provide invaluable assistance during a disaster, if organized and prepared in advance. In the event of a major emergency, the County Sheriff's Mobile Command Post can communicate with other agencies within the county.

In reviewing the "Suisun City After Action Report-Winter Storms 2006," it indicated that Suisun City did not suffer major problems. The city public works department became aggressively proactive prior to the storms by cleaning street storm drain catch basins and sweeping leaves from the streets. In the past, accumulated debris and leaves had been the cause of prior flooding. The city reported there was some flooding in streets and intersections during the height of the storm, however, most of the water drained as the rain lessened. Laurel Creek/McCoy Creek Storm Water Control canals were and continue to be a major concern. These canals show signs of erosion and the city is concerned how to restore the canals and install one-way valve covers. To remove growing brush and trees, a lengthy permit process is required since these canals have been classified as environmental habitats. The city is concerned that these permits may never be issued to allow the needed work.

### XIV. Findings and Recommendations (City of Suisun City)

**Finding #1** - The EOP is to be updated annually. However; there is no indication that the EOP has been updated since it was adopted in February, 2002.

**Recommendation #1** -The EOP should be updated now, and thereafter annually.

**Finding #2** -The City of Suisun City has no CERT that are trained and prepared to be utilized.

**Recommendation #2** - The city should develop and utilize CERT.

**Finding #3** - Suisun City has not conducted a recent "no-notice" tabletop training exercise for many years and is making plans to conduct one sometime in 2006 or 2007.

**Recommendation #3** - This exercise should be planned and conducted expeditiously.

**Finding #4** - The EOP does not address the utilization of specific educational institutions, industrial, medical and transportation facilities in the immediate or surrounding area as a resource to provide critical assistance in the event of a disaster or terrorist incident.

**Recommendation #4** - The EOP should be revised to incorporate procedures to utilize valuable resources of specific educational institutions, industrial, medical and transportation facilities, in the immediate or surrounding area, in the event of a disaster or terrorist incident.

**Finding #5** - Laurel Creek/McCoy Creek Storm Water canals flooded during the December 2005, causing residential property damage in Suisun City. These canals are classified as environmental habitats. The city has been unable to maintain the bottom and sides of these canals.

**Recommendation #5** - The City of Suisun City should become very aggressive in obtaining the required permits to maintain the sides and bottoms of these canals to minimize property damage from future flooding.

### Comments

The City of Suisun City is a small community and can provide only limited resources. The City's response to incidents such as: weapons of mass destruction, radiological/nuclear threats, hazardous materials, explosives,

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infectious diseases, flooding or levee breaks, train derailments, airplane crashes, search & rescue and fire suppression would be based on the size and complexity of the individual event. The City would also rely on the assistance of the Solano County Office of Emergency Services, Mutual Aid Agreements and countywide teams such as the Solano County HAZMAT and the Solano County Law Enforcement Mobile Field Force. It would be prudent for all residents to be prepared to provide for their own cash, food, water, battery radio and emergency needs for the first three-to-five days of any emergency.

According to the “Suisun City After Action Report-Winter Storms 2006,” the city notified residents, via the Teleminder phone system, of predicted troubled areas. This system allows a recorded message to be sent to all phone numbers in a designated area. The Teleminder message announced that it was from the Police department and then continued providing information on the storm, flooding and sandbag locations. This system had never been used prior to the December 2005 flood by Suisun City to report a potential emergency and the recorded message caused such concern that many people called 911, which caused 911 to be overwhelmed. The city has developed new procedures for using the Teleminder phone system to provide prompt and accurate information without creating overuse of 911.

## XV. Background (City of Vacaville)

The City of Vacaville’s Fire Chief recently updated the city’s 209-page Emergency Operations Plan (EOP). The EOP is based on the State of California Standard Emergency Management System (SEMS). The EOP designates the Vacaville City Manager as the Director of Emergency Services (DES) and the Chief of Police responsible for city security.

Vacaville’s EOP is designed to deal with emergencies that exceed what the city calls emergency incidents, such as medical emergencies, fires and traffic accidents. Law enforcement, fire department and emergency medical personnel are equipped and trained to respond to these emergency incidents. The EOP is very general in scope and broad in its coverage of all phases of emergencies. The EOP covers preparation for emergencies, activation during emergencies and recovery after emergencies, however, does not address residents’ responsibilities from day 1 through 5. The EOP does not address the utilization of specific educational institutions, industrial, medical, and transportation facilities in the immediate or surrounding area as a resource to provide critical assistance in the event of a disaster or terrorist incident.

Vacaville has an Emergency Operations Center (EOC) located in the new police department at 660 Merchant Street, with two back-up locations, the Vacaville City Hall A/B Room, 650 Merchant Street and Fire Station #71, 111 S. Orchard. The police and fire departments mutually coordinate the EOC operations. The City of Vacaville does not have an organized CERT.

The EOP includes 46 function-specific checklists covering each organizational unit involved in operations at the EOC, including a specific checklist for animal care and welfare. The City of Vacaville’s after action report detailing actions taken during the December 2005 flooding indicated that the city followed the EOP in dealing with this emergency, but did not address flooding which occurred in areas of the city that previously flooded.

## XVI. Findings and Recommendations (City of Vacaville)

**Finding #1** -The EOP, as written, allows for Vacaville to be eligible for state funding in response-related costs for emergencies involving multiple jurisdictions or agencies.

**Recommendation #1** -The DES should be prepared to immediately apply for emergency-related costs reimbursement, if a multi-jurisdictional emergency occurs.

**Finding #2** - The City of Vacaville does not have an organized CERT.

**Recommendation #2** - Expedite the development of CERT teams and assure that they receive appropriate training.

**Finding #3** - The EOP did not address the utilization of specific educational institutions, industrial, medical and transportation facilities in the immediate or surrounding area as a resource to provide critical assistance in the event of a disaster or terrorist incident.

**Recommendation #3** - The EOP should incorporate procedures to utilize the resources of specific educational institutions, industrial, medical and transportation facilities in the immediate or surrounding area, in the event of a disaster or terrorist incident.

**Finding #4** - The December 2005 flooding occurred in areas of the city that previously flooded.

**Recommendation #4** - The City should take aggressive action to prevent flooding in those same areas, and all future developed areas should be made flood proof not just flood resistant.

## Comments

The EOP covers many areas to receive attention during an emergency; however, it does not address how local schools will deal with students and parent needs if an emergency were to occur when school is in session. A contingency plan checklist should be created to cover student and parent requirements.

## XVII. Background (City of Vallejo)

The City of Vallejo has a 206-page emergency plan that was last revised in July 2002. It was prepared by the Vallejo Fire Department’s Office of Emergency Services under the direction of a former City Manager and the Fire Chief, with major assistance from the Deputy Fire Chief, who is the department’s Emergency Services Coordinator.

The plan has adopted and incorporated the state-mandated Standardized Emergency Management System, which outlines training, organization and recommended response demeanor. Prepared primarily for city employees, it is billed as a single source document that will enable the employee to transition from his or her daily duties to that of a disaster service worker assigned to either the city’s Emergency Operations Center (EOC) or a field location.

The entire city workforce is divided into assigned areas of responsibility according to an organizational table with separate sections in the plan detailing duties for each area. Under the operations area are duties for fire and rescue, law enforcement, public works, medical, sanitation and flood control, liaison officer, amateur radio operators (RACES) and CERT (Citizen Emergency Response Teams). Presently, the City of Vallejo does not have a CERT. The planning/intelligence area assigns situation analysis, damage assessment, resource status, documentation unit and technical specialist. The logistics area is split into a service branch: overseeing communications, coroner, utilities and underserved and vulnerable populations through the Collaborating Agencies Responding to Disasters (CARD) program and personnel unit, and a support branch: responsible for supplies, transportation, and care and shelter unit and facilities manager. The final area is the finance/administration unit providing cost/time accounting, compensation/claims processing and a recovery task force.

### List of Acronyms 2005-2006 Solano County Grand Jury

ACRONYM	TITLE/DESCRIPTION
ARO	Amateur Radio Operators
BERT	Benicia Emergency Response Team
BOS	Board of Supervisors
CAO	County Administration Officer
CARD	Collaborating Agencies Responding to Disasters
CERT	Citizens Emergency Response Team
CESA	California Emergency Services Act
CLETS	California Law Enforcement Telecommunications System
COG	Continuity of Government
COOP	Continuity of Operations
DES	Director of Emergency Services
DIF	Development Impact Fees
EAS	Emergency Alert System
EDIS	Emergency Digital Information System
EI	Emergency Incident
ELP	Emergency Loan Program
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
FEMA	Federal Emergency Management Agency
FIRST	Family Investigations and Response Team
FRC	Family Resource Center
HAM	Amateur radio operators
HAZMAT	Hazard Material
IC	Incident Command
ICS	Incident Command System
IDE	Initial Damage Estimate
JIC	Joint Information Center
MA	Mutual Aid, Management Agreement
MCV	Mobile Command Vehicle
MFF	Mobile Field Fence
MSA	Multipurpose Staging Area
NAWAS	National Warning System
NIMS	National Incident Management System
OA	Operational Area
OES	Office of Emergency Services
PIO	Public Information Officer
RACES	Amateur Radio Operators
RIMS	Response Information Management System
SC	Solano County
SCEOP	Solano County Emergency Operating Plan
SCOES	Solano County Office of Emergency Services
SCWA	Solano County Water Agency
SCS	Soil Conservation Service
SEMS	Standard Emergency Management System
SOG	Standard Operating Guidelines
SOP	Standard Operating Procedures
VCERT	Vacaville Community Emergency Response Team
VEOC	Vacaville Emergency Operations Center
VSFCD	Vallejo Sanitation & Flood Control District

EXHIBIT B

# VIII: Emergency Services – Homeland Security

Vallejo's primary Emergency Operations Center (EOC) is located at 127 California Street, Building 127 on Mare Island. The alternate EOC is a portable unit that is located at the Vallejo Police Department, 111 Amador Street. In the event of a major earthquake or tsunami entering the bay, the Mare Island site could be unreachable for most assigned workers.

The Grand Jury notes that as in other city plans, Vallejo's document fails to address the utilization of the resources of local educational institutions such as Touro University and the California Maritime Academy, industrial facilities that might have manpower and equipment available to rescue trapped individuals and even the role of transportation agencies like the Baylink ferry and Vallejo Transit Lines who could assist in evacuation needs.

It is difficult to assess how prepared the city is in the event of a major disaster. The plan is general in nature and no plan could be written that will cover all types of disasters. In the end, it will be the city employees who will have to step up and handle any occurrence with as much creativity as possible. And as is true in every case, residents must assume that it will be three-to-five days before response teams are available in the event of such an occurrence. Preparation must begin at home with stockpiled water, food, an emergency heat and light source, proper clothing, etc.

## XVIII. Findings and Recommendations (City of Vallejo)

**Finding #1** - The Vallejo Emergency Plan has not been revised since 2002.

**Recommendation #1** - The plan needs to be updated regularly and made more accessible to the general public, by being available on the city's website.

**Finding #2** - The City of Vallejo should establish a CERT.

**Recommendation #2** - The City should undertake the training of CERT immediately.

**Finding #3** - The EOP did not address the utilization of specific educational institutions, industrial, medical and transportation facilities in the immediate or surrounding area as a resource to provide critical assistance in the event of a disaster or terrorist incident.

**Recommendation #3** - The EOP should incorporate procedures to utilize the resources of specific educational institutions, industrial, medical and transportation facilities in the immediate or surrounding area, in the event of a disaster or terrorist incident.

## Comments

The 2006 New Year's weekend flooding that occurred in Solano County left the majority of Vallejo unaffected. Those areas that did suffer flooding were areas of the city that have had flood damage in the past. The City's response to those areas seemed adequate and was handled by personnel that were on duty at the time.

The Vallejo After Action report was several hundred pages. The Grand Jury found it focused on collecting damage assessment after the storm ended, rather than how the city's agencies and special districts like the Vallejo Sanitation and Flood Control District (VSFCD) performed.

The report does note that Vallejo will focus on known trouble sites in an effort to prevent future flooding. This was encouraging to read and suggests the Public Works Department and VSFCD understand the problem areas and will work to correct them.

In April 2006, the Vallejo Times-Herald distributed a U.S. Geological Survey publication "Putting Down Roots In Earthquake Country" that is designed to assist residents of the Bay Area prepare for a major earthquake. Several government and private organizations that are to be commended for this noteworthy undertaking provide funding for the publication. Residents who did not receive the publication may view it on the Internet at <http://pubs.usgs.gov/gip/2005/15/> or download it as a PDF file at the site.

## Affected Agencies:

- Solano County Administrative Officer
- Solano County Board of Supervisors
- Solano County Emergency Services Manager
- Solano County Sheriff
- City of Benicia
- City of Dixon
- City of Fairfield
- City of Rio Vista
- Suisun City
- City of Vacaville
- City of Vallejo

State of California

**LITTLE HOOVER COMMISSION**

**FOR IMMEDIATE RELEASE**  
April 27, 2006

**For Additional Information Contact:**  
**Nancy Lyons**  
Acting Executive Director  
916-445-2125

**Commission Declares State Unprepared for Catastrophe**

The Little Hoover Commission on Thursday urged California's elected officials to develop a comprehensive strategy for responding to an emergency of catastrophic proportions. The Commission's review of emergency preparedness found that the State's emergency preparedness system would be overwhelmed during a catastrophic event. Yet the State has not put in place the plans and strategies or designed and deployed the tools needed to respond to a large-scale catastrophe.

Much like the Gulf Coast prior to Hurricane Katrina, the risks of catastrophic events in California are well-known but largely ignored. Damages from a major seismic event in either the Bay Area or Los Angeles could exceed the entire \$100 billion budget of the State of California. Seismic safety officials report that hundreds of schools, hospitals, apartments and office buildings are at risk of collapse or failure in a large earthquake. A terrorist attack on one of California's major ports could halt trade on the Pacific Rim and undermine California's economic engine. Massive levee failures could inundate the Central Valley and choke off the water supply that sustains the residents and economy of Southern California. And every Californian is at risk of an infectious outbreak that could quickly outpace the state's capacity for treatment and response.

But prevention and mitigation efforts are lacking, California's response plans are inadequate, and the State has no recovery plan to guide rebuilding.

"Without immediate action by the State of California, millions of Californians are at risk in a catastrophic disaster," said Michael E. Alpert, chairman of the Little Hoover Commission.

The Commission affirmed that California may have the most advanced emergency response system in the nation, but the State's preparedness needs have changed dramatically since that system was developed.

Milton Marks Commission on California State Government Organization and Economy • <http://www.lhc.ca.gov>  
925 L Street, Suite 805 • Sacramento, CA 95814 • 916-445-2125 • fax: 916-322-7709 • e-mail: [littlehoover@lhc.ca.gov](mailto:littlehoover@lhc.ca.gov)

**EXHIBIT A**

"California need not live through its own Katrina to get ready. With the centennial of the 1906 earthquake, experts have reminded us of our vulnerabilities and the consequences of failed leadership and inadequate preparedness," Alpert said.

The Commission's report outlines essential steps relating to leadership and planning for catastrophes, including the involvement of the private sector and the public. Specifically, the Commission recommended that the governor and the Legislature pursue the following reforms:

- Identify a clear chain of command for catastrophic response, under the direction of the governor.
- Fortify and restructure the California Emergency Council to advise the governor and Legislature on preparedness needs and oversee preparedness efforts.
- Commission an independent gap analysis to identify deficiencies and develop a strategic plan to guide reforms.
- Consolidate the Office of Emergency Services and the Office of Homeland Security into a cabinet-level Governor's Office of Emergency Services and Homeland Security, led by an experienced leader appointed by the governor.
- Conduct executive-level training and exercises to ensure the governor, legislative leaders, constitutional officers and cabinet officials are well-versed and trained in their responsibilities during a catastrophic event.
- Develop performance measures and benchmarks for preparedness to ensure continuous improvement and accountability.

The Little Hoover Commission is a bipartisan and independent state agency charged with recommending ways to increase the performance of state programs. The Commission's recommendations are sent to the governor and the Legislature for their consideration.

The report, *Safeguarding the Golden State: Preparing for Catastrophic Events*, is available on the Commission's Web site: [www.lhc.ca.gov/lhc.html](http://www.lhc.ca.gov/lhc.html).

# VIII: *Emergency Services – Homeland Security*

## Homeland Security & Emergency Services “Is Solano County Adequately Prepared”

### County of Solano Response:

#### OES Response to Finding #1:

The Office of Emergency Services agrees with the finding that the Solano County Emergency Operations Plan (SCEOP) does not list telephone numbers for key personnel or agencies in the SCEOP.

#### OES Response to Recommendation #1:

The Office of Emergency Services (OES) does not agree with the recommendation of the Solano County Grand Jury to list phone numbers for key personnel and agencies in the SCEOP. The SCEOP is a valuable document that exists to guide emergency operations key personnel in the performance of their roles in the Solano County Emergency Operations Center (SCEOC). The SCEOP has been distributed to many departments and agencies throughout Solano County and can be accessed via the County Intranet.

OES has elected not to include phone numbers for key personnel because many of the key personnel are law enforcement and statute requires that their personal information including phone numbers remain confidential, and the fact that business, personal and pager telephone numbers of key personnel frequently change resulting in the need to continuously update the SCEOP to keep up with the changes.

The OES and the Sheriff's Dispatch Center maintain a list of all key personnel that includes pager, business, cell and home telephone numbers which is constantly updated and immediately accessible by all EOC staff as a supplement to the SCEOP. OES also has the contact information for all of the key County personnel loaded into our City Watch emergency telephone notification system so that everyone can be notified by a single telephone call. The City Watch system also records who answered the telephone and provides a written report of the exact times each individual received a message. The Sheriff's Dispatch and City Watch systems are the optimal methods to both maintain and contact key personnel in emergency situations.

#### Board of Supervisors Response to Finding & Recommendation #1:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

#### OES Response to Finding #2:

The Office of Emergency Services agrees that the SCEOP states that Special Districts may have a representative at the EOC and acknowledges the value of coordination with Special Districts when an emergency impacts a Special District's jurisdictional authority.

#### OES Response to Recommendation #2:

The Office of Emergency Services does not agree with the recommendation of the Grand Jury. With the exception of the regularly assigned SCEOC staff, all other agency representatives or liaisons are requested to respond to the SCEOC based on the location and nature of the event and the need to have them integrated into the command structure. During the January 2006 floods, representatives of Special Districts were either present or in frequent communication with the SCEOC. Traditionally, OES has not experienced any problem having Special District representatives respond to the SCEOC. As Solano County has no jurisdiction over the operation of Special Districts, it would be inappropriate for the County to attempt to mandate the presence of a representative of each Special District during an emergency event.

#### Board of Supervisors Response to Finding & Recommendation #2:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

#### OES Response to Finding #3:

The Office of Emergency Services agrees that the SCEOP does not provide specific actions regarding picking up children from schools during a major disaster. The SCEOP was developed to provide guidelines and links in support of emergency operations planning and procedure development. It was not developed to be an all encompassing document for emergency response actions. Local jurisdictions, private companies, non-profit agencies and the public need to work in concert to ensure that public education and awareness of processes and procedures for disaster preparedness are communicated and exist for all emergency situations. In the month of September the County will be conducting a countywide public disaster preparedness awareness campaign as part of Homeland Security's "September is National Preparedness Month" activities.

#### OES Response to Recommendation #3:

The Office of Emergency Services agrees with the recommendation of the Grand Jury that school facilities should have food, water, and bedding on hand in case of an emergency; however, such a requirement within the SCEOP could only be included as a recommendation. This recommendation is something that OES and all jurisdictional entities would like to see implemented not only in schools, but in stores, churches, offices and every residence in Solano County.

For the most part schools in Solano County are located within the jurisdiction of a city and are required to have a specific school district emergency plan and established procedures that must be followed during a major emergency or disaster. A requirement for school facilities to have supplies on hand, i.e. water, food, and bedding for children, until they can be safely returned to their homes needs to be addressed by the individual School Districts. SCEOC has no authority to mandate that schools have in their inventory specific items necessary to provide for the shelter and care of children for a prolonged period of time. SCOES works very closely with local School, Fire and Police officials in an effort to guide and promote a proactive approach towards establishing a reliable care and shelter system in schools throughout the Operational Area.

#### Board of Supervisors Response to Finding & Recommendation #3:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

#### OES Response to Finding #4:

The Office of Emergency Services does not agree with the finding that the SCEOP was only distributed to County and city officials within the County. The SCEOP is a public document available electronically, on a CD or in paper form and is readily shared with individuals/agencies working on emergency preparedness upon request.

#### OES Response to Recommendation #4:

The Office of Emergency Services partially agrees with the recommendation of the Grand Jury. The SCEOP is a plan developed to serve as a resource for emergency response personnel and could be of assistance to other entities (both public and private) that desire to create or modify their policies or procedures. However, broad unsolicited distribution of the plan could be redundant and inefficient as many of these entities are required to have Emergency Operation Plans tailored specifically to their organization and would follow that plan during a major incident.

The SCEOP was not intended to be an all encompassing regional disaster management plan. The SCEOP is specific to the needs of the EOC staff and is intended to be used to effectively guide staff in the performance of their respective jobs while assigned to work in the SCEOC. The OES is always willing to provide a copy of SCEOP and other planning information to assist any Special District or industrial facilities in preparing for emergencies.

#### Board of Supervisors Response to Finding & Recommendation #4:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

#### OES Response to Finding #5:

The Office of Emergency Services agrees with the finding that Solano County has formed a HAZMAT, however, OES does not agree that the SCEOP is the appropriate document for inclusion of detailed procedural information of the HAZMAT team.

#### OES Response to Recommendation #5:

The Office of Emergency Services does not agree with the recommendation of the Grand Jury to incorporate HAZMAT information into the SCEOP. County HAZMAT response is provided through a cooperative arrangement with the Solano County Inter-Agency Hazardous Materials Response Team consisting of members from Benicia, Vallejo, Fairfield, Vacaville and the Sheriff's Office. Managers from each member jurisdiction have been working diligently to ratify a multi-agency Memorandum of Understanding (MOU), and have recently approved the team's response policies and procedures. Similar to fire and law enforcement general orders, the HAZMAT team agreements, policies and procedures are intended to guide field operations and are most effective at the operational level.

#### Board of Supervisors Response to Finding & Recommendation #5:

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

## VIII: *Emergency Services – Homeland Security*

### **OES Response to Finding #6:**

The Office of Emergency Services agrees with the Grand Jury finding that department heads and other County personnel with disaster response responsibilities should be fully trained and familiar with the contents of the SCEOP.

### **OES Response to Recommendation #6:**

The Office of Emergency Services does not agree with the recommendation of the Grand Jury to require department heads to be signatories to the SCEOP. All County department heads are required to review the SCEOP and ensure that their management teams and staff are familiar with the terms and operational concepts of the plan and recognize that disaster response duties are a part of their employment with Solano County. In addition, many County department heads have been identified to fill positions in the Emergency Operations Center and must be prepared to assume an active role in managing and coordinating critical disaster and recovery operations.

OES provides training sessions and presentations on the emergency plan and all of its various components to department heads and is currently facilitating a train the trainer workshop for County staff on the National Incident Management System which will reinforce and augment emergency response training for all County departments. This is in addition to the SCEOP that provides an interactive CD of the emergency plan that provides links to various sites on the internet that has been installed on the County's intranet home page for access by all County employees.

### **Board of Supervisors Response to Finding & Recommendation #6:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### **OES Response to Finding #7:**

The Office of Emergency Services agrees with the Grand Jury finding that emergency preparedness information should be readily available to the public and uses every venue possible to provide information to the residents of Solano County.

### **OES Response to Recommendation #7:**

The Office of Emergency Services agrees with the recommendation of the Grand Jury. One of the top priorities of OES has been to promote emergency preparedness throughout the community. OES has provided published emergency preparedness brochures, pamphlets, books and other educational materials to all of the cities and all County departments for distribution to the public. OES has conducted many emergency preparedness presentations to private business, service clubs and neighborhood watch meetings. OES operated an emergency preparedness information booth at the Solano County Fair during the month of July and is assisting the County Administrator's Office with the implementation of additional public education strategies focusing on disaster preparedness on an ongoing basis. OES has also been providing assistance to the cities of Benicia and Rio Vista by obtaining grant funding in support of implementing their Citizen Emergency Response Teams (CERT) programs. The City of Vacaville is currently in the process of implementing a CERT program and will be provided the same level of support.

### **Board of Supervisors Response to Finding & Recommendation #7:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### **OES Response to Finding #8:**

The Office of Emergency Services agrees with the Grand Jury finding that OES, the Sheriff and local police and fire departments have the primary responsibility to alert the public during an emergency and is committed to enhancing procedures that promote effective communications during emergency situations.

### **OES Response to Recommendation #8:**

The Office of Emergency Services agrees with the recommendation of the Grand Jury. OES has the most sophisticated and efficient telephone emergency notification system (City Watch) in Solano County. City Watch is a computerized mapping system capable of providing telephone notification to a single street or the entire county. OES can activate the system at their discretion within the unincorporated area or any incorporated city depending on the level of emergency. In order to activate City Watch within a city, OES must receive an official request from the local emergency official in charge. Specific information is obtained and telephonic notification and instruction is then distributed to a defined area. City Watch has been

effectively utilized many times for search and rescue, fire evacuation and other types of emergency warning. OES has recently established an agreement with local radio station KUIC FM (93.5) that provides OES staff and the Sheriff's Dispatch Center, on behalf of the County or any city, the ability to call in and immediately go on the air to notify the public during major emergencies.

### **Board of Supervisors Response to Finding & Recommendation #8:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### **OES Response to Finding #9:**

The Office of Emergency Services agrees with the Grand Jury finding that all members of the Operational Area should be familiar and knowledgeable about emergency preparedness information and that the general public can serve as an additional resource for emergency preparedness.

### **OES Response to Recommendation #9:**

The Office of Emergency Services agrees with the recommendation of the Grand Jury. CERT is an effective mechanism to educate the public about how to care for themselves and each other during a significant emergency. Much like a Neighborhood Watch program, the effectiveness of CERT is dependent on the level of involvement of the citizens supporting the concept. In 2004, the city of Rio Vista successfully implemented a CERT program primarily because a large group of citizens were willing to take on the responsibility of managing and maintaining the program.

OES supports multiple local CERT programs by conducting presentations to generate community involvement and facilitating the acquisition of grant funding once jurisdictions have identified a committed group of citizens and the group has formed a State certified citizen's advisory body. OES has provided support for the CERT program in the city of Benicia (BERT) since 1999. OES will continue to provide support to any city in Solano County desiring to establish a CERT program. In addition, the City of Benicia Fire Chief has indicated a willingness to mentor other cities interested in forming a CERT.

### **Board of Supervisors Response to Finding & Recommendation #9:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### **OES Response to Finding #10:**

The Office of Emergency Services does not agree with the Grand Jury finding. OES strives to utilize all available emergency response-training resources (both public and private) to enhance the County's resources for handling HAZMAT situations.

### **OES Response to Recommendation #10:**

The Office of Emergency Services agrees with the recommendation of the Grand Jury to utilize private resources to enhance training opportunities and has regular contact with public and private entities concerning HAZMAT training opportunities to coordinate resources.

The Solano County Inter-Agency Haz-Mat Team consists of 24 emergency responders from the cities of Benicia, Vallejo, Fairfield, Vacaville and the Sheriff's Office. This team has been through an enormous amount of training since its formation in 2003 and continues to train on a bi-weekly basis. Each year all members are required to attend the Haz-Mat Challenge conference in Sacramento. This is a five day working conference that allows team members to utilize hands on training with tank trucks and other props. The team is also working with the Valero refinery to upgrade their skills in leak detection and fuel spills. This Haz-Mat response team is dedicated to Solano County and is capable of mitigating terrorism incidents as well.

### **Board of Supervisors Response to Finding & Recommendation #10:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

### **OES Response to Finding #11:**

The Office of Emergency Services agrees with the Grand Jury finding that OES informs County departments and Operational Area cities of all training opportunities associated with emergency management. OES recognizes the value of training for all disaster responders and promotes and provides training opportunities on an ongoing basis.

### **OES Response to Recommendation #11:**

The Office of Emergency Services agrees with the recommendation

## VIII: *Emergency Services – Homeland Security*

that Solano County and each city within the County are responsible for their respective training development and record keeping. The County currently maintains records of all County training exercises.

OES does not agree with the Grand Jury recommendation that all training should include “no notice” tabletop exercises. Mandatory participation in disaster exercises is a good idea and “no notice” tabletop exercises have value, however; OES has no authority to mandate that any city participate in any drill or exercise and due to funding limitations and manpower costs OES prefers to focus training on scheduled exercises that maximize delivery of emergency response information to many disaster responders.

OES agrees with the Grand Jury recommendation that state and federal sources should be available to fund training exercises. In recent years the availability of Homeland Security funding has provided opportunity for local Law, Fire and Emergency Medical Service providers to train and exercise together. Agencies in Solano County have trained extensively within their own disciplines and have participated in several consolidated exercises. These exercises include tabletop exercises, functional exercises and two major field exercises that involved up to 300 participants. Federal and State agencies such as the FBI, OSI, State OES and Homeland Security and Travis Air Force Base have also participated in exercises. OES has applied for and been awarded numerous grants in support of disaster mitigation and training and is committed to maximizing funding to conduct disaster response training.

**Board of Supervisors Response to Finding & Recommendation #11:**  
The Board of Supervisors concurs with the Department’s response to the Grand Jury’s Finding and Recommendation.

**OES Response to Finding #12:**  
The Office of Emergency Services agrees with this finding.

**OES Response to Recommendation #12:**  
The Office of Emergency Services does not agree with the recommendation of the Grand Jury. The Director does not need to set specific timelines because the SCEOP clearly defines how and when the SCEOC is activated and who has the authority to activate (Refer to page 72 of the SCEOP). The expectation is that all designated personnel will respond to the EOC as quickly as possible. OES maintains a list of primary and alternates for each position in the EOC structure and provides allowances for variances in staff response times. It is unlikely that all of the EOC staff would be able to be in place within the same timeline. The County emergency plan utilizes precise checklists and instructions for every position in the EOC.

**Board of Supervisors Response to Finding & Recommendation #12:**  
The Board of Supervisors concurs with the Department’s response to the Grand Jury’s Finding and Recommendation.

**OES Response to Finding #13:**  
The Office of Emergency Services partially agrees with this finding in that County Sheriff and OES offices have experienced flooding two times in the last eight years due to the Clay Creek. While inconvenienced by the flooding, both Sheriff and OES continued to respond all requests for services by utilizing alternative facilities.

**OES Response to Recommendation #13:**  
The Office of Emergency Services agrees with the recommendation of the Grand Jury and makes every effort to protect vital facilities from flooding. The flooding problems that currently exist around the Sheriff’s Office and SCEOC are directly associated with the Clay Street ditch that is owned by the City of Fairfield. The County has been working with Fairfield in an effort to resolve this problem. Recognizing that a solution to the flooding problem may be slow to materialize, the SCOES and the Sheriff’s Office have taken steps to minimize the potential for flooding by removing decorative bark from the area and by developing a sand bagging strategy to protect assets during significant rain storms. The County will continue to work with the City of Fairfield to resolve this problem.

**Board of Supervisors Response to Finding & Recommendation #13:**  
The Board of Supervisors concurs with the Department’s response to the Grand Jury’s Finding and Recommendation.

**OES Response to Finding #14:**  
The Office of Emergency Services partially disagrees with the Grand Jury finding. OES believes that all agencies made adequate efforts to notify citizens as soon as the threat of impending flooding was known.

In some cases the mediums of contact (television, radio, phone, etc.) failed to reach all the impacted areas/residents.

**OES Response to Recommendation #14:**  
The Office of Emergency Services agrees with the recommendation of the Grand Jury and provides extensive analysis of conditions on an ongoing basis during emergencies. During the week prior to December 31, when the worst flooding occurred, SCOES conducted multiple conference calls with top officials from all Solano County cities to keep them apprised of the situation.

In addition, officials were well informed of the emergency notification capabilities of SCOES but chose to defer emergency notification using the Emergency Alert System until the middle of the storm. The consensus was that the television and radio media was providing adequate information prior to the storm and that those people living in flood prone areas would take the appropriate action. Sandbag locations throughout the County were established and advertised well in advance of the storm.

During the storm, Vacaville requested emergency information be delivered through City Watch and that request was immediately accommodated by SCOES. OES has no authority to implement a City Watch alert without jurisdictional approval and respects local law enforcement’s decision to determine if, when and where alerts are warranted.

**Board of Supervisors Response to Finding & Recommendation #14:**  
The Board of Supervisors concurs with the Department’s response to the Grand Jury’s Finding and Recommendation.

**OES Response to Finding #15:**  
The Office of Emergency Services agrees with this Grand Jury finding.

**OES Response to Recommendation #15:**  
The Office of Emergency Services does not agree with the recommendation of the Grand Jury that OES should arrange for a study of creeks. The Solano Water Agency, County and City Public Works Departments all share a level of responsibility in managing creeks throughout the Solano Operational Area and would be the appropriate entities to jointly pursue such a study if warranted. In addition, OES does not have authority, funding or expertise to conduct studies of local waterways to identify flood prone areas.

OES has been working closely with County Public Works and the Solano Water Agency in an effort to better monitor the flow status of creeks during periods of heavy rain and recommends that those responsible for monitoring the status of Solano County creeks implement an education program or utilize some form of code compliance to mitigate the practice of property owners dumping tree trimmings and trash in the creeks near their properties. Creek inspections, meter monitoring, creek clearing and other pre-flood mitigation efforts should be conducted on a regular basis by the responsible jurisdiction.

**Board of Supervisors Response to Finding & Recommendation #15:**  
The Board of Supervisors concurs with the Department’s response to the Grand Jury’s Finding and Recommendation.

**OES Response to Finding #16:**  
The Office of Emergency Services disagrees with this Grand Jury finding. The Solano Emergency Communications Activities (SECA) Steering Committee consisting of the County, the seven cities, Solano Emergency Medical Services Cooperative, a Fire Chief appointed by the Solano-Napa County Fire Chief’s Association and a representative of the Solano County Police Chiefs’ and Sheriffs’ Association have been working cooperatively to implement a radio interoperability solution to ensure that jurisdictions can communicate with neighboring jurisdictions.

**OES Response to Recommendation #16:**  
The Office of Emergency Services does not agree with the recommendation of the Grand Jury. Radio interoperability has been one of the highest priorities in the Solano Operational Area for several years and OES has facilitated the acquisition of nearly three million dollars in federal grants to support countywide radio interoperability. The development of a countywide emergency communications system is not solely a responsibility of Solano County. Each city within the county shares proportionate responsibility. Through the cooperative efforts of SECA and the County a contract with Apptis/Smartlink has been awarded to develop the first phase of a countywide radio

## **VIII: *Emergency Services – Homeland Security***

interoperability solution. This solution will provide all emergency responders in Solano County the ability to communicate in an efficient manner. County and city communications technicians are currently monitoring program progress and completion of the first phase is anticipated in November 2006.

**Board of Supervisors Response to Finding & Recommendation #16:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

**OES Response to Finding #17:**

The Office of Emergency Services agrees with this Grand Jury finding.

**OES Response to Recommendation #17:**

The Office of Emergency Services agrees with the recommendation of the Grand Jury. The management of hazardous material spills and mitigating public exposure to hazardous materials is one of the highest priorities of OES. The Solano County Interagency Haz-Mat team has been in full operation for approximately one year. Within that period of time, a significant amount of training, drills and exercises have taken place. The County and all cities, with the exception of Dixon, have indicated that they are willing to review and hopefully sign an MOU committing annual funding in support of the Haz-Mat team. Earthquakes will also continue to be a high priority for OES. Although infrequent, an earthquake represents the likelihood of significant loss of life, immense infrastructure damage, exposure to multiple hazardous materials on an unprecedented level, loss of habitat and the immediate migration of as many as 100,000 people to Solano County. It is also important to note that significant effort has been placed on earthquake preparedness to meet mandates and to qualify for funding.

**Board of Supervisors Response to Finding & Recommendation #17:**

The Board of Supervisors concurs with the Department's response to the Grand Jury's Finding and Recommendation.

## Health And Social Services / Child Protective Services Solano County Gets A Blue Ribbon Advisory Panel – That Is 2005-2006 Grand Jury Report

### I. Reason for Investigation

Based on previous Grand Jury recommendations, the 2005-2006 Grand Jury determined it prudent to review the status of Child Protective Services (CPS). The Grand Jury of 2003-2004 and 2004-2005 as well as the Child Welfare League of America (CWLA), in their report of 2001, recommended the formation of a Blue Ribbon Committee, which would act independent of Solano County Health and Social Services (H&SS).

### II. Procedure

The Grand Jury:

- Interviewed the Director of H&SS
- Interviewed each Supervisor of the Solano County Board of Supervisors (BOS)
- Reviewed 2003-2004 Grand Jury Report, Child Protective Services
- Reviewed 2004-2005 Grand Jury Report, Child Protective Services
- Reviewed Solano County H&SS responses to the 2003-2004 and 2004-2005 Grand Jury Reports
- Attended the December 6, 2005 BOS meeting to hear implementation plans of the CWLA recommendations in report dated March 25, 2005
- Attended Blue Ribbon Advisory Panel meeting on April 13, 2006
- Interviewed Blue Ribbon Committee Chairman
- Reviewed Child Welfare League of America (CWLA) Assessment of Leadership and Other Factors Impacting Organizational Performance – Executive Summary dated March 25, 2005
- Reviewed Solano County H&SS Child Welfare Services Preliminary Response of the Child Welfare League of America Assessment dated April 20, 2005
- Reviewed BOS Agenda Item, Approved February 7, 2006, approving structure and membership of Health and Social Services Blue Ribbon Advisory Panel
- Reviewed Blue Ribbon Advisory Panel Minutes, dated February 16, 2006
- Reviewed resumes of each of the six Blue Ribbon Advisory Panel members

### III. Background

In the Grand Jury Report of 2003-2004 several problems were identified within the county H&SS Department Child Welfare Service (CWS). The 2003-2004 Grand Jury Report, Finding #1 indicated “The Grand Jury uncovered a series of systematic roadblocks that prevent optimal operation of the CPS program, thereby endangering children in Solano County. Although there have been internal and external attempts to correct these deficiencies, CPS has continued to demonstrate an inability to self-correct. The organizational culture is subverting the achievement of CPS mission.” It was recommended by the Grand Jury “that the BOS direct the formation of a Blue Ribbon Committee independent of the H&SS (modeled after the 2003 San Mateo County Blue Ribbon Committee) consisting of former judges, non-Solano County social workers, academics, concerned citizens and union officials to review the entire CPS program and recommend changes.” The Department of Health and Social Services did not concur with the Grand Jury recommendation and instead recommended that the BOS not form an independent committee but rather commission CWLA to re-evaluate CPS for a second time. The first CWLA evaluation for CPS was done in 2001; they identified six goals, 27 related recommendations and also recommended an external oversight group in the 2001 report.

The 2004-2005 Grand Jury again recommended that the BOS direct the formation of an external committee independent of H&SS. The second CWLA report, dated March 25, 2005, titled Assessment of Leadership and Other Factors Impacting Organizational Performance is a comprehensive study, identifying six goals and related recommendations. A detailed proposed implementation plan is provided for each of the six goals by CWLA, which is broken down into timeframe increments of 90 days, six months, nine months and one-year. The six goals are:

- Provide clear expectations regarding roles and responsibilities
- Provide support, resources, and incentives to strengthen agency performance
- Increased mutual accountability and teamwork

- Strengthen leadership skills
- Improve organizational culture and communications
- Improve agency business practices

In conclusion the CWLA stated, “Commitment to positive change is a key determinant for the success of any of these efforts. We believe that the CWS executive management team is committed to and capable of leading the agency through the improvements needed, and that nearly all CWS staff is strongly committed to improving the organizational culture. However, positive change can occur only if a sense of trust is re-established throughout the entire county hierarchy, including the Board of Supervisors, the County Administrative Officer (CAO), the HSS executive office, as well as in the executive management team, and throughout the organization.”

The Director of H&SS, in his response of August 26, 2005, to the 2004-2005 Grand Jury Report, agreed with the finding and stated he would recommend the establishment of a Child Welfare Services Oversight Committee. He advised that the recommended role and responsibilities of the committee, as well as the membership would be included in the report that would be presented to the BOS. This recommendation was presented on December 6, 2005. The BOS heard and approved a three-year plan for the implementation of the CWLA recommendations. At this same time the BOS also approved the creation of an external Blue Ribbon Advisory Panel to review the progress towards CWLA recommendations.

The approved Blue Ribbon Panel includes a Juvenile Dependency Court Commissioner/Judge, a social work representative from another county, an academic, a representative of the concerned public and two university representatives with expertise in CWS training and service delivery. The six individuals serving on the Panel have very impressive credentials and are said to have extensive professional experience in the child welfare arena and personal dedication to fulfilling the needs of abused children. They have statewide reputations for excellence and integrity and some of them are nationally known. The Director of H&SS states, “I believe that this is a group of people who possess the highest educational and professional qualifications to provide meaningful oversight to the child welfare operations at HSS, especially the implementation of the CWLA recommendations. We are indeed privileged that such highly respected individuals are willing to contribute their time and efforts to assist Solano County in attaining excellence.”

The role of the Blue Ribbon Advisory Panel will be to receive reports on progress and results, review and evaluate progress, provide input and guidance in implementing the CWLA recommendations and provide feedback about the effectiveness of implementation of the CWLA recommendations in CPS. The Panel will serve without compensation.

There will be written Blue Ribbon Advisory Panel reports to the H&SS Director and/or BOS outlining the Panel’s findings and recommendations. The reports will be provided in December 2006 and December 2007 (or when the recommendations have been completed). These Reports will address the:

- Status of H&SS implementation of the CWLA recommendations
- Steps necessary to address the issues identified in the CWLA report

The first meeting of the Panel was on February 16, 2005, and will continue to meet each quarter. The Panel will expire when the recommendations have been implemented. H&SS anticipates completion of the recommendations by December 30, 2007, or earlier.

### IV. Findings and Recommendations

**Finding #1** – The CWLA recommendations outlined an implementation plan for each goal, that with a timeframe indicating if it would be complete within 90 days, six months, nine months or one year. The Director of H&SS disagreed with this plan and has presented to the BOS a three-year plan for implementation. The BOS has approved the plan with the extended timeframe.

**Recommendation #1** – The BOS needs to carefully monitor the CWLA plan, implementation and results. This should prevent the loss of the previous Grand Jury’s work and the loss of the taxpayers’ investment in the commissioned CWLA Reports.

**Finding #2** – The BOS has approved the three-year timeline to improve the organizational performance of CWS, rather than the CWLA recommended one-year timeline. The Director of H&SS insists that the change of organizational culture is more than establishing and changing procedures. It is changing the way people think and feel, and that is not likely to take place in one year. It has been proposed the changes be gradual.

**Recommendation #2** – The Grand Jury recommends that since the BOS has approved the extended timeline, the BOS must be focused in making sure the CWLA recommendations are implemented effectively.

**Finding #3** – The 2005-2006 Grand Jury recognizes that there is the potential

for progress in the CPS system with the implementation of the Blue Ribbon Advisory Panel.

**Recommendation #3** – The Grand Jury recommends the Blue Ribbon Advisory Panel continue to serve through the implementation of the CWLA recommendations even if they have not been completed by December 2007.

**Finding #4** – CWLA clearly identified six goals, with implementation plans and timelines.

**Recommendation #4** – The Grand Jury recommends that the Blue Ribbon Advisory Panel use the CWLA Executive Summary (March 25, 2005) and their six clearly defined goals as a primary focus for their efforts of oversight on this panel.

**V. Comments**

It should be noted that while the CWLA report identifies organizational difficulties within Solano County CWS, this report finds “the agency has achieved better safety and permanency outcomes than the California state average for the County’s most vulnerable children”. The March 25, 2005, CWLA Report also states “nearly all CWS staff we came into contact with demonstrated a high level of commitment to children and families and to organizational improvements”. The report further states that of the CWS line staff surveyed, 91% “agreed or strongly agreed with the statement ‘I have a responsibility to work with the leadership of the organization to improve the culture and to make CWS a more effective organization’”.

With the formation of the Blue Ribbon Advisory Panel as an independent oversight committee and the noted positive attitude of the staff in their responsibility to work with the leadership and their preparedness for improvement, this could be a very encouraging time for change within the CWS organization.

The 2005-2006 Grand Jury recommends next and future Grand Juries carefully monitor the CWLA plan, implementation and results.

**VI. Affected Agencies**

- Solano County Board of Supervisors
- Director, Solano County Health & Social Services

**Courtesy Copy**

- Solano County Blue Ribbon Advisory Panel

**County of Solano Response:**

**H&SS Response to Finding and Recommendation #1:**

This recommendation has been implemented. The Child Welfare Services Deputy Director makes bimonthly presentations of the BOS Health and Social Services Subcommittee on the ongoing implementation of CWLA recommendations. Board Members Barbara Kondylis and John Vasquez chair the subcommittee.

**Board of Supervisors Response to Finding & Recommendation #1:**

The Board of Supervisors concurs with the Department’s response to the Grand Jury’s Finding and Recommendation.

**H&SS Response to Finding and Recommendation #2:**

This recommendation has been implemented. The regular presentations and discussions at the H&SS Subcommittee meetings provide an opportunity for board members to carefully monitor the effectiveness of the implementation of CWLA recommendations.

**Board of Supervisors Response to Finding & Recommendation #2:**

The Board of Supervisors concurs with the Department’s response to the Grand Jury’s Finding and Recommendation.

**H&SS Response to Finding and Recommendation #3:**

This recommendation will be implemented. As stated in a BOS agenda item dated February 7, 2006, the panel’s term will expire when the recommendations have been implemented.

**Board of Supervisors Response to Finding & Recommendation #3:**

The Board of Supervisors concurs with the Department’s response to the Grand Jury’s Finding and Recommendation.

**H&SS Response to Finding and Recommendation #4:**

This recommendation will be implemented.

**Board of Supervisors Response to Finding & Recommendation #4:**

The Board of Supervisors concurs with the Department’s response to the Grand Jury’s Finding and Recommendation.

**ALL COMPLAINTS RECEIVED ARE CONFIDENTIAL**

**Please provide as much information as possible.**

**Print clearly in ink.**

Your Name \_\_\_\_\_ Driver’s License No. \_\_\_\_\_

Home Address \_\_\_\_\_

Work Address \_\_\_\_\_

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

Is it appropriate to call you at both numbers?  
\_\_\_\_\_

What are the best times to reach you?  
\_\_\_\_\_  
\_\_\_\_\_

Official, Department and/or Agency the complaint is regarding:  
\_\_\_\_\_  
\_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Director/Department Head \_\_\_\_\_  
\_\_\_\_\_

Please summarize your complaint. Include date(s) of the event, names, departments, and/or agencies involved. Please print clearly and/or attach additional typed sheets. Keep a copy of all materials sent. **DO NOT SEND ORIGINALS** because they will not be returned.

\_\_\_\_\_  
\_\_\_\_\_  
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Officials, Departments or Agencies you have contacted regarding this situation:

Name \_\_\_\_\_

Agency \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Date Contacted \_\_\_\_\_

Disposition \_\_\_\_\_  
\_\_\_\_\_

Name \_\_\_\_\_

Agency \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Date Contacted \_\_\_\_\_

Disposition \_\_\_\_\_  
\_\_\_\_\_

Name any agency/person you have filed against for damages.  
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All information is confidential unless you choose to sign a release form.

Whom do you suggest the Grand Jury contact regarding this matter and why?

Name:

\_\_\_\_\_

Address

\_\_\_\_\_

Phone:

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Name:

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Address:

What action would you like to have the Grand Jury take? Be specific.

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**The Grand Jury does not accept unsigned complaint forms.**

Signature

\_\_\_\_\_

Date

\_\_\_\_\_

**CITIZEN**

**SOLANO  
COUNTY**



**Hall of Justice  
600 Union Avenue  
Fairfield, California  
94533  
(707) 207-7302  
Facsimile (707) 435-2573**