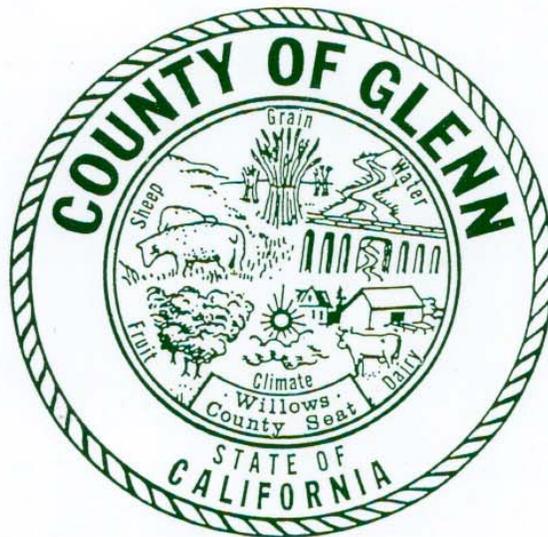




**2001/2002  
GLENN COUNTY  
GRAND JURY  
FINAL REPORT**





## Glenn County Grand Jury

May 20, 2002

The Honorable Angus I. Saint-Evens  
Superior Court Judge  
526 West Sycamore Street  
Willows, Ca 95988

Judge Saint-Evens:

The Grand Jury was sworn in and given the Court's charge in June 2001. The Jury members met, established their rules of procedures and formed committees. The Jury participated in a training session to familiarize themselves with Grand Jury procedures. The full Grand Jury met twice a month alternating between Orland and Willows. Committees met as often as necessary.

Throughout the year Jurors met with city and county government officials and interviewed government employees. This Jury had good attendance at its meeting with never less than 16 Jurors present for any meeting. I wish to thank each Juror for their individual contributions and hard work.

The reports contained herein and all recommendations made were reviewed and had the concurrence of at least twelve of the nineteen Grand Jury members. The undersigned did not participate or vote nor was he present during Grand Jury deliberations on the Human Resource Agency report.

We would like to thank the many city, county and district department heads and their employees for being so helpful to Jury members.

Sincerely,

A handwritten signature in cursive script that reads "James W. Jacobs".

JAMES W. JACOBS  
Foreman

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Role of the Grand Jury

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## **2001/2002 GLENN COUNTY GRAND JURY MEMBERS**

Kent Belveal

Everett German

Linda Greenacre

Lawrence Hampel

James W. Jacobs (Foreman)

Lin Jewell

Mary Jurdana (Secretary)

Therese King

J. R. Knowles (Foreman Pro Tem)

Kay A. Booth-Larsen

Julia Larson

Larry Mandella

John Minniear

Marilyn Rehse

William Schroer (Sergeant at Arms)

John Schuller

Donald Taresh

Tami Vincze

Donald Ward

## **THE ROLE OF THE GRAND JURY**

The Grand Jury is primarily an investigative body created by the U. S. Constitution's Fifth Amendment and the California Constitution.

Nineteen residents of Glenn County are selected after reviewing 30 to 40 people. Grand Juries are impaneled annually and are officers of the Court, but work independently. Most of the work is done by committees, which may include Public Safety, Public Works, Administration, Education, Social Services, Health Administration, City Government and Special Districts. Other committees may be appointed as needed.

The Grand Jury and committees meet several times a month. They meet with County and City officials, visit local government facilities and conduct research on matters of interest and concern. The proceedings of the Grand Jury are kept confidential. Jurors may not discuss the business of the Jury with other individuals.

The Grand Jury receives letters from citizens expressing concern over a particular matter of local government. Anyone can file a complaint with the Grand Jury. The Grand Jury chooses which complaints to investigate. The Grand Jury cannot investigate disputes between private parties. All complaints to the Grand Jury are confidential.

All Grand Jury findings and recommendations are issued in written reports. Each report must be approved by at least 12 members. At the end of the term (June 30<sup>th</sup>), the Jury issues a final report. Copies of the report are distributed to public officials, libraries, news media, and any entity that is the subject of a report. Within ninety days following the issuance of the report, officials responsible for matters addressed are required to respond in writing.

**2001-2002  
GLENN COUNTY GRAND JURY**

**FINAL REPORT**

**JUNE 30, 2002**

# GLENN COUNTY AGRICULTURE DEPARTMENT

## I. PURPOSE:

To conduct a routine visit to the Agriculture Department.

## II. BACKGROUND:

The Department employs 17 persons; 11 on the agriculture staff and 6 on the air pollution staff. A recently revised copy of the goals and objectives explains the services offered: environment protection, consumer protection, special services, weights and measures, air pollution control, and vegetation and environmental management.

## III. FINDINGS:

- \* The Department publishes an annual crop report which lists the production and value of field crops, apiary products, livestock and poultry, fruit and nut crops, forest products, organic farming, biological control and pest eradication. Also listed in the report is the annual rainfall for the last 120 years.
- \* Glenn County has a series of water wells to monitor ground water regarding quantity and quality. The Department will receive a grant to make possible the drilling of 18 more monitoring wells. The monitoring wells are used to measure the water table levels in certain areas of the County at various times of the year. This information will show the various state agencies the County's need for sufficient water for agriculture production.
- \* Flood control and ordinances regarding the levees along the Sacramento River are a concern to the Department. Some of the issues involved are: who is the controlling agency that oversees the levees, the condition of the levees, the plantings along the river, and the cooperation of the U.S. Fish and Wildlife Agency and the safety of the people and property along the river.
- \* Other areas of concern to the agriculture industry is the eradication of noxious weeds under the Vegetation Management Program and Pest Detection Program regarding the olive fruit fly, glassy winged sharpshooter, Japanese beetle, gypsy moth, etc.
- \* The Department is housed in a recently remodeled County building at 720 West Colusa Street, Willows. The remodeling has provided more room for program development, computer room, laboratory and storage.

## IV. CONCLUSION:

Although the Agriculture Department provides many needed and important services to Glenn County's largest industry, it also provides necessary services for the safety and protection of the citizenry.

## V. RECOMMENDATIONS:

- 02-01** There is a need for a larger conference room, which would allow for large agriculture-related groups to meet at the building site.

## VI. RESPONSE REQUIRED:

Board of Supervisors **(02-01)**

## **SPECIAL DISTRICT EXAMINATION**

### **I. PURPOSE:**

The Grand Jury decided to examine the special districts of Glenn County, of which there are forty-one, to see if there were anything untoward in their payment of directors' fees and benefits. We also investigated whether there was any accumulation of retained earnings.

### **II. BACKGROUND:**

To accomplish this the Grand Jury forwarded a questionnaire to the special districts' boards of directors. We received responses from twenty-five of the forty-one districts.

### **III. FINDINGS:**

- \* In reviewing the responses, the Grand Jury concluded that only one district paid directors' fees and benefits of any significance, that being the Glenn-Colusa Irrigation District. Our feeling is that the scope and time involved in that district's operation warranted the additional compensation.
  
- \* In looking at their retained earnings we noted that eight of the twenty-five respondents had retention in excess of 200% of their annual income. One, the Butte City Community Services District had retained earnings in excess of 500% of their annual income. Here again, we felt this not to be inordinate for this District when considering the need for heavy outlays in the event of an emergency.

### **IV. RECOMMENDATION:**

**02-02** We recommend that future Grand Juries continue to monitor these special districts in this regard and attempt to get a larger response than we obtained.

### **V. RESPONSE REQUIRED:**

None

**THE GRAND JURY FOREMAN RECUSED HIMSELF FROM ALL DELIBERATIONS AND GRAND JURY ACTIONS RELATING TO THIS REPORT.**

**GLENN COUNTY HUMAN RESOURCE AGENCY**

**I. PURPOSE:**

The Human Resource Agency has not been reviewed recently. No specific complaint was raised.

**II. BACKGROUND:**

The Human Resource Agency is made up of two different divisions.

- a. Community Action Division
- b. Social Services Division

The annual budget is 6.1 million dollars. They employ 141 full time people. The committee met with the Director and several program managers.

**III. FINDINGS:**

- \* The Community Action Division provides various community programs and grants dealing with housing opportunities for low income families. They provide mentoring programs, youth employment services, and the Family Resource Center. They also have a food bank and help displaced and abused family members into temporary housing. The employment services department provides daily up to date job listings for Glenn County and the surrounding counties. Counselors are provided, as well as computers to update resumes.
- \* The Social Service Department provides safe homes for abused children, child welfare services, adult services, foster care and counseling services. The general assistance program provides assistance to needy residents. The Child Abuse Treatment program (CHAT) works with Child Protective Services to provide assistance to child victims of abuse or neglect by adding therapeutic counseling to assist children in overcoming traumatic events.

**IV. CONCLUSION:**

The Human Resource Agency is working well with the community and is run very efficiently. They are taking advantage of the various grants available to help in Glenn County. They provide numerous programs of assistance to the families of Glenn County. Both divisions compliment the other in helping residents to become self-sufficient.

**V. COMMENDATION:**

By bringing together these divisions under localized control, the Human Resource Agency has cut through the "red tape bureaucracy". Unification is only as successful as the people involved. This Grand Jury has seen how successful and caring the people at the Human Resource Agency are. We commend them for their professionalism.

**VI. RESPONSE REQUIRED:**

None

# SCHOOLS

## I. PURPOSE:

To visit Glenn County schools and observe from a layman's point of view.

## II. BACKGROUND:

Since the Grand Jury is not trained to evaluate the curriculum or personnel, the main focus was on the overall appearance of the schools visited. The staff at all the schools were very gracious and helpful regarding questions asked. Maps of the campuses and directions given to various rooms were given. Some schools provided an escort while others allowed us to roam about the campus.

## III. FINDINGS:

- \* Visitations were made to nine schools: Mill Street, Fairview, C.K. Price, Orland High School and Independent Study in the Orland School District, Plaza School, Lake School, Murdock and Willows Intermediate School.
- \* The exterior and interior of the buildings were clean and maintained. Many of the rooms visited were decorated using current class project topics. The campus grounds were clean and well-groomed, free of trash and debris. Play areas seemed adequate. It is noted that Plaza School will replace old portable buildings during the summer of 2002 and reconfigure the grade placements.
- \* Teachers arranged their classrooms to suit their needs. Students were quietly studying or participating in class activities in an orderly manner. Discipline did not appear to be a problem.

## IV. CONCLUSION:

Each school visited seemed to have its own personality and character. Overall, there appeared to be a positive learning situation in each classroom visited. The Jury members observed "education in action".

## V. RECOMMENDATION:

- 02-03** Fewer students in the upper elementary grades would eliminate classroom overcrowding.
- 02-04** Encourage more parental involvement, as volunteers, in the classrooms.

## VI. RESPONSE REQUIRED:

- Superintendent – Orland Unified School District (**02-03, 02-04**)
- Superintendent – Willows Unified School District (**02-03, 02-04**)
- Superintendent – Plaza School District (**02-03, 02-04**)
- Superintendent – Lake School District (**02-03, 02-04**)

# **REGIONAL OCCUPATION PROGRAM AND GLENN ADULT PROGRAM**

## **I. PURPOSE:**

To obtain information regarding the Regional Occupation Program and Glenn Adult Program.

## **II. BACKGROUND:**

The Glenn County Office of Education (GCOE) supervises many areas of education in the County, such as, administrative services, business services, child and family services, curriculum and instructional technology, human resource services, student services, health services, transportation, career preparation programs (ROP and GAP) and yes, even the senior nutrition programs.

## **III. FINDINGS:**

- \* Regional Occupation Program, ROP, for high school students and Glenn Adult Program, GAP, for adults over 18 years, are two separate programs under the auspices of the Glenn County Office of Education. There is no duplication of courses between the two programs.
- \* ROP classes are held in five high school districts: Hamilton City, Orland, Princeton, Stony Creek and Willows. Credentialed teachers teach a variety of courses, which includes hands-on skill training experience. Upon completion of the course the high school student earns high school credits and a Certificate of Proficiency. They can enter the job market with job skills or continue their training and education.
- \* The Glenn Adult Program, GAP, is also supervised by the Office of Education. A wide variety of courses are offered every nine weeks; such as, High School Diploma, English as a Second Language, Computer Applications, Traffic Violation School, U.S. Citizenship, Child Day Care Provider and many more. Classes are offered in Elk Creek, Orland, Princeton and Willows.

## **IV. CONCLUSION:**

Persons wishing to complete their education or to continue higher learning can improve their education skills through the ROP and GAP Programs, which offer job training skills and basic courses. Most of the GAP courses are taught in the evening, which allows the students to keep their job and attend classes.

The classes are not expensive and would allow a student to take a new course every nine weeks or to enroll in a class just for fun, to broaden one's horizons.

## **V. RECOMMENDATION:**

None

## **VI. RESPONSE REQUIRED:**

None

# **GLENN COUNTY PUBLIC WORKS DEPARTMENT**

## **Road Division**

### **I. PURPOSE:**

Review the Glenn County Road Division and the concerns others have expressed in the operations and safety of the Willows and Orland Maintenance yards.

### **II. BACKGROUND:**

The Road, Engineering and other departments were consolidated into the Glenn County Public Works Department in 1984. The Grand Jury has had inquiries into how the Willows and Orland Maintenance yards are operating.

### **III. FINDINGS:**

- \* The Willows yard has 8 employees, the Orland yard has 10 employees and 2 employees are assigned to the Elk Creek area.
- \* The Foreman at each yard holds a safety meeting each month. Every 10 days they hold a tailgate meeting to bring up any new developments.
- \* The Glenn County Public Works Department is associated with the Northern California County Engineers Association. This group sponsors a contest between the Northern Counties to recognize the County with the best worker safety record. Glenn County rated the safest from September to November 2001. There were no loss time accidents during that time.

### **IV. CONCLUSION:**

The Grand Jury would like to commend the Public Works Department for its safety record recognition. Safety should be everyone's priority at each level in the organization in order to protect employees and keep insurance costs down.

### **V. RECOMMENDATION:**

- 02-05** The Road Division Management should consistently apply policy and procedures at all maintenance yards insuring that safety meetings are routinely held, accurately documented and that employee attendance is mandatory.

### **VI. RESPONSE REQUIRED:**

Glenn County Public Works Director **(02-05)**

# **WILLOWS AIRPORT**

## **Nancy's Café Parking Lot**

### **I. PURPOSE:**

In response to a letter received on August 1, 2001, the Grand Jury looked into the concerns expressed about the roadway around the parking lot within the area of Nancy's Café at the Willows Airport.

### **II. BACKGROUND:**

On April 18, 2000, Glenn County entered into a new lease agreement (contract #497) with Nancy's Café at the Willows Airport, which required the lessee to resurface the parking lot on the eastside of the café by December 2002. This work was completed in May of 2002.

### **III. FINDINGS:**

- \* Grand Jurors inspected the area and noticed a truck parking area to the west of the café. The area appeared to have been freshly rocked with layers of gravel. It is noted that after storms this parking area will continue to be a maintenance problem. The Grand Jury met with a representative of the Public Works Department and a representative of Nancy's Café. After walking around the area and discussing the problem of the torn up roadway, it was a consensus of opinion that large trucks are parking in areas where they should not. This is causing most of the damage to the parking area.
- \* The Public Works Department has suggested that a barrier be placed running north and south extending from the fence. This barrier could discourage truckers from trying to park their trucks where they should not. No time line was given for this work to be done.
- \* It has been proposed to realign County Road G so that it will intersect Highway 162 at the same point as North Airport Road which borders the west side of the Wal-Mart property.

### **IV. CONCLUSION:**

It is the opinion of this Grand Jury that the excellent rapport that the Public Works Department has with the representative of Nancy's Café does alleviate some of the concerns about parking and the parking lot. The Grand Jury also believes that the surface of this entire area will be a continuing problem until new compacted sub-base and new black top is installed in the area.

### **V. RECOMMENDATION:**

- 02-06** Develop a long-range plan to control parking on the north side of the Willows Airport property that provides safe traffic patterns and minimizes damage to airport facilities and parking lot surfaces.

### **VI. RESPONSE REQUIRED:**

- Public Works Department **(02-06)**
- Board of Supervisors **(02-06)**

# ORLAND CITY COUNCIL

## Brown Act

### I. PURPOSE:

To follow up on last year's Grand Jury report.

### II. BACKGROUND:

After the firing of the Orland City Manager last year, the previous Grand Jury recommended that the City Council comply with the Brown Act. This year's Grand Jury followed up on their response. The Grand Jury sent out a questionnaire to all five of the Orland City Council members and only received three responses. In the three responses, it was clear that the Council still was not complying with the Brown Act. The committee therefore decided to interview all of the Council members individually to determine if the Council was in fact complying with the Brown Act. The Grand Jury also attended Orland City Council meetings to gain a better insight into the workings of the council and attended Willows City Council and Board of Supervisor meetings for comparison purposes.

### III. FINDINGS:

- \* As a whole, the Orland City Council members agree that they are complying with the Brown Act, but as individuals, all the Council members accused each other of not complying with the Brown Act.
- \* The Orland City Council members should give direction to the City Manager to negotiate labor contracts with city employees. These negotiations are to be discussed in closed sessions only and not to be discussed by the Orland City Council members outside of these sessions with the individual employees. Several times this year, a council member has violated this aspect of the Brown Act, which could have put this city in litigation with the individual employees.
- \* It is apparent to the Grand Jury and to the Orland City Council members that someone is leaking confidential information outside of closed session meetings. Each member denied responsibility for the unauthorized release of confidential information.

### IV. CONCLUSION:

The difficulties between Orland City Council members have hindered their ability to work together and govern in the best interests of the citizens of Orland. This has cost the City money. This Council could have achieved much more than they have if they had operated in a more cooperative environment. The cumbersome personnel terminations have resulted in litigation that has consumed City resources unnecessarily.

### V. RECOMMENDATION:

- 02-07** The members of the Orland City Council should adhere to the Brown Act. Each member of the City Council should keep closed session meetings, authorized by law, confidential. Closed sessions should be strictly limited to those topics authorized by law for closed sessions. The public business should be conducted in the open. Excessively long closed sessions or multiple sessions undermines public confidence and should be avoided.

**VI. RESPONSE REQUIRED:**

Orland City Council **(02-07)**  
Orland City Attorney **(02-07)**

# **ORLAND CITY COUNCIL**

## **Conflict of Interest**

### **I. PURPOSE**

Citizens expressed concern about City Council members voting on issues in which it appeared that a council member may have a financial interest in the outcome of the decision.

### **II. BACKGROUND:**

A liquor license sale and transfer came before the Council for its review. This item was on the Council Meeting Agenda as a consent item. A member of the council requested this item be removed from the consent calendar for discussion. The liquor license was discussed and then all members present voted to recommend that this sale and transfer not be approved due to the proposed location of the licensed premises. Because the item was removed from the consent calendar and voted on it was determined that it would have to be re-agendized and placed on a subsequent meeting agenda for action where the same outcome occurred. The City Attorney requested this item be brought back before the Council a third time where the vote taken was three to zero with two abstentions, with the abstainers stating they had a possible conflict of interest.

### **III. FINDINGS:**

- \* A council member was going to acquire a financial interest in an unsecured note in which the obligor was the owner of the said liquor license being sold which was before the Council for approval.
- \* The Council member apparently did not gain financially from this transaction.
- \* The Council member participated in two votes disapproving the sale and transfer of this license. The third time this issue was voted on the Council member abstained.

### **IV. CONCLUSION:**

It is unclear whether the transfer of the liquor license would have been a financial benefit to the Council member. Not allowing the transfer could have caused a hardship to the liquor license seller. In either case the Council member's involvement in discussions and votes taken on this issue have an appearance of a conflict of interest. Prudent wisdom would dictate that the Council member not participate in any discussion about a matter such as this where a financial interest in the outcome could be implied.

### **V. RECOMMENDATION:**

**02-08** Members of the City Council should more closely adhere to the Orland Municipal Code Chapter 2.16, Conflict of Interest Code.

### **VI. RESPONSE REQUIRED:**

Orland City Council **(02-08)**

# ORLAND CITY COUNCIL Trust

## I. PURPOSE

The Grand Jury decided to ascertain if the Orland City Council was complying with the Ralph M. Brown Act.

## II. BACKGROUND:

The Grand Jury mailed surveys to each member of the Orland City Council. Two questions on this survey related to the Ralph M. Brown Act, specifically whether council members felt they had sufficient training in the Brown Act and whether the Council was complying with the Brown Act. Only three responses were received. Therefore the Grand Jury met individually with all five members of the Orland City Council. Grand Jurors also attended City Council meetings. To gain better insight in the local legislative process Grand Jurors also attended Glenn County Board of Supervisors meetings and Willows City Council meetings in order to observe their demeanor.

## III. FINDINGS:

- \* The Grand Jurors were impressed with the dedication of each of the Council members to the well being of the City of Orland. The Jurors enjoyed frank discussion with each council member about their individual concerns with issues facing the City.
- \* Each one however expressed the shortcomings of the other council members and asked how the Grand Jury could help them with their problems.
- \* The Council members are suspicious of the actions of each other. Several Council members mentioned consulting with private legal counsel about their role in governing the city and their interactions with each other.
- \* It is apparent to members of the City Council and the Grand Jury that someone leaks confidential executive session discussions outside of the meeting.

## IV. CONCLUSION:

Each member of the Orland City Council because of their individual backgrounds contributes uniquely to the City of Orland. Due to the lack of trust this council is not performing as well as it could. This lack of trust among Council members gets in the way of productive discourse and action. If executive sessions called for a legal purpose are corrupted by the misguided actions of a member who discloses confidential information without proper authorization to do so, the ability of the Council to deliberate on matters requiring a closed session is seriously undermined. This City Council is mired in distrust.

## V. RECOMMENDATION:

- 02-09** The Grand Jury cannot decree that the members of this body trust each other. However, it is in the best interest of the City of Orland that its Council Members individually make a concerted effort to work together for the collective good.

## VI. RESPONSE REQUIRED:

Orland City Council **(02-09)**

# GLENN COUNTY COURTHOUSE

## Storage of Records and Documents

### I. PURPOSE:

An evaluation of the Glenn County Courthouse in Willows regarding storage of documents, evidence and court files.

### II. BACKGROUND:

The Glenn County Courthouse, which was built in 1894, is a historical building. This building is over 100 years old and has limited storage space.

### III. FINDINGS:

- \* Storage and shelving units near the work areas are lacking.
- \* It was noted that in some office areas, stacks of files were on the floor near the desks.
- \* The Grand Jury committee toured the Court storage area in the basement and was astounded by the number of boxes stacked throughout this area.
- \* It appeared that historical records, dating from 1891, court files, documents and other records are co-mingled in mass confusion.

### IV. CONCLUSION:

The separation of historical records and court records is necessary. Safe storage, e.g., dry, cool and ventilated, must be found for all the Glenn County historical records.

Some type of shelving units adjacent to the clerks' work areas is needed.

A potential hazardous fire condition in the courthouse basement exists because of the fire load created by the numerous cardboard boxes filled with paper.

### V. RECOMMENDATION:

- 02-10** A safe and sufficient storage space should be found for all Glenn County historical records.
- 02-11** During the planning stages of the remodeling, it is suggested that ample storage for non-current records be included in the plans.
- 02-12** The Grand Jury urges the Board of Supervisors and the Court to expedite Phase II plans. A fire hazard exists in the basement, which contains so much flammable material.

### V. RESPONSE REQUIRED:

Board of Supervisors (**02-10, 02-11, 02-12**)  
Court Executive Officer (**02-11, 02-12**)  
Building Maintenance and Inspection Director (**02-12**)

# GLENN COUNTY COURTHOUSE

## Security

### I. PURPOSE

An evaluation of security at the Glenn County Courthouse in Willows.

### II. BACKGROUND:

The Courthouse, which was built in 1894, is lacking security features. The exterior has been repaired. Interior improvements are planned.

### III. FINDINGS:

Some of the offices have panic buttons.

- \* One metal detector wand is in the courtroom for use by the bailiff.
- \* Transferring of adult inmates occurs through public access areas and among persons waiting to enter the courtroom.
- \* Transferring of juvenile offenders via an exterior metal stairway through both judges' chambers to the courtroom.
- \* There are no "safe" areas for victims of crime. Volatile family situations and angry members of the public could cause bodily harm to court employees and others.

### IV. CONCLUSION:

It is noted that at the October 2, 2001 Board of Supervisors meeting, the Board agreed to hire one full time perimeter security officer. Funding for this officer was made available through state funds. This has been implemented.

Within the next several years, the courthouse building is to undergo extensive interior remodeling; it is urgent that up-to-date security measures be included in the remodeling plan.

### V. RECOMMENDATION:

- 02-13** Remodeling plans should include a separate entry and staircase to the courtroom to be used exclusively by the jailers and offenders appearing in court.
- 02-14** Contact consultants regarding security, alarm and surveillance systems for all areas of the courthouse during the planning stage of the remodeling phase.
- 02-15** Staff should contact and visit other courthouses and learn from other courts which systems work the best.
- 02-16** The Board of Supervisors is urged to expedite phase II plans because of lack of adequate security at the courthouse.
- 02-17** A secure holding area for in-custody individuals should be a high priority.

### VI. RESPONSE REQUIRED:

Building Maintenance and Inspection Director (**02-13, 02-14, 02-15**)

Board of Supervisors (02-16)  
Sheriff (02-13, 02-17)  
Court Executive Officer (02-13, 02-17)

# GLENN COUNTY COURTHOUSE

## Safety

### I. PURPOSE:

Tour of the Glenn County Courthouse building in Willows regarding safety.

### II. BACKGROUND:

During the Phase I restoration of the Courthouse the building was stabilized according to earthquake standards. No interior remodeling occurred regarding safety measures for the public, the employees and the preservation of documents.

### III. FINDINGS:

\* The following safety hazards were noted:

Dimly lit main hallway, stairway and second floor landing.

Lack of ventilation of second floor landing.

Lack of space and seating on the second floor landing when Court is in session. People were observed sitting on stairs. The public is crowded into inadequate space, blocking access to the only restroom facility in the building.

Public access to marked exits in case of fire or other emergency is inadequate.

### IV. RECOMMENDATION:

**02-18** Improve lighting by replacing incandescent light bulbs with compact fluorescent bulbs, which last much longer and reduce lighting costs significantly.

**02-19** Confer with lighting experts in order to maintain old fixtures, but add more illumination.

**02-20** Install better signage for emergency exits in the event of fire or other emergency.

**02-21** Expedite Phase II upgrades to address safety and security hazards at the Courthouse.

### V. RESPONSE REQUIRED:

Board of Supervisors **(02-21)**

Building Maintenance and Inspection Director **(02-18, 02-19, 02-20, 02-21)**

# GLENN COUNTY SENIOR NUTRITION PROGRAM

## I. PURPOSE:

Evaluate the performance of the Senior Nutrition Program in Glenn County.

## II. BACKGROUND:

Grand Jurors met with Senior Nutrition Center staff to review the operations of this program. This program was first located at the Glenn County Fairgrounds cafeteria and moved in 1986 to the Orland Senior Center at 19 East Walker Street. The Nutrition Program and the Senior Center are two separate entities. A non-profit group owns the building, governed by a ten-member board, five from Orland and five from Willows. The Nutrition Program pays a monthly \$50 maintenance fee plus utilities (the total monthly average cost is between \$500 and \$700) for the use of the Orland building. The Willows Nutrition site is located at the Episcopal Church Parish Hall at 556 E. Sycamore Street, with a monthly rent of \$325 including utilities. In addition to serving Glenn County Senior Citizens, the Nutrition Center provides all of the food preparation for the Colusa County Senior Nutrition Program. All meals are prepared at the Orland site.

## III. FINDINGS:

- \* The staff consists of a director, assistant director, three site supervisors, head cook, dishwasher and three van drivers. Persons performing community service through the probation department and volunteers provide other assistance.
- \* The Senior Centers along with providing nutritious meals also create opportunities of much needed social interaction with peers.
- \* Meals served at the centers cost \$5.53 to prepare while homebound meals cost \$5.69 to prepare and deliver. Monthly meals served are approximately 2600 in Glenn County and 1309 in Colusa County.
- \* An increase in the cost of food, gasoline, vehicle maintenance and an increasing need for homebound meals has caused a budget shortfall. In order to continue the Nutrition Program, staff members, except the cook and dishwasher, have been reduced to a four-day work week, and one position has been eliminated. Home deliveries were reduced to four days per week.
- \* Funding for the Senior Nutrition Program comes from a variety of sources. They include the U. S. Department of Agriculture, California Department of Aging, Glenn County Board of Supervisors, fundraisers, private donations and memorials.

## IV. CONCLUSION:

The Glenn County Senior Nutrition Program provides essential nutritious meals and social interaction for Glenn County's senior citizens who utilize this program. Funding for this valuable program should be assured.

## V. RECOMMENDATION:

- 02-22** County resources should be pooled to more aggressively work together to develop more substantial and secured sources of funding for this necessary service to Glenn County's senior citizen population. As our population ages and the number of seniors increase, the demands on this program will also increase.

**VI. RESPONSE REQUIRED:**

Glenn County Superintendent of Schools **(02-22)**  
Glenn County Human Resource Agency **(02-22)**  
Willows City Council **(02-22)**  
Orland City Council **(02-22)**  
Board of Supervisors **(02-22)**

# BUTTE CITY CEMETERY

## I. PURPOSE:

To follow up on 2000/2001 Grand Jury report.

## II. BACKGROUND:

The Butte City Cemetery is an old public cemetery located on County Road "Y" in southeastern Glenn County. Grand Jurors visited the cemetery several times and found it to be in a poor state. After receiving the Board of Supervisors' response to last years report and feeling that not enough was being done to repair the cemetery, Grand Jurors investigated which entity was the legal owner of the cemetery, as there was doubt about the true owner. Grand Jury members met with a member of the Board of Supervisors, the land owner adjacent to the cemetery and the Public Works Department to get a better understanding of what has been done and what can be done to repair the cemetery.

## III. FINDINGS:

- \* In Book Five, Map of Surveys, page 22 recorded in Glenn County in 1923, the legal owner of the Butte City Cemetery is Marvin Chapel Cemetery District.
- \* Volunteers were available to level the land, build a fence on the west side of the cemetery and set to right the grave markers.
- \* The County charged the Marvin Chapel Cemetery District \$605.00 for spraying weeds around the cemetery without the District's permission to do so.
- \* The Butte City Cemetery is overrun with ground squirrels and on the west side there are trees that need replacement.

## IV. CONCLUSION:

Spraying weeds is not a satisfactory solution for maintaining the Butte City Cemetery. The land needs to be leveled, grave markers put in their proper place, varmints brought under control and dead trees removed with new ones to take their place. Once it is brought up to satisfactory condition, it can be properly maintained. The location of graves needs to be established. Volunteers were available and are a key to the cemetery's repair. The Grand Jury believes that the Marvin Chapel Cemetery District could have done much more with the \$605 it was charged for weed spraying than just spray the weeds.

## V. RECOMMENDATION:

- 02-23** The Board of Supervisors needs to recognize that the Marvin Chapel Cemetery District is the legal owner of the Butte City Cemetery and provide sufficient funds to that District to repair and maintain it. Without sufficient funds, Marvin Chapel Cemetery District cannot provide the proper maintenance of the cemetery that our pioneer ancestors deserve.

## VI. RESPONSE REQUIRED:

Board of Supervisors **(02-23)**

# MOSQUITO AND VECTOR CONTROL DISTRICT

## I. PURPOSE:

The Grand Jury reviewed the activities of the Mosquito and Vector Control District.

## II. BACKGROUND:

There was a question of why there were so many mosquitoes in the area when there was a mosquito abatement district in Glenn County.

## III. FINDINGS:

- \* The Mosquito and Vector Control District is a special district that serves only the Willows area.
- \* This district should be commended for their innovative development of the Mosquito Fish Program, which helps subsidize their budget. The creative ways they have developed to ensure their department gives the greatest cost benefit to their district.
- \* There are two potentially deadly mosquito-transmitted diseases that will probably reach Glenn County in the next year or two.

## IV. CONCLUSION:

The Grand Jury has concluded that this program is very well managed. However, their inability to reach other areas of the county puts the county at risk from the influx of the West Nile Virus, the Western Equine Virus and other viruses.

## V. RECOMMENDATION:

- 02-24** The County needs to develop a consolidated countywide program for mosquito control to include the Mosquito and Vector Control District and the Rice Pest Abatement District. In the event they cannot provide a countywide district, there should be in place an emergency plan to respond to an influx of one or more of these mosquito borne viruses.

## VI. RESPONSE REQUIRED:

Board of Supervisors **(02-24)**

# GLENN COUNTY ANIMAL CONTROL

## I. PURPOSE:

The Grand Jury inspected the Animal Control Department.

## II. BACKGROUND:

The Grand Jury visited the Animal Control Department in May of 2002. Information was provided on every aspect of this Department's responsibilities. Presently the Animal Control Officer, two deputies, a secretary and a part time helper staff this department. The part time employee works three days a week. The Animal Control Officer or one of the deputies are on call or work seven days a week from 5:00 a.m. to 5:00 p.m.

## III. FINDINGS:

- \* The Department contracts with the City of Orland and the City of Willows to provide animal control services. The City of Willows includes cat control in its contract; the City of Orland does not. The Department canvasses for license and vaccination deficiencies. If someone is not complying with the animal control laws they are issued a "fix it" ticket. This citation is followed up to ensure compliance. Puppies must be vaccinated for rabies at four months. There is a spay and neuter program that offers these services at half price. Feral cats are neutered for free.
- \* Redemption fees for dogs are: first offense is \$25; second offense is \$50; the third offense is \$75. Euthanasia charges are: dogs \$12.00; cats \$7.50; puppies and kittens are \$5.00. The disposal fee is \$3.00 per animal plus the current fee assessed at the Glenn County landfill for animal disposal.
- \* The Department contracts with an area veterinarian for the holding and disposal of strays. Dogs are held in 3' x 6' concrete enclosures, which are hosed off each morning for cleaning. This is an acceptable method for cleaning the kennels.

## IV. CONCLUSION:

There is no outside area for the dogs and no place for them to stay while the hosing off of the kennel floor is taking place. There is no place for them to sleep except on the cold, maybe wet, concrete where they must also urinate and defecate. Food and water are placed in bowls on this same floor.

## V. RECOMMENDATION:

**02-25** Request that the contracting veterinarian install above the concrete floor, a suitable platform which would not interfere with the cleaning process and would give the dogs a clean place on which to lie. Also obtain food and water dishes that could be clipped to the fencing. It may be necessary to include this as a requirement when the contract is renewed.

**02-26** The City of Orland should include cat control in their contract with Animal Control.

## VI. RESPONSE REQUIRED:

Animal Control Officer (**02-25**)  
Orland City Council (**02-26**)

# GLENN COUNTY HEALTH SERVICE AGENCY

## I. PURPOSE:

To follow up on 2000-01 final Grand Jury report.

## II. BACKGROUND:

There are eight-five employees in the Health Services Agency. Approximately 85-90% of this agency's budget is funded from State and Federal sources. The Grand Jury met with the Director and several program managers.

## III. FINDINGS:

The Health Services Agency is made up of five departments:

- a. Environmental Health
- b. Mental Health
- c. Drug and Alcohol
- d. Public Health
- e. Fiscal

- \* The Environmental Health Department deals with pollutants in the water, ground and air.
- \* The Mental Health Department works with long term care and mental health treatment for Adult Protective Services. The Children's System of Care works with children and parents that are in different programs, consolidating the various agencies that are working with inter-agency cases.
- \* The Drug and Alcohol Department manages the adult and juvenile drug court cases. Their goal is to help the individuals into recovery so that they can make good choices and not re-offend.
- \* The Public Health Department provides medical services such as T. B. and HIV testing. They provide counselors and work closely with individuals. They also provide for needy moms, layettes made by the Mennonites.
- \* The Fiscal Department manages the funding from the various sources and handles all grant accounting compliance.

## IV. CONCLUSION:

The Health Services Agency is being run very efficiently. They have just been reviewed by the State and were highly praised.

## V. RECOMMENDATION:

None

**GLENN COUNTY HEALTH SERVICES AGENCY**  
**Mental Health Division**  
**Review of Policy**

**I. PURPOSE:**

The Grand Jury inquired into the Mental Health Division of the Health Services Agency to determine if law or Agency policy had been violated with regard to the Mental Health Division's handling of a client and the client's children's relocation to another County.

**II. BACKGROUND:**

The Grand Jury became aware of an incident involving the relocation of a Mental Health Client and her children out of the area because of alleged domestic abuse. The Grand Jury reviewed investigative reports from the Glenn County Sheriff's Department and the District Attorney's Office. Grand Jurors also had a meeting with the following Health Services Agency Staff: the Director, Chief Deputy Director and a Program Manager. The County Counsel accompanied the above to this meeting. The County Counsel's stated purpose for attending this meeting was so that violations of client confidentiality did not occur. The Grand Jury received additional information from others close to the situation.

**III. FINDINGS:**

- \* The Director was not made aware of this incident until weeks later when contacted by a member of the media.
- \* The Mental Health Division assisted the client's and the children's relocation at the request of the client.
- \* Mental Health staff members involved in this incident were not aware of P.C. Section 278.7, which requires that the client notify the District Attorney of the client's whereabouts within 10 days of relocation.
- \* Staff notified the Program Manager during the incident about what steps were being taken and approval was given. The use of County funds was approved at this time to assist this client with relocation. This is a routine practice and not out of the ordinary according to the Agency Director. Staff did not attempt to contact any other County agency or other victim assistance program regarding this situation.

**IV. CONCLUSION:**

It appears that the Mental Health Division staff was acting in the best interest of the client and children with the information available to them at the time the decision to help was made.

It is apparent that Agency policy had not been updated to inform the client of the client's responsibility to comply with California Penal Code Section 278.7.

The client notified the District Attorney per 278.7 P.C., but was late in doing so. This notification is required within 10 days and the District Attorney in this case received the notification on March 12, 26 days after the relocation.

**V. RECOMMENDATION:**

- 02-27** Mental Health Division staff should keep abreast of changes in statutes that relate to services they provide clients.
- 02-28** The Mental Health Division should coordinate with existing social service agencies and programs designed and funded to handle this type of situation.
- 02-29** The 2002/2003 Grand Jury should review Health Services Agency's use of funds in this type of situation.

**VI. RESPONSE REQUIRED:**

Health Services Agency Director (**02-27, 02-28**)

# **LOCAL GOVERNMENT**

## **Closed Session Meetings**

### **I. PURPOSE:**

To evaluate closed session meeting activity of the Glenn County Board of Supervisors, the Orland City Council and the Willows City Council.

### **II. BACKGROUND:**

The Grand Jury and indeed citizens in general, often hear that local governments spend too much time in meetings, which are closed to the public. The Ralph M. Brown Act requires that the public's business be conducted in the open, as the public has a right to know what their governing bodies are up to. The Brown Act also specifies legal reason for governing bodies to meet in closed session. Primarily closed sessions are allowed for personnel matters, labor negotiations and to confer with legal counsel about litigation in which the entity is involved. There are other reasons, such as negotiations for the purchase of property, but these are rare.

The Grand Jury reviewed meeting agendas and minutes for all meetings held by the Board of Supervisors and the City Councils of Willows and Orland, for the 2001 calendar year. This was done to determine the actual amount of time each entity met in closed session.

### **III. FINDINGS:**

- \* The County of Glenn has 524 employees represented by four employee unions. The City of Willows has 35 employees represented by two employee unions. The City of Orland has 35 employees represented by three employee unions.
- \* Total number of meeting hours in 2001 was Board of Supervisors – 111, Willows City Council – 30.45, Orland City Council – 76.32.
- \* Total number of hours of the total meeting time that was held in closed session: Board of Supervisors – 20.88, Willows City Council - 7.2, Orland City Council – 26.43. A graph illustrating these figures is on page 26 of this report.
- \* The number of closed sessions that were held for indicated purposes:

	Orland City Council	Willows City Council	Board of Supervisors
Litigation	18	5	4
Personnel	15	4	17
Labor	10	1	5

A graph indicating these figures is on page 27 of this report.

### **IV. CONCLUSION:**

The Willows City Council spent 24% of its total 2001 calendar year meeting time in closed session.

The Orland City Council spent 34% of its total 2001 calendar year meeting time in closed session.

The Board of Supervisors spent 19% of its total 2001 calendar year meeting time in closed session.

A graph illustrating these figures is on page 28 of this report. This analysis was done to illustrate the amount of meeting time our local governing bodies have met in closed session.

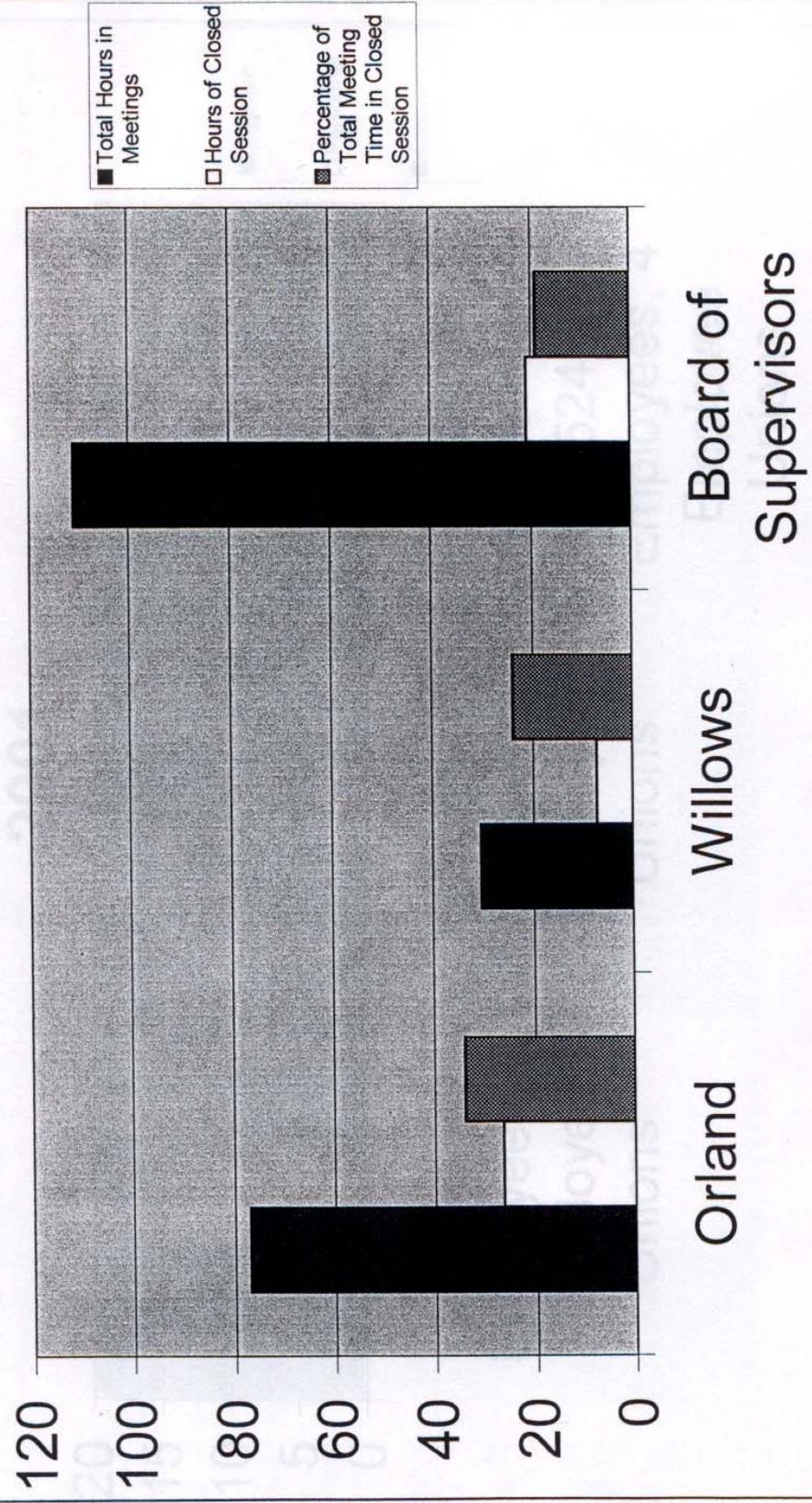
**V. RECOMMENDATION:**

**02-30** The Grand Jury feels that more time spent in open session would be beneficial to the governed.

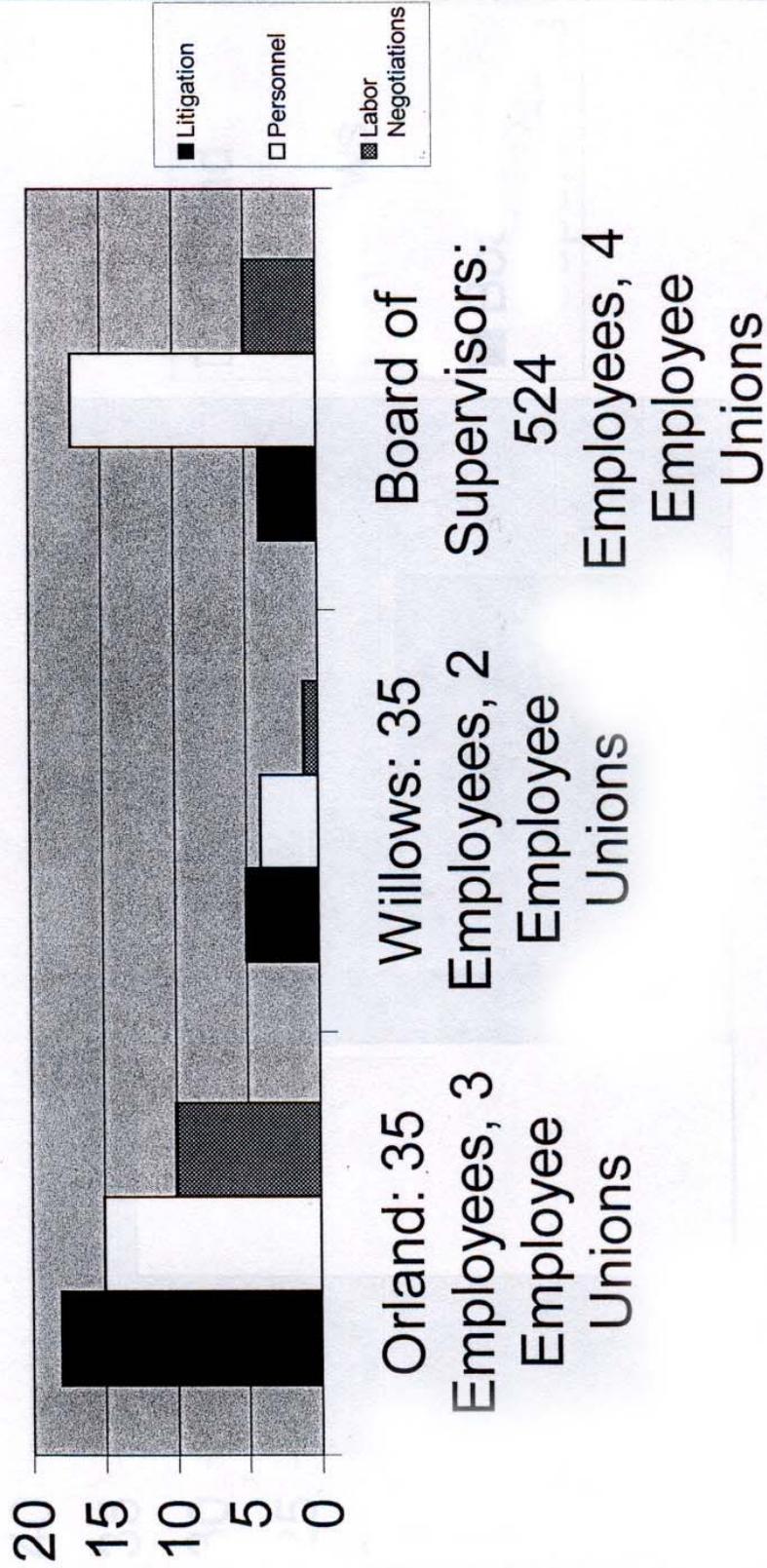
**VI. RESPONSE REQUIRED:**

Orland City Council **(02-30)**  
Willows City Council **(02-30)**  
Board of Supervisors **(02-30)**

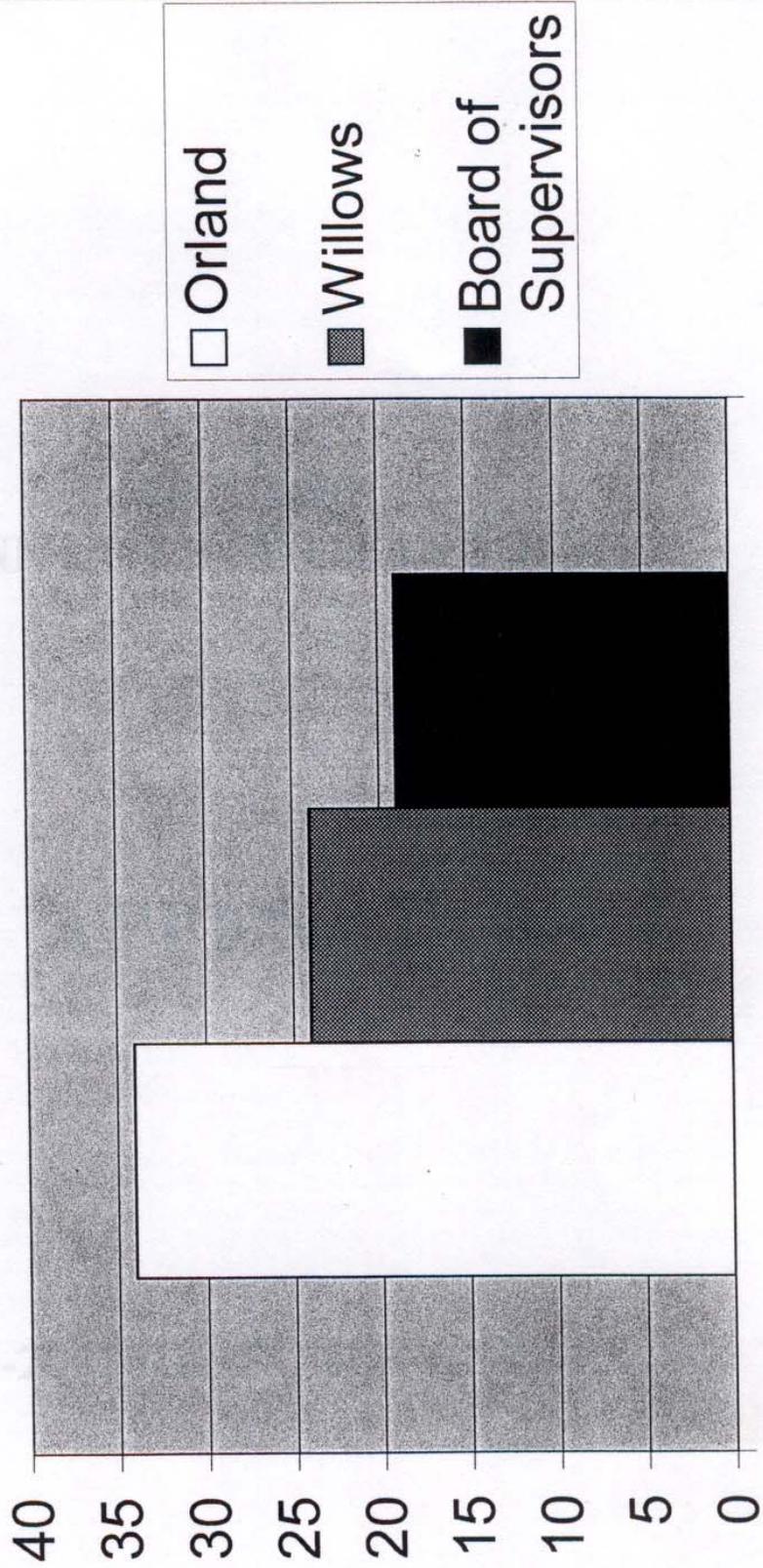
# Total Hours and Percentage of Closed Session Hours Calendar Year 2001



# Number of Closed Sessions Held For Indicated Purpose Calendar Year 2001



# Percentage of Total Meeting Time in Closed Session Calendar Year 2001



**2001 – 2002  
GLENN COUNTY GRAND JURY**

**APPENDIX**

**2001 – 2002 REPOSE REPORT**

## **RESPONSE COMMITTEE REPORT**

The 2001-2002 Grand Jury is responsible for the review and evaluation of the responses made to the findings of the previous Grand Jury. The responses and evaluations follow.

### **GLENN COUNTY BOARD OF SUPERVISORS** Purchasing Procedures

**01-01** The Administrative Manual should be updated to reflect the new language.

**RESPONSE: Glenn County Board of Supervisors**

Chapter 11.02.06 the Administrative Manual was originally updated and distributed on January 8, 2001, but due to the drop of a footnote while updating another portion of that title, the data was inadvertently deleted. This was discovered and the error was corrected. The procedure has been reviewed to improve the updating sequence.

**RESPONSE: Department of Finance**

The Administrative manual should be updated to reflect the new language.

The Clerk of the Board transmitted the language referenced to all users of the manual in January 2001. The Department of Finance has followed the provisions of the amendment since the adoption of the resolution.

**2001-02 Grand Jury Evaluation:**

This is an acceptable and completed response.

**01-02** Publish the narrative descriptions and other illustrative material, such as charts and graphs that describe the individual budget units in the Annual Proposed Budget for review by the Board of Supervisors and the public at annual budget hearings in June. The Final Budget, which would reflect any changes made by the Board to the Proposed Budget, could still be prepared and adopted separately in August as it is currently done, in accordance with the Budget Act.

**RESPONSE: Board of Supervisors**

Narratives on each budget unit as noted are already included in the Annual Proposed budget. Other budget data though would be difficult to capture, with the uncertainty of funding that has dictated the initial preparation of unit budgets these last few years. Budget presentations including graphs depend on which version or percentage reduction the Board is requesting at the time. Such presentations often do not reflect what is approved in the Final Budget and could be misleading to the public.

**RESPONSE: Department of Finance**

The narrative descriptions and other illustrative material were published in the "Tabulation of Department Budget Requests for fiscal year 2001-2002", which was published and adopted before the Proposed Budget was adopted.

**2001-02 Grand Jury Evaluation:**

Responses accepted.

**GLENN COUNTY BOARD OF SUPERVISORS**

Butte City Cemetery District

**01-03**

The Board of Supervisors should take the necessary steps to recognize the Butte City Cemetery District as a legitimate Glenn County entity and arrange for the Cemetery's restoration and regular maintenance.

**RESPONSE: Board of Supervisors**

This matter will be forwarded to the Glenn County Counsel for further research to recognize the Butte City Cemetery District as a legitimate Glenn county entity, for the Board to consider and take the appropriate action. The Agricultural Department has been spraying the weeds for the last two years. In addition, the Agricultural Department is in the process of trying to secure chain-link fencing from surplus to enclose the cemetery, with the help of the Valley View Conservation Camp.

**2001-02 Grand Jury Evaluation:**

This is an acceptable response. Follow up is recommended for future Grand Juries to ensure this segment of Glenn County's history is well cared for and preserved.

## FINANCE DEPARTMENT

01-04

The current requirement for employee liability insurance on their personal vehicles should be lowered to the State minimum requirement, which is \$15,000 per person for bodily injury; \$30,000 per incident for bodily injury and \$10,000 for property damage.

**RESPONSE: Director of Finance**

I agree. I would be pleased to prepare the amendment to the County policy should the Board decide that was prudent.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of Department of Finance dated August 27, 2001, and this matter will be placed on a future agenda for the Board's consideration.

**RESPONSE: Golden State Risk Management Authority**

Page 12, item IV of the 2000-01 Grand Jury Report requires a response from the Golden State Risk Management Authority. The Grand Jury recommends that the County lower their current automobile liability requirements for employees that use their personal vehicles for County business. The Grand Jury cited that the higher liability limits are a financial hardship on lower income employees.

It is the recommendation of the Golden State Risk Management Authority that the policy that is in place should not be amended to lower the limits. Lowering these limits increases the County's exposure considerably.

First, and most obvious, the County's coverage would trigger as secondary coverage at a much lower level. The minimum limits required by the State do not limit the amount a party can be held liable for as a result of a loss. The Authority has claims history that supports this fact.

Second, the argument that the cost of the higher limits can be prohibitive on lower income drivers is not sound. Insurance rates in California are weighted heavily on an operator's driving record. The difference in rates for higher limits of liability are the most cost prohibitive for impaired risk drivers. The County would be exposing itself to the liability of higher risk drivers.

Third, the practice of employees using their own vehicles in the course of employment should be minimized or eliminated. The County is taking on a significant additional liability. The most troublesome issue is determining at what point the County's liability ends. When the limits of liability are unsatisfactory, claimants are looking for some "deeper pockets". Who is to determine if the vehicle was being used in the course of employment or not? Once the employees' vehicle is put into service on behalf of the County, what time of day or night is it "out of service"? For that matter, what day of the week was it, or was it not being used in the course of employment? In addition, the County has little control over the condition of the vehicle and its various safety devices.

The Authority paid in excess of \$227,000 on a 1994 loss that involved an employee operating their personal vehicle while allegedly on duty for the employer. In that action, the vehicle had minimum limits of liability and involved serious injury. The facts of this loss reinforce and support the Authority's position on this matter.

Currently, the Authority does not screen vehicle use of member agencies. The Board has not adopted a policy to obtain Motor Vehicle Reports for every driver of every member agency before they are allowed to operate a vehicle on behalf of the agency. Should the recommendation to lower the limits be adopted, the Authority may look to this option as a way of protecting the overall membership.

We recognize the “cost” issue outlined in the report. However, it is our position that to lower the limit requirement would expose the County of Glenn, and in turn, the taxpayers of the County to unnecessary risk.

**2001-02 Grand Jury Evaluation:**

This recommendation needs further study by the Board of Supervisors, Director of Finance and the Golden State Risk Management Authority.

## ASSESSOR'S OFFICE

**01-05** Establish a unit within the Recorder's Office that will restore and preserve County documents and artifacts.

**RESPONSE: Assessor**

The Recorder presently devotes approximately \$5,000 per year to restore and preserve historic documents under his authority. This process is done by a private firm that specializes in restoration techniques. Thus the Recorder does have a procedure in place, but this admittedly does not address other historical documents or artifacts.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of the Assessor, dated August 27, 2001.

**2001-02 Grand Jury Evaluation:**

The Recorder does an enormous amount of restoring in the limited amount of money allocated to this project. However, this Grand Jury is concerned with the "other historical documents or artifacts," that are currently being stored.

**01-06** Designate a centralized location for storage of all restored documents and historical artifacts.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached responses of the Assessor, dated August 27, 2001 and the Building Department, dated August 9, 2001. In addition, should the County budget improve in future years, the Board should consider financing this restoration process.

**RESPONSE: Building Department**

Presently, there is no open/available space for safe storage of restored documents and historical artifacts. I feel this is a matter requiring the County Facilities Planning Committee's review.

**RESPONSE: Assessor/Clerk Recorder**

As in the recommendation above, the Recorder does have a location for those documents he is restoring, the Recorders' vault, but I believe the Grand Jury's intent here is for a central location for all restored documents and historical artifacts. As a County Official in charge of a variety of departments, I find merit in the Grand Jury's recommendation. Unfortunately, the restoration process and provision of the right kind of storage facility is expensive.

**2001-02 Grand Jury Evaluation:**

The Grand Jury agrees that the need for a centralized location is expensive. However, continued effort must be made to find a location for these historical documents and artifacts.

**01-07** Purchase necessary scanning equipment for the proper restoration of all County documents and historical artifacts.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of the Assessor, dated August 27, 2001.

**RESPONSE: Assessor/Clerk Recorder**

I find myself in agreement with Grand Jury on this recommendation also. We will be reviewing the possibility of starting an initial scanning process within the Micrographics Department during this next year. Allowing for budgetary and staffing constraints, we hope that this process will expand to the other offices within the County.

**2001-02 Grand Jury Evaluation:**

The process in the Micrographics Department has been started. However, as stated before, this Grand Jury is concerned with “other historical artifacts”.

**01-08** Consider utilizing citizen volunteers to assist in historic record and artifact preservation.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of the Assessor, dated August 27, 2001.

**RESPONSE: Assessor**

I agree, once a process and storage facility is in place. Trained citizen volunteers could certainly assist.

**2001-02 Grand Jury Evaluation:**

It has been recommended that the abandoned wing in the Glenn County Medical Center could be used for storage of historical documents and artifacts. There is an enormous amount of documentation that is at risk of being destroyed. It is imperative that future Grand Juries look into how the County is handling this problem. Our government officials must remember their solemn obligation to and responsibility in preserving our heritage.

## GLENN COUNTY JAIL

**01-09** Complete a study of the staffing requirements of the jail. Consider a further study of the salaries to make these positions more attractive thereby improving the recruitment and retention of the staff of the Sheriff's Department and the jail staff.

**RESPONSE: Personnel Director**

In Glenn County, each individual Department Head is charged with determining the appropriate staffing levels for the operations he or she oversees. Should the Department Head request the Personnel Director's assistance in determining the proper staffing level, this office is more than willing to help.

The salary and classification study done on behalf of the County determined that the Correctional Staff was approximately 20% behind market. Since that time the County has granted raises of 14% to the correction staff with an additional 5% increase to be granted in October of this year. In July of 2002, there will be a raise of up to 4% with an additional 5% to be granted in October of 2002. Over two years the County will have increased the salary by a total of 28% in an attempt to remain competitive in attracting and retaining qualified individuals. In addition, during negotiations, the County agreed to grant Sheriff's Corrections "Safety Retirement" in July of 2003, again in an attempt to remain competitive in the market place. Glenn County through its negotiations with the Employee's Representation Unit has negotiated a compensation package that will keep us competitive in attracting and retaining qualified employees.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of the Personnel Director, dated August 28, 2001.

**2001-02 Grand Jury Evaluation:**

The recommendation is being implemented.

**01-10** In the interests of safety and security it is again recommended that the planned improvements be expedited.

**RESPONSE: Sheriff**

1. Security of the fenced area outside the kitchen needs to be addressed to discourage contraband and escape.

This project has not been undertaken due to budgetary constraints. In addition, It is planned that some construction (an additional freezer, generator replacement and possible equipment movement) will be taking place in the area and therefore it was determined that implementation of the security project should taken place AFTER the construction projects were completed.

2. Complete all remodeling and improvements already funded as soon as possible to insure the safety of inmates, staff and community.

The improvements pending will be completed, as funds are available. Some of these projects will be completed with State and Federal funds because of revenue shortfalls in the County budget. In order of priority, they have been addressed as follows:

- a. Installation of additional closed circuit security cameras in and around the facility.

This project is approximately 40% completed. Cameras are installed, completion of the remaining equipment should take place within the next six months.

- b. Install additional walk-in freezer.

Funding has been secured for this project and price quotes are being sought.

- c. Replace current generator with a larger capacity unit.

The Department has secured two generators. Quotes are being obtained for conversion and installation. These two pieces of equipment will allow us to supply emergency power to the entire Jail, the Sheriff's Administration Building and the Orland Sub-Station.

- d. Widen the sally port entrance.

This project is dependent on the availability of I.N.S. funds. During the last fiscal year, there were not sufficient funds to begin this project. We do NOT anticipate being able to begin this project during the 2001/02 year.

- e. Provide secure walkway between the jail and the courthouse.

This item is part of a courthouse security plan and remodel and will trail until a decision is finalized on the entire project

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of the Glenn County Sheriff, dated August 22, 2001.

**2001-02 Grand Jury Evaluation:**

The recommendations are being implemented.

**01-11**

Once again, and for the same reasons, a cover for the slicer must be found.

**RESPONSE: Sheriff**

This issue has been addressed and proper security measures are in place. This meat slicer is covered with a vinyl cover that is in place whenever this piece of equipment is not in use.

**2001-02 Grand Jury Evaluation:**

Satisfactory

## **JANE HAHN JUVENILE HALL**

**01-12** We again urge the completion of the remodeling as soon as possible, as the overcrowding is unacceptable.

**RESPONSE: Chief Probation Officer**

The construction plans are complete at the design development phase and are to be mailed to the Board of Corrections by August 22, 2001. We hope to go out to bid within sixty days and start construction before the end of the year. Major construction such as this is most complicated and often a long, drawn-out process, especially as this is a grant project.

**RESPONSE: Building Maintenance and Inspection Director**

The Jane Hahn Juvenile Hall addition is in the design development stage and in line with the Grant's projected timetable. Construction documents will be transmitted to the Board of Corrections for comments and/or approvals in December 2001.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of the Chief Probation Officer, dated August 21, 2001.

**2001-02 Grand Jury Evaluation:**

Further follow up is required.

**01-13** The windows in the cells should be sealed, as the present facility will probably still be in use during the next wet season.

**RESPONSE: Chief Probation Officer**

Plans are underway to do a total reconstruction of all existing windows as soon as possible and prior to the winter season. Buildings and Grounds are aware of and involved in this initial project.

**RESPONSE: Building Maintenance and Inspection Director**

Building and Grounds will continue to make the necessary repairs on the windows within the cells.

**2001-02 Grand Jury Evaluation:**

Re-inspection during the rainy season is needed.

**01-14** Transportation needs, such as maintenance and need for a larger capacity vehicle, should be investigated.

**RESPONSE: Chief Probation Officer**

During the past six months, this department has received two new vehicles from grant resources and three new vehicles through the County's trade-in process. It is anticipated, by the time juvenile hall construction is completed, that two nine-passenger vans will be in place to provide adequate transportation. Currently, with our new vehicles in place, juvenile hall can meet its transportation needs.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of the Chief Probation Officer, dated August 21, 2001.

**2001-02 Grand Jury Evaluation:**

This response is satisfactory.

## **PUBLIC WORKS AND DEVELOPMENT SERVICES AGENCY**

**01-15**

Government entities with Glenn County should make every effort to ensure that purchases that can be credited to a point of sale within Glenn County are in fact so credited as such. This will return a portion of sales tax revenue to local jurisdictions.

### **RESPONSE: Board of Supervisors**

The Board agrees with the Grand Jury's recommendation and will make every effort to ensure that purchases are made within Glenn County where possible.

### **2001-02 Grand Jury Evaluation**

The Grand Jury accepts the Board of Supervisors response and hopes that they are in fact ensuring that purchases are made from Glenn County businesses.

## BUILDING DEPARTMENT

**01-16** When an inspector notes a discrepancy and the permit holder disputes the inspector's finding, the inspector should issue a written notice to the permit holder defining the code section in violation.

**RESPONSE: Building Maintenance and Inspection Director**

Building Department Policy is to always write out the discrepancy on a "Notice of Inspection" form. The original, which includes our phone number, is left at the job site at the time of inspection and a copy is retained at the Building Department. Actual code section text is available upon request.

**2001-02 Grand Jury Evaluation**

As long as the code section is cited with a brief narrative description, this response is acceptable.

**01-17** Inspectors that inspect the same job site, at different times, should ensure that the subsequent decisions are consistent with prior inspection.

**RESPONSE: Building Maintenance and Inspection Director**

The duty of the Building Inspector is to ensure code compliance. On a rare occasion, the human factor gets in the way. However, if a different inspector arrives on site and notices a significant code violation, it is his/her responsibility to address the problem. Avoidance of a problem could result in County liability for property damage, personal welfare, health and safety.

**2001-02 Grand Jury Evaluation**

The majority of citizens look for one thing in the enforcement of rules, regulations, codes and laws, that is consistency in application. If a "significant code violation" is overlooked by one inspector, but detected by another, the Grand Jury hopes that corrective action is taken to insure that it is not overlooked in the future.

**01-18** Consider the development of a process that allows a contractor to receive a certificate of code compliance at job completion when the work performed meets all the requirements a permit was issued for. This would allow the contractor to seek payment from the customer, even if the customer had other issues that prevented the inspector from issuing a final clearance because of other code violations discovered on the job site unrelated to the work the permit was issued for.

**RESPONSE: Building Maintenance and Inspection Director**

A "Notice of Inspection" form, along with the job card (customer required to maintain on site), details approvals and/or required corrections. (See Exhibits "A" and "B" attached.) This is adequate documentation of the job status. In addition, we have drafted a letter. (See Exhibit "C" attached.) However, in the event of a code violation that may affect health and safety, a final clearance may be withheld.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of the Building Department, dated August 9, 2001.

**2001-02 Grand Jury Evaluation**

This response is satisfactory.





Exhibit B

**FIELD INSPECTION RECORD CARD - TO BE KEPT ON SITE AT ALL TIMES**

**County of Glenn Building Inspection Department**

For Building Inspections Call 934-6545 or 6546

**Inspections must be requested 24 hours ahead of time.**

**NOTE: DO NOT COVER WORK UNTIL APPROPRIATE INSPECTIONS HAVE BEEN MADE.**

BUILDINGS			MANUFACTURED HOMES		
DESCRIPTION	DATE	INSPECTOR	DESCRIPTION	DATE	INSPECTOR
Setbacks			Underground Gas Piping		
Under-slab Plumbing			Underground Electrical		
Under-slab Electrical			Sewer Line (M.H. to City sewer or septic tank)		
Building Footings			Underground Water Piping		
Foundation Walls			Other		
Porch and Post Footings			<b>IN ORDER TO COMPLY WITH TITLE 25 WHICH GOVERNS M.H. SETUP REQUIREMENTS, THE ABOVE MUST BE SIGNED OFF PRIOR TO ANY M.H. INSPECTIONS BEING PERFORMED.</b>		
Floor Slab					
Garage Slab					
<b>POUR NO CONCRETE UNTIL ABOVE HAS BEEN SIGNED</b>					
Floor Framing			Setbacks		
Underfloor Plumbing			Footings		
Underfloor Mechanical			Blocking - Main Beams/Marriage Line		
Underfloor Electrical			Tie Downs		
Floor Insulation			<b>DO NOT PUT ON SKIRTING UNTIL ABOVE HAS BEEN SIGNED</b>		
Porch Underfloor					
<b>DO NOT COVER FLOOR OR PORCH UNTIL ABOVE IS SIGNED</b>			Continuity Test		
Roof Sheathing			Manometer Test (10-15 inches w.c.)		
Shear Nailing and Straps			10 psi Gas Test (if additional piping is added to the M.H.)		
Framing			Skirting ( * )		
Rough Plumbing			Exit Stairs:		
Rough Mechanical			Permanent Foundation:		
Rough Electrical			1 at each exit door		
Wall Insulation			No Foundation:		
Ceiling Insulation			min. 1 at final inspection ( * )		
Stucco Lath			Electric Service Tag		
Scratch Coat			Gas Service Tag		
Brown Coat			Address Posted		
Drywall Nailing			<b>OCCUPANCY GRANTED</b>		
10 psi Gas Test			<b>ADDITIONS TO MOBILE HOME ( ** )</b>		
Shower Pan			Footings		
Woodstove Wall Protection			Framing/Roof Nailing		
Masonry Fireplace Throat			Final		
Underground Electric			( * ) Requires reinspection fee if skirting and all exit stairs are not complete at final inspection. Must be completed within 60 days after occupancy is granted. ( ** ) Additional permit is required.		
Underground Gas			<b>COMMENTS:</b>		
Underground Water					
Sewer					
<b>COVER NO WORK UNTIL ABOVE HAS BEEN SIGNED</b>					
Siding					
Roofing					
Electric Service Tag					
Manometer Test (10"-15" w.c.)					
Gas Service Tag					
<b>JOB FINAL</b>					
<b>COMMENTS:</b>					



South Murdock Ave.  
Orland, California 95988  
Phone (530) 934-6545  
(530) 934-6546  
FAX 934-6542

NO MAIL RECEIVED AT THIS ADDRESS

327 4th Street  
Orland, California 95963  
Phone (530) 865-1113  
FAX 865-1183

To whom it may concern:

The Glenn County Building Department has performed an inspection of the electrical service panel located at:

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PROPERTY OWNER

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ADDRESS

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CITY

The above referenced work is approved per the requirements of the 1996 National Electric Code, although a green tag for energizing the electric service will not be issued due to the following 1997 Uniform Housing Code and Health & Safety Code violations:

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Please contact the Glenn County Building Department immediately for further information. Thank you.

## WILLOWS AIRPORT

01-19 Repair the damaged roads and parking areas at the airport

### **RESPONSE: Public Works Director**

On April 18, 2000, Glenn County entered into a new lease agreement (Contract #497) with Nancy's Café at the Willows Airport. Section 26 of the lease agreement specifies the restaurant parking lot will be resurfaced at the "sole expense of Lessee..." The work will be completed by "not later than December 31, 2002". Exhibit "A" for the contract identifies the area to be paved and is attached.

The parking lot should be resurfaced by the end of the year 2002.

The road repairs are still hampered by the airport budget.

In fiscal year 2000-01, the Willows Airport borrowed \$15,000 from the Road Fund to pay for the removal of the Airport's underground fuel storage tank. The Willows Airport did not have sufficient revenue to pay for this required removal. These funds have not been repaid because of lack of funds.

In the Spring of 2001, the Public Works Director requested \$10,000 to meet the Airport's on-going expenses from the Board of Supervisors because of lack of revenue. The Board of Supervisors loaned the funds to the Willows Airport Enterprise Fund. The loan also has not been repaid because of lack of funds.

At the end of fiscal year 2000-2001, the Willows Airport Enterprise Fund had a balance of \$95.00.

As you can see the lack of funds is a constant problem, which makes the funding of even minor repairs difficult.

Nancy's Café's lease agreement addresses resurfacing of the restaurant's parking lot. The Airport Advisory Committee concurs that the damaged roads and parking areas of the Airport need to be repaired. The Willows Airport does not generate sufficient revenue to afford the repair work. The Public Works Staff is researching the availability of various funding resources for the Airport. The repair work will be performed when the revenue is available.

### **RESPONSE: Board of Supervisors**

The Board concurs with the attached response of the Public Works Director, dated August 1, 2001.

### **2001-02 Grand Jury Evaluation**

These responses are accepted.

01-20 Heavy trucks be required to park in a designated area with signs to direct them.

### **RESPONSE: Public Works Director**

Most of the heavy trucks park on the west side of Nancy's Café. No Parking Signs are in place along the south side of State Highway 162. Trucks have been noted parking adjacent to the "No Parking" signs.

**RESPONSE: Airport Advisory Committee**

The Airport Advisory Committee recommends that local law enforcement be used to advise heavy trucks to park in the appropriate areas and not in designated "No Parking" areas.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of the Public Works Director, dated August 1, 2001.

**2001-02 Grand Jury Evaluation**

Satisfactory

## HEALTH SERVICES DEPARTMENT

**01-21** Inquire into more timely and productive methods of hiring procedures to reduce open vacancies.

**RESPONSE: Director of Health Services**

As stated last year, the Health Services Agency continues and will continue to work with the Personnel Department who is responsible for the timing of recruitments, notices and hiring procedures. The just completed, but not fully implemented, Classification and Salary Study, has been some help and continued efforts to keep that study from becoming outdated will be made. Regular discussions with the Personnel Director regarding improved methods for timely recruitments will continue.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of Health Services Director, dated July 23, 2001. On September 4, 2001 the Board directed the Personnel Director to develop a proposed recruitment plan that would "decentralize" certain recruitment processes to selected county departments that should result in a more timely and productive method of recruiting and hiring.

**2001-2002 Grand Jury Evaluation**

This is an acceptable response.

**01-22** It is recommended that the Department conduct annual surveys of all employees for continued improvement in communication.

**RESPONSE: Director of Health Services**

Currently, lines of communication within the agency follow the chain of command and include:

1. Unit Supervisor's weekly meeting with their Units.
2. Supervisors meeting regularly with other Unit Supervisors and administrative staff in a Management Team meeting for sharing of communications from the staff. The minutes from these meetings are made available to all staff.
3. Unscheduled attendance by upper management at Unit meeting and scheduled attendance as requested by Unit staff.
4. Monthly Resolution Group meetings with the Director, Deputy Directors and line staff without Unit Supervisors present. Line staff represent their individual units and have their questions and concerns addressed by upper management during these meetings.
5. The role set model, which allows all staff access to upper management as requested by staff.
6. Entire unit trainings with outside consultants around team building on an as required basis. For instance, a three-day team building with a two-day follow up occurred in the past 18 months and a similar event is scheduled for Drug and Alcohol staff and upper management.

7. Quarterly newsletters.
8. Suggestion boxes are located at each Unit office.

As suggested by the Grand Jury, we will include general surveys. I am therefore going to introduce this survey through the Resolution Group system in order to insure feedback that is clear and focused so actions can occur based upon the results. We will reevaluate the benefit of this process in one year.

**2001-02 Grand Jury Evaluation**

The Health Services Director has implemented various lines of communication for the employees. This year's Grand Jury has found the Resolution Group is currently devising general surveys as well. This response is acceptable.

**01-23** Update Policy and Procedures Manual annually.

**RESPONSE: Director of Health Services**

The Policy and Procedures Manual is updated annually, reviewed regularly and will continue to be reviewed regularly.

**2001-02 Grand Jury Evaluation**

This is an acceptable and clear response.

**01-24** Develop plan to accommodate increased demand for long term plan care for our elderly.

**RESPONSE: Director Health Services**

Long term care for our elderly and other citizens continues to be a community issue as identified in the Grand Jury Report and we are very much interested in having such facilities available. We will continue to work with existing providers in attempts to bring such facilities into our community and keep abreast of grants and other opportunities for development of long-term care and other facilities in the Glenn County community.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of Health Services Director, dated July 23, 2001.

**2001-02 Grand Jury Evaluation**

This response is sensitive to the needs of our elderly. It is recommended that future Grand Juries follow up in this matter, as the number of elderly in need of these services is increasing.

## ORLAND CITY COUNCIL

01-25

City Council and staff should adhere closely to Brown Act provisions when preparing agendas, conducting meetings and making decisions.

### **RESPONSE: City Attorney**

In the recently-completed Grand Jury Report for 2000-2001, the Grand Jury commented on the dismissal of the Orland City Manager and directed that a response be provided by the City Attorney and Orland City Council to the recommendation contained in the report. The following is respectfully submitted in response to the Grand Jury's request:

On March 20, 2001, the Orland City Council, acting in closed session, voted 4-1 to terminate the City Manager's contract effective immediately. Although I was serving as City Attorney at the time, I was not in attendance at that meeting, nor was I informed in advance by any Council member of any intention by the Council to take such action. In response to the above-noted Council action, I immediately requested a special session to be held to discuss what, if any, potential litigation may arise as a result of the Council's conduct. During the course of that meeting, the City Manager requested that he be allowed to participate, and in the course of considerable negotiations during that closed session an agreement was reached whereby the City Manager would be reinstated to his position until August 3, 2001, at which time he would conclude his employment with the City of Orland. The terms of this negotiated settlement were memorialized in a settlement agreement, which was presented at the special meeting of the City Council on March 27, 2001, in open session.

Since the above events occurred, I have conducted one formal training session concerning leadership/management, which included an overview of the Council members' responsibilities with regard to the Brown Act. In addition to the above formal training, I have maintained an ongoing dialogue with the Council members, making myself available to them to respond to specific questions pertaining to agenda items, attendance at meetings, conduct of meetings, appropriate matters to be considered in open and closed session and confidentiality of closed session information. I have provided the Council members with written material obtained from the League of California Cities, in an attempt to further familiarize them with the requirements of the open meetings law.

### **2001-02 Grand Jury Evaluation**

The City Attorney has taken the necessary steps to insure the City Council is well aware of what they can and cannot do in regard to the Brown Act.

### **RESPONSE: City Council**

The City Council has been asked to respond to the recommendation contained in the 2000-2001 Grand Jury Final Report, recommendation 01-25, which states "City Council and staff should adhere closely to Brown Act provisions when preparing agendas, conducting meetings and making decisions."

This matter was agendaized and discussed in open session at the regular meeting of the Orland City Council on Tuesday, September 4, 2001, and direction was given for the City Attorney to compile comments and responses from various Council members, for presentation in this final letter to be approved by the Council at our regularly-scheduled meeting on September 17, 2001. The draft presented for consideration at that meeting was considered by members of the Council to be an inadequate response to the Grand Jury's recommendation and the matter was put over to the October 1, 2001 meeting, at which time a revised response was presented.

The following is a compilation of the comments of the various Council members.

The Council has conducted numerous regular and special meetings over the past 9 months, which have involved a variety of matters requiring both public comments and private discussion in closed session. On each occasion when the Council has dealt with issues which were more appropriately discussed in closed session those closed sessions were properly agendized. Discussions conducted during those sessions were done in what the Council members perceived to be compliance with the requirements of the Open Meeting Laws. When there have been issues raised concerning the Council's compliance with the Brown Act with regard to particular meetings, the City Council has met with the City Attorney and taken whatever remedial action has been necessary.

Of particular concern were the events and circumstances surrounding the employment status of the City Manger. On March 20, 2001, the Orland City Council, acting in closed session, voted 4-1 to terminate the City Manger's contract effective immediately. Although he was serving as City Attorney at the time, City Attorney was not in attendance at that meeting, nor was he informed in advance by any Council member of any intention by the Council to take such action. In response to the above-noted Council action, the City Attorney immediately required a special meeting to be conducted just a few days after that initial meeting, with a closed session to be held to discuss what, if any, potential litigation may arise as a result of the Council's conduct. During the course of that meeting, City Manager requested that he be allowed to participate. In the course of considerable negotiations during that closed session an agreement was reached whereby the City Manager would be reinstated to his position until August 3, 2001, at which time he would conclude his employment with the City of Orland. The terms of this negotiated settlement were memorialized in a Settlement Agreement, which was presented at a special meeting of the City Council on March 27, 2001 in open session.

In order to more thoroughly educate the Council members, the City Attorney conducted a study session concerning leadership/management, which included an overview of the Council members' responsibilities with regard to the Brown Act, and was focused on the specific needs of the Council. Through the above-mentioned training session and continual consultations with the City Attorney, each of the Council members has been able to increase his or her knowledge and understanding of the requirements of the Brown Act. Unfortunately, there have been various newspaper articles which refer to specific items of information that were discussed in closed session, but no specific Council member has been identified as the source of that information. The Council has been strongly counseled by the City Attorney against making any inappropriate disclosures, and maintains a firm commitment to the public to be open and straightforward in its dealing with the City's business, as well as to protect the confidentiality of its discussions, when appropriate and required.

#### **2001-02 Grand Jury Evaluation**

The City Council has received training on the Brown Act given by the City Attorney. This is an adequate response. If they adhere to the training, there won't be subsequent violations.

## **ORLAND POLICE DEPARTMENT**

**01-26**

Orland City Council conduct a research into the wage scale for all officers and endeavor to bring them up to par with other communities.

**RESPONSE: Orland Chief of Police**

The three-year contract between the police officers and the City of Orland expired on June 30, 2001. The union representative for the police department has done a wage comparison as well as an actuarial study for retirement benefits that will be presented during negotiations that are about to begin.

**2001-02 Grand Jury Evaluation**

Satisfactory

**GLENN COUNTY SHERIFF'S DEPARTMENT  
AND  
ORLAND POLICE DEPARTMENT**

**01-27**

City or County should investigate the possibility of securing a piece of land to be used by all County Law Enforcement Agencies. It is understood that a parcel of land near Black Butte was under consideration.

**RESPONSE: Sheriff**

The Sheriff's Office is working in conjunction with the Glenn County Office of Education on a countywide firing range. The range would be located on land owned by the Office of Education. At this time the project is in the hands of the Federal Office of Education. As soon as the finalized agreement is received from Washington, D.C. work can progress on this much-needed item.

**RESPONSE: Orland Police Chief**

Law enforcement agencies in Glenn County are working together with the Glenn County Office of Education to create a countywide range. Once a finalized agreement is received, work can progress.

**RESPONSE: Board of Supervisors**

The Board concurs with the attached response of the Glenn County Sheriff, dated August 22, 2001.

**2001-02 Grand Jury Evaluation**

Further follow up is required on this matter.

## WILLOWS POLICE DEPARTMENT

01-28

Willows Police Department should embark on an extensive program to improve its image and Community Relations. Every effort should be made to demonstrate the valuable services performed by this Department and that the Department is always aware of the concerns of the citizens.

### **RESPONSE: Willows Police Chief and the Mayor**

The Willows Police Department has had a 90 percent change in personnel over the last three years. Of the eight new members, including the Chief, only three are from Glenn County and one from Chico. The new officers from outside Glenn County are not known to most of the residents and may often be viewed with skepticism because they have different methods or style of handling issues. The new officers, like any new member of our community must go through the process of acquainting themselves to the community. This takes time, and the new officers, as with anyone else, must establish a circle of friends and expand outward into the community. The Department encourages officers to get out of their vehicles and interact with members of the community on other than official business.

New officers in a new community can create a different image. Since the officers do not "know" everyone, the initial contacts may be misconstrued as cold or uncaring although proper and professional. The officers are encouraged to be sensitive to the individual needs, but are often met with "...when officer \_\_\_\_\_ was here he would not have done it this way." Enforcing the law is usually an unpleasant task. When that is done by an unfamiliar face and fueled by an inaccurate media, it is easy to create the impression of an unfriendly Department. Once that has occurred, only time and perseverance by the officers will be effective in changing the mind of the community.

The new officers, including those from Glenn County, are also very proactive. That, coupled with new laws that mandate arrests in some instances, may add to the perception that the Department is not community oriented. However, in reality nothing could be further from the truth.

The philosophy of the men and women of the Willows Police Department can best be summarized by our Mission Statement that is the result of their collaborative efforts.

"The mission of the Willows Police Department is to enhance our relationship with our community by demonstrating honesty, integrity, and professionalism in every act, thus ensuring the safety, serenity and quality of life of every individual."

The City and the Willows Police Department will continue to make every effort to establish a relationship within the community, which reflects mutual respect and confidence in our officers.

### **2001-02 Grand Jury Evaluation**

Satisfactory

01-29

In Officer training, reinforce the need for proper restraint on the part of an arresting Officer, safety of both parties still being the main concern.

### **RESPONSE: Willows Police Chief and the Mayor**

Every officer is trained and retrained in proper control and arrest techniques to ensure the safety of the officer, the public, and the person being arrested. The California Penal Code is clear about an individual's responsibility when being arrested:

834a If a person has knowledge, or by the exercise of reasonable care, should have knowledge, that he is being arrested by a peace officer, it is the duty of such person to refrain from using force or any weapon to resist such arrest.

The Penal Code goes on to specifically state the officer's obligations in making an arrest:

835a Any peace officer...may use reasonable force to effect the arrest, to prevent escape or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

Understanding the law and how it applies to both peace officers and those being arrested may help in understanding how and why an arrest is made in a certain manner or why an officer may be required to utilize varying degrees of force to effect the arrest.

In reviewing the personnel complaints dating back seven years there have been no formal complaints of excessive force. Some individuals have used the media in an attempt to redress their perceived grievances rather than filing a complaint with the Department. When this happens, to the extent possible these claims are reviewed, and if additional action is appropriate, it is taken. When investigating these types of allegations we are always mindful to make sure that the officer does not exceed the limits of "reasonableness" given the totality of the circumstance at the time.

A complaint was filed with the Grand Jury by a business owner about an arrest made inside their business. That complaint was redirected to the Police Department, and the incident was fully investigated. The complaint was not one of excessive force, but rather one of tactics that grew out of a misunderstanding about how and when the actual arrest would occur. The misunderstanding was addressed with the business owner, and the tactics were reviewed. As with most tactical decisions there often is more than one tactically correct approach. The entire issue, including alternative tactics, was discussed with the involved officer (the second involved officer was no longer working for the Department) and supervisors.

#### **2001-02 Grand Jury Evaluation:**

Satisfactory

**01-30**

Willows Police Department, as a manpower consideration, should explore the need for Reserve Officers or a VIPS program as used in neighboring communities, giving a greater visibility to the Police Department at schools and community functions.

#### **RESPONSE: Willows Police Chief and the Mayor**

The Grand Jury addressed part of the response to this issue in the Background section of this report on page 21. Their inquiry when they were compiling their information was why we did not have VIPS or Reserve Officer programs. They did not address other programs that were in place.

The Willows Police Department has both a Community Service Officer (CSO) and Cadet Program. The CSO and the School Resource Officer (SRO) attended most school functions during the last year in addition to teaching the DARE curriculum to all five sixth grade classes at Willows Intermediate School (WIS).

Uniformed Officers are also in attendance at every WHS home football game and the graduations at Willows Community School, WHS and WIS. The Willows Police Department has a large presence during Lamb Derby, Fourth of July, the Willows Car Show as well as other community functions. The "Cops and Robbers" program is an integral part of the Willows Car Show.

While an active Reserve Officer program is a desire of this Department, during the last two years there has virtually been no time when a new full-time Police Officer has not been in training. The POST mandated training requirements have stretched the resources of what has been a six- to seven-person department for most of that time. Reserve Officers require the same 10-week field training (FTO) as full-time officer (this is a new POST mandate as of 1-1-99) after they have completed over 20 weeks of Police Academy training. However, Reserve Officers are usually only able to complete the FTO training at the rate of about one week per month at the very best and must find time to work when there is a qualified trainer on duty. They are asked to make this commitment without compensation. There have been members of the Willows community who have started the Citizens Academy to become VIPS but to date none have completed the process. All of these programs are good, but they all require a significant commitment of time and energy.

**2001-02 Grand Jury Evaluation:**

Satisfactory

- 01-31** The need for more space is still of great concern. If a move to a larger facility is impossible then temporary, secure storage space should be sought.

RESPONSE: Willows Police Chief and the Mayor

This has been an issue that is based on the availability of funding and has been discussed at every level of City government for many years. Efforts are currently underway to acquire funding to build a new City Library. If that effort is successful the tentative plan is for the Police Department to relocate into the space currently occupied by the Library.

The Police Department has had a couple of secure off-sight storage facilities for many years.

**2001-02 Grand Jury Evaluation:**

Satisfactory

- 01-32** Upgrading of the computer/internet communications should be given a high priority thus making all sources of information available to the Officers of the Department.

**RESPONSE: Willows Police Chief and the Mayor**

Last fiscal year the Police Department received \$100,000 from the State of California to upgrade the technology within the Department. The process of upgrading both the computer hardware and software has been ongoing since the Spring of 2000. It is expected that the entire process of upgrading the computer systems in the Department will be completed by the beginning of October 2001. The Department has had Internet capability since early March of 2001.

**2001-02 Grand Jury Evaluation:**

Follow-up is recommended for implementation.

**01-33**

Willows Police Department, together with other Law Enforcement Agencies in Glenn County, has to share firing range facilities in other Counties. Glenn County should give consideration to this much-needed training facility for use by all law enforcement in this County. We understand that consideration had been given to a parcel of land near Black Butte.

**RESPONSE; Willows Police Chief and the Mayor**

The Willows Police Department along with the other law enforcement agencies in the County have and continue to work collaboratively on this issue. Aside from the cost, there are also safety and environmental concerns that must be met before action of any kind can be taken. Acquiring land and then developing the site are expensive propositions with little or no return. A gun range in Glenn County would be a luxury when there are many basic needs that should be met first.

**RESPONSE: Glenn County Sheriff**

The Sheriff's Office is working in conjunction with the Glenn County Office of Education on a countywide firing range. The range would be located on land owned by the Office of Education. At this time the project is in the hands of the Federal Office of Education. As soon as the finalized agreement is received from Washington, D.C. work can progress on this much-needed item.

**2001-02 Grand Jury Evaluation:**

Satisfactory

## **ORLAND FIRE DEPARTMENT**

**01-34**

The Department Heads should formulate a policy manual of standard practices employed in the Department for the instruction of new officers following in line.

### **RESPONSE: Orland Fire Department**

The Orland Fire Department Policy Manual of Standard Practice for new officers does not exist as a policy manual, but does exist in our by-laws.

The chief officers are elected annually by the membership and the captains are appointed by the chiefs. The membership is divided equally between four captains who are responsible for their training.

This training is for the purpose of creating engine drivers who are responsible, confident and clear thinking individuals, who at any time could be the chief by virtue of the fact that that fireman was the driver of the first truck to respond and would remain the command officer until relieved by a senior firefighter or elected officer.

We believe in experience and quality training to create the next officers who would ensure that this method will prevail. In situations that firefighters sometimes face, no written policy could even begin to cover.

We know that when we elect officers to lead our organization, that person has the knowledge of what is expected and has the confidence and experience to safely lead during a major incident and even more important, to know when not to be the chief and when to ask for assistance from others with more experience.

### **2001-02 Grand Jury Evaluation:**

Satisfactory

## **WILLOWS FIRE DEPARTMENT**

**01-35**

In the interest of safety, it is recommended that the upgrade of all communications equipment be completed as soon as possible.

### **RESPONSE: Willows Fire Department**

The following improvements have been or are in the process of being made:

1. A new telephone system has been approved by the City Council and will be installed by the end of August 2001.
2. We have a Nextel phone at the fire station, which affords us the ability to contact City and County agencies directly.
3. The City is upgrading the computer system, which will create networking for interdepartmental communications such as E-mail. We are also scheduled to be on line with the Internet. The latter improvements are in process

### **2001-02 Grand Jury Evaluation:**

The new telephone system has been installed. This response is satisfactory.

The County Counsel wished to respond to the 2000-2001 Grand Jury recommendation #00-04, which the prior County Counsel had written a response to. The recommendation, response and the response from the current County Counsel follows:

## **GLENN COUNTY BOARD OF SUPERVISORS**

**00-04**

When County Counsel is required to review and make comments prior to Board of Supervisor action, Counsel should have more input than “Approved As To Form”, as required in Title 4, Section 4.02.01 of the Administrative Manual.

### **RESPONSE: County Counsel**

The recommendation should be directed to the Board of Supervisors. The recommendation indicates a desire for the County Counsel to participate in policy decisions instead of reviewing documents for legal sufficiency. This would be a significant change from existing practices and the job description of the County Counsel. Unless the Board of Supervisors formally directs the County Counsel to provide policy guidance in document review, the role of the County Counsel is limited to reviewing the legal sufficiency of documents.

### **2000-01 Grand Jury Evaluation:**

This response avoids the issue. This recommendation should be reviewed by future Grand Juries.

### **RESPONSE: County Counsel**

It may help to explain that a County Counsel works for the Board of Supervisors and is available to County department heads for legal issues that may arise affecting the County. The statement “Approved as to Form” means just that –that the contract meets the requirements as to the description for the parties to the contract; that it contains the terms under which the contract is to be performed; that where possible, it contains an indemnification clause that protects the County from liability; that the contractor has adequate insurance; and any other contract clauses that may be required for that particular contract to make it a complete, legally binding contract. It is not the task of the County Counsel to act as judge and jury and review a County contract’s subject matter and then tell the Board of Supervisors whether the County Counsel believes it should be signed. The County Counsel is not a sixth Board of Supervisor member. The County Counsel’s role is to inform the Board of Supervisors of the law and to interpret whether the Board’s decision does or does not meet the requirements of the law. However, the County Counsel only gives this input when the Board requests it. You can see that there is a substantial difference between a policy decision, i.e., should or should not the “County” do this or that, and the task of the County Counsel to “approve as to form,” which means the contract is complete and meets legal requirements. Policy decisions are not included in the County Counsel’s job description as set forth in the California Government Code.

### **2001-02 Grand Jury Evaluation:**

This Grand Jury agrees with the County Counsel’s response. The County Counsel should not take on the role of an elected Supervisor in policy developments.