

# **Final Draft Response to the 2007-08 Grand Jury Final Report Part 1**

## **Assisting Road Repair Community Service Districts Case No. GJ 07-026**

### **REASON FOR REPORT**

Community Service Districts (CSD's) are a category of Special Districts. They are established and regulated under State Government Code §61001. Regulations generally have increased over time and can be a burden for small districts with limited budgets and management expertise. The present and previous Grand Juries have received complaints alleging misconduct by a few small special districts. Alleged misconduct is not necessarily intentional. Rather, it may result from inadequately trained boards of directors. Consequently, the Grand Jury sought ways for the County to assist road repair district boards of directors to better manage their responsibilities and reduce incidents of alleged misconduct.

### **BACKGROUND**

El Dorado County has 57 special districts, most of which are CSD's. Each covers a specified geographic area that can be large or small and each is governed by a board of directors comprised of property owners in the district. Budgets of these CSD's vary greatly. CSD's are allowed by the State code to conduct several activities. A few County CSD's do road maintenance along with providing other services within their district. Examples are Consumnes River CSD and Showcase Ranches CSD. However, 15 of the County CSD's only repair roads (including road related drainage repair work) in their districts. These districts are usually small communities, mostly rural and formed following development of a land parcel or sub-division. Each road repair CSD is independent of any supervision other than its own board of directors.

A Zone of Benefit (ZOB) is essentially the same as a single purpose road repair CSD, except it is not independent. The County has 33 ZOBs that also conduct road repairs in their zones. In effect, ZOBs have transferred executive authority and responsibility for conducting road maintenance in their zones to a County Service Area (CSA). County Service Areas are themselves a type of special district, falling under State Government Code §25210. They are umbrella agencies that usually contain several ZOBs. All CSAs are directed and controlled by the County Board of Supervisors. El Dorado County's road repair ZOBs are in CSA # 9, which is run by the County Department of Transportation (DOT). Zones of Benefit have advisory committees composed of zone property owners.

### **METHODOLOGY**

The Grand Jury reviewed documents governing the establishment and proper operation of CSDs. Information about CSD's was obtained from El Dorado County's Local Agency Formation Commission (LAFCO), which is responsible for setting boundaries between special districts and assisting in settling disputes between them. Current budget and

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expenditure information was obtained from the County Auditor-Controller. Road maintenance technical information was obtained from DOT.

### People Interviewed:

- El Dorado County Auditor-Controller
- El Dorado County Assistant Auditor-Controller
- El Dorado County Department of Transportation Deputy Director for Maintenance and Operations.
- LAFCO, Executive Officer
- Road Repair CSD Members

### Documents Reviewed:

- Memo to Grand Jury from Executive Officer of LAFCO, November 26, 2007, with Attachments
- “Zones of Benefit Advisory Committee Manual” (First Draft, December, 2007)

## FINDINGS

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. Road repair CSD's obtain most of their funds through special assessments previously approved by the district property owners and included as a separate item in their property tax bill. Annual funds accumulate over years and are held by the County Treasurer. The reserve funds are available to hire a contractor to provide road repairs when needed. Typically in a district, a repair project does not occur every year.

***Response to Finding 1: The respondent agrees with the finding.***

2. Road repair CSD's could opt to become Zones of Benefit under CSA #9, but this would necessitate paying fees for County DOT services. Department of Transportation charges hourly rates for time spent assisting ZOB's, and the Auditor-Controller charges one percent of the annual budget for providing financial services. While these fees may be reasonable, road repair CSD budgets on average are considerably smaller than ZOB budgets.

***Response to Finding 2: The respondent agrees with the finding.***

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3. Road repair districts have limited technical expertise and may have limited understanding of State rules. Roads in their districts are legal public roads and rules must be followed that are not required for private roads in gated communities. Typical problems encountered are: creating or obtaining adequate specifications for road maintenance and drainage construction projects, drafting the scope of work for projects, seeking bids and selecting contractors, inspecting and approving work, and maintaining acceptable financial documentation.

***Response to Finding 3: The respondent agrees with the finding.***

4. Road repair district directors will benefit from more job training. The Department of Transportation provides annual training classes for ZOB advisory committee members that would be very useful to road repair district directors and could be provided to them at negligible incremental cost.

***Response to Finding 4: The respondent disagrees partially with the finding. The training provided to the Zone of Benefit Advisory Committees by the Department of Transportation is specifically tailored to address Zones of Benefit and is not necessarily applicable to Community Services Districts. Including CSD members in the ZOB training most likely would be confusing for attendees who are typically looking for specific answers related to Zones of Benefit. In addition, although Department of Transportation staff are knowledgeable concerning Zones of Benefit, they are not trained or knowledgeable about Community Services Districts.***

5. Very recently, the DOT prepared a prototype handbook (“Zone of Benefit Advisory Committee Manual”) for advisory committee members. This Manual includes information on: ethics, the open meeting law (The California Brown Act), road maintenance and repair (engineering) guidelines, contracting and purchasing, insurance, volunteer work procedures, and budget preparation. This Manual is an excellent product, put together from existing information at DOT in a very short period of time. The Department of Transportation is *commended* for this effort. This Manual would also be very useful to board directors of road repair districts.

***Response to Finding 5: The respondent agrees with the finding.***

## RECOMMENDATIONS

1. The County Department of Transportation should invite road repair district directors to its annual training sessions held for Zones of Benefit advisory committee members, and do so on a continuing basis.

***Response to Recommendation 1: The recommendation will not be implemented because it is not reasonable. The training provided to the Zone of Benefit Advisory Committees is specifically designed to address ZOB issues. Combining ZOB and CSD issues would be confusing and is anticipated to detract from the department***

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*responsibility for the ZOB Program. Staffing is not adequate to assume additional responsibility assisting Community Services Districts.*

2. The County should publish the "Zone of Benefit Advisory Committee Manual" and make it available, free of charge, to every road repair district director. As soon as possible, this Manual should also be provided through the internet. This will allow easy upgrading by the Department of Transportation and ready access of the latest upgrade by users. Hard copy Manuals should continue to be published.

***Response to Recommendation 2: The recommendation has not been implemented, but will be implemented in the future. The department will post the "Zone of Benefit Advisory Committee Manual" or similar documentation on the Department of Transportation web page, with a target date of January 1, 2009. Hard copies could be made available to the public for a nominal fee.***

3. The Manual published by the Department of Transportation should also include the following:
  - A. A section listing contacts, with phone numbers, email addresses and mail addresses, where users can obtain information about sourcing licensed contractors; this listing should include the Builders Exchange of El Dorado County.

***Response to Recommendation 3A: The recommendation will not be implemented because it is not warranted. Contractor information is readily available on the internet, yellow pages and other sources. The County should not list specific contractor information in an effort to avoid any appearance of favoritism or a perceived recommendation of a particular contractor.***

- B. References for many specifications that are given in the "Road Maintenance and Repair Guidelines" section of the Manual which will allow users to obtain more detailed specification information when needed.

***Response to Recommendation 3B: The recommendation will not be implemented because it is not reasonable. References for specifications are available for road projects from contractors when projects go out to bid. Including references for specifications will likely involve the Department of Transportation in projects for which the county has no part.***

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## Clean Tahoe Program Case No. GJ 07- 011

### REASON FOR REPORT

The El Dorado County Grand Jury received a letter from the South Lake Tahoe District Attorney's Office that prompted an investigation of the Clean Tahoe Program's procedures for managing its funds.

### BACKGROUND

The Clean Tahoe Program is a non-profit organization funded primarily by the City of South Lake Tahoe and El Dorado County. Its mission is to improve the visual quality of the Tahoe Basin within El Dorado County. Because it is publicly financed, it has a fiduciary responsibility, similar to the City and County, to properly manage its funds.

The Clean Tahoe Program performs an important service to the community. This is accomplished through the dedication and hard work of the Clean Tahoe staff.

### METHODOLOGY

The Grand Jury visited the offices in South Lake Tahoe of the Clean Tahoe Program and the South Tahoe Refuse Company (STR) to obtain information. STR is a private corporation with an exclusive franchise from the City and County to gather, sort, recycle, and dispose of refuse in the South Tahoe Basin. The investigation included a review of records, cashed checks, credit cards and the security of petty cash.

#### People Interviewed:

- Clean Tahoe Program Board, Two Directors
- Clean Tahoe Program Manager
- Clean Tahoe Program Outside Bookkeeper
- Clean Tahoe Program Treasurer
- El Dorado County Assistant District Attorney
- South Tahoe Refuse Company Controller
- South Tahoe Refuse Company President

#### Documents Reviewed:

- Clean Tahoe Program Brochure
- Clean Tahoe Program By-laws, Procedures and Personnel Manual
- Clean Tahoe Program Financial Documents
- Clean Tahoe Program Budget vs. Actual Income and Expenses, October '06 through September '07

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- Clean Tahoe spreadsheets showing field work assignments
- Comparative cost study by STR in 2004 showing cost savings if STR assumed Clean Tahoe Program duties
- E-mail memos from Clean Tahoe Program Manager
- Mission Statement of Clean Tahoe Program
- South Tahoe Refuse Company controller memo (11/16/07) with financial spreadsheets

### RESULTS OF INVESTIGATION

In the investigation of Clean Tahoe's management of funds, financial controls were found to be deficient. However, the deficiencies are in the process of being corrected.

The Clean Tahoe Program is small and requires management and overhead functions that are disproportionately high and expensive in small publicly financed organizations. These costs would be lower if shared with similar costs in a larger organization. In principle, this can be achieved either by absorbing Clean Tahoe into a larger organization or by selecting a larger organization to perform the essential services that are now performed by the Clean Tahoe Program. The Grand Jury investigated these possibilities and found the following:

### FINDINGS

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it was addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. The refuse picked up by the Clean Tahoe Program is deposited at the STR company transfer station in the City of South Lake Tahoe. There, the refuse is processed, with some of it recycled. The Clean Tahoe Program is charged for this at standard rates for this service.

***Response to Finding 1: The respondent agrees with the finding.***

2. South Tahoe Refuse is capable and willing to assume the operations of the Clean Tahoe Program if asked by the City and County to do so. However, it has been reluctant to initiate this change because it does not wish to appear hostile to the Clean Tahoe Program.

***Response to Finding 2: The respondent disagrees partially with the finding. Currently, South Tahoe Refuse Co., Inc. (STR) does not have a program that provides the same service as the Clean Tahoe Program.***

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3. Because of its franchise agreements, the rates charged for STR services are controlled by the City and County. Consequently, the transfer of the complete operations of the Clean Tahoe Program to STR could be accomplished easily and without requiring a competitive bid process.

***Response to Finding 3: The respondent disagrees partially with the finding.***

*The City and County each have existing Franchise Agreements with South Tahoe Refuse Co., Inc. The City Council and the Board of Supervisors set the rates to be charged by STR. The County would have to negotiate with STR to incorporate services not currently included in the existing franchise agreements. No competitive bid process would be required.*

4. During 2003, STR was provided a copy of the FY 2002/03 Clean Tahoe Budget and asked to review the budget for opportunities for cost savings if STR were operating the Clean Tahoe Program. After doing a line-by-line assessment of each cost item, STR estimated that it could reduce the annual cost by \$49,720. Details of this assessment are shown in a spreadsheet that is Exhibit A. South Tahoe Refuse management expressed to the Grand Jury that it believes this estimate is still reasonable.

Elimination of the Clean Tahoe Program's management and overhead costs is an important area of savings if STR assumes operations of the Clean Tahoe Program, but these costs are not included in the previous study that resulted in Exhibit A. Work now being carried out by two field assistants of the Clean Tahoe Program would continue to be required at STR. The additional net payroll savings were estimated by the Grand Jury as follows:

Elimination of Clean Tahoe's full payroll budget for 2006-2007:	\$112,000
Less full payroll of two field assistants at STR costs:	<u>( 71,480)</u>
Estimated Net Payroll Cost Savings:	\$ 40,520

The total estimated savings expected from transferring the Clean Tahoe Program duties to STR are obtained by adding the former estimate of \$49,720 to the net payroll cost estimate of \$40,520. This yields an estimated total annual cost savings of \$90,240. It is important to recognize that these are recurring savings. The present value of these savings aggregated over the next 10 years can be calculated by discounting the savings each year at 5 percent. This is the County Treasurer's Pool Rate that is used for project loans that have been approved by the County Board of Supervisors. The calculated savings is a present value over 10 years of \$698,806. The actual savings will depend on details of any agreement between the service-provider selected to take over the Clean Tahoe Program. Nevertheless, the estimated potential savings are significant and lead to the following Grand Jury recommendations:

***Response to Finding 4: The respondent disagrees partially with the finding.***

*The financial information used as the basis of this finding was from Fiscal Year 2002/2003. A comprehensive review of the current financial statements would*

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*need to be conducted to determine the cost effectiveness and potential savings regarding a change in the program management.*

### RECOMMENDATIONS

1. The City and County should seek a capable public or private organization to provide, at less cost, the services now provided by the Clean Tahoe Program.

***Response to Recommendation 1: The recommendation will not be implemented.***  
*In Fiscal Year 2007-08 the County's portion of Clean Tahoe's total budget is 13% or \$29,499. The County is not able to perform the services of the Clean Tahoe program for the available funding of approx \$30,000 per year.*

2. Savings that may be realized by the City and County replacing the Clean Tahoe Program with a new service provider should be passed to the property owners by reducing their property tax assessments.

***Response to Recommendation 2: The recommendation will not be implemented.***  
*After a review of the Clean Tahoe program budget, there would not be savings generated based on the County contribution to the program.*

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## El Dorado County Jail Placerville

### **BACKGROUND**

The El Dorado County Jail located in Placerville was built in 1988. The maximum capacity is 265 beds. The jail population at the time of the Grand Jury inspection was 208 inmates.

### **FINDINGS**

The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. The jail is well maintained, having addressed past Grand Jury concerns regarding maintenance issues.

*Response to Finding 1: The respondent agrees with the finding.*

2. The jail staff is committed to public safety and the secure incarceration of inmates. Providing excellent programs and services for inmate self-improvement facilitates inmates' assimilation back into the community.

*Response to Finding 2: The respondent agrees with the finding.*

### **COMMENDATION**

The leadership and staff of the Placerville Jail are commended for their rigorous adherence to its mission statement and dedication to the rehabilitation of incarcerated adults.

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## El Dorado County Jail South Lake Tahoe

### REASON FOR REPORT

Section 919(a) and 919(b) of the California Penal Code requires the grand jury to annually inspect any jail or prison within the county. This includes juvenile correctional facilities.

### BACKGROUND

The South Lake Tahoe Jail was built in 1970 and was renovated in 1991. The jail has a maximum capacity of 158 inmates. Recently, there has been an average of 110. Staff consists of 1 lieutenant, 7 sergeants, 25 correctional officers, 1 cook supervisor, and 1 lead registered nurse to operate the institution in 12-hour shifts.

### FINDINGS

The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. The number of correctional officers needed to cover all shifts is 34.

***Response to Finding 1: The respondent agrees with the finding.***

2. There is no dedicated general service worker for the facility. It was noted that the facility has been on a waiting list for needed repairs for two years.

***Response to Finding 2: The respondent disagrees partially with the finding. General Services dedicates one man-year worth of maintenance labor between the South Lake Tahoe Jail and the South Lake Tahoe Juvenile Hall. General Services staff estimate that approximately 60% of the maintenance staff time is spent at the Jail, while 40% is spent at the Juvenile Hall. Items on waiting list are capital improvement projects.***

3. The staff provides many opportunities and programs for inmates to improve their skills as contributing members of society, i.e. BRIDGE, TOPS, GED, culinary arts, counseling, and the Tahoe Mentor Program.

***Response to Finding 3: The respondent agrees with the finding.***

4. During the recent Angora Fire, the staff and inmates provided additional resources and comfort to the South Lake Tahoe community as well as to fire and law enforcement agencies.

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*Response to Finding 4: The respondent agrees with the finding.*

## RECOMMENDATIONS

Safety and security are of paramount importance in a correctional facility – for inmates, staff and visitors.

1. It is recommended that the Board of Supervisors provide funding to adequately staff the jail and to provide needed maintenance within the 2008-2009 fiscal year.

*Response to Recommendation 1: The recommendation will not be implemented because it is not reasonable. The Board of Supervisors agrees that safety and security in the County's correction facilities is of paramount importance. However, the County as a whole is facing a significant budget shortfall. The Board of Supervisors may consider increasing correctional officer staffing levels over the next three to five years as resources permit. It is noted that as of May 1, 2008 there were 23 correctional officers and five sergeants allocated to the South Lake Tahoe Jail. Service levels in the Tahoe jail have been stable over the past few years. Any additional resources committed to the Tahoe facility will have to be weighed against the need for the same resources in the Placerville facility which is potentially expanding to accommodate the growth in western El Dorado County.*

2. It is recommended that one maintenance worker from General Services be dedicated to the South Lake Tahoe Jail in order to make necessary decisions, provide preventative maintenance and complete critical work in a timely manner.

*Response to Recommendation 2: The recommendation will not be implemented because it is not reasonable. As mentioned in the response to Recommendation 1, El Dorado County is facing a significant budget shortfall. The Board of Supervisors is unable at this time to exclusively dedicate a General Services worker to the South Lake Tahoe Jail. However, the Board will consider increasing maintenance staff at the Jail and other county facilities as resources permit.*

## RESPONSES

Response(s) to this report is required in accordance with California Penal Code §933.05.

## COMMENDATION

Despite needing increased personnel and repairs in certain areas of the facility, many programs leading to rehabilitation of inmates were noted, most specifically in the areas of mental health, vocational training and community service.

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The leadership and staff at the South Lake Tahoe Jail are commended for their rehabilitation programs for inmates. Further, the leadership and staff are commended for their outstanding community response during the Angora Fire.

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## El Dorado County Juvenile Hall Placerville

### REASON FOR REPORT

Section 919(a) and 919(b) of the California Penal Code requires the grand jury to annually inspect any jail or prison within the county. This includes juvenile correctional facilities.

### BACKGROUND

The Placerville Juvenile Hall was built in 1971. The facility houses a maximum of 40 male and female minors. The El Dorado County Probation Department is responsible for the care of the minors, as well as the facility and personnel, while the El Dorado County Office of Education is responsible for the education of the minors. The relationship between the two departments is integral to the success of both programs. Children who are sent to juvenile hall become temporary wards of the court pending adjudication. During this time, a minor's health, safety and education are protected by Welfare and Institution Code, California Code of Regulations - Title 15 and Title 24, and federal and state educational codes.

Programs are in place to educate and support youthful offenders and their families in effective rehabilitation information and strategies. These programs include counseling programs, mental health programs and many vocational programs. Providing an education to youthful offenders who have been detained for errors in judgment and unlawful behavior allows the young person the opportunity to stay abreast of or catch up on his/her school work. Graduating a youthful offender from high school furthers the potential to re-enter the community ready to become a productive member of society. Last year, the juvenile hall school (Golden Ridge School) graduated four such individuals.

### FINDINGS

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings.

The facility is in excellent, pristine condition. There is a plan to update the communication system and to expand the facility. Both of these items are in the current capital improvement program.

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

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### RECOMMENDATION

It is recommended that the Board of Supervisors fund necessary work entailed in the expansion of the facility and updating the communication system during the 2008-2009 fiscal year.

***Response to Recommendation: The recommendation has not yet been implemented, but will be implemented in the future. General Services has secured a contract to update the communication system, and should begin repairs/replacement of the system on or before August 4, 2008. General Services has secured a contract to expand the entrance and control room of the Juvenile Hall. Construction should begin on or before August 4, 2008.***

### RESPONSES

Response(s) to this report is required in accordance with California Penal Code §933.05.

### COMMENDATION

The El Dorado County Probation Department and the Office of Education are commended for their outstanding advocacy and rehabilitation programs for at-risk children. The Grand Jury finds that the probation and educational staff have gone above and beyond what is required. The probation staff and the education staff are further commended for their immaculate facility observed during an unannounced visit.

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## El Dorado County Juvenile Hall South Lake Tahoe

### REASON FOR REPORT

Section 919(a) and 919(b) of the California Penal Code requires the Grand Jury to annually inspect any jail or prison within the county. This includes juvenile correctional facilities.

### BACKGROUND

The South Lake Tahoe Juvenile Treatment Center is located at 1041 Al Tahoe Boulevard. It is approximately three years old. The facility houses a maximum of 40 male and female minors. On the days the site was visited, there was an average of 20 children in residence. The El Dorado County Probation Department is responsible for maintaining the facilities that house youthful offenders. El Dorado County Office of Education is responsible for education during the child's period of retention. The name of the school located in the juvenile hall is Blue Ridge School. The relationship between the Probation Department and the School is integral to the success of both programs.

Children who are sent to juvenile hall have become temporary wards of the court pending adjudication. During this time, a minor's health, safety and education are protected by Welfare and Institution Code, California Code of Regulations, Title 15 and Title 24, and federal and state educational codes.

### METHODOLOGY

Members of the Grand Jury visited the South Lake Tahoe Juvenile Treatment Center twice. Both the probation superintendent of the facility and the school principal were present to answer questions as the Grand Jury toured the facility on both occasions. Subsequent to the visits, an investigation that included a review of materials and conversations with other experts in county and state education, as well as juvenile court schools was conducted. The focus pertained to processes that ensure that school records, including proof of immunization, were properly in place.

People Interviewed:

- Chairs - El Dorado County Office of Education School Attendance Review Board (SARB)
- Chief Probation Officer - El Dorado County Probation Department
- Consultant - The California State Department of Education, Education Programs
- Deputy Chief Probation Officer - South Lake Tahoe Juvenile Hall
- Director - Los Angeles County Juvenile Court and Community Schools

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- Principal - Blue Ridge School
- Probation Staff - Sacramento Juvenile Hall
- Staff Members - Juvenile Hall (including the cook, deputy probation officers, and school personnel)

### Documents Reviewed:

- California Code of Regulations, Title 15, Section 1029, Policy and Procedures Manual
- California Code of Regulations, Title 15, Section 1280, Facility Sanitation, Safety and Maintenance
- California Code of Regulations, Title 17, Section 6000-6075
- California Education Code 49068 & 49403
- Health and Safety Code, Sections 120325-120380
- Mission Statement, Blue Ridge School

### Websites:

- California Department of Education

## FINDINGS

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings.

1. The facility was generally in excellent condition with three exceptions which have been approved for remediation through the current capital improvement plan. The three areas which need renovation are:
  - A. The recreation area - the top of the walls of the area is open to the outside and therefore extremely cold during the winter months.

***Response to Finding 1A: The respondent agrees with the finding.***

- B. A pass-through window needs repair.

***Response to Finding 1B: The respondent agrees with the finding.***

- C. An acoustic problem (vibration noise) in the classroom needs repair.

***Response to Finding 1C: The respondent agrees with the finding.***

2. Staffing can be a problem due to the high cost of either living locally or commuting.

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### ***Response to Finding 2: The respondent agrees with the finding.***

3. All probation and education staff is dedicated to increasing a young person's ability to succeed in his/her environment. Programs are in place to educate, support, and promote youthful offenders and their families in effective rehabilitation information and strategies. These programs include the Challenge Program, the Ranch Program, counseling programs, mental health programs, and many vocational programs.

### ***Response to Finding 3: The respondent agrees with the finding.***

4. There have been no fights in three years.

### ***Response to Finding 4: The respondent agrees with the finding.***

5. The concern for the health of at-risk youngsters incarcerated in a juvenile correctional facility has been thoroughly reviewed. The Grand Jury finds that the probation staff and the educational staff have gone above and beyond what is required. In addition to sending for and receiving complete school records (including proof of immunization) within 24 hours of intake, the probation staff has also initiated a more effective health review upon in-take.

### ***Response to Finding 5: The respondent agrees with the finding.***

## RECOMMENDATIONS

1. It is recommended that the capital improvement plan be implemented this fiscal year in order to remedy the facility issues which pose health and security risks.

***Response to Recommendation 1: The recommendation has not yet been implemented, but will be implemented in the future.*** In regard to the findings (F1-A / F1-B) that identify capital improvements to the outside recreation area, and the repair of a pass-through window, both projects have been repaired. Contact with Richard Collier, who is responsible for Capital Programs, indicates that F1-C (Acoustic problems above the classroom) is presently at the contract stage and should be resolved within 120 days. It is estimated that the project will be completed on or before August 4, 2008.

2. It is recommended that the probation department study salaries to include possible "hardship" clauses in order to improve staffing.

***Response to Recommendation 2: The recommendation has been implemented.*** Since the Juvenile Treatment Center was constructed and open for service, staffing the facility at the mandated staff to minor ratio has been very much a challenge. During the first two (2) years, the facility attempted to

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*hire staff at a level of 21 staff. Unfortunately, thirteen (13) detention staff left after being hired each year. During the following year, eleven (11) detention staff and five (5) support staff left after being hired, and thirteen (13) detention staff and another three (3) support staff left for various reasons including better paying jobs.*

*In an effort to attract staff, the educational requirements were reduced from a minimum of a two (2) year degree to that of high school graduation for entry level staff. This failed to increase eligible applicants. With the approval of the Board of Supervisors, the salary for Deputy Probation Officers – Institutions was increased to a level equivalent to 5% percent below a field Probation Officer. This failed to increase eligible applicants. Probation Management has increased recruitment efforts by participating at recruitment days at colleges on both the Western Slope and South Lake Tahoe. The Assistant Chief Probation Officer in South Lake Tahoe and his staff have made many visits to the University of Nevada, Reno to recruit new staff. These efforts have failed to increase eligible applicants and fully staff the Juvenile Treatment Center.*

*On April 22, 2008 the Board of Supervisors adopted Resolution 89-2008 to amend the Authorized Personnel Allocation resolution to add two Supervising Deputy Probation Officers—Institutions positions as mandated by Title 15 of the California Code of Regulations. It is hoped that these two additional supervisory positions increase retention by improving staff coverage, training and disciplinary issues at the Juvenile Treatment Center.*

*Although South Lake Tahoe is a unique community which has a limited pool to draw from, an actual comparison of local salaries would not paint a true picture of the area. However, it should be noted that the South Lake Tahoe Differential for County employees is \$200 per month. The Human Resources Department indicates that there are no resources for increased salaries or differentials for Probation staff.*

## **RESPONSES**

Response(s) to this report is required in accordance with California Penal Code §933.05.

## **COMMENDATION**

The 2007-2008 Grand Jury commends the El Dorado County Probation Department and the El Dorado County Office of Education for their outstanding advocacy and rehabilitation programs for at-risk children.