

Shasta County Grand Jury

Full Report

2005-06

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OFFICE OF THE ASSESSOR-RECORDER
Numbers and Manners Count

Office of the Assessor-Recorder
Administration Building, Court Street
Redding, Ca 96001
(530) 225.5771

REASON FOR INQUIRY:

Section 925 of the California Penal Code provides that the Grand Jury may investigate and report on the operations, accounts and records of the officers, departments, or functions of the county. The Shasta County Grand Jury investigated the Office of the Assessor-Recorder based on complaints from employees and a private citizen.

BACKGROUND:

The Shasta County Assessor's office and Shasta County's Recorder's office were combined in July 1990 to form the office of the Assessor-Recorder. The Assessor-Recorder currently occupies a suite of offices in the new County Administration Center. The assessor's office produces an assessment roll which reflects the taxable values of land, improvements, and personal property in Shasta County. It also maintains and updates the more than 4,800 maps which delineate all locally assessed parcels of land in the County. The recorder's office records deeds and other official documents. It also maintains real property ownership information and taxable values.

The Assessor-Recorder's office has an annual 2005/2006 budget of approximately \$5,400,000 with fees accounting for more than \$2,000,000 of its funding. The assessor's side of

the office employs 43 persons, which include appraisers and support staff. The recorder's side of the office employs 10 recording clerks.

Proposition 13, passed in June 1978, substantially changed the basis of real property taxation in California. A result of this law is that the 1975/1976 assessment year is generally the base year for all real property assessments. Any new assessments made on real property usually result from changes in ownership or new construction.

Each year real property owners are mailed a notice of the assessed value of their property and a tax bill. Notices of supplemental assessment are mailed to property owners whenever property is reassessed upon the completion of new construction or there is a change in ownership.

The assessment roll is a database of Shasta County real property "detail" information. Two-thirds of the database is now electronically accessible. Copies of real property information are available for a fee at the Assessor-Recorder's office, and almost all is accessible by the public on the Internet (www.co.shasta.ca.us/AssessorRecorder). However, "property characteristics" information (address, telephone number, square footage, year built, etc.) is not available on the Internet because section 6254 of the California Government Code restricts the publication of the home address and telephone number of any elected or appointed officials on the internet. The Assessor/Recorder is not provided information as to the identity of such officials, many of whom may be non-resident property owners. A realtor complained to the Grand Jury that the property characteristics information is not available online.

Three employees of the Assessor-Recorder's office filed complaints with the Grand Jury alleging, in part, a "bullying management style" by supervisors and managers. Furthermore, an

employee of that office filed a complaint with the County Personnel Department regarding the management of the office.

METHOD OF INQUIRY:

The Grand Jury visited the Office of the Assessor-Recorder in March, 2006.

The website of the Office of the Assessor-Recorder was reviewed.

The Grand Jury reviewed the following documents:

- *County of Shasta Final Budget Fiscal Year 2005-2006*
- Office of the Assessor-Recorder forms/publications:
 - Request for Property Characteristics Information form
 - Office of the Assessor-Recorder Organizational chart
 - “Facts About Assessment Reviews” pamphlet
 - Sample Property Detail report
- *Property Tax Law Guide*, California State Board of Equalization
- Section 6254 of the California Government Code
- *Shasta County Administrative Manual*

The Grand Jury conducted the following interviews:

- The Assessor-Recorder
- The Deputy Assessor-Recorder/Administration (interviewed on three occasions)
- A Former Deputy Assessor-Recorder
- Three employees of the Office of the Assessor-Recorder
- Two Private Citizens
- Four members of the Shasta County Board of Supervisors

FINDINGS:

1. The current Assessor-Recorder has been elected to three consecutive four-year terms since 1994 and has chosen to retire at the end of his current term. Three persons are running for the Assessor-Recorder position, including a Deputy Assessor-Recorder, a current Auditor/Appraiser employed by the office, and a Public Works Department Senior Planner.
2. When asked to rate the overall effectiveness of the office, administrators interviewed by the Grand Jury gave it 9.5 on a scale of 1 (worst) to 10 (best). They cited a lack of complaints received by their office as one reason for giving it a high rating. When further questioned, however, they were unable to quantify the number of citizen complaints received over the past year. Employees of the office and citizens interviewed by the Grand Jury rated the overall effectiveness of the office much lower because of alleged rudeness and an inability to obtain information from the office.

The Grand Jury found that the Office lacks a functional mechanism for compiling and tabulating citizen complaints. Heads of other County departments interviewed were also unable to provide the Grand Jury with a log of citizens' complaints received by their offices. The Grand Jury finds that current County policy does not contain a requirement for a departmental complaint log to supplement County Administrative Policy 1-116, which provides procedures to be followed when the Board of Supervisors receives a written complaint from the public. The Grand Jury believes establishment and maintenance of such logs would assist in quality control within each County department.

3. Property Detail forms, which contain most of the characteristics of each property, are available on the Internet for all parcels in Shasta County. However, approximately one-third

of the electronic forms are incomplete. The Assessor-Recorder told the Grand Jury that continual progress is being made to complete the remaining forms.

4. Some employees interviewed by the Grand Jury stated that the work environment within the office is characterized by bullying and conflict between management and employees. There were allegations of gender, religious and age discrimination and complaints of “divide and conquer” tactics, micromanagement, and “untouchable” employees. Employees further stated that their complaints and suggestions are often unaddressed. Employees and administrators agreed that intradepartmental communication is in need of improvement. The County Personnel Department is currently conducting an investigation of those allegations. This complaint, therefore, is outside the jurisdiction of the Grand Jury.

RECOMMENDATIONS:

1. The Office of the Assessor-Recorder should complete the Property Detail computer database by June 30, 2007, for all Shasta County properties.
2. The Assessor-Recorder should establish and maintain a log of citizen's complaints and the responsive action taken by the office.
3. The Grand Jury further recommends that all County departments establish and maintain a log of citizen complaints and the responsive action taken by the department.
4. Better communication should be established between management and staff, allowing employees to more readily express their concerns.
5. Training programs for all office supervisory personnel should emphasize team-building and a positive work environment.

RESPONSES REQUIRED:

1. The Assessor/Recorder as to Findings 1 - 4.
2. The Assessor/Recorder as to Recommendations 1, 2, 4 and 5.
3. The Shasta County Board of Supervisors as to Recommendation 3.



SHASTA COUNTY

OFFICE OF THE ASSESSOR-RECORDER

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August 29, 2006

The Honorable William Gallagher
Presiding Judge of the Superior Court
1500 Court Street
Redding, CA 96001

Re: Assessor-Recorder's Response to Grand Jury Report of 2005/2006

Dear Judge Gallagher:

As the elected Assessor-Recorder, I appreciate the opportunity to respond to the Grand Jury's findings and recommendations for the Shasta County Assessor-Recorder's Office. I recognize the important roll the Grand Jury plays in Shasta County and I commend the members of the Grand Jury for the courtesy they extended to me and my staff during their review of this office.

ASSESSOR-RECORDER'S REQUIRED RESPONSES TO FINDINGS:

1. **FINDING #1:** *"The current Assessor-Recorder has been elected to three consecutive four-year terms since 1994 and has chosen to retire at the end of his current term. Three persons are running for the Assessor-Recorder position, including a Deputy Assessor-Recorder, a current Auditor/Appraiser employed by the office, and a public Works Department Senior Planner."*

RESPONSE: I agree with the above finding, except that at this date there are now two persons running for this office.

2. **FINDING #2:** *"When asked to rate the overall effectiveness of the office, administrators interviewed by the Grand Jury gave it 9.5 on a scale of 1 (worst) to 10 (best). They cited a lack of complaints received by their office as one reason for giving it a high rating. When further questioned, however, they were unable to quantify the number of citizen complaints received over the past year. Employees of the office and citizens interviewed by the Grand Jury rated the overall effectiveness of the office much lower because of alleged rudeness and an inability to obtain information from the office."*

"The Grand Jury found that the Office lacks a functional mechanism for compiling and tabulating citizen complaints. Heads of other County departments interviewed were also unable to provide the Grand Jury with a log of citizens' complaints

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received by their offices. The Grand Jury finds that current County policy does not contain a requirement for a departmental complaint log to supplement County Administrative Policy 1-116, which provides procedures to be followed when the Board of Supervisors receives a written complaint from the public. The Grand Jury believes establishment and maintenance of such logs would assist in quality control within each County department.

RESPONSE: While I agree that every public agency needs to be sensitive to effective customer service, I disagree with this finding that the overall effectiveness of the Assessor-Recorder's Office is low and that a formal complaint log is necessary to assist in quality control. The finding indicated that three employees and one or two private citizens rated the overall performance effectiveness of the Assessor-Recorder's Office at a lower level than three administrators rated it and that the administrators lacked credibility since they couldn't quantify the number of citizen complaints.

Complaints from the public generally either concern poor customer service or a disagreement by a property owner with an assessment. I keep a file of all complaints received in written form concerning treatment of the public by office staff. In addition, management, including myself, keep written memos concerning any verbal complaints that we receive. While a "complaint log" might improve our ability to track issues that may recur with some frequency, a review of my complaint file shows very few written complaints since 1995:

<u>Year</u>	<u>Number</u>	<u>Year</u>	<u>Number</u>
1995:	1	2001:	2
1996:	2	2002:	1
1997:	1	2003:	3
1998:	1	2004:	1
1999:	2	2005:	0
2000:	3	2006:	3 (to date)

We receive a number of complaints each year concerning valuation issues and we have a written policy regarding the review of those appraisals. We have an informal "Request for Review" form that is available to property owners on our web site and at our front counter. Our policy requires that a request for review be logged into our Reviews Database by the supervising appraisers. Most valuation disputes are resolved in this manner. Those that are not end up in a formal assessment appeal.

Formal assessment appeals are filed and logged with the Clerk of the Assessment Appeals Board (AAB). Each assessment appeal is reviewed by Assessor administrative staff and an appraiser is assigned to contact the applicant to review the issues to find out the basis of the appeal. Often times the property owner can provide information that we were not previously aware of concerning the condition of the property. That generally resolves the valuation issue. Other times, after the appraiser explains our process, the law, and how the value was determined, the applicant withdraws the application. Either way, it is an efficient use of resources, well documented, and good public service.

The following shows why I think we have an effective assessment program:

<u>Year</u>	<u>Assessments</u>	<u>Appeals Filed</u>	<u>% of Total</u>	<u>State Average</u>
2000-01	102,714	103	0.10%	0.41%
2001-02	103,646	158	0.15%	0.45%
2002-03	104,642	173	0.17%	0.48%
2003-04	105,540	166	0.16%	0.41%
2004-05	106,936	78	0.07%	0.41%
2005-06	108,121	49	0.05%	N/A

The number of assessment appeals filed annually is one important indicator of the accuracy of the County's assessment program. A low percentage of appeals to total assessments is associated with a greater degree of accuracy by Assessor staff and property owner satisfaction with their assessment. On average Shasta County experiences about 75% fewer assessment appeals than the average for other California counties (the data for the State average comes from the California State Board of Equalization).

3. **FINDING #3:** *“Property Detail forms, which contain most of the characteristics of each property, are available on the Internet for all parcels in Shasta County. However, approximately one-third of the electronic forms are incomplete. The Assessor-Recorder told the Grand Jury that continual progress is being made to complete the remaining forms.”*

RESPONSE: I agree with this finding. Revenue and Taxation Code section 408.3 says that property characteristics information maintained by the assessor is a public record. Under the law, “property characteristics” include, but are not limited to, the year of construction of improvements to the property, their square footage, the number of bedrooms and bathrooms, the property's acreage, and other amenities such as swimming pools, views, zoning, use codes, and the number of dwellings units of multiple family properties. In addition section 408.3 says the assessor may require a fee reasonably related to the actual cost of developing and providing the information to be paid by the party receiving the information. Further the actual cost is not limited to duplication or production cost, but may include recovery of developmental and indirect costs, such as overhead, personnel, supplies, and computer costs. All revenue collected by the assessor under section 408.3 must be used solely to support, maintain, improve, and provide for the creation, retention, automation, and retrieval of assessor information. According to the 2004-05 Budget, \$7,230 was collected for “Property Characteristics Info Fees” (Account 664081).

Property characteristics for about two-thirds of the improved parcels are available in the Assessor's data base and as such are available on the Assessor-Recorder's web site for no charge. The property characteristics are also available at our front counter computer terminals at no charge. If the property characteristics for a given parcel are not in the electronic database, then a fee of \$10 is charged to have an appraiser research the information from the hard-copy file and report that information on a property characteristics form, however the property owner is provided that information without

charge. In addition, realtors and other authorized representatives of the property owner can have access to the information without charge if they have a signed authorization form from the property owner giving them permission to have access to their property record.

Continual progress is being made to populate the property characteristics fields in the Assessor's database as appraisers complete appraisals for new construction or changes in ownership.

4. **FINDING #4:** *"Some employees interviewed by the Grand Jury stated that the work environment within the office is characterized by bullying and conflict between management and employees. There were allegations of gender, religious and age discrimination and complaints of "divide and conquer" tactics, micromanagement, and "untouchable" employees. Employees further stated that their complaints and suggestions are often unaddressed. Employees and administrators agreed that intradepartmental communication is in need of improvement. The County Personnel Department is currently conducting an investigation of those allegations. This complaint, therefore, is outside the jurisdiction of the Grand Jury."*

RESPONSE: I agree with the Grand Jury's finding that the matter is outside its jurisdiction. The County completed a thorough investigation into the concerns raised by several employees regarding two managers in my office. The investigation contained some forty interviews of thirty witnesses. Over two hundred pages of interview reports were generated and numerous personnel documents were reviewed. Employees were advised of the results of the investigation on May 17, 2006.

The investigation concluded that the managers did not unlawfully discriminate against any employee based on gender, age, and/or religion. Similarly, it was found that neither manager unlawfully harassed any employee based on gender, age, and/or religion.

The investigation revealed the existence of workplace friction between various employees and the two managers. The investigation further indicated that such friction was exacerbated by a group of employees who were apparently trying to undermine the managers due to long-standing displeasure with the promotion of one of the managers and the current candidacy for the position of Assessor-Recorder of the other manager. The results of the investigation showed that some of the allegations that were raised related to incidents that occurred five to ten years ago, or that did not occur at all.

I recognize that while there was no unlawful harassment or discrimination, the managers should improve their communication techniques. Steps have been taken to address those issues. However, it should be noted that effective communication is a two-way street. Among other things, the investigation illustrated the need for line staff to guard against unfounded workplace gossip and the harboring of old grudges. All employees, including management, need to put their energies into working together to openly and effectively address and resolve issues as they arise in a respectful manner.

With the County's investigation complete, I hope that Assessor-Recorder employees can move on from here and devote their energies to providing quality service to the public that we serve.

ASSESSOR-RECORDER'S REQUIRED RESPONSES TO RECOMMENDATIONS:

1. **RECOMMENDATION #1:** *"The Office of the Assessor-Recorder should complete the Property Detail computer database by June 30, 2007, for all Shasta County properties."*

RESPONSE: The recommendation imposing a June 30, 2007 deadline for completion of the Property Detail computer database will not be implemented because it is not reasonable. I have given a high priority to providing accurate and complete property characteristics for all taxable parcels in Shasta County to the extent that resources allow. Section 408.3 of the California Revenue and Taxation Code defines certain property characteristics maintained by the assessor to be a public record. It does not require that the information be in an electronic format, but it does provide that all revenue collected from the sale of property characteristics by the assessor under this section be used solely to support, maintain, improve and provide for the creation, retention, automation, and retrieval of assessor information.

It is not clear in the recommendation whether the Grand Jury believes that the property characteristics should necessarily be on the Internet. To the extent allowed by Government Code section 6254.21, property characteristics have been accessible on the Internet free of charge for several years. The same information is also available on the public terminals at my front counter.

There are 94,128 parcels in Shasta County as of January 1, 2006. Over two-thirds have property characteristics, as defined in section 408.3, that have been added to our property tax system's database. This continues to be done as the information is updated and as time is available to key in the data.

Each assessable property in Shasta County has a file, both an electronic file and a hard copy file folder. If the property is improved (has a building or buildings) the file folder will contain a building record which will include the property characteristics of the parcel. Over time, and as property is reappraised because of a change in ownership or because of new construction, the property characteristics are updated, verified for accuracy, and entered into the computer database by assessor staff. We reappraise about 16,000 properties each year. A high priority has been placed on updating and keying the property characteristics into our computer system for those properties that are reappraised because it means that an appraiser generally has viewed the property and updated the building record. Some properties in Shasta County still have their original Proposition 13 value, some have values that were established ten years ago, fifteen years ago, twenty years ago, or some other time frame that isn't very current. I have always been concerned about the accuracy of the property characteristics information because I know that people may rely on this information to make economic decisions.

While I appreciate the concern of the realtor that complained to the Grand Jury, progress has and continues to be made on completing the task of populating the property characteristics for every parcel in Shasta County. In fact the very nature of property characteristics require this activity to always be a work in progress. Furthermore, since there will be a new elected Assessor-Recorder taking office in January 2007, I would not want to, nor could I, commit that person to an arbitrary time-line for completion of the property characteristics database. Therefore, for the reasons stated above about the process used to enter accurate and thorough data, I can not agree that the property characteristics computer database should arbitrarily be completed by June 30, 2007.

2. **RECOMMENDATION #2:** *“The Assessor-Recorder should establish and maintain a log of citizen’s complaints and the responsive action taken by the office.”*

RESPONSE: The recommendation will not be implemented because it is not warranted. I am very concerned about the way citizens are treated by my office. We have a policy for responding to complaints about valuations and, as indicated in my response to Finding #2, that process works well as measured by the number of formal assessment appeals filed in Shasta County.

Complaints concerning other issues, such as poor customer service, historically have not been an issue requiring a formal log of such complaints. However, if the Shasta County Board of Supervisors formulates a County wide policy requiring the maintenance of a “complaint log” by County Departments, the Assessor-Recorder’s Office would follow County policy.

3. **RECOMMENDATION #4:** *“Better communication should be established between management and staff, allowing employees to more readily express their concerns.”*

RESPONSE: This recommendation has been implemented. I agree that effective and respectful communication between management and staff is important to the success of this or any office. Assessor-Recorder managers will continue to attend appropriate training in supervision that include sessions on enhancing communication skills.

Regular staff meetings are held to allow for a free flow of ideas and concerns to be expressed. In addition, we have a number of different work groups that meet weekly and managers and supervisors from the different sections of the office meet often to discuss mutual issues.

Managers and staff have been encouraged to communicate using email. While face to face meetings are always preferred, effective communication by email has the advantage of wide coverage to groups, clear message, and can be kept for future reference.

I will continue to encourage management and staff to share and exchange their ideas, comments, and suggestions for improvement for the mutual benefit of all

participants charged with the administration of the property tax program in Shasta County.

4. **RECOMMENDATION #5:** *“Training programs for all office supervisory personnel should emphasize team-building and a positive work environment.”*

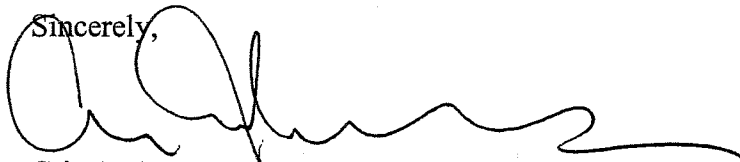
RESPONSE: This recommendation has been implemented. We will continue to emphasize the importance of training for supervisory and management employees.

The Office of Assessor-Recorder is committed to producing a fair, cost-effective, accurate, and timely assessment roll in accordance with the law and to record all those documents required to be or allowed to be recorded for the purpose of providing the public with constructive notice of private transactions. These commitments can only succeed in an environment of professionalism and mutual respect.

This concludes my response to the Grand Jury. I appreciate the opportunity to respond in a constructive manner concerning the Office of Shasta County Assessor-Recorder. Preparing the responses to the “findings” and “recommendations” gave me the opportunity to closely examine our processes and procedures from a different perspective.

My goal is to provide the highest quality public service to the citizens of Shasta County. I am always available to discuss my responses with the Grand Jury.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cris Andrews', with a long horizontal flourish extending to the right.

Cris Andrews
Shasta County Assessor-Recorder

c. Shasta County Board of Supervisors



Shasta County

BOARD OF SUPERVISORS

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September 19, 2006

The Honorable William D. Gallagher
Presiding Judge, Shasta County Superior Court
1500 Court St., Rm. 205
Redding, CA 96001

Re: Response of Board of Supervisors to Fiscal Year 2005-2006 Grand Jury Report

Dear Judge Gallagher:

The Shasta County Board of Supervisors appreciates the time and dedication which the 2005-2006 Grand Jurors contributed to their charge. The following findings and recommendations are under serious consideration and discussions are being held regarding solutions to any unresolved problems.

RESPONSES AND FINDINGS

A. SHASTA COUNTY MAIN JAIL: CATCH AND RELEASE

FINDINGS

1. *The Grand Jury found the Main Jail to be a clean, orderly, and well-run facility.*

Response: The Board of Supervisors concurs with the finding.

2. *The State of California Board of Corrections, in its 2004/2006 Biennial inspection report, noted that fire and health inspections were conducted and that the facility was in compliance with the relevant standards. The Report also stated the sobering cells were often used as the intake area where inmates are received and held pending housing or arranging for bail, and that this utilization does not comply with state regulations related to sobering cells. These cells should be used only for holding inmates who are a threat to their own safety or the safety of others due to their state of intoxication. That deficiency has been corrected.*

Response: The Board of Supervisors concurs with the finding.

3. *The Shasta County Main jail operates at near capacity on a daily basis. The number of inmates at the Main Jail must comply with the Shasta County Superior Court order. This order requires that a quarterly report be submitted to the Shasta County Court outlining both the number and types of inmates released pursuant to the order. Currently, the Main Jail houses the most dangerous inmates who should not be released. Less dangerous inmates, both sentenced and awaiting sentence, are being released. This has become a common and accepted practice because of the lack of jail space.*

Response: The Board of Supervisors concurs with the finding.

4. *The Main jail is the only adult detention facility in Shasta County. Inmates from Shasta County, including the cities of Redding, Anderson, and City of Shasta Lake, are all housed in the Shasta County Main Jail. In 2005, there were 11,386 bookings, 66% of which were arrested in the City of Redding.*

Since 1998, the Sheriff's Department and the Board of Supervisors have been aware there is a need for a new security facility to house the County's growing inmate population. Because of the chronic lack of capacity in the Main Jail, the Sheriff's Office submitted a request for a jail feasibility study to the Board of Supervisors. The study is to be completed by September 2006. The lack of a separate facility to house the mentally ill and intoxicated individuals compounds the jail's capacity problem because these individuals must be temporarily housed in the jail.

Response: The Board of Supervisors concurs with the findings. The Board is awaiting the results of the jail feasibility study which will be presented in September 2006. In addition, the Board has authorized the integration of the health and human services departments, including Mental Health and Alcohol and Drug Programs, Public Health, and Social Services. The provision of services to the chronically mentally ill and persons with alcohol and drug addictions will be evaluated in this redesign.

5. *In December 2001, the Board of Supervisors approved the Sheriff's proposal to replace 62 Shasta County deputy sheriffs in the Main Jail and Detention Annex with correctional officers, in order to reassign the deputies to the field. The replacement of deputy sheriffs by correctional officers results in annual savings due to reduced salaries (estimated up to \$800,000 per year). However, the FY 2005/2006 personnel roster at the Main Jail indicates that only 27 of the 62 deputies have been replaced with correctional officers.*

Interviewees consistently related that the pay scale of correctional officers was inadequate for recruitment and retention. Indeed, one officer was noted to have separated to resume his job changing tires at a local tire shop where he could earn more money.

Response: The Board concurs with the finding that they approved the transition from deputy sheriff to correctional officers in the Main Jail, and that the transition has had a positive impact on the cost of staffing the Jail. We disagree, however, on the number of positions that have transitioned. As of June 30, 2006, the Jail's personnel roster listed 38 correctional officers and 13 deputy sheriff positions. The transition from deputy sheriff to correctional officer is dependent upon vacant patrol positions for the deputies to transition into. The Sheriff has implemented an aggressive recruitment policy for hiring and training.

The County entered into a successor Memorandum of Understanding (MOU) with the bargaining unit representing the correctional officers. Enhancements to both wages and benefits contained in the MOU will have a positive impact on both recruitment and retention of correctional officers.

6. *The Shasta County Jail is operating at minimum staffing level. Correctional officers and deputies must work overtime to meet required staffing levels. Personnel working at the Main Jail accumulated over 22,000 hours of overtime in 2006. Excessive overtime results in officer fatigue and inefficiency, safety concerns, and contributes to low morale. These factors, combined with a higher concentration of dangerous inmates, create a concern for the safety and security of both the Main Jail staff and inmates. Several interviewees indicated that one or more "disturbances" had occurred since January 2006, requiring areas of the Jail to be under "lock-down." Many of the correctional officers and deputies interviewed by the Grand Jury cited the need for the County to hire additional correctional officers and/or deputies to relieve the understaffing and overtime problems.*

Response: Although the Board of Supervisors concurs with the finding on the staffing level in the Main Jail, the Board has fully funded all allocations. Four additional positions, two correctional officers and two public safety service officer positions were approved on April 18, 2006, and fully-funded in the FY 2006-07 Budget. The Board of Supervisors controls the number of full-time equivalent staff allocated to the Jail. A county board of supervisors is not authorized to govern the actions of a sheriff concerning the manner in which budget allotments are expended or the manner in which personnel are assigned.

7. ***The Main Jail release policy and the inability to hold work release inmates accountable by incarcerating them when they fail the program negatively affect the morale of many of the deputies.***

Response: The Board of Supervisors concurs with the finding that work release inmates need to be held accountable.

RECOMMENDATIONS

1. ***The County and the Sheriff's Office should continue to pursue securing a new jail and/or a minimum security facility and the funding to operate them.***
2. ***Funding sources for the building, which may be available and must be examined, are***
 - a. ***Federal, state and private grants***
 - b. ***Infrastructure impact fees***
 - c. ***Lease/purchase financing***
 - d. ***California Infrastructure and Economic Development Bank Loans***
 - e. ***Correctional Facilities Capital Expenditure and Youth Facility Bond Act of 1988***
3. ***Funding sources for operations as well as construction are:***
 - a. ***A joint funding agreement with City of Redding, City of Shasta Lake, and City of Anderson for capital expenditures and staffing.***
 - b. ***A local sales tax increase***

Response to Recommendations 1, 2, and 3: The Board of Supervisors is awaiting a report on the jail-bed feasibility study from Nichols, Melberg and Rossetto, and Dan Smith & Associates, to be completed in September 2006. The scope of the study included an evaluation of current and future adult and juvenile jail beds as well as recommendations for funding both capital expenditures and staffing. The Board has authorized the development of a Ten-Year Outlook to among other things identify resources for capital improvements.

4. ***The Board of Supervisors, Sheriff, and County Mental Health should work expeditiously toward a goal of establishing and funding a facility that will house the mentally ill and intoxicated individuals separately from the Main Jail.***

Response: The Board of Supervisors recognizes this as a community responsibility and concurs that they should take the lead in bringing all community partners together. The Department of Mental Health is working with the Sheriff's Office to obtain a Mentally Ill Offender Reduction Grant (MIOCRG), and a separate collaboration grant for a mental health clinician to work at the jail. The County continuously strives to improve on service delivery to persons afflicted with mental illness and/or alcohol and drug additions.

The Sheriff's Office continues to work with the Mental Health Assessment and Redesign Collaborative to provide appropriate assessment and disposition of individuals who are severely and gravely disabled pursuant to Welfare and Institutions Code Sections 5150 and 5585.5. A detoxification unit is high priority for the collaborative and will continue to partner with the Sheriff's Office and other community partners to implement a medically supported detoxification center.

5. ***The Board of Supervisors should adjust the compensation package for the Sheriff's Office to facilitate the recruitment and retention of deputies and/or correctional officers to staff the Main Jail.***

Response: The County entered into successor Memorandums of Understanding (MOU) with the bargaining units representing both correctional officers and deputy sheriffs. Enhancements to both wages and benefits contained in each MOU will have a positive impact on both recruitment and retention of correctional officers and deputies.

B. REDDING REDEVELOPMENT AGENCY: READY, AIM – SPEND!

FINDINGS

- 1. The cities of Anderson, Shasta Lake and Redding and the County of Shasta currently operate RDA's. In total there are six redevelopment project areas in the county: Shasta Dam (Shasta Lake City); Southwest (Anderson); and Market Street, Canby-Hilltop-Cypress, Buckeye and SHASTEK (Redding). In 1993, section 33216.5 of the California Health and Safety Code was enacted and authorized the transfer of the Shasta Dam Area Redevelopment Project from Shasta County to the City of Shasta Lake. The City of Anderson and Shasta County cooperate with the Redding RDA as a multi-jurisdictional agency in the SHASTEK Project Area. The County also partners with the City of Redding in controlling the Buckeye Project Area. Currently, these partnerships generate no income for Shasta County. As of June 2004, the total indebtedness for all RDA's in Shasta County approached \$50 million, with the City of Redding's Redevelopment Agency (RRA) issuing more than 90 percent of that debt.*

Response: Although it is true that the two redevelopment projects the County is partner to, SHASTEK and Buckeye, do not generate any income for the County both of these project areas have future capital projects planned that will benefit the unincorporated area.

RECOMMENDATIONS

- 1. The Grand Jury recommends that newly elected members of redevelopment boards in Shasta County undergo formal redevelopment education and that sitting board members periodically receive continuing education on redevelopment law and policy.*

Response: On June 21, 2006 each of the five Board members were provided with the following Redevelopment educational and reference materials: Redevelopment in California, UC Davis Extension, January 2002; and Redevelopment: The Unknown Government, February 2006, along with materials from the California Redevelopment Association's website (<http://www.calredevelop.org>).

On June 27, 2006, the Board of Supervisors authorized two Board members to attend Redevelopment trainings, conferences or seminars.

2. *All County RDAs should institute a more transparent tracking system for administrative costs to ensure that city or county employees actually perform redevelopment duties when paid with redevelopment funds.*

Response: The County does not currently access redevelopment administrative funds for either the SHASTEK or Buckeye Redevelopment Projects but, is reviewing the appropriate way to fairly allocate those administrative costs. An Administrative Analyst in the County Administrative Office performs redevelopment administrative functions as a part of her regular duties.

3. *All County RDAs should increase redevelopment oversight. At a minimum, all RDAs should reinstate citizen oversight committees to each redevelopment project area.*

Response: The County is in the process of increasing the level of knowledge and expertise by the board. This will increase the ability for technical oversight.

5. *The inclusion of vacant or underdeveloped land into project areas should be carefully scrutinized as it limits the private sector's development opportunities.*

Response: The County of Shasta agrees with this recommendation and would be amenable to increasing the scrutinization for determining the inclusion of vacant or underdeveloped land into redevelopment project areas.

C. **OFFICE OF THE ASSESSOR-RECORDER NUMBERS AND MANNERS
COUNT**

RECOMMENDATIONS

3. *The Grand Jury further recommends that all County departments establish and maintain a log of citizen complaints and the responsive action taken by the department.*

Response: The recommendation requires further analysis. The Board of Supervisors adopted Administrative Policy 1-116 to provide a procedure for handling written complaints from the public to the Board of Supervisors. The Shasta County Administrative Policy Manual is reviewed periodically to ensure that policies remain relevant and representative of the Board's intent for business conducted by the County of Shasta. The next review of the policy manual is anticipated for mid-2007. At that time, the County

Page 8
September 19, 2006
The Honorable William D. Gallagher

Administrative Office will review Policy 1-116 and make a recommendation to the Board of Supervisors on any revisions necessary.

This concludes the response of the Shasta County Board of Supervisors to the FY 2005-2006 Grand Jury Report.

Sincerely,



PATRICIA A. "TRISH" CLARKE, Chairman
Board of Supervisors
County of Shasta

Copy: Members of the Grand Jury
Tom Bosenko, Sheriff – Shasta County
Richard Graham, Auditor/Recorder

BURNEY FIRE PROTECTION DISTRICT
More smoke

Burney Fire Protection District
37072 Main Street
Burney, CA 96013
(530)-335-2212

REASON FOR INQUIRY:

Section 933.5 of the California Penal Code provides that the Grand Jury may investigate and report on the operations of any special-purpose assessing or taxing districts located wholly or partly within the county

BACKGROUND:

The Burney Fire Protection District (BFPD) was organized in 1939 to provide fire protection and other ancillary services including ambulance services. BFPD charges for ambulance services; other services provided by the district are primarily funded by property tax assessments.

The 2004/2005 Grand Jury investigated this agency due to complaints by citizens within BFPD. Responses to that investigation are located in a separate section of this Grand Jury Report.

Six additional complaints were received this year that prompted further investigation. The most significant complaints received by the Grand Jury focused on:

1. Failure to follow proper election code procedures.
2. Illegally blocking an alleyway between the fire station and a neighboring building.

3. An alleged violation of the Brown Act regarding an amendment to the Fire Chief's contract.

METHOD OF INQUIRY:

The Grand Jury reviewed the following documents:

- *Referendum Against an Ordinance passed by the Burney Fire Board*
- Agendas and minutes of all BFPD Board meetings dating from May, 2005, to April, 2006.
- Ordinance Number BFPD 2005-01
- Sections 6252- 6253.5 of the California Government Code (Part of the Public Records Act)
- Section 54957.7(b) of the California Government Code (a provision of the Brown Act)
- California Election Codes 9340 and 9141-46.
- Easement Deed, State of California, County of Shasta, Recorded as Number 37650, 1986
- Letter from Richards/Watson/Gershon to the BFPD Fire Chief dated August 25, 2005

The Grand Jury conducted the following interviews:

- Four private citizens
- Two BFPD Board Members
- Twenty-five Redding Fire Department firefighters
- The Redding Fire Department Chief
- Two Redding Fire Department Deputy Chiefs
- One Member of the Shasta County Board of Supervisors
- The Shasta County Registrar of Voters

The Grand Jury visited the following locations:

- The Burney Fire District's station

FINDINGS:

1. On June 6, 2005, a petition in support of the *Referendum Against An Ordinance passed by the Burney Fire Board*, containing 271 signatures (123 required) was submitted to the BFPD board. The petition asked the Board to repeal its ordinance to increase fees for BFPD services.

California Elections Code sections 9145 and 9350 require the governing boards of districts to either repeal the ordinance against which a petition was filed, or submit it to the voters. Rather than do either, the BFPD Board forwarded the petition to an attorney recommended by the District's Chief. The attorney declared the petition to be "fatally flawed," and on the attorney's advice, the Board did not submit the petition to the Registrar of Voters for inclusion on the ballot. This appears to be a violation of California Elections Code section 9145.

2. An alleyway separates the BFPD Fire Department building from a commercial building and a house behind it. BFPD has its own parking lot; however, when responding to emergency calls for service, firefighters often park their cars in the alleyway, blocking it. Additionally, a padlocked vehicle belonging to the district obstructed the rear portion of the alleyway, thus denying the neighbor access to his building. According to one of the complainants, the Fire Chief told the adjacent building owner that BFPD held title to the alleyway. The Grand Jury learned that the alleyway is actually an easement for the California Department of

Transportation. The Shasta County Sheriff's Office branch in Burney ordered the Fire Department to remove the padlocked vehicle.

3. Several complainants notified the Grand Jury that the District Board may have violated the Brown Act (government codes sections 54950-54962), which governs meetings conducted by local legislative bodies, on two occasions. First, upon the recommendation of the Fire Chief, the BFPD Board hired an outside attorney to evaluate the referendum petition.

Neither the BFPD meeting agendas nor its minutes speak to the hiring, cost, or outcome of the attorney's legal analysis, or whether the Board took formal action to accept or reject the petition. In spite of two requests, the district did not supply the Grand Jury with documentation of their relationship with the outside attorney.

Second, the BFPD Board amended the Fire Chief's contract in closed session. The Brown Act requires that action taken in a closed session to appoint or employ an individual must be reported in the next open session immediately following the closed session. Any amendment to the Chief's contract should have been presented during an open session of a District's Board. However, the Grand Jury did find documentation of the Fire Chief's contract changes in the minutes of the meeting of June 28, 2005. The report of the closed session stated that any amendment or termination of the Fire Chief's contract require a 4/5 (80%) vote, instead of a simple majority. This recommendation was approved by the Board. Therefore, the Grand Jury determines that there was not violation of the Brown Act in connection with the changes made to the Chief's contract..

4. Grand Jury interviews with City of Redding firefighters (many with CDF experience) consistently demonstrate a negative regard for the BFPD Fire Chief's fire management decision-making, management style, and personality. Citizen complaints to the Grand Jury

during the past two years also criticize the Chief, describing him as “abrasive,” “controlling” and “bullying.” However, two BFPD Board members stated that despite some written negative comments received during the Chief’s application, they have been satisfied with his leadership of the Fire Department. They acknowledge his abrasive management style, but claim that style was “just what the department was lacking in the past.”

RECOMMENDATIONS:

1. The Grand Jury recommends that the governing board of the Burney Fire District immediately take one of two actions: entirely repeal the fee ordinance against which the referendum petition was filed or, submit the petition to the County Registrar of Voters so that the ordinance may be placed on the ballot.
2. The BFPD Board should review the Brown Act regarding the alleged lack of documentation for the hiring of an outside attorney. If found, the violation must be corrected in an open session of a BFPD Board meeting.

RESPONSES REQUIRED:

The Burney Fire District Board as to Findings 1-3.

The Burney Fire District Board as to Recommendations 1-2.



BURNEY FIRE PROTECTION DISTRICT

Established 1939

July 12, 2006

The Honorable William Gallagher
Presiding Judge of the Superior Court
1500 Court Street
Redding, CA 96002

RE: Response to 2005-2006 Grand Jury Report
Pursuant to California Penal Code 993(c)

Dear Judge Gallagher:

As a public agency with an elected board which sets policy for its agency operations, we find the recent Grand Jury report particularly misguided, and has no basis of fact to support any of their conclusions. The report is based upon rumor, personal attacks, and lack of sound legal research regarding the three areas identified. The information used to draw these conclusions is inaccurate and misleading.

Response to Findings

1. Burney Fire Protection District disagrees wholly with Finding 1 contained in the final report of the Shasta County Grand Jury submitted to the District on July 7, 2006. That finding states that the District's not submitting a purported referendum petition for processing for a potential election "appears" to violate California's Elections Code Section 9145. The finding also seems to imply that it was improper for the District to seek legal advice before and in lieu of processing the purported petition.

The implication is that any document, which is characterized as a referendum petition seeking to reverse any act of the District Board, should be processed through County election officials without legal scrutiny as to the document's validity.

This view simply is incorrect and would constitute poor public policy potentially generating wastes of public funds. Every person and entity, and particularly, every public entity is afforded the right to legal counsel when a legal problem presents itself as it did when the subject petition was presented. The District sought that legal advice and received an opinion that the purported petition was invalid for multiple reasons. The Office of the Shasta County Counsel concurred in that opinion, and, perhaps most telling, the petition proponents did not publicly disagree with the opinion or challenge it in any way. The Grand Jury does not take issue with the legal advice afforded to the District, but still asserts that the District somehow erred in not submitting the flawed petition to the County for processing.

Submitting an invalid petition for processing through an election would constitute a waste of public funds to be expended by the County and the District. Further, should the invalid petition have received a majority of votes cast, a successful lawsuit challenging its validity would likely have been processed, resulting in a further waste of public funds.

The action suggested by the Grand Jury findings would be imprudent in that it would generate a waste of public funds. As such the recommendation will not be implemented because it is not warranted and is not reasonable as stated above.

correspondence@gallagher, william judge superior court

37072 MAIN STREET
Phone (530) 335-2212

BURNEY
❖ ❖ ❖

CALIFORNIA 96013
Fax (530) 335-2235

Burney Fire Protection District Is An Equal Opportunity Employer

2. The alleyway referenced in the Grand Jury report has been District property since 1941 when the station was built. This board was unaware of any easement until it was brought up in the Grand Jury investigation. The Grand Jury should have investigated into the "easement" further and provided the Burney Fire Protection District with the information they had prior to their final report. This matter could have been resolved. Our investigation discovered the easement referenced by the Grand Jury is a drainage easement recorded in 1986, prior to the redesign of Main Street. If the Grand Jury had taken the time to review the facts, they would have determined the District, as a public entity, owns the property in fee title and granted the drainage easement to Cal Trans. As such, there is no prohibition against the District's using its own property for its own purposes. The alleyway, even if completely blocked off, would not deny any neighbor access to their property.

The Grand Jury report states the Shasta County Sheriff's office in Burney ordered the Fire Department to remove a padlocked vehicle. If the Grand Jury again had done its research, they would have discovered there is no report by the Shasta County Sheriff's Office ordering the removal of a District vehicle nor are there any log entries to back up the Grand Jury's allegation. The Shasta County Sheriff lacks such authority to even make such an order.

3. The Grand Jury asserts that the District did not provide documents to the Grand Jury regarding the District's legal relationship. In fact, the District did provide a copy of the retainer agreement and a copy of a specific bill requested by the Grand Jury.

Government Code Sections 54950-54962 is the entire Brown Act. The Brown Act does not address the hiring of legal counsel. There also is no requirement that a legislative body hire legal counsel in open session as the Grand Jury asserts. The hiring of legal counsel is permitted by the District's policies.

Based on the Grand Jury's comments in Recommendation 2, "If found, the violation must be corrected in an open session of a Burney Fire Protection District board meeting." This statement in and of itself shows that there was no violation of the Brown Act, since the Brown Act requires no such action. As such, the recommendation will not be implemented because it is not warranted and is not reasonable as stated above. There was no Brown Act violation.

4. We find the inquiry into one's personality beyond the scope of the Grand Jury as defined in the California Penal Code. The City of Redding's Fire Chief, Deputy Chiefs, and firefighters have no idea what policies are set forth by the Burney Fire Protection District Board of Directors. A person's management style is subjective to say the least. Why would twenty eight firefighters from Redding be interviewed about Burney Fire Protection District in the first place? Why not interview Burney's firefighters?

In response to the statements made by two Board members, this is not true, and taken out of context. We are requesting an apology and retraction regarding the Fire Chief. We find the Grand Jury's accusations regarding Chief May libelous.

Sincerely,



Lynn Miller
Board Chair

Attachment

cc: Fire Board, Fire Chief

37650

RECORDED AT REQUEST OF
DEPT. OF TRANSPORTATION
AT 6 MIN. PAST 11 A.M.
OFFICIAL RECORDS SHASTA COUNTY, CALIF

DEC 17 1986

Margaret Kivley
RECORDER FEE \$ *No Fee*

AFTER RECORDATION, RETURN TO:
DEPT. OF TRANSPORTATION
CALTRANS
PO BOX 2107
REDDING CA 96099

SPACE ABOVE THIS LINE FOR RECORDER'S USE

A.P.#28-180-29 (Portion)
Unincorporated area

EASEMENT DEED

DISTRICT	COUNTY	ROUTE	POST MILE	NUMBER
02	Sha	299	74.1	10323

BURNEY FIRE DISTRICT

GRANT to the State of California an EASEMENT for drainage purposes

upon, over and across that certain real property in the _____

County of Shasta, State of California, described as follows:

The West 12 feet of Lot 3, Block 6, of the "Burney Subdivision Unit No. 2", recorded in Book 6 of Maps at Page 10, Shasta County Records.

Containing 0.04 acres, more or less.

BOOK 2278 PAGE 271

Entered on R/W record map
Date 2-24-87
Certified John A. Hamer
J. W. W. S.

ated this 7th day of November, 19 86 BU EY FIRE DISTRICT

Signed and delivered in the presence of

David J. Shiplet
DAVID J. SHIPLET, Chairman
Board of Fire Commissioners

~~SUBSCRIBING WITNESSES~~

STATE OF CALIFORNIA }
County of SHASTA } ss.

On NOV. 7, 1986, before me, the undersigned Notary Public in and for said County and State, personally appeared DAVID J. SHIPLET Chairman, Board of Fire Commissioners

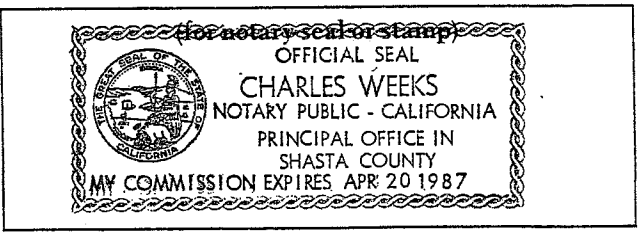
personally known to me to be the person whose name is subscribed to this instrument,
 ~~proved to be the person whose name is subscribed to this instrument by the oath of a credible witness who is personally known to me~~

~~said subscribing witness being by me duly sworn, deposed and said that this witness resides in the State of California~~
~~County of~~

~~and that said witness was present and personally known to me on the basis of satisfactory evidence, personally known to me to be the person~~ ~~whose name is~~ subscribed to this instrument ~~and that he executed the same, and that the affiant subscribed~~ ~~name as a witness thereto~~ and acknowledged that he executed it.

WITNESS my hand and official seal.

Charles Weeks
Signature
Notary Public in and for said County and State



(CERTIFICATE OF ACCEPTANCE, GOVERNMENT CODE, SECTION 27281)

THIS IS TO CERTIFY, That the State of California, grantee herein, acting by and through the Department of Transportation, hereby accepts for public purposes the real property, or interest therein, conveyed by the within deed and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of November, 19 86

LEO J. TROMBATORE
Director of Transportation

By Richard L. De Rosa
RICHARD L. De ROSA
District Director
District 2 and Attorney in Fact

37650

BURNEY FIRE DISTRICT

BOARD OF FIRE COMMISSIONERS

REGULAR MEETING

SEPTEMBER 10, 1986

The meeting was called to order at 7:01 p.m. by Commissioner Shiplet. The following were present: Commissioners Best, Emmen and Shiplet, Chief Nelson, Secretary Blanchard, Karen Herzberg and Captain Sullivan. Commissioners Phillips and Koolhoven were absent.

The Minutes of the July 9, 1986 meeting were approved with one change to the third page, paragraph two; remove the word "pay" before the word "policy" on the second line.

The Minutes of the Special Meeting on August 18, 1986 were approved as read.

CHIEF'S REPORT:

MEETINGS included: EMT-CHP, Volunteer Meeting, Volunteer Drills, EMT - Ambulance Study, Tamarack Fire, Fire Flows (Shasta Co.), Air Pollution Control, CDF Dispatching (Run Book).

MISCELLANEOUS: Augmentation funds, Fire Safe Standards - Resolution (Shasta Co.), PIC-worker moved.

PROJECTS included: Annexation (Forms/Resolution), Fire Engines (repairs, etc.), Radios (Multi-Channel), Shasta County Ambulance License, Fire Hydrants (Service and paint); H.P. Pump (WT17), Drainage (Cal-Trans), Fuel Tank Inspection (Station 17).

The expected date for the shift of dispatching fire calls is 10-1-86.

Special meeting in October regarding fire flows at the Board of Supervisors in Redding.

We now have a handbook on air pollution control to give out with burn permits for the next fire season. It will first be condensed.

EMT Ambulance Study - A list of items to look at has been made. Sometime during October the committee will get together and research.

Tamarack Fire: Went as well as could be expected. Chief Nelson attended the critique and they discussed how to run another fire a little smoother, etc. Also, our volunteers put in a lot of time at the fire.

Fire Safe Standards: Resolution 86-169 (Shasta Co.) was discussed. It has been determined that Johnson Park cannot meet these standards. A study is in progress to "red flag" problem areas and new building in those areas would not be permitted. There will be an update on this in another month.

We have forms for Annexation. Chief Nelson talked with Fruit Growers Co. and it was mentioned that Burney would get Ultrasystems and the new subdivision, but that they would de-annex other areas.

We are in the process of getting estimates on bringing the engines up to date.

We have to apply for a Shasta County Ambulance License. The fee should be waived by the Board of Supervisors.

Fire hydrants: new hydrant on Mt View (Cemetery), new hydrant on Huron & Saginaw (Water District), Shasta & Trinity (Replaced), the Burney Mosquito District's Board has voted for a new hydrant that is needed due to a new building they are putting up.

High pressure pump has been mounted on Water Tender 17.

Cal-Trans is going to be fixing a drainage problem at the Barber Shop next to our building. They will put in a better drainage in the alley and out to the street so water won't go through the Barber Shop building. This will be done during the 1987 summer.

Fuel tank inspection - County Health Inspector has notified us that he will be inspecting our gasoline tank. A permit to keep the tank will be \$450 per year. It will cost approximately \$95.00 to remove the tank and not go through the hassles to keep records on it.

AUGUST RUNS: 10 FIRE CALLS
46 AMBULANCE CALLS.

VOLUNTEER FIREFIGHTERS' ASSOCIATION PRESIDENT'S REPORT:
President was absent, no report given.

EMT ASSOCIATION PRESIDENT'S REPORT

President Karen Herzberg gave the following report:
There was a meeting with CHP in which the California Vehicle Code was explained and emergency procedures were gone over.

It was requested for EMT I's to have access to the monitor for emergency situations and have it all set up for the EMT II's, but not the defibrillator. Chief Nelson stated that he had talked to Jerry Fikes of Mercy Medical Center about this when we first got the monitor equipment. It was concluded at that time that the equipment was to be locked up so that non-qualified personnel could not have access to it, and also, that it takes a lot of training to be able to read the tapes correctly. Mercy will be contacted to see if their policy has changed. If it is legal to do so, the Board sees no problem in granting this request to the EMT I's.

BURNEY FIRE DISTRICT

BOARD OF FIRE COMMISSIONERS

REGULAR MEETING

OCTOBER 8, 1986

The meeting was called to order at 7:00 p.m. by Commissioner Shiplet. The following were present: Commissioners Best, Shiplet, Phillips and Koolhoven, Chief Nelson, Secretary Blanchard, and Rick Avelson. Commissioner Emmen was absent.

No bids were received on the pick-up truck. It was decided to put another ad in the newspapers for "bid for the best offer", but that the Board has the right to refuse any bids.

The Minutes of the September 10, 1986 meeting were read and approved.

CHIEF'S REPORT:

MEETINGS included: EMT, Volunteer Meeting, Volunteer Drills, EMT - Ambulance Study, Tamarack Fire, Fire Flows (Shasta Co.) 9/7/86, PG & E - Fire Hydrant and Foam Eductor/Foam

PROJECTS included: Fuel Tank- State, Ambulance Straps, Fire Engines (Repairs, etc.) WFL7, Radios (Multi-Channel) - on order, Shasta County Ambulance License - Letter to B.O.S., Fire Hydrants (Service and paint) A. Burney Mosquito District, H.P. Pump (WFL7), Drainage (Cal Trans), Subdivision Maps (2), Monitor/Defib, Letter to BSO Dispatching.

There was a meeting on 9/7/86 in Redding on fire flows. The Water District's complaint is that it is costly to put in pipes.

Ambulance Study - Mostly an informational meeting. A regular meeting is scheduled for late in October with 2 Board members.

PG & E - Meeting with Roger Borkey regarding fire hazard concerns. Requested 2 fire hydrants and purchase of a foam eductor. If they can fit them in the budget this year, they will. If not, they will budget them for next year.

The gas tank cannot be removed alone - the State must perform tests. It would be best to leave it in the ground and fill it with sand/slurry.

There have been 12 straps made for the ambulance and have been put into service.

WFL7 - quit running so it had to be converted from military to conventional on the plugs, wires, etc.

Radios will be put in all at one time, probably during the week of 10/13/86.

Ambulance License - all forms have been sent and a letter will be sent requesting waiver of fees.

Mosquito District has a new hydrant.

H.P. WT17 - work is to be done on it this coming week.

Drainage - Ms. Hernandez from Dept. of Transportation came in to explain what was going to be done on the drain between our building and the one next door. They will do all the work and pay us \$250.00. Commissioner Phillips motioned to accept payment on the easement from Cal Trans and have the drainage work done. Commissioner Koolhoven seconded. Ayes: All. Noes: None. Carried.

Subdivision Maps - both maps pertain to the Burney Terrace area. Chief explained both conditions and what had to be done to come up to the fire standards.

Monitor/Defib - EMT I's are not to use this equipment without an EMT II present.

Letter to Burney S.O. Substation explaining all areas of emergency back-up system for dispatching.

SEPTEMBER 1986 RUNS: 12 FIRE CALLS
30 AMBULANCE CALLS

VOLUNTEER FIREFIGHTERS' ASSOCIATION PRESIDENT'S REPORT:

President Avelson gave the following report: Not a lot is going on with the volunteers at the present. There possibly will be a sale of hats and T-shirts. Training has been the usual drills. There seems to be a lack of interest due to the hunting season, etc. An interest to train with live fire has been brought up to Chief and Captain, since there are properties available to burn. There may be a pool tournament with the Water District. There may be some programs for fire prevention with kids. There are extracation classes going on during the month of October.

Commissioner Phillips brought up the need for teachers to get some fire training since they never have had any; also on bomb procedures.

EMT ASSOCIATION PRESIDENT'S REPORT

There was no EMT meeting during the month. No Report.



RIGHT OF WAY
DISTRICT 2 FIELD OFFICE
DEPARTMENT OF TRANSPORTATION

4300 CATERPILLAR RD.
REDDING, CA 96003
(530) 225-3310
FAX ATSS: 8-442-3021
FAX: (530) 225-3021

Fax

To: HOWARD FINCHER From: JOHN GARLAND
Fax: 335-2235 Pages: 5
Phone: _____ Date: 7/12/06
Re: _____ CC: _____

Urgent For Review Please Comment

• Comments:

HIGHWAY EASES. (^{LIE} HWY 299) ARE FOR PUBLIC
USE. THIS DAMAGE EASEMENT IS BETWEEN
CALTRANS AND BURNEY FIRE DIST.

THE BEST THING TO DO IS HAVE SHAST CO'S
LEGAL OFFICE TAKE A LOOK AT IT.

EASEMENTS

AND

REVERSIONS

Donald A. Wilson

PREFACE

Over the years there have been many articles concerning easements and several books which either made easements their focus, or devoted a separate chapter to them. While the emphasis has been on what an easement is, and how easements are created, little analysis has appeared on the termination of easements and the fate of the land burdened by them.

This treatment attempts to address that topic and the reversion rights and boundaries that accompany easement termination. Reversions are constant problems for surveyors and title examiners, so it is anticipated that this will serve as a guide useful in the solution of those problems.

1. EASEMENTS IN GENERAL

DEFINITION. An *easement* has been defined as "a right, privilege, or liberty which one has in land owned by another; it is a right to a limited use in another's land for some special and definite purpose." It is important to understand every facet of that definition since it not only states what an easement is, but also limits its scope.

First, an easement is *a right, privilege, or liberty*; it is not ownership of the fee, or of the land itself. It is called a non-possessory interest in land since the owner of the easement does not possess the land itself — he merely has the right to do certain acts in the land of another. However, it is more than a mere personal privilege, it constitutes an *actual interest in the land* and thus is regarded as realty.²

Secondly, an easement is *in land of another*, therefore one cannot have

¹ Maine Real Estate Law, Chapter 6.

Mass. App. 1980. "Easement" is a right which one person has to use the land of another for a definite purpose. *Brown v. Sneider*, 400 N. E. 2d 1322, 9 Mass. App. 329.

² Maine Real Estate Law, Chapter 6.

N.Y.A.D.2 Dept. 1984. "Easement" is interest in land created by grant or agreement, express or implied, which confers right upon holder thereof to some profit, benefit, dominion, enjoyment or lawful use out of or over estate of another; thus, holder of easement falls within scope of generic term "owner." *Copertino v. Ward*, 473 N.Y.S.2d 494, 100 A.D.2d 565.

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an easement on one's own land.³ This becomes a critical point when *merger of title* takes place. More will be said about merger of title in the chapter on termination of easements.

Last, an easement is a *right to a limited use for some special and definite purpose*. Therefore an easement holder may not do anything and everything on the land or a portion thereof as if he had full ownership of it. He may only do certain things, whatever is specified in the grant or travels with the easement, and only for a special and definite purpose, not whatever he wishes to do.⁴

An easement is also often defined as being a right which one has in land of another *not inconsistent* with a general property in the owner.⁵ However, this is not always the case as easements created many years ago may still be in effect and be contrary to the present owner's plans for use of the land, or even may prevent certain uses. Many of these outstanding easements may be very burdensome in that they are superior rights having been conveyed away years ago.⁶ If created, or conveyed, very long ago they may

³ 25 Am. Jur. 2d § 2. A person cannot have an easement in his own land, since all the uses of an easement are fully comprehended in his general right of ownership.

The reason why one may not have an easement in his own land is that an easement merges with the title, and while both are under the same ownership the easement does not constitute a separate estate. *Sievers v. Flynn*, 305 Ky 325, 204 SW2d 364.

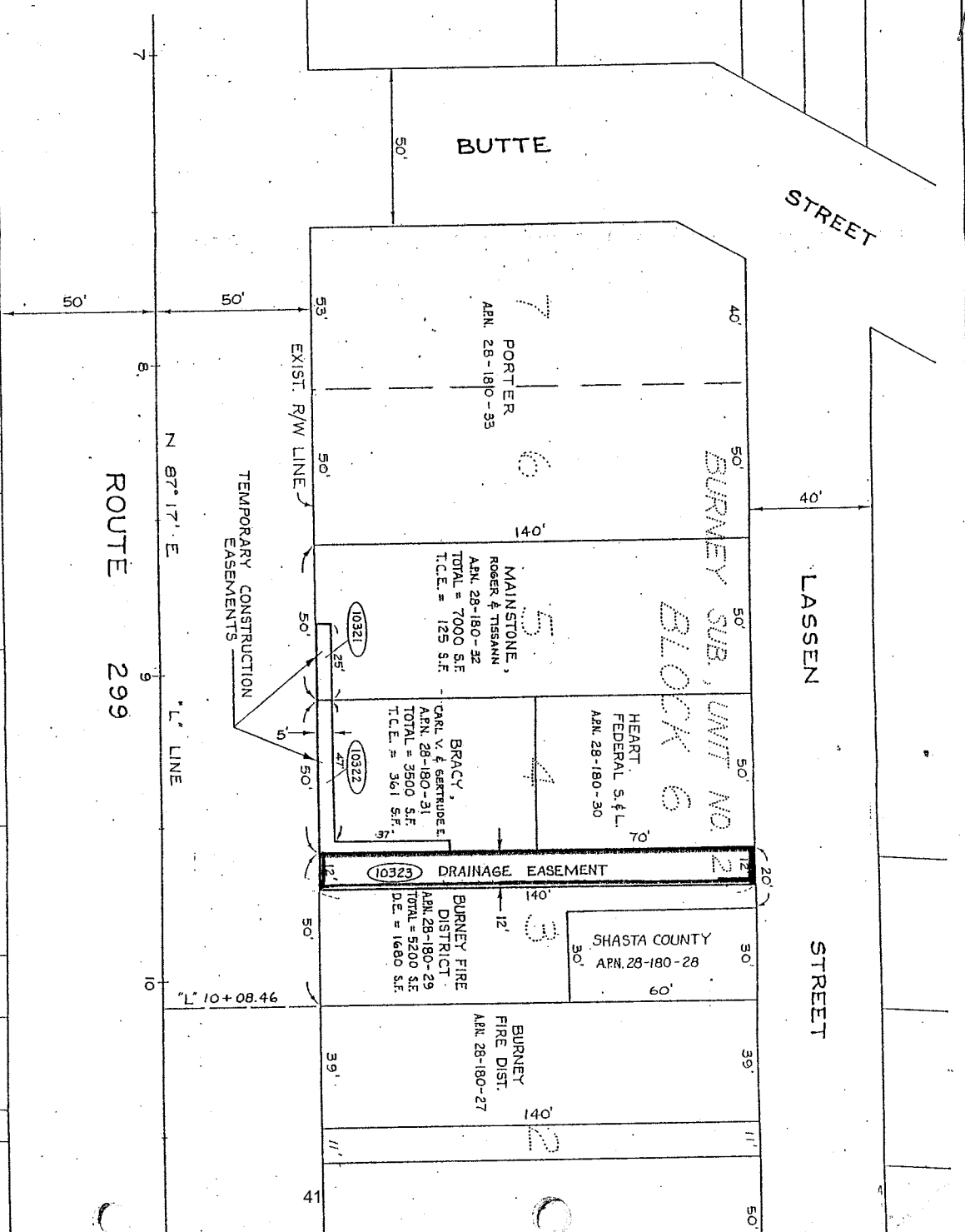
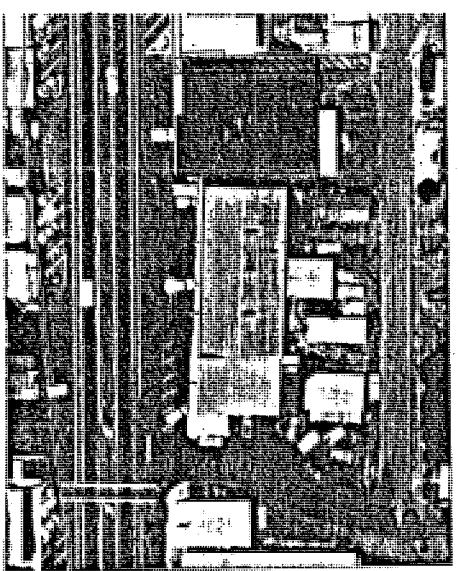
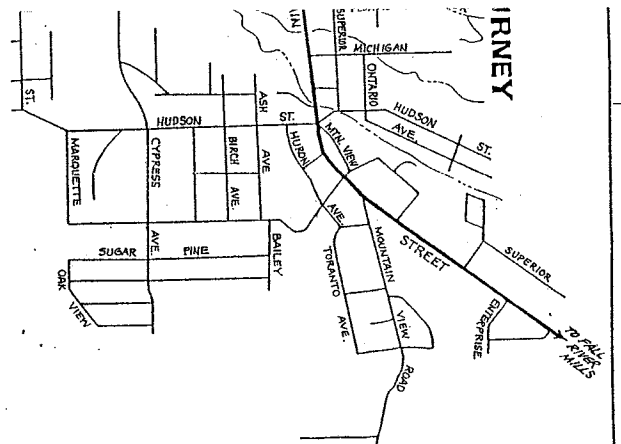
One cannot be said to have an easement in lands the fee simple to which is in himself. *Othen v. Rosier*, 148 Tex 485, 226 SW2d 622.

Mass. 1863. While two adjoining estates are both owned by the same person, no easement can be created in one of them for the benefit of the other. *Carbey v. Willis*, 89 Mass. 364, 83 Am. Dec. 688.

⁴ 25 Am. Jur. 2d, § 72. A principle which underlies the use of all easements is that the owner of the easement cannot materially increase the burden of the servient estate or impose thereon a new and additional burden. Though the rights of the easement are paramount, to the extent of the easement, to those of the landowner, the rights of the easement owner and of the landowner are not absolute, irrelative, and uncontrolled, but are so limited, each by the other, that there may be a due and reasonable enjoyment of both the easement and the servient tenement. The owner of an easement is said to have all rights incident and necessary to its proper enjoyment, but nothing more.

⁵ 25 Am. Jur. 2d, § 1.

⁶ Grantees take title to land subject to duly recorded easement which have been granted by their predecessors in title. *Borders v. Yarborough*, 75 S.E.2d 541, 237 N.C. 540; *Waldron v. Town of Brevard*, 62 S.E.2d 512, 233 N.C. 26.



TO - NO SCALE

REMARKS	PARCEL RECORDATION DATA	REMARKS
123 3.76 ACROSS	FILE NO. DATE	RECORD (4)
561 S.F. TRACT CONST. EASEMENT		
1060 S.F. EASEMENT		

APPRAISAL OR GRANTEE	GRANTOR	TOTAL	AREAS (1) (2) (3)	REMARKS	PARCEL FILE NO.	RECORDATION DATA	REMARKS

LEGEND & NOTES

(1) Area in acres except as noted.	DD	Director's Deed Fee
(2) All recorded this fee except as noted.	DR	Director's Deed Exam
(3) Excludes street area.	Rel.	Relinquishment
(4) V-Voluntary	Abn	Abandonment
Rel-Rel	JUA	Joint Use Agreement
Inst-Instrument	CCU	Consent to Common Use
M.M.M. Mineral Rights Reserved	SE	Signs Easement
Prop-Prop	DE	Drainage Easement
Prop-Prop	NTS	Not to State
Ac-Acres	R.A.N.	Right of Access
Ac-Acres	R.C.	Right to Enter and Canal

STATE OF CALIFORNIA
BUSINESS AND TRANSPORTATION AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 2

R/W MAP
APPRAISAL

CO. SHA RTE 299 PM 7/1/76
MAP NO. 02 - 232502.101

CENTERVILLE COMMUNITY SERVICES DISTRICT
Better than most!

Centerville Community Service District
8930 Placer Road
Redding, CA 96001-9719
Phone: (530) 246-0680

REASON FOR INQUIRY:

Section 933.5 of the California Penal Code provides that the Grand Jury may investigate and report on the operations of any special-purpose assessing or taxing district located wholly or partly within the county. The 2005/2006 Grand Jury investigated the Centerville Community Service District (CCSD) to evaluate its operations and safety procedures. No citizen complaints had been received regarding CCSD.

BACKGROUND:

Special districts, such as CCSD, are formed to provide a limited range of public functions rather than to provide the full range of government services. Community services districts are governed by the Community Service District Law starting at section 61000 of the California Government Code.

CCSD was formed in 1959 for the sole purpose of providing a domestic water supply to approximately 8,000 acres of unincorporated territory, immediately west of the City of Redding. Since that time, some of this area has been annexed to the City of Redding. Fire protection for the remainder of the District is provided by Shasta County Fire Department and the Centerville Volunteer Fire Company.

The initial water system improvements were financed through a Davis-Grunsky Act loan from the State Department of Water Resources. Additional mains, storage and booster pumping facilities were constructed by CCSD in 1982 and 1983, utilizing a combination of a Farm Home Administration grant and loan funding. Through the years, the water

distribution system has been expanded due to private development, particularly the Olney Park, Ranchland, Montgomery Ranch, Monte De Las Flores, Westside Estates and Placer Pines subdivisions. CCSD currently serves approximately 1200 water connections.

The District obtains water from the Muletown Conduit, which is a facility of the Federal Central Valley Project's (CVP) Whiskeytown Reservoir. The Muletown Conduit conveys water along Clear Creek to both the CCSD and the adjacent Clear Creek Community Services District. Both community services districts contract directly with the U.S. Bureau of Reclamation for municipal, industrial and agricultural water. The Clear Creek CSD is responsible for maintenance of the Muletown Conduit and operates the water filtration and chlorination facility near the base of Whiskeytown Dam. Centerville CSD pays 25% of the cost for the original and expanded treatment facilities. CCSD has an effective capacity of six million gallons per day or 9.3 cubic feet per second.

In August of 2000, CCSD entered into a Water Exchange Contract with the U.S. Bureau of Reclamation whereby CCSD obtained 900 acre-feet of CVP water in exchange for the District's pre-1914 water rights on Clear Creek. In April 2001, the U.S. Bureau of Reclamation and the Shasta County Water Agency assigned all right, title, and interest to an additional 2,900 acre-feet of the CVP water to CCSD. Therefore, CCSD's current total water entitlement under contract is 3,800 acre-feet per year.

The CCSD is governed by a five-member Board of Directors and has a paid staff which includes:

- A General Manager
- A Secretary
- Two Water Service Workers

METHOD OF INQUIRY:

1. The Grand Jury toured the following facilities:
 - Centerville Main Office, Pump Station, and Storage Reservoir
 - Clear Creek Treatment Facility
2. The Grand Jury interviewed:
 - The President of the CCSD Board of Directors
 - A private developer who worked with CCSD on a subdivision project
 - The General Manager of CCSD
3. The Grand Jury attended one regularly scheduled CCSD Board of Directors Meeting
4. The Grand Jury reviewed the following documents:
 - The CCSD 2004 Master Water Plan
 - The CCSD Policy and Procedures Manual (including the Injury and Illness Prevention Plan, and Code of Safe Practices)
 - A Board Packet for the November 19, 2005, CCSD Board of Directors meeting including the 1915 Act Assessment District 2005-06 Annual Report
 - A Board Packet for the December 21, 2005, CCSD Board of Directors meeting including the CCSD Preliminary Financial Statement for the year ending June 30, 2005
 - A Board Packet for the January 25, 2006, CCSD Board of Directors meeting, including the Audited Financial Statement for the year ending June 30, 2005
 - Resolution No. 97-13, a Resolution of the Board of Directors of Centerville Community Services District, Adopting a Policy for Use of Credit Cards
 - Credit card statements for a period of six months
 - An Insurance Service Office (ISO) report dated November 8, 2005, for CCSD. (The ISO is an organization used by the insurance industry to evaluate fire risks.)

FINDINGS:

1. ISO ratings range from 1 (Best) to 10 (Worst) and are mainly based on hydrant location, water supply pressure, and whether the fire department is paid or volunteer. CCSD's most recent rating is 5.
2. Financial highlights taken from the Audited Financial Statement for the year ending June 30, 2005, include:
 - The net assets in fiscal year 2004/2005 increased by \$198,198 from \$5,784,459 to \$5,982,657 over fiscal year 2003/2004; an increase of 3.4%. This increase is lower than usual because of water distribution improvements on Placer Road.
 - Operating revenues were \$597,370.
 - Non-operating revenues were \$345,636 compared to \$326,732 for fiscal year 2003/2004. This included a one-time Bureau of Reclamation Deficit settlement of \$110,281.
 - Water revenues were lower due to a minor decrease in the District's water sales.
 - Interest revenue was slightly greater than expected due to increased interest rates.
 - Tax revenues were lower than expected due to a budget adjustment at the State level.
 - During fiscal year 2004/2005, the District contracted for the construction of the Zone A1 Standby Generator Project. This capital improvement project is funded by revenue from new water service connections.
 - Included in the CCSD Operations and Maintenance Budget for 2004/2005 was a Cost of Living Adjustment (COLA) of 3.1% for the employees and the implementation of a Pay for Performance Program with possible merit adjustments ranging from plus to minus 3%.

- The Operations and Maintenance Budget did not include depreciation of facility capital assets such as pipelines, pump stations, buildings, etc. CCSD has not created a mechanism to depreciate capital assets. Therefore, the district's auditors made a positive capital asset adjustment of \$183,651 in the budget.
 - The District's investment in capital assets as of June 30, 2005, totaled \$4,892,952 following an adjustment for depreciation of \$183,651.
 - At year-end, CCSD had \$2.85 million in bond and loan obligations outstanding. Total long-term debt decreased by \$131,168 during the year ending June 30, 2005, due to regularly scheduled debt service payments.
 - CCSD will continue its policy of increasing fees to fund capital projects outlined in the Master Water Plan.
 - Water rates are reviewed annually. The direction CCSD has taken is to keep the annual rate adjustments in the $\pm 1\%$ to 3% range. Adjustments are based on a review of the overall financial picture and are not automatic.
3. In 2006, CCSD plans to install an additional 1000 feet of 24" pipe on the Placer Road mainline. The estimated \$50,000 cost will be financed from reserve funds.
 4. CCSD will modify the distribution system on the Muletown Conduit to increase its delivery capacity from 3.9 to 4.2 million gallons per day. The estimated cost of the project, according to the District's Master Plan, is \$151,000, which is to be funded by existing reserves.
 5. A review of the District's credit card usage revealed:
 - Not all vehicle fuel purchases are thoroughly documented on receipts.
 - Not all expenditures are thoroughly documented on receipts.

6. CCSD has adopted a Code of Safe Practices and an Injury/Illness Prevention Program and appears to adhere to all of its requirements.

RECOMMENDATIONS:

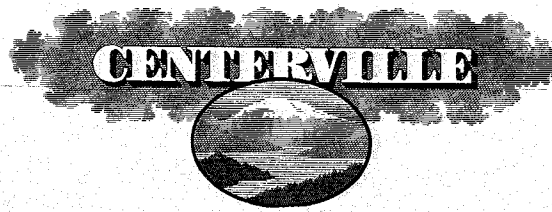
1. Depreciation and amortization must be factored into the budgeting and financial reporting of the District.
2. Credit card usage should be documented thoroughly. The Grand Jury recommends that when an employee purchases fuel, he or she should note the vehicle license number on the receipt; when fueling a personal vehicle, the reason for the purchase must also be noted. Claims for reimbursement of expenses for meetings should include a list of the employees attending, and state the reason for the meeting.
3. All miscellaneous expenditures should be documented, noting the purpose of each expenditure. Copies of receipts should be included with the claim.

RESPONSES REQUIRED:

The CCSD Board of Directors must respond to Findings 1 through 6 and Recommendations 1 through 3

COMMENDATIONS:

The Grand Jury commends the General Manager and members of the Board of Directors of CCSD for doing an exceptional job of managing the operation of the District. They provide and maintain outstanding water delivery service to their customers. The Grand Jury was impressed with the cooperation between the CCSD staff, the Board of Directors, and the District's consumers.



COMMUNITY SERVICES DISTRICT

October 2, 2006

The Honorable William Gallagher
Presiding Judge of the Superior Court
1500 Court Street
Redding, CA 96002

Dear Judge Gallagher,

The Board of Directors appreciates the opportunity to have the 2005/2006 Grand Jury investigate and evaluate the operations and safety procedures of our District. We feel that these types of independent reviews provide the District with invaluable information to make sure that our adopted policies and procedures are consistent with current laws and regulations. We have reviewed the Findings and Recommendations of the report and offer the following comments:

Findings

1. ISO ratings range from 1 (Best) to 10 (Worst) and are mainly based on hydrant location, water supply pressure, and whether the fire department is paid or volunteer. CCSD'S most recent rating is 5.

Response: ISO Ratings are mainly based on two items, the Water Distribution System and the Fire Department. The Water Distribution System is rated on fire flows, number- spacing- and type of fire hydrants, and the inspection and condition of the fire hydrants. The Fire Department is rated on the number and type of engines and equipment, personnel, and training.

2. Financial highlights taken from the Audited Financial Statement for the year ending June 20, 2005, include:
 - The net assets in fiscal year 2004/2005 increased by \$198,198 from \$5,784,459 to \$5,982,657 over fiscal year 2003/2004; an increase of 3.4%. This increase is lower than usual because of water distribution improvements on Placer Road.
 - Operating revenues were \$597,370.

TELEPHONE: (530) 246-0680
FAX: (530) 246-2254
8930 PLACER ROAD REDDING, CA 96001
P.O. BOX 990431
REDDING, CA 96099-0431

- Non-operating revenues were \$345,636 compared to \$326,732 for fiscal year 2003/2004. This included a one-time Bureau of Reclamation Deficit settlement of \$110,281.
- Water revenues were lower due to a minor decrease in the District's water sales.
- Interest revenue was slightly greater than expected due to increased interest rates.
- Tax revenues were lower than expected due to a budget adjustment at the State level.
- During fiscal year 2004/2005, the District contracted for the construction of the Zone A1 Standby Generator Project. This capital improvement project is funded by revenue from new water service connections.
- Included in the CCSD Operations and Maintenance Budget for 2004/2005 was a Cost of Living Adjustment (COLA) of 3.1% for the employees and the implementation of a Pay for Performance Program with possible merit adjustments ranging from plus to minus 3%.
- The Operations and Maintenance Budget did not include depreciation of facility capital assets such as pipelines, pump stations, buildings, etc. CCSD has not created a mechanism to depreciate capital assets. Therefore, the District's auditors made a positive capital asset adjustment of \$183,651.
- At year-end, CCSD had \$2.85 million in bond and loan obligations outstanding. Total long-term debt decreased by \$131,168 during the year ending June 30, 2005, due to regularly scheduled debt service payments.
- CCSD will continue its policy of increasing fees to fund capital projects outlined in the Master Water Plan.
- Water rates are reviewed annually. The direction CCSD has taken is to keep the annual rate adjustments in the \pm 1% to 3% range. Adjustments are based on a review of the overall financial picture and are not automatic.

Response: We concur with the finding, except for the first bullet, which according to the Audit report should read: "The majority of the increase is attributable to the construction of distribution system improvements on Placer Road."

3. In 2006, CCSD plans to install an additional 1000 feet of 24" pipe on the Placer Road mainline. The estimated \$50,000 cost will be financed from reserve funds.

Response: We concur. Reserve funds were set aside for these types of projects.

4. CCSD will modify the distribution system on the Muletown Conduit to increase its delivery capacity from 3.9 to 4.2 million gallons per day. The estimated cost of the project, according to the District's Master Plan, is \$151,000, which is to be funded by existing reserves.

Response: We concur, except CCSD is not modifying the Muletown Conduit, but rather modifying our facilities, which begin at the Muletown Conduit.

5. A review of the District's credit card usage revealed:

- Not all vehicle fuel purchases are thoroughly documented on receipts.
- Not all expenditures are thoroughly documented on receipts.

Response: We concur with this finding; except that all vehicle fuel purchases are documented with the Vehicle ID number (i.e. 501, 502, 503, etc.).

6. CCSD has adopted a Code of Safe Practices and an Injury/Illness Prevention Program and appears to adhere to all of its requirements.

Response: We concur.

Recommendations

1. Depreciation and amortization must be factored into the budgeting and financial reporting of the District.

Response: We concur.

2. Credit card usage should be documented thoroughly. The Grand Jury recommends that when an employee purchases fuel, he or she should note the vehicle license number on the receipt; when fueling a personal vehicle, the reason for the purchase must also be noted. Claims for reimbursement of expenses for meetings should include a list of the employees attending, and state the reason for the meeting.

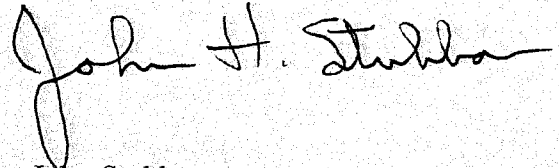
Response: The Board of Directors will review the District's policies and procedures in these areas and make any necessary adjustments.

3. All miscellaneous expenditures should be documented, noting the purpose of each expenditure. Copies of receipts should be included with the claim.

Response: The Board of Directors will review the District's policies and procedures in these areas and make any necessary adjustments.

Please thank the members of the Grand Jury for their devotion to the Shasta County Communities and their continued efforts to ensure that agencies comply with the State of California's laws and regulations in providing service to their constituents.

Sincerely,

A handwritten signature in black ink that reads "John H. Stubban". The signature is written in a cursive style with a large, looped initial "J".

John Stubban
Board President

Crystal Creek Regional Boy's Camp
Doing it Right

Crystal Creek Regional Boys' Camp
P.O. Box 578
Shasta, Ca 96087
(530) 245.6685

REASON FOR INQUIRY:

Section 919 of the California Penal Code requires the Grand Jury to inquire annually into the condition and management of all public prisons located within the County.

BACKGROUND:

Crystal Creek Regional Boys' Camp (CAMP) is located in a forested area of Whiskeytown National Recreation Area approximately 20 miles west of Redding. The California Department of Forestry originally built the facility as a training camp for Department of Corrections to house inmates for fire control and public service. It was later converted to an adult work camp by the Shasta County Sheriff's Department and subsequently closed in 1993 due to budget constraints.

The camp re-opened in 1995 under the auspices of the Shasta County Probation Department. The camp was established as a cost-effective rehabilitation option for non-violent male juvenile offenders. Some boys, between the ages of 14 to 18, who have been sentenced by the Juvenile Court, are ordered to participate in the camp program. The maximum length of time served is 270 days with an average stay being 90 to 120 days. The 60-bed facility serves Shasta County and 15 other north state counties for the detention and treatment of juvenile offenders, referred to as cadets. The average number of cadets ranges from 35 to 45. Other counties pay Shasta County between \$68.00 and \$78.00 per day, per cadet.

The Shasta County Office of Education provides educational services for the cadets. The cadets are tested for their skill levels in reading, math and writing during the first few weeks at the camp. Each cadet is placed in the appropriate academic grade level. Class sizes range from 10 to 12 students per teacher and aide. Elective classes include computer programming, construction and computer-aided drafting.

Education, work ethics, employment skills, accepting responsibility for one's actions, counseling, and facilitation of personal awareness and self-esteem, are the emphases of the camp programs. Programs also address substance abuse, anger management, cultural tolerance and gang awareness.

The goal of the CAMP staff is to return each cadet to the community as a responsible, productive, and chemical-free person.

. The Crystal Creek Regional Boys' Camp employs:

- 1 Camp Director
- 2 supervising Teach-Advice-Counsel (TAC) Officers
- 11 full-time TAC Officers
- 3 full-time Cooks
- 2 full-time Teachers
- 2 Teachers' Aides
- 1 Deputy Probation Officer
- 1 Deputy Probation Officer, "Success Program"
- 1 Secretary
- 1 Nurse (20 hours per week)
- 1 Drug and Alcohol Counselor (24 hours per week)

METHOD OF INQUIRY:

The Grand Jury toured the facility on October 3, 2005.

The Grand Jury reviewed the following documents:

- County of Shasta Budget Fiscal Year 2005-2006
- *Crystal Creek General Information: 2005*
- *Crystal Creek Regional Boys' Camp Procedures Manual*

The Grand Jury conducted the following interviews:

- The Shasta County Chief Probation Officer
- The Crystal Creek Regional Boys' Camp Director
- Several cadets.
- Two teachers assigned to the Camp

FINDINGS:

1. The total FY 2005/2006 budget for the Crystal Creek Regional Boy's Camp is \$1.7 million of which \$1.2 million is allocated to salaries and benefits
2. The average cost per cadet at the camp is \$2,280 per month compared to foster home care cost of \$4,800 to \$6,300 per month.
3. One hundred and eighty-two boys participated in the Crystal Creek Camp program in FY 2004/2005.
4. In 2005, the cadets performed 10,116 hours of community service work for public agencies throughout Shasta County.
5. The Grand Jury observed that the kitchen/dining hall, barracks, workshops and campgrounds were clean, and well maintained and organized. During a classroom tour, several cadets demonstrated their computer skills and briefed the Grand Jury about their classroom activities. The cadets have the opportunity of

obtaining their General Education Diploma. During the Grand Jury visit, the cadets were polite, courteous and considerate at all times.

6. It appears that the Camp Director and staff are committed, dedicated and loyal to the cadets and to the camp program.

RECOMMENDATIONS:

None

RESPONSES REQUIRED:

None

REDDING REDEVELOPMENT AGENCY

Ready, Aim - Spend!

**Redding Redevelopment Agency
777 Cypress Avenue
Redding, CA 96001
530-225-4044**

REASON FOR INQUIRY:

Section 933.1 of the California Penal Code authorizes the Grand Jury to report upon the operations of any redevelopment agency. The Grand Jury investigated Shasta County’s four redevelopment agencies with particular emphasis on the largest, the City of Redding Redevelopment Agency.

BACKGROUND:

Redevelopment agencies (RDA’s) exist for the purpose of government-financed revitalization of dilapidated or blighted areas within cities and counties. The concept of redevelopment originated from federally funded 1930’s New Deal programs and the urban renewal programs of the 1960’s. In 1952, California voters approved Proposition 55, a Constitutional amendment authorizing the use of property tax dollars to help cities and counties rebuild their deteriorating areas. Redevelopment is generally funded by “tax increment financing.” A tax increment is the increase over the pre-development base property tax of any property within a project area. After deductions for low-income housing set-asides, and additional pass-through funds for pre-existing agencies, any remaining tax increment must be used for debt service and improvements within the RDA’s are state-authorized agencies that are established by cities and counties boundaries of the project area from which it is derived. Most of the tax increment is diverted from the cities, counties and school districts that would normally receive them.

Redevelopment zones or project areas within an RDA are formed to eradicate “blight” by acquiring, clearing and improving land for public or private development. Each RDA has its own staff and governing board appointed by the local city council or county board of supervisors. Usually, RDA governing boards are made up of the same individuals who serve as members of the city council or board of supervisors. Thus, a RDA and a city or county may appear to be one entity. Legally, however, a redevelopment agency is an entirely separate government entity with its own revenue, budget, staff and expanded powers to issue long-term debt and condemn private property.

The creation of a redevelopment zone or project area is a nine- to twelve-month process which involves a designation of blight, a base property tax assessment, a proposed redevelopment plan, land acquisition, and public input ultimately resulting in a project implementation plan. Once a plan is approved, financing bonds (which do not require voter approval) must be issued. These bonds are the legal obligation of the redevelopment agency alone, not the sponsoring city or county. The debt is generally repaid from tax increment revenues over a maximum period of 40 years. Once established, the project implementation plan may be modified at any time but must be reviewed at least every five years.

Passage of Proposition 13 in 1978 placed severe limitations on increases in property taxes, and curtailed tax revenue increases to the state. The state, in turn, reduced the proportion of tax revenues returned to cities and counties. These factors made tax increment financing a less viable technique for funding RDA’s. However, the number of RDA’s in the state mushroomed in the 1980’s as cities utilized redevelopment to increase the productivity of project areas and thus generate other sources of revenue such as sales and local occupancy taxes.

Assembly Bill 1290, a major redevelopment reform bill, which was supported by RDA's, was passed by the State Legislature in 1993. It redefined the concept of "blight," allowing a much broader interpretation. It made it easier to declare vacant or never-developed land blighted, but limited the amount of undeveloped land included in a project area to 20 percent. The bill also removed the requirement for direct citizen oversight of project areas by eliminating fiscal review committees. Additionally, it replaced negotiated "pass-through" tax revenues with a statutory rate. Pass-through revenues include those portions of the tax increment which are assigned to agencies, such as school and special service districts that existed prior to the formation of the project area.

"Eminent domain," the process of government appropriation of private property for public use, pre-dated colonial times and was used by the British government to seize colonial lands as compensation for war debts. The Fifth Amendment to the U.S. Constitution protects property owners from eminent domain abuses by the government, providing that: "No person...shall be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation." This Constitutional provision ensures that any property seized by the government is taken for "public use" and that "just compensation" is paid to the owner. RDA's (and often the land owners) hire appraisers to establish the fair market value of properties the RDA wishes to acquire. If owners refuse to sell their property, they may challenge the appraisal and the "public need and necessity" of exercising eminent domain. Under redevelopment law, public use has, for some time, included privately owned developments.

A recent U.S. Supreme Court decision (*Kelo v. City of New London*) approved a Connecticut city's taking of non-blighted property outside a redevelopment project area for private development. This ruling recognizes the broad reach of eminent domain power,

under which public agencies may seize property for private development, unless state law restricts that power.

In California, all RDA's must dedicate 20 percent of the generated tax increments to increase, improve and preserve low and moderate-income housing. This housing is the only activity a RDA may finance outside of its redevelopment project areas, but the housing must be provided within the local community. Examples of affordable housing programs include rental housing, mobile home parks, transitional housing, and first-time buyer assistance programs.

The primary advocate for redevelopment in the state is the California Redevelopment Association (CRA), a Sacramento-based lobby that exists to protect and expand redevelopment power. The nearly \$3 million annual CRA budget is generated by dues received from RDA's and private businesses. Despite the public tax dollars contributed by RDA's, the public has absolutely no say in CRA operations or the make-up of its executive board. The CRA has two core constituencies: RDA staffs, whose salaries derive from redevelopment; and private businesses, which profit from redevelopment. The RDA staff has power over agendas and recommendations to the agency board - usually city council members or county supervisors. Though simple in principle, redevelopment policy is often portrayed as too complex for ordinary elected officials to understand. Agency board members, therefore, tend to rely more on staff than their own judgment. The 2003 CRA membership includes 53 commercial developers, 37 bond brokers, 50 law firms and 131 separate consulting firms. Municipal Officials for Redevelopment Reform, a group critical of redevelopment in California, claims that redevelopment is an "entrenched special interest."

This same critic further defines redevelopment in the State of California as the *unknown government* asserting that:

- unlike counties, cities, school districts or special districts, *redevelopment* can be created without a vote of the citizens affected.
- unlike known government entities, *redevelopment* can incur bonded indebtedness without voter approval.
- unlike known government entities, *redevelopment* can use the power of eminent domain to benefit *private* interests.
- *redevelopment* consumes 10 percent of all property taxes statewide (\$2.8 billion in 2003) and has a total indebtedness over \$56 billion.
- *redevelopment* provides no public services: it does not educate our children, maintain our streets, protect us from crime, nor stock our libraries.
- *redevelopment* claims to eliminate blight and promote economic development.

Proponents point out that redevelopment has been an effective tool for the financing and development of commercial and industrial facilities, their infrastructure, and to some extent, affordable housing. Currently, many California cities (381 out of 477) and counties (21 of 58) utilize RDA's as a major source of employment, income and tax revenue. RDA's were not conceived to publicly fund property development entities just for the sake of development, or for the purpose of generating additional tax revenues for the sponsoring city or county. The primary goal has always been the elimination of blight within a specific area; indeed, once blight has been eliminated, the law provides for the closure of the RDA (although this rarely occurs).

Some efforts to eradicate blight have produced successful examples of economic revitalization, infrastructure enhancement and city beautification. On the other hand, RDA's

can incur excessive administrative costs, compete with private sector services rather than eliminating real blight, and can actually reduce the number of affordable (low and moderate income) housing units.

METHOD OF INQUIRY:

The Grand Jury reviewed the following documents:

- *California Community Redevelopment Law and Statutes Referenced Therein* (2005) – Kane, Ballmer & Berkman, Los Angeles, CA
- *Redevelopment: The Unknown Government* (2004) - published by Municipal Officials for Redevelopment Reform, Fullerton, CA
- *Comprehensive Annual Financial Report* (2002,2003,2004,2005) – Redding Redevelopment Agency
- *Audited Financial Statements* (2004), (2005) – City of Shasta Lake Redevelopment Agency
- *Downtown Redding Specific Plan* (2005) - City of Redding
- *Canby-Hilltop-Cypress Redevelopment Project Area Five-Year Implementation Plan 2005-2009* (2005) – Redding Redevelopment Agency
- *Market Street Redevelopment Project Area Five-Year Implementation Plan* (2005) – Redding Redevelopment Agency
- *Buckeye Redevelopment Project Area Five-Year Implementation Plan 2005-2009* (2005) – Redding Redevelopment Agency, Shasta County Redevelopment Agency
- *Implementation Plan for the Shastec Redevelopment Project 2001-2006* (2001) – Redding Redevelopment Agency, Shasta County Redevelopment Agency, Anderson Redevelopment Agency

- *Amended Five-Year Implementation Plan for the Shasta Dam Area Redevelopment Project 2005-2009-City of Shasta Lake Redevelopment Agency*
- Sections 33030-33039, 33390-33399, 33485-33489 of the California Health and Safety Code

The Grand Jury conducted the following interviews:

- City of Redding Redevelopment Director
- City of Shasta Lake Redevelopment Director
- Shasta County Redevelopment Director
- City of Anderson City Manager
- Three Senior Redevelopment Project Coordinators, City of Redding
- City of Redding Finance Director
- City of Redding, Deputy City Manager
- City of Redding, Assistant City Manager
- Four City of Redding Council Members
- Chairman, Redding Area Chamber of Commerce
- Chairman, Shasta Builder's Exchange
- Five members of the Shasta County Board of Supervisors

The Grand Jury attended the following meetings:

- All regularly scheduled and special meetings of the Redding City Council from July, 2005` through June 30, 2006
- Redding Redevelopment Agency meetings on September 6, 2005, October 18, 2005, November 15, 2005, February 21, 2006, and April 4, 2006
- California Assemblyman Doug LaMalfa Town Meeting on November 1, 2005
- California Senator Sam Aanestad Town Meeting on February 23, 2006

The Grand Jury accessed the following websites:

1. California Redevelopment Association www.calredevelop.org.
2. City of Redding www.ci.redding.cal.us.
3. City of Anderson www.ci.anderson.cal.us
4. City of Shasta Lake www.ci.shasta-lake.cal.us.
5. County of Shasta www.co.shasta.cal.us.

FINDINGS:

1. The Cities of Anderson, Shasta Lake and Redding and the County of Shasta currently operate RDA's. In total there are six redevelopment project areas in the county: Shasta Dam (Shasta Lake City); Southwest (Anderson); and Market Street, Canby-Hilltop-Cypress, Buckeye and Shastec (Redding).

In 1993, section 33216.5 of the California Health and Safety Code was enacted and authorized the transfer of the Shasta Dam Area Redevelopment Project from Shasta County to the City of Shasta Lake. The City of Anderson and Shasta County cooperate with the Redding RDA as a multi-jurisdictional agency in the Shastec Project Area. The County also partners with the City of Redding in controlling the Buckeye Project Area. Currently, these partnerships generate no income for Shasta County. As of June 2004, the total indebtedness for all RDA's in Shasta County approached \$50 million, with the City of Redding's Redevelopment Agency (RRA) issuing more than 90 percent of that debt.

2. Table I shows financial data which demonstrates the significant growth of the RRA over the past decade. Both the property tax increment and the administrative cost to run the agency have nearly tripled since 1995 and total agency bond indebtedness has ballooned

to over \$40 million. The 2004/2005 total assessed property value of the RRA project areas was \$1.75 billion.

Table 1: Economic data for the Redding Redevelopment Agency

	1995-1996	2001-2002	2004-2005
Tax Increment Income	\$3,714,000	\$5,591,000	\$11,720,000
Total Bond Debt	\$25,200,000	\$22,550,000	\$41,425,000
Administrative Costs	\$428,000	\$1,208,000	\$1,477,000

3. The 2005 RRA tax increment income of \$11.7 million represents the amount of money (less set asides and pass-through funds) that must, by law, be reinvested in the redevelopment project areas within RRA, or debt service. This tax increment results from increased value, usually created by the redevelopment. Critics of redevelopment have claimed that the tax increment diversion deprives a city’s general fund of needed cash. It is true that increases in property taxes from outside the project area are deposited directly into the General Fund, but the City retains only about 10 percent of these property tax dollars (due to the 90 percent diversion to the state and county). In contrast, the RDA receives approximately 60 percent of each tax increment dollar and only 40 percent is diverted to the state and county. Additionally, a commercially successful project area, like the Canby-Hilltop-Cypress development, also generates significant sales tax revenue for the City. Proponents of RDA’s further argue that, without redevelopment, blighted areas may generate little, if any, future property tax revenue.

Redding City officials interviewed agreed that the Downtown Mall is an example of a redevelopment project area that actually resulted in blight while attempting to reverse it. The mall’s high vacancy rate, lack of economic productivity, and deteriorating physical structure are prime components of blight. Instead of accepting a redevelopment failure

and terminating this project, the RRA board decided, in 1990, to rename and expand this zone from its initial 10 acres to over 2600 acres. This decision has stimulated revitalization of the City's core.

4. Redevelopment agencies commonly allocate 10 to 20 percent of their income for administrative costs, primarily staff salaries. In 2005, the RRA spent nearly \$1.5 million on administrative costs, which was 16 percent of the tax increment after set-asides and pass-throughs are deducted. The RRA contributes \$4,000 annually to the California Redevelopment Association. Although the RRA has a dedicated core staff, the total number of city staff supported by agency funding at any time fluctuates. Employees of various city departments track their hours devoted to RRA business and the agency is charged accordingly. For example, the Executive Redevelopment Director for the City of Redding draws half his salary from redevelopment funds. Redevelopment funding affords the City of Redding a means of creating staff positions not entirely devoted to redevelopment functions. City officials could not supply the Grand Jury with a formal accounting of job-sharing costs between agency and non-agency staff.
5. The RRA is required, by law, to pass-through some of its incremental property tax revenues to local schools and community colleges. This amount was \$782,553 for 2004/2005 and is estimated to be \$811,961 for 2005/2006. After housing, pass-through and administrative funds are deducted, the remaining revenue is reinvested in the redevelopment project areas. The RRA has adopted a Capital Improvements Program (CIP) to spend in excess of \$20 million over the next five years. Some CIP funding is dedicated to the partial removal of the roof on the Downtown Mall. The remainder of the CIP funds will be invested throughout the city's four project areas. In addition to CIP

spending, the RRA will contribute \$3 million towards the Cypress Avenue bridge replacement and \$5.2 million for the widening and realignment of Churn Creek Road.

6. The RRA must, by law, set aside 20 percent of its tax increment to preserve and improve low- and moderate-income housing. This currently amounts to \$1.4 million per year. The housing fund has a current balance of \$4 - 5 million. In the past, over \$8 million in RRA funding has been appropriated to provide affordable housing in the Martin Luther King area. According to its Director, the RRA is exceeding its five-year goal for affordable housing. The RRA added over 100 housing units (predominantly rental) in 2004/2005. The RRA board also proposed changes to its Downpayment Assistance Program (DAP) which will make it easier for low-income citizens to purchase a home.
7. In most instances, funding needed to begin a redevelopment project is generated by issuing tax allocation bonds. These are repaid using the property tax increment revenue described above (Finding #3). Repayment of these bonds is the responsibility of the RDA, not its sponsoring city or county. However, because the credit-worthiness of these bonds is critical to any city's or county's overall credit rating, it is highly unlikely a city or county would let a redevelopment bond default.

Indeed, RRA staffers and each Redding City Council member interviewed by the Grand Jury indicated that the City of Redding would never permit any RRA bond default. City officials told the Grand Jury that the City, on two occasions, saved the downtown redevelopment project area from default. In 1972, the Redding City Council authorized a \$550,000 loan from its Electric Utility Fund to the RRA for the construction of the mall parking garage in its Downtown project area. Currently, the outstanding loan balance is \$539,183, which includes principle of \$308,105 and interest of \$231,078. Also, during the 1970s, the City made an "advance" (not a loan) of an indeterminate amount of money

from its Parking Fund to the RRA to support construction of the garage. During FY 2004/2005, the RRA made a \$250,000 payment on this advance, and the outstanding balance is \$734,162.

8. Redevelopment funding is approved by a simple majority vote of the five-member RRA board which also serves as Redding's City Council. No vote of the public is required to authorize the issuance of tax allocation bonds. The RRA board (City Council) is the sole check-and-balance over redevelopment decision-making and the commitment of tens of millions of dollars of redevelopment spending. Newly elected City Council members receive redevelopment orientation by RRA staff. They are also offered an opportunity to attend a formal training seminar provided by the California Redevelopment Association. RRA staff stated that none of the current City Council members have availed themselves of this opportunity.

The City Council/RRA board members who were interviewed rated themselves between "somewhat" and "very" knowledgeable regarding redevelopment law and policy. However, they agreed they depend heavily on RRA staff for input and explanations of pending RRA decisions. The four RRA board members were asked seven basic questions regarding redevelopment. Only one scored greater than 30 percent, and another was able to answer only one of the seven questions correctly.

Only three votes (a board majority) are required to commit millions of future tax dollars for decades of debt service. The California Community Redevelopment Law Reform Act of 1993 (AB1290) removed the requirement of citizen oversight committees for redevelopment project areas. When queried about reinstating this citizen safeguard, RRA staff unanimously opposed reinstating it and the RRA board agreed, stating that citizen committees are ineffective. Instead, City Council members stated elections are a

sufficient curb on redevelopment abuses. (The Grand Jury notes that two of the current five RRA board members were not actually elected to the Council, but were appointed by the other members.) Additionally, Redding city officials stated that they believe input from the city attorney, yearly agency audits, and the periodic public review of project area implementation plans provide adequate RRA oversight. Because of the significant amount and complexity of funding (\$50 million), the Grand Jury is concerned that this is not adequate oversight and that this “unknown government” operates beneath the radar screen of public scrutiny.

9. As stated in the above findings, the RRA board is comprised of the same individuals who serve as Redding City Council members. These individuals are also board members of the Redding Housing Authority, Redding Joint Powers Financing Authority, and Redding Capital Services Corporation. These agencies control the flow of significant amounts of money and the Grand Jury is concerned that City Council members “wear too many hats” while performing these agencies’ various functions. Indeed, at the October 18, 2005 Council meeting, the Grand Jury observed that all council members were unaware they were directors of the Redding Capital Services Corporation.

The RRA board meetings are often held concurrently and interchangeably with City Council meetings. And, although the City Council shares similar interests with its redevelopment agency, potential conflicts may arise because each agency has different legal powers, responsibilities and functions. However, this does not represent a true, legal, “conflict of interest” because the board members do not directly benefit financially from their decisions.

Nevertheless, these multiple roles afford city leaders a mechanism to bypass procedural hurdles that can impede costly projects from moving forward. For example,

the City Council can exercise eminent domain only for public use and must gain voter approval to issue general obligation bonds. However, acting as the RRA board, the City Council members can create a redevelopment zone (or annex land into an existing zone) and then employ eminent domain for public or private use, or issue bonds without voter approval.

A proposed auto mall and a business park are excellent examples of expensive projects unlikely to garner voter approval for financing, but readily accomplished with the aid of the city's multiple financing mechanisms. At the October 18, 2005, City Council meeting the City signed a letter of intent to partner with its RRA and a private entity to begin development of an auto mall on State Route 44. Similarly, over \$16 million from the city's Capital Services Corporation and \$10 million from the RRA have been proposed by City staff to support infrastructure improvements for the Stillwater Business Park.

10. After a declaration of blight, eminent domain law allows RDA's to acquire private land and/or property within a redevelopment project area. Blight is broadly defined by statute. It is usually categorized as *physical*, such as a dilapidated or unsafe building or structure, but may also be *socio-economic*, such as a stagnant area with low property values or a high crime rate. Even vacant, undeveloped land can be designated blighted, usually on an economic basis. All redevelopment staff interviewed by the Grand Jury agreed that vacant land might fit the definition of blight. Although most RRA staff members considered the undeveloped areas of Park Marina blighted, each of the four RRA board members interviewed did not. The vague, legal definition of economic blight can even be applied to Redding's recently completed City Hall – if replaced by a shopping mall, the

property and sales tax generated could be of greater economic benefit to the city than the current, non-taxable building.

Recently, California state legislators from this area co-sponsored two constitutional amendments that would further restrict the use of eminent domain. While the Shasta County Board of Supervisors unanimously supported both proposals, the RDA staffs of Anderson, Redding and Shasta Lake City, and all RRA board members interviewed by the Grand Jury opposed the amendments. This difference in opinion is possibly explained by the significant funding (\$50 million) the cities have invested in redevelopment.

11. Usually RDA's are able to negotiate real property purchases from private property owners by offering "just compensation" for their property. Often, simply the threat of eminent domain proceedings is sufficient to convince reluctant property owners to negotiate. All those interviewed recognized the unpopularity of eminent domain and preferred to avoid it. Although used rarely, the RRA has resorted to eminent domain to seize private property in the past. Examples include:

- The Dana Drive freeway ramp
- Completion of the Court Street extension north to the Sacramento River

The Park Marina Drive area along the Sacramento River has a huge potential impact on Redding's future downtown development. This area is situated between RRA's Market Street and Canby-Hilltop-Cypress project areas. There has been a spirited and sometimes contentious debate as to exactly how and when this privately owned property should be developed. The Grand Jury has learned that City of Redding staff has recently discussed the possible use of eminent domain proceedings if development of this property is indefinitely delayed. However, four members of the RRA board assured the

Grand Jury that the City currently has no plans to either incorporate Park Marina into a redevelopment project area or utilize eminent domain to acquire this property. The four RRA board members interviewed also stated they would not apply eminent domain proceedings to the Parkview Market, but some were less certain about using eminent domain for the Stillwater Business Park.

All Grand Jury interviewees expressed reluctance regarding the use of eminent domain, and some pledged never to utilize it. In some jurisdictions, however, it appears eminent domain becomes more acceptable when large amounts of money are involved. The mayor of Dunsmuir in Siskiyou County was quoted as saying, "I'm the guy who came on council and said, 'I have a problem with eminent domain' and I do." However, he subsequently reversed his position when the city stood to forfeit a \$140,000 federal grant and in March 2006, The Dunsmuir City Council decided to implement eminent domain to seize private property around its airport.

12. California redevelopment law limits the amount of vacant land within a redevelopment area to 20 percent. However, there is no limit to how much of a city's developed land can be placed into redevelopment zones. The law also requires a determination be made that only a redevelopment agency, and not private development, can revitalize a blighted area, but the law does not specify any objective standards for this determination.

Therefore, a RDA board has autonomy in making this determination.

In the past 10 years, the amount of land within RRA's project areas has more than doubled. Twenty-five percent, or 15.34 square miles, of Redding's total geographic area is now located within redevelopment project zones. The City Council, acting as the RRA board, designated this land as blighted and determined that only redevelopment could

revitalize it. Obviously, as more land is placed into redevelopment areas, less land will be available for private development not specified in the project plan.

13. This Grand Jury's review of Shasta County RDA's did not reveal any illegalities. It has, however, made us acutely aware of the large sums of money involved with redevelopment and the potential for abuses to occur without proper scrutiny. The total bonded indebtedness of the RRA is approaching 10 percent of the City of Redding's total assets (estimated at \$500 million) and one quarter of the city is now included within redevelopment areas. A highly professional staff with sophisticated knowledge of redevelopment law and policy manages the RRA. It has successfully utilized this funding tool to make many infrastructure improvements, develop capital projects, and provide economic recovery and affordable housing. In most instances, areas designated as "blighted" have been improved. We applaud the RRA's efforts, but at the same time, we encourage increased public scrutiny and transparency to ensure that abuses do not occur.

RECOMMENDATIONS:

1. The Grand Jury recommends that newly elected members of redevelopment boards in Shasta County undergo formal redevelopment education and that sitting board members periodically receive continuing education on redevelopment law and policy.
2. All County RDA's should institute a more transparent tracking system for administrative costs to ensure that city or county employees actually perform redevelopment duties when paid with redevelopment funds.
3. All County RDA's should increase redevelopment oversight. At a minimum, all RDA's should reinstate citizen oversight committees to each redevelopment project area.

4. Assuming Recommendations 1-3 are followed, the City of Anderson and the City of Shasta Lake should consider expanding their respective RDA's to take advantage of the socio-economic benefits redevelopment policy affords local government.
5. The inclusion of vacant or underdeveloped land into project areas should be carefully scrutinized as it limits the private sector's development opportunities.
6. Redding City Council members should better understand the functions of the various agencies on which they are also board members because the agencies allocate large amounts of money and incur significant debt.
7. The Redding City Council and RRA Board should not use eminent domain to acquire the Park Marina property or Parkview Market for private development without a binding referendum to determine public sentiment within the city.

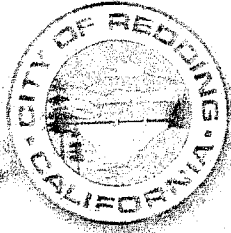
RESPONSES REQUIRED:

1. Shasta County Board of Supervisors as to Finding 1 and Recommendations 1-3 and 5.
2. The Anderson City Council as to Finding 1 and Recommendations 1-5.
3. The City of Shasta Lake City Council as to Finding 1 and Recommendations 1-5.
4. The Redding City Council as to Findings 1-13 and Recommendations 1-3 and 5-7.

COMMENDATIONS:

The Grand Jury appreciates the cooperation extended by the Redding Redevelopment Agency's Senior Project Coordinator

CITY OF REDDING



Ken Murray
Mayor

OFFICE OF THE MAYOR

777 Cypress Avenue, Redding, CA 96001
P.O. Box 496071, Redding, CA 96049-6071
530.225.4447 FAX 530.225.4463

September 6, 2006
B-080-600-800

The Honorable William Gallagher
Presiding Judge
Shasta County Superior Court
1500 Court Street, Suite 205
Redding, CA 96001

Dear Judge Gallagher:

Pursuant to Section 933 of the California Penal Code, the attachments shall serve as the City of Redding's responses to the following sections of the *2005/06 Shasta County Grand Jury Final Report*:

- Too Many Hats, Not Enough Heads
- ✓ ● Ready, Aim – Spend!
- Where There's Smoke . . .
- Redding's Finest Housed in Redding's Worst

The City of Redding appreciates and respects the important function that the Shasta County Grand Jury serves in local government. If you have any questions regarding this matter, please do not hesitate to contact me at 225-4447.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Murray", is written over a large, stylized "X" mark.

Ken Murray
Mayor

Attachments

2006 Grand Jury Findings & Recommendations
REDDING REDEVELOPMENT AGENCY

Ready, Aim – Spend!

FINDINGS:

1. The Cities of Anderson, Shasta Lake and Redding and the County of Shasta currently operate RDA's. In total there are six redevelopment project areas in the county: Shasta Dam (Shasta Lake City); Southwest (Anderson); and Market Street, Canby-Hilltop-Cypress, Buckeye and Shastec (Redding). In 1993, section 33216.5 of the California Health and Safety Code was enacted and authorized the transfer of the Shasta Dam Area Redevelopment Project from Shasta County to the City of Shasta Lake. The City of Anderson and Shasta County cooperate with the Redding RDA as a multi-jurisdictional agency in the Shastec Project Area. The County also partners with the City of Redding in controlling the Buckeye Project Area. Currently, these partnerships generate no income for Shasta County. As of June 2004, the total indebtedness for all RDA's in Shasta County approached \$50 million, with the City of Redding's Redevelopment Agency (RRA) issuing more than 90 percent of that debt.

Response: The City Council agrees with the finding.

2. Table 1 shows financial data which demonstrates the significant growth of the RRA over the past decade. Both the property tax increment and the administrative cost to run the agency have nearly tripled since 1995 and total agency bond indebtedness has ballooned to over \$40 million. The 2004/2005 total assessed property value of the RRA project areas was \$1.75 billion.

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of each tax increment dollar and only 40 percent is diverted to the state and county. Additionally, a commercially successful project area, like the Canby-Hilltop-Cypress development, also generates significant sales tax revenue for the City. Proponents of RDA's further argue that, without redevelopment, blighted areas may generate little, if any, future property tax revenue.

Redding City officials interviewed agreed that the Downtown Mall is an example of a redevelopment project area that actually resulted in blight while attempting to reverse it. The mall's high vacancy rate, lack of economic productivity, and deteriorating physical structure are prime components of blight. Instead of accepting a redevelopment failure and terminating this project, the RRA board decided, in 1990, to rename and expand this zone from its initial 10 acres to over 2600 acres. This decision has stimulated revitalization of the City's core.

Response: The City Council agrees with the finding.

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Response: The City Council generally agrees with the finding. While staff could not provide an "on-the-spot" accounting of job-sharing costs between agency and non-agency staff, the costs are tracked and available by simple query of the City's financial database.

5. The RRA is required, by law, to pass-through some of its incremental property tax revenues to local schools and community colleges. This amount was \$782,553 for 2004/2005 and is estimated to be \$811,961 for 2005/2006. After housing, pass-through and administrative funds are deducted, the remaining revenue is reinvested in the redevelopment project areas. The RRA has adopted a Capital Improvements Program (CIP) to spend in excess of \$20 million over the next five years. Some CIP funding is dedicated to the partial removal of the roof on the Downtown Mall. The remainder of the CIP funds will be invested throughout the city's four project areas. In addition to CIP spending, the RRA will contribute \$3 million

towards the Cypress Avenue bridge replacement and \$5.2 million for the widening and realignment of Churn Creek Road.

Response: The City Council agrees with the finding.

6. The RRA must, by law, set aside 20 percent of its tax increment to preserve and improve low- and moderate-income housing. This currently amounts to \$1.4 million per year. The housing fund has a current balance of \$4 - 5 million. In the past, over \$8 million in RRA funding has been appropriated to provide affordable housing in the Martin Luther King area. According to its Director, the RRA is exceeding its five-year goal for affordable housing. The RRA added over 100 housing units (predominantly rental) in 2004/2005. The RRA board also proposed changes to its Downpayment Assistance Program (DAP) which will make it easier for low-income citizens to purchase a home.

Response: The City Council agrees with the finding.

7. In most instances, funding needed to begin a redevelopment project is generated by issuing tax allocation bonds. These are repaid using the property tax increment revenue described above (Finding #3). Repayment of these bonds is the responsibility of the RDA, not its sponsoring city or county. However, because the credit-worthiness of these bonds is critical to any city's or county's overall credit rating, it is highly unlikely a city or county would let a redevelopment bond default.

Indeed, RRA staffers and each Redding City Council member interviewed by the Grand Jury indicated that the City of Redding would never permit any RRA bond default. City officials told the Grand Jury that the City, on two occasions, saved the downtown redevelopment project area from default. In 1972, the Redding City Council authorized a \$550,000 loan from its Electric Utility Fund to the RRA for the construction of the mall parking garage in its Downtown project area. Currently, the outstanding loan balance is \$539,183, which includes principle of \$308,105 and interest of \$231,078. Also, during the 1970s, the City made an "advance" (not a loan) of an indeterminate amount of money from its Parking Fund to the RRA to support construction of the garage. During FY 2004/2005, the RRA made a \$250,000 payment on this advance, and the outstanding balance is \$734,162.

Response: The City Council agrees with the finding.

8. Redevelopment funding is approved by a simple majority vote of the five-member RRA board which also serves as Redding's City Council. No vote of the public is required to authorize the issuance of tax allocation bonds. The RRA board (City Council) is the sole check-and-balance over redevelopment decision-making and the commitment of tens of millions of dollars of redevelopment spending. Newly elected City Council members receive redevelopment orientation by RRA staff. They are also offered an opportunity to

attend a formal training seminar provided by the California Redevelopment Association. RRA staff stated that none of the current City Council members have availed themselves of this opportunity.

The City Council/RRA board members who were interviewed rated themselves between “somewhat” and “very” knowledgeable regarding redevelopment law and policy. However, they agreed they depend heavily on RRA staff for input and explanations of pending RRA decisions. The four RRA board members were asked seven basic questions regarding redevelopment. Only one scored greater than 30 percent, and another was able to answer only one of the seven questions correctly.

Only three votes (a board majority) are required to commit millions of future tax dollars for decades of debt service. The California Community Redevelopment Law Reform Act of 1993 (AB1290) removed the requirement of citizen oversight committees for redevelopment project areas. When queried about reinstating this citizen safeguard, RRA staff unanimously opposed reinstating it and the RRA board agreed, stating that citizen committees are ineffective. Instead, City Council members stated elections are a sufficient curb on redevelopment abuses. (The Grand Jury notes that two of the current five RRA board members were not actually elected to the Council, but were appointed by the other members.) Additionally, Redding city officials stated that they believe input from the city attorney, yearly agency audits, and the periodic public review of project area implementation plans provide adequate RRA oversight. Because of the significant amount and complexity of funding (\$50 million), the Grand Jury is concerned that this is not adequate oversight and that this “unknown government” operates beneath the radar screen of public scrutiny.

Response: The City Council generally agrees with the finding, however, all redevelopment activities are subject to the same level of oversight and public scrutiny as other areas of local government.

9. As stated in the above findings, the RRA board is comprised of the same individuals who serve as Redding City Council members. These individuals are also board members of the Redding Housing Authority, Redding Joint Powers Financing Authority, and Redding Capital Services Corporation. These agencies control the flow of significant amounts of money and the Grand Jury is concerned that City Council members “wear too many hats” while performing these agencies’ various functions. Indeed, at the October 18, 2005, Council meeting, the Grand Jury observed that all council members were unaware they were directors of the Redding Capital Services Corporation.

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Nevertheless, these multiple roles afford city leaders a mechanism to bypass procedural hurdles that can impede costly projects from moving forward. For example, the City Council can exercise eminent domain only for public use and must gain voter approval to issue general obligation bonds. However, acting as the RRA board, the City Council members can create a redevelopment zone (or annex land into an existing zone) and then employ eminent domain for public or private use, or issue bonds without voter approval.

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Response: The City Council generally agrees with the finding. Redevelopment law specifically provides additional flexibility and financing options for projects that meet agency objectives to eliminate blight and spur re-investment in targeted areas.

10. After a declaration of blight, eminent domain law allows RDA's to acquire private land and/or property within a redevelopment project area. Blight is broadly defined by statute. It is usually categorized as *physical*, such as a dilapidated or unsafe building or structure, but may also be *socio-economic*, such as a stagnant area with low property values or a high crime rate. Even vacant, undeveloped land can be designated blighted, usually on an economic basis. All redevelopment staff interviewed by the Grand Jury agreed that vacant land might fit the definition of blight. Although most RRA staff members considered the undeveloped areas of Park Marina blighted, each of the four RRA board members interviewed did not. The vague, legal definition of economic blight can even be applied to Redding's recently completed City Hall – if replaced by a shopping mall, the property and sales tax generated could be of greater economic benefit to the city than the current, non-taxable building.

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domain proceedings is sufficient to convince reluctant property owners to negotiate. All those interviewed recognized the unpopularity of eminent domain and preferred to avoid it. Although used rarely, the RRA has resorted to eminent domain to seize private property in the past. Examples include:

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- Completion of the Court Street extension north to the Sacramento River

The Park Marina Drive area along the Sacramento River has a huge potential impact on Redding's future downtown development. This area is situated between RRA's Market Street and Canby-Hilltop-Cypress project areas. There has been a spirited and sometimes contentious debate as to exactly how and when this privately owned property should be developed. The Grand Jury has learned that City of Redding staff has recently discussed the possible use of eminent domain proceedings if development of this property is indefinitely delayed. However, four members of the RRA board assured the Grand Jury that the City currently has no plans to either incorporate Park Marina into a redevelopment project area or utilize eminent domain to acquire this property. The four RRA board members interviewed also stated they would not apply eminent domain proceedings to the Parkview Market, but some were less certain about using eminent domain for the Stillwater Business Park.

All Grand Jury interviewees expressed reluctance regarding the use of eminent domain, and some pledged never to utilize it. In some jurisdictions, however, it appears eminent domain becomes more acceptable when large amounts of money are involved. The mayor of Dunsmuir in Siskiyou County was quoted as saying, "I'm the guy who came on council and said, 'I have a problem with eminent domain' and I do." However, he subsequently reversed his position when the city stood to forfeit a \$140,000 federal grant and in March 2006, The Dunsmuir City Council decided to implement eminent domain to seize private property around its airport.

Response: The City Council agrees with the finding.

12. California redevelopment law limits the amount of vacant land within a redevelopment area to 20 percent. However, there is no limit to how much of a city's developed land can be placed into redevelopment zones. The law also requires a determination be made that only a redevelopment agency, and not private development, can revitalize a blighted area, but the law does not specify any objective standards for this determination. Therefore, a RDA board has autonomy in making this determination. In the past 10 years, the amount of land within RRA's project areas has more than doubled. Twenty-five percent, or 15.34 square miles, of Redding's total geographic area is now located within redevelopment project zones. The City Council, acting as the RRA board, designated this land as blighted and determined that only redevelopment could revitalize it. Obviously, as more land is placed into redevelopment areas, less land will be available for private development not specified in the project plan.

Response: The City Council generally agrees with the finding, however, the last statement suggesting that less land will be available for private development within a redevelopment area is inaccurate. Redevelopment, because it often provides necessary public infrastructure to property in a redevelopment area, usually encourages additional private development on land previously undevelopable or difficult to develop. An example would be the Canby-Hilltop-Cypress Redevelopment Area which has experienced some of the most significant private sector development in the past 20 years, which was partially made possible by the investment of the Redding Redevelopment Agency in public infrastructure to serve the area.

13. This Grand Jury's review of Shasta County RDA's did not reveal any illegalities. It has, however, made us acutely aware of the large sums of money involved with redevelopment and the potential for abuses to occur without proper scrutiny. The total bonded indebtedness of the RRA is approaching 10 percent of the City of Redding's total assets (estimated at \$500 million) and one quarter of the city is now included within redevelopment areas. A highly professional staff with sophisticated knowledge of redevelopment law and policy manages the RRA. It has successfully utilized this funding tool to make many infrastructure improvements, develop capital projects, and provide economic recovery and affordable housing. In most instances, areas designated as "blighted" have been improved. We applaud the RRA's efforts, but at the same time, we encourage increased public scrutiny and transparency to ensure that abuses do not occur.

Response: The City Council agrees with the finding.

RECOMMENDATIONS:

1. The Grand Jury recommends that newly elected members of redevelopment boards in Shasta County undergo formal redevelopment education and that sitting board members periodically receive continuing education on redevelopment law and policy.

Response: The recommendation will not be implemented as proposed. While the City Council generally concurs with the recommendation that additional training and educational opportunities should be made available, such formal education should remain voluntary.

2. All County RDA's should institute a more transparent tracking system for administrative costs to ensure that city or county employees actually perform redevelopment duties when paid with redevelopment funds.

Response: The recommendation will not be implemented. The current job-order system of tracking administrative costs charged to Redevelopment is sufficient to ensure accountability.

3. All County RDA's should increase redevelopment oversight. At a minimum, all RDA's should reinstate citizen oversight committees to each redevelopment project area.

Response: The recommendation will not be implemented. The directly-elected City Council remains the best source of oversight for Redevelopment.

4. Assuming Recommendations 1-3 are followed, the City of Anderson and the City of Shasta Lake should consider expanding their respective RDA's to take advantage of the socio-economic benefits redevelopment policy affords local government.

Response: No recommendation to the Redding City Council was made, so no response is necessary.

5. The inclusion of vacant or underdeveloped land into project areas should be carefully scrutinized as it limits the private sector's development opportunities.

Response: The recommendation will not be implemented. While the inclusion of any property into a redevelopment project area should be carefully considered, the City Council believes that inclusion typically enhances private sector development opportunities.

6. Redding City Council members should better understand the functions of the various agencies on which they are also board members because the agencies allocate large amounts of money and incur significant debt.

Response: The recommendation will not be implemented. City Council Members have a great deal of knowledge and a more-than adequate understanding of the various roles and responsibilities they have under the City Council-City Manager form of government.

7. The Redding City Council and RRA Board should not use eminent domain to acquire the Park Marina property or Parkview Market for private development without a binding referendum to determine public sentiment within the city.

Response: The recommendation will not be implemented. The City Council is not contemplating the use of eminent domain for either of the properties mentioned.

City of Shasta Lake

P.O. Box 777 • 1650 Stanton Drive
Shasta Lake, CA 96019
Phone: 530-275-7400
Fax: 530-275-7414
Website: ci.shasta-lake.ca.us



September 6, 2006

The Honorable Judge William Gallagher
Superior Court of the County of Shasta
1500 Court Street
Redding, CA 96001

Dear Judge Gallagher:

On behalf of the City Council of the City of Shasta Lake and the Board of Directors for the City of Shasta Lake Redevelopment Agency, we would like to thank the 2005-06 Shasta County Grand Jury for all their work.

The Shasta Lake City Council and Board of Directors of the Shasta Lake Redevelopment Agency offer the following required responses as requested in the final report. The Grand Jury findings and recommendations are shown followed by the required City response *in italics*.

FINDING

The Main Jail is the only adult detention facility in Shasta County. Inmates from Shasta County, including the cities of Redding, Anderson, and City of Shasta Lake, are all housed in the Shasta County Main Jail. In 2005, there were 11,386 bookings, 66% of which were arrested in the City of Redding.

Since 1998, the Sheriff's Department and the Board of Supervisors have been aware there is a need for a new security facility to house the County's growing inmate population. Because of the chronic lack of capacity in the Main Jail, the Sheriff's Office submitted a request for a jail feasibility study to the Board of Supervisors. The study is to be completed by September, 2006. The lack of a separate facility to house the mentally ill and intoxicated individuals compounds the jail's capacity problem because these individuals must be temporarily housed in the jail.

RESPONSE

The City of Shasta Lake recognizes that in California, local jail construction is the responsibility of the County. It is further understood that Shasta County is in the process of developing plans to expand the jail. The City supports the efforts of the County in this matter.

RECOMMENDATION

Funding sources for operations as well as construction are:

- c) A joint funding agreement with City of Redding, City of Shasta Lake, and City of Anderson for capital expenditures and staffing.
- d) A local sales tax increase.

RESPONSE

On November 2, 1993, California voters enacted Proposition 172, which established a permanent statewide half-cent sales tax for support of local public safety functions in cities and counties. Counties were the primary beneficiaries of Proposition 172, receiving a higher percentage than cities. Shasta Lake suggests that the County consider dedicating a portion of these funds for expansion of the jail. In addition, the County has adopted booking fees to assist in the funding of operations of the jail.

FINDING

The cities of Anderson, Shasta Lake and Redding and the County of Shasta currently operate RDA's. In total there are six redevelopment project areas in the County: Shasta Dam (Shasta Lake City); Southwest (Anderson); and Market Street, Canby-Hilltop-Cypress, Buckeye and Shastec (Redding).

In 1993, section 33216.5 of the California Health and Safety Code was enacted and authorized the transfer of the Shasta Dam Redevelopment Project from Shasta County to the City of Shasta Lake. The City of Anderson and Shasta County cooperate with the Redding RDA as a multi-jurisdictional agency in the Shastec Project Area. The County also partners with the City of Redding in controlling the Buckeye Project Area. Currently, these partnerships generate no income for Shasta County. As of June 2004, the total indebtedness for all RDA's in Shasta County approached \$50 million, with the City of Redding's Redevelopment Agency (RRA) issuing more than 90 percent of the debt.

RESPONSE

The Shasta Lake Redevelopment Agency (RDA) in FY 2005-06 contributed \$63,982.00 in property tax administration fees to Shasta County; although, that may not be considered income, it does assist to offset costs of the Auditor-Controllers Office. Shasta Lake is not involved in the Shastec Project Area or the Buckeye Project Area and is unable to comment on the income that may be received by the County for that project.

RECOMMENDATION

- 6) The Grand Jury recommends that newly elected members of redevelopment boards in Shasta County undergo formal redevelopment education and that sitting board members periodically receive continuing education on redevelopment law and policy.

RESPONSE

Whenever a discussion concerning redevelopment comes forth to the Shasta Lake Board of Directors, staff generally provides the California Health and Safety Code laws and regulations

that apply to the activity. For example, a presentation was made to the Board on tax increment financing in 2004, when we received authority to issue new debt.

A voluntary orientation of City activities, including redevelopment activities, is provided to candidates interested in becoming Council members every two years. Included in the orientations is a discussion on redevelopment activities.

In response to the Grand Jury, Shasta Lake will provide sitting Board of Directors training opportunities with a greater focus on redevelopment education, either internally or externally through the League of California Cities or the California Redevelopment Agency.

RECOMMENDATION

- 7) All County RDAs should institute a more transparent tracking system for administrative costs to ensure that city or county employees actually perform redevelopment duties when paid with redevelopment funds.

RESPONSE

The City uses the fixed methodology for administration fees and that allocation is included into the budget approval process. This method has received approval from both federal and state organizations in the past. For the fiscal year 2006-07, the Shasta Lake Redevelopment Agency (RDA) is being charged 4% in administrative fees in recognition of the work provided to the RDA for work completed by staff of the City. Program Managers for the City do provide a tracking of how their time is spent directly on their time cards. At this small percentage level, it is not cost effective for these small amounts to be documented in a more extensive tracking system. Other types of administrative fees, such as property tax administration fees, external audit requirements, consulting fees, and legal costs are direct expenses of the RDA.

- 8) All County RDAs should increase redevelopment oversight. At a minimum, all RDAs should reinstate citizen oversight committees to each redevelopment project area.

RESPONSE

In February 2000, the Board of Directors discussed the RDA Citizens Advisory Committee (CAC) Guidelines and Purpose. It was determined that because of the limited activity in our RDA, the CAC had difficulty meeting its purpose, until such time that the RDA was able to pursue additional goals and objectives, the committee had served its function. The RDA was formed in 1989 by the County. At that time, a committee was formed to establish the goals and direction for the area. A Project plan was adopted and approved. Upon incorporation, the RDA function was transferred to the City. During the planning stages for the Commercial Center, the CAC was heavily involved in review of this specific redevelopment project. However, it has only been recently that the RDA was in a position to again begin working towards the goals and objectives identified in the plan.

For general redevelopment activities, including the Five-Year Implementation Plan, the RDA solicits and encourages public input through workshops and public hearings.

- 9) Assuming Recommendations 1-3 are followed, the City of Anderson and the City of Shasta Lake should consider expanding their respective RDAs to take advantage of the socio-economic benefits redevelopment policy affords local government.

RESPONSE

As a part of the debt issuance performed in April 2006, the RDA will be requesting consideration for an extension of time for the current plan. It is not being suggested that the RDA expand its project area. If at some point in time, the RDA does consider expanding the project area; this recommendation would be a part of the discussion.

- 10) The inclusion of vacant or underdeveloped land into project areas should be carefully scrutinized as it limits the private sector's development opportunities.

RESPONSE

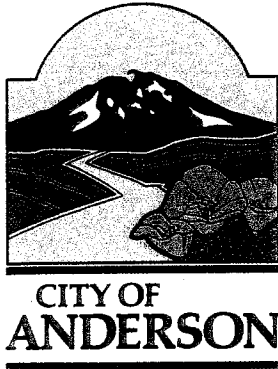
If and when the RDA decides to consider a new area for redevelopment, consideration and careful scrutiny of vacant and undeveloped land would be a part of the discussions. Redevelopment agencies spend most of their money to build or reconstruct public facilities, usually as a result of its own inability to fund improvements in aging water and sewer systems, or reconstruction of roads. Private investors may not be willing to invest in an area until public money is invested in upgrading facilities and the attractiveness of the area.

In conclusion, in accordance with Section 933.5 of the California Penal Code, the City of Shasta Lake and the Shasta Lake Redevelopment Agency appreciates the opportunity to respond to the respective portions of the Shasta County Grand Jury Report for 2005-06.

Sincerely,



Ray Siner
Mayor-City of Shasta Lake
Chairman-Shasta Lake Redevelopment Agency



August 16, 2006

The Honorable Judge William Gallagher
Superior Court of the County of Shasta
1500 Court Street
Redding, CA 96001

Dear Judge Gallagher:

On behalf of the City Council of the City of Anderson and the Board of Directors of the Anderson Redevelopment Agency, we want to express our thanks and appreciation for the well-researched work of the 2005-2006 Shasta County Grand Jury.

In compliance with Penal Code Section 933.5, the Anderson City Council and Board of Directors of the Anderson Redevelopment Agency offer the following responses to the portions of the 2005-2006 Final Report to which we are required to respond. The relevant Grand Jury findings and recommendations are shown in *italics*. The required Anderson City Council and Agency Board responses immediately follow each related finding and recommendation.

Redding Redevelopment Agency – Ready, Aim - Spend

Finding 1 –

The cities of Anderson, Shasta Lake and Redding and the County of Shasta currently operate RDA's. In total there are six redevelopment project areas in the county: Shasta Dam (Shasta Lake City); Southwest (Anderson); and Market Street, Canby-Hilltop-Cypress, Buckeye and Shastec (Redding).

In 1993, section 33216.5 of the California Health and Safety Code was enacted and authorized the transfer of the Shasta Dam Area Redevelopment Project from Shasta County to the City of Shasta Lake. The City of Anderson and Shasta County cooperate with the Redding RDA as a multi-jurisdictional agency in the Shastec Project Area. The County also partners with the City of Redding in controlling the Buckeye Project Area. Currently, these partnerships generate no income for Shasta County. As of June 2004, the total indebtedness for all RDA's in Shasta County approached \$50 million, with the City of Redding's Redevelopment Agency (RRA) issuing more than 90 percent of that debt.

Honorable Judge William Gallagher
Superior Court of the County of Shasta
August 16, 2006
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Anderson Response:

The City of Anderson and Anderson Redevelopment Agency concur with almost all of the facts stated in the finding, with the exception of the portion of the sentence that reads, "these partnerships produce no income for Shasta County". This statement could be misinterpreted to lead the reader to think that there is no benefit to Shasta County for its participation in the SHASTECC partnership.

Within the SHASTECC Project Area, the three agencies jointly determine what public projects should be funded using, at least in part, redevelopment tax increment. Some of these projects are located within the unincorporated Shasta County portion of the SHASTECC Project Area, and therefore benefit most particularly those unincorporated area properties that are located near the improvements. Without the ability of SHASTECC tax increment to help fund these unincorporated area improvements, it is unlikely that Shasta County would have the financial resources to undertake these improvements. The Anderson City Council and Anderson Redevelopment Agency believe that all three public agency partners, and the public in general, additionally benefit from past and proposed SHASTECC investments, most notably those that help support the development of the job-creating Stillwater Business Park.

In further clarification, it should be noted that for the 2005-2006 fiscal year, the Anderson Redevelopment Agency, under the provisions of AB 1290, is required to remit to Shasta County for the benefit of the County's General Fund, more than \$9,000 as pass-through of a portion of the tax increment that is generated within the Southwest Redevelopment Project Area. Shasta County is able to use these pass through funds for any authorized county governmental purpose it so chooses.

Recommendation 1 –

The grand jury recommends that newly elected members of redevelopment boards in Shasta County undergo formal redevelopment education and that sitting board members periodically receive continuing education on redevelopment law and policy.

Anderson Response:

Information concerning basic redevelopment law and local redevelopment policies and programs are included in newly elected member's orientation materials and briefing provided by the City Manager. In addition, the City Attorney periodically provides updates to sitting members on topics of interest, including redevelopment issues, and Councilmembers are required to attend mandatory ethics training, which includes a discussion and handouts on requirements specific to redevelopment agency issues. One City Council/Agency Board member has already attended the required ethics training, and the other four members are scheduled for training scheduled in Redding for December 6, 2006, through the City's membership in the Northern California Personnel Training Consortium. Consortium training is provided by instructors who are attorneys for the Liebert Cassidy Whitmore law firm.

Honorable Judge William Gallagher
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Finally, staff reports to the Agency Board seek to thoroughly report the who, what, where, why and how of the recommended action, including the requirements of the California Health and Safety Code that are directing the process and proposed decision.

Notwithstanding the above, in response to the Grand Jury recommendation, Anderson can and should strengthen its orientation program and periodic updates to focus more on redevelopment education, and will do so starting this fiscal year.

Recommendation 2 –

All County RDA's should institute a more transparent tracking system for administrative costs to ensure that city or county employees actually perform redevelopment duties when paid with redevelopment funds.

Anderson Response:

The large majority of Anderson's Southwest Project Area administrative costs are documented on Executive Director/Assistant City Manager time cards every two weeks. The Agency also currently charges 10% of Board Members/City Councilmembers, Agency Secretary/City Manager, and Deputy City Clerk to the Southwest Project Area in recognition of the value of the work that these officers and employees provide the Southwest Project Area. At this small percentage level, it is not cost-effective for these smaller amounts to be documented through the same time card process used to account for the time of the Executive Director. All other Southwest Project Area administrative expenses are direct expenses for the purchase of Agency materials, supplies, and professional services, such as the annual external Agency audit.

Recommendation 3 –

All County RDA's should increase redevelopment oversight. At a minimum, all RDA's should reinstate citizen oversight committees to each redevelopment project area.

Anderson Response:

The Anderson Redevelopment Agency believes that property owners, businesses and citizens who are directly benefited by redevelopment activity exercise a significant amount of citizen input into the decision-making process. During formation of the project area, the Agency held several public forums and utilized the citizen oversight committee to provide guidance concerning goals and objectives. Additionally, the Citizen Advisory Task Force was created specifically to address the needs, designs and priorities for improvements to the downtown area. The Agency Board of Directors welcomes citizen input into its redevelopment programs and operations and believes this input significantly improves the decision making process. The ultimate accountability to the citizenry is their ability to elect their Councilmembers, who additionally serve as members of the Anderson Redevelopment Agency Board of Directors.

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Recommendation 4 –

Assuming Recommendations 1-3 are followed, the City of Anderson and the City of Shasta Lake should consider expanding their respective RDA's to take advantage of the socio-economic benefits redevelopment policy affords local government.

Anderson Response:

Although there are currently no plans to do so, in the future, should the Anderson Redevelopment Agency Board of Directors consider either the potential of a proposed expansion of the Southwest Project Area, or the potential of a proposed new Project Area, the Board will keep in mind the 2005-2006 Grand Jury recommendation.

Recommendation 5 –

The inclusion of vacant or underdeveloped land into project areas should be carefully scrutinized as it limits the private sector's development opportunities.

Anderson Response:

The Anderson Redevelopment Agency does not agree that inclusion of vacant or underdeveloped land within redevelopment project areas limits private sector development opportunities. The primary goal of redevelopment in California is to eliminate blighting influences that limit safe and productive development or redevelopment of land. Any parcel, whether presently developed or vacant, can suffer from blighting influences that reduce its economic viability. For example, vacant parcels may remain undeveloped indefinitely if they are of irregular size or shape for practical development; if they contain hazardous materials and cleanup is not cost-effective for private developers; if they lack essential public improvements, such as sewer services, for development; or if incompatible adjacent uses make the parcel difficult to develop. In these situations, tax increment revenues available in project areas can finance the infrastructure improvements, site clean up and land assembly that are required for private sector development. Without redevelopment funding, the blighting influences will continue and the land will never reach its full economic potential.

The Agency does agree, however, that inclusion of any parcel, including vacant or underdeveloped parcels, within project areas should be closely scrutinized in accordance with State law.

SHASCOM . . . But Nobody's Perfect!

Finding 17 –

There is close cooperation between the Anderson Police Department (APD) dispatch center and SHASCOM. Equipment, software and procedures are standardized; operators may be exchanged in times of need; and SHASCOM may even provide dispatch services to APD during a major incident. An example

Honorable Judge William Callagher
Superior Court of the County of Shasta
August 16, 2006
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occurred recently when an APD officer was assaulted on duty. SHASCOM notified appropriate agencies and assumed routine APD calls while APD dispatch managed the incident.

Anderson Response:

The City of Anderson agrees that there is good cooperation between SHASCOM and the Anderson Police Department, and appreciates the support the City received from SHASCOM, the Redding Police Department, and the Shasta County Sheriff's Department during the recent critical incident involving an assault on an Anderson Police Officer.

Shasta County Main Jail – Catch and Release

Finding 4 –

The Main Jail is the only adult detention facility in Shasta County. Inmates from Shasta County, including the cities of Redding, Anderson, and City of Shasta Lake, are all housed in the Shasta County Main Jail. In 2005, there were 11,386 bookings, 66% of which were arrested in the City of Redding.

Since 1998, the Sheriff's Department and the Board of Supervisors have been aware there is a need for a new security facility to house the County's growing inmate population. Because of the chronic lack of capacity in the Main Jail, the Sheriff's Office submitted a request for a jail feasibility study to the Board of Supervisors. The study is to be completed by September, 2006. The lack of a separate facility to house the mentally ill and intoxicated individuals compounds that jail's capacity problem because these individuals must be temporarily housed in the jail.

Anderson response:

The City of Anderson understands that in California, local jail construction is a county responsibility and that Shasta County is developing plans to expand the capacity of the County's system. The City supports the County's planning efforts.

Recommendation 3(a) –

Funding sources for operations as well as construction are:

A joint funding agreement with City of Redding, City of Shasta Lake, and City of Anderson for capital expenditures and staffing.

Anderson response:

In fiscal year 2005-2006, the City of Anderson paid Shasta County the sum of \$25,472 in jail booking fees to assist the County in funding the operation of the jail system. The City of Anderson also recognizes that the vast majority of the sales tax revenues generated in accordance with Proposition 172, levied within all local jurisdictions in California, **including cities**, and which must

Honorable Judge William Callagher
Superior Court of the County of Shasta
August 16, 2006
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be used exclusively for local public safety services, is allocated to **counties**, with only a very small allocation to cities. Anderson suggests that Shasta County might consider bonding a portion of this substantial County income stream as part of the County's financing of needed jail expansion.

In conclusion, in accordance with Section 933.5 of the California Penal Code, the City of Anderson and Anderson Redevelopment Agency appreciate this opportunity to respond to relevant portions of the 2005-2006 Shasta County Grand Jury Final Report. We are hopeful that the 2006-2007 Grand Jury will continue in the fine tradition of the 2005-2006 Grand Jury by providing us with a reply to our responses that are contained herein. We think this would help strengthen the dialog on important local government matters.

Sincerely,

A handwritten signature in cursive script that reads "Keith Webster".

Keith Webster
Mayor, City of Anderson
Chairman, Board of Directors, Anderson Redevelopment Agency



Superior Court of California
County of Shasta

WILLIAM D. GALLAGHER
Presiding Judge

August 8, 2006

STEPHEN H. BAKER
Asst. Presiding Judge

Larry Schaller
Undersheriff
Office of the Sheriff
1525 Court Street
Redding, CA 96001

Re: Grand Jury Report – Shasta County Mail Jail – Catch & Release

Dear Mr. Schaller:

This is to acknowledge receipt of your response dated August 3, 2006 to the 2005/2006 Grand Jury Final Report regarding the Shasta County Main Jail.

I would like to thank you for your response to the Grand Jury Report. Pursuant to the provisions of Penal Code §933, I shall transmit your response to the Office of the County Clerk to be maintained on file there. An additional copy shall be provided to the Clerk of the Court also to be maintained on file.

Thank you again for your response.

Sincerely,

William D. Gallagher
Presiding Judge

RECEIVED

AUG 10 2006

SHASTA COUNTY CLERK

cc: Office of the County Clerk (original response)
Susan Null, Clerk of the Court (for Admin file)
Dale A. Trudeau (Foreperson, 2006/2007 Grand Jury)
Jean Hall (Foreperson, 2005/2006 Grand Jury)



Shasta County

BOARD OF SUPERVISORS

1450 Court St., Suite 308B
Redding, California 96001-1680
(530) 225-5557
(800) 479-8009
(530) 225-5189 – FAX

DAVID KEHOE, DISTRICT 1
MARK CIBULA, DISTRICT 2
GLENN E. HAWES, DISTRICT 3
LINDA HARTMAN, DISTRICT 4
PATRICIA "TRISH" CLARKE, DISTRICT 5

September 19, 2006

The Honorable William D. Gallagher
Presiding Judge, Shasta County Superior Court
1500 Court St., Rm. 205
Redding, CA 96001

Re: Response of Board of Supervisors to Fiscal Year 2005-2006 Grand Jury Report

Dear Judge Gallagher:

The Shasta County Board of Supervisors appreciates the time and dedication which the 2005-2006 Grand Jurors contributed to their charge. The following findings and recommendations are under serious consideration and discussions are being held regarding solutions to any unresolved problems.

RESPONSES AND FINDINGS

A. SHASTA COUNTY MAIN JAIL: CATCH AND RELEASE

FINDINGS

1. *The Grand Jury found the Main Jail to be a clean, orderly, and well-run facility.*

Response: The Board of Supervisors concurs with the finding.

2. *The State of California Board of Corrections, in its 2004/2006 Biennial inspection report, noted that fire and health inspections were conducted and that the facility was in compliance with the relevant standards. The Report also stated the sobering cells were often used as the intake area where inmates are received and held pending housing or arranging for bail, and that this utilization does not comply with state regulations related to sobering cells. These cells should be used only for holding inmates who are a threat to their own safety or the safety of others due to their state of intoxication. That deficiency has been corrected.*

Response: The Board of Supervisors concurs with the finding.

3. *The Shasta County Main jail operates at near capacity on a daily basis. The number of inmates at the Main Jail must comply with the Shasta County Superior Court order. This order requires that a quarterly report be submitted to the Shasta County Court outlining both the number and types of inmates released pursuant to the order. Currently, the Main Jail houses the most dangerous inmates who should not be released. Less dangerous inmates, both sentenced and awaiting sentence, are being released. This has become a common and accepted practice because of the lack of jail space.*

Response: The Board of Supervisors concurs with the finding.

4. *The Main jail is the only adult detention facility in Shasta County. Inmates from Shasta County, including the cities of Redding, Anderson, and City of Shasta Lake, are all housed in the Shasta County Main Jail. In 2005, there were 11,386 bookings, 66% of which were arrested in the City of Redding.*

Since 1998, the Sheriff's Department and the Board of Supervisors have been aware there is a need for a new security facility to house the County's growing inmate population. Because of the chronic lack of capacity in the Main Jail, the Sheriff's Office submitted a request for a jail feasibility study to the Board of Supervisors. The study is to be completed by September 2006. The lack of a separate facility to house the mentally ill and intoxicated individuals compounds the jail's capacity problem because these individuals must be temporarily housed in the jail.

Response: The Board of Supervisors concurs with the findings. The Board is awaiting the results of the jail feasibility study which will be presented in September 2006. In addition, the Board has authorized the integration of the health and human services departments, including Mental Health and Alcohol and Drug Programs, Public Health, and Social Services. The provision of services to the chronically mentally ill and persons with alcohol and drug addictions will be evaluated in this redesign.

5. *In December 2001, the Board of Supervisors approved the Sheriff's proposal to replace 62 Shasta County deputy sheriffs in the Main Jail and Detention Annex with correctional officers, in order to reassign the deputies to the field. The replacement of deputy sheriffs by correctional officers results in annual savings due to reduced salaries (estimated up to \$800,000 per year). However, the FY 2005/2006 personnel roster at the Main Jail indicates that only 27 of the 62 deputies have been replaced with correctional officers.*

Interviewees consistently related that the pay scale of correctional officers was inadequate for recruitment and retention. Indeed, one officer was noted to have separated to resume his job changing tires at a local tire shop where he could earn more money.

Response: The Board concurs with the finding that they approved the transition from deputy sheriff to correctional officers in the Main Jail, and that the transition has had a positive impact on the cost of staffing the Jail. We disagree, however, on the number of positions that have transitioned. As of June 30, 2006, the Jail's personnel roster listed 38 correctional officers and 13 deputy sheriff positions. The transition from deputy sheriff to correctional officer is dependent upon vacant patrol positions for the deputies to transition into. The Sheriff has implemented an aggressive recruitment policy for hiring and training.

The County entered into a successor Memorandum of Understanding (MOU) with the bargaining unit representing the correctional officers. Enhancements to both wages and benefits contained in the MOU will have a positive impact on both recruitment and retention of correctional officers.

6. *The Shasta County Jail is operating at minimum staffing level. Correctional officers and deputies must work overtime to meet required staffing levels. Personnel working at the Main Jail accumulated over 22,000 hours of overtime in 2006. Excessive overtime results in officer fatigue and inefficiency, safety concerns, and contributes to low morale. These factors, combined with a higher concentration of dangerous inmates, create a concern for the safety and security of both the Main Jail staff and inmates. Several interviewees indicated that one or more "disturbances" had occurred since January 2006, requiring areas of the Jail to be under "lock-down." Many of the correctional officers and deputies interviewed by the Grand Jury cited the need for the County to hire additional correctional officers and/or deputies to relieve the understaffing and overtime problems.*

Response: Although the Board of Supervisors concurs with the finding on the staffing level in the Main Jail, the Board has fully funded all allocations. Four additional positions, two correctional officers and two public safety service officer positions were approved on April 18, 2006, and fully-funded in the FY 2006-07 Budget. The Board of Supervisors controls the number of full-time equivalent staff allocated to the Jail. A county board of supervisors is not authorized to govern the actions of a sheriff concerning the manner in which budget allotments are expended or the manner in which personnel are assigned.

7. ***The Main Jail release policy and the inability to hold work release inmates accountable by incarcerating them when they fail the program negatively affect the morale of many of the deputies.***

Response: The Board of Supervisors concurs with the finding that work release inmates need to be held accountable.

RECOMMENDATIONS

1. ***The County and the Sheriff's Office should continue to pursue securing a new jail and/or a minimum security facility and the funding to operate them.***
2. ***Funding sources for the building, which may be available and must be examined, are***
 - a. ***Federal, state and private grants***
 - b. ***Infrastructure impact fees***
 - c. ***Lease/purchase financing***
 - d. ***California Infrastructure and Economic Development Bank Loans***
 - e. ***Correctional Facilities Capital Expenditure and Youth Facility Bond Act of 1988***
3. ***Funding sources for operations as well as construction are:***
 - a. ***A joint funding agreement with City of Redding, City of Shasta Lake, and City of Anderson for capital expenditures and staffing.***
 - b. ***A local sales tax increase***

Response to Recommendations 1, 2, and 3: The Board of Supervisors is awaiting a report on the jail-bed feasibility study from Nichols, Melberg and Rossetto, and Dan Smith & Associates, to be completed in September 2006. The scope of the study included an evaluation of current and future adult and juvenile jail beds as well as recommendations for funding both capital expenditures and staffing. The Board has authorized the development of a Ten-Year Outlook to among other things identify resources for capital improvements.

4. ***The Board of Supervisors, Sheriff, and County Mental Health should work expeditiously toward a goal of establishing and funding a facility that will house the mentally ill and intoxicated individuals separately from the Main Jail.***

Response: The Board of Supervisors recognizes this as a community responsibility and concurs that they should take the lead in bringing all community partners together. The Department of Mental Health is working with the Sheriff's Office to obtain a Mentally Ill Offender Reduction Grant (MIOCRG), and a separate collaboration grant for a mental health clinician to work at the jail. The County continuously strives to improve on service delivery to persons afflicted with mental illness and/or alcohol and drug additions.

The Sheriff's Office continues to work with the Mental Health Assessment and Redesign Collaborative to provide appropriate assessment and disposition of individuals who are severely and gravely disabled pursuant to Welfare and Institutions Code Sections 5150 and 5585.5. A detoxification unit is high priority for the collaborative and will continue to partner with the Sheriff's Office and other community partners to implement a medically supported detoxification center.

5. ***The Board of Supervisors should adjust the compensation package for the Sheriff's Office to facilitate the recruitment and retention of deputies and/or correctional officers to staff the Main Jail.***

Response: The County entered into successor Memorandums of Understanding (MOU) with the bargaining units representing both correctional officers and deputy sheriffs. Enhancements to both wages and benefits contained in each MOU will have a positive impact on both recruitment and retention of correctional officers and deputies.

B. REDDING REDEVELOPMENT AGENCY: READY, AIM – SPEND!

FINDINGS

- 1. The cities of Anderson, Shasta Lake and Redding and the County of Shasta currently operate RDA's. In total there are six redevelopment project areas in the county: Shasta Dam (Shasta Lake City); Southwest (Anderson); and Market Street, Canby-Hilltop-Cypress, Buckeye and SHASTEC (Redding). In 1993, section 33216.5 of the California Health and Safety Code was enacted and authorized the transfer of the Shasta Dam Area Redevelopment Project from Shasta County to the City of Shasta Lake. The City of Anderson and Shasta County cooperate with the Redding RDA as a multi-jurisdictional agency in the SHASTEC Project Area. The County also partners with the City of Redding in controlling the Buckeye Project Area. Currently, these partnerships generate no income for Shasta County. As of June 2004, the total indebtedness for all RDA's in Shasta County approached \$50 million, with the City of Redding's Redevelopment Agency (RRA) issuing more than 90 percent of that debt.*

Response: Although it is true that the two redevelopment projects the County is partner to, SHASTEC and Buckeye, do not generate any income for the County both of these project areas have future capital projects planned that will benefit the unincorporated area.

RECOMMENDATIONS

- 1. The Grand Jury recommends that newly elected members of redevelopment boards in Shasta County undergo formal redevelopment education and that sitting board members periodically receive continuing education on redevelopment law and policy.*

Response: On June 21, 2006 each of the five Board members were provided with the following Redevelopment educational and reference materials: Redevelopment in California, UC Davis Extension, January 2002; and Redevelopment: The Unknown Government, February 2006, along with materials from the California Redevelopment Association's website (<http://www.calredevelop.org>).

On June 27, 2006, the Board of Supervisors authorized two Board members to attend Redevelopment trainings, conferences or seminars.

2. ***All County RDAs should institute a more transparent tracking system for administrative costs to ensure that city or county employees actually perform redevelopment duties when paid with redevelopment funds.***

Response: The County does not currently access redevelopment administrative funds for either the SHASTEK or Buckeye Redevelopment Projects but, is reviewing the appropriate way to fairly allocate those administrative costs. An Administrative Analyst in the County Administrative Office performs redevelopment administrative functions as a part of her regular duties.

3. ***All County RDAs should increase redevelopment oversight. At a minimum, all RDAs should reinstate citizen oversight committees to each redevelopment project area.***

Response: The County is in the process of increasing the level of knowledge and expertise by the board. This will increase the ability for technical oversight.

5. ***The inclusion of vacant or underdeveloped land into project areas should be carefully scrutinized as it limits the private sector's development opportunities.***

Response: The County of Shasta agrees with this recommendation and would be amenable to increasing the scrutinization for determining the inclusion of vacant or underdeveloped land into redevelopment project areas.

**C. OFFICE OF THE ASSESSOR-RECORDER NUMBERS AND MANNERS
COUNT**

RECOMMENDATIONS

3. ***The Grand Jury further recommends that all County departments establish and maintain a log of citizen complaints and the responsive action taken by the department.***


Response: The recommendation requires further analysis. The Board of Supervisors adopted Administrative Policy 1-116 to provide a procedure for handling written complaints from the public to the Board of Supervisors. The Shasta County Administrative Policy Manual is reviewed periodically to ensure that policies remain relevant and representative of the Board's intent for business conducted by the County of Shasta. The next review of the policy manual is anticipated for mid-2007. At that time, the County

Page 8
September 19, 2006
The Honorable William D. Gallagher

Administrative Office will review Policy 1-116 and make a recommendation to the Board of Supervisors on any revisions necessary.

This concludes the response of the Shasta County Board of Supervisors to the FY 2005-2006 Grand Jury Report.

Sincerely,



PATRICIA A. "TRISH" CLARKE, Chairman
Board of Supervisors
County of Shasta

Copy: Members of the Grand Jury
Tom Bosenko, Sheriff – Shasta County
Richard Graham, Auditor/Recorder

CITY OF REDDING FINANCES
Too many hats, not enough heads

City of Redding Finance Division
777 Cypress Avenue
Redding, CA 96001
530-225-4079

REASON FOR INQUIRY:

Section 925a of the California Penal Code authorizes the grand jury to examine the books and records of any city located in the county, and “...investigate and report upon the operations, accounts, and records of officers, departments, and functions and the method or system of performing the duties of any such city... and make such recommendations as it may deem proper and fit.”

An in-depth investigation into the finances of the City of Redding was not undertaken. Instead, the Grand Jury sought a better understanding of Redding’s finances and to educate the public about some financing mechanisms used by the Redding City Council.

BACKGROUND:

The Redding City Treasurer, an elected official, receives all money tendered to the City. Most of the funds received by the City are maintained in its Investment Pool under the direct control of the City Treasurer until the City Council authorizes their release. Money received by the City Treasurer on behalf of the Redding Redevelopment Agency, Redding Area Bus Authority, and the Redding Housing Authority is independent from the Investment Pool and under the direct control of the City Finance Officer, an appointed position.

The purpose of the Investment Pool is to increase city funds through various coordinated and consolidated investment activities. The average total balance in the Investment Pool portfolio, at any time, is in excess of \$130 million. The City of Redding Treasurer's Investment Policy governs the investment of this money. The Investment Policy places an emphasis on "Prudent Investor Standards" and requires that all investments conform to the types and maturity limits prescribed by California law. The primary goals of the Investment Pool, in their order of priority, are safety of principal, meeting the liquidity needs of the depositor, and achieving a return on the investment. The City Treasurer has a fiduciary responsibility to maximize the productive use of funds in the Investment Pool subject to the primary goals of the Investment Policy. An annual review of the Investment Policy is conducted by the City's Investment Advisory Committee which is comprised of three City administrators and two financial consultants.

The City maintains five distinct types of accounting funds. The *General Fund* is the most widely utilized fund and is used to record all resources and expenditures not required to be accounted for in another fund. The *Special Revenue Fund* contains the proceeds of legally restricted resources earmarked for specific purposes (for example, traffic impact fees, parking funds, and gasoline tax). An *Enterprise Fund* is established for operations that are financed and operated like a private business. These funds contain sufficient revenues to cover the costs of services. Redding Electric Utility (REU) is the City's most profitable enterprise fund. *Internal Service Funds* are created for services provided by one City department for another (examples include fleet maintenance, records management, and information technology). As described in the City of Redding's Biennial Budget, *Trust and Agency Funds* include the Special Deposit Fund and other Trust Funds. With the exception

of the General Fund, all expenditures are restricted to the purposes of the specific revenue fund.

The City's seven Enterprise Funds include the Airport, Convention Center, Electric, Water, Wastewater, Storm Drainage, and Solid Waste Funds. Each covers the enterprise's current and anticipated operating expenses, maintenance costs and capital improvement costs, and includes a financial cushion to allow for fluctuations in revenues and expenses. These enterprise funds account for the major portion of the Investment Pool. Each fund is allocated its share of investment income according to the percentage of the total Investment Pool it represents.

The City treats the Investment Pool as an interest generating account similar to a checking account. Upon the recommendation of City administrative staff, the City Council may authorize withdrawal of any restricted funds and place them into the General Fund where they become unrestricted. This transfer is not illegal, but the monies are no longer subject to the stringent rules and constraints of the Investment Policy. It is not unusual for the City Council to transfer funds from the Investment Pool into the General Fund in order to take advantage of an attractive investment opportunity. (The \$1.5 million loan from the Electric Utility to the General Fund for the purchase of property along I-5 south of the City in 2004 is an example of such a process.) This transfer of funds is accomplished through an internal "loan" or an "advance" from one fund to another. There are no formal documents required, simply an accounting entry showing one fund as the receivable fund and the other as the payable fund. The minutes of the City Council meeting when the action was taken, may, or may not, contain some reference regarding when and how the advance will be repaid.

Moreover, the City Council does not specify how the "lending" or "advancing" fund will be

reimbursed for any interest it would have earned had its money remained in the Investment Pool. Since the money loaned is now from unrestricted General Funds, the Council may forgive a loan anytime it desires.

Other financial means or accounts the City employs in the funding of its activities include the Redding Redevelopment Agency (RRA), Redding Housing Authority (RHA), Redding Capital Services Corporation (RCCC), Redding Joint Powers Authority (RJPA), and Business Improvement Districts (BID).

METHOD OF INQUIRY:

The Grand Jury reviewed the following documents:

- California Government Code sections 26920-26922, 27000-27013, 27100-27101, 27130-27137, 53600-53609, 53630-53683
- California Probate Code, sections 16040-16042
- *The Uniform Prudent Investor Act*, California Probate Code, section 16045 et. seq.
- *Local Agency Investment Guidelines: Update for 2005*, California Debt and Investment Advisory Commission
- *City of Redding Treasurer's Investment Policy*
- *Investment Policy Statement of the Shasta County Treasurer* (2005-06)
- *Comprehensive Annual Financial Report for the City of Redding* (2004)
- *Property and Business District Improvement Law of 1994*, California Streets and Highway Code section 36600 et.seq.
- *An Analysis of Redding City Finances* (2005), The Center for Government Analysis

- *City of Redding Biennial Budget (2006-2007)*
- *City of Redding 2005 Resident Survey, Fairbank, Maslin, Maullin & Associates*
- Monthly Treasurer's Reports to the Redding City Council (July 2005–April 2006)

The Grand Jury conducted the following interviews:

- Chairman, Redding Area Chamber of Commerce
- Chairman, Shasta Builder's Exchange
- City of Redding
 - Treasurer
 - Deputy City Manager
 - Assistant City Manager
 - Finance Officer
 - Chief of Police
 - Fire Department Chief
 - Two Fire Department Deputy Chiefs
 - Four City Council Members
 - Member, Investment Advisory Committee
 - One financial analyst
- Shasta County
 - Treasurer/Tax Collector
 - County Administrative Officer
 - Five members of the Board of Supervisors

The Grand Jury attended the following meetings:

- All regularly scheduled and special meetings of the Redding City Council from July 12, 2005 through June 30, 2006
- Redding Redevelopment Agency meetings on: September 6, 2005; October 18, 2005; November 15, 2005; February 21, 2006; and April 4, 2006

The Grand Jury accessed the following websites:

- City of Redding www.ci.redding.cal.us.
- County of Shasta www.co.shasta.cal.us.

FINDINGS:

1. Establishment of Redevelopment Agencies is a major tool for financing improvements within a city or county. The activities of the Redding Redevelopment Agency (RRA) are discussed at length elsewhere in this Grand Jury Report.
2. The Redding Housing Authority (RHA) is funded primarily through the federal government. Its FY 2005/2006 projected revenue is \$8.2 million of which 13% will cover administrative costs and 73% will be used for projects and programs, primarily housing assistance for the poor. Like the RRA, it is controlled by the City Council but federal regulations require the inclusion of one citizen on its governing board.
3. The Redding Capital Services Corporation (CSC) is a non-profit corporation empowered to issue bonds to fund the expansion or upgrading of capital projects for the City, as well as its enterprise funds. Although these transactions involve tens of millions of dollars, the bonds can be authorized without voter approval because the bond indebtedness is not reflected as a general obligation of the City. Like the RRA and RHA, the officers of the CSC are the City Council. At the City Council meeting on October 18, 2005, the mayor publicly stated that he

was surprised to learn that he was the president of a corporation he never knew existed. Nevertheless, the City Council, acting as the CSC Board, in a 5-0 vote, authorized the issuance of \$37.5 million in Redding Electric Utility (REU) bonds for capital improvements including electricity service to the Stillwater Business Park. Should the bonds default, REU customers will eventually foot the bill. None of the four City Council members interviewed by the Grand Jury could explain the function of the CSC they govern.

4. The Redding Joint Powers Financing Authority (RJPFPA) is yet another mechanism authorized to issue bonds to finance improvements. California state law authorizes two or more local agencies to form a joint powers authority and empowers such an authority to issue bonds to finance “capital improvements, working capital, liability and other insurance needs, or projects whenever there are significant public benefits, as determined by the local agency.” In 2004, the City and its Housing Authority formed a joint powers financing authority authorized to issue up to \$22 million in lease revenue bonds for a variety of capital projects including Big League Dreams Park (\$750,000), Fire Station No. 8 (\$1.5 million), and the refinancing of certain municipal facilities (\$14 million). Like the RRA, RHA and CSC, the RJPFPA is governed by the City Council.
5. A Business Improvement District (BID) is a funding mechanism that supports the improvement of a defined commercial area. The California Property and Business Improvement Law of 1994 authorized the formation of BIDs. To form a BID, businesses located and operating within a defined area must first declare they are unable to attract customers due to inadequate facilities, services and activities. The City and the involved businesses may then form a BID by introducing a proposal, conducting hearings and passing an ordinance. Once established, the BID can levy “assessments” to fund improvements

which confer special benefits and services to the businesses or real properties within the BID. The assessments are not taxes for the general use of the City. Services include marketing, tourism promotion, special events and programs, funding for physical improvements, and advocacy of business interests. The governing board of a BID consists of the City Council either alone or in partnership with BID members.

The Downtown Redding Business Improvement District (DRBID) was formed in 1997. Funding for the DRBID is generated by annual assessments of businesses within the district (\$30,000 in 2005).

In October 2005, the City Council declared its intention to form the Hilltop Hotel Business Improvement District (HHBID) comprised of the major hotel businesses along Hilltop Drive. Following a public hearing on December 6, 2005, the City Council voted 5-0 in favor of forming the HHBID, a proactive effort to ensure Hilltop Drive remains competitive.

Members of the district are concerned that retail growth to the City's north and population sprawl to the south will have a negative economic impact on businesses in the HHBID.

With City Council approval, REU has agreed to fund the \$2 million needed to underground the existing utility wires on Hilltop Drive within the next two to three years. The RRA also will contribute up to \$2 million for aesthetic improvements within the district. HHBID funding (estimated at \$259,000 per year) will be generated, in part, by a 1.5% increase in hotel occupancy fees.

6. In a 2005 City-sponsored citizen survey, only one-third of those interviewed gave positive ratings to the City of Redding for its management of funds. When queried by the Grand Jury, City Council members stated they did not believe that multiple layers of City government funding and spending were a major reason for this poor support. Instead, each

City Council member attributed the public's response to an overall dissatisfaction with government starting at the federal and state levels. Despite the survey results, Council members asserted that the people trust local government the most. City Council members unanimously agreed that the Redding City Manager and the City financial staff could be trusted with respect to the accounting and expenditure of all City funds. All denied using the Investment Pool as a "discretionary checking account," and stated they would continue using the pool to take advantage of attractive investment opportunities.

7. Only one of four City Council members stated that the City has emphasized project growth over infrastructure growth in an unbalanced way during the last 15 years. All City Council members denied allegations made by local business leaders and City department heads to the Grand Jury that City administrators regularly project budget shortfalls; recommend and make departmental cuts; then, when the shortfalls never materialize (or excesses occur), recommend using the unexpected revenue for projects instead of infrastructure. These allegations were confirmed by the Grand Jury members who attended a special Redding City Council meeting on February 13, 2006. The purpose of the special meeting was to gather public input regarding the expenditure of \$1.8 million in unexpected sales and property tax revenue.

During that meeting, City staff proposed spending the money on a "project wish list." The Grand Jury believes the money should have been used to restore the five percent cuts in FY2005/2006 police and fire budgets.

Three of four City Council members interviewed by the Grand Jury stated that public safety should be the top priority of city government. However, regarding future projects, no City

Council member prioritized the construction of a new police facility ahead of a City-funded business park and road improvements.

8. The Grand Jury finds that, in addition to the use of Investment Pool funds to take advantage of attractive investment opportunities, the following are examples of behavior which contribute to the perception that City funds are mismanaged:
 - a) The *Analysis of Redding City Finances* report in 2005, sponsored by the business community, questioned the City's continuing ability to offer unrestricted retirement and health care benefits to its employees. The report also recommended a greater transparency of City finances in future budgets.
 - b) At a July, 2005 City Council meeting, Council members admitted to "hiding" \$10 million from "a potential raid" by the State of California by transferring the money from the General Fund to a Debt Service Fund in FY 2002/2003 and then reversing the transfer the following year.
 - c) In January 2006, a construction-industry watchdog criticized the City for performing street repair work that legally should have "gone to bid." The City Finance Director, City Manager, and City Council did not initially recognize this error until it was brought to their attention. The City admitted to unintentionally breaking state contracting laws on some paving contracts.
 - d) In February 2006, extensive criticism followed the release of inaccurate data by the City of Redding Tourism Director regarding the profitability (for the City) of the Big League Dreams Park.
 - e) Acceptance of a several million dollar federal grant for a City-sponsored business park resulted in a requirement for a significantly more complex environmental impact report.

The resulting five-year delay in completing the report, coupled with rising labor and building expenses, increased the total project cost from an initially estimated \$12 million to between \$70-100 million.

- f) In the late 1990s, a Deputy City Manager negotiated a compensated time off (CTO) benefit for the City's police and fire unions. The unions did not request this benefit, nor were police or fire administrators present at the negotiations to alert the City of its potential negative effects. The CTO policy has added \$400,000 in overtime costs to the Fire Department in FY 2005/2006.

Of the above-mentioned items, retirement and health care benefits for current and retired City employees will have the greatest impact on the City's future financial health. Beginning in FY 2007/2008, the City's financial statements must adhere to the Governmental Accounting Standards Board's revised reporting standards that were adopted in 2004. Rather than the current "pay-as-you-go" reporting method for employee and other non-retirement benefits, public employers will need to account for those benefits on an actuarial basis (similar to the accounting for retirement benefits). City financial statements will be required to quantify all unfunded liabilities associated with retiree health benefits as well as retirement benefits.

- 9. The Grand Jury finds that the use of the funding mechanisms discussed above are legal, proper and justified. However, their use is generally unknown or misunderstood by the public. The volume and complexity of the City's budget is difficult for the average citizen to comprehend and its lack of clarity creates suspicion and distrust. This contributes to a perception of mismanagement of City finances.

Those individuals who serve on the City Council also serve on the governing boards of the Redding Redevelopment Agency, Redding Housing Authority, Redding Capital Services

Corporation, Redding Joint Powers Financing Authority and Business Improvement Districts. The Grand Jury finds that, when Council members “wear so many hats,” they do not fully understand the complexity of the financial systems they govern. The City distributes approximately \$70 million each year through its General Fund. Additionally, the City controls \$50 million of Redevelopment debt, \$37.5 million of Capital Services Corporation debt, \$22 million in Joint Power Financing Authority debt, and \$6 million per year in Housing Authority funds. The five part-time City Council members oversee more than \$135 million of funds with only minimal direct citizen input.

The Grand Jury finds that the City Council members are not sufficiently familiar with the intricacies of municipal funding mechanisms. Numerous educational opportunities such as seminars and workshops are available for enhancing their proficiency in these matters. The Grand Jury also questions whether part-time officials can adequately research and administer the financial complexities of Redding City government.

RECOMMENDATIONS:

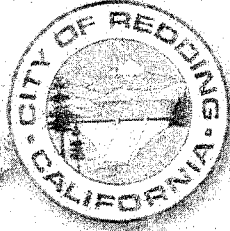
1. The Grand Jury recommends that the City investigate making the position of Councilperson full-time.
2. If a sales tax increase proposal, as mentioned in other investigations of this Grand Jury Report, is not offered to or approved by voters, the City of Redding should use its various financial mechanisms to fund necessary projects such as the construction of a new police facility. The City should also consider a joint powers financing agreement with Shasta County and other interested parties for the construction of a County detention and detoxification facility.

3. The Grand Jury recommends that the City utilize an independent auditor to examine all financial records and submit a final report to the 2006-2007 Grand Jury by January, 2007.
4. The Grand Jury recommends that the City of Redding expand its initial attempts to educate citizens about City revenues and expenses.
5. The Grand Jury recommends that the City staff conduct a comprehensive and continuing training program for the City Council regarding the responsibilities and intricacies of city finances.
6. The Grand Jury recommends that City Council consider increasing citizen oversight of its funding agencies, similar to that used by the Redding Housing Authority.

RESPONSE REQUIRED:

Redding City Council as to Findings 1-9 and Recommendations 1-6.

CITY OF REDDING



Ken Murray
Mayor

OFFICE OF THE MAYOR

777 Cypress Avenue, Redding, CA 96001

P.O. Box 496071, Redding, CA 96049-6071

530.225.4447 FAX 530.225.4463

September 6, 2006

B-080-600-800

The Honorable William Gallagher
Presiding Judge
Shasta County Superior Court
1500 Court Street, Suite 205
Redding, CA 96001

Dear Judge Gallagher:

Pursuant to Section 933 of the California Penal Code, the attachments shall serve as the City of Redding's responses to the following sections of the *2005/06 Shasta County Grand Jury Final Report*:

- ✓ ● Too Many Hats, Not Enough Heads
- Ready, Aim – Spend!
- Where There's Smoke . . .
- Redding's Finest Housed in Redding's Worst

The City of Redding appreciates and respects the important function that the Shasta County Grand Jury serves in local government. If you have any questions regarding this matter, please do not hesitate to contact me at 225-4447.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Murray".

Ken Murray
Mayor

Attachments

2006 Grand Jury Findings & Recommendations
CITY OF REDDING FINANCES
Too Many Hats, Not Enough Heads

FINDINGS:

1. Establishment of Redevelopment Agencies is a major tool for financing improvements within a city or county. The activities of the Redding Redevelopment Agency (RRA) are discussed at length elsewhere in this Grand Jury Report.

Response: The City Council agrees with the finding.

2. The Redding Housing Authority (RHA) is funded primarily through the federal government. Its FY 2005/2006 projected revenue is \$8.2 million of which 13 % will cover administrative costs and 73 % will be used for projects and programs, primarily housing assistance for the poor. Like the RRA, it is controlled by the City Council but federal regulations require the inclusion of one citizen on its governing board.

Response: The City Council agrees with the finding.

3. The Redding Capital Services Corporation (CSC) is a non-profit corporation empowered to issue bonds to fund the expansion or upgrading of capital projects for the City, as well as its enterprise funds. Although these transactions involve tens of millions of dollars, the bonds can be authorized without voter approval because the bond indebtedness is not reflected as a general obligation of the City. Like the RRA and RHA, the officers of the CSC are the City Council. At the City Council meeting on October 18, 2005, the mayor publicly stated that he was surprised to learn that he was the president of a corporation he never knew existed. Nevertheless, the City Council, acting as the CSC Board, in a 5-0 vote, authorized the issuance of \$37.5 million in Redding Electric Utility (REU) bonds for capital improvements including electricity service to the Stillwater Business Park. Should the bonds default, REU customers will eventually foot the bill. None of the four City Council members interviewed by the Grand Jury could explain the function of the CSC they govern.

Response: The City Council agrees with the finding.

4. The Redding Joint Powers Financing Authority (RJPPFA) is yet another mechanism authorized to issue bonds to finance improvements. California state law authorizes two or more local agencies to form a joint powers authority and empowers such an authority to issue bonds to finance "capital improvements, working capital, liability and other insurance needs, or projects whenever there are significant public benefits, as determined by the local agency." In 2004, the City and its Housing Authority formed a joint powers financing authority authorized to issue up to \$22 million in lease revenue bonds for a variety of capital projects including Big League Dreams Park (\$750,000), Fire Station No. 8 (\$1.5 million),

and the refinancing of certain municipal facilities (\$14 million). Like the RRA, RHA and CSC, the RJPPA is governed by the City Council.

Response: The City Council agrees with the finding.

5. A Business Improvement District (BID) is a funding mechanism that supports the improvement of a defined commercial area. The California Property and Business Improvement Law of 1994 authorized the formation of BIDs. To form a BID, businesses located and operating within a defined area must first declare they are unable to attract customers due to inadequate facilities, services and activities. The City and the involved businesses may then form a BID by introducing a proposal, conducting hearings and passing an ordinance. Once established, the BID can levy "assessments" to fund improvements which confer special benefits and services to the businesses or real properties within the BID. The assessments are not taxes for the general use of the City. Services include marketing, tourism promotion, special events and programs, funding for physical improvements, and advocacy of business interests. The governing board of a BID consists of the City Council either alone or in partnership with BID members.

The Downtown Redding Business Improvement District (DRBID) was formed in 1997. Funding for the DRBID is generated by annual assessments of businesses within the district (\$30,000 in 2005).

In October 2005, the City Council declared its intention to form the Hilltop Hotel Business Improvement District (HHBID) comprised of the major hotel businesses along Hilltop Drive. Following a public hearing on December 6, 2005, the City Council voted 5-0 in favor of forming the HHBID, a proactive effort to ensure Hilltop Drive remains competitive. Members of the district are concerned that retail growth to the City's north and population sprawl to the south will have a negative economic impact on businesses in the HHBID. With City Council approval, REU has agreed to fund the \$2 million needed to underground the existing utility wires on Hilltop Drive within the next two to three years. The RRA also will contribute up to \$2 million for aesthetic improvements within the district. HHBID funding (estimated at \$259,000 per year) will be generated, in part, by a 1.5% increase in hotel occupancy fees.

Response: The City Council agrees with the finding.

6. In a 2005 City-sponsored citizen survey, only one-third of those interviewed gave positive ratings to the City of Redding for its management of funds. When queried by the Grand Jury, City Council members stated they did not believe that multiple layers of City government funding and spending were a major reason for this poor support. Instead, each City Council member attributed the public's response to an overall dissatisfaction with government starting at the federal and state levels. Despite the survey results, Council members asserted that the people trust local government the most. City Council members

unanimously agreed that the Redding City Manager and the City financial staff could be trusted with respect to the accounting and expenditure of all City funds. All denied using the Investment Pool as a “discretionary checking account,” and stated they would continue using the pool to take advantage of attractive investment opportunities.

Response: The City Council agrees with the finding.

7. Only one of four City Council members stated that the City has emphasized project growth over infrastructure growth in an unbalanced way during the last 15 years. All City Council members denied allegations made by local business leaders and City department heads to the Grand Jury that City administrators regularly project budget shortfalls; recommend and make departmental cuts; then, when the shortfalls never materialize (or excesses occur), recommend using the unexpected revenue for projects instead of infrastructure. These allegations were confirmed by the Grand Jury members who attended a special Redding City Council meeting on February 13, 2006. The purpose of the special meeting was to gather public input regarding the expenditure of \$1.8 million in unexpected sales and property tax revenue.

During that meeting, City staff proposed spending the money on a “project wish list.” The Grand Jury believes the money should have been used to restore the five percent cuts in FY2005/2006 police and fire budgets.

Three of four City Council members interviewed by the Grand Jury stated that public safety should be the top priority of city government. However, regarding future projects, no City Council member prioritized the construction of a new police facility ahead of a City-funded business park and road improvements.

Response: The City Council partially disagrees with the finding. Based upon City Council direction, City staff uses a “moderately conservative” approach to revenue projections to ensure that revenues are sufficient to fund budgeted expenditures and that mid-cycle budget adjustments, generally, entail surplus revenues as opposed to insufficient revenues. Staff recommendations for the use of surplus revenues are consistent with previously stated Council priorities. During the aforementioned February 13, 2006, meeting, four of the eight items funded by the City Council were for public safety, including the hiring of four additional police officers and funding conceptual design of a new Police facility.

8. The Grand Jury finds that, in addition to the use of Investment Pool funds to take advantage of attractive investment opportunities, the following are examples of behavior which contribute to the perception that City funds are mismanaged:
 - a) The *Analysis of Redding City Finances* report in 2005, sponsored by the business community, questioned the City’s continuing ability to offer unrestricted retirement and health care benefits to its employees. The report also recommended a greater transparency of City finances in future budgets.

Response: The City Council agrees with the finding. In addition, the City Council responded to the "Analysis of Redding City Finances" publicly at its October 18, 2005, meeting.

- b) At a July 2005 City Council meeting, Council members admitted to "hiding" \$10 million from "a potential raid" by the State of California by transferring the money from the General Fund to a Debt Service Fund in FY 2002/2003 and then reversing the transfer the following year.

Response: The City Council agrees with the finding. The City Council's decision to transfer \$10 million to a Debt Service Fund was simply to demonstrate that the funds were already committed to make required debt service payments during a time with the State of California was taking local government funds to help cover its own budget shortfall.

- c) In January 2006, a construction-industry watchdog criticized the City for performing street repair work that legally should have "gone to bid." The City Finance Director, City Manager, and City Council did not initially recognize this error until it was brought to their attention. The City admitted to unintentionally breaking state contracting laws on some paving contracts.

Response: The City Council agrees with the finding. After it was discovered that the City was unintentionally performing some pavement work that should have been contracted out, new procedures were implemented and staff received intensive training on the issue to ensure that the mistake is not repeated.

- d) In February 2006, extensive criticism followed the release of inaccurate data by the City of Redding Tourism Director regarding the profitability (for the City) of the Big League Dreams Park.

Response: The City Council partially agrees with the finding. There was an error in the calculation of economic impact. However, even as corrected, the data did indicate a significant economic benefit to the community.

- e) Acceptance of a several million dollar federal grant for a City-sponsored business park resulted in a requirement for a significantly more complex environmental impact report. The resulting five-year delay in completing the report, coupled with rising labor and building expenses, increased the total project cost from an initially estimated \$12 million to between \$70-100 million.

Response: The City Council respectfully disagrees with the finding. Regardless of the acceptance of Federal grants, the Stillwater Business Park would have been subject to the same environmental regulations, as some of the property being proposed for the park requires release by the Federal Aviation Administration. The receipt of Federal grants in no way affected the timing nor the cost of the project.

- f) In the late 1990s, a Deputy City Manager negotiated a compensated time off (CTO) benefit for the City's police and fire unions. The unions did not request this benefit, nor were police or fire administrators present at the negotiations to alert the City of its potential negative effects. The CTO policy has added \$400,000 in overtime costs to the Fire Department in FY 2005/2006.

Response: The City Council partially disagrees with the finding. It is accurate that compensated time off (CTO) was added to the contract between the City and its fire union in 1995. The provision of the benefit was added in the context of a renegotiation of the entire labor contract. Notes from those negotiations clearly show that the benefit was proposed by the union and not the City.

Of the above-mentioned items, retirement and health care benefits for current and retired City employees will have the greatest impact on the City's future financial health. Beginning in FY 2007/2008, the City's financial statements must adhere to the Governmental Accounting Standards Board's revised reporting standards that were adopted in 2004. Rather than the current "pay-as-you-go" reporting method for employee and other non-retirement benefits, public employers will need to account for those benefits on an actuarial basis (similar to the accounting for retirement benefits). City financial statements will be required to quantify all unfunded liabilities associated with retiree health benefits as well as retirement benefits.

Response: The City Council agrees with the finding. The City has already contracted with an independent actuary to meet reporting requirements of GASB 45 and will be in a position to meet the new requirement one year early.

9. The Grand Jury finds that the use of the funding mechanisms discussed above are legal, proper and justified. However, their use is generally unknown or misunderstood by the public. The volume and complexity of the City's budget is difficult for the average citizen to comprehend and its lack of clarity creates suspicion and distrust. This contributes to a perception of mismanagement of City finances.

Those individuals who serve on the City Council also serve on the governing boards of the Redding Redevelopment Agency, Redding Housing Authority, Redding Capital Services Corporation, Redding Joint Powers Financing Authority and Business Improvement Districts. The Grand Jury finds that, when Council members "wear so many hats," they do not fully understand the complexity of the financial systems they govern. The City distributes approximately \$70 million each year through its General Fund. Additionally, the City controls \$50 million of Redevelopment debt, \$37.5 million of Capital Services Corporation debt, \$22 million in Joint Power Financing Authority debt, and \$6 million per year in Housing Authority funds. The five part-time City Council members oversee more than \$135 million of funds with only minimal direct citizen input.

The Grand Jury finds that the City Council members are not sufficiently familiar with the intricacies of municipal funding mechanisms. Numerous educational opportunities such as

seminars and workshops are available for enhancing their proficiency in these matters. The Grand Jury also questions whether part-time officials can adequately research and administer the financial complexities of Redding City government.

Response: The City Council partially disagrees with the finding. Redding City Council members receive the information and training necessary to meet the requirements of their respective roles in the Council-Manager form of government under which the City of Redding is organized. Under this organizational model, the City Council is charged with establishing policies and hiring a professional City Manager who, with his staff, is tasked with carrying out these policies. Council Members often receive training appropriate to their roles through various regional and state associations through their attendance at various meetings and conferences.

RECOMMENDATIONS:

1. The Grand Jury recommends that the City investigate making the position of Councilperson full-time.

Response: The recommendation will not be implemented. A part-time City Council is less costly and is effective within the Council-Manager form of government under which the City of Redding is organized.

2. If a sales tax increase proposal, as mentioned in other investigations of this Grand Jury Report, is not offered to or approved by voters, the City of Redding should use its various financial mechanisms to fund necessary projects such as the construction of a new police facility. The City should also consider a joint powers financing agreement with Shasta County and other interested parties for the construction of a County detention and detoxification facility.

Response: The recommendation has been implemented. The City Council has already indicated that the construction of a new Police facility is a high priority. As the project design moves forward, the City Council will consider all reasonable funding mechanisms. The Grand Jury's suggestion on collaboration on a Shasta County detention and detoxification facility is noted.

3. The Grand Jury recommends that the City utilize an independent auditor to examine all financial records and submit a final report to the 2006-2007 Grand Jury by January, 2007.

Response: The recommendation has been implemented. The City, as required by law, is audited annually by an independent CPA firm that provides an opinion as to the accuracy and reliability of the City's Comprehensive Annual Financial Report (CAFR). The CAFR and auditor's opinion is accepted by the City Council in a public meeting and is part of the public record. The report will be submitted to the Grand Jury once accepted.

4. The Grand Jury recommends that the City of Redding expand its initial attempts to educate citizens about City revenues and expenses.

Response: The recommendation has been implemented. The City Council has historically formed an ad-hoc Citizen Budget Review Committee to assist the City Manager and Council in preparation of the biennial budget. Enhanced efforts will be made in the upcoming budget cycle to make the budget document user-friendly and educational to members of the public.

5. The Grand Jury recommends that the City staff conduct a comprehensive and continuing training program for the City Council regarding the responsibilities and intricacies of city finances.

Response: The recommendation has been implemented. The City Council already is offered on-going training in municipal finances through a variety of organizations such as the League of California Cities and the California Redevelopment Association. City Council Members also receive additional information and training when they sit as representatives to internal committees such as the Audit Committee and the Investment Advisory Committee.

6. The Grand Jury recommends that City Council consider increasing citizen oversight of its funding agencies, similar to that used by the Redding Housing Authority.

Response: The recommendation will not be implemented. The City Council itself, as directly elected representatives of the citizens, is best-suited to provide citizen oversight of the City's various funding agencies.

REDDING FIRE DEPARTMENT:
Where there's smoke...

City of Redding Fire Department
777 Cypress Avenue
Redding, CA 96001
530-225-4141

REASON FOR INQUIRY:

Section 925a of the California Penal Code authorizes the grand jury to investigate and report upon the operations of any municipal agency within the county. This investigation was prompted by the opening of Redding Fire Station No. 8 and by a citizen complaint.

BACKGROUND:

In 1971, the United States had more than 12,000 fire-related deaths, including 250 firefighter fatalities. The 1974 Federal Fire Prevention and Control Act created the United States Fire Association (USFA) and the National Fire Academy (NFA). These agencies, through research, data collection, training guidelines, fire prevention and public education, have helped reduce fire deaths by more than half. At 7.4 fire deaths per million population, California has the seventh lowest civilian death rate from fire in the country.

According to the 2002 USFA national statistics, lighted tobacco products alone caused 14,450 residential fires, 530 fatalities, 1330 injuries and over \$371 million in property damage. Nationwide, fire now claims 3,700 lives and injures more than 22,000 people each year. Almost 100 firefighters die in the line of duty each year and property damage exceeds \$11 billion yearly.

A community's ability to combat fire is measured, in part, by its insurance rating. The Chicago-based Insurance Service Office (ISO) is often consulted by insurance companies to establish an overall fire rating for a county, city or fire district. ISO ratings, which range from 1 (best) to 10 (worst), are used by insurance companies to set both commercial and residential fire insurance premiums. A reduction in the ISO rating results in lower premiums for a community. The ISO determines an overall rating for a community using a complicated formula involving many subcategories and factors. These include demographics, water availability and pressure, hydrant location, available equipment, and number of personnel (career or volunteer) who work for the fire department.

A community cannot receive an ISO rating better than 5 if its staff is mostly volunteer, regardless of the availability of water and equipment. Therefore, most Shasta County fire districts have ISO ratings between 5 and 8, whereas the City of Redding has a rating of 3. Redding's rating is the best in Shasta County because it has a full-time firefighting staff, an excellent water supply and adequate equipment. However, Stockton and a handful of Southern California communities maintain an ISO rating of 1.

Federal Occupational Safety and Health Administration (OSHA) guidelines require a "two-in, two-out" policy for firefighters entering a burning structure. No firefighter should enter a burning structure alone, and when two firefighters do enter a structure (two-in), two more firefighters (two-out) should be immediately available to assist them if the need arises. The 2002 National Fire Protection Association (NFPA) guidelines provide that, "...a minimum acceptable fire company staffing level should be four members responding on or arriving with each engine and each ladder company responding to any type of fire." Clearly, the minimum number of firefighters responding to a structure fire should be no less than four. It may not be financially

feasible for smaller communities to staff four-person crews on all its fire trucks. As a result, at least two vehicles respond to structure fires in these communities. Based on their specific staffing capabilities, many fire departments develop their own Rapid Intervention Crews (RIC) and specific rescue policies. The City of Redding's Fire Department (RFD) has a RIC policy that conforms to the OSHA and NFPA "two-in, two-out" guidelines. However, when human life is perceived to be at risk, the policy is suspended, and RFD personnel may enter a structure fire without back-up to attempt a life rescue.

The basic unit of a fire department is the *engine company*. An engine company is the unit that responds to both structural and wildland fires as well as aircraft incidents, hazardous material spills, and medical calls for service. It consists of a fire apparatus such as an engine or ladder truck and the crew to staff the apparatus. The number of suppression personnel on each engine company varies. Major cities, such as San Francisco, may have crews of five on an engine company while a small community may have a crew of only one or two.

According to its 2005 Annual Report, the RFD maintains nine engine companies and an aircraft rescue unit among its strategically distributed eight fire stations. Station No 1, located in downtown Redding, is currently the only station staffed with two engine companies. At Station No. 7, located adjacent to the Redding Municipal Airport, the two-person engine company is augmented by a Federal Aviation Administration aircraft rescue unit. That additional unit is staffed by one person. Currently, four RFD engine companies carry a crew of three and the remaining five engine companies have two-person crews.

Redding has the potential to staff all its engine companies with three-person crews. According RFD personnel, a typical three-person crew for an engine company consists of a:

- *fire captain*, responsible for management, incident support and filing of reports. Once on the scene, the captain arranges for any necessary assistance or backup.
- *fire engineer*, primarily responsible for driving the apparatus and the delivery of water. An engineer must stay with the engine at all times during water delivery. Engineers may administer medical aid and assist with vehicle extractions on non-fire calls.
- *firefighter*, responsible for laying hose, making hydrant connections and fire suppression. Firefighters may also administer medical aid and assist with vehicle extractions.

All engine companies must be staffed with at least a captain and an engineer. On-two person companies, the captain must also assume the duties of a firefighter because the engineer must tend the apparatus.

The RFD is comprised of three divisions. The *Fire Administration* division coordinates support services for the entire department including policy development, recruitment and preparation of the budget. It is staffed by the Fire Chief, one full-time office supervisor, one three-quarter-time clerk and one half-time administrative assistant.

The *Fire Prevention* division administers and enforces national, state, and local fire and life safety codes. It is responsible for fire investigations, public education, alarm systems, vegetation management and weed abatement. This division also coordinates the City's Emergency Operations Center and conducts a wide variety of fire inspections. Under the supervision of the Deputy Fire Chief/Fire Marshal, the Prevention division employs an Assistant Fire Marshal, a Fire Prevention Specialist, two inspectors, and a fire protection plans manager.

The *Fire Operations and Training* division is responsible for the day-to-day emergency response activities of the RFD and for firefighter training. It also cooperates under mutual-aid agreements with the California Department of Forestry and Fire Protection (CDF) and the Shasta

County Fire Department. Under the leadership of the Deputy Fire Chief/Operations, the division employs 69 personnel, who typically work five 24-hour shifts every 14 days. There are three shifts, rotating days of the week, with 23 personnel per shift. Each shift is supervised by one of four Battalion Chiefs. When the budget allows, up to 15 paid on-call, seasonal firefighters are employed during high fire-risk months.

METHOD OF INQUIRY:

The Grand Jury reviewed the following documents:

- *Redding Fire Department Annual Reports (2004, 2005)*
- *Capital Improvement Plan 2005-2010 (2005) City of Redding*
- *City of Redding Biennial Budget 2005-2007*
- *City of Redding February 2006, Midyear Budget Report (2006) City of Redding*
- *Non-Discretionary Overtime and Compensated Time Off Analysis for FY 2003-2004, Redding Fire Department*
- *City of Redding Classification Details (2004), Insurance Services Office, Inc*
- *Redding Fire Department Required Training Report (2005)*
- *Fire Task Force: Report and Recommendations, (1987) Redding Public Safety Task Force Element for Fire Service*
- *The City of Redding 2000-2020 General Plan, (2000)*

The Grand Jury conducted the following interviews:

- One citizen
- Four Redding City Council Members
- Redding Assistant City Manager

- Redding Deputy City Manager
- The following members of the Redding Fire Department:
 - Fire Chief
 - Two Deputy Fire Chiefs
 - Six current or retired Battalion Chiefs
 - Twelve Captains
 - Ten Engineers
 - A Firefighter
 - A Fire Prevention Specialist
 - ❖ Five members of the department were asked to appear before the Grand Jury but elected not to be interviewed

The Grand Jury attended the following meetings:

- All regularly scheduled Redding City Council meetings from July 2005 through April 2006

The Grand Jury visited the following facilities:

- Redding Fire Stations No. 1, 2, 3, 5, and 8

The Grand Jury accessed the following websites:

- US Department of Labor Occupational Safety and Health Administration www.osha.gov
- US Fire Administration and National Fire Academy www.usfa.fema.gov
- National Association of State Fire Marshals www.firemarshals.org
- National Fire Protection Association www.nfpa.org
- California Office of The State Fire Marshal www.osfm.fire.ca.gov

FINDINGS:

1. Firefighting is a dangerous and physically demanding profession. Firefighters work long shifts and must be constantly ready to respond within minutes to a wide range of emergencies. When not responding to calls, fire station personnel clean and test equipment, assist with building inspections, and participate in training exercises. The weight of a firefighter's gear averages more than 50 pounds and hoses can weigh more than 75 pounds. Because of protective clothing, a firefighter's body temperature can increase five degrees while actively engaged in fire suppression.

According to the NFPA, excluding the daily risk of occupational death, the life expectancy of a firefighter is five years shorter than that of the average population. Between January 3 and April 16, 2006, while most of us were preparing our tax returns, more than 30 on-duty firefighters were killed nationwide. Thirteen succumbed to stress and overexertion, often accompanied by heart attack. Nine firefighters were caught in or trapped by fire, and three were killed by wall collapses after fires were extinguished. There has not been a fire-related fatality in the RFD during the past 25 years.

2. There is no accepted standard for average fire response time. With any fire or medical emergency, every minute counts. RFD administrators define response time as the time from receipt of the dispatch call until the first engine company arrives on the scene. According to the Fire Chief, the RFD response time goal is four to six minutes. The City of Redding's General Land Use Plan specifies that the RFD should "...respond to 90% of calls within five minutes of being dispatched." In reality, RFD only has a 22% success rate in meeting its response-time goal. This poor performance is due primarily to a lack of engine company availability within RFD's large, 68 square-mile, coverage area. Increased traffic congestion

also contributes to slower responses, but RFD firefighters and administrators state that increasing the number of fire stations and engine companies can reliably reduce response times. In 2005, medical calls comprised 76% of RFD's total service calls. Only five percent of calls involved a structure fire.

3. The citizen complaint which prompted this investigation was focused on the periodic absence of fire personnel at Station No. 2 on the City's west side. The Grand Jury learned that fire stations throughout Redding are unoccupied approximately 20% of the time. When an engine company is responding to a call within its own district it will understandably not be at its station. In fact, sometimes there is no engine company within the area the station serves. Frequently, engine companies respond to calls in neighboring districts to assist other engine companies or to handle emergency calls when a particular company is already engaged. Additionally, engine companies cover other districts while that district's engine company is engaged in training exercises. Therefore, residents should be aware that having a fire station in their neighborhood does not mean that firefighters will be minutes away from responding to their 9-1-1-call.

When districts are left uncovered, the Battalion Chief in charge immediately begins to "back-fill," or call in any available off-duty firefighters. The Fire Chief stated that the back-fill need and the time required to find personnel are increasing. More than half the time, back-up firefighters are impossible to find. The RFD has a mutual aid agreement with CDF that helps mitigate this problem. Ideally, if every fire station had two fully staffed engine companies, there would be a reduced amount of time any district went uncovered. However, there is insufficient funding to implement this option.

4. The Grand Jury asked the four City Council members what percentage of General Fund appropriations are dedicated to public safety (police and fire). Answers ranged from 48 to 75 percent. According to the *City of Redding's February 2006, Mid-Year Budget Report*, the City currently spends \$37.6 million or 54 percent of its \$69 million General Fund appropriations on public safety. For FY 2005/2006, both police and fire departments are exceeding their budgeted amounts by more than \$2 million.

The Grand Jury noted that there is a wide disparity in new housing impact fees in the City of Redding. While the impact fees for traffic, water connection and parks range between \$3,400 and \$5,000, the fire impact fee is only \$106. (There is no impact fee for police protection.)

During preparation of its biennial FY 2005-2007 budget, the City of Redding was forced to cut five percent (roughly \$3 million) from its FY 2005/2006 General Fund because of a projected budget shortfall. RFD's requested budget was \$13.4 million. After the five percent and other reductions, RFD's budget was reduced by one million dollars to \$12.4 million. The primary effects of this budget reduction included a halt to any new equipment purchases, a freeze on material purchases and less use of paid temporary firefighters during high fire-risk months. When the City received an unexpected property and sales tax surplus, it opted not to restore the RFD budget cuts but, instead, to pursue a "wish list" of projects.

In FY 2005/2006, the City of Redding allocated \$1.8 million to the City's fire and police departments for dispatch services provided by the Shasta Area Safety Communications Agency (SHASCOM). Each department budgeted \$900,000 for SHASCOM, even though the police department received more than 85% of all dispatches. Many of the RFD staff interviewed by the Grand Jury do not believe the department is getting its "money's worth"

for this service. Firefighters claim that civilian dispatchers at SHASCOM are constrained by policies and serve merely as a transportation directory service (i.e., similar to a taxicab dispatcher). In contrast, CDF dispatchers, who are experienced fire captains and are able to implement fire-management strategies based on the information they receive from the field.

5. The Grand Jury asked all interviewees to rate the overall effectiveness of the RFD, its personnel and the services it delivers. Ratings for the department's overall effectiveness were above average, while response time, morale and staffing levels were all rated at or below average.

With the exception of department morale, RFD administrators gave higher overall ratings than firefighters across all categories. Administrators also rated the Chief and Deputy Chiefs more favorably than did the firefighters. Many experienced firefighters stated the morale in the department was "the lowest they had ever seen." Reasons given for low morale include ongoing contract negotiations with the City, insufficient staffing, a loss of faith in RFD administrators and a lack of trust in and support from the City Council and staff.

The Grand Jury came to appreciate that a significant level of alienation currently exists between the firefighters and the RFD administrators, City staff and the City Council. Roughly half the firefighters interviewed stated that the City Council didn't understand the critical issues facing the department. The RFD administrators believe that the City Council is aware of these issues, but perhaps is not willing to address them. All interviewed agreed that the RFD has the support of the general public, but that the public has little understanding or concern about the department's needs. Most City Council members stated they have heard very few complaints from citizens about the level of service the RFD provides.

6. The Fire Chief is well trained and has a 34-year firefighting and administrative background with CDF, including 12 years as a Chief. His appointment was supported by the firefighters because of his background and, in part, by the fact that his commitment to RFD was not based solely on financial or retirement-seeking reasons (he already had a state pension). He is currently serving his third year as the RFD Fire Chief and receives an annual salary of \$129,000 plus benefits. His performance is rated as slightly below average by the fire personnel interviewed by the Grand Jury and well above average by the RFD Deputy Chiefs and Battalion Chiefs. City staff and City Council members also rated him well above average. He allots the majority of his time to administrative duties, budget preparation, and Department planning. He is less of a “hands-on” Chief than his predecessors and admits that his communication with firefighters needs improvement. Across the board, he was described as a good money manager and as politically savvy.

The Grand Jury found that over the past 15 years, most RFD fire chiefs’ tenures last about three to five years. Interviewees offered a wide range of reasons for this short tenure, including the chiefs’ moving on to better positions or retirement. Most firefighters attribute the short stays to a chief’s frustration between a desire to provide improved fire service to the citizens and being unable to accomplish this goal because of consistent budget constraints. Fire personnel claim that the chiefs often start their terms enthusiastically, only to become disillusioned by a lack of support from the City Council and administration. They disagree and counter that Redding already spends a majority of its general fund on police and fire protection.

7. The current Deputy Chief/Operations was appointed in 2000 and earns a \$106,995 yearly salary. He does not, however, meet one of the City’s job description requirements for his

position in that he lacks five years' experience as a Battalion Chief. He is responsible for the administration and supervision of daily operations and oversees a staff of three Battalion Chiefs and as many as 84 firefighters. His numerous administrative duties include budget preparation, grant writing, promotional testing, discipline, and serving as the Fire Chief when necessary. He also serves as the RFD liaison to the Redding Police, Shasta County Sheriff's Office, Airports, Shasta College and California State Office of Emergency Services and is responsible for ensuring that RFD staff receives nearly 24,000 hours of mandated training each year. He has no dedicated secretarial assistance to provide clerical support. Like the Chief, his performance is rated below average by firefighters and above average by RFD administrators. Based on his job description and fire personnel interviews, the Grand Jury believes the Deputy Chief has too many duties to allow effective performance of any one of them.

8. More than 85% of the RFD budget is allocated for personnel. Of the 69 full-time suppression personnel, 29 are captains, 28 are engineers and only 12 are firefighters. Starting salaries for these positions are \$58,356, \$50,407 and \$41,496, respectively, and are capped at \$70,936, \$61,268 and \$52,969. These figures do not include overtime pay or benefits. The need to have one captain and one engineer on each engine company requires 27 captains and 27 engineers to staff the RFD's nine engine companies on three shifts. Upgrading to three-person companies could be accomplished by adding personnel at the less-expensive firefighter level.

When setting salaries for its employees, the City of Redding often utilizes a 10-city comparable salary survey. As of October 2005, Redding firefighters were paid less than those in eight of the ten comparable cities, while responding to the highest number of service

calls. The Grand Jury does not support using a comparable salary survey, because it tends to drive up wages as cities outbid each other.

RFD firefighters currently have generous benefits. Many of the fire personnel interviewed believe their benefit packages are not excessive when compared to those offered by other cities, although they agree the public may not share this view. The current RFD retirement benefit is 3% @ 50, which means a firefighter who works 30 years and retires at age 50 or above will receive 3% of pay for every year of service (90% of salary for life). Currently, the City of Redding pays full medical benefits for active duty firefighters. Demand for firefighter job vacancies is strong. According to the City Manager's Office, there were 256 applicants for a firefighter position in January 2005 and 143 applicants for a similar position in October 2002.

9. With the exception of one, all 32 persons interviewed by the Grand Jury agreed that the RFD is understaffed. City staff tended to characterize the shortage as non-critical, whereas RFD administrators and firefighters described it as very critical. All agreed that, to ensure both firefighting safety and efficacy, every RFD engine company should be staffed with a minimum of three fire personnel. Currently, less than half the City's engine companies carry three personnel. Because only four of the current nine engine companies have three-person crews, the Department would need 15 additional firefighters to ensure the availability of three-person crews on every engine on each shift.

The perception of the urgency of meeting the three-person per engine staffing goal was split in a similar fashion between City and RFD staff. Some firefighters believed the reason City staffers were less concerned about RFD personnel levels was because the Department currently provides adequate protection to the City. Others believed that the difference was

“political” and that City administrators are lobbied by a powerful business collective that wants Redding to grow more quickly than its infrastructure can support. Based on interviews from this and other investigations, the Grand Jury has concluded that, over the last 15 years, project growth (bridges, ball parks, aquatic center, business parks, etc.) has had a higher priority for the Redding City Council than public safety and infrastructure growth.

In 1984, there were 18 on-duty firefighters on each of the RFD’s three shifts. Today there are 23 firefighters on each shift. Since Federal Aviation Administration rules dictate that one firefighter must maintain a presence at the airport at all times, only 22 firefighters are available to respond to daily emergencies within the city limits. In the past 22 years, this 20% increase in RFD staffing has not kept pace with the 90% increase in population (47,000 to 90,000), or the 48% expansion in coverage area (46 square miles to 68 square miles), or the 265% increase in yearly service calls (3,426 to 12,500). It is no surprise that the ISO targeted insufficient RFD staffing as a primary factor limiting the City’s fire rating.

According to the RFD Fire Chief, adequate suppression of a house fire requires as many as 14 firefighters. For a routine one-alarm house fire, three engines and a ladder truck are usually dispatched. A two-alarm fire requires three additional engine companies (a total of seven) leaving only two engines to cover the remainder of the city. If a one-alarm and two-alarm fire were to occur simultaneously, RFD would need 11 engine companies to suppress the fires. Since RFD only has nine engine companies, it would require mutual aid assistance from CDF and the County Fire Department to provide coverage.

The Grand Jury agrees with RFD staff that the number of firefighters is critically and dangerously low. Reasons to increase staffing include:

- a) Most of the fire captains interviewed stated they would enter a burning structure if human lives were at risk, regardless of the staffing of their engine company. With a two-person crew, only the captain would enter a burning structure to attempt a rescue because the engineer must tend the apparatus. Three-person companies allow at least two personnel to perform a rescue.
- b) To comply with OSHA's "two-in and two-out" guideline, a two-person engine company must await the arrival of a second engine company prior to entry of a burning structure. Two three-person companies would place six firefighters on the scene. This would improve firefighter safety and provide more flexibility in fire suppression and rescue operations.
- c) Currently, a third engine company is required in order to provide sufficient personnel on any structure fire. Three-person crews would eliminate the need for a third engine. Fire districts would be left unprotected less often.
- d) RFD has insufficient capacity to fight more than a single structure fire at a time.
- e) Increasing staff would reduce overtime costs.

10. Overtime costs for the RFD in FY 2005/2006 are projected at \$1.3 million and estimated at \$1.4 million in FY 2006/2007. Every public safety force uses mandatory and required overtime. This overtime is required to fill expected vacancies such as vacation, sick time, training and maternity leave. All rank and file firefighters interviewed accept the policy of mandatory overtime and many prefer it because they earn additional income. However, when the amount of mandatory overtime interferes with other commitments (family and personal) or causes fatigue and safety concerns, firefighter morale can be negatively affected. Overtime is less expensive than the cost of new personnel. The additional cost of paying a

current employee time-and-a-half of base pay for overtime is less than that of paying a new employee, who would receive employee benefits (1.50 vs. 1.72 per hour). However, this cost savings is less important when excessive overtime affects job performance and employee or civilian safety.

Compensated time-off (CTO) is a benefit enjoyed by most, if not all, City of Redding employees. It is a policy whereby an employee who works overtime may select either time-and-one-half pay for those hours or trade them for time-and-one-half off with pay. A day off here and there may have little impact for city employees with desk jobs, but safety forces must meet minimum staffing requirements. Therefore, when firefighters take a paid CTO day off, they must be replaced by another firefighter, who because of understaffing must be paid overtime. Thus, the department must pay two wages when a single firefighter takes a CTO day off – one at regular pay and one at overtime pay. To lessen the impact on the regular schedule, CTO days must be arranged 30 days in advance. CTO benefits will cost the RFD an additional \$400,000 in FY 2005/2006. RFD is, therefore, paying \$1.7 million or more each year for CTO and overtime. The Grand Jury learned that the City offered this CTO benefit to both of its public safety unions during negotiations in the late 1990s. The fire union did not request CTO, nor was the then-Chief present to counsel City negotiators about the negative impacts of this benefit. The City's public safety forces are inherently costly. The Grand Jury believes that unrestricted CTO has no place in the efficient operation of a city's safety forces.

Many firefighters depend on overtime to augment their salaries. Similarly, firefighters do not want to relinquish the CTO benefit because it affords them additional family time. And, although they uniformly complain about being understaffed, most firefighters were not

willing to exchange their overtime pay for new personnel. At first glance, the Grand Jury found this logic contradictory since, on average, firefighters are only scheduled to work five 24-hour shifts every 14 days, leaving ample spare time. However, if all overtime were eliminated, many firefighters told the Grand Jury that they would find it necessary to seek second jobs. Then, if needed, they would be unavailable for extra duty work or emergencies on their off-days. Unlike police work, firefighting is directly affected by the weather and unpredictable high-risk conditions (temperature, humidity and wind). For example, at a moment's notice, RFD must dedicate extra engine companies and call back many firefighters to immediately suppress a developing wildland fire and prevent its spread.

Some firefighters accumulate CTO as a safety blanket in case they suffer an off-the-job injury and are unable to work. Others use CTO to supplement their allotted vacation time. Firefighters, who must find their own replacement for an absence of a few hours, often have difficulty doing so. Therefore, they use CTO to take a full day off for a doctor's appointment or to attend a family event. Very few of the firefighters interviewed felt that the current amount of overtime is a major stress or fatigue factor.

11. RFD training is supervised by the Deputy Fire Chief/Operations who, because of extensive administrative duties, devotes less than five percent of his time to ensure personnel receive state-mandated fire training, which is administered and supervised by RFD captains. The RFD must ensure that every firefighter receives 280 hours of training each year. Ensuring that each shift receives training while simultaneously providing emergency fire and medical service involves significant logistical problems. Half the stations train in the morning and half in the afternoon.

Most of the firefighters interviewed stated that their training is inadequate and a few alleged that training records were falsified. Training information is entered into a computer database by captains, and there are no safeguards as to the accuracy of this input. All RFD administrative staff interviewed stated there were no falsifications of training records and the Grand Jury was unable to determine whether violations actually occurred. Many of the Battalion Chiefs and Deputy Chiefs felt training could be improved. The Fire Chief rated the Department's training as only average.

The Grand Jury's analysis of the *2005 RFD Required Training Report* revealed that the records of mandated RFD training for last year were grossly incomplete. Firefighters had little or no training in 10 areas, including hazardous materials, incident command, airport operations, shore-based rescue, technical rescue, ventilation and water supply. Less than 25% of firefighters completed apparatus (vehicle and pump operation), report writing, and communications (dispatch) training. Required training in firefighter safety, inspection procedures and emergency medical aid was only 50% completed. Self-rescue and firefighter rescue and seasonal firefighter training had the greatest completion percentage as did wildland fire training (although there is no wildland training requirement, Redding has extensive wildland areas). Only a handful of firefighters are adequately trained to operate the department's fire rescue boat, and although all firefighters have some hazardous material (HAZMAT) training, less than 20% are fully certified. Therefore, whenever a water or HAZMAT incident occurs, certified personnel are not immediately available and must be summoned from numerous stations.

A review of nine Northern California city fire departments revealed widely diverse yearly expenditures for training. For example, in 2002, fire departments in Woodland, Chico and

Redding (cities of similar size) budgeted \$195,000, \$70,000, and \$18,000 respectively for personnel training. Three years later, the training allocation for the RFD remained at \$18,000. However, because of mandatory FAA airport firefighter training requirements, the City Council authorized an additional \$15,800 for training at its December 6, 2005 meeting.

RFD administrators and rank and file agreed that the department needs a dedicated training officer – one who has the time to focus primarily on training and not on other duties. A training officer could also maintain adequate and verifiable training logs and ensure that recommended guidelines and standards for training are met. While all firefighters stated that they could safely perform their duties, all agreed that the department’s training program needed drastic improvement. The Grand Jury finds the department’s current training substandard and the training budget inadequate. We concur with RFD staff that a training officer position be created.

12. All interviewees stated that RFD’s equipment is satisfactory. The engine fleet is well maintained although replacement of aging trucks is a continuing expense (\$350,000 to \$500,000 per truck). Recent budget cuts have affected the department’s ability to purchase or replace needed supplies. Although it is Shasta County’s responsibility to patrol the Sacramento River, RFD maintains a fire rescue boat at Station No. 4 on Bonnyview Road. The Department also has a HAZMAT vehicle at Station No. 8, at the north end of Churn Creek Road.

The department has one ladder truck, located at its downtown Station No. 1. A ladder truck is dispatched to all structure fires. Most RFD administrators and firefighters agree that there is a need for a second ladder truck to service the City east of the Sacramento River (Station No. 8 is large enough to store the extra-long truck). Indeed, the City lost points in its

last ISO rating for lack of a second ladder truck. Some argue for a third truck to be used when a ladder truck is being serviced.

13. All those interviewed agree that the Redding fire stations are aging but are functioning well. City Council members eagerly took credit for the opening of the City's newest fire station, Station No. 8, located at the north end of Churn Creek Road. Council members' responses were less enthusiastic when asked about the logic of opening a new station without supplying additional firefighters to staff it. Station No.8 is the first Redding fire station to be constructed in 27 years. The new station, built at a cost of \$2.9 million, had not been scheduled for completion until 2007, but pressure from area residents prompted the Council to accelerate the project. For the new station, City Council members adopted the cheapest staffing proposal advanced by the union: transferring a two-person engine company from Station No. 5 in the Enterprise area. Prior to Station No. 8's opening, Station No. 5 had two engine companies and had been the busiest Redding fire station, handling almost 4,000 service calls in 2005 (40% of the total RFD calls). Some of these calls will now be handled by Station No. 8.

Station No. 7, located adjacent to the Redding Municipal Airport has been declared substandard by the FAA and is undergoing a \$2.6 million major remodel. The Redding Redevelopment Agency is providing \$500,000 and the balance is being borne by the federal government.

In FY 2005/2006 the RFD budgeted \$118,580 for station improvements, \$16,000 of which is required for routine maintenance at its eight stations. The Department budgeted almost \$58,000 for repaving its station parking surfaces. However, of the \$118,580 budgeted for repairs and maintenance, \$48,000 has been diverted to payment of overtime.

The Grand Jury made unannounced visits to some of the stations. The first firehouse in the City of Redding, Fire Station No. 1 on Shasta Street in downtown Redding, is more than 70 years old. Its three bay doors are in need of replacement (\$12,840) and it is slated for an electrical panel upgrade (\$6,430). The Grand Jury inspection of this station revealed an aging but well kept structure. According to its staff, the bay doors have not yet been replaced, but recently some electrical improvements were made.

Station No. 2, at Buenaventura and Placer, was clean and organized. Both the living and work areas were well maintained. The pavement in front of the bay doors is in need of major repair or replacement. Station No. 3, at Buenaventura and Rte. 273, is also in need of repaving, and has limited office space.

Grand Jury members found Station No. 5, located on Hartnell Avenue in the Enterprise area, to be well maintained. However, its concrete floor is in need of resealing and it needs a new roof (\$48,230 was budgeted in FY 2005/2006 for a new roof).

14. During its last ISO evaluation in 2004, the ISO indicated the City of Redding's fire rating would be changed from 3 to 4 (that is, the City's ability to combat fire worsened). In a last minute effort to maintain its prior rating, the RFD was able to make improvements by purchasing additional equipment and upgrading communication equipment at the SHASCOM dispatch center. These actions allowed the City to narrowly retain its rating of 3 and prevented both commercial and residential fire premiums from rising. According to the Fire Chief, two major deficiencies continue to prevent the City from improving its ISO rating: insufficient RFD staffing levels and the lack of a second ladder truck to serve the eastern half of the City.

15. Rank and file support for RFD administration is negligible. Some fire personnel view RFD administrators and the City Council and its staff as “the same enemy.” Several fire personnel thought their union did not represent all members, and others believe being active in the union limits their ability for promotion. A long-standing “history of distrust” between the fire department and the City of Redding regarding staffing levels was reported.

Several RFD administrators labeled a few of the firefighters as troublemakers (the “five percenters”) who create dissension within the ranks. The Grand Jury confirmed the existence of such a group. Some City Council members felt the union “goes overboard in its demands.” It was apparent to the Grand Jury that there were significant issues between all investigated public agency personnel (RFD, SHASCOM, Redding Police Department and Shasta County Sheriff’s Office) and their respective management staffs and governing boards.

No interviewee could offer an easy resolution to the above problems. Despite this seemingly insurmountable degree of distrust, firefighters overall felt satisfied with their jobs and City Council members felt satisfied with the level of RFD service. It was universally agreed that, “when the bay doors open, they become firefighters who do their job.”

16. The end result of RFD understaffing is a greater risk to citizen’s lives and homes. The Grand Jury finds that, at current staffing levels, when the RFD responds to a structure fire, its main objective, after the protection of human life, is the prevention of the fire’s spread to adjacent structures. In most cases the burning structure itself will incur significant damage or be a total loss. Fire department personnel and City staff substantiated that Redding’s ex-city manager stated he would rather pay a homeowner for the loss of a home from fire than have any fire department at all. Perhaps this statement shouldn’t be taken literally as the Grand

Jury notes that, without a fire department, not only would a home be lost, but the unchecked fire would immediately spread to adjacent homes. However, the statement further emphasizes the distrust between firefighters and City Hall.

Of greater concern to the Grand Jury are statements, heard from all fire personnel interviewed, predicting the inevitability that a devastating wildland fire sweeping through western Redding. All fire personnel agreed that it is not a matter of if, but when this catastrophe will occur. The topography of the west side, our hot and dry summers, and a triggering act (natural or human carelessness) are the ingredients of a “perfect storm” for fire. When queried about this potential danger, City Council members pointed to mutual aid agreements with CDF and Shasta County Fire Department; seasonal firefighters; fire sprinklers in new Westside housing divisions; and weed abatement programs, all as mitigating factors for this catastrophe. However, all fire personnel assured the Grand Jury that these factors would have little impact on an out-of-control wildland fire.

17. Fire protection services in Redding could be enhanced if the general public applied sufficient pressure on the City Council. As an example, once residents in the northeast area of Redding became convinced of a need for increased fire protection, they lobbied the City Council and Station No. 8 was constructed well ahead of schedule. There are other examples of pressure producing results. As this Grand Jury investigation proceeded:

- 1) Fire Station No. 2, which had been observed by Grand Jurors to be frequently unoccupied, now is usually occupied.
- 2) The Fire Chief, when informed by the Grand Jury that it was in his job description to do so, now regularly attends Redding City Council meetings.

- 3) A RFD training log for 2005 was submitted to the Grand Jury after it was informed that there was no such log. RFD training has also intensified during the last four months.
- 4) After initial Grand Jury interviews called attention to communication deficiencies within the Department, morning briefings between RFD administrators and firefighters were instituted in January.

Fire protection is similar to an insurance policy: the premiums seem costly upfront, but the coverage is always appreciated once an emergency occurs. The citizens of Redding must decide what level of fire protection they want to pay for, and then lobby City Council members to allocate the appropriate funds.

RECOMMENDATIONS:

1. Since the primary duty of city government is to provide public safety, the public should expect, and the Redding staff should support, spending the necessary fund to fulfill that obligation. The Redding City Council must ensure that public safety growth is proportionate to the City's growth. The City Council should:
 - a. Reprioritize the City's emphasis from project growth towards infrastructure growth.
 - b. Increase the percentage of the General Fund for fire protection from its current 20%. Each percent increase would reallocate \$700,000 per year.
 - c. Restore any RFD budget cuts before distributing any unexpected budget surpluses to "projects." This would have increased the RFD budget by \$650,000 in FY 2005/2006.

- d. Hire additional firefighters to reduce overtime pay and CTO. Estimated overtime savings could be as much as \$300,000 per year and could be used to pay additional personnel.
 - e. Negotiate for firefighters to begin paying a greater share of their own health care benefits (e.g., 10% as recently negotiated with Redding Police Department employees). The part-time City Council members should set an example by paying a greater share of their own health benefits (or eliminating them entirely). The savings per year are unknown.
 - f. Increase the unreasonably low fire impact fees (\$106) on new construction to align them more closely with traffic (\$3,705), water connection (\$4,931) and park (\$3,401) impact fees. Based on an assumption that the City has 25,000 homes and eight fire stations, at least one fully equipped fire station is needed for every 3,000 homes. A fire impact fee of \$1,300 per new home would generate the estimated \$3.9 million required for this purpose.
2. The City Council should authorize incremental and scheduled staffing additions to the RFD. Fifteen additional personnel must be added to achieve the three-person engine company standard. Since the department currently has sufficient captains and engineers, all additional suppression staff should be hired at the firefighter level.
 3. The City Council should not depend primarily on a “comparable city summary list” to establish salaries for its employees. Salaries should be based on the job’s requirements, the necessary skills needed to meet those requirements, and the supply and demand for the position.

4. The City Council must immediately provide funding to reinstate the RFD's full compliment of seasonal firefighters for the entire high-risk fire season.
5. The City Council must develop a formal and comprehensive disaster plan for a catastrophic fire on the City's west side.
6. The City should limit any increase in the geographic coverage area for the RFD. The City Council must not annex land without first expanding its firefighting infrastructure. The City should adhere to its own General Plan standard for response time and improve it (or make sure it doesn't worsen) as the City continues to grow.
7. The City Council should budget for the additional personnel and equipment needed to operate any new fire stations prior to their construction.
8. The City Council must cooperate with the RFD to maintain or improve Redding's current ISO fire rating. The addition of a second ladder truck, and the crew needed to staff it, should be a high priority.
9. RFD must ensure that all federal and state required firefighter training is completed and documented on schedule. The Department needs a full-time training coordinator. The City Council should immediately increase the RFD training budget to meet these recommendations.
10. The Fire Chief must improve communications throughout the department.
11. The scope of duties of the Deputy Chief/Operations must be reduced so they can be reasonably performed.
12. Full-time clerical support for the Deputy Chief/Operations should be added.

RESPONSE REQUIRED:

The Redding City Council as to Findings 1 - 17 and Recommendations 1-9, 12.

RESPONSES INVITED:

The Redding Fire Chief as to Recommendations 8 -12.

COMMENDATION:

The Grand Jury is impressed with the character, integrity and dedication of the Redding Fire Department personnel interviewed for this report.

CITY OF REDDING



Ken Murray
Mayor

OFFICE OF THE MAYOR

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530.225.4447 FAX 530.225.4463

September 6, 2006

B-080-600-800

The Honorable William Gallagher
Presiding Judge
Shasta County Superior Court
1500 Court Street, Suite 205
Redding, CA 96001

Dear Judge Gallagher:

Pursuant to Section 933 of the California Penal Code, the attachments shall serve as the City of Redding's responses to the following sections of the *2005/06 Shasta County Grand Jury Final Report*:

- Too Many Hats, Not Enough Heads
- Ready, Aim - Spend!
- ✓ ● Where There's Smoke . . .
- Redding's Finest Housed in Redding's Worst

The City of Redding appreciates and respects the important function that the Shasta County Grand Jury serves in local government. If you have any questions regarding this matter, please do not hesitate to contact me at 225-4447.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Murray", is written over a printed name and title.

Ken Murray
Mayor

Attachments

2006 Grand Jury Findings & Recommendations
REDDING FIRE DEPARTMENT
Where There's Smoke . . .

FINDINGS:

1. Firefighting is a dangerous and physically demanding profession. Firefighters work long shifts and must be constantly ready to respond within minutes to a wide range of emergencies. When not responding to calls, fire station personnel clean and test equipment, assist with building inspections, and participate in training exercises. The weight of a firefighter's gear averages more than 50 pounds and hoses can weigh more than 75 pounds. Because of protective clothing, a firefighter's body temperature can increase five degrees while actively engaged in fire suppression.

According to the NFPA, excluding the daily risk of occupational death, the life expectancy of a firefighter is five years shorter than that of the average population. Between January 3 and April 16, 2006, while most of us were preparing our tax returns, more than 30 on-duty firefighters were killed nationwide. Thirteen succumbed to stress and overexertion, often accompanied by heart attack. Nine firefighters were caught in or trapped by fire, and three were killed by wall collapses after fires were extinguished. There has not been a fire-related fatality in the RFD during the past 25 years.

Response: The City Council agrees with the finding.

2. There is no accepted standard for average fire response time. With any fire or medical emergency, every minute counts. RFD administrators define response time as the time from receipt of the dispatch call until the first engine company arrives on the scene. According to the Fire Chief, the RFD response time goal is four to six minutes. The City of Redding's General Land Use Plan specifies that the RFD should "... respond to 90% of calls within five minutes of being dispatched." In reality, RFD only has a 22% success rate in meeting its response-time goal. This poor performance is due primarily to a lack of engine company availability within RFD's large, 68 square-mile, coverage area. Increased traffic congestion also contributes to slower responses, but RFD firefighters and administrators state that increasing the number of fire stations and engine companies can reliably reduce response times. In 2005, medical calls comprised 76% of RFD's total service calls. Only five percent of calls involved a structure fire.

Response: The City Council agrees with the finding.

3. The citizen complaint which prompted this investigation was focused on the periodic absence of fire personnel at Station No. 2 on the City's west side. The Grand Jury learned that fire stations throughout Redding are unoccupied approximately 20% of the time. When an engine company is responding to a call within its own district it will understandably not be at its station. In fact, sometimes there is no engine company within the area the station serves. Frequently, engine companies respond to calls in neighboring districts to assist other

engine companies or to handle emergency calls when a particular company is already engaged. Additionally, engine companies cover other districts while that district's engine company is engaged in training exercises. Therefore, residents should be aware that having a fire station in their neighborhood does not mean that firefighters will be minutes away from responding to their 9-1-1-call.

When districts are left uncovered, the Battalion Chief in charge immediately begins to "back-fill," or call in any available off-duty firefighters. The Fire Chief stated that the backfill need and the time required to find personnel are increasing. More than half the time, back-up firefighters are impossible to find. The RFD has a mutual aid agreement with CDF that helps mitigate this problem. Ideally, if every fire station had two fully staffed engine companies, there would be a reduced amount of time any district went uncovered. However, there is insufficient funding to implement this option.

Response: The City Council agrees with the finding.

4. The Grand Jury asked the four City Council members what percentage of General Fund appropriations are dedicated to public safety (police and fire). Answers ranged from 48 to 75 percent. According to the *City of Redding's February 2006, Mid-Year Budget Report*, the City currently spends \$37.6 million or 54 percent of its \$69 million General Fund appropriations on public safety. For FY 2005/2006, both police and fire departments are exceeding their budgeted amounts by more than \$2 million.

The Grand Jury noted that there is a wide disparity in new housing impact fees in the City of Redding. While the impact fees for traffic, water connection and parks range between \$3,400 and \$5,000, the fire impact fee is only \$106. (There is no impact fee for police protection.)

During preparation of its biennial FY 2005-2007 budget, the City of Redding was forced to cut five percent (roughly \$3 million) from its FY 2005/2006 General Fund because of a projected budget shortfall. RFD's requested budget was \$13.4 million. After the five percent and other reductions, RFD's budget was reduced by one million dollars to \$12.4 million. The primary effects of this budget reduction included a halt to any new equipment purchases, a freeze on material purchases and less use of paid temporary firefighters during high fire-risk months. When the City received an unexpected property and sales tax surplus, it opted not to restore the RFD budget cuts but, instead, to pursue a "wish list" of projects.

In FY 2005/2006, the City of Redding allocated \$1.8 million to the City's fire and police departments for dispatch services provided by the Shasta Area Safety Communications Agency (SHASCOM). Each department budgeted \$900,000 for SHASCOM, even though the police department received more than 85% of all dispatches. Many of the RFD staff interviewed by the Grand Jury do not believe the department is getting its "money's worth" for this service. Firefighters claim that civilian dispatchers at SHASCOM are constrained

by policies and serve merely as a transportation directory service (i.e., similar to a taxicab dispatcher). In contrast, CDF dispatchers, who are experienced fire captains and are able to implement fire-management strategies based on the information they receive from the field.

Response: The City Council partially agrees with the finding. Public safety spending for the City of Redding, for many years, has ranged between 50 and 60 percent of total General Fund expenditures. This is very typical of California cities of comparable size. The \$1.8 million the City Council allocated during February 2006 was spent on a number of City Council priorities, including a significant amount toward public safety (Police). With regard to SHASCOM, the City's contribution toward the joint dispatching center is divided evenly between the Police and Fire departments, regardless of the service levels the departments require. Ultimately, it is the City's General Fund that pays SHASCOM and the allocation of the amount to a particular department does not directly impact funding of other items in that department's budget.

5. The Grand Jury asked all interviewees to rate the overall effectiveness of the RFD, its personnel and the services it delivers. Ratings for the department's overall effectiveness were above average, while response time, morale and staffing levels were all rated at or below average.

With the exception of department morale, RFD administrators gave higher overall ratings than firefighters across all categories. Administrators also rated the Chief and Deputy Chiefs more favorably than did the firefighters. Many experienced firefighters stated the morale in the department was "the lowest they had ever seen." Reasons given for low morale include ongoing contract negotiations with the City, insufficient staffing, a loss of faith in RFD administrators and a lack of trust in and support from the City Council and staff.

The Grand Jury came to appreciate that a significant level of alienation currently exists between the firefighters and the RFD administrators, City staff and the City Council. Roughly half the firefighters interviewed stated that the City Council didn't understand the critical issues facing the department. The RFD administrators believe that the City Council is aware of these issues, but perhaps is not willing to address them. All interviewed agreed that the RFD has the support of the general public, but that the public has little understanding or concern about the department's needs. Most City Council members stated they have heard very few complaints from citizens about the level of service the RFD provides.

Response: The City Council agrees with the finding.

6. The Fire Chief is well trained and has a 34-year firefighting and administrative background with CDF, including 12 years as a Chief. His appointment was supported by the firefighters because of his background and, in part, by the fact that his commitment to RFD was not based solely on financial or retirement-seeking reasons (he already had a state pension). He is currently serving his third year as the RFD Fire Chief and receives an annual salary of

\$129,000 plus benefits. His performance is rated as slightly below average by the fire personnel interviewed by the Grand Jury and well above average by the RFD Deputy Chiefs and Battalion Chiefs. City staff and City Council members also rated him well above average. He allots the majority of his time to administrative duties, budget preparation, and Department planning. He is less of a "hands-on" Chief than his predecessors and admits that his communication with firefighters needs improvement. Across the board, he was described as a good money manager and as politically savvy.

The Grand Jury found that over the past 15 years, most RFD fire chiefs' tenures last about three to five years. Interviewees offered a wide range of reasons for this short tenure, including the chiefs' moving on to better positions or retirement. Most firefighters attribute the short stays to a chief's frustration between a desire to provide improved fire service to the citizens and being unable to accomplish this goal because of consistent budget constraints. Fire personnel claim that the chiefs often start their terms enthusiastically, only to become disillusioned by a lack of support from the City Council and administration. They disagree and counter that Redding already spends a majority of its general fund on police and fire protection.

Response: The City Council partially agrees with the finding. The City Council and administration have been and continue to be supportive of the Fire Chief. At the same time, the City Council and administration must balance the needs of the entire municipal organization while working within available resources. The City Council's commitment to public safety can be easily illustrated by the allocation of more than half of all General Fund resources to public safety.

7. The current Deputy Chief/Operations was appointed in 2000 and earns a \$106,995 yearly salary. He does not, however, meet one of the City's job description requirements for his position in that he lacks five years' experience as a Battalion Chief. He is responsible for the administration and supervision of daily operations and oversees a staff of three Battalion Chiefs and as many as 84 firefighters. His numerous administrative duties include budget preparation, grant writing, promotional testing, discipline, and serving as the Fire Chief when necessary. He also serves as the RFD liaison to the Redding Police, Shasta County Sheriff's Office, Airports, Shasta College and California State Office of Emergency Services and is responsible for ensuring that RFD staff receives nearly 24,000 hours of mandated training each year. He has no dedicated secretarial assistance to provide clerical support. Like the Chief, his performance is rated below average by firefighters and above average by RFD administrators. Based on his job description and fire personnel interviews, the Grand Jury believes the Deputy Chief has too many duties to allow effective performance of any one of them.

Response: The City Council partially agrees with the finding. Based on information from the Fire Chief, the City Council is satisfied with the performance of the Deputy Fire Chief/Operations. The provision of additional staffing, including secretarial support, will be considered along with all other needs during preparation of the budget, consistent with available resources.

8. More than 85% of the RFD budget is allocated for personnel. Of the 69 full-time suppression personnel, 29 are captains, 28 are engineers and only 12 are firefighters. Starting salaries for these positions are \$58,356, \$50,407 and \$41,496, respectively, and are capped at \$70,936, \$61,268 and \$52,969. These figures do not include overtime pay or benefits. The need to have one captain and one engineer on each engine company requires 27 captains and 27 engineers to staff the RFD's nine engine companies on three shifts. Upgrading to three-person companies could be accomplished by adding personnel at the less-expensive firefighter level.

When setting salaries for its employees, the City of Redding often utilizes a 10-city comparable salary survey. As of October 2005, Redding firefighters were paid less than those in eight of the ten comparable cities, while responding to the highest number of service calls. The Grand Jury does not support using a comparable salary survey, because it tends to drive up wages as cities outbid each other.

RFD firefighters currently have generous benefits. Many of the fire personnel interviewed believe their benefit packages are not excessive when compared to those offered by other cities, although they agree the public may not share this view. The current RFD retirement benefit is 3% @ 50, which means a firefighter who works 30 years and retires at age 50 or above will receive 3% of pay for every year of service (90% of salary for life). Currently, the City of Redding pays full medical benefits for active duty firefighters. Demand for firefighter job vacancies is strong. According to the City Manager's Office, there were 256 applicants for a firefighter position in January 2005 and 143 applicants for a similar position in October 2002.

Response: The City Council agrees with the finding.

9. With the exception of one, all 32 persons interviewed by the Grand Jury agreed that the RFD is understaffed. City staff tended to characterize the shortage as non-critical, whereas RFD administrators and firefighters described it as very critical. All agreed that, to ensure both firefighting safety and efficacy, every RFD engine company should be staffed with a minimum of three fire personnel. Currently, less than half the City's engine companies carry three personnel. Because only four of the current nine engine companies have three-person crews, the Department would need 15 additional firefighters to ensure the availability of three-person crews on every engine on each shift.

The perception of the urgency of meeting the three-person per engine staffing goal was split in a similar fashion between City and RFD staff. Some firefighters believed the reason City staffers were less concerned about RFD personnel levels was because the Department currently provides adequate protection to the City. Others believed that the difference was "political" and that City administrators are lobbied by a powerful business collective that wants Redding to grow more quickly than its infrastructure can support. Based on

interviews from this and other investigations, the Grand Jury has concluded that, over the last 15 years, project growth (bridges, ball parks, aquatic center, business parks, etc.) has had a higher priority for the Redding City Council than public safety and infrastructure growth.

In 1984, there were 18 on-duty firefighters on each of the RFD's three shifts. Today there are 23 firefighters on each shift. Since Federal Aviation Administration rules dictate that one firefighter must maintain a presence at the airport at all times, only 22 firefighters are available to respond to daily emergencies within the city limits. In the past 22 years, this 20% increase in RFD staffing has not kept pace with the 90% increase in population (47,000 to 90,000), or the 48% expansion in coverage area (46 square miles to 68 square miles), or the 265% increase in yearly service calls (3,426 to 12,500). It is no surprise that the ISO targeted insufficient RFD staffing as a primary factor limiting the City's fire rating.

According to the RFD Fire Chief, adequate suppression of a house fire requires as many as 14 firefighters. For a routine one-alarm house fire, three engines and a ladder truck are usually dispatched. A two-alarm fire requires three additional engine companies (a total of seven) leaving only two engines to cover the remainder of the city. If a one-alarm and two-alarm fire were to occur simultaneously, RFD would need 11 engine companies to suppress the fires. Since RFD only has nine engine companies, it would require mutual aid assistance from CDF and the County Fire Department to provide coverage.

The Grand Jury agrees with RFD staff that the number of firefighters is critically and dangerously low. Reasons to increase staffing include:

- a) Most of the fire captains interviewed stated they would enter a burning structure if human lives were at risk, regardless of the staffing of their engine company. With a two-person crew, only the captain would enter a burning structure to attempt a rescue because the engineer must tend the apparatus. Three-person companies allow at least two personnel to perform a rescue.
- b) To comply with OSHA's "two-in and two-out" guideline, a two-person engine company must await the arrival of a second engine company prior to entry of a burning structure. Two three-person companies would place six firefighters on the scene. This would improve firefighter safety and provide more flexibility in fire suppression and rescue operations.
- c) Currently, a third engine company is required in order to provide sufficient personnel on any structure fire. Three-person crews would eliminate the need for a third engine. Fire districts would be left unprotected less often.
- d) RFD has insufficient capacity to fight more than a single structure fire at a time.
- e) Increasing staff would reduce overtime costs.

Response: The City Council partially agrees with the finding. While the City Council does not disagree that there is a need to hire more firefighters, the same can be said for almost

all City functions. The Council attempts to appropriately balance the budgetary needs of all City services during its biennial budget process. Incremental increases in personnel to provide safety and other basic services are planned, as resources allow. In June, the Council authorized the Fire Chief to apply for a Federal grant to hire three additional fire fighters and made provision in the long-term financial plan to pay the required match and to keep the positions permanently.

10. Overtime costs for the RFD in FY 2005/2006 are projected at \$1.3 million and estimated at \$1.4 million in FY 2006/2007. Every public safety force uses mandatory and required overtime. This overtime is required to fill expected vacancies such as vacation, sick time, training and maternity leave. All rank and file firefighters interviewed accept the policy of mandatory overtime and many prefer it because they earn additional income. However, when the amount of mandatory overtime interferes with other commitments (family and personal) or causes fatigue and safety concerns, firefighter morale can be negatively affected. Overtime is less expensive than the cost of new personnel. The additional cost of paying a current employee time-and-a-half of base pay for overtime is less than that of paying a new employee, who would receive employee benefits (1.50 vs. 1.72 per hour). However, this cost savings is less important when excessive overtime affects job performance and employee or civilian safety.

Compensated time-off (CTO) is a benefit enjoyed by most, if not all, City of Redding employees. It is a policy whereby an employee who works overtime may select either time-and-one-half pay for those hours or trade them for time-and-one-half off with pay. A day off here and there may have little impact for city employees with desk jobs, but safety forces must meet minimum staffing requirements. Therefore, when firefighters take a paid CTO day off, they must be replaced by another firefighter, who because of understaffing must be paid overtime. Thus, the department must pay two wages when a single firefighter takes a CTO day off – one at regular pay and one at overtime pay. To lessen the impact on the regular schedule, CTO days must be arranged 30 days in advance. CTO benefits will cost the RFD an additional \$400,000 in FY 2005/2006. RFD is, therefore, paying \$1.7 million or more each year for CTO and overtime. The Grand Jury learned that the City offered this CTO benefit to both of its public safety unions during negotiations in the late 1990s. The fire union did not request CTO, nor was the then-Chief present to counsel City negotiators about the negative impacts of this benefit. The City's public safety forces are inherently costly. The Grand Jury believes that unrestricted CTO has no place in the efficient operation of a city's safety forces.

Many firefighters depend on overtime to augment their salaries. Similarly, firefighters do not want to relinquish the CTO benefit because it affords them additional family time. And, although they uniformly complain about being understaffed, most firefighters were not willing to exchange their overtime pay for new personnel. At first glance, the Grand Jury found this logic contradictory since, on average, firefighters are only scheduled to work five 24-hour shifts every 14 days, leaving ample spare time. However, if all overtime were eliminated, many firefighters told the Grand Jury that they would find it necessary to seek

second jobs. Then, if needed, they would be unavailable for extra duty work or emergencies on their off-days. Unlike police work, firefighting is directly affected by the weather and unpredictable high-risk conditions (temperature, humidity and wind). For example, at a moment's notice, RFD must dedicate extra engine companies and call back many firefighters to immediately suppress a developing wildland fire and prevent its spread.

Some firefighters accumulate CTO as a safety blanket in case they suffer an off-the-job injury and are unable to work. Others use CTO to supplement their allotted vacation time. Firefighters, who must find their own replacement for an absence of a few hours, often have difficulty doing so. Therefore, they use CTO to take a full day off for a doctor's appointment or to attend a family event. Very few of the firefighters interviewed felt that the current amount of overtime is a major stress or fatigue factor.

Response: The City Council partially agrees with the finding. It is true that the provision of Compensatory Time Off (CTO) creates additional costs and scheduling difficulties in the Fire Department. It is incorrect to state, however, that the City initiated the provision of CTO in the Fire Department. Although both the City and the Fire Union agreed to the contract language providing CTO in 1995, bargaining records clearly show that the Fire Union proposed this benefit in its initial list of proposed contract changes.

11. RFD training is supervised by the Deputy Fire Chief/Operations who, because of extensive administrative duties, devotes less than five percent of his time to ensure personnel receive state-mandated fire training, which is administered and supervised by RFD captains. The RFD must ensure that every firefighter receives 280 hours of training each year. Ensuring that each shift receives training while simultaneously providing emergency fire and medical service involves significant logistical problems. Half the stations train in the morning and half in the afternoon.

Most of the firefighters interviewed stated that their training is inadequate and a few alleged that training records were falsified. Training information is entered into a computer database by captains, and there are no safeguards as to the accuracy of this input. All RFD administrative staff interviewed stated there were no falsifications of training records and the Grand Jury was unable to determine whether violations actually occurred. Many of the Battalion Chiefs and Deputy Chiefs felt training could be improved. The Fire Chief rated the Department's training as only average.

The Grand Jury's analysis of the 2005 RFD Required Training Report revealed that the records of mandated RFD training for last year were grossly incomplete. Firefighters had little or no training in 10 areas, including hazardous materials, incident command, airport operations, shore-based rescue, technical rescue, ventilation and water supply. Less than 25% of firefighters completed apparatus (vehicle and pump operation), report writing, and communications (dispatch) training. Required training in firefighter safety, inspection procedures and emergency medical aid was only 50% completed. Self-rescue and firefighter rescue and seasonal firefighter training had the greatest completion percentage as did

wildland fire training (although there is no wildland training requirement, Redding has extensive wildland areas). Only a handful of firefighters are adequately trained to operate the department's fire rescue boat, and although all firefighters have some hazardous material (HAZMAT) training, less than 20% are fully certified. Therefore, whenever a water or HAZMAT incident occurs, certified personnel are not immediately available and must be summoned from numerous stations.

A review of nine Northern California city fire departments revealed widely diverse yearly expenditures for training. For example, in 2002, fire departments in Woodland, Chico and Redding (cities of similar size) budgeted \$195,000, \$70,000, and \$18,000 respectively for personnel training. Three years later, the training allocation for the RFD remained at \$18,000. However, because of mandatory FAA airport firefighter training requirements, the City Council authorized an additional \$15,800 for training at its December 6, 2005 meeting.

RFD administrators and rank and file agreed that the department needs a dedicated training officer – one who has the time to focus primarily on training and not on other duties. A training officer could also maintain adequate and verifiable training logs and ensure that recommended guidelines and standards for training are met. While all firefighters stated that they could safely perform their duties, all agreed that the department's training program needed drastic improvement. The Grand Jury finds the department's current training substandard and the training budget inadequate. We concur with RFD staff that a training officer position be created.

Response: The City Council agrees with the finding. However, providing all the required and desirable training in the Fire Department is both financially and logistically difficult. The Department works hard to stretch its resources to meet the demands of training by conducting most training internally, as opposed to sending personnel to out-of-town training. (This may be one reason the Department's training budget is less than some other cities.) The provision of a dedicated training officer is a goal of the department that competes with other personnel needs. The Council depends upon the Fire Chief to allocate personnel resources in such a way as to provide the best service to the community within available resources. To the extent that a full-time training position is needed, it should be considered along with other needs at budget preparation time, consistent with available resources.

12. All interviewees stated that RFD's equipment is satisfactory. The engine fleet is well maintained although replacement of aging trucks is a continuing expense (\$350,000 to \$500,000 per truck). Recent budget cuts have affected the department's ability to purchase or replace needed supplies. Although it is Shasta County's responsibility to patrol the Sacramento River, RFD maintains a fire rescue boat at Station No. 4 on Bonnyview Road. The Department also has a HAZMAT vehicle at Station No. 8, at the north end of Churn Creek Road.

The department has one ladder truck, located at its downtown Station No. 1. A ladder truck is dispatched to all structure fires. Most RFD administrators and firefighters agree that there is a need for a second ladder truck to service the City east of the Sacramento River (Station No. 8 is large enough to store the extra-long truck). Indeed, the City lost points in its last ISO rating for lack of a second ladder truck. Some argue for a third truck to be used when a ladder truck is being serviced.

Response: The City Council agrees with the finding. The City of Redding has spent nearly \$3.3 million over the past eight years upgrading the Fire Department's major equipment, including the replacement of an aging ladder truck at a cost of more than \$600,000. Overall, the fleet of fire engines is better than it ever has been. The purchase of a second ladder truck is in the department's rolling stock plan and the department is actively seeking grant funding sources.

13. All those interviewed agree that the Redding fire stations are aging but are functioning well. City Council members eagerly took credit for the opening of the City's newest fire station, Station No. 8, located at the north end of Churn Creek Road. Council members' responses were less enthusiastic when asked about the logic of opening a new station without supplying additional firefighters to staff it. Station No.8 is the first Redding fire station to be constructed in 27 years. The new station, built at a cost of \$2.9 million, had not been scheduled for completion until 2007, but pressure from area residents prompted the Council to accelerate the project. For the new station, City Council members adopted the cheapest staffing proposal advanced by the union: transferring a two-person engine company from Station No. 5 in the Enterprise area. Prior to Station No. 8's opening, Station No. 5 had two engine companies and had been the busiest Redding fire station, handling almost 4,000 service calls in 2005 (40% of the total RFD calls). Some of these calls will now be handled by Station No. 8.

Station No. 7, located adjacent to the Redding Municipal Airport has been declared substandard by the FAA and is undergoing a \$2.6 million major remodel. The Redding Redevelopment Agency is providing \$500,000 and the balance is being borne by the federal government.

In FY 2005/2006 the RFD budgeted \$118,580 for station improvements, \$16,000 of which is required for routine maintenance at its eight stations. The Department budgeted almost \$58,000 for repaving its station parking surfaces. However, of the \$118,580 budgeted for repairs and maintenance, \$48,000 has been diverted to payment of overtime.

The Grand Jury made unannounced visits to some of the stations. The first firehouse in the City of Redding, Fire Station No. 1 on Shasta Street in downtown Redding, is more than 70 years old. Its three bay doors are in need of replacement (\$12,840) and it is slated for an electrical panel upgrade (\$6,430). The Grand Jury inspection of this station revealed an aging but well kept structure. According to its staff, the bay doors have not yet been replaced, but recently some electrical improvements were made.

Station No. 2, at Buenaventura and Placer, was clean and organized. Both the living and work areas were well maintained. The pavement in front of the bay doors is in need of major repair or replacement. Station No. 3, at Buenaventura and Rte. 273, is also in need of repaving, and has limited office space.

Grand Jury members found Station No. 5, located on Hartnell Avenue in the Enterprise area, to be well maintained. However, its concrete floor is in need of resealing and it needs a new roof (\$48,230 was budgeted in FY 2005/2006 for a new roof).

Response: The City Council agrees with the finding.

14. During its last ISO evaluation in 2004, the ISO indicated the City of Redding's fire rating would be changed from 3 to 4 (that is, the City's ability to combat fire worsened). In a last minute effort to maintain its prior rating, the RFD was able to make improvements by purchasing additional equipment and upgrading communication equipment at the SHASCOM dispatch center. These actions allowed the City to narrowly retain its rating of 3 and prevented both commercial and residential fire premiums from rising. According to the Fire Chief, two major deficiencies continue to prevent the City from improving its ISO rating: insufficient RFD staffing levels and the lack of a second ladder truck to serve the eastern half of the City.

Response: The City Council agrees with the finding.

15. Rank and file support for RFD administration is negligible. Some fire personnel view RFD administrators and the City Council and its staff as "the same enemy." Several fire personnel thought their union did not represent all members, and others believe being active in the union limits their ability for promotion. A long-standing "history of distrust" between the fire department and the City of Redding regarding staffing levels was reported.

Several RFD administrators labeled a few of the firefighters as troublemakers (the "five percenters") who create dissension within the ranks. The Grand Jury confirmed the existence of such a group. Some City Council members felt the union "goes overboard in its demands." It was apparent to the Grand Jury that there were significant issues between all investigated public agency personnel (RFD, SHASCOM, Redding Police Department and Shasta County Sheriff's Office) and their respective management staffs and governing boards.

No interviewee could offer an easy resolution to the above problems. Despite this seemingly insurmountable degree of distrust, firefighters overall felt satisfied with their jobs and City Council members felt satisfied with the level of RFD service. It was universally agreed that, "when the bay doors open, they become firefighters who do their job."

Response: The City Council agrees with the finding.

16. The end result of RFD understaffing is a greater risk to citizen's lives and homes. The Grand Jury finds that, at current staffing levels, when the RFD responds to a structure fire, its main objective, after the protection of human life, is the prevention of the fire's spread to adjacent structures. In most cases the burning structure itself will incur significant damage or be a total loss. Fire department personnel and City staff substantiated that Redding's ex-city manager stated he would rather pay a homeowner for the loss of a home from fire than have any fire department at all. Perhaps this statement shouldn't be taken literally as the Grand Jury notes that, without a fire department, not only would a home be lost, but the unchecked fire would immediately spread to adjacent homes. However, the statement further emphasizes the distrust between firefighters and City Hall.

Of greater concern to the Grand Jury are statements, heard from all fire personnel interviewed, predicting the inevitability that a devastating wildland fire sweeping through western Redding. All fire personnel agreed that it is not a matter of if, but when this catastrophe will occur. The topography of the west side, our hot and dry summers, and a triggering act (natural or human carelessness) are the ingredients of a "perfect storm" for fire. When queried about this potential danger, City Council members pointed to mutual aid agreements with CDF and Shasta County Fire Department; seasonal firefighters; fire sprinklers in new Westside housing divisions; and weed abatement programs, all as mitigating factors for this catastrophe. However, all fire personnel assured the Grand Jury that these factors would have little impact on an out-of-control wildland fire.

Response: The City Council partially agrees with the finding. Although there is a need to augment staffing in the Fire Department and, in fact, the Council recently added funding to the City's long-term financial plan to hire three new fire fighters, the City already spends about 20 percent of its General Fund resources on fire protection. There are not enough resources to staff the Fire Department at a level that would completely eliminate the threat of a wild land fire in Redding. Through the use of mutual aid, seasonal fire fighters, modern development standards, weed abatement, etc., however, the City works to reduce that threat.

17. Fire protection services in Redding could be enhanced if the general public applied sufficient pressure on the City Council. As an example, once residents in the northeast area of Redding became convinced of a need for increased fire protection, they lobbied the City Council and Station No. 8 was constructed well ahead of schedule. There are other examples of pressure producing results. As this Grand Jury investigation proceeded:
- 1) Fire Station No. 2, which had been observed by Grand Jurors to be frequently unoccupied, now is usually occupied.
 - 2) The Fire Chief, when informed by the Grand Jury that it was in his job description to do so, now regularly attends Redding City Council meetings.

- 3) A RFD training log for 2005 was submitted to the Grand Jury after it was informed that there was no such log. RFD training has also intensified during the last four months.
- 4) After initial Grand Jury interviews called attention to communication deficiencies within the Department, morning briefings between RFD administrators and firefighters were instituted in January.

Fire protection is similar to an insurance policy: the premiums seem costly upfront, but the coverage is always appreciated once an emergency occurs. The citizens of Redding must decide what level of fire protection they want to pay for, and then lobby City Council members to allocate the appropriate funds.

Response: The City Council respectfully disagrees with this finding. The Grand Jury has overstated the role that public pressure has affected changes in the City's Fire service. While, neighborhood concern did play a part in the construction of Fire Station No. 8, construction of the project had long been a goal of the City Council. With regard to Fire Station No. 2, no changes were made in the staffing of that station as a result of the Grand Jury's questions. With regard to the Fire Chief, he has regularly attended City Council meetings since being appointed to the position. With regard to training and internal communication, the Fire Chief has been endeavoring to improve these areas of the department since his appointment.

RECOMMENDATIONS:

1. Since the primary duty of city government is to provide public safety, the public should expect, and the Redding staff should support, spending the necessary fund to fulfill that obligation. The Redding City Council must ensure that public safety growth is proportionate to the City's growth. The City Council should:

- a. Reprioritize the City's emphasis from project growth towards infrastructure growth.

Response: The recommendation has been implemented. The Council has already taken steps to focus more of the City's resources on basic services, such as public safety. However, the provision of community amenities is important in a well-balanced community.

- b. Increase the percentage of the General Fund for fire protection from its current 20%. Each percent increase would reallocate \$700,000 per year.

Response: The recommendation will not be implemented. Provision of additional funding for the Fire Department will be considered along with other needs during budget preparation, as resources allow. Such budgetary choices are difficult and the City Council attempts to provide a balanced expenditure of General Fund resources.

The City of Redding's proportionate spending on Fire services is consistent with the average of other similar California communities. For instance, according to the most recent State Controller's Report (2002-03), the City of Redding spends 26.9% of its General Tax Revenue on Fire services. By comparison, Chico spends 33.8%, Lodi spends 17.1%, Vacaville spends 24.7% and Woodland spends 26.4%.

- c. Restore any RFD budget cuts before distributing any unexpected budget surpluses to "projects." This would have increased the RFD budget by \$650,000 in FY 2005/2006.

Response: The recommendation will not be implemented. These previous budget cuts will be considered along with other needs during budget preparation, as resources allow.

- d. Hire additional firefighters to reduce overtime pay and CTO. Estimated overtime savings could be as much as \$300,000 per year and could be used to pay additional personnel.

Response: The recommendation will not be implemented. As mentioned by the Grand Jury in its report, it is currently more expensive to hire new fire personnel than the cost of staffing vacancies through overtime. While the City Council has and will consider hiring additional staff, doing so will add costs in excess of any overtime savings.

- e. Negotiate for firefighters to begin paying a greater share of their own health care benefits (e.g., 10% as recently negotiated with Redding Police Department employees). The part-time City Council members should set an example by paying a greater share of their own health benefits (or eliminating them entirely). The savings per year are unknown.

Response: The recommendation has not yet been implemented but will be implemented in the future, if possible, pending conclusion of State mandated labor negotiation processes.

- f. Increase the unreasonably low fire impact fees (\$106) on new construction to align them more closely with traffic (\$3,705), water connection (\$4,931) and park (\$3,401) impact fees. Based on an assumption that the City has 25,000 homes and eight fire stations, at least one fully equipped fire station is needed for every 3,000 homes. A fire impact fee of \$1,300 per new home would generate the estimated \$3.9 million required for this purpose.

Response: The recommendation has been implemented. The Council recently charged staff with analyzing and making a recommendation regarding possible changes to the city-wide Fire Facilities Impact fee. Until the results of that analysis are available, it is impossible to know what changes, if any, are warranted.

2. The City Council should authorize incremental and scheduled staffing additions to the RFD. Fifteen additional personnel must be added to achieve the three-person engine company standard. Since the department currently has sufficient captains and engineers, all additional suppression staff should be hired at the firefighter level.

Response: The recommendation will be implemented. As noted above, the City Council has set-aside funding in the General Fund 10-Year Financial Plan for an increase in Fire Department Staffing. Incremental increases to staffing levels will be considered along with other needs as resources allow.

3. The City Council should not depend primarily on a “comparable city summary list” to establish salaries for its employees. Salaries should be based on the job’s requirements, the necessary skills needed to meet those requirements, and the supply and demand for the position.

Response: The recommendation has been implemented.

4. The City Council must immediately provide funding to reinstate the RFD’s full compliment of seasonal firefighters for the entire high-risk fire season.

Response: The recommendation will be implemented. The City Council agrees that the hiring of seasonal firefighters is a high priority and additional funding for these positions will be considered as resources allow.

5. The City Council must develop a formal and comprehensive disaster plan for a catastrophic fire on the City’s west side.

Response: The recommendation has been implemented. In 2005 the City Council adopted a citywide Hazard Mitigation Plan, much of which was devoted to the potential for a wild-land fire.

6. The City should limit any increase in the geographic coverage area for the RFD. The City Council must not annex land without first expanding its firefighting infrastructure. The City should adhere to its own General Plan standard for response time and improve it (or make sure it doesn’t worsen) as the City continues to grow.

Response: The recommendation requires further analysis. The effect on the provision of Fire protection is one of many factors that is analyzed during consideration of annexations. In addition to the construction of Fire Station No. 8 in northeast Redding, a new on- and off-airport station is being constructed in the southeastern portion of the city. The addition of these two stations will help to lower response times to areas that are growing rapidly.

7. The City Council should budget for the additional personnel and equipment needed to operate any new fire stations prior to their construction.

Response: The recommendation will not be implemented. The construction of a new fire station is a one-time expenditure, while the provision of staffing has on-going budget ramifications. The City Council will continue to evaluate service levels in the Fire Department and other operating departments and allocate funds in a balanced manner that provides the best services possible within available resources.

8. The City Council must cooperate with the RFD to maintain or improve Redding's current ISO fire rating. The addition of a second ladder truck, and the crew needed to staff it, should be a high priority.

Response: The recommendation has been implemented. The City Council is working cooperatively with the RFD to implement these goals and meet future needs.

9. RFD must ensure that all federal and state required firefighter training is completed and documented on schedule. The Department needs a full-time training coordinator. The City Council should immediately increase the RFD training budget to meet these recommendations.

Response: The recommendation requires further analysis. The City Council agrees that meeting all required firefighter training is a high priority. The consideration of additional funding for training and the consideration of a new full-time training coordinator will be addressed during budget preparation, along with other needs of the City.

10. The Fire Chief must improve communications throughout the department.

Response: The recommendation has been implemented. The City of Redding Fire Chief is a seasoned professional fire administrator who is working diligently to address departmental communication issues that exist.

11. The scope of duties of the Deputy Chief/Operations must be reduced so they can be reasonably performed.

Response: The recommendation will not be implemented. The City Council is aware of the heavy workload carried by all members of the Fire Department's administrative staff. The scope of duties of any position cannot be decreased without impacting other positions until such time as resources allow for increasing administrative staffing.

12. Full-time clerical support for the Deputy Chief/Operations should be added.

Response: The recommendation requires further analysis. Like the full-time training coordinator, additional fire fighter positions, etc., additional clerical support will be considered during budget preparation, as resources allow.

REDDING POLICE DEPARTMENT
Redding's Finest Housed in Redding's Worst

Redding Police Department
1313 California Street
Redding, California 96001
530-225-4200

REASON FOR INQUIRY:

Section 925a of the California Penal Code provides that the Grand Jury may at any time examine the books and records of any incorporated city located in the county and may investigate and report upon the operations, accounts, and records of the officers, departments, functions, and the method or system of performing the duties of any such city and make such recommendations as it may deem proper and fit.

BACKGROUND:

The City of Redding, incorporated on October 4, 1887, is a general law city, formed and governed by the State Constitution and statutes. Redding is one of the many California cities operating under the Council-Manager form of government. The Redding City Council establishes the policies under which the City operates and appoints a City Manager to administer the affairs of the City.

The Redding Municipal Code of 1898 provided for the establishment of a police "office" and designated the City Marshal as the chief of police. The ordinance prescribed the size of the police force, duties of police (peace) officers and, with the advice and consent of the police committee, authorized the City Marshal to adopt and enforce rules and regulations for the

governing of the office. The change from police "office" to police "department" occurred about 1934.

The mission of the Redding Police Department (RPD) is to "... work in partnership with the community to protect life and property, solve neighborhood problems, and enhance the quality of life in our city." RPD is responsible for providing police services to a population of 88,459 people distributed over 60 square miles. During daytime hours there are usually between 100,000 and 125,000 persons within the city limits.

In the past five years the population of Redding has grown approximately 10%, whereas the Department has increased its sworn staff by only two officers, approximately 2 %. Sworn officers include patrol officers and supervisory staff who have the power of arrest pursuant to section 832 of the Penal Code.

RPD currently employs 187 persons, of whom 113 are sworn officers. The Department is organized into three major divisions: Administrative Services, Field Operations, and Investigation. On February 13, 2006, the Redding City Council approved hiring four additional peace officers. The Department's adopted budget for fiscal year 2005-2006 was \$22,325,990, a decrease of \$613,380 from the amended fiscal year 2004-2005 budget.

Since 1978, RPD has occupied a city-owned building located at 1313 California Street. Due to space limitations, the Investigation Division was moved to a separate location in the Redding Downtown Mall in 1988. Current rent on that facility is \$42,000 per year. For weapons training and qualification, the Department utilizes the Shasta County Peace Officer Association's Record Range, located approximately four miles from the station.

Since at least 1988, when the Investigation Division was forced to move to a separate facility, the Redding City Council has been aware that the Department's space was inadequate.

Although this has been reflected in each of the City of Redding budget reports for the years from 2001- 2006, no action has been taken because of a lack of funds. The City of Redding 2000-2020 General Plan dated October 3, 2000, stated that, "... a new facility is needed today, but funds are not available for its construction."

METHOD OF INQUIRY:

The Grand Jury toured the following facilities:

- Main Police Department Facility
- Investigation Division of the Police Department

The Grand Jury interviewed:

- The City of Redding Chief of Police
- Three Redding Police Department (RPD) Captains
- One RPD Lieutenant
- One RPD Sergeant
- One RPD Corporal
- Three RPD Investigators
- Five RPD Patrol Officers
- Four Redding City Council members

The Grand Jury attended the following 2006 Redding City Council Meetings at which the Redding Police Department was discussed:

- January 3 Regularly Scheduled Meeting
- January 17 Regularly Scheduled Meeting

- February 7 Regularly Scheduled Meeting
- February 13 Special Meeting
- March 28 Regularly Scheduled Meeting

The Grand Jury reviewed the following documents:

- *Redding Police Department Space Needs Assessment*, December 2005
- Redding Police Department *10 Year Plan*, November 21, 2002
- *City of Redding General Plan 2000-2020*, October 3, 2000

City of Redding Resident Public Opinion Survey Results, September 16, 2005

- *Federal and State Uniform Crime Reporting Statistics January-June 2005*, Federal Bureau Of Investigation
- *2004 California Office of Traffic Safety Annual Performance Report*

The Grand Jury reviewed the following web sites:

- Federal Bureau of Investigation
- U.S. Department of Justice
- State of California Department of Justice
- City of Redding
- International Association of Chiefs of Police
- California Office of Traffic Safety

Bureau of Justice Assistance of the U. S. Department of Justice

FINDINGS:

1. Over the last 15 years, the City of Redding has followed a policy of prioritizing project growth over infrastructure and personnel growth. As a result, RPD police officer staffing has not increased proportionately to the growth of population. According to Uniform

Crime Reporting Statistics of 2004, the average number of sworn officers per 1,000 residents for western U.S cities of 50,000-99,000 population is 1.9. RPD currently employs 113 sworn peace officers. Based on a population of 88,459 residents within the incorporated city limits, that equates to 1.28 officers per 1,000 residents. This ratio is 30% less than the national average. One of the goals of the *City of Redding General Plan 2000-2020* was to “maintain at a minimum, a sworn officer to population ratio of 1.36 officers per 1,000 residents.” The four new officers approved by the Redding City Council on February 13, 2006, will raise the current ratio to 1.32 officers per thousand.

This is still less than the City’s target recommendation

2. Redding’s daytime population increases significantly because the majority of Shasta County’s retail establishments, government agencies, and health care providers are located within the city limits. Additionally, Redding’s priority on development of cultural and recreational opportunities has succeeded, thus attracting many temporary visitors. These factors further increase the daily service demands on RPD.
3. Staffing within the Investigation Division is adequate at this time. As the number of service calls continues to increase, the workload will exceed capacity and necessitate the assignment of additional officers.
4. According to the 2002 Redding Police Department 10-Year Plan, the average response time for priority calls (e.g., homicide, rape, robbery) was 10.5 minutes in 2002. In the past four years, this response time has dramatically increased to more than 16 minutes, a result of the City’s failure to increase hiring in proportion to population growth.

Due to the size of Redding and its population growth, RPD administrators repeatedly recommended to City staff that two patrol beats be added. (A patrol beat is a

geographic area assigned to specific officers for patrol.) RPD administrators estimated that this increase would reduce the response time to an acceptable six to eight minutes for priority calls. Staffing one patrol beat 24 hours a day, seven days a week with allowance for time off and court time, requires seven officers. These two patrol beats would require adding 14 new officers, increasing coverage to 1.43 sworn officers per thousand residents. This is still significantly below the Western States' average ratio of 1.9. However, the RPD Chief of Police informed the Grand Jury that coverage should reflect a combination of factors, including geographic size, population density, crime rate, response time and existence of neighborhood revitalization programs. He stated that a ratio of 1.4 to 1.45 officers per 1000 population is adequate for Redding.

On February 13, 2006, the Redding City Council approved a RPD proposal to add one new police beat and four new officers. Currently the annual average cost for a new officer, including benefits, is \$98,000. The four new officers will be funded by the General Fund. The beat will be staffed by utilizing the four new officers; two officers hired through a U.S. Department of Justice grant; one officer hired in partnership with Shasta College for additional services to the college; and by reassigning an officer from dedicated traffic detail. The additional beat is expected to reduce the priority response time by as much as two to three minutes. Utilizing the General Fund to increase the number of safety personnel must be continued if Redding is to revitalize its police force and keep up with crime and traffic incidents.

5. Redding has taken steps to reduce crime within the city. For example, inclusion of the Parkview Neighborhood within a redevelopment area and the utilization of all available resources transformed that crime-ridden neighborhood into a safe and productive one. In

2001, the Redding Redevelopment Agency (RRA) began buying property and tearing down the most seedy apartment complexes in the Parkview Neighborhood. The City Housing Division provided grants to low-income Parkview Neighborhood homeowners for home and yard improvements and the RRA contracted with a developer to build single family homes within the area. The Parkview Neighborhood has progressed from being the area with the highest number of police calls for service into a neighborhood with one of the lowest.

6. RPD public surveys consistently reveal that traffic is perceived to be the most important public safety issue in Redding. That perception is supported by collision statistics. Speeding and red-light violations are seen by the public as everyday occurrences. Due in part to citizens' complaints regarding traffic, the Redding City Council is considering installation of "red-light cameras" at critical intersections.

The *2004 California Office of Traffic Safety Report* compared traffic collisions in 97 California cities with populations between 50,001-100,000. Redding was ranked number one in both fatal and injury accidents as well as number one in overall accident rates. In the same study, the City of Redding ranked fifth in "driving under the influence" (DUI) of drugs or alcohol-associated collisions. However, Redding ranked only 76th of 97 cities in DUI arrests, suggesting to the Grand Jury that increased DUI enforcement is needed.

7. Faced with lack of resources to add more traffic units, RPD administration now requires all patrol officers to emphasize enforcement of traffic laws. A guideline developed with the police officers' union has been implemented to hold officers accountable for this policy. Traffic performance standards, which include citations and arrest rates, are now emphasized in officer evaluations.

8. RPD personnel interviewed by the Grand Jury state that the morale of patrol officers is lower than it has been in many years. Multiple factors contribute to low morale, but the primary cause is the ongoing staffing shortage. As the City has grown in both population and area, there has not been a corresponding increase in the number of staff. Officers interviewed relate that they believe this shortage prevents them from accomplishing their basic goal of "... protecting the safety of the community."

A moderate amount of overtime is unavoidable to cover court appearances, training and emergency situations; however, according to RPD staff interviewed, overtime is currently being used to compensate for chronic shortages in personnel. Staffing shortages contribute to excessive mandatory overtime which interferes with family life, personal time and the ability to engage in outside activities. It may be less expensive to pay overtime than to hire additional staff, but it is detrimental to the morale of the Department and to public and officer safety.

Temporary staffing shortages have traditionally been managed by redistribution of personnel, reprioritization of duties and a commitment to "get through the crisis." These strategies become ineffective in the face of chronic personnel shortages. Personnel look to their administration for long- term solutions and report doubts about the effectiveness of attempting to deal with the personnel crisis without treating underlying problems. The officers interviewed by the Grand Jury indicate that they lack confidence in the ability of RPD administration to adequately address these issues. They acknowledge that many of the problems associated with the lack of personnel are not within the control of RPD administrators. Officers consider both unresponsiveness and

lack of financial support by the Redding City Council and city staff as the fundamental factor underlying these problems.

Another factor adversely affecting morale is the traffic enforcement policy and its relationship to evaluations. This is a major point of dissension because the officers interviewed by the Grand Jury perceive the emphasis on traffic control impedes their ability to conduct crime investigations, community policing and problem resolution - areas that officers see as priorities. Many officers dislike the current policy, and this contributes to their basic mistrust of their administration. A committee of officers and RPD administrators is revising the *Police Officer Performance Evaluation* policy to clarify the evaluation process and to reflect the concerns of both administration and the patrol officers.

Underlying some of the morale issues is the officers' perception of the Police Chief. They recognize the many problems and obligations facing him and that he is under cross-pressure from the police rank-and-file and the City Council. They acknowledge his expertise in planning and budget analysis. However, they report that a lack of personal contact compromises his popularity and diminishes the full support and confidence of his department's police officers. During the Grand Jury's interview, the Chief indicated that he does not disagree with that criticism. He states that more personal contact with his officers is one of his goals and that he recognizes how important this is to the morale of the department. All personnel interviewed have high praise for the leadership skills and resource management of RPD's mid-managers.

9. RPD administrators state that the Department has experienced difficulty recruiting and retaining quality police personnel. The rural nature of Shasta County, its abundant

recreational opportunities, positive family environment and the reputation of RPD are positive factors attracting outstanding officers. The RPD, through the use of a vigorous background investigation policy, has consistently hired extremely well-qualified officers and made it a priority to be one of the most highly trained departments in the state.

Interviewees indicated that, in the past, RPD was viewed statewide as an ideal department in which to work. It had numerous applicants for every available position. Presently, inadequate staffing and a deteriorating facility result in poor working conditions, safety issues and an inability to be proactive in the community. Although RPD employee benefits are comparable to those offered by cities of similar size, its base wages are in the lowest quartile. Increasing housing costs now add to the difficulty of recruiting applicants from other cities.

During the last police officer recruitment in 2005, while there were 32 applicants for an experienced police officer position, most were disqualified by background checks. Recruitment of qualified candidates is a statewide problem and other cities are raising both benefits and salaries. Some cities offer substantial bonuses to both successful applicants and those officers who refer them. The Grand Jury has learned that some agencies in the state are reducing qualification standards to broaden recruitment. RPD administrators have refused to lower qualification standards.

At the end of March 2006, the City signed a negotiated contract with the police officers' union, raising salaries by 4.5% per year over five years and slightly reducing health benefits. The Department indicates that this measure may improve recruiting. In fact, since the signing of the contract, applications have increased significantly.

10. RPD has other personnel shortages. During the last two budget sessions, RPD administrators have unsuccessfully requested funding for an additional network technician to maintain the Mobile Data System (in-car computers allowing officers' access to RPD automated records). There remains a need for two record technicians to enter data into automated systems, one Community Service Officer to handle non-emergency calls for service, and a secretary for the Investigation Division.
11. The Grand Jury learned of two other deficiencies within RPD which are currently being addressed. Funding for upgrading the radio system was included in the most recent budget and the new system should be operational by the spring of 2006. An agreement has been entered into with Shasta County for formation of a bomb squad using personnel from both agencies and equipment from the County. Personnel have been identified and are scheduled for the next training session.
12. The total area of the two RPD facilities is 33,000 square feet. A Space Needs Assessment report commissioned by the Redding City Council and completed in December 2005, indicates that the minimum square footage required for current police operations is 51,169 square feet. Although this is 18,169 square feet larger than the space currently used by RPD, it allows for no growth. The report's projection for growth in personnel from the current 187 to 337 dictates that, by the year 2030, the Department will need a facility of 66,013 square feet. The construction cost estimate for a new 66,000 square foot facility is \$31.5 million

13. The Investigation Division currently has just enough space to meet its needs. The inadequacy of the main facility on California Street necessitates separation of the Investigation Division from the rest of the Department. This isolation negatively impacts the ability to exchange information needed to optimally perform the investigators' duties. Patrol officers and investigators cite this difficulty in exchanging information as a major impediment to solving crimes. Some information is communicated by videos prepared and reviewed during patrol briefings, or by an investigator attending the briefings. These methods leave much to be desired because there is no direct dialogue between the investigators handling the case and the patrol officers on the street.
14. During a tour of the main police facility, the Grand Jury found a number of deficiencies including: inadequate public reception area and handicap access; cramped work cubicles; exposed wiring; insufficient rest room facilities; too few private interview rooms; congested locker rooms; insufficient personal equipment storage; limited desk space for report writing; an overcrowded lunch room; and no windows. The current facility lacks storage for items such as official records, evidence, property, and departmental equipment.
15. The current parking area of 1.16 acres is inadequate to accommodate and secure both city-owned and employee vehicles. The 2005 Space Needs Assessment recommended 1.88 acres for current parking and projected a need for 2.81 acres by 2030.
16. The firing range currently used by RPD is located almost four miles from the main facility, in an area now being encroached upon by residential development. Future

growth or an unfortunate incident may eventually force its closure. The current cost estimate for a new firing range is \$3.3 million.

17. A review of the City of Redding 2005 Public Opinion Survey revealed that public safety is the top priority of residents and that approximately half would support an additional sales tax for funding police, fire, and street and park maintenance. The survey further revealed that a “sunset” clause on the tax would increase that support. It is estimated that a 0.5% sales tax would generate \$5 million per year. Non-city residents would pay a significant portion of this tax.
18. Despite its staffing and facility deficiencies, RPD continues to provide a high level of safety and security to the community. The Department works to develop proactive programs that continue to enhance the well-being of the community. Notably, the lack of significant gang activity is attributable to the aggressive actions of RPD in collaboration with other law enforcement agencies within Shasta County.
19. Due to allegations of excessive use of force in other jurisdictions, RPD has provided additional training in this area. RPD officers began a study in October 2005 regarding the use of force during contacts with the public. It revealed that force over and above control holds was used in only 18 of 1,742 arrests during the last quarter of 2005, and in only 17 in 2,500 arrests in the first quarter of 2006. This demonstrates maturity and restraint in dangerous situations.

RECOMMENDATIONS:

1. The current police response time jeopardizes public and officer safety. The Grand Jury recommends that the Redding City Council augment staffing levels within the

RPD Operations Division as a top priority. Staffing growth should be commensurate with increasing population, coverage area, and the number of service calls.

2. The Grand Jury recommends that the City of Redding reprioritize its emphasis from recreational projects (sports fields, aquatic centers, horse parks, etc.) to public safety and improvement of the city's infrastructure. By increasing police staffing, the city will improve its ability to ensure public safety.
3. In the event that current city finances (including the General Fund, redevelopment funds, potential sales of surplus property, etc.) are inadequate to support construction of a new police building, the Grand Jury recommends that the Redding City Council immediately propose and diligently promote a 0.5% sales tax increase limited to seven years, which would generate \$35 million. This tax should be dedicated specifically to the construction of a police building and must guarantee no reduction in the current level of General Fund support for public safety. In addition, the Redding City Council should establish a citizens' oversight committee to ensure that the tax receipts are spent only for their intended purpose.
4. The Grand Jury recommends that the Redding City Council and the RPD administration address the morale issues of patrol officers. The officers need the firm commitment of the Redding City Council to restore Department staffing. This will allow the RPD to improve recruitment and retention of officers and function in a way that restores its reputation as a leader in police operations. The Chief of Police should meet with the rank and file to discuss problems and improve lines of communication.

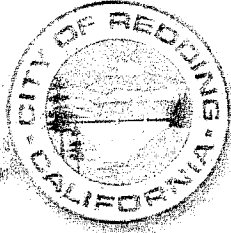
RESPONSES REQUIRED:

The Redding City Council as to Findings 1-18 and Recommendations 1-4

COMMENDATIONS:

The Grand Jury is impressed with the character, integrity, tenure and community pride of the RPD staff interviewed for this report. In addition, RPD administration has been extremely cooperative in providing reference materials needed to complete this investigation.

CITY OF REDDING



Ken Murray
Mayor

OFFICE OF THE MAYOR

777 Cypress Avenue, Redding, CA 96001
P.O. Box 496071, Redding, CA 96049-6071
530.225.4447 FAX 530.225.4463

September 6, 2006
B-080-600-800

The Honorable William Gallagher
Presiding Judge
Shasta County Superior Court
1500 Court Street, Suite 205
Redding, CA 96001

Dear Judge Gallagher:

Pursuant to Section 933 of the California Penal Code, the attachments shall serve as the City of Redding's responses to the following sections of the *2005/06 Shasta County Grand Jury Final Report*:

- Too Many Hats, Not Enough Heads
- Ready, Aim - Spend!
- Where There's Smoke . . .
- ✓ ● Redding's Finest Housed in Redding's Worst

The City of Redding appreciates and respects the important function that the Shasta County Grand Jury serves in local government. If you have any questions regarding this matter, please do not hesitate to contact me at 225-4447.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Murray", is written over a printed name and title.

Ken Murray
Mayor

Attachments

2006 Grand Jury Findings & Recommendations
REDDING POLICE DEPARTMENT
Redding's Finest Housed in Redding's Worst

FINDINGS:

1. Over the last 15 years, the City of Redding has followed a policy of prioritizing project growth over infrastructure and personnel growth. As a result, RPD police officer staffing has not increased proportionately to the growth of population. According to Uniform Crime Reporting Statistics of 2004, the average number of sworn officers per 1,000 residents for western U.S cities of 50,000-99,000 population is 1.9. RPD currently employs 113 sworn peace officers. Based on a population of 88,459 residents within the incorporated city limits, that equates to 1.28 officers per 1,000 residents. This ratio is 30% less than the national average. One of the goals of the *City of Redding General Plan 2000-2020* was to "maintain at a minimum, a sworn officer to population ratio of 1.36 officers per 1,000 residents." The four new officers approved by the Redding City Council on February 13, 2006, will raise the current ratio to 1.32 officers per thousand. This is still less than the City's target recommendation.

Response: The City Council agrees with the finding. Two additional Police Officer positions also were approved by the City Council in July, bringing the total number of new officers added during 2006 to six.

2. Redding's daytime population increases significantly because the majority of Shasta County's retail establishments, government agencies, and health care providers are located within the city limits. Additionally, Redding's priority on development of cultural and recreational opportunities has succeeded, thus attracting many temporary visitors. These factors further increase the daily service demands on RPD.

Response: The City Council agrees with the finding.

3. Staffing within the Investigation Division is adequate at this time. As the number of service calls continues to increase, the workload will exceed capacity and necessitate the assignment of additional officers.

Response: The City Council agrees with the finding.

4. According to the 2002 Redding Police Department 10-Year Plan, the average response time for priority calls (e.g., homicide, rape, robbery) was 10.5 minutes in 2002. In the past four years, this response time has dramatically increased to more than 16 minutes, a result of the City's failure to increase hiring in proportion to population growth.

Due to the size of Redding and its population growth, RPD administrators repeatedly recommended to City staff that two patrol beats be added. (A patrol beat is a geographic

area assigned to specific officers for patrol.) RPD administrators estimated that this increase would reduce the response time to an acceptable six to eight minutes for priority calls. Staffing one patrol beat 24 hours a day, seven days a week with allowance for time off and court time, requires seven officers. These two patrol beats would require adding 14 new officers, increasing coverage to 1.43 sworn officers per thousand residents. This is still significantly below the Western States' average ratio of 1.9. However, the RPD Chief of Police informed the Grand Jury that coverage should reflect a combination of factors, including geographic size, population density, crime rate, response time and existence of neighborhood revitalization programs. He stated that a ratio of 1.4 to 1.45 officers per 1000 population is adequate for Redding.

On February 13, 2006, the Redding City Council approved a RPD proposal to add one new police beat and four new officers. Currently the annual average cost for a new officer, including benefits, is \$98,000. The four new officers will be funded by the General Fund. The beat will be staffed by utilizing the four new officers; two officers hired through a U.S. Department of Justice grant; one officer hired in partnership with Shasta College for additional services to the college; and by reassigning an officer from dedicated traffic detail. The additional beat is expected to reduce the priority response time by as much as two to three minutes. Utilizing the General Fund to increase the number of safety personnel must be continued if Redding is to revitalize its police force and keep up with crime and traffic incidents.

Response: The City Council agrees with the finding and intends to add additional sworn officers as resources allow.

5. Redding has taken steps to reduce crime within the city. For example, inclusion of the Parkview Neighborhood within a redevelopment area and the utilization of all available resources transformed that crime-ridden neighborhood into a safe and productive one. In 2001, the Redding Redevelopment Agency (RRA) began buying property and tearing down the most seedy apartment complexes in the Parkview Neighborhood. The City Housing Division provided grants to low-income Parkview Neighborhood homeowners for home and yard improvements and the RRA contracted with a developer to build single family homes within the area. The Parkview Neighborhood has progressed from being the area with the highest number of police calls for service into a neighborhood with one of the lowest.

Response: The City Council agrees with the finding.

6. RPD public surveys consistently reveal that traffic is perceived to be the most important public safety issue in Redding. That perception is supported by collision statistics. Speeding and red-light violations are seen by the public as everyday occurrences. Due in part to citizens' complaints regarding traffic, the Redding City Council is considering installation of "red-light cameras" at critical intersections.

The 2004 California Office of Traffic Safety Report compared traffic collisions in 97 California cities with populations between 50,001-100,000. Redding was ranked number one in both fatal and injury accidents as well as number one in overall accident rates. In the same study, the City of Redding ranked fifth in "driving under the influence" (DUI) of drugs or alcohol-associated collisions. However, Redding ranked only 76th of 97 cities in DUI arrests, suggesting to the Grand Jury that increased DUI enforcement is needed.

Response: The City Council agrees with the finding and recently added two new officers to focus on DUI enforcement and traffic safety.

7. Faced with lack of resources to add more traffic units, RPD administration now requires all patrol officers to emphasize enforcement of traffic laws. A guideline developed with the police officers' union has been implemented to hold officers accountable for this policy. Traffic performance standards, which include citations and arrest rates, are now emphasized in officer evaluations.

Response: The City Council respectfully disagrees with the finding. Although it is true that RPD administration is emphasizing traffic enforcement, the reason is not solely due to limited resources. The Police Chief and City Council believe that it is important that officers emphasize traffic enforcement, as Redding's rate of traffic accidents is unacceptably high.

8. RPD personnel interviewed by the Grand Jury state that the morale of patrol officers is lower than it has been in many years. Multiple factors contribute to low morale, but the primary cause is the ongoing staffing shortage. As the City has grown in both population and area, there has not been a corresponding increase in the number of staff. Officers interviewed relate that they believe this shortage prevents them from accomplishing their basic goal of "... protecting the safety of the community."

A moderate amount of overtime is unavoidable to cover court appearances, training and emergency situations; however, according to RPD staff interviewed, overtime is currently being used to compensate for chronic shortages in personnel. Staffing shortages contribute to excessive mandatory overtime which interferes with family life, personal time and the ability to engage in outside activities. It may be less expensive to pay overtime than to hire additional staff, but it is detrimental to the morale of the Department and to public and officer safety.

Temporary staffing shortages have traditionally been managed by redistribution of personnel, reprioritization of duties and a commitment to "get through the crisis." These strategies become ineffective in the face of chronic personnel shortages. Personnel look to their administration for long-term solutions and report doubts about the effectiveness of attempting to deal with the personnel crisis without treating underlying problems. The

officers interviewed by the Grand Jury indicate that they lack confidence in the ability of RPD administration to adequately address these issues. They acknowledge that many of the problems associated with the lack of personnel are not within the control of RPD administrators. Officers consider both unresponsiveness and lack of financial support by the Redding City Council and city staff as the fundamental factor underlying these problems.

Another factor adversely affecting morale is the traffic enforcement policy and its relationship to evaluations. This is a major point of dissension because the officers interviewed by the Grand Jury perceive the emphasis on traffic control impedes their ability to conduct crime investigations, community policing and problem resolution - areas that officers see as priorities. Many officers dislike the current policy, and this contributes to their basic mistrust of their administration. A committee of officers and RPD administrators is revising the *Police Officer Performance Evaluation* policy to clarify the evaluation process and to reflect the concerns of both administration and the patrol officers.

Underlying some of the morale issues is the officers' perception of the Police Chief. They recognize the many problems and obligations facing him and that he is under cross-pressure from the police rank-and-file and the City Council. They acknowledge his expertise in planning and budget analysis. However, they report that a lack of personal contact compromises his popularity and diminishes the full support and confidence of his department's police officers. During the Grand Jury's interview, the Chief indicated that he does not disagree with that criticism. He states that more personal contact with his officers is one of his goals and that he recognizes how important this is to the morale of the department. All personnel interviewed have high praise for the leadership skills and resource management of RPD's mid-managers.

Response: The City Council only partially agrees with this finding. While it is inarguable that some morale issues were mentioned during the Grand Jury interviews, the City Council believes that the finding overstates the magnitude of morale issues in the Police Department. Many of the interviews conducted in the preparation of the Grand Jury report took place during difficult contract negotiations between the City and the police union, which may have affected the tenor of those interviews. Since that time, a long-term contract has been completed and six additional safety officer positions have been funded. The Police Chief is aware of the need for more personal contact with the rank-and-file employees and has made additional efforts in that regard a priority.

9. RPD administrators state that the Department has experienced difficulty recruiting and retaining quality police personnel. The rural nature of Shasta County, its abundant recreational opportunities, positive family environment and the reputation of RPD are positive factors attracting outstanding officers. The RPD, through the use of a vigorous background investigation policy, has consistently hired extremely well-qualified officers and made it a priority to be one of the most highly trained departments in the state. Interviewees indicated that, in the past, RPD was viewed statewide as an ideal department in which to

work. It had numerous applicants for every available position. Presently, inadequate staffing and a deteriorating facility result in poor working conditions, safety issues and an inability to be proactive in the community. Although RPD employee benefits are comparable to those offered by cities of similar size, its base wages are in the lowest quartile. Increasing housing costs now add to the difficulty of recruiting applicants from other cities.

During the last police officer recruitment in 2005, while there were 32 applicants for an experienced police officer position, most were disqualified by background checks. Recruitment of qualified candidates is a statewide problem and other cities are raising both benefits and salaries. Some cities offer substantial bonuses to both successful applicants and those officers who refer them. The Grand Jury has learned that some agencies in the state are reducing qualification standards to broaden recruitment. RPD administrators have refused to lower qualification standards.

At the end of March 2006, the City signed a negotiated contract with the police officers' union, raising salaries by 4.5 % per year over five years and slightly reducing health benefits. The Department indicates that this measure may improve recruiting. In fact, since the signing of the contract, applications have increased significantly.

Response: The City Council agrees with the finding.

10. RPD has other personnel shortages. During the last two budget sessions, RPD administrators have unsuccessfully requested funding for an additional network technician to maintain the Mobile Data System (in-car computers allowing officers' access to RPD automated records). There remains a need for two record technicians to enter data into automated systems, one Community Service Officer to handle non-emergency calls for service, and a secretary for the Investigation Division.

Response: The City Council does not have enough information to agree or disagree with the finding, as written. The need for additional personnel will be addressed, along with all other needs, during preparation of the City's budget.

11. The Grand Jury learned of two other deficiencies within RPD which are currently being addressed. Funding for upgrading the radio system was included in the most recent budget and the new system should be operational by the spring of 2006. An agreement has been entered into with Shasta County for formation of a bomb squad using personnel from both agencies and equipment from the County. Personnel have been identified and are scheduled for the next training session.

Response: The City Council agrees with the finding.

12. The total area of the two RPD facilities is 33,000 square feet. A Space Needs Assessment report commissioned by the Redding City Council and completed in December 2005, indicates that the minimum square footage required for current police operations is 51,169 square feet. Although this is 18,169 square feet larger than the space currently used by RPD, it allows for no growth. The report's projection for growth in personnel from the current 187 to 337 dictates that, by the year 2030, the Department will need a facility of 66,013 square feet. The construction cost estimate for a new 66,000 square foot facility is \$31.5 million.

Response: The City Council agrees with the finding.

13. The Investigation Division currently has just enough space to meet its needs. The inadequacy of the main facility on California Street necessitates separation of the Investigation Division from the rest of the Department. This isolation negatively impacts the ability to exchange information needed to optimally perform the investigators' duties. Patrol officers and investigators cite this difficulty in exchanging information as a major impediment to solving crimes. Some information is communicated by videos prepared and reviewed during patrol briefings, or by an investigator attending the briefings. These methods leave much to be desired because there is no direct dialogue between the investigators handling the case and the patrol officers on the street.

Response: The City Council agrees with the finding.

14. During a tour of the main police facility, the Grand Jury found a number of deficiencies including: inadequate public reception area and handicap access; cramped work cubicles; exposed wiring; insufficient rest room facilities; too few private interview rooms; congested locker rooms; insufficient personal equipment storage; limited desk space for report writing; an overcrowded lunch room; and no windows. The current facility lacks storage for items such as official records, evidence, property, and departmental equipment.

Response: The City Council agrees with the finding.

15. The current parking area of 1.16 acres is inadequate to accommodate and secure both city-owned and employee vehicles. The 2005 Space Needs Assessment recommended 1.88 acres for current parking and projected a need for 2.81 acres by 2030.

Response: The City Council agrees with the finding.

16. The firing range currently used by RPD is located almost four miles from the main facility, in an area now being encroached upon by residential development. Future growth or an

unfortunate incident may eventually force its closure. The current cost estimate for a new firing range is \$3.3 million.

Response: The City Council agrees with the finding.

17. A review of the City of Redding 2005 Public Opinion Survey revealed that public safety is the top priority of residents and that approximately half would support an additional sales tax for funding police, fire, and street and park maintenance. The survey further revealed that a "sunset" clause on the tax would increase that support. It is estimated that a 0.5% sales tax would generate \$5 million per year. Non-city residents would pay a significant portion of this tax.

Response: The City Council agrees with the finding.

18. Despite its staffing and facility deficiencies, RPD continues to provide a high level of safety and security to the community. The Department works to develop proactive programs that continue to enhance the well-being of the community. Notably, the lack of significant gang activity is attributable to the aggressive actions of RPD in collaboration with other law enforcement agencies within Shasta County.

Response: The City Council agrees with the finding.

19. Due to allegations of excessive use of force in other jurisdictions, RPD has provided additional training in this area. RPD officers began a study in October 2005 regarding the use of force during contacts with the public. It revealed that force over and above control holds was used in only 18 of 1,742 arrests during the last quarter of 2005, and in only 17 in 2,500 arrests in the first quarter of 2006. This demonstrates maturity and restraint in dangerous situations.

Response: The City Council agrees with the finding.

RECOMMENDATIONS:

1. The current police response time jeopardizes public and officer safety. The Grand Jury recommends that the Redding City Council augment staffing levels within the RPD Operations Division as a top priority. Staffing growth should be commensurate with increasing population, coverage area, and the number of service calls.

Response: The recommendation has been implemented. The City Council has added six new officer positions in 2006 alone. Additional staffing increases will be made as financial resources allow.

2. The Grand Jury recommends that the City of Redding reprioritize its emphasis from recreational projects (sports fields, aquatic centers, horse parks, etc.) to public safety and improvement of the city's infrastructure. By increasing police staffing, the city will improve its ability to ensure public safety.

Response: The recommendation has been implemented. The Council has already taken steps to focus more of the City's resources on basic services, such as public safety. However, the provision of community amenities is also important in a well-balanced community.

3. In the event that current city finances (including the General Fund, redevelopment funds, potential sales of surplus property, etc.) are inadequate to support construction of a new police building, the Grand Jury recommends that the Redding City Council immediately propose and diligently promote a 0.5% sales tax increase limited to seven years, which would generate \$35 million. This tax should be dedicated specifically to the construction of a police building and must guarantee no reduction in the current level of General Fund support for public safety. In addition, the Redding City Council should establish a citizens' oversight committee to ensure that the tax receipts are spent only for their intended purpose.

Response: The recommendation requires further analysis. While the Council agrees that construction of a new police facility is a high priority, there is not yet enough information available to determine the most appropriate method of financing its construction.

4. The Grand Jury recommends that the Redding City Council and the RPD administration address the morale issues of patrol officers. The officers need the firm commitment of the Redding City Council to restore Department staffing. This will allow the RPD to improve recruitment and retention of officers and function in a way that restores its reputation as a leader in police operations. The Chief of Police should meet with the rank and file to discuss problems and improve lines of communication.

Response: The recommendation has been implemented. The City Council has added additional staffing and the Police Chief has made internal communication a higher priority.

SHASTA COUNTY MAIN JAIL
Catch & Release

Shasta County Main Jail
1655 West Street
Redding, Ca 96001
(530) 245.6100

REASON FOR INQUIRY:

Section 919 of the California Penal Code requires the Grand Jury to inquire into the condition and management of all public prisons located within Shasta County.

BACKGROUND:

The Shasta County Main Jail is a high-security facility used for the detention of persons pending arraignment, during trial, and upon a sentence of commitment.

The jail opened in August 1984 and was originally designed to house a maximum of 237 inmates. During the next 10 years, most cells were double-bunked to increase the jail's capacity to 381 inmates.

As of May, 1992, Shasta County operated three jail facilities: the Main Jail, Northern California Regional Rehabilitation Center (Crystal Creek), and the Detention Annex. The total capacity for inmate beds was 531 for those facilities. The 84-bed Crystal Creek facility closed in June 1992 and subsequently became a juvenile boy's camp. In January, 2003, the Sheriff ordered the 66-bed Detention Annex facility closed. This reduced the total current inmate bed capacity to 381 inmates.

On March 16, 1993, the Shasta County Superior Court placed restrictions on the total population of the Main Jail (as well as the since-closed Detention Annex). The court's order permits release of inmates when the Jail population reaches 90 percent capacity. A portion of the "stipulation and proposed order" states:

- a) “The maximum assigned bed capacity at the main jail is Three Hundred and Eighty-One (381) not including beds not “rated” by California Board of Corrections, for example, medical beds. The maximum assigned bed capacity at the annex facility is 98.
- b) The Sheriff of Shasta County is authorized by this order to release inmates from the main jail and/or annex facility whenever said jail or annex, or any specific housing unit therein, is within ten percent (10%) of being filled. The Sheriff shall release inmates or refuse to accept newly-committed inmates whenever all beds in said jail or annex are filled. “

The Sheriff was further ordered to submit a written quarterly report to the Shasta County Superior Court summarizing the population status of the Shasta County Jail, including a detailed summary of inmates released from custody (pursuant to Order No. 115328). Consequently, the Main Jail reaches capacity and inmates must be released to comply with the Superior Court order. Alternative programs such as Work Release, Home Electronic Confinement, Community Parole and Supervised Own Recognizance are among the programs utilized to relieve the jail population pressures.

Beginning in 1965, Shasta County General Hospital housed the mentally ill patients of Shasta County. In the late 1980’s the hospital was closed. Subsequently, the Shasta County Psychiatric Hospital Facility was established to house the mentally ill and individuals who were determined to be a danger to themselves or to others. In 1991 the California Legislature passed legislation shifting the burden of most mental health delivery to the counties. With the closure of the Shasta County Psychiatric Hospital Facility in 2004,

criminally-charged mentally ill or intoxicated patients are now housed temporarily in the Shasta County Main Jail.

The adopted budget for the Main Jail was \$11,162,922 for the fiscal year 2005/2006.

Staffing at the Main Jail is as follows:

- One Captain
- One Lieutenant
- Five Sergeants
- Twenty-two Deputy Sheriffs
- One Administrative Secretary
- Eight Adult Custody Cooks
- Twenty-seven Correctional Officers
- Four Senior Sheriff's Service Officers
- Twenty-one Sheriff's Service Officers
- One Sheriff Support Manager/Custody

METHOD OF INQUIRY:

The Grand Jury toured the Main Jail on September 2, 2005.

The Grand Jury also reviewed the following documents:

- Corrections Standards Authority Letter dated November 30, 2005- (Board of Corrections 2004/2006 Biennial Inspection)
- Shasta County Sheriff's *Main Jail Policy & Procedure Manual*
- Fire and Health Inspection reports
- Shasta County Sheriff's Office *Annual Report & Statistical Analysis*

- Request for Proposal, Shasta County Adult and Juvenile Detention Facility Feasibility Study
- 1998 Community Corrections General Plan
- Shasta County Sheriff's Correctional Officer Training Manual
- Sample Inmate Screening Form
- Shasta County Sheriff's Main Jail Inmate Orientation Manual

The Grand Jury conducted the following interviews:

- The Shasta County Undersheriff
- Five Captains
- Two Lieutenants
- One Sergeant
- Four Deputies
- Three Correctional Officers
- One Main Jail Cook
- One Main Jail Inmate
- The Shasta County Administrative Officer
- Five members of the Shasta County Board of Supervisors

FINDINGS:

1. The Grand Jury found the Main Jail to be a clean, orderly and well-run facility.
2. The State of California Board of Corrections, in its 2004/2006 Biennial inspection report, noted that fire and health inspections were conducted and that the facility was in compliance with the relevant standards. The Report also stated the sobering cells were often used as the intake area where inmates are received and held pending

housing or arranging for bail, and that this utilization does not comply with state regulations related to sobering cells. These cells should be used only for holding inmates who are a threat to their own safety or the safety of others due to their state of intoxication. That deficiency has been corrected.

3. The Shasta County Main Jail operates at near capacity on a daily basis. The number of inmates at the Main Jail must comply with the Shasta County Superior Court order. This order requires that a quarterly report be submitted to the Shasta County Court outlining both the number and types of inmates released pursuant to the order. Currently, the Main Jail houses the most dangerous inmates, who should not be released. Less dangerous inmates, both sentenced and awaiting sentence, are being released. This has become a common and accepted practice because of the lack of jail space. The fourth quarter court-ordered report for 2005 was:

Bookings	2,931
Daily average	32.5
Daily Jail Population	374.5
Highest Daily Population	386
Jail Capacity Releases this Quarter	520
Jail Capacity Releases to date:	1,936
Males Released	378
Females Released	142
Sentenced Releases	76
Unsentenced Releases	444

4. The Main Jail is the only adult detention facility in Shasta County. Inmates from Shasta County, including the cities of Redding, Anderson, and City of Shasta Lake, are all housed in the Shasta County Main Jail. In 2005, there were 11,386 bookings, 66% of which were arrested in the City of Redding.

Since 1998, the Sheriff's Department and the Board of Supervisors have been aware there is a need for a new security facility to house the County's growing inmate population. Because of the chronic lack of capacity in the Main Jail, the Sheriff's

Office submitted a request for a jail feasibility study to the Board of Supervisors. The study is to be completed by September, 2006. The lack of a separate facility to house the mentally ill and intoxicated individuals compounds the jail's capacity problem because these individuals must be temporarily housed in the jail.

5. In December 2001, the Board of Supervisors approved the Sheriff's proposal to replace 62 Shasta County deputy sheriffs in the Main Jail and Detention Annex with correctional officers, in order to reassign the deputies to the field. The replacement of deputy sheriffs by correctional officers results in annual savings due to reduced salaries (estimated up to \$800,000 per year). However, the FY 2005/2006 personnel roster at the Main Jail indicates that only 27 of the 62 deputies have been replaced with correctional officers.

Interviewees consistently related that the pay scale of correctional officers was inadequate for recruitment and retention. Indeed, one officer was noted to have separated to resume his job changing tires at a local tire shop where he could earn more money.

6. The Shasta County Jail is operating at minimum staffing level. Correctional officers and deputies must work overtime to meet required staffing levels. Personnel working at the Main Jail accumulated over 22,000 hours of overtime in 2005. Excessive overtime results in officer fatigue and inefficiency, safety concerns, and contributes to low morale. These factors, combined with a higher concentration of dangerous inmates, create a concern for the safety and security of both the Main Jail staff and inmates. Several interviewees indicated that one or more "disturbances" had occurred since January, 2006, requiring areas of the Jail to be under "lockdown." Many of the correctional officers and deputies interviewed by the Grand Jury cited the need for the

County to hire additional correctional officers and/or deputies to relieve the understaffing and overtime problems.

7. The Main Jail release policy and the inability to hold work release inmates accountable by incarcerating them when they fail the program negatively affect the morale of many of the deputies.

RECOMMENDATIONS:

1. The County and the Sheriff's Office should continue to pursue securing a new jail and/or a minimum security facility and the funding to operate them.
2. Funding sources for the building which may be available and must be examined are:
 - a) Federal, State and private grants
 - b) Infrastructure impact fees
 - c) Lease/purchase financing
 - d) California Infrastructure and Economic Development Bank loans
 - e) Correctional Facilities Capital Expenditure and Youth Facility Bond Act of 1988
3. Funding sources for operations as well as construction are:
 - a) A joint funding agreement with City of Redding, City of Shasta Lake, and City of Anderson for capital expenditures and staffing.
 - b) A local sales tax increase.
4. The Board of Supervisors, Sheriff and County Mental Health should work expeditiously toward a goal of establishing and funding a facility that will house the mentally ill and intoxicated individuals separately from the Main Jail.

5. The Board of Supervisors should adjust the compensation package for the Sheriff's office to facilitate the recruitment and retention of deputies and/or correctional officers to staff the Main Jail.
6. The Sheriff's Office should continue to aggressively recruit new deputies and/or correctional officers to staff the Main Jail.

RESPONSES REQUIRED:

1. Sheriff or Acting Sheriff as to Findings 1-7 and Recommendations 1-6.
2. Shasta County Board of Supervisors as to Findings 1-7 and Recommendations 1-5.
3. City councils of the cities of Redding, Anderson and The City of Shasta Lake as to Finding 4 and Recommendation 3 (a).



Superior Court of California
County of Shasta

WILLIAM D. GALLAGHER
Presiding Judge

August 8, 2006

STEPHEN H. BAKER
Asst. Presiding Judge

Larry Schaller
Undersheriff
Office of the Sheriff
1525 Court Street
Redding, CA 96001

Re: Grand Jury Report – Shasta County Mail Jail – Catch & Release

Dear Mr. Schaller:

This is to acknowledge receipt of your response dated August 3, 2006 to the 2005/2006 Grand Jury Final Report regarding the Shasta County Main Jail.

I would like to thank you for your response to the Grand Jury Report. Pursuant to the provisions of Penal Code §933, I shall transmit your response to the Office of the County Clerk to be maintained on file there. An additional copy shall be provided to the Clerk of the Court also to be maintained on file.

Thank you again for your response.

Sincerely,

William D. Gallagher
Presiding Judge

RECEIVED

AUG 10 2006

SHASTA COUNTY CLERK

cc: Office of the County Clerk (original response)
Susan Null, Clerk of the Court (for Admin file)
Dale A. Trudeau (Foreperson, 2006/2007 Grand Jury)
Jean Hall (Foreperson, 2005/2006 Grand Jury)



SHASTA COUNTY

Office of the Sheriff



August 3, 2006

Jim Pope
SHERIFF-CORONER

The Honorable William D. Gallagher
Presiding Judge, Superior Court
1500 Court Street, Room 205
Redding CA 96001

Larry Schaller
UNDERSHERIFF

Dear Judge Gallagher:

In response to the Shasta County Grand Jury's mandated review of Shasta County jail facilities, I offer the following:

FINDINGS

1. I concur with the findings.
2. I concur with the findings.
3. I concur with the findings.
4. I concur with the findings.
5. I concur with the findings. The Board of Supervisors ratified a substantial pay and benefit package for Corrections Officers 1 August '06.
6. I concur with the findings and point out that four additional staff (two Corrections Officers & two Service Officers) have been authorized for hire to supplement staffing in the Shasta County Main Jail. (See enclosed board report dated 4/18/06.) As positions are recruited, hired and trained over time, the necessity of overtime to achieve minimum staffing diminishes accordingly.
7. I concur with the findings and have retained the services of Nichols, Melburg & Rossetto, as well as Dan Smith & Associates, to complete a feasibility study for a future sentenced inmate facility. This study is due to the Board of Supervisors by the end of September '06.

RECOMMENDATIONS

1. I concur. Thirteen of the last fifteen years, Shasta County has been fiscally upside down, requiring the closure of Crystal Creek as an adult facility in 1992 and the Sheriff's Detention Annex three times in that period. It remains closed as a housing facility and is now used as a South County patrol facility out of budgetary necessity.

The Sheriff's Office has, in the past, enlisted the services of the National Institute of Corrections and the California Department of Corrections and Rehabilitation to document the operational options available to Shasta County during that same time period. A previous feasibility study was completed in 2001 to convert existing John Balma Justice Center basement and courtrooms to jail bed space. The County was not fiscally in a position to move the project forward at that time. Additionally, the County eliminated the funding to the joint Sheriff's/Probation Community Correction Center three years ago, which served to connect minor offenders to available community resources.

During spring of this year, I took this issue of needed jail bed space to the Board of Supervisors and received their unanimous support to proceed on a feasibility study on construction of a potential sentenced inmate facility. That task is underway as described above. (See enclosed board report dated 10/18/05.)

The Shasta County Sheriff's Office spearheaded a Stakeholders Forum 3rd May of this year, which included 180 representatives of justice, business, churches, social service, public officials, and other stakeholders. (See the enclosed agenda and communications.) Also, see the May 26 document that lists the specific outcomes of the feasibility to include:

- The strategic plan for presentation to the Board of Supervisors in September of this year.
 - A needs assessment addressing the offender population follow-up jobs task force meeting with local employers.
 - Follow-up re-entry services task force to deal with the continuum of care community, housing coalition, and the Parole and Community Team (PACT). Also a case management model will be developed to address pre-release case planning.
 - On Tuesday, July 18, I made a presentation to the Redding City Council regarding the implications of the jail bed crisis facing our Shasta County residents. A similar presentation is pending for the City of Anderson and Shasta Lake City Councils.
2. Each of the items listed are included in the scope of the feasibility study which will be presented to the Board of Supervisors for their consideration in September '06.
 3. All funding options for both the capital improvement project and the ongoing staffing and maintenance are to be reviewed for consideration. Additional consideration may be warranted to include a joint powers authority facility that would serve sentenced offenders for surrounding north state counties.

Also, the California State Sheriffs' Association is aggressively addressing the problem of jail bed shortage on a statewide basis. See the enclosed documents: A paper entitled "*Jail Overcrowding: A State and Local Crisis*" (February 2006) and "*Do The Crime, Do The Time? Maybe Not, In California,*" (June 2006); both prepared by the California State Sheriffs' Association. As demonstrated in these documents, this challenge is not limited to Shasta County but is statewide and carries over to the state prison system as

well, as demonstrated by the Governor's calling for a special session on state prisons during August 2006.

4. We concur with the findings. The Sheriff's Office is working closely with Mental Health in pursuit of a Mentally Ill Offender Crime Reduction Grant (MIOCRG) to interface with the Shasta County jail system. A separate collaboration grant has been applied for by Mental Health for a clinician to serve the jail. A substance abuse/detox center is high on the local radar for both the County and the medical community.
5. The Board of Supervisors and the Corrections Officers have agreed to a substantial salary and benefit package that covers the next 3 ½ years. This is an essential requirement to help stabilize this critical workforce.
6. The Sheriff's Office, under the diligent efforts of Capt. David Dean and Sgt. Mike Ashmun, have led an aggressive recruitment effort for Deputy Sheriffs, Corrections Officers, Animal Control Officers, Sheriff's Service Officers, and Legal Process Clerks. Again, this is not the problem unique to Shasta County. It is countywide, statewide, and even national in scope. Shasta County Sheriff's Office is formalizing long-term recruitment as it relates to our Explorers and Cadets as future Corrections Officers and Deputy Sheriffs.

In conclusion, I concur with the general findings and recommendations issued by the 2005/2006 Grand Jury regarding the Shasta County Jail and appreciate their objectivity in dealing with this critical issue of community safety.

Sincerely,


LARRY SCHALLER
Office of the Sheriff

lds:bev

Enclosure

Report to Shasta County Board of Supervisors – 4/18/06

Report to Shasta County Board of Supervisors – 10/18/05

Stakeholders Forum Agenda and Follow-Up Letter – May 2006

California State Sheriffs' Association paper – *Jail Overcrowding: A state and Local Crisis* – February 2006

"Do The Crime, Do The Time? Maybe Not, In California," prepared by the California State Sheriffs' Association in June 2006

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

<u>SUBJECT</u>		BOARD MEETING DATE	AGENDA NUMBER
	REQUEST TO INCREASE PERSONNEL FOR THE CUSTODY DIVISION - MAIN JAIL FACILITY	4/18/06	
<u>DEPARTMENT</u>	SHERIFF'S OFFICE	SUPERVISORIAL DISTRICT ALL	

RECOMMENDATION

That the Board adopt a Salary Resolution which adds two Correctional Officers II/I and two Public Safety Service Officers in the Custody Division of the Main Jail (BU # 26000) effective June 11, 2006, or take other appropriate actions.

SUMMARY

We request to add these allocations to increase efficiencies of operation; potentially reduce overtime; reduce hiring and recruitment process delays; and continue to address staffing relief concerns as outlined in the 2003 California Board of Corrections (now Corrections Standards Authority) Staffing Analysis. No additional funding is requested this fiscal year because of the lead time required to recruit, background, polygraph, and conduct psychological and medical exams prior to a start date.

DISCUSSION

In 2003, the Sheriff requested a Staffing Analysis authorized by the Board of Supervisors to be performed due to our concern for overtime expenditures and several long-term, on-the-job personnel injuries. This analysis was done for \$10,000. The report reviewed the shifts and available Custody personnel staffing patterns. The Board of Corrections made the following recommendations:

- Increase the overall number of allocated Correctional Officers and Public Safety Service Officers as follows:
 - Increase the number of Correctional Officers from 45 to 50; and
 - Increase the number of Public Safety Service Officers from 25 to 32 by implementing the following changes:
 - Add a 12-hour post (nights) of Level One Module Officer (SSO)
 - Add a 12-hour post (nights) of Level Two Module Officer (SSO)
 - Add a 12-hour post (nights) of Level Three Module Officer (SSO)
 - Add a 12-hour post (days) of Booking Officer (SSO)
 - Delete a 12-hour post (nights) of Central Control (SSO)
 - Move one Roving Prowler from nights to days (Correctional Officer)
 - If the security level of inmate workers assigned to the kitchen cannot be reduced, add a 12-

hour post of Kitchen Security Officer (Correctional Officer). This would result in an increase of 2.6 Correctional Officers.

We are incrementally attempting to address the staffing recommendations while giving consideration to the fiscal priorities of the County. Four additional Correctional Officers were funded in 2004-2005. This request essentially completes the Correctional Officer staffing level (recommended by the Board of Corrections) and initiates the supplemental staffing of Service Officers.

ALTERNATIVES

The Board could choose not to approve all or some of the additional personnel allocations.

OTHER AGENCY INVOLVEMENT

The County Administrative Officer concurs with this recommendation subject to a 10-year projection of associated costs. Personnel was consulted and they have prepared the salary resolution.

FINANCE

The authorization for the increased personnel would not impact the 05/06 budget, but would be included in the Sheriff's Office budget in fiscal year 06/07. The annual cost associated with this action for FY 2006-07 is estimated to be \$172,260. The annual cost by year ten is estimated to be \$296,365. While the department anticipates a reduction in overtime and extra-help, additional revenue from either Proposition 172 or the General Fund will be necessary.

A handwritten signature in black ink that reads "LARRY D. SCHALLER". The signature is stylized with a large, sweeping initial "L" and "S".

LAWRENCE D. SCHALLER
Office of the Sheriff

Attachment – Salary Resolution

cc: Joann Davis, Director of Support Services
Bebe Palin, Principal Administrative Analyst

SALARY RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA
AMENDING COUNTY CLASSIFICATIONS AND SALARY RANGE ASSIGNMENTS
AND POSITION ALLOCATION LIST

BE IT RESOLVED that the following amendments are made to the classifications and salary schedule and to the position allocation list for positions in the County service.

<u>Classification Title</u>	<u>No. of Positions</u>	<u>FTE</u>	<u>Range</u>	<u>Approx. Monthly Salary</u>	<u>Equiv. Monthly Salary</u>
<u>SHERIFF - COUNTY JAIL</u>				<u>BUDGET CODE: 260</u>	
			<u>ADD</u>		
Correctional Officer II Or	2	2.00	42.2	2622	3346
Correctional Officer I			40.2	2378	3035
Public Safety Service Officer	2	2.00	37.4	2074	2647

BE IT FURTHER RESOLVED that the above action shall be effective on and after the 11th day of June, 2006.

DULY PASSED AND ADOPTED this _____ day of _____, 2006, by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

PATRICIA A. CLARKE, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:
LAWRENCE G. LEES
Clerk of the Board
County of Shasta

By _____
Deputy

(SR2006/SR-016)

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

SUBJECT	SHASTA COUNTY JAIL CAPACITY NEEDS ASSESSMENT	BOARD MEETING DATE 10/18/05	AGENDA NUMBER
<u>DEPARTMENT</u>	SHERIFF'S OFFICE	SUPERVISORIAL DISTRICT All	

AMMENDED RECOMMENDATION

That the Board approve and authorize the Sheriff to proceed with a Request for Proposal to develop a comprehensive Needs Assessment and Economic Feasibility Study to address the shortage of jail bed space, additional staffing and potential site location of a new facility in Shasta County.

SUMMARY

There is a need to increase jail bed capacity in Shasta County. The John Balma Shasta County Justice Center (Main Jail Facility) provides an adequate number of high security jail beds (381) for our community; however, **we currently have no minimum or medium security beds in Shasta County.** To provide some historical information into this matter:

- A. The Detention Annex was originally built as a fire hall in the 1960's and was converted to a minimum security facility in 1980. It was again remodeled in 1986. In January 2003, the annex was closed to the housing of inmates.
- B. The Detention Annex facility was never designed to house medium security inmates according to a 1994 report from the Institute for Law & Policy Planning (ILPP).
- C. In September 2001, Nichols, Melburg and Rossetto, prepared a preliminary Architectural Feasibility Study for the Shasta County Jail, which included food service relocation and inmate capacity expansion. This preliminary study identified several short-term, cost-effective options for increasing the jail bed capacity, achieving staffing cost savings, and consolidating the County's food service operations into one centralized location.
- D. The Grand Jury noted concerns in 2003, 2004, and 2005 about the related jail booking statistics, capacity releases, and inmate population statistics. They continue to point out that the Detention Annex remains closed due to funding and staffing concerns.

A comprehensive Shasta County Jail Needs Assessment would bring together a collaborative effort between justice experts within Shasta County government and the consultants in order to prepare a meaningful plan for the future inmate housing and detention needs in our county.

DISCUSSION

Housing

In January 1992, Shasta County funded and operated three jail facilities, which had a capacity for 531 inmate beds. The **County's population** was estimated at approximately **149,000**.

In June 1992, the 84-bed Northern California Regional Rehabilitation Center (Crystal Creek) closed due to budget reductions.

In January 2003, the 66-bed Detention Annex Facility closed for the third time due to staffing issues.

In 2003, the Community Corrections Center (a collaboration between the Sheriff, Probation, Cal-Works, and Restoration Enterprises) closed due to funding reductions.

The County's population is now recorded at over 175,000 and we operate one, maximum security, 381-bed rated Main Jail Facility. Although this facility is operated in a constitutionally correct manner and meets recommendations of the California Corrections Standards Authority (CCSA), it has routinely maintained a daily inmate population of 370 for the past year requiring daily jail capacity releases.

Jail Capacity Releases

In March 1993, the Sheriff and the County received Superior Court Order No. 115258, stipulating that 381 inmate beds was the maximum capacity for the Main Jail (number meeting CCSA standards). The Jail Capacity Order authorized the Sheriff to release inmates from the Main Jail, or any specific housing unit therein, when within 10% of being filled. The Sheriff shall release inmates or refuse to accept newly committed inmates, whenever all jail beds are filled. The Order also directed the Sheriff to submit a detailed quarterly report to the presiding judge of the Superior Court.

In 2004, the jail booked 11,176 prisoners with an average daily population of 370 and released 1,154 prisoners due to the Jail Capacity Order (655 sentenced and 499 unsentenced). Of those released in the first six months of 2004, 75% to 85% were felons. Based on Jail Capacity Releases between January and June 2005, **we project releasing 1,700 this year.** As Shasta County's population increases, so too will the number of people arrested and the Jail Capacity Releases.

Alternative Programs

The Sheriff's Work Release Facility, which does not provide jail beds or jail bed capacity, supervises 75 to 125 inmates each day, eight hours per day, seven days a week. This program, which in 1982 was designed for 125-150 inmates, had 300 inmates. From 1995 to date, this figure has ballooned to **over 500 inmates on Work Release.** These inmates are released to their home addresses at the end of their scheduled workday. In 2004, this program had 687 failures, which resulted in warrants for their arrests and the subsequent recycling of offenders.

The lack of bed space also has a compounding affect on other components of the justice system. We contacted

other agencies and County departments, which are seeing increasing statistical numbers and work loads for 2004:

Shasta County Probation:

Formal Probation	180
Felony Violation of Probation Arrests.....	412
Work Program.....	600

Shasta County Superior Court:

Felony Sentences.	1,257
Misdemeanor Sentences	4,273
Superior Court O.R. Releases	470
Superior Court Felony (Failure To Appear)	223
Of these 223 FTA's, some were multiple FTA's:.....	274
Superior Court Misdemeanor (FTA's)	885
Of the 885 FTA's, some were multiple FTA's	1,200
District Attorney Misdemeanor Filings	5,553
Felony Filings	3,708

Department of Paroles and Rehabilitation:

Parolees Released from Prison to Shasta County	1,050
Parolee Caseload-Shasta County	1,099
Parolee Recidivism Rate	47%

Summary

These numbers and facts, as portrayed by the combined justice system in our community, reflect an alarming trend with far reaching implications. **The lack of bed space has a compounding affect** on other components of the justice system. **There are no real consequences, except for the highest security offenders in our community**, i.e. rapists, robbers, murderers, major drug offenders, and our continual repeat offenders

Community safety and quality of life issues are adversely impacted due to the lack of jail bed space, lack of offender accountability, and limited inmate programs. The victims, the community, and the offenders continue to be injured through crime, each in different ways.

Today, there is no money in place to build a medium security jail facility. Although, there is discussion on a statewide detention bond act, we must proceed to develop a viable plan to increase jail bed space capacity with input by each agency in the justice system and support from the community at large.

The first step would be to obtain your support to proceed with a comprehensive Shasta County Jail Needs Assessment.

ALTERNATIVES

The Board could direct the Sheriff not to proceed with the Needs Assessment.

OTHER AGENCY INVOLVEMENT

The CAO office concurs with this request. We have contacted the following agencies and departments while preparing this Board Report:

Grand Jury
District Attorney
Probation
Superior Court
California Department of Paroles
Local law enforcement agencies

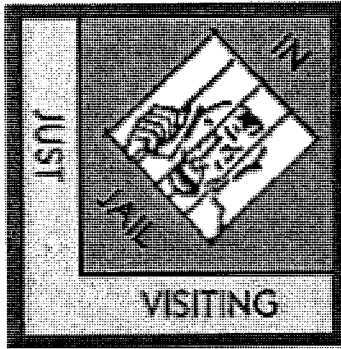
There is strong support from all areas of the justice system to plan for increasing jail bed capacity.

A copy of the Needs Assessment will be submitted to the Corrections Standards Authority (formerly Board of Corrections) for recommendations prior to contracting for plans and specifications as required in Title 24 of the California Code of Regulations.

FINANCE

The study could be paid for from Public Safety Trust Fund reserves in the existing Sheriff's Office budget for FY 05/06, using deferred maintenance funds.

JIM POPE
SHASTA COUNTY SHERIFF-CORONER



STAKEHOLDERS FORUM ON COMMUNITY JUSTICE

May 3, 2006 - 8:30 a.m. - 4:30 p.m.

PROGRAM

- 7:30 a.m. Registration and Continental Breakfast
- 8:30 a.m. Welcome and Overview Ray John, Ph.D.
Master of Ceremonies
- “Good Enough ... Isn’t”** Larry Lees, County Administrative Officer
- What’s the Problem?** Leonard Moty, Redding Chief of Police
Jerry Benito, District Attorney
William Gallagher, Presiding Judge, Superior Court
Brian Richart, Chief Probation Officer
Larry Schaller, Acting Sheriff-Coroner
- What If....** Larry Schaller
- 9:15 a.m. **Barriers to and Opportunities for Employment**
Diane Tellarino, Home Depot
Jim Silva, Employment Development Department
Kent Dagg, Builders Exchange
Anna Bengtssow, SMART
Dan Tellarino, SECO Manufacturing
- Q&A
- 10:15 a.m. Break
- 10:30 a.m. **Barriers to and Opportunities for Service**
David Reiten, Shasta County Drug & Alcohol Program
Ron Parton, Mental Health
Steve Grimm, Child Support Services
Sue Morales, Department of Motor Vehicles
David Honey, Rescue Mission
Tom Wright, Wright Education Services
- Q&A
- 11:30 a.m. **Parole and Community Team: P.A.C.T. Linkage**
- Q&A

12:00 Noon Buffet Luncheon

12:30 p.m. **Challenges and Successes with Partnerships**

James Ruggiero, Superior Court Judge

Q&A

1:00 p.m. Break

1:10 p.m. **What's on the Horizon?**

Del Sayles, Chief Deputy Secretary, Adult Programs
Jim L'Etoile, Director, Div. of Adult Parole Operations

Q&A

2:00 p.m. **Juvenile Justice: Can we do better?**

Anthony Anderson, Superior Court Judge

2:30 p.m. Break

2:40 p.m. **What are we going to do about it?**

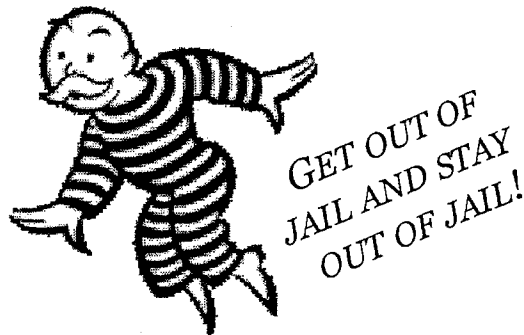
Mike Lusso, Nichols, Melburg & Rosetto
Dan C. Smith and Associates

Q&A

3:30 p.m. **Call to Action/Wrap Up**

Paul Manwaring

"A County's Dilemma, a Community Solution"



STAKEHOLDER FORUM
3 MAY '06
REMARKS BY LARRY SCHALLER

WHAT'S THE PROBLEM?

Shasta County has 151 fewer jail beds today than it did in 1992, 14 years ago. Our population then was 149,000; it is now approximately 185,000.

In 1994, Shasta County Capital Improvement Plan addressed the need for a future 300-bed medium security facility serving 50% of our inmate population and a recommended comprehensive jail study. That was 12 years ago.

The Shasta County jail was designed and opened with a capacity for 237 inmates. It has been modified over time to house the current 381.

Yet our annual jail bookings exceed 11,000 offenders, which means they are released by bail or on their own recognizance or on jail capacity releases.

Last year alone, 1,929 inmates were released due to the jail being full. If someone is booked in, someone has to be released.

The jail is currently housing over 75% pre-sentenced felons. The few sentenced inmates in county jail are the most egregious local offenders.

Just last October, our inmate work programs were handling 500 inmate workers; that has almost doubled in the last six months as the courts sentence offenders to the custody of the Sheriff with literally no beds available for sentenced offenders.

At any given time, there are over 5,000 Shasta County offenders in state prison. Last year over 1,000 of these offenders returned on parole to Shasta County. Historically, 50-75% re-offend within the first year.

Our justice system is currently a non-system.

As recently reported in the News Week Magazine, "on a national basis 2.3 million people are in our jails and prisons on any given day. Some 656,000 emerge every year; about 2/3rd end up behind bars again." That's consistent with California rates.

We can't afford to lock everybody up and throw away the key. President George W. Bush proposed an offender re-entry initiative that has since been introduced by Senator Arlen Specter and is working its way through Congress.

On a separate note: I believe we all care about victims who have been damaged by fear and psychological trauma, whose sense of safety and security has been shattered, who deserve restitution and restoration. Our objective for victims is not just for them to survive, but that they transition to victors.

I believe we all want offenders held accountable for their damages, to make amends and pay restitution. We also can see the benefit of breaking the cycle of re-offending. It is reported that 5% of the offenders are responsible for 85% of the crime. If we target this 5% population; lock away those who are a real threat; and target our re-entry efforts on the balance, we see that we can make a dramatic impact on our local crime rates.

I believe we all want community safety. We want security for our family and friends. We want a system that is not soft on crime but is smart on crime.

What you've heard so far is alarming...but not hopeless. Let's look at our opportunities:

WHAT IF...

- **What if the county jail truly held offenders accountable?**

In the short term -

- What if we could work an arrangement between the courts and the county to convert Superior Courtrooms 1 and 2 to useable jail bed space and the county could build an annex on the courthouse for the jury assembly room and other administrative responsibilities?
- What if one of those current courtrooms became mental health and jail detox beds, if needed?
- What if the other wing served as a dormitory for sentenced offenders?
- What if we could potentially move the jail kitchen and laundry out of the basement and convert that valuable, secure space within the main jail into jail beds?
- What if that kitchen and laundry were located at a site that became the future hub of a sentenced-offender facility?
- What if we were able to use sentenced offenders for our kitchen and laundry workers instead of primarily high-risk, pre-sentenced felons?

In the long term -

- What if we built the minimum/medium facility of roughly 200 beds at a time that was shaped in a hub so it could be built out in phases?
- **What if the county jail afforded opportunity for inmates to succeed on the outside?**
- What if we considered one of those wings at a future facility for state offenders who were either transitioning back to state prison, or transitioning from state prison back to the community so they could be more effectively linked to local resources?
- What if one wing in a future facility housed an inmate industry that was predicated on a business plan that manufactured a product so that offenders, in fact, learned real job skills of varying levels, produced a product that could be marketed, and the revenue was then placed in their accounts so that upon successful completion and release, they could pay restitution to their victims, and pay their fines to the courts.
- What if our inmate industry and our jail programs focused on developing drug-free job applicants with basic skills of blue-collar workers for the building trade, the restaurant industry, automotive, auto body repair, and other manufacturing jobs?
- What if we could reduce the cycle of recidivism from 2/3rd to as low as 1/3rd so that many offenders became tax-paying, contributing members of society?

- **What if we acted on the premise that it is more cost effective to break the cycle of recidivism than it is to warehouse offenders until they are released back into the community only to re-offend?**

Don't get me wrong! I believe the bad guys go to jail. But, I do believe we can be smart on crime without being soft on crime. If offenders have no place to go but right back where they came from, they will re-offend. It is in our victims' best interests, it is in our community's best interest, it is in the offenders' best interest if we match our future facility's design with programs that work.

I invite you to walk out this day with us and see if by the end of the day you don't believe that we have an opportunity to make Shasta County's dilemma, a model community solution.



May 26, 2006

Dear Attendees:

BALANCING ACCOUNTABILITY AND OPPORTUNITY
THROUGH FACILITIES AND PROGRAMS

May 3rd has come and gone and the Stakeholders Forum was everything we could have hoped for and more. It served as an exceptional jump start for the feasibility study and strategic planning being conducted by Dan Smith & Associates on the county's behalf; it served to bring the justice community together with the business community, service providers, community non-profits, and the faith-based community to address problems and opportunities facing our community as they relate to our stated goal of **jails and programs working together to break the cycle of recidivism.**

Many of us came away with a clear understanding that **a facility without programming is just warehousing; programming without a facility lacks accountability.** If offender accountability is balanced with offender opportunity to succeed, we can have a safer community as a result.

The blue sheets were reviewed and tabulated, as well as all the "post-its" that addressed the five questions as follows (see enclosure also):

1. What has inspired and encouraged you today?
2. What do we have to build on?
3. What would you like to see?
4. What contribution can you offer to the future?
5. What next steps would you like us to take?

Subsequently, the Planning Committee for the Stakeholders Forum, which included the Sheriff's Office, the Probation Department and their partners, met in critique and review of the Forum and addressed the issue: Where do we go from here? The following outcome/objectives have been identified for short-term implementation:


1. Dan Smith & Associates, in partnership with Nichols, Melburg & Rossetto, will finalize the **Feasibility Study** and **Strategic Plan** for presentation to the Board of Supervisors in September of this year.
2. A **Needs Assessment** addressed to the offender population will be conducted through the Main Jail, Work Release, Probation and local Parole to obtain current input from the offender population. Sheriff's Office Capt. Don Van Buskirk will coordinate with Chief Probation Officer Brian Richart for this task.

3. A follow-up **Jobs Task Force** will meet with local employers (chaired by Dr. Ray John, Good News Rescue Mission; co-chaired with Craig Perry, Restoration Enterprises).
4. A follow-up **Re-Entry Services Task Force** briefing/debriefing will be held with the Continuum of Care Community Housing Coalition, Parole and Community Team P.A.C.T. (chaired by Bill Price, Restoration Enterprises).
5. A **Case Management** model will be developed to address pre-release case planning with outcome measurements directed at Probation, Parole, and Sheriff inmate/offenders. This committee will be chaired by Chief Probation Officer Brian Richart and include Sheriff's Capt. Don Van Buskirk and Arlin Markham of Restoration Enterprises. They will be specifically looking at cost-effective, incremental change utilizing current staff.

Following the finalization of the Strategic Plan, intermediate and longer-term planning steps and implementation will occur. As dates for the Jobs and Services Task Forces are scheduled, we will use the same mailing list to keep you informed of those times, places, and agendas. Also for those of you who checked "Action opportunities" on the blue sheets at the Stakeholders Forum, we will seek to engage you in areas of interest as the opportunities present themselves.

In closing, we wish to thank each of you for your diligence, participation, and community spirit to have made our Stakeholders Forum such a worthwhile event. We plan to keep you informed and engaged to achieve a community solution to our county's dilemma.

Sincerely,


 LARRY SCHALLER
 Office of the Sheriff

BRIAN RICHART
 Chief Probation Officer

lds:bev





California State Sheriffs' Association

Organization Founded by the Sheriffs in 1894

Jail Overcrowding: A State and Local Crisis February 2006

California is home to 116 local jail facilities located in 57 counties with a combined state rated capacity of 75,339 adults. These county jails house pre-sentenced arrestees awaiting adjudication for charged crimes, and convicted felons and misdemeanants sentenced for up to one-year confinement.

Most of these jail facilities are badly in need of expansion and/or renovation at an estimated cost of more than \$6 billion. Due to severe budget problems at the local government levels caused by the economic recession that began in the early 1990's and the state property tax shift that began in 1992, counties have not been able to afford costly jail construction projects. There has been no stable revenue stream to pay debt service on the bonds needed to finance the renovation of existing jails and construction of much needed new jail beds. Also, new money did not exist to operate the new jails. Proposition 1A was approved by the voters in November of 2004 which will stabilize local revenue and prohibit unfunded state mandates, but it does not generate significant new revenue. Consequently, the supply of local jail beds has not expanded rapidly enough to accommodate demand brought on by population and crime growth.

For example in Sonoma County, the average daily population at the jail has increased three times faster than the general population since 1990, primarily because inmates are earning longer sentences and because many are repeat visitors. In 1999 the State Board of Corrections projected a need of more than 55,000 additional local adult jail beds. To date only 6,150 new beds have been added since 1999. Of this total, only 3,800 have been added since 2001. These additional beds have been helpful, but they don't begin to meet the total need.

The lack of revenue to construct/renovate jail beds coupled with increased demand for local jail beds has resulted in significant local jail overcrowding. The overcrowding problem has brought on prisoner lawsuits, which in turn has resulted in 20 counties having to comply with maximum population capacity limits enforced by court order. Because of these court-ordered capacity limits, Sheriffs and other jail administrators have no choice but to release sentenced prisoners early on a regular basis in all of these counties. Another 12 counties have instituted self-imposed jail population capacity limits to avoid costly litigation. The numbers are staggering: statewide in 2005, 139,000 sentenced prisoners were released from county jails prior to serving their complete sentenced time. In addition, 84,000 pre-sentenced arrestees were released. Jail overcrowding and early releases of convicted prisoners are not acceptable outcomes, and not what our citizens have a right to expect for an effective California criminal justice system that has always been able to meet the most important quality of life goal in our communities: Keeping the Public Safe.

Riverside County is one of the 20 counties statewide with jail population capacity limits. In 2005, 3,221 inmates were released early, up from 3,150 a year earlier. Some of their inmates only serve 5% of their sentence. Overcrowding and early releases cause the local jails to be more difficult to manage. All of Riverside's inmates are now felons; there is no room for misdemeanants. Since the felons are being released early, local jails are fast becoming holding cells for courts, since there will soon only be room for pre-sentenced arrestees.

OVERTIME

	<u>BUDGETED 03/04</u>	<u>EXPENDED 03/04</u>	<u>BUDGETED 04/05</u>	<u>EXPENDED 04/05</u>	<u>BUDGETED 05/06</u>	<u>EXPENDED 03/31/2006</u>
235 Sheriff Office	\$ 746,575	\$ 605,882	\$ 680,844	\$ 705,817	\$ 720,412	\$ 595,716
246 Annex/Work Release	\$ 57,356	\$ 14,906	\$ 20,000	\$ 31,903	\$ 22,000	\$ 33,056
260 Jail	\$ 371,642	\$ 585,796	\$ 450,000	\$ 640,600	\$ 480,000	\$ 459,213
261 Burney	\$ 81,413	\$ 88,820	\$ 94,770	\$ 116,239	\$ 96,350	\$ 93,210
287 Coroner	\$ 17,050	\$ 15,973	\$ 27,000	\$ 19,548	\$ 28,000	\$ 24,542
	\$ 1,274,036	\$ 1,311,377	\$ 1,272,614	\$ 1,514,107	\$ 1,346,762	\$ 1,244,544

Calaveras County is also one of the 20 with jail population caps. The jail was constructed in 1963 and the current legally imposed capacity is 65 adult inmates. Since 1963 the county population has increased from 12,000 to 44,000, twice the state's average growth rate. Crime has increased proportionally which has resulted in the jail's maximum capacity being exceeded regularly over the past ten years. Since 1995, 219 years of time went un-served due to early release of prisoners from jail, putting criminals back on the streets. In 2005 alone, 45 years of sentenced time went un-served due to early releases. The jail now operates as a felony only incarceration facility, with felons being released daily under the court ordered cap.

The Calaveras jail is not only in need of expansion, but rather a complete renovation. A major problem is that when constructed, the jail contained 30% asbestos. The entire building is out of compliance with Title 15 and the California Department of Corrections and Rehabilitation has had to "grandfather" the jail in order to keep it open. A more subtle impact of overcrowding and early release of sentenced prisoners is that criminals are more aware of the situation and regularly elect to have monetary fines transferred into jail time since they know they will only have to serve a fraction of their sentence. Also, alternative programs such as work release, electronic monitoring, drug court intensive supervision, and Proposition 36 drug programs are being shunned by offenders since they know that hard time will be shortened and is certainly easier than completing the programs. In 1992 a needs assessment of the Calaveras jail indicated the need for a new 96 bed adult facility to meet projected space requirements through 2010. An updated 2005 needs assessment projected the need to be 180 through 2020.

Early release is also an operational norm in Solano County, which has two overcrowded jails. The need is for a \$30 million expansion of one jail and renovation of the other creating room for 224 additional inmates, a 20% increase.

In 2000, the Merced County jails had a legal capacity of 700 and were forced to release 1,160 inmates early. In 2003 that number increased to 1,493. In only the first month of 2005, Merced County released 183 inmates. Many of the older jails throughout the state were built in a "linear" configuration requiring many more staff persons to operate than the newer "pod" configuration. Consequently, reconstruction of existing jails and construction of new jails will result in annual operational savings.

Los Angeles County operates six adult detention facilities with an aggregate rated capacity of 19,767. In 2005 the county was forced to release early 56,000 sentenced inmates, 46,000 male and 10,000 female, in order to comply with their jail population caps.

This story is repeated in county after county. The jail overcrowding/early release trend must not be allowed to continue. Revolving door justice is making a mockery of the California public safety system.

Existing jail renovation and new construction is not the total answer. There is considerable need in all local jails for expanded space for programs designed to accommodate mentally ill offenders, inmates with drug and alcohol addictions, inmates with health problems, and vocational and general education programs. It is anticipated that all local applications for state bond funds will include plans for additional program space.

The prison system and county jails in California work together in the housing of sentenced inmates. In 2005 the state contracted with 57 counties to house 29,435 state prisoners in county jails, for a total of 465,165 prisoner days.

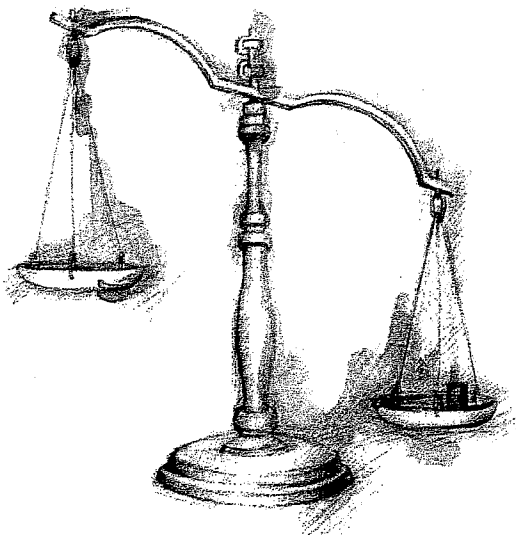
This is why California Sheriffs applauded Governor Schwarzenegger when he proposed a ten-year \$222.6 billion Strategic Growth Plan as a part of his 2006-07 proposed State Budget. This plan would provide general obligation bond funding in the amount of \$68 billion for critically needed infrastructure projects in five categories: Public

Safety; Transportation; Education; Water/Flood Control; Courts and other improvements. The public safety component would provide \$12 billion over ten years to add approximately 83,000 jail beds throughout California for local and state prisoners. The mix of funding is proposed to be \$4 billion in state bond authority, \$4 billion in local matching funds and \$4 billion in state general fund payments to counties for housing state inmates in county jails. The Public Safety component of the Governor's Strategic Growth Plan is contained in AB 1833 by Assembly Member Juan Arambula of Fresno County.

The bill is very complex and will no doubt be revised as it moves through the legislative process. While CSSA is convinced of the local need for construction/reconstruction of jails, the current language in the bill indicating that local jails would be required to house state prisoners as a condition to receive state bond money for local needs, is a concern of the Sheriffs of California. We will be pressing for amendments more favorable to local law enforcement in the coming months. If the bill achieves a two-thirds vote in both the Assembly and Senate it will be placed on the next statewide ballot, most likely in November 2006.

CSSA is committed to advocating for a jail construction/reconstruction program similar to the very successful jail bond program in the 1980's that raised and expended more than \$2.1 billion in state bond revenue and local matching funds, and added 42,000 local jail beds. Five State bond measures were approved by the legislature and voters to finance these construction/renovation projects. We will be aggressively lobbying for a plan that will provide sufficient financing to begin the process of eliminating overcrowding and early releases at the local level. CSSA will be encouraging our local public safety partners, corporate partners, and over 42,000 Associate Members to help convince state legislators that improving and expanding local detention facilities is a top priority, worthy enough to be included the final 2006 infrastructure package, and will increase safety in all California communities.

***DO THE CRIME,
DO THE TIME?
MAYBE NOT,
IN CALIFORNIA***



***JAIL CELL SHORTAGE IS
UPSETTING THE BALANCE***

***CALIFORNIA STATE SHERIFFS' ASSOCIATION
JUNE 2006***

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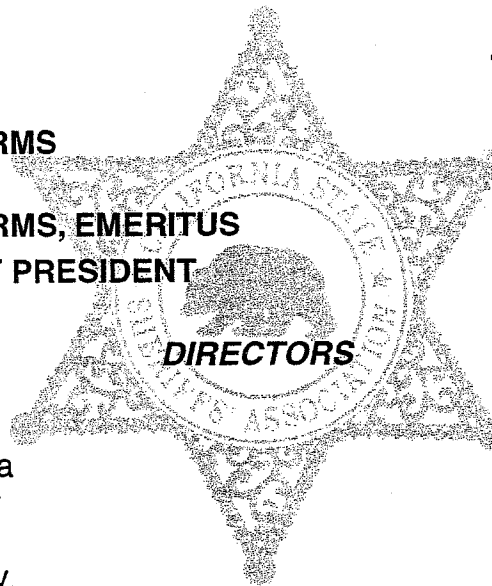
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ACKNOWLEDGEMENTS

The California State Sheriffs Association deeply appreciates the efforts of those who have developed and reviewed this document. Having conceptualized the need to explain California's crisis in jail capacity, CSSA sought out knowledgeable resources to help bring the concept to life.

The research and writing of this document were the work of Suzie Cohen & Associates. CSSA thanks principal consultant / author Suzie Cohen and research director John W. Kohls, Ph.D., for producing a comprehensive, accurate and readable description of the state of California's local detention systems.

I also wish to thank the Correctional Standards Authority (CSA) for providing data and statistical information as well as reviewing the draft document for accuracy.

Also, a special thank you to Cathy Coyne, CSSA's legislative analyst, who invested innumerable hours reviewing and editing this report.

*Steven C. Szalay
Executive Director
June 2006*

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Appendix I Local Detention Population Overview -- Adult and Juvenile

Appendix II Counties with Court Imposed Population Caps

EXECUTIVE SUMMARY

"If you can't do the time, don't do the crime" is no longer in effect in California. Our public safety system is increasingly unable to effectively meet its mandate to hold criminals accountable for their actions.

Local detention facilities - adult jails and juvenile halls and camps - are the crucial front end of California's correctional system. They're a vital part of every community's effort to protect itself. Without them, community safety disappears. There is no detention of the accused. There is no local programming of the convicted. Law enforcement, probation and parole lose a key consequence to impose for illegal behavior. That's just unacceptable!

In California's local adult system, jail facilities are bursting at the seams. Twelve percent of our jails are more than 60 years old, and nearly half are 30 years old or older. Dangerous crowding is a daily fact of life in many of the state's 460 jails. Simply put, California does not have enough local detention capacity or adequate program space to meet public safety demands.

The consequence is that, in 2005 statewide, *9,148 offenders a month* were given pretrial releases and an additional *9,323 inmates a month* were released early from their jail sentences due solely to lack of jail space.

The Facts

There are state and federal standards, rules and regulations determining how many people can be housed in each jail and/or cell. When those standards aren't met, inmates sue. In 20 California counties, those suits have resulted in court-ordered population caps. An additional dozen counties have imposed population caps on themselves to avoid the costly litigation that results from crowding. These population caps mean that, when a jail is full, for every new inmate being admitted, someone already in custody has to be released.

In 2005, statewide bookings per month reached a ten-year high -- 106,941 per month (up from 97,589 in 1995).

There are 74,686 rated capacity (RC) jail beds in the state and, in 2005, the average daily population (ADP) of jails was 79,639 inmates -- the highest yearly ADP in history! It would take an additional 4,953 beds to house all the inmates in today's ADP.

The highest one-day jail population count statewide, in 2005, was 87,500 inmates. This means that, with current capacity, during times of peak demand for jail space, the state is short at least 12,800 jail beds.

In 2005, 233,388 individuals *avoided incarceration or were released early from jail sentences due solely to lack of jail space*. It would take 18,471 additional beds to eliminate these pre-trial and early releases.

There are over 285,000 unserved felony warrants and over 2,391,000 unserved misdemeanor warrants in California annually. If only 10% of the felony warrants resulted in someone being incarcerated, another 28,522 beds would be needed to house these felons.

Jails are required to separate the many classifications comprising their populations. Pre-adjudicated offenders have to be separated from sentenced, juveniles from adults, civil commitments from criminals, females from males, gang members from members of rival gangs, and violent offenders from those they might prey upon. Additionally, those who are physically or mentally ill must be provided appropriate housing. Jails are supposed to maintain a "vacancy factor" to allow for these classification separations. At the current ADP, to maintain a 5% vacancy factor for management and classification purposes jails would require 4,000 additional beds.

This is the current state of our jails. These deficits exist today. California is short 66,385 jail beds statewide right now to meet current public safety demands.

Looking to the future, California's inexorable population growth will require 40,943 *new* beds by 2050 to address population growth alone.

These beds would not eliminate early releases or unserved warrants or allow for a vacancy factor. To deal with those existing deficits and achieve a fully functioning jail system by the year 2050, the state would need to add 217,300 jail beds.

In its local juvenile detention system, on any given day California's 125 juvenile halls and camps house between 10,000 and 11,000 youth -- 10,920 per day in 2005. Most of these youth (58.6%) are confined on a court-ordered commitment; the rest are going through the court process.

By the end of 2005, there were a total of 13,575 beds in California's local juvenile facilities. Of these, 8,182 beds were in juvenile halls and 5,393 were in local commitment facilities (camps).

While local juvenile facility capacity is in better shape than it had been (in 1999 the ADP exceeded rated capacity by 400 juveniles), it is still true that, especially in juvenile halls, juvenile capacity is *merely* adequate. On peak population days in the final quarter of 2005, the number of juvenile hall rated capacity beds statewide (8,181) exceeded incarcerated populations (7,560) by only 621 beds.

Like adult detention facilities, juvenile halls require at least a 5% vacancy factor to appropriately manage their populations. On peak days it would take only 243 additional juvenile detainees statewide to drive bed need up to the level of optimum capacity.

In other words, a small increase in the rate of juvenile offending or the number of juveniles in the at-risk population, or both, will produce a deficit in juvenile hall beds.

Juvenile correctional reforms under discussion in the Legislature could make significant new demands on local capacity. Whether or not those changes come to fruition, it is quite certain that, at the conclusion of the current juvenile facility construction program, there will still be counties that need to replace old, outmoded facilities and others that will continue to face chronic crowding problems in their juvenile facilities.

The Chief Probation Officers of California (CPOC) predict a need for approximately 6,800 additional local juvenile detention and commitment beds by 2015. An upward trend in the juvenile crime rate, changes in correctional policy or new legislative initiatives could greatly expand that number.

Alternatives to Incarceration

Not only do local corrections agencies need more facility capacity, they also need additional ways to ensure communities' public safety. While existing alternatives to incarceration help relieve some of the pressure of crowding, they are not appropriate for everyone. Moreover they are often circumvented by inmates because those programs would be longer -- as well as harder -- to complete than jail time.

Research and best practices show significant success with correctional day reporting centers (DRCs). DRCs provide all or partial day custody along with intensive treatment, counseling, life skills, vocational readiness and educational remediation services that effectively reduce recidivism and link offenders to positive support in their communities. Sheriffs and chief probation officers across California are investigating these proven alternatives to incarceration because day reporting centers allow them to actively supervise lower-risk, non-violent offenders while freeing up jail space for the high risk offenders who should be housed and programmed in the more secure jail environment.

What Does All This Mean?

One obvious conclusion is that jails must have added space to house pre-adjudicated inmates and the most dangerous sentenced offenders for the full term of their court-ordered sentences.

Jails also have to be able to provide the behavioral and educational programs, counseling and other treatments that will interrupt jail inmates' criminal careers and help correct their offending behavior.

In addition jails need still more beds to address the growing demand for specialized housing for medically or mentally ill offenders and other special populations.

The Legislature and taxpayers statewide must keep the already tenuous condition of California's jails from becoming much worse. We have to keep the already dramatic bed-and-program-space deficit from becoming a public safety disaster.

In order to do that, California:

- must construct a large number of additional jail beds,
- must be prepared to add juvenile facility capacity,
- must renovate and retrofit existing jails and older juvenile facilities to continue their useful lives,
- must have space in all local detention facilities in which to provide the behavioral and educational programs, counseling and other treatments that interrupt offenders' criminal careers and help correct their offending behavior,
- must have space in which to address the growing demand for specialized housing for medically or mentally ill offenders and other special populations, and
- must develop additional, viable, proven alternatives to incarceration as well as alternative kinds of facilities to most safely and cost effectively manage offender populations.

This study's best estimate is that it will cost nearly five billion dollars (\$4,913,160,000) between now and 2050 to construct just the new jail space needed to stay abreast of California's projected population growth. Significantly more dollars will be required to deal with early releases and unserved warrants, renovate and upgrade existing facilities, address juvenile facility needs, and create viable alternative interventions.

We won't be able to do all this work -- and won't need all this money -- at once. What we do need is a plan, the will to put the plan into action, and a consistent funding stream aligned with the steady growth in the demand for detention capacity.

We need to switch to a proactive 'continuous growth' model for jail and juvenile facility construction and abandon the 'periodic crisis' model that produces the kinds of deficits in which we now find ourselves.

No sheriff, no jail commander, no chief probation officer wants to release people from custody before their time is served or before they appear in court. Doing so means offenders are not held accountable and public safety is compromised.

We must restore the balance between 'doing the crime' and 'doing the time.' That balance is vital to holding offenders accountable for their criminal behavior.

We can't afford to ignore this problem. Jails and juvenile halls are critical components of the state's justice system. We Californians must ensure they have adequate capacity to do their jobs. Our safety and quality of life depend on it.

INTRODUCTION

Infrastructure is the underpinning of life in California. The quality of life in every community is built on the physical environment in concert with the community's health, education and safety.

Land use; clean air; clean water; dams, dikes and levies; roads, streets and transit; parks and libraries; schools and hospitals; courts and correctional facilities -- all critical -- and all interrelated. The idyllic community doesn't stay idyllic if asbestos is poisoning its children. The high priced neighborhood doesn't hold its property values if crime runs rampant in and around it.

Public safety is in everybody's interest. Public safety is everybody's business. Public safety comes from public and private interaction and takes a complex mix of planning, precaution, vigilance, caring, compassion, enforcement and accountability for a community to be and to stay safe.

There is no one way to guarantee a community's safety, but there are plenty of ways to undermine it. Not planning, not preparing, not taking care of the infrastructure of the community are sure to undercut safety and quality of life.

Why should you care about jails? What do they have to do with you?

- Jails are paid for by taxpayer dollars. Every taxpayer is a part-owner in local detention facilities.
- Jails and juvenile facilities reflect the community's interest in being safe by getting dangerous law breakers off the streets.
- Every person in jail or juvenile hall before or during trial and found not guilty comes home to the community reflecting his/her experience in jail.
- Every person sentenced to a jail or local juvenile facility comes back to the community within a year.

Public safety is everyone's business. Supporting improvements for jails is not some kind of 'gift' to inmates in the jails. It is a benefit for law-abiding citizens. Holding people accountable for their actions as well as providing resources to ready them for their eventual release back to the community is in our best interest. We should all be local corrections advocates.

The California State Sheriff's Association is committed to taking the lead in advocating for enough properly designed, efficiently operated jails and local juvenile facilities to correct the existing deficit and keep up with California's population growth of 5 to 10 million people every decade. We want every Californian to be safe to enjoy the best of life in the Golden State.

In this report, we show that support for local corrections facilities is in all of our interest.

BACKGROUND

Some facts to consider:

- Cities and counties operate 335 booking and short term holding jails (they can detain offenders for no longer than 96 hours).
- Over 327,000 people are booked into these jails annually.¹
- Sheriffs run 125 jails that house arrestees awaiting and going through the court process and serving court-ordered jail time. -- Type II, III and IV jails.
- These jails booked over 1,283,290 adults (an average of 106,941 per month) in 2005.²
- County probation departments operate 125 local juvenile halls and commitment facilities.
- In 2005, 108,560 juveniles were booked into these juvenile halls (an average of 9,046 per month).³
- During 2005, local detention facilities delivered detention and correctional services to an average daily population of 79,639 pre-adjudicated and sentenced adult offenders and 10,923 pre-adjudicated and committed juvenile offenders.⁴

While adult and juvenile offenders found guilty of committing the most egregious offenses and those with the most entrenched criminal histories are generally remanded to state-level adult and juvenile correctional facilities (prisons), each of these offenders spends time in a local detention facility before being transferred to the California Department of Corrections and Rehabilitation (CDCR).

Public safety demands that California's jails and local juvenile facilities be able to safely and securely house and program every kind of detainee, from the first-time arrestee through the most violent repeat criminal.

Legislators and Judges Determine Who Gets Locked Up

Local detention facilities do not determine their own populations. The administrators of these facilities have nothing to say about which offenders or how many come to them. Legislators pass the laws that say who should be locked up. Judges sentence people convicted of breaking those laws. Jails and juvenile facilities take those who are sent their way and seek to manage these offenders as safely and effectively as possible.

Every time the Legislature passes a bill creating a new crime or a sentence enhancement, it affects local corrections.

¹ Corrections Standards Authority/Board of Corrections, 2004 Legislative Report, *Local Corrections in California*, pg. 8

² Corrections Standards Authority Jail Profile Survey Fourth Quarter 2005

³ Corrections Standards Authority Juvenile Detention Profile Survey, Fourth Quarter 2005

⁴ Corrections Standards Authority Jail Profile and Juvenile Detention Profile Surveys 2005

Every time a Board of Supervisors or City Council enacts an ordinance requiring a curfew or a ban on particular behaviors, it is affecting local corrections.

Often these policy and legislative decisions are made without the slightest consideration for their correctional implications. And, just as often, the desired public safety benefit of the law or ordinance or policy is thwarted because there is no more room in the local jail or juvenile facility for those who break these new rules.

One only has to note that there are more than 2.67 million unserved arrest warrants extant in California today to understand the dilemma. Jails don't have enough room for the offenders they have and can't simply manufacture the space to house more.

Here is an example of the effect a legislative action can have on local correctional populations. In 1997, the Legislature began providing counties with a fiscal incentive to treat criminally delinquent minors locally versus incurring a "sliding scale fee" for committing those offenders to the California Youth Authority. Since then, local juvenile facilities' populations have increased dramatically, not only in response to the "sliding scale," but also because some courts have increased their use of "juvenile halls as commitment facilities for certain minors deemed to need secure care, as well as education, treatment and program opportunities that can best be provided locally with the participation of family members."⁵

Ongoing legislative consideration of the possibility of transferring responsibility for state parolees (adults and/or juveniles) to the local level is driving counties to explore strategies for expanding their correctional capacity, as well as their service delivery networks and partnerships. With just a stroke of the pen, the Legislature and Governor would have a profound and enormous impact on local jails and juvenile facilities.

⁵ Corrections Standards Authority/Board of Corrections, 2004 Legislative Report, pgs. 22-23

WHO IS IN LOCAL DETENTION?

Jails

There are 79,630 people in county jails every day. Eighty-seven (87) percent are male and most are adults. Although a large number of offenders are sentenced to county jails, space limitations have forced counties to put many of these sentenced offenders in alternatives to confinement or simply to release them before the end of their sentences. As a result, the majority of people in jail (67 percent) are pre-sentenced, i.e., arrestees and those going through the court process.

It has become harder to keep sentenced offenders in jail as sheriffs have had to devote more and more of their severely limited jail capacity to pre-adjudicated offenders. Communities need their jails to be able to carry out the sentences of the court, not release offenders before their sentences are over.

In 2005, more than three-quarters (78 percent) of jail prisoners were in custody for felony offenses. More than 24,760 of these inmates (30 percent) required maximum security housing. Eleven (11) percent of jail inmates were illegal/criminal aliens.

People who come to jail have a variety of medical and mental health issues. Many are indigent or homeless, without access to medical care. Many use and abuse drugs. Jails do their best to address these issues through the current stock of 1,002 medical treatment beds and 3,095 mental health treatment beds, as well as through in-house programming and treatment services and in liaison with community providers. But again, much more is needed.

Nearly every jail in the state needs more treatment and program space and professional support to appropriately work with the people in custody.

Juvenile Facilities

On any given day, between 10,000 and 11,000 of California's youth are in custody in local juveniles halls and camps around the state -- 10,920 a day in 2005. Most (58.6 percent) are confined on a court-ordered commitment; the rest are going through the court process.

Among the young people in custody, the typical detainee is male (85 percent) between 15 and 17 years old (77 percent). Two out of three are in custody for felony charges and an average of one out of every twelve youth booked each month (8.7 percent) has been arrested on a weapons-related charge.

Assessments of juvenile detainees generally reveal a picture of troubled youth with multiple problems, including substance abuse (77 percent) and serious mental health

issues (42 percent).⁶ Among the juveniles in local custody in 2005, 3,400 were receiving treatment for open mental health cases and 1,219 required and were receiving psychotropic medications.⁷

Mentally Ill Offenders

Jails and juvenile detention facilities across the nation have seen dramatic increases in the number detainees who are mentally ill. Many of these offenders also have drug and alcohol-related diagnoses that exacerbate their mental illness.

Studies repeatedly confirm that a growing number of jail inmates suffer from severe mental illness and that schizophrenia, major depression, bipolar disorder and other mental illnesses often result in impaired judgment and criminal behavior.

Nationally it is estimated that at least 16 percent of jail inmates are mentally ill. This translates into more than 12,000 seriously mentally ill inmates in California's jails.

According to the Pacific Research Institute, California's annual jail and probation costs for mentally ill offenders exceed \$300 million a year.⁸

Mental illness impacts not only the affected individuals and their families, but also local corrections and society as a whole. In a costly cycle of incarceration, release and re-incarceration, mentally ill people come to jails and local juvenile facilities time and time again for crimes that grow out of their mental illness.

At the urging of the California State Sheriff's Association, in 1998 the Legislature established the Mentally Ill Offender Crime Reduction Grant (MIOCRG) program in response to the concern that jails are among the primary (or only) treatment facilities for an increasing number of mentally ill adults. The MIOCRG program, which ran from 1998/99 through 2003/04, tested, determined and documented 'what works' in reducing recidivism among mentally ill offenders.

Thirty projects in 26 counties, involving more than 8,000 adult offenders, produced a wealth of evidence about what works. All of the following were shown to have a positive effect, reducing re-arrests and returns to custody.

- Enhanced assessment and more comprehensive understanding of therapeutic needs in jail;
- The provision of quick and reliable services designed to ameliorate the effects of mental illness while in custody;

⁶ CPOC Needs Assessment reference to 2003 National Council on Crime and Delinquency (NCCD) survey of mental health needs of youth in local detention

⁷ See Appendix 1 for tables providing an overview of the size and characteristics of the local jail and juvenile facility populations and comparing current populations with those in local detention in the year 2000.

⁸ California Board of Corrections, Mentally Ill Offender Crime Reduction Grant Program report to the Legislature, December 2004, page 2

- More complete after-jail systems of care designed to ensure adequate treatment and support; and
- After-release monitoring to ensure that additional illegal behavior, mental deterioration, and other areas of concern were quickly addressed.

MIOCRG participants were booked less often, were convicted less often and were convicted of less serious offenses when they were convicted than were those not in the program. Fewer participants than offenders in the comparison group served time in jail and, when they did serve time, they were in jail for fewer days than non-program inmates.

Program participants learned to comply with medication regimens, stay sober, return to school, find jobs, manage their money, and in some cases live independently and/or reunite with their families.

The MIOCRG Program reduced many participants' involvement in the criminal justice and acute-care hospitalization systems and provided the opportunity -- for some, the first ever - to maintain crime-and-drug-free lives in the community.⁹

That's the good news -- very good news indeed. Jails, mental health agencies and communities learned what worked. They came together and made a real difference in the quality of life and public safety in their communities.

[In Santa Clara County's Mental Health Court] all are mentally ill, some so severely that they bring their "voices" to court. Many have been bouncing for years from court to jail to treatment and then, back to jail. The goal here is to break the cycle by stabilizing their lives.

*Sacramento Bee
May 15, 2006*

The not so good part is two-fold. First, when the MIOCRG Program grants ended, counties were forced to discontinue key program elements for lack of ongoing funding. Some of the Mental Health Courts and after-jail support could not be sustained with existing resources. Increasing jail crowding meant jails were hard pressed to continue housing mentally ill inmates in separate treatment units, and budget problems meant mental health agencies had to pull back the grant-funded intensive counseling they had been providing in jails. Having learned what worked made it all the more disheartening not to be able to sustain the hard won victories. However, as this report goes to press, CSSA and other organizations have convinced the Governor and legislature to appropriate \$45 million for a MIOCRG II Program for FY 2006-07.

The second downside is that, despite a groundswell of evidence that it was and still is needed, there has been no comparable effort to test or implement strategies related to mentally ill *juvenile* offenders. Although a 2003 NCCD survey of mental health care in California's local juvenile justice system showed that at least 42 percent of youth in detention had "serious mental health issues" and 30 of the 45 counties surveyed reported they did not have an appropriate selection of services available for youth with

⁹ op. cit., pages 15 - 56

mental health issues,¹⁰ the state has not yet initiated a juvenile mentally ill offenders crime reduction effort.

Mirroring the NCCD survey, a preliminary juvenile justice gap analysis report, provided to the Legislature on December 1, 2005, found that

...mental health issues (including treatment, facilities, staff and appropriate jurisdiction) comprised the single most critical gap in juvenile justice services. It was clear from the frequency with which they were identified, and the priority ranking accorded them that gaps in mental health services are a primary concern. Without exception, every county – large, medium or small, from Imperial to Del Norte and including large Los Angeles County, small Trinity County, and every other county in between -- described mental health service capacity related to either at risk youth, juvenile offenders or most frequently both, as a significant, if not their most significant, gap.¹¹

That gap analysis and CPOC's juvenile facility needs assessment found that the most common unmet need was locked facilities for seriously mentally ill youth.

Counties may have no options but to build and operate the needed secure detention/treatment facilities themselves. In a 2006 Needs Assessment study, the Chief Probation Officers of California (CPOC) estimate that county probation departments will require 6,800 juvenile detention and commitment beds by 2015 and 3,400 of those should be targeted for mental health and drug abuse treatment.¹² They will need the state's help to get that done.

State and Federal Inmates

County and city jails in California work with the state and federal governments to house prisoners under certain circumstances.

The state and/or federal prison systems sometimes ask local jails to house certain of their inmates for a period of time for 'protective custody' or while the prisoner is going through a court or parole violator proceeding. There are also more formal, contract arrangements by which local jails provide housing to state and/or federal sentenced inmates to help relieve pressure on the state / federal system and/or to address other public safety demands.

In calendar 2005, the California Department of Corrections and Rehabilitation (CDCR) contracted with 15 counties and two cities (Oakland and Santa Ana) for a total of 29,435

¹⁰ Hartney, C., McKinney, T., Eidlitz, L. and Craine, J. NCCD Focus: A Survey of Mental Health Care Delivery to Youth in the California Juvenile Justice System: Summary of Findings, September 2003

¹¹ CDCR, Division of Juvenile Justice, Juvenile Justice Reform Second Quarterly Report to the Legislature, December 2005, page 2

¹² Chief Probation Officers of California, Facilities Needs Survey, February 2006 (47 counties reporting representing 89% of the state population)

jail bed days, approximately 2,453 jail bed days per month or 80 jail beds per day statewide.¹³ The local jails housing state inmates were:

State Contract Inmate Days in 2005				
Jurisdiction	Inmate Days		Jurisdiction	Inmate Days
Alameda	6,469		Sacramento	4,955
Del Norte	116		San Benito	31
Fresno	729		San Diego (Wk. Furl.)	424
Imperial	344		San Mateo	443
Kern	244		Santa Ana P.D.	95
Los Angeles	14,934		Tulare	211
Madera	160		Yolo	149
Napa	28		Yuba	72
Oakland P.D.	26			
Total State Contract Days				29,430

Obviously, the great majority of contracted beds were in the Los Angeles, Alameda and Sacramento County jail systems. Note that, of the counties contracting to hold state prisoners, only three -- Fresno, Kern and Los Angeles -- are operating under court imposed population caps.

In the 2004/05 federal fiscal-year (from October 2004 through September 2005), California jails in 18 counties and two cities (Oakland and Santa Ana) held federal prisoners for a total of 43,297 jail bed days, approximately 3,608 jail bed days per month or 118 jail beds per day statewide.¹⁴

As indicated by the table on the following page, the majority of bed days used by the federal government were located, in descending order, in Los Angeles, San Bernardino, Sacramento, the Santa Ana (City) Police Department jail, Fresno, Alameda, Imperial, Kern, Yuba and San Diego Counties' jail systems. Immigration and Naturalization System (INS) use of local jail beds to detain illegal immigrants may account for the large number of bed days in such jurisdictions as Fresno, Imperial, Kern, Santa Ana, and San

¹³ Corrections Standards Authority / Board of Corrections Jail Profile Survey, State Contracted Inmates 2004-2005

¹⁴ Corrections Standards Authority / Board of Corrections Jail Profile Survey, Federal Beds 2004 - 05

Bernardino. The presence of federal courthouses in Los Angeles, Alameda and Sacramento may explain the very high bed usage in those jurisdictions as well.

Note that, of the counties contracting to house federal inmates, five -- Fresno, Kern Los Angeles, San Bernardino and Yolo Counties -- are operating under court imposed population caps.

Federal Contract Inmate Days in 2004-2005				
Jurisdiction	Inmate Days		Jurisdiction	Inmate Days
Alameda	3,846		Oakland P.D.	408
Fresno	4,030		Sacramento	5,195
Humboldt	2		San Bernardino	6,781
Imperial	3,001		San Diego Wk. Furl.	1,600
Inyo	192		San Mateo	87
Kern	2,630		Santa Ana P.D.	4,151
Los Angeles	8,680		Sutter	8
Madera	9		Tulare	347
Marin	186		Yolo	154
Napa	0		Yuba	2,180
Total Federal Contract Days				43,487

The contracts by which local jails house state prisoners generate reimbursement in accordance with what is called the Daily Jail Rate (DJR). The DJR is based on each jurisdiction's actual costs, does not include booking fees and is subject to specific guidelines. The DJR had been \$59/per day until recently; however, as part of the 2005 Budget Act, the daily rate has become \$68.22 per inmate per day. It is capped at 95 percent of the state's average cost for housing inmates in state facilities, excluding the cost of non-routine medical care.

While the DJR does not cover the full cost of supporting an inmate in local detention and although the state is often slow to make the contracted payments, contract arrangements have produced benefits to local detention facilities. In some instances, contracts have enabled jails to make use of beds they could not otherwise afford to operate. The contracts have provided the dollars necessary to pay for staff and programming for which county dollars were not available. This inter-system cooperation has been a win/win with both the state and local jurisdictions benefiting.

However, this mutually beneficial relationship may be difficult to sustain. The relentless increases in the numbers of local offenders in jail -- and the resulting jail overcrowding -- may force counties to eliminate existing contracts, leaving the state and federal systems without needed beds and the counties without the vital revenue that has helped maintain jails and related services.

CAPACITY VS. NEED

Jails

California lacks sufficient local detention capacity and adequate program space to meet even the current, let alone future, public safety demands. It has been 20 years since the last comprehensive jail construction bond program.

That effort was very successful, adding 42,000 much needed local jail beds. However, since those beds were built in the 1980s, the state's population has ballooned. Jail capacity has not kept pace. In 1999, the State Board of Corrections projected a need for more than 55,000 additional jail beds. To date, only 6,150 new beds have been added since 1999.

Jails are bursting at the seams. Dangerous crowding is a daily fact of life in almost all of California's jails. There are 74,686 rated capacity (RC) jail beds in the state.¹⁵ In 2005, jails' average daily population (ADP) was 79,639 inmates -- the highest yearly ADP in history!

Jail officials say the average daily population at the [Sonoma County] jail has increased three times faster than the general population since 1990, chiefly because inmates are spending more time incarcerated and because many are repeat visitors.

*Sonoma County Press Democrat
January 25, 2006*

What the difference between rated capacity and average daily population means is that on the typical day, jails lacked space for more than 4,900 inmates.

Having 4,900 more inmates than available beds is a serious jail-capacity problem, but it is only the tip of the iceberg in terms of the overall capacity deficit.

The highest one-day population count statewide, in 2005, was right around 87,500 inmates. This means that, under current conditions, during times of peak demand for jail space, the state is short at least 12,800 jail beds.

Population Growth Drives Need for Expansion

Growth in the jail population is related directly to the growth in the general population. California's general population is projected to grow at a steady rate for at least the next half century. It becomes very clear that we have a problem. If we're going to maintain a statewide local detention system of adequate capacity and appropriate efficiency, we must pay attention to the growth in the general population and, with it, the at-risk population.

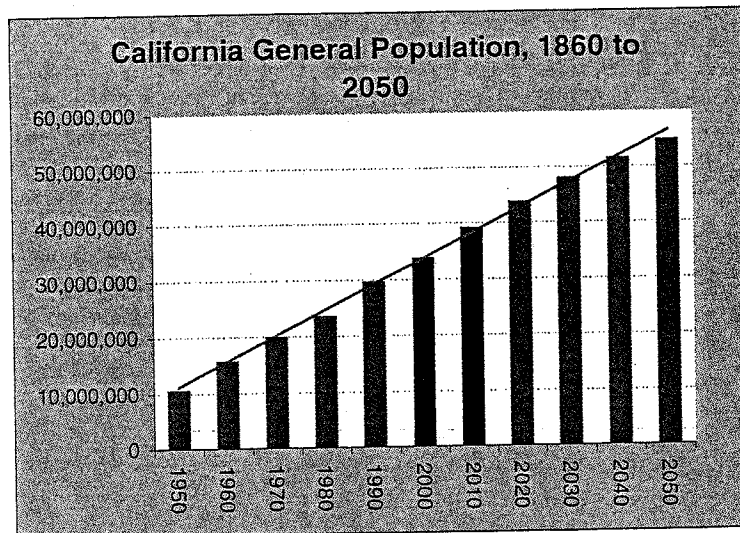
¹⁵ CSA data, current to April 2006

Look for example at tiny Calaveras County. Development already underway in its town of Copperopolis is slated to add 3,000 homes in the next three years and more than 40,000 in the next 30 years. The entire county's population was 45,939 in 2004; it is expected to be at least twice that 2030.¹⁶

The Calaveras County jail is one of the smallest in California. A court order limits the jail to holding 65 people each night - 56 men and nine women. The Sheriff says the County needs 100 beds now and 200 by 2020.¹⁷ By 2050, Calaveras will need many more.

CROWDED HOUSE -- Lack of space at Calaveras County Jail results in hundreds of prisoners a year being released. Sometimes even violent felons are released.
The Record
 November 13, 2005

The State Department of Finance population projections, illustrated by the following graphic, results in about the straightest, most consistently upward-sloped line one will find in any social research. This steady and reliable growth in the general population makes it overwhelmingly clear that our current jail capacity shortfall can only get worse - a lot worse -- and that is likely to happen very soon.



Coupling population growth projections with historical data regarding incarceration rates provides a striking picture of the inexorable increase in needed jail beds up to the year 2050.

CSA data indicates that, between the years 2000 and 2005, the incarceration rate has varied relatively little -- from 2,111 per 1,000,000 people in the general population to 2,224 per 1,000,000.

¹⁶ "In Calaveras, development out leaps jumping frogs," Sacramento Bee, May 1, 2006

¹⁷ "Crowded House: Lack of Space at Calaveras County Jail results in hundreds of prisoners a year being released," The Record, November 13, 2005

Incarceration Rates: 2000 through 2005			
Year	General Population	ADP	Incarceration Rate
2000	33,871,648	75,340	0.002224
2001	34,441,561	73,824	0.002143
2002	35,088,671	75,156	0.002142
2003	35,691,442	75,340	0.002111
2004	36,271,091	76,939	0.002121
2005	36,810,358	79,639	0.002163

The most conservative estimate of future bed needs, (i.e., one that will most probably be on the low side) would make use of the lowest recent incarceration rate -- the .002111 that occurred in 2003. As shown in the table below, using this assumption, California will need 82,845 jail beds by the year 2010. By 2020, 92,565 beds will be needed, and by 2050, we will need 115,629 beds.¹⁸

Projected Data: 2010 through 2050			
Year	Projected General Population	Estimated Incarceration Rate	Projected ADP
2010	39,246,767	0.002111	82,845
2020	43,851,741	0.002111	92,565
2030	48,110,671	0.002111	101,555
2040	51,538,596	0.002111	108,791
2050	54,777,700	0.002111	115,629

In other words, 40,943 new beds will be needed by 2050 (i.e., projected bed need of 115,629 minus the 2005 rated capacity of 74,686 = 40,943 beds), under the most conservative circumstances.

These projections are based on the following, *very conservative*, assumptions.

- There will be no increase in the incarceration rate.

¹⁸ Based on California Department of Finance (DOF) population projections

- The projections relate to the ADP and not peak demand which in 2005 was 10% higher than the ADP.
- There *will continue to be significant releases due to lack of space.*
- There will be *no significant reduction in the number of unserved felony warrants.*
- There will be no increase in the current crime rate; and
- There will be no policy or legislative changes affecting the use of jail beds for new or additional populations (like parolees, for example).

Remember - California needs over 4,900 additional beds to eliminate *current* jail crowding (on a typical day) and 12,814 additional beds to accommodate *current* peak population days.

In other words, our jails are already thousands of beds short of being able to fully address their public safety functions and the shortfall will get worse as the population continues to grow.

Additional Factors Affect Capacity

There are very good reasons for labeling the estimate of 40,943 beds by 2050 "very conservative." The estimate could easily be increased by 250 percent!

Why? Because there are other realities besides, and in addition to, population growth that greatly exacerbate the problem. Consider the following:

- Currently, *over 18,000 individuals a month in California are not incarcerated or are released early from jail sentences due solely to lack of jail space -- 9,148 are given pretrial release and 9,323 are released early from their sentences;*
- There are *over 285,000 unserved felony warrants* and over 2,391,000 unserved misdemeanor warrants in California annually.
- If, by some means, all of the felony warrants were served over a one-year period, and 10 percent of the warrants resulted in someone being incarcerated, the jail ADP would increase by 28,522 inmates.
- *Bookings per month reached a ten-year high in 2005 -- 106,941 per month (up from 97,589 in 1995).*
- It is a key principle of good jail management to maintain some flexibility in inmate housing assignments by keeping a certain small number of beds vacant (e.g., for administrative segregation, conflict management, inmate safety and other purposes). Some experts suggest facilities should maintain a 10 percent vacancy rate. Even using a more conservative 5 percent vacancy factor,

California needs to build about 4,000 additional beds just to have adequate space to appropriately manage the existing ADP of nearly 80,000 inmates.¹⁹

- Adding the vacancy factor after early releases were eliminated and 10% of the felony warrants were served would require an additional 6,718 beds.

Number of Beds Required to Fulfill Current Need Given the Current RC of 74,686 Beds		
Source of Need	Additional Bed	Beds Needed
ADP, 2005	4,953	79,639
Capacity for Peak Demands	7,992	87,631
No Early Releases	18,471	106,102
10% of Felony Warrants Served	28,251	134,353
5 % Vacancy Factor	6,718	141,071
Beds Needed to Fulfill Current Need Minus Current RC of 74,686 beds		66,385

As the above table demonstrates, one could easily argue that the *current* jail system bed capacity is 66,385 beds short of the *current* need.

This makes it clear that the estimate of 40,943 beds needed by 2050 would allow jails to address only increases in the population. That number of beds would not substantially improve the bare bones functioning of the current jail system. It would not allow for correcting the glaring problems of vacancy factors, unserved warrants and early releases.

On the other hand, if the goal were a *fully functioning system* by 2050, one could estimate the 2050 bed need using the following formula:

- If the current bed need is equal to the current ADP plus the additional 66,385 beds in the above table, the total would be 146,024 beds (or 0.3967% of the general population of California).
- Extrapolating that percentage to the projected 2050 general population yields a predicted need for bed space in 2050 of 217,299 beds.

While the formula and percentages and extrapolation may be complicated, the conclusion is not. If California wants to achieve a fully functioning jail system by the year 2050, it needs to develop capacity to house 217,299 inmates.

¹⁹ These conclusions are based on the CSA 2005 Jail Profile Survey 4th Quarter 2005 report

No Room for Sentenced Inmates

The percentage of inmates who are pre-sentenced has been rising steadily over the past 20 years and is currently at its highest rate in history -- 67 percent. As the number of pre-sentenced people rises while the number of jail beds doesn't, there is less and less space for sentenced inmates. In fact, in 2005 the ADP of sentenced inmates was 2,300 lower than it had been in 1995, even though the overall ADP is over 8,000 inmates higher today than it was in 1995.

We say, "If you can't do the time, don't do the crime" -- but crooks know better. In fact, they're electing to have monetary fines transferred into jail time since they know they'll have to serve only a fraction of their sentences.

The Orange County jail system has become the most crowded in the state and the third-most crowded in the country, with about 1,500 inmates released early this year because there were no beds for them.

*Orange County Register
October 21, 2005*

Statewide in 2005, 9,323 sentenced inmates per month were released from jail before they completed their sentences. Or they were put on alternative programs in lieu of custody. In tiny Calaveras County alone, 45 years of sentenced jail time went unserved in 2005 due to early releases.

Inmates may have turned the expression around to, "We won't do the time, so we might as well do the crime."

Population Caps

No sheriff, no jail commander, no chief probation officer wants to release people from custody before their time is served or before they appear in court. Doing so means offenders are not held accountable and public safety is compromised.

Why then are inmates being released early? Why don't sheriffs keep every sentenced inmate who is sent to jail *in jail* for their whole sentences? Why are some pre-trial people being released too?

Here's why.

- California lacks sufficient jail beds.
- There are state and federal standards, rules and regulations determining how many people can be housed in each jail and/or cell.
- When those standards aren't met, inmates sue.
- In 20 California counties, those suits have resulted in court - ordered population caps.

"We're on the verge of a meltdown," Acting Shasta County Sheriff Larry Schaller said. We need additional space to "help correct a system in which only the most serious felons are held in the main jail, while others are assigned to work-release programs and sent home at night."

*Redding Searchlight
January 27, 2006*

- An additional dozen counties have imposed population caps on themselves in order to avoid the inevitable, costly litigation that crowding can and does bring.

The 20 counties with court-ordered population caps account for 64 percent of the statewide average daily population.

What a cap means is that, when the jail is full, for every new inmate being admitted, someone already in custody has to be released.

Of course, jailers make every effort to release only those whose return to the community poses the least risk to public safety. The 'least risk' is not the same as 'no risk,' but jailers are, to the greatest extent possible, using classification and other criteria to determine which offenders to release.

Calaveras County says it "releases people guilty of misdemeanor drug offenses, traffic violations and so on first. But some nights there's only room for people accused of murder, rape and assault. When the crowding is most severe, even violent criminals get released before their sentences are completely served."²⁰

To ease jail overcrowding, San Bernardino County has adopted a temporary policy to stop jailing suspects accused of drug offenses, theft, burglary and other nonviolent offenses if they promise to appear in court. Some sex offenders who fail to register with police, a violation of state law, also are booked, cited and released from custody if they promise to show up for their scheduled court hearings. "The sheriff's up against it here," sheriff's spokeswoman Cindy Beavers said. "The sheriff is concerned about the safety of the citizens of this county. At the same time he risks court action if he doesn't address the overcrowding that has left some inmates sleeping on [jail] floors."²¹

Since 2002, Los Angeles County has had to grant early releases to more than 150,000 inmates, most of whom, according to the LA Times, had served only 10 percent of their sentences.²²

"Guidelines issued by the sheriff spell out which inmates qualify for early release.

RELEASING INMATES EARLY HAS A COSTLY HUMAN TOLL

*A shortage of beds puts career criminals back on the street, where they often commit new offenses
Mario Moreno should still have been behind bars the night he climbed into the passenger seat of a stolen car with two fellow gang members....Moreno, 18, shot and killed Darrell Dennard, a grandfather who...had just bought a lottery ticket. If not for a chronic shortage of jail beds in LA County, Dennard's killer would have been in jail four more months....
Moreno joined more than 150,000 county inmates who have been released during the last four years after serving fractions of their sentences. Thousands, like Moreno, committed violent crimes when they would otherwise have been locked up....*

*Los Angeles Times
May 14, 2006*

²⁰ The Record, November 13, 2005

²¹ Los Angeles Times, October 27, 2005

²² "Revamp of Lockups is a Budget Priority," Los Angeles Times, April 18, 2006

Those in jail for manslaughter, sex offenses and child abuse, along with violators of gang injunctions, do all their time. For nearly all other convictions, inmates serve a fraction of their sentence. Women usually do no more than 25%. Men serve no more than 10%.²³

Sheriff Lee Baca asked the County Board of Supervisors for "... \$128 million in the 2006-07 budget year -- on top of \$150 million the year before -- for a systemwide modernization that would control the violence and end the controversial practice of releasing inmates early to ease overcrowding."²⁴ "Today, the county has about 19,000 jail beds in use. Baca says he'd need at least 30,000 -- and additional deputies -- to end early releases."²⁵

Statewide in 2005, 138,498 sentenced inmates had to be released early due to lack of space. An additional 94,890 pretrial inmates had to be released early for the same reason.

This is a total of 233,388 arrested and/or convicted people who avoided incarceration or were released early because there was insufficient space in jails to legally keep them.

Ninety-eight percent of the releases (all but about 3,300) occurred in counties with population caps.²⁶

Alternatives to Incarceration

It's important to understand that many of the people released early from jail are not just set free. They're still under the constructive custody of the sheriff and, to the extent possible, they're put in alternative programs, such as work release, electronic monitoring, drug court intensive supervision and Proposition 36 drug treatment.

With Napa County's jail often filled to capacity and beyond ... Supervisors ... approved an expansion of the county's home detention program ... [that] allows qualified inmates to remain at home wearing a transmitter which is monitored by corrections officials 24 hours a day, seven days a week. Individuals must get approval to leave for counseling, work or educational programs Participants are required to be inside their homes for at least 100 of the 168 hours in a week.

Napa Valley Register

While existing alternatives to incarceration help relieve some of the pressure of crowding, they are not appropriate for everyone. Moreover, they are often circumvented by inmates, because those programs would be longer -- as well as harder to complete -- than jail time.

²³ "Releasing Inmates Early Has a Costly Human Toll," Los Angeles Times, May 14, 2006

²⁴ "Revamp of Lockups Is a Budget Priority," Los Angeles Times, April 18, 2006

²⁵ "Releasing Inmates Early Has a Costly Human Toll," Los Angeles Times, May 14, 2006

²⁶ CSA data on early releases in counties with population caps

One obvious conclusion is that jails must have added space to house pre-adjudicated inmates and the most dangerous sentenced offenders for the full term of their court-ordered sentences.

Jails also have to be able to provide the behavioral and educational programs, counseling and other treatments that will interrupt jail inmates' criminal careers and help correct their offending behavior.

In addition jails need still more beds to address the growing demand for specialized housing for medically or mentally ill offenders, and other special populations.

The issue of overcrowding at the San Joaquin County Jail isn't something new... As a way to reduce overcrowding, those convicted of certain nonviolent crimes are given options in place of jail time. There is the alternative work program, in which people are contracted to work at places like the Tracy Airport; home electronic monitoring; and work furlough. But the frequent guests at the jail know better ... Instead of serving their 30-day sentence in alternative programs -- where they have to serve the entire month -- they opt for the over-crowded jail in a gamble to serve only a fraction of that time before being sent home.

*Inside Bay Area
January 23, 2006*

It is also increasingly clear that alternative kinds of facilities and/or programs must be put in place. For example, research and best practices implemented in other parts of the country show significant success with day reporting centers that provide all or partial day custody along with intensive treatment, counseling, life skills, vocational readiness and educational remediation services that effectively reduce recidivism and link offenders to positive support in their communities.

Day reporting centers enable a progressive array of sanctions that not only hold offenders accountable but also help to maximize jail capacity. Because day reporting centers actively supervise lower-

risk, non-violent offenders, they free up jail space for the high risk offenders who should be housed and programmed in the more secure jail environment.

Several California counties including Orange, Sacramento San Diego and Solano, are operating day reporting centers for juvenile offenders and Placer County has recently opened a day reporting center for convicted adults. The California Department of Corrections and Rehabilitation (CDCR) has entered into a contract with a widely respected, well researched organization -- Behavioral Interventions (BI) -- to pilot a day reporting center for California's parolees. BI is also implementing this proven model at the local level in Franklin County, Pennsylvania and Sedgwick County, Kansas and could help California's local sheriffs' and probation departments develop these effective alternatives to incarceration for appropriately screened offenders who would otherwise be crowding local jails and juvenile facilities.

The Legislature and taxpayers statewide must support alternatives to incarceration, like day reporting centers, to keep the already tenuous condition of the state's jails from

becoming much worse. We have to keep the already dramatic bed-and-program-space deficit from becoming a public safety disaster.

Juvenile Facilities

Juvenile halls and local commitment facilities -- camps and ranches -- administered by county probation departments serve dual purposes. First and foremost, they protect the public from juveniles who are considered too dangerous because of their criminal behavior to remain in the community. And second, within the confined setting, detainees are provided education, rehabilitation and treatment services that offer these youth an opportunity to get their lives back on track.

By the end of 2005, there were a total of 13,575 beds in California's local juvenile facilities. Of these, 8,182 beds were in juvenile halls and 5,393 were in local commitment facilities (camps).

The average daily population of juveniles in local custody in 2005 was 10,923 juveniles. The ADP of juvenile halls was 6,826 while camps held an average of 4,097 committed juveniles per day. (There were another 2,355 juveniles who were considered to be legally detained who were serving their time on home detention; and there were 250 juveniles assigned to alternative confinement programs).

Officials Push for Expansion of Cramped Juvenile Hall

For the last 17 years, [Sacramento] county's juvenile hall has housed more young people than its official capacity allows. Earlier this year, some 356 juveniles were inside a facility approved for 261 beds....Probation staff outlined \$44 million to \$50 million in new programs and new beds needed within 15 years ... By 2015, the county will need 150 more beds at the juvenile hall and 81 more beds at longer term commitment facilities [as well as] a 30-bed treatment unit for offenders with mental health issues, a long-term girls only facility and a 60-bed expansion of the Boys Ranch.

*Sacramento Bee
April 19, 2006*

The last decade's decline in the juvenile crime rate coupled with counties' successes with prevention and early intervention,²⁷ as well as completed construction projects coming on line enabled juvenile hall capacity to exceed halls' average daily populations by 1,356 beds, and camp capacity to exceed camp ADP by 1,296 beds.

Doing the math shows that local juvenile facility capacity is in better shape than jail capacity. But it may be too soon to start celebrating. Crowding is still a problem in many counties. Ten counties -- accounting for almost 60 percent of the entire local juvenile

detained population -- reported crowded conditions²⁸ for six months or more in at least one of their detention facilities in 2004.²⁹

²⁷ Many counties programs are funded through the Juvenile Justice Crime Prevention Act (JJCPA)

²⁸ *Crowding* as defined by title 15, Section 1343, California Code of Regulations, occurs when a facility exceeds the CSA rated capacity (RC) for fifteen or more days during a month.

²⁹ Chief Probation Officers of California, Needs Survey, February 2006

While local juvenile facility capacity is in better shape than it had been (in 1999 the ADP exceeded rated capacity by 400 juveniles), it is still true that, especially for juvenile halls, juvenile capacity is merely adequate. For example, on peak population days in the final quarter of 2005, the number of juvenile hall rated capacity beds statewide (8,181) exceeded incarcerated populations (7,560) by only 621 beds.

Like adult detention facilities, juvenile halls require at least a 5 percent vacancy factor to appropriately manage their populations. Thus, on peak days it would take only 243 additional juvenile detainees statewide to drive bed need up to the level of optimum capacity.

In other words, a small increase in the rate of juvenile offending and/or the general population and related number of juveniles in the at-risk population will produce a deficit in juvenile hall beds.

In fact, the Chief Probation Officers of California (CPOC) have conducted preliminary assessments of counties' projected bed needs and are estimating that California will need in excess of 6,800 additional local juvenile beds by the year 2015.³⁰

³⁰ *ibid*

FACILITY DESIGN AS A FUNCTION OF EFFICIENCY

Having adequate and efficient jail capacity is critical for the state as a whole. Jails and local juvenile facilities have to be able to play their role in the continuum of correctional responses to ensure community safety. They can't do that in inefficient, outdated buildings.

Existing Facilities Need Updating

In addition to adding capacity by building new beds, California must also commit to renovating and retrofitting currently existing jails and juvenile facilities.

Why? Because many of the state's older jails and juvenile facilities are linear designs and don't work for today's populations.

Not only are linear facilities staff-intensive and thus more expensive to operate than new generation, podular designs, they also are woefully inadequate for housing mentally ill offenders, inmates with drug and alcohol addictions and/or inmates with major health problems -- a great percentage of today's correctional populations.

Program Space

Linear facilities, as a rule, have no programming space. It has been proven to be vitally important to provide programs and interventions to positively impact offenders' behavior (as well as to efficiently run jails). California's older, linear jails don't have room for the counseling, education, vocational training or other programming and reentry activities that should be offered.

Multiple Populations

Not every jail is the same; not all juvenile correctional facilities look or function alike. Facilities' designs have to reflect the particular jurisdiction, the types of offenders to be housed, the correctional goals to be addressed and the kinds of interventions to be provided.

Nonetheless, all facilities are alike in that they must have enough beds to house the many classifications comprising their populations.

- Pre-adjudicated offenders have to be separated from sentenced.
- Those under 18 must be housed separately from those over 18.
- Civil commitments must be separated from criminals.
- Females must be separated from males.
- Gang members must be separated from members of rival gangs.
- Violent offenders can't be housed with those they might prey upon.

- Offenders who are physically or mentally ill must be provided appropriate housing, often separate from the general population.

And there should be enough beds to meet peak demand within each separate classification and for the facility as a whole.

Remember that, while the jail ADP was 79,639 in 2005, the highest one-day count was 87,531 inmates. That means jails had to fit over 87,500 inmates into the 74,686 beds that comprise California's jail bed capacity -- a trick that would confound even Houdini.

Special Needs

Further exacerbating the 'form vs. function' strains on local correctional facilities is the fact that, in both adult and juvenile facilities, the need for specialized beds is growing. Mental health capacity, appropriate space for female populations and secure segregation are three of the areas of specialized housing that challenge local jurisdictions.

Sheriff Keith Royal said changing numbers at the jail in recent years have left the county open for lawsuits. The jail averages 200 to 220 inmates per day, but the state considers 80 percent to be full, he said, which is 200 prisoners.

The jail was built to house 13 females, but there is now an average of 35 per day, Royal said. Jailers are also having a difficult time meeting state requirements to keep misdemeanor and felony inmates separate.

*The Union, Nevada County
February 1, 2006*

While the number of medical beds in adult jails statewide has remained fairly stable over the last seven years (the average number was 1,002 in 2005), the number of occupied beds used for inmates receiving mental health services has increased steadily over the past decade, from 1,329 in 1996 to more than 3,100 in 2005.

In 2003, an estimated 26 percent of the juvenile detention population was identified as having an open mental health services case file; by the fourth quarter of 2005, that number rose to slightly over 31 percent. Additionally, the percentage of juveniles receiving psychotropic medication, and thus potentially in need of specialized housing, rose slightly from 10 percent in 1999 and 10.4 percent in 2003 to 11.2 percent by the end of 2005.

The proportion of female offenders continues to increase. In adult facilities, female offenders grew from 11.6 percent of the population to 13 percent from 1996 through 2003 and to 14 percent by the end of 2005. From 2000 to 2003, the female juvenile population increased from 14 percent to 15 percent, bringing an additional 109 juvenile girls into detention facilities during a one-year period. In the fourth quarter of 2005, girls comprised 17.1 percent of juvenile hall detainees and 10.5 percent of those housed in local juvenile commitment facilities.

Jails and juvenile facilities have to have not only the ability to separate females from males, but also the space and design capacity to provide gender responsive programming in an appropriate environment. Research has long shown that correctional facilities have to do more than paint their living and program areas pink to have the most correctional effect with females in custody.

An additional stressor on local detention facilities is that both juvenile and adult facility managers report increasing demands on their limited ability to provide secure segregation for inmates and minors who cannot be mixed with the general population in their facilities.

Age of Existing Facilities vs. Functional Life Expectancy

Under the best circumstances, the life expectancy of a detention facility is approximately 30 years. Many of California's jails and some of the not-yet-updated juvenile facilities are approaching the end of their functional lives.

Over 12 percent of our jails are more than 60 years old, and nearly half (47.9 percent) are 30 years old or older.

By way of example, San Francisco's County Jail #3 was constructed in 1934. San Joaquin County's Honor Farm was opened in 1949. Los Angeles County's Pitchess East Facility was built in 1954 (and Pitchess North in 1975). Calaveras County's jail was originally opened in 1963. Monterey County's Rehabilitation Center came on line in 1971 and the Monterey County Jail was opened in 1976.

The Yolo County Jail was built in 1987 and three years ago reached capacity of about 455 inmates. "In the past nine to 10 months we have processed 7,000 inmates, Sheriff Prieto said. And most of our inmates are felons due to drugs....If we could have 1,000 (jail) beds that would be wonderful."

*Davis Enterprise
November 18, 2005*

Of the state's Type II jails:

- 7 (6 percent) were built in the 1930s and '40s;
- 8 (6.9 percent) were built in the 1950s;
- 21 (18 percent) were built in the 1960s;
- 20 (17 percent) were built in the 1970s;
- 31 (26.7 percent) were built in the 1980s;
- 29 (25 percent) were built in the 1990s;
- and
- only 2 have been added since 1999.

Local detention facilities are in constant use. People are walking their halls and flushing their toilets and slamming their doors 24 / 7 / 365. Jails and juvenile detention facilities

are often crowded and deteriorate more rapidly as a result of this extensive use. Years of crowded conditions place severe stresses on their infrastructure, physical plants and fixtures.

Facility obsolescence is also hastened by changes in correctional populations and by emerging best practices. Jails built without program space, for example, find themselves unable to accomplish currently understood best practices in terms of occupying inmates' time with constructive activities and modeling productive behaviors. Juvenile facilities built for low-level young offenders are ill-equipped to securely confine, program and separate violent, gang bangers from one another and from other youth in custody. Facilities built for male offenders may not be able to appropriately house and program the increasing number of women and girls coming into local custody.

As correctional populations change and the validity of evidence-based practices is documented, correctional policy can be adapted to changing circumstances. Correctional facilities, however, are quite literally cast in concrete. They do not -- because they cannot -- change easily, quickly or cheaply.

COSTS

Construction Costs

Even though construction represents less than 10 percent of the total cost of a detention facility over its life span, it is undeniably costly to build new detention capacity.

According to construction managers who have been involved in recent jail and juvenile facility construction, jail construction today costs about \$400 per square foot and \$120,000 to \$150,000 per cell. Santa Barbara is being told it will cost \$250,000 per cell to build that county's much needed additional jail beds.

Juvenile halls construction costs are about 25 percent higher than those for jails because of the additional education and program space required for juveniles. The roughly \$500 per square foot construction cost for juvenile halls equates to a per cell cost of \$180,000 to \$200,000, including the necessary classroom and program space required by CSA standards.

Construction of commitment space (camp beds), traditionally somewhat less secure than juvenile halls, costs about \$80,000 - \$90,000 per bed. By way of example, Sacramento County spent \$9,009,700 to add 90 new secure beds to its juvenile hall and \$4,914,381 to add two new 30-bed housing units to the Warren E. Thornton Youth Center, one of the county's two juvenile commitment facilities.

The prices of crude oil, lumber and other construction material have been skyrocketing and are not expected to stabilize any time soon. The cost of materials has increased 30 - 40 percent in the last two years, creating multi-million dollar differences between initial bids and ultimate construction costs.

Tentative Cost Projections for Jail Construction

To get a ballpark estimate of the costs of keeping the adult system functioning at about its current level of capacity, we need to multiply the number of beds projected to be needed by an estimated cost per bed.

The number of beds being talked about here relates only to those it would take to stay abreast of California's projected population growth.

Conservative Estimate of Costs for Needed Beds*				
Need by Year	ADP Beds	Additional Beds	Cost Per Bed	Cost for Additional Beds
Current	79,639	4,953	\$120,000	\$594,360,000
2010	82,845	3,206	\$120,000	\$384,720,000
2020	92,565	9,721	\$120,000	\$1,166,400,000
2030	101,555	8,990	\$120,000	\$1,078,800,000
2040	108,791	7,236	\$120,000	\$868,320,000
2050	115,629	6,837	\$120,000	\$820,560,000
Total Expense to 2050* for 40,943 Beds				\$4,913,160,000

*Does not include capacity for: 1) peak times, 2) preventing releases due to lack of space, or 3) reduction in the number of unserved felony warrants.

Caution should be exercised in using these cost estimates for the following reasons:

- First of all, they are purposefully conservative.
- Second, they are only as good as the assumptions upon which they are based.
- Third, we don't have a current solid and reliable cost-per-bed estimate.
- Fourth, inflation and the ever increasing cost of construction materials will result in the cost per bed rising steadily over the next half century.
- Fifth, the cost per bed does not include all the infrastructure investment that will be required for new jail construction.

Nevertheless, this analysis makes clear that maintaining the effectiveness of the local jail system will involve continual, substantial costs.

Remember that this nearly five billion dollar amount (\$4,957,033,504) does not take into account *current* needs for renovation and upgrading existing facilities to meet existing demands.

In terms of new construction, this figure is *the least* the state can realistically expect to pay over the next 45 years to achieve adequate jail capacity. The actual amount will be affected by inflation, construction costs, changes in the crime and incarceration rates and changes in policy, such as those proposing to house state parole violators at the local level, and others.

Operating Costs

Staffing and operating costs account for 90 percent or more of the lifetime costs of local detention facilities. These costs are borne by local governments.

Jail Operating Costs

County jail operational costs (excluding debt service) more than tripled between 1984/85 and 2001/02, increasing from \$446 million in 1984/85 (when there were about 40,000 beds on line) to \$1.7 billion in 2001/2002 (by which time there were approximately 73,000 beds on line).

Per capita operational bed costs increased from \$11,000 to over \$23,000 from 1984/85 to 2001/02, more than a 100 percent increase over 17 years.³¹

The 2003 statewide average cost per inmate per day (ADC) in county jails was \$71.27. The highest reported ADC was \$138.33 in the Nevada County Jail. The lowest was \$26.69 in Del Norte County Jail.³²

An indicator that the cost of jail operations is increasing is the fact that the California Department of Corrections and Rehabilitation (CDCR) and the Department of Finance (DOF) concurred, in the 2005 budget, to raising the amount the state reimburses county jails for holding state parolees.³³ The Daily Jail Rate (DJR) had been \$59 per day. Since approval of the 2005 Budget Act, the new DJR is \$68.22 per inmate per day and is capped at 95 percent of the state's average cost for housing inmates in state facilities, excluding the cost of non-routine medical care.

Juvenile Facility Operating Costs

Because specific staffing ratios are prescribed for local juvenile facilities, as are intensive programming and state-mandated education, the operational costs for county juvenile facilities are almost twice that of county jails.

CSA reports that operational costs (excluding debt service) for local juvenile facilities "increased from \$196 million in 1984/85 (when there were about 9,000 beds on line) to over \$620 million in 2001/02 (with 12,000 beds on-line). If only those beds in the CSA Rated Capacity were counted, per capita operational per bed costs rose from \$21,000

³¹ Corrections Standards Authority/Board of Corrections, 2004 Legislative Report, *Local Corrections in California*, pg. 10

³² op. cit., page 11

³³ Parolees are held in county jails pursuant to PC Section 4016.5

to nearly \$51,000 from 1984/85 to 2001/02, an increase of over 100 percent over 17 years (not adjusted for inflation)."³⁴

Where Will, Can or Should the Money Come From?

Like the state, local governments have experienced severe budget problems since the economic recession that began in the early 1990s. Add to this the further handicap laid on counties by the state property tax shift that began in 1992 and it will be crystal clear why counties have not been able to afford costly jail and juvenile facility construction.

To make improvements in their local detention capacity, counties have had to rely on funding from state and federal grants. A very successful bond program in the 1980s raised and expended more than \$2.1 billion in state bond revenue and local matching funds for the construction of jails. Current federal and state grants will have increased local juvenile facility capacity 27 percent by 2006/07 when construction will be completed.

In all of these instances, counties have been required to match grant funds and that, in and of itself, has been challenging.

For much of the recent past, neither counties nor the state have been able to afford costly construction projects. There has been no stable funding stream to pay debt service on the bonds needed to finance the renovation of existing jails or the construction of much needed expanded capacity. Counties have been hard pressed to generate dollars to operate new or expanded jails and, in some instances, were unable to immediately open beds that grant funding had allowed them to build.

Proposition 1A, which was approved by the voters in November of 2004, will stabilize local revenue and prohibit unfunded state mandates, but it does not generate any new revenue. It may ensure that whatever is constructed can be operated, but it will not provide dollars to expand the supply of local jail and juvenile facility beds needed to meet the demand created by population growth, crime trends and best practices in public safety.

³⁴ Corrections Standards Authority/Board of Corrections, 2004 Legislative Report, *Local Corrections in California*, pg. 11.

WHAT HAS BEEN DONE TO ADDRESS CAPACITY DEFICITS

Almost all of the jail and local juvenile facility construction that has occurred in California in recent decades has been state or federal grant funded under the auspices of the Corrections Standards Authority (CSA), formerly the Board of Corrections.

Since 1997, the Board/CSA administered 107 state and federally funded construction grant projects in 48 counties. Totalling more than \$491 million, these grants resulted, or will result, in the addition of 1,755 adult jail beds and 5,389 juvenile facility beds, plus the replacement of 2,221 outmoded juvenile beds, for a net gain of 3,168 beds statewide by 2007.

Jail Construction and Renovation

Some California jails have completed or are in the process of completing renovations and expansions via the current state and federal Construction Grant Program, concluding in 2007. Some jurisdictions are funding jail renovation and construction through local bonds and/or other funding mechanisms.

Nevertheless, the number of beds being added will not make even a dent in California's jail capacity deficits.

As facilities continue to age, cities and counties must repair and remedy older facilities to maintain functional use and existing capacity and create program space wherever possible.

They also have to build new facilities, to accommodate population growth and to provide the program and special needs space increasingly required to protect inmates/detainees and staff, and to maintain public safety.

Juvenile Facility Construction and Renovation

The current Construction Grant Program -- the first major infusion of construction funds for local juvenile correctional facilities in several decades -- will help increase local juvenile facility capacity and significantly improve conditions of confinement in the counties with funded projects.

At the conclusion of the program in 2007, however, there will be several counties -- Los Angeles among them -- that will still require additional juvenile beds. There will also be a need to retrofit and provide treatment space in older juvenile halls.

The Chief Probation Officers of California are anticipating a need for approximately 6,800 new beds by 2015. An upward motion in juvenile crime trends, changes in

correctional policy and/or new legislative initiatives could greatly expand that expectation.

Regardless of what the Legislature might do in terms of juvenile correctional reforms that will impact local capacity needs, it is quite certain that, at the conclusion of the current construction program, there will still be counties that need to replace old, outmoded facilities and others counties that will continue to face chronic crowding problems.

NEXT STEPS

Planners are often asked, "How many local jail and juvenile facility beds will we need in the year 2010?" The answer is simple -- we will need all of them. This is not a joke. California will need every bed it currently has and more.

As of now, there has been minimal planning and there aren't sufficient resources available, to remedy the jail bed deficit. It is vitally important that we do something now to stop what is already a serious problem from becoming much worse.

It makes little sense to allow the adult system to become even more inadequate and overwhelmed as California's population continues to grow.

While the juvenile system is in better shape than the adult system, it would be a mistake to think the work in that arena is done. Failing to plan for the ongoing needs of local juvenile facilities would continue the cycle of building followed by neglect that has placed local juvenile corrections in deficit mode for much of its history.

Thoughtful planning and preparation are critical to keep both the adult and juvenile correctional systems functioning efficiently. It is essential to prepare for the population increases and policy changes that are coming, and also to address the populations and challenges jails and juvenile facilities have now.

California would be well advised to abandon the 'periodic crisis' model that produces the kinds of deficit situations in which we now find ourselves and undertake a 'continuous growth' model, a proactive strategy. We must develop a plan and consistent funding streams aligned with the steady growth in the demand for detention capacity.

We recommend that a panel of subject matter experts be convened to:

- 1) review the issues,
- 2) consider the assumptions that should be included in the planning model,
- 3) develop detailed and reliable estimates of construction costs,
- 4) establish a projection model,
- 5) use the model to plan future jail and local juvenile facility construction,
- 6) develop multiple local and statewide financing strategies and
- 7) establish statewide implementation goals.

It is possible that California may never catch up in terms of producing and maintaining an ideal local detention and/or corrections system. On the other hand, with careful planning, and the generation of adequate resources, we can hope to keep pace with the ever-increasing demand for additional local detention capacity.

We must address this issue. The chief law enforcement officers in each county, California's sheriffs, take their responsibility to keep the public safe very seriously. But

sheriffs can't do it alone. All of us must recognize that local corrections is an important and integral part of each of our communities. We need a strong correctional component to our local infrastructure, just like we need good schools and roads and hospitals and libraries. We must all become advocates for local corrections because corrections infrastructure ensures our community safety.

The California State Sheriffs Association is committed to advocating for a jail and local juvenile facility construction / reconstruction program similar to the very successful jail bond program in the 1980s. That program raised more than \$2.1 billion in state bond revenue and local matching funds. Five state bond measures were approved by the Legislature and voters to finance the construction and renovation projects. A similar strategy could and would be successful again.

California's sheriffs will be aggressively advocating for a plan that will provide sufficient funding to begin eliminating overcrowding and early releases at the local level.

We will be encouraging our local public safety partners, our corporate partners and our over 42,000 Associate Members to work with us to convince state Legislators that improving and expanding local detention facilities is a top priority -- important to the quality of life and safety in California and worthy of inclusion in the state's infrastructure package and subsequent bond and legislative measures.

We urge you to join us in the vital endeavor. We ask you to help hold offenders accountable by restoring the balance between doing the crime and doing the time.

APPENDIX I

**LOCAL DETENTION POPULATION OVERVIEW -
ADULT AND JUVENILE**

**SUMMARY OF FINDING FROM THE
2005 CSA JAIL PROFILE SURVEY REPORT**

SURVEY MEASURES	2000	2005
Average Daily Population for the calendar year	74,937	79,639
Current beds meeting the CSA standards	71,093	74,686
Highest one day count for the calendar year	79,418	87,531
Number of bookings for the year	1,177,205	1,283,292
Percentage of males	87%	87%
Percentage of non-sentenced inmates	60%	67%
ADP of Sentenced Inmates	29,929	26,454
Percentage of felony inmates	70%	79%
Percentage of inmates in maximum security housing	46%	31%
Estimated percentage of inmates who are illegal/criminal aliens	12%	11%
Number of pretrial inmates released due to lack of space	52,597	99,192
Number of sentenced inmates released early due to lack of space	128,784	155,052
Unserved felony warrants as of the last quarter	253,361	285,216
Unserved misdemeanor warrants as of the last quarter	1,995,439	2,391,801
ADP of inmates housed on contract to the Federal Government	3,577	3,584
ADP of inmates housed on contract to other jurisdiction in CA	14	147
ADP of inmates housed on contract to CDCR	2,590	2,665
ADP of inmates awaiting transport to CDCR	1,058	2,390

**SUMMARY OF FINDINGS FROM THE
CSA JUVENILE DETENTION SURVEY, 2000 and 2005**

SURVEY MEASURES	2000	2005
Average Daily Population for juvenile halls for the calendar year	7,108	6,826
Juvenile hall beds meeting the CSA standards	6,769	8,182
Highest one-day population for juvenile halls	7,805	7,692
Average Daily Population for camps for the calendar year	4,467	4,097
Camp beds meeting the CSA standards	5,033	5,393
Highest one-day population for camps	4,930	4,350
Number of juvenile bookings for the year	10,526	9,353
Percentage of males in detention	85.9%	84.2%
Percentage of pre-disposition juveniles	68.9%	58.4%
Total ADP of committed youth	7,992	6,866
% of 707b offenders	725	815
Number of youth on home supervision or alternative confinement	2,927	2,616
Number awaiting transfer to CDCR DJJ	159	84
Number of juveniles receiving psychotropic medication	1,075	1,219

APPENDIX II
COUNTIES WITH
COURT IMPOSED POPULATION CAPS

County	Facility Name	Court Imposed Population Cap Reported by County Sep 2005	Total Facility ADP Reported by County Sep 2005
Butte	Jail	U	530
Calaveras	Jail	65	74
El Dorado	Jail	243	201
	So Lake Tahoe Jail	158	119
Fresno	Main Jail	1064	988
	Satellite Jail	300	217
	North Annex Jail	1296	1272
	South Annex Jail	688	629
Kern	Central Receiving	292	186
	Lerdo MaxMed Fac	374	88
	Lerdo Minimum	800	88
	Lerdo Pretrial	1232	1125
Los Angeles	Century Reg Det	1945	226
	Central Jail	6800	6325
	North Co Correctional	3400	4073
	Pitchess East	1830	1710
	Pitchess North	1600	2605
	Twin Towers	4192	3940
Merced	Correctional Fac	U	604
	Jail	D	169
Orange	Intake Release Ctr	U	801
	J A Musick Facility	D	1224
	Men's Jail	D	1354
	Women's Jail	D	342
	Theo Lacy	D	2807
Placer	Main Jail	382	369
	Minimum Security	160	160
Plumas	Jail	67	49
Riverside	Banning Correctional	694	659
	Blythe Jail	125	102
	Indio Jail	353	331
	Robert Presley	1081	1079
	Southwest Co Det	1111	1099

San Bernardino	Glen Helen	1364	1322
	Detention Center	D	937
	West Valley Det	3072	3530
San Diego	Descanso Detention	D	376
	East Mesa	D	497
	George Bailey	D	1638
	Las Colinas Womens	D	725
	Central Detention	D	869
	So Bay - Chula Vista	D	536
	Vista Facility	D	263
San Joaquin	Honor Farm	571	438
	Main Jail	879	970
Santa Barbara	Main Jail	705	708
	Honor Farm	D	247
Shasta	Main Jail	381	385
Stanislaus	Public Safety Center	0	606
	Honor Farm	0	358
	Jail	396	385
Sutter	Jail	355	355
Tulare	Bob Wiley Det Ctr	U	715
	Men's Corr Fac	D	301
	Adult Pre-Trial Facility	D	102
	Jail	264	267
Yolo	Leinberger	142	132
	Monroe Detention	313	294

Source: Corrections Standards Authority, Jail Profile Survey, "Court Imposed Caps / Early Releases / ADP for September 2005



Shasta County

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September 19, 2006

The Honorable William D. Gallagher
Presiding Judge, Shasta County Superior Court
1500 Court St., Rm. 205
Redding, CA 96001

Re: Response of Board of Supervisors to Fiscal Year 2005-2006 Grand Jury Report

Dear Judge Gallagher:

The Shasta County Board of Supervisors appreciates the time and dedication which the 2005-2006 Grand Jurors contributed to their charge. The following findings and recommendations are under serious consideration and discussions are being held regarding solutions to any unresolved problems.

RESPONSES AND FINDINGS

✓ A. **SHASTA COUNTY MAIN JAIL: CATCH AND RELEASE**

FINDINGS

1. *The Grand Jury found the Main Jail to be a clean, orderly, and well-run facility.*

Response: The Board of Supervisors concurs with the finding.

2. *The State of California Board of Corrections, in its 2004/2006 Biennial inspection report, noted that fire and health inspections were conducted and that the facility was in compliance with the relevant standards. The Report also stated the sobering cells were often used as the intake area where inmates are received and held pending housing or arranging for bail, and that this utilization does not comply with state regulations related to sobering cells. These cells should be used only for holding inmates who are a threat to their own safety or the safety of others due to their state of intoxication. That deficiency has been corrected.*

Response: The Board of Supervisors concurs with the finding.

3. *The Shasta County Main jail operates at near capacity on a daily basis. The number of inmates at the Main Jail must comply with the Shasta County Superior Court order. This order requires that a quarterly report be submitted to the Shasta County Court outlining both the number and types of inmates released pursuant to the order. Currently, the Main Jail houses the most dangerous inmates who should not be released. Less dangerous inmates, both sentenced and awaiting sentence, are being released. This has become a common and accepted practice because of the lack of jail space.*

Response: The Board of Supervisors concurs with the finding.

4. *The Main jail is the only adult detention facility in Shasta County. Inmates from Shasta County, including the cities of Redding, Anderson, and City of Shasta Lake, are all housed in the Shasta County Main Jail. In 2005, there were 11,386 bookings, 66% of which were arrested in the City of Redding.*

Since 1998, the Sheriff's Department and the Board of Supervisors have been aware there is a need for a new security facility to house the County's growing inmate population. Because of the chronic lack of capacity in the Main Jail, the Sheriff's Office submitted a request for a jail feasibility study to the Board of Supervisors. The study is to be completed by September 2006. The lack of a separate facility to house the mentally ill and intoxicated individuals compounds the jail's capacity problem because these individuals must be temporarily housed in the jail.

Response: The Board of Supervisors concurs with the findings. The Board is awaiting the results of the jail feasibility study which will be presented in September 2006. In addition, the Board has authorized the integration of the health and human services departments, including Mental Health and Alcohol and Drug Programs, Public Health, and Social Services. The provision of services to the chronically mentally ill and persons with alcohol and drug addictions will be evaluated in this redesign.

5. *In December 2001, the Board of Supervisors approved the Sheriff's proposal to replace 62 Shasta County deputy sheriffs in the Main Jail and Detention Annex with correctional officers, in order to reassign the deputies to the field. The replacement of deputy sheriffs by correctional officers results in annual savings due to reduced salaries (estimated up to \$800,000 per year). However, the FY 2005/2006 personnel roster at the Main Jail indicates that only 27 of the 62 deputies have been replaced with correctional officers.*

Interviewees consistently related that the pay scale of correctional officers was inadequate for recruitment and retention. Indeed, one officer was noted to have separated to resume his job changing tires at a local tire shop where he could earn more money.

Response: The Board concurs with the finding that they approved the transition from deputy sheriff to correctional officers in the Main Jail, and that the transition has had a positive impact on the cost of staffing the Jail. We disagree, however, on the number of positions that have transitioned. As of June 30, 2006, the Jail's personnel roster listed 38 correctional officers and 13 deputy sheriff positions. The transition from deputy sheriff to correctional officer is dependent upon vacant patrol positions for the deputies to transition into. The Sheriff has implemented an aggressive recruitment policy for hiring and training.

The County entered into a successor Memorandum of Understanding (MOU) with the bargaining unit representing the correctional officers. Enhancements to both wages and benefits contained in the MOU will have a positive impact on both recruitment and retention of correctional officers.

6. *The Shasta County Jail is operating at minimum staffing level. Correctional officers and deputies must work overtime to meet required staffing levels. Personnel working at the Main Jail accumulated over 22,000 hours of overtime in 2006. Excessive overtime results in officer fatigue and inefficiency, safety concerns, and contributes to low morale. These factors, combined with a higher concentration of dangerous inmates, create a concern for the safety and security of both the Main Jail staff and inmates. Several interviewees indicated that one or more "disturbances" had occurred since January 2006, requiring areas of the Jail to be under "lock-down." Many of the correctional officers and deputies interviewed by the Grand Jury cited the need for the County to hire additional correctional officers and/or deputies to relieve the understaffing and overtime problems.*

Response: Although the Board of Supervisors concurs with the finding on the staffing level in the Main Jail, the Board has fully funded all allocations. Four additional positions, two correctional officers and two public safety service officer positions were approved on April 18, 2006, and fully-funded in the FY 2006-07 Budget. The Board of Supervisors controls the number of full-time equivalent staff allocated to the Jail. A county board of supervisors is not authorized to govern the actions of a sheriff concerning the manner in which budget allotments are expended or the manner in which personnel are assigned.

7. ***The Main Jail release policy and the inability to hold work release inmates accountable by incarcerating them when they fail the program negatively affect the morale of many of the deputies.***

Response: The Board of Supervisors concurs with the finding that work release inmates need to be held accountable.

RECOMMENDATIONS

1. ***The County and the Sheriff's Office should continue to pursue securing a new jail and/or a minimum security facility and the funding to operate them.***
2. ***Funding sources for the building, which may be available and must be examined, are***
 - a. ***Federal, state and private grants***
 - b. ***Infrastructure impact fees***
 - c. ***Lease/purchase financing***
 - d. ***California Infrastructure and Economic Development Bank Loans***
 - e. ***Correctional Facilities Capital Expenditure and Youth Facility Bond Act of 1988***
3. ***Funding sources for operations as well as construction are:***
 - a. ***A joint funding agreement with City of Redding, City of Shasta Lake, and City of Anderson for capital expenditures and staffing.***
 - b. ***A local sales tax increase***

Response to Recommendations 1, 2, and 3: The Board of Supervisors is awaiting a report on the jail-bed feasibility study from Nichols, Melberg and Rossetto, and Dan Smith & Associates, to be completed in September 2006. The scope of the study included an evaluation of current and future adult and juvenile jail beds as well as recommendations for funding both capital expenditures and staffing. The Board has authorized the development of a Ten-Year Outlook to among other things identify resources for capital improvements.

4. ***The Board of Supervisors, Sheriff, and County Mental Health should work expeditiously toward a goal of establishing and funding a facility that will house the mentally ill and intoxicated individuals separately from the Main Jail.***

Response: The Board of Supervisors recognizes this as a community responsibility and concurs that they should take the lead in bringing all community partners together. The Department of Mental Health is working with the Sheriff's Office to obtain a Mentally Ill Offender Reduction Grant (MIOCRG), and a separate collaboration grant for a mental health clinician to work at the jail. The County continuously strives to improve on service delivery to persons afflicted with mental illness and/or alcohol and drug additions.

The Sheriff's Office continues to work with the Mental Health Assessment and Redesign Collaborative to provide appropriate assessment and disposition of individuals who are severely and gravely disabled pursuant to Welfare and Institutions Code Sections 5150 and 5585.5. A detoxification unit is high priority for the collaborative and will continue to partner with the Sheriff's Office and other community partners to implement a medically supported detoxification center.

5. ***The Board of Supervisors should adjust the compensation package for the Sheriff's Office to facilitate the recruitment and retention of deputies and/or correctional officers to staff the Main Jail.***

Response: The County entered into successor Memorandums of Understanding (MOU) with the bargaining units representing both correctional officers and deputy sheriffs. Enhancements to both wages and benefits contained in each MOU will have a positive impact on both recruitment and retention of correctional officers and deputies.

B. REDDING REDEVELOPMENT AGENCY: READY, AIM – SPEND!

FINDINGS

- 1. The cities of Anderson, Shasta Lake and Redding and the County of Shasta currently operate RDA's. In total there are six redevelopment project areas in the county: Shasta Dam (Shasta Lake City); Southwest (Anderson); and Market Street, Canby-Hilltop-Cypress, Buckeye and SHASTEAC (Redding). In 1993, section 33216.5 of the California Health and Safety Code was enacted and authorized the transfer of the Shasta Dam Area Redevelopment Project from Shasta County to the City of Shasta Lake. The City of Anderson and Shasta County cooperate with the Redding RDA as a multi-jurisdictional agency in the SHASTEAC Project Area. The County also partners with the City of Redding in controlling the Buckeye Project Area. Currently, these partnerships generate no income for Shasta County. As of June 2004, the total indebtedness for all RDA's in Shasta County approached \$50 million, with the City of Redding's Redevelopment Agency (RRA) issuing more than 90 percent of that debt.*

Response: Although it is true that the two redevelopment projects the County is partner to, SHASTEAC and Buckeye, do not generate any income for the County both of these project areas have future capital projects planned that will benefit the unincorporated area.

RECOMMENDATIONS

- 1. The Grand Jury recommends that newly elected members of redevelopment boards in Shasta County undergo formal redevelopment education and that sitting board members periodically receive continuing education on redevelopment law and policy.*

Response: On June 21, 2006 each of the five Board members were provided with the following Redevelopment educational and reference materials: Redevelopment in California, UC Davis Extension, January 2002; and Redevelopment: The Unknown Government, February 2006, along with materials from the California Redevelopment Association's website (<http://www.calredevelop.org>).

On June 27, 2006, the Board of Supervisors authorized two Board members to attend Redevelopment trainings, conferences or seminars.

2. *All County RDAs should institute a more transparent tracking system for administrative costs to ensure that city or county employees actually perform redevelopment duties when paid with redevelopment funds.*

Response: The County does not currently access redevelopment administrative funds for either the SHASTEK or Buckeye Redevelopment Projects but, is reviewing the appropriate way to fairly allocate those administrative costs. An Administrative Analyst in the County Administrative Office performs redevelopment administrative functions as a part of her regular duties.

3. *All County RDAs should increase redevelopment oversight. At a minimum, all RDAs should reinstate citizen oversight committees to each redevelopment project area.*

Response: The County is in the process of increasing the level of knowledge and expertise by the board. This will increase the ability for technical oversight.

5. *The inclusion of vacant or underdeveloped land into project areas should be carefully scrutinized as it limits the private sector's development opportunities.*

Response: The County of Shasta agrees with this recommendation and would be amenable to increasing the scrutinization for determining the inclusion of vacant or underdeveloped land into redevelopment project areas.

C. **OFFICE OF THE ASSESSOR-RECORDER NUMBERS AND MANNERS COUNT**

RECOMMENDATIONS

3. *The Grand Jury further recommends that all County departments establish and maintain a log of citizen complaints and the responsive action taken by the department.*

Response: The recommendation requires further analysis. The Board of Supervisors adopted Administrative Policy 1-116 to provide a procedure for handling written complaints from the public to the Board of Supervisors. The Shasta County Administrative Policy Manual is reviewed periodically to ensure that policies remain relevant and representative of the Board's intent for business conducted by the County of Shasta. The next review of the policy manual is anticipated for mid-2007. At that time, the County

Page 8
September 19, 2006
The Honorable William D. Gallagher

Administrative Office will review Policy 1-116 and make a recommendation to the Board of Supervisors on any revisions necessary.

This concludes the response of the Shasta County Board of Supervisors to the FY 2005-2006 Grand Jury Report.

Sincerely,



PATRICIA A. "TRISH" CLARKE, Chairman
Board of Supervisors
County of Shasta

Copy: Members of the Grand Jury
Tom Bosenko, Sheriff – Shasta County
Richard Graham, Auditor/Recorder

**CONSOLIDATION/UNIFICATION OF SHASTA COUNTY SCHOOLS
Is Bigger Always Better?**

**Shasta County Office of Education
1644 Magnolia Street
Redding, CA 96001
530.225.0200**

REASON FOR INQUIRY:

Section 933.5 of the California Penal Code provides that the Grand Jury may investigate and report on the operations of any special-purpose assessing or taxing district located wholly or partly within the county. The Grand Jury received a request to investigate the feasibility of combining Shasta County school districts.

BACKGROUND:

School districts may exist independently or may be combined into either of two arrangements: consolidation or unification. *Consolidation* is the combining of two or more elementary or high school districts with adjoining borders to form a single district. *Unification* is the joining together of all, or part of, an elementary school district (grades K-8) with a high school district (grades 9-12) to form a new district encompassing grades K-12. Both consolidated and unified districts have single governing boards.

. School districts in California operate with their own governing boards and appointed superintendents. Each district incurs costs for salaries, retirement contributions and insurance benefits for employees. Most districts pay trustees for board meeting attendance. Some also pay trustees' retirement and insurance benefits, association memberships, and conference attendance costs.

The Shasta County Office of Education (SCOE) is, in effect, a service organization that acts as an intermediary between local school districts and the California State Department of Education. With regard to local school districts, SCOE is more administrative

than educational in that it offers limited curricular support to the districts. SCOE also ensures that each district operates in a financially responsible manner and that all required State report deadlines are met.

SCOE receives operating funds from the State for all of the public school districts in Shasta County. The amount SCOE receives is based on the Average Daily Attendance (ADA) of each school district in the County. ADA is a state-adopted formula used to determine per student revenue. ADA funding provides most of the revenue for local school districts, and is disbursed by SCOE to each district at pre-set times throughout the year. For each public school student the 2005/2006 ADA formula provides \$5,059 for elementary districts, \$6,294 for high school districts, and \$5,917 for unified districts. School enrollment is declining, both locally and statewide. Therefore, ADA financing for local school operations is also declining.

METHOD OF INQUIRY:

The Grand Jury reviewed the following documents:

- Shasta County Board of Education web-site, www.shastacoe.org.
- *California State Master Plan for Education, 2002*
- *Declining Enrollment in California, Fall 2003*, California County Superintendents of Educational Services Association
- *Fingertip Facts on Education in Shasta County, 2005/06*, Shasta County Office of Education
- *Shasta County School Districts' 2005/2006 School Year Schedule*, Shasta County Office of Education

- *School Administration – Is the Cost Too High?* Report by the 2004 Marin County Grand Jury

The Grand Jury conducted the following interviews:

- Sixteen private citizens
- Shasta County Registrar of Voters
- Two elementary school board members
- A high school superintendent
- An elementary school superintendent
- A high school principal

FINDINGS

1. In Shasta County there are 25 elementary, high school and unified public school districts:

- Elementary districts 21
- High school districts 2
- Unified districts 2

2. These 25 districts are comprised of 69 schools:

- Elementary schools 32
- Middle/Junior high schools 9
- High schools 8
- Charter schools 14
- Continuation high schools 5
- Regional occupational school 1

3. Total enrollment in Shasta County public schools in 2005/2006 is 27,274:

- Kindergarten-Grade 3 5,907

- Grades 4-6 6,449
- Grades 7-8 4,656
- Grades 9-12 10,145
- Alternative schools 67

4. The enrollment figures for Shasta County schools show a loss of 3,021 students (10%) from 2001/2002 to 2002/2003. Between the years 2000/2001 and 2005/2006 private school enrollment also declined, from 2,812 to 2,447, or 365 students (13%).

5. According to school officials, reasons for declining enrollment include:

- Reduction in family size due to advancements in birth control. During the past ten years the average number of children per family declined from 2.5 to 1.5.
- Lack of affordable housing for families with children. During the past five years the average cost of a home in Shasta County increased from \$174,500 in the year 2000 to \$315,049 in 2005.
- Loss of employment opportunities in the forestry and agriculture industries, which has caused young families to leave the area and reduced the influx of young families into the county.

6. The decline in enrollment during the past three years resulted in a reduction in ADA revenue to Shasta County school districts in excess of \$15 million. The effects of diminished ADA revenue include elimination or reduction of:

- extracurricular activities including athletic, drama, art, and music programs
- remedial programs
- programs for high-functioning students
- classroom aide positions

- school nurse and psychological service positions
 - staff development opportunities
7. School district calendars vary significantly. For example, there are six different school year opening dates, five different winter and spring breaks, and five different closing dates. This can adversely impact schedules for families with children enrolled in more than one district. Unification or consolidation could minimize this impact.
 8. Costs of school board elections in Shasta County depend on the number of board vacancies. For example, in 2003 this cost was \$149,670. A cost saving would be realized by reducing the total number of board members through consolidation/unification.
 9. A local elementary school administrator reported that eight eastern Shasta County elementary school districts recently joined forces for state-mandated training. This example of cooperation, sometimes called a consortium, resulted in a combined savings of \$56,000 to the districts.
 10. Unification and consolidation have additional positives and negatives. A significant issue is the loss of component district independence and autonomy. School officials report some parents perceive that unification or consolidation diminishes the quality of education. Other factors cited include a less responsive school board; decreased parental involvement; and increased class size. However, coordination of the curriculum throughout a unified district could ensure that students receive the same educational opportunities no matter which school they attend. Unification would permit a seamless transfer of students between schools within the district. Increased

opportunities for extracurricular activities such as athletic programs, drama, arts and music might also be realized.

11. Supporters of unification/consolidation claim that costs would be reduced due to a reduction in the number of school administrators. Also, district support services can be combined to realize savings. However, a 2004 Marin County study concluded that unification in that county would result in an overall saving of only 3%, and that any administrative savings would be offset by other costs of unification such as making all salaries uniform at the highest rate. The study concludes that, “While the likelihood of significant savings from district reorganization is questionable and the hurdles to achievement are high, understanding how individual district funds are used seems to be the best way to ensure that education monies are used effectively.”

RECOMMENDATIONS:

1. . The Grand Jury recommends that the Shasta County Board of Education should investigate consolidation of selected districts to realize any attainable benefits. The process should begin by considering consolidation of some K-8 districts in the County.
2. SCOE and school boards should anticipate continuing ADA reductions and develop plans to ensure continued successful operation of their districts.
3. The Grand Jury recommends that the SCOE work with all Shasta County school districts to achieve a uniform school year calendar.

RESPONSES REQUIRED

1. Shasta County Office of Education as to Findings 1-11 and Recommendations 1 – 3



SHASTA COUNTY OFFICE OF EDUCATION

Promoting Quality Service and Lifelong Learning

Superintendent
Tom Armelino

Board of Education
Linda Bradford
Derek Fasking
Joey Gartin
Diane Gerard
Rhonda Hull
William Stegall
Susan Wilson

August 16, 2006

Presiding Judge
Shasta County Superior Court
1500 Court Street
Redding, CA 96001

Re: July 7, 2006 Correspondence from Jean Hall, Foreperson Shasta County Grand Jury

Dear Presiding Judge:

This correspondence responds to the referenced July 7 final report of the Shasta County Grand Jury. The report was addressed to Dr. Carol Whitmer, former Shasta County Superintendent of Schools. As the newly appointed and Superintendent Elect Shasta County Superintendent of Schools, I will respond to the Grand Jury report.

A few points of clarification: The correspondence from Ms. Hall references Penal Code section 993 and requires a response to the report. We are not aware of a Penal Code section 993.

In addition it is important for the grand jury to recognize that there currently is a County Committee on School District Organization in place. This committee is comprised of the seven members of the Shasta County Board of Education. We believe it would have been very beneficial for the Grand Jury to interview members of this committee to get a sense of the history of the subject of combining Shasta County school districts.

This correspondence responds to the eleven findings and the three recommendations of the report.

Response of the Shasta County Superintendent of Schools

Finding No. 1: The Shasta County Superintendent of Schools agrees with finding number 1.

Finding No. 2: The Shasta County Superintendent of Schools agrees with finding number 2.

Finding No. 3: The Shasta County Superintendent of Schools agrees with finding number 3.

Finding No. 4: The Shasta County Superintendent of Schools generally disagrees with finding number 4. The Grand Jury report states that the enrollment for Shasta County schools shows a loss of 3,021 students (10%) from 2001/02 to 2002/03. We believe that this is an error. The Shasta

County Office of Education tracks the enrollment of students for districts and compares them from year to year during the first week of school. In 2001/02 there were 29,092 students enrolled in district schools (including district run charter schools). In 2002/03 there were 29,169 students enrolled. This is an increase of 77 students. There has been a decrease of enrollment from 2001/02 to 2005/06 of 462 students in Shasta County schools. We do not have jurisdiction over private schools so we do not dispute or agree with the data provided. (Please see the Shasta County School Districts Five Year History of First Week Enrollments attached.)

Finding No. 5: The Shasta County Superintendent of Schools generally agrees with finding number 5. The reasons listed in finding number 5 are certainly some of the reasons for declining enrollment. They are probably not the only reasons. The Shasta County Superintendent of Schools is not aware of any study which defines the reasons for declining enrollment and such a study is outside the scope of the responsibility and duties of the Shasta County Superintendent of Schools.

Finding No. 6: The Shasta County Superintendent of Schools generally agrees with finding number 6. The list provided in finding number 5 are certainly some of the programs or staff reduced or eliminated. Although, districts in declining enrollment have made great efforts not to eliminate or reduce extra curricular activities including athletic, drama, art, and music programs as well as programs for high functioning students. Often these are the programs that parents choose to attend a school for and reducing or eliminating these programs may cause further decline of enrollment. In addition to the list provided by the Grand Jury, the effects of diminished ADA revenue also include the reduction in the appointment of certificated employees (classroom teachers and administrators) and various classified personnel.

Finding No. 7: The Shasta County Superintendent of Schools disagrees with finding number 7. The superintendents in Shasta County have worked diligently the past few years to align the school calendar. The 2006-07 school district calendars are much more alike than different. Of the 25 districts 22 of the 25 districts or 88%, will begin the school year on August 21st. Each district provides for a Christmas and Easter break. The dates are the same except for a few exceptions where some districts have extended the vacation. In addition to vacation, school districts also have 3 days during the school year when staff development is held. The districts have worked hard to either have these days before school starts, connected to a holiday or vacation, or on the same day. An example this year would be the January 8, 2007 staff development day. Of the 25 districts, 19 of the 25 districts or 76% will share the same staff development day. Plans are taking place to have a significant amount of the 19 districts collaborating together on this day to provide quality staff development to their staffs. All but 1 of the 25 districts or 96%, will conclude school between June 6-8th (the last day varies due to extended vacations during the school year). As you can see, there is not a significant variance as stated in the Grand Jury findings. Many parents and families will benefit from the collaborative efforts made by the district superintendents to coordinate school calendars this school year and in the future. In addition, there are very few families in Shasta County who enroll their children in different school districts. When this is the case, it is usually when a parent has a child in a K-8 district and a high school district. Knowing this is a concern, the K-8 districts tend to

adopt the high school district calendar that their schools feed into to insure this is not a problem for families. Reorganization of school districts may minimize the impact of differing school calendars. (Please see the compilation of Shasta County School Districts 2006/2007 School Year Calendars attached.)

Finding No. 8: No comments are offered regarding finding number 8. This is outside the scope of the jurisdiction of the Shasta County Superintendent of Schools. Please contact the elections department.

Finding No. 9: It is unknown what the local school administrator said. Certain districts on the east, west, north, south and central portions of Shasta County are sharing services which are believed to result in savings to the participating districts. Yet, this example also supports the premise that districts are already working collaboratively together to reduce costs by sharing training.

Finding No. 10: The issue of reorganization of school districts is a matter of substantial concern for citizens in Shasta County. Reorganization has benefits and detriments. Reorganization could, but not necessarily would, result in coordination of curriculum throughout the new reorganized district which would in all likelihood be beneficial for students. Various detriments arise from reorganization, some of which are noted in finding 10.

Finding No. 11: Costs are not necessarily reduced as a result of school district reorganization as noted in finding 11 and, therefore, the Shasta County Superintendent of Schools generally agrees with finding number 11.

Recommendations

1. This recommendation is beyond the scope of the jurisdiction and authority of the Shasta County Superintendent of Schools because the Shasta County Committee on School District Organization is tasked with the responsibility to implement the process of school district reorganization or to respond to petitions for school district reorganization. The Grand Jury report suggests that "select districts" and "some K-8 districts" should be investigated to determine if consolidation would help them achieve attainable benefits. Yet, the "select" and "K-8" districts are not identified? The Shasta County Committee on School District Organization requests more clarification in regards to this suggestion before they can consider the recommendation as currently suggested.
2. The Shasta County Superintendent of Schools agrees with this finding. The Shasta County Superintendent of Schools will continue to closely monitor the budgets of all Shasta County School Districts to insure they maintain fiscal stability. In addition, the Shasta County Superintendent of Schools will meet with each district superintendent throughout the 2006-07 school year to determine ways that the Shasta County Office of Education can help support them to insure they continue to successfully operate their districts.

August 16, 2006

Page Four

3. The Shasta County Superintendent of Schools agrees with this finding. The Shasta County Superintendent of Schools will continue to make this a priority to help insure that the school districts' calendars are as closely aligned as they are for the 2006-07 school year.

In addition to the recommendations listed above, the Shasta County Superintendent of Schools will meet with the 25 district superintendents in September 2006 to discuss the findings and recommendations of the Grand Jury. Also, the Shasta County Committee on School District Organization will meet on August 23, 2006 to discuss the Grand Jury report to determine next steps.

Sincerely,



Thomas V. Armelino
Shasta County Superintendent of Schools

TA/ep/vs

Encl.

cc: Shasta County Board of Supervisors
Shasta County Clerk
Shasta County Grand Jury
Shasta County Board of Education

Shasta County School Districts – 2006/2007 School Year Schedule

School District	School Starts Aug 21	Labor Day Sept 4	Veterans Day Nov 10	Thanks-giving Nov 22-24	Winter Recess Dec 21-Jan 5 * = 8 th SIP	MLK B-day Jan 15	President's Feb 12 & 19	Spring Recess April 2-9 * = 10 th SIP	Memorial May 28	Last Day of School	Other Local Holiday	Snow/Emerg. Make-up Days
AUHSD	X	X	X	X	X*	X	X	X*	X	6/7		
Bella Vista	X	X	X	X	X*	X	X	X	X	6/6		6/7
Black Butte	X	X	X	X	X*	X	X	X*	X	6/8		3/30 & 4/9
Cascade	X	X	X	X	X*	X	X	X*	X	6/7		6/8
Castle Rock	23	X	X	11/20-24	12/22-1/8*	X	X	4/4-4/10*	X	6/8		6/11 & 6/12
Columbia	X	X	X	X	X*	X	X	X*	X	6/7		6/8
Cottonwood	X	X	X	X	X*	X	X	X*	X	6/7		
Enterprise	8/23	X	X	X	12/22-1/8*	X	X	X*	X	6/8		4/9 & 6/11
French Gulch	X	X	X	X	X	X	X	X*	X	6/6		6/7
FRJUSD	8/23	X	X	X	12/22-1/5	X	X	X	X	6/7	8/31, 9/1	6/7
Gateway	X	X	X	11/20-24	12/25-1/5	X	X	X	X	6/7		6/8
Granger	X	X	X	X	X*	X	X	X*	X	6/8		6/8
Happy Valley	8/28	X	X	X	X*	X	X	X*	X	6/7		6/15
Igo-Ono-Platina	X	X	X	X	X	X	X	X*	X	6/6		6/7
Indian Springs	23	X	X	X	X	X	X	X	X	6/1	10/9	1/2 & 4/9
Junction	X	X	X	X	12/22-1/8*	X	X	X*	X	6/6		6/7
Millville	X	X	X	X	X*	X	X	X*	X	6/7		6/8
Mt. Union	X	X	X	X	12/20-1/5	X	X	X	X	6/7		2/12, 6/7, 6/8
North Cow	X	X	X	X	12/22-1/8*	X	X	X*	X	6/6		4/9
Oak Run	X	X	X	X	X*	X	X	X*	X	6/7		6/8
Pacheco	X	X	X	X	X*	X	X	X*	X	6/7		6/8
**Redding	X	X	X	X	X	X	X	X*	X	6/6		6/7
S/T ROP	X	X	X	X	12/22-1/8*	X	X	X*	X	6/7		
SCOE	X	X	X	X	X*	X	X	X	X	6/6		6/7
Shasta College	X	X	X	11/23-24	12/22-12/26; 1/1-1/2	X	2/9 & 2/19	4/2-4/6	X	5/25		
Shasta Elem	X	X	X	X	X	X	X	X*	X	6/6		6/7
SUHSD	X	X	X	X	X*	X	X	X*	X	6/7		6/8 or 6/11
Whitmore	X	X	X	X	X*	X	X	X*	X	6/6		6/7

√-Pending Approval

**Not Board Approved

August 3, 2006

SHASTA COUNTY OFFICE OF EDUCATION
Business Services Division
Five Year History of First Week Enrollments

DISTRICT	% Change		ADA Change		2006	2005	2004	2003	2002
	Prior Year	Prior Year	Prior Year	Prior Year					
BELLA VISTA	3.3%	13			413	400	430	452	455
BLACK BUTTE	-6.0%	(19)			300	319	344	342	360
CASCADE	-3.6%	(56)			1488	1544	1557	1528	1591
CASTLE ROCK	1.3%	1			76	75	82	63	84
COLUMBIA	-3.0%	(31)			995	1026	1046	949	905
COTTONWOOD	-1.1%	(13)			1200	1213	1214	1223	1227
ENTERPRISE	-1.1%	(38)			3447 **	3485 **	3481 **	3672 **	3645
FRENCH GULCH	-40.0%	(12)			18	30	28	35	23
GRANT	-0.2%	(1)			588	589	569	543	542
HAPPY VALLEY	2.8%	16			582	566	595	633	644
IGO-ONO-PLATINA	-31.6%	(37)			80	117	118	113	101
INDIAN SPRINGS	-22.2%	(4)			14	18	28	29	32
JUNCTION	-5.2%	(21)			386	407	416	470	538
MILLVILLE	-3.2%	(7)			213	220	217	220	209
MOUNTAIN UNION	-12.0%	(9)			66	75	94	93	97
NORTH COW CREEK	6.3%	19			321	302	289	304	320
OAK RUN	-4.8%	(3)			59	62	49	53	73
PACHECO	-1.1%	(8)			710	718	676	727	756
REDDING	-2.4%	(80) **			3306 **	3386 **	3589 **	3615 **	3714
SHASTA ELEMENTARY	-11.0%	(17)			138	155	153	177	180
WHITMORE	-20.4%	(10)			39	49	41	24	31
AUHSD	-7.5%	(164) **			2025 **	2189 **	2102 **	2154 **	2342
SUHSD	-0.4%	(20) **			5525 **	5545 **	5455 **	5401 **	5323
GATEWAY	-2.2%	(68) **			2984 **	3052 **	3099 **	3314 **	3492
FALL RIVER *	1.8%	23			1273	1250	1312	1355	1358
Subtotal	-2.0%	(546)			26,246	26,792	26,984	27,489	28,042
Charter Schools									
District:									
Anderson New Tech High School	Anderson	5.8%	12		220	208	177	117	70
Chrysalis Charter	SCOE	2.1%	2		97	95	101	84	80
Northwoods Discovery School	Gateway	-2.8%	(6)		205	211	197	201	181
Acoms to Oaks Charter School	Cascade	-34.8%	(16)		30	46	34	33	22
Evergreen Charter School	Redding	0.0%	0		64	64	70	64	54
Monarch Learning Center	Redding	2.4%	3		128	125	128	127	122
Pathway.com	Redding	Closed	0		0	0	0	0	45
Stellar Charter (Elementary)	Redding	6.6%	6		97	91	100	85	87
Stellar Secondary Chrtr High Sch	Redding	3.3%	2		62	60	48	44	27
Wonder to Wisdom Chrtr Acad	Redding	Closed	0		0	0	0	39	25
Redding School of the Arts	SUHSD	7.4%	24		349	325	258	255	247
Shasta Secondary Home School	SUHSD	-4.7%	(10)		205	215	228	205	167
University Prep School	SUHSD	19.8%	79		477	398	259		
Subtotal		5.2%	96		1934	1838	1600	1254	1127
TOTALS		-1.6%	(450)		28,180	28,630	28,584	28,743	29,169
OVERALL CHANGE FROM YEAR TO YEAR					(450)	46	(159)	(426)	
PERCENT OF CHANGE OVERALL					-1.57%	0.16%	-0.55%	-1.46%	

NOTE: Districts have varying start dates, these figures reflect the enrollment on the 5th school day or the first Friday that school was in session.
**Charter Schools are listed separately.

SHASTA COUNTY OFFICE OF EDUCATION
Business Services Division
Five Year History of First Week Enrollments

DISTRICT	2006	2005	2004	2003	2002
BELLA VISTA	413	400	430	452	455
BLACK BUTTE	300	319	344	342	360
CASCADE	** 1518	1544	1557	1528	1591
CASTLE ROCK	76	75	82	63	84
COLUMBIA	995	1026	1046	949	905
COTTONWOOD	1200	1213	1214	1223	1227
ENTERPRISE	3447 **	3580 **	3582 **	3756 **	3725
FRENCH GULCH	18	30	28	35	23
GRANT	588	589	569	543	542
HAPPY VALLEY	582	566	595	633	644
IGO-ONO-PLATINA	80	117	118	113	101
INDIAN SPRINGS	14	18	28	29	32
JUNCTION	386	407	416	470	538
MILLVILLE	213	220	217	220	209
MOUNTAIN UNION	66	75	94	93	97
NORTH COW CREEK	321	302	289	304	320
OAK RUN	59	62	49	53	73
PACHECO	710	718	676	727	756
REDDING	** 3657 **	3772 **	3969 **	4007 **	4096
SHASTA ELEMENTARY	138	155	153	177	180
WHITMORE	39	49	41	24	31
AUHSD	** 2245 **	2397 **	2279 **	2271 **	2412
SUHSD	** 6556 **	6483 **	6200 **	5861 **	5737
GATEWAY	** 3189 **	3263 **	3296 **	3515 **	3673
FALL RIVER	1273	1250	1312	1355	1358
SCOE--Chrysalis	97				
TOTALS	28,180	28,630	28,584	28,743	29,169

NOTE: Districts have varying start dates, these figures reflect the enrollment on the 5th school day or the first Friday that school was in session.
 **Charter Schools included with district enrollment.

SHASCOM
... But Nobody's Perfect!

SHASCOM
3101 South Street
Redding, CA 96001-2379
(530) 245.6500

REASON FOR INQUIRY:

Section 925a of the California Penal Code authorizes a grand jury to investigate and report upon the operations, accounts, and records of the officers, departments, functions, and the method or system of performing the duties of any joint powers agency, and to make such recommendations as it may deem proper and fit. No formal complaints were received regarding this joint powers agency. However, interviews with representatives of several local public safety agencies indicated that they and their organizations were not wholly satisfied with the service that it provides.

BACKGROUND:

The Shasta Area Safety Communications Agency (SHASCOM) is a joint powers agency which provides a uniform system of emergency call-taking and public safety dispatching for certain agencies in Shasta County. It is the centralized dispatch center for the Shasta County Sheriff's Office (SCSO), Redding Police Department (RPD), Redding Fire Department (RFD), and three emergency medical service companies (EMS). Additionally, SHASCOM now has "reverse 9-1-1" capability which enables it to send messages to all telephones within a selected area. Reverse 9-1-1 is used to transmit evacuation orders; warnings of fire, smog or flood dangers; Amber alerts, etc.

SHASCOM was created in 1990 by approval of a joint powers agreement by the Shasta County Board of Supervisors and the City Councils of Anderson and Redding.

Originally, dispatch services were provided for the Anderson Police Department, but that city withdrew from SHASCOM in July 1996 to again operate its own dispatch center. The reasons given for its withdrawal were the expense per call, slow 9-1-1-response time, and lack of voice recognition between Anderson Police officers and dispatchers. However, the Anderson dispatch center now communicates and cooperates closely with SHASCOM and contributes annually to the costs of financing and maintaining the SHASCOM building, as specified in the joint powers agreement.

SHASCOM is governed by a Board of Directors composed of the Shasta County Administrative Officer; the County Sheriff; the Redding City Manager; and the Redding Police Chief or Fire Chief (as designated by the City Manager). It is funded by the County, the Cities of Redding and Anderson, and the three emergency medical service providers that operate ambulances within the county. For FY 2005/2006 the SHASCOM budget is \$3,301,972. Shasta County, the City of Redding, and the City of Anderson contributed, respectively, \$947,161, \$1,837,215, and \$6,039. Emergency medical service providers contributed \$400,000.

A 2003/2004 Shasta County Grand Jury report on SHASCOM made three recommendations:

- SHASCOM Board meeting agendas must be posted and Board meetings held at a freely accessible location. This recommendation has been implemented.
- SHASCOM should use part of its budget surplus to offer signing bonuses to aid in recruiting. This recommendation was implemented.
- SHASCOM should add a fifth voting member to the Board to avert tie votes. This recommendation has not been implemented because the Board feels that the threat of a tie vote forces the parties involved to negotiate to a consensus, and that this practice has

work well. There has never been a tie vote

METHOD OF INQUIRY:

The Grand Jury reviewed the following documents:

- *SHASCOM Budget as Approved 2/14/05*
- Three quarterly SHASCOM *Quality Control Questionnaires*
- The 2003/2004 Shasta County Grand Jury report entitled *Shasta Area Safety Communications Agency*
- The SHASCOM web site, <http://www.shascom911.com/>
- *SHASCOM Policies and Procedures* manual
- Minutes of SHASCOM Board meetings of January 9 and March 13, 2006

The Grand Jury conducted the following interviews:

- The SHASCOM Public Safety Manager ~ Operations (Interim General Manager)
- Four SHASCOM Public Service Dispatchers
- A SHASCOM Supervising Public Service Dispatcher
- A Shasta County Sheriff's Department Captain
- A former Shasta County Deputy Sheriff
- Ten Redding Police Department officers
- Thirteen firefighters in the Redding Fire Department
- Three members of the Redding City Council

The Grand Jury attended the May 22, 2006, meeting of the SHASCOM Board of Directors.

The Grand Jury toured the SHASCOM facility, and observed operations in the fire dispatch "pod."

FINDINGS:

1. SHASCOM serves two major customers: the public, by providing 9-1-1 service; and public safety agencies, as a central dispatch center. The Grand Jury finds that SHASCOM is well organized and operated. No serious problems were discovered in this investigation.
2. SHASCOM management stated their service load has increased in approximate proportion to the population increase in the region. During 2005, more than 219,000 incidents were logged by the Computer Aided Dispatch (CAD) system. This is an increase of 5.8% over the volume in 2003. All incidents are tallied by this system but not all incidents require enough activity to cause a case number to be assigned. The following table shows statistics for incidents assigned a case number.

3.

SHASCOM CASE VOLUME					
	2003	2004	2005	2003-05 % Growth	2005 % of Calls
RPD	77,344	82,037	85,673	11	53
SCSO	43,382	44,797	45,829	6	28
RFD	9,923	11,179	12,560	27	8
EMS	13,039	16,865	18,793	44	12
Totals:	145,691	156,882	162,855	12	

4. A State grant of \$135,000, plus \$30,000 from the City of Anderson and \$18,000 from the SHASCOM budget will be used to implement a new 9-1-1 system. Under this system, cellular 9-1-1 calls will now be routed directly to SHASCOM instead of the California Highway Patrol. It will identify the cellular phone location and expedite emergency responses.
5. SHASCOM utilizes a network of complex radio/telephone consoles, called “pods,” each of which is operated by a single dispatcher. This hardware is complemented by equally

sophisticated computer software. Although all pods are identical and capable of communicating with any agency, in practice each is dedicated to a specific agency: one pod is dedicated to RPD, one to RFD, one to SCSO, and another to EMS. A dispatcher operating a pod can forward a call for service to another pod and assume another pod's functions when necessary. Computers in the pods post new and active calls for service, provide prioritizing guidance, and aid in gathering necessary dispatch information.

6. Dispatchers have a lot of responsibility and the job requires extensive training and the ability to multi-task. Dispatchers must gather information from 9-1-1 callers, many of whom are excited, disoriented or hysterical. They must then enter incident information into the computer system and transmit that information as a dispatch to an appropriate unit in the proper public service agency. Communications codes are used for clarity and brevity, and dispatchers must also be familiar with the more common criminal laws.
7. Dispatchers interviewed by the Grand Jury were professional and dedicated. They agreed that their jobs are, at times, stressful, but all stated that this is simply part of the job. All were aware that their performance can determine life or death for those served.
8. All persons interviewed rated morale at SHASCOM very high. One person stated that, under the previous General Manager, it was only poor to fair. All interviewed were highly complimentary about management in general, and the current Interim General Manager in particular. Many were concerned that gender may preclude her from becoming the permanent General Manager. They claim that, since she has taken over as Interim Manager, morale has improved and operations are more efficient.
9. The SHASCOM *Policies and Procedures* manual consists of 402 clear, concise and thorough sections. Some sections were found to need updating but these were relatively insignificant and the manual is, for the most part, current. This manual is used primarily

for training and review. New or revised entries are distributed to and discussed with all employees, who must verify that they have read and understand them.

10. As part of SHASCOM's quality control system, volunteers conduct weekly telephone surveys of randomly selected 9-1-1 callers. These callers are queried about their satisfaction or criticism of the services received from SHASCOM and the involved agencies. Survey results are compiled into a quarterly *SHASCOM Quality Control* report. The *Policies and Procedures* manual does not document this procedure.
11. Telephone call-takers or supervisors handle service complaints received from both 9-1-1 callers and public agencies. If a complaint is not resolved by the call taker, it is entered into a *Service Inquiry Log* and forwarded to management for further action. The occasional malfunction of this complaint resolution system underlies some of the criticism of SHASCOM by user agencies. The Grand Jury did not find this complaint procedure documented in the *Policies and Procedures* manual.
12. Management of employee grievances is specified in detail in the *Policies and Procedures* manual. Grievances or complaints are first presented to the employee's supervisor and may be passed up the chain of command to achieve resolution. It is not so stated in the manual, but employees relate that they may contact a supervisor other than their own if appropriate.
13. Employee suggestions for improvement of SHASCOM are passed up the chain of command, beginning with the employee's supervisor, but some employees feel this mechanism is ineffective. An existing anonymous "Employee Suggestion Box" provides a direct line to management, bypassing supervisors. However, SHASCOM management informed the Grand Jury that very few suggestions have been submitted in recent years.
14. Employees relate that there is a small "disgruntled group" within SHASCOM. Most

employees interviewed stated that such persons exist in virtually all organizations and that they did not adversely affect operations or morale in SHASCOM.

15. The ultimate training goal of SHASCOM dispatchers is to become competent in 9-1-1 call-taking and in management of all four radio pods: SCSD, RPD, RFD and EMS. Employees must also learn to liaison with the California Highway Patrol, California Department of Forestry and Fire Protection (CDF), and Anderson Police Department. Typically, about three months' training is necessary to achieve adequate proficiency in the first employment task, that of call-taker. Considerably more training is required before the dispatcher is proficient enough to operate a radio pod. Competency across all sectors is typically achieved only after two to five years of employment and training.

Most training is one-on-one and is primarily provided by other dispatchers and supervisors, which takes these trainers away from their regular duties. Thus, training is costly and places an added burden on all shift workers. Obviously, when a current employee terminates, his or her replacement must be trained for the job. Employee turnover is, therefore, costly to the agency.

16. The most common reason for employees to terminate employment at SHASCOM is to spend more time starting families and raising children. Retaining these trained employees, even on a part time basis, might be advantageous for SHASCOM. Many of these persons might wish to continue working on a reduced-time schedule. Part-time status is currently available, but it offers no retirement or health care benefits. There is no provision for an arrangement such as job-sharing, in which two or more persons share one full-time position and divide wages and benefits between them.

Other reasons given for employee turnover include incompatibility with the shift schedule, which requires working at night; and discovering that the employee really does

not like the job for one reason or another. Multitasking is an integral part of every dispatcher's job and some persons do this better than others. The dispatchers who were interviewed also reported intermittent episodes of severe stress. Not everyone is able to adapt to these conditions.

17. Employees report some "squabbling" and micromanagement in the work environment, but not serious enough to cause problems. In fact, micromanagement during episodes of crisis and high volume was welcomed by some of those interviewed. They also noted that supervisors are (sometimes) more harsh than necessary and have been known to deliver reprimands in the presence of other employees, causing embarrassment, which is undesirable and usually unnecessary.
18. There is close cooperation between the Anderson Police Department (APD) dispatch center and SHASCOM. Equipment, software and procedures are standardized; operators may be exchanged in times of need; and SHASCOM may even provide dispatch services to APD during a major incident. An example occurred recently when an APD officer was assaulted on duty. SHASCOM notified appropriate agencies and assumed routine APD calls while APD dispatch managed the incident.
19. Several law enforcement agency personnel indicated that, at times, SHASCOM was "the tail wagging the dog," directing the conduct of the agencies. SHASCOM personnel relate that this may well appear to be the case since they are often better informed of available resources than are units in the field. Public safety personnel stated that SHASCOM seemed, at times, to ignore suggestions about SHASCOM communication procedures and take the attitude that "SHASCOM knows best."
20. Redding firefighters interviewed by the Grand Jury consistently indicated that dispatch through SHASCOM, while adequate, could be improved. They noted that, during some

major emergencies within the city (e.g., during the December, 2005, Jewell Lane flood), a battalion chief stationed himself in the fire pod at SHASCOM to guide dispatch, and that this noticeably improved the efficiency of operations.

CDF has jurisdiction over fires in the County and State. Its dispatch center is operated by a fire captain, who has fire management expertise. The CDF dispatcher is given authority to prioritize calls and to manage some situations on his or her own. A simple example is the proverbial “cat in the tree.” RFD would not deny service and would have a unit respond to this call. A CDF dispatcher, on the other hand, has the option of suggesting the caller place a bowl of cat food at the base of the tree and call back if the cat doesn’t come down. This could save the cost of sending a unit.

In any major wildfire incident, RFD units immediately sign over to CDF for dispatch. The Redding firefighters interviewed by the Grand Jury stated they believe it would be less expensive and they would receive better service if all of their dispatching were switched to CDF. Whether the net effect would be a cost savings has not actually been determined.

Redding currently spends \$1.8 million annually for SHASCOM services. It allocates \$900,000 of that expenditure through RPD and \$900,000 through RFD. However, the current allocation is simply a matter of budgetary convenience and makes no allowance for user volume. In 2005, RPD used nearly seven times as much SHASCOM service as does RFD. If allocated by dispatch volume, RFD’s share would be \$230,000, which would more accurately reflect the percentage of General Fund money allocated to both departments. It would be clearer to managers as well as concerned citizens if Redding were to allocate SHASCOM police and fire payments proportionately.

21. At SHASCOM’s inception, meetings called “Law Ops” and “Fire Ops” were initiated to

resolve operational problems and disputes among member agencies. These meetings were originally held monthly but the number of issues declined and they are now scheduled in alternate months. Several interviewees reported that some of the agencies have not sent representatives to recent meetings. SHASCOM management indicated that, although they always attend the meetings, they prefer to resolve complaints and suggestions promptly by telephone. Issue resolution is not addressed in the *Policies and Procedures* manual.

22. In response to a 2003/2004 Shasta County Grand Jury Recommendation, SHASCOM now posts announcements and agendas of its Board of Directors' meetings in publicly accessible locations, namely on a bulletin board located outside the SHASCOM security fence, and on the SHASCOM Internet web site. The latter location is readily available to the public. A regular meeting of the SHASCOM Board was scheduled for Monday May 8, 2006, and the agenda was duly posted to the web site. However, the Grand Jury found that, as of Friday, May 5th, it was known to SHASCOM that the meeting had been rescheduled to May 22nd. The website did not reflect this change until May 10th, when the agenda for a special meeting, to be held on May 22nd, was posted.

23. Staffing has consistently been near authorized levels. SHASCOM's personnel consist of 52 authorized paid positions and two volunteers, as shown in the table below.

SHASCOM Staffing, April 2006						
Position	Authorized	Funded	Frozen	Filled	Vacant	Female
General Manager	1	1	0	0	1	NA
Public Safety Manager - Ops	1	1	0	1	0	1
Public Safety Manager - Training	1	1	0	1	0	1
Public Safety Manager - Systems	1	1	0	1	0	1
Supervisor	5	5	0	4	1	1
Public Safety Dispatcher I & II	34	34	2	31	1	27
Administrative Assistant	1	1	0	1	0	1

Accountant (no benefits)	1	1	0	1	0	1
Secretary (no benefits)	1	1	0	1	0	1
Extra Help Dispatchers (no benefits)	5	5	0	5	0	5
Mapper/Background/Maintenance (no benefits)	1	1	0	1	0	0
Volunteer	NA	NA	NA	2	NA	1

24. Since its inception in 1990, SHASCOM has had three General Managers. All have been male. Two came from the ranks of sworn law enforcement officers (one police, one sheriff). The most recent retired in October 2005. The agency is now headed by an Interim General Manager (female) who is also the Public Safety Manager ~ Operations. Her experience and training are in public safety dispatching. This interim General Manager has strong support from her staff.

25. In spite of widespread recruitment efforts, the position of permanent General Manager has been vacant for approximately 18 months. The Grand Jury finds that recruiting and appointing a competent and dedicated General Manager is the most pressing of SHASCOM's current needs. A lack of response by qualified applicants for this position is attributed by SHASCOM personnel to an inadequate pay and benefits package and the fact that few persons are qualified to manage centralized dispatch centers. Because the demand for qualified candidates exceeds the supply, the compensation package for this position must be reviewed.

Combining the Training and Systems Manager positions is one option suggested by a SHASCOM Board member for freeing up funds to increase salary and benefits of the General Manager. Training and systems management are both crucial to maintaining the competence of dispatchers and the high quality and volume of SHASCOM operations. The feasibility of this option depends on the amount of time and effort these positions

require, and warrants further review.

RECOMMENDATIONS:

1. The Grand Jury recommends that the Board of Directors of SHASCOM make their highest priority the hiring of a qualified General Manager.
2. The Grand Jury recommends that employee schedules be made more flexible, specifically to include job-sharing, in an effort to reduce employee turnover and its concomitant recruitment and training demands and costs.
3. SHASCOM must ensure that all supervisors and managers are adequately trained and are effective in discipline and reprimand of employees. Training courses covering these topics are available and should be utilized where appropriate.
4. Representatives of all involved agencies should attend every scheduled Law Ops and Fire Ops meeting and should be prepared to discuss and resolve any and all problems involving SHASCOM services. If there are no issues to be discussed, the meetings should be cancelled. The requirements of the Ops meeting system should be included in the *Policies and Procedures* manual.
5. User and public complaint management systems should be included in the *Policies and Procedures* manual
6. The SHASCOM *Policies and Procedures* manual should be updated to include the SHASCOM Quality Control Report system.
7. To enhance transparency, the City of Redding should allocate SHASCOM funds between RPD and RFD according to their respective service volumes.
8. The Grand Jury recommends that SHASCOM implement a more dependable method of updating its website with special emphasis on timely posting of the Board of Directors'

meeting agendas.

RESPONSES REQUIRED:

1. SHASCOM Board of Directors as to Findings 1–23 and Recommendation 1–6 and 8.
2. Shasta County Sheriff's Office as to Findings 10, 18 and 20, and Recommendation 4.
3. City of Anderson as to Finding 17.
4. Redding City Council as to Findings 10, and 18 – 20 and Recommendations 4 and 7.



August 24, 2006

The Honorable William D. Gallagher
Presiding Judge, Shasta County Superior Court
1500 Court St., Rm. 205
Redding, CA 96001

Re: Response of SHASCOM to the FY 2005-06 Grand Jury Report

Dear Judge Gallagher:

SHASCOM appreciates the efforts and dedication of the fiscal year 2005-06 Grand Jurors. SHASCOM's response to the findings and recommendations to the 2005-06 report are as follows:

FINDINGS

1. SHASCOM serves two major customers: the public, by providing 9-1-1 service; and public safety agencies, as a central dispatch center. The Grand Jury finds that SHASCOM is well organized and operated. No serious problems were discovered in this investigation.

Response: SHASCOM Board concurs with finding.

2. SHASCOM management stated their service load has increased in approximate proportion to the population increase in the region. During 2005, more than 219,000 incidents were logged by the Computer Aided Dispatch (CAD) system. This is an increase of 5.8% over the volume in 2003. All incidents are tallied by this system but not all incidents require enough activity to cause a case number to be assigned.

Response: SHASCOM Board concurs with finding.

3. A state grant of \$135,000, plus \$30,000 from the City of Anderson and \$18,000 from the SHASCOM budget will be used to implement a new 9-1-1 system. Under this system, cellular 9-1-1 calls will now be routed directly to SHASCOM instead of the California Highway Patrol. It will identify the cellular phone location and expedite emergency responses.

Response: SHASCOM Board concurs with finding.

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The Honorable William D. Gallagher

4. SHASCOM utilizes a network of complex radio/telephone consoles, called "pods," each of which is operated by a single dispatcher. This hardware is complemented by equally sophisticated computer software. Although all pods are identical and capable of communicating with any agency, in practice each is dedicated to a specific agency: one pod is dedicated to RPD, one to RFD, one to SCSO, and another to EMS. A dispatcher operating a pod can forward a call for service to another pod and assume another pod's functions when necessary. Computers in the pods post new and active calls for service, provide prioritizing guidance, and aid in gathering necessary dispatch information.

Response: SHASCOM Board concurs with finding.

5. Dispatchers have a lot of responsibility and the job requires extensive training and the ability to multi-task. Dispatchers must gather information from 9-1-1 callers, many of whom are excited, disoriented or hysterical. They must then enter incident information into the computer system and transmit that information as a dispatch to an appropriate unit in the proper public service agency. Communications codes are used for clarity and brevity, and dispatchers must be familiar with the more common criminal laws.

Response: SHASCOM Board concurs with finding.

6. Dispatchers interviewed by the Grand Jury were professional and dedicated. They agreed that their jobs are, at times, stressful, but all stated that this is simply part of the job. All were aware that their performance can determine life or death for those served.

Response: SHASCOM Board concurs with finding.

7. All persons interviewed rated morale at SHASCOM very high. One person stated that, under the previous General Manager, it was only poor to fair. All interviewed were highly complimentary about management in general, and the current Interim General Manager in particular. Many were concerned that gender may preclude her from becoming the permanent General Manager. They claim that, since she has taken over as Interim Manager, morale has improved and operations are more efficient.

Response: The SHASCOM Board concurs with this finding with the following exception. SHASCOM is an equal opportunity employer and complies with both state and federal laws prohibiting employment discrimination because of a person's gender.

8. The SHASCOM *Policies and Procedures* manual consists of 402 clear, concise and thorough sections. Some sections were found to need updating but these were relatively insignificant and the manual is, for the most part, current. This manual is used primarily for training and review. New or revised entries are distributed to and discussed with all employees, who must verify that they have read and understand them.

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Response: SHASCOM Board concurs with finding.

9. As part of SHASCOM's quality control system, volunteers conduct weekly telephone surveys of randomly selected 9-1-1 callers. These callers are queried about their satisfaction or criticism of the services received from SHASCOM and the involved agencies. Survey results are compiled into a quarterly *SHASCOM Quality Control* report. The *Policies and Procedures* manual does not document this procedure.

Response: SHASCOM Board concurs with finding.

10. Telephone call-takers or supervisors handle service complaints received from both 9-1-1 callers and public agencies. If a complaint is not resolved by the call-taker, it is entered into a *Service Inquiry Log* and forwarded to management for further action. The occasional malfunction of this complaint resolution system underlies some of the criticism of SHASCOM by user agencies. The Grand Jury did not find this complaint procedure documented in the *Policies and Procedures* manual.

Response: SHASCOM Board concurs with finding.

11. Management of employee grievances is specified in detail in the *Policies and Procedures* manual. Grievances or complaints are first presented to the employee's supervisor and may be passed up the chain of command to achieve resolution. It is not so stated in the manual, but employees relate that they may contact a supervisor other than their own if appropriate.

Response: SHASCOM Board concurs with finding.

12. Employee suggestions for improvement of SHASCOM are passed up the chain of command, beginning with the employee's supervisor, but some employees feel this mechanism is ineffective. An existing anonymous "Employee Suggestion Box" provides a direct line to management, bypassing supervisors. However, SHASCOM management informed the Grand Jury that very few suggestions have been submitted in recent years.

Response: SHASCOM Board concurs with finding.

13. Employees relate that there is a small "disgruntled group" within SHASCOM. Most employees interviewed stated that such persons exist in virtually all organizations and that they did not adversely affect operations or morale in SHASCOM.

Response: SHASCOM Board disagrees with finding. Although there are different levels of employee satisfaction within in each organization, to say there is a small disgruntled group is subjective. However, the Board will actively solicit employee feedback and respond to employee concerns where appropriate.

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The Honorable William D. Gallagher

14. The ultimate training goal of SHASCOM dispatchers is to become competent in 9-1-1 call-taking and in management of all four radio pods: SCSD, RPD, RFD, and EMS. Employees must also learn to liaison with the California Highway Patrol, California Department of Forestry and Fire Protection (CDF), and Anderson Police Department. Typically, about three months training is necessary to achieve adequate proficiency in the first employment task, that of call-taker. Considerably more training is required before the dispatcher is proficient enough to operate a radio pod. Competency across all sectors is typically achieved only after two to five years of employment and training.

Most training is one-on-one and is primarily provided by other dispatchers and supervisors, which takes these trainers away from their regular duties. Thus, training is costly and places an added burden on all shift workers. Obviously, when a current employee terminates, his or her replacement must be trained for the job. Employee turnover is, therefore, costly to the agency.

Response: SHASCOM Board concurs with finding. SHASCOM has implemented incentives that reward longevity which in turn has helped to reduce turnover.

15. The most common reason for employees to terminate employment at SHASCOM is to spend more time starting families and raising children. Retaining these trained employees, even on a part-time basis, might be advantageous for SHASCOM. Many of these persons might wish to continue working on a reduced-time schedule. Part-time status is currently available, but it offers no retirement or health care benefits.

There is no provision for an arrangement such as job-sharing, in which two or more persons share one full-time position and divide wages and benefits between them.

Other reasons given for employee turnover include incompatibility with the shift schedule, which requires working at night; and discovering that the employee really does not like the job for one reason or another. Multitasking is an integral part of every dispatcher's job and some persons do this better than others. The dispatchers who were interviewed also reported intermittent episodes of severe stress. Not everyone is able to adapt to these conditions.

Response: SHASCOM Board disagrees with this finding. Although not everyone is compatible with working at night and being capable of multi-tasking, SHASCOM has created an environment that affords the opportunity for some flexibility and relief for periods of peak workload.

16. Employees report some "squabbling" and micromanagement in the work environment, but not serious enough to cause problems. In fact, micromanagement during episodes of crisis and high volume was welcomed by some of those interviewed. They also noted that supervisors are (sometimes) more harsh than necessary and have been known to

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deliver reprimands in the presence of other employees, causing embarrassment, which is undesirable and usually unnecessary.

Response: SHASCOM Board disagrees with finding. It is not standard operating procedure nor is it acceptable behavior for supervision to embarrass team members.

17. There is close cooperation between the Anderson Police Department (ADP) dispatch center and SHASCOM. Equipment, software and procedures are standardized; operators may be exchanged in times of need; and SHASCOM may even provide dispatch services to APD during a major incident. An example occurred recently when an APD officer was assaulted on duty. SHASCOM notified appropriate agencies and assumed routine APD calls while APD dispatch managed the incident.

Response: SHASCOM Board concurs with finding.

18. Several law enforcement agency personnel indicated that, at times, SHASCOM was "the tail wagging the dog," directing the conduct of the agencies. SHASCOM personnel relate that this may well appear to be the case since they are often better informed of available resources that are unites in the field. Public safety personnel stated that SHASCOM seemed, at times, to ignore suggestions about SHASCOM communication procedures and take the attitude that "SHASCOM knows best."

Response: SHASCOM Board disagrees with finding but understands there may be perceptions that don't reflect reality.

19. Redding firefighters interviewed by the Grand Jury consistently indicated that dispatch through SHASCOM, while adequate, could be improved. They noted that, during some major emergencies within the city (e.g., during the December, 2005, Jewell Lane Flood), a battalion chief stationed himself in the fire pod at SHASCOM to guide dispatch, and that this noticeably improved the efficiency of operations.

CDF has jurisdiction over fires in the County and State. Its dispatch center is operated by a fire captain, who has fire management expertise. The CDF dispatcher is given authority to prioritize calls and to manage some situations on his or her own. A simple example is the proverbial "cat in the tree." RFD would not deny service and would have a unit respond to this call. A CDF dispatcher, on the other hand, has the option of suggesting the caller place a bowl of cat food at the base of the tree and call back if the cat doesn't come down. This could save the cost of sending a unit.

In any major wildfire incident, RFD units immediately sign over to CDF for dispatch. The Redding firefighters interviewed by the Grand Jury stated they believe it would be less expensive and they would receive better service if all of their dispatching were switched to CDF. Whether the net effect would be a cost savings has not actually been determined.

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Redding currently spends \$1.8 million annually for SHASCOM services. It allocates \$900,000 of that expenditure through RPD and \$900,000 through RFD. However, the current allocation is simply a matter of budgetary convenience and makes no allowance for user volume. In 2005, RPD used nearly seven times as much SHASCOM service as does RFD. If allocated by dispatch volume, RFD's share would be \$230,000, which would more accurately reflect the percentage of General Fund money allocated to both departments. It would be clearer to managers as well as concerned citizens if Redding were to allocate SHASCOM police and fire payments proportionately.

Response: SHASCOM Board partially agrees with finding. We agree there may be opportunities for growth and will review funding allocations.

20. At SHASCOM's inception, meetings called "Law Ops" and "Fire Ops" were initiated to resolve operational problems and disputes among member agencies. These meetings were originally held monthly but the number of issues declined and they are now scheduled in alternate months. Several interviewees reported that some of the agencies have not sent representatives to recent meetings. SHASCOM management indicated that, although they always attend the meetings, they prefer to resolve complaints and suggestions promptly by telephone. Issue resolution is not addressed in the *Policies and Procedures* manual.

Response: SHASCOM Board agrees with finding.

21. In response to a 2003/2004 Shasta County Grand Jury Recommendation, SHASCOM now posts announcements and agendas of its Board of Directors' meetings in publicly accessible locations, namely on a bulletin board located outside the SHASCOM security fence, and on the SHASCOM Internet web site. The latter location is readily available to the public. A regular meeting of the SHASCOM Board was scheduled for Monday, May 8, 2006, and the agenda was duly posted to the web site. However, the Grand Jury found that, as of Friday, May 5, it was known to SHASCOM that the meeting had been rescheduled to May 22. The website did not reflect this change until May 10, when the agenda for a special meeting, to be held on May 22, was posted.

Response: SHASCOM Board agrees with finding and corrections have been implemented.

22. Staffing has consistently been near authorized levels. SHASCOM's personnel consist of 52 authorized paid positions and two volunteers.

Response: SHASCOM Board concurs with finding.

23. Since its inception in 1990, SHASCOM has had three General Managers. All have been male. Two came from the ranks of sworn law enforcement officers (one police, one

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sheriff). The most recent retired in October 2005. The agency is now headed by an interim General Manager (female) who is also the Public Safety manager – Operations. Her experience and training are in public safety dispatching. This interim General Manager has strong support from her staff.

Response: SHASCOM Board concurs with finding.

24. In spite of widespread recruitment efforts, the position of permanent General Manager has been vacant for approximately 18 months. The Grand Jury finds that recruiting and appointing a competent and dedicated General Manager is the most pressing of SHASCOM's current needs. A lack of response by qualified applicants for this position is attributed by SHASCOM personnel to an inadequate pay and benefits package and the fact that few persons are qualified to manage centralized dispatch centers. Because the demand for qualified candidates exceeds the supply, the compensation package for this position must be reviewed.

Combining the training and Systems Manager positions is one option suggested by a SHASCOM Board member for freeing up funds to increase salary and benefits of the General Manager. Training and systems management are both crucial to maintaining the competence of dispatchers and the high quality and volume of SHASCOM operations. The feasibility of this option depends on the amount of time and effort these positions require, and warrants further review.

Response: SHASCOM Board disagrees with finding. The SHASCOM Board of Directors has made the hiring of a qualified General Manager a high priority. A new qualified General Manager has been hired and will begin work effective August 15, 2006.

RECOMMENDATIONS

1. The Grand Jury recommends that the Board of Directors of SHASCOM make their highest priority the hiring of a qualified General Manager.

Response: SHASCOM Board of Directors has made the hiring of a qualified General Manager a high priority. A new qualified General Manager has been hired and will begin work effective August 15, 2006.

2. The Grand Jury recommends that employee schedules be made more flexible, specifically to include job-sharing, in an effort to reduce employee turnover and its concomitant recruitment and training demands and costs.

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Response: SHASCOM Board of Directors will direct the new General Manager to review scheduling. Employee turnover has already been reduced significantly with the incorporation of longevity incentives.

3. SHASCOM must ensure that all supervisors and managers are adequately trained and are effective in discipline and reprimand of employees. Training courses covering these topics are available and should be utilized where appropriate.

Response: SHASCOM Board of Directors will direct the General Manager to monitor, schedule, and facilitate the appropriate training for all team members. An annual training schedule will be included in Board meeting packets.

4. Representatives of all involved agencies should attend every scheduled Law Ops and Fire Ops meeting and should be prepared to discuss and resolve any and all problems involving SHASCOM services. If there are no issues to be discussed, the meetings should be cancelled. The requirements of the Ops meeting system should be included in the *Policies and Procedures* manual.

Response: Requirements of the Ops meetings will be included in the *Policies and Procedures* manual.

5. User and public complaint management systems should be included in the *Policies and Procedures* manual.

Response: Complaint processes will be included in the *Policies and Procedures* manual.

6. The SHASCOM *Policies and Procedures* manual should be updated to include the SHASCOM Quality Control Report system.

Response: The SHASCOM Quality Control Report process will be included in the *Policies and Procedures* manual.

7. To enhance transparency, the City of Redding should allocate SHASCOM funds between RPD and RFD according to their respective service volumes.

Response: The SHASCOM Board will review funding allocations and adjust where appropriate.

8. The Grand Jury recommends that SHASCOM implement a more dependable method of updating its website with special emphasis on timely posting of the Board of Directors' meeting agendas.

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Response: SHASCOM Board of Directors will direct the General Manager to research the ability to maintain a more fluid website.

Very truly yours,

Lawrence G. Lees
Board of Directors
SHASCOM

LGS:rbhl

SHASTA COMMUNITY SERVICES DISTRICT
Revisited

Shasta Community Services District
10711 French Alley
Shasta, Ca 96087
530-241-6264

REASON FOR INQUIRY:

Section 933.5 of the California Penal Code provides that the Grand Jury may investigate and report on the operations of any special-purpose assessing or taxing district located wholly or partly within the county. The 2005/2006 Grand Jury investigated the Shasta Community Services District (SCSD) to verify compliance with the 2003/2004 Shasta County Grand Jury’s recommendations for improvement, and also to evaluate the safety procedures practiced by the District. (The complete 2003/2004 Shasta County Grand Jury report may be viewed at www.shasta.co.ca.us/grandjury.)

BACKGROUND:

The Shasta Community Services District was formed in 1959 for the purpose of “supplying the inhabitants with water for domestic use, irrigation, sanitation, industrial use, fire protection and recreation.” SCSD’s territory includes the area generally referred to as Old Shasta and encompasses about 7,360 acres. SCSD purchases the majority of its water supply from the U. S. Bureau of Reclamation with supplemental amounts from the McConnell Foundation. SCSD serves approximately 680 active and 80 inactive water service connections.

Special districts are formed to provide a limited range of public functions. In contrast, cities provide a full range of governmental services. Community services districts

are governed by the Community Service District Law, starting at Section 61000 of the California Government Code.

Paid staff of SCSD includes:

- A General Manager
- A Water Treatment Officer (who also functions as Safety Officer)
- A Fire Chief
- An Administrative Assistant

METHOD OF INQUIRY:

1. The Grand Jury interviewed:

- The President of the SCSD Board of Directors
- The Water Treatment Officer
- A California Occupational Safety and Health Agency (Cal OSHA) enforcement engineer
- The SCSD General Manager
- The SCSD Fire Chief
- Insurance Services Office (ISO) compliance officials
- The City of Redding Water Utility Manager
- An independent financial auditor
- California Office of Emergency Services (OES) staff
- California Department of Forestry (CDF) staff
- Shasta County Fire Department staff

2. The Grand Jury reviewed the following documents:

- Portions of Title 8 of the California Code of Regulations pertaining to CalOSHA
- ISO reports (November 1, 1985, and April 8, 2005)

- SCSD Board meeting agendas and support documents (September 22, 2005; October 27, 2005; November 17, 2005; and December 12, 2005)
 - SCSD agendas, minutes and bill payment records from September 17, 2004, through December 15, 2005
 - Manufacturer's policy and procedures for chlorine vacuum regulator Model 210 M/S
 - The SCSD Master Water Plan dated November 2003
 - SCSD amended audit reports for fiscal years 2001/2002 and 2002/2003
 - SCSD Audit for fiscal year 2003/2004
 - Current and draft policy and procedures manuals
 - A CalOSHA program review dated May 9, 2001
 - Title 8, California Code of Regulations Sections 5156, 5157, and 5158
 - Hazardous Materials Business Plan (HMBP) dated June 1, 2004
 - HMBP report dated July 1, 2005
 - Safety Policy and Procedures Manual
 - Reports of chlorine spills/leaks at the water treatment plant (June 29, 2005; July 1, 2005; and July 5, 2005)
 - SCSD responses to the 2003-2004 Grand Jury Report.
3. The Grand Jury attended four regularly scheduled Shasta Community Service District board meetings (September 22, 2005; October 27, 2005; November 17, 2005; and December 15, 2005).
4. The Grand Jury toured the following SCSD facilities:
- The pressure reducing vault in Record Heights
 - Grand Forks and Highland Park storage reservoirs
 - The water treatment plant and backwash ponds

- Highland Park and Record Heights pump stations
- The district office and storage areas

FINDINGS:

1. Recommendations of 2003/2004 Grand Jury that were not implemented or adopted:

Recommendation #4: “The SCSD Board should review, modify if necessary, and adopt the proposed Policy and Procedures Manual”

Drafting of the *Policy and Procedure Manual* is in progress but has not been completed. The SCSD Board considered a number of other recommendations of the 2003/2004 Grand Jury, most of which it chose not to adopt. A review of all minutes from July 2004 to present confirmed that these recommendations were not implemented.

Recommendation #3. “The SCSD Board should consider making bi-monthly rather than monthly, salary payments to its employees.”

Recommendation #5. “The SCSD Board should request its Independent Auditor to recommend petty cash procedure.”

Recommendation #6. “The SCSD Board should direct staff to devise a better format for bill paying to speed up the approval process.”

Recommendation #7. “The SCSD Board should review the need for credit cards.”

Recommendation #12. “The SCSD Board and employees should attend training sessions offered by the California Special Districts Association. They should also send representatives to appropriate seminars, workshops, conferences and professional organization meetings when offered.”

2. Safety Issues:

- A. Chlorine leaks at the water treatment plant, due to defective regulators and connections, were reported on June 29, 2005; July 1, 2005; and July 5, 2005. During 2005, unreported minor leaks were resolved by SCSD personnel. Evacuation of homes and a dispatch notification to various agencies (Hazmat-CDF, Shasta County Public Health, Shasta Fire Department, Shasta County Sheriff, Redding City Fire Department, Shasta Lake Fire District, Redding Public Works Department, SHASCOM, California Office of Emergency Services, and Environmental Health) were necessary due to the reported chlorine leaks. The notification of agencies and reports resulted in \$5,113.76 billed by CDF and additional unbilled costs from other agencies who chose not to or were not required to bill.
- B. Because SCSD personnel do not have the specifications and procedures manual provided by the chlorine regulator manufacturer, they do not adhere to the following maintenance recommendations:
1. Flexible tubing connections should be changed when signs of deterioration are noted, or no less than annually.
 2. Chlorine regulators need to be inspected and maintained no less than annually.
 3. The district needs to maintain a written preventative maintenance log showing scheduled and completed work.
- C. Ladders and cages were installed on the District's reservoirs but not on two concrete fire suppression tanks at Highland Park III.
3. Insurance Service Office (ISO) Numerical Rating:

The ISO supplies a wide array of information that underwriters use to evaluate and price particular risks. ISO ratings range from 1 (best) to 10 (worst). Services include evaluations of fire protection capabilities of individual cities, towns and service districts.

A. On November 1, 1985, SCSD received an overall ISO Public Protection Class rating of 5 (57.93% credit earned).

B. On April 8, 2005, SCSD received an overall ISO Rating of 5 (52.07% credit earned). The SCSD Fire Department earned 20.02% out of a possible 50.00%, with a relative ISO rating of 6. SCSD received higher ratings for receiving and handling fire alarms and for its water supply. SCSD was penalized for the lack of on-duty fire fighters and training facilities. The best opportunity to improve the ISO numerical rating falls within the Fire Department. Due to current budget restraints, the Fire Chief has been unable to make significant improvements in equipment or provide a local training facility.

RECOMMENDATIONS:

1. Implement recommendations #3, 5, 6, 7 and 12 of the 2003/2004 Grand Jury report that SCSD chose not to change or adopt.
2. Safety Issues:
 - Chlorine:
 - a) The district should purchase replacement regulators and maintenance kits. Staff should be trained to perform these routine maintenance activities.

b) The district must follow the manufacturer's recommended preventative maintenance procedures for chlorine regulators and associated parts.

c) The district should develop and post maintenance logs showing scheduled and completed work.

- Ladders and Cages

a) Install safety devices on the two fire suppression reservoirs at Highland Park III.

3. ISO Ratings:

The Grand Jury recommends that the SCSD Board initiate a Fire Department Master Plan to improve its effectiveness and allocate funds that allow the SCSD to maintain its ISO numerical rating.

RESPONSES REQUIRED:

1. The SCSD Board of Directors must respond to Findings 1 through 3.
2. The SCSD Board of Directors must respond to Recommendations 1 through 3.

Shasta Community Service District

10711 FRENCH ALLEY • PHONE: 530-241-6264 • FAX: 530-241-9028
P.O. BOX 2520 • SHASTA, CALIFORNIA 96087-2520 • E-MAIL: SCSD@COM-PAIR.NET

October 3, 2006

The Honorable Judge Monica Marlow
Superior Court
1500 Court Street
Redding, CA 96001

Dear Judge Marlow:

This letter represents the Shasta Community Services District (District) Board of Directors' (Board) response to the 2005/2006 Grand Jury investigation of the District. In this letter we respond to each of the Grand Jury's findings and recommendations; the numbering follows that of the Grand Jury report. We briefly summarize our understanding of each finding and recommendation (in italicized type) before presenting our response (in regular type).

1. FINDING: *Some recommendations from the 2003/2004 Grand Jury report were not implemented or adopted:*

#4 Review, modify, and adopt the proposed Policy and Procedures Manual.

#3 Make bi-monthly, rather than monthly, salary payments.

#5 Request Independent Auditor to recommend petty cash procedure.

#6 Devise better format for bill paying to speed up approval process.

#7 Review need for credit cards.

#12 Board and employees should attend training sessions offered by California Special Districts Association.

RECOMMENDATION: *Implement previous recommendations 3, 5, 6 7, and 12.*

#4 The Board agrees that the Policy and Procedures Manual should be up to date and well organized (comments from the previous Grand Jury report). Several policies have been approved and adopted for the Policy and Procedures Manual since the 2003/2004 Grand Jury report; they include the following:

- Budget, Purchasing, and Investment policies
- General Personnel Policy
- Personnel policies for drug/alcohol testing, employee performance, grievances
- Maintenance, Administrative Assistant, Season Fire Fighter job descriptions

- Safety policies or programs as follows:
 - Injury & illness prevention
 - Respiratory protection
 - Hazard communication
 - Code of safe practices
 - Lock-out tag-out
 - Confined space
 - Trenching and shoring
 - Fall protection
 - Heavy equipment operation
 - Personal protective equipment
 - Exposure control

The current Administrative Assistant has greatly improved the filing system for the District, and has consolidated all policy and procedures material into one document, stored in one location.

#3 The Board agrees that bi-monthly salary payments are appropriate. The District recently implemented a bi-monthly salary schedule for its employees.

#5 The Board agrees that the auditor should recommend a petty-cash procedure. The District requested its current auditor, Mr. Don Cole, to recommend a petty-cash procedure. Mr. Cole provided recommendations which the District has implemented.

#6 The Board agrees that the bill-paying format needed improvement, mainly a better description of the checks. The current bookkeeper has developed an informative presentation for the bills, which includes the type of payment, the date, the check number, the payee, a brief description of the item, and a running balance of the bank account.

#7 The Board agrees that the credit-card policy needed review. Currently, the District's employees have cards for fuel (Conoco; a card-lock type card), office supplies (Office Depot and Costco), shop supplied (Orchard Supply Hardware and Home Depot). Old cards, for companies no longer in business or cards no longer used have been destroyed.

#12 The Board and District staff have attended some training sessions offered by CSDA. For example, the District recently sponsored a CSDA training session on ethics, attended by two Board members, the General Manager, and the Administrative Assistant. The Board again notes, however, that we are a very small District, and the District does not have funding to pay for seminars out of the area, where most of the CSDA training courses are held. This limits our ability to send Board members or staff to these types of sessions.

2. FINDINGS: *Safety issues:*

A. *Three chlorine leaks at the water-treatment plant occurred in June and July 2005.*

B. *SCSD does not adhere to the following maintenance recommendations: 1. Flexible tubing should be changed when signs of deterioration are noted, or no less than annually. 2. Chlorine regulators need to be inspected and maintained no less than annually. 3. The District needs to maintain a written maintenance log.*

C. *Ladders and cages were not installed on two concrete fire-suppression tanks at Highland Park III.*

RECOMMENDATIONS:

- *Purchase replacement regulator and maintenance kits. Train staff on maintenance. Follow manufacturer's maintenance procedures for chlorine regulators. Develop and post maintenance logs.*
- *Install safety devices on two concrete fire-suppression tanks at Highland Park III.*

The Board agrees with these findings and the first recommendation; we disagree with the second recommendation.

The chlorine regulators that had failed have been rebuilt and reinstalled into service. Because it is not cost-effective to have a complete regulator replacement set on hand, the District now has an agreement to borrow replacement regulators from the City of Redding when the District's regulators need repair or rebuilding. Therefore, the District does not propose to purchase additional regulators, as requested by the Grand Jury. The Board believes, however, that the District's agreement for use of City of Redding regulators meets the intent of the Grand Jury recommendation regarding availability of replacement regulators.

Since the chlorine leaks, staff has had additional training on maintenance of the regulators and has developed a written maintenance log that is kept at the treatment plant (where the chlorine tanks are located).

Additionally, since the leaks, the District has purchased and installed automatic chlorine shut-off valves. These valves became operational the week of September 25, 2006, after electrical control issues were resolved between the valve and electrical control-box manufacturer.

The District does not plan to install ladders or cages on the Highland Park III tanks. As the Grand Jury noted, these tanks are for fire protection only. As such, they do not require routine inspections for health and safety reasons, and there is no need for District staff, or others, to access the tops of the tanks.

3. FINDINGS: *Insurance Service Office (ISO) numerical rating:*

A. *On November 1, 1985, SCSD received an overall ISO rating of 5.*

B. *On April 8, 2005, SCSD received an overall ISO rating of 5. The Shasta Fire Department earned 20.02% out of a possible 50%, with a relative ranking of 6. SCSD received higher ratings for receiving and handling fire alarms and for its water supply. The best opportunity to improve the ISO rating falls with the Fire Department.*

RECOMMENDATION: *The Board should initiate a Fire Department Master Plan to improve its effectiveness and allocate funds that allow the SCSD to maintain its ISO rating*

The Board agrees with these findings, but not with some of the statements made in the discussion of the findings. The discussion stated that the "Fire Chief has been unable

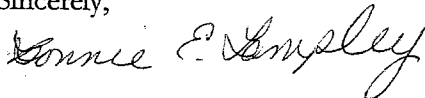
to make significant improvements in equipment or provide local training". The Board would like to point out the Shasta Fire Departments efforts, especially those of its Fire Chief, Mr. Mark Todd, towards improving fire department equipment. Fire fighting engines and other vehicles are very expensive; for a fire department the size of Shasta, such equipment requires very large expenditures relative to the size of the department. The Fire Chief is continuously researching potential grants or low-interest loans for purchase of such large equipment. For example, at the August 2006 meeting, the Fire Chief announced that Shasta FD was likely to obtain a grant for 90% funding of a new wild-land fire engine. Additionally, Shasta FD recently purchased a new water tender.

With regard to a training facility, it is the Board's understanding that it is impractical to allocate funds to add a training facility for the Fire Department. The current requirements for trainers are quite rigorous, and only one other local, fire department (Happy Valley) has such a facility; this facility is available to Shasta FD. It would not be cost effective for Shasta FD to establish such a facility, and it is the Board's opinion that establishing such a training facility just for Shasta FD would not be a good use of taxpayer funds.

With regard to staffing the Shasta FD, to improve our ISO rating for staffing would require 24-hour-a-day personnel. Shasta FD has neither the budget or need to provide this level of staffing.

The Board disagrees with the recommendation for the above reasons. Shasta FD is continually researching funding opportunities for additional equipment (and training) and it is simply not cost effective to establish our own training facility. The Board would also like to note that we do not have to do these things to maintain our ISO rating. Implementing the recommendations could improve our ISO rating, but the Board believes that the cost would outweigh the benefits to the District's customers. Therefore, the Board will not implement a Fire Department Master Plan.

Sincerely,



Bonnie E. Lampley
Shasta CSD Board President

Cc: Mr. David Edwards, District Counsel

OFFICE OF THE SHERIFF/PATROL DIVISION
Under the watchful eye of the Sheriff

Shasta County Sheriff's Department
1525 Court Street
Redding, Ca. 96001
(530) 245-6165

REASON FOR INQUIRY:

Penal Code Section 925 of the California Penal Code requires the Grand Jury to investigate and report upon the operations, accounts, and records of the officers, departments, or functions of the county.

BACKGROUND:

The Mission Statement of the Shasta County Sheriff's Office (SO) is: "...improving the quality of life, in partnership with the community we serve, through fair and ethical enforcement services."

The SO is organized into five divisions: Patrol, Services, Investigations, Custody and the Coroner's Office. The department employs a total of 258 persons. A total of 2,241 major crimes (against a person or property) and 248 violent crimes (homicide, rape, robbery and aggravated assault) were reported in Shasta County in 2005.

The *Patrol Division* is staffed by 62 sworn officers. This division patrols all unincorporated areas of Shasta County. In addition, by contract, the SO provides law enforcement services to the City of Shasta Lake. The County encompasses 3,850 square miles and has an estimated population of 185,700. The SO operates the South County, North County/City of Shasta Lake and Lakehead stations, and the Intermountain (Burney) and Shingletown substations. Several areas of the county are staffed by only one deputy per

shift. In addition to patrolling 18 beats, officers may be assigned to Shasta Anti-Gang Enforcement (SAGE), Youth Services/DARE, Explorers, Field Training and SWAT programs. The Youth Services unit was formed in 2001 with five deputies and a Sheriff's Service Officer (SSO) supervised by a sergeant. Each deputy and SSO is assigned to a County school district.

The *Services Division* consists of 17 Reserve Deputies organized into three squads, a reserve commander and the reserve coordinator. The reserves volunteered 3,143 hours in 2005 for special events and incidents.

The *Investigations Division* is responsible for primary investigating of homicides, sex crimes, elder abuse and property crimes. This division also includes the crime lab, staff assigned to marijuana eradication team and the Cal-MMET (California Methamphetamine Mitigation Enforcement Team) units as well as detectives who investigate major crimes (445 cases in 2005).

The *Custody Division* includes staff assigned to the County's detention facilities. The *Coroner's Office* investigates unexplained or unexpected deaths.

Each fiscal year the Sheriff submits the Department budget to the Board of Supervisors (BOS) for approval. The approved FY 2005/2006 budget is \$33 million, not including grants. Allocation of these funds within each division of the SO is the sole responsibility of the Sheriff. By law, the BOS cannot dictate how the Sheriff, an elected official, administers these funds.

METHOD OF INQUIRY:

The Grand Jury reviewed the following documents:

- Shasta County SO 2005 *Annual Report and Statistical Analysis*

- Shasta County Sheriff's website www.co.shasta.so.ca.us
- Shasta County FY 2005/2006 Final Budget
- *1998 Community Corrections General Plan*, Shasta County Citizen's Committee
- Shasta County Sheriff's Office *Separator Report 2004/2005*
- Shasta County Sheriff's *Performance Standards (Patrol Deputy)*
- *City of Redding Profile 2000*, Greater Redding Chamber of Commerce

The Grand Jury conducted the following interviews:

- The Shasta County Undersheriff/Acting Sheriff
- Five SO Captains
- Three SO Lieutenants
- One SO Sergeant
- Five SO Deputies
- The former Shasta County Chief Financial Officer
- The Shasta County Administrative Officer
- Five Members of the Shasta County Board of Supervisors

FINDINGS:

1. Since 2000, the number of deputies has not increased in proportion to the approximately 10% percent increase in County population. The number of service calls has also increased significantly, resulting in slower SO response times. Occasionally, deputies must leave their patrol areas, jeopardizing the safety of residents. Adding deputies to the Patrol Division would improve coverage of beats, response time and the safety of both residents and officers.

2. During the past several years the BOS-approved funding for the SO was increased to allow the hiring of 17 new deputies, but 11 of those positions remain unfilled. Most of the deputies interviewed believe that the hiring of additional deputies would relieve chronic understaffing and overtime problems. The Grand Jury could not determine whether the Sheriff has been aggressively recruiting new hires. The SO website lists openings for Correctional Officers, but refers all applicants to the County’s main website which lists “deputy sheriffs-lateral.” (Lateral means law enforcement officers who transfer from another agency.)

3. Like many law enforcement agencies within the County, the SO is experiencing difficulty in hiring and retaining deputies. The Grand Jury was told the reason for this difficulty is that Shasta County’s salaries and benefits are not comparable to those of other agencies and that deputies are transferring to those agencies or to positions outside of law enforcement. Data examined by the Grand Jury does not entirely support this reasoning. According to SO statistics (see Table), retirements alone accounted for more than 40% of all separations from the Department in 2004-2005. In 2005, there were nine retirements within the Patrol Division. Nine other officers left for various reasons, including poor performance. Deputies told the Grand Jury that perceived mismanagement is another major reason for deputies leaving the department.

Separation Reason	2004	2005	Total
Retirement	15	10	25
Medical	2	3	3
Performance	2	7	9
Other Employment	6	5	11
Voluntary Resignation	6	6	12
Return to School		1	1
Total	29	32	61

4. The current average base salary for all Safety Officers (Deputies and Correctional Officers) is \$51,438.00 plus benefits and overtime. With overtime, a deputy's yearly income can reach \$90,000, including benefits. Many of the deputies interviewed preferred an increase in salary and health benefits over increased retirement benefits.
5. According to Grand Jury interviews, deputy morale is the lowest it has been in many years. Contributing factors to low morale are understaffing and excessive overtime (mandatory and voluntary). SO administrators claim it is less expensive to pay overtime than to hire additional deputies. Deputies report that twelve-hour shifts over a three-day period also add to their fatigue. Additionally, prolonged periods between those 12-hour shifts result in the inability to process complaints effectively because officers lose continuity in report writing and crime solving.
6. Many deputies interviewed by the Grand Jury expressed hope that new management will implement policy changes within the department which will change the status quo, encourage team work, and commend deputies for exemplary service.
7. Deputies, County administrators and the BOS interviewed by the Grand Jury expressed the opinion that department understaffing was not due to a lack of funds, but that the Sheriff has not utilized the department's allocated funds effectively. Without an independent outside audit, it is impossible to verify whether there is mismanagement.
8. The Grand Jury obtained documents showing that the activity of the SO's canine unit was curtailed in 2005. The 2005 Sheriff's Office Annual Statistical report for the K-9 unit shows:

<u>K-9 Unit Statistics</u>	
Felony Arrests	346
Misdemeanor Arrests	102
Apprehensions	19
Outside Agency Assists	60

<u>K-9 Narcotic Find</u>	
Methamphetamine	36 lbs
Cocaine	3.2 oz.
Heroin	19.5 gm.
Marijuana Plants	150,000
Processed Marijuana	24 lbs.
Cash seized	\$88,648

9. Training in the Sheriff's department conformed to a new Peace Officer Standards Training (POST) requirement, which added approximately 400 training domains. According to the Acting Sheriff, the SO was the fourth law enforcement agency in the state to successfully certify their Field Training Manual, meeting POST standards.
10. All SO interviewees expressed loyalty to the department, pride in their accomplishments and the desire to continue to serve the citizens of Shasta County.

RECOMMENDATIONS:

1. The Sheriff must implement an aggressive recruiting policy for hiring and retaining deputies and correctional officers.
2. The Sheriff should reinstate eight- to ten-hour shifts for Patrol Division Deputies. This would reduce the excessive overtime the deputies are currently required to work, and promote better coverage of patrol areas.
3. A management and fiscal audit of the SO should be conducted by an independent auditor to confirm or dispel the perceptions of fiscal mismanagement. The results of the audit should be reported to the 2006/2007 Grand Jury prior to February 12, 2007.
4. The Sheriff should continue to retain and support the K-9 program.

RESPONSES REQUIRED:

1. Sheriff or Acting Sheriff as to Findings 1-10 and Recommendations 1-4.



SHASTA COUNTY

Office of the Sheriff



August 3, 2006

Jim Pope
SHERIFF-CORONER

Larry Schaller
UNDERSHERIFF

The Honorable William D. Gallagher
Presiding Judge, Superior Court
1500 Court Street, Room 205
Redding CA 96001

Dear Judge Gallagher:

RE: OFFICE OF THE SHERIFF AND PATROL DIVISIONS

In response to the Grand Jury's report on their discretionary review of the Office of the Sheriff and the Patrol Division, I offer the following response on a page-by-page basis:

Page 136 States "the Services Division consists of 17 reserve deputies." – In fact, the Service Division includes: Animal Regulations, Personnel & Training, Sheriff's Records and Crime Analysis Unit, Civil service and process on a countywide basis, and Special Operations (including Emergency Services, Search and Rescue, Reserves, and Boating Safety). This is a division of approximately 35 full-time personnel plus over 20 seasonal extra help personnel and over 200 volunteers for Search and Rescue and Sheriff's Reserves.

The report states that fiscal year "'05/'06 budget is \$33 million dollars, not including grants." The fact is that the Sheriff's budget is \$35,163,170, which includes \$4,338,924 from outside grant funding and contract administration, 12.1% of the total departmental allocation. (See enclosed fiscal '05-'06 summary of grants & contracts.)

FINDINGS

1. I concur with the findings, adding that deputies rarely have time for preventative patrol in their assigned beats.
2. I disagree with the findings because the facts are inaccurate, stating that the Board has approved funding to "allow hiring of 17 **new** deputies but 11 of those positions remain unfilled." No such "new" deputies have been allocated. The department has 254 funded allocations for fiscal '05/'06 and had 273 allocations in 1992. This demonstrates the factual downsizing of the Sheriff's Office in the past 14 years. I concur that additional allocations and filling current vacancies will relieve understaffing and overtime problems. The Grand Jury was furnished a series of reports indicating both separation and recruitment and reasons for separation, some of which are reported under item 3. The Sheriff's Office has successfully recruited and hired sixty-one (61) total staff during 2005/2006. Personnel were hired in the following categories: Deputy Sheriffs,

Corrections Officers, Sheriff's Service Officers, Animal Control Officers, Legal Process Clerks, Administrative Secretaries, Cadets, and Extra Help members. (See enclosed memo from Sgt. Mike Ashmun providing factual numbers for fiscal '05-'06.) Also, 11 additional job offers have been made to three Deputy Sheriffs, seven Corrections Officers, and one Animal Regulation Officer. Five (5) additional job offers are pending and sixteen (16) backgrounds are in progress.

3. The data referenced by the Grand Jury is data that was provided by the Office of the Sheriff. I disagree with the statement that "mismanagement is another reason for deputies leaving the department." The statement is without factual basis or support of exit interviews.
4. I disagree with the characterization. The fact of the matter is that the Deputy Sheriffs' Association (DSA) negotiated the 3% at 50 retirement benefit (coupled with the transition to Corrections Officers in the jail) in their last labor package in November of 2001. The recently concluded negotiations have been focused on salary and benefits. (See enclosed letter to Grand Jury Criminal Justice Committee dated May 2, 2006.)
5. I concur that morale has been the lowest in recent years. I attribute it to the ongoing labor negotiations during a time period when the unions became very aggressively involved in the Sheriff's election. Two years ago a survey conducted by Peace Officers Standards and Training (POST) of patrol personnel, morale was very high and favorable in spite of limited staffing and extensive overtime. (See the enclosed documentation from a POST audit of patrol service concluded in 2004. This is a "must read" document to set facts in perspective.)

On this issue, I cautioned the '05/'06 Grand Jury during questioning to remember that that this was an election year. I specifically cautioned the Grand Jury regarding the random questions dealing with political support, religious activity, and morale as being unduly influenced by the current labor unrest as the labor union was then five months beyond a labor contract with the County.

6. I disagree with the characterization. Refer to the enclosed Peace Officer Standards & Training (POST) audit of 2004. Since the natural tension of the election has passed, the work environment has already dramatically improved. This coupled with the signing of two long overdue labor agreements, signals the return of a positive, progressive, professional community safety organization. The public is the primary beneficiary as our staff return their focus to their community safety responsibilities.
7. Disagree – the Shasta County Sheriff's Office fiscal integrity is above reproach, but not above innuendo. Each of the last 16 years this department has operated within its fiscal appropriations in spite of fire, flood, officer deaths, haz-mat spills, or other critical incidents. The Shasta County Sheriff's Office undergoes ongoing multiple federal and state audits, along with oversight by the County Auditor without any such finding or innuendo. The facts are that the Shasta County Sheriff's Office Chief Fiscal Officer was

not interviewed; the Auditor's Office was not interviewed and no objective facts were requested or gathered to support this finding.

The Sheriff's Office welcomes objectivity and it has preliminarily made the request of Maximus, Inc., to conduct an audit of the appropriateness of utilizing required salary savings to operate within fiscal appropriation. It should be noted that salary and benefits constitute approximately two-thirds of the Sheriff's Office budget. In those years when the department is under funded, it requires vacant positions remain vacant. To do otherwise, would require recruiting, hiring, and training personnel only to lay them off within the first year. This would be irresponsible and counter-productive.

8. I disagree that the Sheriff's Office K-9 program has been curtailed. The Sheriff's Office maintains four to five K-9s at any given time, each being in various levels of training, certification, and utilization. The '05-'06 statistics are admirable. The only curtailment that could be described as referenced in this report is that California Highway Patrol has primary jurisdiction of traffic enforcement on Interstate 5. A Sheriff's Office K-9 is not routinely assigned such drug interdiction, but is to operate as a resource for traffic enforcement on request, not as a primary responsibility.
9. We agree with this finding.
10. We agree with this finding.

RECOMMENDATIONS

1. The Sheriff's Office has implemented an aggressive recruitment policy for hiring and training under the direction of Capt. David Dean and Sgt. Mike Ashmun. (See enclosed recruitment results for '05-'06 fiscal year.)
2. I disagree. The statement that "reinstating 8-10 hour shifts for patrol deputies reduces excessive overtime" is not supported by fact. Overlapping of 12-hour and 8-hour shifts is ideal for patrol coverage. The 12-hour shifts are highly favored by Sheriff's patrol deputies and there is no evidence or fact(s) presented that it creates overtime. What creates the overtime is limited staffing. On the other hand, we certainly remain open to any facts or studies that demonstrate an enhanced staffing plan given our limited number of funded positions.
3. I agree. With Sheriff's Bosenko election, he is entitled to and will request a management audit by Peace Officer Standards & Training (POST) to ensure the most cost-effective methods of administration and delivery of services. Additionally, an independent audit by Maximus, Inc., has been requested as it relates to the issue of unfunded allocations and overtime expenses.
4. The Sheriff's Office highly values its K-9 program and has never made any implication that it would not retain it. To the contrary, the newly elected sheriff, Tom Bosenko, is a former K-9 handler and supervisor with the highest commitment to this valuable resource.

Each year Sheriff Pope and I have given an orientation to new Grand Jury members. We have emphasized the fact that there are "no secrets." Ask the questions and we'll answer questions with facts. I am personally very grateful for Jean Hall, the foreperson, of the Grand Jury. Jean brought balance and perspective to our working relationship with this year's working Jury. Although, I will say this year was a unique experience because of the high visibility of both the Sheriff's election and the simultaneous, contentious labor negotiations between the County and line staff. The Grand Jury had many qualified and credible members; but, I would be remiss if I did not state that I felt some of the questions of a given individual were outside the scope of appropriateness.

In summary, I fully support the purpose and value of an independent Grand Jury fulfilling their role and responsibilities in an objective manner. I welcome the oversight and recommendations and recognize the incredible personal commitment of 10-20 hours a week required of the Grand Jury members. Likewise, I am extremely proud of the men and women of the Shasta County Sheriff's Office. The Sheriff's command staff conducted themselves in an exemplary manner through a difficult election year. Labor unrest is always disconcerting internally and externally. I am very gratified that the Deputy Sheriffs' Association and the Shasta County Board of Supervisors have come to terms on what I believe is a fair and equitable resolution to a most difficult process.

In closing, "there are no secrets." "What is right is not always popular." The Shasta County Sheriff's Office is, has, and will continue to aggressively recruit qualified personnel. We are committed to operating within our fiscal appropriations, and building safer communities. (See enclosed '05-'06 crime statistics.) The recent upturn in the federal, state, and local economy, along with a "can do" progressive County Administrator, can be expected to yield a refreshing fiscal commitment to County government. The past year has been challenging but my purpose has been served, to "hold the course" as we transition through the election year and labor negotiation issues. We remain committed to building safer communities.

Sincerely,



LARRY SCHALLER
Office of the Sheriff

lds:bev

Enclosures

Fiscal '05-'06 Summary of Grants & Contracts
Letter to Shasta County Grand Jury Criminal Justice Committee – May 2, 2006
Peace Officers Standards and Training Audit of Patrol Division, 6 February '04.
Personnel Statistics for '05-'06
'05-'06 Crime Statistics

SHASTA COUNTY SHERIFF'S OFFICE			
2005 / 2006 BUDGET			
		Budgeted Amount	Grant / Contract
			Funded
23500	<i>Sheriff - Admin. / Patrol</i>	\$10,550,617	
	<i>Crime Analysis</i>	\$96,874	
	<i>Shasta-Trinity Patrol</i>	\$21,834	\$21,834 <i>grant</i>
	<i>MET</i>	\$267,750	\$193,000 <i>grant</i>
	<i>Shasta/Trinity Marijuana</i>	\$50,000	\$50,000 <i>contract</i>
	<i>FED DEA</i>	\$60,825	\$60,825 <i>contract</i>
	<i>BLM Marji</i>	\$10,000	\$10,000 <i>contract</i>
	<i>City of Shasta Lake</i>	\$1,309,779	\$1,309,779 <i>contract</i>
	<i>Photo Lab</i>	\$62,455	
	<i>OES</i>	\$197,785	
	<i>SINTF</i>	\$281,657	\$209,231 <i>grant</i>
	<i>ABC Grant</i>	\$12,140	\$12,140 <i>grant</i>
	<i>AVA</i>	\$93,554	
	<i>BLM/BOR Ptrl</i>	\$20,739	\$20,739 <i>contract</i>
	<i>School Officer</i>	\$213,248	\$132,165 <i>contract</i>
	<i>Elder Abuse</i>	\$88,890	\$73,306 <i>grant</i>
	<i>Major Crimes</i>	\$1,673,375	
	<i>Cal-MMET Grant</i>	\$686,473	\$579,380 <i>grant</i>
	<i>High Tech Grant</i>		
	<i>USFS HIDTA</i>	\$71,522	\$71,522 <i>grant</i>
	<i>Homeland Security</i>	\$56,295	\$56,295 <i>grant</i>
	<i>State Homeland Security</i>	\$385,784	\$385,784 <i>grant</i>
	<i>Law Enfoc. Terrorism</i>	\$24,360	\$24,360 <i>grant</i>
	<i>State Homeland Security</i>	\$77,421	\$77,421 <i>grant</i>
	<i>State Homeland Security 05</i>	\$400,310	\$400,310 <i>grant</i>
	<i>Sheriff BOR</i>	\$28,673	\$28,673 <i>contract</i>
	TOTAL 23500	\$16,742,360	\$3,716,764
23600	<i>Boating Safety</i>	\$737,685	\$528,867 <i>grant</i>
23700	<i>CIVIL</i>	\$622,411	
24600	<i>Work Release</i>	\$548,963	
26000	<i>Jail</i>	\$11,836,767	
26100	<i>Burney Sub-Station</i>	\$1,816,759	\$18,543 <i>contract</i>
28700	<i>Coroner</i>	\$1,039,472	
28800	<i>Dispatch</i>	\$1,054,613	
29700	<i>Animal Regs</i>	\$764,140	
	TOTAL ALL BUDGETS	\$35,163,170	\$4,264,174 12.1%



SHASTA COUNTY

Office of the Sheriff



May 2, 2006

Jim Pope
SHERIFF-CORONER

Shasta County Grand Jury
Criminal Justice Committee

Larry Schaller
UNDERSHERIFF

This letter will further update you on the transition issues of staffing, jail beds, and an Animal Care Facility Project Manager.

The current labor crisis facing the department at this time is a result of: our Deputy Sheriff's Association being beyond their contract by six months; cumulative baby boomer retirements; County fiscal instability for 13 of the past 15 years; and a statewide and national shortage of entry-level peace officers.

The D.S.A. represents both the deputies and the correctional officers for a total of 148 of the 254 currently funded allocations for fiscal '05-'06. This protracted labor dispute has now led to extensive morale issues. I appeared before the Board of Supervisors last Tuesday, April 25, and addressed the totality of the vacancies facing this department caused by a series of issues:

- 1) The combination of 25 and 30-year longevity retirements of the baby boomers coupled with the recent loss of several highly qualified peace officers to other agencies, along with normal attrition, is part of the problem.
- 2) Another significant issue is the reality that in the '03-'04 budget the Sheriff's budget included a total of \$712,460 unfunded allocation reduction. That means an unfunded amount from a "status quo" budget. At that point the Sheriff's Annex was already closed and Sheriff's Civil Unit was operating a position short. If the unfunded allocation was adjusted for '03-'04, the hole in our budget was still \$316,856 (see attached document). Also, Fiscal year '04-'05 similarly represented a \$1,016,379 hole in our budget for an adjusted amount of \$309,394. Again, this fiscal year, '05-'06 even after the County eliminated 12 positions from last years budget, we are again carrying an unfunded allocation reduction of \$304,599. Salary and benefits represent approximately 2/3 of the Sheriff's Office budget. Therefore, to make up these holes in our budget requires us to accumulate salary savings through the year. The County's inability to fund status quo budgets resulted in the Sheriff's Office not being able to fill allocated positions for the last three years. Otherwise we would have been hiring staff, then required to lay them off four to six months later.

3) Also, I've included an overtime spreadsheet (attached) demonstrating what was budgeted and what was expended for '03-'04, '04-'05, and '05-'06 to date. Budgeted amounts are based on projections for completing: late calls for service, critical incident call outs, training during off-duty hours, court time, etc. The overtime figures also represent scheduling minimum deployment on a 24-hour basis 365 days a year. So when carrying vacancies due to unfunded allocations, we end up spending additional overtime funded through salary savings, working our current people longer and harder to cover minimum deployments. It is a vicious cycle to be short staffed when providing 24 hour community safety responsibilities.

4) Equally important to staffing shortages, is that this is not a local phenomenon. This is both statewide and national. The Washington Post reports:

"From Long Beach, California to Washington D.C. suburbs, more than 80% of the nations 17,000 law enforcement agencies big and small have vacancies that many can't fill. Police officials and researchers say a confluence of demographic changes and social trends have predicated the shortage. The wars in Iraq and Afghanistan have siphoned off public services minded people to the military. Hundreds of law enforcement officers have handed in their badges to take higher paying positions in the booming homeland security industry. Each year increasingly large numbers of baby boomer officers hired in the '70s retire. The labor pool of the next generations is smaller further cutting of prospective applicants. The younger generation is better educated than its predecessor so a career in policing where the average starting salary is \$32,000 is not as attractive as it was before." (Source: Bureau of Labor Statistics Annual Report, Monday, March 27, 2006)

The California Peace Officers Standards and Training (P.O.S.T.) reports the "number of people graduating from police academies is plummeting. Throughout the 1990s, the state averaged 5,500 new graduates every year. That drop has continued, with only 2,613 graduates last year." We are obviously drawing from the same labor pool as the military at a time when demographics are also working against us.

The Los Angeles County Sheriff's Department has hired "584 people since it begun a new recruitment campaign in July and has lost a similar number to surrounding agencies and to retirement. The department has 1100 fewer than budgeted." The L.A. Police Chief William Bratton was just at a conference restated, that he "has 720 openings. It was all everybody was talking about." Whether L.A., Oakland, Sacramento, San Diego, or Shasta County, peace officer applicants are at a premium. There are reported to be in excess of 8,000 vacant peace officer jobs in the State of California alone and you can see that P.O.S.T. academy graduates have dropped by 50%. It's also interesting to note that the California State Department of Corrections currently has 29,000 allocated correctional positions and is looking for 2500-3000 more corrections officers to serve the state.

The local state and national manpower shortage is real. The local labor unrest, disillusionment, and discouragement from being without a contract for six months is real. The fact that Shasta County has been fiscally upside down for 13 of the last 15 years is real. Nonetheless this department is aggressively closing the gap through recruitment of quality personnel through job fairs, academies, and personal contact. But recruitment is stacked against us until the labor dispute stabilizes. This will be a difficult summer in terms of staffing but I'm confident that labor negotiations will resolve, the election will be determined and a graceful handoff will occur. Morale will stabilize and the Sheriff's Office will again operate within its fiscal appropriations during the 16 years of my tenure.

Also, see the enclosed article from the California State Sheriff's Association magazine addressing the statewide crisis facing county jails. (Note: I was successful obtaining authorization for two more Corrections Officers and two more Service Officers from the Board of Supervisors on Tuesday, 25 April '06). See the attached agenda for the Stakeholders Forum addressing jail beds and programs occurring on May 3. I hope you are able to have representatives present. Dan Smith and Associates, the County's consultant, is to produce a strategic plan for jail feasibility by September of this year.

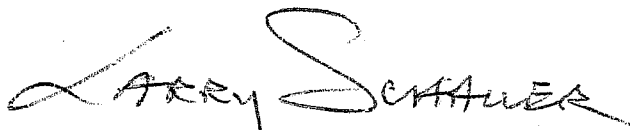
And finally, I'm returning to the Board this month to hire a Project Director for a possible joint animal care facility.

In closing:

- A) Staffing remains challenging but is progressing well. Fifteen entry-level deputy sheriff applicants passed initial screening and correctional officer recruitment has stabilized. Also, labor negotiations have reinitiated after a two-month standoff. The County made the D.S.A. a significant offer.
- B) The Jail/Juvenile Hall Feasibility Study and Strategic Plan is in high gear.
- C) A Project Director for animal care issues is about to be brought on board.
- D) The preliminary and supplemental budgets have been submitted.
- E) The Sheriff's election is a month away.

If you desire any further clarification, please contact me on my direct line, 245-6083.

Sincerely and respectfully,



Larry Schaller
Office of the Sheriff

LS:dj

Attachments:

1. Staffing, Staffing, Staffing (dated 4-21)
2. Unfunded Sheriff's Office Allocations
3. Overtime (fiscal '03-'04, '04-'05, '05-'06)
4. Jail Overcrowding: A State and Local Crisis
5. Patrol/Investigations Staffing: 1 May '06 (A Moving Target)
6. Stakeholders Forum Agenda

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.

C114
INFO FOR
STAFFING
ANALYSIS
US

February 23, 2004



Jim Pope, Sheriff-Coroner
Shasta County Sheriff's Office
1525 Court Street
Redding, CA 96001

SEARCHED
SERIALIZED
INDEXED
FILED

Dear Sheriff Pope:

Arnold Schwarzenegger
Governor

Bill Lockyer
Attorney General

Enclosed are our final findings on the management study for the Shasta County Sheriff's Office. The report is focused on the Sheriff's Office Patrol Division.

Our recommendations are based on interviews with agency personnel and analysis of data from your agency. We hope those who were involved in the survey are aware that their contribution is appreciated. We understand this report is just one part of your ongoing review of the Sheriff's Office operations.

Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

JACK E. GARNER
Bureau Chief
Management Counseling Services Bureau

JEG:JD:mlb

Enclosure

INTERVIEWS

A total of 22 personnel were interviewed. All divisions were represented, but most were from patrol. All ranks were represented. No Corrections personnel were interviewed.

After review of available reports and studies and discussion with Sheriff's command staff, a question guide was formulated to implement discussion with each interviewee and to offer an opportunity for each to provide suggestions or comment on issues.

The responses were summarized with the anticipation that some pertinent meaning could be derived that would be of benefit to the Sheriff and staff.

Questions and Responses

1. *Do you make an adequate living (i.e., Can you meet basic needs for food, clothing and shelter)?*

The overwhelming response to this questions was yes. There was no strong undercurrent of animosity toward the Sheriff or the Board of Supervisors as there is in many departments. Most accepted the fact that money was tight. Both husband and wife working helped, as most said that without their spouse working, living would be really tough.

The other issue identified in this question is that overtime is freely available and many deputies work substantial amounts to bolster their income. With the 12-hour shift, deputies can work an extra day or two and still have substantial time off.

All but a few drew a comparison with the Redding Police Department and the pay scale differences which apparently reach "hundreds" of dollars monthly in addition to a much more generous fringe, educational, and benefit package. Discussion of this disparity generally led to a discussion of the operational differences between the two agencies.

Most *perceived* Redding as a structured organization that may provide a more legalistic service model than a service style model. At the same time, some displayed envy over the facilities and equipment in Redding.

Shasta deputies were perceived as more independent, less structured, and more community-oriented, and this cultural difference reinforced their image and working environment. *"Sure they make more money...but I wouldn't want to work there!"* was the consensus.

In general, there was a remarkable lack of rancor over the disparity between the two agencies. The feeling was as if the Redding Police Department was a rich relative living nearby and living a lifestyle they didn't care for.

2. Describe what you do during your duty day.

There were a variety of responses, as expected, depending on assignment.

Most deputies interviewed immediately focused on “call-to-call” workload, taking reports, driving from “one corner of the county” to the other, and doing follow-up. Putting “hundreds” of miles on their car was a common reaction as well as decrying the lack of time to be more “proactive.” When pressed, most said that there were times when things were “crazy” and there were times when “things were slower,” but all recounted again the constant pressure of running from call-to-call, particularly those from Anderson Station. There were more varied responses from Burney where call response was primary, but there was time to devote to follow-up, community problems, pursuing narcotic suspects, etc.

Sergeants and ranking personnel reported an endless chain of meetings, reports, task force issues, complaints, and paperwork. Contact with street personnel was limited or, as one related, “impossible.”

What was apparent when responding to this question was the immediate focus on volume rather than task, and the apparent disparity between deputies’ and supervisors’ perceptions of what they “should” be doing and what they “actually” do.

3. Is the Sheriff’s Office understaffed or is manpower used inefficiently? Why do you think this is so?

About 55% responded that a combination of both existed. Most of the remainder felt that chronic patrol understaffing was the primary factor for issues related to workload, distance to calls, lack of response, no back-up, etc. Two felt that inefficiency through poor beat alignment was a primary factor in workload disparity.

As suggested, responses were varied. There were no challenges to the primary premise of the question (i.e., that the Sheriff’s Office is understaffed or there are inefficiencies).

The majority response related that understaffing was a product of recruitment, retirement, grant transfers, and retention issues, and that inefficiency was related to the need for beat alignments, workload dispersal, and ad hoc transfer of deputies to special duties.

The term “inefficiently” often elicits responses related to morale, labor and bargaining issues, or assignments obtained through favoritism. All responses to this question by Shasta personnel related to operational issues and the perceived potential for relief of workload-related problems through elimination of inefficiencies.

4. ***What could be done (other than hiring more deputies) to reduce or alleviate the situation?***

Responses to this question varied across the board, but in general were focused on relief of workload through:

- Additional hiring
- Beat realignment
- Workload analysis
- Call prioritization
- Alternate responses to calls
- More control of deputy transfers for special projects

Only one person had little or no response beyond “hire more.”

Several responses were directed to the direct impact of the civilian SSOs on workload and how beneficial they have been.

5. ***If you had more time during your shift, what would you do with it? What do you do with it now?***

Response to this question was nearly universal. More time would be spent in additional proactive activity, preventative patrol, community contacts, and follow-up. Many related they would use additional time for better investigations and one deputy would work on abandoned cars. Deputies said they generally use spare time in the above manner, but there is seldom time on a regular basis that they can use for directed patrol or other responses. “Time comes in small amounts,” they said. “You do the best you can. Sometimes its just nice to quit driving.”

It was apparent that most personnel were very aware of problem-oriented and community policing techniques and issues. While this may have colored some of the answers, the concern for quality policing responses was apparent throughout all levels.

6. ***Do you enjoy working for the Shasta County Sheriff's Office? Why?***

The response was 100%. All interviewees enjoyed working for the Shasta County Sheriff Office. Some were more enthusiastic than others, and while critical of some aspects of the job or its conditions, overall they enjoy their work. There were no real differences by age or experience – some of the most experienced were the most enthusiastic.

Overall, the most common reason for their enjoyment was the people they worked with. Many gave credit to the county and its natural beauty and wealth of recreational

opportunities. Some gave credit to an enlightened administration and the community orientation of the Sheriff's Office.

7. ***Does the community support the Sheriff's Office? Why?***

In general, personnel believe the community supports the Sheriff's Office. One exception felt the community did not want law enforcement and didn't really support the Sheriff's Office. Discussion of this issue of support generally resulted in identification of the level of frustration felt by personnel at not being able to provide "more" service as well as the frustration that the community feels and directs toward the deputies.

While anecdotal, most deputies spoke of being the object of frustration directed at them by victims and/or reporting parties, generally regarding slow or missed service, or lack of patrol or attention to neighborhood issues. About 60% felt this "frustration" from the community.

About 40% made a direct comparison to the Redding Police Department (RPD), describing their community support as better and based on the Sheriff's more low-key "community" response as well as a more active relationship with community issues. Many of the responses were, *"It's ok. Better than RPD, but it could be better. We just don't have the people to give them what they need."*

The level of support was felt most strongly in Burney Station, but it was qualified. Burney deputies are "expected" to deal with issues in a different manner and they felt some deputies can have trouble with the "transition." Valley areas seemed to have the "least" support. Areas with resident deputies seemed to have reasonably strong support.

8. ***If you could reorganize the Sheriff's Office, how would you do it?***

There were few strong opinions regarding reorganization. In fact, more than 30% had no idea at all as to how they would reorganize. Many felt the organizational structure was fine, there were just not enough people and patrol was a supply source for special needs and assignments.

There were many opinions regarding partial organizational elements, such as increasing patrol shift overlap, reduction in administrative personnel (sergeants both north and south), and increasing drug enforcement.

9. ***What is your personal opinion of the 12-hour shift? Is it a benefit or a liability? Why?***

One hundred percent of those who work the 12-hour shift "like it" or, in many cases, "love it." Fatigue was mentioned by some, but most said they can use the last part of the shift to clean up reports and be ready to go at the end of shift. More than 60% mentioned the

positive effect the shift had on their family life and their enjoyment of home and children. The ability to work an extra shift for overtime and still have some time off was a factor for several deputies.

All agreed it was a benefit and not a liability from their standpoint. Several pointed out they thought it was of benefit to the Sheriff's Office, too, not just the deputy.

10. *If you had unlimited resources, what changes would you make in the Sheriff's Office?*

Response was quick and emphatic from virtually all: more staffing, both deputies and service officers. Better equipment was also mentioned, but only by about 50% of responders. Many felt equipment was good; they could use new cars, but not at the expense of additional personnel. Better facilities were mentioned by some.

There were no elaborate schemes or plans (e.g., no airplanes, helicopters, or Hummers for all), just plain and simple: more people and some new equipment.

Interview Conclusions

The interviews were remarkable in many ways for what they *did not* show. Unlike many sheriffs' office's, there was a great deal of humanity and personal regard for the community and for their fellow deputies. Many were pained by their inability to provide service at a level they would like to receive. Their candor was genuine – some more so than others – but no con jobs.

SHASTA COUNTY SHERIFF'S OFFICE

INTERDEPARTMENTAL MEMORANDUM

Date: AUGUST 1, 2006
To: SCHALLER, LARRY, UNDERSHERIFF
From: ASHMUN, MIKE, SERGEANT
Subject: PERSONNEL STATISTICS



Personnel statistics June of 2005 to July 2006

Jim Pope
SHERIFF

Larry Schaller
UNDERSHERIFF

Personnel hired:

Correctional Officer	24
Public safety Service Officer	5
Animal Regulation Officer	1
Legal Process Clerk I	3
Legal Process Clerk II	1
Deputy Sheriff	2
Deputy Sheriff E/L	2
<u>Adult Custody Cook I</u>	<u>1</u>
Total	41

Extra help personnel hired:

Sheriff's Cadet	6
Public Safety Service Officer	4
Animal Regulation Officer	4
Boating Safety Officer	5
<u>Deputy Sheriff</u>	<u>1</u>
Total	20

Backgrounds:

Deputy Sheriff	29
Correctional Officer	83
Public Safety Service Officer	9
Animal Regulation Officers	13
Sheriff's Cadet	21
Boating Safety Officer	18
Account Clerk	3
Admin Sec II	1
<u>Other</u>	<u>8</u>
Total	192

Recruitment Team Accomplishments:

In the fiscal year of 2005-2006, a 15 person recruitment team was developed. The team visited law enforcement academies, job fairs, attended career days at local colleges and high schools. The team redesigned the recruitment flyer, developed a recruitment folder. Several promotional items were purchased including coffee mugs, water bottles, can coolers, pocket knives, and computer mouse pads. The team designed advertisements that were placed in law enforcement trade magazines. The background and testing processes were evaluated and streamlined to assist in recruitment.

CRIME ANALYSIS

PART I CRIME SUMMARY

Mid-Year Report January-June 2006

Crime	2006	2005	Percent of Change
Homicide	7	1	(6 calls) up 600%
Rape	7	15	(8 calls) down 53%
Robbery	6	5	(1 call) up 20%
Aggravated Assault	96	114	(18 calls) down 16%
Total Violent Crimes	116	135	(19 calls) down 14%
Other Assaults	192	251	(59 calls) down 24%
Domestic Violence	115	140	(25 calls) down 18%
Total Crimes Against Person	423	526	(103 calls) down 20%
Arson	3	14	(11 calls) down 79%
Burglary	204	216	(12 calls) down 6%
Grand Theft Auto	41	23	(18 calls) up 78%
Larceny	214	352	(138 calls) down 39%
Total Property Crimes	462	605	(143 calls) down 24%
Total Major Crimes	885	1,131	(246 calls) down 22%
Total Part One Crimes	1,001	1,266	(265 calls) down 21%

**** Total Major Crimes are the sum of Total Crimes Against a Person and Total Property Crimes**

****Although Violent Crimes are down marginally for the first half of 2006 as compared to the first half of 2005, the category of homicide is up 600% due to the 7 homicides that the Sheriff's Office responded to early in the year. Violent Crimes are down overall by 19 calls or 14%.**

****Overall, the number of Part One Crimes for the first half of 2006 are looking consistent with the number of calls received for the same reporting period in 2005. We have seen a slight decrease across the board with the exception of homicide, robbery, and grand theft auto. The total decrease in Part One crimes is 21% or 265 calls.**



SHASTA COUNTY

PART ONE CRIME SUMMARY

Crime	2005 Total	2004 Total	Percent of Change
Homicide	2	1	(1 call) up 100%
Rape	30	39	(9 calls) down 23 %
Robbery	17	8	(9 calls) up 113%
Aggravated Assault	199	320	(121 calls) down 38%
Total Violent Crimes	248	368	(120 calls) down 33%
Other Assaults	520	443	(77 calls) up 17%
Domestic Violence	282	290	(8 calls) down 3%
Total Crimes Against Person	1,050	1,101	(51 calls) down 5%
Arson	26	47	(21 calls) down 45%
Burglary	467	572	(105 calls) down 18%
Grand Theft Auto	46	52	(6 calls) down 12%
Larceny	652	735	(83 calls) down 11%
Total Property Crimes	1,191	1,406	(215 calls) down 15%
Total Major Crimes	2,241	2,507	(266 calls) down 11%

** Total Major Crimes are the sum of Total Crimes Against a Person and Total Property

SUGAR PINE CONSERVATION CAMP
Cream of the Crop

Sugar Pine Conservation Camp

15905 Sugar Pine Road
Bella Vista, CA 96008
530.472.3121

REASON FOR INQUIRY:

Section 919 of the California Penal Code requires that the Grand Jury inquire into the condition and management of all public prisons located within the county.

BACKGROUND:

Sugar Pine Conservation Camp (SPCC) opened in June 1988. The California Department of Corrections (CDC) and the California Department of Forestry (CDF) jointly operate it. SPCC is located on about 80 acres, 25 miles east of Redding. SPCC is one of 41 conservation camps in California, and the inmate population is approximately 125 minimum-security male felons. The inmates are from High Desert Prison, located in Susanville, CA.

The primary function of SPCC is to provide a labor force for statewide fire suppression and to assist with a variety of local, state, and public services, such as, highway cleanup.

METHOD OF INQUIRY:

The Grand Jury visited SPCC on December 12, 2005. Following an orientation by the CDC Lieutenant (Camp Commander) and the CDF Camp Battalion Chief, a tour was conducted.

The Grand Jury interviewed the following people:

- SPCC Camp Commander

- CDF Camp Battalion Chief
- Eight Inmates
- One Camp Cook
- One Camp Counselor
- One Instructor

The Grand Jury reviewed the following documents:

- California Department of Forestry and Fire Protection Conservation Camp informational handout. (undated)

FINDINGS:

1. The 80-acre camp includes a dormitory, kitchen/dining area, laundry room, administration building, fire fighting equipment storage building, maintenance building, and inmate hobby shop. All facilities were found to be clean and in good operating order.
2. SPCC provides the labor (fire or hand crews) that assists the CDF in achieving the Department's primary mission to "reduce loss of life, property, and natural resources through the implementation of balanced fire prevention, fire protection, pre-suppression and suppression activities." SPCC has six crews, each consisting of 15 well-trained inmates.
3. Inmates are responsible for meal preparation and serving. The average cost for meals per day, per inmate, is \$2.56. Breakfast and dinner are served in the dining hall, and lunch is packaged for consumption at the crew work sites. Because SPCC inmates are low-risk, the cost of housing each man is significantly lower than for those housed in regular prisons.

4. Drug-related offenders make up 95% of the inmate population. Inmates at SPCC cannot have a record of arson offenses, sex-related offenses, or previous escapes from other CDC facilities, nor be potentially violent.
5. Eligible inmates serve the last nine months of their prison sentence at SPCC. Inmates have telephone and visitation privileges, and may earn the privilege of spending a weekend with their families at a house located on the property.
6. Inmates provide a labor force to the CDF. Overall, the California Conservation Camp fire crews average more than eight million hours of labor on work projects for CDF and for federal, state, and local agencies each year.
7. SPCC has 10 correctional officers and 12 fire captains. A supervisor and two correctional officers are on duty each day. At night, one supervisor and one correctional officer are on duty.
8. There are no medical facilities at SPCC. Only basic first-aid is available to inmates. Those needing emergency medical help are transported to Redding or the nearest healthcare facility if the crew is away from the camp. Non-emergency care is provided at the state prison in Susanville.

RECOMMENDATIONS:

None

RESPONSES REQUIRED:

None

COMMENDATIONS:

The California Department of Corrections and the California Department of Forestry are commended for their cooperative efforts and team approach resulting in a very successful joint agency program.

**2006-2007 Shasta County Grand Jury
Review of Responses to 2005-2006 Grand Jury Findings and Recommendations**

ASSESSOR-RECORDER

2005-2006 Grand Jury Findings & Recommendations	Response by Official or Agency	Comments by 2006-2007 Grand Jury
<p>Findings #1: The current Assessor-Recorder has been elected to three consecutive four-year terms since 1994 and has chosen to retire at the end of his current term. Three persons are running for the position, including a Deputy Assessor-Recorder, a current Auditor/Appraiser employed by the office, and a Public Works Department Senior Planner.</p>	<p>I agree with this finding except that at this date there are now two persons running for this office. Chris Andrews, Shasta County Assessor-Recorder</p>	<p>Election was held and Leslie Morgan was elected. This response complies with Penal Code section 933.05.</p>
<p>Finding #2: When asked to rate the overall effectiveness of the office, administrators interviewed by the GJ gave it 9.5 on a scale of to 10, 10 being the best. They cited a lack of complaints received by their office as one reason for giving it a high rating. When further questioned, however, they were unable to quantify the number of citizen complaints received over the past year. Employees of the office and citizens interviewed by the GJ rated the overall effectiveness of the office much lower because of alleged rudeness and an inability to obtain information from the</p>	<p>While I agree that every public agency needs to be sensitive to effective customer service, I disagree with this finding that the overall effectiveness of the Assessor-Recorder's Office is low and that a formal complaint log is necessary to assist in quality control. The finding indicated that three employees and one or two private citizens rated the overall performance effectiveness of the Assessor-Recorder's Office at a lower level than three administrators rated it and that the administrators lacked credibility since they couldn't quantify the number of citizen</p>	<p>This response complies with Penal Code section 933.05.</p>

office.

The GJ found that the Office lacks a functional mechanism for compiling and tabulating citizen complaints. Heads of other County departments interviewed were also unable to provide the GJ with a log of citizens' complaints received by their offices. The GJ finds that current County policy does not contain a requirement for a departmental complaint log to supplement County Administrative Policy 1-116, which provides procedures to be followed when the Board of Supervisors receive a written complaint from the public. The GJ believes establishment and maintenance of such logs would assist in quality control within each County department.

complaints.

Complaints from the public generally either concern poor customer service or a disagreement by a property owner with an assessment. I keep a file of all complaints received in written form concerning treatment of the public by office staff. In addition, management, including myself, will keep written memos concerning any verbal complaints that we receive. While a "complaint log" might improve our ability to track issues that may recur with some frequency, a review of my complaint file shows very few written complaints since 1995 (see response for a table).

We receive a number of complaints each year concerning valuation issues and we have a written policy regarding the review of those appraisals. We have an informal "Request for Review" form that is available to property owners on our web site and at our front counter. Our policy requires that a request for review be logged into our Reviews Database by the supervising appraisers. Most valuation disputes are resolved in this manner. Those that are not end up in a formal assessment appeal.

Formal assessment appeals are filed and logged with the Clerk of the Assessment Appeals Board (AAB). Each assessment

	<p>appeal is reviewed by Assessor administrative staff and an appraiser is assigned to contact the applicant to review the issues to find out the basis of the appeal. Often times the property owner can provide information that we were not previously aware of concerning the condition of the property. That generally resolves the valuation issue. Other times, after the appraiser explains our process, the law, and how the value was determined, the applicant withdraws the application. Either way, it is an efficient use of resources, well documented, and good public service.</p> <p>The following shows why I think we have an effective assessment program: (see response for the table).</p> <p>The number of assessment appeals filed annually is one important indicator of the accuracy of the County's assessment program. A low percentage of appeals to totals assessments are associated with a greater degree of accuracy by Assessor staff and property owner satisfaction with their assessment. On average Shasta County experiences about 75% fewer assessment appeals than the average for other California counties (the data for the State average comes from the California State Board of Equalization).</p>	
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	<p>Chris Andrews, Shasta County Assessor-Recorder</p>	
<p>Finding #3: Property Detail forms, which contain most of the characteristics of each property, are available on the Internet for all parcels in Shasta County. However, approximately one-third of the electronic forms are incomplete. The Assessor-Recorder told the GJ that continual progress is being made to complete the remaining forms.</p>	<p>I agree with this finding. Revenue and Taxation Code section 408.3 says that property characteristics information maintained by the assessor is a public record. Under the law, "property characteristics" include, but are not limited to, the year of construction of improvements to the property, their square footage, the number of bedrooms and bathrooms, the property's acreage, and other amenities such as swimming pools, views, zoning, use codes, and the number of dwelling units of multiple family properties. In addition section 408.3 says the assessor may require a fee reasonably related to the actual cost of developing and providing the information to be paid by the party receiving the information. Further the actual cost is not limited to duplication or production cost, but may include recovery of developmental and indirect costs, such as overhead, personnel, supplies, and computer costs. All revenue collected by the assessor under section 408.3 must be used solely to support, maintain, improve, and provide for the creation, retention, automation, and retrieval of assessor information.</p>	<p>This response complies with Penal Code section 933.05.</p>

According to the 2004-05 Budget, \$7,230 was collected for "Property Characteristics Info Fees" (Account 664081).

Property characteristics for about two-thirds of the improved parcels are available in the Assessor's data base and as such are available on the Assessor-Recorder's Web site for no charge. The property characteristics are also available at our front counter computer terminals at no charge. If the property characteristics for a given parcel are not in the electronic database, then a fee of \$10 is charged to have an appraiser research the information from the hard-copy file and report that information on a property characteristics form, however, the property owner is provided that information without charge. In addition, realtors and other authorized representatives of the property owner can have access to the information without charge if they have a signed authorization form from the property owner giving them permission to have access to their property record.

Continual progress is being made to populate the property characteristics fields in the Assessor's database as appraisers complete appraisals for new construction or changes in ownership **Chris Andrews, Shasta County Assessor-Recorder**

<p>Finding #4: Some employees interviewed by the GJ stated that the work environment within the office is characterized by bullying and conflict between management and employees. There were allegations of gender, religious and age discrimination and complaints of “divide and conquer” tactics, micro-management, and “untouchable” employees. Employees further stated that their complaints and suggestions are often unaddressed. Employees and administrators agreed that intradepartmental communication is in need of improvement. The County Personnel Department is currently conducting an investigation of those allegations. This complaint, therefore, is outside the jurisdiction of the GJ.</p>	<p>I agree with the Grand Jury finding that the matter is outside its jurisdiction. The County completed a thorough investigation into the concerns raised by several employees regarding two managers in my office. The investigation contained some forty interviews of thirty witnesses. Over two hundred pages of interview reports were generated and numerous personnel documents were reviewed. Employees were advised of the results of the investigation on May 17, 2006.</p> <p>The investigation concluded that the managers did not unlawfully discriminate against any employee based on gender, age, and/or religion. Similarly, it was found that neither manager unlawfully harassed any employee based on gender, age, and/or religion.</p> <p>The investigation revealed the existence of workplace friction between various employees and the two managers. The investigation further indicated that such friction was exacerbated by a group of employees who were apparently trying to undermine the managers due to long-standing displeasure with the promotion of one of the managers and the current candidacy for the position of Assessor-</p>	<p>This response complies with Penal Code section 933.05.</p>
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	<p>Recorder of the other manager. The results of the investigation showed that some of the allegations that were raised related to incidents that occurred five to ten years ago, or that did not occur at all.</p> <p>I recognize that while there was no unlawful harassment or discrimination, the managers should improve their communication techniques. Steps have been taken to address those issues. However, it should be noted that effective communication is a two-way street. Among other things, the investigation illustrated the need for line staff to guard against unfounded workplace gossip and the harboring of old grudges. All employees, including management, need to put their energies into working together to openly and effectively address and resolve issues as they arise in a respectful manner.</p> <p>With the County's investigation complete, I hope that the Assessor-Recorder employees can move on from here and devote their energies to providing quality service to the public that we serve.</p> <p>Chris Andrews, Shasta County Assessor-Recorder</p>	
<p>Recommendation #1: The Office of the Assessor-Recorder should complete the Property Detail computer database by June 30, 2007, for</p>	<p>The recommendation imposing a June 30, 2007 deadline for completion of the Property Detail computer database will not</p>	<p>This response complies with Penal Code section 933.05.</p>

all Shasta County Properties.

be implemented because it is not reasonable. I have given high priority to providing accurate and complete property characteristics for all taxable parcels in Shasta County to the extent that resources allow. Section 408.3 of the California Revenue and Taxation Code defines certain property characteristics maintained by the assessor to be a public record. It does not require that the information be in an electronic format, but it does provide that all revenue collected from the sale of property characteristics by the assessor under this section be used solely to support, maintain, improve and provide for the creation, retention, automation, and retrieval of assessor information.

It is not clear in the recommendation whether the Grand Jury believes that the property characteristics should necessarily be on the Internet. To the extent allowed by Government Code section 6243.21, property characteristics have been accessible on the Internet free of charge for several years. The same information is also available on the public terminals at the front counter.

There are 94,128 parcels in Shasta County as of January 1, 2006. Over two-thirds have property characteristics, as defined in section 408.3, that have been

added to our property tax system's database. This continues to be done as the information is updated and as time is available to key in the data.

Each assessable property in Shasta County has a file, both an electronic file and a hard copy file folder. If the property is improved (has a building or buildings) the file folder will contain a building record which will include the property characteristics of the parcel. Over time, as property is reappraised because of a change in ownership or because of new construction, the property characteristics are updated, verified for accuracy, and entered into the computer database by assessor staff. We reappraise about 16,000 properties each year. A high priority has been placed on updating and keying the property characteristics into our computer system for those properties that are reappraised because it means that an appraiser generally has viewed the property and updated the building record. Some properties in Shasta County still have their original Proposition 13 value; some have values that were established ten years ago, fifteen years ago, twenty years ago, or some other time frame that isn't very current. I have always been concerned about the accuracy of the

	<p>property characteristics information because I know that people may rely on this information to make economic decisions.</p> <p>While I appreciate the concern of the realtor that complained to the Grand Jury, progress has and continues to be made on completing the task of populating the property characteristics for every parcel in Shasta County. In fact, the very nature of property characteristics, require this activity to always be a work in progress. Furthermore, since there will be a new elected Assessor-Recorder taking office in January 2007, I would not want to, nor could I, commit that person to an arbitrary time-line for completion of the property characteristics database. Therefore, for the reasons stated above about the process used to enter accurate and thorough data, I can not agree that the property characteristics computer database should arbitrarily be completed by June 30, 2007.</p> <p>Chris Andrews, Shasta County Assessor-Recorder</p>	
<p>Recommendation #2: The Assessor-Recorder should establish and maintain a log of citizen's complaints and the responsive action taken by the office.</p>	<p>The recommendation will not be implemented because it is not warranted. I am very concerned about the way citizens are treated by my office. We have a policy for responding to complaints about</p>	<p>This response complies with Penal Code section 933.05.</p>

	<p>valuations and, as indicated in my response to Finding #2, that process works well as measured by the number of formal assessment appeals filed in Shasta County.</p> <p>Chris Andrews, Shasta County Assessor-Recorder</p>	
<p>Recommendation #3: The GJ further recommends that <u>all</u> County departments establish and maintain a log of citizen complaints and the responsive action taken by the department.</p>	<p>The recommendation requires further analysis. The Board of Supervisors adopted Administrative Policy 1-116 to provide a procedure for handling written complaints from the public to the Board of Supervisors. The Shasta County Administrative Policy Manual is reviewed periodically to ensure that policies remain relevant and representative of the Board's intent for business conducted by the County of Shasta. The next review of the policy manual is anticipated for Mid-2007. At that time, the County Administrative Office will review Policy 1-116 and make a recommendation to the Board of Supervisors on any revisions necessary.</p> <p>Patricia A. "Trish" Clarke, Chairman of the Board of Supervisors</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #4: Better communication should be established between management and staff, allowing employees to more readily express their concerns.</p>	<p>This recommendation has been implemented. I agree that effective and respectful communication between management and staff is important to the success of this or any office. Assessor-</p>	<p>This response complies with Penal Code section 933.05.</p>

	<p>recorder managers will continue to attend appropriate training in supervision that includes sessions on enhancing communication skills.</p> <p>Regular staff meetings are held to allow for a free flow of ideas and concerns to be expressed. In addition, we have a number of different work groups that meet weekly and managers and supervisors from the different sections of the office meet often to discuss mutual issues.</p> <p>Managers and staff have been encouraged to communicate using email. While face to face meetings are always preferred, effective communication by email has the advantage of wide coverage to groups, clear message, and can be kept for future reference.</p> <p>I will continue to encourage management and staff to share and exchange their ideas, comments, and suggestions for improvement for the mutual benefit of all participants charged with the administration of the property tax program in Shasta County. Chris Andrews, Shasta County Assessor-Recorder</p>	
<p>Recommendation #5: Training programs for all office supervisory personnel should emphasize team-building and a positive work</p>	<p>This recommendation has been implemented. We will continue to emphasize the importance of training for</p>	<p>This response complies with Penal Code section 933.05.</p>

environment.	<p>supervisory and management employees.</p> <p>The Office of Assessor-Recorder is committed to producing a fair, cost-effective, accurate, and timely assessment roll in accordance with the law and to record all those documents required to be or allowed to be recorded for the purpose of providing the public with constructive notice of private transactions. These commitments can only succeed in an environment of professionalism and mutual respect. Chris Andrews, Shasta County Assessor-Recorder</p>	
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**2006-2007 Shasta County Grand Jury Implementation Review
Follow-up to 2005-2006 Grand Jury Recommendations**

February 21, 2007

BURNEY FIRE PROTECTION DISTRICT

2005-2006 Grand Jury Findings & Recommendations	Agency Response	Current Status
<p>Finding #1: On June 6, 2005, a petition in support of the Referendum Against An Ordinance passed by the Burney Fire Board, containing 271 signatures (123 required) was submitted to the BFPD board. The petition asked the Board to repeal its ordinance to increase fees for BFPD services.</p> <p>California Elections Code sections 9145 and 9350 require the governing boards of districts to either repeal the ordinance against which a petition was filed, or submit it to the voters. Rather than do either, the BFPD Board forwarded the petition to an attorney recommended by the District's Chief. The attorney declared the petition to be "fatally flawed," and on the attorney's advice, the Board did not submit the petition to the Registrar of Voters for inclusion on the ballot. This appears to be a violation of California Elections Code section 9145.</p>	<p>The Burney Fire Protection District disagrees wholly with this finding. It implies that it was improper for the District to seek legal advice before and in lieu of processing the purported petition.</p> <p>The implication is that any document, which is characterized as a referendum petition seeking to reverse any act of the District Board, should be processed through County election officials without legal scrutiny as to the document's validity.</p> <p>This view simply is incorrect and would constitute poor public policy potentially generating wastes of public funds. Every person and entity, and particularly, every public entity is afforded the right to legal counsel when a legal problem presents itself as it did when the subject petition was presented. The District sought that legal advice and received an opinion that the purported petition was invalid for</p>	<p>This response complies with Penal Code section 933.05.</p>

	<p>multiple reasons. The Office of the Shasta County Counsel concurred in that opinion, and, perhaps most telling, the petition proponents did not publicly disagree with opinion or challenge it in any way. The Grand Jury does not take issue with the legal advice afforded to the District, but still asserts that the District somehow erred in not submitting the flawed petition to the County for processing.</p> <p>Submitting an invalid petition for processing through an election would constitute a waste of public funds to be expended by the County and the District. Further, should the invalid petition have received a majority of votes cast, a successful lawsuit challenging its validity would likely have been processed, resulting in a further waste of public funds.</p> <p>The action suggested by the Grand Jury findings would be imprudent in that it would generate a waste of public funds. As such the recommendation will not be implemented because it is not warranted and is not reasonable as stated above.</p> <p>Lynn Miller, Board Chair</p>	
<p>Finding #2: An alleyway separates the BFPD Fire Department building from a commercial building and a house behind it. BFPD has</p>	<p>The alleyway referenced in the Grand Jury report has been District property since 1941 when the station was built. This</p>	<p>This response complies with Penal Code section 933.05.</p>

its own parking lot; however, when responding to emergency calls for service, firefighters often park their cars in the alleyway, blocking it. Additionally, a padlocked vehicle belonging to the district obstructed the rear portion of the alleyway, thus denying the neighbor access to his building. According to one of the complainants, the Fire Chief told the adjacent building owner that BFPD held title to the alleyway. The Grand Jury learned that the alleyway is actually an easement for the California Department of Transportation. The Shasta County Sheriff's Office branch in Burney ordered the Fire Department to remove the padlocked vehicle.

board was unaware of any easement until it was brought up in the Grand Jury investigation. The Grand Jury should have investigated into the "easement" further and provided the BFPD with the information they had prior to their final report. This matter could have been resolved. Our investigation discovered the easement referenced by the Grand Jury is a drainage easement recorded in 1986, prior to the redesign of Main Street. If the Grand Jury had taken the time to review the facts, they would have determined the District, as a public entity, owns the property in fee title and granted the drainage easement to Cal Trans. As such, there is no prohibition against the District's using its own property for its own purposes. The alleyway, even if completely blocked off, would not deny any neighbor access to their property.

The Grand Jury report states the Shasta County Sheriff's office in Burney ordered the Fire Department to remove a padlocked vehicle. If the Grand Jury again had done its research, they would have discovered there is no report by the Shasta County Sheriff's Office ordering the removal of a District vehicle nor are there any log entries to back up the Grand Jury's allegation. The Shasta County Sheriff

	<p>lacks such authority to even make such an order.</p> <p>Lynn Miller, Board Chairman</p>	
<p>Finding #3: Several complainants notified the Grand Jury that the District Board may have violated the Brown Act (government codes sections 54950-54962), which governs meetings conducted by local legislative bodies, on two occasions. First, upon the recommendation of the Fire Chief, the BFPD Board hired an outside attorney to evaluate the petition. Neither the BFPD meeting agendas nor its minutes speak to the hiring, cost, or outcome of the attorney's legal analysis, or whether the Board took formal action to accept or reject the petition. In spite of two requests, the district did not supply the Grand Jury with documentation of their relationship with the outside attorney.</p> <p>Second, the BFPD Board amended the Fire Chief's contract in closed session. The Brown Act requires that action taken in a closed session to appoint or employ an individual must be reported in the next open session immediately following the closed session. Any amendment to the Chief's contract should have been presented during an open session of a District's Board. However, the Grand Jury</p>	<p>The Grand Jury asserts that the District did not provide documents to the Grand Jury regarding the District's legal relationship. In fact, the District did provide a copy of the retainer agreement and a copy of a specific bill request by the Grand Jury.</p> <p>Government Code Sections 54950-54962 is the entire Brown Act. The Brown Act does not address the hiring of legal counsel. There also is no requirement that a legislative body hire legal counsel in open session as the Grand Jury asserts. The hiring of legal counsel is permitted by the District's policies.</p> <p>Based on the Grand Jury's comments in Recommendation #2, "If found, the violation must be corrected in an open session of a Burney Fire Protection District board meeting." This statement in and of itself shows that there was no violation of the Brown Act, since the Brown Act requires no such action. As such, the recommendation will not be implemented because it is not warranted and is not reasonable as stated above. There was no Brown Act violation. Lynn Miller, Board Chairman</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>did find documentation of the Fire Chief's contract changes in the minutes of the meeting of June 28, 2005. The report of the closed session stated that any amendment or termination of the Fire Chief's contract require a 4/5 (80%) vote, instead of a simple majority. This recommendation was approved by the Board. Therefore, the Grand Jury determines that there was not violation of the Brown Act in connection with the changes made to the Chief's contract.</p>		
<p>Recommendation #1: The Grand Jury recommends that the governing board of the Burney Fire District immediately take one of two actions: entirely repeal the fee ordinance against which the referendum petition was filed or, submit the petition to the County Registrar of Voters so that the ordinance may be place on the ballot.</p>	<p>See Finding #1 response.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #2: The BFPD Board should review the Brown Act regarding the alleged lack of documentation for the hiring of an outside attorney. If found, the violation must be corrected in an open session of a BFPD Board meeting.</p>	<p>See Finding #3 response.</p>	<p>This response complies with Penal Code section 933.05.</p>

	<p>Additional comments:</p> <p>We find the inquiry into one's personality beyond the scope of the Grand Jury as defined in the California Penal Code. The city of Redding's Fire Chief, Deputy Chief, and firefighters have no idea what policies are set forth by the Burney Fire Protection District Board of Directors. A person's management style is subjective to say the least. Why would twenty eight firefighters from Redding be interviewed about Burney Fire Protection District in the first place? Why not interview Burney's firefighters?</p> <p>In response to the statements made by two Board members, this is not true, and taken out of context. We are requesting an apology and retraction regarding the Fire Chief. We find the Grand Jury's accusations regarding Chief May libelous.</p>	
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**2006-2007 Shasta County Grand Jury
Review of Responses to 2005-2006 Grand Jury Findings and Recommendations**

CENTERVILLE COMMUNITY SERVICES DISTRICT

2005-2006 Grand Jury Findings & Recommendations	Response by Official or Agency	Comments by 2006-2007 Grand Jury
<p>Findings #1: ISO ratings range from 1 to 10 and are mainly based on hydrant location, water supply pressure, and whether the fire department is paid or volunteer. CCSD's most recent rating is 5.</p>	<p>ISO ratings are mainly based on two items, the Water Distribution System and the Fire Department. The Water Distribution System is rated on fire flows, number-spacing- and type of fire hydrants, and the inspection and condition of the fire hydrants. The Fire Department is rated on the number and type of engines and equipment, personnel, and training. John H. Stubban, Board President of Centerville Community Services</p>	<p>This response complies with Penal Code section 933.05</p>
<p>Finding #2: Financial highlights taken from the Audited Financial Statement for the year ending June 30, 2005, include:</p> <ul style="list-style-type: none"> • The net assets increased by \$198,198 over fiscal 2003/2004; an increase of 3.34%. This increase is lower than usual because of water distribution improvements on Placer Road. • Operating revenues were \$597,370. 	<p>We concur with the finding, except for the first bullet; which according to the Audit report should read: "The majority of the increase is attributable to the construction of distribution system improvements on Placer Road." John H. Stubban, Board President of Centerville Community Services</p>	<p>This response complies with Penal Code section 933.05</p>

<ul style="list-style-type: none"> • Non-operating revenues were \$245,636 compared to \$326,732 for fiscal year 2003/2004. This included a one-time Bureau of reclamation Deficit settlement of \$110,281. • Water revenues were lower due to a minor decrease in the District's water sales. • Interest revenue was slightly greater than expected due to increased interest rates. • Tax revenues were lower than expected due to a budget adjustment at the State level. • During fiscal year 2004/2005, the District contracted for the construction of the Zone A1 Standby Generator Project. This capital improvement project is funded by revenue from new water service connections. • Included in the CCSD Operations and Maintenance Budget for 2004/2005 were a Cost of Living Adjustment of 3.1% for the employees and the implementations of a Pay for Performance Program with possible merit adjustments ranging from plus to minus 3%. 		
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<ul style="list-style-type: none"> • The Operations and Maintenance Budget did not include depreciation of facility capital assets such as pipelines, pump stations, buildings, etc. CCSD has not created a mechanism to depreciate capital assets. Therefore, the district's auditors made a positive capital asset adjustment of \$183,651 in the budget. • The District's investment in capital assets as of June 30, 2005, totaled \$4,892,952 following an adjustment for depreciation of \$183,651. • At year-end, CCSD had \$2.85 million in bond and loan obligations outstanding. Total long-term debt decreased by \$131,168 during the year ending June 20, 2005, due to regularly scheduled debt service payments. • CCSD will continue its policy of increasing fees to fund capital projects outlined in the Master Water Plan. • Water rates are reviewed annually. The direction CCSD has taken is to keep the annual rate adjustments in the +/-1% to 3% range. 		
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Adjustments are based on a review of the overall financial picture and are not automatic.		
<p>Finding #3: In 2006, CCSD plans to install an additional 1000 feet of 24" pipe on the Placer Road mainline. The estimated \$50,000 cost will be financed from reserve funds.</p>	<p>We concur. Reserve funds were set aside for these types of projects. John H. Stubban, Board President of Centerville Community Services</p>	<p>This response complies with Penal Code section 933.05</p>
<p>Finding #4: CCSD will modify the distribution system on the Muletown Conduit to increase its delivery capacity from 3.9 to 4.2 million gallons per day. The estimated cost of the project, according to the District's Master Plan, is \$151,000, which is to be funded by existing reserves.</p>	<p>We concur, except CCSD is not modifying the Muletown Conduit, but rather modifying our facilities, which begin at the Muletown Conduit. John H. Stubban, Board President of Centerville Community Services</p>	<p>This response complies with Penal Code section 933.05</p>
<p>Finding #5: A review of the District's credit card usage revealed:</p> <ul style="list-style-type: none"> • Not all vehicle fuel purchases are thoroughly documented on receipts. • Not all expenditures are thoroughly documented on receipts. 	<p>We concur with this finding; except that all vehicle fuel purchases are documented with the Vehicle ID number (i.e. 501, 502, 503, etc.). John H. Stubban, Board President of Centerville Community Services</p>	<p>This response complies with Penal Code section 933.05</p>
<p>Finding #6: CCSD has adopted a Code of Safe Practices and an Injury/Illness Prevention</p>	<p>We concur. John H. Stubban, Board President of</p>	<p>This response complies with Penal Code section 933.05</p>

<p>Program and appears to adhere to all of its requirements.</p>	<p>Centerville Community Services</p>	
<p>Recommendation #1: Depreciation and amortization must be factored into the budgeting and financial reporting of the District.</p>	<p>We concur. John H. Stubban, Board President of Centerville Community Services</p>	<p>This response complies with Penal Code section 933.05</p>
<p>Recommendation #2: Credit card usage should be documented thoroughly. The Grand Jury recommends that when an employee purchases fuel, he or she should note the vehicle license number on the receipt; when fueling a personal vehicle, the reason for the purchase must also be noted. Claims for reimbursement of expenses for meetings should include a list of the employees attending, and state the reason for the meeting.</p>	<p>The Board of Directors will review the District's policies and procedures in these areas and make any necessary adjustments. John H. Stubban, Board President of Centerville Community Services</p>	<p>This response complies with Penal Code section 933.05</p>
<p>Recommendation #3: All miscellaneous expenditures should be documented, noting the purpose of these expenditures. Copies of receipts should be included with the claim.</p>	<p>The Board of Director's will review the District's policies and procedures in these areas and make any necessary adjustments. John H. Stubban, Board President of Centerville Community Services</p>	<p>This response complies with Penal Code section 933.05</p>

**2006-2007 Shasta County Grand Jury
Review of Responses to 2005-2006 Grand Jury Findings and Recommendations**

CITY OF REDDING FINANCES

2005-2006 Grand Jury Findings & Recommendations	Response by Official or Agency	Comments by 2006-2007 Grand Jury
<p>Findings #1: Establishment of Redevelopment Agencies is a major tool for financing improvements within a city or county. The activities of the Redding Redevelopment Agency (RRA) are discussed at length elsewhere in this Grand Jury Report.</p>	<p>The City Council agrees with the finding. Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #2: The Redding Housing Authority (RHA) is funded primarily through the federal government. Its FY 2005/2006 projected revenue is \$8.2 million of which 13% will cover administrative costs and 73% will be used for projects and programs, primarily housing assistance for the poor. Like the RRA, it is controlled by the City Council but federal regulations require the inclusion of one citizen on its governing board.</p>	<p>The City Council agrees with the finding. Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #3: The Redding Capital Services Corporation (CSC) is a non-profit corporation empowered to issue bonds to fund the expansion or upgrading of capital projects</p>	<p>The City Council agrees with the finding. Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>for the City, as well as its enterprise funds. Although these transactions involve tens of millions of dollars, the bonds can be authorized without voter approval because the bond indebtedness is not reflected as a general obligation of the City. Like the RRA and RHA, the officers of the CSC are the City Council. At the City Council meeting on October 18, 2005, the mayor publicly stated that he was surprised to learn that he was the president of a corporation he never knew existed. Nevertheless, the City Council, acting as the CSC Board, in a 5-0 vote, authorized the issuance of \$37.5 million in Redding Electric Utility (REU) bonds for capital improvements including electricity service to the Stillwater Business Park. Should the bonds default, REU customers will eventually foot the bill. None of the four City Council members interviewed by the Grand Jury could explain the function of the CSC they govern.</p>		
<p>Finding #4: The Redding Joint Powers Financing Authority (RJPFA) is yet another mechanism authorized to issue bonds to finance improvements. California state law authorizes two or more local agencies to form a joint powers authority and</p>	<p>The City Council agrees with the finding. Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>empowers such an authority to issue bonds to finance “capital improvements, working capital, liability and other insurance needs, or projects whenever there are significant public benefits, as determined by the local agency.” In 2004, the City and its Housing Authority formed a joint powers financing authority authorized to issue up to \$22 million in lease revenue bonds for a variety of capital projects including Big League Dreams Park (\$750,000), Fire Station No. 8 (\$1.5 million), and the refinancing of certain municipal facilities (\$14 million). Like the RRA, RHA, and CSC, the RJPFA is governed by the City Council.</p>		
<p>Finding #5: A Business Improvement District (BID) is a funding mechanism that supports the improvement of a defined commercial area. The California Property and Business Improvement Law of 1994 authorized the formation of BIDs. To form a BID, businesses located and operating within a defined area must first declare they are unable to attract customers due to inadequate facilities, services and activities. The City and the involved businesses may then form a BID by introducing a proposal, conducting hearings and passing an ordinance. Once</p>	<p>The City Council agrees with the finding. Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>

established, the BID can levy “assessments” to fund improvements which confer special benefits and services to the businesses or real properties within the BID. The assessments are not taxes for the general use of the City. Services include marketing, tourism promotion, special events and programs, funding for physical improvements, and advocacy of business interests. The governing board of a BID consists of the City Council either alone or in partnership with BID members.

The Downtown Redding Business Improvement District (DRBID) was formed in 1997. Funding for the DRBID is generated by annual assessments of businesses within the district (\$30,000 in 2005).

In October 2005, the City Council declared its intention to form the Hilltop Hotel Business Improvement District (HHBID) comprised of the major hotel businesses along Hilltop Drive. Following a public hearing on December 6, 2005, the City Council voted 5-0 in favor of forming the HHBID, a proactive effort to ensure Hilltop Drive remains competitive. Members of the district are concerned that retail growth to the City’s north and population sprawl to the south will have a negative economic impact on businesses in

<p>the HHBID. With City Council approval, REU has agreed to fund the \$2 million needed to underground the existing utility wires on Hilltop Drive within the next two to three years. The RRA also will contribute up to \$2 million for aesthetic improvements within the district. HHBID funding (estimated at \$259,000 per year) will be generated, in part, by a 1.5% increase in hotel occupancy fees.</p>		
<p>Finding #6: In a 2005 City-sponsored citizen survey, only one-third of those interviewed gave positive ratings to the City of Redding for its management of funds. When queried by the Grand Jury. City Council members stated they did not believe that multiple layers of City government funding and spending were a major reason for this poor support. Instead, each City Council member attributed the public's response to an overall dissatisfaction with government starting at the federal and state levels. Despite the survey results, Council members asserted that the people trust local government the most. City Council members unanimously agreed that the Redding City Manager and the City financial staff could be trusted with respect to the accounting and expenditure of all</p>	<p>The City Council agrees with the finding. Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>City funds. All denied using the Investment Pool as a “discretionary checking account,” and stated they would continue using the pool to take advantage of attractive investment opportunities.</p>		
<p>Finding #7: Only one of four City Council members stated that the City has emphasized project growth over infrastructure growth in an unbalanced way during the last 15 years. All City Council members denied allegations made by local business leaders and City department heads to the Grand Jury that City administrators regularly project budget shortfalls; recommend and make departmental cuts; then, when the shortfalls never materialize (or excesses occur), recommend using the unexpected revenue for projects instead of infrastructure. These allegations were confirmed by the Grand Jury members who attended a special Redding City Council meeting on February 13, 2006. The purpose of the special meeting was to gather public input regarding the expenditure of \$1.8 million in unexpected sales and property tax revenue. During that meeting, City staff proposed spending the money on a “project wish list.” The Grand Jury believes the money should</p>	<p>The City Council partially disagrees with the finding. Based upon City Council direction, City staff uses a “moderately conservative” approach to revenue projections to ensure that revenues are sufficient to fund budgeted expenditures and that mid-cycle budget adjustment, generally, entail surplus revenues as opposed to insufficient revenues. Staff recommendations for the use of surplus revenues are consistent with previously stated Council priorities. During the aforementioned February 13, 2006, meeting, four of the eight items funded by the City Council were for public safety, including the hiring of four additional police officers and funding conceptual design of a new Police facility. Ken Murray, Mayor, City of Redding</p>	<p>The response was not in compliance with California Penal Code Section 933.05a (2).</p> <p>This response was inadequate to support the disposition of the “surplus money”, i.e., no documentation outlining the hiring of four additional police officers and conceptual design of a new police facility. A copy included with their response of the February 13, 2006 Council meeting minutes would have supported their response. At issue with the 2005/2006 Grand Jury is the fact that the five percent budget cut from the police and fire departments were not returned to their respective department budgets.</p>

<p>have been used to restore the five percent cuts in FY 2005/2006 police and fire budgets.</p> <p>Three of four City Council members interviewed by the Grand Jury stated that public safety should be the top priority of city government. However, regarding future projects, no City Council member prioritized the construction of a new police facility ahead of a City-funded business park and road improvements.</p>		
<p>Finding #8: The Grand Jury finds that, in addition to the use of Investment Pool funds to take advantage of attractive investment opportunities, the following are examples of behavior which contribute to the perception that City funds are mismanaged:</p> <p>a). The <i>Analysis of Redding City Finances</i> report in 2005, sponsored by the business community, questioned the City's continuing ability to offer unrestricted retirement and health care benefits to its employees. The report also recommended a greater transparency of City finances in future budgets.</p> <p>b). At a July, 2005 City Council meeting, Council members admitted to "hiding" \$10 million from "a potential</p>	<p>a) The City Council agrees with the finding. In addition, the City Council responded to the "<i>Analysis of Redding City Finances</i>" publicly at its October 18, 2005 meeting.</p> <p>b) The City Council agrees with the finding. The City Council's decision to transfer \$10 million to a Debt Service</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>

<p>raid” by the State of California by transferring the money from the General Fund to a Debt Service Fund in FY 2002/2003 and then reversing the transfer the following year.</p> <p>c). In January 2006, a construction-industry watch-dog criticized the City for performing street repair work that legally should have “gone to bid.” The City Finance Director, City Manager, and City Council did not initially recognize this error until it was brought to their attention. The City admitted to unintentionally breaking state contracting laws on some paving contracts.</p> <p>d). In February 2006, extensive criticism followed the release of inaccurate data by the City of Redding Tourism Director regarding the profitability (for the City) of the Big League Dreams Park.</p> <p>e). Acceptance of a several million dollar federal grant for a City-sponsored business park resulted in a requirement for a significantly more complex environmental impact report. The resulting five-year delay in completing the report, coupled with rising labor and building expenses, increased the total project cost from an initially estimated \$12 million to between</p>	<p>Fund was simply to demonstrate that the funds were already committed to make required debt service payments during a time with the State of California was taking local government funds to help cover its own budget shortfall.</p> <p>c) The City Council agrees with the finding. After it was discovered that the City was unintentionally performing some pavement work that should have been contracted out, new procedures were implemented and staff received intensive training on the issue to ensure that the mistake is not repeated.</p> <p>d) The City Council partially agrees with the finding. There was an error in the calculation of economic impact. However, even as corrected, the data did indicate a significant economic benefit to the community.</p> <p>e) The City respectfully disagrees with the finding. Regardless of the acceptance of Federal grants, the Stillwater Business Park would have been subject to the same environmental regulations, as some of the property being proposed for the park requires release by the Federal Aviation Administration. The receipt of Federal grants in no way affected the timing nor</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
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<p>\$70-100 million.</p> <p>f). In the late 1990s, a Deputy City Manager negotiated a compensated time off (CTO) benefit for the City's police and fire unions. The unions did not request this benefit, nor were police or fire administrators present at the negotiations to alert the City of its potential negative effects. The CTO policy has added \$400,000 in overtime costs to the Fire Department in FY 2005/2006.</p> <p>Of the above-mentioned items retirement and health care benefits for current and retired City employees will have the greatest impact on the City's future financial health. Beginning in FY 2007/2008, the City's financial statements must adhere to the Governmental Accounting Standards Board's revised reporting standards that were adopted in 2004. rather than the current "pay-as-you-go" reporting method for employee and other non-retirement benefits, public employers will need to account for those benefits on an actuarial basis (similar to the accounting for retirement benefits). City financial statements will be required to quantify all unfunded liabilities associated with retiree health benefits as well as retirement benefits.</p>	<p>the cost of the project.</p> <p>f) The City Council partially disagrees with the finding. It is accurate that compensated time off (CTO) was added to the contract between the City and its fire union in 1995. The provision of the benefit was added in the context of a renegotiation of the entire labor contract. Notes from those negotiations clearly show that the benefit was proposed by the union and not the City.</p> <p>The City Council agrees with the finding. The City has already contracted with an independent actuary to meet reporting requirements of GASB 45 and will be in a position to meet the new requirement one year early.</p> <p>Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>
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<p>Finding #9: The Grand Jury finds that the use of the funding mechanisms discussed above are legal, proper and justified. However, their use is generally unknown or misunderstood by the public. The volume and complexity of the City's budget is difficult for the average citizen to comprehend and its lack of clarity creates suspicion and distrust. This contributes to a perception of mismanagement of City finances.</p> <p>Those individuals who serve on the City Council also serve on the governing boards of the RRA, RHA, RCSC, RJPFA and BID. The Grand Jury finds that, when Council members wear so many hats," they do not fully understand the complexity of the financial systems they govern. The City distributes approximately \$70 million each year through its General Fund. Additionally, the City controls \$50 million of Redevelopment debt, \$37.5 million of Capital Services Corporation debt, \$22 million in Joint Power Financing Authority debt, and \$6 million per year in Housing Authority funds. The five part-time City Council members oversee more than \$1.35 million of funds with only minimal direct citizen input.</p>	<p>The City Council partially disagrees with the finding. Redding City Council members receive the information and training necessary to meet the requirements of their respective roles in the Council-Manager form of government under which the City of Redding is organized. Under this organizational model, the City Council is charged with establishing policies and hiring a professional City Manager who, with his staff, is tasked with carrying out these policies. Council Members often receive training appropriate to their roles through various regional and state associations through their attendance at various meetings and conferences.</p> <p>Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>
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<p>The Grand Jury finds that the City Council members are not sufficiently familiar with the intricacies of municipal funding mechanisms. Numerous educational opportunities such as seminars and workshops are available for enhancing their proficiency in these matters. The Grand Jury also questions whether part-time officials can adequately research and administer the financial complexities of Redding City government.</p>		
<p>Recommendation #1: The Grand Jury recommends that the City investigate making the position of Councilperson full-time.</p>	<p>The recommendation will not be implemented. A part-time City Council is less costly and is effective within the Council-Manager form of government under which the City of Redding is organized. Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #2: If a sales tax increase proposal, as mentioned in other investigations of this Grand Jury Report, is not offered to or approved by voters, the City of Redding should use its various financial mechanisms to fund necessary projects such as the construction of a new police facility. The City should also consider a joint powers financing agreement with Shasta County and other interested parties</p>	<p>The recommendation has been implemented. The City Council has already indicated that the construction of a new Police facility is a high priority. As the project design moves forward the City Council will consider all reasonable funding mechanisms. The GJ's suggestion on collaboration of a Shasta County detention and detoxification facility is noted. Ken Murray, Mayor, City of</p>	<p>This response complies with Penal Code section 933.05.</p>

for the construction of a County detention and detoxification facility.	Redding	
<p>Recommendation #3: The Grand Jury recommends that the City utilize an independent auditor to examine all financial records and submit a final report to the 2006-2007 Grand Jury by January, 2007.</p>	<p>The recommendation has been implemented. The City, as required by law, is audited annually by an independent CPA firm that provides an opinion as to the accuracy and reliability of the City's Comprehensive Annual Financial Report (CAFR). The CAFR and auditor's opinion is accepted by the City Council in a public meeting and is part of the public record. The report will be submitted to the GJ once accepted. Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #4: The Grand Jury recommends that the City of Redding expand its initial attempts to educate citizens about City revenues and expenses.</p>	<p>The recommendation has been implemented. The City Council has historically formed an ad-hoc Citizen Budget Review Committee to assist the City Manager and Council in preparation of the biennial budget. Enhanced efforts will be made in the upcoming budget cycle to make the budget document user-friendly and educational to members of the public. Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #5: The Grand Jury recommends that the City staff conduct a comprehensive and continuing training program for the City</p>	<p>The recommendation has been implemented. The City Council already is offered on-going training in municipal</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>Council regarding the responsibilities and intricacies of city finances.</p>	<p>finances through a variety of organizations such as the League of California Cities and The California Redevelopment Association. City Council Members also receive additional information and training when they sit as representatives to internal committees such as the Audit Committee and the Investment Advisory Committee. Ken Murray, Mayor, City of Redding</p>	
<p>Recommendation #6: The Grand Jury recommends that City Council consider increasing citizen oversight of its funding agencies, similar to that used by the Redding Housing Authority.</p>	<p>The recommendation will not be implemented. The City Council itself, as directly elected representatives of the citizens, is best-suited to provide citizen oversight of the City's various funding agencies. Ken Murray, Mayor, City of Redding</p>	<p>This response complies with Penal Code section 933.05.</p>

**2006-2007 Shasta County Grand Jury
Review of Responses to 2005-2006 Grand Jury Findings and Recommendations**

SHASTA COUNTY MAIN JAIL

2005-2006 Grand Jury Findings & Recommendations	Response by Official or Agency	Comments by 2006-2007 Grand Jury
<p>Finding #1: The Grand Jury found the Main Jail to be a clean, orderly and well-run facility.</p>	<p>I concur with the findings. Larry Schaller, Undersheriff, Office of the Sheriff</p> <p>The Board of Supervisors concurs with the finding. Patricia A. "Trish" Clarke, Chairman of the Board of Supervisors</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #2: The State of California Board of Corrections, in its 2004-2005 Biennial inspection report, noted that fire and health inspections were conducted and that the facility was in compliance with the relevant standards. The Report also stated the sobering cells were often used as the intake area where inmates are received and held pending housing or arranging for bail, and that this utilization does not comply with state regulations related to sobering cells. These cells should be used only for holding inmates who are a threat to their own safety or the safety of others due to their state of intoxication. That deficiency has been corrected.</p>	<p>I concur with the findings. Larry Schaller, Undersheriff, Office of the Sheriff</p> <p>The Board of Supervisors concurs with the finding. Patricia A. "Trish" Clarke, Chairman of the Board of Supervisors</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>

<p>Finding #3: The Shasta County Main Jail operates at near capacity on a daily basis. The number of inmates at the Main Jail must comply with the Shasta County Superior Court order. This order requires that a quarterly report be submitted to the Shasta County Court outlining both the number and types of inmates released pursuant to the order. Currently, the Main Jail houses the most dangerous inmates, who should not be released. Less dangerous inmates, both sentences and awaiting sentence, are being released. This has become a common and accepted practice because of the lack of jail space.</p>	<p>I concur with the findings. Larry Schaller, Undersheriff, Office of the Sheriff</p> <p>The Board of Supervisors concurs with the finding. Patricia A. "Trish" Clarke, Chairman of the Board of Supervisors</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
<p>Finding #4: The Main Jail is the only adult detention facility in Shasta County. Inmates from Shasta County, including the cities of Redding, Anderson, and City of Shasta Lake, are all housed in the Shasta County Main Jail. In 2005, there were 11,386 bookings, 66% of which were arrested in the City of Redding.</p> <p>Since 1998, the Sheriff's Department and the Board of Supervisors have been aware there is a need for a new security facility to house the County's growing inmate population. Because of the chronic</p>	<p>I concur with the findings. Larry Schaller, Undersheriff, Office of the Sheriff</p> <p>City of Redding – no response received.</p> <p>The City of Anderson understands that in California local jail construction is a county responsibility and that Shasta County is developing plans to expand the capacity of the County's system. The City supports the County's planning efforts. Keith Webster, Mayor, City of Anderson</p>	<p>This response complies with Penal Code section 933.05.</p> <p>The City Council, by failing to respond, did not comply with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>

<p>lack of capacity in the Main Jail, the SO submitted a request for a jail feasibility study to the Board of Supervisors. The study is to be completed by September, 2006. The lack of a separate facility to house the mentally ill and intoxicated individuals compounds the jail's capacity problem because these individuals must be temporarily housed in the jail.</p>	<p>The City of Shasta Lake recognizes that in California, local jail construction is the responsibility of the County. It is further understood that Shasta County is in the process of developing plans to expand the jail. The City supports the efforts of the County in this matter. Ray Siner, Mayor, City of Shasta Lake</p> <p>The Board of Supervisors concurs with the findings. The Board is awaiting the results of the jail feasibility study which will be presented in September 2006. In addition, the Board has authorized the integration of the health and human services departments, including Mental Health and Alcohol and Drug Programs, Public Health, and Social Services. The provision of services to the chronically mentally ill and persons with alcohol and drug addictions will be evaluated in this redesign. Patricia A. "Trish" Clarke, Chairman of the Board of Supervisors</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
<p>Finding #5: In December 2001, the Board of Supervisors approved the Sheriff's proposal to replace 62 Shasta County deputy sheriffs in the Main Jail and Detention Annex with correctional officers, in order to reassign the deputies to</p>	<p>I concur with the findings. The Board of Supervisors ratified a substantial pay and benefit package for Corrections Officers August 1, 2006. Larry Schaller, Undersheriff, Office of the Sheriff The Board concurs with the finding that</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code</p>

<p>the field. The replacement of deputy sheriffs by correctional officers will result in annual savings due to reduced salaries (estimated up to \$800,000 per year). However, the FY 2005/2006 personnel roster at the Main Jail indicates that only 27 of the 62 deputies have been replaced with correctional officers.</p> <p>Interviewees consistently related that the pay scale of correctional officers was inadequate for recruitment and retention. Indeed, an officer was noted to have separated to resume his job changing tires at a local tire shop where he could earn more money.</p>	<p>they approved the transition from deputy sheriff to correctional officers in the Main Jail, and that the transition has had a positive impact on the cost of staffing the Jail. We disagree, however, on the number of positions that have transitioned. As of June 30, 2006, the Jail's personnel roster listed 38 correctional officers and 13 deputy sheriff positions. The transition from deputy sheriff to correctional officer is dependent upon vacant patrol positions for the deputies to transition into. The Sheriff has implemented an aggressive recruitment policy for hiring and training.</p> <p>The County entered into a successor Memorandum of Understanding (MOU) with the bargaining unit representing the correctional officers. Enhancements to both wages and benefits contained in the MOU will have a positive impact on both recruitment and retention of correctional officers. Patricia A. "Trish" Clarke, Chairman of the Board of Supervisors</p>	<p>section 933.05. The 2006-2007 Grand Jury has found through their own investigation, this transition is progressing.</p>
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<p>Finding #6: The Shasta County Jail is operating at minimum staffing level. Correctional officers and deputies must work overtime to meet required staffing levels. Personnel working at the Main Jail accumulated over 22,000 hours of overtime in 2005. Excessive overtime results in officer fatigue and inefficiency, safety concerns, and contributes to low morale. These factors, combined with a higher concentration of dangerous inmates, create a concern for the safety and security of both the Main Jail staff and inmates. Several interviewees indicated that one or more “disturbances” had occurred since January, 2006, requiring areas of the Jail to be under “lock-down.” Many of the correctional officers and deputies interviewed by the Grand Jury cited the need for the County to hire additional correctional officers and/or deputies to relieve the understaffing and overtime problems.</p>	<p>I concur with the findings and point out that four additional staff (two Corrections Officers & two Services Officers) has been authorized for hire to supplement staffing in the Shasta County Main Jail. (See enclosed board report dated 4/18/06.) As positions are recruited, hired and trained over time, the necessity of overtime to achieve minimum staffing diminishes accordingly. Larry Schaller, Undersheriff, Office of the Sheriff</p> <p>Although the Board of Supervisors concurs with the finding on the staffing level in the Main Jail, the Board has fully funded all allocations. Four additional positions, two correctional officers and two public safety service officer positions were approved on April 18, 2006, and fully-funded in the FY 2006-07 Budget. The Board of Supervisors controls the number of full-time equivalent staff allocated to the Jail. A county board of supervisors is not authorized to govern the actions of a sheriff concerning the manner in which budget allotments are expended or the manner in which personnel are assigned. Patricia A. “Trish” Clarke, Chairman of the Board of Supervisors</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
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<p>Finding #7: The Main Jail release policy and the inability to hold work release inmates accountable by incarcerating them when they fail the program negatively affect the morale of many of the deputies.</p>	<p>I concur with findings and have retained the services of Nichols, Melburg & Rossetto, as well as Dan Smith & Assoc., complete a feasibility study for a future sentenced inmate facility. This study is due to the Board of Supervisors by the end of September '06. Larry Schaller, Undersheriff, Office of the Sheriff</p> <p>The Board of Supervisors concurs with the finding that work release inmates need to be held accountable. Patricia A. "Trish" Clarke, Chairman of the Board of Supervisors</p>	<p>This response complies with Penal Code section 933.05.</p> <p>The 2006-2007 Grand Jury has found that this is still a problem and a new jail is being studied.</p> <p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #1: The County and the SO should continue to pursue securing a new jail and/or a minimum security facility and the funding to operate them.</p>	<p>I concur. Thirteen of the last fifteen years, Shasta County has been fiscally upside down, requiring the closure of Crystal Creek as an adult facility in 1992 and the Sheriff's Detention Annex three times in that period. It remains closed as a housing facility and is now used as South County patrol facility out of budgetary necessity.</p> <p>The Sheriff's Office has, in the past, enlisted the services of the National Institute of Corrections and the California Department of Corrections and Rehabilitation to document the operational</p>	<p>This response complies with Penal Code section 933.05.</p>

	<p>options available to Shasta County during that same time period. A previous feasibility study was completed in 2001 to convert existing John Balma Justice Center basement and courtrooms to jail bed space. The County was not fiscally in a position to move the project forward at that time. Additionally, the County eliminated the funding to three joint Sheriff's/Probation Community Correction Center three years ago, which served to connect minor offenders to available community resources.</p> <p>During spring of this year, I took this issue of needed jail bed space to the Board of Supervisors and received their unanimous support to proceed on a feasibility study on construction of a potential sentenced inmate facility. That task is underway as described above. (See enclosed board report dated 10/18/05.)</p> <p>The Shasta County Sheriff's Office spearheaded a Stakeholders Forum May 3, 2006, which included 180 representatives of justice, business, churches, social service, public officials, and other stakeholders. (See the enclosed agenda and communications.) Also, see the May 26 document that lists the specific</p>	
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	<p>outcomes of the feasibility to include:</p> <ul style="list-style-type: none">• The strategic plan for presentation to the Board of Supervisors in September of this year.• A needs assessment addressing the offender population follow-up jobs task force meeting with local employers.• Follow-up re-entry services task force to deal with the continuum of care community, housing coalition, and the Parole and Team (PACT). Also, a case management model will be developed to address pre-release case planning. <p>On Tuesday, July 18, I made a presentation to the Redding City Council regarding the implications of the jail bed crisis facing our Shasta County residents. A similar presentation is pending for the City of Anderson and Shasta Lake City Councils. Larry Schaller, Undersheriff, Office of the Sheriff</p>	
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	<p>The BOS is awaiting a report on the jail-bed feasibility study from Nichols, Melberg and Rossetto, and Dan Smith & Assoc., to be completed in September 2006. The scope of the study included an evaluation of current and future adult and juvenile jail beds as well as recommendations for funding both capital expenditures and staffing. The Board has authorized the development of a Ten-Year Outlook to among other things identify resources for capital improvements.</p> <p>Patricia A. "Trish" Clarke, Chairman of the Board of Supervisors</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #2: Funding sources for the building, which may be available and must be examined are:</p> <ul style="list-style-type: none"> a. Federal, State and private grants b. Infrastructure impact fees c. Lease/purchase financing d. California Infrastructure and Economic Development Bank loans e. Correctional Facilities Capital Expenditure and Youth Facility Bond Act of 1988 	<p>Each of the items listed are included in the scope of the feasibility study which will be presented to the Board of Supervisors for their consideration in September, '06.</p> <p>Larry Schaller, Undersheriff, Office of the Sheriff</p> <p>Same as response in Recommendation #1.</p> <p>Patricia A. "Trish" Clarke, Chairman of the Board of Supervisors</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #3:</p>		

	<p>City of Redding - response to Recommendation #3. a. was not received.</p> <p>In fiscal year 2005-2006, the City of Anderson paid Shasta County the sum of \$25,472 in jail booking fees to assist the County in funding the operation of the jail system. The City of Anderson also recognizes that the vast majority of the sales tax revenues generated in accordance with Proposition 172, levied within all local jurisdictions in California, including cities, and which must be used exclusively for local public safety services, is allocated to counties, with only a very small allocation to cities. Anderson suggests that Shasta County might consider bonding a portion of this substantial County income stream as part of the County's financing of needed jail expansion. Keith Webster, Mayor, City of Anderson</p> <p>Recommendation #3. a.: On November 2, 1993, California voters enacted Proposition 172, which established a permanent statewide half-cent sales tax for support of local public safety functions in cities and counties. Counties were the primary beneficiaries of Prop. 172, receiving a higher percentage than cities.</p>	<p>By failure to respond, the Redding City Council did not comply with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
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	<p>Shasta Lake suggests that the County consider dedicating a portion of these funds for expansion of the jail. In addition, the County has adopted booking fees to assist in the funding of operations of the jail. Ray Siner, Mayor, City of Shasta Lake</p>	
<p>Recommendation #4: The Board of Supervisors, Sheriff and County Mental Health should work expeditiously toward a goal of establishing and funding a facility that will house the mentally ill and intoxicated individuals separately from the Main Jail.</p>	<p>We concur with the findings. The Sheriff's Office is working closely with Mental Health in pursuit of a Mentally Ill Offender Crime Reduction Grant (MIOCRG) to interface with the Shasta County jail system. A separate collaboration grant has been applied for by Mental Health for a clinician to serve the jail. A substance abuse/detox center is high on the local radar for both the County and the medical community. Larry Schaller, Undersheriff, Office of the Sheriff</p> <p>The Board of Supervisors recognizes this as a community responsibility and concurs that they should take the lead in bringing all community partners together. The Department of Mental Health is working with the Sheriff's Office to obtain a Mentally Ill Offender Reduction Grant (MIOCRG), and a separate collaboration</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>

	<p>grant for a mental health clinician to work at the jail. The County continuously strives to improve on service delivery to persons afflicted with mental illness and/or alcohol and drug addictions. Patricia A. "Trish" Clarke, Chairman of the Board of Supervisors</p>	
<p>Recommendation #5: The Board of Supervisors should adjust the compensation package for the SO to facilitate the recruitment and retention of deputies and/or correctional officers to staff the Main Jail.</p>	<p>The Board of Supervisors and the Corrections Officers have agreed to a substantial salary and benefit package that covers the next 3 ½ years. This is an essential requirement to help stabilize this critical workforce. Larry Schaller, Undersheriff, Office of the Sheriff</p> <p>The County entered into successor Memorandums of Understanding (MOU) with the bargaining units representing both correctional officers and deputy sheriffs. Enhancements to both wages and benefits contained in each MOU will have a positive impact on both recruitment and retention of correctional officers and deputies. Patricia A. "Trish" Clarke, Chairman of the Board of Supervisors</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #6:</p>		

<p>The SO should continue to aggressively recruit new deputies and/or correctional officers to staff the Main Jail.</p>	<p>The Sheriff's Office, under the diligent efforts of Capt. David Dean and Sgt. Mike Ashmun, have let an aggressive recruitment effort for Deputy Sheriffs, Corrections Officers, Animal Control Officers, Sheriff's Service Officers, and Legal Process Clerks. Again, this is not the problem unique to Shasta County. It is countrywide, statewide, and even national in scope. Shasta County SO is formalizing long-term recruitment as it relates to our Explorers and Cadets as future Corrections Officers and Deputy Sheriffs. Larry Schaller, Undersheriff, Office of the Sheriff</p>	<p>This response complies with Penal Code section 933.05.</p>
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**2006-2007 Shasta County Grand Jury
Review of Responses to 2005-2006 Grand Jury Findings and Recommendations**

REDDING FIRE DEPARTMENT

2005-2006 Grand Jury Findings & Recommendations	Response by Official or Agency	Comments by 2006-2007 Grand Jury
<p>Finding #1: Firefighting is a dangerous and physically demanding profession. Firefighters work long shifts and must be constantly ready to respond within minutes to a wide range of emergencies. When not responding to calls, fire station personnel clean and test equipment, assist with building inspections, and participate in training exercises. The weight of a firefighter's gear averages more than 50 pounds and hoses can weigh more than 75 pounds. Because of protective clothing, a firefighter's body temperature can increase five degrees while actively engaged in fire suppression.</p> <p>According to the NFPA, excluding the daily risk of occupational death, the life expectancy of a firefighter is five years shorter than that of the average population. Between January 3 and April 16, 2006, while most of us were preparing our tax returns, more than 30 on-duty firefighters were killed nationwide. Thirteen</p>	<p>The City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>succumbed to stress and overexertion, often accompanied by heart attack. Nine firefighters were caught in or trapped by fire, and three were killed by wall collapses after fires were extinguished. There has not been a fire-related fatality in the RFD during the past 25 years.</p>		
<p>Finding #2: There is no accepted standard for average fire response time. With any fire or medical emergency, every minute counts. RFD administrators define response time as the time from receipt of the dispatch call until the first engine company arrives on the scene. According to the Fire Chief, the RFD response time goal is four to six minutes. The City of Redding's General Land Use Plan specifies that the RFD should "...respond to 90% of calls within five minutes of being dispatched." In reality, RFD only has a 22% success rate in meeting its response-time goal. This poor performance is due primarily to a lack of engine company availability within RFD's large, 68 square mile, coverage area. Increased traffic congestion also contributes to slower responses, but RFD firefighters and administrators state that increasing the number of fire stations and engine companies can reliably reduce response times. In 2005, medical calls</p>	<p>The City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>comprised 76% of RFD's total service calls. Only 5% of calls involved a structure fire.</p>		
<p>Finding #3: The citizen complaint that prompted this investigation was focused on the periodic absence of fire personnel at Station No. 2 on the City's west side. The Grand Jury learned that fire stations throughout Redding are unoccupied approximately 20% of the time. When an engine company is responding to a call within its own district it will understandably not be at its station. In fact, sometimes there is no engine company within the area the station serves. Frequently, engine companies respond to calls in neighboring districts to assist other engine companies or to handle emergency calls when a particular company is already engaged. Additionally, engine companies cover other districts while that district's engine company is engaged in training exercises. Therefore, residents should be aware that having a fire station in their neighborhood does not mean that firefighters will be minutes away from responding to their 9-1-1 call.</p> <p>When districts are left uncovered, the</p>	<p>The City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>Battalion Chief in charge immediately begins to “back-fill,” or call in any available off-duty firefighters. The Fire Chief stated that the back-fill need and the time required to find personnel are increasing. More than half the time, back-up firefighters are impossible to find. The RFD has a mutual aid agreement with CDF that helps mitigate this problem. Ideally, if every fire station had two fully staffed engine companies, there would be a reduced amount of time any district went uncovered. However, there is insufficient funding to implement this option.</p>		
<p>Finding #4: The Grand Jury asked the four City Council members what percentage of General Fund appropriations are dedicated to public safety (police & fire). Answers ranged from 48 to 75%. According to the <i>City of Redding’s February 2006, Mid-Year Budget Report</i>, the City currently spends \$37.6 million or 54% of its \$69 million General Fund appropriations on public safety. For FY 2005-2006, both police and fire departments are exceeding their budgeted amounts by more than \$2 million.</p> <p>The Grand Jury noted that there is a wide disparity in new housing impact fees</p>	<p>The City Council partially agrees with the finding. Public safety spending for the City of Redding, for many years, has ranged between 50 and 60 Percent of total General Fund expenditures. This is very typical of California cities of comparable size. The \$1.8 million the City Council allocated during February 2006 was spent on a number of City Council priorities, including a significant amount toward public safety (Police). With regard to SHASCOM, the City’s contribution toward the joint dispatching center is divided evenly between the Police and Fire departments, regardless of the service</p>	<p>This response complies with Penal Code section 933.05.</p>

in the City of Redding. While the impact fees for traffic, water connection and parks range between \$3,400 and \$5,000, the fire impact fee is only \$106. (There is no impact fee for police protection.)

During preparation of its biennial FY 2005-2007 budget, the City of Redding was forced to cut 5% (roughly \$3 million) from its FY 2005/2006 General Fund because of a projected budget shortfall. RFD's requested budget was \$13.4 million. After the 5% and other reductions, RFD's budget was reduced by one million dollars to \$12.4 million. The primary effects of this budget reduction included a halt to any new equipment purchases, a freeze on material purchases and less use of paid temporary firefighters during high fire-risk months. When the City received an unexpected property and sales tax surplus, it opted not to restore the RFD budget cuts but, instead, to pursue a "wish list" of projects.

In FY 2005/2006, the City of Redding allocated \$1.8 million to the City's fire and police departments for dispatch services provided by the Shasta Area Safety Communications Agency (SHASCOM). The fire department budgeted \$900,000 for SHASCOM, even though the police department received more than 85% of all

levels the departments require. Ultimately, it is the City's General Fund that pays SHASCOM and the other allocation of the amount to a particular department does not directly impact funding of other items in that department's budget.

<p>dispatches. Many of the RFD staff interviewed by the Grand Jury do not believe the department is getting its “money’s worth” for this service. Firefighters claim that civilian dispatchers at SHASCOM are constrained by policies and serve merely as a transportation directory service (i.e., similar to a taxicab dispatcher). In contrast, CDF dispatchers, who are experienced fire captains and are able to implement fire-management strategies based on the information they receive from the field.</p>		
<p>Finding #5: The Grand Jury asked all interviewees to rate the overall effectiveness of the RFD, its personnel and the services it delivers. Ratings for the department’s overall effectiveness were above average, while response time, morale and staffing levels were all rated at or below average.</p> <p>With the exception of department morale, RFD administrators gave higher overall ratings than firefighters across all categories. Administrators also rated the Chief and Deputy Chiefs more favorably than did the firefighters. Many experienced firefighters stated the morale in the department was “the lowest they had</p>	<p>The City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>ever seen.” Reasons given for low morale include ongoing contract negotiations with the City, insufficient staffing, a loss of faith in RFD administrators and a lack of trust in and support from the City Council and Staff.</p> <p>The Grand Jury came to appreciate that a significant level of alienation currently exists between the firefighters and the RFD administrators, City staff and the City Council. Roughly half the firefighters interviewed stated that the City Council didn’t understand the critical issues facing the department. The RFD administrators believe that the City Council is aware of these issues, but perhaps is not willing to address them. All interviewed agreed that the RFD has the support of the general public, but that the public has little understanding or concern about the department’s needs. Most City Council members stated they have heard very few complaints from citizens about the level of service the RFD provides.</p>		
<p>Finding #6: The Fire Chief is well trained and has a 34 year firefighting and administrative background with CDF including 12 years as a Chief. His appointment was supported by the firefighters because of his</p>	<p>The City Council partially agrees with the finding. The City Council and administration have been and continue to be supportive of the Fire Chief. At the same time, the City Council and</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>background and, in part, by the fact that his commitment to RFD was not based solely on financial or retirement-seeking reasons (he already had a state pension). He is currently serving his third year as the RFD Fire Chief and receives an annual salary of \$129,000 plus benefits. His performance is rated as slightly below average by the fire personnel interviewed by the Grand Jury and well above average by the RFD Deputy Chiefs and Battalion Chiefs. City staff and City Council members also rated him well above average. He allots the majority of his time to administrative duties, budget preparation, and Department planning. He is less of a "hands-on" Chief than his predecessors and admits that his communication with firefighters needs improvement. Across the board, he was described as a good money manager and as politically savvy.</p> <p>The Grand Jury found that over the past 15 years, most RFD fire chiefs' tenures last about three to five years. Interviewees offered a wide range of reasons for this short tenure, including the chiefs' moving on to better positions or retirement. Most firefighters attribute the short stays to a chief's frustration between a desire to provide improved fire service to the</p>	<p>administration must balance the needs of the entire municipal organization while working within available resources. The City Council's commitment to public safety can be easily illustrated by the allocation of more than half of all General Fund resources to public safety.</p>	
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<p>citizens and being unable to accomplish this goal because of consistent budget constraints. Fire personnel claim that the chiefs often start their terms enthusiastically, only to become disillusioned by a lack of support from the City Council and administration. They disagree and counter that Redding already spends a majority of its general fund on police and fire protection.</p>		
<p>Finding #7: The current Deputy Chief/Operations was appointed in 2000 and earns a \$106,995 yearly salary. He does not, however, meet one of the City's job description requirements for his position in that he lacks five years' experience as a Battalion Chief. He is responsible for the administration and supervision of daily operations and oversees a staff of three Battalion Chiefs and as many as 84 firefighters. His numerous administrative duties include budget preparation, grant writing, promotional testing, discipline, and serving as the Fire Chief when necessary. He also serves as the RFD liaison to the Redding Police, Shasta County Sheriff's Office, Airports, Shasta College and California State Office of Emergency Services and is responsible for</p>	<p>The City Council partially agrees with the finding. Based on information from the Fire Chief, the City Council is satisfied with the performance of the Deputy Fire Chief/Operations. The provision of additional staffing, including secretarial support, will be considered along with all other needs during preparation of the budget, consistent with available resources.</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>ensuring that RFD staff receives nearly 24,000 hours of mandated training each year. He has no dedicated secretarial assistance to provide clerical support. Like the Chief, his performance is rated below average by firefighters and above average by RFD administrators. Based on his job description and fire personnel interviews, the Grand Jury believes the Deputy Chief has too many duties to allow effective performance of any one of them.</p>		
<p>Finding #8: More than 85% of the RFD budget is allocated for personnel. Of the 69 full-time suppression personnel, 29 are captains, 28 are engineers and only 12 are firefighters. Starting salaries for these positions are \$58,356, \$50,407, and \$41,496, respectively, and are capped at \$70,936, \$61,268 and \$52,969. These figures do not include overtime pay or benefits. The need to have one captain and one engineer on each engine company requires 27 captains and 27 engineers to staff the RFD's nine engine companies on three shifts. Upgrading the three-person companies could be accomplished by adding personnel at the less-expensive firefighter level.</p>	<p>The City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

When setting salaries for its employees, the City of Redding often utilizes a 10-city comparable salary survey. As of October 2005, Redding firefighters were paid less than those in eight of the ten comparable cities, while responding to the highest number of service calls. The Grand Jury does not support using a comparable salary survey, because it tends to drive up wages as cities outbid each other.

RFD firefighters currently have generous benefits. Many of the fire personnel interviewed believe their benefit packages are not excessive when compared to those offered by other cities, although they agree the public may not share this view. The current RFD retirement benefit is 3% @ 50, which means a firefighter who works 30 years and retires at age 50 or above will receive 3% of pay for every year of service (90% of salary for life). Currently, the City of Redding pays full medical benefits for active duty firefighters. Demand for firefighter job vacancies is strong. According to the City Manager's Office, there were 256 applicants for a firefighter position in January 2005 and 143 applicants for a similar position in October 2002.

Finding #9:

With the exception of one, all 32 persons interviewed by the Grand Jury agreed that the RFD is understaffed. City staff tended to characterize the shortage as non-critical, whereas RFD administrators and firefighters described it as very critical. All agreed that, to ensure both firefighting safety and efficacy, every RFD engine company should be staffed with a minimum of three fire personnel. Currently, less than half the City's engine companies carry three personnel. Because only four of the current nine engine companies have three-person crews, the Department would need 15 additional firefighters to ensure the availability of three-person crews on every engine on each shift.

The perception of the urgency of meeting the three-person per engine staffing goal was split in a similar fashion between City and RFD staff. Some firefighters believed the reason City staffers were less concerned about RFD personnel levels was because the Department currently provides adequate protection to the City. Others believed that the difference was "political" and that City administrators are lobbied by a powerful business collective that wants

The City Council partially agrees with the finding. While the City Council does not disagree that there is a need to hire more firefighters, the same can be said for almost all City functions. The Council attempts to appropriately balance the budgetary needs of all City services during its biennial budget process. Incremental increases in personnel to provide safety and other basic services are planned, as resources allow. In June, the Council authorized the Fire Chief to apply for a Federal grant to hire three additional firefighters and made provision in the long-term financial plan to pay the required match and to keep the positions permanently.

This response complies with Penal Code section 933.05.

<p>Redding to grow more quickly than its infrastructure can support. Based on interviews from this and other investigations, the Grand Jury has concluded that, over the last 15 years, project growth (bridges, ball parks, aquatic center, business parks, etc.) has had a higher priority for the Redding City Council than public safety and infrastructure growth.</p> <p>In 1984, there were 18 on-duty firefighters on each of the RFD's three shifts. Today there are 23 firefighters on each shift. Since Federal Aviation Administration rules dictate that one firefighter must maintain a presence at the airport at all times, only 22 firefighters are available to respond to daily emergencies within the city limits. In the past 22 years, this 20% increase in RFD staffing has not kept pace with the 90% increase in population (47,000 to 90,000), or the 48% expansions in coverage area (46 square miles to 68 square miles), or the 265% increase in yearly service calls (3,426 to 12,500). It is no surprise that the ISO targeted insufficient RFD staffing as a primary factor limiting the City's fire rating.</p> <p>According to the RFD Fire Chief, adequate</p>		
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suppression of a house fire requires as many as 14 firefighters. For a routine one-alarm house fire, three engines and a ladder truck are usually dispatched. A two-alarm fire requires three additional engine companies (a total of seven) leaving only two engines to cover the remainder of the city. If a one-alarm and two-alarm fire were to occur simultaneously, RFD would need 11 engine companies to suppress the fires. Since RFD only has nine engine companies, it would require mutual aid assistance from CDF and the County Fire Department to provide coverage.

The Grand Jury agrees with RFD staff that the number of firefighters is critically and dangerously low. Reasons to increase staffing include:

- a) Most of the fire captains interviewed stated they would enter a burning structure if human lives were at risk, regardless of the staffing of their engine company. L
With a two-person crew, only the captain would enter a burning structure to attempt a rescue because the engineer

must ten the apparatus.
There-person companies
allow at least two
personnel to perform a
rescue.

- b) To comply with
OSHA's "two-in and
two-out" guideline, a
two-person engine
company must await the
arrival of a second
engine company prior to
entry of a burning
structure. Two three-
person companies
would place six
firefighters on the scene.
This would improve
firefighter safety and
provide more flexibility
in fire suppression and
rescue operations.
- c) Currently, a third engine
company is required in
order to provide
sufficient personnel on
any structure fire.
Three-person crews
would eliminate the
need for a third engine.
Fire districts would be

<p>left unprotected less often.</p> <p>d) RFD has insufficient capacity to fight more than a single structure fire at a time.</p> <p>e) Increasing staff would reduce overtime costs.</p>		
<p>Finding #10: Overtime costs for the RFD in FY 2005/2006 are projected at \$1.3 million and estimated at \$1.4 million in FY 2006/2007. Every public safety force uses mandatory and required overtime. This overtime is required to fill expected vacancies such as vacation, sick time, training and maternity leave. All rank and file firefighters interviewed accept the policy of mandatory overtime and many prefer it because they earn additional income. However, when the amount of mandatory overtime interferes with other commitments (family and personal) or causes fatigue and safety concerns, firefighter morale can be negatively affected. Overtime is less expensive than the cost of new personnel. The additional cost of paying a current employee time-and-a-half of base pay for overtime is less</p>	<p>The City Council partially agrees with the finding. It is true that the provision of Compensatory Time Off (CTO) creates additional costs and scheduling difficulties in the Fire Department. It is incorrect to state, however, that the City initiated the provision of CTO in the Fire Department. Although both the City and the Fire Union agreed to the contract language providing CTO in 1995, bargaining records clearly show that the Fire Union proposed this benefit in its initial list of proposed contract changes.</p>	<p>This response complies with Penal Code section 933.05.</p>

than that of paying a new employee, who would receive employee benefits (1.50 vs. 1.72 per hour). However, this cost savings is less important when excessive overtime affects job performance and employee or civilian safety. Compensated time-off (CTO) is a benefit enjoyed by most, if not all, City of Redding employees. It is a policy whereby an employee who works overtime may select either time-and-one-half pay for those hours or trade them for time-and-one-half off without pay. A day off here and there may have little impact for city employees with desk jobs, but safety forces must meet minimum staffing requirements. Therefore, when firefighters take a paid CTO day off, they must be replaced by another firefighter, who because of understaffing must be paid overtime. Thus, the department must pay two wages when a single firefighter takes a CTO day off—one at regular pay and one at overtime pay. To lessen the impact on the regular schedule, CTO days must be arranged 30 days in advance. CTO benefits will cost the RFD an additional \$400,000 in FY 2005/2006. RFD is, therefore, paying \$1.7 million or more each year for CTO and overtime. The GJ learned that the City offered this CTO benefit to both of its public safety unions

during negotiations in the late 1990s. The fire union did not request CTO, nor was the then-Chief present to counsel City negotiators about the negative impacts of this benefit. The City's public safety forces are inherently costly. The Grand Jury believes that unrestricted CTO has no place in the efficient operation of a city's safety forces.

Many firefighters depend on overtime to augment their salaries. Similarly, firefighters do not want to relinquish the CTO benefit because it affords them additional family time. And, although they uniformly complain about being understaffed, most firefighters were not willing to exchange their overtime pay for new personnel. At first glance, the Grand Jury found this logic contradictory since, on average, firefighters are only scheduled to work five 24-hour shifts every 14 days, leaving ample spare time. However, if all overtime were eliminated, many firefighters told the Grand Jury that they would find it necessary to seek second jobs. Then, if needed, they would be unavailable for extra duty work or emergencies on their off-days. Unlike police work, firefighting is directly affected by the weather and unpredictable high-risk conditions (temperature,

<p>humidity and wind). For example, at a moment's notice, RFD must dedicate extra engine companies and call back many firefighters to immediately suppress a developing wild land fire and prevent its spread.</p> <p>Some firefighters accumulate CTO as a safety blanket in case they suffer an off-the-job injury and are unable to work. Others use CTO to supplement their allotted vacation time. Firefighters, who must find their own replacement for an absence of a few hours, often have difficulty doing so. Therefore, they use CTO to take a full day off for a doctor's appointment or to attend a family event. Very few of the firefighters interviewed felt that the current amount of overtime is a major stress or fatigue factor.</p>		
<p>Finding #11: RFD training is supervised by the Deputy Fire Chief/Operations who, because of extensive administrative duties, devotes less than 5% of his time to ensure personnel receive state-mandated fire training, which is administered and supervised by RFD captains. The RFD must ensure that every firefighter receives 280 hours of training each year. Ensuring that each shift receives training while</p>	<p>The City Council agrees with the finding. However, providing all the required and desirable training in the Fire Department is both financially and logistically difficult. The Department works hard to stretch its resources to meet the demands of training by conducting most training internally, as opposed to sending personnel to out-of-town training. (This may be one reason the Department's training budget is less</p>	<p>The response is acknowledged; however, the Grand Jury continues to feel training should be a high priority.</p> <p>The City Council's response did not address the alleged falsification of training records. Most interviewees stated to the 2005/2006 Grand Jury that they receive inadequate training resulting in a potential liability for the City of Redding.</p>

simultaneously providing emergency fire and medical service involves significant logistical problems. Half the stations train in the morning and half in the afternoon.

Most of the firefighters interviewed stated that their training is inadequate and a few alleged that training records were falsified. Training information is entered into a computer database by captains, and there are no safeguards as to the accuracy of this input. All RFD administrative staff interviewed stated there were no falsifications of training records and the Grand Jury was unable to determine whether violations actually occurred. Many of the Battalion Chiefs and Deputy Chiefs felt training could be improved. The Fire Chief rated the Department's training as only average.

The Grand Jury's analysis of the *2005 RFD Required Training Report* revealed that the records of mandated RFD training for last year were grossly incomplete. Firefighters had little or no training in 10 areas, including hazardous materials, incident command, airport operations, shore-based rescue, technical rescue, ventilation and water supply. Less than 25% of firefighters completed apparatus

than some other cities.) The provision of a dedicated training officer is a goal of the department that competes with other personnel needs. The Council depends upon the Fire Chief to allocate personnel resources in such a way as to provide the best service to the community within available resources. To the extent that a full-time training position is needed, it should be considered along with other needs at budget preparation time, consistent with available resources.

(vehicle and pump operation), report writing, and communications (dispatch) training. Required training in firefighter safety, inspection procedures and emergency medical aid was only 50% completed. Self-rescue and firefighter rescue and seasonal firefighter training had the greatest completion percentage as did wild land fire training (although there is no wild land training requirement, Redding has extensive wild land areas). Only a handful of firefighters are adequately trained to operate the department's fire rescue boat, and although all firefighters have some hazardous material (HAZMAT) training, less than 20% are fully certified. Therefore, whenever a water or HAZMAT incident occurs, certified personnel are not immediately available and must be summoned from numerous stations.

A review of nine Northern California city fire departments revealed widely diverse yearly expenditures for training. For example, in 2002, fire departments in Woodland, Chico and Redding (cities of similar size) budgeted \$195,000, \$70,000 and \$18,000 respectively for personnel training. Three years later, the training allocation for the RFD remained at \$18,000. However, because of mandatory

<p>FAA airport firefighter training requirements, the City Council authorized an additional \$15,800 for training at its December 6, 2005 meeting.</p> <p>RFD administrators and rank and file agreed that the department needs a dedicated training officer – one who has the time to focus primarily on training and not on other duties. A training officer could also maintain adequate and verifiable training logs and ensure that recommended guidelines and standards for training are met. While all firefighters stated that they could safely perform their duties, all agreed that the department’s training program needed drastic improvement. The Grand Jury finds the department’s current training substandard and the training budget inadequate. We concur with RFD staff that a training officer position be created.</p>		
<p>Finding #12: All interviewees stated that RFD’s equipment is satisfactory. The engine fleet is well maintained although replacement of aging trucks is a continuing expense (\$350,000 to \$500,000 per truck). Recent budget cuts have affected the department’s ability to purchase or replace needed</p>	<p>The City Council agrees with the finding. The City of Redding has spent nearly \$3.3 million over the past eight years upgrading the Fire Department’s major equipment, including the replacement of an aging ladder truck at a cost of more than \$600,000. Overall, the fleet of fire engines</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>supplies. Although it is Shasta County's responsibility to patrol the Sacramento River, RFD maintains a fire rescue boat at Station No. 4 on Bonnyview Road. The Department also has a HAZMAT vehicle at Station No. 8, at the north end of Churn Creek Road.</p> <p>The department has one ladder truck, located at its downtown Station No. 1. A ladder truck is dispatched to all structure fires. Most RFD administrators and firefighters agree that there is a need for a second ladder truck to service the City east of the Sacramento River (Station No. 8 is large enough to store the extra-long truck). Indeed, the City lost points in its last ISO rating for lack of a second ladder truck. Some argue for a third truck to be used when a ladder truck is being serviced.</p>	<p>is better than it ever has been. The purchase of a second ladder is in the department's rolling stock plan and the department is actively seeking grant funding sources.</p>	
<p>Finding #13: All those interviewed agree that the Redding fire stations are aging but are functioning well. City Council members eagerly took credit for the opening of the City's newest fire station, Station No. 8, located at the north end of Churn Creek Road. Council members' responses were less enthusiastic when asked about the logic of opening a new station without</p>	<p>The City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

supplying additional firefighters to staff it. Station No. 8 is the first Redding fire station to be constructed in 27 years. The new station, built at a cost of \$2.9 million, had not been scheduled for completion until 2007, but pressure from area residents prompted the Council to accelerate the project. For the new station, City Council members adopted the cheapest staffing proposal advanced by the union; transferring a two-person engine company from Station No. 5 in the Enterprise area. Prior to Station No. 8's opening, Station No. 5 had two engine companies and had been the busiest Redding fire station, handling almost 4,000 service calls in 2005 (40% of the total RFD calls). Some of these calls will now be handled by Station No. 8.

Station No. 7, located adjacent to the Redding Municipal Airport has been declared substandard by the FAA and is undergoing a \$2.6 million major remodel. The Redding Redevelopment Agency is providing \$500,000 and the balance is being borne by the federal government.

In FY 2005/2006 the RFD budgeted \$118,580 for station improvements, \$16,000 of which is required for routine maintenance at its eight stations. The

Department budgeted almost \$58,000 for repaving its station parking surfaces. However, of the \$118,580 budgeted for repairs and maintenance, \$48,000 has been diverted to payment of overtime.

The Grand Jury made unannounced visits to some of the stations. The first firehouse in the City of Redding, Fire Station No. 1 on Shasta Street in downtown Redding, is more than 70 years old. Its three bay doors are in need of replacement (\$12,840) and it is slated for an electrical panel upgrade (\$6,430). The Grand Jury inspection of this station revealed an aging but well kept structure. According to its staff, the bay doors have not yet been replaced, but recently some electrical improvements were made.

Station No. 2, at Buenaventura and Placer, was clean and organized. Both the living and work areas were well maintained. The pavement in front of the bay doors is in need of major repair or replacement. Station No. 3, at Buenaventura and Rte. 273, is also in need of repaving, and has limited office space.

Grand Jury members found Station No. 5, located on Hartnell Avenue in the Enterprise area, to be well maintained.

<p>However, its concrete floor is in need of resealing and it needs a new roof (\$48,230 was budgeted in FY 2005/2006 for a new roof).</p>		
<p>Finding #14: During its last ISO evaluation in 2004, the ISO indicated the City of Redding's fire rating would be changed from 3 to 4 (that is, the City's ability to combat fire worsened). In a last minute effort to maintain its prior rating, the RFD was able to make improvements by purchasing additional equipment and upgrading communication equipment at the SHASCOM dispatch center. These actions allowed the City to narrowly retain its rating of 3 and prevented both commercial and residential fire premiums from rising. According to the Fire Chief, two major deficiencies continue to prevent the City from improving its ISO rating: insufficient RFD staffing levels and the lack of a second ladder truck to serve the eastern half of the City.</p>	<p>The City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #15: Rank and file support for RFD administration is negligible. Some fire personnel view RFD administrators and the City Council and its staff as "the same enemy." Several fire personnel thought</p>	<p>The City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

their union did not represent all members, and others believe being active in the union limits their ability for promotion. A long-standing "history of distrust" between the fire department and the City of Redding regarding staffing levels was reported.

Several RFD administrators labeled a few of the firefighters as troublemakers (the "five percenters") who create dissension within the ranks. The Grand Jury confirmed the existence of such a group. Some City Council members felt the union "goes overboard in its demands." It was apparent to the Grand Jury that there were significant issues between all investigated public agency personnel (RFD, SHASCOM, Redding Police Department and Shasta County Sheriff's Office) and their respective management staffs and governing boards.

No interviewee could offer an easy resolution to the above problems. Despite this seemingly insurmountable degree of distrust, firefighters overall felt satisfied with their jobs and City Council members felt satisfied with the level of RFD service. It was universally agreed that, "when the bay doors open, they become firefighters

<p>who do their job.”</p>		
<p>Finding #16: The end result of RFD understaffing is a greater risk to citizen’s lives and homes. The Grand Jury finds that, at current staffing levels, when the RFD responds to a structure fire, its main objective, after the protection of human life, is the prevention of the fire’s spread to adjacent structures. In most cases the burning structure itself will incur significant damage or be a total loss. Fire department personnel and City staff substantiated that Redding’s ex-city manager stated he would rather pay a homeowner for the loss of a home from fire than have any fire department at all. Perhaps this statement shouldn’t be taken literally as the Grand Jury notes that, without a fire department, not only would a home be lost, but the unchecked fire would immediately spread to adjacent homes. However, the statement further emphasizes the distrust between firefighters and City Hall.</p> <p>Of greater concern to the Grand Jury are statements, heard from all fire personnel interviewed, predicting the inevitability that a devastating wild land fire sweeping through western Redding. All fire personnel agreed that it is not a</p>	<p>The City Council partially agrees with finding. Although there is a need to augment staffing in the Fire Department and, in fact, the Council recently added funding to the City’s long-term financial plan to hire three new fire fighters, the City already spends about 20% of its General Fund resources on fire protection. There are not enough resources to staff the Fire Department at a level that would completely eliminate the threat of a wild land fire in Redding. Through the use of mutual aid, seasonal firefighters, modern development standards, weed abatement, etc., however, the City works to reduce that threat.</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>matter of if, but when this catastrophe will occur. The topography of the west side, our hot and dry summers, and a triggering act (natural or human carelessness) are the ingredients of a “perfect storm” for fire. When queried about this potential danger, City Council members pointed to mutual aid agreements with DCF and Shasta County Fire Department; seasonal firefighters, fire sprinklers in new Westside housing divisions; and weed abatement programs, all as mitigating factors for this catastrophe. However, all fire personnel assured the Grand Jury that these factors would have little impact on an out-of-control wild land fire.</p>		
<p>Finding #17: Fire protection services in Redding could be enhanced if the general public applied sufficient pressure on the City Council. As an example, once residents in the northeast area of Redding became convinced of need for increased fire protection, they lobbied the City Council and Station No. 8 was constructed well ahead of schedule. There are other examples of pressure producing results. As this Grand Jury investigation proceeded:</p> <ul style="list-style-type: none"> a) Fire Station No. 2, which had been observed by Grand Jury to be frequently unoccupied, now is 	<p>The City Council respectfully disagrees with this finding. The Grand Jury has overstated the role that public pressure has affected changes in the City’s Fire service. While, neighborhood concern did play a part in the construction of Fire Station No. 8, construction of the project had long been a goal of the City Council. With regard to Fire Station No. 2, no changes were made in the staffing of that station as a result of the Grand Jury questions. With regard to the Fire Chief, he has regularly attended City Council meetings since being appointed to the position. With regard to</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>usually occupied.</p> <p>b) The Fire Chief, when informed by the Grand Jury that it was in his job description to do so, now regularly attends Redding City Council meetings.</p> <p>c) A RFD training log for 2005 was submitted to the Grand Jury after it was informed that there was no such log, RFD training has also intensified during the last four months.</p> <p>d) After initial Grand Jury interviews called attention to communication deficiencies within the Department, morning briefings between RFD administrators and firefighters were instituted in January.</p> <p>Fire protection is similar to an insurance policy: the premiums seem costly upfront, but the coverage is always appreciated once an emergency occurs. The citizens of Redding must decide what level of fire protection they want to pay for, and then lobby City Council members to allocate the appropriate funds.</p>	<p>training and internal communication, the Fire Chief has been endeavoring to improve these areas of the department since his appointment.</p>	
<p>Recommendation #1: Since the primary duty of city government is to provide public safety, the public should expect, and the Redding staff should support, spending the necessary</p>		<p>This response complies with Penal Code section 933.05.</p>

<p>fund to fulfill that obligation. The Redding City Council should:</p> <p>a) Reprioritize the City's emphasis from project growth towards infrastructure growth.</p> <p>b) Increase the percentage of the General Fund for fire protection from its current 20%. Each percent increase would reallocate \$700,000 per year.</p>	<p>a) The recommendation has been implemented. The Council has already taken steps to focus more of the City's resources on basic services, such as public safety. However, the provision of community amenities is important in a well-balanced community.</p> <p>b) The recommendation will not be implemented. Provision of additional funding for the Fire Department will be considered along with other needs during budget preparation, as resources allow. Such budgetary choices are difficult and the City Council attempts to provide a balanced expenditure of General Fund resources. The City of Redding's proportionate spending on Fire services is consistent with the average of other similar California communities. For instance, according to the most recent State Controller's Report (2002-03), the City of Redding spends 26.9% of its General Tax Revenue on Fire services. By comparison, Chico spends 33.8%, Lodi spends 17.1%, Vacaville spends 24.7% and</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
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<p>c) Restore any RFD budget cuts before distributing any unexpected surpluses to “projects.” This would have increased the RFD budget by \$650,000 in FY 2005/2006.</p> <p>d) Hire additional firefighters to reduce overtime pay and CTO. Estimated overtime savings could be as much as \$300,000 per year and could be used to pay additional personnel.</p> <p>e) Negotiate for firefighters to begin paying a greater share of their own health care benefits (e.g., 10% as recently negotiated with Redding Police Department employees). The part-time City Council members should set an example by paying a greater share of their own health benefits (or eliminating them entirely). The savings per year are unknown.</p> <p>f) Increase the unreasonably low fire impact fees (\$106) on new construction to align them more closely with traffic (\$3,705), water</p>	<p>Woodland spends 26.4%.</p> <p>c) The recommendation will not be implemented. These previous budget cuts will be considered along with other needs during budget preparation, as resources allow.</p> <p>d) The recommendation will not be implemented. As mentioned by the Grand Jury report, it is currently more expensive to hire new fire personnel than the cost of staffing vacancies through overtime. While the City Council has and will consider hiring additional staff, doing so will add costs in excess of any overtime savings.</p> <p>e) The recommendation has not yet been implemented but will be implemented in the future; if possible, pending conclusion of State mandated labor negotiation processes.</p> <p>f) The recommendation has been implemented. The Council recently charged staff with analyzing and making a recommendation regarding</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
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<p>connection (\$4,931) and park (3,401) impact fees. Based on an assumption that the City has 25,000 homes and eight fire stations, at least one fully equipped fire station is needed for every 3,000 homes. A fire impact fee of \$1,300 per new home would generate the estimated \$3.9 million required for this purpose.</p>	<p>possible changes to the city-wide Fire Facilities Impact fee. Until the results of that analysis are available, it is impossible to know what changes, if any, are warranted.</p>	
<p>Recommendation #2: The City Council should authorize incremental and scheduled staffing additions to the RFD. Fifteen additional personnel must be added to achieve the three-person engine company standard. Since the department currently has sufficient captains and engineers, all additional suppression staff should be hired at the firefighter level.</p>	<p>The recommendation will be implemented. As noted above, the City Council has set-aside funding in the General Fund 10-Year Financial Plan for an increase in Fire Department staffing. Incremental increases to staffing levels will be considered along with other needs as resources allow.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #3: The City Council should not depend primarily on a “comparable city summary list” to establish salaries for its employees. Salaries should be based on the job’s requirements, the necessary skills needed to meet those requirements, and the supply and demand for the position.</p>	<p>The recommendation has been implemented.</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>Recommendation #4: The City Council must immediately provide funding to reinstate the RFD's full compliment of seasonal firefighters for the entire high-risk fire season.</p>	<p>The recommendation will be implemented. The City Council agrees that the hiring of seasonal firefighters is a high priority and additional funding for these positions will be considered as resources allow.</p>	
<p>Recommendation #5: The City Council must develop a formal and comprehensive disaster plan for a catastrophic fire on the City's west side.</p>	<p>The recommendation has been implemented. In 2005 the City Council adopted a citywide Hazard Mitigation Plan, much of which was devoted to the potential for a wildland fire.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #6: The City should limit any increase in the geographic coverage area for the RFD. The City Council must not annex land without first expanding its firefighting infrastructure. The City should adhere to its own General Plan standard for response time and improve it (or make sure it doesn't worsen) as the City continues to grow.</p>	<p>The recommendation requires further analysis. The effect on the provision of Fire protection is one of many factors that is analyzed during consideration of annexations. In addition to the construction of Fire Station No. 8 in northeast Redding, a new on- and off-airport station is being constructed in the southeastern portion of the city. The addition of these two stations will help to lower the response times to areas that are growing rapidly.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #7: The City Council should budget for the additional personnel and equipment needed to operate any new fire stations prior to their construction.</p>	<p>The recommendation will not be implemented. The construction of a new fire station is a one-time expenditure, while the provision of staffing has on-going budget ramifications. The City</p>	<p>This response complies with Penal Code section 933.05.</p>

	Council will continue to evaluate service levels in the Fire Department and other operating departments and allocate funds in a balanced manner that provides the best services possible within available resources.	
Recommendation #8: The City Council must cooperate with the RFD to maintain or improve Redding's current ISO fire rating. The addition of a second ladder truck, and the crew needed to staff it, should be a high priority.	The recommendation has been implemented. The City Council is working cooperatively with the RFD to implement these goals and meet future needs.	This response complies with Penal Code section 933.05.
Recommendation #9: RFD must ensure that all federal and state required firefighter training is completed and documented on schedule. The Department needs a full-time training coordinator. The City Council should immediately increase the RFD training budget to meet these recommendations.	The recommendation requires further analysis. The City Council agrees that meeting all required firefighter training is a high priority. The consideration of additional funding for training and the consideration of a new full-time training coordinator will be addressed during budget preparation, along with other needs of the City.	This response complies with Penal Code section 933.05.
Recommendation #10: The Fire Chief must improve communications throughout the department.	The recommendation has been implemented. The City of Redding Fire Chief is a seasoned professional fire administrator who is working diligently to address departmental communication issues that exist.	This response complies with Penal Code section 933.05.

<p>Recommendation #11: The scope of duties of the Deputy Chief/Operations must be reduced so they can be reasonably performed.</p>	<p>The recommendation will not be implemented. The City Council is aware of the heavy workload carried by all members of the Fire Department's administrative staff. The scope of duties of any position cannot be decreased without impacting other positions until such time as resources allow for increasing administrative staffing.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #12: Full-time clerical support for the Deputy Chief/Operations should be added.</p>	<p>The recommendation requires further analysis. Like the full-time training coordinator, additional firefighter positions, etc., additional clerical support will be considered during budget preparation, as resources allow.</p>	<p>This response complies with Penal Code section 933.05.</p>

**2006-2007 Shasta County Grand Jury
Review of Responses to 2005-2006 Grand Jury Findings and Recommendations**

REDDING POLICE DEPARTMENT

2005-2006 Grand Jury Findings & Recommendations	Response by Official or Agency	Comments by 2006-2007 Grand Jury
<p>Finding #1: Over the last 15 years, the City of Redding has followed a policy of prioritizing project growth over infrastructure and personnel growth. As a result, Redding Police Department (RPD) police officer staffing has not increased proportionally to the growth of population. According to Uniform Crime Reporting Statistics of 2004, the average number of sworn officers per 1,000 residents for western U.S. cities of 50,000-99,000 population is 1.9. RPD currently employs 113 sworn peace officers. Based on a population of 88,459 residents within the incorporated city limits, that equates to 1/28 officers per 1,000 residents. This ratio is 30% less than the national average. One of the goals of the <i>City of Redding General Plan 2000-2020</i> was to “maintain at a minimum, a sworn officer to population ration of 1.36 officers per 1,000 residents.” The four new officers approved by the Redding City Council on February 13, 2006, will raise the current ratio to 1.32 officers per thousand. This is still less than the City’s</p>	<p>The Redding City Council agrees with the finding. Two additional Police Officer positions also were approved by the City Council in July, bringing the total number of new officers added during 2006 to six.</p>	<p>This response complies with Penal Code section 933.05.</p>

target recommendation.		
<p>Finding #2: Redding's daytime population increases significantly because the majority of Shasta County's retail establishments, government agencies, and health care providers are located within the city limits. Additionally, Redding's priority on development of cultural and recreational opportunities has succeeded, thus attracting many temporary visitors. These factors further increase the daily service demands on RPD.</p>	<p>The Redding City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #3: Staffing within the Investigation Division is adequate at this time. As the number of service calls continues to increase, the workload will exceed capacity and necessitate the assignment of additional officers.</p>	<p>The Redding City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #4: According to the 2002 Redding Police Department 10-Year Plan, the average response time for priority calls (e.g., homicide, rape, robbery) was 10.5 minutes in 2002. In the past four years, this response time has dramatically increased to more than 16 minutes, as result of the City's failure to increase hiring in proportion to population growth.</p>	<p>The Redding City Council agrees with the finding and intends to add additional sworn officers as resources allow.</p>	<p>This response complies with Penal Code section 933.05.</p>

Due to the size of Redding and its population growth, RPD administrators repeatedly recommended to City staff that two patrol beats be added. (A patrol beat is a geographic area assigned to specific officers for patrol.) RPD administrators estimated that this increase would reduce the response time to an acceptable six to eight minutes for priority calls. Staffing one patrol beat 24 hours a day, seven days a week with allowance for time off and court time, requires seven officers. These two patrol beats would require adding 14 new officers, increasing coverage to 1.43 sworn officers per 1,000 residents. This is still significantly below the Western States' average ratio of 1.9. However, the RPD Chief of Police informed the Grand Jury that coverage should reflect a combination of factors, including geographic size, population density, crime rate, response time and existence of neighborhood revitalization programs. He stated that a ration of 1.4 to 1.45 officers per 1,000 population is adequate for Redding.

On February 13, 2006, the Redding City Council approved a RPD proposal to add one new police beat and four new officers. Currently the annual average cost for a new officer, including benefits, is

<p>\$98,000. The four new officers will be funded by the General Fund. The beat will be staffed by utilizing the four new officers; two officers hired through a U.S. Department of Justice grant; one officer hired in partnership with Shasta College for additional services to the college; and by reassigning an officer from dedicated traffic detail. The additional beat is expected to reduce the priority response time by as much as two to three minutes. Utilizing the General Fund to increase the number of safety personnel must be continued if Redding is to revitalize its police force and keep up with crime and traffic incidents.</p>		
<p>Finding #5: Redding has taken steps to reduce crime within the city. For example, inclusion of the Parkview Neighborhood within a redevelopment area and the utilization of all available resources transformed that crime-ridden neighborhood into a safe and productive one. In 2001, the Redding Redevelopment Agency (RRA) began buying property and tearing down the most seedy apartment complexes in the Parkview Neighborhood. The City Housing Division provided grants to low-income Parkview Neighborhood</p>	<p>The Redding City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>homeowners for home and yard improvements and the RRA contracted with a developer to build single family homes within the area. The Parkview Neighborhood has progressed from being the area with the highest number of police calls for service into a neighborhood with one of the lowest.</p>		
<p>Finding #6: RPD public surveys consistently reveal that traffic is perceived to be the most important public safety issue in Redding. That perception is supported by collision statistics. Speeding and red-light violations are seen by the public as everyday occurrences. Due in part to citizens' complaints regarding traffic, the Redding City Council is considering installation of "red-light cameras" at critical intersections.</p> <p>The 2004 California Office of Traffic Safety Report compared traffic collisions in 97 California cities with populations between 50,001-100,000. Redding was ranked number one in both fatal and injury accidents as well as number one in overall accident rates. In the same study, the City of Redding ranked fifth in "driving under the influence" (DUI) of drugs or alcohol-associated collisions. However, Redding</p>	<p>The Redding City Council agrees with the finding and recently added two new officers to focus on DUI enforcement and traffic safety.</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>ranked only 76th of 97 cities in DUI arrests, suggesting to the Grand Jury that increased DUI enforcement is needed.</p>		
<p>Finding #7: Faced with lack of resources to add more traffic units, RPD administration now requires all patrol officers to emphasize enforcement of traffic laws. A guideline developed with the police officers' union has been implemented to hold officers accountable for this policy. Traffic performance standards, which include citations and arrest rates, are now emphasized in officer evaluations.</p>	<p>The Redding City Council respectfully disagrees with the finding. Although it is true that RPD administration is emphasizing traffic enforcement, the reason is not solely due to limited resources. The Police Chief and City Council believe that it is important that officers emphasize traffic enforcement, as Redding's rate of traffic accidents is unacceptably high.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #8: RPD personnel interviewed by the Grand Jury state that the morale of patrol officers is lower than it has been in many years. Multiple factors contribute to low morale, but the primary cause is the ongoing staffing shortage. As the City has grown in both population and area, there has not been a corresponding increase in the number of staff. Officers interviewed relate that they believe this shortage prevents them from accomplishing their basic goals of "...protecting the safety of the community." A moderate amount of overtime is unavoidable to cover court appearances,</p>	<p>The Redding City Council only partially agrees with this finding. While it is inarguable that some morale issues were mentioned during the Grand Jury interviews, the City Council believes that the finding overstates the magnitude of morale issues in the Police Department. Many of the interviews conducted in the preparation of the Grand Jury report took place during difficult contract negotiations between the City and police union, which may have affected the tenor of those interviews. Since that time, a long-term contract has been completed and six additional safety officer positions have</p>	<p>This response complies with Penal Code section 933.05.</p>

training and emergency situations; however, according to the RPD staff interviewed, overtime is currently being used to compensate for chronic shortages in personnel. Staffing shortages contribute to excessive mandatory overtime, which interferes with family life, personal time and the ability to engage in outside activities. It may be less expensive to pay overtime than to hire additional staff, but it is detrimental to the morale of the Department and to public and officer safety.

Temporary staffing shortages have traditionally been managed by redistribution of personnel, reprioritization of duties and a commitment to “get through the crisis.” These strategies become ineffective in the face of chronic personnel shortages. Personnel look to their administration for long-term solutions and report doubts about the effectiveness of attempting to deal with the personnel crisis without treating underlying problems. The officers interviewed by the Grand Jury indicate that they lack confidence in the ability of RPD administration to adequately address these issues. They acknowledge that many of the problems associated with the lack of personnel are not within the control of

been funded. The Police Chief is aware of the need for more personal contact with the rank-and-file employees and has made additional efforts in that regard a priority.

RPD administrators. Officers consider both unresponsiveness and lack of financial support by the Redding City Council and city staff as the fundamental factor underlying these problems.

Another factor adversely affecting morale in the traffic enforcement policy and its relationship to evaluations. This is a major point of dissension because the officers interviewed by the Grand Jury perceive the emphasis on traffic control impedes their ability to conduct crime investigations, community policing and problem resolution – areas that officers see as priorities. Many officers dislike the current policy, and this contributes to their basic mistrust of their administration. A committee of officers and RPD administrators is revising the Police Officer Performance Evaluation policy to clarify the evaluation process and to reflect the concerns of both administration and the patrol officers.

Underlying some of the morale issues is the officers' perception of the Police Chief. They recognize the many problems and obligations facing him and that he is under cross-pressure from the police rank-and-file and the City Council. They acknowledge his expertise in planning and budget analysis. However, they report that

<p>a lack of personal contact compromises his popularity and diminishes the full support and confidence of his department's police officers. During the Grand Jury's interview, the Chief indicated that he does not disagree with that criticism. He states that more personal contact with his officers is one of his goals and that he recognizes how important this is to the morale of the department. All personnel interviewed have high praise for the leadership skills and resource management of RPD's mid-managers.</p>		
<p>Finding #9: RPD administrators state that the Department has experienced difficulty recruiting and retaining quality police personnel. The rural nature of Shasta County, its abundant recreational opportunities, positive family environment and the reputation of RPD are positive factors attracting outstanding officers. The RPD, through the use of a vigorous background investigation policy, has consistently hired extremely well-qualified officers and made it a priority to be one of the most highly trained departments in the state. Interviewees indicated that, in the past, RPD was viewed statewide as an ideal department in which to work. It had numerous applicants for every available</p>	<p>The Redding City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

position. Presently, inadequate staffing and a deteriorating facility result in poor working conditions, safety issues and an inability to be proactive in the community. Although RPD employee benefits are comparable to those offered by cities of similar size, its base wages are in the lowest quartile. Increasing housing costs now add to the difficulty of recruiting applicants from other cities.

During the last police officer recruitment in 2005, while there were 32 applicants for an experienced police officer position, most were disqualified by background checks. Recruitment of qualified candidates is a statewide problem and other cities are raising both benefits and salaries. Some cities offer substantial bonuses to both successful applicants and those officers who refer them. The Grand Jury has learned that some agencies in the state are reducing qualification standards to broaden recruitment. RPD administrators have refused to lower qualification standards.

At the end of March 2006, the City signed a negotiated contract with the police officers' union, raising salaries by 4.5% per year over five years and slightly reducing health benefits. The Department indicates that this measure may improve

<p>recruiting. In fact, since the signing of the contract, applications have increased significantly.</p>		
<p>Finding #10: RPD has other personnel shortages. During the last two budget sessions, RPD administrators have unsuccessfully requested funding for an additional network technician to maintain the Mobile Data System (in-car computers allowing officers' access to RPD automated records). There remains a need for two record technicians to enter data into automated systems, one Community Service Officer to handle non-emergency calls for service, and a secretary for the Investigation Division.</p>	<p>The Redding City Council does not have enough information to agree or disagree with the finding, as written. The need for additional personnel will be addressed, along with all other needs, during preparation of the City's budget.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #11: The Grand Jury learned of two other deficiencies within RPD which are currently being addressed. Funding for upgrading the radio system was included in the most recent budget and the new system should be operational by the spring of 2006. An agreement has been entered into with Shasta County for formation of a bomb squad using personnel from both agencies and equipment from the County. Personnel have been identified and are</p>	<p>The Redding City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>scheduled for the next training session.</p>		
<p>Finding #12: The total area of the two RPD facilities is 33,000 square feet. A Space Needs Assessment report commissioned by the Redding City Council and completed in December 2005, indicates that the minimum square footage required for current police operations is 51,169 square feet. Although this is 18,169 square feet larger than the space currently used by RPD, it allows for no growth. The report's projection for growth in personnel from the current 187 to 337 dictates that, by the year 2030, the Department will need a facility of 66,013 square feet. The construction cost estimate for a new 66,000 square foot facility is \$31.5 million.</p>	<p>The Redding City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #13: The Investigation Division currently has just enough space to meet its needs. The inadequacy of the main facility on California Street necessitates separation of the Investigation Division from the rest of the Department. This isolation negatively impacts the ability to exchange information needed to optimally perform the investigators' duties. Patrol officers and investigators cite this difficulty in</p>	<p>The Redding City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>exchanging information as a major impediment to solving crimes. Some information is communicated by videos prepared and reviewed during patrol briefings, or by an investigator attending the briefings. These methods leave much to be desired because there is no direct dialogue between the investigators handling the case and the patrol officers on the street.</p>		
<p>Finding #14: During a tour of the main police facility, the Grand Jury found a number of deficiencies including: inadequate public reception area and handicap access; cramped work cubicles; exposed wiring; insufficient rest room facilities; too few private interview rooms; congested locker rooms; insufficient personal equipment storage; limited desk space for report writing; an overcrowded lunch room; and no windows. The current facility lacks storage for items such as official records, evidence, property, and departmental equipment.</p>	<p>The Redding City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #15: The current parking area of 1.16 acres is inadequate to accommodate and secure both city-owned and employee vehicles. The 2005 Space Needs Assessment recommended 1.88 acres for current</p>	<p>The Redding City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>

parking and projected a need for 2.81 acres by 2030.		
<p>Finding #16: The firing range currently used by RPD is located almost four miles from the main facility, in an area now being encroached upon by residential development. Future growth or an unfortunate incident may eventually force its closure. The current cost estimate for a new firing range is \$3.3 million.</p>	The Redding City Council agrees with the finding.	This response complies with Penal Code section 933.05.
<p>Finding #17: A review of the City of Redding 2005 Public Opinion Survey revealed that public safety is the top priority of residents and that approximately half would support an additional sales tax for funding police, fire, and street and park maintenance. The survey further revealed that a “sunset” clause on the tax would increase that support. It is estimated that a 0.5% sales tax would generate \$5 million per year. Non-city residents would pay a significant portion of this tax.</p>	The Redding City Council agrees with the finding.	This response complies with Penal Code section 933.05.
<p>Finding #18: Despite its staffing and facility deficiencies, RPD continues to provide a high level of safety and security to the community. The Department works to develop proactive programs that continue to enhance the well-being of the</p>	The Redding City Council agrees with the finding.	This response complies with Penal Code section 933.05.

<p>community. Notably, the lack of significant gang activity is attributable to the aggressive actions of RPD in collaboration with other law enforcement agencies within Shasta County.</p>		
<p>Finding #19: Due to allegations of excessive use of force in other jurisdictions, RPD has provided additional training in this area. RPD officers began a study in October 2005 regarding the use of force during contacts with the public. It revealed that force over and above control holds was used in only 18 or 1,742 arrests during the last quarter of 2005, and in only 17 in 2,500 arrests in the first quarter of 2006. This demonstrates maturity and restraint in dangerous situations.</p>	<p>The Redding City Council agrees with the finding.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #1: The current police response time jeopardizes public and officer safety. The Grand Jury recommends that the Redding City Council augment staffing levels within the RPD Operations Division as a top priority. Staffing growth should be commensurate with increasing population, coverage area, and the number of service calls.</p>	<p>The recommendation has been implemented. The Redding City Council has added six new officer positions in 2006 alone. Additional staffing increases will be made as financial resources allow.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #2:</p>		

<p>The Grand Jury recommends that the City of Redding reprioritize its emphasis from recreational projects (sports fields, aquatic centers, horse parks, etc.) to public safety and improvement of the city's infrastructure. By increasing police staffing, the city will improve its ability to ensure public safety.</p>	<p>The recommendation has been implemented. The Redding City Council has already taken steps to focus more of the City's resources on basic services, such as public safety. However, the provision of community amenities is also important in a well-balanced community.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #3: In the event that current city finances (including the General Fund, redevelopment funds, potential sales of surplus property, etc.) are inadequate to support construction of a new police building, the Grand Jury recommends that the Redding City Council immediately propose and diligently promote a 0.5% sales tax increase limited to seven years which would generate \$35 million. This tax should be dedicated specifically to the construction of a police building and must guarantee no reduction in the current level of General Fund support for public safety. In addition, the Redding City Council should establish a citizens' oversight committee to ensure that the tax receipts are spent only for their intended purpose.</p>	<p>The recommendation requires further analysis. While the Redding City Council agrees that construction of a new police facility is a high priority, there is not yet enough information available to determine the most appropriate method of financing its construction.</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #4: The Grand Jury recommends that the Redding City Council and the RPD administration address the morale issues of</p>	<p>The recommendation has been implemented. The Redding City Council has added additional staffing and the</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>patrol officers. The officers need the firm commitment of the Redding City Council to restore Department staffing. This will allow the RPD to improve recruitment and retention of officers and function in a way that restores its reputation as a leader in police operations. The Chief of Police should meet with the rank and file to discuss problems and improve lines of communication.</p>	<p>Police Chief has made internal communication a higher priority.</p>	
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**2006-2007 Shasta County Grand Jury
Review of Responses to 2005-2006 Grand Jury Findings and Recommendations**

REDDING REDEVELOPMENT AGENCY

2005-2006 Grand Jury Findings & Recommendations	Response by Official or Agency	Comments by 2006-2007 Grand Jury
<p>Finding #1: The cities of Anderson, Shasta Lake and Redding and the County of Shasta currently operate RDA's. In total there are six redevelopment project areas in the county: Shasta Dam (Shasta Lake City); Southwest (Anderson); and Market Street, Canby-Hilltop-Cypress, Buckeye and SHASTEK Redding).</p> <p>In 1993, section 33216.5 of the California Health and Safety Code was enacted and authorized the transfer of the Shasta Dam Area Redevelopment Project from Shasta County to the City of Shasta Lake. The City of Anderson and Shasta County cooperate with the Redding RDA as a multi-jurisdictional agency in the SHASTEK Project Area. The County also partners with the City of Redding in controlling the Buckeye Project Area. Currently, these partnerships generate no income for Shasta County. As of June 2004, the total indebtedness for all RDA's in Shasta County approached \$50 million, with the City of Redding's Redevelopment Agency (RRA) issuing more than 90% of that debt.</p>	<p>Although it is true that the two redevelopment projects the County is partner to, SHASTEK and Buckeye, do not generate any income for the County, both of these project areas have future capital projects planned that will benefit the unincorporated area. Patricia A. "Trish" Clarke, Chairman, Board of Supervisors, Shasta County</p> <p>The City of Anderson and Anderson Redevelopment Agency concur with almost all of the facts stated in the finding, with the exception of the portion of the sentence that reads, "these partnerships produce no income for Shasta County". This statement could be misinterpreted to lead the reader to think that there is no benefit to Shasta County for its participation in the SHASTEK partnership.</p> <p>Within the SHASTEK Project Area, the three agencies jointly determine what public projects should be funded using, at least in part, redevelopment tax increment. Some of these projects are located within the unincorporated Shasta County portion</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>

of the SHASTE C Project Area, and therefore benefit most particularly those unincorporated area properties that are located near the improvements. Without the ability of SHASTE C tax increment to help fund these unincorporated area improvements, it is unlikely that Shasta County would have the financial resources to undertake these improvements. The Anderson City Council and Anderson Redevelopment Agency believe that all three public agency partners, and the public in general, additionally benefit from past and proposed SHASTE C investments, most notably those that help support the development of the job-creating Stillwater Business Park.

In further clarification, it should be noted that for the 2005-2006 fiscal year, the Anderson Redevelopment Agency, under the provisions of AB 1290, is required to remit to Shasta County for the benefit of the County's General Fund, more than \$9,000 as pass-through of a portion of the tax increment that is generated within the Southwest Redevelopment Project Area. Shasta County is able to use these pass through funds for any authorized county governmental purpose it so chooses.

Keith Webster, Mayor, City of Anderson

	<p>The Shasta Lake Redevelopment Agency (RDA) in FY 2005-06 contributed \$63,982 in property tax administration fees to Shasta County; although, that may not be considered income, it does assist to offset costs of the Auditor-Controllers Office. Shasta Lake is not involved in the SHASTEK Project Area or the Buckeye Project Area and is unable to comment on the income that may be received by the County for that project. Ray Siner, Mayor, City of Shasta Lake</p> <p>The City Council agrees with the finding. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
<p>Finding #2: Table 3 (see Grand Jury Report, pg. 14) shows financial data which demonstrates the significant growth of the RRA over the past decade. Both the property tax increment and the administrative cost to run the agency have nearly tripled since 1995 and total agency bond indebtedness has ballooned to over \$40 million. The 2004/2005 total assessed property value of the RRA project areas was \$1.75 billion.</p>	<p>The City Council agrees with the finding. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #3: The 2005 RRA tax increment income of \$11.7 million represents the amount of money (less set asides and pass-through funds) that must, by law, be reinvested in the redevelopment project areas within</p>	<p>The City Council agrees with the finding. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>

RRA, or debt service. This tax increment results from increased value, usually created by the redevelopment. Critics of redevelopment have claimed that the tax increment diversion deprives a city's general fund of needed cash. It is true that increases in property taxes from outside the project area are deposited directly into the General Fund, but the City retains only about 10% of these property tax dollars (due to the 90% diversion to the state and county). In contrast, the RDA receives approximately 60% of each tax increment dollar and only 40% is diverted to the state and county. Additionally, a commercially successful project area, like the Canby-Hilltop-Cypress development, also generates significant sales tax revenue for the City. Proponents of RDA's further argue that, without redevelopment, blighted areas may generate little, if any, future property tax revenue.

Redding City officials interviewed agreed that the Downtown Mall is an example of a redevelopment project area that actually resulted in blight while attempting to reverse it. The mall's high vacancy rate, lack of economic productivity, and deteriorating physical structure are prime components of blight. Instead of accepting a redevelopment failure and terminating this project, the RRA board decided, in

<p>1990, to rename and expand this zone from its initial 10 acres to over 2600 acres. This decision has stimulated revitalization of the City's core.</p>		
<p>Finding #4: Redevelopment agencies commonly allocate 10% to 20% of their income for administrative costs, primarily staff salaries. In 2005, the RRA spent nearly \$1.5 million on administrative costs, which was 16% of the tax increment after set-asides and pass-throughs are deducted. The RRA contributes \$4,000 to the California Redevelopment Association. Although the RRA has a dedicated core staff, the total number of the city staff supported by agency funding at any time fluctuates. Employees of various city departments track their hours devoted to RRA business and the agency is charged accordingly. For example, the Executive Redevelopment Director for the City of Redding draws half his salary from redevelopment funds. Redevelopment funding affords the City of Redding a means of creating staff positions not entirely devoted to redevelopment functions. City officials could not supply the Grand Jury with a formal accounting of job-sharing costs between agency and non-agency staff.</p>	<p>The City Council generally agrees with the finding. While staff could not provide an "on-the-spot" accounting of job-sharing costs between agency and non-agency staff, the costs are tracked and available by simple query of the City's financial database. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>Finding #5: The RRA is required, by law, to pass-through some of its incremental property tax revenues to local schools and community colleges. This amount was \$782,553 for 2004/2005 and is estimated to be \$811,961 for 2005/2006. After housing, pass-through and administrative funds are deducted, the remaining revenue is reinvested in the redevelopment project areas. The RRA has adopted a Capital Improvements Program (CIP) to spend in excess of \$20 million over the next five years. Some CIP funding is dedicated to the partial removal of the roof on the Downtown Mall. The remainder of the CIP funds will be invested throughout the city's four project areas. In addition to CIP spending, the RRA will contribute \$3 million towards the Cypress Avenue bridge replacement and \$5.2 million for the widening and realignment of Churn Creek Road.</p>	<p>The City Council agrees with the finding. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #6: The RRA must, by law, set aside 20% of its tax increment to preserve and improve low- and moderate-income housing. This currently amounts to \$1.4 million per year. The housing fund has a current balance of \$4 – 5 million. In the past, over \$8 million in RRA funding has been appropriated to provide affordable housing in the Martin Luther King area. According to its</p>	<p>The City Council agrees with the finding. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>Director, the RRA is exceeding its five-year goal for affordable housing. The RRA added over 100 housing units (predominately rental) in 2004/2005. The RRA board also proposed changes to its Downpayment Assistance Program (DAP) which will make it easier for low-income citizens to purchase a home.</p>		
<p>Finding #7: In most instances, funding needed to begin a redevelopment project is generated by issuing tax allocation bonds. These are repaid using the property tax increment revenue described above (Finding #3). Repayment of these bonds is the responsibility of the RDA, not its sponsoring city or county. However, because the credit-worthiness of these bonds is critical to any city's or county's overall credit rating, it is highly unlikely a city or county would let a redevelopment bond default.</p> <p>Indeed, RRA staffers and each Redding City Council member interviewed by the Grand Jury indicated that the City of Redding would never permit any RRA bond default. City officials told the GJ that the City, on two occasions, saved the downtown redevelopment project area from default. In 1972, the Redding City Council authorized a \$550,000 loan from its Electric Utility Fund to the RRA for the</p>	<p>The City Council agrees with the finding. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>construction of the mall parking garage in its Downtown Project Area. Currently, the outstanding loan balance is \$539,183, which includes principle of \$308,078. Also, during the 1970's, the City made an "advance" (not a loan) of an indeterminate amount of money from its Parking Fund to the RRA to support construction of the garage. During FY 2004/2005, the RRA made a \$250,000 payment on this advance, and the outstanding balance is \$734,162.</p>		
<p>Finding #8: Redevelopment funding is approved by a simple majority vote of the five-member RRA board which also serves as Redding's City Council. No vote of the public is required to authorize the issuance of tax allocation bonds. The RRA board (City Council) is the sole check-and-balance over redevelopment decision-making and the commitment of tens of millions of dollars of redevelopment spending. Newly elected City Council members receive redevelopment orientation by RRA staff. They are also offered an opportunity to attend a formal training seminar provided by the California Redevelopment Assn. RRA staff stated that none of the current City Council members have availed themselves of this opportunity.</p> <p>The City Council/RRA board members who were interviewed rated themselves</p>	<p>The City Council generally agrees with the finding, however, all redevelopment activities are subject to the same level of oversight and public scrutiny as other areas of local government. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>

between “somewhat” and “very” knowledgeable regarding redevelopment law and policy. However, they agreed they depend heavily on RRA staff for input and explanations of pending RRA decisions. The four RRA board members were asked seven basic questions regarding redevelopment. Only one scored greater than 30% and another was able to answer only one of the seven questions correctly.

Only three votes (a board majority) are required to commit millions of future tax dollars for decades of debt service. The California Community Redevelopment Law Reform Act of 1993 (AB1290) removed the requirement of citizen oversight committees for redevelopment project areas. When queried about reinstating it and the RRA board agreed, stating that citizen committees are ineffective. Instead, City Council members stated elections are a sufficient curb on redevelopment abuses. (The Grand Jury notes that two of the current five RRA board members were not actually elected to the Council, but were appointed by the other members.) Additionally, Redding city officials stated that they believe input from the city attorney, yearly agency audits, and the periodic public review of project area

<p>implementation plans provide adequate RRA oversight. Because of the significant amount and complexity of funding (\$50 million), the Grand Jury is concerned that this is not adequate oversight and that this “unknown government” operates beneath the radar screen of public scrutiny.</p>		
<p>Finding #9: As stated in the above findings, the RRA board is comprised of the same individuals who serve as Redding City Council members. These individuals are also board members of the Redding Housing Authority, Redding Joint Powers Financing Authority, and Redding Capital Services Corporation. These agencies control the flow of significant amounts of money and the Grand Jury is concerned that City Council members “wear too many hats” while performing these agencies’ various functions. Indeed, at the October 18 2005 Council meeting, the Grand Jury observed that all council members were unaware they were directors of the Redding Capital Services Corporation.</p> <p>The RRA board meetings are often held concurrently and interchangeable with City Council meetings. And, although the City Council shares similar interests with its redevelopment agency, potential conflicts may arise because each agency has</p>	<p>The City Council generally agrees with the finding. Redevelopment law specifically provides additional flexibility and financing options for projects that meet agency objectives to eliminate blight and spur re-investment in targeted areas.</p> <p>Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>

different legal powers, responsibilities and functions. However, this does not represent a true, legal, "conflict of interest" because the board members do not directly benefit financially from their decisions.

Nevertheless, these multiple roles afford city leaders a mechanism to bypass procedural hurdles that can impede costly projects from moving forward. For example, the City Council can exercise eminent domain only for public use and must gain voter approval to issue general obligation bonds. However, acting as the RRA board, the City Council members can create a redevelopment zone (or annex land into an existing zone) and then employ eminent domain for public or private use, or issue bonds without voter approval.

A proposed auto mall and a business park are excellent examples of expensive projects unlikely to garner voter approval for financing, but readily accomplished with the aid of the city's multiple financing mechanisms. At the October 18, 2005, City Council meeting the City signed a letter of intent to partner with its RRA and a private entity to begin development of an auto mall on State Route 44. Similarly, over \$16 million from the City's Capital Services Corporation and \$10 million from

<p>the RRA have been proposed by City staff to support infrastructure improvements for the Stillwater Business Park.</p>		
<p>Finding #10: After a declaration of blight, eminent domain law allows RDA's to acquire private land and/or property within a redevelopment project area. Blight is broadly defined by statute. It is usually categorized as <i>physical</i>, such as a dilapidated or unsafe building or structure, but may also be <i>socio-economic</i>, such as a stagnant area with low property values or a high crime rate. Even vacant, undeveloped land can be designated blighted, usually on an economic basis. All redevelopment staff interviewed by the Grand Jury agreed that vacant land might fit the definition of blight. Although most RRA staff members considered the undeveloped areas of Park Marina blighted, each of the four RRA board members interviewed did not. The vague, legal definition of economic blight can even be applied to Redding's recently completed City Hall – if replaced by a shopping mall, the property and sales tax generated could be of greater economic benefit to the city than the current, non-taxable building.</p> <p>Recently, California state legislators from this area co-sponsored two constitutional amendments that would further restrict the</p>	<p>The City Council agrees with the finding. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>

use of eminent domain. While the Shasta County Board of Supervisors unanimously supported both proposals, the RDA staffs of Anderson, Redding and Shasta Lake City, and all RRA board members interviewed by the Grand Jury opposed the amendments. This difference in opinion is possible explained by the significant funding (\$50 million) the cities have invested in redevelopment.

<p>Finding #11: Usually RDAs are able to negotiate real property purchases from private property owners by offering “just compensation” for their property. Often, simply the threat of eminent domain proceedings is sufficient to convince reluctant property owners to negotiate. All those interviewed recognized the unpopularity of eminent domain and preferred to avoid it. Although used rarely, the RRA has resorted to eminent domain to seize private property in the past. Examples include:</p> <ul style="list-style-type: none"> • The Dana Drive freeway ramp • Completion of the Court Street extension north to the Sacramento River <p>The Park Marina Drive area along the Sacramento River has a huge potential impact on Redding’s future downtown development. This area is situated between RRA’s Market Street and Canby-Hilltop-Cypress project areas. There has been a spirited and sometimes contentious debate as to exactly how and when this privately owned property should be developed. The Grand Jury has learned that City of Redding staff has recently discussed the possible use of eminent domain proceedings if development of this property is indefinitely delayed. However, four members of the RRA board assured</p>	<p>The City Council agrees with the finding. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>
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the Grand Jury that the City currently has no plans to either incorporate Park Marina into a redevelopment project area or utilize eminent domain to acquire this property. The four RRA board members interviewed also stated they would not apply eminent domain proceedings to the Parkview Market, but some were less certain about using eminent domain for the Stillwater Business Park.

All Grand Jury interviewees expressed reluctance regarding the use of eminent domain, and some pledged never to utilize it. In some jurisdictions, however, it appears eminent domain becomes more acceptable when large amounts of money are involved. The mayor of Dunsmuir in Siskiyou County was quoted as saying, "I'm the guy who came on council and said, 'I have a problem with eminent domain' and I do." However, he subsequently reversed his position when the city stood to forfeit a \$140,000 federal grant and in March 2006, the Dunsmuir City Council decided to implement eminent domain to seize private property around its airport.

<p>Finding #12: California redevelopment law limits the amount of vacant land within a redevelopment area to 20%. However, there is no limit to how much of a city's developed land can be placed into redevelopment zones. The law also requires a determination be made that only a redevelopment agency, and not private development, can revitalize a blighted area, but the law does not specify any objective standards for this determination. Therefore, a RDA board has autonomy in making this determination.</p> <p>In the past 10 years, the amount of land within RRA's project areas has more than doubled. 25% of 15.34 square miles, of Redding's total geographic area is now located within redevelopment project zones. The City Council, acting as the RRA board, designated this land as blighted and determined that only redevelopment could revitalize it. Obviously, as more land is placed into redevelopment areas, less land will be available for private development not specified in the project plan.</p>	<p>The City Council generally agrees with the finding, however, the last statement suggesting that less land will be available for private development within a redevelopment area is inaccurate. Redevelopment, because it often provides necessary public infrastructure to property in a redevelopment area, usually encourages additional private development on land previously undevelopable or difficult to develop. An example would be the Canby-Hilltop-Cypress Redevelopment Area which has experienced some of the most significant private sector development in the past 20 years, which was partially made possible by the investment of the Redding Redevelopment Agency in public infrastructure to serve the area. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #13: This Grand Jury's review of Shasta County RDA's did not reveal any illegalities. It has, however, made us acutely aware of the large sums of money involved with</p>	<p>The City Council agrees with the finding. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>redevelopment and the potential for abuses to occur without proper scrutiny. The total bonded indebtedness of the RRA is approaching 10% of the City of Redding's total assets (estimated at \$500 million) and one quarter of the city is now included within redevelopment areas. A highly professional staff with sophisticated knowledge of redevelopment law and policy manages the RRA. It has successfully utilized this funding tool to make many infrastructure improvements, develop capital projects, and provide economic recovery and affordable housing. In most instances, areas designated as "blighted" have been improved. We applaud the RRA's efforts, but at the same time, we encourage increased public scrutiny and transparency to ensure that abuses do not occur.</p>		
<p>Recommendation #1: The Grand Jury recommends that newly elected members of redevelopment boards in Shasta County undergo formal redevelopment education and that sitting board members periodically receive continuing education on redevelopment law and policy.</p>	<p>On June 21, 2006 each of the five Board members were provided with the following Redevelopment educational and reference materials: <u>Redevelopment in California, UC Davis Extension, January 2002</u>; and <u>Redevelopment: The Unknown Government, February 2006</u>, along with materials from the California Redevelopment Association's website (http://www.calredevelop.org).</p>	<p>This response complies with Penal Code section 933.05.</p>

	<p>On June 27, 2006, the Board of Supervisors authorized two Board members to attend Redevelopment trainings, conferences or seminars.</p> <p>Patricia A. "Trish" Clarke, Chairman, Board of Supervisors, Shasta County</p> <p>Information concerning basic redevelopment law and local redevelopment policies and programs are included in newly elected member's orientation materials and briefing provided by the City Manager. In addition, the City Attorney periodically provides updates to sitting members on topics of interest, including redevelopment issues, and Council members are required to attend mandatory ethics training, which includes a discussion and handouts on requirements specific to redevelopment agency issues. One City Council/Agency Board member has already attended the required ethics training, and the other four members are scheduled for training scheduled in Redding for December 6, 2006, through the City's membership in the Northern California Personnel Training Consortium. Consortium training is provided by instructors who are attorneys for the Liebert Cassidy Whitmore law firm.</p>	<p>This response complies with Penal Code section 933.05.</p>
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	<p>Finally, staff reports to the Agency Board seek to thoroughly report the who, what, where, why and how of the recommended action, including the requirements of the California Health and Safety Code that are directing the process and proposed decision.</p> <p>Notwithstanding the above, in response to the Grand Jury recommendation, Anderson can and should strengthen its orientation program and periodic updates to focus more on redevelopment education, and will do so starting this fiscal year. Keith Webster, Mayor, City of Anderson</p> <p>Whenever a discussion concerning redevelopment comes forth to the Shasta Lake Board of Directors, staff generally provides the California Health and Safety Code laws and regulations that apply to the activity. For example, a presentation was made to the Board on tax increment financing in 2004, when we receive authority to issue new debt.</p> <p>A voluntary orientation of City activities, including redevelopment activities, is provided to candidates interested in becoming Council members every two years. Included in the orientations is a discussion on redevelopment activities.</p>	<p>This response complies with Penal Code section 933.05.</p>
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	<p>In response to the Grand Jury, Shasta Lake will provide sitting Board of Directors training opportunities with a greater focus on redevelopment education, either internally or externally through the League of California Cities or the California Redevelopment Agency. Ray Siner, Mayor, City of Shasta Lake</p> <p>The recommendation will not be implemented as proposed. While the City Council generally concurs with the recommendation that additional training and educational opportunities should be made available, such formal education should remain voluntary. Redding Redevelopment Agency</p>	<p>The 2006-2007 Grand Jury agrees with the 2005-2006 Grand Jury Recommendation #1 that newly elected members of the Redevelopment Board in the City of Redding receive continuing education on redevelopment law and policy.</p>
<p>Recommendation #2: All County RDAs should institute a more transparent tracking system for administrative costs to ensure that city or county employees actually perform redevelopment duties when paid with redevelopment funds.</p>	<p>The County does not currently access redevelopment administrative funds for either SHASTEK or Buckeye Redevelopment Projects but, is reviewing the appropriate way to fairly allocate those administrative costs. An Administrative Analyst in the County Administrative Office performs redevelopment administrative functions as a part of her regular duties. Patricia A. "Trish" Clarke, Chairman, Board of Supervisors, Shasta County</p>	<p>This response complies with Penal Code section 933.05.</p>

	<p>The large majority of Anderson's Southwest Project Area administrative costs are documented on Executive Director/Assistant City Manager time cards every two weeks. The Agency also currently charges 10% of Board Members/City Council members, Agency Secretary/City Manager, and Deputy City Clerk to the Southwest Project Area. At this small percentage level, it is not cost-effective for these smaller amounts to be documented through the same time card process used to account for the time of the Executive Director. All other Southwest Project Area administrative expenses are direct expenses for the purchase of Agency materials, supplies, and professional services, such as the annual external Agency audit. Keith Webster, Mayor, City of Anderson</p> <p>The City uses the fixed methodology for administration fees and that allocation is included into the budget approval process. This method has received approval from both federal and state organizations in the past. For the fiscal year 2006-07, the Shasta Lake Redevelopment Agency (RDA) is being charged 4% in administrative fees in recognition of the work provided to the RDA for work completed by staff of the City. Program Managers for the City do provide a</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
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	<p>tracking of how their time is spent directly on their time cards. At this small percentage level, it is not cost effective for these small amounts to be documented in a more extensive tracking system. Other types of administrative fees, such as property tax administration fees, external audit requirements, consulting fees, and legal costs are direct expenses of the RDA. Ray Siner, Mayor, City of Shasta Lake</p> <p>The recommendation will not be implemented. The current job-order system of tracking administrative costs charges to Redevelopment is sufficient to ensure accountability. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #3: All County RDAs should increase redevelopment oversight. At a minimum, all RDAs should reinstate citizen oversight committees to each redevelopment project area.</p>	<p>The County is in the process of increasing the level of knowledge and expertise by the board. This will increase the ability for technical oversight. Patricia A. "Trish" Clarke, Chairman, Board of Supervisors, Shasta County</p> <p>The Anderson Redevelopment Agency believes that property owners, businesses and citizens who are directly benefited by redevelopment activity exercise a significant amount of citizen input into the decision-making process. During</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>

	<p>formation of the project area, the Agency held several public forums and utilized the citizen oversight committee to provide guidance concerning goals and objectives. Additionally, the Citizen Advisory Task Force was created specifically to address the needs, designs and priorities for improvements to the downtown area. The Agency Board of Directors welcomes citizen input into its redevelopment programs and operations and believes this input significantly improves the decision making process. The ultimate accountability to the citizenry is their ability to elect their Council members, who additionally serve as members of the Anderson Redevelopment Agency Board of Directors. Keith Webster, Mayor, City of Anderson</p> <p>In February 2000, the Board of Directors discussed the RDA Citizens Advisory Committee (CAC) Guidelines and Purpose. It was determined that because of the limited activity in our RDA, the CAC had difficulty meeting its purpose, until such time that the RDA was able to pursue additional goals and objectives, the committee had served its function. The RDA was formed in 1989 by the County. At that time, a committee was formed to establish the goals and direction for the area. A Project plan was adopted and</p>	<p>This response complies with Penal Code section 933.05.</p>
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	<p>approved. Upon incorporation, the RDA function was transferred to the City. During the planning stages for the Commercial Center, the CAC was heavily involved in review of this specific redevelopment project. However, it has only been recently that the TRDA was in a position to again begin working towards the goals and objectives identified in the plan.</p> <p>For general redevelopment activities, including the Five-Year Implementation Plan, the RDA solicits and encourages public input through workshops and public hearings. Ray Siner, Mayor, City of Shasta Lake</p> <p>The recommendation will not be implemented. The directly-elected City Council remains the best source of oversight for Redevelopment. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #4: Assuming Recommendations 1-3 are followed, the City of Anderson and the City of Shasta Lake should consider expending their respective RDAs to take advantage of the socio-economic benefits redevelopment affords local government.</p>	<p>Although there are currently no plans to do so in the future, should the Anderson Redevelopment Agency Board of Directors consider either the potential of a proposed expansion of the Southwest Project Area, or the potential of a proposed new Project Area, the Board will keep in mind the 2005-2006 Grand Jury recommendation. Keith Webster, Mayor, City of</p>	<p>This response complies with Penal Code section 933.05.</p>

	<p>Anderson</p> <p>As a part of the debt issuance performed in April 2006, the RDA will be requesting consideration for an extension of time for the current plan. It is not being suggested that the RDA expand its project area. If at some point in time, the RDA does consider expanding the project area; this recommendation would be a part of the discussion. Ray Siner, Mayor, City of Shasta Lake</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #5: The inclusion of vacant or underdeveloped land into project areas should be carefully scrutinized as it limits the private sector's development opportunities.</p>	<p>The County of Shasta agrees with this recommendation and would be amenable to increasing the scrutinization for determining the inclusion of vacant or underdeveloped land into redevelopment project areas. Patricia A. "Trish" Clarke, Chairman, Board of Supervisors, Shasta County</p> <p>The Anderson Redevelopment Agency does not agree that inclusion of vacant or underdeveloped land within redevelopment project areas limits private sector development opportunities. The primary goal of redevelopment in California is to eliminate blighting influences that limit safe and productive development or redevelopment of land. Any parcel, whether presently developed or vacant, can</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>

	<p>suffer from blighting influences that reduce its economic viability. For example, vacant parcels may remain undeveloped indefinitely if they are of irregular size or shape for practical development; if they contain hazardous materials and cleanup is not cost-effective for private developers; if they lack essential public improvements, such as sewer services, for development; or if incompatible adjacent uses make the parcel difficult to develop. In these situations, tax increment revenues available in project areas can finance the infrastructure improvements, site clean up and land assembly that are required for private sector development. Without redevelopment funding, the blighting influences will continue and the land will never reach its full economic potential.</p> <p>Keith Webster, Mayor, City of Anderson</p> <p>If and when the RDA decides to consider a new area for redevelopment, consideration and careful scrutiny of vacant and undeveloped land would be a part of the discussions. Redevelopment agencies spend most of their money to build or reconstruct public facilities, usually as a result of its own inability to fund improvements in aging water and sewer systems, or reconstruction of roads.</p>	<p>This response complies with Penal Code section 933.05.</p>
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	<p>Private investors may not be willing to invest in an area until public money is invested in upgrading facilities and the attractiveness of the area. Ray Siner, Mayor, City of Shasta Lake</p> <p>The recommendation will not be implemented. While the inclusion of any property into a redevelopment project area should be carefully considered, the City Council believes that inclusion typically enhances private sectors development opportunities. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #6: Redding City Council members should better understand the functions of the various agencies on which they are also board members because the agencies allocate large amounts of money and incur significant debt.</p>	<p>The recommendation will not be implemented. City Council Members have a great deal of knowledge and a more-than adequate understanding of the various roles and responsibilities they have under the City Council-City Manager form of government. Redding Redevelopment Agency</p>	<p>The 2006-2007 Grand Jury agrees with the 2005-2006 Grand Jury Recommendation #6 that members of agency boards in City of Redding undergo formal education and that sitting board members periodically receive continuing education relative to their duties and responsibilities.</p>

<p>Recommendation #7: The Redding City Council and RRA Board should not use eminent domain to acquire the Park Marina property of Parkview Market for private development without a binding referendum to determine public sentiment within the city.</p>	<p>The recommendation will not be implemented. The City Council is not contemplating the use of eminent domain for either of the properties mentioned. Redding Redevelopment Agency</p>	<p>This response complies with Penal Code section 933.05.</p>
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**2006-2007 Shasta County Grand Jury
Review of Responses to 2005-2006 Grand Jury Findings and Recommendations**

CONSOLIDATION/UNIFICATION OF SHASTA COUNTY SCHOOLS

2005-2006 Grand Jury Findings & Recommendations	Response by Official or Agency	Response by 2006-2007 Grand Jury
<p>Findings #1: In Shasta County, there are 25 elementary, high school and unified public schools:</p> <ul style="list-style-type: none"> • Elementary districts: 21 • High school districts: 2 • Unified districts: 2 	<p>The Shasta County Superintendent of Schools agrees with this finding. Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	<p>This response complies with Penal Code 933.05.</p>
<p>Finding #2: These 25 districts are comprised of 69 schools:</p> <ul style="list-style-type: none"> • Elementary schools: 32 • Middle/Junior high schools: 9 • High schools: 8 • Charter schools: 14 • Continuation high schools: 5 • Regional occupational school: 1 	<p>The Shasta County Superintendent of Schools agrees with this finding. Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	<p>This response complies with Penal Code 933.05.</p>
<p>Finding #3: Total enrollment in Shasta County public schools in 2005/2006 is 27,274:</p> <ul style="list-style-type: none"> • Kindergarten-Grade 3: 5,907 • Grades 4-6: 6,449 • Grades 7-8: 4,656 • Grades 9-12: 10,145 • Alternative schools: 67 	<p>The Shasta County Superintendent of Schools agrees with this finding. Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	<p>This response complies with Penal Code 933.05.</p>

<p>Finding #4: The enrollment figures for Shasta County schools show a loss of 3,021 students (10%) from 2001/2002 to 2002/2003. Between the years 2000/2001 and 2005/2006 private school enrollment also declined, from 2,812 to 2,447, or 365 students (13%).</p>	<p>The Shasta County Superintendent of Schools generally disagrees with this finding. The GJ report states that the enrollment for Shasta County schools shows a loss of 3,021 students (10%) from 2001/02 to 2002/03. We believe that this is an error. The Shasta County of education tracks the enrollment of students for districts and compares them from year to year during the first week of school. In 2001/02 there were 29,092 students enrolled in district schools (including district run charter schools). In 2002/03 there were 29,169 students enrolled. This is an increase of 77 students. There has been a decrease of enrollment from 2001/02 to 2005/06 of 462 students in Shasta County schools. We do not have jurisdiction over private schools so we do not dispute or agree with the date provided. (Please see the Shasta County School Districts Five Year History of First Week Enrollments attached.) Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	<p>This response complies with Penal Code 933.05.</p>
<p>Finding #5: According to school officials, reasons for declining enrollment include:</p>	<p>The Shasta County Superintendent of schools generally agrees with finding</p>	<p>This response complies with Penal Code 933.05.</p>

<ul style="list-style-type: none"> • Reduction in family size due to advancements in birth control. During the past ten years the average number of children per family declined from 2.5 to 1.5. • Lack of affordable housing for families with children. During the past five years the average cost of a home in Shasta County increased from \$174,500 in the year 2000 to \$315,049 in 2005. Loss of employment opportunities in the forestry and agriculture industries, which has caused young families to leave the area and reduced the influx of young families into the county. 	<p>number 5. The reasons listed in finding number 5 are certainly some of the reasons for declining enrollment. They are probably not the only reasons. The Shasta County Superintendent of Schools is not aware of any study which defines the reasons for declining enrollment and such a study is outside the scope of the responsibility and duties of the Shasta County Superintendent of Schools.</p> <p>Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	
<p>Finding #6: The decline in enrollment during the past three years resulted in a reduction in ADA revenue to Shasta County school districts in excess of \$15 million. The effects of diminished ADA revenue include elimination or reduction of:</p> <ul style="list-style-type: none"> • Extracurricular activities including athletic, drama, art, and music programs • Remedial programs • Programs for high-functioning students 	<p>The Shasta County Superintendent of Schools generally agrees with finding number 6. The list provided in finding number 5 are certainly some of the programs or staff reduced or eliminated. Although, districts in declining enrollment have made great efforts not to eliminate or reduce extra curricular activities including athletic, drama, art, and music programs as well as programs for high functioning students. Often these are the programs that parents choose to attend a school for and reducing or eliminating these programs</p>	<p>This response complies with Penal Code 933.05.</p>

<ul style="list-style-type: none"> • Classroom aide positions • School nurse and psychological service positions • Staff development opportunities 	<p>may cause further decline of enrollment. In addition to the list provided by the Grand Jury, the effects of diminished ADA revenue also include the reduction in the appointment of certificated employees (classroom teachers and administrators) and various classified personnel.</p> <p>Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	
<p>Finding #7: School district calendars vary significantly. For example, there are six different school year opening dates, five different winter and spring breaks, and five different closing dates. This can adversely impact schedules for families with children enrolled in more than one district. Unification of consolidation could minimize this impact.</p>	<p>The Shasta County Superintendent of Schools disagrees with this finding. The superintendents in Shasta County have worked diligently the past few years to align the school calendar. The 2006-07 school district calendars are much more alike than different. Of the 25 districts, 22 of the 25 districts or 88%, will begin the school year on August 21st. Each district provides for a Christmas and Easter break. The dates are the same except for a few exceptions where some districts have extended the vacation. In addition to vacation, school districts also have 3 days during the school year when staff development is held. The districts have worked hard to either have these days before schools starts, connected to a holiday or vacation, or on the same day. An example this year would be the January</p>	<p>This response complies with Penal Code 933.05.</p>

	<p>8, 2007 staff development day. Of the 25 districts, 19 of the 25 districts or 76% will share the same staff development day. Plans are taking place to have a significant amount of the 19 districts collaborating together on this day to provide quality staff development to their staffs. All but 1 of the 25 districts or 96%, will conclude school between June 6-8th (the last day varies due to extended vacations during the school year). As you can see, there is not a significant variance as stated in the GJ findings. Many parents and families will benefit from the collaborative efforts made by the district superintendents to coordinate school calendars this school year and in the future. In addition, there are very few families in Shasta County who enroll their children in different school districts. When this is the case, it is usually when a parent has a child in a K-8 district and a high school district. Knowing this is a concern, the K-8 districts tend to adopt the high school district calendar that their schools feed into to insure this is not a problem for families. Reorganization of school districts may minimize the impact of differing school calendars. (Please see the compilation of Shasta County School Districts 2006/07 School Year Calendars attached.)</p>	
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	Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education	
Finding #8: Costs of school board elections in Shasta County depend on the number of board vacancies. For example, in 2003 this cost was \$149,670. A cost saving would be realized by reducing the total number of board members through consolidation/unification.	No comments are offered regarding finding #8. This is outside the scope of the jurisdiction of the Shasta County Superintendent of Schools. Please contact the elections department. Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education	This response complies with Penal Code 933.05.
Finding #9: A local elementary school administrator reported that eight eastern Shasta County elementary school districts recently joined forces for state-mandated training. This example of cooperation, sometimes called a consortium, resulted in a combined savings of \$56,000 to the districts.	It is unknown what the local school administrator said. Certain districts on the east, west, north, south and central portions of Shasta County are sharing services which are believed to result in savings to the participating districts. Yet, this example also supports the premise that districts are already working collaboratively together to reduce costs by sharing training. Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education	This response complies with Penal Code 933.05.
Finding #10: Unification and consolidation have additional positives and negatives. A significant issue is the loss of component district independence and autonomy.	The issue of reorganization of school districts is a matter of substantial concern for citizens in Shasta County. Reorganization has benefits and	This response complies with Penal Code 933.05.

<p>School officials report some parents perceive that unification or consolidation diminishes the quality of education. Other factors cited include a less responsive school board; decreased parental involvement; and increased class size. However, coordination of the curriculum throughout a unified district could ensure that students receive the same educational opportunities no matter which school they attend. Unification would permit a seamless transfer of students between schools within the district. Increased opportunities for extracurricular activities such as athletic programs, drama, arts, and music might also be realized.</p>	<p>detriments. Reorganization could, but not necessarily would, result in coordination of curriculum throughout the new reorganized district which would in all likelihood be beneficial for students. Various detriments arise from reorganization, some of which are noted in this finding. Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	
<p>Finding #11: Supporters of unification/consolidation claim that costs would be reduced due to a reduction in the number of school administrators. Also, district support services can be combined to realize savings. However, a 2004 Marin County study concluded that unification in that county would result in an overall saving of only 3%, and that any administrative savings would be offset by other costs of unification such as making all salaries uniform at the highest rate. The study concludes that, “While the likelihood of significant savings from district</p>	<p>Costs are not necessarily reduced as a result of school district reorganization as noted in finding #11 and, therefore, the Shasta County Superintendent of Schools generally agrees with finding #11. Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	<p>This response complies with Penal Code 933.05.</p>

<p>reorganization is questionable and the hurdles to achievement are high, understanding how individual district funds are used seems to be the best way to ensure that education monies are used effectively.</p>		
<p>Recommendation #1: The Grand Jury recommends that the Shasta County Board of Education should investigate <u>consolidation</u> of some K-8 districts in the county.</p>	<p>This recommendation is beyond the scope of the jurisdiction and authority of the Shasta County Superintendent of Schools because the Shasta County Committee on School District Organization is tasked with the responsibility to implement the process of school district reorganization or to respond to petitions for school district reorganization. The Grand Jury report suggest that “select districts” and “some K-8 districts” should be investigated to determine if consolidation would help them achieve attainable benefits. Yet, the “select” and “K-8” districts are not identified. The Shasta County Committee on School District Organization requests more clarification in regards to this suggestion before they can consider the recommendation as currently suggested. Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	<p>This response complies with Penal Code 933.05.</p>

<p>Recommendation #2: SCOE and school boards should anticipate continuing ADA reductions and develop plans to ensure continued successful operation of their districts.</p>	<p>The Shasta County Superintendent of Schools agrees with this finding. The Shasta County Superintendent of Schools will continue to closely monitor the budgets of all Shasta County School Districts to insure they maintain fiscal stability. In addition, this Shasta County Superintendent of Schools will meet with each district superintendent throughout the 2006-07 school year to determine ways that the Shasta County Office of Education can help support them to insure they continue to successfully operate their districts.</p> <p>Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	<p>This response complies with Penal Code 933.05.</p>
<p>Recommendation #3: The Grand Jury recommends that the SCOE work with all Shasta County school districts to achieve a uniform school year calendar.</p>	<p>The Shasta County Superintendent of Schools agrees with this finding. The Shasta County Superintendent of Schools will continue to make this a priority to help insure that the school districts' calendars are as closely aligned as they are for the 2006-07 school year.</p> <p>Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	<p>This response complies with Penal Code 933.05.</p>

	<p>In addition to the recommendations listed above, the Shasta County Superintendent of Schools will meet with the 25 district superintendents in September 2006 to discuss the findings and recommendations of the Grand Jury. Also, the Shasta County Committee on School District Organization will meet on August 23, 2006 to discuss the Grand Jury report to determine next steps.</p> <p>Thomas V. Armelino, Shasta County Superintendent of Schools, Shasta County Office of Education</p>	
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**2006-2007 Shasta County Grand Jury
Review of Responses to 2005-2006 Grand Jury Findings and Recommendations**

SHASTA COMMUNITY SERVICES DISTRICT

2005-2006 Grand Jury Findings & Recommendations	Responses by Official or Agency	Comments by 2006-2007 Grand Jury
<p>Recommendation #1: Previous recommendations from the 2003/2004 Grand Jury report were not implemented or adopted: #3. The SCSD Board should consider making bi-monthly, rather than monthly, salary payments to its employees. #4. Review, modify, and adopt the proposed Policy and Procedures Manual. #5. The SCSD Board should request its Independent Auditor to recommend petty cash procedure. #6. Devise better format for bill paying to speed up approval process. #7. Review need for credit cards. #12. Board and employees should attend training sessions offered by California Special Districts Association (CSDA).</p>	<p>#3. The Board agrees that bi-monthly salary payments are appropriate. #4. The Board agrees that the Policy and Procedures Manual should be up to date and well organized (comments from previous Grand Jury report). The current Administrative Assistant has greatly improved the filing system for the District, and has consolidated all policy and procedures material into one document, stored in one location. #5. The Board agrees that the auditor should recommend a petty-cash procedure. #6. The Board agrees that the bill-paying format needed improvement, mainly a better description of the checks. #7. The Board agrees that the credit-card policy needed review. #12. The Board and District staff has attended some training sessions offered by CSDA. Ethics training attended by two Board members, the General Manager and the Administrative Assistant.</p>	<p>This response complies with Penal Code section 933.05</p> <p>A staff member interviewed by the 2006/2007 Grand Jury, reported that salaries are now being paid bi-monthly.</p> <p>The 2006/2007 Grand Jury found that items #3, #4, #5, #6, #7 and #12 have been implemented and or updated in the District's Policy and Procedure Manual. However, the manual needs additional modification, as follows:</p> <p>#5 Petty Cash: The manual should require more detailed information on the receipts that are turned in for reimbursement such as the purpose for the purchase, etc.</p> <p>#7 Credit Cards: The manual should require more information on the credit card receipts that are turned in for reimbursement such as, the license number of the vehicle that is being refueled, the purpose of purchase, etc.</p>

Recommendation #2: Safety issues:

- Chlorine:
 - a) Purchase replacement regulators and maintenance kits.
 - b) Follow the manufacturer's recommended preventative maintenance procedures for chlorine regulators and associated parts.
 - c) Develop and post maintenance logs showing scheduled and completed work.
- Ladders and cages: Install safety devices on the two fire suppression reservoirs at Highland Park III.

The Board agrees with these findings, but not with some of the statements made in the discussion of the findings. The discussion stated that the "Fire Chief has been unable to make significant improvements in equipment or provide local training". The Board would like to point out the Shasta Fire Departments efforts, especially those of its Fire Chief, Mr. Mark Todd, towards improving fire department equipment. Fire fighting engines and other vehicles are very expensive; for a fire department the size of Shasta, such equipment requires very large expenditures relative to the size of the department. The Fire Chief is continuously researching potential grants or low-interest loans for purchase of such large equipment. For example, at the August 2006 meeting, the Fire Chief announced that Shasta FD was likely to obtain a grant for 90# funding of a new wild-land fire engine. Additionally, Shasta FD recently purchased a new water tender.

With regard to a training facility, it is the Boards understanding that it is impractical to allocate funds to add a training facility for the Fire Department. The current requirements for trainers are quite

This response complies with Penal Code section 933.05.

	<p>rigorous, and only one other local, fire department (Happy Valley) has such a facility; this facility is available to Shasta. It would not be cost effective for Shasta FD to establish such a facility, and it is the Board's opinion that establishing such a training facility just for Shasta FD would not be a good use of taxpayer funds. The Board disagrees with the recommendation for the above reasons. Shasta FD is continually researching funding opportunities for additional equipment (and training) and it is simply not cost effective to establish our own training facility.</p>	
<p>Recommendation #3: ISO ratings: Initiate a Fire Department Master Plan to improve its effectiveness and allocate funds that allow the SVCSD to maintain its ISO numerical rating.</p>	<p>With regard to staffing the Shasta FD, to improve our ISO rating for staffing would require 24-hour-a-day personnel. Shasta FD has neither the budget, nor need to provide this level of staffing. The Board would also like to note that we do not have to do these things to maintain our ISO rating. Implementing the recommendations could improve our ISO rating, but the Board believes that the cost would outweigh the benefits to the District's customers. Therefore, the Board</p>	<p>This response complies with Penal Code section 933.05.</p>

	will not implement a Fire Department Master Plan.	
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**2006-2007 Shasta County Grand Jury
Review of Responses to 2005-2006 Grand Jury Findings and Recommendations**

SHASCOM

2005-2006 Grand Jury Findings & Recommendations	Response by Official or Agency	Comments by 2006-2007 Grand Jury
<p>Finding #1: SHASCOM serves two major customers: the public, by providing 9-1-1 service; and the public safety agencies, as a central dispatch center.</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #2: SHASCOM management stated their service load has increased in approximate proportion to the population increase in the region. During 2005, more than 219,000 incidents were logged by the Computer Aided Dispatch (CAD) system. This is an increase of 5.8% over the volume in 2003. All incidents are tallied by this system but not all incidents require enough activity to cause a case number to be assigned. Table 1 shows statistics for incidents assigned a case number. (see GJ Report for 2005/2006)</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #3: A State grant of \$135,000, plus \$30,000 from the City of Anderson and \$18,000 from the SHASCOM budget will be used to implement a new 9-1-1 system. Under</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>this system, cellular 9-1-1 calls will now be routed directly to SHASCOM instead of the California Highway Patrol. It will identify the cellular phone location and expedite emergency responses.</p>		
<p>Finding #4: SHASCOM utilizes a network of complex radio/telephone consoles, called “pods,” each of which is operated by a single dispatcher. The hardware is complemented by equally sophisticated computer software. Although all pods are identical and capable of communicating with any agency, in practice each is dedicated to a specific agency: one pod is dedicated to RPD, one to RFD, one to SCSO, and another to EMS. A dispatcher operating a pod can forward a call for service to another pod and assume another pod’s functions when necessary. Computers in the pods post new and active calls for service, provide prioritizing guidance, and aid in gathering necessary dispatch information.</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #5: Dispatchers have a lot of responsibility and the job requires extensive training and the ability to multitask. Dispatchers must gather information from 9-1-1 callers,</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>many of whom are excited, disoriented or hysterical. They must then enter incident information into the computer system and transmit that information as a dispatch to an appropriate unit in the proper public service agency. Communications codes are used for clarity and brevity, and dispatchers must also be familiar with the more common criminal laws.</p>		
<p>Finding #6: Dispatchers interviewed by the Grand Jury were professional and dedicated. They agreed that their jobs are, at times, stressful, but all stated that this is simply part of the job. All were aware that their performance can determine life or death for those served.</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #7: All persons interviewed rated morale at SHASCOM very high. One person stated that, under the previous General Manager, it was only poor to fair. All interviewed were highly complimentary about management in general, and the current Interim General Manager in particular. Many were concerned that gender may preclude her from becoming the permanent General Manager. They claim that, since she has taken over as Interim Manager, morale has improved and operations are more efficient.</p>	<p>SHASCOM Board concurs with this finding with the following exception. SHASCOM is an equal opportunity employer and complies with both state and federal laws prohibiting employment discrimination because of a person's gender. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>Finding #8: The SHASCOM <i>Policies and Procedures</i> manual consists of 402 clear, concise and thorough sections. Some sections were found to need updating but these were relatively insignificant and the manual is, for the most part, current. This manual is used primarily for training and review. New or revised entries are distributed to and discussed with all employees, who must verify that they have read and understand them.</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #9: As part of SHASCOM's quality control system, volunteers conduct weekly telephone surveys of randomly selected 9-1-1 callers. These callers are queried about their satisfaction or criticism of the services received from SHASCOM and the involved agencies. Survey results are compiled into a quarterly <i>SHASCOM Quality Control</i> report. The <i>Policies and Procedures</i> manual is not documented for this procedure.</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #10: Telephone call-takers or supervisors handle service complaints received from both 9-1-1 callers and public agencies. If a complaint is not resolved by the call taker, it is entered into a <i>Service Inquiry Log</i> and forwarded to management for further</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>The Grand Jury acknowledges this response, but documentation in the <i>Policy & Procedures Manual</i> was not addressed.</p>

<p>action. The occasional malfunction of this complaint resolution system underlies some of the criticism of SHASCOM by user agencies. The Grand Jury did not find this complaint procedure documented in the Policies and Procedures manual.</p>	<p>The Sheriff's Office agrees with the findings. On occasion, SHASCOM and/or the Sheriff's Office supervisors handle service complaints from callers and public agencies. Sheriff's Office supervisors are encouraged to resolve the matter at the lowest possible level dealing with a SHASCOM supervisor. If the matter is unresolved, the service inquiry is initiated.</p> <p>Service inquiries directed at Sheriff's Office operations are examined by a Sheriff's supervisor or manager (lieutenant or above). Appropriate action is taken to correct any deficiencies or behaviors identified in the examination. A response is directed to the SHASCOM operations manager. A similar procedure is conducted by SHASCOM personnel should a service inquiry be directed to them by Sheriff's personnel. Concerns are to be addressed in a timely manner by Sheriff's Office personnel. Tom Bosenko, Sheriff-Coroner</p> <p>The Grand Jury issued a report last year pertaining to the Shasta Area Safety Communications Agency (SHASCOM). As you may know, SHASCOM is a Joint Powers Agency that includes the City of Redding and the County of Shasta.</p>	<p>This response complies with Penal Code section 933.05.</p> <p>The 2006-2007 Grand Jury noted that the Redding City Manager incorporated Lawrence G. Lees, Board of Directors, SHASCOM response within his response.</p>
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	<p>SHASCOM is governed by a Board of Directors that includes two representatives from the City of Redding and two representatives from the County of Shasta. The Board of Directors of SHASCOM responded to the aforementioned Grand Jury Report in 2006. (Please refer to the letter from Larry Lees above). The purpose of this letter is to confirm that this response also reflects the City of Redding's response to the findings and recommendations contained in the Grand Jury Report. Kurt Starman, City Manager</p>	
<p>Finding #11: Management of employee grievances is specified in detail in the Policies and Procedures manual. Grievances of complaints are first presented to the employee's supervisor and may be passed up the chain of command to achieve resolution. It is not so stated in the manual, but employees relate that they may contact a supervisor other than their own if appropriate.</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>Finding #12: Employee suggestions for improvement of SHASCOM are passed up the chain of command, beginning with the employee's supervisor, but some employees feel this mechanism is ineffective. An existing anonymous "Employee Suggestion Box" provides a direct line to management, bypassing supervisors. However, SHASCOM management informed the GJ that very few suggestions have been submitted in recent years.</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #13: Employees relate that there is a small "disgruntled group" within SHASCOM. Most employees interviewed stated that such persons exist in virtually all organizations and that they did not adversely affect operations or morale in SHASCOM.</p>	<p>SHASCOM Board disagrees with finding. Although there are different levels of employee satisfaction within each organization, to say there is a small disgruntled group is subjective. However, the Board will actively solicit employee feedback and respond to employee concerns where appropriate. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #14: The ultimate training of SHASCOM dispatchers is to become competent in 9-1-1 call-taking and in management of all four radio pods: SCSD, RPD, RFD and EMS. Employees must also learn to liaison with the California Highway Patrol, California Department of Forestry and Fire Protection (CDF, and Anderson Police Department.</p>	<p>SHASCOM Board concurs with finding. SHASCOM has implemented incentives that reward longevity which in turn has helped to reduce turnover. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>Typically, about three months' training is necessary to achieve adequate proficiency in the first employment task, that of call-taker. Considerably more training is required before the dispatcher is proficient enough to operate a radio pod. Competency across all sectors is typically achieved only after two to five years of employment and training.</p> <p>Most training is one-on-one and is primarily provided by other dispatchers and supervisors, which takes these trainers away from their regular duties. Thus, training is costly and places an added burden on all shift workers. Obviously, when a current employee terminates, his or her replacement must be trained for the job. Employee turnover is, therefore, costly to the agency.</p>		
<p>Finding #15: The most common reason for employees to terminate employment at SHASCOM is to spend more time starting families and raising children. Retaining these trained employees, even on a part time basis, might be advantageous for SHASCOM. Many of these persons might wish to continue working on a reduced-time schedule. Part-time status is currently available, but it offers no retirement or health care benefits. There is no provision</p>	<p>SHASCOM Board disagrees with this finding. Although not everyone is compatible with working at night and being capable of multi-tasking, SHASCOM has created an environment that affords the opportunity for some flexibility and relief for periods of peak workload. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>for an arrangement such as job-sharing, in which two or more persons share one full-time position and divide wages and benefits between them.</p> <p>Other reasons given for employee turnover include incompatibility with the shift schedule, which requires working at night; and discovering that the employee really does not like the job for one reason or another. Multitasking is an integral part of every dispatcher's job and some persons do this better than others. The dispatchers who were interviewed also reported intermittent episodes of severe stress. Not everyone is able to adapt to these conditions.</p>		
<p>Finding #16: Employees report some "squabbling" and micromanagement in the work environment, but not serious enough to cause problems. In fact, micromanagement during episodes of crisis and high volume was welcomed by some of those interviewed. They also noted that supervisors are (sometimes) more harsh than necessary and have been known to deliver reprimands in the presence of other employees, causing embarrassment, which is undesirable and usually unnecessary.</p>	<p>SHASCOM Board disagrees with finding. It is not standard operating procedure nor is it acceptable behavior for supervision to embarrass team members. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>Finding #17: There is close cooperation between the Anderson Police Department (APD) dispatch center and SHASCOM. Equipment, software and procedures are standardized; operators may be exchanged in times of need; and SHASCOM may even provide dispatch services to APD during a major incident. An example occurred recently when an APD officer was assaulted on duty. SHASCOM notified appropriate agencies and assumed routine APD calls while APD dispatch managed the incident.</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p> <p>The City of Anderson agrees that there is good cooperation between SHASCOM and the Anderson Police Department, and appreciates the support the City received from SHASCOM, the Redding Police Department, and the Shasta County Sheriff's Department during the recent critical incident involving an assault on an Anderson Police Officer. Keith Webster, Mayor, City of Anderson</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
<p>Finding #18: Several law enforcement agency personnel indicated that, at times, SHASCOM was "the tail wagging the dog," directing the conduct of the agencies. SHASCOM personnel relate that this may well appear to be the case since they are often better informed of available resources than are units in the field. Public safety personnel stated that SHASCOM seemed, at times, to ignore suggestions about SHASCOM communication procedures and take the attitude that "SHASCOM knows best."</p>	<p>SHASCOM Board disagrees with finding but understands there may be perceptions that don't reflect reality Lawrence G. Lees, Board of Directors, SHASCOM</p> <p>The Sheriff's Office agrees with the finding. The Grand Jury report indicated agency personnel referred to SHASCOM as "the tail wagging the dog" in directing the conduct of the agencies. This can be an observation from personnel who may not be completely aware of how SHASCOM operates. The SHASCOM Board of Directors is comprised of representatives from the user agencies and</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>

	<p>representatives from the City of Redding and the County of Shasta. The Redding Police Chief, Redding Fire Department Chief, and the Shasta County Sheriff sit as SHASCOM Board members.</p> <p>Additionally, SHASCOM has regular meetings of law operations personnel, medical operations personnel, and fire personnel as forums. These forums are to bring together the user agencies and SHASCOM personnel to resolve concerns and, if necessary, develop policies and procedures to improve efficiency of the service and direct personnel in a consistent delivery of services. Agencies have input into the development of SHASCOM operational directives and protocol. Tom Bosenko, Sheriff-Coroner</p> <p>The Grand Jury issued a report last year pertaining to the Shasta Area Safety Communications Agency (SHASCOM). As you may know, SHASCOM is a Joint Powers Agency that includes the City of Redding and the County of Shasta. SHASCOM is governed by a Board of Directors that includes two representatives from the City of Redding and two representatives from the County of Shasta. The Board of Directors of SHASCOM responded to the aforementioned Grand</p>	
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	<p>Jury Report in 2006. (Please refer to the letter from Larry Lees above). The purpose of this letter is to confirm that this response also reflects the City of Redding's response to the findings and recommendations contained in the Grand Jury Report. Kurt Starman, City Manager</p>	
<p>Finding #19: Redding firefighters interviewed by the GJ consistently indicated that dispatch through SHASCOM, while adequate, could be improved. They noted that, during some major emergencies within the city (e.g., during the December, 2005, Jewell Lane flood), a battalion chief stationed himself in the fire pod at SHASCOM to guide dispatch, and that this noticeably improved the efficiency of operations.</p> <p>CDF has jurisdiction over fires in the County and State. Its dispatch center is operated by a fire captain, who has fire management expertise. The CDF dispatcher is given authority to prioritize calls and to manage some situations on his or her own. A simple example is the proverbial "cat in the tree." RFD would not deny service and would have a unit respond to this call. A CDF dispatcher, on the other hand, has the option of suggesting the caller place a bowl of cat</p>	<p>SHASCOM partially agrees with finding. We agree there may be opportunities for growth and will review funding allocations. Lawrence G. Lees, Board of Directors, SHASCOM</p>	

<p>food at the base of the tree and call back if the cat doesn't come down. This could save the cost of sending a unit.</p> <p>In any major wild fire incident, RFD units immediately sign over to CDF for dispatch. The Redding firefighters interviewed by the GJ stated they believe it would be less expensive and they would receive better service if all of their dispatching were switched to CDF. Whether the net effect would be a cost savings has not actually been determined.</p> <p>Redding currently spends \$1.8 million annually for SHASCOM services. It allocates \$900,000 of that expenditure through RPD and \$900,000 through RFD. However, the current allocation is simply a matter of budgetary convenience and makes no allowance for user volume. In 2005, RPD used nearly seven times as much SHASCOM service as does RFD. If allocated by dispatch volume, RFD's share would be \$230,000, which would more accurately reflect the percentage of General Fund money allocated to both departments. It would be clearer to managers as well as concerned citizens if Redding were to allocate SHASCOM police and fire payments proportionately.</p>		

<p>Finding #20: At SHASCOM’s inception, meetings called “Law Ops” and Fire Ops” were initiated to resolve operational problems and disputes among member agencies. These meetings were originally held monthly but the number of issues declined and they are now scheduled in alternate months. Several interviewees reported that some of the agencies have not sent representatives to recent meetings. SHASCOM management indicated that, although they always attend the meetings, they prefer to resolve complaints and suggestions promptly by telephone. Issue resolution is not addressed in the Policies and Procedures manual.</p>	<p>SHASCOM Board agrees with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p> <p>The Sheriff’s Office agrees with the findings. SHASCOM, law, fire, and medical operations meetings were initiated to resolve operational issues and conflicts among user agencies and aid in the development of policies between SHASCOM and the user groups. This requires flexibility and, at times, some compromise in order to have a policy or service that is consistent between the user groups in order to avoid dissimilar operations, confusions and inefficiency. A Sheriff’s Office Patrol captain, lieutenant, sergeant and occasionally a Patrol deputy may attend Law Operation meetings. Sheriff’s Office personnel attempt to attend the meetings on a regular basis. Attendance at monthly meetings has waned at times; improvement can be made. SHASCOM personnel have been made aware of recent personnel changes within the Patrol Division to ensure timely notification of Patrol personnel so that their schedule may allow for their attendance in the Law Operation meetings. Sheriff’s Office Patrol supervisors and/or</p>	<p>This response complies with Penal Code section 933.05.</p> <p>This response complies with Penal Code section 933.05.</p>
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	<p>managers have been directed to attend the meetings unless critical incidents take priority.</p> <p>In closing, SHASCOM is attentive to the needs of its user agencies and to the citizen callers utilizing their services. SHASCOM strives for an efficient and consistent delivery of services to the citizens and its user agencies. Tom Bosenko, Sheriff-Coroner</p> <p>The Grand Jury issued a report last year pertaining to the Shasta Area Safety Communications Agency (SHASCOM). As you may know, SHASCOM is a Joint Powers Agency that includes the City of Redding and the County of Shasta. SJASCOM is governed by a Board of Directors that includes two representatives from the City of Redding and two representatives from the County of Shasta. The Board of Directors of SHASCOM responded to the aforementioned Grand Jury Report in 2006. (Please refer to the letter from Larry Lees above). The purpose of this letter is to confirm that this response also reflects the City of Redding's response to the findings and recommendations contained in the Grand Jury Report. Kurt Starman, City</p>	<p>The 2006-2007 Grand Jury noted that the Redding City Manager incorporated Lawrence G. Lees, Board of Directors, SHASCOM response within his response.</p>
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	Manager	
<p>Finding #21: In response to a 2003/2004 Shasta County Grand Jury Recommendation, SHASCOM now posts announcements and agendas of its Board of Directors' meetings in publicly accessible locations, namely on a bulletin board located outside the SHASCOM security fence, and on the SHASCOM Internet web site. The latter location is readily available to the public. A regular meeting of the SHASCOM Board was scheduled for Monday May 8, 2006, and the agenda was duly posted to the web site. However, the GJ found that, as of Friday, May 5th, it was known to SHASCOM that the meeting had been rescheduled to May 22nd. The Web site did not reflect this change until May 10th, when the agenda for a special meeting to be held on May 22nd, was posted.</p>	<p>SHASCOM Board agrees with finding and corrections have been implemented. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Finding #22: Staffing has consistently been near authorized levels. SHASCOM's personnel consist of 52 authorized paid positions and two volunteers, as shown in Table 2 (see GJ report).</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>Finding #23: Since its inception in 1990, SHASCOM has had three General Managers. All have been male. Two came from the ranks or sworn law enforcement officers (one police, one sheriff). The most recent retired in October 2005. The agency is now headed by an Interim General Manager (female) who is also the Public Safety Manager – Operations. Her experience and training are in public safety dispatching. This interim General Manager has strong support from her staff.</p>	<p>SHASCOM Board concurs with finding. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #1: The Grand Jury recommends that the Board of Directors of SHASCOM make their highest priority the hiring of a qualified General Manager.</p>	<p>SHASCOM Board of Directors has made the hiring of a qualified General Manager a high priority. A new qualified General Manager has been hired and will begin work effective August 15, 2006. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #2: The Grand Jury recommends that employee schedules be made more flexible, specifically to include job-sharing, in an effort to reduce employee turnover and its concomitant recruitment and training demands and costs.</p>	<p>SHASCOM Board of Directors will direct the new General Manager to review scheduling. Employee turnover has already been reduced significantly with the incorporation of longevity incentives. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>

<p>Recommendation #3: SHASCOM must ensure that all supervisors and managers are adequately trained and are effective in discipline and reprimand of employees. Training courses covering these topics are available and should be utilized where appropriate.</p>	<p>SHASCOM Board of Directors will direct the General Manager to monitor, schedule, and facilitate the appropriate training for all team members. An annual training schedule will be included in Board meeting packets. Lawrence G. Lees, Board of Directors, SHASCOM</p>	<p>This response complies with Penal Code section 933.05.</p>
<p>Recommendation #4: Representatives of all involved agencies should attend every scheduled Law Ops and Fire Ops meeting and should be prepared to discuss and resolve any and all problems involving SHASCOM services. If there are no issues to be discussed, the meetings should be cancelled. The requirements of the Ops meeting system should be included in the <i>Policies and Procedures</i> manual.</p>	<p>Requirements of the Ops meetings will be included in the <i>Policies and Procedures</i> manual. Lawrence G. Lees, Board of Directors, SHASCOM</p> <p>NO RESPONSE FROM SHERIFF TOM BOSENKO</p> <p>The Grand Jury issued a report last year pertaining to the Shasta Area Safety Communications Agency (SHASCOM). As you may know, SHASCOM is a Joint Powers Agency that includes the City of Redding and the County of Shasta. SHASCOM is governed by a Board of Directors that includes two representatives from the City of Redding and two representatives from the County of Shasta. The Board of Directors of SHASCOM responded to the aforementioned Grand Jury Report in 2006. (Please refer to the letter from Larry Lees above). The</p>	<p>This response complies with Penal Code section 933.05.</p> <p>The Sheriff did not respond to this recommendation.</p> <p>The 2006-2007 Grand Jury noted that the Redding City Manager incorporated Lawrence G. Lees, Board of Directors, SHASCOM response within his response.</p>

	purpose of this letter is to confirm that this response also reflects the City of Redding's response to the findings and recommendations contained in the Grand Jury Report. Kurt Starman, City Manager	
Recommendation #5: User and public complaint management systems should be included in the <i>Policies and Procedures</i> manual.	Complaint processes will be included in the <i>Policies and Procedures</i> manual. Lawrence G. Lees, Board of Directors, SHASCOM	This response complies with Penal Code section 933.05.
Recommendation #6: The SHASCOM <i>Policies and Procedures</i> manual should be updated to include the SHASCOM Quality Control Report System.	The SHASCOM Quality Control Report process will be included in the <i>Policies and Procedures</i> manual. Lawrence G. Lees, Board of Directors, SHASCOM	This response complies with Penal Code section 933.05.
Recommendation #7: To enhance transparency, the City of Redding should allocate SHASCOM funds between RPD and RFD according to their respective service volumes.	The Grand Jury issued a report last year pertaining to the Shasta Area Safety Communications Agency (SHASCOM). As you may know, SHASCOM is a Joint Powers Agency that includes the City of Redding and the County of Shasta. SHASCOM is governed by a Board of Directors that includes two representatives from the City of Redding and two representatives from the County of Shasta. The Board of Directors of SHASCOM responded to the aforementioned Grand Jury Report in 2006. (Please refer to the letter from Larry Lees above). The	The 2006-2007 Grand Jury noted that the Redding City Manager incorporated Lawrence G. Lees, Board of Directors, SHASCOM response within his response.

	purpose of this letter is to confirm that this response also reflects the City of Redding's response to the findings and recommendations contained in the Grand Jury Report. Kurt Starman, City Mgr.	
Recommendation #8: The GJ recommends that SHASCOM implement a more dependable method of updating its Web site with special emphasis on timely posting of the Board of Director's meeting agendas.	The SHASCOM Board of Directors will direct the General Manager to research the ability to maintain a more fluid website. Lawrence G. Lees, Board of Directors, SHASCOM	This response complies with Penal Code section 933.05.

2006-2007 Shasta County Grand Jury		
Review of Responses to 2005-2006 Grand Jury Findings and Recommendations		
OFFICE OF THE SHERIFF/PATROL DIVISION		
2005-2006 Grand Jury Findings & Recommendations	Response by Official or Agency	Response by 2006/2007 Grand Jury
<p>Findings #1: Since 2000, the number of deputies has not increased in proportion to the approximately 10% increase in County population. The number of service calls has also increased significantly, resulting in slower SO response times. Occasionally, deputies must leave their patrol areas, jeopardizing the safety of residents. Adding deputies to the Patrol Division would improve coverage of beats, response time and the safety of both residents and officers.</p>	<p>I concur with the findings, adding that deputies rarely have time for preventative patrol in their assigned beats. Larry Schaller, Undersheriff, Office of the Sheriff</p>	<p>This response complies with Penal Code section 933.05</p>
<p>Finding #2: During the past several years the BOS-approved funding for the SO was increased to allow the hiring of 17 new deputies, but 11 of those positions remain unfilled. Most of the deputies interviewed believe that the hiring of additional deputies would relieve chronic understaffing and overtime problems. The Grand Jury could not determine whether the Sheriff has been aggressively recruiting new hires. The SO Web site lists openings for Correctional Officers, but refers all applicants to the</p>	<p>I disagree with the findings because the facts are inaccurate, stating that the Board has approved funding to “allow hiring of 17 new deputies but 11 of those positions remain unfilled.” No such “new” deputies have been allocated. The department has 254 funded allocations for fiscal ‘05/06 and had 273 allocations in 1992. This demonstrates the factual downsizing of the Sheriff’s Office in the past 14 years. I concur that additional allocations and filling current vacancies will relieve</p>	<p>This response complies with Penal Code section 933.05</p>

<p>County's main Web site which lists "deputy sheriffs-lateral." (Lateral means law enforcement officers who transfer from another agency.)</p>	<p>understaffing and overtime problems. The Grand Jury was furnished a series of reports indicating both separation and recruitment and reasons for separation, some of which are reported under item 3. The Sheriff's Office has successfully recruited and hired 61 total staff during 2005/2006. Personnel were hired in the following categories: Deputy Sheriffs, Corrections Officers, Sheriff's Service Officers, Animal Control Officers, Legal Process Clerks, Administrative Secretaries, Cadets and Extra Help members. (See enclosed memo from Sgt. Mike Ashmun). Also, 11 Officers, and one Animal Regulation Officer. 5 additional job offers are pending and 16 backgrounds are in progress. Larry Schaller, Undersheriff, Office of the Sheriff</p>	
<p>Finding #3: Like many law enforcement agencies within the County, the SO is experiencing difficulty in hiring and retaining deputies. The Grand Jury was told the reason for this difficulty is that Shasta County's salaries and benefits are not comparable to those of other agencies and that deputies are transferring to those agencies or to positions outside of law enforcement. Data examined does not entirely support this reasoning. According to SO statistics,</p>	<p>The data referenced by the Grand Jury is data that was provided by the Office of the Sheriff. I disagree with the statement that "mismanagement is another reason for deputies leaving the department." The statement is without factual basis or support of exit interviews. Larry Schaller, Undersheriff, Office of the Sheriff</p>	<p>This response complies with Penal Code section 933.05</p>

<p>retirements alone accounted for more than 40% of all separations from the Department in 2004-2005. In 2005, there were nine retirements within the Patrol Division. 9 other officers left for various reasons, including poor performance. Deputies told the Grand Jury that perceived mismanagement is another major reason for deputies leaving the department.</p>		
<p>Finding #4: The current average base salary for all Safety Officers (Deputies and Correctional Officers) is \$51,438 plus benefits and overtime. With overtime, a deputy's yearly income can reach \$90,000, including benefits. Many of the deputies interviewed preferred an increase in salary and health benefits over increased retirement benefits.</p>	<p>I disagree with the characterization. The fact of the matter is that the Deputy Sheriffs' Association (DSA) negotiated the 3% at 50 retirement benefit (coupled with the transition to Corrections Officers in the jail) in their last labor package in November of 2001. The recently concluded negotiations have been focused on salary and benefits. (See enclosed letter to Grand Jury Criminal Justice Committee dated May 2006.) Larry Schaller, Undersheriff, Office of the Sheriff</p>	<p>This response complies with Penal Code section 933.05</p>
<p>Finding #5: According to interviews, deputy morale is the lowest it has been in many years. Contributing factors to low morale are understaffing and excessive overtime (mandatory and voluntary). SO</p>	<p>I concur that morale has been the lowest in recent years. I attribute it to the ongoing labor negotiations during a time period when the unions became very aggressively involved in the Sheriff's election. Two</p>	<p>This response complies with Penal Code section 933.05</p>

<p>administrators claim it is less expensive to pay overtime than to hire additional deputies. Deputies report that twelve-hour shifts over a three-day period also add to their fatigue. Additionally, prolonged periods between those 12-hour shifts result in the inability to process complaints effectively because officers lose continuity in report writing and crime solving.</p>	<p>years ago a survey conducted by Peace Officers Standards and Training (POST) of patrol personnel, morale was very high and favorable in spite of limited staffing and extensive overtime. (See the documentation from a POST audit of patrol service concluded in 2004.)</p> <p>On this issue, I cautioned the '05/06 Grand Jury during questioning to remember that this was an election year. I specifically cautioned them regarding the random questions dealing with political support, religious activity, and morale as being unduly influenced by the current labor unrest as the labor union was then 5 months beyond a labor contract with the County. Larry Schaller, Undersheriff, Office of the Sheriff</p>	
<p>Finding #6: Many deputies interviewed expressed hope that new management will implement policy changes within the department which will change the status quo, encourage team work, and commend deputies for exemplary service.</p>	<p>I disagree with the characterization. Refer to the enclosed Peace Officer Standards & Training (POST) audit of 2004. Since the natural tension of the election has passed, the work environment has already dramatically improved. This coupled with the signing of 2 long overdue labor agreements, signals the return of a positive, progressive, professional community safety organization. The public is the primary beneficiary as our staff returns</p>	<p>This response complies with Penal Code section 933.05</p>

	<p>their focus to their community safety responsibilities. Larry Schaller, Undersheriff, Office of the Sheriff</p>	
<p>Finding #7: Deputies, County administrators and the BOS interviewed expressed the opinion that department understaffing was not due to a lack of funds, but that the Sheriff has not utilized the department's allocated funds effectively. Without an independent outside audit, it is impossible to verify whether there is mismanagement.</p>	<p>Disagree – the Shasta County Sheriff's Office fiscal integrity is above reproach, but not above innuendo. Each of the last 16 years this department has operated within its fiscal appropriations in spite of fire, flood, officer deaths, haz-mat spills, or other critical incidents. The Shasta County Sheriff's Office undergoes ongoing multiple federal and state audits, along with oversight by the County Auditor without any such finding or innuendo. The facts are that the Shasta County Sheriff's Office Chief Fiscal Officer was not interviewed; the Auditor's Office was not interviewed and no objective facts were requested or gathered to support this finding.</p> <p>The SO welcomes objectivity and it has preliminarily made the request of Maximus, Inc., to conduct an audit of the appropriateness of utilizing required salary savings to operate within fiscal appropriation. It should be noted that salary and benefits constitute approximately 2/3's of the SO budget. In those years when the department is under</p>	<p>This response complies with Penal Code section 933.05</p>

	<p>funded, it requires vacant position remain vacant. To do otherwise, would require recruiting, hiring, and training personnel only to lay them off within the first year. This would be irresponsible and counter-productive. Larry Schaller, Undersheriff, Office of the Sheriff</p>	
<p>Finding #8: The Grand Jury obtained documents showing that the activity of the SO's canine unit was curtailed in 2005. The 2005 Sheriff's Office Annual Statistical report for the K-9 unit shows:</p> <ol style="list-style-type: none"> 1. K-9 Unit Statistics: <ul style="list-style-type: none"> • Felony Arrests 346 • Misdemeanor Arrests 102 • Apprehensions 19 • Outside Agency Assists 60 • 2. K-9 Narcotic Find: <ul style="list-style-type: none"> • Methamphetamine 36 lbs. • Cocaine 3.2 oz. • Heroin 19.5 gr. • Marijuana plants 150,000 • Processed marijuana 24 lbs. • Cash seized \$88,648 	<p>I disagree that the SO K-9 program has been curtailed. The SO maintains four to five K-9's at any given time, each being in various levels of training, certification and utilization. The '05-'06 statistics are admirable. The only curtailment that could be described as referenced in this report is that California Highway Patrol has primary jurisdiction of traffic enforcement on Interstate 5. A SO K-9 is not routinely assigned such drug interdiction, but is to operate as a resource for traffic enforcement on request, not as a primary responsibility Larry Schaller, Undersheriff, Office of the Sheriff</p>	<p>This response complies with Penal Code section 933.05</p>

<p>Finding #9: Training in the Sheriff's department conformed to a new Peace Officer Standards Training (POST) requirement, which added approximately 400 training domains. According to the Acting Sheriff, the SO was the fourth law enforcement agency in the state to successfully certify their Field Training Manual, meeting POST standards.</p>	<p>We agree with this finding. Larry Schaller, Undersheriff, Office of the Sheriff</p>	<p>This response complies with Penal Code section 933.05</p>
<p>Findings #10: All SO interviewees expressed loyalty to the department, pride in their accomplishments and the desire to continue to serve the citizens of Shasta County.</p>	<p>We agree with this finding. Larry Schaller, Undersheriff, Office of the Sheriff</p>	<p>This response complies with Penal Code section 933.05</p>
<p>Recommendation #1: The Sheriff must implement an aggressive recruiting policy for hiring and retaining deputies and correctional officers.</p>	<p>The Sheriff's Office has implemented an aggressive recruitment policy for hiring and training under the direction of Capt. David Dean and Sgt. Mike Ashmun. (See enclosed recruitment results for '05-'06 fiscal year.) Larry Schaller, Undersheriff, Office of the Sheriff</p>	<p>This response complies with Penal Code section 933.05</p>
<p>Recommendation #2: The Sheriff should reinstate eight- to ten-hour shifts for Patrol Division Deputies. This would reduce the excessive overtime the deputies are currently required to work and promote better coverage of patrol</p>	<p>I disagree. The statement that "reinstating 8-10 hour shifts for patrol deputies reduces excessive overtime" is not supported by fact. Overlapping of 12-hour and 8-hour shifts is ideal for patrol coverage. The 12-</p>	<p>This response complies with Penal Code section 933.05</p>

<p>areas.</p>	<p>hour shifts are highly favored by Sheriff's patrol deputies and there is no evidence or fact(s) presented that it creates overtime. What creates the overtime is limited staffing. On the other hand, we certainly remain open to any facts or studies that demonstrate an enhanced staffing plan given our limited number of funded positions. Larry Schaller, Undersheriff, Office of the Sheriff</p>	
<p>Recommendation #3: A management and fiscal audit of the SO should be conducted by an independent auditor to confirm or dispel the perceptions of fiscal mismanagement. The results of the audit should be reported to the 2006/2007 Grand Jury prior to February 12, 2007.</p>	<p>I agree. With Sheriff Bosenko's election, he is entitled to and will request a management audit by POST to ensure the most cost-effective methods of administration and delivery of services. Additionally, an independent audit by Maximus, Inc., has been requested as it relates to the issue of unfunded allocations and overtime expenses. Larry Schaller, Undersheriff, Office of the Sheriff</p>	<p>This response complies with Penal Code section 933.05</p> <p>The 2006-2007 Grand Jury has observed a positive attitude, greater visibility and it is our conclusion that the Sheriff's Office is on the right track.</p>
<p>Recommendation #4: The Sheriff should continue to retain and support the K-9 program.</p>	<p>The Sheriff's Office highly values its K-9 program and has never made any implication that it would not retain it. To the contrary, the newly elected sheriff, Tom Bosenko, is a former K-9 handler and supervisor with the highest commitment to this valuable resource. Larry Schaller, Undersheriff, Office of the Sheriff</p>	<p>This response complies with Penal Code section 933.05</p>

And...

Section 919 of the California Penal code requires the Grand Jury inquire into the condition and management of all public prisons located within the County. This inspection includes conditions, management, and operation of these facilities. Additionally, educational and addicted offender programs are two of many programs offered to eligible inmates to encourage rehabilitation.

The 2005/2006 Grand Jury inspected the County Jail, Juvenile Hall, Work Release, Sugar Pine Conservation Camp and Crystal Creek Regional Boys' Camp. At each facility, presentations were made affording the Grand Jury a better understanding of the facilities operation before beginning the tour. The staff, at each of the inspected facilities, demonstrated efficiency and pride in their work and the accomplishments and progress of the detainees.

Juvenile Hall houses up to 60 minors (both male and female) and is managed by the Shasta County Probation Department. The facility is a secure detention facility for the confinement of pre- and post-adjudicated juvenile offenders. The Grand Jury toured the Juvenile hall facility which included sleeping quarters, classrooms, kitchen, intake area, and recreational facilities. Work has been completed on the intake door/sally port area which reduces the risk of escape at the time minors arrive at the facility.

While in custody, the minors must attend six hours of daily classroom instruction Monday through Friday. There are four classrooms on-site including the Phoenix Program facility. This program is for juveniles with serious substance abuse problems, who are unable to function in a normal school environment. These students receive extensive supervision and regular drug testing as well as counseling and tutorial assistance. The schools are operated under the direction of the Shasta County Office of Education. After school, there are recreation, counseling and group activities.

Work Release Program – The Grand Jury toured the facility and observed offenders arriving for assignments including gardening and performing general work at the facility. The program is a partnership between the Shasta County Probation Department Community Service Unit and the Sheriff’s Department Home Confinement Program. It is an alternative to incarceration which allows qualified offenders to serve their court imposed sentences, thereby completing community service in lieu of fines. The sentenced individuals live at home and report to the work facility daily. This program saves the cost of in-custody housing. Fees are collected from the offenders which partially offset the cost of the program. Some of the services the offenders provide include road work, bicycle repair, construction, firewood cutting, and growing produce in the garden facility, The produce is used at the Main Jail and any surplus is donated to various nonprofit organizations for distribution to the needy. Offenders who fail the program are returned to court.

The Grand Jury attended the Shasta County Sheriff’s first “Stakeholders Forum on Community Justice.” The forum was attended by leaders from law enforcement agencies, judicial systems, community support services, the business community and the Shasta

County Administrator. The primary focus of the forum was to define the problem of insufficient jail space and the need for programs to break the cycle of offender recidivism.

The Addicted Offender Court Supervision Program was established in April 1995. A designated judge supervises a limited number of eligible addicted offenders who participate for approximately 22 months in a rehabilitation program as a condition of probation. During the first phase of the program, the supervising judge reviews the progress of each participant in court on a weekly basis. Violations of any term or condition of probation result in the imposition of immediate sanctions, including re-incarceration. The Addicted Offender program has the highest success rate of any rehabilitation program available to addicts. Members of the Grand Jury attended a graduation ceremony for several individuals who had successfully completed the program.

*Regarding this year's reports....*Some of the complaints received by the 2005/2006 Shasta County Grand Jury were related to on-going contract negotiations between union members and employers. The Grand Jury immediately became aware that there were subtle attempts to manipulate this panel to influence these negotiations. The Grand Jury found that some of the complaints were valid but others were exaggerated to promote a special interest or agenda.