

BOARD OF SUPERVISORS

John F. Silva (Dist. 2), Chairman
(707) 553-5364
Barbara Kondylis (Dist. 1), Vice-Chairwoman
(707) 553-5363
Duane Kromm (Dist. 3)
(707) 421-6136
John M. Vasquez (Dist. 4)
(707) 421-6129
Ruth Forney (Dist. 5)
(707) 421-6130



County Administrator
MICHAEL D. JOHNSON
(707) 421-6100
Fax (707) 421-7975

580 Texas Street
Fairfield, CA 94533-6378
<http://www.co.solano.ca.us>

October 26, 2004

The Honorable Peter B. Foor, Presiding Judge
Superior Court of the County of Solano County
Hall of Justice
530 Union Avenue
Fairfield, CA 94533

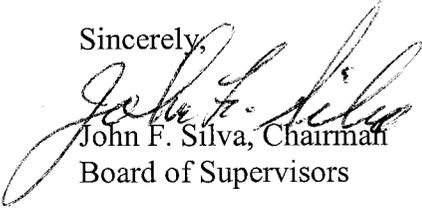
Dear Judge Foor:

The Board of Supervisors is in receipt of the 2003/2004 Grand Jury Final Report and is providing responses to the findings and recommendations as requested in the Grand Jury's report. The following Departments and programs are addressed in our response:

- Solano County Budget Review
- East Vallejo Fire Protection District
- Solano County Sheriff/Coroner's Office Facility Inspection and Tour
- Child Protective Services
- In-Home Supportive Services
- Biosolids
- Solano County Flood Control (Sweeny Creek)
- Solano County Hall of Justice South Wing Flood Damage
- Vallejo Veterans Memorial
- Greater Vallejo Recreation District
- Emergency Services

The Board appreciates the effort expended by the Grand Jury in its review of the various County programs and departments and welcomes the input provided. The Board's Response, follows the Department's responses previously provided directly to the Court.

Sincerely,


John F. Silva, Chairman
Board of Supervisors

I. AUDIT AND FINANCE

County and City Budget Review

Finding #1 - The total Solano County 2003/04 Budget is \$786,441,725. Of that amount, the General Fund is \$188,675,041. Since the County receives the majority of revenues earmarked for specific programs, it is credited directly to the appropriate department and not to or through the General Fund. The reserve for the General Fund is \$24.9 million or 13.2%. The Board of Supervisors' goal is to have a \$10 million General Fund reserve. However, reserves for operating departments vary with no apparent goal set by policy.

CAO Response to Finding #1

The County Administrator agrees with the finding. The operating departments that have reserve funds have been managed appropriately.

Recommendation #1 - Increase the General Fund reserve to no less than 15%.

CAO Response to Recommendation #1

The County Administrator appreciates the Grand Jury's input but the recommendation will not be implemented. While the County Administrator is in agreement as to the need to maintain adequate reserves, the level recommended by the Grand Jury is not justified. The County's current reserve goal is to reach a General Reserve of 5% of the total Budget (less interfund transfers) and a General Fund Contingency of 5% of the General Fund. For the FY2004/05 Final Budget, the General Fund contingency is 11.5% of the General Fund budget while the General Fund reserve is at 4.4% of the total Budget. When added together, this amount exceeds 24% of the General Fund budget and 7% of the total County Budget.

Recommendation #1a - Establish a 5% reserve in each department.

CAO Response to Recommendation #1a

The recommendation will not be implemented because the Grand Jury's recommendation to establish a 5% reserve in each department is adequately met by the establishment of contingency at the fund level. The County Budget Act does not require the establishment of reserves at the department level and in Solano County, reserve accounts are established at the fund level within each fund. Generally, funds budgeted in General Fund Contingency are adequate to manage any extraordinary events that may affect a department's budget. If the department is able to provide sufficient justification, the Board may, by a 4/5th vote, use contingency to increase a department's budget at any time during the year. By following this practice, the need for maintaining individual reserves in departmental budgets is eliminated.

Further, the County has been able to carefully monitor expenditures and project revenues, which have contributed significantly to the County's stable financial position. The Grand Jury's recommendation to establish a 5% reserve in each department is adequately met by the establishment of a contingency at the fund level.

Finding #2 - The County develops a Five-Year Fiscal Forecast model budget for the General Fund. It is not detailed but is established by totals of general categories and makes various assumptions about tax increases, license and permit revenues, state reductions, Public Employees Retirement System (PERS) increases and net expenditure increases. Each operating department does not submit multi-year budgets or a similar fiscal forecast.

CAO Response to Finding #2

The County Administrator agrees with the finding.

Recommendation #2 - The County Budget procedure is primarily established on a year-to-year basis. Presently, reductions are taking place to deal with the expected shortfall in the 2003-2004 budget with minimal plans for future projected deficits. It is recommended that a multi-year detailed budget forecast be prepared, based on the current facts, figures and trends that are available with the input of all operating departments. Each year the plan should be reviewed and updated to reflect current trends.

CAO Response to Recommendation #2

The recommendation will not be implemented because of fiscal uncertainties due to State budget reductions. In the early 1990's, the County began to budget on a two-year basis, but due to the State's fiscal crisis in the early 1990's, this process was abandoned because the County lost millions in revenues as the State balanced its budget through taking a considerable portion of the County's local property tax base to establish the Educational Revenue Augmentation Fund (ERAF), which relieved the State of a portion of its school funding obligation. Recently, as the County was finally reaching pre-ERAF property tax revenues level, the current State fiscal crisis hit.

Since FY1992/93, there have been very few years in which the County has not had to make major budget decisions based on annual state budget actions. During this time, the County has been very successful in maintaining its financial stability by carefully controlling expenditures and monitoring revenues. The current fiscal climate requires the County's financial administrators to be on top of fiscal issues on a current basis. Therefore, we have established a Mid Year and Third Quarter review to ensure we understand all of the fiscal issues impacting the County on a current basis.

Due to the ongoing unstable fiscal condition of the State, the County Administrator has recommended that we maintain sound levels of Contingency and Reserves, while maintaining the one-year budget cycle so the County is able to quickly respond to any state budget impacts.

Finding #3 - A Five-Year Plan is prepared and updated each year for capital improvements. Funding sources are identified.

CAO Response to Finding #3

The County Administrator agrees with the finding.

Recommendation #3 - Continue the present procedure which provides protection of current county assets and meets future infrastructure needs. Insure that on-going maintenance costs to support and maintain capital improvements are included in future operating budget forecasts.

CAO Response to Recommendation #3

The County Administrator concurs with the Grand Jury's recommendation. Staff is currently researching methods to not only fund the new projects contained in the Five Year Capital Improvement Program, but to also identify a stable source of funding to provide for ongoing major maintenance of existing facilities.

Finding #4 - Department budgets are established by line items. However, the amounts projected are often overspent, transferred or not expended. The bottom line of the budget is the single source that dictates the financial status of the department.

CAO Response to Finding #4

The CAO partially agrees with this Finding. The net county cost (bottom line) reflects the fiscal management of the departments, reflecting adequate controls on accounts which the Department has discretion to utilize as necessary.

Recommendation #4 - If line item procedures are used to establish a budget, the department should make projections and expenditures accordingly. Transferring funds from one line item to another should be discouraged, tightly controlled and should require the authorization.

CAO Response to Recommendation #4

The Recommendation will not be implemented. While the County Administrator agrees with the Grand Jury in some limited situations, line item control of departmental budgets by the Board of Supervisors/County Administrator is impractical and inflexible. It is the County philosophy that department heads should be held accountable for the overall operation of their respective departments. If at the beginning of the budget process, the Board, CAO and department head are in agreement as to programs/services for the following fiscal year and agree on the resources to accomplish the program goals, then the department should have the discretion and flexibility to utilize all its allocated resources to accomplish its mission.

However, department budgets are still controlled at the classification level such as Salary & Benefits, Services and Supplies, Other Charges and Fixed Assets. Appropriations cannot be moved from one budget classification to another without CAO or Board approval (e.g.: from Salaries to Services & Supplies, from Services & Supplies to Fixed Assets, etc.). The County budget policy also requires department heads to request budget changes from "frozen" line items such as Extra Help, Insurances, Information Technology charges and cost allocation plan charges.

In addition, because there are literally dozens of closely related line item categories within the County Budget, it becomes very impractical and costly to require higher approval for most line item transfers. As long as the department is using the funds appropriately within the category, department heads should have the flexibility move resources from one related line item to another to allow them to manage their programs and operations.

Board of Supervisors Response: The Board of Supervisors concurs with the County Administrator's Response.

East Vallejo Fire Protection District

Finding #1 - The current agreement between the EVFPD and the City of Vallejo results in a bill for services (\$417,823) that is less than the cost of providing these services (\$551,507) as estimated by the City of Vallejo. Thus the taxpayers in the City of Vallejo are subsidizing the cost of fire protection services for the taxpayers in the EVFPD.

EVFPD Response to Finding #1

The District disagrees with the conclusion of this finding. The District does agree that The Vallejo Fire Department submitted an invoice to the District in 2002/2003 in the amount of \$417,823, using the formula in the Fire Protection Services Agreement. However, the District has not been provided with documentation supporting the estimated service cost and formula in the Grand Jury Report that states an estimated cost of \$551,507. The District cannot substantiate the Grand Jury's finding that the City of Vallejo is subsidizing fire protection services in EVFPD without completing an analysis using a verifiable and agreed to formula or methodology. The methodology presented in the Grand Jury report would need to be modified substantially in order to provide meaningful numbers.

Recommendation #1 - The City of Vallejo and the Solano County Board of Supervisors negotiate a new agreement for services that fairly compensates the city for the actual cost of providing fire protection services.

EVFPD Response to Recommendation #1

The recommendation requires further analysis; however the current Agreement which was renewed by the City of Vallejo in 2001, provides that all revenue and income generated in the District will be paid to the City of Vallejo for fire protection services. The District's ability to pay for fire protection services is constrained by the property taxes generated in the District. The allocation of property taxes generated in the District for Fire Protection, were determined by formula established by State law following Proposition 13. Three of the Tax Rate Areas within the District were formerly designated as a Redevelopment Areas. These areas should experience growth in assessed value of properties and generated growth in tax revenue.

Although the members of the County Board of Supervisors sit as the District Board of Directors, the District operates as a separate entity; negotiations would therefore be between the District Board of Directors and the City.

Finding #2 - The EVFPD serves an unincorporated urban area almost entirely within the sphere of influence of the City of Vallejo. The EVFPD Board was dissolved ten years ago and the district exists only to pass through tax revenue from the County to the City of Vallejo to fund fire protection services.

EVFPD Response Finding #2

The District partially disagrees with the Finding. The District agrees that the District is within the Sphere of Influence of the City of Vallejo, however the District does not agree that it exists only to pass through tax revenue. The District operates under the authority of the Uniform Fire Protection Law of 1987 as a rural fire protection district. The District is managed by the Board of Supervisors and contracts with the City of Vallejo to provide fire protection services.

Recommendation #2 - The City of Vallejo and the Solano County Board of Supervisors should review the status of the EVFPD with a view toward determining the most equitable and efficient method of providing fire services to these areas. This should be done in conjunction with the LAFCO guidelines which include the following considerations:

- Does the district tailor its services better than a city?
- Does the district link its costs to benefits better than a city?
- Is the district more responsive to its constituents than a city?
- Are there inefficiencies or redundancies?
- Is a district more accountable than a city?
- What are the funding mechanisms and would a change reduce existing services?

EVFPD Response Recommendation #2

The recommendation will be implemented by LAFCO, which has the authority and requirement under the Government Code to complete a Municipal Services Review of the EVFPD. The Cortese-Herzberg Local Government Reorganization Act of 2000, requires LAFCOs to conduct reviews of municipal services and make nine written determinations. The determinations include analysis of: infrastructure needs; growth and population projections; financing constraints; cost avoidance; rate restructuring; opportunities for shared facilities; consolidation or reorganization of service providers; management efficiencies and accountability and governance.

LAFCO has recently selected a firm to conduct a comprehensive review of all County Fire Districts. The review which will include East Vallejo Fire Protection District is scheduled to be completed and presented to the Commission on March 7th, 2005.

Finding #3 – The Grand Jury received maps of the area comprising the EVFPD from the County, the City of Vallejo and LAFCO. Certain core areas appear on all three maps. However, other areas including Sandy Beach, a section bordering the Napa River north of the Mare Island Strait, an area north of Columbus Parkway, west of Sulfur Springs Creek and an area on the east side of Vallejo bordering the Cordelia Fire District did not appear on all three maps, creating some uncertainty about the areas covered by the EVFPD and the responsibility for paying for fire protection services.

EVFPD Response to Finding #3

The District partially agrees with the Finding. The District boundaries have changed due to annexations and detachments which have occurred. These changes may not have been included in the map that the Fire Department provided to the Grand Jury.

Recommendation #3 – The City of Vallejo and the Solano County Board of Supervisors should ensure that they are in agreement about the contracted area covered by the EVFPD.

EVFPD Response to Recommendation #3

Recommendation will be implemented. The Department of Resource Management will confer with the Vallejo Fire Department regarding the information that is needed and will update the map showing all parcels in the Tax Rate Areas that are included within the District. The Department will provide the Grand Jury the updated map and an updated list of all parcels and street addresses in the District.

Board of Supervisors Response: *The Board of Supervisors concurs with the County Administrator's Response.*

II. CRIMINAL JUSTICE

Fouts Springs Youth Facility

Finding #1: Fouts Springs is not being used to its capacity by the JPA counties.

Recommendation #1 - JPA counties should look into assigning more wards to Fouts Springs and increase efforts to promote the use of Fouts Springs by other California counties.

Probation Response to Recommendation #1

Probation disagrees with the finding. The recommendation of the Grand Jury will not be implemented. While the Probation Department agrees that there are beds available for eligible youth at Fouts Springs, the Solano County Probation Department recommends to the Juvenile Court the commitment of appropriate youth to the program in accordance with the guidelines outlined by the Welfare and Institutions Code (W&I Code) and after a thorough screening process. The W& I Code dictates to both the Court and the Probation Officer that youth be maintained in the least restrictive means possible, allowing eligible youth the opportunity to rehabilitate within the community rather than being removed from their homes. Funding has been made available in the recent past allowing counties to develop resources that offer more opportunities for youth to be served without removal from their homes. One impact of the success of these programs is a reduction statewide in the use of residential placements.

The Chief Probation Officer of Solano County continues to work with the Superintendent of Fouts Springs on the promotion of the facility. This includes providing opportunities for discussion of the program at Bay Area Chief Probation Officer meetings as well as the statewide organization.

Board of Supervisors Response: *The Board of Supervisors concurs with the Chief Probation Officer's Response.*

Solano County Sheriff/Coroner's Office Facilities Inspection and Tour

Finding #1 - The carpeting in the Claybank Facility is old, worn and poses a safety hazard to staff and inmates.

Recommendation #1 - Follow Claybank Administration recommendation to replace carpet with tile.

Sheriff's Response to Recommendation #1

The replacement of worn carpeting at the Claybank Facility is addressed in the Sheriff's FY 04/05 budget. Replacement of worn carpeting has been identified in our facilities maintenance plan. A suitable replacement material will be identified and installed as quickly as possible.

Finding #2 - According to the Kitchell Study, inmate population in Solano County is projected to grow to 2,054 by the year 2015.

Recommendation #2 - The Solano County Board of Supervisors and the Sheriff's/Coroner Office take the necessary steps to implement and fund facilities to accommodate the projected growth.

Sheriff's Response to Recommendation #2

Following the completion and publication of the Kitchell Study, the Solano County Sheriff and the County Administrator's Office provided the Board of Supervisors with several options to manage projected growth of the inmate population. The Solano County Board of Supervisors has decided on an option. Although the Sheriff has no authority to fund the construction of jail facilities, we will assist the County Administrator's Office by lending our expertise to planning and construction project management once a funding source has been identified.

Board of Supervisors Response: The Board of Supervisors concurs with the Sheriff's Response.

IV. HEALTH AND SOCIAL SERVICES

Child Protective Services

Finding #1 - The Grand Jury uncovered a series of systemic roadblocks that prevent optimal operation of the CPS program, thereby endangering children in Solano County. Although there have been internal and external attempts to correct these deficiencies, CPS has continued to demonstrate an inability to self-correct. The organizational culture is subverting the achievement of the CPS mission.

Health & Social Services Response

Agree in part with the finding. The Grand Jury correctly notes that there have been both internal and external improvements to correct these deficiencies. These include implementing improved training programs and more effective protocols among agencies that are involved in protecting children. Specific issues will be addressed in this report on an issue-by-issue basis, as raised by the Grand Jury.

Note: In making this finding, the Grand Jury referenced the tragic death of a four-year-old as an example of the possible outcome of systemic failure in these areas. Subsequent interviews with the Grand Jury assure us that there was no complaint or specific issue to connect this case with the Department's policies. The child death referenced came after an anonymous report of abuse that provided an invalid address that could not be traced, despite the Social Worker's efforts to locate the family.

Recommendation #1 - The Grand Jury recommends that the Board of Supervisors direct the formation of a Blue Ribbon Committee independent of HSS (modeled after the 2003 San Mateo County Blue Ribbon Committee) consisting of former judges, non-Solano County social workers, academics, concerned citizens and union officials to review the entire CPS program and recommend changes.

Health & Social Services Response to Recommendation #1

Recommendation will be implemented in concept within 90 days. We believe the insight and observations of an independent, outside body would be valuable in helping identify specific areas of weakness and specific strategies for improvement. However, it is important that the model we apply is one that best suits the needs and issues of Solano County's program, rather than those of another county where the issues are very different.

The Child Welfare League of America (CWLA) conducted a thorough audit of Solano County's Child Protective Services in 1999, leading to 72 recommendations that were implemented or partially implemented. The guidance provided by CWLA was critical in helping make major improvements throughout the program, many of which were identified by a previous Grand Jury. In responding to the findings of the CWLA audit, the Department recognized that it was confronting a long-term guide for change, and that there was great potential for a revisit and progress review a few years later.

Since CWLA offers the advantages of in-depth experience in Solano County's CPS issues and foremost expertise in the field, we believe it to be an excellent choice to conduct this review in the shortest timeline, including evaluation of concerns as identified by the Grand Jury. As of this writing, negotiations are underway with CWLA to conduct this review.

Finding #2 - Social workers are not receiving the practical training needed for them to conduct proper investigations and interviews in order to make appropriate decisions for the children of Solano County.

Health & Social Services Response to Recommendation #2

Agree in part with the finding. Disagree in part, or clarification required (see below).

Recommendation # 2 - Employees should be given performance based training with successful results verified by their responsible line supervisors. This training should be a key component of an employee's annual performance evaluation.

Health & Social Services Response to Recommendation #2

New caseworkers hired by CPS must meet strong training requirements and hiring criteria necessary for this very difficult work. Most new caseworkers come to the job with a master's in Social Work and often, with field experience gained in pursuit of that Master's Degree. Caseworkers are given an initial orientation to the work as a Child Welfare Worker. The Staff Development Supervisor develops a training plan for each new worker after conducting an individual assessment of the worker's experience. The plan consists of in-house training, other training opportunities as appropriate, and attendance at core training offered by the Regional Training Academies. In addition, workers receive supervision and training by their supervisors within their assigned units. One challenge in CPS is to provide training to workers so that they may be put to work as quickly as possible addressing the ever-growing caseload of children needing protection.

We agree that the enhanced training program implemented by the department in response to the original CWLA audit is good but not sufficient. We agree that the Department must commit to a full and adequate orientation program while balancing our critical need to get caseworkers in the field, visiting families, as quickly as possible. The Department has identified this as a first priority to begin improving staff's ability to do the job at the field level. We will have our

outside consultant (CWLA) address this issue as one of its top areas to review and make recommendations.

Additional Findings and H&SS Responses

While the Grand Jury's report cites only two official findings and recommendations, following are specific observations, allegations, and findings found within the narrative of their report, and our comments in response.

***GJ I.** - The Grand Jury received a complaint of lack of accountability at each level within the Child Protective Services program of Solano County H&SS from social workers to managers and the Deputy Director.*

Comments - The charge is sweeping and vague, and we are currently reviewing policies, procedures, and working relationships within the staff structure to determine where problems may exist. Some specific instances later in Section III are cited by the Report and responses follow. Others will be addressed as problems are more clearly defined.

The H&SS Director brought a policy of holding open, candid discussions with staff at all levels when he assumed his post in 2001. He encourages field staff and managers to bring concerns to his attention. A new Deputy Director of CPS has been appointed. A clear track record and commitment to open communications and accountability were critical factors in evaluating candidates for the position and in selecting the new deputy director.

***GJ III2** - According to testimony, three of four current managers are not helpful in providing guidance and direction to either first-line supervisors and/or social workers when guidance is sought concerning case management. It was alleged that there was a general failure of all but one of the four to make critical decisions.*

Comments - We are persuaded at this point that the Grand Jury's report reflects valid reports of weaknesses in the understanding of the respective roles of social workers, supervisors, and managers. We recognize that we must review protocols and policies to ensure effective management practices, and identify strategies to improve the partnerships between caseworkers and supervisors, with the involvement of managers as needed, to confront together the difficult cases we handle. The new deputy director and CWLA will address this area as a priority area of needed change.

***GJ III2** - Managers were unwilling to sign documents that would indicate managerial review, decisions, and/or approval. When social workers prepared their court reports based on their observations in the field, the content of the reports were sometimes altered by the supervisors and/or managers.*

Comments - The comment fails to recognize the responsibility of the Department and CPS in submitting reports on behalf of the County of Solano. The reports filed with the Court on child abuse/neglect cases are a joint responsibility shared by representatives of the County. They are required to reflect the input and oversight of case workers, supervisors and managers. Amendments, edits, and additional input from a supervisor or manager are an entirely appropriate and routine part of these reports. Social Workers' reports represent the Department's position and, as such, must have input from managerial staff.

GJ III3 - *Interviews revealed conflicting testimony regarding the training of social workers. The Grand Jury reviewed the in-house training materials offered by CPS. The materials appeared to be adequate. However, testimony from the recipients of the training revealed problems in three areas: Structure of training, content of training, and outcome of training.*

Comments - See response to Finding/Recommendation #2. In addition, we appreciate the Grand Jury's recognition that training materials appear to be adequate. We practice a policy of continuous evaluation of training and improvement based on those evaluations. We ask each participant to provide an assessment of training received and suggestions for improvement.

Of course, it is highly unlikely that we can provide any training program in which the participants will unanimously agree on its effectiveness.

GJ III4 - *According to testimony, CPS does not have adequate working relationships with law enforcement agencies in all local jurisdictions. The Grand Jury notes that there is a very positive working relationship with the Vacaville Police Department.*

Comments - The Department appreciates the Grand Jury's recognition of the strong partnership we have established with Vacaville Police Department and consider it a model for developing similar partnerships with other city police departments. However, we want to establish protocols and strategies to continue to foster similar cooperation between CPS managers and police department management personnel in all of our cities. The Director is scheduling a meeting at the "earliest possible opportunity" with all Solano police chiefs to discuss this issue.

GJ III5 *Further testimony stated that CPS lacks leadership, proper structure, and accountability.*

Comments - This section addresses broad areas of leadership that will be raised with the CWLA audit team for further investigation and a request for recommendations. While the recently retired Director of CPS assumed the position as the CWLA audit of 1999 was released and implemented major progressive corrections and reforms, we recognize that work remains to be done. The 1999 audit became the framework for long-term organizational change while at the same time it provided dozens of specific recommendations, which have been implemented.

The Director of H&SS is enthusiastic about the appointment of a new Deputy Director of CPS with the leadership skills, experience and talent to continue improving the program, and the commitment to do so.

GJ III8 - *The Grand Jury made a series of on-site visits to CPS to review computerized caseloads. The case reviews revealed ... Cases were not closed in 30 days as required. Most were closed in 6 to 10 months due to a variety of reasons, including referrals to other organizations and on availability of treatment programs for parents (drug, alcohol, etc.).*

Comments - The Grand Jury recognized key factors that contribute to a lag in closing some cases. We appreciate the Grand Jury's other findings that CPS generally meets time limits in responding to investigations, sexual abuse cases, and reports of abuse and neglect. These findings reflect significant improvements made (under the direction of the previous director) since the CWLA audit of 1999.

We share the Grand Jury's frustration with time lags in closing other cases. It is an issue that frustrates CPS programs statewide and reflects our ongoing effort to balance the obligation to close files with the desperate need to put workers in the field to respond to new complaints. Better than any other, this balancing act underscores the growing gap between the number of children needing our protection and the shortage of stable, loving homes to care for them.

An important additional note is that California's child welfare program has never been funded sufficiently to comply with federal and state mandates. A legislatively mandated study released in 2000 from the California Department of Social Services confirmed this when it found that approximately twice as many social workers were needed in California to implement all the state and federally required mandates. Despite this knowledge new state and federal requirements have continued to assign additional responsibilities to the child welfare system with little new funding to accomplish these requirements. It has been with the additional fiscal support by the Solano County Board of Supervisors that the Child Welfare Programs has met its state mandates. Nevertheless, we take these issues cited by the Grand Jury very seriously and will make every effort to address them.

Board of Supervisors Response – The Board of Supervisors concurs with the Health & Social Services Department Response.

In-Home Supportive Services

Finding 1 - With the growth of the older adult population in California, the funding for this program must grow correspondingly.

Recommendation #1 - Solano County Board of Supervisors pursue all avenues and sources of funding to support this important program.

Health & Social Services Response to Recommendation #1

We agree with the Grand Jury that the older population is growing. Though there is a small county match in the IHSS Program, this is a predominately "State " program. The funding for growth of these services needs to come from the State. The county will continue to meet its match requirements. The H&SS Director will pursue additional revenues through legislative means and if additional local revenue becomes available, determine if the Board of Supervisors want to use those dollars for additional services.

Finding 2 - There are no funds allotted to train care providers. In addition to those areas previously reported, training is needed in the following; special-disease care, dietary needs, care for minor children, care for individuals with mental impairments, CPR, lifting basics, nutrition, universal precautions and mandated reporting.

Recommendation #2 - Solano County Board of Supervisors provide funds, and in addition arrange collaborations with community organizations, to provide training to care providers.

Health & Social Services Response to Recommendation #2

While there are training funds designated in the 2004-2005 IHSS Public Authority budget, there are no funds that can be used to offer stipends to providers for attending training. Providers tell us that coming to training is difficult because not only do they lose a day of pay, and often they have to pay more than what they would earn to have someone take their place in caring for the consumer.

Last year training was offered in First Aid/CPR, Universal Precautions, Health & Safety, Communications, Problem Solving/Conflict Resolution, Living with Dementia, Employer/Employee Relationships and Durable Medical Equipment. Currently, Public Authority staff is negotiating with the American Red Cross to expand the training offerings. The arrangement with Fairfield Suisun Adult School will continue and possibly expand as well.

Finding 3 - Social Workers are only required to visit the clients once per year. As a result, feedback from clients is normally obtained once per year.

Recommendation #3 - Although it is not required by regulation, one home visit per quarter is recommended. Feedback from clients should be sought at least twice a year to provide a more timely assessment of client service.

Health & Social Services Response to Recommendation #3

The department concurs that, in some circumstances, more frequent social worker contacts with IHSS recipients would result in better services for clients. Some clients have very strong support systems and/or are able to make contact with their social worker when program assistance is needed. For those who are isolated and/or limited in their ability to seek assistance, more frequent contacts are highly desirable. Legislation passed as part of the 2004-2005 California Budget process includes language that establishes the concept of variable assessments for IHSS recipients.

However, given the current number of IHSS recipients in Solano County and the number of new requests for IHSS services that are received monthly, staffing levels prohibit more frequent contacts in situations other than those with very significant changes in recipient's circumstance. At this time it is not possible for all clients to be seen within the required twelve-month period based on the staffing levels in the program. More frequent contacts would necessitate significantly increased staffing in the program.

In conclusion, we applaud the Grand Jury for recognizing In-Home Support Services as an important service to our most vulnerable citizens. Currently, resources are limited for this program that is mostly State funded. We will seek direction from the Board of Supervisors on their priority for allocating scarce discretionary revenue.

Board of Supervisors Response: The Board of Supervisors concurs with the Health & Social Services Department Response. IHSS is predominately a State program and the Board of Supervisors provides a mandated financial match. There are no additional County resources available to fund the program. Fortunately State budget reductions proposed in this fiscal year were not made, allowing the program to maintain at status quo. The Board will work with our State representatives to closely examine the California Performance Review which recommended returning full funding responsibility for the program to the State.

V. LAND PLANNING AND ENVIRONMENT

Biosolids

Finding #1 - The County has developed adequate regulations and monitoring procedures to maintain safety for the residents near biosolids sites.

Resource Management Response Finding #1

The Department agrees with the finding.

Recommendation #1 - DEM continue to enforce regulations and monitor biosolids applications sites.

Resource Management Response to Recommendation #1

The Department concurs with the Grand Jury recommendation and will continue to enforce regulations and monitor biosolids applications sites, to ensure protection of public health and the environment. The recommendation has been implemented through the continued staffing of the oversight functions by DRM.

Finding #2: There is no evidence that the spreading of biosolids under the conditions set by the County is unsafe or hazardous to health. (Refer to National Academy of Sciences Report-Biosolids Applied to Land: Advancing Standards and Practices, 2002).

Resources Management Response Finding #2 - The Department agrees with the finding as stated at this time.

Recommendation #2 - DEM continue to meet with stakeholders to monitor any new scientific findings in this area.

Resource Management Response Recommendation #2

The Department concurs with the recommendation and it has been implemented. DRM has met with stakeholders prior to the beginning to the land spreading season and will meet again with stakeholders at the end of the season and will prepare an End of the Year Report that will be presented to the Solano County Board of Supervisors. DRM will continue to seek out and review current research funding regarding biosolids application and attend pertinent educational symposiums. Additionally, DRM staff will continue to promote the opportunity for researchers to partner with Solano County and use funding to study the biosolids land application program in Solano County. The funding was approved by the Board of Supervisors and raises \$ 10.00 per acre applied with biosolids for research and education.

Grand Jury Finding #3 - A 2001 incident of biosolids application caused unacceptable odors. This situation has not been repeated since the new County regulations went into effect in April 2003.

Resource Management Department Response Finding #3 - The Department agrees with the finding.

Grand Jury Recommendation #3 - DEM should continue to enforce regulations to ensure that biosolids applications do not cause any nuisances to nearby residences.

Resource Management Response to Recommendation #3

The Department concurs with the recommendation and it has been implemented. DRM staff is performing daily inspections and collecting samples to ensure compliance to Solano County Code, Chapter 25 regulations.

Grand Jury Finding #4 - Citizens' committees have taken an active role in helping to develop regulations to address their concerns about possible negative effects of biosolids applications in the county. There continues to be a level of apprehension about biosolids and dissatisfaction with the regulations.

Resource Management Response Finding # 4 - The Department agrees with the finding.

Grand Jury Recommendation # 4 - DRM should continue to monitor scientific research in this area and recommend updating regulations as needed. Stakeholders and other interested parties should continue to be involved in the process.

Resource Management Response Recommendation #4

The Department concurs with the recommendation and it has been implemented. DRM continues to provide an opportunity for stakeholders to play an active role in the overall process. Stakeholders meetings are scheduled prior and following the land application season of April 15 – October 15. Additionally, the year end report to the Board of Supervisors is given at a public hearing to give every opportunity to provide input about the biosolids land application program. It should be noted that at conferences/symposiums sponsored by the USEPA in 2003 and 2004, models for stakeholder input, which are currently being implemented by Solano County DRM were highlighted. The DRM will continue to recommend changes to the biosolids program to the Board of Supervisors, if deemed appropriate, based on inspections findings, sample results and emerging science.

Grand Jury Finding #5 - Solano County is one of the few California counties that regulate biosolids application.

Resource Management Response Finding #5 - The Department agrees with the finding.

Grand Jury Recommendation #5

The County should continue this cutting-edge program to insure the health and welfare of all citizens while maintaining the agricultural viability of Solano County.

Resource Management Response Recommendation #5

DRM concurs with the recommendation and the recommendation will continue to be implemented. . DRM will continue with the implementation of the Biosolids Program following regulations contained in Solano County Code, Chapter 25. This implementation currently includes the inspection and sampling that exceeds other jurisdictions. Additionally, as stated previously, DRM will continue to seek educational opportunities and current scientific literature/findings to maintain and expand our knowledge.

DRM will be faithful to its mission which is “to assist the Board of Supervisors in providing for the well being of Solano County's present and future residents and the public at-large through administration and enforcement of Federal, State, and Local laws and policies pertaining to environmental health, building construction, and land use planning, which have been adopted to preserve and protect the individual, the public, and the environment, and further the economic stability of the County.”

Grand Jury Finding # 6 - RMD and the applicator are documenting citizen complaints, taking concerns seriously and responding appropriately.

Resource Management Response Finding # 6 - The Department agrees with the finding.

Grand Jury Recommendation #6 - RMD continue to document and respond to complaints, and produce an annual report to the County Board of Supervisors.

Resource Management Response Recommendation #6

DRM concurs with the recommendation and it has been implemented as part of the county ordinance which DRM is responsible for enforcing. DRM will continue to respond to complaints expeditiously. This year the DRM has added a web based complaint mechanism in which any citizen can log a complaint related to the land spreading of biosolids at any time. DRM responds to complaints through a series of steps. These include: complaint verification, contacting the complainant, performing site inspection, providing a timely response to the complainant, coordinating with applicator to resolve problems (if any) and log the resolved complaint which will be included in the year end report.

Finding #7 - Farmers/ranchers report economic benefits in terms of agricultural productivity as a result of biosolids applications. The general public gains from the ability to recycle waste rather than using up landfills.

Resource Management Response Finding #7

The Department agrees with the finding.

Recommendation #7 - Use of biosolids in permitted locations should be allowed to continue as an economic benefit to the agricultural community and a benefit to the general public in terms of waste recycling.

Resource Management Response Recommendation #7

The recommendation has been implemented. DRM will continue to permit the land application of biosolids in conformance to the ordinance and provide regulatory oversight to ensure that public health and the environment is adequately protected while providing an economic benefit to farmers and general benefit to the public through recycling. In addition, DRM echoes the grand jury comments recognizing the positive impact that stakeholders, including concerned citizens have had on the development of the County biosolids regulations. Their continuing interest and willingness to contribute to the formulation of county-wide policy has placed Solano County in the forefront among California communities in addressing the land application of biosolids.

DRM is pleased to acknowledge the grand jury concurrence with the 2002 Agricultural Overview given by the Solano County Board of Supervisors which stated that: "Solano County is a desirable place to live because of its rural characteristics. The Board Of Supervisors has determined that the best use for agricultural/open space land is to preserve agricultural operations. Slight unavoidable inconveniences may arise from agricultural activities but are a small price to pay for the lifestyle we all enjoy."

DRM appreciates the opportunity to provide a response to the Biosolids 2003-2004 Grand Jury Report.

Board of Supervisors Response - The Board of Supervisors concurs with the Department of Resource Management's Response.

Solano County Flood Control (Sweeny Creek)

Finding #1 - Flooding continues to be a problem in Solano County.

Solano County Water Agency (SCWA) Response

SCWA agrees with this finding.

Resource Management Response Finding #1

The department agrees that flooding during significant rain fall events do result in flooding in the lower lying areas.

Recommendation #1 - Solano County Board of Supervisors, SCWA Board of Directors, and other effected agencies, must continue to work to relieve the problem of flooding throughout the county for the health, safety and welfare of county residents.

SCWA Response to Recommendation #1

SCWA agrees with this recommendation and continues to implement the Flood Control Master Plan approved by the Board of Directors. SCWA also coordinates with Solano County on flood related matters on a regular basis. Some areas of coordination have been identified for improvement and Solano County and SCWA are working to improve coordination. SCWA is working on a supplemental response to the 2002 – 2003 Grand Jury who made a recommendation that flood control responsibility be assigned to the Solano County Department of Environmental Management. SCWA is developing a Strategic Plan which will be addressing our future role in flood control and we plan to respond to the Grand Jury in more detail after that plan has been completed.

Resource Management Response Recommendation #1

The recommendation continues to be implemented as described in the SCWA response and the Department of Resource Management staff participate in the planning, design review and implementation of solutions.

Grand Jury Finding #2 - Work accomplished on this portion of Sweeney Creek greatly reduced flooding in the area of Allendale and I-505.

SCWA Response to Recommendation #2

SCWA partially agrees with this finding. The work accomplished in Sweeney Creek was maintenance type work which did reduce flooding in recent storms. However, our studies show this type of maintenance work has a minimal impact on larger floods such as those that occurred in December of 2002.

Resource Management Response Finding #2

The DRM concurs with the SCWA's response. It should be noted that: In a recent presentation and report by SCWA's consultant, it was shown that the maintenance work recently completed will only help in the average annual storm event (1 year storm). They are working on a proposed project design which will relieve flooding in a 3-4 year event, but this project may be contingent upon an assessment district and increased SCWA funding.

Grand Jury Recommendation #2 - Work that was not accomplished between Sweeney Creek from I-505 to the Weir must be completed. SCWA should meet with land owners to discuss problem areas and re-evaluate this area yearly to ensure the creek is maintained, and flooding is reduced to the minimum.

SCWA Response to Recommendation #2

SCWA assumes that the "Weir" reference in the recommendation is the wing-wall structure just downstream of Leisure Town Road. SCWA has an agreement with the landowner to perform maintenance in this area and continues to maintain this part of the creek on an annual basis. Work to remove blockages and some dredging in this reach of Sweeney Creek was done last year. We are now in our second year of maintenance. As part of our Sweeney Creek Watershed Study, we are also looking at longer term improvements which should improve the flood carrying capacity of this part of Sweeney Creek

Resource Management Response Recommendation #2

No additional response is required by the department.

Grand Jury Finding #3 - Elderberry Bush in the creek support an endangered insect species. This plant be removed in accordance with environmental rules as it impedes the flow of water in the creek.

SCWA Response

SCWA agrees with this finding.

Resource Management Response Finding #3 - The Department agrees with the finding.

Grand Jury Recommendation #3 - Caltrans and SCWA partner with the Resources Conservation District to develop a plan to grow endangered plants species for mitigation of removed plants.

SCWA Response

The Elderberry Bush is in the right-of-way of Cal Trans. SCWA and Cal Trans have entered into an agreement for maintenance of this portion of Sweeney Creek, where SCWA performs the work and Cal Trans reimburses SCWA for the cost. We plan on removing the Elderberry Bush

and mitigating its impacts either in an approved mitigation bank or through other measures approved by the U.S. Fish and Wildlife Service

Resource Management Response Recommendation #3

No response required. The recommendation is not specifically directed at DRM.

Grand Jury Finding #4 - Arundo a false bamboo weed that is extremely evasive and can create a natural dam to causing flooding.

SCWA Response to Recommendation #4

SCWA agrees with this finding.

Resource Management Response Finding #4

The Department agrees with the finding.

Grand Jury Recommendation #4 - Caltrans and SCWA partner with the Resource Conservation District to develop and eradication plan.

SCWA Response to Recommendation #4

SCWA includes Arundo eradication as a part of its annual maintenance program for Sweeney Creek.

Resource Management Response to Recommendation #4

No response required. The recommendation is not specifically directed at DRM.

Grand Jury Finding #5 - The culvert installed south of Putah Canal has a “backwash” when Sweeney Creek is full causing slight flooding. A flap gate was not placed on the culvert when installed.

SCWA Response to Recommendation #5

SCWA agrees with this finding.

Resource Management Response Finding #5

The Department agrees with the finding.

Grand Jury Recommendation #5 - Install a flap gate.

SCWA Response to Recommendation #5

SCWA implemented the recommendation. The work was authorized and funded and the flap-gate was installed.

Resource Management Response Recommendation #5

No response required. The recommendation is not specifically directed at DRM.

Board of Supervisors Response - The Board of Supervisors concurs with SCWA's Response.

VI. TRANSPORTATION AND PUBLIC BUILDINGS

Americans with Disabilities Acts Compliance

Finding #1 - There are several facilities leased by the County that at the present are not in full compliance with the ADA. The Grand Jury notes that County staff is in the process of negotiating with various landlords to bring these properties into full ADA compliance as leases expire. (1)(2)

General Services Response to Finding #1

Solano County General Services agrees with this finding. Since the transmittal of schedules for the priority of corrective action was forwarded to the Grand Jury on April 30, 2004; we have had a series of meetings with the landlords on May 20, 26 and 27, 2004 to discuss the noncompliant ADA issues in leased space.

Recommendation #1 - Solano County require landlords to comply with ADA in order to continue to lease to the County. In addition, appropriate County legal authorities and subsequent Grand Juries conduct detailed review of the leasing process and appropriateness of leases. (It is not clear to the Grand Jury why leases for ADA non-compliant property have been negotiated and renegotiated for nearly fifteen years. We believe a six-month to one-year lead-time would be more than adequate to achieve conformity with ADA standards or for the County to find alternate properties.)

General Services Response to Recommendation #1 - The recommendation has been implemented in part. Based on the May 2004 meetings with landlords, some of the landlords have sent the County a letter agreeing to make corrective actions and a schedule for the corrections. The target date for completion of improvements by landlords is October 31, 2004. In addition, General Services, led by the Property Management Division, has initiated a procedure to review each leased location to assess ADA compliance of the facility in relation to the intended program that will occupy the facility prior to finalizing lease terms. As part of the County's due diligence process, for each new lease or lease renewal, we intend that the County's ADA Coordinator, Risk Manager, Property Manager and a member from the Division of Architectural Services or another appropriate group of staff conduct an on-site review of the facility to identify ADA issues. All leases are also reviewed by legal counsel before they are executed. In addition, during lease negotiations, the practice by the County's Property Manager is to incorporate appropriate lease provisions that require the landlord to address compliance issues with the Americans with Disabilities Act prior to lease execution. These terms and conditions were developed in conjunction with legal counsel.

Regarding the leasing of ADA non-compliant space, it should be noted that the Americans with Disabilities Act mandates access to programs and services offered by public agencies, not access to facilities. Therefore, it is feasible to conduct operations in ADA non-compliant facilities if the program or service dispensed from the facility is accessible to persons with disabilities. For example, a countertop used by customers to complete forms may exceed the acceptable height if the public agency provides personal assistance to persons living with disabilities who complete forms. On this basis, since space is leased in facilities that already exist and has improvements that were code-compliant at the time they were permitted for construction (but may not meet

current ADA provisions for newly constructed facilities), it is possible that some ADA-related facility deficiencies could be identified and allowed to remain if there are programmatic and reasonable accommodations that can be implemented to provide the required accessibility to programs and services for persons living with disabilities.

Finding #2 - Mandated signage indicating specific ADA accommodations are precisely set forth in the ADA regulations as to color, dimensions and location. The Grand Jury finds that proper signage is by no means universal in County facilities. This is an especially high priority in the oldest buildings where there is the greatest number of ADA deficiencies. Signage is relatively inexpensive. Officials report that funds have been identified, and that Board of Supervisors' approval will be sought in the near future. These officials stated that the work will be completed by July 2004. (1)(2)

General Services Response to Finding #2

Solano County Department of General Services partially agrees with this finding. We agree that proper signage is by no means universal in County facilities and that older buildings have the greatest number of ADA deficiencies. Therefore, we have prepared a Signage Project which includes all the deficiencies as noted in the ADA Transition Plan, which addresses the following:

1. Parking spaces designated as reserved for individuals with disabilities.
2. Accessible passenger loading zones.
3. Accessible building entrances
4. Accessible restrooms.

The signage project also specifies the color, size, mounting height and location.

The County anticipated completing the signage project by the end of Fiscal Year 2004/05. At the time of the visit by the Grand Jury on April 29, 2004 to the Downtown Fairfield County campus, signage deficiencies were noted. However, funds were not allocated in the Fiscal Year 2003/04 budget for signage improvements. The Department requested and received funding for the project, which is included in the Fiscal Year 04/05 budget. Design standards for the signage project have been prepared and will be implemented this current fiscal year either by County Facilities Operations or by work performed under contract with the County. This signage program will focus on placing signage in County facilities that will remain after the Government Center Project and New Juvenile Detention Facility are completed since many older County facilities will be vacated in whole or in part in the current fiscal year.

Recommendation #2 - Solano County Board of Supervisors ensure that this important and very visible component of the ADA be accomplished as promised.

Response to Recommendation #2

This recommendation has not yet been implemented but will be implemented in the future. The Department of General Services is committed to completing the Signage Project described in Finding #2 in accordance with the funding that has been granted by the Solano County Board of Supervisors for this purpose.

Finding #3 – Completion of 13 ADA projects costing \$558,065.00 during Year One seems to be a good-faith achievement. Quarterly update meetings which refine timelines, resources, and

which assign personal responsibility are good management tools. However, many instances could arise where the presentation of precise documentation, more explicit than was shown to the Grand Jury, may well be needed.

Response to Finding #3

The Department of General Services agrees with this finding and transmitted the updated prioritization of the ADA Transition Plan to the Grand Jury on April 30, 2004. Our intent is to track progress against this updated or list or update the list as necessary if County needs change during the implementation of the Transition Plan.

In the current fiscal year, General Services continues to make modifications to facilities to improve accessibility. For instance, General Services' staff is currently managing a consultant to prepare construction documents for ADA improvements at Lake Solano Park, 8685 Pleasant Valley Road, Winters, CA and at Sandy Beach, 2333 Beach Drive, Rio Vista, CA. If the projects proceed as scheduled, these improvements should be completed within this fiscal year. The third County park facility at Belden's Landing Waterway Access, 3186 Grizzly Island Road, Suisun, CA is in full ADA compliance.

In year two of the Transition Plan, during the second quarter of calendar year 2005, the Solano County Government Center, Probation Building and new Juvenile Detention Facility will be completed and occupied. Various departments that currently occupy downtown buildings and the existing Juvenile Hall which have ADA deficiencies will relocate to these newly completed facilities which have been designed and are being constructed to provide accessibility for persons living with disabilities. In this manner, the need to immediately correct ADA deficiencies in vacated facilities will not be necessary. Presently, there is no firm schedule for renovation of the vacated buildings. Reuse of buildings and accessibility requirements will be addressed during the design and construction of these existing structures prior to re-occupancy.

Recommendation #3 – The Department of General Services maintain and be prepared to submit to future Grand Juries and other interested parties, quarterly update reports of meetings indicating progress toward achieving the annual goals.

General Services Response to Recommendation #3

This recommendation will be implemented. The County's ADA Compliance Committee meets on a quarterly basis to monitor the progress of the ADA Transition Plan. General Services is committed to working with the ADA Compliance Committee to define appropriate roles and responsibilities so that quarterly update reports of meetings indicating progress toward achieving the annual goals are available in the future. We are also committed to tracking progress against the annual goals in the updated Transition Plan by preparing charts that document progress and completion of work efforts.

Board of Supervisors Response: The Board of Supervisors concurs with the Department of General Services Response.

Solano County Hall of Justice, South Wing Flood Damage

Finding #1 – Even though a very significant improvements in flood control have been made, a combination of heavy rains, high tides and strong winds, plus other factors could overwhelm the present flood control system that protects the Hall of Justice.

General Services Response to Finding #1

Solano County General Services agrees with this finding.

Recommendation #1 – The County and the City of Fairfield must be aware of the possibility that the drainage systems, upgraded pumps and backup systems may not be adequate to control flooding. To prepare for all possibilities, alternative methods to control flooding should continuously be explored and the systems upgraded accordingly.

General Services Response to Recommendation #1

The recommendation has been implemented by the County. The General Services Department on an ongoing basis explores alternative methods of controlling flooding in/around the South Wing of the Hall of Justice. The department has entered into an agreement with an independent firm to review the situation and make recommendations for corrective measures. Additionally, the Department is looking at different products and systems designed to prevent water intrusion into the building. These efforts will be ongoing until a suitable and acceptable solution is found.

Recommendation #1a – A written agreement between Solano County and the City of Fairfield outlining flood control guidelines must be established. These guidelines can only serve to enhance the system while reducing unforeseen problems.

General Services Response to Recommendation #1a

This recommendation will not be implemented because a written agreement pertaining to “flood control responsibilities” between the County and City of Fairfield is not required. The City of Fairfield is the entity solely responsible for the planning, construction and ongoing maintenance of its water and drainage system. The City of Fairfield has exercised control and authority and made repairs to the condition of the canal, as recently as 2002. Solano County has placed the City of Fairfield on notice of the condition of the canal and the threat that failure to adequately maintain and operate the canal presents to flooding and has been advised that corrective action would be undertaken.

Recommendation #1b – During periods of heavy rains it is recommended that the seated Grand Jury tour the Hall of Justice South Wing to ensure appropriate measures are taken to address any abnormal situations caused by flooding.

General Services Response to Recommendation #1b

Solano County General Services will implement this recommendation and stands ready to assist the Grand Jury with a tour of the Hall of Justice South Wind during a period of heavy rain.

Finding #2 - The Hall of Justice structure, equipment and materials have been damaged by flooding.

General Services Response to Finding #2

Solano County General Services agrees with this finding.

Recommendation #2 - Regardless of how infrequently flooding occurs, the County must draft policies and procedures to prevent damage to structures, material and equipment from potential water damage.

General Services Response to Recommendation #2

This recommendation requires further analysis and study. The General Services Department is reviewing its procedures for dealing with the potential threat of flooding in the Hall of Justice. The department is looking at systems designed to prevent water intrusion, has contracted with an independent firm to review the situation and make recommendations, and is looking at ways to better forecast potential flooding and put in place quicker response procedures to implement the prevention measures.

Finding #3 - Barricades were found that block entrances to the Hall of Justice which violate City, State and Federal safety codes.

General Services Response to Finding #3

Solano County General Services agrees with this finding.

Recommendation #3 – The County should find and institute alternative methods to control flooding that do not violate established safety codes.

General Services Response to Recommendation #3

The recommendation is being implemented. The General Services Department is looking at systems designed to prevent water intrusion that are faster and easier to put in place and remove as needed so that barricades and sand bags are not kept in place for extended periods. If these systems and or measures are not fully in place prior to the upcoming rainy season, additional care will be taken to ensure that current practices include removal of barricades and sand bags each day during hours that the facility is open.

Recommendation #3a – Any method the County uses that entails blockage of exits must accommodate established safety procedures for the disabled.

General Services Response to Recommendation #3a

This recommendation is being implemented. Solano County General Services is committed to finding better means of protecting its building. It is also committed to providing quality service to the public including access to the disabled. Any and all measures necessary to ensure access for the disabled will be taken in the future.

Board of Supervisors Response: The Board of Supervisors concurs with the Department of General Service's Response.

Vallejo Veterans Memorial Building

Finding #1 – The Superior Court interlocutory judgment of 1998 requires, in essence, that repairs be made to the existing facility or that alternative dedicated facilities be provided for the veterans. No solid headway has been made in six years.

General Services Response to Finding #1

General Services disagrees partially with this finding. The Department believes that some headway has been made. A judicial determination was made that Solano County has an obligation to provide a dedicated war memorial to the Vallejo Veterans. Since the decision was rendered, Solano County staff has worked in good faith with the Veterans associations and their legal counsel to identify and implement a solution to address the judicial determination. As part of these efforts, General Services undertook an in depth assessment of the ability to modify the existing facility. Estimates to renovate the existing building exceed \$5 million due to the age and condition of the building. No funding resource has been identified to offset these expenses.

In light of the undisputed expense to renovate the existing building, General Services has undertaken an exhaustive search in the Vallejo area to identify potential alternate facilities suitable for use by the veterans as a memorial. General Services has utilized its internal Property Manager as well as professional realtors for this purpose and has additionally solicited the assistance of the City of Vallejo in locating appropriate properties. On numerous occasions, following identification of a potentially suitable property, representatives from Solano County and the Veterans groups have toured the potential facilities but have subsequently determined the facilities were inadequate or inappropriate for the proposed use. An opportunity to acquire a recent potential property identified by General Services and agreeable to the Veterans groups was also lost due to the intervening acquisition of the property by a third party.

General Services and the Veterans groups continue to work in good faith together to mutually identify an alternative site suitable for use by the Veterans associations as a dedicated war memorial

Recommendation #1 - That all concerned muster their will and Solano County finally adopt a plan which is mutually agreeable to the interested parties, is backed by committed funds and is time-specific to achieve a dedicated Vallejo veteran's facility.

General Services Response to Recommendation #1

The recommendation to adopt a plan which is mutually agreeable to the interested parties and is backed by committed funds will be implemented. The timetable for finding alternative space is dependent upon circumstances that are outside the control of General Services such as the availability/affordability of suitable space and the agreement of another party. We are committed to achieving a dedicated Vallejo veteran's facility and will continue to work diligently towards this recommendation until a mutually acceptable alternative building is identified.

Finding #2 – The Court judged that the County “can permit the use of such building for other purposes so long as such use does not interfere with the ordinary and accustomed use of such

building by the veterans' associations." Fiscal benefits, precedents in the existing Memorial Hall and practices in other veterans' centers support such a policy.

General Services Response to Finding #2

Solano County General Services agrees with the finding of the Grand Jury.

Recommendation #2 – That "house rules" for a new or refurbished facility provide for multiple use, so long as the veterans' ordinary and accustomed uses have first priority.

General Services Response to Recommendation #2

This recommendation will be implemented. "House rules" for a new or refurbished facility will be established that provide for multiple use of the facility and give first priority to the veterans' groups for meetings and other veterans' related activities.

Board of Supervisors Response - The Board of Supervisors concurs with the Department of General Service's Response.

VII SPECIAL DISTRICTS

Greater Vallejo Recreation District

Finding #1 - GVRD's response to the 2002-2003 Final Report was vague, lacking details relating to the findings and recommendations.

Recommendation #1 - As stated in the Grand Jury Final Report, the responding agency must state one of four actions taken:

1. What has been implemented with summary of action?
2. What has not been implemented, but will be and with a plan?
3. Recommendations require additional study, which will not exceed six months.
4. If recommendation(s) will not be implemented with explanation.

GVRD should respond accordingly as ignoring this legal requirement shows a disregard for the law and the Grand Jury and results in an unproductive use of the Grand Jury time.

Finding #2 - The GVRD finally acknowledged the findings of the 2002 – 2003 Grand Jury Final Report and satisfactorily implemented policy and procedures and addressed the recommendations of the 2002-2003 Grand Jury Final Report.

Recommendation #2 – Responses to Grand Jury reports must be made in a timely manner in accordance with the law.

Finding #3 - Audits for 1998 through 2002 were performed by the same independent auditor. There were various miscellaneous administrative financial deficiencies listed each year, sometimes for consecutive years with no apparent action to make corrections. (5)(6)(7)

Recommendation #3 - The GVRD Board and senior management should review the findings and recommendations of the auditor and when possible, implement as recommended. The Board should consider using different auditors or the services of the County of Solano.

Finding #4 - The GVRD was established by a vote of the people and legally authorized on June 14, 1944 and placed under authority of an advisory board. On December 23, 1958 the Solano County Board of Supervisors became the supervising authority to which the existing Board of Directors is responsible. The Board consists of three members appointed by the Mayor of Vallejo and two members recommended by supervisors from Districts 1 and 2 and approved by the Board of Supervisors.

During the time of the formation of the GVRD, population growth in unincorporated areas was growing dramatically, which spurred the development of parks, recreation, fire, water and other type districts as cities were much smaller and unable to provide such services. But, as city boundaries expanded, so did their ability to provide services. However, as city boundaries began to expand, they became able to provide additional services and the need for a district within a city began to decrease, especially when the majority of constituents serviced were within the sphere of influence of the city. Comparative cities within Solano County providing similar services are Benicia, Fairfield and Vacaville.

Further exploration of districts within cities finds redundant costs in areas such as legal services, payroll, purchasing, human resources, equipment and maintenance.

Recommendation #4 - During the time when the GVRD was developed (1944), it was established as the best method to provide parks and recreational needs in the Vallejo area by way of a special district. However, almost 60 years have passed and much has changed. Therefore, the 2003-2004 Grand Jury recommends that the City of Vallejo and the GVRD jointly determine the most efficient and effective method to deliver parks and recreation services to citizens in the current GVRD area. This determination and any action that may change the GVRD are within the guidelines set forth by LAFCO.

When conducting this evaluation, the following LAFCO criteria should be considered:

1. Does the district tailor its services better than a city?
2. Does the district link its costs to benefits better than a city?
3. Is the district more responsive to its constituents than a city?
4. Are there inefficiencies or redundancies?
5. Is a district more accountable than a city?
6. What are the funding mechanisms and would a change reduce existing services?
7. Refer to LAFCO's District Mergers and Establishment of Subsidiary District Procedures Guide.

It is understood that this will require a major effort on the part of all affected agencies.

Finding #5 – Failure to respond in a timely manner to the Grand Jury is not acceptable.

Recommendation #5 - Within the required guidelines of responding to the 2003-2004 Grand Jury Final Report, all agencies provide the 2004-2005 Grand Jury with a report of their findings with a schedule of implementation where applicable.

***Board of Supervisors Response** - The Board of Supervisors does not have jurisdiction over the Greater Vallejo Recreation District. The "authority" of the Board of Supervisors is not to supervise the independent district. Rather, the Board is merely the conduit for appointments, and the entity that by statute reviews conflict of interest codes, etc. The appointment authority of the BOARD OF SUPERVISORS for a park and recreation district is similar to the appointment authority for a resource conservation district or cemetery district. At one time the districts were all elected, but the expense of an election outweighed the benefit, so the Legislature authorized an alternative method of filling vacancies by authorizing the BOARD OF SUPERVISORS to appoint.*

In 2001, SB 707 completely reorganized park and recreation district law. Where a district has territory in the incorporated and unincorporated area, the appointing authority is shared pro rata between the county and affected cities. The district remains an independent agency. The GVRD Board of Directors is the appropriate governing body to respond to the findings and recommendations.

VIII HOMELAND SECURITY AND EMERGENCY SERVICES

Emergency Services

Finding #1 - There is an Emergency Operating Plan for the County and each city. However, the plans vary and there seems to be no consistency among the county and cities regarding the training relating to Emergency Operating Procedures and new mandates from U.S. Department of Homeland Security.

Recommendation #1 - To ensure that each agency is in compliance with California and U.S. emergency requirements, one agency should take the lead to insure that the appropriate training, exercises and guidelines are established and implemented. Due to the fact that the County has a dedicated employee for Emergency Services, it is logical that the County Office of Emergency Services take the lead in this endeavor. Currently, agencies meet to discuss response and mutual aid. It is recommended that the review of agency operational plans and procedures be presented at these meetings to ensure each agency is within State and U.S. standards.

County Administrator/Office of Emergency Services Response to Recommendation #1

The Solano County Office of Emergency Services (OES) currently has no authority in regard to how cities develop their emergency plans. OES strongly encourages each city to collaborate in such a fashion that all emergency plans within the Solano Operational Area are compliant with the state Standard Emergency Management System (SEMS) and that these plans are compatible with the County plan.

Finding #2 - Within some agencies, there seems to be confusion about who would activate the EOC and who has authority to make appropriate and crucial decisions relating to the necessary response, material, supplies and the request for mutual aid.

Recommendation #2 - The County Administrator (CAO) and each City Manager should review and define their respective emergency administrative roles and clearly communicate these responsibilities to members of the EOC team.

County Administrator/Office of Emergency Services Response to Recommendation #2

The Solano County Emergency Operations Plan approved by the Board of Supervisor's on August 24th, 2004 clearly defines who can activate the Solano County Emergency Operations Center. The EOC has been and is currently using the Standardized Emergency Management System that is required by the State and the Incident Command System. The SEMS system clearly defines the roles and responsibilities of each function within the EOC. The Emergency Plan for each city should also define who can activate the EOC within their jurisdiction. The County has no authority to mandate this as a requirement for cities.

Finding #3 -If an emergency incident should escalate beyond the agency's capacity and the need to request mutual aid from another agency should be necessary, the current communication systems would hamper responsibilities, as each agency's communication system operates independently with no coordination and little interoperability among police, fire and medical agencies. This finding was part of the 2002-2003 Solano County Grand Jury Report. It appears that no progress has taken place to rectify this problem.

Recommendation #3 - The U.S. Department of Homeland Security has made it clear that funding is available for a variety of needs at the local level, but the process to determine those needs is slow and difficult. As a temporary solution to the County-wide communication system, the county estimates that \$3,000,000 would provide a system that would link agencies appropriately when significant multi-response is required. Rather than each city or the county pursuing the available funds, all agencies should jointly ascertain what U.S. Department of Homeland Security is requiring and whether those needs can be met for this project. With the County Office of Emergency Services acting as the lead agency, they could develop a grant application that represents all the agencies in Solano County.

County Administrator/Office of Emergency Services Response to Recommendation #3

Solano County Office of Emergency Services has just received approval for the FY04 Homeland Security Grant that has funding of \$1,060,000 that will be dedicated to radio interoperability for Solano County. Hopefully this will be a start the process that will eventually alleviate Solano County's communication problems.

Finding #4 - Dixon, Rio Vista and Benicia do not have hospital facilities and those that exist in Solano County have inadequate beds to accommodate a major incident. There is no trauma center or decontamination facility in the entire County. A system call Reddinet links all medical facilities in the County with the County EOC, and provides an instant count of available beds and facilities. Currently, medical facilities located in Solano County depend on trauma centers located in Contra Costa and Napa Counties. In a major event, most likely, these facilities would

not be available. The escalating growth of Solano County necessitates the exploration of facilities to provide for the safety of its residents.

EMS Agency Response

(a) While there are no hospitals in Dixon, Rio Vista and Benicia, the Agency does not believe that the lack of a hospital in each community is, in itself, the most critical issue in terms of emergency response to a major incident. These communities are served by hospitals within a reasonable distance. Benicia utilizes hospitals in Vallejo and Concord. Dixon uses Sutter Davis and VacaValley hospitals, and Rio Vista has access to facilities in Fairfield and San Joaquin County. Admittedly, Rio Vista is the most isolated in terms of hospital resources.

More importantly, the lack of bed capacity – specifically “surge” capacity to deal with the large increase in demand for hospital beds that would accompany a major incident – is an area of concern. This is not just a Solano County problem but is a problem throughout the state. In part this may be an issue of the number of physical beds available in a community, but it is commonly also an issue of hospitals inability to cost-effectively meet the legally mandated per bed staffing ratios, which has the effect of reducing the number of beds that are actually available for use. The EMS Agency has for the past several years coordinated the monitoring of available hospital beds throughout the county as part of the Agency’s response to the seasonal demands of influenza. This data is now available to all hospitals via ReddiNet. However, in the event of a major incident, even this would likely be insufficient to manage a sudden increase in the number of people requiring medical attention.

The County’s Health & Social Services Department, through its Public Health Division, and the Solano County EMS Agency have already begun a process to analyze this situation and identify what solutions might be possible (which could, conceivably involve proposed state legislation). The findings and recommendations will be provided to the County Administrator and the Solano EMS Cooperative (SEMSC) Board of Directors.

(b) At present, portable decontamination units are available at each hospital in Solano County and the hospitals regularly drill on the deployment and use of these devices. Two additional units were recently delivered to area hospitals and more units are being procured through various grant-funded mechanisms. There will soon be sufficient capacity to rapidly decontaminate large numbers of victims in the county.

(c) There is no trauma center in Solano County. The nearest trauma centers are in Contra Costa, Napa and Sacramento Counties. The EMS Agency has just completed an extensive trauma planning process with local area hospitals and determined that due to Solano County being a low trauma volume system, it is not likely that a trauma center could be sustained, either financially, or with a sufficient number of cases to keep a trauma team proficient. The EMS Agency has prepared a draft Trauma Plan that it will present to local hospitals for review. This plan will provide a framework for the consistent management of trauma cases in Solano County and formalize relationships with out of county trauma centers that presently serve Solano County. The EMS Agency Administrator will present this plan, once agreed to by local hospitals, to the County Administrator and the Solano EMS Cooperative Board of Directors.

Recommendation #4 - The Solano County Board of Supervisors review this issue and make it part of Solano County's future planning goals no later than 2005-2006. Solano County funding should include continuance of the Reddinet service.

County Administrator/Office of Emergency Services Response to Recommendation #4

The County Administrator and Office of Emergency Services (OES) do not agree that there is no decontamination facility in the entire County. According to staff from the County's Health & Social Services Department and Emergency Medical Services (EMS) Agency, all hospitals in the County have decontamination facilities and hospital staffs have been trained in the use of those facilities. In addition, the County has been using grant funds to purchase new decontamination facilities for the County's hospitals.

The County Administrator and OES agree that there are no hospitals in Dixon, Rio Vista and Benicia, but do not necessarily agree that the lack of a hospital in each community is, in itself, the most critical issue in terms of emergency response to a major incident. The lack of bed capacity – specifically “surge” capacity to deal with the large increase in hospital beds that would accompany a major incident – is an area of significant concern. The hospitals in the County do have a plan to monitor bed availability and transfer patients as needed, but this would likely be insufficient in the case of a major incident. The County's Health & Social Services Department along with the Solano County EMS Agency has already begun the process to analyze this situation and identify what solutions might be possible. The County Administrator will recommend to the Board of Supervisors that it direct the Health & Social Services Department to continue these efforts and report back on the results as expeditiously as possible.

The County Administrator and OES agree that there are no trauma centers in the entire County. According to staff from the County EMS Agency, it is not likely that it would be cost-effective to open trauma center in Solano County due to the relatively low patient volume. Solano County's EMS Agency has just completed an extensive trauma planning process and is preparing to present the resulting plan to the County's hospitals for review. This plan will identify how the County's hospital and emergency medical community can best deal with the need for trauma services in the County despite the absence of a trauma center here. The County Administrator will direct that this planning process continue and that a report be made to the Board as soon as possible.

Finding #5 - There is no certified Hazardous Material (HazMat) Response Team in the County. Although fire and police personnel are trained to make a first on-site assessment, actual cleanup must be performed by qualified personnel. Currently the services of Napa County and the City of Sacramento are being used, but in the case of a major event, those services may not be available. It is realized that the cost to establish a HazMat Team is large (\$2,000,000 plus), and the annual operating cost is estimated at \$350,000. But a joint effort by all the cities, districts and County may make this affordable.

Recommendation #5 - The County Office of Emergency Services take the lead in a study to determine the feasibility of establishing a County HazMat Team.

County Administrator/Office of Emergency Services Response to Recommendation #5

The Solano County Office of Emergency has taken on the responsibility of establishing a County wide multi-agency HazMat response team. OES is in the process of purchasing a HazMat vehicle

and training HazMat team members who have already been identified by agency and individual. The team currently consists of 24 members from various Fire and Law agencies and is expected to be fully operational by January 2005. Equipment, training and the vehicle have all been acquired through Federal Grants.

Finding #6 - County Mobile Command Center has been acquired by a grant approved through U.S. Department of Homeland Security. This unit can be moved to an incident and become the Command Center for the responsible agency. It provides the capability to develop one communication frequency so all responding agencies have the capability of communicating and is equipped with backup power.

Recommendation #6 – Solano County ensure that training in the mobile command center be required for all emergency command personnel within the County. The County is to be commended for acquiring this state-of-the-art unit.

County Administrator/Office of Emergency Services Response to Recommendation #6

The Office of Emergency Services is confident that Solano County has one of the most advanced state of the art Command Vehicles in the Country. This County is very fortunate that we were able to utilize Federal Grant funding in such an efficient manner.

Finding #7 - Some of the agencies do not have dedicated space for a local EOC. In some cases the area being used for other purposes and must be transformed in an emergency, which may in turn, hamper the response time.

Recommendation #7 – Every effort should be made to provide dedicated space for an EOC. If space is unavailable, a dedicated area should consist of all necessary equipment and supplies to transform the area as soon as possible. Each local EOC needs to have back up power.

County Administrator/Office of Emergency Services Response to Recommendation #7

Solano County OES is tentatively scheduled to move into the current County Architects office in 2005. This move will allow Solano County to have a dedicated EOC and will provide space for more drills and exercises. Solano County OES has no control over the cities ability to have dedicated Emergency Operations Centers.

Finding #8 - Solano County has an automatic phone warning system for the entire County. Residents of an affected area can be warned by an automatic phone call with recorded instructions as to the situation. Local radio stations and television are also used to inform the public.

Recommendation #8 - Agencies which have this valuable service should publicize this to their citizens.

County Administrator/Office of Emergency Services Response to Recommendation #8

Solano County OES is currently working with the cities of Vallejo and Fairfield in an effort to establish a "City Watch" user's group. This will give us the ability to consolidate telephone lines and increase our current capability significantly. As this program expands, the public will be made aware of its existence through effective public information releases.

Finding #9 - Solano County Department of Health and Social Services is responsible for implementing State Medical Standards and Medical Response Procedures. However, it is unclear how the Department interacts with the Office of Emergency Services or its role in the EOC.

EMS Agency Response

The EMS Agency and other HSS elements have staff with assigned and known roles in the EOC. Additionally, the EMS Agency is responsible for assessing Manpower and Training needs for all medical responders as part of its EMS plan. The Agency is cooperating with other EMS Agencies in the development of core competencies for medical response personnel to equip them for "all hazards" response.

Recommendation #9 - The Solano County Chief Administrative Officer should define the role during emergencies of the Department of Health and Social Services during an emergency, including placement in the Solano County Emergency Operation Organization Chart with assigned duties and responsibilities.

County Administrator/Office of Emergency Services Response to Recommendation #9

This recommendation has been accomplished in the new updated Emergency Operations Plans adopted by the Board of Supervisor's on August 24, 2004.

Finding #10 - A Solano County Multi-Agency Disaster Drill took place on November 13, 2003. The purpose was to test and train the appropriate personnel of law enforcement, fire service, emergency medical services, County Office of Emergency Services, Solano County Emergency Medical Services Agencies and the Public Health Department to respond to a terrorist event involving mass casualties and significant destruction or the potential thereof. This was the first such drill in Solano County. The drill revealed an overall lack of communication and leadership. Objectives of the drill were only partially achieved or not achieved at all. The results of this drill emphasize the need for a central authority to coordinate a disaster event that involves mutual aid.

EMS Agency Response

Finding #10 grouped together EMS response, the EMS Agency, fire service, law enforcement and Office of Emergency Services with regards to performance in the drill held November 13, 2003. While deficiencies were exposed, EMS enjoyed some measure of success. Of the major objectives set forth for evaluation, 6 were satisfactorily completed, and 7 were partially completed. The exercise had great value in identifying areas for future training that the Agency is now developing.

Recommendation #10 - The County Administrative Office should take the lead and determine the necessary action to resolve the non-achieved objectives of this exercise.

County Administrator/Office of Emergency Services Response to Recommendation #10

The Solano County Office of Emergency Services is currently working with all of the agencies that participated in the November 2003, exercise in an effort to mitigate those command and control issues discovered during this exercise. Significant improvement has been made since the exercise in that the new Command post has provided the capability of establishing tactical channels on designated frequencies that will allow unified commanders to talk to each other more efficiently.

Finding #11 - Agencies tend to be territorial and focus on their own needs when planning for community services which may create obstacles when trying to develop mutual aid throughout the County that will benefit all citizens in a time of crisis. The terrorist actions of September 11, 2001 created a need for reassessment of the procedures to safeguard our population. The formation of the U.S. Department of Homeland Security brought together 42 agencies under one department requiring a major coordination effort, not only the U.S. Department of Homeland Security but with states, counties and cities so that information and responses can occur both up and down the organizational chart.

Recommendation #11 - Elected County officials, County Administrators and City Managers need to reassess the methods by which Emergency Operating Systems are developed and implemented to break down territorial lines and to ensure that the emergency service needs are being met. Just as many Federal government departments were combined under U.S. Department of Homeland Security to establish the most efficient and effective way to respond to various incidents, so should state, counties and cities review existing emergency response structures. To make this happen, elected officials should take the initial step to form a County-wide committee that would include representatives from the State Senate and Assembly offices, County Board of Supervisors and City Councils. At this level, an assessment of County needs should take place and appropriate direction given to responsible County and City staff to develop a seamless Emergency Operating Plan throughout the County.

County Administrator/Office of Emergency Services Response to Recommendation #11

This recommendation will be examined closely by the County Administrator's Office. If there is any feasible way to incorporate this concept into reality, it will occur over a period of time.

Board of Supervisors Response: *The Board of Supervisors concurs with the County Administrator's/Office of Emergency Services Response.*

COUNTY ADMINISTRATOR'S OFFICE

MICHAEL D. JOHNSON
COUNTY ADMINISTRATOR
COUNTY OF SOLANO



COUNTY ADMINISTRATOR'S OFFICE
580 W. TEXAS STREET
FAIRFIELD, CA 94533-6375
(707) 421-6100
FAX (707) 421-7975

October 1, 2004

Honorable Judge Peter Foor
Solano County Superior Courts
Hall of Justice
600 Union Ave.
Fairfield, CA 94533

Dear Judge Foor,

The following responses are submitted as requested in the Grand Jury Report of 2003/04. The County Administrator's response covers (3) three areas: County and City Budget Review; East Vallejo Fire Protection District and the Vallejo Veteran's Memorial Building.

County and City Budget Review

Finding #1 - The total Solano County 2003/04 Budget is \$786,441,725. Of that amount, the General Fund is \$188,675,041. Since the County receives the majority of revenues earmarked for specific programs, it is credited directly to the appropriate department and not to or through the General Fund. The reserve for the General Fund is \$24.9 million or 13.2%. The Board of Supervisors' goal is to have a \$10 million General Fund reserve. However, reserves for operating departments vary with no apparent goal set by policy.

CAO Response to Finding #1

The County Administrator agrees with the finding. The operating departments that have reserve funds have been managed appropriately.

Recommendation #1 - Increase the General Fund reserve to no less than 15%.

CAO Response to Recommendation #1

The County Administrator appreciates the Grand Jury's input but the recommendation will not be implemented. While the County Administrator is in agreement as to the need to maintain adequate reserves, the level recommended by the Grand Jury is not justified. The County's current reserve goal is to reach a General Reserve of 5% of the total Budget (less interfund transfers) and a General Fund Contingency of 5% of the General Fund. For the FY2004/05 Final Budget, the

General Fund contingency is 11.5% of the General Fund budget while the General Fund reserve is at 4.4% of the total Budget. When added together, this amount exceeds 24% of the General Fund budget and 7% of the total County Budget.

Recommendation #1a - Establish a 5% reserve in each department.

CAO Response to Recommendation #1a

The recommendation will not be implemented because the Grand Jury's recommendation to establish a 5% reserve in each department is adequately met by the establishment of contingency at the fund level. The County Budget Act does not require the establishment of reserves at the department level and in Solano County, reserve accounts are established at the fund level within each fund. Generally, funds budgeted in General Fund Contingency are adequate to manage any extraordinary events that may affect a department's budget. If the department is able to provide sufficient justification, the Board may, by a 4/5th vote, use contingency to increase a department's budget at any time during the year. By following this practice, the need for maintaining individual reserves in departmental budgets is eliminated.

Further, the County has been able to carefully monitor expenditures and project revenues, which have contributed significantly to the County's stable financial position. The grand jury's recommendation to establish a 5% reserve in each department is adequately met by the establishment of a contingency at the fund level.

Finding #2 - The County develops a Five-Year Fiscal Forecast model budget for the General Fund. It is not detailed but is established by totals of general categories and makes various assumptions about tax increases, license and permit revenues, state reductions, Public Employees Retirement System (PERS) increases and net expenditure increases. Each operating department does not submit multi-year budgets or a similar fiscal forecast.

CAO Response to Finding #2

The County Administrator agrees with the finding.

Recommendation #2

The County budget procedure is primarily established on a year-to-year basis. Presently, reductions are taking place to deal with the expected shortfall in the 2003-2004 budget with minimal plans for future projected deficits. It is recommended that a multi-year detailed budget forecast be prepared, based on the current facts, figures and trends that are available with the input of all operating departments. Each year the plan should be reviewed and updated to reflect current trends.

CAO Response to Recommendation #2

The recommendation will not be implemented because of fiscal uncertainties due to State budget reductions. In the early 1990's, the County began to budget on a two-year basis, but due to the State's fiscal crisis in the early 1990's, this process was abandoned because the County lost millions in revenues as the State balanced its

budget through taking a considerable portion of the County's local property tax base to establish the Educational Revenue Augmentation Fund (ERAF), which relieved the State of a portion of its school funding obligation. Recently, as the County was finally reaching pre-ERAF property tax revenues level, the current State fiscal crisis hit.

Since FY1992/93, there have been very few years in which the County has not had to make major budget decisions based on annual state budget actions. During this time, the County has been very successful in maintaining its financial stability by carefully controlling expenditures and monitoring revenues. The current fiscal climate requires the County's financial administrators to be on top of fiscal issues on a current basis. Therefore, we have established a Mid Year and Third Quarter review to ensure we understand all of the fiscal issues impacting the County on a current basis.

Due to the ongoing unstable fiscal condition of the State, the County Administrator has recommended that we maintain sound levels of Contingency and Reserves, while maintaining the one-year budget cycle so the County is able to quickly respond to any state budget impacts.

Finding #3 - A Five-Year Plan is prepared and updated each year for capital improvements. Funding sources are identified.

CAO Response to Finding #3

The County Administrator agrees with the finding.

Recommendation #3 - Continue the present procedure which provides protection of current county assets and meets future infrastructure needs. Insure that on-going maintenance costs to support and maintain capital improvements are included in future operating budget forecasts.

CAO Response to Recommendation #3

The County Administrator concurs with the Grand Jury's recommendation. Staff is currently researching methods to not only fund the new projects contained in the Five Year Capital Improvement Program, but to also identify a stable source of funding to provide for ongoing major maintenance of existing facilities.

Finding #4 - Department budgets are established by line items. However, the amounts projected are often overspent, transferred or not expended. The bottom line of the budget is the single source that dictates the financial status of the department.

CAO Response to Finding #4

The CAO partially agrees with this Finding. The net county cost (bottom line) reflects the fiscal management of the departments, reflecting adequate controls on accounts which the Department has discretion to utilize as necessary.

Recommendation #4 - If line item procedures are used to establish a budget, the department should make projections and expenditures accordingly. Transferring funds from one line item to another should be discouraged, tightly controlled and should require the authorization.

CAO Response to Recommendation #4:

The Recommendation will not be implemented. While the County Administrator agrees with the Grand Jury in some limited situations, line item control of departmental budgets by the Board of Supervisors/County Administrator is impractical and inflexible. It is the County philosophy that department Heads should be held accountable for the overall operation of their respective departments. If at the beginning of the budget process, the Board, CAO and department head are in agreement as to programs/services for the following fiscal year and agree on the resources to accomplish the program goals, then the department should have the discretion and flexibility to utilize all its allocated resources to accomplish its mission.

However, department budgets are still controlled at the classification level such as Salary & Benefits, Services and Supplies, Others Charges and Fixed Assets. Appropriations cannot be moved from one budget classification to another without CAO or Board approval (e.g.: from Salaries to Services & Supplies, from Services & Supplies to Fixed Assets, etc.). The County budget policy also requires department heads to request budget changes from “frozen” line items such as Extra Help, Insurances, Information Technology charges and cost allocation plan charges.

In addition, because there are literally dozens of closely related line item categories within the County Budget, it becomes very impractical and costly to require higher approval for most line item transfers. As long as the department is using the funds appropriately within the category, department heads should have the flexibility move resources from one related line item to another to allow them to manage their programs and operations.

East Vallejo Fire Protection District

Finding #1 - The current agreement between the EVFPD and the City of Vallejo results in a bill for services (\$417,823) that is less than the cost of providing these services (\$551,507) as estimated by the City of Vallejo. Thus the taxpayers in the City of Vallejo are subsidizing the cost of fire protection services for the taxpayers in the EVFPD.

EVFPD Response to Finding #1

The District disagrees with the conclusion of this finding. The District does agree that The Vallejo Fire Department submitted an invoice to the District in 2002/2003 in the amount of \$417,823, using the formula in the Fire Protection Services Agreement. However, the District has not been provided with documentation

supporting the estimated service cost and formula in the Grand Jury Report that states an estimated cost of \$551,507. The District cannot substantiate the Grand Jury's finding that the City of Vallejo is subsidizing fire protection services in EVFPD without completing an analysis using a verifiable and agreed to formula or methodology. The methodology presented in the Grand Jury report would need to be modified substantially in order to provide meaningful numbers.

Recommendation #1 - The City of Vallejo and the Solano County Board of Supervisors negotiate a new agreement for services that fairly compensates the city for the actual cost of providing fire protection services.

EVFPD Response to Recommendation #1

The recommendation requires further analysis however the current Agreement which was renewed by the City of Vallejo in 2001, provides that all revenue and income generated in the District will be paid to the City of Vallejo for fire protection services. The District's ability to pay for fire protection services is constrained by the property taxes generated in the District. The allocation of property taxes generated in the District for Fire Protection, were determined by formula established by State law following Proposition 13. Three of the Tax Rate Areas within the District were formerly designated as a Redevelopment Areas. These areas should experience growth in assessed value of properties and generated growth in tax revenue.

Although the members of the County Board of Supervisors sit as the District Board of Directors, the District operates as a separate entity; negotiations would therefore be between the District Board of Directors and the City.

Finding #2 - The EVFPD serves an unincorporated urban area almost entirely within the sphere of influence of the City of Vallejo. The EVFPD Board was dissolved ten years ago and the district exists only to pass through tax revenue from the County to the City of Vallejo to fund fire protection services.

EVFPD Response Finding #2

The District partially disagrees with the Finding. The District agrees that the District is within the Sphere of Influence of the City of Vallejo, however the District does not agree that it exists only to pass through tax revenue. The District operates under the authority of the Uniform Fire Protection Law of 1987 as a rural fire protection district. The District is managed by the Board of Supervisors and contracts with the City of Vallejo to provide fire protection services.

Recommendation #2 - The City of Vallejo and the Solano County Board of Supervisors should review the status of the EVFPD with a view toward determining the most equitable and efficient method of providing fire services to these areas. This should be done in conjunction with the LAFCO guidelines which include the following considerations:

- Does the district tailor its services better than a city?
- Does the district link its costs to benefits better than a city?
- Is the district more responsive to its constituents than a city?
- Are there inefficiencies or redundancies?
- Is a district more accountable than a city?
- What are the funding mechanisms and would a change reduce existing services?

EVFPD Response Recommendation #2

The recommendation will be implemented by LAFCO, which has the authority and requirement under the Government Code to complete a Municipal Services Review of the EVFPD. The Cortese-Herzberg Local Government Reorganization Act of 2000, requires LAFCOs to conduct reviews of municipal services and make nine written determinations. The determinations include analysis of: infrastructure needs; growth and population projections; financing constraints; cost avoidance; rate restructuring; opportunities for shared facilities; consolidation or reorganization of service providers; management efficiencies and accountability and governance.

LAFCO has recently selected a firm to conduct a comprehensive review of all County Fire Districts. The review which will include East Vallejo Fire Protection District is scheduled to be completed and presented to the Commission on March 7th, 2005.

Finding #3 – The Grand Jury received maps of the area comprising the EVFPD from the County, the City of Vallejo and LAFCO. Certain core areas appear on all three maps. However, other areas including Sandy Beach, a section bordering the Napa River north of the Mare Island Strait, an area north of Columbus Parkway, west of Sulfur Springs Creek and an area on the east side of Vallejo bordering the Cordelia Fire District did not appear on all three maps, creating some uncertainty about the areas covered by the EVFPD and the responsibility for paying for fire protection services.

EVFPD Response to Finding #3

The District partially agrees with the Finding. The District boundaries have changed due to annexations and detachments which have occurred. These changes may not have been included in the map that the Fire Department provided to the Grand Jury.

Recommendation #3 – The City of Vallejo and the Solano County Board of Supervisors should ensure that they are in agreement about the contracted area covered by the EVFPD.

EVFPD Response to Recommendation #3

Recommendation will be implemented. The Department of Resource Management will confer with the Vallejo Fire Department regarding the information that is needed and will update the map showing all parcels in the Tax Rate Areas that are included

within the District. The Department will provide the Grand Jury the updated map and an updated list of all parcels and street addresses in the District.

Vallejo Veterans Memorial

Finding #1 – The Superior Court interlocutory judgment of 1998 requires, in essence, that repairs be made to the existing facility or that alternative dedicated facilities be provided for the veterans. No solid headway has been made in six years.

CAO Response to Finding #1 –The County Administrator disagrees partially with this finding. We appreciate the Grand Jury’s comments that they believe the efforts to provide a veteran’s facility are proceeding in “good faith”. As stated in the response from the County General Services Department, the Department has been evaluating a number of options for the Vallejo Veteran’s facility over the past year. These include rehabilitation of the existing Memorial Building at 444 Alabama Street as well as locating to another appropriate building in Vallejo.

Recommendation #1- That all concerned muster their will and Solano County finally adopt a plan which is mutually agreeable to the interested parties, is backed by committed funds and is time-specific to achieve a dedicated Vallejo veteran’s facility.

CAO Response to Recommendation #1

The recommendation to adopt a plan which is mutually agreeable to the interested parties and which is backed by committed funds will be implemented. While the Property Manager is aggressively pursuing alternatives, there are external factors that will determine how quickly this will be accomplished. These include ability to evaluate sites and negotiate agreements with property owners and developers, and gaining agreements with Veterans groups. The reality is that identifying a source of funding for the facility is a significant challenge for the County and is not an issue of “will” but rather of “ability”.

Finding #2 – The Court judged that the County “can permit the use of such building for other purposes so long as such use does not interfere with the ordinary and accustomed use of such building by the veterans’ associations.” Fiscal benefits, precedents in the existing Memorial Hall and practices in other veterans’ centers support such a policy.

CAO Response to Finding #2

The County Administrator agrees with the finding that the Courts found that the County may permit uses in the building that do not interfere with the ordinary and accustomed use of the building by veteran’s associations.

Recommendation #2 – That “house rules” for a new or refurbished facility provide for multiple uses, so long as the veterans’ ordinary and accustomed uses have first priority.

CAO Response to Recommendation #2

This recommendation will be implemented. The County Administrator agrees with the Department of General Services response to the Grand Jury on this recommendation.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. Johnson", is written in blue ink.

Michael D. Johnson
County Administrator

COUNTY ADMINISTRATOR'S OFFICE

MICHAEL D. JOHNSON
COUNTY ADMINISTRATOR
COUNTY OF SOLANO



COUNTY ADMINISTRATOR'S OFFICE
580 W. TEXAS STREET
FAIRFIELD, CA 94533-6375
(707) 421-6100
FAX (707) 421-7975

September 14, 2004

Hon. Peter B. Foor, Presiding Judge
Solano County Superior Courts
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

County Administrator/Office of Emergency Services Response to the 2003/2004 Solano County Grand Jury Final Report Regarding "Emergency Services"

Dear Judge Foor:

The County Administrator and Office of Emergency Services generally concur with the findings of the Grand Jury and will respond to those findings that have recommendations as outlined below.

Finding #1: There is an Emergency Operating Plan for the County and each city. However, the plans vary and there seems to be no consistency among the county and cities regarding the training relating to Emergency Operating Procedures and new mandates from U.S. Department of Homeland Security. (1)(2)(6)

Recommendation #1: To ensure that each agency is in compliance with California and U.S. emergency requirements, one agency should take the lead to insure that the appropriate training, exercises and guidelines are established and implemented. Due to the fact that the County has a dedicated employee for Emergency Services, it is logical that the County Office of Emergency Services take the lead in this endeavor. Currently, agencies meet to discuss response and mutual aid. It is recommended that the review of agency operational plans and procedures be presented at these meetings to ensure each agency is within State and U.S. standards.

Response: The Solano County Office of Emergency Services (OES) currently has no authority in regard to how cities develop their emergency plans. OES strongly encourages

each city to collaborate in such a fashion that all emergency plans within the Solano Operational Area are compliant with the state Standard Emergency Management System (SEMS) and that these plans are compatible with the County plan.

Finding #2: Within some agencies, there seems to be confusion about who would activate the EOC and who has authority to make appropriate and crucial decisions relating to the necessary response, material, supplies and the request for mutual aid. (2)

Recommendation #2: The County Administrator (CAO) and each City Manager should review and define their respective emergency administrative roles and clearly communicate these responsibilities to members of the EOC team.

Response: The Solano County Emergency Operations Plan approved by the Board of Supervisor's on August 24th, 2004 clearly defines who can activate the Solano County Emergency Operations Center. The EOC has been and is currently using the Standardized Emergency Management System that is required by the State and the Incident Command System. The SEMS system clearly defines the roles and responsibilities of each function within the EOC. The Emergency Plan for each city should also define who can activate the EOC within their jurisdiction. The County has no authority to mandate this as a requirement for cities.

Finding #3: If an emergency incident should escalate beyond the agency's capacity and the need to request mutual aid from another agency should be necessary, the current communication systems would hamper responsibilities, as each agency's communication system operates independently with no coordination and little interoperability among police, fire and medical agencies. This finding was part of the 2002-2003 Solano County Grand Jury Report. It appears that no progress has taken place to rectify this problem. (3)(4)

Recommendation #3: The U.S. Department of Homeland Security has made it clear that funding is available for a variety of needs at the local level, but the process to determine those needs is slow and difficult. As a temporary solution to the County-wide communication system, the county estimates that \$3,000,000 would provide a system that would link agencies appropriately when significant multi-response is required. Rather than each city or the county pursuing the available funds, all agencies should jointly ascertain what U.S. Department of Homeland Security is requiring and whether those needs can be met for this project. With the County Office of Emergency Services acting as the lead agency, they could develop a grant application that represents all the agencies in Solano County.

Response: Solano County Office of Emergency Services has just received approval for the FY04 Homeland Security Grant that has funding of \$1,060,000 that will be dedicated to radio interoperability for Solano County. Hopefully this will be a start the process that will eventually alleviate Solano County's communication problems.

Finding #4: Dixon, Rio Vista and Benicia do not have hospital facilities and those that exist in Solano County have inadequate beds to accommodate a major incident. There is no trauma center or decontamination facility in the entire County. A system call Reddinet links all

medical facilities in the County with the County EOC, and provides an instant count of available beds and facilities. Currently, medical facilities located in Solano County depend on trauma centers located in Contra Costa and Napa Counties. In a major event, most likely, these facilities would not be available. The escalating growth of Solano County necessitates the exploration of facilities to provide for the safety of its residents. (5)

Recommendation #4: The Solano County Board of Supervisors review this issue and make it part of Solano County's future planning goals no later than 2005-2006. Solano County funding should include continuance of the Reddinet service.

Response: The County Administrator and Office of Emergency Services (OES) do not agree that there is no decontamination facility in the entire County. According to staff from the County's Health & Social Services Department and Emergency Medical Services (EMS) Agency, all hospitals in the County have decontamination facilities and hospital staffs have been trained in the use of those facilities. In addition, the County has been using grant funds to purchase new decontamination facilities for the County's hospitals.

The County Administrator and OES agree that there are no hospitals in Dixon, Rio Vista and Benicia, but do not necessarily agree that the lack of a hospital in each community is, in itself, the most critical issue in terms of emergency response to a major incident. The lack of bed capacity – specifically “surge” capacity to deal with the large increase in hospital beds that would accompany a major incident – is an area of significant concern. The hospitals in the County do have a plan to monitor bed availability and transfer patients as needed, but this would likely be insufficient in the case of a major incident. The County's Health & Social Services Department along with the Solano County EMS Agency has already begun the process to analyze this situation and identify what solutions might be possible. The County Administrator will recommend to the Board of Supervisors that it direct the Health & Social Services Department to continue these efforts and report back on the results as expeditiously as possible.

The County Administrator and OES agree that there are no trauma centers in the entire County. According to staff from the County EMS Agency, it is not likely that it would be cost-effective to open trauma center in Solano County due to the relatively low patient volume.¹ Solano County's EMS Agency has just completed an extensive trauma planning process and is preparing to present the resulting plan to the County's hospitals for review. This plan will identify how the County's hospital and emergency medical community can best deal with the need for trauma services in the County despite the absence of a trauma center here. The County Administrator will direct that this planning process continue and that a report be made to the Board as soon as possible.

Finding #5: There is no certified Hazardous Material (HazMat) Response Team in the County. Although fire and police personnel are trained to make a first on-site assessment, actual cleanup must be performed by qualified personnel. Currently the services of Napa County and the City of Sacramento are being used, but in the case of a major event, those

¹ Trauma system development, including determining whether a trauma center is warranted or feasible, is the responsibility of the local EMS Agency.

services may not be available. It is realized that the cost to establish a HazMat Team is large (\$2,000,000 plus), and the annual operating cost is estimated at \$350,000. But a joint effort by all the cities, districts and County may make this affordable. (4)

Recommendation #5: The County Office of Emergency Services take the lead in a study to determine the feasibility of establishing a County HazMat Team.

Response: The Solano County Office of Emergency has taken on the responsibility of establishing a County wide multi-agency Haz-Mat response team. OES is in the process of purchasing a HazMat vehicle and training HazMat team members who have already been identified by agency and individual. The team currently consists of 24 members from various Fire and Law agencies and is expected to be fully operational by January 2005. Equipment, training and the vehicle have all been acquired through Federal Grants.

Finding #6: A County Mobile Command Center has been acquired by a grant approved through U.S. Department of Homeland Security. This unit can be moved to an incident and become the Command Center for the responsible agency. It provides the capability to develop one communication frequency so all responding agencies have the capability of communicating and is equipped with backup power. (4)

Recommendation #6: Solano County ensure that training in the mobile command center be required for all emergency command personnel within the County. The County is to be commended for acquiring this state-of-the-art unit.

Response: The Office of Emergency Services is confident that Solano County has one of the most advanced state of the art Command Vehicles in the Country. This County is very fortunate that we were able to utilize Federal Grant funding in such an efficient manner.

Finding #7: Some of the agencies do not have dedicated space for a local EOC. In some cases the area being used for other purposes and must be transformed in an emergency, which may in turn, hamper the response time. (1)

Recommendation #7: Every effort should be made to provide dedicated space for an EOC. If space is unavailable, a dedicated area should consist of all necessary equipment and supplies to transform the area as soon as possible. Each local EOC needs to have back up power.

Response: Solano County OES is tentatively scheduled to move into the current County Architects office in 2005. This move will allow Solano County to have a dedicated EOC and will provide space for more drills and exercises. Solano County OES has no control over the cities ability to have dedicated Emergency Operations Centers.

Finding #8: Solano County has an automatic phone warning system for the entire County. Residents of an affected area can be warned by an automatic phone call with recorded

instructions as to the situation. Local radio stations and television are also used to inform the public. (4)

Recommendation #8: Agencies which have this valuable service should publicize this to their citizens.

Response: Solano County OES is currently working with the cities of Vallejo and Fairfield in an effort to establish a “City Watch” user’s group. This will give us the ability to consolidate telephone lines and increase our current capability significantly. As this program expands, the public will be made aware of its existence through effective public information releases.

Finding #9: Solano County Department of Health and Social Services is responsible for implementing State Medical Standards and Medical Response Procedures. However, it is unclear how the Department interacts with the Office of Emergency Services or its role in the EOC. (5)

Recommendation#9: The Solano County Chief Administrative Officer should define the role during emergencies of the Department of Health and Social Services during an emergency, including placement in the Solano County Emergency Operation Organization Chart with assigned duties and responsibilities.

Response: This recommendation has been accomplished in the new updated Emergency Operations Plans adopted by the Board of Supervisor’s on August 24, 2004.

Finding #10: A Solano County Multi-Agency Disaster Drill took place on November 13, 2003. The purpose was to test and train the appropriate personnel of law enforcement, fire service, emergency medical services, County Office of Emergency Services, Solano County Emergency Medical Services Agencies and the Public Health Department to respond to a terrorist event involving mass casualties and significant destruction or the potential thereof. This was the first such drill in Solano County. The drill revealed an overall lack of communication and leadership. Objectives of the drill were only partially achieved or not achieved at all. The results of this drill emphasize the need for a central authority to coordinate a disaster event that involves mutual aid. (5)

Recommendation#10: The County Administrative Office should take the lead and determine the necessary action to resolve the non-achieved objectives of this exercise.

Response: The Solano County Office of Emergency Services is currently working with all of the agencies that participated in the November 2003, exercise in an effort to mitigate those command and control issues discovered during this exercise. Significant improvement has been made since the exercise in that the new Command post has provided the capability of establishing tactical channels on designated frequencies that will allow unified commanders to talk to each other more efficiently.

Finding #11: Agencies tend to be territorial and focus on their own needs when planning for community services which may create obstacles when trying to develop mutual aid throughout the County that will benefit all citizens in a time of crisis. The terrorist actions of September 11, 2001 created a need for reassessment of the procedures to safeguard our population. The formation of the U.S. Department of Homeland Security brought together 42 agencies under one department requiring a major coordination effort, not only the U.S. Department of Homeland Security but with states, counties and cities so that information and responses can occur both up and down the organizational chart. (6)

Recommendation#11: Elected County officials, county administrators and City Managers need to reassess the methods by which Emergency Operating Systems are developed and implemented to break down territorial lines and to ensure that the emergency service needs are being met. Just as many Federal government departments were combined under U.S. Department of Homeland Security to establish the most efficient and effective way to respond to various incidents, so should state, counties and cities review existing emergency response structures. To make this happen, elected officials should take the initial step to form a County-wide committee that would include representatives from the State Senate and Assembly offices, County Board of Supervisors and City Councils. At this level, an assessment of County needs should take place and appropriate direction given to responsible County and City staff to develop a seamless Emergency Operating Plan throughout the County.

Response: This recommendation will be examined closely by the County Administrator's Office. If there is any feasible way to incorporate this concept into reality, it will occur over a period of time.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Johnson", with a long horizontal flourish extending to the right.

Michael D. Johnson,
County Administrator,
Director, Office of Emergency Services

OFFICE OF
COUNTY COUNSEL

SOLANO COUNTY COURTHOUSE
580 TEXAS STREET
FAIRFIELD, CALIFORNIA 94533
(707) 421-6140
FAX (707) 421-6862

DENNIS BUNTING
COUNTY COUNSEL

WENDY GOMEZ GETTY
ASSISTANT COUNTY COUNSEL



KIMBERLY A. ALEXANDER
DEPUTY COUNTY COUNSEL

REBA L. CARDOZA
DEPUTY COUNTY COUNSEL

BERNADETTE S. CURRY
DEPUTY COUNTY COUNSEL

AZNIV DARBINIAN
DEPUTY COUNTY COUNSEL

SUSAN M. FISHER
DEPUTY COUNTY COUNSEL

MINDY S. GELLER
DEPUTY COUNTY COUNSEL

CARRIE KEEFE
DEPUTY COUNTY COUNSEL

JAMES W. LAUGHLIN
DEPUTY COUNTY COUNSEL

RAMONA M. MARGHERIO
DEPUTY COUNTY COUNSEL

LORI A. MAZZELLA
DEPUTY COUNTY COUNSEL

JO ANN IWASAKI PARKER
DEPUTY COUNTY COUNSEL

October 1, 2004

To: Hon. Peter B. Foor, Presiding Judge

From: Dennis Bunting

Re: Solano County Counsel's Office's Response to 2003-2004 Grand Jury Report

Judge Foor:

Under Penal Code sections 933 and 933.05, the Solano County Counsel's Office responds to the following findings and recommendations that pertain to matters under the control of our office:

1. Americans with Disabilities Acts Compliance. This matter is not under the control of County Counsel. We will continue to provide legal advice to the Department of General Services and the Department of Human Resources to resolve ADA issues as they arise with the county's owned and leased facilities.

2. Solano County Hall of Justice South Wing Flood Damage. This matter is not under the control of County Counsel. We will continue to provide legal advice to the Board of Supervisors, the County Administrator's Office, and the Department of General Services to address the flood control issues. Specifically, we do not recommend an agreement between the County of Solano and the City of Fairfield because the respective flood control responsibilities are clearly defined.

3. Vallejo Veterans Memorial Building. This matter is not under the control of County Counsel. We will continue to provide legal advice to the Board of Supervisors and the Department of General Services to secure compliance with the interlocutory judgment.

Respectfully submitted,

Dennis Bunting
Solano County Counsel

cc: Board of Supervisors
County Administrator
Department of General Services
Department of Human Resources



OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SOLANO

DAVID W. PAULSON
DISTRICT ATTORNEY

L. Kathryn Coffey
Chief Deputy

George H. Williamson
Chief Deputy

Alejandro Garza
Chief Investigator

October 1, 2004

The Honorable Peter Foor
Presiding Judge, Solano County Superior Court
530 Union Avenue
Fairfield, CA 94533

Re: **Response to the Annual Report of the 2003-2004 Grand Jury**

Dear Judge Foor:

The following is submitted in response to the findings and recommendations of the 2003-2004 Solano County Grand Jury, as set forth in their Annual Report.

Benicia Unified School District:

The Solano County District Attorney's Office is mentioned as a "courtesy copy" recipient only in the list of affected agencies. Based on my review of the Grand Jury's findings and recommendations regarding the Benicia Unified School District, I do not believe that a response from the District Attorney is required.

Transportation and Public Buildings:

Finding #1, Recommendation #1: The District Attorney is listed as an affected agency in that the Grand Jury calls on "*appropriate County legal authorities*" to "*conduct detailed review of the leasing process and appropriateness of leases*" in order to ensure that the county comply with the Americans with Disabilities Act (ADA).

Although the District Attorney does not disagree with the finding or recommendation, I am not the "appropriate County legal authority" to review or in any manner oversee the process of leasing. Instead, the "appropriate County legal authority" for this purpose is the County Counsel. Nonetheless, should either the County Counsel or a future Grand Jury find that one or more parties to a lease, to which Solano County is also a party, has/have committed a violation of law, I would certainly encourage the County Counsel and/or the Grand Jury to immediately call upon the District Attorney for assistance.

Respectfully submitted,

David W. Paulson
District Attorney

Cc: Solano County Board of Supervisors



county of
education

Dee Alarcón, Superintendent of Schools
5100 Business Center Drive, Fairfield, CA 94534-1658 707.399.4400 www.solanocoe.net

DATE: October 8, 2004
TO: Louis Burgelin, Foreman
Solano County 2003-04 Grand Jury
FROM: Dee Alarcón, Superintendent of Schools
Solano County
RE: Response to the 2003-04 Report of the Solano County Grand Jury

The Solano County Office of Education (SCOE) was named as an affected agency in many of the investigations in school districts, and therefore, required to respond under California Penal Code §933.05. We were named in error in many instances as the Solano County Office of Education does not conduct investigations of district issues, have jurisdiction nor monitor the findings listed. In those cases, we have responded that we don't have authority for that area because the issue is a responsibility at the district level. We assume you are checking with the district named as an affected party for the information you are seeking.

To appropriately name the Solano County Office of Education as an affected party in future Grand Jury reports, please refer to California Education Code Sections 1240-81 and AB2756 amending Education Code regarding county office responsibilities. We hope this information will be helpful to the Grand Jury for future reports. Briefly among our functions according to Education Code are:

- Provide auditing services for district business and curriculum matters
- Provide advisory services in district business administration activities
- Process and monitor teacher credentials
- Hear appeals on interdistrict attendance, student expulsion, and charter school petitions
- Facilitate due process for complaints that may arise as a result of state compliance mandates or special education IEPs

Angelo Rodriguez High School (page 13)

1. **Finding #1:** Directional and access signs to the school's parking lots are insufficient and confusing.

Response #1: School facilities and maintenance are a responsibility of the district.

Recommendation #1: Post clearer directional and access signs for the school location and parking areas.

Recommendation Response: The Grand Jury should inquire at the Fairfield-Suisun district office if this recommendation has been implemented.

Board of Education

Larry Asera, *President* Ray Silva, *Vice President* Mayrene Bates Jose V. Briseño Douglas J. Ford John T. Galvan Geneva Watts

"Pursuing Excellence" An Equal Opportunity Employer

Finding #2: During the Grand Jury visit, the library appeared to be underutilized. Staff indicates that hours of the library access before and after school are insufficient for student needs.

Response #2: School facilities, staffing and curriculum are district level responsibilities.

Recommendation #2: Create more opportunities for student access to the library before, during and after schools hours.

Recommendation Response: Staffing and school facilities are a district responsibility. Please inquire at the Fairfield-Suisun district office if this recommendation has been implemented.

Finding #3: Although it is a new school with a “no gum” policy, the school walkways had numerous gum ‘spots.’

Response #3: School facilities/maintenance and enforcement of district policies are district level responsibilities.

Recommendation #3: Enforce the “no gum” policy and ‘de-gum’ or steam clean and hose down walkways frequently.

Recommendation Response: School maintenance and enforcement of school policies are a district responsibility. Please inquire at the Fairfield-Suisun district office if the “no gum” policy will be enforced and if the walkways will be cleaned.

Finding #4: Angelo Rodriguez High School does not offer Home Economics or shop-type vocational programs.

Response #4: School curriculum is a district responsibility.

Recommendation #4: The Fairfield-Suisun USD allow courses of study that encompass the Vocational Arts at all high schools or designate a high school as a Vocational Arts high school.

Recommendation Response: The Grand Jury should inquire at the Fairfield-Suisun district office if curriculum will be changed at Rodriguez High School to include more vocational programs or if a district high school will be designated as a Vocational Arts school.

Bransford Elementary School (page 14)

Finding #1: There are a large number of Spanish speaking students at Bransford Elementary School.

Response #1: SCOE agrees with the finding.

Recommendation #1: Continue the “Newcomer” program.

Recommendation Response: The Grand Jury needs to inquire at the Fairfield-Suisun district office to determine if the "Newcomer" program will be continued or not as curriculum is a district responsibility.

Finding #2: The "Read 180" program appears to be an effective program.

Response #2: School curriculum is a district responsibility.

Recommendation #2: Continue the "Read-180" program.

Recommendation Response: The Grand Jury needs to inquire with the Fairfield-Suisun district office if the "Read 180" program will be continued.

C.A. Jacobs Intermediate School (page 15)

Finding #1: Eighty-three percent of the teachers at C.A. Jacobs Intermediate School are fully credentialed, compared to the state's average of 88%.

Response #1: CDE data supports that 83% of the teachers at C.A. Jacobs Intermediate School were fully credentialed.

Recommendation #1: The school hire fully qualified teachers and make sure that teachers on emergency credentials become fully qualified.

Recommendation Response: SCOE confirmed with the Dixon USD personnel office that four teachers were teaching with emergency credentials for part of the 2003-04 school year. Dixon USD reported that two of the four teachers were fully credentialed by December. The two other teachers were credentialed regular education teachers but were working with emergency waivers so they could teach special education. This would put the district at 93%, well above the state average. The district reported the two special education teachers were working towards their certification in that area. Therefore, the Grand Jury recommendation has been implemented.

Finding #2: The students were very polite and helpful as the Grand Jury visited the site.

Response #2: SCOE was delighted to hear that students were polite and helpful to the Grand Jury.

Recommendation #2: The school continue to promote the good citizenship shown to the Grand Jury.

Recommendation Response: The Grand Jury should inquire with the Dixon USD if promotion of good citizenship has been continued as curriculum because programs are district responsibilities.

Finding #3: There was a brick missing in the walkways between portable classrooms, loose wires hanging from one classroom and a contractor's ladder was left unattended.

Response #3: School site maintenance and safety are district responsibilities.

Recommendation #3: The school repair dangerous walkways and make sure that the students are protected from other dangerous situations.

Recommendation Response: The Grand Jury should call the Dixon USD to inquire if the walkways have been repaired at C.A. Jacobs and to make sure that all safety policies are adhered to during repairs.

Hemlock Elementary School (page 15)

Finding #1: Most of the teaching staff is older, so there may be some retirements in the next few years.

Response #1: District school personnel are a responsibility of the district.

Recommendation #1: When new credentialed staff is needed, consider bringing in more bilingual teachers, not just to ease communication with students, but to encourage communication with non-English-speaking parents.

Recommendation Response: Hiring of district staff is a district responsibility. The Grand Jury needs to inquire if the Vacaville USD will implement the recommendation to hire bilingual teachers to encourage communication with non-English speaking parents.

Finding #2: The school lacks good handicap access and places to display student work outside the classrooms.

Response #2: School facilities are a district responsibility.

Recommendation #2: During the renovation process, ensure that handicap access is adequate and add additional bulletin board space in the common areas.

Recommendation Response: School site facilities are a responsibility of the district. Please contact the Vacaville USD to inquire if the handicap access has been improved and if additional bulletin board space has been added to common areas.

Jesse Bethel High School (page 17)

Finding #1: The school houses a Transition Center which serves all of Vallejo High Schools, Continuation and Middle Schools. This Center is primarily used by special education students and is federally funded; however, any student can use the career/placement facility.

Response #1: SCOE agrees with this finding.

Recommendation #1: The Grand Jury recommends continuation of this admirable program.

Recommendation Response: The Grand Jury needs to check with the Vallejo City USD to confirm the Transition Center is still used as stated above. The area of facilities and curriculum are district responsibilities.

Finding #2: The Vallejo City USD uses the cafeteria as the main kitchen to prepare meals for all of the elementary schools in the district, along with the meals for Jesse Bethel High. The district does not use contracted food service.

Response #2: Food service programs are a responsibility of the district.

Recommendation #2: The 2004-05 Grand Jury review the cost effectiveness of this system.

Recommendation Response: SCOE assumes the 2004-05 Grand Jury will review the cost effectiveness of this system.

Finding #3: Overall school maintenance is poor, considering the age of the school. At the time of this visit, the Grand Jury randomly inspected restroom facilities, drinking fountains (T2 building), locker areas (L4) and overall campus upkeep. A drinking fountain handle was not operable, and the bowl area was dirty but working. Many lockers were vandalized to the point of exposed sharp metal edges protruding into the walkway endangering the students and staff.

Response #3: School facilities and maintenance are responsibilities of the district.

Recommendation #3: Damaged lockers need immediate attention. Drinking fountains need to be clean and operable at all times.

Recommendation Response: The Grand Jury needs to call the Vallejo City USD to inquire if the lockers and fountains have been repaired at Jesse Bethel High.

Finding #4: Many maintenance problems are not addressed because of the deferred maintenance.

Response #4: School maintenance is a responsibility of the district.

Recommendation #4: Re-evaluate the deferred maintenance policy.

Recommendation Response: The Grand Jury needs to call Vallejo City USD to inquire if their deferred maintenance policy will be re-evaluated.

Finding #5: The Grand Jury observed the ramps from level two to level three are very steep. Students in wheelchairs need assistance to use these ramps. Even with assistance, coming down the ramp could be hazardous if the assistant were to lose control

Response #5: School facilities are a district responsibility.

Recommendation: The school district and the Special Education Department should look into the feasibility of changing either the slope of the ramps, putting in a lift or devising a better access from level two to level three for students with ambulatory challenges.

Recommendation Response: The Grand Jury needs to call Vallejo City USD to inquire if access between levels will be improved.

Tolenas Elementary (page 18)

Finding #1: There are buildings that do not conform to building codes.

Response #1: School site facilities are a district responsibility.

Recommendation #1: These classrooms should be replaced forthwith.

Recommendation Response: The Grand Jury should inquire at the Fairfield-Suisun USD if these buildings have been or will be replaced.

Finding #2: The decline in the API score is cause for concern.

Response #2: SCOE agrees with Finding #2.

Recommendation #2: The Principal should be reinforced in her efforts to raise the API scores. A committee consisting of district personnel, parents and staff should be organized to work with the principal in pinpointing the problem and ensuring that action is taken to reverse the decline.

Recommendation Response: SCOE agrees that actions should be taken to improve API scores that include staff, parents and district personnel. Curriculum is a responsibility of the district, but SCOE is available to offer support and assistance at the request of the district for professional development and consultation in an effort to improve student scores. SCOE doubts that a problem can be pinpointed, as there are many factors that affect results of testing in classrooms. The Grand Jury should inquire at the Fairfield-Suisun USD district office to determine if Recommendation #2 has been implemented.

Finding #3: Traffic hazards threaten the safety of the entire student population and disrupt normal traffic flow in the surrounding neighborhood. Emergency vehicles would be prevented from entering school property during peak traffic periods.

Response #3: School safety issues are a district responsibility.

Recommendation #3: The City of Fairfield and Fairfield-Suisun USD should work together to develop solutions to correct these traffic hazards.

Recommendation Response: The Grand Jury should inquire with the city and district as to whether or not the Grand Jury recommendation was implemented.

Vanden High School (page 19)

Finding #1: The school has an effective operating program which is driven by the two information “hubs,” the library and counseling department.

Response #1: SCOE agrees the library and counseling offices would be great information resources.

Recommendation: Continue to strengthen this highly effective system.

Recommendation Response: Day to day operation at school sites is the responsibility of the Principal. The Grand Jury should inquire at Vanden High if the system has been continued.

Finding #2: The school logistically is laid out so as to maximize teacher collaboration and resource availability.

Response #2: Facilities are a responsibility of the district. Day to day operation at school sites is the responsibility of the Principal.

Recommendation #2: Continue to keep similar classes in close proximity for teacher collaboration and resource availability.

Recommendation Response: The Grand Jury should inquire at Vanden High to determine if the system has been continued.

Finding #3: There are dangerous thorn bushes that pose a safety hazard because they overhang the walkways.

Response #3: Safety and maintenance issues are a district responsibility.

Recommendation #3: Remove the thorn bushes.

Recommendation Response: The Grand Jury should inquire with the Travis USD to determine if the thorn bushes have been removed.

Finding #4: The juice machine was not working properly but the soda machine was working.

Response #4: School site maintenance is a district responsibility.

Recommendation #4: Repair the juice machine.

Recommendation Response: The Grand Jury should inquire with the Travis USD to determine if the juice machine has been repaired.

Finding #5: The campus was littered with gum, especially the outside eating area.

Response #5: School site maintenance is a district responsibility.

Recommendation #5: Clean gum residue from campus walkways and eating areas.

Recommendation Response: The Grand Jury should inquire with the Travis USD to determine if the recommendation to clean the walkways was implemented.

Finding #6: A glass exit door in the cafeteria was painted with opaque green paint posing a potential safety hazard.

Response #6: School site safety is a district responsibility.

Recommendation #6: Correct the safety hazard.

Recommendation Response: The Grand Jury should inquire with the Travis USD to determine if the safety hazard has been corrected.

Will C. Wood High School (page 20)

Finding #1: The library is closed to students during "instructional time" if no certificated person is available to supervise the library.

Response #1: School site staffing is a responsibility of the district.

Recommendation #1: Consider alternative ways to finance the hiring of additional certificated personnel to allow the students more access time to the library.

Recommendation Response: The Grand Jury should inquire with the Vacaville USD to determine if the recommendation to hire additional personnel was implemented.

Finding #2: The gymnasium was found to be very dark due to ceiling lights not working even though requests had been submitted for repair. Lack of adequate lighting is a potential safety hazard.

Response #2: School site maintenance and safety issues are district responsibilities.

Recommendation #2: The district should devise a more timely system to respond to work orders from school sites.

Recommendation Response: The Grand Jury should inquire with the Vacaville USD to determine if a more timely system to respond to work orders was implemented as suggested.

Finding #3: The Grand Jury observed there is only one ramp for physically challenged persons in the main quad. The ramp is located on the left side of the quad as you enter from the parking lot. It creates a long trip to get to the opposite side of the campus. There are ramps on the outside area to access the

wings on the left and right sides, but it forces those who need ramps to go out and around the buildings.

Response #3: School facilities are a responsibility of the district.

Recommendation #3: Improve access to all campus areas for everyone.

Recommendation Response: The Grand Jury should inquire with the Vacaville USD to determine if improvements for access to the campus were made.

Finding #4: Two out of three sinks were missing from a girl's restroom.

Response #4: School facilities and maintenance are a responsibility of the district.

Recommendation #4: Replace the missing sinks in the restrooms.

Recommendation Response: The Grand Jury should inquire with the Vacaville USD to determine if the sinks were replaced in the restrooms.

Finding #5: At the time of the Grand Jury visit, there was no certified instructor for the auto shop class.

Response #5: Hiring of school personnel is a district responsibility.

Recommendation #5: Provide an instructor for the class.

Recommendation Response: The Grand Jury should inquire with the Vacaville USD to determine if a certified instructor has been hired for the auto shop class.

Benicia Unified School District (page 21)

Finding #1: The Grand Jury found no evidence that the BUSD financial problems were due to illegal activities and agrees with the police and the District Attorney findings that there were no criminal intent involved.

Response #1: SCOE agrees with Finding #1.

Recommendation #1: None

Finding #2: The Grand Jury did find unconventional bookkeeping practices and instances of inaccurate entries of income.

Response #2: Solano County Office of Education agrees with findings.

Recommendation #2: The School Board ensure that the District Superintendent, Chief Financial Officer and appropriate district personnel are fully familiar with and trained to use and understand the Standardized Account Code Structure (SACS) mandated by the California Department of Education.

Recommendation Response: Recommendation has been implemented. The current Chief Financial Officer is fully familiar with and trained to use and understand SACS.

Finding #3: The Benicia School Board did not respond appropriately to the serious warning of the outside audits and, later, by the Solano County Office of Education that their budget projections were not accurate.

Response to Finding #3: Solano County Office of Education disagrees in part. The Benicia School Board found itself faced with circumstances beyond its control such as the loss of funds from declining enrollment and the state budget crisis that were exacerbated by the internal bookkeeping issues. The bookkeeping issues were resolved with the hiring of the new Chief Business Officer and the implementation of the new financial system.

Recommendation #3: The BUSD implement board policies and budget development and monitoring practices that provide an early warning of financial problems. The Benicia School Board take immediate action when the County Office of Education issues a warning regarding certification status.

Recommendation Response: Recommendation has been implemented. Benicia USD developed a fiscal recovery plan and implemented budget reductions to balance the 2004/05 budget. It is important to acknowledge that school districts have no control over the state budget which drives funding for them. However, we assist them and monitor their budget planning to ensure accuracy.

Finding #4: The Board approved retirement bonuses through the Public Agency Retirement System (PARS) based on inaccurate and incomplete budget projections.

Response #4: The Solano County Office of Education does not have sufficient information to agree or disagree with this finding, because they were not required to obtain Solano County Office of Education approval for retirement packages.

Recommendation #4: The Benicia School Board require accurate and complete fiscal information and financial projections prior to approving retirement packages.

Recommendation Response: The Solano County Office of Education agrees with this recommendation. With the implementation of an integrated financial/payroll system, the district is able to access data in a timely manner for management review and decision making.

Finding #5: The Solano County Office of Education fulfilled the minimal mandated responsibility of notifying the BUSD Board of potentially not meeting its fiscal budget by issuing "qualified" and "negative" certification.

Response #5: The Solano County Office of Education disagrees in part with this finding. The County Office provided more than the minimal mandated services by providing a business advisor to review the financial status of the District and to

assist the district in the planning of the 2003-04 budget and preparation of the fiscal recovery plan.

Recommendation #5: The County Office of Education take a strong stand in budget discussions when impending problems appear and work with the school district until budget problems are resolved.

Recommendation Response: Recommendation has been implemented. The Solano County Office of Education worked closely with Solano schools districts to implement an integrated financial software system to enhance the availability timely and accurate fiscal information for management review at the district and county level. The Solano County Office of Education continues to use the AB1200/AB2756 guidelines to review, monitor and report on the fiscal stability of the Solano school districts.

GENERAL SERVICES DEPARTMENT

VERONICA A. FERGUSON
DIRECTOR

PAMELA L. OGLE
ASSISTANT DIRECTOR



512 CLAY STREET
FAIRFIELD, CA 94533
(707) 421-7900

DATE: September 29, 2004

TO: The Honorable Peter Foor
Presiding Judge, Superior Court
% Superior Court Executive Office/Clerk of the Court

FROM: Veronica Ferguson, Director *Veronica*
General Services Department

SUBJ: **RESPONSE TO THE 2003-2004 GRAND JURY FINAL REPORT**

I wish to personally thank the Grand Jury for its constructive comments. The General Services staff and I have reviewed the findings and recommendations stated in the Transportation and Public Buildings - Americans with Disabilities Acts Compliance, Solano County Hall of Justice South Wing Flood Damage, Vallejo Veterans Memorial Building and a portion of Solano County Juvenile Hall Inspection sections of the 2003-2004 Solano County Grand Jury Report that affect General Services. The following information is provided in response to the information contained therein. If additional information or assistance relative to these responses is needed, please let me know.

CRIMINAL JUSTICE - Solano County Juvenile Hall Inspection, pp. 22-23.

Finding #1 - The ongoing construction has created very poor parking and access to the facility. Inclement weather only exacerbates the problem. (8)

Response to Finding #1 – Solano County General Services partially agrees with this finding. Interim parking during construction, by its very nature, will not have the same durability as permanent parking provisions. Interim parking improvements were designed and constructed to maintain an accessible path of travel on hard paving for persons with disabilities. Interim parking in non-paved areas were compacted and overlaid with gravel to provide additional stability and promote water drainage during inclement weather. Preventive maintenance and servicing of the interim parking areas were performed routinely during the course of project construction, General Services' staff responded to issues on a case by case basis when they were communicated to the Department, and appropriate corrective measures were implemented to eliminate areas of erosion and stabilize temporary parking improvements.

Recommendation #1 - For future projects, temporary parking and walkways should be planned and placed as close as possible to the entrance.

Response to Recommendation #1 - This recommendation has not yet been implemented but will be implemented to the maximum extent feasible at the time project improvements are planned and built.

TRANSPORTATION AND PUBLIC BUILDINGS – Americans with Disabilities Acts Compliance.
Compliance, pp 71-73.

Finding #1 – There are several facilities leased by the County that at the present are not in full compliance with the ADA. The Grand Jury notes that County staff is in the process of negotiating with various landlords to bring these properties into full ADA compliance as leases expire. (1)(2)

Response to Finding #1 – Solano County General Services agrees with this finding. Since the transmittal of schedules for the priority of corrective action was forwarded to the Grand Jury on April 30, 2004; we have had a series of meetings with the landlords on May 20, 26 and 27, 2004 to discuss the noncompliant ADA issues in leased space.

Recommendation #1 – Solano County require landlords to comply with ADA in order to continue to lease to the County. In addition, appropriate County legal authorities and subsequent Grand Juries conduct detailed review of the leasing process and appropriateness of leases. (It is not clear to the Grand Jury why leases for ADA non-compliant property have been negotiated and renegotiated for nearly fifteen years. We believe a six-month to one-year lead-time would be more than adequate to achieve conformity with ADA standards or for the County to find alternate properties.)

Response to Recommendation #1 – The recommendation has been implemented in part. Based on the May 2004 meetings with landlords, some of the landlords have sent the County a letter agreeing to make corrective actions and a schedule for the corrections. The target date for completion of improvements by landlords is October 31, 2004. In addition, General Services, led by the Property Management Division, has initiated a procedure to review each leased location to assess ADA compliance of the facility in relation to the intended program that will occupy the facility prior to finalizing lease terms. As part of the County's due diligence process, for each new lease or lease renewal, we intend that the County's ADA Coordinator, Risk Manager, Property Manager and a member from the Division of Architectural Services or another appropriate group of staff conduct an on-site review of the facility to identify ADA issues. All leases are also reviewed by legal counsel before they are executed. In addition, during lease negotiations, the practice by the County's Property Manager is to incorporate appropriate lease provisions that require the landlord to address compliance issues with the Americans with Disabilities Act prior to lease execution. These terms and conditions were developed in conjunction with legal counsel.

Regarding the leasing of ADA non-compliant space, it should be noted that the Americans with Disabilities Act mandates access to programs and services offered by public agencies, not access to facilities. Therefore, it is feasible to conduct operations in ADA non-compliant facilities if the program or service dispensed from the facility is accessible to persons with disabilities. For example, a countertop used by customers to complete forms may exceed the acceptable height if the public agency provides personal assistance to persons living with disabilities who complete forms. On this basis, since space is leased in facilities that already exist and has improvements that were code-compliant at the time they were permitted for construction (but may not meet current ADA provisions for newly constructed facilities), it is possible that some ADA-related facility deficiencies could be identified and allowed to remain if there are programmatic and reasonable accommodations that can be implemented to provide the required accessibility to programs and services for persons living with disabilities.

Finding #2 – Mandated signage indicating specific ADA accommodations are precisely set forth in the ADA regulations as to color, dimensions and location. The Grand Jury finds that proper signage is by no means universal in County facilities. This is an especially high priority in the oldest buildings where there is the greatest number of ADA deficiencies. Signage is relatively inexpensive. Officials report that funds have been identified, and that Board of Supervisors' approval will be sought in the near future. These officials stated that the work will be completed by July 2004. (1)(2)

Response to Finding #2 – Solano County Department of General Services partially agrees with this finding. We agree that proper signage is by no means universal in County facilities and that older buildings have the greatest number of ADA deficiencies. Therefore, we have prepared a Signage Project which includes all the deficiencies as noted in the ADA Transition Plan, which addresses the following:

1. Parking spaces designated as reserved for individuals with disabilities.
2. Accessible passenger loading zones.
3. Accessible building entrances
4. Accessible restrooms.

The signage project also specifies the color, size, mounting height and location.

The County anticipated completing the signage project by the end of Fiscal Year 2004/05. At the time of the visit by the Grand Jury on April 29, 2004 to the Downtown Fairfield County campus, signage deficiencies were noted. However, funds were not allocated in the Fiscal Year 2003/04 budget for signage improvements. The Department requested and received funding for the project, which is included in the Fiscal Year 04/05 budget. Design standards for the signage project have been prepared and will be implemented this current fiscal year either by County Facilities Operations or by work performed under contract with the County. This signage program will focus on placing signage in County facilities that will remain after the Government Center Project and New Juvenile Detention Facility are completed since many older County facilities will be vacated in whole or in part in the current fiscal year.

Recommendation #2 – Solano County Board of Supervisors ensure that this important and very visible component of the ADA be accomplished as promised.

Response to Recommendation #2 – This recommendation has not yet been implemented but will be implemented in the future. The Department of General Services is committed to completing the Signage Project described in Finding #2 in accordance with the funding that has been granted by the Solano County Board of Supervisors for this purpose.

Finding #3 – Completion of 13 ADA projects costing \$558,065.00 during Year One seems to be a good-faith achievement. Quarterly update meetings which refine timelines, resources, and which assign personal responsibility are good management tools. However, many instances could arise where the presentation of precise documentation, more explicit than was shown to the Grand Jury, may well be needed. (3)(4)

Response to Finding #3 – The Department of General Services agrees with this finding and transmitted the updated prioritization of the ADA Transition Plan to the Grand Jury on April 30, 2004. Our intent is to track progress against this updated or list or update the list as necessary if County needs change during the implementation of the Transition Plan.

In the current fiscal year, General Services continues to make modifications to facilities to improve accessibility. For instance, General Services' staff is currently managing a consultant to prepare construction documents for ADA improvements at Lake Solano Park, 8685 Pleasant Valley Road, Winters, CA and at Sandy Beach, 2333 Beach Drive, Rio Vista, CA. If the projects proceed as scheduled, these improvements should be completed within this fiscal year. The third County park facility at Belden's Landing Waterway Access, 3186 Grizzly Island Road, Suisun, CA is in full ADA compliance.

In year two of the Transition Plan, during the second quarter of calendar year 2005, the Solano County Government Center, Probation Building and new Juvenile Detention Facility will be completed and occupied. Various departments that currently occupy downtown buildings and the existing Juvenile Hall which have ADA deficiencies will relocate to these newly completed facilities which have been designed and are being constructed to provide accessibility for persons living with disabilities. In this manner, the need to immediately correct ADA deficiencies in vacated facilities will not be necessary. Presently, there is no firm schedule for renovation of the vacated buildings. Reuse of buildings and accessibility requirements will be addressed during the design and construction of these existing structures prior to re-occupancy.

Recommendation #3 – The Department of General Services maintain and be prepared to submit to future Grand Juries and other interested parties, quarterly update reports of meetings indicating progress toward achieving the annual goals.

Response to Recommendation #3 – This recommendation will be implemented. The County's ADA Compliance Committee meets on a quarterly basis to monitor the progress of the ADA Transition Plan. General Services is committed to working with the ADA Compliance Committee to define appropriate roles and responsibilities so that quarterly update reports of meetings indicating progress toward achieving the annual goals are available in the future. We are also committed to tracking progress against the annual goals in the updated Transition Plan by preparing charts that document progress and completion of work efforts.

TRANSPORTATION AND PUBLIC BUILDINGS - Solano County Hall of Justice, South Wing Flood Damage, pp. 74-76.

Finding #1 – Even though a very significant improvements in flood control have been made, a combination of heavy rains, high tides and strong winds, plus other factors could overwhelm the present flood control system that protects the Hall of Justice. (1)(3)(4)

Response to Finding #1 - Solano County General Services agrees with this finding.

Recommendation #1 – The County and the City of Fairfield must be aware of the possibility that the drainage systems, upgraded pumps and backup systems may not be adequate to

control flooding. To prepare for all possibilities, alternative methods to control flooding should continuously be explored and the systems upgraded accordingly.

Response to Recommendation #1 - The recommendation has been implemented by the County. General Services Department on an ongoing basis explores alternative methods of controlling flooding in/around the South Wing of the Hall of Justice. The department has entered into an agreement with an independent firm to review the situation and make recommendations for corrective measures. Additionally, the Department is looking at different products and systems designed to prevent water intrusion into the building. These efforts will be ongoing until a suitable and acceptable solution is found.

Recommendation #1a – A written agreement between Solano County and the City of Fairfield outlining flood control guidelines must be established. These guidelines can only serve to enhance the system while reducing unforeseen problems.

Response to Recommendation #1a – This recommendation will not be implemented because a written agreement pertaining to “flood control responsibilities” between the County and City of Fairfield is not required. The City of Fairfield is the entity solely responsible for the planning, construction and ongoing maintenance of its water and drainage system. The City of Fairfield has exercised control and authority and made repairs to the condition of the canal, as recently as 2002. Solano County has placed the City of Fairfield on notice of the condition of the canal and the threat that failure to adequately maintain and operate the canal presents to flooding and has been advised that corrective action would be undertaken.

Recommendation #1b – During periods of heavy rains it is recommended that the seated Grand Jury tour the Hall of Justice South Wing to ensure appropriate measures are taken to address any abnormal situations caused by flooding.

Response to Recommendation #1b - Solano County General Services will implement this recommendation and stands ready to assist the Grand Jury with a tour of the Hall of Justice South Wing during a period of heavy rain.

Finding #2 - The Hall of Justice structure, equipment and materials have been damaged by flooding. (2)

Response to Finding #2 – Solano County General Services agrees with this finding.

Recommendation #2 - Regardless of how infrequently flooding occurs, the County must draft policies and procedures to prevent damage to structures, material and equipment from potential water damage.

Response to Recommendation #2 – This recommendation requires further analysis and study. The General Services Department is reviewing its procedures for dealing with the potential threat of flooding in the Hall of Justice. The department is looking at systems designed to prevent water intrusion, has contracted with an independent firm to review the situation and make

recommendations, and is looking at ways to better forecast potential flooding and put in place quicker response procedures to implement the prevention measures.

Finding #3 - Barricades were found that block entrances to the Hall of Justice which violate City, State and Federal safety codes. (6)

Response to Finding #3 - Solano County General Services agrees with this finding.

Recommendation # 3 – The County should find and institute alternative methods to control flooding that do not violate established safety codes.

Response to Recommendation #3 - The recommendation is being implemented. General Services Department is looking at systems designed to prevent water intrusion that are faster and easier to put in place and remove as needed so that barricades and sand bags are not kept in place for extended periods. If these systems and or measures are not fully in place prior to the upcoming rainy season, additional care will be taken to ensure that current practices include removal of barricades and sand bags each day during hours that the facility is open.

Recommendation #3a – Any method the County uses that entails blockage of exits must accommodate established safety procedures for the disabled.

Response to Recommendation #3a - This recommendation is being implemented. Solano County General Services is committed to finding better means of protecting its building. It is also committed to providing quality service to the public including access to the disabled. Any and all measures necessary to ensure access for the disabled will be taken in the future.

TRANSPORTATION AND PUBLIC BUILDINGS - Vallejo Veterans Memorial Building, pp. 77-80.

Finding #1 – The Superior Court interlocutory judgment of 1998 requires, in essence, that repairs be made to the existing facility or that alternative dedicated facilities be provided for the veterans. No solid headway has been made in six years. (2)(3)(4)(5)(6)(7)(8)

Response to Finding #1 – General Services disagrees partially with this finding. The Department believes that some headway has been made.

A judicial determination was made that Solano County has an obligation to provide a dedicated war memorial to the Vallejo Veterans. Since the decision was rendered, Solano County staff has worked in good faith with the Veterans associations and their legal counsel to identify and implement a solution to address the judicial determination. As part of these efforts, General Services undertook an in depth assessment of the ability to modify the existing facility. Estimates to renovate the existing building exceed \$5 million due to the age and condition of the building. No funding resource has been identified to offset these expenses.

In light of the undisputed expense to renovate the existing building, General Services has undertaken an exhaustive search in the Vallejo area to identify potential alternate facilities suitable for use by the veterans as a memorial. General Services has utilized its internal Property Manager as well as

professional realtors for this purpose and has additionally solicited the assistance of the City of Vallejo in locating appropriate properties. On numerous occasions, following identification of a potentially suitable property, representatives from Solano County and the Veterans groups have toured the potential facilities but have subsequently determined the facilities were inadequate or inappropriate for the proposed use. An opportunity to acquire a recent potential property identified by General Services and agreeable to the Veterans groups was also lost due to the intervening acquisition of the property by a third party.

General Services and the Veterans groups continue to work in good faith together to mutually identify an alternative site suitable for use by the Veterans associations as a dedicated war memorial

Recommendation #1- That all concerned muster their will and Solano County finally adopt a plan which is mutually agreeable to the interested parties, is backed by committed funds and is time-specific to achieve a dedicated Vallejo veteran's facility.

Response to Recommendation #1 – The recommendation to adopt a plan which is mutually agreeable to the interested parties and is backed by committed funds will be implemented. The timetable for finding alternative space is dependent upon circumstances that are outside the control of General Services such as the availability/affordability of suitable space and the agreement of another party. We are committed to achieving a dedicated Vallejo veteran's facility and will continue to work diligently towards this recommendation until a mutually acceptable alternative building is identified.

Finding #2 – The Court judged that the County “can permit the use of such building for other purposes so long as such use does not interfere with the ordinary and accustomed use of such building by the veterans’ associations.” Fiscal benefits, precedents in the existing Memorial Hall and practices in other veterans’ centers support such a policy. (1)(2)(7)(9)

Response to Finding #2 – Solano County General Services agrees with the finding of the Grand Jury.

Recommendation #2 – That “house rules” for a new or refurbished facility provide for multiple use, so long as the veterans’ ordinary and accustomed uses have first priority.

Response to Recommendation #2: This recommendation will be implemented. “House rules” for a new or refurbished facility will be established that provide for multiple use of the facility and give first priority to the veterans’ groups for meetings and other veterans’ related activities.

cc: Michael D. Johnson, County Administrator/Clerk of the Board of Supervisors

Solano County Health & Social Services Department



Mental Health Services
Public Health Services
Substance Abuse Services
Older & Disabled Adult Services

Eligibility Services
Employment Services
Children's Services
Administrative Services

Patrick O. Duterte, Director

275 Beck Avenue
Fairfield, CA 94533-0677

(707) 784-8400
FAX (707) 421-3207

October 4, 2004

Honorable Peter B. Foor, Presiding Judge of the Superior Court
C/O Superior Court Executive Officer/Clerk of the Court
600 Union Avenue
Fairfield, CA 94533

Dear Judge Foor:

Attached are the responses to Solano County Grand Jury 2003/2004 Final Report from the Health and Social Services Department concerning Child Protective Services and In-Home Supportive Services. If you have additional questions, please contact me at (707) 784-8400.

Sincerely,

A handwritten signature in black ink that reads "Patrick O. Duterte".

Patrick O. Duterte, Director
Health and Social Services Department

POD/pk

Attachment 1: Responses to 2003/2004 Grand Jury Final Report
C: Michael Johnson, County Administrator, Solano County
Solano County Board of Supervisors

Response to 2003-2004 Grand Jury Report

Solano County Department of Health and Social Services

Introduction

The Department of Health and Social Services wishes to recognize the valuable input provided by the Grand Jury in their evaluation of Child Protective Services. Virtually every member of the Department's leadership and Child Protective Services (CPS) staff believe this to be the most critical service the County provides. Further, we believe that the understanding and involvement of the community is crucial to our success in our mission to protect children.

We have reviewed carefully each of the findings and recommendations issued by the Grand Jury. In several areas, the findings have helped identify areas that need to be addressed. In other areas, improvement is underway and the Report provides sharper focus. In a few instances, clarification is necessary to improve the Grand Jury and public's understanding of the operations of CPS.

***Finding 1:** The Grand Jury uncovered a series of systemic roadblocks that prevent optimal operation of the CPS program, thereby endangering children in Solano County. Although there have been internal and external attempts to correct these deficiencies, CPS has continued to demonstrate an inability to self-correct. The organizational culture is subverting the achievement of the CPS mission.*

Response: Agree in part with the finding. The Grand Jury correctly notes that there have been both internal and external improvements to correct these deficiencies. These include implementing improved training programs and more effective protocols among agencies that are involved in protecting children. Specific issues will be addressed in this report on an issue-by-issue basis, as raised by the Grand Jury.

Note: In making this finding, the Grand Jury referenced the tragic death of a four-year-old as an example of the possible outcome of systemic failure in these areas. Subsequent interviews with the Grand Jury assure us that there was no complaint or specific issue to connect this case with the Department's policies. The child death referenced came after an anonymous report of abuse that provided an invalid address that could not be traced, despite the Social Worker's efforts to locate the family.

***Recommendation #1:** The Grand Jury recommends that the Board of Supervisors direct the formation of a Blue Ribbon Committee independent of HSS (modeled after the 2003 San Mateo County Blue Ribbon Committee) consisting of former judges, non-Solano County social workers, academics, concerned citizens and union officials to review the entire CPS program and recommend changes.*

Response: Recommendation will be implemented in concept within 90 days. We believe the insight and observations of an independent, outside body would be valuable in

helping identify specific areas of weakness and specific strategies for improvement. However, it is important that the model we apply is one that best suits the needs and issues of Solano County's program, rather than those of another county where the issues are very different.

The Child Welfare League of America (CWLA) conducted a thorough audit of Solano County's Child Protective Services in 1999, leading to 72 recommendations that were implemented or partially implemented. The guidance provided by CWLA was critical in helping make major improvements throughout the program, many of which were identified by a previous Grand Jury. In responding to the findings of the CWLA audit, the Department recognized that it was confronting a long-term guide for change, and that there was great potential for a revisit and progress review a few years later.

Since CWLA offers the advantages of in-depth experience in Solano County's CPS issues and foremost expertise in the field, we believe it to be an excellent choice to conduct this review in the shortest timeline, including evaluation of concerns as identified by the Grand Jury. As of this writing, negotiations are underway with CWLA to conduct this review.

Finding #2: Social workers are not receiving the practical training needed for them to conduct proper investigations and interviews in order to make appropriate decisions for the children of Solano County.

Response: Agree in part with the finding. Disagree in part, or clarification required (see below).

Recommendation #2: Employees should be given performance-based training for them to conduct proper investigations and interviews in order to make appropriate decisions for the children of Solano County.

Response: New caseworkers hired by CPS must meet strong training requirements and hiring criteria necessary for this very difficult work. Most new caseworkers come to the job with a master's degree in social work and often, with field experience gained in pursuit of that master's degree. Caseworkers are given an initial orientation to the work as a Child Welfare Worker. The Staff Development Supervisor develops a training plan for each new worker after conducting an individual assessment of the worker's experience. The plan consists of in-house training, other training opportunities as appropriate, and attendance at core training offered by the Regional Training Academies. In addition, workers receive supervision and training by their supervisors within their assigned units. One challenge in CPS is to provide training to workers so that they may be put to work as quickly as possible addressing the ever-growing caseload of children needing protection.

We agree that the enhanced training program implemented by the department in response to the original CWLA audit is good but not sufficient. We agree that the Department must commit to a full and adequate orientation program while balancing our critical need to get

caseworkers in the field, visiting families, as quickly as possible. The Department has identified this as a first priority to begin improving staff's ability to do the job at the field level. We will have our outside consultant (CWLA) address this issue as one of its top areas to review and make recommendations.

Additional Findings and Responses

While the Grand Jury's report cites only two official findings and recommendations, following are specific observations, allegations, and findings found within the narrative of their report, and our comments in response.

GJ I. *The Grand Jury received a complaint of lack of accountability at each level within the Child Protective Services program of Solano County H&SS from social workers to managers and the Deputy Director.*

Comments: The charge is sweeping and vague, and we are currently reviewing policies, procedures, and working relationships within the staff structure to determine where problems may exist. Some specific instances later in Section III are cited by the Report and responses follow. Others will be addressed as problems are more clearly defined.

The HSS Director brought a policy of holding open, candid discussions with staff at all levels when he assumed his post in 2001. He encourages field staff and managers to bring concerns to his attention. A new Deputy Director of CPS has been appointed. A clear track record and commitment to open communications and accountability were critical factors in evaluating candidates for the position and in selecting the new deputy director.

GJ III2. *According to testimony, three of four current managers are not helpful in providing guidance and direction to either first-line supervisors and/or social workers when guidance is sought concerning case management. It was alleged that there was a general failure of all but one of the four to make critical decisions.*

Comments: We are persuaded at this point that the Grand Jury's report reflects valid reports of weaknesses in the understanding of the respective roles of social workers, supervisors, and managers. We recognize that we must review protocols and policies to ensure effective management practices, and identify strategies to improve the partnerships between caseworkers and supervisors, with the involvement of managers as needed, to confront together the difficult cases we handle. The new deputy director and CWLA will address this area as a priority area of needed change.

GJ III2 (cont'd). *Managers were unwilling to sign documents that would indicate managerial review, decisions, and/or approval. When social workers prepared their court reports based on their observations in the field, the content of the reports were sometimes altered by the supervisors and/or managers.*

Comments: The comment fails to recognize the responsibility of the Department and CPS in submitting reports on behalf of the County of Solano. The reports filed with the

Court on child abuse/neglect cases are a joint responsibility shared by representatives of the County. They are required to reflect the input and oversight of case workers, supervisors and managers. Amendments, edits, and additional input from a supervisor or manager are an entirely appropriate and routine part of these reports. Social Workers' reports represent the Department's position and, as such, must have input from managerial staff.

GJ III3. *Interviews revealed conflicting testimony regarding the training of social workers...The Grand Jury reviewed the in-house training materials offered by CPS. The materials appeared to be adequate. However, testimony from the recipients of the training revealed problems in three areas: Structure of training, content of training, and outcome of training.*

Comments: See response to Finding/Recommendation #2. In addition, we appreciate the Grand Jury's recognition that training materials appear to be adequate. We practice a policy of continuous evaluation of training and improvement based on those evaluations. We ask each participant to provide an assessment of training received and suggestions for improvement.

Of course, it is highly unlikely that we can provide any training program in which the participants will unanimously agree on its effectiveness.

GJ III4. *According to testimony, CPS does not have adequate working relationships with law enforcement agencies in all local jurisdictions. The Grand Jury notes that there is a very positive working relationship with the Vacaville Police Department.*

Comments: The Department appreciates the Grand Jury's recognition of the strong partnership we have established with Vacaville Police Department and consider it a model for developing similar partnerships with other city police departments.

However, we want to establish protocols and strategies to continue to foster similar cooperation between CPS managers and police department management personnel in all of our cities. The Director is scheduling a meeting at the "earliest possible opportunity" with all Solano police chiefs to discuss this issue.

GJ III5: *Further testimony stated that CPS lacks leadership, proper structure, and accountability.*

Comments: This section addresses broad areas of leadership that will be raised with the CWLA audit team for further investigation and a request for recommendations. While the recently retired Director of CPS assumed the position as the CWLA audit of 1999 was released and implemented major progressive corrections and reforms, we recognize that work remains to be done. The 1999 audit became the framework for long-term organizational change while at the same time it provided dozens of specific recommendations, which have been implemented.

The Director of HSS is enthusiastic about the appointment of a new Deputy Director of CPS with the leadership skills, experience and talent to continue improving the program, and the commitment to do so.

***GJ IIII8:** The Grand Jury made a series of on-site visits to CPS to review computerized caseloads. The case reviews revealed ... Cases were not closed in 30 days as required. Most were closed in 6 to 10 months due to a variety of reasons, including referrals to other organizations and on availability of treatment programs for parents (drug, alcohol, etc.).*

Comments: The Grand Jury recognized key factors that contribute to a lag in closing some cases. We appreciate the Grand Jury's other findings that CPS generally meets time limits in responding to investigations, sexual abuse cases, and reports of abuse and neglect. These findings reflect significant improvements made (under the direction of the previous director) since the CWLA audit of 1999.

We share the Grand Jury's frustration with time lags in closing other cases. It is an issue that frustrates CPS programs statewide and reflects our ongoing effort to balance the obligation to close files with the desperate need to put workers in the field to respond to new complaints. Better than any other, this balancing act underscores the growing gap between the number of children needing our protection and the shortage of stable, loving homes to care for them.

An important additional note is that California's child welfare program has never been funded sufficiently to comply with federal and state mandates. A legislatively mandated study released in 2000 from the California Department of Social Services confirmed this when it found that approximately twice as many social workers were needed in California to implement all the state and federally required mandates. Despite this knowledge new state and federal requirements have continued to assign additional responsibilities to the child welfare system with little new funding to accomplish these requirements. It has been with the additional fiscal support by the Solano County Board of Supervisors that the Child Welfare Programs has met its state mandates. Nevertheless, we take these issues cited by the Grand Jury very seriously and will make every effort to address them.

In-Home Support Services (IHSS)

Introduction

The Department of Health and Social Services wish to recognize the valuable input provided by the Grand Jury in their evaluation of In-Home Support Services (IHSS) Program. We have reviewed carefully each of the findings and recommendations issued by the Grand Jury. Our response follows.

Finding 1: *With the growth of the older adult population in California, the funding for this program must grow correspondingly.*

Recommendation #1 Solano County Board of Supervisors pursue all avenues and sources of funding to support this important program.

Response: We agree with the Grand Jury that the older population is growing. Though there is a small county match in the IHSS Program, this is a predominately “State “ program. The funding for growth of these services needs to come from the State. The county will continue to meet its match requirements. The H&SS Director will pursue additional revenues through legislative means and if additional local revenue becomes available, determine if the Board of Supervisors want to use those dollars for additional services.

Finding 2: *There are no funds allotted to train care providers. In addition to those areas previously reported, training is needed in the following; special-disease care, dietary needs, care for minor children, care for individuals with mental impairments, CPR, lifting basics, nutrition, universal precautions and mandated reporting.*

Recommendation #2: Solano County Board of Supervisors provide funds, and in addition arrange collaborations with community organizations, to provide training to care providers.

Response #2: While there are training funds designated in the 2004-2005 IHSS Public Authority budget, there are no funds that can be used to offer stipends to providers for attending training. Providers tell us that coming to training is difficult because not only do they lose a day of pay, and often they have to pay more than what they would earn to have someone take their place in caring for the consumer.

Last year training was offered in First Aid/CPR, Universal Precautions, Health & Safety, Communications, Problem Solving/Conflict Resolution, Living with Dementia, Employer/Employee Relationships and Durable Medical Equipment. Currently, Public Authority staff is negotiating with the American Red Cross to expand the training offerings. The arrangement with Fairfield Suisun Adult School will continue and possibly expand as well.

Finding 3: *Social Workers are only required to visit the clients once per year. As a result, feedback from clients is normally obtained once per year.*

Recommendation #3: Although it is not required by regulation, one home visit per quarter is recommended. Feedback from clients should be sought at least twice a year to provide a more timely assessment of client service.

Response #3: The department concurs that, in some circumstances, more frequent social worker contacts with IHSS recipients would result in better services for clients. Some clients have very strong support systems and/or are able to make contact with their social worker when program assistance is needed. For those who are isolated and/or limited in their ability to seek assistance, more frequent contacts are highly desirable. Legislation passed as part of the 2004-2005 California Budget process includes language that establishes the concept of variable assessments for IHSS recipients.

However, given the current number of IHSS recipients in Solano County and the number of new requests for IHSS services that are received monthly, staffing levels prohibit more frequent contacts in situations other than those with very significant changes in recipient's circumstance. At this time it is not possible for all clients to be seen within the required twelve-month period based on the staffing levels in the program. More frequent contacts would necessitate significantly increased staffing in the program.

In conclusion, we applaud the Grand Jury for recognizing In-Home Support Services as an important service to our most vulnerable citizens. Currently, resources are limited for this program that is mostly State funded. We will seek direction from the Board of Supervisors on their priority for allocating scarce discretionary revenue.

Solano County Health & Social Services Department



Mental Health Services
Public Health Services
Substance Abuse Services
Older & Disabled Adult Services

Eligibility Services
Employment Services
Children's Services
Administrative Services

Patrick O. Duterte, Director

275 Beck Avenue
Fairfield, CA 94533-0677

(707) 784-8400
FAX (707) 421-3207

October 4, 2004

Honorable Peter B. Foor, Presiding Judge of the Superior Court
C/O Superior Court Executive Officer/Clerk of the Court
600 Union Avenue
Fairfield, CA 94533

Dear Judge Foor:

Attached are the responses to Solano County Grand Jury 2003/2004 Final Report from the Health and Social Services Department concerning Emergency Medical Services. If you have additional questions, please contact me at (707) 784-8400.

Sincerely,

A handwritten signature in cursive script that reads "Patrick O. Duterte".

Patrick O. Duterte, Director
Health and Social Services Department

POD/pk

Attachment 1: Responses to 2003/2004 Grand Jury Final Report
C: Michael Johnson, County Administrator, Solano County
Solano County Board of Supervisors

Emergency Medical Services Agency Administrator Response To The 2003-2004 Grand Jury Report

Finding #4: *(a) The cities of Benicia, Dixon and Rio Vista do not have a hospital. (b) There are no decontamination facilities in Solano County (or at Solano County hospitals). (c) There is no Trauma Center in Solano County.*

EMS Agency Response: (a) While there are no hospitals in Dixon, Rio Vista and Benicia, the Agency does not believe that the lack of a hospital in each community is, in itself, the most critical issue in terms of emergency response to a major incident. These communities are served by hospitals within a reasonable distance. Benicia utilizes hospitals in Vallejo and Concord. Dixon uses Sutter Davis and VacaValley hospitals, and Rio Vista has access to facilities in Fairfield and San Joaquin County. Admittedly, Rio Vista is the most isolated in terms of hospital resources.

More importantly, the lack of bed capacity – specifically “surge” capacity to deal with the large increase in demand for hospital beds that would accompany a major incident – is an area of concern. This is not just a Solano County problem but is a problem throughout the state. In part this may be an issue of the number of physical beds available in a community, but it is commonly also an issue of hospitals inability to cost-effectively meet the legally mandated per bed staffing ratios, which has the effect of reducing the number of beds that are actually available for use. The EMS Agency has for the past several years coordinated the monitoring of available hospital beds throughout the county as part of the Agency’s response to the seasonal demands of influenza. This data is now available to all hospitals via ReddiNet. However, in the event of a major incident, even this would likely be insufficient to manage a sudden increase in the number of people requiring medical attention.

The County’s Health & Social Services Department, through its Public Health Division, and the Solano County EMS Agency have already begun a process to analyze this situation and identify what solutions might be possible (which could, conceivably involve proposed state legislation). The findings and recommendations will be provided to the County Administrator and the Solano EMS Cooperative (SEMSC) Board of Directors.

(b) At present, portable decontamination units are available at each hospital in Solano County and the hospitals regularly drill on the deployment and use of these devices. Two additional units were recently delivered to area hospitals and more units are being procured through various grant-funded mechanisms. There will soon be sufficient capacity to rapidly decontaminate large numbers of victims in the county.

(c) There is no trauma center in Solano County. The nearest trauma centers are in Contra Costa, Napa, and Sacramento Counties. The EMS Agency has just completed an extensive trauma planning process with local area hospitals and determined that due to Solano County being a low trauma volume system, it is not likely that a trauma center could be sustained, either financially, or with a sufficient number of cases to keep a

trauma team proficient. The EMS Agency has prepared a draft Trauma Plan that it will present to local hospitals for review. This plan will provide a framework for the consistent management of trauma cases in Solano County and formalize relationships with out of county trauma centers that presently serve Solano County. The EMS Agency Administrator will present this plan, once agreed to by local hospitals, to the County Administrator and the Solano EMS Cooperative Board of Directors.

Finding #9: *Roles for HSS in the EOC during and emergency should be defined.*

EMS Agency Response: The EMS Agency and other HHS elements have staff with assigned and known roles in the EOC. Additionally, the EMS Agency is responsible for assessing Manpower and Training needs for all medical responders as part of its EMS plan. The Agency is cooperating with other EMS Agencies in the development of core competencies for medical response personnel to equip them for “all hazards” response.

Finding # 10: *The disaster exercise held on November 13, 2003, revealed an overall lack of communication and leadership. Objectives of the drill were only partially achieved or not achieved at all.*

EMS Agency Response: Finding #10 grouped together EMS response, the EMS Agency, fire service, law enforcement and Office of Emergency Services with regards to performance in the drill held November 13, 2003. While deficiencies were exposed, EMS enjoyed some measure of success. Of the 19 major objectives set forth for evaluation, 6 were satisfactorily completed, and 7 were partially completed. The exercise had great value in identifying areas for future training that the Agency is now developing.

DEPARTMENT OF HUMAN RESOURCES

CIVIL SERVICE COMMISSION
KIM DAVID STAFFORD, PRESIDENT
MARIAN CURTIN
PAM KEITH
CLIFF NEAL
CYNTHIA OGDEN



YOLANDA IRIGON
DIRECTOR OF HUMAN RESOURCES
580 TEXAS STREET, OLD COURTHOUSE
FAIRFIELD, CA 94533

PERSONNEL (707) 421-6170
EMPLOYEE BENEFITS (707) 421-6170
FAX (707) 421-6014

RISK MANAGEMENT (707) 421-6170
FAX (707) 432-1988

Date: 9/23/2004
To: The Honorable Peter Foor.
Presiding Judge, Superior Court
c/o Superior Court Executive Office/Clerk of the Court
From: Yolanda Irigon, Director of Human Resources
cc: Gail Feldman, Senior Management Analyst
Veronica Ferguson, Director of General Services
Re: Response to the 2003-2004 Grand Jury Final Report

The Department of Human Resources/Risk Management reviewed and concurred with the General Services Department Grand Jury responses regarding Transportation and Public Buildings –Americans with Disabilities Acts Compliance. It is my understanding that the listed “Affected Agencies” are not required to respond if the matter is NOT under an agency head’s control and area of responsibility. Responsibility for ADA compliance for personnel and risk is under the Department of Human Resources, the findings identified in the Grand Jury Report are for facility related functions directly controlled by the General Services Department.

If you need further information or clarification, please do not hesitate to contact me at 421-6170.

I:\grand jury\09-21-04 grand jury response ADA.doc



**SOLANO COUNTY
PROBATION DEPARTMENT**

2333 Courage Drive, Suite A
Fairfield, CA 94533
(707) 421-7600
FAX (707) 421-7605

Gemma S. Grossi
Chief Probation Officer

To: The Honorable Peter Foor, Presiding Judge Solano County Superior Court

From: Gemma Grossi, Chief Probation Officer, Solano County

Re: Response to the Grand Jury Final Report

Date: August 30, 2004

Fouts Springs Youth Facility

Finding #1: Fouts Springs is not being used to its capacity by the JPA counties (3)(6)

Recommendation #1: JPA counties should look into assigning more wards to Fouts Springs and increase efforts to promote the use of Fouts Springs by other California counties.

Probation Response: Probation disagrees with the finding. The recommendation of the Grand Jury will not be implemented. While the Probation Department agrees that there are beds available for eligible youth at Fouts Springs, the Solano County Probation Department recommends to the Juvenile Court the commitment of appropriate youth to the program in accordance with the guidelines outlined by the Welfare and Institutions Code (W&I Code) and after a thorough screening process. The W&I Code dictates to both the Court and the Probation Officer that youth be maintained in the least restrictive means possible, allowing eligible youth the opportunity to rehabilitate within the community rather than being removed from their homes. Funding has been made available in the recent past allowing counties to develop resources that offer more opportunities for youth to be served without removal from their homes. One impact of the success of these programs is a reduction statewide in the use of residential placements.

The Chief Probation Officer of Solano County continues to work with the Superintendent of Fouts Springs on the promotion of the facility. This includes providing opportunities for discussion of the program at Bay Area Chief Probation Officer meetings as well as the statewide organization.

Solano County Juvenile Hall Inspection

Finding #1: The ongoing construction has created very poor parking and access to the facility. Inclement weather only exacerbates the problem. (8)

Recommendation #1: For future projects, temporary parking and walkways should be planned and placed as close as possible to the entrance.

Probation Department Response: While the Probation Department agrees with the recommendation, the implementation for future projects must be referred to the Department of General Services as that Department manages construction projects for the Probation Department.

Finding #2: Staff dress code seems very lax. It was sometimes difficult to identify staff from wards. (1).

Recommendation #2: Develop some type of dress code. Senior staff stated that the dress code was currently under negotiation.

Probation Department Response: The Probation Department agrees with this finding and the recommendation has been implemented.

Finding #3: Ward complaint form dispensers were empty in several areas. (1)

Recommendation #3: Keep the dispensers supplied with complaint forms.

Probation Department Response: The Probation Department agrees with this finding and the recommendation has been implemented.

Finding #4: Supervising staff stated that mental health issues among wards are rapidly increasing. Currently 15-18 wards are on "psychotropic" medication. (2)(3)

Recommendation #4: Provide necessary training for staff and designate an area in the new facility to house such wards.

Probation Department Response: The Probation Department disagrees with part of the recommendation. The Probation Department agrees that staff working within the Juvenile Hall benefit from training on the issues of dealing with youth with mental health problems. This recommendation has been implemented through the CORE training staff receive, on going in service training as well as the availability of training regarding youngsters with special needs offered through the array of trainings available annually. The Probation Department disagrees with the recommendation that an area be designated within the new facility to house youth who are prescribed psychotropic medications. That part of the recommendation will not be implemented. One of the primary reasons that youth are prescribed these medications is to allow them to coexist with others and to be able to be socialized with their peers. The new facility has on each unit individual rooms if it is felt that a youngster, due to a variety of issues may benefit from a private room. Mental Health services will continue to be available to the youth detained.



SOLANO COUNTY
Department of Resource Management
Environmental Health Services Division
470 Chadbourne Road, Suite 200
Fairfield, CA 94534
www.solanocounty.com

Telephone No: (707) 421-6765
Fax: (707) 421-4805

Birgitta Corsello, Director
Cliff Covey, Asst Director

October 4, 2004

Honorable Peter B. Foor,
Presiding Judge
Superior Court of California
County of Solano

RE: Solano County Department of Resource Management (DRM) response to the 2003-2004 Grand Jury Report

Dear Honorable Peter B. Foor;

Please find the Department of Resource Management's response to the 2003-2004 Grand Jury report. As background, please be advised that the Department of Resource Management was created by the Board of Supervisors by county Ordinance in May 2004. The Department encompasses the Department of Transportation (DOT) and the Department of Environmental Management (DEM). I respectfully submit the Department of Resource Management's (DRM) responses to the specific reports included in the 2003-2004 Grand Jury Report that refer to either of the two previous departments. Our response includes the finding and the recommendation and the Department's response to each.

Land Planning and Environment – Biosolids (Pages 63 – 68)

Grand Jury Finding # 1: The County has developed adequate regulations and monitoring procedures to maintain safety for the residents near biosolids sites (9)(10)(11).

Department Response Finding #1: The Department agrees with the finding.

Grand Jury Recommendation # 1: DEM continue to enforce regulations and monitor biosolids applications sites.

Building & Safety
Carlos Silva, Chief
Building Official

Planning Services
Mike Yankovich
Program Manager

Environmental
Health
Terry Schmidbauer
Program Manager

Administrative
Services
Daniel Bellem
Staff Analyst

Public Works-
Engineering
Paul Wiese
Engineering Manager

Public Works-
Operations
Steve Hilas
Operations Manager

Department Response Recommendation # 1: The Department concurs with the grand jury recommendation and will continue to enforce regulations and monitor biosolids applications sites, to ensure protection of public health and the environment. The recommendation has been implemented through the continued staffing of the oversight functions by DRM.

Grand Jury Finding # 2: There is no evidence that the spreading of biosolids under the conditions set by the County is unsafe or hazardous to health. (Refer to National Academy of Sciences Report-Biosolids Applied to Land: Advancing Standards and Practices, 2002).

Department Response Finding# 2: The Department agrees with the finding as stated at this time.

Grand Jury Recommendation # 2: DEM continue to meet with stakeholders to monitor any new scientific findings in this area.

Department Response Recommendation # 2: The Department concurs with the recommendation and it has been implemented. DRM has met with stakeholders prior to the beginning to the land spreading season and will meet again with stakeholders at the end of the season and will prepare an End of the Year Report that will be presented to the Solano County Board of Supervisors. DRM will continue to seek out and review current research funding regarding biosolids application and attend pertinent educational symposiums. Additionally, DRM staff will continue to promote the opportunity for researchers to partner with Solano County and use funding to study the biosolids land application program in Solano County. The funding was approved by the Board of Supervisors and raises \$ 10.00 per acre applied with biosolids for research and education.

Grand Jury Finding # 3: A 2001 incident of biosolids application caused unacceptable odors. This situation has not been repeated since the new County regulations went into effect in April 2003. (6)(9)(10)(11)(12)

Department Response Finding # 3: The Department agrees with the finding.

Grand Jury Recommendation # 3: DEM should continue to enforce regulations to ensure that biosolids applications do not cause any nuisances to nearby residences.

Department Response Recommendation # 3: The Department concurs with the recommendation and it has been implemented. DRM staff is performing daily inspections and collecting samples to ensure compliance to Solano County Code, Chapter 25 regulations.

Grand Jury Finding # 4: Citizens' committees have taken an active role in helping to develop regulations to address their concerns about possible negative effects of biosolids applications in the county. There continues to be a level of apprehension about biosolids and dissatisfaction with the regulations (6)

Department Response Finding # 4: The Department agrees with the finding.

Grand Jury Recommendation # 4: DRM should continue to monitor scientific research in this area and recommend updating regulations as needed. Stakeholders and other interested parties should continue to be involved in the process.

Department Response Recommendation # 4: The Department concurs with the recommendation and it has been implemented. DRM continues to provide an opportunity for stakeholders to play an active role in the overall process. Stakeholders meetings are scheduled prior and following the land application season of April 15 – October 15. Additionally, the year end report to the Board of Supervisors is given at a public hearing to give every opportunity to provide input about the biosolids land application program. It should be noted that at conferences/symposiums sponsored by the USEPA in 2003 and 2004, models for stakeholder input, which are currently being implemented by Solano County DRM were highlighted. The DRM will continue to recommend changes to the biosolids program to the Board of Supervisors, if deemed appropriate, based on inspections findings, sample results and emerging science.

Grand Jury Finding # 5: Solano County is one of the few California counties that regulate biosolids application. (9)(10)(11)

Department Response Finding # 5: The Department agrees with the finding.

Grand Jury Recommendation # 5: The County should continue this cutting-edge program to insure the health and welfare of all citizens while maintaining the agricultural viability of Solano County.

Department Response Recommendation # 5: DRM concurs with the recommendation and the recommendation will continue to be implemented. . DRM will continue with the implementation of the Biosolids Program following regulations contained in Solano County Code, Chapter 25. This implementation currently includes the inspection and sampling that exceeds other jurisdictions. Additionally, as stated previously, DRM will continue to seek educational opportunities and current scientific literature/findings to maintain and expand our knowledge.

RMD will be faithful to its mission which is “to assist the Board of Supervisors in providing for the well being of Solano County's present and future residents and the public at-large through administration and enforcement of Federal, State, and Local laws and policies pertaining to environmental health, building construction, and land use planning, which have been adopted to preserve and protect the individual, the public, and the environment, and further the economic stability of the County.”

Grand Jury Finding # 6: RMD and the applicator are documenting citizen complaints, taking concerns seriously and responding appropriately. (12)

Department Response Finding # 6: The Department agrees with the finding.

Grand Jury Recommendation # 6: RMD continue to document and respond to complaints, and produce an annual report to the County Board of Supervisors.

Department Response Recommendation # 6: DRM concurs with the recommendation and it has been implemented as part of the county ordinance which DRM is responsible for enforcing. DRM will continue to respond to complaints expeditiously. This year the DRM has added a web based complaint mechanism in which any citizen can log a complaint related to the land spreading of biosolids at any time. DRM responds to complaints through a series of steps. These include: complaint verification, contacting the complainant, performing site inspection, providing a timely response to the complainant, coordinating with applicator to resolve problems (if any) and log the resolved complaint which will be included in the year end report.

Grand Jury Finding # 7: Farmers/ranchers report economic benefits in terms of agricultural productivity as a result of biosolids applications. The general public gains from the ability to recycle waste rather than using up landfills. (1)(4)

Department Response Finding # 7: The Department agrees with the finding.

Grand Jury Recommendation # 7: Use of biosolids in permitted locations should be allowed to continue as an economic benefit to the agricultural community and a benefit to the general public in terms of waste recycling.

Department Response Recommendation # 7: The recommendation has been implemented. DRM will continue to permit the land application of biosolids in conformance to the ordinance and provide regulatory oversight to ensure that public health and the environment is adequately protected while providing an economic benefit to farmers and general benefit to the public through recycling. In addition, DRM echoes the grand jury comments recognizing the positive impact that stakeholders, including concerned citizens have had on the development of the County biosolids regulations. Their continuing interest and willingness to contribute to the formulation of county-wide policy has placed Solano County in the forefront among California communities in addressing the land application of biosolids.

DRM is pleased to acknowledge the grand jury concurrence with the 2002 Agricultural Overview given by the Solano County Board of Supervisors which stated that: "Solano County is a desirable place to live because of its rural characteristics. The BOS has determined that the best use for agricultural/open space land is to preserve agricultural operations. Slight unavoidable inconveniences may arise from agricultural activities but are a small price to pay for the lifestyle we all enjoy."

DRM appreciates the opportunity to provide a response to the Biosolids 2003-2004 Grand Jury Report.

Solano Flood Control (Sweeny Creek) – (pages 69-70)

Grand Jury Finding # 1: Flooding continues to be a problem in Solano County.

Other Agency Response: SCWA agrees with this finding.

Department Response Finding # 1: The department agrees that flooding during significant rain fall events do result in flooding in the lower lying areas.

Grand Jury Recommendation # 1: Solano County Board of Supervisors, SCWA Board of Directors, and other effected agencies, must continue to work to relieve the problem of flooding throughout the county for the health, safety and welfare of county residents.

Other Agency Response: SCWA agrees with this recommendation and continues to implement the Flood Control Master Plan approved by the Board of Directors. SCWA also coordinates with Solano County on flood related matters on a regular basis. Some areas of coordination have been identified for improvement and Solano County and SCWA are working to improve coordination. SCWA is working on a supplemental response to the 2002 – 2003 Grand Jury who made a recommendation that flood control responsibility be assigned to the Solano County Department of Environmental Management. SCWA is developing a Strategic Plan which will be addressing our future role in flood control and we plan to respond to the Grand Jury in more detail after that plan has been completed.

Department Response Recommendation # 1: The recommendation continues to be implemented as described in the SCWA response and the Department of Resource Management staff participate in the planning, design review and implementation of solutions.

Grand Jury Finding # 2: Work accomplished on this portion of Sweeney Creek greatly reduced flooding in the area of Allendale and I-505.

Other Agency Response: SCWA partially agrees with this finding. The work accomplished in Sweeney Creek was maintenance type work which did reduce flooding in recent storms. However, our studies show this type of maintenance work has a minimal impact on larger floods such as those that occurred in December of 2002.

Department Response Finding # 2: The DRM concurs with the SCWA's response.

It should be noted that: In a recent presentation and report by SCWA's consultant, it was shown that the maintenance work recently completed will only help in the average annual storm event (1 year storm). They are working on a proposed project design which will relieve flooding in a 3-4 year event, but this project may be contingent upon an assessment district and increased SCWA funding.

Grand Jury Recommendation # 2: Work that was not accomplished between Sweeney Creek from I-505 to the Weir must be completed. SCWA should meet with land owners to discuss problem areas and re-evaluate this area yearly to ensure the creek is maintained, and flooding is reduced to the minimum.

Other Agency Response: SCWA assumes that the "Weir" reference in the recommendation is the wing-wall structure just downstream of Leisure Town Road. SCWA has an agreement with the landowner to perform maintenance in this area and continues to maintain this part of the creek on

an annual basis. Work to remove blockages and some dredging in this reach of Sweeney Creek was done last year. We are now in our second year of maintenance. As part of our Sweeney Creek Watershed Study, we are also looking at longer term improvements which should improve the flood carrying capacity of this part of Sweeney Creek

Department Response Recommendation #2: No additional response is required by the department.

Grand Jury Finding # 3: Elderberry bush in the creek support an endangered insect species. This plant be removed in accordance with environmental rules as it impedes the flow of water in the creek.

Other Agency Response: SCWA agrees with this finding.

Department Response Finding # 3: The Department agrees with the finding.

Grand Jury Recommendation # 3: Caltrans and SCWA partner with the Resources Conservation District to develop a plan to grow endangered plants species for mitigation of removed plants.

Other Agency Response: The Elderberry Bush is in the right-of-way of Cal Trans. SCWA and Cal Trans have entered into an agreement for maintenance of this portion of Sweeney Creek, where SCWA performs the work and Cal Trans reimburses SCWA for the cost. We plan on removing the Elderberry Bush and mitigating its impacts either in an approved mitigation bank or through other measures approved by the U.S. Fish and Wildlife Service

Department Response # 3: No response required. The recommendation is not specifically directed at DRM.

Grand Jury Finding # 4: Arundo” a false bamboo weed that is extremely evasive and can create a natural dam to causing flooding.

Other Agency Response: SCWA agrees with this finding.

Department Response Finding # 4: The Department agrees with the finding.

Grand Jury Recommendation # 4: Caltrans and SCWA partner with the Resource Conservation District to develop and eradication plan.

Other Agency Response: SCWA includes Arundo eradication as a part of its annual maintenance program for Sweeney Creek.

Department Response # 4: No response required. The recommendation is not specifically directed at DRM.

Grand Jury Finding # 5: The culvert installed south of Putah Canal has a “backwash” when Sweeney Creek is full causing slight flooding. A flap gate was not placed on the culvery when installed.

Other Agency Response: SCWA agrees with this finding.

Department Response Finding # 5: The Department agrees with the finding.

Grand Jury Recommendation # 5: Install a flap gate.

Other Agency Response: SCWA implemented to recommendation. The work was authorized and funded and the flap-gate was installed.

Department Response Recommendation # 5: No response required. The recommendation is not specifically directed at DRM.

Sincerely,



Birgitta E. Corsello, Director
Department of Resource Management

Attachment – SCWA response to 03/04 Grand Jury Report.

Cc: Solano County BOS
Solano County Water Agency
DRM staff

R:\2003 2004 Grand Jury Report

September 9, 2004

Peter B. Foor, Presiding Judge of the Superior Court
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

Dear Judge Foor:

This letter constitutes the response of the Solano County Water Agency to the 2003 – 2004 Solano Grand Jury Report regarding “Solano County Flood Control (Sweeney Creek)”. The Solano County Water Agency Board of Directors authorized this letter at their September 9, 2004 meeting.

FINDING NO. 1:

Flooding continues to be a problem in Solano County.

Response:

SCWA agrees with this finding.

RECOMMENDATION NO. 1:

Solano County Board of Supervisors, SCWA Board of Directors and other affected agencies must continue to work to alleviate the problem of flooding throughout the County for the health, safety and welfare of county residents.

Response:

SCWA agrees with this recommendation and continues to implement the Flood Control Master Plan approved by the Board of Directors. SCWA also coordinates with Solano County on flood related matters on a regular basis. Some areas of coordination have been identified for improvement and Solano County and SCWA are working to improve coordination. SCWA is working on a supplemental response to the 2002 – 2003 Grand Jury who made a recommendation that flood control responsibility be assigned to the Solano County Department of Environmental Management. SCWA is developing a Strategic Plan which will be addressing

our future role in flood control and we plan to respond to the Grand Jury in more detail after that plan has been completed.

FINDING NO. 2:

Work accomplished on this portion of Sweeney Creek greatly reduced flooding in the area of Allendale and I-505.

Response:

SCWA partially agrees with this finding. The work accomplished in Sweeney Creek was maintenance type work which did reduce flooding in recent storms. However, our studies show this type of maintenance work has a minimal impact on larger floods such as those that occurred in December of 2002.

RECOMMENDATION NO. 2:

Work that was not accomplished between Sweeney Creek and I-505 to the Weir must be completed. SCWA should meet with local landowners to discuss problem areas and reevaluate this area yearly to ensure that the creek is maintained and flooding is reduced to a minimum.

Response:

SCWA assumes that the “Weir” reference in the recommendation is the wing-wall structure just downstream of Leisure Town Road. SCWA has an agreement with the landowner to perform maintenance in this area and continues to maintain this part of the creek on an annual basis. Work to remove blockages and some dredging in this reach of Sweeney Creek was done last year. We are now in our second year of maintenance. As part of our Sweeney Creek Watershed Study, we are also looking at longer term improvements which should improve the flood carrying capacity of this part of Sweeney Creek.

FINDING NO. 3:

Elderberry Bush in the creek may support an endangered insect species. This plant should be removed in accordance with environmental rules, as it impedes the flow of water in the creek.

Response:

SCWA agrees with this finding.

RECOMMENDATION NO. 3:

Cal Trans and SCWA partner with the Resource Conservation District to develop a plan to grow endangered plant species for mitigation of removed plants.

Response:

The Elderberry Bush is in the right-of-way of Cal Trans. SCWA and Cal Trans have entered into an agreement for maintenance of this portion of Sweeney Creek, where SCWA performs the work and Cal Trans reimburses SCWA for the cost. We plan on removing the Elderberry Bush and mitigating its impacts either in an approved mitigation bank or through other measures approved by the U.S. Fish and Wildlife Service.

FINDING NO. 4:

Arundo, a false bamboo weed that is extremely invasive and can create a natural dam causing flooding.

Response:

SCWA agrees with this finding.

RECOMMENDATION NO. 4

Cal Trans and SCWA partner with the Resource Conservation District to develop an eradication plan.

Response:

SCWA includes Arundo eradication as a part of its annual maintenance program for Sweeney Creek.

FINDING NO. 5:

The culvert installed south of Putah Canal has a “backwash” when Sweeney Creek is full, causing slight flooding. A flap-gate was not placed on culvert when installed.

Response:

SCWA agrees with this finding.

RECOMMENDATION NO. 5:

Install a flap-gate.

Response:

A flap-gate has been installed.

If you have any questions please contact the SCWA General Manager, David Okita, at 451-2094.

Sincerely,

Duane Kromm
Chairman, Solano County Water Agency

F2. LeGrande 2003 – 2004 Grand Jury response.let.doc



530 Union Avenue • Suite 100 • Fairfield, CA 94533
Administration Offices (707) 421-7000

Gary R. Stanton
Sheriff/ Coroner

August 27, 2004

Honorable Peter B. Foor, Presiding Judge
Solano County Superior Courts
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

Sheriff's Response to the 2003/2004 Solano County Grand Jury Final Report

The Sheriff's Office concurs with the findings of the Grand Jury and provides the following response to those findings that have recommendations as outlined below.

Facilities Inspection (page 27)

Sheriff's Detention Facilities

Finding #1: The carpeting in the Claybank Facility is old, worn and poses a safety hazard to staff and inmates. (1)

Recommendation #1: Follow Claybank Administration recommendation to replace carpet with tile.

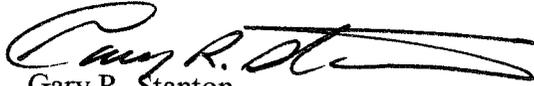
Response: The replacement of worn carpeting at the Claybank Facility is addressed in the Sheriff's FY 04/05 budget. Replacement of worn carpeting has been identified in our facilities maintenance plan. A suitable replacement material will be identified and installed as quickly as possible.

Finding #2: According to the Kitchell Study, inmate population in Solano County is projected to grow to 2,054 by the year 2015. (2345)

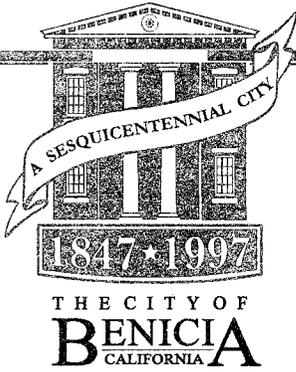
Recommendation #2: The Solano County Board of Supervisors and the Sheriff's/Coroner Office take the necessary steps to implement and fund facilities to accommodate the projected growth.

Response: Following the completion and publication of the Kitchell Study, the Solano County Sheriff and the County Administrator's Office provided the Board of Supervisors with several options to manage projected growth of the inmate population. The Solano County Board of Supervisors has decided on an option. Although the Sheriff has no authority to fund the construction of jail facilities, we will assist the County Administrator's Office by lending our expertise to planning and construction project management once a feasible funding source has been identified.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary R. Stanton". The signature is stylized with a large initial "G" and a long horizontal flourish at the end.

Gary R. Stanton
Sheriff/Coroner



JIM ERICKSON
City Manager

September 28, 2004

Peter B. Foor
Presiding Judge of the Superior Court
c/o Superior Court Executive Office/Clerk of the Court
600 Union Avenue
Fairfield, CA 94533

Dear Judge Foor:

Attached please find the City of Benicia's responses to the 2003-2004 Solano County Grand Jury Final Report. Responses are organized as follows:

1. Responses to Findings #1 - #5 from pages 3 - 4 of the report, regarding the City's budget.
2. Response to Finding #1 noted on page 24 of the report, regarding the Benicia Police Department.
3. Response to Finding #3, page 93 of the report, regarding Homeland Security
4. Response to Finding #1 and #2, page 92 of the report, regarding an Emergency Operating Plan for the County and each City.

Should you have additional questions or need further information regarding any of the above-noted responses, please contact me at (707) 746-4210.

Sincerely,


Jim Erickson
City Manager



Finance Department
MEMORANDUM

Date: September 7, 2004
To: Jim Erickson, City Manager
From: Robert Sousa, Finance Director
Re: Response to Grand Jury

Recommendation #1. The City of Benicia develops a 5-Year Capital Improvement Program that is presented separately under each individual department within the Bi-Annual Budget. The recommendation to print this document under a separate cover is understandable and will be considered by staff during the bi-annual process scheduled to begin in January 2005.

Recommendation #2. The City Council has adopted a Budget Stabilization Reserve Resolution that accomplishes the goal of preserving the City's budgetary health. The adoption of an ordinance, as opposed to a resolution, would not enhance to goals of the City Council beyond that which has already been accomplished.

Recommendation #3. The City Council has placed a great deal of importance on taking a conservative posture when it comes to the budgeting process. Any financial items that possess substantial risk of occurring or not occurring, whichever the case may be, are isolated and considered separately. For example, during the last bi-annual budget process, the City Council removed \$1.5 million in "at-risk" State funding and proceeded to initiate deeper city-wide expenditure cutbacks. When the uncertainty surrounding State funding was removed and the funding was assured, the City Council approved the budgetary recognition of the revenues and reinstated certain capital improvement projects that had been deferred.

Recommendation #4. The City Council recently approved an lump-sum payment to CalPERS that will generate expenditure savings during the current fiscal year. Part of the savings is being set-aside in a PERS Stabilization Reserve to be applied to future fiscal years. This stabilization reserve will be used in the future to assist in mitigating large rate fluctuations, similar to those that are being experienced now.

Recommendation #5. The City utilizes a Long Range Budget Model to establish and recognize budgetary trends. During the annual review of the bi-annual budget, City Staff update the model using current revenue and expenditure information and then proceed to recommend budget adjustments to the City Council.



Police Department
MEMORANDUM

Date: September 3, 2004
To: Jim Erickson, City Manager
From: Jim Trimble, Chief of Police
Re: Response to 2003 – 2004 Grand Jury Report

Finding #1

Holding cells and booking area are old but adequate. The Benicia facility is located in an old school. There is no Sally Port (enclosed secure parking area for transferring prisoners from a vehicle to the detention facility) and no separate toilet facilities for prisoners. The building is seismically unsafe. The 2003 bond issue on the ballot to replace/upgrade the facility failed.

Recommendation #1

The city of Benicia should explore alternatives to correct deficiencies.

Response #1

After the bond measure failed the city immediately began to address the identified seismic and safety needs of the department. Utilizing funds that had been set aside from the police building project, city staff began working with an architectural firm to draft plans to resolve both issues.

The existing facility will have the 911 Center seismically retrofitted and a new roof installed over the entire police department. The prisoner holding cells, as well as the entire booking area will be remodeled, including the addition of a "prisoner-only" bathroom. A secure Sally Port on the east side of the police department is also part of the retrofit program. It is anticipated that the entire project will be completed by June 2005.

Finding #3

If an emergency incident should escalate beyond the agency's capacity and the need to request mutual aid from another agency should be necessary, the current communication systems would hamper responsibilities, as each agency's communication system operates independently with no coordination and little interoperability among police, fire and medical agencies. This finding was part of the 2002-2003 Solano County Grand Jury Report. It appears that no progress has taken place to rectify this problem.

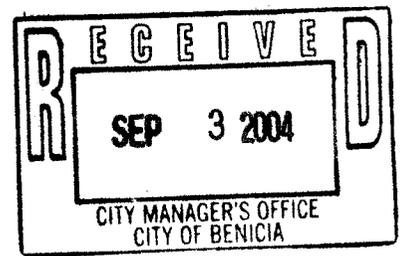
Recommendation #3

The U.S. Department of Homeland Security has made it clear that funding is available for a variety of needs at the local level, but the process to determine those needs is slow and difficult. As a temporary solution to the Countywide communication system, the county estimates that \$3,000,000 would provide a system that would link agencies appropriately when significant multi-response is required. Rather than each city or the county pursuing the available funds, all agencies should jointly ascertain what U.S. Department of Homeland Security is requiring and whether those needs can be met for this project. With the County Office of Emergency Services acting as the lead agency, they could develop a grant application that represents all of the agencies in Solano County.

Response #3

The City of Benicia along with its police and fire departments is actively involved in the Joint Solano Emergency Communications Activities (SECA) committee. This committee is dedicated to resolving the radio interoperability issues currently facing Solano County as outlined in the Grand Jury report. As of September 1, 2004, all participating jurisdictions in Solano County have had the Memorandum of Understanding (MOU) ratified and signed by their governing body. Significant progress should be made in the following year to resolve radio interoperability.

This recommendation is being implemented as recommended. The County Office of Emergency Services (OES) is taking the lead in researching and applying for U.S. Department of Homeland Security grants to fund the SECA radio interoperability solutions. As of September 1, 2004, no grant monies have been received as OES is still researching various grant possibilities.



Memo

To: City Manager
From: Fire Chief ^{KW}
Date: September 3, 2004
Subject: RESPONSE TO GRAND JURY REPORT

Response to Finding #1:

The City of Benicia is currently updating its' Emergency Operating Plan (EOP) to address consistency with the County of Solano's EOP. The City is preparing a new and updated EOP that will use Solano County's EOP as its' model. The City will address the specific needs of Benicia, while ensuring that the City plan is consistent with the County Plan.

In addition, the City trains staff and elected officials on the use of the City's EOP. The City also works with Solano County and the California Office of Emergency Services to ensure the City's EOP is current with mandates from the U.S. Department of Homeland Security.

Response to Finding #2:

The authority to activate the City of Benicia's Emergency Operating Center (EOC) is covered in the City's EOP. It is the responsibility of the City Manager or the City Council to proclaim a local emergency. The City's EOP provides for overall management and support for any emergency. It directs the Director of Emergency Services (DES), the City Manager or his or her alternate, to activate the City's Emergency Operations Center located at Fire Station #11 when needed. The EOP gives authority to and direction of all EOC staff positions. The EOP is clear on the responsibilities of every position in the EOC, which gives clear direction and authority to staff on decisions regarding response, material and supplies, and the request of mutual aid.

The City trains and drills with staff on their roles within the EOC.

**Benicia Unified School District
350 East 'K' Street
Benicia, CA 94510
707-748-2610**

Responses to Findings and Recommendations from the 2003-04 Grand Jury Report

Finding #1 The Grand Jury found no evidence that the BUSD financial problems were due to illegal activities and agrees with the police and the District Attorney findings that there was no criminal intent involved. Agree.

Recommendation #1 None

District Response #1 Recommendation has been implemented

Finding #2 The Grand Jury did find unconventional bookkeeping practices and instances of inaccurate entries of income. Agree.

Recommendation #2 The School Board ensure that the District Superintendent , Chief Financial Officer, and appropriate District personnel be fully familiar with and trained to use and understand the Standardized Accounting Code Structure (SACS) mandated by the California Department of Education.

District Response #2 Recommendation has been implemented. The District Superintendent retired in 2003 and a new Superintendent came to the District in July of 2003. The majority of the Business Office staff has transitioned out and, effective July 2002 the District hired a new CFO. July 2003 the District hired a new Accounting Supervisor; both business officials have a great deal of knowledge of SACS and were actually members of the first agencies to convert to SACS statewide.

Finding #3 The Benicia School Board did not respond appropriately to the serious warning of the outside audits, and later by the Solano County Office of Education that their budget projections were not accurate. Agree.

Recommendation #3 The BUSD implement board policies and budget development and monitoring practices that provides an early warning of financial problems. The Benicia School Board takes immediate action when the County Office of Education issues a warning regarding certification status.

District Response #3 Recommendation has not yet been fully implemented, but will be implemented by June 30, 2005. Budget updates and revisions go to the Board monthly. The Board and Superintendent have committed to updating all of the Board Policies this year, beginning with Budget practices. The Superintendent and CBO have regular meetings with the County Superintendent and CBO to discuss the budget in BUSD. The County has required for the second year in a row a Fiscal Recovery Plan that is implemented and reviewed by the Board on a regular basis.

Finding #4 The Board approved retirement bonuses through the Public Agency Retirement System (PARS) based upon inaccurate and incomplete budget projections. Agree.

Recommendation #4 The Benicia School Board requires accurate and complete fiscal information and financial projections prior to approving retirement packages.

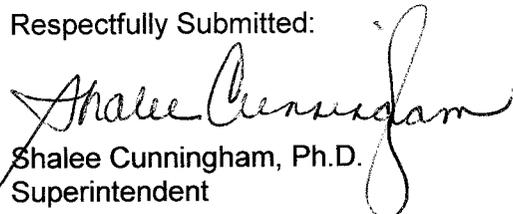
District Response #4 Recommendation has been implemented. The PARS decision was partially based on financial statements that indicated the District was in the black. Additionally, based upon the agreed upon assumptions, PARS analysis showed a savings.

Finding #5 The Solano County Office of Education fulfilled the minimal mandated responsibility of notifying the BUSD Board of potentially not meeting its fiscal budget by issuing 'qualified' and 'negative' certification. Agree.

Recommendation #5 The County Office of Education takes a strong stand in budget discussions when impending problems appear and work with the school district until budget problems are resolved.

District Response #5 Recommendation has been implemented. The Solano County Office of Education has a new superintendent and a new CBO. They meet with school district officials on a regular basis and offer to attend board meetings whenever needed.

Respectfully Submitted:


Shalee Cunningham, Ph.D.
Superintendent

MAYOR MARY ANN COURVILLE
VICE MAYOR GIL VEGA
COUNCILMEMBER LOREN FERRERO



COUNCILMEMBER YVONNE McCLUSKEY
COUNCILMEMBER JILL ORR
CITY TREASURER DAVID DINGMAN

November 1, 2004

The Honorable Peter B. Foor, Presiding Judge
Solano County Superior Court
C/o Superior Court Executive Officers/Clerk of the Court
Hall of Justice
600 Union Ave.
Fairfield, CA 94533

RE: Response of the Dixon City Council to the 2003-2004 Solano County
Grand Jury Final Report

Dear Judge Foor:

On behalf of the City Council of the City of Dixon and with its prior approval, I hereby submit to you the responses of the City Council to the findings and recommendations contained in the above noted final report of the 2003-2004 Solano County Grand Jury as set forth below:

Investigation: County and City Budget Review

Finding #1:

“The City of Dixon General Fund contingency for FY 2003-04 is set at \$1.6 million, which amounts to 15% of operating expense.”

Response to Finding #1:

The City of Dixon agrees with this finding.

Recommendation #1:

“This solid reserve should be maintained.”

Response to Recommendation #1:

The City of Dixon has implemented this recommendation.

City of Dixon

600 East A Street • Dixon, California • 95620-3697
(707) 678-7000 • FAX (707) 678-0960 • TDD (707) 678-1489

Finding #2:

“The 15% reserve, which has been met for the past five years, is set each year by City Council resolution. No ordinance or official policy exists calling for a specific goal.”

Response to Finding #2:

The City of Dixon agrees with this finding.

Recommendation #2:

“The reserve should be set by a City Council ordinance which would assure that the public would be alerted if a deviation should be recommended in a future budget.”

Response to Recommendation #2:

The City of Dixon has carefully considered this recommendation and will not be implementing the recommendation. Each year during the General Fund Budget Workshops, a discussion of the General Fund Contingency is scheduled and occurs. During that discussion members of the public are invited to comment on the amount of the Contingency. As a result, the Contingency is reviewed in light of the most current economic and financial information available.

After direction is given by the City Council as to the size of the Contingency, the amount is formalized in the annual resolution adopting the General Fund Budget. The resolution is adopted in an open City Council meeting, generally the last meeting in June before the beginning of the new fiscal year. This process affords at least three opportunities for further discussion both among the members of the City Council and with interested members of the public. No additional public review would occur were the reserve to be set by ordinance.

As a result, the City of Dixon feels that adequate opportunity is given for public comment about its Contingency Reserve, that a change to the percentage of Contingency Reserve would receive appropriate public scrutiny, and that adoption by ordinance would not receive public scrutiny.

Further, setting the contingency by ordinance would make it difficult to change in the case of an urgent need, thereby defeating the very purpose of the contingency reserve.

Finding #3:

“Dixon prepares its budgets on an annual rather than a multi-year basis.”

Response to Finding #3:

The City of Dixon agrees with this finding.

Recommendation #3:

“The Grand Jury recommends that a multi-year financial plan be prepared based on developing facts, statistics and trends. The plan should be continuously updated as new information becomes available.”

Response to Recommendation #3:

The City of Dixon is already implementing this recommendation.

Multi-year financial planning has become a crucial part of the City’s annual budget-making process. The City’s General Fund Budget, under which resources are allocated for the majority of the essential services provided to the community by the City, consists of three basic components; salaries and benefits for employees comprise of approximately two-thirds of the annual budget; the operational materials and supplies comprise approximately one-third of the annual budget; and the equipment replacement designation/capital acquisitions, typically represents about one to three percent of the annual budget. Discussed in reverse order of the above listing, the City’s efforts with respect to a long-term financial planning are as follows:

Equipment Replacement Designation/Capital Acquisition

The City Maintains an equipment replacement designation (sinking fund) which includes all the City’s capital equipment, such as vehicles, computers, and furnishings, valued at \$1,000 or more. Every piece of capital equipment has an estimated life expectancy (amortization period), in some cases ranging up to twenty-five years, as for a fire truck. Each year the City sets aside money in the Equipment Replacement Designation Fund for the eventual replacement of each piece of equipment. In the case of that fire truck, 1/25th of the replacement cost is set aside each year, such that at the end of the life cycle of that piece of equipment, resources are available for its replacement. Most of the resources which are expended on an annual basis for capital acquisition flow back to the General Fund from this Equipment Designation Fund.

Operations, Materials and Supplies

Materials and supplies used for General Fund operations tend to be very predictable on an annual basis. They change, typically, only in response to inflation or the predictable addition of new programs or facilities operated by the City. Planning for future change in this segment of the budget is relatively straight-forward. This segment of the budget is, by the way, most capable of sustaining expenditure reductions to address any short-term, modest budget reductions.

Salaries and Benefits

Personnel costs comprise the largest segment of the City’s budget since it is people who provide the labor intensive services for our community such as: public safety,

maintenance, administration, development services and recreation. In fiscal year 2003-2004, the City undertook the first in an on-going series of department-by-department strategic planning exercises designed to evaluate the operations and staffing needs for each department for at least the coming five years. In fiscal year 2004-2005 two additional departments will be so evaluated. In this fashion, the City has initiated a rolling, long-term, planning process for each functional area, the result of which will be utilized in the annual budget making process. Services, service approaches, and personnel will comprise center-piece discussions in these departmental reviews.

Revenues

Three revenue components constitute the bulk of the City's annual General Fund budget; property taxes, sales/use taxes, permits/fees. Each year, as the annual budget is prepared, historic revenue trends are reviewed and projections made for each of these areas, based on the most current information. It has been with the State's "draconian" manipulation of local revenues that predictability has become more difficult. This, of course, is exasperated by the political brinksmanship which characterizes the State budget process, producing demands for revenue sharing which local governments must react to, generally after they have set their annual budget in place. Generally, local governments, such as Dixon, have, however, shown great fiscal resiliency in dealing with this uncertainty.

Finding #4:

"Dixon has a five-year capital improvement program which, together with funding, is updated annually."

Response to Finding #4:

The City of Dixon agrees with this finding.

Recommendation #4:

"Insure that on-going maintenance costs to support and maintain capital improvements are included in future operating budget forecasts."

Response to Recommendation #4:

The City of Dixon has implemented this recommendation.

Finding #5:

"Notwithstanding significant cuts in State support, Dixon officials report no cuts in basic services. Officials credit this successful outcome to a conservative spending mindset reinforced by a rigorous process which screens out all uncertain income from the budgeting process."

Response to Finding #5:

The City of Dixon agrees with this finding.

Recommendation #5:

“Continue this successful defensive budget philosophy.”

Response to Recommendation #5:

The City of Dixon has implemented this recommendation.

Investigation: Detention/Holding Facilities

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

Finding 1:

“Police facility is considered a temporary holding facility, not holding cells, because staffing levels are not adequate to qualify for standard holding procedures. The facility is clean and appears safe.”

Response to Finding 1:

The City partially disagrees with this finding. While the City agrees with the finding the Police Facility is considered a temporary holding facility, and that the facility is clean and safe, we disagree with the finding that we do not have holding cells and staffing levels are not adequate to qualify for standard holding procedures.

The California State Board of Corrections, and the California Code of Regulations, Title 15 & 24, is the authority for defining law enforcement detention facilities. Per their code and definitions, law enforcement facilities may only contain a Type I Jail or Temporary Holding Facility. A Type I Jail is defined as a local detention facility used for the detention of persons for not more than 96 hours, persons on court order either for their own safekeeping, or sentenced to a city jail as an inmate worker. A temporary holding facility is defined as a facility constructed after January 1, 1978, and used for the confinement of persons for 24 hours or less pending release, transfer to another facility, or appearance in court. The Dixon Police Department maintains a Temporary Holding Facility, which does include three holding cells for prisoners that allows for the holding of up to six (6) subjects for up to 24 hours. Current staffing levels are sufficient to hold subjects until release, or transfer to Solano County Jail.

Recommendation 1:

“Review the need for holding cells in light of projected population growth.”

Response to Recommendation 1:

This recommendation has been implemented. The City maintains a Capital Improvement Program which anticipates needs for expanded public facilities. The City finds that expansion is unwarranted at this time. The Police Department maintains a Temporary Holding Facility, which does include three holding cells, and, given usage experience, meets the needs of the City for the current and projected population growth.

Investigation: Americans with Disabilities Acts Compliance

Although not a finding or recommendation specifically addressed to the City of Dixon, the Grand Jury Report comments under the category Americans with Disabilities Acts Compliance, that “Cities, special districts, and school districts located in Solano County should review all their facilities to make certain that they meet ADA standards. Future Solano County Grand Juries, beginning with 2004-2005, should conduct ADA reviews of these facilities.”

The City of Dixon reviewed its facilities and programs and completed its ADA transition plan in 1999. That plan identified numerous improvements and modifications which needed to be implemented to bring the City facilities and programs into compliance with the ADA. At that time the City also identified the City’s Chief Building Official as the ADA Compliance Coordinator. Although the City, prior to 1999, had taken a number of steps with regard to improvements and modifications to meet ADA needs; it has, since 1999, taken a more aggressive posture with respect to implementation of needed improvement to public buildings, parks, playgrounds, restrooms, and parking lots. In 2004, prior to the receipt of the Grand Jury Report, the City Council reaffirmed its priority for compliance with the ADA by identifying ADA as a top goal during its annual goal setting process. The City has recently surveyed all nine-hundred of its street locations which have or need ADA ramps. The City Council will, in the next sixty-days, provide direction for an aggressive program to update, replace or install ramps at these locations. The City of Dixon continues to be mindful of the necessity to comply with ADA requirements to meet the needs of citizens with disabilities. This priority is, however, considered in context with provision of all the other essential services which the City provides such as public safety, recreation, administration and maintenance.

Investigation: Emergency Services County and Cities of Solano

“This year’s Grand Jury elected to review the Emergency Operating Centers and Procedures of agencies within Solano County and how Homeland Security mandates have been incorporated into Emergency Operating Plans.”

Eleven findings and recommendations were made by the Grand Jury under this section of Emergency Services. Unfortunately, the Grand Jury's Report is not clear as to which agencies are expected to respond to various portions of the report. The City of Dixon has reviewed and acknowledges the investigation and in its response to these findings and recommendations it will limit its responses to those matters under the control and area of responsibility of the City of Dixon.

Finding 1:

“There is an Emergency Operating Plan for the County and each city. However, the plans vary and there seems to be no consistency among the county and cities regarding the training relating to Emergency Operating Procedures and new mandates from U.S. Department of Homeland Security.”

Response to Finding 1:

The City partially disagrees with this finding. The City Emergency Operating Plan was revised in May 2004 and is compliant with the state Standard Emergency Management System (SEMS). In addition, this plan is consistent with the County plan and with new mandates from the U.S. Department of Homeland Security.

The City expresses no view as to whether the County and other cities have training in procedures or have plans consistent with the requirements of the US Department of Homeland Security.

Recommendation 1:

“To ensure that each agency is in compliance with California and U.S. emergency requirements, one agency should take the lead to insure that the appropriate training, exercises and guidelines are established and implemented. Due to the fact that the County has a dedicated employee for Emergency Services, it is logical that the County Office of Emergency Services takes the lead in this endeavor. Currently, agencies meet to discuss response and mutual aid. It is recommended that the review of agency operational plans and procedures be presented at these meetings to ensure each agency is within State and U.S. standards.”

Response to Recommendation 1:

This recommendation is not addressed to the City of Dixon, which has no authority to require that the County of Solano implement it. The City notes that the City plan is already in compliance with California and U.S. emergency requirements.

Finding 2:

“Within some agencies, there seems to be confusion about who would activate the EOC and who has authority to make appropriate and crucial decisions relating to the necessary response, material, supplies and the request for mutual aid.”

Response to Finding 2:

In the case of the City of Dixon, we disagree with this finding in that there is no confusion in Dixon. The City of Dixon Emergency Operations Plan clearly outlines the authority to activate the center. Those authorized to activate the EOC are the City Manager, Police Chief, Fire Chief, and Public Works Director. Who activates it, depends on the nature of the emergency. The procedures for Emergency Operation Center activation are to initiate the “Emergency Operations Center Call-Back” by contacting the Police/Fire Communications Center. The City of Dixon is unaware of the status of this recommendation in other agencies.

Recommendation 2:

“The County Administrator (CAO) and each City Manager should review and define their respective emergency administrative roles and clearly communicate these responsibilities to members of the EOC team.”

Response to Recommendation 2:

This recommendation has been implemented insofar as it relates to the City of Dixon. The City Emergency Operations Plan documents and clarifies the Cities role in disaster management and emergency response. We recognize three levels of response that correspond to the State of California Office of Emergency Services guidelines. All city department heads, including the City Manager are familiar with this plan. The City of Dixon is unaware of the status of this recommendation in other agencies.

Finding 3:

“If an emergency incident should escalate beyond the agency’s capacity and the need to request mutual aid from another agency should be necessary, the current communication systems would hamper responsibilities, as each agency’s communication system operates independently with no coordination and little interoperability among police, fire and medical agencies. This finding was part of the 2002-2003 Solano County Grand Jury Report. It appears that no progress has taken place to rectify this problem.”

Response to Finding 3:

While not addressed specifically to the City of Dixon, the City disagrees partially with the finding; as there have been steps taken to further address the radio and data interoperability issue since the report was published. A Memorandum of Understanding (MOU) has been executed to form the Joint Solano Communications Activities (SECA), where the entities within Solano County agreed to work on implementing the interoperability needs assessment submitted by RCC Consultants. The recommendation to develop a grant application to support the efforts of SECA will occur as the committee analyzes and recommends the appropriate technology to the County for implementation.

Recommendation 3:

“The U.S. Department of Homeland Security has made it clear that funding is available for a variety of needs at the local level, but the process to determine those needs is slow and difficult. As a temporary solution to the County-wide communication system, the county estimates that \$3,000,000 would provide a system that would link agencies appropriately when significant multi-response is required. Rather than each city or the county pursuing the available funds, all agencies should jointly ascertain what U.S. Department of Homeland Security is requiring and whether those needs can be met for this project. With the County Office of Emergency Services acting as the lead agency, they could develop a grant application that represents all the agencies in Solano County.”

Response to Recommendation 3:

This recommendation has been implemented. The Solano County Office of Emergency Services has just received approval for the FY04 Homeland Security Grant that has funding of \$1,060,000 that will be dedicated to radio interoperability for Solano County. Hopefully this will be a start the process that will eventually alleviate Solano County’s communication problems.

Finding 4:

“Dixon, Rio Vista and Benicia do not have hospital facilities and those that exist in Solano County have inadequate beds to accommodate a major incident. There is no trauma center or decontamination facility in the entire County. A system call Reddinet links all medical facilities in the County with the County EOC, and provides an instant count of available beds and facilities. Currently, medical facilities located in Solano County depend on trauma centers located in Contra Costa and Napa Counties. In a major event, most likely, these facilities would not be available. The escalating growth of Solano County necessitates the exploration of facilities to provide for the safety of its residents.”

Response to Finding 4:

The City of Dixon agrees with the finding.

Recommendation 4:

“The Solano County Board of Supervisors review this issue and make it part of Solano County’s future planning goals no later than 2005-2006. Solano County funding should include continuance of the Reddinet service.”

Response to Recommendation 4:

The City of Dixon notes this recommendation which is addressed to another agency.

Finding 5: N/A

Recommendation 5: N/A

Finding 6: N/A

Recommendation 6: N/A

Finding 7:

“Some of the agencies do not have dedicated space for a local EOC. In some cases the area is being used for other purposes and must be transformed in an emergency, which may in turn, hamper the response time.”

Response to Finding 7:

The City of Dixon agrees with this finding with respect to the City of Dixon.

Recommendation 7:

“Every effort should be made to provide dedicated space for an EOC. If space is unavailable, a dedicated area should consist of all necessary equipment and supplies to transform the area as soon as possible. Each local EOC needs to have back up power.”

Response to Recommendation 7:

The recommendation has been implemented. The City does not have a building or space dedicated exclusively for an Emergency Operations Center. However, the training room at the Dixon Fire Department was designed to collaterally serve as an EOC. It can quickly be transformed into the City Emergency Operation Center. Telecommunications cabling allows for multiple phone lines, computers, overhead projection capabilities, multiple television monitors, and emergency back up power. Emergency supplies and resources are available at the Fire Department, the City’s newest municipal building.

Finding 8:

“Solano County has an automatic phone warning system for the entire County. Residents of an affected area can be warned by an automatic phone call with recorded instructions as to the situation. Local radio stations and television are also used to inform the public.”

Response to Finding 8:

The City of Dixon agrees with this finding.

Recommendation 8

“Agencies which have this valuable service should publicize this to their citizens.”

Response to Recommendation 8:

This recommendation has not yet been implemented in the City of Dixon, but will be implemented in the next six-months.

Finding 9: N/A

Recommendation 9: N/A

Finding 10:

“A Solano County Multi-Agency Disaster Drill took place on November 13, 2003. The purpose was to test and train the appropriate personnel of law enforcement, fire service, emergency medical services, County Office of Emergency Services, Solano County Emergency Medical Services Agencies and the Public Health Department to respond to a terrorist event involving mass casualties and significant destruction or the potential thereof. This was the first such drill in Solano County. The drill revealed an overall lack of communication and leadership. Objectives of the drill were only partially achieved or not achieved at all. The results of this drill emphasize the need for a central authority to coordinate a disaster event that involves mutual aid.”

Response to Finding 10:

The City of Dixon agrees with this finding.

Recommendation 10:

“The County Administrative Office should take the lead and determine the necessary action to resolve the non-achieved objectives of this exercise.”

Response to Recommendation 10:

The City of Dixon notes this recommendation, which has been addressed to another agency.

Finding 11:

“Agencies tend to be territorial and focus on their own needs when planning for community services which may create obstacles when trying to develop mutual aid throughout the County that will benefit all citizens in a time of crisis. The terrorist actions of September 11, 2001 created a need for reassessment of the procedures to safeguard our population. The formation of the U.S. Department of Homeland Security brought together 42 agencies under one department requiring a major coordination effort, not only the U.S. Department of Homeland Security but

with states, counties and cities so that information and responses can occur both up and down the organizational chart.”

Response to Finding 11:

The City of Dixon agrees with this finding.

Recommendation 11:

“Elected County officials, county administrators and City Managers need to reassess the methods by which Emergency Operating Systems are developed and implemented to break down territorial lines and to ensure that the emergency service needs are being met. Just as many Federal government departments were combined under U.S. Department of Homeland Security to establish the most efficient and effective way to respond to various incidents, so should state, counties and cities review existing emergency response structures. To make this happen, elected officials should take the initial step to form a County-wide committee that would include representatives from the State Senate and Assembly offices, County Board of Supervisors and City Councils. At this level, an assessment of County needs should take place and appropriate direction given to responsible County and City staff to develop a seamless Emergency Operating Plan throughout the County.”

Response to Recommendation 11:

This recommendation has not yet been implemented. The City of Dixon notes that no one entity has been directed to take the lead in this recommendation. This issue will be discussed with the City Elected Officials in the future.

Very truly yours,



Mary Ann Courville
Mayor

CC: City Council
Solano County Administrator
Clerk of the Board, Solano County
File

Dixon Unified School District

GOVERNING BOARD
ALAN R. HODGE
STEVEN A. LARSON
SHANA J. LEVINE
MICHAEL R. McCLUSKEY
KIMBERLEY C. POOLE

180 SOUTH FIRST STREET, #6
DIXON, CALIFORNIA
95620
(707) 678-5582
FAX (707) 678-0726

WALLY HOLBROOK
SUPERINTENDENT OF SCHOOLS

GINNI DAVIS
Asst. Supt. Curriculum
SUSAN RINNE
Chief Business Official
JOHN KNIGHT
Senior Director-Personnel
ROBERT G. GROVES
Senior Director-Pupil Services
ED EUSEBIO
Senior Director-Facilities

MEMORANDUM

TO: Peter B. Foor, Presiding Judge of the Superior Court
FROM: Wally Holbrook, District Superintendent 
DATE: August 31, 2004
SUBJECT: **Response To Annual Grand Jury Report 2003-2004**

C. A. Jacobs Intermediate School

Finding #1 Eighty-three percent of the teachers at C. A. Jacobs Intermediate School are fully credentialed, compared to the state's average of 88%.

Recommendation #1 The school hire fully qualified teachers and make sure that teachers on emergency credentials become fully qualified.

Response #1 C. A. Jacobs has increased the number of teachers to 29 from 28 and reduced the number of non-fully credentialed teachers to (2) from (3). The school's percentage of qualified teachers is currently 93.1% compared to the state average of 88.0%.

Finding #2 The students at the school were very polite and helpful as the Grand Jury visited the site.

Recommendation #2 The school continue to promote the good citizenship shown to the Grand Jury.

Response #2 C. A. Jacobs will continue to promote the highest of citizenship standards among students, even greater than that shown to the Grand Jury last fall.

Finding #3 There was a brick missing in the walkway between portable classrooms, loose wires hanging from one classroom and a contractor's ladder was left unattended.

Recommendation #3 The school shall repair dangerous walkways and make sure that the students are protected from other dangerous situations.

Response #3 The missing brick (paver) in the sidewalk between the portables has been replaced, all loose wires in the classroom in question have been or are being bundled and are soon to be covered with conduit, and the contractors who left the unattended ladder have completed with their work at C. A. Jacobs. The school will continue in its vigilance to be on the lookout for any and all situations that would potentially compromise student safety.



Home of
Travis Air Force Base

CITY OF FAIRFIELD

Founded 1856

Incorporated December 12, 1903

September 23, 2004

COUNCIL

Mayor
Karin MacMillan
707.428.7395

Vice-Mayor
Harry T. Price
707.429.6298

Councilmembers
707.429.6298

Jack Batson

John English

Marilyn Farley

•••

City Manager
Kevin O'Rourke
707.428.7400

•••

City Attorney
Greg Stepanicich
707.428.7419

•••

City Clerk
Arietta K. Cortright
707.428.7384

•••

City Treasurer
Oscar G. Reyes, Jr.
707.428.7496

DEPARTMENTS

Community Services
707.428.7465

•••

Finance
707.428.7496

•••

Fire
707.428.7375

•••

Human Resources
707.428.7394

•••

Planning &
Development
707.428.7461

•••

Police
707.428.7551

•••

Public Works
707.428.7485

Judge Peter B. Foor
Presiding Judge of the Superior Court
c/o Superior Court Executive Office/Clerk of the Court
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

Subject: Response to the Annual Grand Jury Report

Dear Judge Foor:

The 2003/2004 Solano County Grand Jury Report included the interoperability of radio and data between the county's police, fire and medical agencies. The following are responses to the findings and recommendations regarding radio and data interoperability:

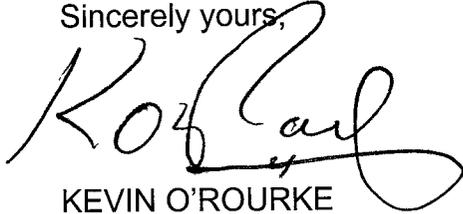
3. Finding: If an emergency incident should escalate beyond the agency's capacity and the need to request mutual aid from another agency should be necessary, the current communication systems would hamper responsibilities, as each agency's communication system operates independently with no coordination and little interoperability among police, fire and medical agencies. This finding was part of the 2002/2003 Solano County Grand Jury Report. It appears that no progress has taken place to rectify this problem.

Recommendation: The U.S. Department of Homeland Security has made it clear that funding is available for a variety of needs at the local level, but the process to determine those needs is slow and difficult. As a temporary solution to the countywide communication system, the county estimates that \$3,000,000 would provide a system that would link agencies appropriately when significant multi-response is required. Rather than each city or the county pursuing the available funds, all agencies should jointly ascertain what U.S. Department of Homeland Security is requiring and whether those needs can be met for this project. With the County Office of Emergency Services acting as the lead

agency, they could develop a grant application that represents all of the agencies in Solano County.

Response: The City of Fairfield disagrees partially with the finding as there have been steps taken to further address the radio and data interoperability issue since the report was published. A Memorandum of Understanding (MOU) has been developed for Joint Solano Communications Activities (SECA), where the entities within Solano County agreed to work on implementing the interoperability needs assessment submitted by RCC Consultants. All parties to the MOU have the approval of their policy-making bodies to enter into the agreement. The recommendation to develop a grant application to support the efforts of SECA will occur as the committee analyzes and recommends the appropriate technology to the County for implementation.

Sincerely yours,

A handwritten signature in black ink, appearing to read "K O'Rourke", with a large, stylized flourish at the end.

KEVIN O'ROURKE
City Manager

C: Mike Johnson, Solano CAO/Clerk of the Board of Supervisors



CITY OF FAIRFIELD

Founded 1856

Incorporated December 12, 1903

September 24, 2004

Home of
Travis Air Force Base

COUNCIL

Mayor
Karin MacMillan
707.428.7395

Vice-Mayor
Harry T. Price
707.429.6298

Councilmembers
707.429.6298

Jack Batson

John English

Marilyn Farley

•••

City Manager
Kevin O'Rourke
707.428.7400

•••

City Attorney
Greg Stepanicich
707.428.7419

•••

City Clerk
Arletta K. Cortright
707.428.7384

•••

City Treasurer
Oscar G. Reyes, Jr.
707.428.7496

DEPARTMENTS

Community Services
707.428.7465

•••

Finance
707.428.7496

•••

Fire
707.428.7375

•••

Human Resources
707.428.7394

•••

Planning &
Development
707.428.7461

•••

Police
707.428.7551

•••

Public Works
707.428.7485

Peter B. Foor
Presiding Judge of the Superior Court
c/o Superior Court Executive Office/
Clerk of the Court
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

Subject: Responses to the Annual Grand Jury Report

Dear Judge Foor:

Following are the City of Fairfield Finance Department's comments regarding the 2003-2004 Solano County Grand Jury Report:

AUDIT AND FINANCE COUNTY AND CITY BUDGET REVIEW

Finding #1 - We agree with the finding.

Recommendation #1 - Recommendation has been implemented. City updates its 10-year financial plan annually.

Finding #2 - We agree with the finding.

Recommendation #2 - There are two recommendations here. The recommendation regarding use of ordinance rather than resolution will not be implemented for the following reasons: (1) Fairfield establishes its annual budget and budget policies by resolution: adoption by ordinance would require introduction of the ordinance at the first Council meeting in May, which would have been fully 51 days prior to the beginning of the 2004/05 fiscal year. This would have required a release of a printed budget by the end of April, which is too early to have the required long-term revenue and expense forecasts completed. Rushing the process to meet an earlier deadline would sacrifice quality and accuracy of the forecast. (2) A resolution has the same force and effect as an ordinance, and both receive the same level of explanation and exposure on a Council agenda. (3) Ordinances require costly but little-read public notices; by publishing its budget, resolution and policies on the City's website, Fairfield obtains a much greater public visibility, and at less cost. The recommendation regarding not reducing reserves below 15% has been implemented in the following manner: Fairfield has divided its general reserves between (a) an amount equal to 7% of total General Fund expenses (approximately \$5 million), and (b) an amount equivalent to about

Letter to Judge Foor

Re: Responses to the Annual Grand Jury Report, Audit and Finance

September 24, 2004

Page 2

23% of total General Fund expenses (\$14.5 million) in a new Public Safety Fund, which has been dedicated to paying for future increases in police and fire staffing over several years. The Public Safety Fund responds to the City Council's number one priority of "Making Fairfield Safer," and ensures that such positions will get funded despite the challenging financial times facing California local government. Fairfield's budget reserve policy calls for the 7% reserve to grow over time, as resources allow, back to the 15% level.

Finding #3 - We agree with the finding.

Recommendation #3 - Recommendation has been implemented. City was an active participant in the process by which the League of California Cities worked out agreements on state legislation with the Governor and Legislature, that ultimately became Proposition 1A on the November 2004 ballot.

Finding #4 - We agree with the finding.

Recommendation #4 - Recommendation has been implemented. In June 2004 the City Council adopted a Budget Recovery Plan, which is a balanced package of expenditure and staffing reductions, increased cost recovery, alternative service delivery, and revenue increases. The multi-year nature of this Plan will phase in budget corrections in a timely manner based on long-range forecasting.

Finding #5 - We agree with the finding.

Recommendation #5 - Recommendation has been implemented. City updates its 10-year financial plan annually.

If you need any additional information, please contact Finance Director Bob Leland at 428-7495.

Sincerely yours,



KEVIN O'ROURKE
City Manager



Home of
Travis Air Force Base

CITY OF FAIRFIELD

Founded 1856

Incorporated December 12, 1903

September 23, 2004

COUNCIL

Mayor
Karin MacMillan
707.428.7395

Vice-Mayor
Harry T. Price
707.429.6298

Councilmembers
707.429.6298

Jack Batson

John English

Marilyn Farley

•••

City Manager
Kevin O'Rourke
707.428.7400

•••

City Attorney
Greg Stepanicich
707.428.7419

•••

City Clerk
Arletta K. Cortright
707.428.7384

•••

City Treasurer
Oscar G. Reyes, Jr.
707.428.7496

DEPARTMENTS

Community Services
707.428.7465

•••

Finance
707.428.7496

•••

Fire
707.428.7375

•••

Human Resources
707.428.7394

•••

Planning &
Development
707.428.7461

•••

Police
707.428.7551

•••

Public Works
707.428.7485

Judge Peter B. Foor
Presiding Judge of the Superior Court
c/o Superior Court Executive Office/Clerk of the Court
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

Subject: Response to the Annual Grand Jury Report

Dear Judge Foor:

The 2003/2004 Solano County Grand Jury Report identified the lack of a certified Hazardous Materials (HazMat) Response Team. The following are responses to the findings and recommendations regarding the Hazardous Materials Response Team:

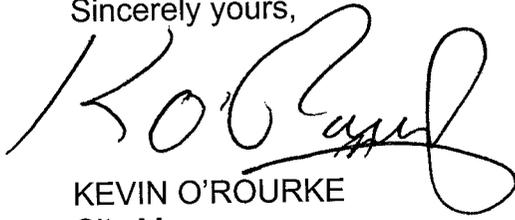
5. Finding: There is no certified Hazardous Material (HazMat) Response Team in the county. Although fire and police personnel are trained to make a first on-site assessment, actual cleanup must be performed by qualified personnel. Currently, the services of Napa County and the City of Sacramento are being used, but in the case of a major event, those services may not be available. It is realized that the cost to establish a HazMat Team is large (\$2,000,000 plus), and the annual operating cost is estimated at \$350,000. But a joint effort by all the cities, districts and county may make this affordable.

Recommendation: The County Office of Emergency Services take the lead in a study to determine the feasibility of establishing a County HazMat Team.

Response: The City of Fairfield agrees with the finding. However, the cities of Benicia, Vallejo, Fairfield, Vacaville and Suisun City have designated personnel to participate as the Solano County HazMat Team. All participants have been certified to the level of Hazardous Materials Specialist. The hazmat vehicle is expected

to be delivered in November and the team should be functional by
January 2005.

Sincerely yours,

A handwritten signature in black ink, appearing to read "K O'Rourke", with a large, sweeping flourish at the end.

KEVIN O'ROURKE
City Manager

C: Mike Johnson, Solano CAO/Clerk of the Board of Supervisors



CITY OF FAIRFIELD

Founded 1856

Incorporated December 12, 1903

Home of
Travis Air Force Base

September 29, 2004

COUNCIL

Mayor
Karin MacMillan
707.428.7395

Vice-Mayor
Harry T. Price
707.429.6298

Councilmembers
707.429.6298

Jack Batson

John English

Marilyn Farley

•••

City Manager
Kevin O'Rourke
707.428.7400

•••

City Attorney
Greg Stepanicich
707.428.7419

•••

City Clerk
Arietta K. Cortright
707.428.7384

•••

City Treasurer
Oscar G. Reyes, Jr.
707.428.7496

DEPARTMENTS

Community Services
707.428.7465

•••

Finance
707.428.7496

•••

Fire
707.428.7375

•••

Human Resources
707.428.7394

•••

Planning &
Development
707.428.7461

•••

Police
707.428.7551

•••

Public Works
707.428.7485

Peter B. Foor
Presiding Judge of the Superior Court
Superior Court Executive Office
600 Union Avenue
Fairfield, CA 94533

SUBJECT: Response to 2003/2004 Solano County Grand Jury Report

Dear Honorable Judge Foor:

Below are responses to the Grand Jury Report regarding Detention/Holding Facilities and Emergency Services as they relate to the Fairfield Police Department.

Detention/Holding Facilities:

Finding #1 – Holding cells and booking area appeared safe and clean.

We agree with this finding.

Recommendation #1 – None.

Finding #2 – The Sally Port was a combination of a prisoner transfer area, supply storage and maintenance facility for the department vehicles. Tools and supplies, which could be used as weapons, were within easy access of prisoners. General clutter was observed. The same deficiencies were noted in the 2002 – 2003 Grand Jury report and have yet to be corrected. Statements by city personnel indicate the maintenance facility will not be relocated to a former fire station until approximately September 2004.

We partially disagree with this finding based upon the date of the Grand Jury's inspection. The Sally Port is no longer a combination of a prisoner transfer area, supply storage, and maintenance facility for the department vehicles. The vehicle maintenance operation has been moved from the Sally Port as of June 23, 2004, and relocated to the vacant fire station on Union Avenue. The Sally Port is no longer used for vehicle maintenance. We agree there are still supply storage items located in the Sally Port area.

Recommendation #2 – All items stored directly adjacent to the prisoner transfer area should be moved and/or secured. Better safety precautions should be in place for the protection of maintenance personnel during prisoner transfer. The Sally Port should be used for safely transferring prisoners from vehicles to holding cells. Any other use should be secure enough to prohibit possible injury to prisoners or staff from items in the area used as weapons. The transfer of the maintenance facility out of the Sally Port should be expedited.

The majority of this recommendation has been implemented with the relocation of the vehicle maintenance facility. The Sally Port, out of necessity, must still accommodate a wide variety of uses. The vehicle maintenance move, which included all personnel and their equipment, was completed on June 23, 2004, significantly ahead of the projected September date. We are currently working with Building Maintenance personnel to construct shelves at a safe distance from the prisoner transport door that will be utilized to house the paper goods and other supplies that will continue to be stored in the Sally Port area. After the shelving is completed, we will then have the ability to maintain a clear and safe distance on both sides of the transport door. All other items stored in the Sally Port (i.e. bicycles, large pieces of evidence/property etc.) will be kept in locations, within the Sally Port, that will not be an officer safety concern.

There is a temporary storage container located in the Sally Port. This container will be moved after the remodel of our property and evidence storerooms is completed. We anticipate completion, and removal of the container, by the end of December 2004.

Emergency Services:

Eleven findings and recommendations were made by the Grand Jury under this section of Emergency Services. As outlined in the "Procedure for Response to the Annual Grand Jury Report", responses to only those findings and recommendations relating to matters under the Fairfield City Manager's control and area of responsibility have been submitted. It is our understanding the Fire Department is handling Findings # 3 and 5.

Finding #2 - Within some agencies, there seems to be confusion about who would activate the EOC and who has authority to make appropriate and crucial decisions relating to the necessary response, material, supplies and the request for mutual aid.

In the case of the City of Fairfield, we disagree with this finding. There is no confusion in Fairfield. The City of Fairfield Emergency Operations Center may be activated by the City Manager or senior personnel from any of the following departments or divisions:

Fire Department
Police Department

Public Works Department
Communications Center

Recommendation #2 – The County Administrator (CAO) and each City Manager should review and define their respective emergency administrative roles and clearly communicate these responsibilities to members of the EOC team.

This recommendation has been implemented. The City of Fairfield's Emergency Operations Plan documents and clarifies the City of Fairfield's role in disaster management and emergency response. We recognize three levels of disaster that correspond to the State of California Office of Emergency Services guidelines.

Finding #7 - Some of the agencies do not have dedicated space for a local EOC. In some cases the area is being used for other purposes and must be transformed in an emergency, which may in turn, hamper the response time.

We agree with this finding.

Recommendation #7 - Every effort should be made to provide dedicated space for an EOC. If space is unavailable, a dedicated area should consist of all necessary equipment and supplies to transform the area as soon as possible. Each local EOC needs to have back up power.

The recommendation has been implemented. The City of Fairfield lacks building or space resources for a dedicated Emergency Operations Center. Space is at a premium throughout City Hall and we have no provisions or plans for a single-use facility that would function solely as an EOC. However, we have the next best thing. The Briefing Room inside the Fairfield Police Department can quickly be converted into an EOC. We have laid telecommunications cabling to allow for multiple phone lines and computers. We have an overhead computer and projection system installed, along with multiple television monitors. Emergency back up power is provided. So while we lack the dedicated space, we have space that is readily available that can be quickly turned into the Fairfield Emergency Operations Center.

Finding #8 - Solano County has an automatic phone warning system for the entire County. Residents of an affected area can be warned by an automatic phone call with recorded instructions as to the situation. Local radio stations and television are also used to inform the public.

We agree with this finding.

Recommendation #8 – Agencies which have this valuable service should publicize this to their citizens.

We have implemented this recommendation. The Fairfield Police Department has the same automatic phone warning system as Solano County. The CityWatch system is used for emergency notifications and for making recorded messages to the citizens of Fairfield. We have publicized information about this system to the Fairfield community.

If you have any questions please contact Fairfield Police Chief Bill Gresham at (707) 428-7366.

Sincerely yours,

A handwritten signature in black ink, appearing to read "K O'Rourke", written over the typed name and title.

KEVIN O'ROURKE
City Manager



CITY OF FAIRFIELD

Founded 1856

Incorporated December 12, 1903

Home of
Travis Air Force Base

COUNCIL

Mayor
Karin MacMillan
707.428.7395

Vice-Mayor
Harry T. Price
707.429.6298

Councilmembers
707.429.6298

Jack Batson

John English

Marilyn Farley

•••

City Manager
Kevin O'Rourke
707.428.7400

•••

City Attorney
Greg Stepanicich
707.428.7419

•••

City Clerk
Aretta K. Cortright
707.428.7384

•••

City Treasurer
Oscar G. Reyes, Jr.
707.428.7496

DEPARTMENTS

Community Services
707.428.7465

•••

Finance
707.428.7496

•••

Fire
707.428.7375

•••

Human Resources
707.428.7394

•••

Planning &
Development
707.428.7461

•••

Police
707.428.7551

•••

Public Works
707.428.7485

September 23, 2004

Peter B. Foor,
Presiding Judge of the Superior Court
in care of the Superior Court Executive Office/Clerk of the Court
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

Subject: Responses to the Annual Grand Jury Report

Dear Judge Foor:

Following are the Fairfield Public Works Department's comments regarding the 2003-2004 Grand Jury Report:

TRANSPORTATION AND PUBLIC BUILDINGS Americans with Disability Acts Compliance

V. Comments

Currently, the City of Fairfield is undertaking an ADA compliance review and transition plan for all city buildings.

SOLANO COUNTY HALL OF JUSTICE SOUTH WING FLOOD DAMAGE

IV. Findings and Recommendations

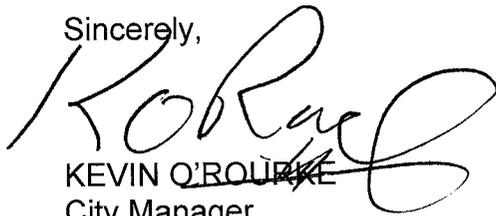
Finding No. 1 – This finding is not clear because it does not define or describe the "very significant improvements in flood control" that have been made. The only improvement that the Fairfield Public Works Department is aware of is the pumping system that Solano County added to protect the Hall of Justice. That pumping system flows the storm drainage water into the Clay Street ditch. During the storm event of December 2002, the Clay Street ditch did not overflow, but the Solano County pumping system lost power because the co-generation system was overtaxed and dropped the electrical load of the pumping station.

Recommendation No. 1 – The only component of the storm drainage system that the Fairfield Public Works Department maintains is the Clay Street ditch and, depending upon the magnitude of the storm water event, may not be adequate to carry the volume of water. The storm drainage pumping system is the responsibility of Solano County and the County should make sure that it is continually operating during a storm water event, instead of having the co-generation plant shut down the pumps due to overloading.

Recommendation No. 1a – The Fairfield Public Works Department will not implement a written agreement with Solano County because it is not warranted. The Fairfield Public Works Department understands what its maintenance responsibilities are and so does Solano County.

If you need any additional information, please contact Charlie Beck, Director of Public Works, at 428-7493.

Sincerely,



KEVIN O'ROURKE
City Manager



Fairfield-Suisun Unified School District

1975 Pennsylvania Ave. • Fairfield, California 94533 • Telephone (707) 399-5035
FAX: (707) 399-1250 • www.fsusd.k12.ca.us

October 1, 2004

Governing Board

Gary Falati
President

Barbara Mallon
Vice President

Charles B. Wood
Clerk

Abraham "Abe" Bautista
Kathy Marianno
Ivan Meadows, M.D.
Beverly Taylor

Judge Peter B. Foor
Presiding Judge of the Superior Court
c/o Superior Court Executive Officer/Clerk of the Court
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

RE: RESPONSE TO THE ANNUAL GRAND JURY REPORT FROM
FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT, RODRIGUEZ HIGH,
BRANSFORD ELEMENTARY AND TOLENAS ELEMENTARY

To the Honorable Judge Peter B. Foor:

Enclosed are two (2) copies Fairfield-Suisun Unified School District's response to recommendations and findings issued in the 2003-2004 Solano County Annual Grand Jury Final Report. Specifically, school district's responses address those issues pertaining to Rodriguez High, Bransford Elementary, and Tolenas Elementary Schools that are presented in the Final Report.

If I can be of further assistance, please advise.

Sincerely,

William Luna
Director of Administrative Services

cc: Governing Board Members
Dr. Sharon Tucker, Superintendent
Kevin French, Principal, Rodriguez High School
Justine Turner, Principal, Bransford Elementary
Judi Honeychurch, Principal, Tolenas Elementary
John Stockton, Director of Secondary Education
Kim Carmichael, Director of Elementary Education

Grand Jury Report
Fairfield-Suisun Unified School District Response
September 2004

Findings and Recommendations, Rodriguez High School

1. **Finding:** Directional and access signs to the school's parking lots are insufficient and confusing.

- Fairfield-Suisun Unified School District disagrees with the finding.

Recommendation: Post clearer directional and access signs for the school location and parking areas.

- Directional signs from the freeway off ramp to Red Top Road (which is the access road to Rodriguez High School) could be confusing as the road signs point in one direction, while in reality, the road goes in both directions. Upon reaching the school, access signs to the interior of the school are clear and legible. Directional signs to the parking lots are clearly marked.

2. **Finding:** During the Grand Jury visit, the library appeared to be underutilized. Staff indicates that hours of library access before and after school are insufficient for student needs.

- Fairfield-Suisun Unified School District does not agree with the finding.

Recommendation: Create more opportunities for student access to the library before, during, and after school hours.

- Students have access to the library beginning at 7:30 a.m., which is ½ hour before the typical student school day. The library remains open to students until 4:00 p.m. The school day ends at 2:49 p.m.. Students access the library during the lunch hour, and often teachers will hold their classes in the library so that students can conduct research on classroom assignments. The library is open from 7:30 a.m. - 4:00 p.m.

3. **Finding:** Although it is a new school with a “no gum” policy, the school walkways had numerous gum “spots.”

- Fairfield-Suisun Unified School District agrees with the finding.

Recommendation: Enforce the “no gum” policy and de-gum or steam clean and hose down walkways frequently.

- The staff and administration have reminded students about the “no gum policy,” and have worked collectively to enforce it. The walkways were “power-washed” this past summer. Follow-up cleanings will occur as necessary.

4. **Finding:** Angelo Rodriguez High School does not offer Home Economics or shop-type vocational programs.

- Fairfield-Suisun Unified School District agrees with the finding.

Recommendations: The Fairfield-Suisun Unified School District allow courses of study that encompass the Vocational Arts at all high schools or designate a high school as a Vocational Arts High School.

- Rodriguez High School does not offer Home Economics. Instead the school was built to emphasize the skills and knowledge needed by the market economy of the 21st century. One emphasis at Rodriguez is the field of multi-media. Studios, sound equipment, and graphic design are some components of the multi-media certification program that the District is establishing.
- Another program that is in its infancy is the Medical Science Certification program. This program will prepare students to transition into a medically related field or into a post-secondary institution offering additional training upon graduation.
- The School District offers a certificate program at Armijo High School for any student desiring skills, knowledge, and certification in the building trades, i.e., construction industry, plumbing, electrical, or cabling. The District has gone beyond merely offering shop-type classes to actually preparing students to transition into the workforce of the future. Habitat for Humanity is part of the District’s program, which allows students to participate in the construction of homes in the community. Many of our students have been offered jobs during the summer and after graduation because of the programs offered during the school year. The District has worked extensively, and was the first in Solano County, to develop full partnerships and a curriculum with local businesses leading to industry certification for students.
- Other programs offered for any student in the District include Automobile Emission (smog) Certification, the Culinary Academy, AFJROTC, and several computer certification programs.

Findings and Recommendations, Bransford Elementary School

- 1. Finding:** There are a large number of Spanish speaking students at Bransford Elementary School.

- Fairfield-Suisun Unified School District agrees with the finding.

Recommendation: Continue the “Newcomer” program.

- The Newcomer Program will continue as long as funding and facility needs are available.

- 2. Finding:** The “Read 180” Program appears to be an effective program.

Recommendation: Continue the “Read 180” program.

- The Read 180 program is continuing at Bransford.

Findings and Recommendations, Tolenas Elementary School

- 1. Finding:** There are classrooms that do not conform to building codes.

- Fairfield-Suisun Unified School District agrees with the finding.

Recommendation: These classrooms should be replaced forthwith.

- Local Bond Measure C was passed in March 2002, and proceeds from that funding source were specifically identified in the Bond Measure to be used in replacing all nonconforming rooms at Tolenas Elementary.
- Phase I of Measure C funds designated the replacement of the nonconforming rooms (during the summer 2004).
- All nonconforming rooms were removed during the summer of 2004 in accordance with Phase I and replaced with permanent classrooms.

- 2. Finding:** The decline in the API score is cause for concern.

- Fairfield-Suisun Unified School District agrees with the finding.

Recommendation: The Principal should be reinforced in her efforts to raise the API score. A committee consisting of district personnel, parents and staff should be organized to work with the principal in pinpointing the problem and ensuring that action is taken to reverse the decline.

- In 2003-2004, the district and Tolenas Elementary School staff formed a data committee that worked with Action Learning Systems (ALS) to write a Single School Plan that addressed ways to raise test scores.
 - The school's Academic Performance Index (API) score for spring 2004 went up 15 points, to 791. The California Department of Education goal is to have all schools in the State achieve a score of 800 or better.
 - The 2004 API scores for the District indicate that Tolenas is in the top 17% of District schools: Mundy (837), Wilson (803), Suisun Valley (802), Oakbrook (792), and Tolenas (791).
 - For the 2004-05 school year, Tolenas Elementary has employed a full-time strategy coach who is coaching teachers on process writing and readers workshops. The strategy coach has also trained four Instructional Assistants to provide reading intervention within the school day for targeted students, grades 4th through 6th.
3. **Finding:** Traffic hazards threaten the safety of the entire student population and disrupt normal traffic flow in the surrounding neighborhood. Emergency vehicles would be prevented from entering school property during peak traffic periods.
- Fairfield-Suisun Unified School District agrees with the finding.

Recommendation: The City of Fairfield and Fairfield-Suisun Unified School District should work together to develop solutions to correct these traffic hazards.

- School district personnel, specifically Jim Walker, Safety Technician, Rob Buoncristiani, Facilities Division, and Judi Honeychurch, Principal, have met on numerous occasions to assess viable solution options. They have met with the City, the County, and the California Highway Patrol.
- They are in the process of moving the pick up point in the upper parking lot from street side to the far end of the lot, including painting of red curbing in designated areas to allow for a better traffic flow. A student loading area, presently dirt, will be paved and two parking stalls will be removed to accommodate the new loading area.
- Trained staff will be monitoring all pickup and drop off areas.
- The City of Fairfield has extended the light at Tolenas and Tabor to allow for more passage of cars. The District has met with Trudy Ball, City Transportation; Jim Leitner, City Traffic; and Ed Gebing, City Police, in order to discuss other possible remedies.

- The California Highway Patrol, Sgt. Scott Reese, Officer Jeff Morrell, and Captain Susan Ward have granted the School District permission to regulate the flow of traffic in and out of the Tolenas parking lots on Tolenas Avenue (which is a Solano County road) to be directed by "trained" adult crossing guards.
- The School District is requesting that Solano County paint the curb yellow along the front school boundary to allow for more parent off-street loading and parking. We are awaiting a response.
- The District is diligently working to ensure safe access to and from the school site.

CITY COUNCIL

James P. Spering, Mayor
Pedro "Pete" M. Sanchez, Mayor Pro-Tem
Jane Day
Michael A. Segala
Sharon Ventura



CITY COUNCIL MEETING

First and Third Tuesday
Every Month

CITY OF SUISUN CITY

701 Civic Center Blvd.
Suisun City, California 94585

Incorporated October 9, 1868

November 2, 2004

Peter B. Foor
Presiding Judge
Superior Court
C/o Superior Court Executive Office/Clerk of the Court
600 Union Avenue
Fairfield, California 94533

Re: Response to Annual Grand Jury Report

Honorable Judge Foor:

This is in response to 2003-2004 Grand Jury Final Report. Below are the sections in which Suisun City is an interested party where there findings and recommendations that directly address Suisun City.

The page numbers reflect the page numbers in the bound version of the Final Report.

City and County Budget Review (p.1-10)

Recommendation #1 The Suisun City City Council should adopt an ordinance that establishes the reserve. Any change to such ordinance would require public notice which advises the citizenry of the community. As set forth in State Government Code sections 53900-53901, the budget must be adopted and submitted to the County Auditor no later than 60 days beyond the beginning of the budget period.

Response:

The City respectfully disagrees with the recommendation regarding setting reserve levels by ordinance. The level of reserves is only one aspect of the decisions the City Council needs to make during the Budget process and is more appropriately handled by resolution at the same time as the other budgetary decisions.

The City will work towards an earlier adoption of the Annual Budget.

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ PLANNING 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320
FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340
REDEVELOPMENT AGENCY 421-7309 FAX 421-7366

Recommendation #2

If the Vehicle License Fee is reduced or eliminated, Suisun City faces grave consequences. Therefore, the City must develop future multi-year budget forecasts that consider all revenues that are subject to state reduction and develop reserves and spending plans that will provide future stability.

Response:

The City concurs with the desirability of creating multi-year budget forecasts, however, the possibility each year of massive state take-aways makes such forecasts subject to wide variation. Suisun City has built up reserves to handle some of the uncertainty, however, the long term solution to this problem is at the state level, such as the constitutional amendment on this November's ballot that would decrease the state's ability to take local government revenues.

Recommendation # 3

The Grand Jury recommends that a multi-year financial plan be prepared based on developing facts, statistics and trends. The plan should be continuously updated as new information becomes available.

Response:

The City will continue to improve its long-term forecasts.

Recommendation #4

It is a good practice to review the interest rate on the loans and bonds and the City should continue to explore all possibilities in reducing expenses.

Response:

We concur and will continue to do so

Recommendation # 5

Although reduction of staff is necessary to meet budget shortfalls, each position should be carefully examined as to its contribution to City services.

Response:

We concur and will continue to do so

City of Suisun City – Lawler Ranch Park (p.88-89)

Recommendation #1 The City of Suisun City should carefully examine their project priorities prior to making public announcements.

Response:

Timelines for public projects are always subject to change for a variety of reasons. One major change on this project was to align the size of the park to the maintenance funds available to pay

for maintain the park. The City is modifying its capital improvement process to plan better when projects can be accomplished given funding sources and staff.

Recommendation #2

The Mayor and City Council must assure that responses to the Grand Jury are made in accordance with California Law.

Response:

The City will endeavor to be more timely in its responses.

Recommendation #3

The City of Suisun City advise Lawler Ranch residents of public meetings and progress of the project, and provide in a timely manner agendas that relate to Lawler Ranch Park to the Grand Jury

Response:

City staff and the Park architect organized two community workshops for the planning of the park, one of which was attended by over 65 people, and conducted interviews with community members. There were also noticed meetings for the Planning Commission and City Council on the park plan. These meetings were noticed to Lawler Ranch residents as well as the Grand Jury. The first phase of the Park plan has been approved and the contract for completing the construction drawings is scheduled to be considered at the November Council meeting. Construction is currently scheduled for Summer 2005.

Please do not hesitate to contact me if you have any questions or need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven W. Baker", with a long horizontal flourish extending to the right.

Steven W. Baker
City Manager

COUNCIL MEMBERS
 LEN AUGUSTINE, Mayor
 PAULINE CLANCY, Vice Mayor
 STEVE HARDY
 RISCHA SLADE
 STEVE WILKINS



CITY OF VACAVILLE

650 MERCHANT STREET, VACAVILLE, CALIFORNIA 95688-6908
 ESTABLISHED 1850

August 18, 2004

Honorable Peter B. Foor
 Presiding Judge
 Solano County Superior Court
 c/o Superior Court Executive Officer/Clerk
 Hall of Justice
 600 Union Avenue
 Fairfield, CA 94533

RE: RESPONSE TO 2003-2004 SOLANO COUNTY GRAND JURY FINAL REPORT

Dear Judge Foor:

The 2003-2004 Grand Jury report lists the City of Vacaville, along with the other cities in Solano County, as an *Affected Agency* with respect to certain *Findings and Recommendations* under the category of *Audit and Finance*. (More specifically, pages 8 and 9 of the Grand Jury Report.) I have reviewed the Grand Jury Report and offer the following responses:

Finding/Recommendation #1 – The Vacaville City Council has a policy of maintaining at least a 15% General Fund budget reserve. The Grand Jury recommends the reserve amount be set by City ordinance.

Response #1 – The City disagrees with the finding. The purpose of establishing a budgetary reserve is to allow sufficient time to react to any significant, unanticipated decline in revenues or increase in expenditures so as to avoid a disruption in the delivery of municipal services to the community. Through prudent financial management of the City over the past several decades, Vacaville has been able to achieve its goal of maintaining at least a 15% General Fund budget reserve; and, in many of those years, the reserve has been in excess of 20%.

The recommendation will not be implemented because we do not feel it is warranted. The City feels that codifying a General Fund budget reserve (percentage) in an ordinance would be going against the purpose of the reserve in the first place, which is to allow time to adjust to unforeseen budget emergencies. Reserves may have to be used to avoid a severe disruption in services or layoff of employees.

Finding/Recommendation #2 – The City's five-year budget projection shows a reduction in the General Fund reserve from 22% to 10.9%. The five-year plan allows the City adequate time to make necessary adjustments in order to maintain a reserve.

DEPARTMENTS: Area Code (707)

www.cityofvacaville.com

| | | | | | | | | |
|-------------------------------------|---------------------------|--------------------------|-----------------------------------|--------------------------------|------------------|-------------------------------------|--------------------|--------------------------|
| Administrative Services 449-5101 | City Attorney 449-5105 | City Manager 449-5100 | Community Development 449-5140 | Community Services 449-5654 | Fire 449-5452 | Housing & Redevelopment 449-5660 | Police 449-5200 | Public Works 449-5170 |
|-------------------------------------|---------------------------|--------------------------|-----------------------------------|--------------------------------|------------------|-------------------------------------|--------------------|--------------------------|



recycled paper

Response #2 – The City agrees with the finding and the recommendation has been implemented. The City Council has already taken action in January 2004 and June 2004 to keep General Fund spending in line with anticipated revenues and maintain the budget reserve above the desired 15% level. The current (2004-2005) General Fund budget includes a 20% operating reserve, and the updated forecast for 2005-2006 shows the reserve at 15%.

Finding/Recommendation #3 – Vacaville is faced with a \$2,000,000 PERS payment, which is not included in this year's budget or any future budget. There is a \$1,400,000 PERS reserve available. However, the City must determine how the \$600,000 shortfall will be resolved.

Response #3 – The City disagrees with the finding. The \$2,000,000 actually represents the increase in the City's retirement contributions (PERS) for the 2004-2005 fiscal year and does not pertain to the 2003-2004 fiscal year. The recommendation has been implemented in that the PERS payments have been budgeted in full for 2004-2005.

Finding/Recommendation #4 – Vacaville utilizes multi-year budget plans and designs its infrastructure with total build-out of the City in mind. A study is being done to ensure the adequacy of impact fees on new development. A copy of the fee study should be forwarded to the Grand Jury when complete.

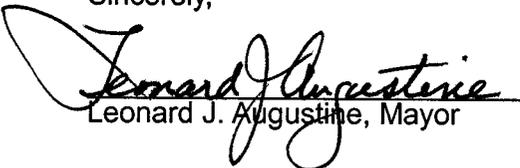
Response #4 – The City agrees with the finding and recommendation. However, the City has decided to hold off on an impact fee study until such time as the City undertakes an update of its General Plan. The General Plan is used to guide growth and development of the community through build-out. At such time when the impact fee study is updated, the City would be pleased to forward a copy to the Grand Jury.

Finding/Recommendation #5 – The City has funding available for interdepartmental loans at a competitive interest rate which must be used for projects. The City should continue to authorize these loans by Council action and insure that a repayment schedule is included in the Council action/resolution.

Response #5 – The City agrees with the finding and recommendation with one notable exception; that being the loans are "interfund" loans as opposed to "interdepartmental" loans. The City has a practice of loaning capital money between impact fee funds at competitive interest rates, with formal repayment terms, as long as the funds are available for their intended purpose when needed. The City Council recently approved such an interfund loan program (City Council Resolution #2004-32) for the new Vacaville Police building.

Please accept this letter as our response to the 2003-2004 Grand Jury Report as required by California Penal Code Sec. 933.05. The City of Vacaville recognizes the value of the Grand Jury process and appreciates their efforts, and hard work in the area of municipal audit and finance.

Sincerely,


Leonard J. Augustine, Mayor


David Van Kirk, City Manager

cc: Vacaville City Council
Clerk of the Board of Supervisors
Mike Johnson, Solano County Administrator

Vacaville Unified School District

751 School Street • Vacaville, California 95688-3945



(707) 453-6100

Board of Education

William Hausler
President

Mary Kay Sogge
Vice President

Theresa Nutt
Clerk

Katherine Brannon

Michael Kitzes

Staci Pauly

Jay Yerkes

John T. Aycock
Superintendent and
Board Secretary

September 27, 2004

Peter B. Foor, Presiding Judge of the Superior Court
c/o Superior Court Executive Office/Clerk of the Court
Hall of Justice
600 Union Avenue
Fairfield, California 94533

Re: Response to 2003/04 Grand Jury Report

Dear Sir:

Please find the responses to the annual Grand Jury Report below:

Findings and Recommendations

Hemlock Elementary School

Finding #1 – Most of the teaching staff is older, so there may be some retirements in the next few years.

Recommendation #1 – When new credentialed staff is needed, consider bringing in more bilingual teachers, not just to ease communication with students, but to encourage communication with non-English speaking parents.

District Response #1 – The District concurs. At the present time, all new staff members have been transferred from closed schools or call backs from lay-off lists.

Finding #2 – The school lacks good handicap access and places to display student work outside the classrooms.

Recommendation #2 – During the renovation process, ensure that handicap access is adequate and add additional bulletin board space in the common areas.

District Response #2 – During our current renovation project, all classrooms, restrooms, drinking fountains and doorways will be expanded and improved to include handicap access. The renovation project does not fund more outside display spaces. However, our renovated multipurpose room and offices will have more wall space for displays of student work. Additionally, classroom windows have been repaired and replaced, which should make more student work visible from the hallways.

Findings and Recommendations

Will C. Wood High School

Finding #1 – The Library is closed to students during “instructional time” if no certificated person is available to supervise the library.

Recommendation #1 – Consider alternative ways to finance the hiring of additional certificated personnel to allow students more access time to the library.

District Response #1 – Due to the recent budget cuts, Will C. Wood High School no longer has a full time librarian. The school shares a librarian with Vacaville High School. In the past, teachers would occasionally send small groups of students to the library to work on a given assignment. They may still do this, but they have to adjust to the time the librarian is on site, as the Education Code requires that a certificated staff member supervise students. It should be noted that the library is a busy place. Teachers can and do bring their students to the library to work on special class projects. Because of this teachers sign up to use the library weeks in advance. The library can accommodate a maximum of three classes at a time. It is also important to note that the adjacent Career Center is also available for student use. There is a full time certificated staff member as well as a full time classified member there and students do use that facility all day long.

The district is steadfastly seeking ways to support our libraries. The Vacaville Public Education Foundation has become a partner in this effort. As the economy improves and funds become available to our education system we will be able to have the full time librarian and thus the extended access to the library our students so richly deserve.

Finding #2 – The gymnasium was found to be very dark due to ceiling lights not working even though requests had been submitted for repair. Lack of adequate lighting is a potential safety hazard.

Recommendation #2 – The District should devise a more timely system to respond to work order from school sites.

District Response #2 – The lighting system that was installed in the gymnasium has never provided optimum lighting. This is an item that will be addressed in the modernization process that is scheduled to begin the summer of 2005. The maintenance department responds very quickly to routine work orders.

Finding #3 – The Grand Jury observed there is only one ramp for physically challenged persons in the main quad. The ramp is located on the left side of the quad as you enter from the parking lot. It creates a long trip to get to the opposite side of the campus. There are ramps on the outside area to access the wings on the left and right sides but it forces those who need ramps to go out and around the buildings.

Recommendation #3 – Improve access to all campus areas for everyone.

District Response #3 – This item will get a lot of attention during the modernization project. It should be noted that the design of the building itself requires everyone to walk great distances to access the building from the parking lot. There are access roads on the east and the west side of the building that allows individuals with disability to get closer to the core facilities.

Finding #4 – Two out of three sinks were missing from a girls' restroom.

Recommendation #4 – Replace the missing sinks in the restrooms.

District Response #4 – The sinks have been replaced.

Finding #5 – At the time of the Grand Jury visit there was no certified instructor for the auto shop class.

Recommendation #5 – Provide an instructor for the class

District Response #5 – The auto shop teacher made the decision to take a year's leave of absence late in the summer. Efforts to secure an instructor for the class were extensive, and included posting the position on the Internet, but the school was not been successful. Individuals with those skills are not willing to leave their present position for a long-term substitute assignment. The school continues to search for a credentialed candidate for this position.

If you need further information, please do not hesitate to contact me at (707) 453-6100.

Sincerely,


John T. Aycock
Superintendent

JTA:jw

cc: Tom Davis, Hemlock Elementary School Principal
Enriqueta Newland, Wood High School Principal
County Administrator's Office (courtesy copy)
Clerk of the Board of Supervisors (courtesy copy)



CITY OF VALLEJO

OFFICE OF THE CITY MANAGER

555 SANTA CLARA STREET • P.O. BOX 3068 • VALLEJO • CALIFORNIA • 94590-5934 • (707) 648-4575
FAX (707) 648-4426

September 22, 2004

The Honorable Peter B. Foor
Presiding Judge of the Superior Court of California
c/o Superior Court Executive Officer/Clerk of the Court
Hall of Justice
600 Union Avenue
Fairfield, California 94533

Dear Judge Foor:

Enclosed is the City response to the Solano County 2003-2004 Grand Jury Report. The response was considered and approved at the City Council meeting of September 21, 2004.

We are very pleased with the Grand Jury's recognition of the City's action taken regarding the Vallejo Police Department holding cells.

Please let us know if you have any questions or require further information.

Sincerely,

Anthony J. Intintoli, Jr.
Mayor

Otto Wm Giuliani
City Manager

AJI:je

Enclosures

cc: Councilmembers
Mary M. Hill, Assistant City Manager
Department Managers
Mark Mazzaferro, Public Information Officer

Solano County 2003-2004 Grand Jury Report
City of Vallejo's Response to Findings
September 21, 2004

ISSUE: **Audit and Finance – County and City Budget Review**

Finding #1 *The 2003-2004 approved General Fund revenues are \$73,944,400 and expenditures of \$73,367,100. In the last five years, the City has gone from a deficit budget to a current General Fund reserve of \$3,900,000. The entire budget reserve is \$7,846,315 or 11.8%, which includes reserve for insurance, inventory and economic uncertainties.*

Recommendation #1 *Continue to work towards the City Council-established policy of a 15% General Fund.*

Response: **Even given the City of Vallejo's economic difficulties, the City continues to believe in the importance of a minimum of 15% General Fund Reserve and will continue to work toward that goal.**

Finding #2 *To balance this year's budget, an early retirement plan was implemented to reduce the workforce by 12 employees. In addition, a grant writer was employed to secure available funds for various programs.*

Recommendation #2 *Continue to seek grants and review each vacant staff position as to need for replacement.*

Response: **The City agrees with both recommendations. It will continue to seek all possible grants. In addition, it has established a "hiring freeze" policy with exceptions granted only with City Manager approval.**

Finding #3 *Annually, a five-year plan is prepared and presented to the City Council. It assumes the current economic conditions and does not address any future economic trends and growth pattern needs.*

Recommendation #3 *It is recommended that a detailed, multi-year financial plan be prepared, based on the current facts, figures and trends, that are available. Each year the plan should be reviewed and updated to reflect current trends.*

Response: **As part of the adoption process for the Fiscal Year 2004-2005 budget, the City again prepared a 5-year financial plan that incorporated known information on the local and state economy and attempted to extrapolate those trends to project future revenues and expenditures. For the Fiscal Year 2005-2006 budget, Finance, Economic Development and Planning will work together to attempt to incorporate the financial impacts of the many, current developmental projects in the City into our long-term budgetary and financial planning.**

Finding #4 *The City has a five-year Capital Improvement Program, which is reviewed and updated each year.*

Recommendation #4 *Continue the present procedure which provides protection of current city assets and meets future infrastructure needs. Ensure that on-going maintenance costs to support and maintain capital improvements are included in future operating budget forecasts.*

Response: **The City agrees on the importance of multi-year planning as a vital tool in meeting its long-term infrastructure needs. For the Fiscal Year 2004-2005 budget, the City's Capital Improvement was substantially revised with much more realistic projections of available resources and reductions in the number of projects that were approved.**

ISSUE: East Vallejo Fire Protection District

Finding #1 *The current agreement between the EVFPD and the City of Vallejo results in a bill for services (\$417,823) that is less than the cost of providing these services (\$551,507) as estimated by the City of Vallejo. Thus the taxpayers in the City of Vallejo are subsidizing the cost of fire protection services for the taxpayers in the EVFPD.*

Recommendation #1 *The City of Vallejo and the Solano County Board of Supervisors negotiate a new agreement for services that fairly compensates the city for the actual cost of providing fire protection services.*

Response: **The Fire Chief and the City Manager of Vallejo have met with the County Administrator in years 2002 and 2004 in an effort to establish an equitable methodology by which the County will reimburse the City of Vallejo for fire services in the EVFPD and other unincorporated areas in the Vallejo community. It is the County position that Vallejo receives all available tax dollars collected by Solano County.**

Finding #2 *The EVFPD serves an unincorporated urban area almost entirely within the sphere of influence of the City of Vallejo. The EVFPD Board was dissolved ten years ago and the district exists only to pass through tax revenue from the County to the City of Vallejo to fund fire protection services.*

Recommendation #2 *The City of Vallejo and the Solano County Board of Supervisors should review the status of the EVFPD with a view toward determining the most equitable and efficient method of providing fire services to these areas. This should be done in conjunction with the LAFCO guidelines which include the following considerations:*

- *Does the district tailor its services better than a city?*
- *Does the district link its costs to benefits better than a city?*
- *Is the district more responsive to its constituents than a city?*
- *Are there inefficiencies or redundancies?*
- *Is a district more accountable than a city?*
- *What are the funding mechanisms and would a change reduce existing services?*

Response: **Same as response to Finding #1.**

Finding #3 *The Grand Jury received maps of the area comprising the EVFPD from the County, the City of Vallejo and LAFCO. Certain core areas appear on all three maps. However, other areas including Sandy Beach, a section bordering the Napa River north of the Mare Island Strait, an area north of Columbus Parkway, west of Sulfur Springs Creek and an area on the east side of Vallejo bordering the Cordelia Fire District did not appear on all three maps, creating some uncertainty about the areas covered by the EVFPD and the responsibility for paying for fire protection services.*

Recommendation #3 *The City of Vallejo and the Solano County Board of Supervisors should ensure that they are in agreement about the contracted area covered by the EVFPD.*

Response: **A survey of unincorporated areas in the Vallejo community was conducted by Vallejo Fire Chief Michael Turnick in 1993. Chief Turnick included all of these areas as a part of the EVFPD contract with Solano County. The City of Vallejo maps have reflected all unincorporated areas as being part of the EVFPD since that time.**

ISSUE: Detention/Holding Facilities

Finding *Vallejo Police Department – the holding cells and booking area appeared clean and safe.*

Recommendation: *None. The Vallejo Police Department Sally Port is a model facility and should be used as a standard for other Police Departments.*

Response: None.

ISSUE: **Transportation and Public Buildings**

Finding *The 2003-2004 Grand Jury chose County-operated buildings for its ADA review. It was noted that other public facilities operated by municipalities, special districts and school districts are likewise mandated to meet State and Federal ADA requirements.*

Recommendation: *Cities, special districts and school districts located in Solano County should review all of their facilities to make certain that they meet ADA standards. Future Solano County Grand Juries, beginning with 2004-2005, should conduct ADA reviews of these facilities.*

Response: **The City of Vallejo has experienced a very difficult financial crisis during the past year, where several programs were cut back and a series of personnel layoffs were implemented. City staff are working with the existing resources and limited staffing to survey and address the various issues regarding ADA concerns within the public right-of-way as well as within public buildings and facilities and should be updating the City Council during the coming year.**

ISSUE: **Special Districts – Greater Vallejo Recreation District**

Finding #4 *The GVRD was established by a vote of the people and legally authorized on June 14, 1944 and placed under authority of an advisory board. On December 23, 1958 the Solano County Board of supervisors became the supervising authority to which the existing Board of Directors is responsible. The Board consists of three members appointed by the Mayor of Vallejo and two members recommended by supervisors from Districts 1 and 2 and approved by the Board of Supervisors.*

During the time of the formation of the GVRD, population growth in unincorporated areas was growing dramatically, which spurred the development of parks, recreation, fire, water and other type districts as cities were much smaller and unable to provide such services. But, as city boundaries expanded, so did their ability to provide services. However, as city boundaries began to expand, they became able to provide additional services and the need for a district within a city began to decrease, especially when the majority of constituents serviced were within the sphere of influence of the city. Comparative cities within Solano County providing similar services are Benicia, Fairfield and Vacaville.

Further exploration of districts within cities finds redundant cost in areas such as legal services, payroll, purchasing, human resources, equipment and maintenance.

Recommendation #4 *During the time when the GVRD was developed (1944), it was established as the best method to provide parks and recreational needs in the Vallejo area by way of a special district. However, almost 60 years have passed and much has changed. Therefore, the 2003-2004 Grand Jury recommends that the City of Vallejo and the GVRD jointly determine the most efficient and effective method to deliver parks and recreation services to citizens in the current GVRD area. This determination and any action that may change the GVRD are within the guidelines set forth by LAFCO.*

When conducting this evaluation, the following LAFCO criteria should be considered:

- 1. Does the district tailor its services better than a city?*
- 2. Does the district link its costs to benefits better than a city?*
- 3. Is the district more responsive to its constituents than a city?*
- 4. Are there inefficiencies or redundancies?*
- 5. Is the district more accountable than a city?*
- 6. What are the funding mechanisms and would a change reduce existing services?*
- 7. Refer to LAFCO's District Mergers and Establishment of Subsidiary District Procedures Guide*

It is understood that this will require a major effort on the part of all affected agencies.

Response:

The City of Vallejo is in the process of working with the Greater Vallejo Recreation District's newly appointed General Manager, Shane McAfee regarding the various parks and recreation issues within the City of Vallejo. He is presently addressing various, pressing internal issues pertaining to GVRD itself. City staff is in the process of planning to schedule a series of meetings during the year to address the various issues raised in the Grand Jury's report.

ISSUE: **Hiddenbrooke Subdivision**

Finding #2 *Construction of the park, as identified in the Hiddenbrooke Specific Plan, is to be 100%-funded by Mello-Roos funds. GVRD reports that they have been informed by the City of Vallejo that there are no Mello-Roos funds available for this project.*

Recommendation #2 *At the time of this report (May 1, 2004), the City of Vallejo had requested an extension of response time relating to the Grand Jury's request for the status of Mello-Roos funds as designated for the construction of the park. Therefore, no recommendation can be made as to finding #2.*

Response: **The City of Vallejo responded to the Grand Jury's concerns in a letter dated May 13, 2004. In that letter, the City explains that the Hiddenbrooke Improvement District (HID) No. 1998-1 was simply a refinancing of Community Facilities (CFD) No. 1988-1 which actually funded many public facilities within the Hiddenbrooke subdivision. Staff has reviewed many of the files for this District and concluded that, unfortunately, no CFD funds were allocated for construction of an active park. Therefore, contrary to the Grand Jury's understanding, the Hiddenbrooke residents are not being assessed CFD funds for the construction of any parks.**

It is true that Figure 5: "Financing Table" of the Hiddenbrooke Specific Plan as amended in 1999 does identify Mello-Roos as a financing source for the construction of parks and it is also true that such funding could have been used for park construction. However, the financing methods identified in Figure 5 are only potential funding sources rather than required funding sources.

Finding #3 *In a letter to the Grand Jury from the complainants dated March 4, 2003, it was stated that a letter to the City of Vallejo from the complainants for records of the Hiddenbrooke Community Facilities District Fund provided information with no details of expenditures and allocation of funds for the Hiddenbrooke Subdivision.*

Recommendation #3 *The City of Vallejo and the GVRD should meet with the representatives of the Hiddenbrooke Subdivision to provide details of fees collected and expenditures as specified in the Hiddenbrooke Specific Plan. If fees and expenditures do not meet the guidelines of the Plan, the City and the GVRD should provide to the residents a complete explanation as to any and all alterations to the Specific Plan guidelines.*

Response: **City of Vallejo staff met with the Hiddenbrooke Community Association (HCA) in discussions regarding the Orchards contribution to the Hiddenbrooke Improvement District (HID). The HCA has been provided with a summary of the HID expenditures, and documentation is included within the City's files which are available for review. Staff's review of those fees and expenditures for the HID seem to show that the guidelines of the Specific Plan were met, except there were insufficient funds to construct an active park. However, it should be noted that the City, on behalf of the Greater Vallejo Recreation District, has collected \$2.5 million in Citywide park impact fees from the Hiddenbrooke home builders and expects to collect another \$1.1 million for a total of \$3.5 million. It is the City's understanding that it is GVRD's policy to use 50% of these funds for a neighborhood park within the Hiddenbrooke area. With the refinancing recently done, there may be funds available to contribute to more improvements within the Hiddenbrooke area and a contribution to a park could be made from the savings realized from this refinancing.**

City staff is currently working with GVRD, the Hiddenbrooke Community Facilities Association and the master developer, Triad, to identify a park site and construct a park within the Hiddenbrooke area with the above-mentioned funding.

ISSUE: Homeland Security and Emergency Services – Emergency Services County and Cities of Solano

Finding #1 *There is an Emergency Operating Plan for the County and each city. However, the plans vary and there seems to be no consistency among the county and cities regarding the training relating to Emergency Operating Procedures and new mandates from U.S. Department of Homeland Security.*

Recommendation #1 *To ensure that each agency is in compliance with California and U.S. emergency requirements, one agency should take the lead to insure that the appropriate training, exercises and guidelines are established and implemented. Due to the fact that the County has a dedicated employee for Emergency Services, it is logical that the County Office of Emergency Services take the lead in this endeavor. Currently, agencies meet to discuss response and mutual aid. It is recommended that the review of agency operational plans and procedures be presented at these meetings to ensure each agency is within State and U.S. standards.*

Response: **The City of Vallejo Emergency Plan is a comprehensive document that was developed in 2002. It is SEMS-compliant and is an integral part of the Solano County Emergency Plan.**

Finding #2 *Within some agencies, there seems to be confusion about who would activate the EOC and who has authority to make appropriate and crucial decisions relating to the necessary response, material, supplies and the request for mutual aid.*

Recommendation #2 *The County Administrator (CAO) and each City Manager should review and define their respective emergency administrative roles and clearly communicate these responsibilities to members of the EOC team.*

Response: **The Vallejo City Manager, Mayor, Fire and Police Chiefs are each aware of their respective roles in times of crisis. The entire executive staff of the City of Vallejo has received training as to their role in the Standardized Emergency Management System as managers.**

Finding #8 *Solano County has an automatic phone warning system for the entire County. Residents of an affected area can be warned by an automatic phone call with recorded instructions as to the situation. Local radio stations and television are also used to inform the public.*

Recommendation #8 *Agencies which have this valuable service should publicize this to their citizens.*

Response: **This is done on an annual basis.**

Finding #11 *Agencies tend to be territorial and focus on their own needs when planning for community services which may create obstacles when trying to develop mutual aid throughout the County that will benefit all citizens in a time of crisis. The terrorist action of September 11, 2001, created a need for reassessment of the procedures to safeguard our population. The formation of the U.S. Department of Homeland Security brought together 42 agencies under one department requiring a major coordination effort, not only with U.S. Department of Homeland Security but with states, counties and cities so that information and responses can occur both up and down the organizational chart.*

Recommendation #11 *Elected County officials, county administrators and City Managers need to reassess the methods by which Emergency Operating Systems are developed and implemented to break down territorial lines and to ensure that the emergency service needs are being met. Just as many Federal government departments were combined under U.S. Department of Homeland Security to establish the most*

efficient and effective way to respond to various incidents, so should state, counties and cities review existing emergency response structures. To make this happen, elected officials should take the initial step to form a County-wide committee that would include representatives from the State Senate and Assembly offices, County Board of Supervisors and City Councils. At this level, an assessment of County needs should take place and appropriate direction given to responsible County and City staff to develop a seamless Emergency Operating Plan throughout the County.

Response: **Solano County City Managers and the County Administrator have initiated the process to develop a county hazardous material response team. The County Office of Emergency Services has obtained a grant to fund the response team. Additionally, the City Managers in Solano County have funded a plan to develop a county-wide interoperable radio system.**

DEPARTMENT OF CORRECTIONS

CALIFORNIA MEDICAL FACILITY
P.O. BOX 2000
VACAVILLE, CA 95696-2000



September 22, 2004

The Honorable Peter B. Foor
Judge of the Superior Court
County of Solano

Dear Judge Foor:

Re: Response to Annual Grand Jury Report 2003/2004

I have received the Annual Grand Jury Report and have prepared the following responses to the Grand Jury's recommendations:

Finding #1

The facility is overcrowded and using spaces not originally intended for inmate housing. (1)

Recommendation #1

Overcrowding should be addressed and resolved by the responsible agencies.

Response to Recommendation #1

Inmate overcrowding is a Department wide issue and is a concern at all institutions. Concerted efforts are always being made to relieve the overcrowding issue. The California Medical Facility's design capacity is 2,315. The inmate population at CMF as of September 9, 2004, is 3,229, which represents an overcrowding rate of 39%.

Finding #2

There is a major shortage of nurses and other medical personnel. (6)

Recommendation #2

The state Department of Corrections should look at employment hiring practices with a view to resolve this ongoing problem.

Response to Recommendation #2

The shortage of nursing and medical personnel is not unique to the Department of Corrections; in fact, it is a nationwide health care issue.

However, in response to the hiring practices regarding medical personnel, the Department of Corrections has centralized the hiring process and Health Care Division Standards and Selections Branch is now responsible for hiring nurses and medical technical assistants for the entire department.

The Department of Corrections is dedicated to the hiring and retention of qualified health care professionals and it is believed that using a centralized hiring method will streamline the processing of qualified candidates.

Finding #3

Correctional Officers were observed smoking in non-designated areas while on duty. This practice could adversely affect officer-inmate relations. (7)

Recommendation #3

Specified smoking areas should not be visible to inmates.

Response to Recommendation #3

The California Medical Facility is a non-smoking facility for inmates only. There are no provisions for staff other than what is established in the attached Management Memorandum, MM 04-07 REVISION 1. State or Federal laws concerning the rights of smokers cannot be superceded at this institution.

The Warden issued a memorandum in an effort to sensitize staff to this issue on July 26, 2004. That memorandum was recirculated in August 2004. Employees have a legal right to smoke in areas that are outdoors, away from exits and entrances, etc. While we have encouraged staff sensitivity, we cannot guarantee that an inmate will never view a staff member smoking.

If you have any questions or need additional information, please feel free to contact me at (707) 449-6500.

Sincerely,



Teresa A. Schwartz
Warden
California Medical Facility

MANAGEMENT MEMO

| | |
|---|---|
| SUBJECT: SMOKING PROHIBITIONS IN OR NEAR DGS CONTROLLED SPACE AND VEHICLES | NUMBER: MM 04-07 REVISION 1 |
| PREFERENCES: Government Code Sections 7596-7598 Health and Safety Code Section 104495 Supercedes Management Memo 00-08 | DATE ISSUED: July 26, 2004 EXPIRES: UNTIL RESCINDED ISSUING AGENCY: DEPARTMENT OF GENERAL SERVICES (DGS) |

Purpose

The purpose of the Management Memo is for state agencies to comply with the requirements of Sections 7596 through 7598 of the Government Code and Section 104495 of the Health and Safety Code. This Management Memo supercedes Management Memo No. 00-08.

Policy

1. This Management Memo applies to all Department of General Services (DGS)-owned and DGS-leased spaces and all DGS-controlled vehicles.
2. No public employee or member of the public shall smoke any tobacco product:
 - A. in a public building, including all indoor areas, except for covered parking lots, residential spaces, and state prison yard areas,
 - B. within 20 feet horizontally or vertically of a main exit, exterior entrance, operable window, or air intake opening of a public building,
 - C. within 25 feet horizontally or vertically of any playground or tot lot sandbox area used by children, or
 - D. in a state-owned vehicle

No signage is required to effectuate any of these prohibitions.
3. No person shall dispose any cigarette, cigar, or other tobacco-related waste within 25 feet of a playground or tot lot sandbox area used by children.
4. Except as otherwise prohibited by law or by this Management Memo, a public employee or member of the public may smoke in any outdoor area of a public building unless a sign is posted otherwise.
5. Ashtrays and other anti-litter appliances may be provided in outdoor areas at the discretion of the Building Manager.

STATE ADMINISTRATIVE MANUAL

Non-Compliance

Except as otherwise provided by law, non-compliance should be dealt with at the lowest level possible. If unresolved, non-compliance should be reported in writing to the appropriate tenant agency or to the applicable DGS official, such as the Building Manager or the Lease Management Unit.

A violation of Section 104495 of the Health and Safety Code is punishable by a fine of \$250.00 for each playground or tot lot sandbox area violation and by any other provision of law proscribing the act of littering.

Information

Individuals desiring information on smoking cessation assistance should call the toll-free telephone number to the "California Smoker's Help Line" at (800) 766-2888.

DGS Contact

Please direct all questions concerning this Management Memo to Fred Luzzi, Chief, Building and Property Management Branch, Real Estate Services Division, Department of General Services at (916) 375-4960, fred.luzzi@dgs.ca.gov or Richard R. Bayquen, Chief Deputy Director, Department of Health Services at (916) 440-7400.

Signature



Ron Joseph
Director



SOLANO COUNTY WATER AGENCY



September 9, 2004

Peter B. Foor, Presiding Judge of the Superior Court
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

Dear Judge Foor:

This letter constitutes the response of the Solano County Water Agency to the 2003 – 2004 Solano Grand Jury Report regarding “Solano County Flood Control (Sweeney Creek)”. The Solano County Water Agency Board of Directors authorized this letter at their September 9, 2004 meeting.

FINDING NO. 1:

Flooding continues to be a problem in Solano County.

Response:

SCWA agrees with this finding.

RECOMMENDATION NO. 1:

Solano County Board of Supervisors, SCWA Board of Directors and other affected agencies must continue to work to alleviate the problem of flooding throughout the County for the health, safety and welfare of county residents.

Response:

SCWA agrees with this recommendation and continues to implement the Flood Control Master Plan approved by the Board of Directors. SCWA also coordinates with Solano County on flood related matters on a regular basis. Some areas of coordination have been identified for improvement and Solano County and SCWA are working to improve coordination. SCWA is working on a supplemental response to the 2002 – 2003 Grand Jury who made a recommendation that flood control responsibility be assigned to the Solano County Department of Environmental Management. SCWA is developing a Strategic Plan which will be addressing

508 Elmira Road, Vacaville, California 95687
(707) 451-2852, FAX (707) 448-7347



our future role in flood control and we plan to respond to the Grand Jury in more detail after that plan has been completed.

FINDING NO. 2:

Work accomplished on this portion of Sweeney Creek greatly reduced flooding in the area of Allendale and I-505.

Response:

SCWA partially agrees with this finding. The work accomplished in Sweeney Creek was maintenance type work which did reduce flooding in recent storms. However, our studies show this type of maintenance work has a minimal impact on larger floods such as those that occurred in December of 2002.

RECOMMENDATION NO. 2:

Work that was not accomplished between Sweeney Creek and I-505 to the Weir must be completed. SCWA should meet with local landowners to discuss problem areas and reevaluate this area yearly to ensure that the creek is maintained and flooding is reduced to a minimum.

Response:

SCWA assumes that the "Weir" reference in the recommendation is the wing-wall structure just downstream of Leisure Town Road. SCWA has an agreement with the landowner to perform maintenance in this area and continues to maintain this part of the creek on an annual basis. Work to remove blockages and some dredging in this reach of Sweeney Creek was done last year. We are now in our second year of maintenance. As part of our Sweeney Creek Watershed Study, we are also looking at longer term improvements which should improve the flood carrying capacity of this part of Sweeney Creek.

FINDING NO. 3:

Elderberry Bush in the creek may support an endangered insect species. This plant should be removed in accordance with environmental rules, as it impedes the flow of water in the creek.

Response:

SCWA agrees with this finding.

RECOMMENDATION NO. 3:

Cal Trans and SCWA partner with the Resource Conservation District to develop a plan to grow endangered plant species for mitigation of removed plants.

Response:

The Elderberry Bush is in the right-of-way of Cal Trans. SCWA and Cal Trans have entered into an agreement for maintenance of this portion of Sweeney Creek, where SCWA performs the work and Cal Trans reimburses SCWA for the cost. We plan on removing the Elderberry Bush and mitigating its impacts either in an approved mitigation bank or through other measures approved by the U.S. Fish and Wildlife Service.

FINDING NO. 4:

Arundo, a false bamboo weed that is extremely invasive and can create a natural dam causing flooding.

Response:

SCWA agrees with this finding.

RECOMMENDATION NO. 4

Cal Trans and SCWA partner with the Resource Conservation District to develop an eradication plan.

Response:

SCWA includes Arundo eradication as a part of its annual maintenance program for Sweeney Creek.

FINDING NO. 5:

The culvert installed south of Putah Canal has a “backwash” when Sweeney Creek is full, causing slight flooding. A flap-gate was not placed on culvert when installed.

Response:

SCWA agrees with this finding.

RECOMMENDATION NO. 5:

Install a flap-gate.

Response:

A flap-gate has been installed.

If you have any questions please contact the SCWA General Manager, David Okita, at 451-2094.

Sincerely,

A handwritten signature in black ink that reads "Duane Kromm". The signature is written in a cursive style and extends to the right with a long horizontal stroke.

Duane Kromm
Chairman, Solano County Water Agency



GREATER VALLEJO RECREATION DISTRICT

395 Amador Street, Vallejo, CA 94590-6320 • 707-648-4600 • FAX 707-648-4616
At The Heart Of Our Community For Sixty Years: 1944-2004

August 31, 2004

Honorable Peter B. Foor, Presiding Judge of the Superior Court
C/O Superior Court Executive Office/Clerk of the Court
600 Union Avenue
Fairfield, CA 94533

Cathy Houck, Grand Jury Foreperson

RE: G.V.R.D. Response to 2003 – 2004 Grand Jury Report;
Page 81 GVRD, and Page 84 HIDDENBROOKE

Dear Judge Foor:

Following is the official “general response” to the 2003-2004 Grand Jury Report.

Grand Jury Recommendation #1: “As stated in the Grand Jury Final Report, the responding agency must state one of four actions taken”.

G.V.R.D. Response #1: Finding #2 of the 2003 – 2004 Grand Jury Report indicates that recommendation #1 has been satisfied. Finding #2 states, “GVRD finally acknowledged the findings of the 2003 –2003 Grand Jury Final Report and satisfactorily implemented policy and procedures and addressed the recommendations of the 2002 – 2003 Grand Jury Final Report.” It therefore appears that GVRD has complied with this recommendation.

Grand Jury Recommendation #2: “Responses to Grand Jury reports must be made in a timely manner in accordance with the law”.

G.V.R.D. Response #2: The Greater Vallejo Recreation District agrees with this recommendation and has committed to responding to the Grand Jury in a timely manner, and has committed to meeting deadlines as determined by the Grand Jury.

Grand Jury Recommendation #3: “Audits for 1998 through 2002 were performed by the same independent auditor. There were various miscellaneous administrative financial deficiencies listed each year, sometimes for consecutive years with no apparent action to make corrections”.

Mission Statement:

Enhancing the leisure and recreational opportunities within our community.
web site: www.gvrd.org

G.V.R.D. Response #3: The Greater Vallejo Recreation District concurs with this recommendation. The board will review the findings and recommendations of the auditor and when possible, implement the reasonable recommendations made by the auditor. The Board will consider using a different auditor and will consider contracting with Solano County for auditor services.

Grand Jury Recommendation #4: “The 2003 – 2004 Grand Jury recommends that the City of Vallejo and the GVRD jointly determine the most efficient and effective method to deliver parks and recreation services to citizens in the current GVRD area”.

G.V.R.D. Response #4: The Greater Vallejo Recreation District is committed to researching and determining the most efficient and effective method to deliver parks and recreation services to the citizens in the current G.V.R.D. area. The G.V.R.D. will periodically meet jointly with the City of Vallejo to complete this task. GVRD has recently contracted with “Moore, Iacofano, and Goltsman Inc.” from Berkely to complete a master plan for the district. This master plan will help determine the needs of the residents and also help answer this question. Based upon the enormity of this task, it will take some time to evaluate the LAFCO criteria to determine the most effective way to deliver parks and recreation services to the residents in the current GVRD area.

Grand Jury Recommendation #5: “Within the required guidelines of responding to the 2003 – 2004 Grand Jury Final Report, all agencies provide the 2004 – 2005 Grand Jury with a report of their findings with a schedule of implementation where applicable”.

G.V.R.D. Response #5: The Greater Vallejo Recreation District agrees to follow the required guidelines of responding to the 2003 – 2004 Grand Jury Final Report. The GVRD final report will include a report of findings with a schedule of implementation where applicable.

HIDDENBROOKE, page 85

Finding #1: There was no recommendation made for finding #1.

Grand Jury Recommendation #2: “The City of Vallejo had requested an extension of response time relating to the Grand Jury’s request for the status of Mello-Roos funds as designated for the construction of the park. Therefore, no recommendation can be made as to finding #2.”

G.V.R.D. Response #2: It appears to GVRD that the response to this recommendation is being made by the City of Vallejo.

Grand Jury Recommendation #3: “The City of Vallejo and the GVRD should meet with the representatives of the Hiddenbrooke Subdivision to provide details of fees collected and expenditures as specified in the Hiddenbrooke Specific Plan. If fees and

expenditures do not meet the guidelines of the Plan, the City and the GVRD should provide to the residents a complete explanation as to any and all alterations to the Specific Plan guidelines.

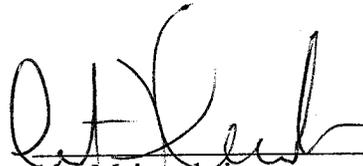
G.V.R.D. Response #3: The Greater Vallejo Recreation District has been meeting with representatives of the Hiddenbrooke subdivision on a regular basis and will continue to meet with them and to provide information as it is received. The district is working with the representatives and the City of Vallejo to plan and develop a park in the Hiddenbrooke area.

If you have any questions or need clarification, please do not hesitate to contact us. We look forward to working with the Grand Jury.

Sincerely,



Shane McAfee
General Manager
G.V.R.D.
395 Amador St.
Vallejo, CA 94590



Liat Meitzenheimer
Chair Person
G.V.R.D.