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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

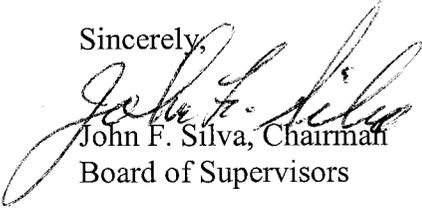
Dear Judge Foor:

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.*