

**SISKIYOU COUNTY CIVIL GRAND JURY RESPONSES RECEIVED
To the 2015-2016 GRAND JURY REPORT**

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Overall Introduction

The 2016-2017 Civil Grand Jury has chosen to publish the responses received after the printing of the 2015-2016 Civil Grand Jury final report. Information presented will include a brief introduction to the subject of the report, the finding(s) and recommendation(s) made in the Grand Jury report, and the responses received.

Pursuant to Penal Code 933.05, government entities may be required or invited to respond to the recommendations and findings of a Civil Grand Jury when requested to do so. In this way, agencies that fail to respond are brought to the attention of the public.

Additional detailed information can be found in the 2015-2016 Civil Grand Jury Report.

**Siskiyou County Special Districts
Introduction**

“The characteristics of a special district are that they are a form of government, are governed by a board, provide specific services and/or facilities, and have unique geographic boundaries.

The Grand Jury became aware that there have been, and continue to be, a significant number of unfilled special district board positions in Siskiyou County. The 2015-2016 Civil Grand Jury was concerned about these vacancies and investigated.”

Finding 1.

“Some boards are not aware of or in compliance with AB1234 ethics training.”

Recommendation 1.

“The Board of Supervisors should instruct County Counsel to ensure that all special district boards are aware of AB1234 ethics training requirements.”

Response 1.

“The Board of Supervisors partially disagrees. The County Counsel's primary statutory role is to represent and advise the Board of Supervisors and County departments and agencies, and dependent special districts within the county. While there is not statutory requirement that County Counsel represent or advise independent special districts, the Board agrees that supporting districts is important, including through County Counsel efforts and otherwise, to the

extent feasible. The County currently offers annual training on variety of topics, including ethics training that is available to all special district board members. Each year the County Clerk also provides written information about the ethics-training requirement to those who attend the training, as well as the secretary of each district.

Independent special districts can also avail themselves of and are encouraged to use self-study materials available through the Institute for Local Government. That organization presents the required AB1234 ethics training in a self-study format at <http://www.ca-ilg.org/post/ab-1234-self-study>.”

Finding 3.

“Training sessions offered by County agencies for the benefit of district board members are not well attended.”

Recommendation 3.

“The Board of Supervisors should direct those offices currently providing training for special district board members to develop a comprehensive curriculum to be offered in one session, on a weekday with alternate sessions offered during non-working hours.”

Response 3.

“The Board of Supervisors disagrees. The Board disagrees because three departments already provide training opportunities for special districts. Also, see the Response to Recommendation #1.

Each year a Special District Seminar is hosted by County Counsel and the County Clerk. While the Auditor has not provided training since 2014, future trainings are anticipated and the office has provided individual training as needed. The Auditor reports that when offered, training is well attended. All such training is offered as courtesy to help support independent special districts, and is not mandated by law.

Specifically, the County provides information on the Brown Act, Conflict of Interest, Form 700 filing requirements and notification processes, overview of election processes and appointment processes, financial matters such as sales & use tax, imprest and revolving accounts, debt, capital assets, payroll, special assessments, grant management, GASB 54, audits, tax information, endowments, accounts payable and receivables processing, budgeting, Financial Transaction Reporting, Ethics & Responsibility, etc.

For the joint training, the Clerk's Office typically provides a 45 day to 60 day notice to the districts of the training and sends reminders to each district and to each office holder. Despite continuing County efforts to voluntarily conduct training for independent special districts in Siskiyou County, attendance has significantly waned over the past 16 years and some historically offered training sessions have been discontinued due to poor attendance. For example, the last after-hours session offered by Clerk and County Counsel had less than 10 attendees. It was discontinued after it was determined to be fiscally irresponsible due to the expense of renting a facility and paying staff overtime. In addition to the County training opportunities, the County Clerk encourages special districts to become familiar with the California Special Districts Association, a valuable resource that provides training in such areas of New Board Member Orientation, Ethics Training, preparing agendas, best practices in managing districts and dealing with personnel issues, etc.”

Finding 4.

“Training sessions offered by County agencies, the County Clerk, County Counsel, and the Auditor, do not include management functions and responsibilities.”

Recommendation 4.

“The Board of Supervisors should direct those offices currently providing training for special district board members to develop a comprehensive curriculum to be offered in one session, on a weekday with alternate sessions offered during non-working hours.”

Response 4.

“The Board of Supervisors partially disagrees. See R-1 and R-3 responses. The Board of Supervisors partially agrees because comprehensive training opportunities are already provided to help support special districts. The County will continue to provide training support as requested and to the extent feasible and in light of affected special district interest and participation.”

Finding 5.

“There appears to be limited coordination among county agencies providing education and training for district board members.”

Recommendation 5.

“The Board of Supervisors should direct those offices currently providing training for special district board members to develop a comprehensive curriculum to be offered in one session, on a weekday with alternate sessions offered during non-working hours.”

Response 5.

“The Board of Supervisors partially agrees. See R-4 response.”

Finding 6.

“The prohibitive cost of financial audits consumes a large portion of some district budgets.”

Recommendation 6.

“The Board of Supervisors should exercise any influence they possess with the State Assembly to support the County Auditor's efforts to pass AB2613.”

Response 6.

“The Board of Supervisors agrees. The Board of Supervisors regularly evaluates and makes collective decisions on whether or not to support or oppose pending legislation. In part, the Board relies on the Department Heads to bring the legislation to their attention. The County Auditor did not request a letter of support from the Board of Supervisors; however, it was pleased to learn that the legislation was signed by the Governor in August.”

Finding 7.

“Proposed AB2613 is designed to alleviate some of the burden regarding financial audit costs for some of the districts.”

Recommendation 7.

“The Board of Supervisors should exercise any influence they possess with the State Assembly to support the County Auditor's efforts to pass AB2613.”

Response 7.

“Board of Supervisors agrees. See R-6 response.”

Siskiyou County Jail Introduction

“According to Penal Code Section 919(b), the Siskiyou County Civil Grand Jury is required to inspect the conditions and evaluate the management of all correctional facilities in Siskiyou County on an annual basis. An inspection of the Siskiyou County Jail was conducted and information was presented by representatives of the Sheriff’s Department on January 8, 2016...

Concerns have been raised about overcrowding in the Siskiyou County Jail. Staff report that if a new jail is not built soon, there is a possibility that the safety of jail staff and inmates may be compromised. Jail staff, law enforcement and the Board of Supervisors (BOS) are addressing this concern by pursuing various funding sources.”

Finding 1.

“The County Board of Supervisors and the Siskiyou County Sheriff are to be commended for continuing to explore funding options for a new jail, and for continuing to inform the public about progress in that direction.”

Recommendation 1.

“The Board of Supervisors and the Sheriff should continue to keep the residents of Siskiyou County informed about progress being made in this endeavor in a timely manner as events unfold.”

Response 1.

Siskiyou County Sheriff: response requested, but not received.

Response 1.

“The Board of Supervisors agrees with the recommendations. The Board of Supervisors has endeavored to keep the public well informed about the proposed new jail project as information becomes available. Since January 2016, the Board has publicly discussed the proposed new jail eleven times. In addition, individual Board members have participated in numerous community meetings.”

Finding 3.

“The existing jail does not appear to meet the current needs of the county.”

Recommendation 3.

“If the tax increase does not pass, the Grand Jury expects to hear what plans the Board of Supervisors and the Sheriff have to deal with current and potential future overcrowding in the jail.”

Response 3.

Siskiyou County Sheriff: response requested, but not received.

Response 3.

“In the event the sales tax initiative does not pass, the Board of Supervisors will work with the Sheriff to address concerns related to on-going jail operations.”

The Next Step Program

Introduction

“Next Step is an intensive outpatient treatment program primarily provided to adult substance using women who are pregnant and/or parenting children under 18... Treatment includes assessments, referrals, access to treatment and recovery services, case management, parenting and other services specific to women.

This is the first time Next Step has been the subject of a Grand Jury Report.”

Finding 2.

“Next Step is applying for Drug Medi-Cal certification, which will provide funding for medical review of treatment plans, case management, family counseling and additional staffing.”

Recommendation 2.

“The Civil Grand Jury is recommending the Board of Supervisors assist Next Step as needed during the application process for Drug Medi-Cal certification”.

Finding 3.

“There is no transitional housing or detox housing available for women in Siskiyou County.”

Recommendation 3.

“The Civil Grand Jury is recommending the Board of Supervisors assist Next Step and Behavioral Health Services to explore the possibility of providing transitional and/or detox housing for women in Siskiyou County upon request.”

Invited Response 2 & 3.

“The Board of Supervisors agrees with both recommendations. On September 6, 2016, the Board of Supervisors unanimously approved Health and Human Services’ request to submit a Drug Medi-Cal application. The application was formally submitted in early October and is currently under review. The County Administrator has discussed the Grand Jury's recommendation with the Health and Human Services Director and offered support as needed. The Board will consider further requests for support for transitional housing and/or detox housing.”

City of Montague Property Code Enforcement

Introduction

“The 2014-2015 Civil Grand Jury received a complaint regarding property code enforcement. That jury started an investigation but was unable to complete the investigation within their year of service. The complaint was refiled and the 2015-2016 Civil Grand Jury investigated the complaint...”

A complaint was received from a Montague resident that a fire on a neighboring derelict property resulted in damage to his property. He further stated the City of Montague failed to enforce ordinances that could have prevented the catastrophic loss.”

Finding 1.

“The City of Montague has had minimal success enforcing ordinances regarding property cleanup.”

Recommendation 1.

“City of Montague officials need to enforce the existing property abatement codes.”

Response 1:

“We, the City of Montague Council Members do agree with finding F1.”

“The City has been without a permanent Code Enforcement Officer since May 1, 2016. A temporary code enforcement officer has stepped in and proactively enforced existing ordinances and issuance of citations. The City is currently in the process of filling the vacancy. A new job description for the position has been created as to state clearly what duties are mandated for the position moving forward.

The City held a Public Hearing – Marijuana Abatement, September 19, 2016, Ordinance 8.08.050 and all addresses cited were properly notified and have complied.

Planning Commission met November 4, 2016 and identified eight properties that need to be cited for abandonment of vehicles and accumulation of trash on property. Public Hearing Notices will be mailed to property owner's week of November 21, 2016.

Emergency Abatement Meeting held November 8, 2016 for a property that has trees, debris and materials remaining from structure fire that deem hazardous and unsafe. City obtained quote from contractor to clean up trash, tires and other various debris. Clean up scheduled for week of November 14, 2016. Administrative costs and cost of removal of debris which are charged against the owner (Section 10.04.130) that are not paid within thirty days of the date of the invoiced charges, or the final disposition of an appeal therefrom, such costs shall be assessed against the parcel of land (Government Code, Section 38773.5) and shall be transmitted to the tax collector for collection and/or a lien may be placed on the parcel.”

Finding 2.

“The City of Montague has failed to investigate other resources to assist with code enforcement.”

Recommendation 2.

“The City of Montague should contact other agencies to determine if any type of code enforcement assistance is available. For example, area fire agencies could be contacted to see if abandoned properties might be used for firefighter training.”

Response 2:

“We, the City of Montague Council Members do agree with finding F2.”

“The Sheriff's Department has been contacted to assist the City with enforcing towing of abandoned vehicles and during Abatement Process at cited locations. The City has reached out to the attorney who has been involved with the Public Hearing process and proper enforcement of existing ordinances related to nuisances.

The City has reached out to the State of California Franchise Tax Board for 2017 to verify the process available to garnish taxes for residents past due and/or unpaid citations issued.

Public Works Department has an ongoing City Wide Brush Pile twice a year that is available to residents at no cost for tree limbs and other brush materials. The Montague Fire Department has been contacted regarding what land or properties would be suitable for fire training. If property/land has been vacant due to an improvement loss and/or not cleaned up by the land

owner or homeowner the fire department cannot perform or consider training on site until a contractor has remove all materials and debris from the facility.”

City of Etna

Introduction

“The Civil Grand Jury received a complaint alleging a potential violation of the Brown Act in regards to city staff meetings. It was also alleged that the city was negligent regarding required reporting to the State of California, State Water Resources Control Board (State Water Board) resulting in substantial costs to the city. The complainant also reported a lack of transparency by the City Council regarding approval of the Dollar General Store Project.”

Finding 1.

“A lack of sufficient training for city employees and city council members regarding policies and procedures for managing city government has resulted in substantial cost to the citizens of Etna.”

Recommendation 1.

“Provide city staff and council members better training in policies and procedures including the Brown Act.”

Response 1.

Mayor of Etna: Response requested, but not received.

Response 1.

Etna City Council: Response requested, but not received

Finding 2.

“There appears to be a lack of communication among city council members, city staff and the public.”

Recommendation 2.

“City council should create adequate avenues of communication to ensure city government transparency.”

Response 2.

Mayor of Etna: Response requested, but not received.

Response 2.

Etna City Council: Response requested, but not received.

Finding 3.

“Supervision of City employees is inadequate.”

Recommendation 3.

“The city council should pursue recruitment of a city manager to take on the responsibility for city operations and supervision of employees.”

Response 3.

Mayor of Etna: Response requested, but not received.

Response 3.

Etna City Council: Response requested, but not received.