Democracy cannot succeed unless those who express their choice are prepared to choose wisely.



TOGETHER WE HAVE THE POWER TO MAKE A DIFFERENCE!

2022-2023 Glenn County Civil Grand Jury Final Report

2022 — 2023

Glenn County
Civil Grand Jury

Final Report

of the

Findings and Recommendations

June 15, 2023

"Democracy cannot succeed unless those who express their choice are prepared to choose wisely. The real safeguard of democracy, therefore, is education."

Franklin D. Roosevelt



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GLENN COUNTY CIVIL GRAND JURY

PO Box 1023
Willows, California 95963

June 15, 2023

The Honorable Alicia Ekland, Presiding Judge
Superior Court, County of Glenn
526 West Sycamore Street
Willows, CA 95988

Dear Judge Ekland:

RE: 2022-2023 Glenn County Final Grand Jury Report.

On behalf of the 2022-2023 Glenn County Grand Jury, it is an honor to submit our Final Grand Jury Report. In compliance with California Penal Code, Section 933, this Grand Jury report contains findings and recommendations regarding government agencies and fiscal matters within our jurisdiction. After collaboration, consideration, and reflection of all information provided to the Grand Jury, this report is ready for publication. The report covers the work of five committees: City Government, Public Roads, Complaints, Special Districts, and Emergency Services.

The members of the 2022-2023 Grand Jury are a diverse group, each possessing unique experience and skills with the ability to work well as a unit. Each Grand Jury member dedicated time and energy to conducting investigations, providing information analyses, as well as delivering professional report writing experience.

The Grand Jury would like to express our gratitude and appreciation to the many county employees and elected officials who supported our efforts this term.

On a personal note, I want to thank my fellow Grand Jurors for the dedication to duty they showed during the past year. I know we all take pride in the work done by the Glenn County Civil Grand Jury. It has been a privilege for the Foreperson and Jury members to serve the citizens of the County.

Tami Allen
2022-2023 Grand Jury Foreperson

2022-2023 Civil Grand Jury Members

Executive Team

Tami Allen, Foreperson **Susan Martin, Secretary**

Shirley Boracci, Treasurer

2022-2023 Members

Linda Adams **Marge Ansel**

John Batty-Sylvan** **Joe Gilmore**

Jenifer Johnson **Chastitie Kenyon**

Mark Layman **Steve Martin**

Susan Martin **Facundo Rosas****

Kristi Rumble **Donna Simonetti**

Debra Sligar **James Smith**

Kenneth Stein** **Dess Tibbitt**

Teresa Whitney

****Grand Jurors to serve as jurist on the 2023-2024 Civil Grand Jury**

Civil Grand Jury Mission Statement

The Glenn County Civil Grand Jury serves as the ombudsman for the citizens of Glenn County. The primary function of the Grand Jury, and the most important reason for its existence, is the examination of all aspects of county government and special districts assuring honest and efficient government that serves the best interests of the people.



Disclaimer

During this Grand Jury year, any juror, who had or may appear to have had a conflict of interest in any report or investigation, was recused. Recusal includes, but is not limited to, exclusion from interviews, deliberations, report creation and plenary acceptance.

The Role of the Glenn County Civil Grand Jury

The Civil Grand Jury is primarily an investigative body created by the United States Constitution's Fifth Amendment and the California Constitution.

In California, Civil Grand Juries are impaneled annually and are officers of the court but work independently. Section 23, Article 1 of the California Constitution requires that the Grand Jury "be drawn and summoned at least once a year in each county." To satisfy the Constitutional requirement, state law describes the selection of grand jurors, and the watchdog and indictment functions of the Grand Jury.

The Glenn County Civil Grand Jury is composed of nineteen (19) citizens who have been residents of Glenn County for at least one (1) year or longer. Generally, jurors are selected in a random lottery process. The advising Judge, representing the Superior Court, appoints a foreperson from the selected Grand Jury panel and administers the oath to all jurors. The oath requires each juror to diligently inquire into city and county governmental agencies and not disclose any of the proceedings, discussions, names of individuals interviewed, or votes of the Grand Jury. The Grand Jury's term of service begins July 1st and ends June 30th of the following year.

The Civil Grand Jury performs several functions that are described in the law. Broadly, the Civil Grand Jury is charged with assuring honest, efficient government that operates in the best interest of the people of the county. The primary function of the Civil Grand Jury is to examine aspects of county government, special districts, school districts, and city government. Specifically, this includes:

1. ***Civil Watchdog*** – to inquire into the willful or corrupt misconduct of public officers; to investigate and report on at least one county officer, department, or function; and to inquire into the condition and management of public prisons within the county.

2. ***Criminal Indictment*** – to present to the court a criminal charge of a public offense against a person based upon evidence considered by the Civil Grand Jury.

3. ***Accusation*** – to remove from office a public officer based upon evidence of willful or corrupt misconduct considered by the grand jury. This judicial process is initiated by the Civil Grand Jury.

The Glenn County Civil Grand Jury is an arm of the Glenn County Superior Court and is considered part of the judicial branch of government. As such, the Civil Grand Jury may ask the advice of the advising Judge to the Civil Grand Jury, the County Counsel, or the District Attorney. The Civil Grand Jury may inquire into or investigate a matter based on either a complaint or upon its own initiative.

Most of the work is done by committees, which can include Public Safety, School. Education, Public and Planning Works, Finance, Health and Human services, and the City/County Government.

Subcommittees may be appointed as needed. The Civil Grand Jury, as a body meets once a month, and subcommittees meet as needed to fulfill their obligation to their investigation. The Civil Grand Jury meets with county and city officials, visits local government facilities, and conducts research on matters of interest and concern. The proceedings of the Civil Grand Jury are kept confidential. Jurors may not discuss the business of the Civil Grand Jury with other individuals. The Grand Jury's authority is located primarily in Penal Code Sections 888-939.91, et seq., and the accusation process that leads to the removal of a public officer is described in Government Code Sections 3060 – 3075, et seq.

The Civil Grand Jury receives letters from citizens expressing concern over matters of local government. Anyone may file a complaint with the Civil Grand Jury, and all complaints to the Glenn County Civil Grand Jury are confidential. The Glenn County Civil Grand Jury considers all complaints for investigation.

Complaints must be in writing, signed and addressed to:

Glenn County Civil Grand Jury Foreperson
P.O. Box 1023
Willows, CA 95988

All Civil Grand Jury findings and recommendations are issued in written reports. Each report must be approved by at least 12 members of the Grand Jury. At the end of the term, June 30, the Jury issues its final report. Copies of the report are distributed to public officials, libraries, news media and any entity that is subject to a report.

Glenn County residents interested in serving on the Glenn County Civil Grand Jury can obtain an application/questionnaire from the court's website at www.glenncourt.ca.gov. The form is located on the Grand Jury webpage under court information.

Response Requirements and Instructions

Two working days prior to the release of the Final Report, the Civil Grand Jury will provide a copy of the report to all affected agencies of persons or persons.

No officer, agency, department, or governing body of a public agency shall disclose the contents of the report prior to its public release.

All affected agencies or persons shall respond to their specific portions of the final Report.

Responses are to be in writing, or on a computer disk to assist with duplication, and are to be submitted in a timely manner.

Section 933(c) of the Penal code provides two different response times:

(1) **Public Agency:** the governing body of any public agency must respond within **90 days**. The response must be addressed to the presiding judge of the Superior Court.

(2) **Elective Officer or Agency Head:** All elected officers or heads of agencies that are required to respond must do so within **60 days** to the presiding Judge of the Superior Court, with an informational copy provided to the Board of Supervisors.

The legal requirements for responding to individual reports in the Civil Grand Jury Final Report, as contained in the California Penal Code, section 933.05, are summarized as follows:

The responding entity or person must respond in one of two ways:

(1) That you agree with the finding.

(2) That you disagree wholly or partially with the findings. The response shall specify the part of the findings that are disputed and shall include an explanation of the reasons for the disagreement.

Recommendations by the Civil Grand Jury require action.

The reporting entity or person must report action on all recommendations in one of four ways:

(1) The recommendation has been implemented with a summary of the implemented action.

(2) The recommendation has not been implemented but will be implemented in the near future with a time frame for implementation.

(3) The recommendation requires further analysis. If an entity or person reports in this manner, the law requires a detailed explanation of the analysis or study and time frame not to exceed six months. In this event, the analysis or study must be submitted to the director or head of the agency being investigated.

Response Requirements and Instructions (cont.)

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation of the situation.

If either a finding or a recommendation deals with budgetary or personnel matters of a county department headed by an elected officer, both the elected officer and the Board of Supervisors shall respond if the Civil Grand Jury requests.

The Board of Supervisors' response may be limited, while the response by the department heads must address all aspects of the Findings or Recommendations.

Mail or deliver all responses to:

Presiding Judge
Superior Court, County of Glenn
526 West Sycamore Street
Willows, CA 95988

To request a response copy from responding elected officials or agency heads:

Glenn County Board of Supervisors
526 West Sycamore Street
Willows, CA 95988



GLENN COUNTY CIVIL GRAND JURY COMPLAINT FORM

All information on this form is strictly confidential. This complaint should be prepared after attempts to correct the situation have been unsuccessful.

Mail To: **Foreperson, Civil Glenn County Grand Jury**
PO Box 1023
Willows, CA 95988

Date: _____

Complainant: _____
Name **Title**

_____
Agency of employment if employed by county.

Address: _____
Street **City** **State Zip**

Name of person or agency complainant is reporting:

_____
Name **Title** **Agency**

_____
Address **City, State Zip** **Phone/Cell Number**

Complaint: Please provide dates, times and names of individuals involved as well as a complete narrative of your complaint as well as any documentation that support your complaint. Attach additional sheets if necessary.

_____
_____
_____
_____
_____
_____
_____
_____

Identify attempts made to correct this situation or issue as well as other agencies, person(s) contacted and approximate dates.

_____

_____

_____

_____

_____

_____

Is there any additional information that you feel may be helpful in an investigation?

_____

_____

_____

_____

_____

_____

For Grand Jury Use Only:

Date Received by Grand Jury: _____

Date Acknowledgement Letter Sent: _____

Committee assigned: _____

Date of Action: _____

Summary of Action Taken: _____

_____

_____

_____

_____

_____

This form is available for use on the Glenn County Civil Grand Jury Web page



So, government acts as a safeguard of our property.

William Weld



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Final Report of the Findings and Recommendations

2022 — 2023
Glenn County
Civil Grand Jury Reports



The government is us; we are the government, you and I.

Theodore Roosevelt



June 2023

Do you know what TOT Tax is or are you as confused as the complainant?



The property owner received a billing from the City of Willows, dated November 9, 2021, stating that he owed $13,798.73 TOT for July 22, 2020, to July 1, 2021. The property owner is challenging this billing.

Do you know what TOT Tax is, or are you as confused as the complainant?



SUMMARY:

Glenn County Civil Grand Jury received a complaint from a City of Willows business owner about the assessment of Hotel Users Tax also known as (AKA) Transient Occupancy Tax (TOT). The complainant received an assessment from the City Tax Administrator for property zoned Commercial General (CG) and Occupancy Residential Group (R-2). The owner purchased the property and refurbished it from a dilapidated motel to an Extended Stay, intended to become an Apartment Building with one- and two-bedroom units.

PURPOSE:

A Review of information from the City of Willows Municipal Codes on TOT taxes for hotels versus apartments. Was this property meant to be less than a 30 day stay "Hotel" or was it an Extended Stay? Is an Extended Stay the same as an apartment complex?

GLOSSARY:

AKA - Also known as

CBC - California Building Code

COO - Certificate of Occupancy

CG - Use zone (Commercial General)

Extended Stay – Hotel Can Be Long term accommodation for guests.

R-1 - Residential property. Single-Unit family homes.

R-2 - Two or more dwellings. Residential Property, apartments non-transient.

TOT - Transient Occupancy Tax

WMC - Willows Municipal Code

BACKGROUND:

The Glenn County Civil Grand Jury received a written complaint on September 19, 2022, regarding a dispute with the City of Willows over a bill showing $13,798.73 TOT. The property owner purchased a run-down motel and after consulting with Willows residents, city council members and business owners it was decided to convert the property into apartments.

METHODOLOGY:

- Interview with property owner
- Review information from property owner
- Review of information received from City of Willows
- Review of the City of Willows Municipal Code
- Interview with Willows Building Inspector
- Review City of Willows Building Department Permit dated October 11, 2018, including Willdan Engineering Comment Letter dated September 24, 2018
- Review of California building code 310.4
- Review Certificate of Occupancy dated July 22, 2020
- Review Definition of R-1
- Review Definition of R2
- Review of Signed California Association of Realtors Residential Lease or Month-Month Rental Agreement
- Review of California Building Code 3.25.130

DISCUSSION:

The Glenn County Civil Grand Jury received a complaint against the City of Willows concerning a TOT bill that was received by the current property owner. The complainant has purchased several dilapidated properties in Willows and has restored them into desirable business units. The property owner purchased a run-down motel in 2017 with the intent to revitalize it. Due to all of the fires and lack of housing, the need for apartments was essential. The property owner discussed this need with several local businesspersons, City of Willows Planning Department members, Willows City Council members, and personnel in the Willows City Building department. He was encouraged to proceed and was given good information regarding the process. The first Resolution No. 04-2018 (450, 451) was approved by the City Council. The property owner then secured the original building permit# 3715 issued 10/11/2018 as Remodel Existing Motel from nineteen units to twelve units. Included with the permit, signed off by Willdan Engineering, was a Comment Letter stating:

"These design documents have been reviewed to help ensure conformance with California Administrative Code, Title 24, primarily part 2 of the California Building Code, 2016 Edition."

Architectural:

"***A1.*** *Per Section 420 and 708, 2016 CBC, note that the walls separating the dwelling units are a minimum of 1-hour fire assembly. Also provide a construction detail showing the design of the 1-hour fire assembly.*

A2. *The building design suggests an Occupancy Classification of R-2, not R-1. The motel rooms are constructed with Kitchens, Living Rooms and mostly are 2 bedrooms.*

Therefore, such areas ascribe more to the definition of an R-2 Classification as described at Section 310.4, 2016 CBC where occupants are primarily permanent in nature, including non-transient motel occupants.

Please define the precise Occupancy use and/or provide a code analysis for this project to determine the proper occupancy classification.

The Paradise Fire presented a need for additional housing in our area, it also presented an inconvenient situation for the property owner and Willows City Planning Department to meet and discuss this becoming a long-term rental dwelling. However, emails dated December 13, 2018, and reviewed by the Glenn County Civil Grand Jury show that there was conversation with the City Planning Department Employee and the complainant. When the project was completed it was completed to Willdan specifications of 1 hour fire walls that are mandated for apartment complexes, a COO issued on July 22, 2020, with an occupancy of R-2, not R-1, signed by the City of Willows Planning Department, Fire Chief, Public Works/City Engineer and Building Official stating the property had met all the requirements and was ready for occupancy. People were waiting to move in, and a property management company began signing leases with prospective tenants. At this point the property owner assumed all legalities were completed. Local property management took over complete management including maintenance and leases.

Eight months after completion the owner sought refinancing which involved an appraisal of said property. The bank appraiser called Willows City Hall and required clarification from the COO. Originally stating, Use Classification: as "per California building Code" the bank appraiser needed it to state, "14 Unit Multi-Family Apartment Complex". Uncertain of the chain of events, a second Building Permit # 4495 issued 10/12/2021 was purchased for a change of Use Classification: PER CALIFORNIA BUILDING CODE to a New COO issued on 10/12/21, with Use Classification:14 UNIT MULTI FAMILY APARTMENT COMPLEX. For the second time the property manager assumed that the process was complete, only to receive a letter one month later, demanding TOT for the prior year July 2020 to July 2021. (See attachment)

Documentation by property owner provided to the city proving no TOT was owed. (See attachment - Quarterly Transient Occupancy Tax Return dated 7/26/2021).

There were emails given to the Glenn County Civil Grand Jury between:

City of Willows to Property Owner **Sent:** Tuesday, November 9, 2021, 3:40 PM

"Attached please find a signed letter from me to you regarding TOT that is due to the City for the time frame when the property was approved for use as an "Extended Stay Motel." This same letter with attachments will also be sent to you via the US Postal Service."

Property Owner to City of Willows **Sent:** Tuesday, November 9, 2021, 11:00 PM "How is it that you want me to fill out the tot form because I still come up with zero tax due?"

"Attached please find a signed letter from me to you regarding TOT that is due to the City for the time frame when the property was approved for use as an "Extended Stay Motel." This same letter with attachments will also be sent to you via the US Postal Service."

Property Owner to City of Willows **Sent:** Tuesday, November 9, 2021, 11:00 PM "How is it that you want me to fill out the tot form because I still come up with zero tax due?"

City of Willows to Property Owner **Sent:** Wednesday, November 10, 2021, 10:36 AM

"In your case, please complete the total receipts (line #1) and multiple by 12%. For example, if your gross receipts in a given quarter were $100,000, you would owe the City $12,000."

Since line #2 and #3 of the TOT return are irrelevant (because the use permit explicitly states that renters CANNOT stay in excess of 30 days and if they did, that would be a violation of the use permit), line #2 and #3 are also irrelevant and should be $0.

Also, since the TOT is now late, please be sure to include the penalties that are listed on the form as well as. The apartments were rented out with a rental agreement beginning July 22, 2020, with all tenants' leases longer than 30 days. Each tenant stayed longer than 30 days. By law had the owner collected TOT he would have had to reimburse every tenant, therefore, the city could not collect. City Code 3.25.120 Refunds.

After reviewing the leases provided by the local property manager, the Glenn County Civil Grand Jury found that no tenant stayed less than 30 days, nor did anyone move in before the COO was issued on July 22, 2020.

The property owner received a billing from the City of Willows, dated November 9, 2021, stating that he owed $13,798.73 TOT for July 22, 2020, to July 1, 2021. The property owner is challenging this billing since he never collected TOT tax from tenants or property management, they were all-over 30-day rentals. He had the Certificate of Occupancy dated July 22, 2020, with an R2 code.

A Special meeting to address the issue was held on March 24, 2022, eight months after the Certificate was issued. The City Council, at that time, included community members that had advised and gave the property owner the go ahead to convert the motel into apartments and are now saying that it was against the municipal code. At the meeting four council members voted to support the

appeal and one voted to rescind the billing. The decision came from Willows City Council and tax administrator to the property owner in a letter dated June 2, 2022. (Letter attached)

The Glenn County Civil Grand Jury found miscommunication and a lack of standard protocol for the policies and procedures in the City of Willows. Unfortunately, it seems to have started at the very beginning of this permit process. To add to this, there was the Paradise Fire and then COVID hit our county and state, causing the shutdown of our county services. This caused frustration because the complainant was not able to communicate, attend Planning Meetings, City Council Meetings, or be able to access the City of Willows Office regarding the change for said property to be more than a 30 day or less hotel to an apartment complex. The Glenn County Civil Grand Jury findings show that there were many errors in this process from the beginning to the end.

Code 3.25.130 Actions to collect.

Any tax required to be paid by any hotel user under the provisions of this chapter shall be deemed a debt owed by the hotel user to the city. Any such tax collected by an operator which has not been paid to the city shall be deemed a debt owed by the operator to the city. Any person owing to the city under the provisions of this chapter shall be liable to an action brought in the name of the city of Willows for the recovery of such amount. (Ord. 658-98, 5-12-98, 462 code 13, 11-12-68, code 15-73).
Brief excerpts of Codes: see full Willows Municipal Code sections 3.25.010 through 3.25.140 in attachments.

California Code 310.3 Residential Group R-2

Residential Group R-2 occupancies containing sleeping units or more than two dwelling units here occupants are **primarily permanent in nature,** including:

- Apartment houses
- Congregate living facilities (non-transient) with more than 16 occupants
    - Boarding houses (non-transient)
    - Convents
    - Dormitories
    - Fraternities and sororities
    - Monasteries
- Hotels (non-transient)
- Live/work units
- Motels (non- transient)
- Vacation timeshare properties

California Revenue and Taxation Code section 7280 paragraph A, Chapter 1. Occupancy Taxes –

"The legislative body or any city, county, or city and county may levy a tax on the privilege of occupying a room or rooms, or other living space, in a hotel, inn, tourist home or house, motel or other lodging **unless the occupancy is for a period of more than 30 days.** The tax, when levied by the legislative body of a county, applies only to the unincorporated areas of the county."

Willows Municipal Code 3.25.020 Definitions

"Hotel user" means, any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license, or other agreement for a period of **30 consecutive calendar days or less,** counting portions of calendar days as full days. Any such person occupying space in a hotel shall be deemed to be a hotel user until the **period of 30 days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy.** In determining whether a person is a hotel user, uninterrupted periods of time extending both prior and subsequent to the effective date of the ordinance codified in this chapter may be considered. (*See full code in attachments.)*

FINDINGS	RECOMMENDATIONS
The Civil Grand Jury found…	**The Civil Grand Jury recommends…**
F1 … there were many miscommunications and misunderstandings between the City of Willows and the Property Owner. There were errors made in paperwork and the City of Willows policies were not followed. Findings show that there was inconsistency communicated to the Property Owner from each Official of the City of Willows that participated in the permit process to the final occupancy certificate filed.	**R1** … for the City of Willows to have better communication and be consistent with policies and procedures. Consistency between city hall, building department, city council and property owners, is mandatory
F2 … that according to City of Willows Municipal Code 3.25.130 If Operator did not collect hotel user tax (TOT), then hotel user is responsible for tax to the city.	**R2** … for the City of Willows to rescind the TOT that the City of Willows billing issued to the property owner.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following individuals:

- **City of Willows**

From the following governing bodies:

- **Willows City Council**

Invited responses.

Former City of Willows Council members.

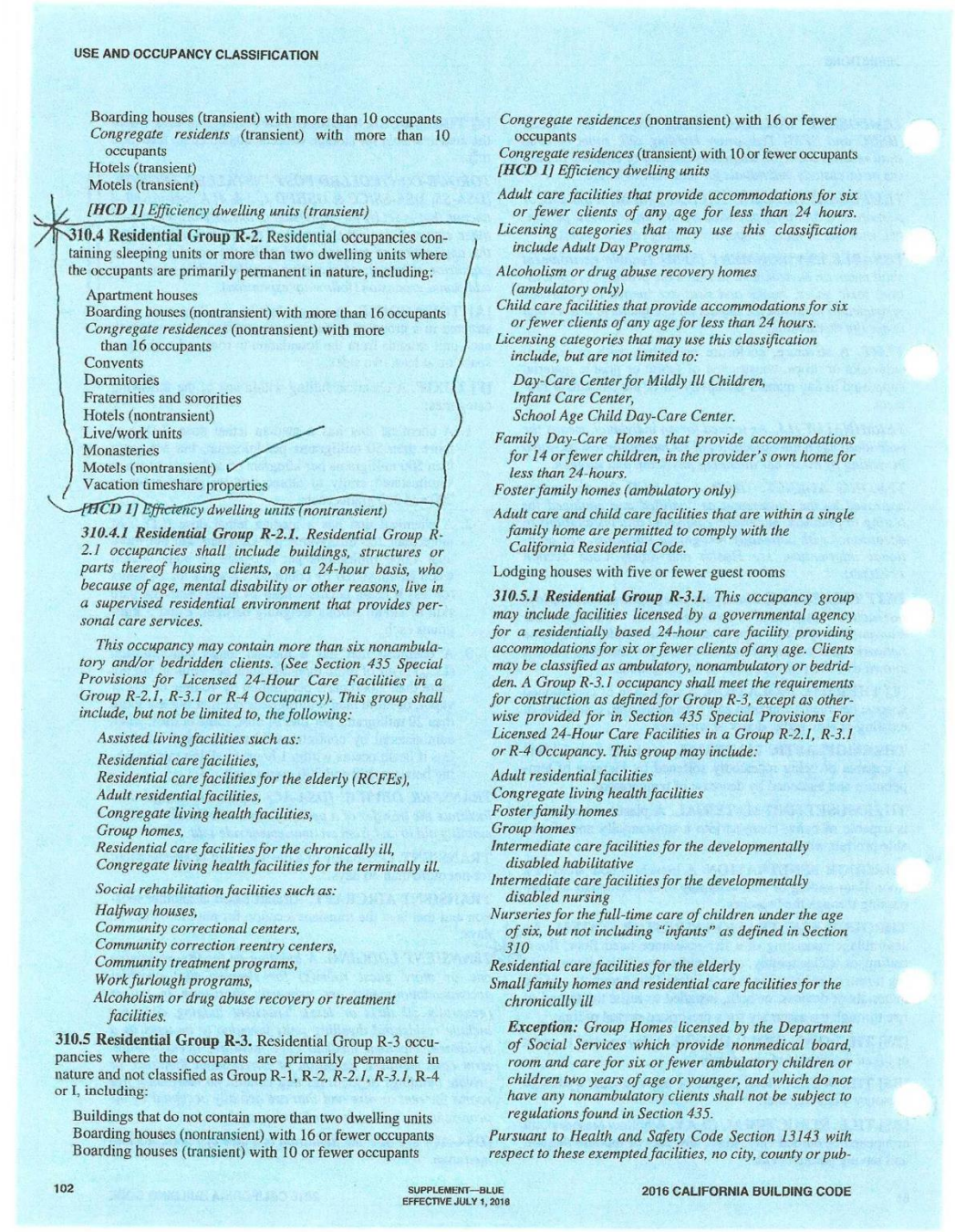
Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

DISCLAIMER: The 2022-2023 Civil Grand Jury did not have any members recused.

Attachment 1: Certificate of Occupancy

A Certificate of Occupancy (C of O) is a document issued by Building & Safety which certifies that a commercial space or newly constructed residential building has been inspected for compliance with the California Building Standards Code and local ordinances which govern construction and occupancy.

Attachment 1a: Certificate of Occupancy Use and Occupancy Classification



USE AND OCCUPANCY CLASSIFICATION

Boarding houses (transient) with more than 10 occupants
Congregate residents (transient) with more than 10 occupants
Hotels (transient)
Motels (transient)

[HCD 1] Efficiency dwelling units (transient)

310.4 Residential Group R-2. Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including:

Apartment houses
Boarding houses (nontransient) with more than 16 occupants
Congregate residences (nontransient) with more than 16 occupants
Convents
Dormitories
Fraternities and sororities
Hotels (nontransient)
Live/work units
Monasteries
Motels (nontransient)
Vacation timeshare properties

[HCD 1] Efficiency dwelling units (nontransient)

310.4.1 Residential Group R-2.1. *Residential Group R-2.1 occupancies shall include buildings, structures or parts thereof housing clients, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services.*

This occupancy may contain more than six nonambulatory and/or bedridden clients. (See Section 435 Special Provisions for Licensed 24-Hour Care Facilities in a Group R-2.1, R-3.1 or R-4 Occupancy). This group shall include, but not be limited to, the following:

Assisted living facilities such as:

Residential care facilities,
Residential care facilities for the elderly (RCFEs),
Adult residential facilities,
Congregate living health facilities,
Group homes,
Residential care facilities for the chronically ill,
Congregate living health facilities for the terminally ill.

Social rehabilitation facilities such as:

Halfway houses,
Community correctional centers,
Community correction reentry centers,
Community treatment programs,
Work furlough programs,
Alcoholism or drug abuse recovery or treatment facilities.

310.5 Residential Group R-3. Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, *R-2.1, R-3.1,* R-4 or I, including:

Buildings that do not contain more than two dwelling units
Boarding houses (nontransient) with 16 or fewer occupants
Boarding houses (transient) with 10 or fewer occupants
Congregate residences (nontransient) with 16 or fewer occupants
Congregate residences (transient) with 10 or fewer occupants
[HCD 1] Efficiency dwelling units

Adult care facilities that provide accommodations for six or fewer clients of any age for less than 24 hours. Licensing categories that may use this classification include Adult Day Programs.

Alcoholism or drug abuse recovery homes (ambulatory only)
Child care facilities that provide accommodations for six or fewer clients of any age for less than 24 hours. Licensing categories that may use this classification include, but are not limited to:

Day-Care Center for Mildly Ill Children,
Infant Care Center,
School Age Child Day-Care Center.

Family Day-Care Homes that provide accommodations for 14 or fewer children, in the provider's own home for less than 24-hours.
Foster family homes (ambulatory only)

Adult care and child care facilities that are within a single family home are permitted to comply with the California Residential Code.

Lodging houses with five or fewer guest rooms

310.5.1 Residential Group R-3.1. *This occupancy group may include facilities licensed by a governmental agency for a residentially based 24-hour care facility providing accommodations for six or fewer clients of any age. Clients may be classified as ambulatory, nonambulatory or bedridden. A Group R-3.1 occupancy shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in Section 435 Special Provisions For Licensed 24-Hour Care Facilities in a Group R-2.1, R-3.1 or R-4 Occupancy. This group may include:*

Adult residential facilities
Congregate living health facilities
Foster family homes
Group homes
Intermediate care facilities for the developmentally disabled habilitative
Intermediate care facilities for the developmentally disabled nursing
Nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 310
Residential care facilities for the elderly
Small family homes and residential care facilities for the chronically ill

Exception: *Group Homes licensed by the Department of Social Services which provide nonmedical board, room and care for six or fewer ambulatory children or children two years of age or younger, and which do not have any nonambulatory clients shall not be subject to regulations found in Section 435.*

Pursuant to Health and Safety Code Section 13143 with respect to these exempted facilities, no city, county or pub-

102 SUPPLEMENT—BLUE EFFECTIVE JULY 1, 2018 2016 CALIFORNIA BUILDING CODE

Attachment 1b: Certificate of Occupancy—Definitions

DEFINITIONS

TEMPORARY HOLDING CELL, ROOM or AREA. [BSCC and SFM] Temporary Holding cell, room or area shall mean a room for temporary holding of inmates, detainees or in-custody individuals for less than 24 hours.

TEMPORARY HOLDING FACILITY [SFM] A building or portion of a building, operated by law enforcement personnel, with one or more temporary holding cells or rooms.

TENABLE ENVIRONMENT [SFM] Tenable environment shall mean an environment in which the products of combustion, toxic gases, smoke and heat are limited or otherwise restricted to maintain the impact on occupants to a level that is not life threatening.

TENT. A structure, enclosure or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported in any manner except by air or the contents it protects.

TERMINALLY ILL. As termed for an individual, means the individual has a life expectancy of six months or less as stated in writing by his or her attending physician and surgeon.

TESTING AGENCY. (HCD 1 & HCD 2) An agency approved by the department as qualified and equipped for testing of products, materials, equipment and installations in accordance with nationally recognized standards. For additional information, see Health and Safety Code Section 17920(m).

TEXT TELEPHONE. Machinery or equipment that employs interactive text-based communications through the transmission of coded signals across the standard telephone network. Text telephones can include, for example, devices known as TTYs (teletypewriters) or computers.

[E] THERMAL ISOLATION. A separation of conditioned spaces, between a sunroom and a dwelling unit, consisting of existing or new walls, doors or windows.

THERMOPLASTIC MATERIAL. A plastic material that is capable of being repeatedly softened by increase of temperature and hardened by decrease of temperature.

THERMOSETTING MATERIAL. A plastic material that is capable of being changed into a substantially nonreformable product when cured.

THROUGH PENETRATION. A breach in both sides of a floor, floor-ceiling or wall assembly to accommodate an item passing through the breaches.

THROUGH-PENETRATION FIRESTOP SYSTEM. An assemblage consisting of a fire-resistance-rated floor, floor-ceiling, or wall assembly, one or more penetrating items passing through the breaches in both sides of the assembly and the materials or devices, or both, installed to resist the spread of fire through the assembly for a prescribed period of time.

[BS] TIE-DOWN (HOLD-DOWN). A device used to resist uplift of the chords of shear walls.

[BS] TIE, WALL. Metal connector that connects wythes of masonry walls together.

[BS] TILE, STRUCTURAL CLAY. A hollow masonry unit composed of burned clay, shale, fire clay or mixture thereof, and having parallel cells.

[F] TIRES, BULK STORAGE OF. Storage of tires where the area available for storage exceeds 20,000 cubic feet (566 m^3).

TORQUE-CONTROLLED POST-INSTALLED ANCHOR. [DSA-SS, DSA-SS/CC & OSHPD 1, 2 & 4] A post-installed anchor that is set by the expansion of one or more sleeves or other elements against the sides of the drilled hole through the application of torque, which pulls the cone(s) into the expansion sleeve(s); after setting, tensile loading can cause additional expansion (follow-up expansion).

[A] TOWNHOUSE. A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides.

[F] TOXIC. A chemical falling within any of the following categories:

1. A chemical that has a median lethal dose (LD_{50}) of more than 50 milligrams per kilogram, but not more than 500 milligrams per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.
2. A chemical that has a median lethal dose (LD_{50}) of more than 200 milligrams per kilogram, but not more than 1,000 milligrams per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between 2 and 3 kilograms each.
3. A chemical that has a median lethal concentration (LC_{50}) in air of more than 200 parts per million, but not more than 2,000 parts per million by volume of gas or vapor, or more than 2 milligrams per liter but not more than 20 milligrams per liter of mist, fume or dust, when administered by continuous inhalation for 1 hour (or less if death occurs within 1 hour) to albino rats weighing between 200 and 300 grams each.

TRANSFER DEVICE. [DSA-AC] Equipment designed to facilitate the transfer of a person from a wheelchair or other mobility aid to and from an amusement ride seat.

TRANSIENT. Occupancy of a dwelling unit or sleeping unit for not more than 30 days.

TRANSIENT AIRCRAFT. Aircraft based at another location and that is at the transient location for not more than 90 days.

TRANSIENT LODGING. A building or facility containing one or more guest room(s) for sleeping that provides accommodations that are primarily short-term in nature (generally 30 days or less). Transient lodging does not include residential dwelling units intended to be used as a residence, inpatient medical care facilities, licensed long-term care facilities, detention or correctional facilities, or private buildings or facilities that contain no more than five rooms for rent or hire and that are actually occupied by the proprietor as the residence of such proprietor.

[DSA-AC] See also the definition of Place of Public Accommodation.

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2016 CALIFORNIA BUILDING CODE

Attachment 2: Policies —Hotel Users Tax—3.25

Chapter 3.25
HOTEL USERS TAX

Sections:

3.25.010 Title.

3.25.020 Definitions.

3.25.030 Tax imposed.

3.25.040 Exemptions.

3.25.050 Operator's duties.

3.25.060 Registration.

3.25.070 Reporting and remitting.

3.25.080 Penalties and interest.

3.25.090 Failure to collect and report tax – Determination of tax by tax administrator.

3.25.100 Appeal.

3.25.110 Records.

3.25.120 Refunds.

3.25.130 Actions to collect.

3.25.140 Violations – Misdemeanor.

3.25.010 Title.

This chapter shall be known as the hotel users tax ordinance of the city of Willows. [Ord. 658-98, 5-12-98; Ord. 462 § 1, 11-12-68. Prior code § 15-61].

3.25.020 Definitions.

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter:

Attachment 2a: Policies —Hotel Users Tax—3.25

"Hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by hotel users for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, motel, bed and breakfast, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or other lodging including but not limited to a camping site or a space at a campground or recreational vehicle park.

"Hotel user" means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. Any such person so occupying space in a hotel shall be deemed to be a hotel user until the period of 30 days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. In determining whether a person is a hotel user, uninterrupted periods of time extending both prior and subsequent to the effective date of the ordinance codified in this chapter may be considered.

"Occupancy" means the use or possession, or the right to the use or possession of any room or rooms or portion thereof, in any hotel for dwelling, lodging or sleeping purposes.

"Operator" means the person who is proprietor of the hotel, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other capacity. Where the operator performs his function through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his principal. Compliance with the provisions of this chapter by either the principal or the managing agent shall, however, be considered to be compliance by both.

"Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

"Rent" means the consideration charged, whether or not received, for the occupancy of space in a hotel valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without any deduction therefrom whatsoever.

"Tax administrator" means the city treasurer. [Ord. 658-98, 5-12-98; Ord. 640-94, 1-11-94; Ord. 602-85 § 2, 12-10-85; Ord. 462 § 2, 11-12-68. Prior code § 15-62].

3.25.030 Tax imposed.

Attachment 2b: Policies —Hotel Users Tax—3.25

For the privilege of occupancy in any hotel, each hotel user is subject to and shall pay a tax in the amount of 12 percent of the rent charged by the operator. Said tax constitutes a debt owed by the hotel user to the city, which is extinguished only by payment to the operator or city. The hotel user shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the hotel user ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax be paid directly to the tax administrator. [Ord. 706-12, 11-27-12; Ord. 665-00, 12-12-00; Ord. 658-98, 5-12-98; Ord. 631-91, 9-24-91. Prior code § 15-63].

3.25.040 Exemptions.

Timeshare and specific campgrounds as stated in California Revenue and Taxation Code 7280. [Ord. 658-98, 5-12-98; Ord. 640-94, 1-11-94. Prior code § 15-64].

3.25.050 Operator's duties.

Each operator shall collect the tax imposed by this chapter to the same extent and at the same time as the rent is collected from every hotel user. The amount of tax shall be separately stated from the amount of the rent charged, and each hotel user shall receive a receipt for payment from the operator. No operator of a hotel shall advertise or state in any manner, whether directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the operator, or that it will not be added to the rent, or that, if added, any part will be refunded except in the manner hereinafter provided. [Ord. 658-98, 5-12-98; Ord. 462 § 5, 11-12-68. Prior code § 15-65].

3.25.060 Registration.

Within 30 days after the effective date of the ordinance codified in this chapter, or within 30 days after commencing business, whichever is later, each operator of any hotel renting occupancy to hotel users shall register said hotel with the tax administrator and obtain from the tax administrator a hotel users registration certificate to be at all times posted in a conspicuous place on the premises. Said certificate shall, among other things, state the following:

(1) The name of the operator;

(2) The address of the hotel;

(3) The date upon which the certificate was issued;

(4)

Attachment 2c: Policies —Hotel Users Tax—3.25

This Hotel Users Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of the Uniform Hotel Users Tax Ordinance by registering with the tax administrator for the purpose of collecting from hotel users the hotel users tax and remitting said tax to the tax administrator. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, nor to operate a hotel without strictly complying with all local applicable law, including but not limited to those requiring a permit from any board, commission, department or office of this City. This certificate does not constitute a permit.

[Ord. 658-98, 5-12-98; Ord. 462 § 6, 11-12-68. Prior code § 15-66].

3.25.070 Reporting and remitting.

Each operator shall, on or before the last day of the month following the close of each calendar quarter, or at the close of any shorter reporting period which may be established by the tax administrator, make a return to the tax administrator, on forms provided, of the total rents charged and received and the amount of tax collected for hotel users' occupancies. At the time the return is filed, the full amount of the tax collected shall be remitted to the tax administrator. The tax administrator may establish shorter reporting periods for any certificate holder in order to ensure collection of the tax and the tax administrator may require further information in the return. Returns and payments are due immediately upon a cessation of business for any reason. All taxes collected by operators pursuant to this chapter shall be held in trust for the account of the city until payment thereof is made to the tax administrator. [Ord. 658-98, 5-12-98; Ord. 462 § 7, 11-12-68. Prior code § 15-67].

3.25.080 Penalties and interest.

(1) Original Delinquency. Any operator who fails to remit any tax imposed by this chapter within the time required shall pay a penalty of 10 percent of the amount of the tax in addition to the amount of the tax.

(2) Continued Delinquency. Any operator who fails to remit any delinquent remittance on or before a period of 30 days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of 10 percent of the amount of the tax in addition to the amount of the tax and the 10 percent penalty first imposed.

(3) Fraud. If the tax administrator determines that the nonpayment of any remittance due under this chapter is due to fraud, a penalty of 25 percent of the amount of the tax shall be added thereto in addition to the penalties stated in subsections (1) and (2) of this section.

(4) Interest. In addition to the penalties imposed, any operator who fails to remit any tax imposed by this chapter shall pay interest at the rate of one-half of one percent per month or fraction thereof on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

Attachment 2d: Policies —Hotel Users Tax—3.25

(5) Penalties Merged with Tax. Every penalty imposed, and such interest as accrues under the provisions of this section, shall become a part of the tax herein required to be paid. [Ord. 658-98, 5-12-98; Ord. 462 § 8, 11-12-68. Prior code § 15-68].

3.25.090 Failure to collect and report tax – Determination of tax by tax administrator.

(1) If any operator shall fail or refuse to collect said tax and to make, within the time provided in this chapter, any report and remittance of said tax or any portion thereof required by this chapter, the tax administrator shall proceed in such manner deemed best to obtain facts and information on which to base an estimate of the tax due. As soon as the tax administrator shall procure such facts and information upon which to base the assessments of any tax imposed by this chapter and payable by any operator who has failed or refused to collect the same and to make such report and remittance, the tax administrator shall proceed to determine and assess against such operator the tax, interest, and penalties provided for by this chapter. In case such determination is made, the tax administrator shall give a note of the amount so assessed by serving it personally or by depositing it in the United States mail, postage prepaid, addressed to the operator so assessed at his last known place of address.

(2) Such operator may, within 10 days after the serving or mailing of such notice, make application in writing to the tax administrator for a hearing on the amount assessed. If application by the operator for a hearing is not made within the time prescribed, the tax, interest and penalties, if any, determined by the tax administrator shall become final and conclusive and immediately due and payable. If such application is made, the tax administrator shall give not less than five days' written notice in the manner prescribed herein to the operator to show cause at a time and place fixed in said notice why said amount specified therein should not be fixed for such tax, interest and penalties.

(3) At such hearing, the operator may appear and offer evidence why such specified tax, interest and penalties should not be so fixed. After such hearing the tax administrator shall determine the proper tax to be remitted and shall thereafter give written notice to the person in the manner prescribed herein of such determination and the amount of such tax, interest and penalties. The amount determined to be due shall be payable after 15 days unless an appeal is taken as provided in WMC 3.25.100. [Ord. 658-98, 5-12-98; Ord. 462 § 9, 11-12-68. Prior code § 15-69].

3.25.100 Appeal.

Any operator aggrieved by any decision of the tax administrator with respect to the amount of such tax, interest and penalties, if any, may appeal to the council by filing a notice of appeal with the city clerk within 15 days of the serving or mailing of the determination of tax due. The council shall fix a time and place for hearing such appeal, and the city clerk shall give notice in writing to such operator at operator's last known place of address. The findings of the council shall be final and conclusive and

Attachment 2e: Policies —Hotel Users Tax—3.25

shall be served upon the appellant in the manner prescribed above for service of notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of notice. [Ord. 658-98, 5-12-98; Ord. 462 § 10, 11-12-68. Prior code § 15-70].

3.25.110 Records.

It shall be the duty of every operator liable for the collection and payment to the city of any tax imposed by this chapter to keep and preserve, for a period of three years, all records as may be necessary to determine the amount of such tax as the operator may have been liable for the collection of and payment to the city, which records the tax administrator shall have the right to inspect at all reasonable times. [Ord. 658-98, 5-12-98; Ord. 462 § 11, 11-12-68. Prior code § 15-71].

3.25.120 Refunds.

(1) Whenever the amount of any tax, interest or penalty has been overpaid or paid more than once or has been erroneously or illegally collected or received by the city under this chapter it may be refunded as provided in subsections (2) and (3) of this section, provided a claim in writing therefor, stating under penalty of perjury the specific grounds upon which the claim is founded, is filed with the tax administrator within 90 days of the date of payment. The claim shall be on forms furnished by the tax administrator.

(2) An operator may claim a refund or take as credit against taxes collected and remitted, the amount overpaid, paid more than once or erroneously or illegally collected or received, when it is established in a manner prescribed by the tax administrator that the person from whom the tax has been collected was not a hotel user; provided, however, that neither a refund nor a credit shall be allowed unless the amount of the tax so collected has either been refunded to the hotel user or credited to rent subsequently payable by the hotel user to the operator.

(3) A hotel user may obtain a refund of taxes overpaid or paid more than once or erroneously or illegally collected or received by the city by filing a claim in the manner provided in subsection (1) of this section, but only when the tax was paid by the hotel user directly to the tax administrator, or when the hotel user, having paid the tax to the operator, establishes to the satisfaction of the tax administrator that the hotel user has been unable to obtain a refund from the operator who collected the tax.

(4) No refund shall be paid under the provisions of this section unless the claimant establishes his right thereto by written records showing entitlement thereto. [Ord. 658-98, 5-12-98; Ord. 462 § 12, 11-12-68. Prior code § 15-72].

3.25.130 Actions to collect.

Attachment 2f: Policies —Hotel Users Tax—3.25

Any tax required to be paid by any hotel user under the provisions of this chapter shall be deemed a debt owed by the hotel user to the city. Any such tax collected by an operator which has not been paid to the city shall be deemed a debt owed by the operator to the city. Any person owing money to the city under the provisions of this chapter shall be liable to an action brought in the name of the city of Willows for the recovery of such amount. [Ord. 658-98, 5-12-98; Ord. 462 § 13, 11-12-68. Prior code § 15-73].

3.25.140 Violations – Misdemeanor.

(1) Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punishable therefor by a fine of not more than $500.00 or by imprisonment in the county jail for a period of not more than six months or by both such fine and imprisonment.

(2) Any operator or other person who fails or refuses to register as required herein, or to furnish any return required to be made, or who fails or refuses to furnish a supplemental return or other data required by the tax administrator, or who renders a false or fraudulent return or claim, is guilty of a misdemeanor, and is punishable as aforesaid. Any person required to make, render, sign or verify any report or claim, who makes any false or fraudulent report or claim with intent to defeat or evade the determination of any amount due required by this chapter to be made, is guilty of a misdemeanor and is punishable as aforesaid. [Ord. 658-98, 5-12-98; Ord. 462 § 14, 11-12-68. Prior code § 15-74].

The Willows Municipal Code is current through Ordinance 756-22, passed September 27, 2022.

Disclaimer: The city clerk's office has the official version of the Willows Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: https://cityofwillows.org/
City Telephone: (530) 934-7041

Code Publishing Company

Attachment 3: Letter of Determination of tax due

City of Willows
201 North Lassen • Willows, California 95988 • (530) 934-7041 • FAX: (530) 934-7402

December 28, 2021

Subject: **DETERMINATION OF TAX DUE – WILLOWS MUNICIPAL CODE SECTION 3.25.010 et. seq.**

Dear Mr. Evans:

Based on the attached City of Willows Quarterly Transient Occupancy Tax (TOT) Return form signed by you, the following TOT is owed to the City of Willows for the time period from June 22, 2020 through October 11, 2021 during which time the approved use for 601 North Tehama Street was an extended stay motel.

- For the reporting period of June 22, 2020 through July 1, 2021, the Total Gross Receipts = $88,749.95 (according to the attached signed TOT form).
- $88,749.95 X 12% (TOT) = $10,649.99 + 20% (60 days past due) = **$12,779.99.**
- For the reporting period of July 2, 2021 through October 11, 2021, the Total Gross Receipts = $26,239 (based on $88,749.95/345 = $257.25/gross per day).
- $26,239 X 12% = **$3,148.74.**
- **The total amount due to the City of Willows is: $15,928.73.**
- **If paid more than 10 days after the date of this letter, the total amount due shall be: $16,558.48 (inclusive of a 60-day past due penalty charge).**

Pursuant to Willows Municipal Code Section 3.21.100, if you wish to dispute these charges, you may file an appeal to the City Council with the City Clerk within 15 days of the date of this letter. It is advised that you complete the following items and submit them in support of any appeal along with the appeal itself:

- Quarterly TOT forms for the five quarters that 601 N. Tehama Street was an extended stay motel (June 22, 2020 through October 11, 2021);
- If you dispute the amounts owed, attach business tax returns for the property during the same time period in support of any claims of lesser revenue; and
- A signed letter explaining the basis for your appeal of the charges in detail, including that while the City's Conditions of Approval (COA) for the motel explicitly stated guests could not stay more than 30 days, guests were permitted to stay in the motel for more than 30 days in violation of those conditions.

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Attachment 3: Letter of Determination of tax due—Page 2

If these charges are not paid and you do not file a timely appeal, the City will take all Actions to collect the debt as provided for in Willows Municipal Code Section 3.25.130 and may take any further steps to remedy the violations that it deems appropriate and as permitted by the Municipal Code.

Sincerely,

Marti Brown,
City Manager

Enclosure: City of Willows Quarterly Transient Occupancy Tax (TOT) Return form

cc. David Ritchie, City Attorney – Cole Huber LLP

"The City of Willows is an equal opportunity provider."

Attachment 4: Quarterly Transient Occupancy Tax Return

City of Willows, California
Quarterly Transient Occupancy Tax Return
(Tax Return Must be Remitted with Payment)

Business Name _____ Number of Rooms _____
Address _____
Reporting Period From _____ to _____
Due Date: Last Day of the Month Following the close of Each Calendar Quarter

1. Total Receipts from Room Rentals $ _____
2. Less: Occupancy Tax Receipts included $ _____ in Line 1
3. Less: Rooms occupied more than 30 days $ _____
4. Taxable Receipts (Line 1 minus Lines 2 and 3) $ _____
5. Tax - 12% of Line 4 $ _____
6. Penalty for Late Payment- Payment becomes delinquent on the first day of the second month following the close of the reporting period
   a. 10% Penalty if 30 to 60 days delinquent $ _____
   b. Additional 10% after 60 days delinquent $ _____
7. Total Tax and Penalty (Line 5 plus Line 6a plus 6b) $ _____

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE STATEMENTS HEREIN ARE TRUE AND CORRECT.
Signed _____ Date _____
Title _____
Make checks or money orders payable to the City of Willows and mail to:
City Treasurer, 201 North Lassen St., Willows, CA 95988

Due Dates: (Jan, Feb, Mar) (Apr, May, Jun) (Jul, Aug, Sept) (Oct, Nov, Dec)
April 30 July 31 October 31 January 31

Attachment 4: Building Permit Application

CITY OF WILLOWS – COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
201 N. Lassen Street Willows, CA 95988 (530) 934-7041 FAX (530) 934-7402

BUILDING PERMIT APPLICATION

PROPERTY OWNER/APPLICANT INFORMATION

Project Address: 601 N Tehama — Assessor Parcel #: 005-253-015
Property Owner Name: Gary Evans
Owner Mailing Address: 11160 Nygaard Lane Wilton CA 95693 — Phone #: 916 799-0023
Applicant Name (please print): Same — Phone #:
Applicant Mailing Address: Same — Applicant Email: 2turbocobra@gmail.com
DETAILED Project Description: remodel of existing hotel New paint, flooring, Appliances etc 19 to 12 units — Bldg. Sq. Ft. 6000
Please Check all that apply: Electrical: ✓ Plumbing: X Mechanical: X Building Use: existing Stay Occupancy Class:
Signature: [signature] Print: Gary Evans Date: 8-16-18

CONTRACTOR/ARCHITECT INFORMATION

Contractor/Business Name: Owner — Phone #:
Contractor Mailing Address: — License #: — License Class:
Workers Comp Carrier: — Policy #: — Expiration Date:
Architect/Engineer Name: — Mailing Address:
Phone #: — License #: — City Business License #: — Expiration:
Project Contract Price/Valuation (shall include materials & labor): $ 119,538

OFFICIAL USE ONLY – AGENCY APPROVALS FOR BUILDING PERMIT ISSUANCE

PLANNING

Application #: — Date Rec'vd: — Zoning: CG — Flood Zone: AH
Req'd Setbacks: Front: — Rear: — Side: — Height: — COA's attached: Yes: — No: — N/A —
Approved for Issuance by: — Date:

BUILDING

Application #: 3715 — Date Rec'vd: 8/16/18 — Dev. Impact Fees Req'd: Yes: — No: ✓ NO NEW Sq. Footage
Plans out to review: Yes: ✓ No: — Date Sent: 8/21/18 — School Fees Req'd: Yes: — No: ✓ Sq. Ft.: —
Approved for Issuance by: Weldon Pearson — Date: 10/9/18

ENGINEERING

Civil Plans to Engineering: Yes: — No: — Date Sent: —
Approved for Issuance by: — Date:

PUBLIC WORKS

Application #: —
(circle one) Excavate/Install: Check one: Street/Alley: — Sidewalk: — Curb/Gutter: — Sewer: — Driveway: — Other: —
Approved for Issuance by: — Date:

GLENN COUNTY ENVIRONMENTAL HEALTH

Application #: —
Approved for Issuance by: — Date:

FIRE

Application #: —
Approved for Issuance by: — Date:

RECEIVED
AUG 16 2018
City of Willows

GLENN COUNTY AIR POLLUTION

Application #: —
Approved for Issuance by: — Date:

Plans hanging

Attachment 5: Building Permit

CITY OF WILLOWS
BUILDING DEPARTMENT
BUILDING PERMIT

201 N. Lassen St. Willows, CA 95988 (530)934-7041 FAX (530)934-7402

Permit #: 3715
Issue Date:

PROJECT INFORMATION

501 N TEHAMA ST — PROPERTY LOCATION (Street/Address)
005-263-0150 — PARCEL NUMBER
Evans Gary T & Shannon H TRS — PROPERTY OWNER (Name)
PHONE NUMBER
11160 Nygaard Ln — ADDRESS
Wilton, CA 95693 — CITY, STATE ZIP
ARCHITECT OR ENGINEER (Name)
PHONE NUMBER
LIC. NO
MAILING ADDRESS
CITY, STATE ZIP

[ ] RESIDENTIAL [ ] INDUSTRIAL
[x] COMMERCIAL
[ ] New [ ] Addition
[ ] Alteration [ ] Pool
[ ] Sign [ ] Demolition
[ ] Repair [ ] Other
[x] Tenant Improvement

CONTRACTOR

OWNER/BUILDER
CONTRACTOR (Name)
PHONE NUMBER
MAILING ADDRESS
CITY, STATE ZIP
CITY BUS. LIC. EXPIRES
STATE CONTRACTORS LIC. NO./CLASS/EXPIRES

I hereby affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

CONTRACTOR'S SIGNATURE — DATE:

OWNER BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractors License Law for the following reason (Sec. 7031.5, Business & Professions Code): Any City or County which requires a permit to construct, alter, improve, demolish, or repair and structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he/she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business & Professions Code) or that he/she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars ($500.00)

[x] I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractor License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself/herself or through his/her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he/she did not build or improve for purpose of sale.)

I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business & Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law).

[ ] I am exempt under Section _____, B. & P.C. for this reason: _____

OWNER'S SIGNATURE — DATE: 10-11-18

WORKER'S COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following declarations:

[ ] I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

[ ] I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

CARRIER: — POLICY NUMBER:

[x] I certify that in the performance of the work for which is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

APPLICANT SIGNATURE — DATE: 10-11-18

WARNING: Failure to secure Worker's Compensation coverage is unlawful, and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars ($100,000), in addition to the cost of compensation, damages as provided for in Section 3706 of the Labor Code, interest, and attorney's fees.

CONSTRUCTION LENDING AGENCY

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).

LENDER'S NAME

ADDRESS — CITY — STATE — ZIP

I hereby certify that I have read this application and state that the above information is correct. I agree to comply with all City and County ordinances, rules and regulations and State Laws relating to building construction and with any and all conditions of permit. I agree to defend, indemnify, and hold harmless the City of Willows, its agents, officers, and employees from any and all claims and liability for personal injury, including death, and property damage caused by: arising out of or in any way connected with the issuance of this permit does not authorize the user or occupancy of any City right-of-way. I hereby authorize representatives of the City of Willows to enter the above mentioned property for inspection purposes. I hereby certify that I am the property owner or am authorized to act on the property owner's behalf.

Michael C Turner — NAME OF PERMITEE (Print)
SIGNATURE
10-11-18 — DATE

OWNER CONTRACTOR OR [x] AGENT FOR OWNER [ ] AGENT FOR CONTRACTOR

Valuation $118539

Description of Work
Remodel existing motel from 19 units to 12

Square Footage: 0
Construction Type: Remodel
Occupancy: Hotel/Motel

SETBACKS:
Front: Street Side:
Back: Inter. Side:

Fees

(E08) Permit Issuance-Supplemental Permit	$7.25
(M02) Permit Issuance and Heaters- Supplemental Permit	$7.25
(P02) Permit Issuance-Supplemental Permit	$7.25
BLDG. FEE 6. Valuation: $100001-500000	$1,097.57
BSF:100,001 OVER	$5.00
PLAN FEE 6. Valuation: $100001-500000	$713.42
SMIP- Commercial	$33.19
CC 3% Convenience Fee	$21.40
CC 3% Convenience Fee	$34.73
Total Permit Fees	$1,927.06

APPROVED BY: Willdan Review
DATE ISSUED:
PERMIT EXPIRES:
10/11/18

Attachment 5: Engineer Comment Letter for Permit B3715

WILLDAN Engineering
2240 Douglas Blvd., Suite 270
Roseville, CA 95661

COMMENT LETTER

Date	SEPTEMBER 24, 2018
Jurisdiction	CITY OF WILLOWS
Plan Check/Permit Number	B3715
Project Description	REMODEL EXISTING MOTEL FROM 19 UNITS TO 12
Site Address	601 N. TEHAMA ST.
Review Number	1
Plans Examiner/Phone Number	916.563-1601

Occ. Group :	Occ. Load:	Const. Type: VB	Sprinkler:	S.F.:

These design documents have been reviewed to help ensure conformance with California Administrative Code, Title 24, primarily part 2, the California Building Code, 2016 Edition.

PLANS ARE REVIEWED FOR BUILDING CODES ONLY. CONTACT JURISDICTION FOR ADDITIONAL OUTSTANDING CLEARANCES.

Procedure for Resubmittal:

X Provide a written response to all plan check corrections.	X Identify all revisions made on the plans being resubmitted.
☐ Return the marked set with 2 corrected plans for recheck.	☐ Return plans/calculations marked "Check Set."

Nonstructural Review Comments:

Architectural:

A1. Per Sections 420 and 708, 2016 CBC, note that the walls separating the dwelling units are a minimum of 1-hour fire assembly. Also, provide a construction detail showing the design of the 1-hour fire assembly.

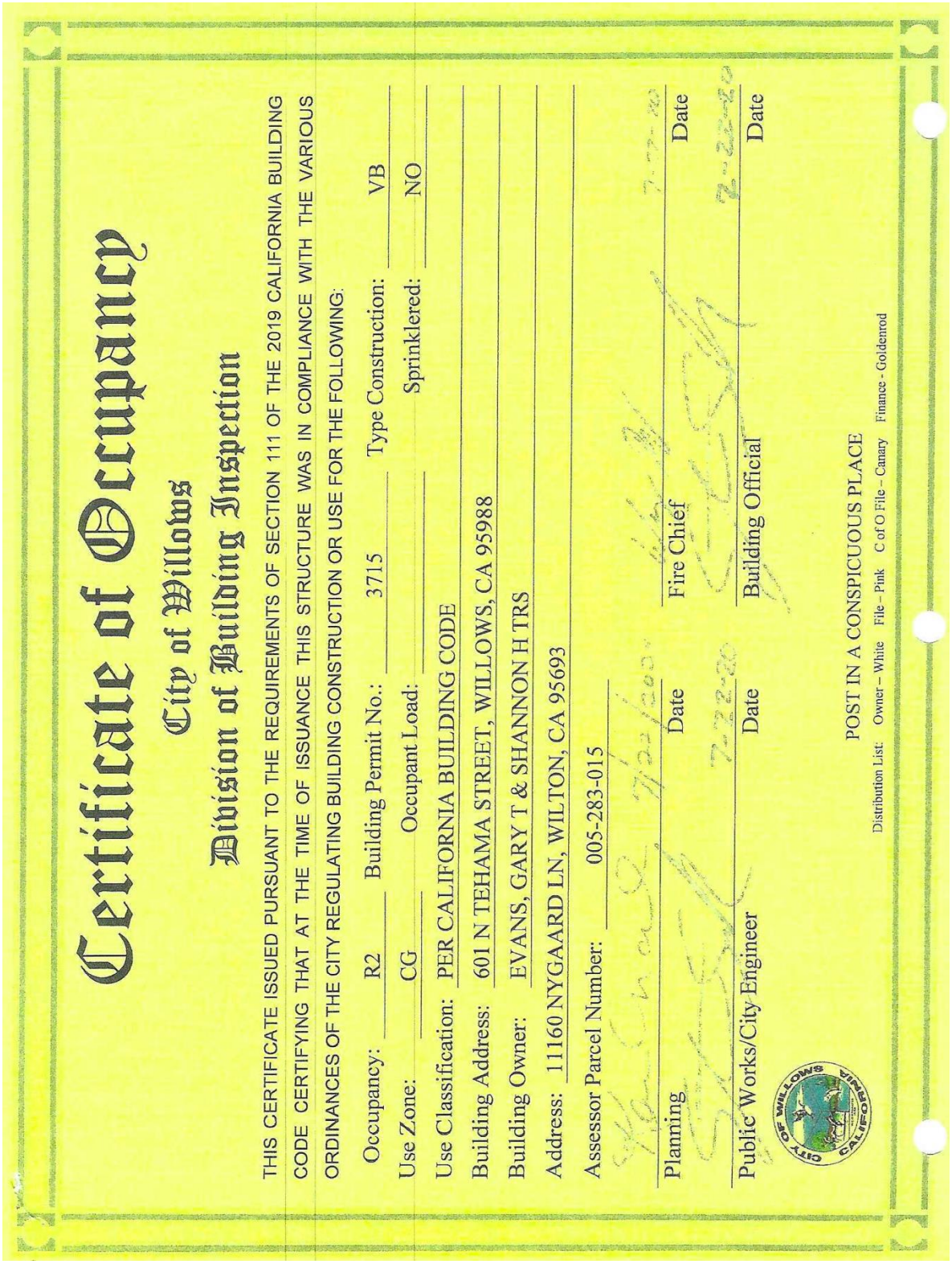
A2. The building design suggest an Occupancy Classification of R-2, not R-1. The motel rooms are constructed with Kitchens, Living Rooms and mostly are 2 bedrooms.

Therefore, such areas ascribe more to the definition of an R-2 Classification as described at Section 310.4, 2016 CBC where occupants are primarily permanent in nature, including nontransient motel occupants.

Please define the precise occupancy use and/or provide a code analysis for this project to determine the proper occupancy classification.

Page | 1 of 2

Attachment 6: Certificate of Occupancy #3715



Certificate of Occupancy

City of Willows

Division of Building Inspection

THIS CERTIFICATE ISSUED PURSUANT TO THE REQUIREMENTS OF SECTION 111 OF THE 2019 CALIFORNIA BUILDING CODE CERTIFYING THAT AT THE TIME OF ISSUANCE THIS STRUCTURE WAS IN COMPLIANCE WITH THE VARIOUS ORDINANCES OF THE CITY REGULATING BUILDING CONSTRUCTION OR USE FOR THE FOLLOWING:

Occupancy: R2 Building Permit No.: 3715 Type Construction: VB

Use Zone: CG Occupant Load: Sprinklered: NO

Use Classification: PER CALIFORNIA BUILDING CODE

Building Address: 601 N TEHAMA STREET, WILLOWS, CA 95988

Building Owner: EVANS, GARY T & SHANNON H TRS

Address: 11160 NYGAARD LN, WILTON, CA 95693

Assessor Parcel Number: 005-283-015

Planning Date

Fire Chief Date

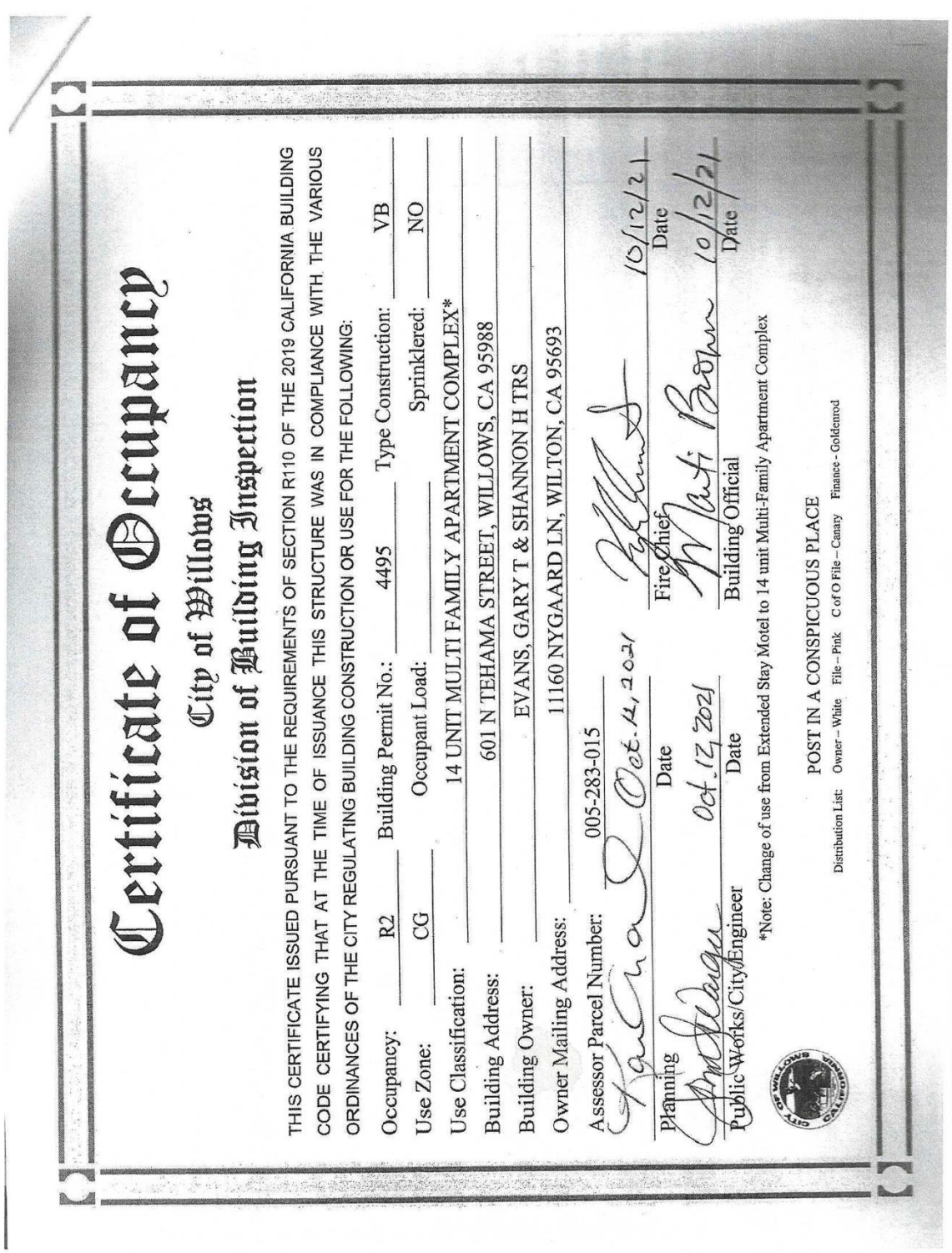
Public Works/City Engineer Date

Building Official Date

POST IN A CONSPICUOUS PLACE

Distribution List: Owner – White File – Pink C of O File – Canary Finance - Goldenrod

Attachment 7: Certificate of Occupancy #4495



Certificate of Occupancy

City of Willows

Division of Building Inspection

THIS CERTIFICATE ISSUED PURSUANT TO THE REQUIREMENTS OF SECTION R110 OF THE 2019 CALIFORNIA BUILDING CODE CERTIFYING THAT AT THE TIME OF ISSUANCE THIS STRUCTURE WAS IN COMPLIANCE WITH THE VARIOUS ORDINANCES OF THE CITY REGULATING BUILDING CONSTRUCTION OR USE FOR THE FOLLOWING:

Occupancy: R2 Building Permit No.: 4495 Type Construction: VB

Use Zone: CG Occupant Load: Sprinklered: NO

Use Classification: 14 UNIT MULTI FAMILY APARTMENT COMPLEX*

Building Address: 601 N TEHAMA STREET, WILLOWS, CA 95988

Building Owner: EVANS, GARY T & SHANNON H TRS

Owner Mailing Address: 11160 NYGAARD LN, WILTON, CA 95693

Assessor Parcel Number: 005-283-015

Planning Date Oct. 12, 2021

Public Works/City Engineer Date Oct. 12 2021

Fire Chief Date 10/12/21

Building Official Date 10/12/21

*Note: Change of use from Extended Stay Motel to 14 unit Multi-Family Apartment Complex

POST IN A CONSPICUOUS PLACE

Distribution List: Owner – White File – Pink C of O File – Canary Finance - Goldenrod

June 2023

Emergency Medical Services

Willows Fire Department





Orland Fire Department

Volunteer Firefighters and First Responders are courageous people that put their life on the line in an emergency.

EMERGENCY MEDICAL SERVICES - SAVING LIVES

PURPOSE

To evaluate the Emergency Medical Services in Glenn County. This is the first time that the Emergency Medical Services (EMS) has been evaluated. Since EMS is so vitally important, perhaps it should be evaluated on a yearly basis.

SUMMARY

Emergency Medical Services are very important for the safety of the public. The local fire departments and ambulance services are an integral part of the Emergency Medical Services. Citizens of Glenn County should support Emergency Medical Services whenever there is an opportunity to do so. Up to date equipment is critical in saving the lives of citizens and property.

GLOSSARY

ACLS	Advanced Cardiovascular Life Support
Ambulance	Vehicle for responding to medical emergencies with specialized equipment and trained medical personnel.
ARPA	American Rescue Plan Act
Automatic Aid	Respond upon initial dispatch
BLS	Basic Life Support
CodeRed	Zone Alerts for Emergencies
EMS	Emergency Medical Services
EMT	Emergency Medical Technician
FEMA	Federal Emergency Management Agency
LAFCO	Mandated by the State legislature, every county in California has a Local Agency Formation Commission to encourage the orderly formation of local governmental agencies, preserve agricultural land resources, discourage urban sprawl, and encourage the efficient delivery of local government services.
LEMSA	Local Emergency Medical Services Authority
Lift Assist	Verbal response to 911 dispatch for a person that has fallen, and needs assistance, but not a medical emergency.
LUCAS	Lund University Cardiac Assist System automated CPR device.
MCI	Mass Casualty Incident

Measure A	City of Orland half-cent sales tax approved in 2016 for public safety and fire department
Mutual Aid	Other fire departments are asked to help
OES	Office of Emergency Services
Paramedic	Highest level of prehospital care
Prop 172	One half percent sales tax initiated in 1993 distributed by the State to local agencies for public safety activities
Pumper Truck	Transports water from a water source to a fire scene
SCBA	Self-Contained Breathing Apparatus
Water Tender	Specialized truck that carries water to the scene. Provides about 8 minutes of water.

BACKGROUND

Glenn County has 1,314 square miles of land and 13 square miles of water with 28,800 (2021 census) population. There are two large volunteer/paid fire departments, Orland, and Willows, along with 13 rural volunteer fire departments protecting Glenn County. In addition to the fire departments, Glenn County is very fortunate to have two ambulance services; Westside Ambulance that covers the Orland area and Enloe Willows Ambulance that covers the Willows area.

METHODOLOGY

Interview with the Office of Emergency Services
Interview with the Orland Volunteer Fire Department
Interview with the Willows Volunteer Fire Department
Interview with Westside Ambulance, Orland area
Interview with Enloe Ambulance, Willows area
Interview with Glenn County Sheriff's 911 dispatch.
Internet Resources

DISCUSSION

When there is an emergency, 911 is called. The 911 operator first requests if the emergency is medical or fire related. If it is a medical emergency, the 911 dispatcher phones Enloe's dispatch in Butte County. Enloe's dispatch would determine the appropriate response. If an ambulance is needed, Enloe would dispatch the appropriate service. The ambulance is a lifeline from home to hospital. Glenn County has two ambulance services, Westside Ambulance, that covers the Orland area, from Road 33, (Glenn County Landfill) North to the Glenn/ Tehama County border. The

second service is Enloe Ambulance Willows, covering Road 33 South to the Glenn/Colusa County border.

Westside Ambulance operates under what is called an exclusive operating area. Westside Ambulance does not dispatch from their office in Orland. They are not compensated by Glenn County and are a non-profit organization.

If the emergency is fire related, the 911 dispatcher will call the department where the emergency is needed. If it is determined that fire personnel can handle the emergency, a call goes out to all volunteer firemen for that department. The firemen, at their discretion, respond to the call, retrieve their gear and head to the emergency. Volunteer firemen have jobs they work at during the day. Not all employers are willing to let a firefighter leave their work.

Orland Fire Department had 682 calls between January 1, 2022, to December 12, 2022. Of those calls to the fire department, 347 were for emergency medical services, 107 fire calls and 228 calls for other reasons.

LAFCO report shows 438 medical aid calls for the Willows Fire Department and 18 calls for structure fires.

Westside Ambulance is a non-profit organization supported by subscribing participants, it is not compensated by Glenn County. Both Enloe Hospital and Westside Ambulance have two ambulances on-call 24/7. In addition, Westside Ambulance has one older vehicle in a stand-by scenario.

AMBULANCE-Lifeline from home to hospital

Medical emergencies are dispatched out of Enloe Hospital, and depending on the patients' problem and location will dictate which hospital they will be transported. Usually, patients will be sent to Glenn Medical Center due to it being closer than Enloe Hospital. This gives better coverage for the county because it takes approximately 30 minutes for an ambulance to go to Glenn Medical Center versus approximately 45 minutes to Enloe Hospital. Sometimes Westside Ambulances are sent to outlying areas like Cottonwood, Bayliss, Stonyford, Black Butte Lake, Stony Gorge Dam or Elk Creek area that include the Grindstone Reservation. During this time the ambulance can be out of service for up to two hours or longer.

If the ambulance is called out for flu-like symptoms (COVID) and has underlying conditions such as heart/lung issues, the patient or responsible party can request to be transferred to Enloe Hospital. Enloe dispatch will make the final destination decision. Fortunately, each ambulance has two paramedics in the ambulance for all calls, one drives and the other uses their cell phone for GPS directions. If a patient is taken to Glenn Medical Center, the patient can request to be transported to Enloe Hospital later.

Membership with Westside Ambulance has a 15 percent discount on emergency calls. There is no funding from the city or county, only from Medicare/MediCal which pays very little or from a person's secondary insurance. Since Medicare/MediCal does not pay well, there is a need for additional funds to keep services financially sound. Ambulance membership helps but needs added members to sign up. Westside is hoping Enloe will renew their contract to keep the coverage in

Glenn County the same. Should a different ambulance company receive the contract to serve Glenn County, the new company may have a "profit basis" for charges causing an increase in price.

Westside Ambulance stated a newer ambulance is desperately needed. A box type ambulance provides more room to work with the patient during transport. A new ambulance with a gurney and vital sign monitors costs approximately $360,000 dollars.



RADIOS

Radios are vitally important to dispatch the volunteer firefighters. The radio is used to notify the firefighters of the emergency location. Glenn County Firefighters use a 2 band-radio, while other agencies might have a different band-radio. If there are different technology radios, the various stations responding to the multi-media emergency would not be able to communicate with each other to have the trucks get in a strategic position to help with the emergency. Through an interview with the OES Director, a concern arose about the importance of having radios allowing all emergency response teams to be able to communicate with each agency on scene on the same frequency. Each volunteer firefighter has a pager that is always with them. At night they can either leave the pager on to receive night calls or turn it off.

Radios have been ordered with newer technology so Willows and Orland will have the capacity to communicate across counties. The cost is approximately $680,000 to redo the 911 dispatch system for areas of Glenn, Butte, Tehama, and Colusa Counties. Having updated, newer technology radios is essential. It was suggested by the Orland Fire Department to appoint a "radio person" to manage and maintain the radios when not in use.

The OES has many job responsibilities including working on grant funding to help supply stations with needed equipment. A full-time grant writer is necessary for Glenn County especially for gaining grants that could help the Emergency Medical Service and other departments.

If the 911 system goes down, the Sheriff's phone number automatically goes to CodeRed. CodeRED is Glenn County's emergency alert and warning system. CodeRED has the ability to send mass notifications in a matter of minutes via phone, text, email, mobile app, social media, and even through the Emergency Alert System (EAS).

Since the Camp Fire, Glenn County has grown with new homeowners who may not know in an emergency or road closure where to go for shelter and for help with bed, food, and information. OES has disaster pamphlets available through the Office of Emergency Services.

Information on CodeRed is limited in Glenn County, information can be found on the Glenn County Sheriff's webpage showing how to register for the free service. There are three Easy Ways to Register for Glenn County Alerts:

Register through Glenn County Sheriff's Department website: **www.coutyofglenn.net/OES** and click the CodeRED Emergency Notification Enrollment or Nixle Community Alerts Link

Text:

1. CodeRED: Text GlennCodeRED to 99411
2. Nixle: Text your zip code to 888777
2. Download the CodeRED mobile app to your smartphone through the Apple iTunes or Google Play store

EMS – EMT - PARAMEDIC

Emergency Medical Technician (EMT) operates as a part of Emergency Medical Services (EMS). When someone calls 911 for an emergency, an EMT shows up to perform the medical work that needs to be done. EMTs are entry-level EMS workers. They are trained to provide basic, intermediate, and advanced life support for patients who require transfer to a hospital or other medical facility, and work alongside paramedics in emergency situations. EMTs are trained to give CPR, administer glucose to diabetic patients, give oxygen, bandage wounds, and assist paramedics in more advanced procedures. EMTs learn the essential skills to help in life-threatening situations and many EMTs go on to earn an Advanced EMT certificate or become a paramedic.

EMT students complete a course that is a minimum of 170 hours in length. EMTs are educated in assessing a patient and determining if any life-threatening injuries or illnesses may be present. This includes splinting injuries, administering lifesaving epinephrine for a patient suffering an allergic reaction and administering CPR to a patient in cardiac arrest. EMT's are always taking additional educational classes to be able to advance their profession.

A Paramedic is the highest level of prehospital care and requires much more advanced training than becoming an EMT. Paramedic students complete a program between 1,200 to 1,800 hours. Paramedic courses build on EMT education and teach skills such as administering medications, starting intravenous lines, providing advanced airway management, EKG Interpretation for patients and learning to provide emergency care to patients with life-threatening medical or traumatic emergencies.

Paramedics work three 12-hour shifts with four days off. There are rooms available for resting when they are not needed. There are five full-time Paramedics with four per diem Paramedics to fill in when necessary. Paramedics have continuing education courses and are always in demand.

The Civil Grand Jury found that all current ambulances do not have a GPS system installed to find addresses of emergencies. EMT use their personal phone to assist them to the location.

LUCAS



The Fire Department usually reaches the scene of an emergency first. They have contact with the dispatcher and can make calls for helicopter evacuation, ambulances, additional support, etc. If CPR is required, they will start Lund University Cardiac Assist System, an automated CPR device known as LUCAS.

The ambulance will transport the patient with the LUCAS to a hospital. This external mechanical device provides automatic chest compressions to a patient needing CPR. LUCAS has an advantage over manual CPR as it allows the EMT and/or the Paramedic to perform other necessary functions in providing medical service to the patient. It is more consistent with effective, accurate, rhythmic chest compressions, needed for sustainable life support. Defibrillation can be performed during LUCAS device operation and can go for 45 minutes where human CPR would need physical relief. LUCAS may be used on patients 12 years of age and older who have suffered cardiac arrest, where manual CPR would otherwise be used.

The LUCAS battery is a rechargeable Lithium- Polymer (Li Po) battery which typically lasts for 45 minutes of operation. The LUCAS machine prevents strain on first responders and keeps their hands free. Each device costs roughly $16,000. The Orland Fire Department has two LUCAS machines with Westside Ambulance having one.



SCBA – Self-Contained Breathing Apparatus

The SCBA supplies clean air to the firefighters so that they can breathe inside a building or an area with toxic smoke. The air tank is connected to the SCBA mask supplying air, which can last up to 45 minutes of clean breathable air. SCBA masks are not compatible with various air tanks; therefore, the need for compatible masks and tanks needs to be in sufficient supply.

TRAINING OF VOLUNTEERS

Each firefighter is equipped with safe protective garments and are trained in their use and limitations. All training and equipment must meet state minimum training standards, have documented training programs, and regular maintenance for all equipment. Training includes how to put out a fire, operation of the fire engine pump, learning how to drive the various fire trucks and provide the necessary maintenance, and how to operate the jaws of life.

AUXILIARY

The families of the firemen formed an auxiliary to help the firefighters when fighting fires. If there is a large fire, the auxiliary will provide water and food. If extra help is needed, they will call upon their friends, neighbors and relatives and others in the community.

FUNDING

Funding is a major concern for all of Glenn County Emergency Medical Services. State, county, and city funding through tax assessments are not enough to totally fund their needs. Grant sourcing and grant writing is needed to help supplement funding. In addition to receiving grants comes the caveat of monitoring and following the guidelines of the grants.

Some of the grants written between 2018 and 2022 were for the City Orland Fire Department with 50% match going to the Orland Rural Fire Departments. Both Orland and Willows Fire Departments write grants to help with needed funding. Again, there is a dire need for a countywide grant writer to help provide necessary grants to the departments within the county.

If the smaller, outlying, Fire Departments are closed due to lack of funding, it would put a burden on the Orland and Willows Fire Departments.

FUNDRAISERS

The Orland Volunteer Fire department has a Spaghetti Dinner in February and the Firemen's Ball in March that raises funds to help acquire the various needed equipment. Willows Volunteer Fire Department put on a Bean Feed in March and a Pancake Breakfast in October. Several of the smaller fire departments put on fundraisers to help acquire needed funds for supplies and equipment.

MEASURE A – City of Orland

Measure A is a half-cent sales tax for funding public safety and fire. Orland City Fire Department will receive approximately $200,000 per year depending on the city sales tax income.

FINDINGS AND RECOMMENDATIONS

The Civil Grand Jury finds…	The Civil Grand Jury Recommends…
F1. … that if the smaller, outlying, Fire Departments are closed due to lack of funding, it would put a burden on the Orland and Willows Fire Departments.	**R1.** …the county invests into a countywide grant writer to be used in county departments to fulfill the needs of funding for grants, by October 2023.
F2. …new technology, up to date radios are needed for our firemen, especially during Mutual Aide: large fires, emergencies like on I-5 bus accident, Camp fire, etc.	**R2.** …to set in place the newly anticipated radio technology as soon as possible or by October 2023.
F3. …with LUCAS being so beneficial, it would be imperative for each rural fire department to have a minimum of one LUCAS machine on site.	**R3.** …that smaller rural fire departments obtain at least one LUCAS device to aid in medical CPR emergencies by October 2023.
F4. … that many Glenn County residents are not aware or have not registered for the CodeRed Alert to be sent to their cell phones.	**R4.** …that the OES develop a system to better inform the public of CodeRed and to provide additional visual information for public awareness by October 2023.
F5. … that not all SCBA masks can be used with all air tanks.	**R5.** …that the fire departments (Willows and Orland) insure all SCBA masks have compatibility with the proper air tanks by October 2023.
F6. … that Westside Ambulance is seeking to acquire a new box-type ambulance.	**R6. …** that Westside Ambulance needs to find a way to fund a new box-type ambulance. (Optional to respond)
F7. …that Westside Ambulances in use now have no GPS on board. Paramedics must use their own cell phones to locate the addresses of emergencies.	**R7.** … that all ambulances install a GPS system (Optional to respond).
F8. …that a Radio person is needed.	**R8.** … that each department or station appoint a "Radio" technician to manage and check the radios when not in use.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following individuals:

- OES – F4 an R4
- Willows Fire Department–F2 and R2; R3 and F3; F5 and R5;
- Orland Fire Department–F2 and R2; F5 and R5

From the following governing bodies:

- Board of Supervisors– R1; R4
- Willows City Council– F1 and R1; R5 and F5;
- Orland City Council–F1 and R1; R5 and F5;

Invited responses

Individuals listed are invited to respond to the findings and recommendations (by number).

- Enloe Hospital Ambulance – R6; R7
- Westside Ambulance–R6; R7

COMMENDATIONS

The Glenn County Civil Grand Jury committee commends the Emergency Medical personnel and management for their cooperation. Also, we would like to commend them for performing their duties for the county with the resources given them.

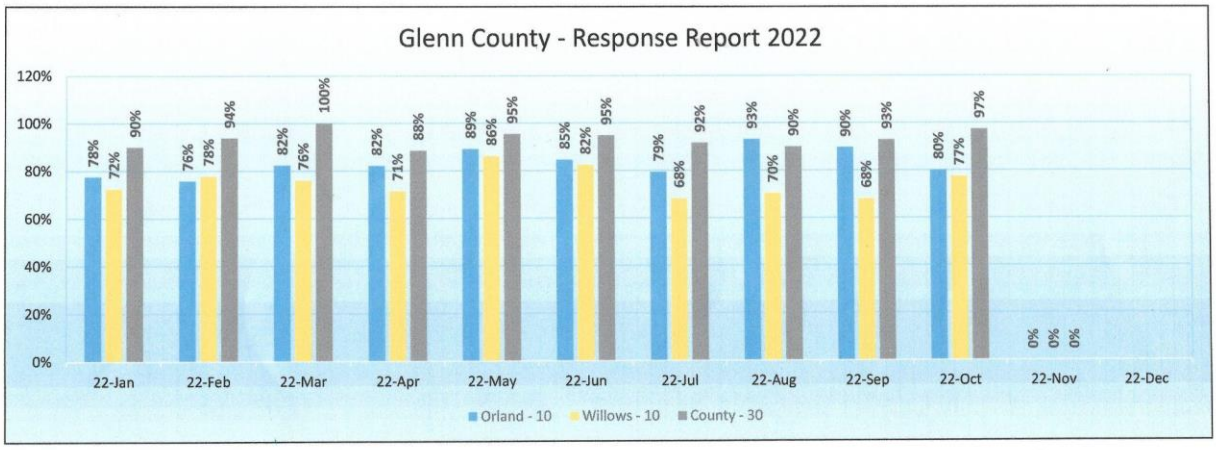
Reports issued by the Grand Jury do not identify the individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

DISCLAIMER: There were not any Grand Jury Members recused from this investigation.

Attachment 1: 2022 Glenn County 911 Response Report

Glenn County - 911 Response Report - 2022

Month	Orland - 10 Min. P1 (911)				Willows - 10 Min. P1 (911)				All Other County - 30 Min. (911) (excludes Hamilton City)				Hamilton City P1 (911)		All Glenn Priority 2 & 3 (911)		P 4 - 8	Mult. Unit/Pt.	Total Calls
	# of Calls	# Late	On Time %	Avg. Resp. Time	# of Calls	# Late	On Time %	Avg. Resp. Time	# of Calls	# Late	On Time %	Avg. Resp. Time	# of Calls	Avg. Resp. Time	# of Calls	Avg. Resp. Time	# of Calls	# of Calls	#
Jan-22	49	11	78%	0:08:38	29	8	72%	0:10:07	40	4	90%	0:14:07	7	0:13:17	120	0:12:10	34	1	280
Feb-22	33	8	76%	0:08:35	27	6	78%	0:08:36	32	2	94%	0:12:23	8	0:12:23	108	0:10:29	19	3	230
Mar-22	34	6	82%	0:07:32	25	6	76%	0:08:57	35	0	100%	0:11:19	0	NA	120	0:11:30	24	0	238
Apr-22	28	5	82%	0:07:42	14	4	71%	0:10:32	52	6	88%	0:15:35	4	0:11:43	110	0:09:30	29	0	237
May-22	37	4	89%	0:07:08	29	4	86%	0:07:50	44	2	95%	0:12:29	5	0:16:13	134	0:10:57	36	4	289
Jun-22	26	4	85%	0:07:42	17	3	82%	0:08:36	58	3	95%	0:15:00	6	0:12:00	100	0:12:37	22	8	237
Jul-22	34	7	79%	0:07:54	22	7	68%	0:10:10	36	3	92%	0:12:17	4	0:12:17	145	0:11:40	25	2	268
Aug-22	29	2	93%	0:05:52	27	8	70%	0:10:03	30	3	90%	0:12:36	6	0:14:05	135	0:10:42	29	2	258
Sep-22	29	3	90%	0:05:12	25	8	68%	0:08:54	28	2	93%	0:13:56	6	0:13:48	99	0:11:20	22	3	212
Oct-22	30	6	80%	0:08:38	31	7	77%	0:09:09	38	1	97%	0:14:10	7	0:12:56	107	0:09:57	19	6	238
Nov-22																			
Dec-22																			
Totals	329	56			246	61			393	26					1178		259		2487



Attachment 2: Ground Ambulance 911 Mutual Aid Responses

Ground Ambulance 911 Mutual Aid Responses (incidents with arrival on scene only)

Month	Enloe Glenn County (GC)			Westside Ambulance			St. Elizabeth Ambulance		
	Westside Zone	Tehama County	Total	Enloe GC Zone	Tehama County	Total	Westside Zone	Enloe GC Zone	Total
Jan-22	19	0	19	11	0	11	6	0	6
Feb-22	21	2	23	5	3	8	5	0	5
Mar-22	17	0	17	11	3	14	3	0	3
Apr-22	12	2	14	13	4	17	6	3	9
May-22	13	1	14	7	2	9	5	0	5
Jun-22	18	2	20	7	10	17	5	0	5
Jul-22	25	2	27	17	8	25	14	0	14
Aug-22	12	0	12	11	2	13	12	0	12
Sep-22	6	0	6	8	5	13	6	1	7
Oct-22			0			0			0
Nov-22			0			0			0
Dec-22			0			0			0
Total	143	9	152	90	37	127	62	4	66

Attachment 3: Orland Volunteer Fire Department Incident Count per Primary action Taken for Date January 01, 2022, Ending December 12, 2022

Orland Volunteer Fire Department

Orland, CA

This report was generated on 12/12/2022 1:05:59 PM

Incident Count per Primary Action Taken for Date Range

Start Date: 01/01/2022 | End Date: 12/12/2022

ACTION TAKEN	# INCIDENTS	PERCENTAGE
00 - Action taken, other	22	3.23%
10 - Fire control or extinguishment, other	87	12.76%
11 - Extinguishment by fire service personnel	7	1.03%
12 - Salvage & overhaul	1	0.15%
14 - Contain fire (wildland)	3	0.44%
16 - Control fire (wildland)	1	0.15%
21 - Search	1	0.15%
23 - Extricate, disentangle	6	0.88%
30 - Emergency medical services, other	117	17.16%
31 - Provide first aid & check for injuries	20	2.93%
32 - Provide basic life support (BLS)	209	30.65%
33 - Provide advanced life support (ALS)	1	0.15%
34 - Transport person	2	0.29%
40 - Hazardous condition, other	11	1.61%
43 - Hazardous materials spill control and confinement	1	0.15%
44 - Hazardous materials leak control & containment	1	0.15%
45 - Remove hazard	3	0.44%
47 - Decontaminate occupancy or area	2	0.29%
50 - Fires, rescues & hazardous conditions, other	7	1.03%
51 - Ventilate	3	0.44%
53 - Evacuate area	1	0.15%
54 - Determine if materials are non-hazardous	1	0.15%
55 - Establish safe area	4	0.59%
60 - Systems and services, other	3	0.44%
63 - Restore fire alarm system	1	0.15%
70 - Assistance, other	28	4.11%
71 - Assist physically disabled	10	1.47%
73 - Provide manpower	1	0.15%
75 - Provide equipment	1	0.15%
76 - Provide water	2	0.29%
78 - Control traffic	1	0.15%
80 - Information, investigation & enforcement, other	11	1.61%
82 - Notify other agencies.	2	0.29%
86 - Investigate	19	2.79%
87 - Investigate fire out on arrival	2	0.29%
90 - Fill-in, standby, other	1	0.15%
92 - Standby	12	1.76%
93 - Cancelled en route	77	11.29%
TOTAL:	682	

Calculates the number of incidents for the PRIMARY ACTION TAKEN valued provided on Basic Info 5 of an incident. For summation of ALL ACTIONS TAKEN, click SEARCH from the main Reports module page, and enter DocID 668. Only REVIEWED incidents included.

EMERGENCY REPORTING
emergencyreporting.com
Doc ID: 365
Page # 1 of 1

Attachment 4: Orland Volunteer Fire Truck Replacement Schedule

OVFD Replacement Schedule Proposal-March 2022

Year, Fiscal	Description	Expenditure	Appropriated	Balance
			Opening Balance	$338,000.00
18/19	Measure A		$100,000.00	$438,000.00
19/20	Measure A		$100,000.00	$538,000.00
20/21	Chief truck/grass truck	$230,000.00	$100,000.00	$408,000.00
21/22	Measure A		$200,000.00	$608,000.00
22/23	Engine 27 *	$520,000.00	$200,000.00	$288,000.00
23/24	Measure A		$200,000.00	$488,000.00
24/25	Measure A		$200,000.00	$688,000.00
25/26	Measure A		$200,000.00	$888,000.00
26/27	Measure A		$200,000.00	$1,088,000.00
27/28	Measure A		$200,000.00	$1,288,000.00
28/29	Measure A		$200,000.00	$1,488,000.00
29/30	Measure A		$200,000.00	$1,688,000.00
30/31	Measure A		$200,000.00	$1,888,000.00
32/33	Measure A		$200,000.00	$2,088,000.00
33/34	Engine 25	$1,200,000.00	$200,000.00	$1,088,000.00
34/35	Measure A		$200,000.00	$1,288,000.00
35/36	Chief truck/grass truck		$200,000.00	$1,488,000.00
36/37	Measure A		$200,000.00	$1,688,000.00
37/38	Measure A		$200,000.00	$1,888,000.00
38/39	Measure A		$200,000.00	$2,088,000.00
39/40	Measure A		$200,000.00	$2,288,000.00
40/41	Measure A		$200,000.00	$2,488,000.00
41/42	Ladder 26	$2,500,000.00	$200,000.00	$188,000.00

* Original cost of $790,000, received an USDA Grant for $270,000

Attachment 5: City of Orland Budget-Measure A Public Safety Fund Budget

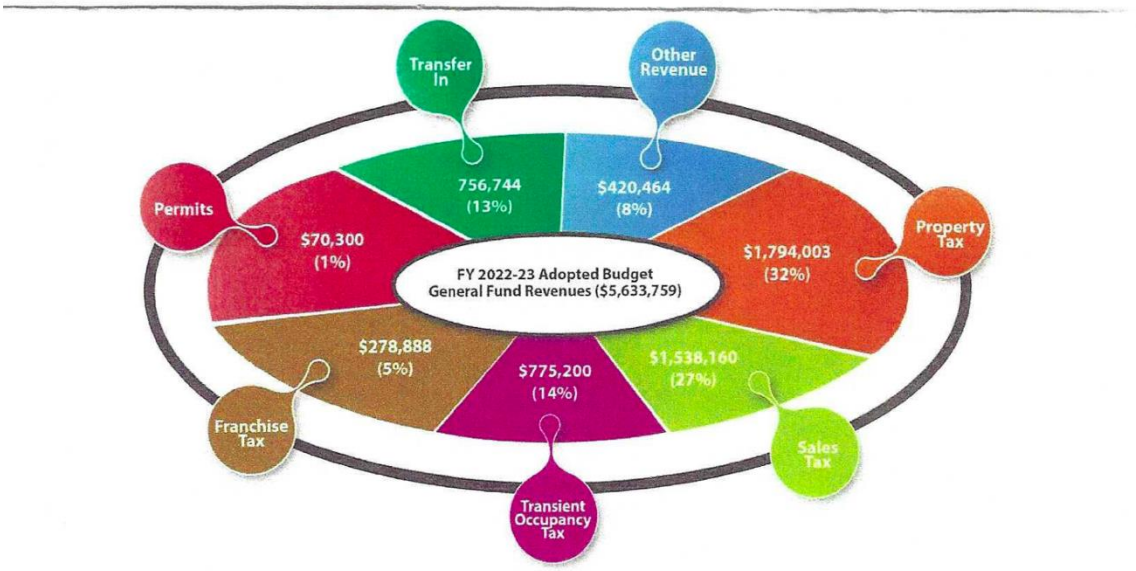
CITY OF ORLAND
2022-2023 Budget - Measure A Public Safety Fund Budget

Anticipated Revenues FY 22-23:				$ 1,300,000
Budgeted Expenditures FY 2023:				
Fire:	Ladder truck payment (seventh of ten annual payments)	$ 76,698		
	Facility & Equipment Maint	$ 15,000		
	Fleet Maintenance Allocation	$ 40,000		
	Equipment for Engine 27	$ 100,000		
	SCBA, Turnouts*	$ 52,000		
	Training Facility Improvements	$ 50,000		
	Volunteer Support*	$ 40,000		
	Communications -- pagers, dispatch*	$ 42,000		
	Radio repeater project (final phase)	$ 60,000		
	Potential VGA grant match for radios	$ 20,000		
	Fuel, Travel and Training	$ 31,000		
	Set aside for fire apparatus replacement schedule	$ 76,698		
	Set aside for future public safety facility	$ -		
			$ 603,396	
	** = shared with Rural*			
Police:	Patrol vehicles (two new) purchases	$ 165,000		
	Fleet Maintenance Allocation	$ 60,000		
	Police Communications -- Dispatch and Radios	$ 110,000		
	Police rifles, road emergency and medical equipment	$ 40,000		
	Maintenance, Renewal and Licensing, FirstNet	$ 87,000		
	OPD Promotional Materials, Fuel Contingency	$ 13,000		
			$ 475,000	
Public Works:	Fire hydrants, safety equipment, road signs	$ 120,000		
	Capital per equip replacement schedule	$ 13,000		
			$ 133,000	
Total Budgeted Allocations 2022-2023:				$ (1,211,396)
		Balance:		$ 88,604

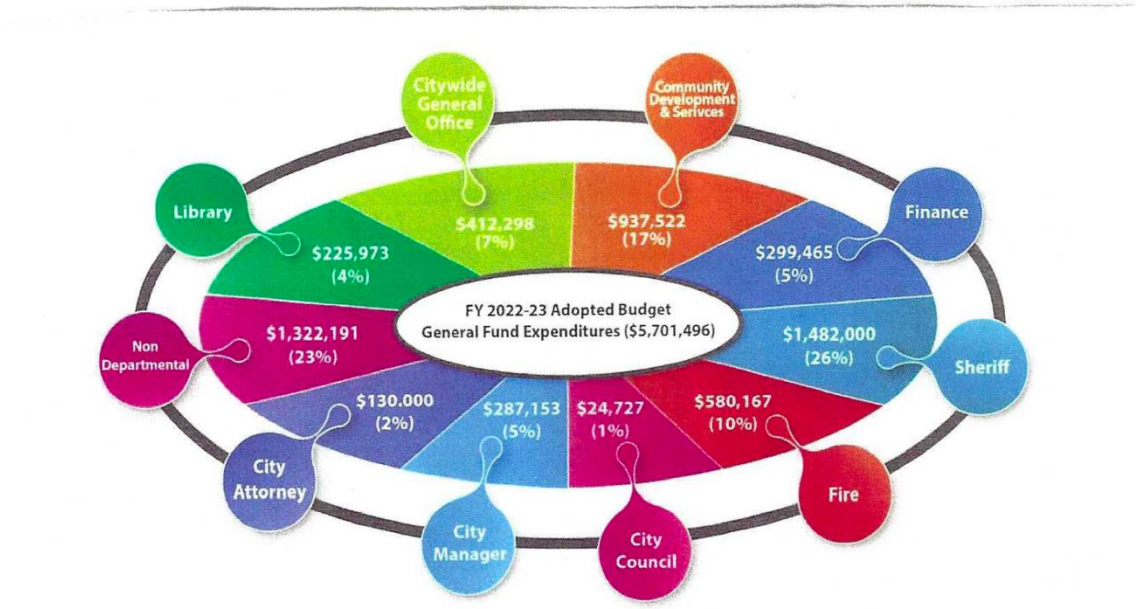
Attachment 6: City of Willows Fiscal Year 2022-2023

City of Willows Fiscal Year 2022-2023

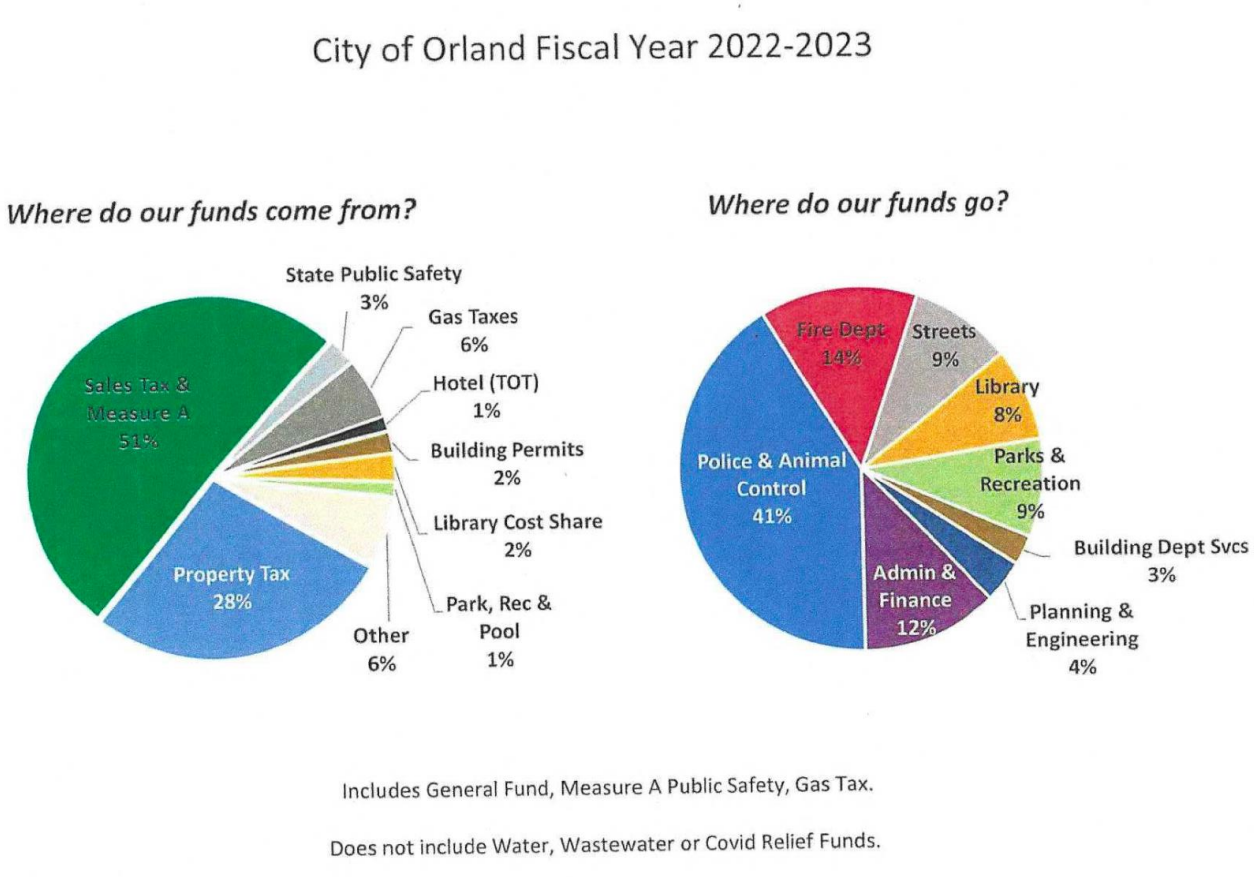
Total Projected Citywide General Fund Revenues: Where does it come from?



Total Projected General Fund Expenditures: How is the revenue spent?



Attachment 7: City of Orland



June 2023

Public Works

With an Emphasis on County Roads



Public Works – Roads

SUMMARY

In Glenn County there are approximately 861 miles of County roads and approximately 200 bridges, drainage, and related transportation facilities that are maintained by the Public Works Road and Bridge Maintenance Department. There are multiple factors that affect the conditions of roads and bridges in Glenn County. The investigation concentrated on how roads are maintained and how the Department determines the priority on which roads are scheduled for maintenance. The investigation also included where and how the maintenance, equipment, and operations are funded. The Road Department is responsible for the planning, designing, funding, building, operating, and maintenance of Glenn County's Road system. The residents of Glenn County should be aware of these operations.



GLOSSARY

AGGREGATE: a granular material of mineral composition such as sand, gravel, shell, slag, or crushed stone

CHIP SEAL: A two-step process for surfacing roads

EV: Electric Vehicle

HUTA: Highway Users Tax Account

NCE – Nichols Consulting Engineers

PCI: Pavement Condition Index, How Pavement Condition is Measured

PURPOSE

The purpose of the investigation was to bring public awareness to the operations of the Public Works Road and Bridge Maintenance Department. The Public is often unaware of the actual costs, funding, and operations of road and bridge maintenance in Glenn County. There is an assumption that Glenn County Public Works is responsible for all roads and bridges in the County, but cities such as, Willows and Orland maintain their roads within their city's limits, and Caltrans is responsible for highway overpasses and on/off ramps. It is also assumed that local taxes fund the department, quite the contrary, funding comes from multiple sources such as the Highway Users Tax Account, Grants, and Federal funding such as the Cares Act.

BACKGROUND

Glenn County has been adversely affected by recent drought conditions and more recently unprecedented rain and flooding. Residents need to be able to count on our roads to be safe and accessible. The residents of Glenn County should be aware of the operations and functions of the Public Works Road Department. Public Works Department must follow new Policies and Legislation in regard to how roads are maintained and funded. Future plans include implementing Electric Vehicles (EV) which are not limited to trucks but includes equipment as well, this will require skilled employees. New vehicles such as EV's will need to be integrated into the existing infrastructure of the Department.

Glenn County needs to attract skilled workers with affordable wages and benefits. Currently there is a shortage of elementary and trained employees working for the road department. These are just some of the factors that affect road maintenance and repair in Glenn County.

METHODOLOGY

Interviewed the Director and Deputy Director of the Glenn County Public Works Department.

Reviewed and discussed informational material provided by Glenn County Public Works.

Reviewed previous Grand Jury Reports regarding Public Works and Roads.

Reviewed the County of Glenn website for the Web Pages specific to Glenn County Public Works.

Committee members visited road sites.

DISCUSSION

The Road Department is responsible for the planning, designing, funding, building, operating, and maintaining the county road system, of approximately 861.214 centerline miles of roadway, 170 bridges, drainage, and related transportation facilities. According to the Pavement Management Program Update 2021 Final Report prepared by Nichols Consulting Engineering (NCE) & Environmental Services, the County needs to spend $352 million over the next ten years to bring the 673.2 centerline miles of paved roads to a condition that can be maintained with on-going preventative maintenance in the most cost-effective way. From 2012-2017 roads were funded with the Highway Users Tax Account (HUTA), however, for years the state tax did not fully cover mandatory maintenance. Pavement management and improvement projects were completed with state and federal grant funds.

PAVEMENT MANAGEMENT PROGRAM

Pavement Management is a proactive approach to prolonging the life of a road, while also lowering the long-term cost of maintaining it. Pavement Management entails applying less expensive treatments to roads that are still in moderately good condition, rather than applying more costly treatments to roads in poor condition. By applying less expensive and less disruptive treatments before

significant damage occurs, pavement preservation maximizes limited resources by avoiding the necessity for the more costly repairs.

There are four benefits to maintain road preservation, (1) Less expensive over the long-term; (2) Improves roads on a system-wide basis; (3) Sustained high-level ride quality; (4) Less intrusion of time spent on road work when treatments are done.

PAVEMENT CONDITION and PAYMENT CONDITION INDEX

Pavement Condition is quantified using the Pavement Condition Index (PCI), which ranges from 100 (best) to 0 (worst). Pavement condition is affected by the environment, traffic loads and volumes, construction materials and age. The PCI scale is divided into four general condition categories.

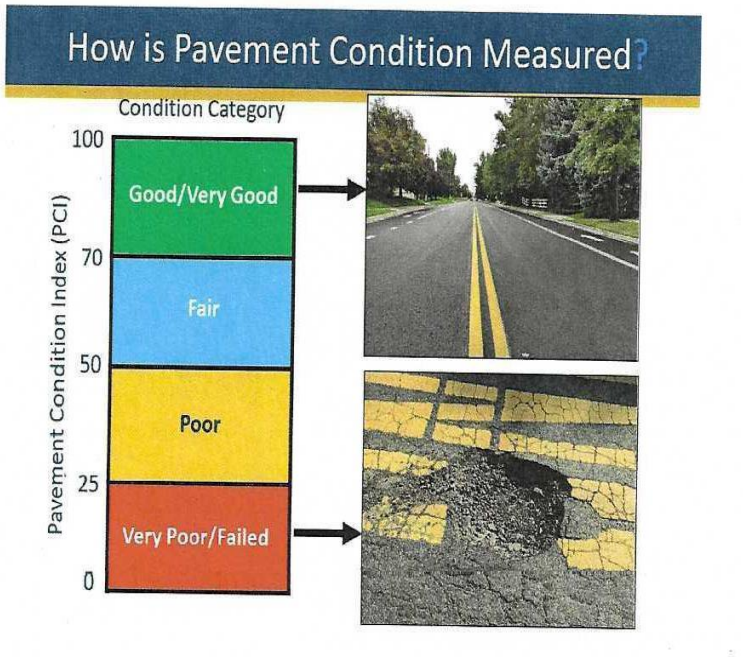
Pavements in:

Good - condition have a PCI above 70

Fair – condition have a PCI between 50 and 69

Poor – condition have a PCI between 25 and 49

Failed – condition have a PCI below 25



The County's pavement network is currently in "Fair" condition with an average pavement condition index (PCI) of 51. Approximately 20.9 percent of the network is in "Good" condition and 53.1 percent is in "Poor" or "Failed" condition.

SELECTION PROCESS.

Public Works is responsible for maintaining about 861 miles of roads excluding cities in Glenn County, which means that funding for road improvement must be spent with cost-effectiveness in

mind. A list of roads to be resurfaced is developed every year, during the following year's Pavement Management cycle. The selection process takes multiple criteria into consideration, including pavement condition, type and amount of usage, design characteristics, as well as geographic distribution of projects.

USAGE AND FUNCTIONALITY

The way a road is used, and the extent that it is used, are the primary factors in determining the function of a road. This is measured using traffic volume, and factors such as connectivity between communities, vital routes to the local economy, connectivity for transit and bicycle routes and usage for emergency services.

DESIGN CHARACTERISTICS

The way a road is designed determines the cost of treating it. Characteristics that are considered include road width, the structural foundation, type of surface material (asphalt, concrete, gravel, etc.)

TREATMENT TECHNIQUES

Chip Seal Program

As part of the County's pavement management program, Public Works annually chip seals some of the asphalt roads in the unincorporated area.

A chip seal is a two-step process that includes first an application of asphalt emulsion and then a layer of crushed rock to an existing asphalt pavement surface. A chip seal gets its name from the "chips" or small crushed rock placed on the surface. Chip seals are placed under one of three scenarios, as a "wearing course" meaning vehicles drive directly upon it; as part of a 'cape seal' meaning a chip seal is first placed, then covered by slurry seal or micro surfacing; or as an 'interlayer' meaning a layer between underlying asphalt pavement and a new asphalt or rubberized asphalt surface. As asphalt pavement is subjected to traffic, loads, and age, it oxidizes, becomes more brittle and cracking develops in the pavement

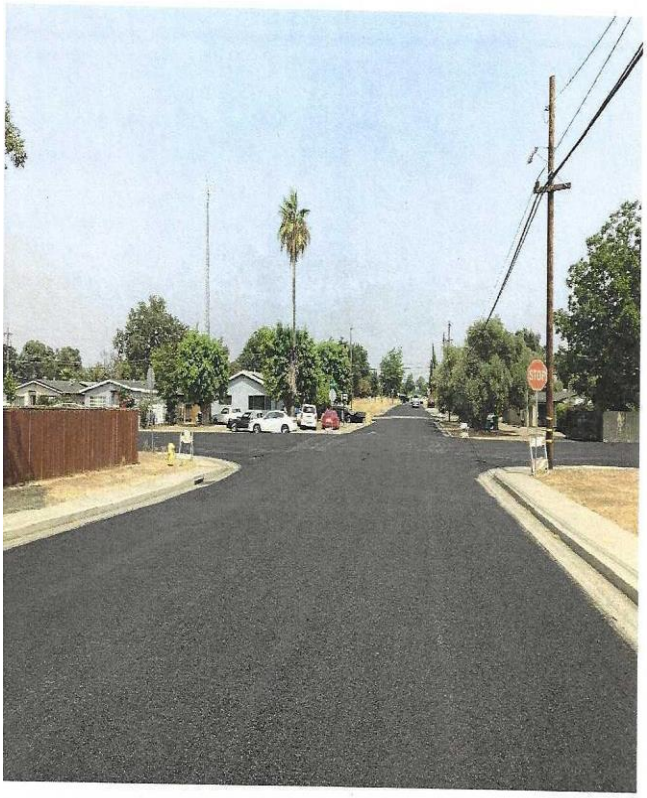


Figure 7 - Hamilton City Chip Seal Project

structure. A chip seal serves to seal the narrow cracks, help bind together cracked pavement, provide a wearing (driving) surface, and protects the underlying pavement structure. Chip seals used as interlayers serve to retard reflective cracking which develops from the bottom of the pavement structure towards the top. Chip seal is a highly cost-effective way to maintain, protect and extend the life of an asphalt road. The Public Works Department first implemented the chip seal program in the 2018-2019 fiscal year and each year chip seals an average of 47 miles. By self-performing the chip seal, the cost is about $39,000 per mile versus an overlay cost of about $100,000 per mile.

FOG SEAL PROGRAM

As part of the County's pavement management program, Public Works annually fog seals some of the asphalt roads in the unincorporated area.

A fog seal is an application of a specially formulated asphalt emulsion (a thin liquid oil) to an existing asphalt pavement surface. A fog seal gets its name from its spray application, sometimes referred to as "fogging". As asphalt pavement is subjected to traffic loads and ages, it oxidizes, and cracks develop in the surface due in part to the pavement becoming more brittle. Oxidation is one of the reasons asphalt concrete pavement fades in color from the deep rich black color everyone remembers from when the road was constructed or last resurfaced. Fog seal applications serve to seal narrow cracks, slightly restore lost flexibility to the pavement surface, provide a deep rich black pavement surface color, and most importantly help preserve the underlying pavement structure. Since 2019, the Agency fog seal total project cost is $450,487.95.

POTHOLE PATCHING

In the winter months, the pavement is cooler and less flexible, which makes it more susceptible to cracking. Add rain, and this is why there seems to be more problems with potholes in the winter, however, potholes are a year-round problem. County maintenance crews repair potholes on a continual basis. The repair is usually only considered temporary until a more complete resurfacing can be performed when funds become available.

CRACK SEALING

Crack sealing is one of the most economical pavement maintenance operations for minimizing pavement distress.

Pavement cracks allow moisture to seep into the underlying base material. As this material becomes saturated, support for the overlying pavement is reduced. If significant traffic loads pass over the saturated area, the area will sink, and a pothole is likely to form. In colder climates, the water will freeze and expand and actually push up the pavement. Crack sealing helps to prevent these problems by prohibiting surface water from seeping into the base material beneath the pavement.

GRAVEL ROADS

The County has 188 miles of gravel/dirt roads. General maintenance consists of routine blading and adding gravel as needed. Blading helps to preserve the shape of the road, smooth down any surface irregularities and recover material back to the road surface. The addition of gravel increases the stability of the road. General maintenance is performed all year round to help prevent wash-boarding, ruts, potholes, loss of aggregate and most importantly, to maintain a safe road for motorists.

COSTS

According to the Pavement Management Program Update 2021 Final Report prepared by NCE Engineering & Environmental Services, the County needs to spend $352 million over the next ten years to bring the 673.2 centerline miles of paved roads to a condition that can be maintained with on-going preventative maintenance in the most cost-effective way. From 2012-2017 roads were funded with the Highway Users Tax Account (HUTA). However, for years the state tax did not fully cover mandatory maintenance. The pavement management and improvement projects that were completed were done with state and federal grant funds.

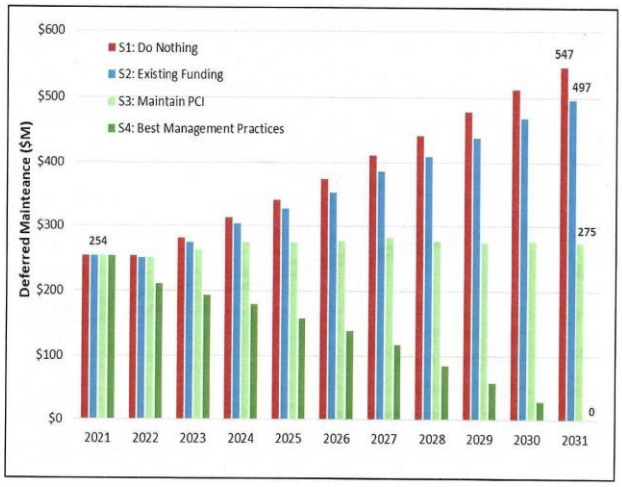


Figure 11. Comparison of Annual Deferred Maintenance by Scenario

ENGINEERING DEPARTMENT

The primary responsibility of the Engineering Division is the design and construction oversight of the County's infrastructure, including roads, storm drain system, bridges, and crossings and transportation/traffic systems. The Engineering Division is also responsible for the review, coordination and permitting of private and utility activities in the public rights of way.

ROAD DEPARTMENT

The Road Department is responsible for the planning, designing, funding, building, operating, and maintaining the County Road system. This includes 861.214 centerline miles of roadway, 170 bridges, drainage, and related transportation facilities.

PUBLIC WORKS INTERNAL SERVICE FUND

The Public Works Internal Service Fund includes Administrative and Fiscal Staff that provide support to Roads, Solid Waste, Orland Haigh Field & Willows Glenn County Airports, Surveyor, and Flood Control divisions, in addition to several independent commissions and service districts.

Costs are accumulated and charged to the various Public Works Agency units based on time sheet records, indirect costs are allocated based on the number of employees per function, relative budget size, direct costs of actual charges and time sheet information.

FINDINGS AND RECOMMENDATIONS

The Civil Grand Jury found that…	The Civil Grand Jury recommends…
F1. … more trained employees are needed to repair the mileage of roadways in Glenn County.	R1. …to designate more funding to expand the employee base, attract qualified employees with competitive wages and benefits by March 2024.
F2…. there is sometimes a quick turnaround of employees and a shortage of staff.	R2. …that all employees should be cross trained for job positions to compensate for absent employees or vacant positions by March 2024.
F3. … that there is a need for future and updated equipment to keep in line with current and new trends as well as new legislation, this includes training for mandated and environmental policies.	R3. … to designate future funding for new types of updated equipment such as EV by March 2024.
F4. …that the Public is unaware of the duties, functions, and funding of the Public Works Dept which often creates negative views of the Department.	R4. … to provide public awareness of the functions and operations of the Public Works Road and Bridge Maintenance Department by attending community events to provide information, frequent updates to the Glenn County website and transparency in the financial aspects of the Department by March 2024.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows: From the following governing bodies:

From the following individuals:

- Public Works Director, All

From the following governing bodies:

- Board of Supervisors —All

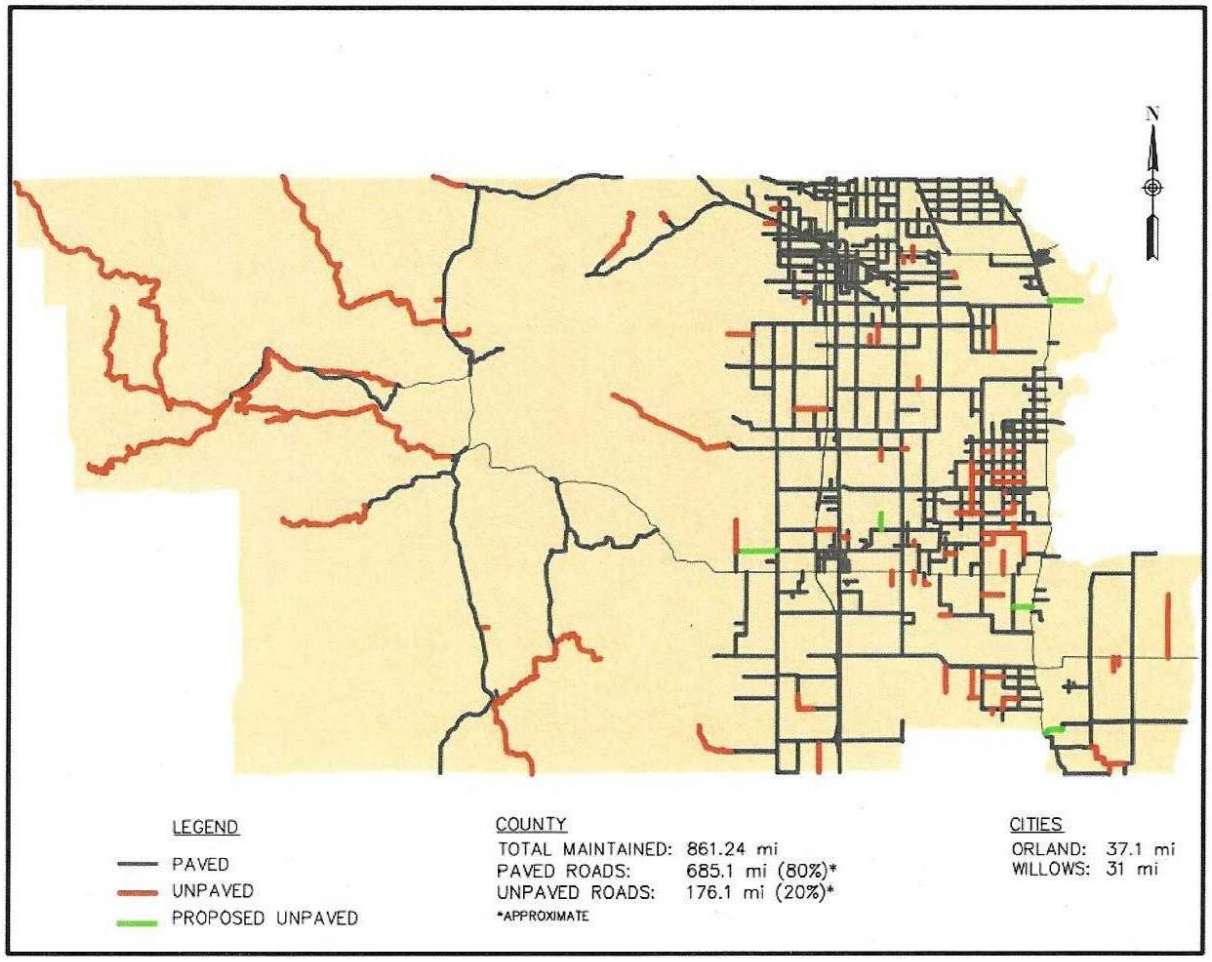
Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

DISCLAIMER: There were not any recused Grand Jury members recused from this investigation)

Attachment 1—Glenn County Road Department

COUNTY ROAD INVENTORY

The Road Department is responsible for the planning, designing, funding, building, operating and maintaining the County Road System, approximately 861.214 centerline miles of roadway, including 673.2 centerline miles of paved roads



Attachment 2—Damaged roads and fixed roads

Glenn County Roads

Pothole



Damaged resurfaced road



An older patched pothole



Patched potholes



June 2023

Veterans Service



Anyone seeking information about Veteran's services support can call or visit the County Veterans Service Officer office located at the Memorial Hall in Willows, California to learn about the services available.

VETERAN'S SERVICE IN GLENN COUNTY



SUMMARY

The Glenn County Civil Grand Jury inquired if services provided to veterans and which veterans were eligible for these services or benefits. Where does the funding come from for these services and who helps see this process through with the veterans? While inquiring into the U.S. Veterans Affairs (VA), attention needed to be brought to the citizens of Glenn County regarding available services to them to their dependents and survivors, including military funeral benefits. These services are provided by County Veterans Service Officer (CVSO), Veterans of Foreign Wars (VFW), Glenn Veterans Honor Guard and Willows VFW Auxiliary Post #1770.

PURPOSE

The 2022 - 2023 Glenn County Civil Grand Jury interviewed and investigated services that were available for veterans and their families.

GLOSSARY:

ACVSO - Assistant County Veterans Service Officer
C&P – Compensation and Pension Funding
CalVet - California Department of Veterans Affairs
CACVSO - California Association of County Veterans Service Officers
CVSO - County Veterans Service Officer
DV - Disabled Veterans
PTSD – Post-traumatic stress disorder
VA - U.S. Department Veterans Affairs
VFW - Veterans of Foreign Wars
VSO - Veterans Service Officer
VSR - Veterans Service Representative

BACKGROUND:

The state of California has approximately 1.6 million veterans, and in Glenn County there are approximately 1,200 veterans. In the County, we have one CVSO, who is also the County Probation officer, and a ACVSO who runs the day-to-day operation. The Veterans service office is a locally funded agency established by the Glenn County Board of Supervisors to assist veterans

and their families in obtaining benefits and services accrued through military service. California Department of Veterans Affairs (CalVet) funding covers less than fifty percent (50%) of the expenses incurred by the CVSO.

METHODOLOGY:

Interviews Conducted:

- ACVSO
- Commander of VFW Post #1770

Documents Reviewed:

- C&P Funding Guide
- CalVet website www.calvet.ca.gov
- CalVet - Veterans Resource Book 2019
- Department Veterans Affair Compensation Rates for DV (DVA Rates 12, 2023)
- Department Veterans Affair Pension Rates for Disabled Veterans (DV) (Public Law 95-588)
- Glenn County Veteran Service Brochure

DISCUSSION:

The California Association of County Veterans Services Officers (CACVSO) is an organization of professional veteran's advocates. In California, the CVSO plays a critical role in the veteran's advocacy system and is often the initial contact in the community for veteran's services. The CVSO, the CACVSO is committed to California Counties to provide a vital and efficient system of services and advocacy to veterans, their dependents, and survivors.



There are over 100 CVSOs in California. In contrast, there are only four VA offices in the state. Most California veterans live beyond a VA office service area, thus the day-to-day personal assistance, counseling, guidance, and direction for California veterans is provided by the CVSOs and the ACVSO. Veterans often have difficulty identifying the entitlements that they are eligible to receive. Many are intimidated, to the point of declining to continue, because of challenges in presenting documentation claims to the VA. They count on the CVSOs to be their advocate. Glenn County's ACVSO receives a call or visit from the Veteran or family member looking for services available to them. A veteran could be calling the office of the ACVSO due to an immediate crisis, looking for support to sign up for benefits, or checking on the availability of services.

Some of the calls that come in are questions regarding life insurance, health care, drug rehabilitation facility, and burial benefits. Other calls are for assistance in seeking rides to the Veterans Administration Northern CA Medical Center (Sacramento VAMC) located at Mather, California;

detox and crisis, or distress from a car breakdown, lodging, and/or food. The ACVSO also receives calls for eligibility for benefits, education benefits, help with filling out forms as well as gaining Compensation and Pension Compensation.

The ACVSO verifies that they are veterans and are eligible for services. Their job is to get them the help they need. (Eligibility requirements listed below.)

Military Veterans — Defined as a person who served in the active military, naval or air service, to including Guard and Reserve personnel who have completed active-duty periods, not charged, and released under dishonorable conditions. This includes service in the U.S. Merchant Marine between 12/07/1941 and 12/31/1946.

Veteran Dependents — Defined as a spouse or unmarried child (biological, legally adopted or stepchild) who is under 18 years, or between 18 and 23 years and attending school or was permanently disabled before the age of 18.

Surviving Spouse, Child, or Parent of a Deceased Veteran

Uniformed Service Member

Benefits Available

After verification, this could be a call into the Commander of the VFW to provide a voucher for a veteran passing through Glenn County. It may be for vehicle problems and needs a lodging voucher for the night, or has a need for ~~a~~ gas, food voucher, or even assist with a broken-down vehicle to get them to where they are going.

Anyone seeking information about Veteran's services support can call or visit the CVSO office to learn about the services available. This free service includes claims assistance, veteran advocacy, liaison with U. S. Department of Veteran Affairs, CalVet and Veteran Service Organizations, Information and Referral Services for Small Business Assistance, PTSD, and Substance Abuse Treatment, Job Training, Education and Other Services, outreach to Elderly, disabled, incarcerated, homeless and other Veterans in need.

Deceased Veteran Services

The Veterans office receives calls from FD Sweet and Son Funeral Home to inform them that they have a veteran that has passed away and would like to have the Glenn Vets Honor Guard present at the funeral. The CVSO and ACVSO also are alerted to veterans that have passed in our county and assist with the family during this time.

The Glenn Veterans Honor Guard is made up of members of all branches of the Military Services that perform at the funeral or Celebration of Life services, gun salute, setting up the Soldiers Cross, and the folding of the Flag that is given to spouse or family member. They are actively looking for new members especially bugle player. They do not need to be a Veteran of a Foreign War to be a member of the Glenn Veterans Honor Gard. There are times when they have performed three

services in one week throughout the county. The Honor Guard are volunteers, and all are of retirement age; some are still working and must take time off work to present at these services. The Glenn Vets Honor Guard have performed over 200 services in the County.

The CVSO puts together the obituary and a description of the schedule of the day, what uniform to wear, as well as the weather report. Over the years, the VFW has procured genuine gear for each branch of the military that the Glenn Vets Honor Guard uses for the Veterans service. The Glenn Honor Guard has what is called a SHORT FUSE info sheet for those vets that they only have a short notice to put together before their service. Glenn County is extremely fortunate to have the members of the Honor Guard willing to perform the services for a veteran, not all Counties in California do, nor do they have an original service gear for the different branches. Not all counties in California have an active Vets Honor Guard.

GLENN VETS HONOR GUARD



The history behind the ceremony performed by the Glenn Vets Honor Guard for a veterans full military honor grave side service is explained in the following paragraphs. Each Ceremony is personalized for the branch of Service the Veteran served in. There are times that a family member can be involved in the shooting of the rifle in the gun salute or the handling of the flag if they are a military person.

The meaning of the following is loosely what the Glenn Vets Honor Guard have come up with as their symbolism of honoring veterans. A display of the Soldiers Cross is placed by the flags representing the United States of America and the flag of the branch of service that the veteran served. The Soldiers Cross consists of a Rifle of time and branch of the Military served. World War II era would be a M Grand, Vietnam or more modern era would be a M16, helmet or head gear worn at the time placed on the top of the Rifle and Boots of that era laid at the bottom of the rifle.

Seven Rifles shooting in a sequence of three for a 21 Gun Salute. Three Volleys (several bullets discharged at one time) come from Roman Times after a day of battle. The soldiers would go out onto the battlefield and find a fallen soldier, then they would call out their name three times for a family member to come and retrieve them. The calling out three times represented Duty, Honor, and Sacrifice that the fallen soldier represented.



Taps is played during the displaying of the flag. After the playing of taps is completed, the flag is folded, and the three spent cartridges are placed into the last fold, again representing Duty, Honor and Sacrifice for the loved one. The flag is handed to the spouse, or family member representing the family while the tradition is explained.

CVSO and ACVSO

Glenn County is very fortunate to have the CVSO and ACVSO. They go above and beyond what their job duties require. They have been known to drive a veteran to the Mather Detox and Drug Rehab in Sacramento because the veteran was in crisis and had no other way to Sacramento. The Glenn County ACVSO does not just hand the veterans paperwork to fill out that can be very overwhelming to them, bring on trigger effects or Post Traumatic Stress Disorder (PTSD). They go through the paperwork with the veteran, helping fill out the forms. The Glenn County ACVSO is known throughout the state of California as someone they can send their most difficult cases. Doug LaMalfa, a U.S. Representative of California, has his staff member contact Glenn County's ACVSO for veterans' cases that are difficult and need time and work invested in the veteran. It is known that ACVSO will follow through and does not let go of the case or benefit claim until it is completed. The ACVSO works with veterans living out of the county and state assisting in getting benefits they are promised by the Federal Government.

The ACVSO works twice a month at the Chico VA Clinic assisting Glenn County Veterans. Unfortunately, Glenn County Veterans going to Chico to sign up for services do not realize that there is a CVSO in Willows.

The hardest thing for Glenn County ACVSO is when they do not hear about a disabled veteran until they have passed away, knowing that the ACVSO knows that they could have helped the veteran with compensation and/or disability benefits; not only them but their dependents. Several of the reasons that veterans do not apply for benefits are the lack of knowledge of what is available to them. Some don't want to go through the process of signing up because they do not want to relive or remember their experiences. The only thing they want to do is put that part of their life behind them.

How the ACVSO Can Help

The ACVSO will sit with the veteran and go through the claim process from beginning to end. This is not a service available in most other counties. Sometimes just filling out paperwork will cause a PTSD episode where the ACVSO must be able to work through with the veteran. Sometimes many hours and years are spent with one veteran, so they can access their benefits.

The ACVSO has assisted Glenn County Veteran's to receive retro-actively $547,206.62 in non-public assistance awards in January 2022 through December 2022. For one veteran ACVSO worked for 14 years, and the veteran was awarded over $400,000 that was due to them. The reason it took 14 years was because the Glenn ACVSO never gave up year after year, placing many calls, paperwork, patience, and time paid off.

The Glenn County ACVSO has assisted many veterans in receiving nonpublic assistance award for a monthly total of $20,574.09 as well as many veterans receiving lump-sum awards that total $9,128 dispersed across out the County.

The ACVSO is the one who helps with VA home loans, health care, burial benefits, dependents benefits, and job training. These are only some of the services that the ACVSO supports the veterans.

Glenn County Veterans closest VA Clinic is in Chico. The Chico VA Clinic, part of VA Northern California Health Care System, offers a wide range of medical and ancillary services including primary care, audiology, laboratory, mental health, nutrition, otolaryngology, ear nose and throat (ENT) pharmacy, social work, and women's health. They also provide Telehealth care. The other VA Clinic that Glenn County uses is the hospital and walk in clinic at the Mather Airforce Base, there is also a rehab down there for veterans to stay.

A New ACVSO is Needed

ACVSO is looking for someone to come in and work part-time and eventually take over the ACVSO position. In interviewing the ACVSO, it was reported that this position and the role that is performed is important, and the need for the established work to continue. The new person will need to provide support in filling out claim and application forms and not end up handing veterans the forms to fill out for themselves. It was found that should forms be sent with or mailed to the veteran, the odds are that the forms will not be returned to the ACVSO.

This has been a challenging task for ACVSO and the CVSO to find someone to care about the job that is being done and honor the veteran no matter what shape they come into the office.

Veterans of Foreign Wars and The VFW Auxiliary



The ACVSO works closely with the VFW to help with the needs of veterans. The VFW gives out gas cards, food, and lodging vouchers. They have been known to help the stranded veteran that arrives in Glenn County with a mechanical issue while heading to their destination. Members of the VFW have fixed stranded vehicles to get back on the road.

The VFW is totally funded by fundraisers that they put on throughout the year. The Willows VFW Post #1770 has approximately 43 members. They meet once a month, their biggest fundraiser is selling the tables or booths at the Gun Show they sponsor every year. This income goes to supply the vouchers when needed. They have medical supplies such as canes, walkers etc. that they can provide for veteran that are in need. At Christmas they pass out

food boxes. Throughout the year they have a collection box that anyone can bring their flags in to retire, that box is in the lobby of the Memorial Hall along with a nice display of the different branches of services. Every year on Flag Day, June 14th the VFW has a Flag Burning Service on the Memorial Hall steps where Glenn County citizens can bring in their flag that day for retirement as well as the Flags that have been collected throughout the year will be retired during the ceremony. The Burning of the United States Flag is the only way to retire a flag. Speaking with the VFW this is another ritual or ceremony that VFW is looking for younger veterans to start learning and eventually taking over so it continues every year.

Glenn County has a VFW Auxiliary (Unwavering Support for Our Uncommon Heroes) that supports the VFW. This at one time was known as the Woman's Auxiliary. It has since become an organization for both women and men. They supply meals each month for veterans of all branches. They do fundraisers throughout the year to help the support of VFW.

Findings	Recommendations
The Civil Grand Jury found that….	The Civil Grand Jury recommends that…
F1. ... the ACVSO goes beyond the scope of duty.	**R1. …**the CVSO needs a new person to be trained to replace the retiring ACVSO.
F2. …the VFW does an amazing job even though they are getting smaller and smaller every year	**R2**. …the VFW needs to reach out to the younger veterans for replacement to assist the current VFW.
F3. … the Glenn Veteran's Honor Guard does an outstand job representing the military branch of service served by the deceased veterans.	**R3**. … the CVSO promote awareness of the Glenn Veterans Honor Guard need of bugler and support personnel for the Honor Guard.
F4. …all military branches of service can be a Glenn Veteran Honor Guard and do not have to be a Veteran of a Foreign War.	**R4.** … ACVSO to reach out to all Glenn County honorably discharged military service personnel informing them of the need for their services in the Glenn Veterans Honor Guard.

COMMENDATIONS:

The Glenn County Civil Grand Jury commends the CVSO and the ACVSO in their outstanding work, not only for the Glenn County Veterans and their families, but to the others out of state and county that request Veterans services. We commend them for their patience and tenacity to see the veterans through to receive the benefits that are promised by the Federal Government.

The Glenn County Civil Grand Jury commends the Glenn County Board of Supervisors for their continued support of the Glenn County Veteran Services.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following individuals:

- CVSO
- ACVSO

From the following governing bodies:

- Board of Supervisors-All

Invited responses

Commander of Post #1770—R2; R3; and R4

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

DISCLAIMER: There were not any Glenn County Civil Grand Jurors recused.

ATTACHMENT 1: Shorty Fuse Program

From: [redacted]

WARNING ORDER (WO); ONE (1) MISSION:

"SHORT FUSE"

THURSDAY, [redacted]23 @ 11:00 A.M. @ WILLOW'S CEMETERY

FOR [redacted] (88), US ARMY.

A ten (10) person Honor Guard is requested to perform Full Military Honors, graveside for [redacted] this Thursday, [redacted] @ 11:00 A.M. @ the Willows Cemetery.

The uniform will be our "Winter" Class "A"; black long-sleeved Turtleneck under short-sleeved white shirt with ball cap; bring your uniform jacket. The projected weather; sun and a few passing clouds. High 54F. Winds NNW at 10 to 20 mph. Our honors will involve a flag-draped casket, display of Colors, Firing Party, Taps and Flag presentation to [redacted] (daughter). [redacted] presently serving in the US Navy will participate in our Firing Party and present the Flag to his mom. Our POC is [redacted] Pastor, [redacted] will officiate. We will facilitate the Military Honors.

Honor Guard Schedule:

- 9:15 a.m. Meet, Thursday, Jan. 19th @ WVMH; establish team assignments, draw equipment and move to Willows Cemetery.
- 9:45 a.m. Arrive Willows Cemetery, set up and get ready.
- 10:00 a.m. Practice @ Willows Cemetery.
- ***10:00 a.m. Note:*** *There is a service @ the First Lutheran Church of Willows while we PRACTICE @ Willows Cem!*
- 10:45 a.m. Stand-By-Ready:
- 11:00 a.m. Be ready to Conduct Honors at Willows Cemetery.
- 12:00 a.m. Return WVMH, stow equipment and critique.

Thanks,

[redacted]

Please respond to me on or by Tues. Jan. 17, 2023 by phone [redacted] or email [redacted] Hoping for a team of 10.

ATTACHMENT 2a: Brochure

Welcome

CALIFORNIA
ASSOCIATION
OF COUNTY
VETERANS SERVICE
OFFICERS, INC.

The California Association of County Veterans Service Officers (CACVSO) is an organization of professional veterans advocates. In California, The County Veterans Service Officer plays a critical role in the veteran's advocacy system and is often the initial contact in the community for veterans services. Through the County Veterans Service Officer, the CACVSO is committed to California Counties to provide a vital and efficient system of services and advocacy to veterans, their dependents and survivors.

WHO IS ELIGIBLE

* MILITARY VETERANS

Defined as a person who served in the active military, naval or air service, to include Guard and Reserve personnel who have completed active duty periods, and not discharged or released under dishonorable conditions.

Also includes service in the U.S. Merchant Marine between 12/7/1941 and 12/31/1946

* Veteran Dependents

Defined as a spouse or unmarried child (biological, legally adopted or step child) who is under 18 years, or between 18 and 23 years and attending school, or who was permanently disabled before the age of 18.

* Surviving Spouse, Child or Parent of a Deceased Veteran

* Uniformed Service Member

BENEFITS & SERVICES

- Burial (dependents/survivors)
- Dependency and Indemnity Compensation (dependents/survivors)
- Disability Compensation & Pensions
- Education and Training
- Health Care
- Housing/Home Loans
- Life Insurance
- Vocational Rehabilitation & Employment
- And much more

WHERE TO START

Visit our County Veteran Services Office (CVSO) to learn more about the services available to you and your family members, and how to apply for them.

This free service includes:

- Claims Assistance.
- Veteran Advocacy.
- Liaison with: U.S. Department of Veteran Affairs, CalVet and Veteran Service Organizations.
- Information and Referral Services for Small Business Assistance, PTSD and Substance Abuse Treatment, Job Training, Education and Other Services
- Outreach to Elderly, Disabled, Incarcerated, Homeless and other Veterans in need.



Information About Us

Veterans service offices is a *locally-funded* agency established by the Board of Supervisors of Glenn County to assist veterans and their families in obtaining benefits and services accrued through military service.

WHAT IS CACVSO?

The California Association of County Veterans Service Officers (CACVSO) is a nonprofit educational and professional organization through which California's Veterans Service Officers help each other to do a better job of advocacy and claim work for veterans.

Brandon Thompson

County Veterans Service Officer

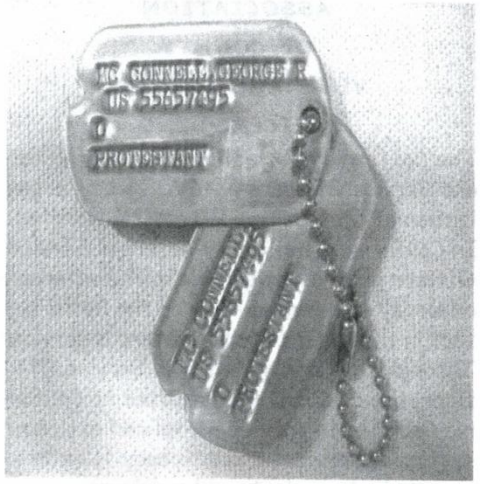
Cindy Holley

Assistant Veterans Service Officer

Willows Veterans Memorial Hall

525 W. Sycamore Street, Suite A5
Willows, CA. 95988
Telephone: 530-934-6524
Fax: 530-934-6355
Email: gcvets@countyofglenn.net

GLENN COUNTY VETERAN SERVICES

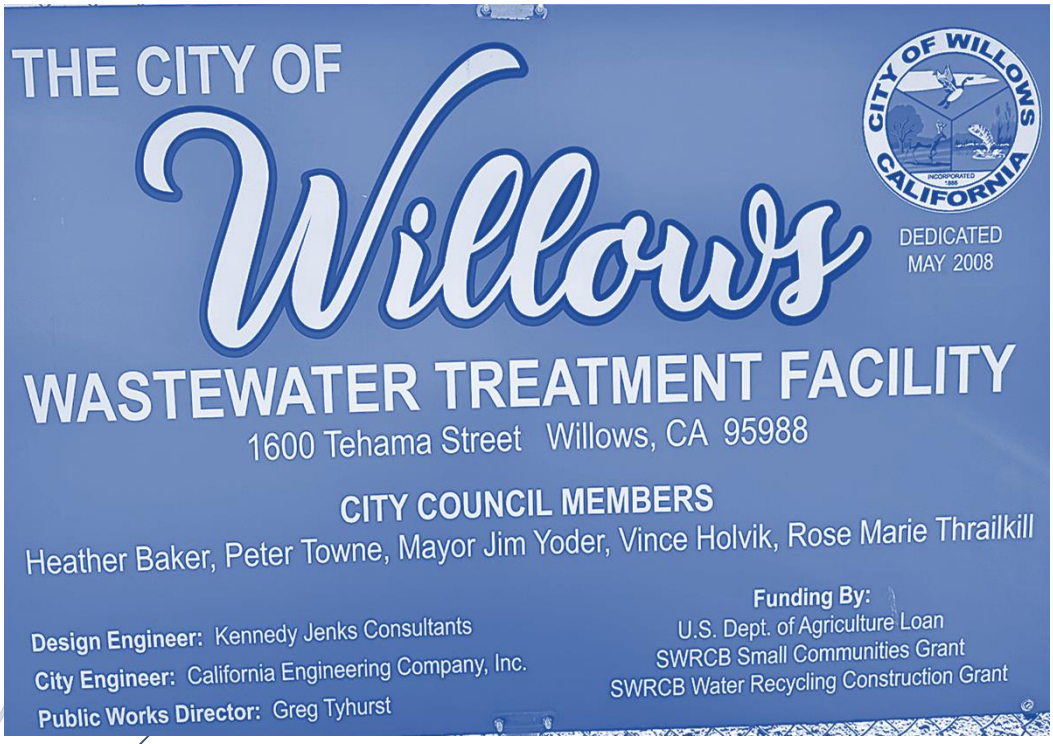


IF YOU ARE A VETERAN WHO SERVED IN ANY BRANCH OF THE U.S. MILITARY, YOU HAVE EARNED THE RIGHT TO SPECIAL BENEFITS AND SERVICES—EVEN IF YOU DID NOT SEE COMBAT!

June
2023

Willows City Sewer

Where did the City sewer funds go?



For a society to exist, the cost for a clean and sanitary environment is great. It is said by the City that there are not enough funds to provide for this sanitary environment so we must raise the rates to our citizens. The question is how much and when is "how much too much?"

WILLOWS CITY SEWER

Where did the Willow City Sewer money go?

SUMMARY

Willows City Sewer and Northeast Willows citizens and businesses have paid over 30 years of assessments, monthly sewer charges, and development impact fees. In 2020 the City found that there were not enough funds in the budget of the City of Willows Sewer Enterprise Fund and the Storm Drain Development Impact Fees accounts to fund needed upgrades. A Brown Act violation was committed by the City in the Regular meeting of June 22, 2021, when approving the Power-Point Presentation on the NBA Rate Study and not the implementation of the Rate Study.

The Willows City Council gave permission to the City's Attorney and his law firm to act as an agent between the City of Willows and the NBS Rate Study without reporting the decision to the public. In asking for any public documentation discussing and giving permission to the City's Attorney and his law firm to act as an agent between the City of Willows and the NBS Rate Study the Grand Jury was told that there was no documentation found. It was later discovered that the decision was decided in closed session.

PURPOSE

Articles from private citizens listed in the local paper have identified important questions and facts that show funds from the Willows Enterprise Fund and Storm Drain Development Impact Fees have been used in areas in the City that violate Proposition 218. The Grand Jury wanted to understand what happened to the funds from the USDA loan and monthly rate fees and tax assessments to upgrade the sewer plant and infrastructure in Willows as future costs prohibited. The question becomes the legality of having the City Attorney and his firm act as an agent to the City of Willows on the NBS contract.

BACKGROUND

The Northeast Willows Community Services District was formed in 1965 pursuant to the Community Services District Law (Government Code Section 6100 et seq) to provide for the collection, and disposal of stormwater. In 1987 a Joint Powers Agreement with the Northeast Community District in the City of Willows was created. (LAFCO Northeast Willows Community Services District Municipal Service Review and Sphere of Influence page 7 #3)

On December 23, 1987, Willows City Council went into a Joint Exercise of Powers Agreement with the Northeast Willows Community Service District for sanitary sewer services. The makeup of this agreement allowed the NEWCSD to own its residents' sewer infrastructure, sending the sewer to the Willows City Sewer lift line leading to the Willows City Sewer Plant. The term of this agreement was for 20 years expiring on December 23, 2007, and renewed every twenty years.

Throughout the years the City received funds placing them in two accounts to help pay for upgrades to the infrastructure throughout Willows proper and Northeast Willows. These include maintenance, operations, and possible upgrades. These funds were placed in an account titled

"Sewer Enterprise Fund" and "#318". The funds grew through the 1980s until the passing of Proposition 218 which was supposed to stop the transferring of funds to pay for General Fund expenditures.

METHODOLOGY

1. Interviews
2. 2019 Timecards
3. Policies and Procedures
4. Ledger accounts
5. Proposition 218
6. NBS Sewer Study
7. Contracts with Northeast Willows Community Service District

DISCUSSION

Funding Sources for Northeast Willows Community Service District

In the late 1980's new sewer main lines were installed connecting homes to the sewer lift stations transferring sewage to the sewer treatment plant located south of Willows. Through interviews, the Grand Jury discovered that in the late 80s and early 90s there was over a million dollars in the sewer fund account. It was reported that to save the City from bankruptcy, the City was moving money from various fixed accounts, such as the sewer fund, to the general fund to pay for the operation of the City.

A City account titled, "Enterprise Sewer Fund" and the sewer "#318 Account Fund" are used to hold funds. The #318 account holds money received from monthly fees from its citizens, and taxes paid from city residents. The Enterprise Fund is to be used for infrastructure replacement and repairs to the sewer system. The #318 account is specifically used for maintenance and operational costs.

In 2019 several public citizens identified funds from the City Budget and financial information that the #318 Fund account balance was rapidly depleting. In a review of financial statements showing the City paid funds for non-sewer related costs directly from the #318 account, reducing the fund in not being able to meet maintenance and operational costs.

Through examining the City's budget and trial balances the City has been charging the sewer fund for vehicle fuel and other city miscellaneous items. The budget released in 2018 and 2019 show the city transferring $77,234 to pay for administration costs. These funds, according to Proposition 218, are transferred to the General Fund annually and are permitted by Proposition 218.

The following information was taken from monthly expenditures listed in Agendas and approved in minutes dated July 1 - December 31, 2012, costs listed by the City from the #318 Sewer fund to pay the Police Department that are non-Sewer related Enterprises expenses in direct violation of Proposition 218.

Employee	6-months of hours	Personnel Cost Rate	Six Month Cost
Police Officer #1	18	$53.76	$967.68
Police Officer #2	42.5	$60.65	$2,577.63
Police Officer #3	35.5	$55.35	$1,963.86
Police Officer #4	47	$55.07	$2,588.29
Police Officer #5	53.50	$87.86	$4,700.51
Police Officer #6	41.5	$421.5	$1,904.85
Police Officer #7	33.5	$52.79	$1,768.47
Police Officer #8	40	$60.65	$43,426



The Grand Jury discovered that funds from the Sewer Enterprise Fund approximately $235,715 and the Storm Drain Impact Fee of approximately $300,000 were used to pay for a city match of $575,000 for a bridge across the canal to the Cheese factory. Other funding was from the EDA Federal Funding for Construction/CM/ Contingency of $3,654,368; CDBG OTC Grant of $800,000; and the City's portion of Basin St. Matching funds of $910,005. According to Proposition 218, this is an illegal usage for the Storm Drain Development Impact Fees and the Sewer Matching Funds. The funds used were not paid back to the two sewer accounts. **(See Engineering Report)**

Through interviews and gathering information as well as analyzing financial records, for this report, a spreadsheet was given to the Grand Jury showing money expenditures for various areas taken from the Sewer Fund #318.

Category	2011	2012	2013	2014	2015	2016	2017	2018
Salaries	$123,502	$171,494	$161.726	$161,188	$175,128	$174,392	$175,741	$183,468
Overtime	16,121	14,409	15,162	14,600	15,453	16,232	16,218	15,740
PERS	41,074	42,762	44,059	42,633	47,425	27,871	43,322	189,904

Health	66,761	75,073	74,406	80,604	95,023	98,202	97,021	93,141
Social Security	14,281	14,988	12,298	14,509	14,473	14,102	14,264	14,629
Workers Comp	1,860	1,803	3,217	10,569	15,883	9245	19,905	18,701
Spec. Dept Exp	4,045	4,980	3,061	3,698	3,807	3,521	3,946	3,218
PG&E	57,355	92,539	159,140	123,526	165,915	187,405	218,117	195,160
Vehicle Maint.	9,507	7,089	41,402	8,535	15,224	6,531	4,787	4,479
Equip Maint.	5,783	7,893	9,265	11,339	11,672	1,421	16,653	116,175
Prof. Services	27,592	26,910	28,159	22,819	31,318	9,033	9,068	16,515
Contract Service	557,502	509,380	583,544	579,979	584,393	601,398	614,604	631,800
Insurance	18,466	22,458	23,168	25,334	26,911	27,758	30,539	25,200

The City listed their budget for 2019-2020, and it listed sewer charges for vehicle fuel as $14,000. This is budgeted fuel that at $4.00 per gallon (at that time), $14,000 would buy enough fuel to allow a typical vehicle to travel for 52,500 miles per year. Noting that there are approximately 42 miles of improved streets in the City of Willows. That vehicle would have to be driven up and down every street within the sewer district at least five times a day, five days a week, for all 52 weeks of the year. It appears that the budgeted sewer funds were charged for all city vehicles as $14,000 is more than needed for actual sewer-related activities. As of today $7,000, for vehicle fuel is budgeted, which still seems high for one vehicle to travel doing sewer related activities. Unfortunately, the Grand Jury could not have access to the actual costs for fuel in 2020/2021.

In 2018 there were four employees that turned in timecards showing Employee #1 turned in 24 timecards that reflect 1,679.5 hours of regular time. This employee was paid $44,835 of regular time and $4,340 of overtime pay. The explanation of the tasks being paid for were listed as “Shop, weekend duty, holiday, vacation, leaf truck, sick, bereavement, sweep, CTO and floating holiday”. These tasks that this employee was paid from the Sewer Fund were not related to sewer related activities.

Employee #2 turned in 25 timecards reflecting 1,939 hours of regular time for a pay of $31,718 with $1,673 for overtime. The explanations for general-service tasks paid from the Sewer Enterprise Fund was “bus stop, CC timer, weekend duty, car show, grease trap, leaf truck, jet, bathrooms, stump, downtown garbage, bridge repair, civic center, county DI, USA, DMV, drive, school, trim, park, mow, low limbs, trash, fire extinguishers, street signs, paint, meters, sprinkler, sweep, water samples, PD remodel, pool, mall, barricades, paint white, paint yellow, paint wall trees, ball fields, fence, install AC, dump storm, bark, pickup, Christmas tree, blow downtown LT,

and CTO. This employee reported tasks completed for sewer-related activity were Sewer, lift station, wastewater, sewer map, sewer PM, and sewer plant for 107 hours. Estimating only sewer-related activity, 50 percent of total hours, or approximately 54 hours".

Employee #3 earned $63,716 total compensation for 1,783 regular hours and $2,816 overtime pay, which was gathered from 25 timecards that show tasks not relating to sewer work, ie, Holiday, call out, sick, sup't duty, bereavement, weekend duty, CTO, pool, vacation, and clean-up day. Hours attributed to sewer-related activity—none.

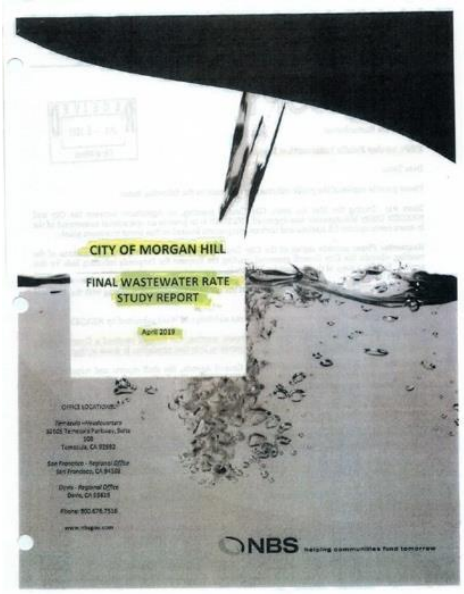
Employee #4 shows 1,708 regular hours from 26 timecards. This employee performed several sewer related activities as "Sewer PM, sewer call, sewer tie-in and repair sewer. Documented timecards show Employee #4 worked 91.5 hours for sewer related work, yet his full pay of $42,673 was taken from the sewer fund."

It is difficult to measure the PERS costs, insurance, or other payroll costs for these four employees. Without their paystubs or city pay records, it is unknown if these costs were taken from the sewer account.

It is important to note that what is listed in this report is a small amount of where the funds are going. Only a forensic audit would identify where all the funds were used.

NBS Sewer Study

In 2019 the Interim City Manager decided that a sewer study needed to be performed to discover if sewer property assessment and monthly charges to residents needed to be increased to cover the improvements needed to the sewer infrastructure.



During the Grand Jury Investigation there were many concerns by the public of the actions taken by the City of Willows. In 2020 through the City Attorney, the City hired NBS to create a sewer study. Another concern by the City was the City Council, during a closed session, hiring NBS to perform the Rate Study using the Sewer Fund to pay for all of the tasks needed to perform the Rate Study in Closed Session away from the public's eye. An issue occurred when documentation was asked for by the Grand Jury for the evidence (Agenda/minutes) showing the motion and approval of the NBS contract as well as other bidders. It was reported by the upper management of the City of Willows to the Grand Jury that there were not any agendas, minutes, or other documentation regarding the hiring of the NBS Financial Group because permission was given to the City Attorney during a closed session. Yet the Grand Jury was not provided with any minutes showing the report back to the community of this action nor is there a report to the public

telling the decision of the closed meeting. The Brown Act requires a report back to the public on the results of the closed meeting.

"After each closed session, the legislative body must report in open session certain actions taken in closed session, and the vote of each member, including approval of an agreement concluding real estate negotiations; action to appoint, employ, dismiss, release, accept resignation of, or affect the status of any employee as well as approval of labor negotiation agreements." Taken from the Brown Act Manual

On June 22, 2021, the Agenda shows "#6. Presentation: City of Willows Comprehensive Wastewater Rate Study 2021 report presentation NBS" **(See Agenda**). The minutes reveal that the City Council moved and passed a motion "...to approve and accept the report and provide notice." An issue of the Brown Act Violation occurs because the council approved the presentation, not advising the public that the City Council would be voting or acting to move forward with the first steps to implementing the sewer rate hikes. By July 21, 2021, a Demand to Cure and Correct the Council's violations of the Brown Act was called for by a member of the community. The Brown Act specifically reports "in order to correct a violation to the Brown Act, a complaint to cure and correct has to be filed by the interested party:

- Within 30 days of the date the action was taken during an open meeting and in violation of agenda requirements
- Within 90 days of the date the action was taken for all other cases
- Once the legislative body has received the complaint, it has 30 days to cure or correct the challenged action, if it fails to do so, a person then may file suit to void the action (§ 54960.1.) Through the Cure and Correct procedures', the City needed to start over on the process.

The Grand Jury was provided with information regarding the process of the 45-day notification survey. In hiring NBS one of the tasks was to perform an interest survey required a ballot to be sent back to NBS. In the meeting of August 10, 2021, under "#4. Public Comment/Written Communications:" six people commented on the rate study. Most complaints were stating that these property owners did not receive a notice of the Rate Study. In the process of mailing out the notices, NBS sent the notices through Bulk Mail. In discussing this issue with a post office worker, it was reported that if any notices were sent to wrong addresses or were undeliverable in any way the notice would have been discarded by the post office.

Also on August 10, 2021, a memo from an upper management personnel were sent to the Mayor and City Council Member of the "Rescission of Council Action Accepting the Comprehensive Wastewater Rate Study of 2021 taken at the June 22, 2021, regular council meeting, and consideration of an action of council accepting the City of Willows Comprehensive Wastewater Rate Study Report (Action Item)." It was recommended to rescind their acceptance of the City of Willows Comprehensive Wastewater Rate Study 2021 from the June 22, 2021, meeting and cure an alleged violation of the Brown Act by now acting to accept the report by action of council pursuant to August 10 Agenda item, which was posted as an "Action Item".

The Brown Act states Civil remedies (injunction, mandamus, declaratory relief and voiding past actions of the body) are provided in case of violation of the Brown Act (§§ 54960 and 5490.1) pursuant to §§ 54953, 54954.2, 54954.5, 54954.6, 54956, and 54956.5 (that is, for violations to requirements for: general open meeting, agenda posting, closed sessions, tax and assessment, special meetings and, emergency meetings).

While not admitting to any wrongdoing, the Council continued to accept the Rate Study as given. This Demand for a Cure and Correct to the June 21, 2021, motion did not set the process back to the beginning by giving the property owners a chance to have their voice heard in voting for continuance, challenge the report, or mail in their vote for or against the Rate Study. During the August 10, 2021, meeting, one Council Member voted to postpone the Rate Study for 45 days to give the public a chance to respond, but the motion died from a lack of a second.

Proposition 218 states the following:

Section 4 of article XIII D and the Proposition 218 Omnibus Implementation Act (Gov. Code § 53750 et seq.) set forth Proposition 218's procedural requirements. The principal requirements are: An agency must provide 45 days' written notice of a public hearing, and mail ballots, to the owners of the parcels to be assessed; The notice must include specified information, including information regarding the assessments, the public hearing, and owners' right to cast votes weighted by each owner's assessment amount; An agency must hold a noticed public hearing and tally the results of the majority protest vote; and if a majority of the weighted votes does not oppose the assessments the agency may vote to levy the assessment.

Should the City provide the citizens of Willows a true "Demand for a Cure and Correct", the Rate Study would negate the subsequent rate increase and thus, would require refund of the difference between the past rate and the rate being charged. Also, that curing the Brown Act issue does not revive the ability to charge the rate retroactively under Article XIII-D.[1]

Recently, during a March 2023 City Council meeting the NBS consultant provided a presentation to the City Council explaining how the rates were calculated. The rates charged are dependent on the amount of water used and then they can predict how much water is being processed at the Sewer Plant. The consultant explained that "...a single-family dwelling used more water than a multiple family dwelling." When explaining the vote process, he explained that a "...single property owner had one vote and a multiple unit and apartments had one vote per unit". The City Council created an ad hoc committee with two Council members and a private citizen to look into the water usage from California Water as the rate study took place during Covid 19.

The Grand Jury was able to have access to the NBS Invoice showing the costs of the Rate Study to be $41,430 that was approved by the Council. This includes the service for the Sewer

[1] In following the progression of the reporting on NBS Rate Study Report to the City, NBS would send report with covers that listed other cities as "Davis Comprehensive Sewer Rate Study Report", "City of Morgan Hill Final Wastewater Rate Study April 2019". When downloading the Wastewater Study Final Report of 2021 by the Grand Jury, the title showed "County of Marin". (See Attachments-Report Covers).

Rate Study for $29,900 and a contracted CAP of $11,530. The following shows the billings from NBS to the City of Willows totaling $62,447.6. The Grand Jury could not find through Agendas or Minutes the approval to pay this overage of $21,417.66.

The NBS contract shows that the City Attorney signed the contract and provided monthly billings. The Grand Jury requested invoices and received redacted copies. In analyzing the contract with the law firm and the City of Willows, under "5.2 Law Firm, Not Agent. Law Firm shall have no authority, express or implied, pursuant to this Agreement to bind Client (NBS) to any obligation whatsoever…". **(See Attachment -Contract)**. The Grand Jury asked the City of Willows for evidence of payment source and was told that this was handled through the City's Attorney and therefore confidential. The Grand Jury was concerned about the City of Willows spending the public's money without reporting to the public any costs.

At the August 10, 2021, meeting, the City Council motioned to accept the Presentation Cost Allocation Plan and Full Cost Iteration (July 19, 2021) and the Alternative Scenarios for Sewer Rate Study (July 21, 2021). While the NBS reports were written, the public did not get a chance to comment or preview the reports until the August 10th meeting. One copy was presented at the City Council meeting for public review. This agenda was created to group issues up into one action.

Willows City Council Protocol Manual

In reviewing the City of Willows City Council Protocol Manual looking for policies of approving contracts involving public money, none was found. But under 7.04(A) the City Council/City Manager Relationship states that the City Manager is to be evaluated by the City Council to ensure that both the City and City Manager agree about performance and goals based upon mutual trust and common objectives. In reviewing the City Manager contract the words "setting goals evaluation" are missing from the written contract showing that this position does not have to be evaluated.

City Owned Residential Homes

The City owns 35 parcels that utilize the sewer system. The Grand Jury took this list to the Tax Assessors office and ask if these parcels were being taxed. The Assessor could not find any documentation showing that a tax billing was placed by the City. It was reported to us that if there is not a tax bill to go out on these properties then sewer rates would not be billed to the parcel owners. It was found that the City has exempted these parcels from paying property tax; therefore, the County does not capture and distribute those fees to the Sewer Funds. Under Proposition 218 the City is not exempt for paying sewer fees. (See Attached the city owned parcels)

According to Proposition 26 and 218 Implementation Guide, page 47, before Proposition 218, the California Supreme Court held:

Article XIII D, section 4, subdivision (a) apparently revokes the implied exemption, except when clear and convincing evidence shows a public parcel "in fact receive[s] no special benefit." This

view is supported by the Legislative Analyst Office's 1996 "Understanding Proposition 218" report, which states "[p]roperties owned by schools and other governmental agencies — previously exempt from some assessment charges — now must pay assessments."

Based on the following, the City of Willows is not exempt from paying special assessments and that would include the sewer rates and assessments.

Solar Panels



The City of Willows installed solar panels to operate the city sewer plant. Sewer funds were used to pay for the Solar Array. The City has been paying monthly payments to the installation company for over 10 years. There are over 1,400 panels set on a sun rotation hub. From the start the solar panels have not been putting out the power to operate the sewer plant and PG & E has been submitting billings monthly showing the cost of the True-up. After 10 years, the solar panels have not been productive in saving the City valuable electric bills.

True-Up costs are billed monthly for 12 months. The True Up costs are calculated based-on all the cumulative energy charges, credits, and compensation for an entire 12-month period. The solar panel owner may be entitled to compensation if their solar panel system produced more energy than consumed over that 12-month billing cycle. The following is a listing of the past years True-up charges from PG&E.

The blank spaces were due to not receiving the True-up billing for that year from the City of Willows.

PG and E Billings with True-up amounts

Date	Transmis-sion	Distribu-tion	Public Purpose Pro-grams	Nuclear Decommis-sion	DWR Bond Charge	On-go-ing CTC	Energy Recov-ery Amount	Genera-tion	En-ergy Comm. Tax	True-UP Billing
June 2011-2012	$ 3,158.48	$-2511.89	$3842.49	$146.83	$ 1,290.80	$ 1,358.09	$ 1,250.92	$ - 4,804.30	$ 73.30	$3,779.58
July 2012-2013	$ 5,543.43	$13,292.30	$2,196.59	$230.24	$2,196.59	$784.46	$1,232.45	$16,626.96	126.24	46,445.68
June 2013-2014										
July 2014 - 2015	9,617.37	$27,353.80	$7,083.68	$230.67	$2,930.48	$662,61	$- 1,630.40	$40,133.48	164.02	86,346.93
July 2015-2016	11,786.75	$39,976.97	$9,167.21	$402.83	$3,787.67	$1,187.07	$- 1,664.11	$47,876.27	1,187.07	112,726.74
July 2016-2017										
June 2017-2018										
June 2018-2019	15,880.13	$46,331.08	$9,002.35	$838.43	$3,517.93	$627.10	$-10.02	$55,665.52	185.84	132,038.66
July 2019 - 2020										
June 2020-	25,649.41	$29,363.46	$5,245.25	$395.39	$2,399.59	$467.49	$-229.56	$	133.11	75,787.6

2021								25,383.13		3
Jul 2021 - June 2022	19,361.80	$58,399.30	$10,216.99	$234.50	$3,364.47	$66,639.45	$-489.47		185.45	159,398.23

FINDINGS and RECOMMENDATIONS

The Civil Grand Jury found…	The Civil Grand Jury recommends…
F1. … that the City of Willows used money from the Storm Drain Development Impact Fees accounts to pay for non-sewer related costs.	**R1. …**that the city performs an outside audit from 2019 to current revealing funds used from the Storm Drain Development Impact Fees releasing the outcome to the public during a Council Meeting by March 2024.
F2. …that the City of Willows used money from the #318 Enterprise Fund to pay for non-sewer related costs.	**R2. …**that the city performs an outside audit from 3019 to current revealing funds used from the #318 Sewer Enterprise Fund releasing the outcome to the public during a Council Meeting by March 2024.
F3. …that the City of Willows used $535,715 from the Storm Drain Development Impact fees and the Sewer Enterprise Fund to use as matching funds for the Basin St. bridge leading to an industrial complex.	**R3. …**that the City of Willows repay the Sewer fund and the Storm Drain Development Impact fees used as matching funds to fund the bridge to the industrial complex by March 2024.
F4. …that the City of Willows owns 35 parcels that they have exempted from paying sewer assessments and or fees.	**R4…**that the city pays for sewer on each parcel owned by the City from 2019 to current by April 2024.
F5. …that many residents reported that they did not get notices until the day of the meeting or that they did not get a notice at all. This caused many people not to have their voice heard.	**R5**… that the City of Willows perform a new Wastewater Study with a different company and form an ad hoc committee to look into the facts and figures as well as NBS calculations that resulted in the five-year assessments to property owners by January 2024.
F6. …that the City of Willows has violated the Brown Act in passing, implementing, and charging its residents based on the NBS Wastewater Rate Study Report.	**R6**… that in the future the City of Willows needs to fully follow the Brown Act and Proposition 218 to provide the citizens a right to appeal, have their voice heard, and be able to have their vote counted, before voting to approve matters that affect them.
F7. …that the City Manager is evaluated by the current sitting Council yearly. Currently, the City Manager's contract does not include a performance evaluation.	**R7.…**that the City Council amend the City Manager's contract to require yearly performance evaluations to include yearly goals by July 1, 2023
F8. …that the City Manager evaluation is based on performance and goals as well as upon mutual trust and common objectives.	**R8…**that the City Council bi-annually evaluate the annual goals set between the City Manager and the City Council in measuring the

	achieved goals to ensure the Council and City Manager are in agreement in the leadership direction by October 2023.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following individuals:

- Willows City Mayor, All
- City Manager, All

From the following governing bodies:

- Willows City Council —All

Invited responses

Individuals listed are invited to respond to the findings and recommendations (by number).

- Northeast Willows Special District Board — R1; R2; R3, R5 — Optional

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

DISCLAIMER: There were not any recused Grand Jury members recused from this investigation)

ATTACHMENT #1—Construction for South Willows Commercial and Industrial Center Project Cost-Bridge to Industrial Complex

AGENDA ITEM

TO: Honorable Mayor Warren and Members of the City Council

FROM: John Wanger, City Engineer

SUBJECT: Award of a Construction Contract and a Contract for Construction Management and Inspection Services for the South Willows Commercial and Industrial Center Project (EDA Project 07-01-07275)

RECOMMENDATION

That the City Council adopt the attached resolution awarding the construction contract to Knife River Construction and the Construction Management and Inspection contract to 4-Leaf, Inc. for the South Willows Commercial and Industrial Center Project (EDA Project 07-01-07275

SITUATION (OR BACKGROUND):

Since submitting an application for grant funding in June 2015 to the Economic Development Administration (EDA) for federal funding, City staff, 3-Core and Basin Street Development have been diligently working on environmental clearances, development of construction documents and funding for the South Willows Commercial and Industrial Center Project (EDA Project 07-01-07275) (hereinafter referred to as the *"EDA project.")* Based on the diligent effort of all those involved, the project was advertised for bids in June. Bids were opened on July 25, 2018.

At the bid opening, four bids were received ranging in price from $4,840,103.50 to $5,332,820.00. The low bid received was from Knife River Construction. The engineer's estimate for the project was $3,760,318.50. In analyzing the bids, staff found that costs associated with construction of a bridge over the existing drainage ditch along Tehama Street and some of the general unit prices for much of the pipeline and roadwork were more than what was originally estimated (bridge costs were over $500,000 more than anticipated and unit pricing for general work resulted in exceeding the engineer's estimate by nearly $470,000.) As all of the bids were relatively close to one another, it appears that pricing was consistent, and no anomalies were apparent in any of the individual bids.

Because the bids were higher than allocated budgets from the EDA grant, an application for additional funding was filed with EDA. Authorization for additional monies was received by EDA on September 27, 2018. Based on authorization for additional funds from EDA, as well as a commitment for increasing matching monies from Basin Street, funding for the project is now fully approved.

. Based on the bids received, staff has completed a check of Knife River Construction's bid and found that their contractor's license is active and valid, that they possess a Class A license as required by the bid documents, and that Knife River Construction and their proposed subcontractors are all registered with the Department of Industrial Relations (as required by the recently passed legislation.) The bid submitted by Knife River Construction did have a mathematical error in the amount of $75,000.00 (the actual total mathematically was less than the total shown in their bid); however, this did not change the order of bidders (Knife River Construction is still the low bidder.) After discovering the mathematical error, staff contacted Knife River Construction to inform them of the mathematical error. Knife River reviewed their bid documents and verified they had made a mistake; however, they have stood behind the correct number and will honor the correct number ($4,840,103.50.) Knife River Construction's bid contained the required information per the bid documents.

Based on information contained in Knife River Construction's bid, staff has determined that it satisfies the bidding requirements for the Project. In addition to the verifications that staff typically goes through prior to recommending award of a construction project, the EDA funding required information be submitted per their requirements for approval prior to award of the contract. Staff has provided EDA staff with all required information and has been told by EDA staff that everything appears to be in order and that a letter approving award would be forthcoming; however, as of the writing of this staff report, the letter has not been received by EDA. Accordingly, staff is recommending award of the project to Knife River Construction once authorization for award is provided by EDA. An update to the status of the letter will be provided at the Council meeting.

In addition to award of the construction contract for this project, EDA funding regulations required that the City solicit and approve a contract for Construction Management and inspection of the project. A Request for Proposals (RFP) was prepared and circulated in late June to consultants. Advertising of the RFP was done in accordance with EDA regulations. Proposals were due on July 27, 2018. As of the due date, one proposal was received from 4-Leaf, Inc. Staff reviewed the proposal and found it responsive to the RFP. Based on the review by the staff, it is recommended that a contract for Construction Management and Inspection Services be awarded to 4- Leaf, Inc.

FINANCIAL CONSIDERATIONS

The estimated overall budget for this project is summarized as follows:

Construction Contract		$ 4,840,103.50
Estimated Construction Management/Inspection	$	625,974.00
Construction Contingency (10%)	$	484,010.00
Total Estimated Construction Cost		$ 5,950,087.50

The project is proposed to be funded as follows:

EDA Federal Funding for Construction/CM/Contingency	$3,654,368
CDBG OTC Grant City Matching Funds	$850,000
City Matching Funds	
Storm Drain Development Impact fees Sewer	$300,000
Sewer Enterprise Fund	$235,715
Basin St. Matching funds	$910,005
Total Funding	$ 5,950,088

NOTIFICATION

EDA
Knife River Construction 4-Leaf, Inc.

ALTERNATE ACTIONS

None recommended.

RECOMMENDATION

Staff recommends that the City Council approve the resolution awarding a construction contract for the South Willows Commercial and Industrial Center Project (EDA Project 07-01-07275) to Knife River Construction in the amount of $4,840,103.50 and awarding a Professional Service Agreement to 4-Leaf, Inc. for providing Construction Management and Inspection Services for the project in the amount of $625,974, upon receipt of written authorization from EDA. Additionally, that an overall budget of $5,950,088 be established for this project.

Respectfully submitted,

John Wanger
City Engineer

Attachments: Resolution
Contracts

Attachment #2—NBS Wastewater Invoice for cost of sewer study—Page 1

NBS
32605 Temecula Parkway, Suite 100
Temecula, CA 92592
Toll free: 800.676.7516 (P) 951.296.1997
nbsgov.com

Mr. Derek Cole
Partner
Cole Huber LLP
2281 Lava Ridge Court, Suite 300
Roseville, CA 95661

October 31, 2021
Project No: COLEHUBERWILLOWSCFG
Invoice No: 1021000148

Consulting Services

Contracted cost limits = CAP $11,530.00 + Sewer Rate Study + $29,900.00 = **$41,430.00**

Additional costs were authorized by the City through the City Manager for several last minute out-of-scope efforts; mailing of the Prop 218 Notices, taking part in the ballot tabulation, and getting the new rates into the property tax rolls.

At your request, we have disaggregated our costs into the cost-of-service study as well as the added scope tasks of the Proposition 218 Notices and Mailings, the assistance in the Protest Tabulation, and Preparing Information for the Tax Rolls. This invoice supersedes the previous invoices. Reimbursable expenses noted below

CAP $11,530.00

Professional Personnel

	Hours	Rate	Amount	
Director Associate Director				
Kissam, Nicole	21.00	205.00	4,305.00	
Consultant				
Guido, Lauren	28.00	140.00	3,920.00	
Totals	49.00		8,225.00	
Total Labor				8,225.00

Consulting Services

Sewer Rate Study - $29,900.00 [$29,698.40 labor + $201.60 expenses as detailed below]

Professional Personnel

	Hours	Rate	Amount	
Director Associate Director				
Highstreet, Allan	52.00	205.00	10,660.00	
Consultant				
Bou, Alice	0.00	140.00	0.00	
Taylor, Jordan	135.99	140.00	19,038.40	rounded
Totals	187.99		29,698.40	
Total Labor				29,698.40

Attachment #2—NBS Wastewater Invoice for cost of sewer study—Page 2

Reimbursable Expenses

Travel - Reimbursable

6/22/2021	Highstreet, Allan	Mileage to Willows June	100.80
8/31/2021	Highstreet, Allan	Mileage to Willows August	100.80
	Total Reimbursables		**201.60**

Consulting Services

Prop 218 Notices

Professional Personnel

	Hours	Rate	Amount	
Director Associate Director				
Highstreet, Allan	1.00	205.00	205.00	
Consultant				
Bou, Alice	9.00	140.00	1,260.00	
Taylor, Jordan	28.25	140.00	3,955.00	rounded
Tyau, Sue	9.00	120.00	1,080.00	
Totals	47.25		6,500.00	
Total Labor				**6,500.00**

Reimbursable Expenses

Mailing supplies		**151.87**
Postage for mailer	1,920 x $0.58	**1,113.60**
Total Reimbursables Notices and Ballots		**1,265.47**

Consulting Services

Ballot Tabulation

Professional Personnel

	Hours	Rate	Amount	
Director Associate Director				
Highstreet, Allan	0.00	205.00	0.00	
Consultant				
Bou, Alice	0.00	140.00	0.00	
Taylor, Jordan	42.85	140.00	6,000.00	rounded
Totals	42.85		6,000.00	
Total Labor				**6,000.00**

Reimbursable Expenses

Travel - Jordan Taylor	**Airfare**	**317.96**	
	Parking	**21.00**	
	Meals	**60.56**	
	Car Rental	**175.81**	
	Hotel	**211.96**	
Total Reimbursable Expenses -- ballot tabulation			**$787.29**

Attachment #2—NBS Wastewater Invoice for cost of sewer study—Page 3

Consulting Services

Property Tax Bill Preparation

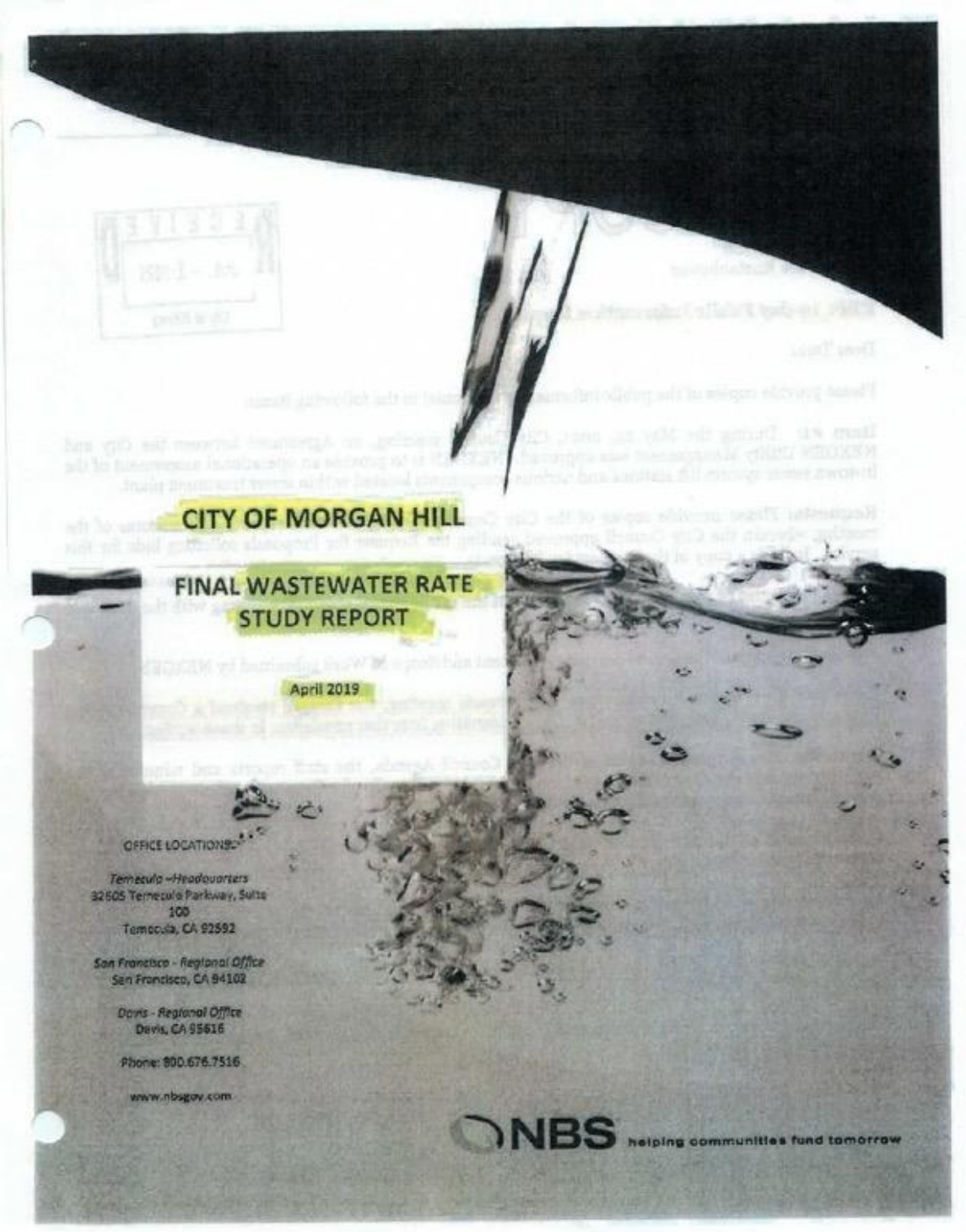
Professional Personnel

	Hours	Rate	Amount	
Director Associate Director				
Highstreet, Allan	17.00	205.00	3,485.00	
McCargo, Adina	4.50	205.00	922.50	
Consultant				
Bou, Alice	0.00	140.00	0.00	
Taylor, Jordan	41.16	140.00	5,762.40	
Totals	62.66		10,169.90	
Total Labor				10,169.90

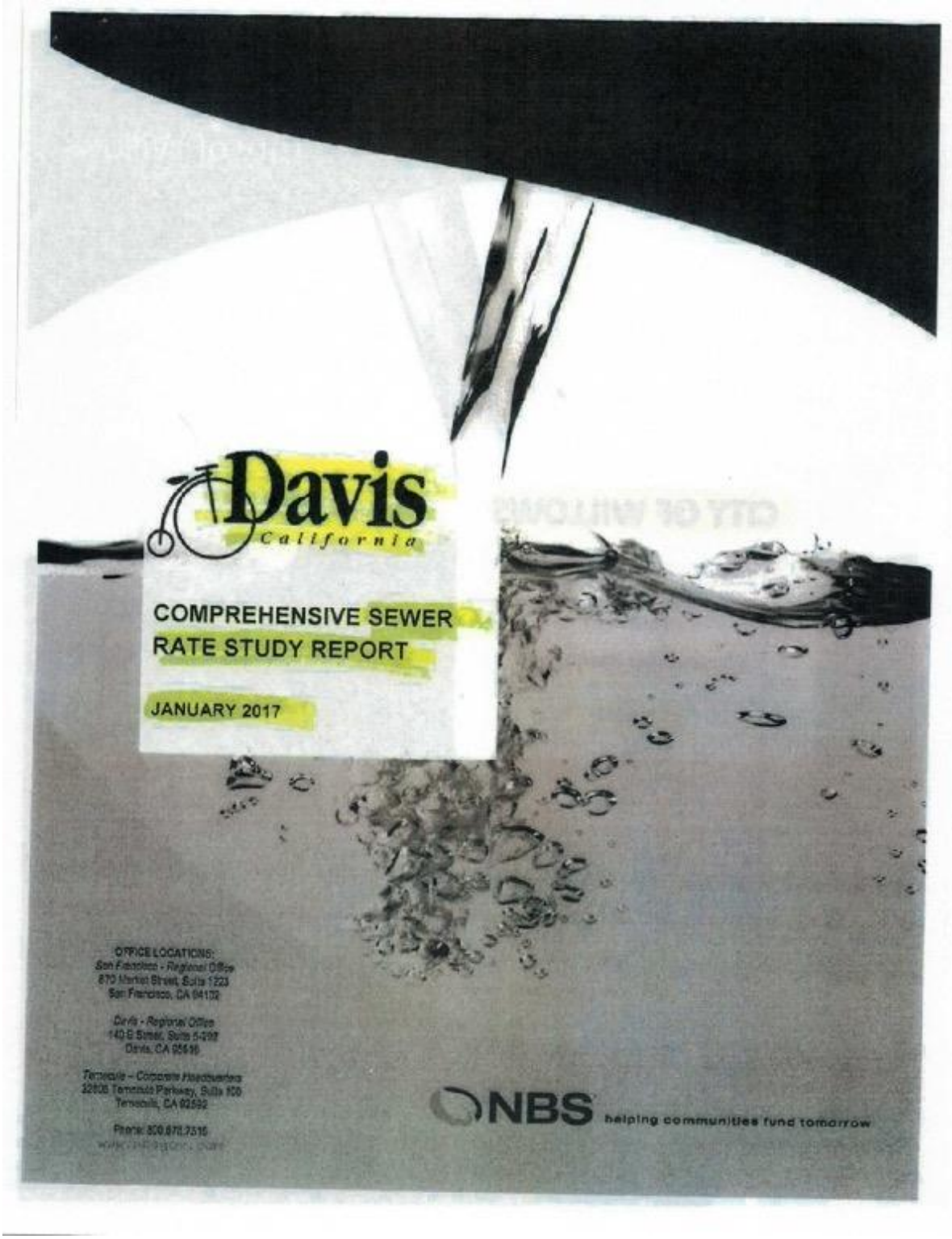
Contractual Billing Limits	Current	Prior	To-Date
Total Billings	38,125.00	0.00	38,125.00
Service Fees Limit for CAP and Sewer Rate Study			41,430.00
Remainder			3,305.00

TOTAL DUE: $62,847.66

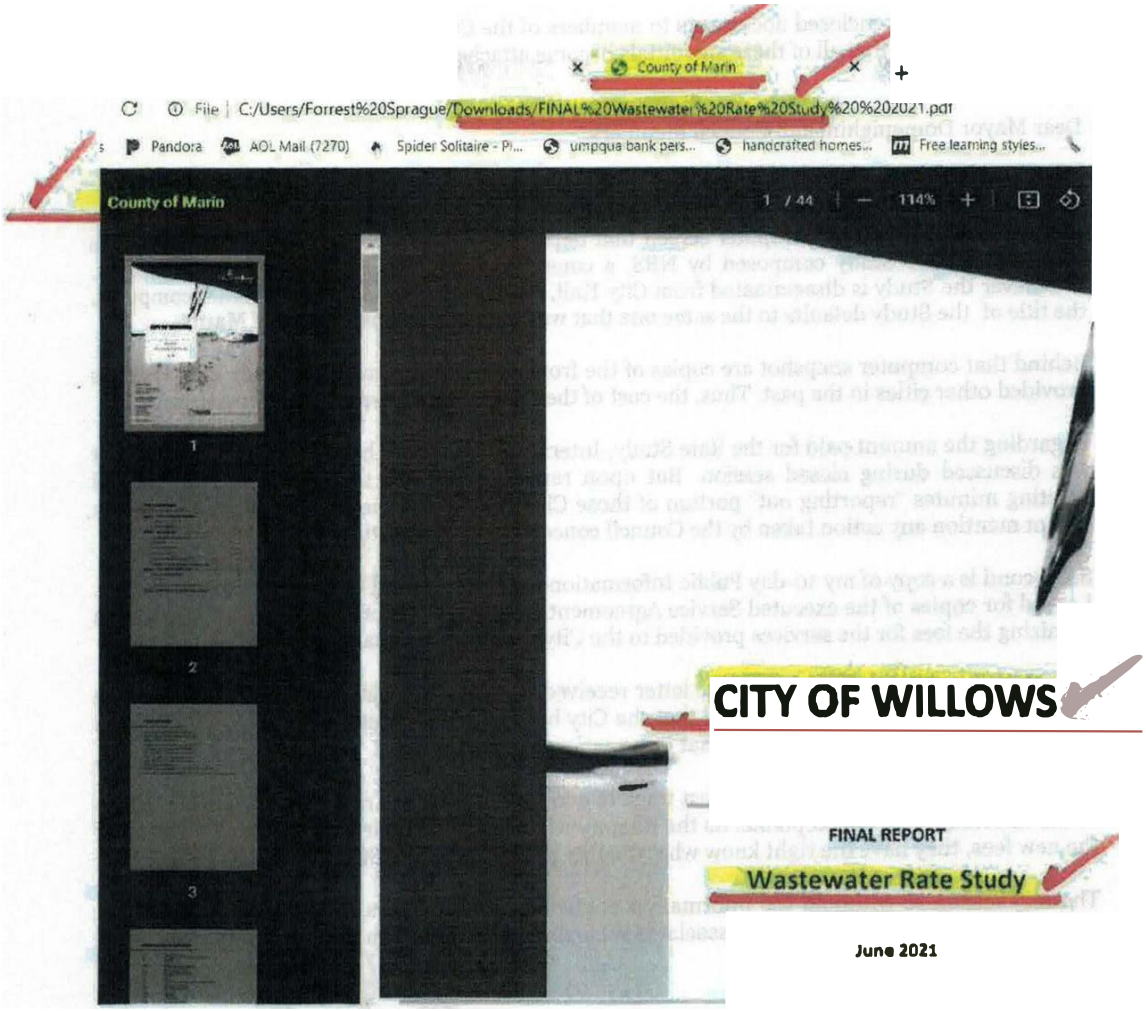
Attachment #3—NBS Wastewater Study Report Covers sent to Willows—Page 1—Morgan Hill



Attachment #3—NBS Wastewater Study Report Covers sent to Willows—Page 2—Davis



Attachment #3—NBS Wastewater Study Report Covers sent to Willows—Page 3-County of Marin Folder



Attachment #4—Parcels Owned by City

List of City of Willows owned properties listed by parcel number

December 8, 2022

001-101-001-000	WILLOWS CITY OF
001-181-001-000	WILLOWS CITY OF
001-222-001-000	WILLOWS CITY OF
001-223-001-000	WILLOWS CITY OF
001-232-001-000	WILLOWS CITY OF
001-233-003-000	WILLOWS CITY OF
002-031-005-000	WILLOWS CITY OF
002-051-012-000	WILLOWS CITY OF
002-061-001-000	WILLOWS CITY OF
002-061-002-000	WILLOWS CITY OF
002-091-002-000	WILLOWS CITY OF
002-101-002-000	WILLOWS CITY OF
002-101-004-000	WILLOWS CITY OF
002-101-005-000	WILLOWS CITY OF
002-101-009-000	WILLOWS CITY OF
002-101-010-000	WILLOWS CITY OF
002-161-006-000	WILLOWS CITY OF
002-262-010-000	WILLOWS CITY OF
003-034-009-000	WILLOWS CITY OF
003-044-006-000	WILLOWS CITY OF
003-113-006-000	WILLOWS CITY OF
003-142-004-000	WILLOWS CITY OF
003-270-009-000	WILLOWS CITY OF
003-280-001-000	WILLOWS CITY OF
005-191-023-000	WILLOWS CITY OF
005-363-009-000	WILLOWS CITY OF
005-363-010-000	WILLOWS CITY OF
005-363-011-000	WILLOWS CITY OF
017-170-005-000	WILLOWS CITY OF
017-170-034-000	CITY OF WILLOWS
017-170-037-000	WILLOWS CITY OF
017-170-040-000	WILLOWS CITY OF
017-170-049-000	WILLOWS CITY OF
017-170-050-000	WILLOWS CITY OF
017-180-005-000	WILLOWS CITY OF

Attachment #5—Attorney contract with NBS showing Cole Huber representing the City.

CONTRACTING SERVICES AGREEMENT BETWEEN THE CITY OF WILLOWS AND NBS FOR CONSULTING SERVICES

THIS AGREEMENT for services is entered into by and between the City of Willows, a municipal corporation in the State of California, by and through the Office of its City Attorney, the Cole Huber LLP Law Firm (hereinafter referred to as "City"), and NBS Government Finance Group, dba NBS (hereinafter referred to as "Consultant") as of February 11, 2021 (the "Effective Date").

Section 1. SERVICES. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached hereto and incorporated herein as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

1.1 Term of Services. The term of this Agreement shall begin on the Effective Date and shall end on December 31, 2021. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 8.

1.2 Standard of Performance. Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged in the geographical area in which Consultant practices its profession. Consultant shall prepare all work products required by this Agreement in a substantial, first-class manner and shall conform to the standards of quality normally observed by a person practicing in Consultant's profession.

1.3 Assignment of Personnel. Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.

1.4 Time. Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.1 above and to satisfy Consultant's obligations hereunder.

Section 2. COMPENSATION. City hereby agrees to pay Consultant a sum not to exceed the amounts described in Exhibit A, notwithstanding any contrary indications that

Attachment #5—NBS Signature Page showing David G. Ritchie signature instead a City Council Mayor or City Manager.

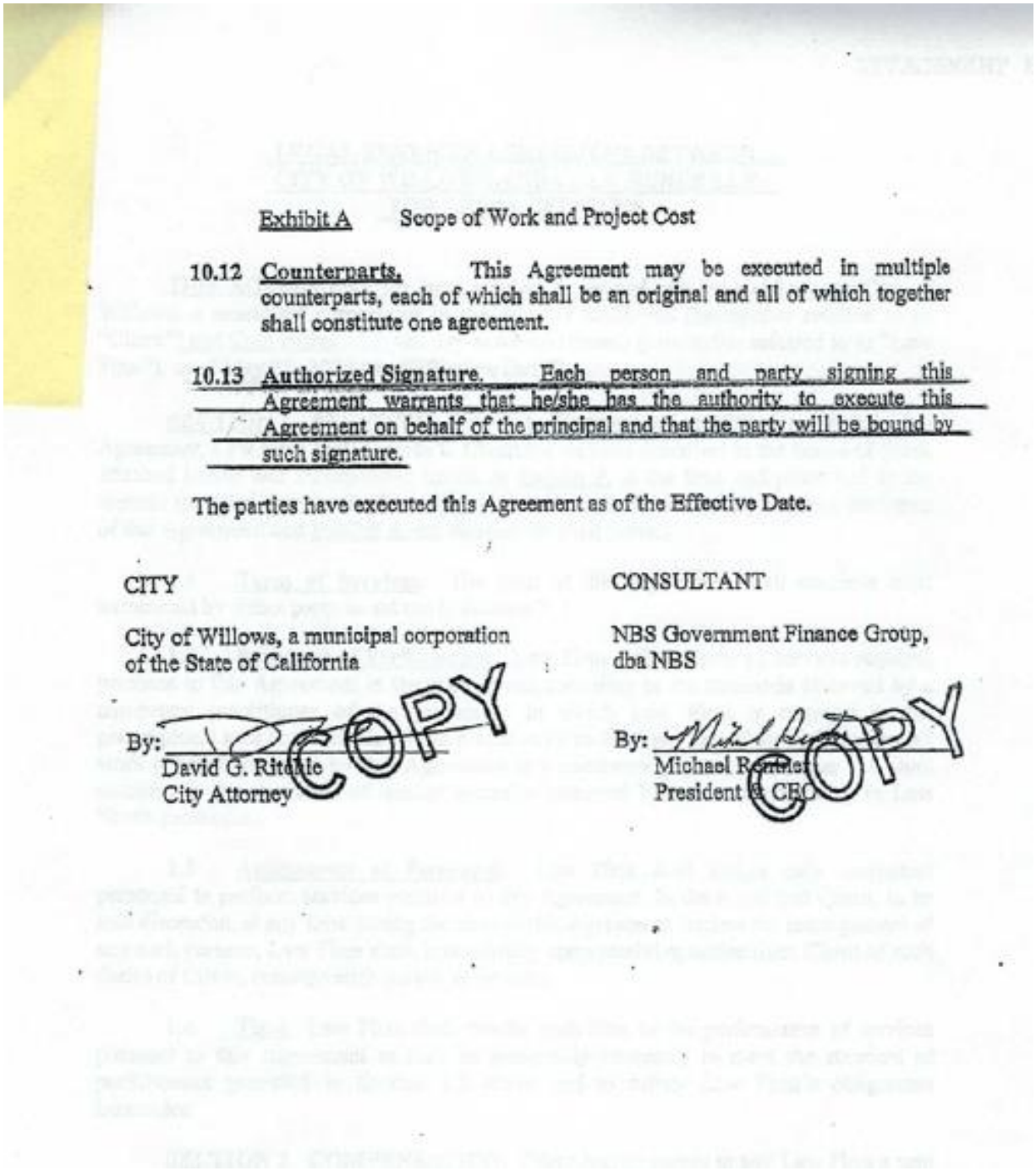


Exhibit A Scope of Work and Project Cost

10.12 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

10.13 Authorized Signature. Each person and party signing this Agreement warrants that he/she has the authority to execute this Agreement on behalf of the principal and that the party will be bound by such signature.

The parties have executed this Agreement as of the Effective Date.

CITY

City of Willows, a municipal corporation of the State of California

By: COPY
David G. Ritchie
City Attorney

CONSULTANT

NBS Government Finance Group, dba NBS

By: COPY
Michael Rohnert
President & CEO

Attachment #6—Agenda of June 22, 2020—Showing a Brown Act Violation.

Consent Agenda Item 5d

ACTION MINUTES OF THE WILLOWS CITY COUNCIL
REGULAR MEETING HELD JUNE 22, 2021

Meeting audio is available at the City of Willows website. This is not a live feature. Audio recordings are posted the succeeding business day following the scheduled City Council Meeting.
Please visit www.cityofwillows.org for free PodBean recordings.

1. Mayor Domenighini called the meeting to order at 7:00 p.m.

2. The meeting opened with the Pledge of Allegiance led by Council Member Warren.

3. Roll Call:
Council Members Present: Council Members Williams, Flesher, Warren, Vice Mayor Hansen, Mayor Domenighini
Council Members Absent:
Staff Present: Interim City Manager Wayne Peabody, City Attorney, David Richey and Marla Ehorn, Minute Clerk

4. Public Comment/ Written Communications: Jeff Fleck had questions regarding the sale of PG&E credits to Los Altos. Council and Staff provided information.

5. Consent Agenda:

a. Approval of general checking, payroll & direct deposit check registers
b. Approval of minutes of the Special Budget City Council Meeting held on June 10, 2021

Action:
Motion: Vice Mayor Hansen/Second: Council Member Williams
Moved to approve the Consent Agenda as presented above and the following item(s).
The motion passed unanimously 5/0 carried by the following voice vote:
AYES: Williams, Flesher, Warren, Vice Mayor Hansen, Mayor Domenighini
NOES:
ABSENT:
ABSTAIN:

6. Scheduled Public and/or Staff Presentations:

a. The City of Willows Comprehensive Waste Water Rate Study 2021 report was presented.

Action:
Motion: Vice Mayor Hansen/Second: Council Member Flesher
Moved to approve and accept the report and provide notice.
The motion passed unanimously 5/0 carried by the following voice vote:
AYES: Williams, Flesher, Warren, Vice Mayor Hansen, Mayor Domenighini
NOES:
ABSENT:
ABSTAIN:

b. Sharon Ponciano, spokesman for the Friends of the Willows City Pool, provided an update/presentation on summer swimming in using the high school pool. Jeff Fleck also spoke regarding the liability of using the high school pool and would like the Council to help with the liability insurance. The City Attorney gave information on the insurance issue.

WILLOWS CITY COUNCIL MEETING MINUTES-JUNE 22, 2021 1

Attachment 7a – Memo of Cure and Correct

Regular Business Agenda Item 6b

WILLOWS CITY COUNCIL
STAFF REPORT

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: INTERIM CITY MANAGER, CITY ATTORNEY

RE: RESCISSION OF COUNCIL ACTION ACCEPTING THE CITY OF WILLOWS COMPREHENSIVE WASTEWATER RATE STUDY 2021 TAKEN AT THE JUNE 22, 2021 REGULAR COUNCIL MEETING, AND CONSIDERATION OF AN ACTION OF COUNCIL ACCEPTING THE CITY OF WILLOWS COMPREHENSIVE WASTE WATER RATE STUDY 2021 REPORT (ACTION ITEM)

DATE: AUGUST 10, 2021

SUMMARY

The City, at the June 22, 2021 Regular Council Meeting, included an agenda item wherein Council would receive the report of the City of Willows Comprehensive Wastewater Rate Study 2021. NBS presented the rate study and explanations of the methods and the results of the study, including the rates necessary to meet the needs of the Wastewater system. Council, by action, accepted the report. The detailed staff report supporting the agenda item specifically indicated the potential for such action, as well as for providing further direction to staff. Despite the clarity in the staff report, the brief agenda listing on the main page of the agenda did not provide as much explicit detail. It said "City of Willows Comprehensive Wastewater Rate Study 2021 report presentation NBS." Although an action to consider accepting, and to actually accept, the report being presented would appear obviously directly related to and embodied within the concept that Council would receive the presentation of it, this level of detail was left to the contents of the staff report and not within the 20-word summary item on the agenda face. A copy of the agenda facing page and staff report from that meeting agenda item are attached here as exhibits to this action item staff report.

Subsequent to the meeting, City Council received a complaint from Forrest Sprague, demanding that the City Council "cure and correct" what he alleges are violations of the Ralph M. Brown Act (Gov. Code 54950 et. seq.) (The Brown Act) and threatening that he would otherwise take legal action against the City seeking judicial invalidation of any council action associated with the agendized item *and all subsequent related* actions. Sprague's complaint is that he did not have sufficient information in the agenda item to glean that Council might act to accept the report being presented to it in the agendized "presentations" section. Sprague argues that this action (accepting the report) is a violation in that the agenda description did not adequately place him (and other members

Attachment 7b – Memo of Cure and Correct

of the public) on notice that Council would contemplate an action to accept a report being presented to it (as obviously intertwined with receiving the report as that may be).

Sprague also takes issue with Council providing direction to staff to send the notices of a proposed rate increase, which would then begin a 45-day review period leading up to an agendized public hearing and possible action item to adopt new rates. He alleges that there are various procedural requirements that are not met that render any rate increase process invalid in connection with this direction to staff. Sprague threatens the City with legal action if it does not act to cure the alleged violation by rescinding the action within thirty (30) days.

DISCUSSION

Staff does not agree that Council has engaged in violations of the Brown Act. Notwithstanding that, and while no Brown Act violation has occurred here, it is good policy to strive to always provide more information to the public in Council Meeting Agendas.

Specifically with respect to providing direction to staff "There are three exceptions to the Brown Act's agenda requirement. Even if an item is not on the agenda, "members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under [Government Code] Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda." (Gov. Code, § 54954.2, subd. (a)(2).) (*see* Cruz v. City of Culver City, 2 Cal. App. 5th 239, 245, 205 Cal. Rptr. 3d 736, 740 (2016), as modified (Aug. 8, 2016)). Clearly the direction provided to staff to send the notices that would commence the process of placing a public hearing over potential future rate changes on a future agenda does not need to be agendized as a potential "action item" and is valid even if not agendized at all. To the extent that Sprague alleges there are procedural aspects of the rate setting process that are lacking (we do not agree with these contentions), those arguments have no bearing on whether giving direction to staff was proper in this instance (it was).

Here, where the action to accept the report was included in explicit detail in the staff report for the item in question, and where the agenda item itself contemplated Council's receipt of the report (as it was the report being *presented* to Council as indicated on the agenda, and not some other report). This situation is markedly different from other cases such as where violations were found due to action being taken on matters that are only tangentially related, [such as in *San Joaquin Raptor Rescue Center v. County of Merced* ((2013) 216 Cal.App.4th 1167) where the County Planning Commission adopted the results of a mitigated negative declaration when the subject matter was to consider subdividing the parcel.] Nonetheless, and without making any admission of a violation or a need to cure,

Attachment 7c – Memo of Cure and Correct

Council is recommended to rescind their acceptance of the City of Willows Comprehensive Wastewater Rate Study 2021 from the June 22, 2021 meeting and cure any alleged violation of the Act by now acting to accept the report by action of council pursuant to this agenda item, which is posted as an "Action Item" on the agenda for the August 10, 2021 regular meeting of the City Council.

FISCAL IMPACT

No fiscal impact.

ALTERNATIVES

The Council could decline to rescind and leave the prior action unchanged, however it is recommended out of an abundance of caution such that any perceived or alleged violation is "cured".

Council could decline to accept the report now under this action (if the prior action is rescinded) and there would be no practical effect – the report exists and says what it says, it is final and has been presented to the City.

RECOMMENDATIONS

By Motion and voice vote of council rescind the action accepting the City of Willows Comprehensive Wastewater Rate Study 2021 of the June 22, 2021 meeting and by action of council accept the City of Willows Comprehensive Waste Water Rate Study 2021.

ATTACHMENTS

City of Willows Comprehensive Wastewater Rate Study 2021
Agenda Face, June 22, 2021 City Council Regular Meeting
Staff Report regarding presentation of rate study from June 22, 2021 Meeting

Response Reports

to the



2021-2022

Grand Jury Civil Reports.

2022 – 2023 Glenn County Civil Grand Jury Response to the January 1, 2021-June 30, 2022, Glenn County Civil Grand Jury Report

SUMMARY

The power of the grand jury lies in the ability to publish fact-based reports that inform and educate both citizens and local government officials. Although the jury has no authority to enforce the recommendations included in such reports, it can determine whether local government agencies and officials have provided reasonable responses. These responses must follow a format and time-line clearly specified by law. The independent work and voice of grand juries is strengthened when local government entities and officials are held accountable and responsible to the will of their constituents. The 2022-2023 Glenn County Civil Grand Jury carefully reviewed all responses to the 2021-2022 Glenn County Civil Grand Jury Consolidated Final Report for compliance with the law. This report presents the analysis of that review. The 2022-2023 Glenn County Civil Grand Jury deemed all responses compliant and wishes to acknowledge the complete responses from the Glenn County Board of Supervisors. The 2021-2022 Civil Grand Jury appreciated the time and attention that all responders devoted to the work of the 2020-2021 Grand Civil Jury. Most Findings and Recommendations in a report will request a response from the agency. The 2021-2022 Civil Grand Jury presented five reports with Findings and Recommendations. The Board of Supervisors stated that the Hamilton City Community Services District is not under the jurist diction of the County government, therefore did not respond to the Findings and Recommendations. Four Re-ports were responded in accordance with the required information.
The Grand Jury thanks all responders for their willingness to provide additional feedback.

BACKGROUND

Normally, Grand Juries are impaneled in July of each year and serve a one-year term. Due to COVID-19 in the first part of 2021, it was difficult for the Grand Jurors to complete in-person interviewing. The term was extended for six months resulting in an 18-month term (January 1, 2021, to June 30, 2022). At the end of that term, a consolidated final report on the activities of local government was published. The consolidated reports include facts, Findings, Recommenda-tions, and a request for a response to the recommendations, this is developed after intensive in-vestigations. The reports also specify which government officials and entities must respond to any Findings or Recommendations as well as those who are invited, but not required, to respond. California Penal Code § 933.05 mandates how local governing bodies and elected officials must respond to Findings and Recommendations that fall under their jurisdictions.
It is the responsibility of the succeeding Grand Juries to monitor compliances.

METHODOLOGY

The Grand Jury reviewed:

- California Penal Code § 933.05 et seq., which specifies how responses are to be formatted.
- The 2021-2022 Glenn County Civil Grand Jury Consolidated Final Report.
- All responses to the 2021-2022 Glenn County Civil Grand Jury Consolidated Final Report.

DISCUSSION

Any report published by a grand jury must have at least one Finding and may have one or more Recommendations, as well as Commendations. According to the Penal Code, elected bodies and officials are mandated responders. There were five required responders, Hamilton City Community Services District, Glenn County Jail, Glenn County Animal Control, Glenn County Elections and Glenn County Child Protective Services/Foster Parents. There were responses from Glenn County Jail, Glenn County Animal Control, Glenn County Elections and Glenn County Child Protective Services/Foster Parents. The Board of Supervisors responded to the Hamilton City Community Services District being an independent special district within the State of California with its own governing board.

The 2022-2023 Glenn County Civil Grand Jury reviewed the responses to recommendations for compliance with the Penal Code. According to the Penal Code §933.05 (b), for each Grand Jury recommendation, the responding person or entity shall report one of the following actions:

1. The Recommendation has been implemented, with a summary regarding the implemented action.
2. The Recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
3. The Recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report.
4. The Recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation, therefor:

In addition to the requirement to include a timeframe when responding to Recommendations as indicated above, Penal Code §933 (c) sets a timeframe of 90 days following submission of a final report on the operations of any public agency subject to its reviewing authority. The governing body of the public agency shall comment to the Presiding Judge of the Superior Court on the Findings and Recommendations pertaining to matters under the control of the governing body.

The Grand Jury determined that all responses to Recommendations in the 2021-2022 Glenn County Consolidated Report were received in the proper time frame and were compliant with the exception of:

- The Board of Supervisors stated they received and reviewed the 2021-2022 report and "thanked the Grand Jury Members for their service to the community and their time and effort in researching and comping up with thoughtful and meaningful recommendations in their 2021-2022 Final Report."
- Hamilton City Community Service District had 13 Findings and Recommendations. The Board of Supervisors stated this is a stand-alone Special District and has no authority on procedures. No responses were received from the Service District President or Vice-President.
- The Glenn County Jail had five Findings, with Findings 2 and 4 beings implemented and Findings 1, 3 and not being implemented.
- Glenn County Animal Control had five Findings with the Board of Supervisors agreeing with Finding 1 and disagreeing with Finding 5 and partially agreeing with Findings 2, 3 and 4.
- Glenn County Elections Department had four Findings with Finding 4 not being implemented.
- Glenn County Child Protective Services/Foster Parents had seven Findings with agreement on Findings 1, 3, 4, 5, 6 and 7, partially agrees with F 2.

SUMMARY OF RESPONSES RECEIVED

The response summaries on the following pages summarize the responses of each mandated responding agency/entity.

Board of Supervisors

SUMMARY: The Glenn County Board of Supervisors responded in a timely manner as stated in Penal Code Section 933.05

Hamilton City Community Service District:

"The Hamilton City Community Services District is an independent special district within the State of California with its own and separate governing board, adopted bylaws and policies. The Glenn County Board of Supervisors has no legal jurisdiction or authority over the Hamilton City Community Services District. Therefore, we are unable to respond to the findings and recommendations."

Glenn County Jail

Findings:

F 1—F5 The Board of Supervisors agree with the Grand Jury's findings

Response to Recommendations:

R1—This recommendation has not been implemented. The Board of Supervisors concur with the recommendation and are supportive of the timeline in the department's response to have the doors and jams painted by October 2022.

Partly Completed

R2—This recommendation has been implemented. A TEK-84 body scanner was purchased on May 17, 2022. Jail staff were trained, a policy was written, and the body scanner went into service on April 6, 2022.

Completed

R3—This recommendation has not been implemented. The County of Glenn continuously seeks to fill vacancies in the jail. At the time the report was released there were seven vacancies in the jail and nine candidates in the background process to fill the vacant positions. The Board of Supervisors, along with the County Administrative Officer and Personnel Department continuously explore options that would promote employee retention.

Will Be Completed

R4—This recommendation has been implemented. The Board of Supervisors concur with the recommendation and are supportive of the level of compliance and advanced training opportunities as outlined by the department in their response.

Completed

R5—This recommendation will not be implemented at this time. The Board concurs with the recommendation and will prioritize the upgrade of the door control panel in the future. This upgrade would be expensive and is not budgeted for in the current fiscal year budget.

Will not be Completed.

Animal Control and the Cost of Doing Business

Summary: The public needs to have a clear and precise schedule of fees and charges from Animal Control

Findings:

F1—We agree with the finding. Animal Control is currently operating two (2) pickups for their services. One of the vehicles has been equipped with lift gates to assist with putting the animals in the cages. A second gate will be ordered once the second Animal Control Officer position is filled.

F2—We are unsure of the finding. The report states that unnamed persons were interviewed and gave different answers as to the cost they were charged for picking up a dead bat. Also, it was alleged that they were charging fees at their discretion, causing discrepancies.

F3—We are unsure of the finding. Animal Control has been stationed in Willows for years.

F4—We disagree with the finding. Finding

F5—We disagree with the finding. Recommendation

Response To Findings:

Agree with Finding 1, unsure of Findings 2 & 3 and disagree with Findings 4 & 5.

Response to Recommendations:

R1—It is recommended that Animal Control investigate the costs and install lift gates on all Animal Control trucks bed by September 30, 2022.

Response: The Glenn County Sheriff's Office has installed one lift gate on an Animal Control pickup. The second will be installed when the second position is filled.

Action:

This has been completed.

R2—It is recommended that the Animal Control Officers follow their Fee Schedule continuously.

Response: Animal Control Officers do not have the authority to change the Fees associated with the Glenn County Fee schedule (see attached). They have the authority to waive fees in certain circumstances, however. The Glenn County Sheriff's Office is in the process of updating Animal Control fees, however, there has been no change to cat trap fees (see attached). All updates will be made to the Fee Schedule prior to implementation. In regard to testing bats, Butte County Public Health sets fees for rabies testing. Fees are collected on their behalf for the testing services. Glenn County does not offer those services or charge fees for collecting a bat. There may be costs for surrendering a dog or cat for rabies testing due to euthanasia of the animal. Those costs would be collected by the County and are set in the Master Fee Schedule.

Action:

Will not be Completed.

R3—It is recommended that a Fee Schedule be adjusted to include mileage fees when picking up animals outside of Willows city limits by September 30, 2022.

Reply: The Glenn County Sheriff's Office has never charged mileage fees for picking up animals. This cost can be explored and discussed with the Board of Supervisors. However, the rising cost of fuel could make it difficult to establish a fair fee and put an expensive burden on the citizens of this county. One of the goals is to partially offset the operational costs of Animal Control, not to profit off of the citizens or make it too burdensome that citizens do not redeem or turn over animals.

Action:

Will Not Be Completed

R4—It is recommended that the Glenn County Animal Control clarify the current fees listed for domestic or feral cats on the website by September 20, 2022

Reply: All cats are considered free roaming animals. There is no way to differentiate costs between feral and domestic cats. The fees are the same for both. The City of Orland has a separate feral cat program with their own fees that they charge directly to their citizens.

Action:

Will Not Be Completed

R5—It is recommended that Glenn County publicize and hold regular vaccination clinics throughout the year and every year thereafter.

Reply: COVID stopped the Glenn County Animal Control Office from publicizing for and holding regular vaccine clinics in 2020. We held 6 rabies clinics in 2021 in Glenn County. We are in the process of scheduling more clinics in the late summer and early fall of 2022. Logistics with Veterinarians and schedules make it easier to schedule them at latter part of the year.

Action:

Disagrees with Finding

Glenn County Elections

Summary: Elections will change with the times

Findings:

F1—It was found that small community areas such as Capay, Lake, and Plaza do not have an opportunity for drop-in boxes.

Response To Findings:

We agree with finding.

Response to Recommendations:

R1—The Elections Department has explored several locations to place additional drop-boxes. Our main objective is to have a safe and secure location for these boxes. Other than our permanent drop-box that is located outside the main office, we have one other drop-box outside City Hall in Orland. This location was selected dur to being under camera surveillance and its location is right outside the Orland Police Department. We will continue to explore new secure locations to allow for additional drop-boxes during elections.

Action:

We agree with Finding

Findings:

F2—It was found the cleaning of voting machines was inconsistent during the election. Although there were cleaning wipes and hand sanitizers for voters to wipe down the machines, the machines were not regularly disinfected for COVID-19

Response To Findings:

We agree with the finding.

R2—Dependent on the voter traffic during election day, staff in unable to wipe or sanitize the machines in-between voters. For future and if staffing allows there will be an individual that will be assigned to sanitize the machines and equipment on a regular basis.

Action:

We agree with Finding.

Findings:

F3—It was found that Community voting information and locations were sparse to the public.

Response To Findings:

We disagree with findings.

R3—The voting locations are published in the newspapers ahead of the elections. The Voter Pamphlet that is included with the ballot also contained the poll locations and hours. Our web-site contains location information that can be searched based on voter's address.

Action:

We disagree with Finding.

Findings:

F4—The Election also holds the lead position of Assessor, County Clerk and Recorder. The Elections Clerk is an elected position while the Assessor, County Clerk and Recorder are ap-pointed positions. A combination of these positions creates a conflict of interest.

Response To Findings:

We disagree with findings.

R4—The Assessor, Clerk and Recorder positions were combined into one department on July 1, 197. It is practice that when the current Assessor-Clerk/Recorder is running opposition, they do not assist with any function of the election. On election night, they are absent from the office during the times that ballots are being tabulated.

Action:

Disagree, will not be implemented.

Child Protective Services (Child Welfare Services CWS-HHSA)

Summary: Taking care of our foster youth and foster parents

Findings:

F1—Foster parents agreed that more training in all areas of fostering youth would be a benefit.

Response To Findings:

Agree with the Finding.

Response to Recommendations:

R1— This will be implemented effective October 1, 2022. The department requires new pro-spective and current foster parents to receive a minimum level of training before caring for chil-dren placed in their care, and then ongoing as required by law. Additionally, training is available on a fairly continuous basis, and the Child Welfare or Resource Family Approval (RFA) social worker can assist with customized training arrangements to meet the needs of the youth in care or at the request of the family. With the rise in the use of technology over the past two years, more trainings are offered by video conferencing. There have also been services implemented to

support youth and their families in crisis over the past year – often the time caregivers or parents wish they had more training or experience in a particular situation. The department will be strengthening the noticing of training opportunities by the date shown. The department also seeks not to overburden foster parents with training that is note required or relevant to their unique family situation.

Action:

Agree with the Finding.

Findings:

F2.—During the COVID-19 pandemic quarantine, businesses, schools, and everything nation-wide was closed. Since everything was closed, here were not any services, including phone contact available to foster parents.

Response To Findings:

Partially disagree with this finding.

Response to Recommendations:

R2—It is recommended that Glenn County have a backup plan for the needs of foster parents and foster youth during pandemics and/or natural disasters that could cast shutdowns with the County Services. ***The department has grown far more efficient over the past two years in continuing operations and now has plans to manage operations over a prolonged pandemic. Most services have been resumed or modified to keep children and caregivers safe while continuing services. The department has continued essential services governed by the California Department of Social Services and Public Health. However, the department acknowledges that individual experiences accessing services may have varied in the early months of the pandemic, as it was quite challenging time.

Action:

Has been implemented.

Findings:

F3—There is no Child Psychiatrist on site for children's counseling in our County.

Response To Findings:

Agree with the Finding

Response to Recommendations:

We agree that on-site psychiatrist services are quite limited or not available in the County. Glenn County Behavioral Health went through the procurement of a psychiatrist/telepsychiatry in June 2021. As seen around the State of California, there is a shortage of psychiatrists, especially in rural areas. This has resulted in the need for many counties to use telepsychiatry. In August of 2021, Glenn County Behavioral Health hired Dr. Enstin Ye, who sees clients ages 16 and up through telehealth. Additionally, she sees clients in-person one week every month. In October of 2021, Glenn County Behavioral Health hired a child psychiatrist, Dr. Jasmine Scott-Hawkins, who sees clients up to 18 through telehealth only. Due to the statewide and historically difficultly to have on-site services, it would appear to be unreasonable within a foreseeable time

frame. Counseling services are available on-site through Glenn County Behavioral Health for children, youth, and adults and through telehealth.

Action:

Will not be implemented, because it is not reasonable.

Finding:

F4—Each set of foster parents indicated there is a huge need for respite care.

Response To Findings:

Agree with this Finding.

Response to Recommendations:

F4—It is recommended Glenn County CPS contact Butte County for their information regarding their Respite Care Program. The department will review the Butte County program and continue looking for opportunities and funding to improve services to families. We remain hopeful that state policy will prove more emphasis on supporting foster parents and relative caregivers, such as extended family and grandparents.

Action:

This will be implemented. A review of Butte County Respite Care program by December 31, 2022

Findings:

F5—The foster parents from earlier years had a more enjoyable experience with help from Social Services.

Response To Findings:

R5—Agree with this Finding.

Response to Recommendations:

R5—It is recommended that the Social Services continue to assist foster parents in the future regardless of environmental emergencies.

Action:

There have been many changes in the program over time, and there has been an increased emphasis on monitoring the quality of services. As acknowledged earlier, folks may have had different experiences during the COVID-19 pandemic, and it has taken a toll on the interpersonal relationships and time to build relationships, observe and lister. With the resumption of mist services, the department is committed to continuing services to assist foster parents regardless of emergencies, per state and federal law.

This has been implemented.

Findings:

F6—Each set of foster parents had a different experience with the Social Workers. In the later year, it was difficult to get any help due to COVID-19.

Response To Findings:

Agree with this Finding.

Response to Recommendations:

R6—It is recommended that Social Workers under Social Services follow their policies and procedures throughout the upcoming years to be consistent with delivery of services.

Glenn County is committed to working with children, youth, and families, in a manner that is consistent with agency policies and procedures and guidance from the California Department of Social Services. The CWS managers and supervisors run reports to ensure that contacts occur at least monthly. The quality of social worker visits and the delivery of services will also be assessed and monitored through Continuous Quality Improvement (CQI) activities.

Action:

Agree with this Finding and it has been implemented.

Findings:

F7—Foster Parents in the earlier years were given an Annual Appreciation Dinner by the County for them and their children. It made them feel appreciated and recognized for the hard work they were doing.

Response To Findings:

F7 —Agree with this Finding.

Response to Recommendations:

R7—It is recommended to show appreciation for all foster parents and their children that the CPS department budget money to finance an Annual Appreciation Dinner. With the changes to the provision of services and increase in funding this budget fiscal year, the RFA unit is excited to be able to resume this annual Appreciation Dinner for its resource families to show appreciation and recognition for the work they do.

Action:

R7—Has not been implemented **but** will be implemented by June 1, 2023

Attachment 1—Board of Supervisors Response, Page 1

GLENN COUNTY BOARD OF SUPERVISORS

Willows Memorial Hall, 2nd Floor 525 West Sycamore Street, Suite B1 Willows, CA 95988

Grant Carmon, District 1
Paul Barr, District 2
Tom Arnold, District 3
Keith Corum, District 4
Vacant, District 5

September 20, 2022

The Honorable Donald Cole Byrd
526 West Sycamore Street Willows, CA 95988

Dear Judge Byrd:

SUBJECT: RESPONSE OF THE BOARD OF SUPERVISORS TO THE 2021/22 FINAL GRAND JURY REPORT

The Glenn County Board of Supervisors has received and reviewed the 2021/22 Grand Jury Report. We would like to thank the Grand Jury Members for their service to the community and their time and effort in researching and coming up with thoughtful and meaningful recommendations in their 2021/22 Final Report.

The Grand Jury has requested a response from the Board of Supervisors in five areas:

- Hamilton City Community Services District
- Glenn County Jail
- Animal Control and the Cost of Doing Business
- Glenn County Elections Report
- Child Protective Services and Foster Parents

Pursuant to Penal Code Section 933.05, the Board of Supervisors respectfully submits the responses to the recommendations set forth in the 2021/22 Final Grand Jury Report. In addition, the Board has reviewed responses received by County Departments and in general concurs with their comments and conclusions. The Board would like to thank Sheriff Warren, Acting Sheriff Dahl, Jail Commander Lieutenant Gibbs, Health and Human Services Agency Director Christine Zoppi, Child Welfare Services Manager Steve Thalken, and Assessor Sendy Perez for their complete and timely response to the 2021/22 Final Grand Jury Report.

HAMILTON CITY COMMUNITY SERVICES DISTRICT

The Hamilton City Community Services District is an independent special district within the State of California with its own and separate governing board, adopted bylaws and policies. The Glenn County Board of Supervisors has no legal jurisdiction or authority over the Hamilton City Community Services District. Therefore, we are unable to respond to the findings and recommendations.

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Attachment 1—Board of Supervisors Response, Page 2

GLENN COUNTY JAIL

Findings

F1. – F5. The Board of Supervisors agree with the Grand Jury's findings.

Recommendations:

R1. This recommendation has not been implemented. The Board of Supervisors concur with the recommendation and are supportive of the timeline in the department's response to have the doors and jams painted by October 2022.

R2. This recommendation has been implemented. A TEK-84 body scanner was purchased on May 17, 2022. Jail staff were trained, a policy was written, and the body scanner went into service on April 6, 2022.

R3. This recommendation has not been implemented. The County of Glenn continuously seeks to fill vacancies in the jail. At the time the report was released there were seven vacancies in the jail and nine candidates in the background process to fill the vacant positions. The Board of Supervisors, along with the County Administrative Officer and Personnel Department continuously explore options that would promote employee retention.

R4. This recommendation has been implemented. The Board of Supervisors concur with the recommendation and are supportive of the level of compliance and advanced training opportunities as outlined by the department in their response.

R5. This recommendation will not be implemented at this time. The Board concurs with the recommendation and will prioritize the upgrade of the door control panel in the future. This upgrade would be expensive and is not budgeted for in the current fiscal year budget.

ANIMAL CONTROL AND THE COST OF DOING BUSINESS

Findings

F1. The Board of Supervisors agree with the Grand Jury's findings.

F2. The Board of Supervisors partially disagree with the finding. It appears that additional information and clarification is necessary. The report states that unnamed persons were interviewed and gave varying answers as to the cost they were charged for picking up a dead bat. Also, it was alleged that they were charging fees at their discretion, causing discrepancies.

F3. The Board of Supervisors partially disagree with the finding. Animal Control has been located in Willows for many years and the fee schedule lists the appropriate cost for animal pick-up based on the current fee schedule adopted be the Board of Supervisors.

F4. The Board of Supervisors partially disagree with the finding. Although domestic and feral cat fees may be unclear, there is no way to differentiate the two. All cats are considered free roaming animals.

F5. The Board of Supervisors disagree with the finding. Six rabies clinics were held in 2021.

Recommendations

R1. This recommendation has been implemented. One truck has been upfitted with a lift gate and the second truck is prepared to be installed when the position is filled

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Attachment 1—Board of Supervisors Response, Page 3

R2. This recommendation has not been implemented. The Board concurs with the Grand Jury that a confusion in fees between the staff and public may exist. It is our opinion that additional information may be required. The Board is supportive of updating the Animal Control fee schedule. Upon adoption of a new fee schedule, the update fees would be posted on the Glenn County website and provided to staff for their review.

R3. This recommendation has not been implemented. As mentioned above, the department is in the process up updating fees. The Board is supportive of the department's response and would be open to exploring the idea of including milage fees with the department.

R4. This recommendation will not be implemented. The Board concurs with the department response, as cats are considered free roaming animals and the differentiation between feral and domestic cats becomes problematic.

R5. This recommendation has been implemented. The Board concurs with the Grand Jury's recommendation and the response from the department to commit to incorporating the recommendation. A series of rabies clinics are being hosted from August 13, 2022, through September 24, 2022, at various locations within Glenn County.

GLENN COUNTY ELECTIONS REPORT

Findings

F4. The Board of Supervisors disagree with the finding. Checks and balances are in place to reduce the potential for a conflict-of-interest issue.

Recommendations

R4. This recommendation will not be implemented. The positions of the Assessor, Clerk and Recorder are elected positions pursuant to Government Code section 24009 and those positions may be combined pursuant to Government Code section 24303(x). The elected Clerk serves as the elections official pursuant to Government Code section 26802. On July 1, 1997, the Board of Supervisors combined these offices into one elective position. The Board is supportive of the current practices as outlined in the department response. Should these positions be separated, it would cause a significant financial burden on the county.

CHILD PROTECTIVE SERVICES AND FOSTER PARENTS

Findings

F1, F3, F7. The Board of Supervisors agree with these findings.

Recommendations

R1. This recommendation will be implemented October 1, 2022. The Board concurs with the recommendation and the department's response, committing to incorporate the recommendation to provide additional training opportunities.

R3. This recommendation will not be implemented. Although the Board concurs with the recommendation and the benefits associated with it, it is not reasonable. The Board supports the response from the department and the steps taken to ensure the services currently available and through telehealth remain in place. Unfortunately, a statewide shortage in psychiatrists, impacts rural areas the most.

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Attachment 1—Board of Supervisors Response, Page 4

R7. The recommendation has not been implemented. The Board concurs with the Grand Jury's recommendation and is supportive of the department implementing the recommendation to reinstate a Foster Family Annual Event in accordance with funding conditions which does not create a gift of public funds.

In closing, the Board of Supervisors has reviewed all of the responses and is committed to work with staff to meet their goals. Again, the Board of Supervisors would like to express its appreciation to the members of the 2021/22 Grand Jury and offer our recognition of the extraordinary commitment required to serve as a member of the Grand Jury. Please contact our office if you have any questions.

Sincerely,

GLENN COUNTY BOARD OF SUPERVISORS

_____

Thomas J. Arnold, Chairman

cc: Margaret Ansel, 2021/22 Grand Jury Foreperson Tina Brothers, Clerk of the Board

Office (530) 934-6400 * Fax (530) 934-6419 * e-mail: gcboard@countyofglenn.net * website: www.countyofglenn.net

Attachment 2—Response, Glenn County Sheriff Office, Page 1

GLENN COUNTY SHERIFF'S OFFICE

Sheriff, Coroner, Civil Process, Office of Emergency Services, Animal Control

"Commitment to Service, Dedication to Community"

RICHARD L. WARREN, JR. Director O.E.S. Director O.E.S. JASON A. DAHL Sheriff/Coroner Undersheriff Deputy

July 8, 2022

The Honorable Donald Cole Byrd
Presiding Judge of the Superior Court, County
of Glenn 526 W. Sycamore Street
Willows, CA 95988

RE: Response to the 2021-2022 Glenn County Grand Jury Report

Pursuant to Penal Code section 933.05, please accept the following response in regard to "Glenn County Jail".

In response to your findings within the Glenn County Jail, I noticed only one (1) area needing to be addressed. Our medical provider is WELL-PATH not WELL-PASS.

F1 / RI response-
After consulting with our Secured Facility Maintenance Supervisor Roy Medina, he advised that he has placed this on his list as a priority to be completed by October 22, 2022.

F2 / R2 response-
The TEK-84 body scanner was purchased and installed on May 17, 2022. Jail staff was trained in proper usage on June 7, 2022. Sheriff Warren authored the body scanner policy, and it went into effect on April 6, 2022.

F3 / R3 response-
The Glenn County Jail currently has seven (7) vacant positions. We currently have nine (9) individuals in the background process.

F4 / R4 response-
Attached is our 2021/2022 training tracking sheet. The Glenn County Jail administration is in compliance with STC training expectations. In fact, this list shows every advanced training jail staff have completed.

543 W. Oak Street • Willows, CA 95988
Administration (530) 934-6441 • Fax (530) 934-6473
24 Hour (530) 934-6431 • (530) 865-1122 • Fax (530) 934-6429
Jail (530) 934-6428 • Fax (530) 934-6427

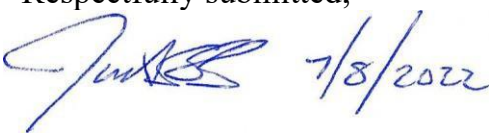
Two (2) of the three (3) new hires will be attending Adult Corrections Officer Core Course (CORE) in September 2022.

Attachment 2— Response, Glenn County Sheriff Office, Page 2

F5 /F6 response-

The Sheriff's Office administration has placed this concern on the list of items to be upgraded within the near future. This item is an expensive upgrade and is currently unfunded.

Respectfully submitted,



Lt. Justin Gibbs
Glenn County Jail Commander

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Jail (530) 934-6428 • Fax (530) 934-6427

Attachment 3—Response, Glenn County Sheriff Office Training Tracking sheet, Page 1

TRAINING TRACKING SHEET

2021/2022

OFFICER	SCHEDULED	COMPLETED	REMARKS
Lt. Gibbs		24 hrs.- Corrections Seminar- Nov 30 — Dec 03	
Sgt. Melgarejo		4 hrs.- Games Criminals- Apr 6 4 hrs.- Suicide/MH- Apr. 7 8 hrs.- Happily Ever After- Apr. 14 4 hrs.- Fentanyl to Flakka- Jun 07 4 hrs.- Trained to Win- Jun 15	
Cpl. Sullivan		8 hrs.- Suicide Detection- Nov. 17 8 hrs.- Implicit Bias- Nov. 18 8 hrs.- Happily Ever After- Apr. 14	
Cpl. Berlier		4 hrs.- Leadership- Feb 25 8 hrs.- Tact. Comm.- Mar 23 8 hrs.- Happily Ever After- Apr. 14 4 hrs.- Trained to Win- May 27	
Dep. Martinez		8 hrs.- First Aid/CPR- Oct 05 8 hrs.- Suicide Detection- Nov. 17 8 hrs.- Implicit Bias- Nov. 18	
Dep. R. White		8 hrs.- First Aid/CPR- Oct 28 8 hrs.- Suicide Detection- Nov. 17 8 hrs.- Implicit Bias- Nov. 18	
Dep. Beckett		40 hrs.- DTAC- Jul 26 - 30 8 hrs.- First Aid/CPR- Oct 05	
Dep. Reynolds		8 hrs.- First Aid/CPR- Oct 05 4 hrs.- Vicarious Trauma- Apr 6 4 hrs.- Games Criminals- Apr 6 4 hrs.- Suicide/MH- Apr. 7 4 hrs.- Trained to Win- May 27	
Dep. Vargas		8 hrs.- First Aid/CPR- Oct 05 120 hrs.- Requal Course- Oct 18 —Nov 6	
Dep. Ramos		187 hrs.- COCC- sept 7- Oct 8 40 hrs.- 832 PC- Oct 11 - Oct 15 8 hrs.- First Aid/CPR- Oct 28 24 hrs.- 832 pc- Jan 21-23	
Dep. Peterson		COCC- San Diego County S. O.	
Dep. Sassman		187 hrs.- COCC- sept 7 - Oct 8 40 hrs.- 832 PC- Oct 11 - Oct 15 24 hrs.- 832 PC- Jan 21 - 23	
Dep. Ian White		8 hrs.- First Aid/CPR- Oct 28 24 hrs.- 832 PC- Jan 10 - 14 187 hrs.- COCC- Apr 05 - May 06 24 hrs.- PC 832- May 20 - 22	
Dep. Barreraz		8 hrs.- First Aid/CPR- Oct 05	

Attachment 4—Board of Supervisors Response, Glenn County Sheriff Office, Animal Control, Page 1

GLENN COUNTY SHERIFF'S OFFICE

Sheriff, Coroner, Civil Process, Office of Emergency Services, Animal Control

"Commitment to Service, Dedication to Community"

RICHARD L. WARREN, JR.
Sheriff/Coroner
Director O.E.S.
O.E.S.

JASON A. DAHL
Undersheriff
Deputy Director
AMY TRAVIS
Deputy Director O.E.S

July 8, 2022

The Honorable Donald Cole Byrd
Presiding Judge of the Superior Court, County of Glenn 526 W. Sycamore Street
Willows, CA 95988

RE: Response to the 2021-2022 Glenn County Grand Jury Report Dear Judge Byrd:

The members of the Glenn County Sheriff's Office and I wish to thank the Grand Jury for their professionalism, expertise, and service to our community. It was a pleasure to work with Grand Jury members who were informed, objective, and involved in making our government and our community better.

Pursuant to Penal Code section 933.05, please accept the following response in regard to "**Animal Control and the Cost of Doing Business"**:

Finding F1 – We agree with the finding. Animal Control is currently operating two (2) pickups for their services. One of the vehicles has been equipped with lift gates to assist with putting the animals in the cages. A second gate will be ordered once the second Animal Control Officer position is filled.

Finding F2 – We are unsure of the finding. The report states that unnamed persons were interviewed and gave different answers as to the cost they were charged for picking up a dead bat. Also, it was alleged that they were charging fees at their discretion, causing discrepancies.

Finding F3 – We are unsure of the finding. Animal Control has been stationed in Willows for years.

Finding F4 – We disagree with the finding.

Finding F5 – We disagree with the finding.

Recommendation R1 – The Glenn County Sheriff's Office has installed one lift gate on an Animal Control pickup. The second will be installed when the second position is filled.

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Jail (530) 934-6428 · Fax (530) 934-6427

Attachment 4—Board of Supervisors Response, Glenn County Sheriff Office, Animal Control, Page 2

Recommendation R2 – Animal Control Officers do not have the authority to change the Fees associated with the Glenn County Fee schedule (see attached). They have the authority to waive fees in certain circumstances, however. The Glenn County Sheriff's Office is in the process of updating Animal Control fees, however, there has been no change to cat trap fees (see attached). All updates will be made to the Fee Schedule prior to implementation.
In regard to testing bats, Butte County Public Health sets fees for rabies testing. Fees are collected on their behalf for the testing services. Glenn County does not offer those services or charge fees for collecting a bat. There may be costs for surrendering a dog or cat for rabies testing due to euthanasia of the animal. Those costs would be collected by the County and are set in the Master Fee Schedule.

Recommendation R3 – The Glenn County Sheriff's Office has never charged mileage fees for picking up animals. This cost can be explored and discussed with the Board of Supervisors. However, the rising cost of fuel could make it difficult to establish a fair fee and put an expensive burden on the citizens of this county. One of the goals is to partially offset the operational costs of Animal Control, not to profit off of the citizens or make it too burdensome that citizens do not redeem or turn over animals.

Recommendation R4 – All cats are considered free roaming animals. There is no way to differentiate costs between feral and domestic cats. The fees are the same for both. The City of Orland has a separate feral cat program with their own fees that they charge directly to their citizens.

Recommendation R5 – COVID stopped the Glenn County Animal Control Office from publicizing for and holding regular vaccine clinics in 2020. We held 6 rabies clinics in 2021 in Glenn County. We are in the process of scheduling more clinics in the late summer and early fall of 2022. Logistics with Veterinarians and schedules make it easier to schedule them at latter part of the year.

Note: I have attached a current copy of the Administrative Fees Schedule for the County of Glenn that is on the County of Glenn website for reference.

I wish to again express my gratitude to the Grand Jury for their effort, responsiveness, and cooperation. With the continued help of dedicated individuals that serve on Grand Juries, we will continue to progress and meet the needs of our County and our community. The men and women of the Glenn County Sheriff's Office continually strive to improve and live up to our motto: *Commitment to Service, Dedication to Community.*

Sincerely,

Jason Dahl
Acting Sheriff/Coroner

Cc: Board of Supervisors

543 W. Oak Street · Willows, CA 95988 Administration (530) 934-6441 · Fax (530) 934-6473
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Jail (530) 934-6428 · Fax (530) 934-6427

Attachment 5—Board of Supervisors Response, Elections Department, Page 1

COUNTY OF GLENN
ELECTIONS DEPARTMENT
Courthouse Complex
516 West Sycamore Street, 2nd Floor Willows, CA 95988

SENDYPEREZ
Assessor
County Clerk
Recorder
Elections
(530) 934-6414
(530) 934-6571

July 13, 2022

Honorable Donald Cole Byrd Presiding Judge
Glenn County Superior Court 526 West Sycamore St.
Willows, CA 95988

RE: Response to the 2021-2022 Grand Jury Final Report

Dear Judge Byrd:

This letter is in response to the report prepared by members of the Grand Jury dated June 15, 2022, following up to ensure the Department is following State laws and local procedures. The responses to the specific finding are detailed below.

Finding 1: ***It was found that small community areas, such as Capay, Lake, and Plaza do not have an opportunity for drop-in boxes.***

We agree with finding.

The Elections Department has explored several locations to place additional drop-boxes. Our main objective is to have a safe and secure location for these boxes. Other than our permanent drop box that is located outside the main office, we have one other drop-box outside City Hall in Orland. This location was selected due to being under camera surveillance and its location is right outside the Orland Police Department. We will continue to explore new secure locations to allow for additional drop-boxes during elections.

Finding 2: ***It was found the cleaning of voting machines was inconsistent during the election. Although there were cleaning wipes and hand sanitizers for voters to wipe down the machines, the machines were not regularly disinfected/or COVID-19.***

We agree with finding.

Dependent on the voter traffic during election day, staff in unable to wipe or sanitize the machines in-between voters. For future and if staffing allows there will be an individual that will be assigned to sanitize the machines and equipment on a regular basis.

Attachment 5—Board of Supervisors Response, Elections Department, Page 2

Finding 3: It was found that Community voting information and locations were sparse to the public.

We disagree with findings.

The voting locations are published in the newspapers ahead of the elections. The Voter Pamphlet that is included with the ballot also contained the poll locations and hours. Our website contains location information that can be searched based on voter's address.

Finding 4. The Election Clerk also holds the lead position of Assessor, County Clerk and Recorder. The Elections Clerk is an elected position while the Assessor, County Clerk and Recorder are appointed positions. A combination of these positions could create a conflict of interest.

We disagree with finings.

The Assessor, Clerk and Recorder positions were combined into one department on July 1, 1997. It is practice that when the current Assessor-Clerk/Recorder is running with opposition, they do not assist with any function of the election. On election night, they are absent from the office during the times that ballots are being tabulated.

Sincerely,

Sendy Perez
Assessor/Clerk-Recorder

Attachment 6—Board of Supervisors Response, HHSA, Page 1

Erin Valdez
Deputy Director-Finance & Administration

Joe Hallett
Director of Behavioral Health

Christine Zoppi, Director

GLENN COUNTY HHSA
HEALTH & HUMAN SERVICES AGENCY

Bill Wathen
County Welfare Director

Dr. Jared Garrison
County Health Officer

Laura Medina
Public Health
Assistant Deputy Director

August 23, 2022

To: Donald Cole Byrd, Presiding Judge
Glenn County Superior Court
526 W. Sycamore Street
Willows, CA 95988

Subject: Response to the 2021/2022 Grand Jury Final Report

Honorable Judge Byrd:

It's been an honor to be a public servant in Glenn County, especially serving children and families. The following is a joint response to the 2021/2022 Grand Jury Report provided by the Child Welfare Services (CWS) Manager and the HHSA Director:

F1. Foster parents agreed that more training, in all areas of fostering youth would be beneficial. **- Agree with the Finding.**
R1. It is recommended that Glenn County foster parents receive more training than what is currently offered. - **This will be implemented effective October 1, 2022**; ***The department requires new prospective and current foster parents to receive a minimum level of training before caring for children placed in their care, and then ongoing as required by law. Additionally, training is available on a fairly continuous basis, and the Child Welfare or Resource Family Approval (RFA) social worker can assist with customized training arrangements to meet the needs of the youth in care or at the request of the family. With the rise in the use of technology over the past two years, more trainings are offered by video conferencing. There have also been services implemented to support youth and their families in crisis over this past year- often the time caregivers or parents wish they had more training or experience in a particular situation. The department will be strengthening the noticing of training opportunities by the date shown. The department also seeks not to overburden foster parents with training that is not required or relevant to their unique family situation.

F2. During the COVID-19 pandemic quarantine, businesses, schools, and everything nationwide was closed. Since everything was closed, there were not any services, including phone contact available to foster parents. **- Partially disagree with the Finding.**

P.O. Box 611, Willows, CA 95988 | Phone: (530)934-6514 Fax: (530)934-6521
Equal opportunity employer/program. Auxiliary aids and services available upon request.

Attachment 6—Board of Supervisors Response, HHSA, Page 2

R2. It is recommended that Glenn County have a backup plan for the needs of foster parents and foster youth during pandemics and/or natural disasters that could case shutdowns with the County services. - **Has been implemented.**

*** The department has grown far more efficient over the past two years in continuing operations and now has plans to manage operations over a prolonged pandemic. Most services have been resumed or modified to keep children and caregivers safe while continuing services. The department has continued essential services governed by the California Department of Social Services and Public Health. However, the department acknowledges that individual experiences accessing services may have varied in the early months of the pandemic, as it was a quite challenging time.

F3. There is no Child Psychiatrist on site for children's counseling in our County. - **Agree with the Finding.**

R3. It is recommended that Glenn County Behavioral Health have a Child's Psychiatrist on site for children's counseling. - **Will not be implemented, because it is not reasonable**.

*** We agree that on-site psychiatrist services are quite limited or not available in the County. Glenn County Behavioral Health went through the procurement of a psychiatrist/telepsychiatry in June 2021. As seen around the State of California, there is a shortage of psychiatrists, especially in rural areas. This has resulted in the need for many counties to use telepsychiatry. In August of 2021, Glenn County Behavioral Health hired Dr. Enstin Ye, who sees clients ages 16 and up through telehealth. Additionally, she sees clients in-person one week of every month. In October of 2021, Glenn County Behavioral Health hired a child psychiatrist, Dr. Jasmine Scott-Hawkins, who sees clients up to 18 through telehealth only. Due to the statewide and historically difficultly to have on-site services, it would appear to be unreasonable within a foreseeable time frame. Counseling services are available on-site through Glenn County Behavioral Health for children, youth, and adults and through telehealth.

F4. Each set of foster parents indicated there is a huge need for respite care. - **Agree with this Finding.**

R4. It is recommended Glenn County CPS contact Butte County for their information regarding their Respite Care Program. - **This will be implemented. A review of Butte County Respite Care program by December 31, 2022.**

*** The department will review the Butte County program and continue looking for opportunities and funding to improve services to families. We remain hopeful that state policy will provide more emphasis on supporting foster parents and relative caregivers, such as extended family and grandparents.

F5. The foster parents from earlier years had a more enjoyable experience with help from Social Services. - **Agree with this Finding.**

R5. It is recommended that the Social Services continue to assist foster parents in the future regardless of environmental emergencies. - **This has been implemented.**

Attachment 6—Board of Supervisors Response, HHSA, Page 3

*** There have been many changes in the program over time, and there has been an increased emphasis on monitoring the quality of services. As acknowledged earlier, folks may have had different experiences during the COVID-19 pandemic, and it has taken a toll on interpersonal relationships and time to build relationships, observe and listen. With the resumption of most services, the department is committed to continuing services to assist foster parents regardless of emergencies, per state and federal law.

F6. Each set of foster parents had a different experience with the Social Workers. In the later year, it was difficult to get any help due to COVID-19. **- Agree with this Finding.**
R6. It is recommended that Social Workers under Social Services follow their policies and procedures throughout the upcoming years to be consistent with delivery of services. **- Has been implemented.**
*** Glenn County is committed to working with children, youth, and families, in a manner that is consistent with agency policies and procedures and guidance from the California Department of Social Services. The CWS managers and supervisors run reports to ensure that contacts occur at least monthly. The quality of social worker visits and the delivery of services will also be assessed and monitored through Continuous Quality Improvement (CQI) activities.

F7. Foster parents in the earlier years were given an Annual Appreciation Dinner by the County for them and their children. It made them feel appreciated and recognized for the hard work they were doing. **- Agree with this Finding.**
R7. It is recommended to show appreciation for all foster parents and their children that the CPS department budget money to finance an Annual Appreciation Dinner. **- Has not been implemented but will be implemented by June 1, 2023.**
***With the changes to the provision of services and increase in funding this budget fiscal year, the RFA unit is excited to be able to resume this annual Appreciation Dinner for its resource families to show appreciation and recognition for the work they do.

Sincerely,

Steve Thalken, MSW
Child Welfare Services Manager

Christine Zoppi
Health and Human Services Agency Director

CC: Glenn County Board of Supervisors

Appendix

to the



2022-2023

Glenn County

Civil

Grand Jury Reports



Let us never forget that government is ourselves and not an alien power over us. The ultimate rulers of our democracy are not a President and senators and congressmen and government officials, but the voters of this country.

Franklin D Roosevelt



Activities

Criminal Justice: Detention Facility Reviews

Pursuant to California Penal Code (CPC) section 939.9 *"A grand jury shall make no report, declaration, or recommendation on any matter except on the basis of its own investigation of the matter made by such grand jury. A grand jury shall not adopt as its own the recommendation of another grand jury unless the grand jury adopting such recommendation does so after its own investigation of the matter as to which the recommendation is made, as required by this section."* *Pursuant to CPC section 919(b) "The grand jury shall inquire into the condition and management of the prisons within the County."*

The California Attorney General issued an opinion (No. 18-103, dated March 10, 2022) stating that the term "public prisons" in CPC section 919(b) includes "local detention facilities," defined as facilities that confine prisoners for more than 24 hours. A county or city jail is a typical example of such a local detention facility. The Attorney General has concluded that each grand jury must inquire into the "local detention facilities" located within their county–but the CPC does not require the jury to conduct an investigation or write a report about the inquiry. In fact, a report cannot be written on an inquiry; instead, a full investigation is needed so all the facts can be verified. (CPC 939.9)

Previous Grand Juries in Glenn County have submitted reports that included statements regarding conditions of the facilities and recommendations based on their jail inspections. This Grand Jury will not be providing such a report based on an interpretation of CPC section 939.9, which prohibits the Grand Jury from making such statements and recommendations without first conducting a full investigation. Nonetheless, this recent interpretation of the CPC does not prohibit the Grand Jury from having access to jails and custody facilities, or launching a formal investigation if the circumstances call for one. However, it does stop Grand Juries from making statements or "findings," which make up the vast majority of what a Grand Jury normally reports on after inspecting these facilities.

To fulfill the requirement to inquire into the detention facilities in Glenn County, teams of five to seven Grand Jury members toured the following detention facilities between **March and May 2023**. The teams also interviewed the warden or jail commander in charge of the facility, as well as other staff members at the site.

Tehama County Juvenile Detention Facility
Glenn County Jail

Other Investigation:

Coroner Investigation: The 2022-2023 Civil Grand Jury began an investigation of the Department of Coroner but ran out of time to continue to conclusion the report.

Appendix: Board of State and Community Corrections Report to Sherriff

BSCC CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS

May 4, 2022

Richard L. Warren Jr., Sheriff
Glenn County Sheriff's Office
543 West Oak Street
Willows, Ca 95988

RE: 2020/2022 BIENNIAL INSPECTION, PENAL CODE 6031, WELFARE & INSTITUTION CODE 209
OF GLENN COUNTY SHERIFF'S OFFICE TYPE II JAIL

Dear Sheriff Warren:

The 2020/2022 biennial inspection of the Glenn County Sheriff's Office Jail has been completed. A pre-inspection briefing was held on January 12, 2022. The detention facilities were inspected on April 28, 2022.

Pursuant to Penal Code Section 6031, these inspections were performed to determine compliance with the Minimum Standards for Local Detention Facilities as outlined in Titles 15 and 24, California Code of Regulations. In addition, BSCC staff conducted compliance monitoring pursuant to Welfare and Institutions Code Section 209(f) for the federal Juvenile Justice and Delinquency Prevention Act (JJDPA) for the separation requirements of juveniles from incarcerated adults.

The complete Board of State and Community Corrections (BSCC) inspection report is enclosed and consists of the following: this transmittal letter; a Title 15 Procedures checklist, outlining applicable minimum standards for juvenile detention facilities; a Physical Plant Evaluation, outlining applicable Title 24 minimum standards[1]; and the Living Area Space Evaluation (LASE), summarizing the physical plant configuration and outlining the rated capacity.

Please refer to the Title 15 Procedures Checklist for a summary of all relevant minimum standards, indication of compliance or noncompliance, and information used to determine compliance.

LOCAL INSPECTIONS

In addition to the biennial inspection by the BSCC, inspections are also required annually by the County Health Officer and biennially by the State Fire Marshal or an authorized representative

[1] Facilities are assessed against Title 24 requirements in place at the time of design or significant remodel to the jail area.

Linda M. Penner, Chair
Kathleen T. Howard, Executive Director
WWW.BSCC.CA.GOV
Gavin Newsom
California Governor

Appendix: Board of State and Community Corrections Report to Sherriff Page 2

(Health and Safety Code Sections 101045 and 13146.1). Please consider our report in conjunction with the reports from the County Health Officer and the respective fire authorities for a comprehensive perspective of your facilities. Local inspection reports are forwarded to your office under separate cover; the dates of these inspections are included below.

FACILITY NAME	FIRE AND LIFE SAFETY	MEDICAL/MENTAL HEALTH	ENVIRONMENTAL HEALTH	NUTRITIONAL HEALTH
Glenn County Jail	02/03/2021	01/31/2022	01/18/2022	01/18/2022

INSPECTION SCOPE

The inspection consisted of a review of the Glenn County Sheriff's Office Policy and Procedure Manual[2], a site visit to review operations, physical plant, relevant documentation, and interviews with administration, facility staff, people housed at the facility, and collaborative partners.

BSCC INSPECTION

Title 15, CCR Minimum Standards
Upon final review of all documentation, there are no outstanding items of noncompliance with Title 15 at the Glenn County Jail Facility. No corrective action is required at this time. Please refer to the Procedures Checklist for detailed information.

Title 24, CCR Physical Plant
There were no changes made to the physical plant and your rated capacity remains at 144. Please see the Physical Plant Evaluation for more information.

There are no outstanding items of noncompliance with Title 24 minimum standards

Training
According to the most recent Standards and Training for Corrections audit, The Glenn County Sheriff's Office is in compliance with all relevant regulations and mandates and mitigating circumstances if applicable.

Juvenile Justice and Delinquency Prevention Act (JJDPA) Compliance Monitoring
We reviewed the Glenn County Jail, and found no violations of the JJDPA. Please refer to Title 15 Procedures checklist for detailed information.

[2] BSCC reviews only those policy and procedures required by, and applicable to, Title 15, CCR. BSCC staff do not "approve" policies and procedures or assess them for constitutional or legal issues. Agencies should seek review through their legal advisor, risk manager, and other persons deemed appropriate for such evaluation.

Appendix: Board of State and Community Corrections Report to Sherriff Page 3

Richard L. Warren Jr.
Sheriff
Page 3

CORRECTIVE ACTION PLAN

On April 28, 2022, BSCC staff held an Exit Briefing with your staff. During that briefing, BSCC staff provided an overview of the biennial inspection and provided technical assistance and best practices. Because there were no noncompliance issues, your agency is not required to provide a Corrective Action Plan.

--

This concludes the 2020/2022 biennial inspection cycle report for the Glenn County Correctional and Court Holding facilities. We want to express our gratitude to Sergeant Sonia Melgarejo for gathering the information needed during this inspection cycle. I am available to assist as needed and provide technical assistance when requested. I look forward to continuing to work together. Please do not hesitate to email me at matthew.schuler@bscc.ca.gov.

Sincerely,

Matthew Schuler
Field Representative
Facilities Standards and Operations Division

Enclosures

cc: Presiding Judge, Glenn County Superior Court*
Grand Jury, Glenn County*
Chair, Board of Supervisors, Glenn County*
County Administrator, Glenn County*

*Copies of full inspection are available upon request or are available online at www.bscc.ca.gov.



Let us never forget that government is ourselves and not an alien power over us. The ultimate rulers of our democracy are not a President and senators and congressmen and government officials, but the voters of this country.

Franklin D Roosevelt



2022-2023 Grand Jury Report
Report of Findings and Recommendations

A SPECIAL THANK YOU TO THE MEMBERS

OF THE

2022—2023 CIVIL GRAND JURY

FOR

THE TIME, ENERGY, AND SKILLS

DONATED TO MAKING THIS

2022—2023 FINAL CIVIL GRAND JURY REPORT