



County of Santa Cruz

COUNTY ADMINISTRATIVE OFFICE

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September 11, 2008

AGENDA: September 23, 2008

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

Response to the 2007-08 Grand Jury Report

Dear Members of the Board:

Attached for your approval are the proposed responses to the findings and recommendations contained in the 2007-08 Final Report from the Santa Cruz Grand Jury pertaining to matters under the control of the Board of Supervisors. The response comprises the required responses of the Planning Department, the Probation Department, General Services, the Personnel Department, the Health Services Agency, the Civil Service Commission and the Fire Department Advisory Commission. The Auditor-Controller and the Sheriff-Coroner have responded separately to this year's Final Report.

We would like to thank the members of the Grand Jury for their hard work on behalf of the residents of Santa Cruz County.

IT IS THEREFORE RECOMMENDED THAT YOUR BOARD approve the attached response to the findings and recommendations in the 2007-08 Grand Jury Final Report and request the Chairperson to forward the County's response to the Presiding Judge with a copy to the Grand Jury.

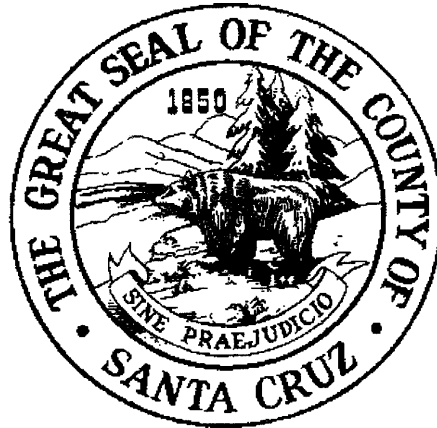
Very truly yours,

Susan Mauriello
County Administrative Officer

cc:

Auditor-Controller
County Fire
General Services Department
Health Services Agency
Personnel Department
Planning Department

Probation Department
Sheriff-Coroner
Civil Service Commission
Fire Department Advisory
Commission



Santa Cruz County Board of Supervisors
Response to
Grand Jury 2007-2008 Final Report

Code Compliance Enforcement

Findings

2. County code violations do not always result in enforcement action.
- The Planning Department documents some violations but does not enforce them, for example, violations of residential property fence height limits.

County Response: Partially agree.

In certain, limited situations such as side or rear yard fences that are slightly over the maximum height, no enforcement action is taken due to workload/caseload issues. Enforcement action for other minor violations may be limited to the issuance of a Notice of Violation (Red-tag) and recordation of the Notice of Violation on the property title. The Notice of Violation must be addressed when the property is sold or refinanced or when a permit is required for something else.

- Some enforcement decisions are based upon Board of Supervisors' policy, such as the 2002 board policy specifying that structures built pre-1980 without permit will not be subject to enforcement.

County Response: Partially agree.

This policy directive is followed, but pertains solely to non-habitable structures.

- "No enforcement" is one complaint classification category in HANSEN®. Between March 29, 2007, and February 7, 2008, 11 percent of "no enforcement" decisions were based on policy adopted by the board; the remaining 89 percent were decided within the Planning Department without clear policy guidelines.

County Response: Disagree

A portion of these "no enforcement" designations were open Service Requests (complaints) that had not yet been resolved. The Code Compliance staff initially selected "no enforcement" in the Hansen system for complaints that did not immediately result in the issuance of a Notice of Violation. It is common for a Code Compliance Investigator to conduct a site inspection and need to perform additional review of office records before determining whether, in fact, a violation exists.

The remainder of the Service Requests referred to were actually resolved, with no further action, using the "no enforcement" designation. During the deliberations that ultimately led to adoption of the policy regarding structures built without permits prior to 1980, the Planning Department informed the Board that there is a category of violations that are so minor that no enforcement action on the part of the County is warranted. Planning Department management staff is involved in the decision-making process for each of the Service Requests that result in resolution using the "no enforcement action" coding. Examples of these determinations include side or

rear yard fences that are a few inches over height, or a minor setback encroachment of a deck that would not otherwise require a Building Permit.

3. There is no formal policy requiring county building inspectors or code compliance investigators to report code violations they might chance upon.
- The City of Watsonville requires home maintenance compliance, and its inspectors report violations they happen to see.
 - The City of Santa Cruz expects its staff to report obvious violations it encounters as a matter of policy.

County Response: Disagree

The Planning Department Procedures Manual contains a Section related to the reporting of code violations by staff. That procedure, established in 2006, requires that certain types of violations be reported to the Code Compliance Section if encountered by any departmental employee during the course of their work. These include obvious and serious health and/or safety violations, significant environmental violations, and construction in-progress. The procedure contains specific definitions to provide further guidance to staff related to filing a code compliance complaint.

5. It appears to be technically feasible to access the public information contained in the code violation database and there is a plan to implement public online access before the end of 2009. Currently, members of the public wishing to learn the status of a code violation must telephone or visit the Planning Department.

County Response: Agree.

12. To help reduce the overall workload, follow-up with complainants is generally limited to a single written acknowledgment that the complaint has been received. Also the Planning Department does not take any enforcement action against some low-priority violations or investigate anonymous complaints.

County Response: Partially agree

In addition to the written acknowledgment of the complaint, code enforcement staff frequently answer questions from complainants about the status of a case throughout the enforcement process. In addition, our Compliance-by-Mail Program requires the original complainant to verify that a violation has been in fact been resolved following receipt of a declaration from the property owner stating that the violation has been corrected. Planning staff makes contact with the complainant to verify resolution. Staff is also investigating whether it will be possible, within the Hansen system, to allow complainants to access the status of their code complaints on-line.

14. Despite two requests, the Grand Jury was not provided with precise data describing the size of the backlog of unresolved code compliance complaints or the rate at which this backlog is growing. One estimate provided was that for every 100 complaints entering the system 80 were being resolved, leaving 20 to accrue to the existing backlog. Based on this estimate and the annual number of complaints, the backlog of unresolved complaints would grow by about 150 a year.

County Response: Disagree

We believe that the Department has now provided all information requested by the Grand Jury related to their investigation. There was an initial misunderstanding as to whether such a request was related to code compliance cases that reside in the older, ALUS system or in Hansen. Information on this topic of the backlog does exist for both systems and has since been provided to the Grand Jury.

There has been a dramatic reduction in the number of unresolved cases since the beginning of 2008 due, in large part, to the audit of the department's records related to the transition to the Hansen system. In addition, the department has implemented a systematic strategy for addressing the backlog and is confident that further reductions will occur.

16. In 2003, the Planning Department committed to the Board of Supervisors to develop written procedures for using the HANSEN® system. The code compliance group established process mileposts and created a detailed flow chart, but there is no employee procedures manual for handling complaints.

County Response: Disagree

The Grand Jury was provided with a high level summary page that represents the milestone flow within the Code Violation case type. This summary page was excerpted from a detailed user's manual that guides users through each milestone of a code case, from intake to completion. This manual, over 120 pages in length, was developed in July of 2007 and was distributed to each of the Code Compliance staff to assist them in their transition to using the Hansen system.

18. The Planning Department has requested at least 12 data management reports. As of April 11, 2008, only six of the reports originally requested the previous December were completed.

County Response: Partially agree

Initially, the development of management and other system reports was a joint undertaking by the Planning Department and the County Information Services Department. However, after several months, it became clear that the development of these reports required a stronger technical background, and the Information Services Department took the lead in getting these reports into production. This resulted in some delays, but that has since changed.

The Planning Department has been working closely with the Information Services Department on the development of numerous reports utilizing the information contained within the Hansen system. These reports fall into three categories: letters and forms generated by the system, information related to Service Requests, and information related to Cases. To date, seventeen of these reports have been developed and are in use. Of these, nine fall into the category of "data management reports."

The remaining reports will be completed by Fall of 2008. In addition to these programmed reports, a great deal of management information can be generated on-demand using Hansen's search and reporting function that are built into the software.

19. The Planning Department has not asked for a routinely-generated report listing unresolved cases chronologically, with the oldest first.

County Response: Disagree

It is true that the department does not get a listing of unresolved cases by the age of the case, because that is not how the caseload is managed: the oldest cases are not necessarily the most important. The department does track cases to ensure that appropriate actions are taken at the various stages of the enforcement process.

The Planning Department receives reports for various milestones within the Hansen system to ensure that cases are moving forward according to their established business practices. The department receives reports listing unresolved Service Requests to ensure that new complaints do not remain open ended. The department has requested a report listing cases where a red tag has been issued and the Notice of Violation has not been recorded on the property title within 35 days of the mailing of that Notice. Similarly, the department has requested a notification report when 60 days have elapsed since recordation of the Notice of Violation and that, if the violation has not been corrected, a stipulation must be developed and sent to the property owner specifying required compliance periods and penalties. Finally, the department has requested a report indicating the current milestone of all cases and number of days spent in that milestone. The report will be able to be sorted in any number of ways, including chronologically.

Recommendations

I. The Planning Department should:

- remove responsibilities other than code enforcement from existing code compliance staff.

County Response: Has been implemented

The temporary reassignment of one of our Code Investigators to assist in the training of a new fiscal person was the result of unprecedented turnover in our fiscal division and the need to train incoming accounting personnel to support the Code program. This training has been completed and the individual has returned full time to Code Investigations.

In addition, all of the Planning Technicians in the Department, including the two staff presently assigned to our Code Program, assist in staffing the General Information Desk that is an integral part of our public counter operation. This time commitment ranges from 2-10 hours a week. While this assignment does divert a few hours away from the Code Program, it also ensures that Code staff are kept

aware of all of the ongoing changes at our building and zoning counters, and also places them in a position to suggest operational changes that improve the interactions between code staff, counter staff, and property owners trying to resolve their violation(s). This arrangement will remain in place for the foreseeable future.

- recruit and train volunteers to assist the code compliance group.

County Response: Will not be implemented

With the reassignment of an additional Planning Technician to the Code Compliance Section, sufficient staff resources are in place to assist the existing Investigators with caseload management. Two Planning Technicians assist the Investigators with in-office research and preparation of draft stipulated agreements and case hearing packets. It would not be appropriate to use volunteers to act as Code Investigators due to the technical training and expertise that is required to perform the job.

- consider expanding the compliance-by-mail program to include additional low priority violations.

County Response: Requires further analysis

The compliance-by-mail program is used for violations that do not require issuance of a permit or a field investigation to verify the existence of a violation. In addition, correction of the violation must be able to be verified by the complainant. Initially, the Program was limited to illegal occupation of trailers and RV's. In the last year, it was expanded to include certain animal keeping violations. We are currently evaluating whether this approach to code enforcement can be further expanded and will implement this expansion, if deemed appropriate, no later than the end of the 2008 calendar year.

- create a list of code violations not currently being enforced and determine if any of the most commonly received complaints represent violations that can be added to the list.

County Response: Requires further analysis

Certain minor code violations may not warrant enforcement action. Quite often, factors specific to the particular situation are taken into account when making a determination as to whether or not enforcement action will be taken. The Department will evaluate the range of minor violations that it encounters to determine whether, regardless of other factors, any of them qualify for such treatment. This evaluation will be completed in early 2009.

2. The Planning Department should
 - enter data into the HANSEN® system daily, no longer than two days after receipt.

County Response: Has been implemented.

- ensure that a code compliance supervisor reviews service requests (HANSEN®'s terminology for complaints) for accurate data entry on a regular basis. If errors are encountered, additional staff training should be provided.

County Response: Has been implemented.

- generate monthly reports that detail the total number of code complaints, the number deemed valid, how many were resolved, and the size of unresolved complaint backlog. These reports should be available for review at any time by the Planning Director and the Board of Supervisors.

County Response: Has been implemented.

This information may be viewed "on demand" by any user of the Hansen system.

- create a monthly report listing all unresolved complaints in reverse order by date. These reports should be reviewed by code compliance staff monthly and by the Planning Director quarterly.

County Response: Has been implemented.

- make every effort to promptly finalize complaints to avoid building an unmanageable backlog.

County Response: Has been implemented.

3. To create consistency among code compliance staff, Planning Department management should provide a detailed, written procedures manual, including targets for the amount of time allowed for each step in the complaint resolution process.

County Response: Has been implemented.

Handpicked for the Job?

Findings:

5. Santa Cruz County code charges the Civil Service Commission with the responsibility for the process of approving provisional appointments. This responsibility has been delegated to the Personnel Director.

County Response: Agree.

10. This Grand Jury was unable to confirm any violations of County nepotism policy.

County Response: Agree.

13. County code charges the Civil Service Commission with assuring that, whenever possible, merit employment principles are followed.

County Response: Agree.

21. Department heads are given six months to report the results of their investigations to the Auditor-Controller's Office. The CAO and Personnel Director may also be notified about the complaints.

County Response: Agree

Recommendations

1. County management and SEIU should meet regularly to review specific employee complaints concerning hiring practices.

County Response: Has been implemented.

The Personnel Department's labor relations division meets on an on-going basis with SEIU regarding hiring practices and other matters. Civil Service Commission rules govern examinations and appointments in the hiring process and contain appeal procedures for employee complaints. The Personnel Department will, however, discuss this recommendation with SEIU in hopes of improving communication, especially in the context of verifiable employee complaints that may be outside the scope of standard appeal venues.

2. The Civil Service Commission should periodically review individual provisional appointments to ensure the system is not being abused.

County Response: Has been implemented.

The first report on provisional appointments was issued to the Commission at its July 17, 2008 quarterly meeting. The Commission will now receive these reports quarterly.

3. The Board of Supervisors should direct the Personnel Department to develop and maintain a record of all first and second degree relatives employed by the County and to provide a report on a regular basis to the Civil Service Commission.

County Response: Will not be implemented

The Personnel Department does not require disclosure or collect data regarding family relationships on job applications and does not require employees to routinely disclose changes in relationships during the course of their employment. The collection of such data could be considered a violation of State or Federal confidentiality protections or prohibitions against discrimination based upon marital, family or other protected status.

The County's nepotism policy prevents department heads from hiring their spouses, parents, children, grandchildren, brothers or sisters (first or second degree relatives) in paid positions within their own departments. Additionally, no person who is related to a manager may be appointed or assigned to a position

which is in direct reporting relationship or within supervisory lines of authority to such a manager or supervisor. Family relationship data is necessary in hiring decisions related to department heads and other subordinate/supervisory relationships. However, the County's current nepotism rules do not prohibit the hiring of first or second degree relatives who are unrelated to the department head and are not in the same chain of supervision as their first or second degree relatives.

4. The Civil Service Commission should permanently create a standing committee consisting of two commissioners to hear and investigate personnel and hiring practice complaints. Upon conclusion of each of its investigations, this committee should report its findings and recommendations to the full commission.

County Response: Will not be implemented.

In 2007 the Civil Service Commission created a temporary *ad hoc* committee, consisting of two commissioners, to hear complaints from SEIU members.

The Brown Act (Government Code Section 54952), County Code (2.46.060), and Civil Service rules (Section 130 I. 1. A.) restrict the Civil Service Commission's ability to create a standing committee and still maintain a confidential forum for county employee complaints.

The meetings of a standing committee composed of less than a quorum of the commission would be subject to the notice, agenda, and public participation requirements of the Ralph M. Brown Act. It is not possible under the Brown Act to set up a permanent standing committee that could accomplish a confidential forum for complaints of County employees.

5. The County website's search function should be updated so that typing in the keyword "whistleblower" results in a path to the hotline information.

County Response: Has been implemented.

6. Effective immediately, all employees complaining to the whistleblower program should receive full disclosure regarding the details of the resolution process for their particular complaint. Specifically, they should be told if their complaint will be forwarded to a department head for action.

County Response: Has not yet been implemented, but will be implemented in the future

Changes have been made to the information provided to employees who telephone the hotline and speak to a staff person. Changes are in the process of being made to the English and Spanish versions of the voicemail and website information. Changes will be implemented by November 30, 2008.

7. Preliminary results of whistleblower investigations should be required within 60 days of the original complaint.

County Response: Has been implemented.

This requirement is in effect for reports received after August 15, 2008.

8. The Board of Supervisors is encouraged to create a body independent of county government to serve as the first point of contact for all whistleblower complaints; from there they can be forwarded to the appropriate entity for investigation and resolution.

County Response: Requires further analysis

The Auditor-Controller will review suggestions for modifying the Whistleblower Hotline and will make appropriate recommendations to the Board.

The Civil Service Commission's response to the Grand Jury Report is provided as Attachment A.

A Promise Kept

Findings:

2. While the County has pursued a goal of consolidating categorical health plans and simplifying eligibility requirements, there is no published plan or public commission in place to oversee it.

County Response: Disagree.

The Public Health Commission is charged with overseeing the operation of preventative health programs, medical clinics and medical programs, which includes review of eligibility requirements and categorical health plans.

57. The recruitment of allied health practitioners and full-time county physicians is often a challenge.

County Response: Agree.

The Health Services Agency and the Personnel Department have developed a number of successful initiatives to increase the County's ability to recruit for various classes of health practitioners and physicians.

Recommendations

1. The Santa Cruz County Health Services Agency should continue to partner closely with the Central Coast Alliance for Health.

County Response: Has been implemented.

The Health Services Agency has a very close partnership with the Central Coast Alliance for Health and will continue working closely together.

2. The Santa Cruz County Health Services Agency should continue to expand local outreach and enrollment resources for low-income persons in the county by continuing to partner with local agencies, both public and private.

County Response: Has been implemented.

The Health Services Agency will continue to expand outreach and enrollment resources throughout the County.

3. The Santa Cruz County Health Services Agency should consider expanding contracts with the Alliance for other categorical health program administration, where and when appropriate.

County Response: Will be implemented.

The Health Services Agency will continue to work with the Alliance in considering future expansion.

4. If the Health Services Agency is unable to transfer other appropriate categorical health program administration to the Alliance, the agency should adopt the Alliance's principles of practice for categorical health program administration.

County Response: Has been implemented.

Although the meaning of "categorical health program administration" is unclear, the agency will continue to work closely with the Alliance on all programs allowed within the law.

5. If First 5 no longer supports it, the Coalition for Health Care Outreach should be supported in the budget of the Health Services Agency.

County Response: Will not be implemented.

Although the Coalition for Health Care Outreach is very important, unless funding is identified to replace the \$300,000 First Five contribution, such support cannot be guaranteed due to other competing high priority needs.

6. The Health Services Agency should encourage community clinics to accurately communicate clinic hours to the public.

County Response: Has been implemented and will continue to be coordinated with the Safety Net Clinic Coalition.

7. In light of anticipated cuts in state and county funding, the Grand Jury urges both the Board of Supervisors and agencies providing dental care for low-income residents to identify and pursue alternate sources of funding, such as grants and gifts.

County Response: Has been implemented.

The Health Service Agency is aggressively working to identify and obtain grants and alternative funding for dental care.

11. The Grand Jury recommends that the Health Services Agency continue to build the network of mental health services countywide.

County Response: Has been implemented.

12. Staff development, including improved training and new methods for reviewing program results, would increase the effectiveness of the Health Services Agency.

County Response: Has been implemented.

HSA will further expand staff development as additional funding becomes available.

13. The Grand Jury recommends that the Board of Supervisors support coordination of the various funding streams by the Health Services Agency so that available funds can be used to match the diverse needs of the clients.

County Response: Has been implemented.

HSA will continue efforts to coordinate and increase various funding streams to meet the needs of our clients.

14. The Board of Supervisors should ensure adequate funding for patients' employment services, which play an important part in mental health treatment.

County Response: Has been implemented.

The Board of Supervisors restored \$50,000 for employment services in the 2008-09 budget.

15. It would be beneficial for the Health Services Agency to continue developing mental health outreach and education programs to provide even more community social support for recovering patients, so they can feel welcome in their communities. Support resources can include churches and neighborhood organizations.

County Response: Has been implemented.

HSA will continue developing outreach and educational programs as funding becomes available.

16. The Grand Jury urges the Health Services Agency to continue to seek grants and other alternative sources for funds to pay competitive salaries to health professionals.

County Response: Has been implemented and will continue to be a high priority for the Health Services Department.

Main Jail

Findings:

3. The County's only booking facility is at the Main Jail in Santa Cruz so all law enforcement officers must transport arrestees there. Approximately 13,000 persons are booked at the Main Jail each year. This often results in overcrowding in the Main Jail booking area and delays for the law enforcement officers. The officers must wait and cannot return to other duties until the arrestee has been processed through the system.

County Response: Agree.

17. Currently, the Main Jail has 12 staff positions that have not been filled. Recruiting is under way for the seven positions for which funding has been allocated. Funding has not been yet been approved for the remaining five positions. All correctional officers working at the jail must attend 24 hours of the Standards and Training class per year.

County Response: Partially agree

The number of vacant positions constantly shifts, and the Correctional Bureau recently reported only two vacancies at the Main Jail. Overhire positions are authorized but unfunded in order to allow the Sheriff additional flexibility in filling correctional positions which are soon to be vacant. For instance, the Sheriff could hire a new officer into one of these positions when an existing officer has announced an upcoming retirement date.

27. Each inmate is responsible for the cleanliness of his/her housing area including the showers. Floors must be swept and mopped daily. All inmate privileges are withheld until the housing area is clean. This is a non-directed activity. Correctional officers provide each unit with a mop, bucket with water and cleanser on a daily basis (or more often if requested) to clean the floors and shower areas. Periodically a stronger disinfectant is provided to alleviate bacterial growth in the shower areas.

County Response: Agree.

28. The heating, ventilation, and air conditioning system (HVAC) is aging and outdated and does not provide consistent heating and cooling throughout the facility. Some areas of the jail are very cold while others are too warm. Maintaining the HVAC system is the responsibility of the General Services Department (GSD). Its response to the Sheriff Office concerns has been slow, repairs take too long, and, to date, the problems have not been corrected.

County Response: Partially agree

The Main Jail at 259 Water does not have cooling in the inmate housing area. The heating system was designed with an occupancy load for a much lower population. To meet the current air changes for the increased population, more outside air

needs to be introduced to the facility that will in turn create a higher heating load for the building. The existing equipment was not designed to maintain the increased load which results in heating inconsistencies in the building.

As for the response time, the work order data base shows that General Services responded either the same day or the next working day to reported problems.

65. A 5150 hold is a provision of the state's Welfare and Institutions Code whereby people can be held for 72 hours if, as result of mental disorder, they pose a danger to themselves or others or are gravely disabled. Dominican Hospital is the only facility in the county licensed to care for 5150 patients. Those on 5150 hold and suspected of committing felonies are not accepted in Dominican's Behavioral Health Unit and instead are booked into the Main Jail. Those with psychiatric problems need to be separated from the rest of the inmate population. If after the 72-hour hold, an inmate is still incapacitated and no licensed outside placement can be located, he or she remains in isolation in the medical unit. The jail does not have the resources to provide adequate psychiatric services, nor is it licensed to provide ongoing support services to these inmates.

County Response: Partially agree.

The Health Services Agency does not have ongoing Mental Health responsibilities at the jail and there are provisions in law for involuntary treatment in the jail. County Mental Health can develop contracts for inpatient beds for inmates if the treatment and administrative departments agree on the need.

Recommendations

1. Booking. The Grand Jury recommends the Board of Supervisors and the Sheriff's Office locate funding to staff the Main Jail's booking area and/or revise the booking protocols to reduce the time law enforcement officers must wait while completing the booking process.

County Response: Will be implemented.

The County is in the process of purchasing a Records Management System/Jail Management System (RMS/JMS) and an Automated Finger Print System (AFIS) which will significantly streamline the booking process.

2. Staffing. The Grand Jury recommends the Board of Supervisors and the Sheriff's Office locate moneys for the five currently unfunded correctional officer positions.

County Response: Will not be implemented

Although a number of positions in other departments were held unfunded due to fiscal constraints in the 2008-09 budget, these particular positions are designed as over-hires to provide the Sheriff with additional flexibility in filling positions which are scheduled to become vacant. The Board of Supervisors will continue to work closely with the Sheriff to support the operations of the department.

4. Operations. The Grand Jury strongly recommends the Board of Supervisors direct that the General Services Department (GSD) fix the existing HVAC system or replace it with one that provides adequate heat and cooling of the inmate housing units.

County Response: Will not be implemented

The recommendation to replace the existing heating system with a new heating, ventilation, air conditioning (HVAC) system is not feasible due to funding constraints facing the County at this time. As with all plant projects, future consideration will be given in view of health and safety priorities, department operational requirements and available resources.

5. Operations. The Grand Jury strongly recommends the Sheriff's Office and Board of Supervisors locate the necessary funding to repair shower areas as noted on the environmental health report and to direct the GSD make repair of these shower areas a top priority.

County Response: Has been implemented

The Board authorized \$225,000 in 2006-07 for the second phase of remodeling showers. This phase involved tear down, structural assessment, and rebuild. In 2007-08, an additional \$140,000 was authorized to repair a few specific shower units. This project will go to bid in October 2008. .

7. Inmate Services. The Grand Jury recommends the Board of Supervisors and the Sheriff's Office locate funding to expand and update the kitchen facilities at the Main Jail.

County Response: Will be implemented

The Sheriff's Office is working with the Criminal Justice Research Foundation of Sacramento to develop options for addressing kitchen issues.

10. Medical Services. The Grand Jury recommends the Sheriff's Office and HSA develop a comprehensive strategy to meet the ongoing mental health needs of the 5150 inmates.

County Response: Requires further analysis and is dependent on current contract negotiations with Dominican and other out of county facilities.

Rountree

Findings

17. The Environmental Health Report dated July 10, 2007 indicated the plumbing and condition of the floors, coving, and lower walls of the showers "are deteriorated" in the minimum security facility. The Grand Jury members noted these conditions on their visit.

County Response: Agree

19. There are five correctional officers on duty per 12-hour shift at the medium security facility, except between 11 pm and 7 am when there are four. The number of onsite officers may be fewer during any given shift when officers are needed to transport inmates. Such circumstances occur daily when inmates are transported to or from court in Watsonville or Santa Cruz, or when there is a need for offsite medical care.

County Response: Agree

25. There are three officers on duty during the day shift and two during the night shift. The shifts are 12 hours long. As with medium security, there may be fewer staff onsite when officers are needed to transport inmates from one place to another.

County Response: Agree

30. Due to the lack of fencing around the facility, Rountree has had problems with unauthorized persons entering the grounds. This has enabled contraband to be dropped off in the parking lot area which can be picked up by inmates working in the area and brought into the facility. The Grand Jury has been informed the Sheriffs office has secured \$72,000 to install fencing around the front of the facility. The automatic gates into the facility would be controlled from the control room located in the medium security section of Rountree. The Sheriffs Office is waiting for the General Services Department (GSD) to put this project out to bid.

County Response: Agree

Recommendations

4. It is recommended that the Sheriffs Office and the Board of Supervisors locate funding for additional correctional officers, at least one per shift per facility, to assure the safety of staff and inmates.

County Response: Will not be implemented

The current staffing meets State requirements for all shifts and are operated so as to assure the safety of staff and inmates. As noted in the Grand Jury report, both facilities operate an average of 20 to 40 percent below rated capacity.

6. The Grand Jury strongly recommends GSD put the shower repair project out to bid as soon as possible.

County Response: Has not yet been implemented, but will be implemented in the future

Funds are currently allocated for additional plumbing upgrades, however, the fencing project is the priority project and may need additional funds that would supersede the plumbing/shower issues at this time. The Sheriff's office will

prioritize site needs within the existing allocation after bids are received on the fencing project.

7. The Grand Jury strongly recommends GSD go out to bid for the fencing project as soon as possible.

County Response: Has not yet been implemented, but will be implemented in the future

The fencing project will be going to bid On October 7, 2008.

8. The Grand Jury recommends the Sheriffs Department and the Board of Supervisors secure the necessary funds to install fencing around the remaining perimeter of both facilities.

County Response: Will be implemented in the future

The recommendation will be implemented in FY '08-09.

Juvenile Hall

Findings

8. Some doors to the rooms were previously modified to swing out into the hall rather than into the rooms, which increased living space and safety for the staff. The rooms were in good repair, considering the age of the facility.

County Response: Agree

14. Juvenile Hall needs a new heating and air conditioning system, retrofitting of the remaining doors for the juveniles' rooms and an upgraded loading door for the food service pantry. The cost for these projects is estimated to be \$867,700.

County Response: Agree

15. The outdoor space is well maintained, although there is inadequate recreational space to meet Title 15 requirements. Current standards call for 7500 square feet of recreational outdoor space, but only the uncovered courtyard area (5900 square feet) is useable. There is additional outdoor space that could help meet Title 15 standards, but it can't be used due to lack of security fencing. The additional space includes a grassy area, a basketball hoop and volleyball court.

County Response: Agree

Recommendations

1. The Grand Jury strongly recommends the Board of Supervisors and the Probation Department locate the necessary funding to install fencing required for the

juveniles to use the ball field, basketball and volleyball courts and grassy area to increase exercise opportunities and meet Title 15 outside space requirements.

County Response: Has not yet been implemented, but will be implemented in the future

Santa Cruz County is in the process of preparing a proposal for a facility construction grant, under S.B. 81. If funded, this grant will provide for the construction of an indoor, large motor exercise and multi-use facility, which will meet the Title XV requirement for exercise and recreation space, thereby obviating the need for a separate fencing project. The grant awards will be announced in early 2009. Should Santa Cruz County not be awarded a grant, the County will continue to seek funding for the project.

2. The Board of Supervisors should ensure that the plans to upgrade the heating and ventilation system at Juvenile Hall are implemented as soon as possible.

County Response: Will be implemented

The HVAC upgrade is included as Phase 2 in the Security System Assessment and Preliminary Cost Estimate. Phase 1, which includes a security and communication system upgrade is currently underway. Once complete, the project will need to be put out to bid and funds for Phase 2 will need to be appropriated.

3. To increase safety, the remaining doors to the sleeping rooms should be modified so they open out.

County Response: Requires further analysis

This item is included in Phase 2 of the Security System Assessment and Preliminary Cost Estimate. The Probation Department has been working with General Services and contractors to prioritize the recommended upgrade projects.

Blaine Street

Findings

11. In a report dated July 10, 2007, the Environmental Health report indicated, "The homestyle hood in use is insufficient for use over the commercial range." According to a phone call to the Supervising Correctional Officer on December 13, 2007, a commercial hood is being considered for future installation.

County Response: Agree

A commercial hood will be installed when funding becomes available

27. There is no automated external defibrillator (AED) at Blaine Street although one was recommended by the previous Grand Jury.

County Response: Agree

An AED has not yet been implemented due to funding restraints, but it is anticipated that an AED will be installed during FY 2008-09.

Court Holding Facility – Santa Cruz

Findings

10. At this time, the video surveillance of the holding cells is not being recorded because of a problem finding storage space for the digital data. Staff is reviewing a possible storage solution and is hoping to secure adequate space for storing video recordings in the near future.

County Response: Agree

Recommendations

1. The Grand Jury recommends equipment be purchased for video recording activity in all areas of the Court Holding facility, and space found to store equipment and recordings. While this recommendation was previously made in the 2006-2007 Grand Jury report — and the Sheriffs Office agreed — it has yet to be implemented.

County Response: Has not been implemented.

This recommendation has not been implemented due to funding and space restrictions. It will be considered in the future as funding becomes availability. The cost of security equipment for the Courts is the responsibility of the Superior Court who will have to approve any expenditures.

Court Holding Facility – Watsonville

Findings

8. Adult inmates are brought to Court Holding from other county detention facilities in a transport van. The van has three compartments to allow for separation of inmates according to classification, with a maximum capacity of 13 inmates. Juveniles are transported alone, either by a deputy in a squad car or in the van. Moving of inmates begins as early as 6:00 a.m. The van makes two round trips per day from the Main Jail and Rountree facilities. Because one van isn't enough, Watsonville Court Holding relies on Santa Cruz vans to help transport the Court Holding inmates.

County Response: Agree

Recommendations

1. The Grand Jury recommends the Sheriffs Office allocate funds for an additional van and correctional officer for transporting inmates to this south county facility.

County Response: Will not be implemented

The Sheriff and the Board will consider this recommendation during budget hearings, but at this time other more critical issues take priority. Additionally, to address transport needs, Corrections has purchased two vans this fiscal year to replace old transport vehicles.

County Fire

Findings

1. "County Fire" is a generic term used to describe fire protection services provided in the rural parts of the county but has two different meanings depending upon the agency using it:
 - Includes both CSA 48 and CSA 4
 - Includes only CSA 48

County Response: Agree

3. All of CSA 48 is a State Responsibility Area except for the farmlands on the county's North Coast and the farmlands that surround Pajaro Dunes. Cal Fire is, therefore, responsible for preventing and suppressing fires in this CSA.

County Response: Partially Agree

The geographical description of State Responsibility Area (SRA) is accurate except that, in general, the beach and agricultural areas of the north county are not SRA. CAL FIRE's responsibility in SRA is for "fires" and pursuant to Public Resources Code 41 14(b), the Department may provide rescue, first aid, and other emergency services only when available and when no additional costs to the State are associated.

4. County Fire does not include all the state responsibility areas in Santa Cruz County. Notably excluded is the area within the Pajaro Valley Fire Protection District.

County Response: Partially agree

The State Responsibility Area also exists within the following Fire Districts: Boulder Creek, Ben Lomond, Scotts Valley, Aptos-La Selva, Central, Branciforte, Zayante, and Felton.

5. CSA 4 is a Local Responsibility Area. The County is required to provide fire protection services in this CSA.

County Response: Partially disagree

There is no State requirement that a County provide fire services anywhere. The obligation for fire protection in CSA 4 was established through the development agreement that permitted the Pajaro Dunes community.

7. The County Fire contract consists of three different cooperative agreements. Two are related to CSA 48, and a separate agreement is for CSA 4.
 - The two agreements for CSA 48 are
 - Amador Plan, wherein the county government pays Cal Fire for fire and rescue service during the winter/non-fire season. There are four Cal Fire stations in this agreement.
 - Schedule A, which provides a year-round Fire Marshal, ECC, volunteer training, vehicle maintenance and administrative support services
 - CSA 4 consists of a single Schedule A agreement, which provides Pajaro Dunes with year-round two-operator engine staffing.

County Response: Partially disagree

The firefighters associated with the CAL FIRE engines staffed during non-fire season are identified in the Public Resources Code (PRC) as Schedule A. The Battalion Chiefs, company Officers, use of the fire stations and equipment are identified as Amador.

8. In CSA 48, Cal Fire retains full control of state resources (personnel, vehicles, equipment) and can reassign these to meet emergency needs elsewhere in the state. In contrast, the Pajaro Dunes Schedule A year-round agreement requires Cal Fire to always staff and maintain a fire station in CSA 4.

County Response: Agree

13. The County Fire contract prepared by Cal Fire has been inconsistent from year to year:
 - The 2007-2008 Amador agreement showed three stations, but the 2006-2007 agreement showed four stations.
 - The 2007-2008 Amador agreement totaled \$53,267, but the 2005-2006 agreement totaled \$711,590. The much lower cost in 2007-2008 was due to firefighter personnel, the most significant cost component, being listed on the Schedule A agreement instead of on the Amador agreement.

County Response: Disagree

The contract reflects changing needs and available resources. The three stations were identified in an initial budget reduction recommendation that was changed by the Board of Supervisors. A correction to the agreement was not processed.

The shift in the contract costs for the identified years reflects a change in planned overtime to be covered by the State due to the CAL FIRE firefighters' labor contract negotiations.

19. Only 0.4 percent of approximately \$16 million in Proposition 172 funds are designated to the 2007-2008 County Fire budget with the remainder going to county law enforcement.

County Response: Partially agree.

0.4% of approximately \$16 million in Proposition 172 funds were designated to the 2007-08 County Fire budget pursuant to the revenue sharing policy developed in conjunction with the Fire Chiefs Association and adopted by the Board of Supervisors on January 27, 1998. This amount represents 12% of the actual annual fiscal year change in Proposition 172 revenues. Funds are distributed to the fire agencies in the County's unincorporated area following an annual decision process by the Fire Chiefs Association.

20. The average age of fire engines ready to respond is 15 years, but County Fire recommends maintaining an average age of less than ten years. The replacement cost of an engine is approximately \$350,000.

County Response: Disagree

The average age of engines is about 18 years old. The current five year plan guidelines recommend that engines should not be older than 20 years.

21. The community of Paradise Park is located within the boundaries of CSA 48. Because of the distance to the nearest County Fire station, it is impractical for them to service this community, so Paradise Park's fire protection services are contracted out to the City of Santa Cruz.

County Response: Agree

22. Fees collected for fire marshal services do not cover the cost of operations. FDAC recommended recently that fire marshal staffing be reduced in an effort to match spending with revenues.

County Response: Partially agree

The two options would be to reduce costs or increase fees to cover the cost of services provided by the fire marshal.

23. CSA 48 fully funds the position of addressing clerk in the General Services Department. The addressing clerk updates and maintains the database of street names and locations. All emergency personnel in the county have access to this updated information to accurately locate addresses. FDAC recommended recently that the County Office of Emergency Services assume the funding for this position.

County Response: Partially disagree

Beginning in FY 07/08, the Clerk position's time and associated cost has been distributed between the County Fire and Office of Emergency Services based on

the jurisdiction receiving the benefit. Although the position itself is in the Fire budget unit, the actual costs are distributed based on the work and derived benefit.

24. Cal Fire enters dispatch information into and draws statistics from the California All Incident Response System (CAIRS) database. CAIRS data was used to prepare the County Fire call reports presented to the Board of Supervisors.

County Response: Partially agree

Additional data for the report on CAL FIRE firefighter deployment during non-fire season was obtained using the CAL FIRE computer aided dispatch system.

26. The majority of emergency incidents are not fire related yet fire personnel and heavy equipment are dispatched routinely.

County Response: Agree

29. Cal Fire and volunteer firefighters are trained and certified to provide basic life support services.

County Response: Agree

30. The County contracts with American Medical Response to provide medically necessary ambulance transport staffed with advanced life support paramedics.

County Response: Agree

31. The Board of Supervisors asked County Fire management to provide monthly incident reports to evaluate the effects of reduced staffing approved in February 2008. Matching a 10-day period of ECC audio dispatches 15 to corresponding CAIRS Resource Activity reports revealed
- A single incident can have multiple responses.
 - Every dispatch is reported as an incident response regardless of actual on-scene arrival. Volunteer company responses are not included.
 - Adjoining fire district responses are not included.
 - Ambulance responses are not included.

County Response: Partially agree

Response plans indicate more than one resource (engine, company officer) respond to each incident and this varies by type of incident. The fact that volunteer companies, adjoining district resources, or ambulances respond does not create a separate incident or CAIRS report. Individual resource or agency responses can be tracked by CAD data review. If engines are cancelled prior to arrival (e.g. false alarm or cancellation by law enforcement or other agency), it still qualifies as a response.

32. Emergency calls from County Fire are first routed to the Santa Cruz Consolidated Emergency Communications Center (Netcom). Since the State requires Cal Fire to command its resources, Netcom must relay the initial call and pass control of the dispatch to the Cal Fire ECC.

County Response: Agree

33. County Fire responds to medical emergency calls but is not a member of the Emergency Medical Services Integration Authority (EMSIA). The Cal Fire Chief is on the EMSIA Board of Directors only on behalf of the Pajaro Valley Fire Protection District.

County Response: Agree

Five of the County fire agencies (Santa Cruz, Watsonville, Cental, Aptos/La Selva, Scotts Valley) maintain engine based paramedic first response. The remaining fire agencies, including County Fire, do not have engine based paramedic first response teams.

34. The Cal Fire Unit Chief for both San Mateo and Santa Cruz Counties is designated as the Chief of County Fire and the Santa Cruz County Fire Department. Approximately 20 percent of his time is spent on Santa Cruz County support.

County Response: Partially agree

Although it is difficult to quantify and varies throughout the year, the CAL FIRE Chief estimates that 33% of his time is expended on Santa Cruz County issues. Additional administrative and operations management is provided through two Deputy Chiefs.

35. The FDAC represents CSA 48 and its role is to advise the County Fire Chief and the County Board of Supervisors. FDAC does not represent CSA 4.

County Response: Disagree

The role of the FDAC is not related to the authority granted under the establishment of CSA 48. Rather the FDAC was established under the County Code to exercise responsibilities to ensure that the interests of the county fire department, career and volunteer fire companies and the citizens residing within county fire department jurisdiction are protected and promoted by monitoring, studying, and advising the County Fire Chief and the Board of Supervisors.

36. The county code for FDAC membership was amended in 2005 to reduce membership from 13 seats to 10 seats, eliminating two representatives from the Health Services Agency (one each from Emergency Medical Services and Environmental Health) and one from Public Works, due to their poor attendance records.

County Response: Partially disagree

The membership of the Fire Department Advisory Commission was amended to reduce membership because the subject matter under consideration at most meetings was outside the scope of some then member representatives. As a

result, those representatives did not attend every meeting. Representatives of these agencies are always available to attend any meetings where their participation would be helpful.

37. Although several volunteer fire companies and Cal Fire maintain websites, there is no County Fire website.

County Response: Agree

Recommendations

1. The label "County Fire" should be applied only to County Service Area 48 and not CSA 4. The Pajaro Dunes Schedule A service agreement should be removed from future County Fire contracts.

County Response: Will not be implemented

County Fire is contained within the geographical boundaries of both areas represented by the two CSAs. CAL FIRE manages them under contract to Santa Cruz County. Other fire agencies within the County unincorporated area are organized as special districts with independent boards of directors.

2. The Cal Fire contract should clearly present the services paid by the County so that FDAC, General Services Dept/OES and Board of Supervisors may properly review and understand the services provided in the contract.

County Response: Will not be implemented.

CAL FIRE uses a standard contract instrument statewide which only lists those personnel and services provided by the State to the County. The County also provides services and personnel which are identified in the County Budget and are sometimes referred to as Schedule "C" of the State contract. Clarification regarding provision of services will continue to be handled separately on an as needed basis by staff.

3. The Board of Supervisors should carefully scrutinize FDAC recommendations for Cal Fire services with the knowledge that these recommendations are heavily influenced and prioritized by Cal Fire officers who also manage County Fire.

County Response: Will not be implemented

The membership of the Fire Department Advisory Commission includes one person nominated by each member of the Board of Supervisors, and representatives of the Planning Department, the Office of Emergency Services, County Fire/CAL FIRE, the volunteer company officers organization, and the CAL FIRE firefighters. This membership is designed to ensure that the interests of the county fire department, career and volunteer fire companies and the citizens residing within county fire department jurisdiction are protected and promoted. All recommendations by the FDAC are the result of a democratic process with open, noticed meetings.

The Board relies upon and is confident that the recommendations submitted by the FDAC are based upon the knowledge and expertise of all the members.

4. A County Fire web page should be created, with a link available on the Santa Cruz County Government home page. The County Fire web page could include the Cal Fire cooperative agreements that make up the contract and links to the Cal Fire and participating volunteer company web sites.

County Response: Has not yet been implemented, but will be implemented in the future.

The FDAC has established a task group to develop appropriate models and anticipates making recommendations for implementation of a web site by the end of the calendar year. The implementation schedule is dependent upon the determination of necessary resources and funding.

5. All fire company volunteers should receive recognition from the Board of Supervisors, with particular commendations to long-time volunteers.

County Response: Has not yet been implemented, but will be implemented in the future

County Fire management will work with County staff to formulate an action plan for consideration by the County Administrative Office and Board of Supervisors.

6. County Fire management needs to explain the parameters that shape its incident reporting to the Board of Supervisors, and the supervisors should understand the elements involved in tracking incident responses. This knowledge is required to understand properly what is being reported.

County Response: Has not yet been implemented, but will be implemented in the future.

For all statistical reports involving County Fire call data, the methodology and data sources will be explained fully to ensure the Board's understanding of the information.

7. County Fire management should include the responses of volunteer companies and other mutual aid when evaluating the effects of reduced staffing.

County Response: Has not yet been implemented, but will be implemented in the future.

Depending upon direction from the Board of Supervisors and/or the specific assignment at hand, any evaluation of reduction in staffing will include both career and volunteer responders.

8. The FDAC should include a representative of the Health Services Agency to add perspective to medical response issues.

County Response: Will not be implemented.

Health Services Agency staff already coordinate closely with the fire agencies on medical response issues through various other groups and committees. The FDAC has been in the process of evaluating its current membership complement. At their July 2008 meeting reconsideration of adding an HSA representative was discussed; FDAC members voted not to include HSA as a voting member. FDAC members agreed that HSA staff might be invited to FDAC meetings if particular topics are related to their areas of expertise.

9. County Fire should be made a member of the Emergency Medical Services Integration Authority (EMSIA).

County Response: Will not be implemented.

The Emergency Medical Services Integration Authority (EMSIA) is a joint powers association of Fire Agencies. At the time that the EMSIA was formed, the County decided not to become member due to possibility for future, unidentified fiscal obligations as set forth in the EMSIA membership agreement.

10. Paradise Park should be detached from CSA 48.

County Response: Requires further analysis

Detachment is only viable if another agency assumes full responsibility for service delivery in Paradise Park. County Fire will continue to evaluate possibilities for ensuring appropriate level of protection for Paradise Park.

11. All agencies using addressing clerk services should share in the cost.

County Response: Has been implemented.

Effective FY 08/09, the cost of this position is allocated to either County Fire (a Fire Fund expense) or the Office of Emergency Services (a General Fund expense), based on the jurisdiction of the address being assigned. As a General Fund expenditure, the allocation of costs to the Office of Emergency Services essentially includes County agencies such as the Sheriffs Department and the Department of Public Works.

Allocation of costs to individual County departments would be a cumbersome process with no programmatic or fiscal benefit. Assigning costs to either the General Fund of the Fire Fund will appropriately allocate costs of the program.

12. The Board of Supervisors should review the allocation of Proposition 172 funds.

County Response: Will not be implemented

The policy for the distribution of funds to unincorporated area fire services was developed jointly by representatives of County public safety agencies (the Sheriff-

Coroner, District Attorney, the Chief Probation Officer, and representatives of the unincorporated area fires services) and the County Administrative Officer and approved by the Board of Supervisors in 1998.

The development of the distribution formula was agreed to by all the above mentioned representatives and was intended to recognize the inclusion of the fire services in the definition of public safety under Proposition 172 as well as to respond to the fire services request for a fair share of the public safety funding. The fire share represents a percentage of benefit in those years when an increase over the tax base amount occurs. For those years where no increase occurs, fire agencies do not receive a share, nor is there any reduction to the fire agencies allocation when Proposition 172 funds decrease from the prior year.

13. The Board of Supervisors should examine fire marshal services for ways to reduce County Fire cost.

County Response: Has been implemented.

The County continually monitors the activities of the Fire Marshall's office and adjusts operations according to the desired level of service within available resources.

The Fire Department Advisory Commission's response to the Grand Jury Report is provided as Attachment B.

Civil Service Commission Response to the Grand Jury Report

August 13,2008

Findings

Provisional Hiring Practices

5. Santa Cruz County code charges the Civil Service Commission with the responsibility for the process of approving provisional appointments. This responsibility has been delegated to the Personnel Director.

Partially agree. Specifically, Santa Cruz County Code Section 3.28.050 provides for provisional appointments and Civil Service Rule 130 Section II states that “The Commission hereby delegates to the Personnel Director the authority to administer the County Civil Service system in accordance with County Code Chapter 3.04, these rules and order of the Commission.”

Nepotism and Favoritism

10. This Grand Jury was unable to confirm any violations of County nepotism policy.

Agree – The Commission accepts the statement that the Grand Jury was unable to confirm any violations of the County nepotism policy.

13. County code charges the Civil Service Commission with assuring that, whenever possible, merit employment principles are followed.

Agree - County code section 2.46.080 provides that the Civil Service Commission assure that employees within the civil service system are selected, promoted, evaluated and retained within merit employment principles.

Recommendations

Provisional Hiring Practices

2. The Civil Service Commission should periodically review individual provisional appointments to ensure the system is not being abused.

Has been implemented. The first provisional appointment report was initiated by the Commission and received at their July 2008 quarterly meeting. The Commission directed staff to provide provisional appointment reports at each quarterly meeting.

Nepotism and Favoritism

4. The Civil Service Commission should permanently create a standing committee consisting of two commissioners to hear and investigate personnel and hiring practice complaints. Upon conclusion of each of its investigations, this committee should report its findings and recommendations to the full commission.

Will not be implemented.

In 2007 the Civil Service Commission created a temporary *ad hoc* committee, consisting of two commissioners, to hear complaints from SEIU members.

The Brown Act (Government Code Section 54952), County Code (2.46.060), and Civil Service rules (Section 130I. 1. A.) restrict the Civil Service Commission's ability to create a standing committee and still maintain a confidential forum for county employee complaints.

The meetings of a standing committee composed of less than a quorum of the commission would be subject to the notice, agenda, and public participation requirements of the Ralph M. Brown Act. It is not possible under the Brown Act to set up a permanent standing committee that could accomplish a confidential forum for complaints of County employees.

FDAC response

County Fire

Findings:

1. "County Fire" is a generic term used to describe fire protection services provided in the rural parts of the county but has two different meanings depending upon the agency using it:
 - Includes both CSA 48 and CSA 4
 - Includes only CSA 48

FDAC Response:
AGREE.

3. All of CSA 48 is a State Responsibility Area except for the farmlands on the county's North Coast and the farmlands that surround Pajaro Dunes. Cal Fire is, therefore, responsible for preventing and suppressing fires in this CSA.

FDAC Response:
PARTIALLY DISAGREE.

The geographical description of State Responsibility Area (SRA) is accurate except that, in general, the beach and agricultural areas of the north county are not SRA. CAL FIRE's responsibility in SRA is for "fires" and pursuant to PRC 4114(b), the Department may provide rescue, first aid, and other emergency services only when available and when no additional costs to the State are associated.

4. County Fire does not include all the state responsibility areas in Santa Cruz County. Notably excluded is the area within the Pajaro Valley Fire Protection District.

FDAC Response:
PARTIALLY DISAGREE.

SRA also exists within the following Fire Protection Districts: Boulder Creek, Ben Lomond, Scotts Valley, Aptos-La Selva, Central, Branciforte, Zayante, and Felton.

5. CSA 4 is a Local Responsibility Area. The County is required to provide fire protection services in this CSA.

FDAC Response:
PARTIALLY DISAGREE.

There is no State requirement that a County provide fire services anywhere. The obligation for fire protection in CSA 4 was caused by the development agreement which permitted the Pajaro Dune community.

Attachment B
Fire Department Advisory Commission Response

13. The County Fire contract prepared by Cal Fire has been inconsistent from year to year:
- The 2007-2008 Amador agreement showed three stations, but the 2006-2007 agreement showed four stations.
 - The 2007-2008 Amador agreement totaled \$53,267, but the 2005-2006 agreement totaled \$711,590. The much lower cost in 2007-2008 was due to firefighter personnel, the most significant cost component, being listed on the Schedule A agreement instead of on the Amador agreement.

FDAC Response:
PARTIALLY AGREE.

The reference to the three stations was an initial budget reduction recommendation that was changed by the Board of Supervisors after the document was prepared. The corresponding correction was not made.

The shift in the contract costs for the identified years is due to the CAL FIRE firefighters labor contract negotiations and reflects a change in placement of planned overtime to be covered by the state.

19. Only 0.4 percent of approximately \$16 million in Proposition 172 funds are designated to the 2007-2008 County Fire budget with the remainder going to county law enforcement.

FDAC Response:
PARTIALLY AGREE.

0.4% of approximately 16 million dollars in Proposition 172 funds were designated to the 2007-08 County Fire budget. The amount allocated was pursuant to the formula for distribution of Prop. 172 revenue that was adopted by the Board of Supervisors on January 27, 1998, and represents 12% of the actual annual fiscal year change in Prop. 172 revenues. Funds are distributed to the fire agencies in the County's unincorporated area following an annual decision process by the Fire Chiefs Association.

26. The majority of emergency incidents are not fire related yet fire personnel and heavy equipment are dispatched routinely.

FDAC Response:
AGREE.

31. The Board of Supervisors asked County Fire management to provide monthly incident reports to evaluate the effects of reduced staffing approved in February 2008. Matching a 10-day period of ECC audio dispatches 15 to corresponding CAIRS Resource Activity reports revealed
- A single incident can have multiple responses.

Attachment B
Fire Department Advisory Commission Response

- Every dispatch is reported as an incident response regardless of actual on-scene arrival. Volunteer company responses are not included.
- Adjoining fire district responses are not included.
- Ambulance responses are not included.

FDAC Response:
PARTIALLY AGREE.

Response plans indicate more than one resource (engine, company officer) respond to each incident, which varies by type of incident. The fact that volunteer companies, adjoining district resources, or ambulances respond does not create a separate incident or CAIRS report. Individual resource or agency responses can be and are tracked by CAD data review. If engines are cancelled prior to arrival (e.g. false alarm or cancellation by law enforcement or other agency), the initial dispatch still qualifies as a response.

33. County Fire responds to medical emergency calls but is not a member of the Emergency Medical Services Integration Authority (EMSIA). The Cal Fire Chief is on the EMSIA Board of Directors only on behalf of the Pajaro Valley Fire Protection District.

FDAC Response:
AGREE.

34. The Cal Fire Unit Chief for both San Mateo and Santa Cruz Counties is designated as the Chief of County Fire and the Santa Cruz County Fire Department. Approximately 20 percent of his time is spent on Santa Cruz County support.

FDAC Response:
PARTIALLY DISAGREE.

Although difficult to quantify, with variations throughout the year, the CAL FIRE Chief estimates that 33% of his time is expended on Santa Cruz County work and issues.

35. The FDAC represents CSA 48 and its role is to advise the County Fire Chief and the County Board of Supervisors. FDAC does not represent CSA 4.

FDAC Response:
DISAGREE. The role of the FDAC is not related to the authority granted under the establishment of CSA 48. Rather the FDAC was established under the County Code to exercise responsibilities to ensure that the interests of the county fire department, career and volunteer fire companies and the citizens residing within county fire department jurisdiction are protected and promoted by monitoring, studying, and advising the county fire chief and the board of supervisors.

36. The county code for FDAC membership was amended in 2005 to reduce membership from 13 seats to 10 seats, eliminating two representatives from the Health Services Agency (one each from Emergency Medical Services and

 Fire Department Advisory Commission Response

Environmental Health) and one from Public Works, due to their poor attendance records.

FDAC Response:
PARTIALLY DISAGREE.

As stated in the Board of Supervisors report in 2005, other issues besides attendance were considered in revising the membership of the FDAC.

- 37 Although several volunteer fire companies and Cal Fire maintain websites, there is no County Fire website.

FDAC Response:
AGREE.

Recommendations

1. The label "County Fire" should be applied only to County Service Area 48 and not CSA 4. The Pajaro Dunes Schedule A service agreement should be removed from future County Fire contracts.

FDAC Response:
Will not be implemented. The recommendation is not warranted. County Fire is contained within the geographical boundaries of both areas represented by the two CSAs. CAL FIRE manages them under contract to Santa Cruz County. Other fire agencies within the County unincorporated area are organized as special districts with independent boards of directors.

2. The Cal Fire contract should clearly present the services paid by the County so that FDAC, General Services Dept/OES and Board of Supervisors may properly review and understand the services provided in the contract.

FDAC Response:
Will not be implemented. The recommendation is unreasonable in that CAL FIRE uses a standard contract instrument statewide. The CAL FIRE contract only lists those personnel and services provided by the State to the County. The County also provides services and personnel and those are listed in the County Budget and are sometimes referred to as Schedule "C" of the State contract. Clarification regarding provision of services will continue to be handled separately on an as needed basis by staff.

3. The Board of Supervisors should carefully scrutinize FDAC recommendations for Cal Fire services with the knowledge that these recommendations are heavily influenced and prioritized by Cal Fire officers who also manage County Fire.

FDAC Response:

 Fire Department Advisory Commission Response

Will not be implemented. The recommendation is not warranted. By County ordinance, the Chief of County Fire or his designee is a voting member of the FDAC as are representatives from each supervisorial district. All recommendations by the FDAC are the result of a democratic process.

4. A County Fire web page should be created, with a link available on the Santa Cruz County Government home page. The County Fire web page could include the Cal Fire cooperative agreements that make up the contract and links to the Cal Fire and participating volunteer company web sites.

FDAC Response:

Has not yet been implemented, but will be implemented in the future. The FDAC has established task group to develop appropriate models and anticipates making recommendations for implementation of a web site by the end of the calendar year. The implementation schedule is dependent upon the determination of necessary resources and funding.

5. All fire company volunteers should receive recognition from the Board of Supervisors, with particular commendations to long-time volunteers.

FDAC Response:

This recommendation requires further analysis. County Fire management will work with County staff to formulate an action plan for consideration by the County Administrative Office and Board of Supervisors.

6. County Fire management needs to explain the parameters that shape its incident reporting to the Board of Supervisors, and the supervisors should understand the elements involved in tracking incident responses. This knowledge is required to understand properly what is being reported.

FDAC Response:

Has not yet been implemented, but will be implemented in the future. For all statistical reports involving County Fire call data, the methodology and data sources will be explained fully to ensure the Board's understanding of the information.

7. County Fire management should include the responses of volunteer companies and other mutual aid when evaluating the effects of reduced staffing.

FDAC Response:

Has not yet been implemented, but will be implemented in the future. Depending upon direction from the Board of Supervisors and/or the specific assignment at hand, any evaluation of reduction in staffing will include both career and volunteer responders.

8. The FDAC should include a representative of the Health Services Agency to add perspective to medical response issues.

Attachment B
Fire Department Advisory Commission Response

FDAC Response:

Will not be implemented. The recommendation is not warranted. The FDAC has been in the process of evaluating its current membership complement. At their July 2008 meeting reconsideration of adding an HSA representative was discussed; FDAC members voted not to include HSA as a voting member. FADCA members agreed that HSA staff may be invited to FDAC meetings if particular topics are related to their areas of expertise.

9. County Fire should be made a member of the Emergency Medical Services Integration Authority (EMSIA).

FDAC Response:

Will not be implemented. The recommendation is not warranted. County Fire does not have paramedic services at present.

10. Paradise Park should be detached from CSA 48.

FDAC Response:

Requires further analysis. Detachment is only viable if another agency assumes full responsibility for service delivery in Paradise Park.

11. All agencies using addressing clerk services should share in the cost.

FDAC Response:

Agreed. The recommendation is reasonable. The cost of the work of the position should be allocated to all County jurisdictions/operations receiving the actual benefit including the Sheriffs Office and Public Works.

12. The Board of Supervisors should review the allocation of Proposition 172 funds.

FDAC Response:

Agreed. A more equitable distribution of funds to unincorporated area fire services should be considered.

The fire share represents a percentage of benefit only in those years when an increase over the tax base amount occurs. For those years where no increase occurs, fire does not receive share.

13. The Board of Supervisors should examine fire marshal services for ways to reduce County Fire cost.

FDAC Response:

Has been implemented. County continually monitors the activities of the Fire Marshall's office. County Fire adjusts operations according to the desired level of service.