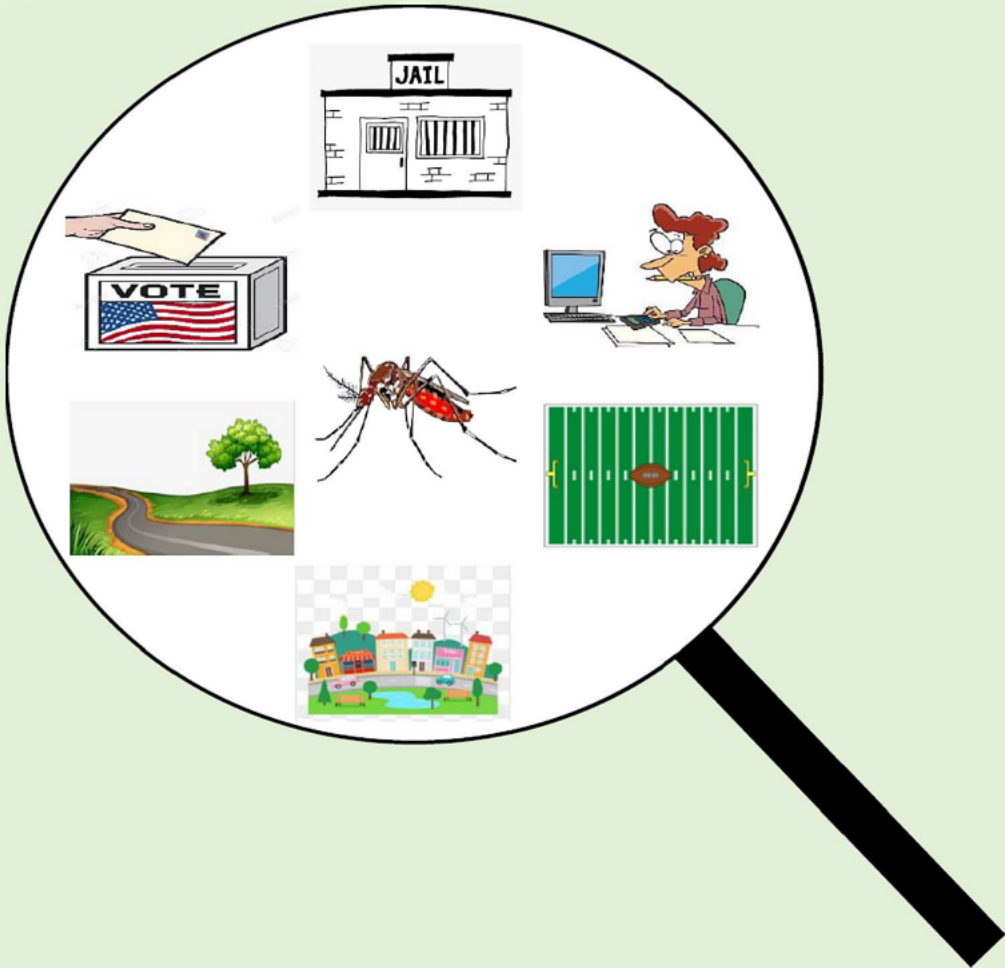


**2019-2020**  
**BUTTE COUNTY**  
**GRAND JURY REPORT**





2019-2020  
BUTTE COUNTY  
GRAND JURY FINAL REPORT

Superior Court of California  
County of Butte  
JUN 19 2020  
By Kimberly Flener, Clerk Deputy



2019-2020 BUTTE COUNTY GRAND JURY MISSION STATEMENT

The 2019-2020 Butte County Grand Jury is responsible for reviewing various levels, branches, and agencies of government within this county. These reviews are conducted to ensure the various government branches and agencies are performing their duties and operating in an appropriate manner which best serves the citizens of Butte County. When necessary, the Grand Jury may also hear and determine the appropriateness of certain criminal indictments.

JUNE 4, 2020

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# TABLE OF CONTENTS

<b><u>PREFACE</u></b>	<b><u>I</u></b>
FOREPERSON’S LETTER TO THE JUDGE.....	II
GRAND JURY’S CITIZENS LETTER.....	IV
ACKNOWLEDGMENTS.....	VI
2019-2020 GRAND JURY MEMBERS. ....	VIII
GRAND JURY FINAL RESOLUTION.....	IX
ROLE OF THE GRAND JURY.....	X
PENAL CODE RELATED TO THE GRAND JURY.....	XI
<b><u>2019-2020 GRAND JURY REPORTS</u></b>	<b><u>1</u></b>
RESPONSE.....	1
AUDIT REPORT.....	5
BUTTE COUNTY CORRECTIONAL FACILITIES.....	9
BUTTE COUNTY MOSQUITO ABATEMENT DISTRICTS.....	25
PUBLIC WORKS ROADS.....	45
THE STATUS OF GOVERNMENT IN BUTTE COUNTY.....	57
OROVILLE UNION HIGH SCHOOL DISTRICT ATHLETIC FACILITIES.....	69
BUTTE STRONG CITIES OF BUTTE COUNTY.....	79

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# PREFACE



## **2019-2020 Butte County Grand Jury**

The Honorable Judge Michael R. Deems  
Judge of the Superior Court of California, County of Butte

Dear Judge Deems,

On behalf of the 2019-2020 Butte County Grand Jury, it is my honor and privilege to present the 2019-2020 Butte County Grand Jury Final Report for your review and consideration. The eight reports which follow have been approved by the Grand Jury. It is our intent that these reports and our year of service will be of benefit to the citizens of Butte County.

We are grateful this year for the use of the rooms at the Butte County Law Library in Oroville. The Library has served our needs well, and we hope that as long as the County has the use of that facility, it can be used by future Grand Juries.

The Grand Jury visited many County departments, cities and other government entities and conducted numerous interviews. Although some of the investigations did not result in the issuance of individual reports, we wish to express our appreciation for the willing and competent assistance that many agencies provided. Also, we wish to thank the officials who made presentations to the Jury, the County Counsel and the Court Staff who always assisted us in a helpful and professional manner. We also wish to note that while one juror of the Grand Jury is affiliated with one of the entities, and one juror is employed by one of the departments we reviewed, those persons did not participate in any of the interviews, analysis and writing regarding those entities.

2019 and 2020 were election years. These were the first all-mail ballot elections for Butte County. The Butte County Registrar of Voters invited members of the current Butte County Grand Jury to serve on the Logic and Accuracy Board. Prior to the special election on November 5, 2019 and the primary election on March 3, 2020, three members of our Grand Jury observed the testing of mechanical and electronic equipment, verifying that the ballot counting program accurately tallied the test ballots. On election night, they observed the ballot count process. These jurors concluded that the entire process assured that the final vote tallies accurately reflected the votes cast in Butte County.



The 2019-2020 Grand Jury has worked as a team. I personally wish to express my gratitude and appreciation to the members of the Grand Jury for their dedication and year of service to Butte County. The final four months of our service we were under a Stay-at-Home Order due to COVID-19. I commend jurors for diligently completing their interviews and report writing via teleconferencing. The Grand Jury sincerely thanks our families, friends and employers for their support and understanding during our service.

Respectfully Submitted,

*Susan Blood*

Susan Blood, Foreperson

2019-2020 Butte County Grand Jury



## 2019-2020 Butte County Grand Jury

To: The Citizens of Butte County

The term of the 2019-2020 Butte County Grand Jury is coming to a close. The seventeen members of the Jury have been privileged to serve for the past year. Serving has been a rewarding and interesting experience for all of us, and we are pleased to have had this opportunity to serve our community.

The Grand Jury functions primarily as a “watchdog”, representing the citizens of the County in providing oversight of the operations of governmental entities within the County. Another section of this report gives more details about how the jury is organized and functions.

In this letter we would like to comment on the importance of the complaints and observations, which the Grand Jury receives from the citizens of the County. While each Grand Jury is independent and free to investigate such matters as its members decide, many investigations have their origin in correspondence received from citizens of the County. Complaints are received, acknowledged and given due consideration. Because each Grand Jury sets its own priorities and has considerable time constraints, some complaints may not result in investigations.

An investigation undertaken by a Grand Jury typically takes several months to complete. If a report is written following the investigation, several weeks must be added to the process. Because of this, complaints received early in the Grand Jury’s term, which in Butte County always begins July 1st of each year, have a better chance of being selected for investigation. Complaints received later in the term may be passed on to the next Grand Jury, which may or may not choose to investigate them.

The process for making complaints or expressing concerns is straightforward. Instructions and a complaint form are available on the Butte County website, [www.buttecounty.net](http://www.buttecounty.net).

Service on the Grand Jury is voluntary. We urge those citizens who receive a letter offering this opportunity to give it serious consideration. For those able to devote the time and energy, it is a very worthwhile and rewarding opportunity to become a better-informed citizen and contribute to your community.

We have been pleased to have had this opportunity. We thank our family members and friends who have supported this year of service. We thank the many governmental employees and board members who have so willingly contributed to this process. And we thank the citizens of the County for this opportunity to serve.

Sincerely,

Members of the 2019-2020 Butte County Grand Jury

## ACKNOWLEDGEMENTS

The 2019-2020 Butte County Grand Jury wishes to express its sincere appreciation and thanks to the following individuals, departments and organizations for their professional assistance, guidance and support during this term.

- The citizens of Butte County, whose concern for the public good led them to lodge complaints about perceived wrongdoing within local government entities.
- Butte County Board of Supervisors: Bill Connelly, Debra Lucero, Steve Lambert, Doug Teeter, and Tami Ritter. We appreciated your cooperation and candidness.
- Candace Grubbs, County Clerk-Recorder/Registrar of Elections for her availability, assistance, support of the Grand Jury and dedication to Butte County.
- Dennis Schmidt, Butte County Public Works Division Director and staff for its continued support of our work throughout the year.
- Sheriff Kory Honea and staff for a guided tour of the Butte County Jail and Sheriffs' Work Alternative Program.
- Nino Pinocchio and staff for a guided tour of the Butte County Juvenile Hall.
- Butte County Mosquito and Vector Control District Manager Matthew Ball who went out of his way to assist the Grand Jury with information.
- Durham Mosquito District Manager Aaron Amator.
- Stephen Lucas, LAFCo Executive Officer, for providing information that was essential to our study.
- The Town of Paradise for being resilient and overcoming the obstacles in rebuilding the Town.
- Andy Pickett, Butte County Deputy Chief Administration Officer and staff for their support.
- Art Robison, Director Information Services for his availability to the Grand Jury during the Shelter-at-Home Order.
- Dr. Corey Willenberg, Oroville Union High School Superintendent for his cooperation and support.
- Our families, friends, and employers for their support and understanding of our unique responsibility.

In Addition, the 2019-2020 Grand Jury would like to thank the staff of the Superior Court of California, County of Butte, and express particular gratitude for the assistance and support provided by:

- Presiding Judge Clare Keithley, Judge Michael R. Deems and Judge Tamara Mosbarger for presiding over the 2019-2020 Butte County Grand Jury.
- Kimberly Flener, Court Executive Officer
- Bruce Alpert, County Counsel and staff
- Brad Stephens, Assistant County Counsel
- Kim Dionne, Court Services Specialist
- Thia Osborn, Court Services Specialist
- Katie Ray, Court Services Specialist
- Shari McCracken, Butte County Chief Administrative Officer
- Megan Jessee, Deputy Chief Administrator Officer
- Graciela Gutierrez, Butte County Auditor-Controller
- Keaton Denlay, Elections Office Manager
- Madison Wyman, Assistant Registrar
- Kory Calvin, Assistant Registrar

## 2019-2020 MEMBERS OF THE GRAND JURY

Susan Blood	Oroville	Foreperson
Jeffrey Wiles	Oroville	Foreperson Pro Tempore
Margaret Krehbiel	Chico	Recording Secretary
Barbara Hubler	Oroville	Corresponding Secretary
Lidia Vargas	Gridley	Sergeant-At-Arms
James Marxmiller	Chico	Treasurer
Mark Chrisman	Chico	
Stephen Dunbar	Chico	
Sandra Harrington	Chico	
Sara Heimbecher	Chico	
John Hollister	Chico	
Diane Larson	Chico	
Geraldine Mahood	Chico	
David Pegg	Chico	
Betty Pennington	Chico	
Mark Riggs	Oroville	
Erin Wooldridge	Chico	

We wish to acknowledge those jurors who served briefly on the 2019-2020 Grand Jury who were unable to complete their term. We thank you and appreciate the time you were able to serve.

## **2019-2020 BUTTE COUNTY GRAND JURY**

### **FINAL RESOLUTION**

**Whereas, the 2019-2020 Butte County Grand Jury** has conducted the business of its term and has reached certain conclusions, and

**Whereas, the 2019-2020 Butte County Grand Jury** desires to disclose the substance of those conclusions for the benefit of local government, its agencies and the citizens of Butte County.

**Now, therefore, be it resolved** that the attached papers, commendations, findings and recommendations are adopted as the Grand Jury Final Report and submitted to the Presiding Judge of the Superior Court of California, County of Butte, to be entered as a public document pursuant to California Law.

The above resolution was passed and adopted by the 2019-2020 Butte County Grand Jury at the Butte County Superior Court in Oroville on the 4th day of June 2020.

Susan Blood, Foreperson

# THE ROLE OF THE GRAND JURY

*Many forms of Government have been tried, and will be tried, in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of Government except for all those other forms that have been tried from time to time....*

--Winston Churchill

In the 18th century, the greatest experiment in human governance began: a new nation founded on a system of citizen-led democracy. In a world dominated by monarchs and dictators, this radical idea of a citizen-run government was met with derision, skepticism and war. Citizen-led democracy, over 240 years, has proven to be the greatest form of government the world has ever known, creating opportunity for prosperity, peace and harmony for all who desire it.

The model of the citizen-run government elevates the requirements of a nation's occupant. Freedom comes with responsibility and requires dedication of time and resources from every citizen. The Grand Jury serves as one of these responsibilities, crucial to the health and continuity of our society.

The Grand Jury serves as a structure for citizens to voluntarily engage with their local government in a position of authority and acting in secret. The Grand Jury has autonomy to investigate any area of county or city government, and the right to subpoena information if not satisfied with what is provided. Citizens can refer issues of government misconduct to the Grand Jury, who may proceed with an investigation if deemed appropriate. The subjects of investigations or departmental reviews are determined solely by the Grand Jury and remain confidential until the end of the one-year term.

The 17 members of the 2019-2020 Grand Jury have now completed their final report. Thank you for doing part of your civic duty by reading it. Butte County and all citizen led democracies will either thrive with an informed and engaged citizenry or collapse without it.

*The tyranny of a prince in an oligarchy is not so dangerous to the public welfare as the apathy of a citizen in a democracy.*

--Charles de Montesquieu



# California Penal Code Sections

June 4, 2020

The Grand Jury Final Report has been filed on this date pursuant to California Penal Code §933. A copy of the report is enclosed.

## **Penal Code §933**

§933. Report of findings and recommendations; Comment by governing board of agency and by mayor.

(a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

(c) No later than 90 days after the grand jury submits 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, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section “agency” includes a department.

## Penal Code §933.05

- (a) For purposes of subdivision (B) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
  - (1) The respondent agrees with the finding.
  - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (b) For purposes of subdivision (B) Section 933, as to each grand jury finding, 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 therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

## COMMENTS REGARDING RESPONSES TO THE 2018-2019

### BUTTE COUNTY GRAND JURY REPORT

#### BACKGROUND

Under California state law and in accordance with Penal Code Section 933, local government agencies, officials, or department heads are required to respond in writing to Grand Jury reports. The governing body of any agency that is the subject of the report has ninety days to submit a response, while elected officials and department heads have sixty days to respond.

All requested responses to applicable Findings must agree or disagree, either wholly or partially, with the Grand Jury Findings. Responses to applicable Recommendations must include whether the Recommendation has been implemented, not yet been implemented but will be, will not be implemented, or requires further analysis. Respondents are required to explain disagreements with both Findings and Recommendations.

#### DISCUSSION

The final 2018-2019 Butte County Grand Jury report contained a total of thirty-seven (37) recommendations. Of the 37 Recommendations, 10 have been implemented, 1 will be implemented, 14 require further analysis and 12 of the Recommendations will not be implemented. There were also thirty-three (33) responses to the 2018-2019 Grand Jury Report's Findings. The full breakdown of the required responses to the Recommendations and Findings are shown in the following Table 1. Additionally, there were invited responses from others. Those statistics are shown separately in Table 2.

Find the actual full Responses to the 2018-2019 Butte County Grand Jury Report at the following link:

<http://www.buttecounty.net/administration/Grand-Jury/Grand-Jury-Report-for-Fiscal-Year-2018-2019>

## REQUIRED RESPONSES

The responses to the 2018-2019 Grand Jury report were received on time and in accordance with California state law. Respondents included Butte County Board of Supervisors, Butte County Chief Administrative Officer, Butte County Emergency Services Officer, Butte County Sheriff, Butte County Public Works Director, Butte County Development Services, Chico City Council and the Town of Paradise.

**TABLE 1**

### 2018-2019 BUTTE COUNTY GRAND JURY REPORT REQUIRED RESPONSES

Required Respondents to the 2018-2019 Grand Jury Reports	Findings					Recommendations			
	Yes Agree	No Disagree	Partially Agree	Partially Disagree	Neither Agree nor Disagree	Yes Implemented	Yes- Will be Implemented	No- Will not be implemented	Requires Further Analysis
Butte County Board of Supervisors (2)	7	1	1	3	1*	4		4	2
Butte County Chief Administrative Officer	5	1	1	3	1*	2		3	2
Butte County Emergency Services Officer	1		1	1		3	1	1	2**
Butte County Sheriff	2	1				1			4
Butte County Public Works Director	2							3^	
Butte County Development Services								1*	
Chico City Council	1								1
Town of Paradise									3^^

(2) Responses for two Reports , \* Not in their jurisdiction or N/A, \*\* R12 Referred to the Sheriff's Office,

^ R9 & R10 Not in their jurisdiction, ^^ Generally agree, but currently unable to determine implementation

**INVITED RESPONSES**

Invitations to respond to the 2018-2019 Grand Jury report included entities related to, and those entities and/or persons possibly interested in, the report. These responses are not required but were given to those whom the Grand Jury felt may also have valuable input to the Report. Respondents included Butte County Fire Department and Butte County Department of Employment and Social Services (DESS). DESS responses came from a combination of Directors, Program Managers and Supervisors.

**TABLE 2  
2018-2019 BUTTE COUNTY GRAND JURY REPORT INVITED  
RESPONSES**

Invited Respondents to the 2018-2019 Grand Jury Reports	Findings					Recommendations			
	Yes Agree	No Disagree	Partially Agree	Partially Disagree	Neither Agree nor Disagree	Yes Implemented	Yes-Will be Implemented	No-Will not be implemented	Requires Further Analysis
Department of Employment and Social Services	7	2				4	5	1	3
Butte County Fire Department	1			1	2*			1	

\* Not in their jurisdiction or N/A

As of the publication date for this Grand Jury's 2019-2020 Report, these Invited Responses, in full, are located **in the body** of the **Butte County Board of Supervisors** heading portal.

This can be directly located at the following portal link:

<http://www.buttecounty.net/Portals/1/GrandJury/18-19/ButteCountyBoardofSupervisorsGrandJuryResponse.pdf?ver=2019-10-22-140609-947>

In addition to the Required and Invited responses, there were some additional and unsolicited responses on a variety of the Findings and Recommendations from the 2018-2019 Grand Jury Report. Those can be found in the full and actual responses at the previously listed links.

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# **Butte County Audit Report**

## **SUMMARY**

On November 8, 2019 Butte County honored the first anniversary of the Camp Fire, California's most deadly wildfire. The Grand Jury wanted to know what impact the Camp Fire may have had on the County Auditor-Controller's Office to perform its duties. In addition to a change in leadership, some expected financial resources were lost. However, many new resources such as Property Tax Backfill, FEMA, PG&E, and donations became available.

## **GLOSSARY**

- Property Tax Backfill: State general funds to compensate counties for property tax money lost due to a disaster.
- FEMA: Federal Emergency Management Agency
- PG&E: Pacific Gas & Electric
- S&P: Standard and Poor's

## **BACKGROUND**

California state law authorizes the Grand Jury to look at how the county conducts an audit of its operations and the result of that study. The 2019-2020 Grand Jury explored the actions of the Auditor-Controller in managing the various post-fire funds and calculating the Property Tax Backfill estimate submitted to the State of California. We further reviewed other Camp Fire effects on the department and the unexpected personnel changes over the past year.

## **METHODOLOGY**

- **Attended:**
  - Butte County Audit Committee Meeting on November 12, 2019.
  
- **Reviewed:**
  - County of Butte Comprehensive Annual Financial Report for fiscal year ending on June 30, 2019, prepared under the supervision of the Butte County Auditor-Controller's Office
  - County of Butte Single Audit Report for fiscal year ending on June 30, 2019, prepared by the accounting firm of CliftonLarsonAllen, L.L.P.
  - County of Butte Landfill Fund Financial Statements for fiscal year ending on June 30, 2019 and the related Audit Report prepared by the accounting firm CliftonLarsonAllen, L.L.P.
  - Butte County Auditor-Controller procedure manuals
  
- **Toured:**
  - Butte County Auditor-Controller's Office and met with the staff
  
- **Interviewed:**
  - Butte County Auditor-Controller
  - Butte County Chief Administrative Officer
  - Butte County Deputy Chief Administrative Officer
  - Manager of Property Taxes and Grants
  - Butte County Assessor

## **DISCUSSION**

The Grand Jury was concerned about department morale stemming from new management and from post Camp Fire effects on the workers. After meeting with the Auditor-Controller and staff, our overall impression was they were very motivated and felt supported. Following the Camp Fire, the Auditor-Controller's Office immediately lost some personnel, but managed the extra workload by promoting from within the department and providing overtime. The new



Auditor-Controller provided cross training so all the employees could step in and perform other duties as needed. While doing so, they received another Certificate of Achievement for Excellence in Financial Reporting and maintained the S&P A+ credit rating for the County. Many of the PG&E and FEMA funds are still pending, as of this report, but are being closely monitored. The Auditor-Controller worked with personnel from the counties of Lake, Napa, and Sonoma, also affected by wildfires, to gain insight on how to implement the Property Tax Backfill needs of Butte County. The Auditor-Controller's Office has worked closely with the Assessor's Office and other departments to develop a formula for determining the backfill numbers submitted to the State of California.

Due to the additional efforts of the Auditor-Controller's Office, Butte County received the entire three-year Property Tax Backfill monies requested from the state. This money is now being held in trust for annual apportionment from the Auditor-Controller's Office.

## **FINDINGS**

F1. The Auditor Controller's Office performed extremely well for the citizens of Butte County while adjusting to the changes experienced over the last year and preparing for the future needs of our County.

## **RECOMMENDATIONS**

None.

The governing bodies indicated above should be aware that comment or response must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

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.
--



Government Finance Officers Association

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**County of Butte  
California**

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Financial Report  
for the Fiscal Year Ended

**June 30, 2018**

*Christopher P. Morill*

Executive Director/CEO

*State of California  
Office of the State Controller*

***Award for Counties  
Financial Transactions Reporting***

*Presented to*

***County of Butte***

*For its Year-End Financial Transaction Report  
For the Fiscal Year Ended June 30, 2018*

*Betty T. Yee*

**Betty T. Yee**

***Dated this 24<sup>th</sup> day of October 2019***

## **Butte County Correctional Facilities**

### **SUMMARY**

In accordance with California State Penal Code Section 919(b), the 2019-2020 Butte County Grand Jury (BCGJ) observed the operation and management of the Butte County Jail (BCJ) and Butte County Juvenile Hall. In addition, the BCGJ toured the Sheriff's Work Alternative Program and attended a presentation by the Butte County Gang Task Force. These were conducted in the fall of 2019.

### **GLOSSARY**

- AB 109 – CA Assembly Bill 109 *The Public Safety Realignment Act*
- BCGJ – 2019-2020 Butte County Grand Jury
- BCJ – Butte County Jail
- CA SB 1004, Proposition 63 (Revision Sept. 2018) *Mental Health Services Act*
- IMQ – Institute for Medical Quality
- MAT – Medication Assisted Treatment
- Prop 47 – CA Proposition 47 *Reduced Penalties for Certain Felonies to Misdemeanors*
- Prop 57 – CA Proposition 57 *Public Safety and Rehabilitation for Non-Violent Crimes*
- SWAP – Sheriff's Work Alternative Program

### **BACKGROUND**

#### **Butte County Jail**

The BCGJ learned that the BCJ is two county jails combined into one facility. One section of the facility was built in 1963, and the other section was built in 1994. The daily jail inmate population fluctuates between 570-590 inmates, with a maximum jail capacity of 614.

#### **Butte County Juvenile Hall**

Juvenile Hall's capacity is 60 youth: 25 detention youth, 15 youth in Camp Condor (a court ordered program for juvenile offenders) and 20 youth in the CA Transitional Age Youth Program.

## **Sheriff's Work Alternative Program (SWAP)**

The SWAP daily population number varies between 60 – 67 inmates. SWAP crew sizes are 8-12 inmates. Sheriff's Deputies supervise each crew.

## **METHODOLOGY**

- **Interviewed:**
  - Butte County Sheriff's Department supervisors and staff
  - Butte County Inmate Advocate
  - Wellpath staff
- **Presentations:**
  - Butte County Sheriff
  - Butte County Gang Awareness Program
- **Toured:**
  - Butte County Jail:
    - Medical, Dental and Mental Health Departments (Wellpath)
    - Butte County SWAP
  - Butte County Juvenile Hall
- **Documents:**
  - Butte County Jail:
    - BCJ Inmate Grievance Procedures
    - BCJ Inmate Complaint log
    - Butte County Sheriff's Office Corrections Division, *Jail Information Handbook*, 1/2019
  - Wellpath:
    - Wellpath Butte County Policy and Procedures Manual

- Accreditation Report: *The Corrections and Detentions Health Care Committee*
  - Wellpath Complaint log
  - *Professional Service Contract Butte County Jail, 1/14/2015 through 1/13/2018*
- **Websites:**
  - Hutchinson, J (12/21/2019) Jail plans to heavily extend capacity, timeline remains murky.  
<https://www.chicoer.com/2019/12/21/jail-plans-to-heavily-extend-capacity-timeline-remains-murky/>
  - SB-1004 Mental Health Services Act: Prevention and Early Intervention:  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB1004](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB1004)
  - California Realignment, Stanford Criminal Justice Center (SCJC):  
<https://law.stanford.edu/stanford-criminal-justice-center-sjcj/california-realignment/>

## **DISCUSSION**

In 2011, AB109, the Public Safety Realignment Act, was passed by California voters. This initiative is described as a process of change in the California Criminal Justice System. AB109 transfers responsibility for supervising certain types of felony offenders and state prison parolees from state prison and state parole to county jails and/or probation offices. The increased inmate population is directly related to policy changes at the State level. As a result, if one is convicted of one of approximately 500 felony crimes that are considered non-serious, non-violent and non-sexual, an offender will be sentenced to county jail and/or non-custodial mandatory supervision (probation).

Prior to AB 109, a convicted felon would have been sentenced to California State Prison. If a convicted felon was serving a prison sentence for a realignment crime after the passage of AB109, the inmate would be released to the supervision of the county probation department instead of the state parole system. This amended the sentencing of felony crimes in California. A

felony crime prior to AB109 was defined as an offense that could be punished with state prison time. Now, the sentencing time is served in the county jail even though the crimes are still considered a felony.

On November 4, 2014, Prop 47 was passed by California voters. Prop 47 reduced the penalties for certain theft and drug crimes from felonies down to misdemeanors. After Prop 47, those previously convicted of felonies could file a motion with the court to modify their sentence. Thus, the inmates would move from state prison to county jail if the re-sentencing request was successful. In the same filing, the convicted individuals could petition the Court for a reduction in their classification from a felony to a misdemeanor.

In California, the maximum penalty for misdemeanors is one year in county jail and/or a fine up to \$1,000. In contrast, even the least serious felonies in California carry a minimum sentence of sixteen months to two or more years in state prison and/or a fine up to \$10,000.

The intent of Prop 57, passed by voters in 2016, is to rehabilitate inmates. A convicted felon could become eligible for early release under Prop 57, which incentivizes inmates to take responsibility for their own rehabilitation with credit earning opportunities for sustained good behavior, as well as in-prison programs and activities participation. This proposition increased the chance of early parole for California inmates serving California state prison sentences for non-violent felonies. This early release has the potential to impact County jails. After an inmate has served the basic sentence, not including any enhancements, the release takes effect, which could put an active criminal back on the street to re-offend. This convicted criminal could then end up returning to County jail if caught committing a crime that had been reduced by Prop 47.

The Butte County Sheriff immediately realized these changes would have a major impact on the jail and took action. The Sheriff began to collaborate and form partnerships with numerous Butte County agencies, stakeholders and/or vendors with expertise in inmate education and counseling:

- GED and remedial studies
- Career and job opportunity development
- Drug and alcohol rehabilitation
- Domestic violence and anger control counseling

- Family and community networking
- Literacy programs
- Housing support
- Child support services

The daily inmate population hovers at near capacity, and the jail is understaffed. At the time of the BCGJ tour, there were forty jail staff job vacancies. While current staff covers the required shifts, mandatory overtime is required. The BCJ is utilizing approximately 2,455 hours of overtime per month.

### **Wellpath, contracted provider of Health Care**

The BCGJ investigated Wellpath, the contracted provider that provides inmate healthcare. The last bi-annual (every two years) accreditation was completed in 2017. The Institute for Medical Quality (IMQ), a subsidiary of the California Medical Association, has announced that it is winding down operations and is no longer accepting applications or renewals for correctional facility accreditation. According to the Wellpath representative, IMQ has agreed to perform the bi-annual accreditation that was due in 2019. The pending accreditation review for 2019 had not been scheduled at the time of the BCGJ interviews.

### **Mental Health SB 1004 (Amended 8/20/2018)**

SB 1004 addresses mental health care processes including strategies, priorities, funding and treatment.

Effects of delayed treatment:

- Exposure to violence, assault and sexual victimization
- Significant risks of mental health conditions that older adults face

Effects of early treatment:

- Improved outcomes from investing in prevention and early intervention
- Early detection of the first episode of psychosis

The need for a 36-bed mental health ward became clear to the BCGJ to help in treatment of those inmates experiencing a mental health crisis.

The BCJ is currently providing an opioid alternative program called the Medication Assisted Treatment (MAT). MAT includes assessment, counseling, physician review, monitoring, and case management. The BCJ physician has received Opioid Treatment Program certification to oversee this program. The physician utilizes medications that are alternatives to opioids, such as Suboxone. Suboxone is used to treat narcotic (opioid) addiction by blocking the effects of opioid medications. Coupled with counseling and behavioral therapies, this medication provides a whole person approach to the treatment of substance abuse related to central nervous system depressants. MAT provides assessment, diagnosis, treatment and recovery services to individuals facing substance abuse challenges. Commonly abused medications include Oxycodone, Hydrocodone, Codeine, Morphine, Heroin and/or Fentanyl.

### **Medical Health Care**

The BCGJ reviewed the grievance procedure and the inmate complaint process per the *Jail Information Handbook*, from the initiation of a complaint to resolution. The BCGJ found the process lengthy and difficult to navigate. Correction Officers that receive and handle each grievance can affect the entire process. Due to the multiple steps and number of staff involved, the grievance process is open to interpretation by anyone along the chain of command. Also, if the grievance form is not filled out correctly, it goes back to the inmate. Simplifying the steps would make it easier for everyone to navigate through the process.

The medical facility's non-electric examination table has visible cracks, which poses an infection control threat. This could lead to the spread of viruses (COVID-19) and other diseases.



**Cracked Medical Examination Table**



**Medical Day Room: three cells surrounding the room where sick inmates are housed.**



(source - Jake Hutchison - Enterprise-Record, Dec 21, 2019)

## Juvenile Hall

The BCGJ inspected the operation and management of Juvenile Hall. The facility was clean and well-managed, with caring and compassionate staff. The BCGJ found the staffing to be adequate. The BCGJ was impressed by the following:

- Table Mountain School – fully accredited
- Lunch program –subsidized lunches with all meals planned by a nutritionist
- Welding program

### Examples of Welding Projects



## **Juvenile Hall Mission Statement**



### **Sheriff's Work Alternative Program**

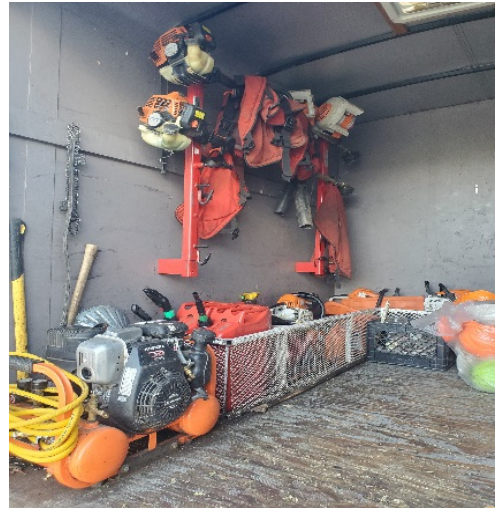
SWAP is offered as an alternative to serving time in jail to individuals that are eligible. Eligibility is based on court orders, type of charges, number of days to serve, other cases pending and previous attendance history. SWAP usually has 60-67 inmates at a time. Four Correctional Officers are assigned to work with the SWAP program. A crew consists of 8-12 inmates.

The BCGJ was impressed by the following programs:

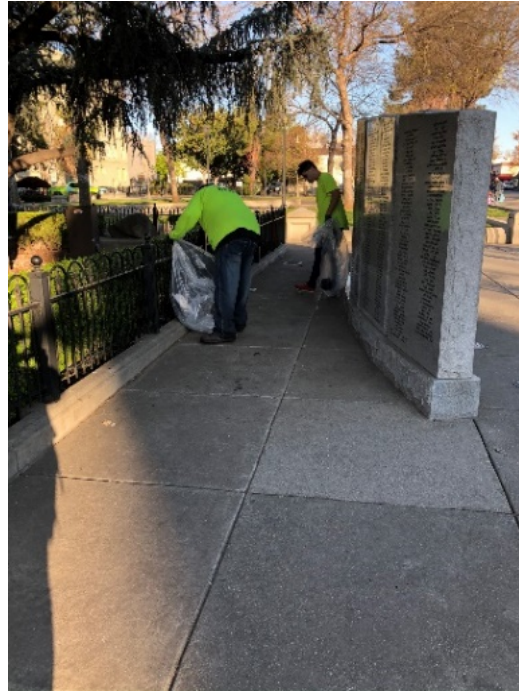
## Inmate Bicycle Refurbishing Program



## SWAP Work Crew Trailers



**Butte County Park Cleanup Crew Hard at Work**



**Fire / Fuel Reduction crew and roadside clean up making a difference**



## **Computer Lab**

The BCJ computer lab is located in the Day Reporting Center. The computers are used for G.E.D. and remedial studies. During the tour, it was pointed out that the computers are old and need to be upgraded.

## **Computer Lab**

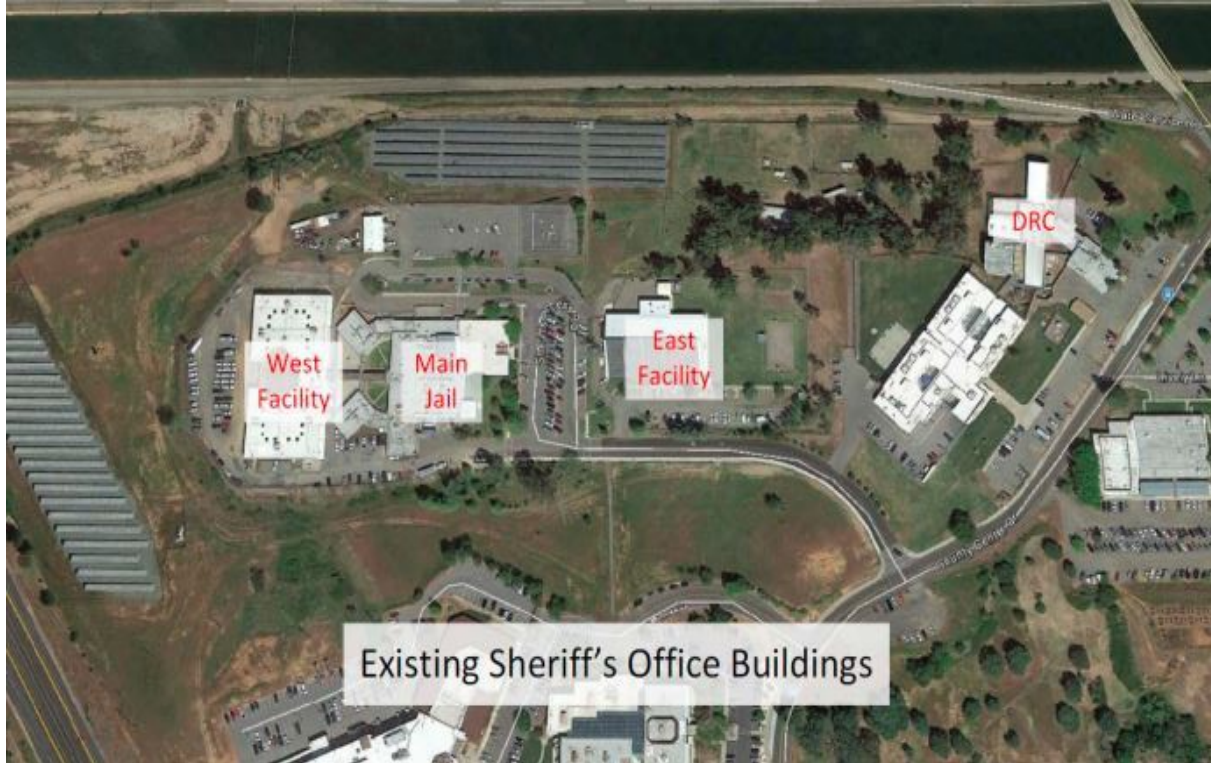


## **Dogs for a Veteran Program, helping Vets heal**



## Existing Jail Facilities

Main Jail built in 1963; West Facility added in 1994; East Facility Staff offices; SWAP Day Reporting Center (DRC).



(Photo courtesy of Butte County Sheriff's Office)

## Main Jail Built in 1963

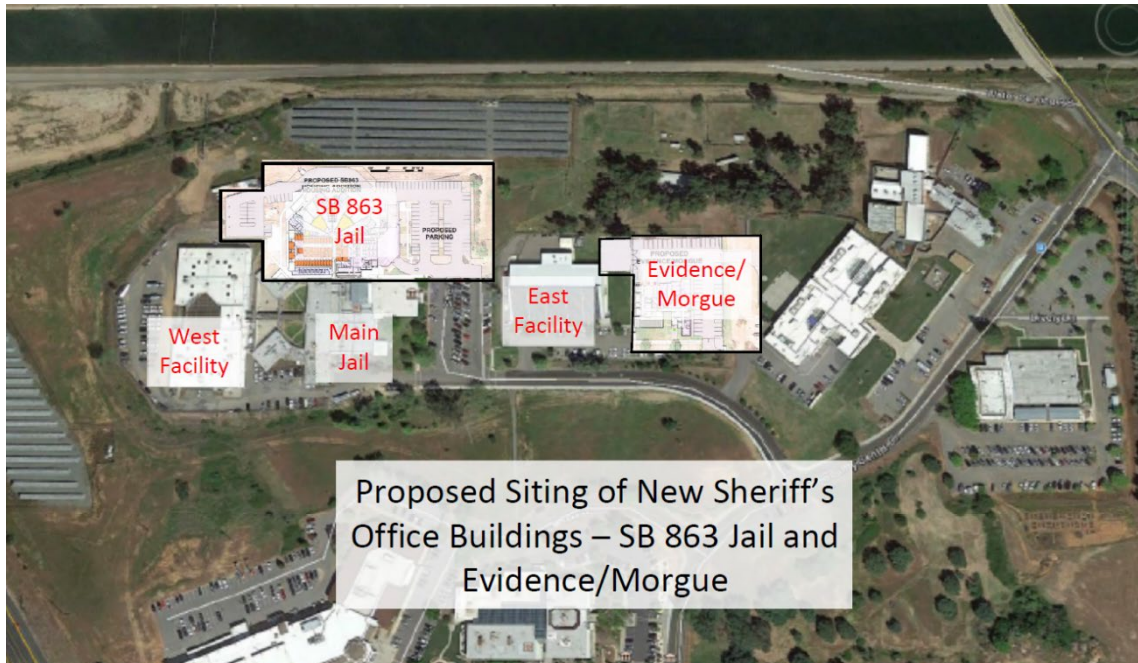


(Photos by Bill Husa, Mercury-Register, August 29, 2018 and KRCR, Tyler May, October 8, 2013)

## Planned Funding for a New Butte County Jail

In 2014, the Butte County Sheriff's Office received \$40 million in matching grant funding through CA Senate Bill 863. This grant requires that the county provide a match of \$4 million. Unfortunately, the new jail project had to be postponed, due to unintended consequences of the Camp Fire (Nov. 8, 2018), which caused major increases in the cost of material and labor. Plans for building the new jail facilities were in motion until the bids were received. The lowest bid was \$12 million over budget. The Sheriff, after reviewing the blueprints, plans to re-bid the project to local architects, with the expectation that the new bids will come in within the authorized budget. The new jail will address the overcrowding inmate population and will increase the much-needed mental health bed availability from three to thirty-six beds.

### Plans for New Jail Complex





## **ACKNOWLEDGEMENTS**

The BCGJ wishes to commend the Butte County Sheriff for his leadership, foresight and decision-making skills. Butte County is extremely fortunate to have a man of his caliber in the position of Sheriff. The Sheriff leads by example in his care for the community and his actions are emulated by his staff.

The BCGJ found that the Sheriff, Officers, administrative staff and contracted employees demonstrate compassionate care for the inmates under their supervision. On a daily basis, the staff is working under extremely antiquated conditions, overcrowding and mandatory overtime. The BCGJ commends everyone for their exemplary, committed service.

## **FINDINGS**

- F1. The BCJ was constructed in 1963, and in 1994 the second facility was built. The age of these two buildings contributes to the need for a new jail facility.
- F2. The daily BCJ inmate population fluctuates between 570-590 inmates, with a maximum jail capacity of 614 creating potential areas of concern for both inmates and staff.
- F3. Overcrowding could potentially lead to the spread of disease and viruses.
- F4. AB 109, Prop 47 and Prop 57 have negatively impacted the jail population and the Probation Departments.
- F5. The grievance process is difficult to maneuver and subject to interpretation.
- F6. The medical examination table is an infection control hazard.
- F7. The computer lab, located in the Day Reporting Center, is outdated.
- F8. Juvenile Hall is professionally managed and adequately staffed.
- F9. BCJ inmate programs are a positive model for the State of California.
- F10. BCJ inmate programs are clearly a benefit for Butte County.

## RECOMMENDATIONS

- R1. Butte County Sheriff's Office should continue the pursuit of a new jail facility with the process that is currently in progress.
- R2. Butte County Sheriff's Office should simplify the inmate grievance procedure. For example, create a flow chart showing the responsibilities of the inmate and a separate flow chart for the Correctional Officers by January 3, 2021.
- R3. Butte County Sheriff's Office, or responsible party, needs to replace the existing examination table per *Professional Service Contract* by October 1, 2020 (before the start of flu season).
- R4. Butte County Sheriff's Office should upgrade the outdated Computer Lab and workstations by January 3, 2021.

## REQUIRED RESPONSES

Pursuant to Penal Code section 933 and 933.05, the following responses are *required*:

### From the following governing bodies:

- **Butte County Board of Supervisors:** respond to F1, F2, F3, F4 and R1 within 90 days

### From the following elected county officials:

- **Butte County Sheriff:** respond to F1, F2, F3, F4, F5, F6, F7 and R1, R2, R3, R4 within 60 days.

## INVITED RESPONSES

The Grand Jury invites the following individual to respond:

- **Butte County Inmate Advocate:** respond to F4, F5 and R2 within 60 days.

The governing bodies indicated above should be aware that comment or response must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

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.

# **Butte County Mosquito Abatement Districts**

## **Consolidation, Commendations and Concerns**

### **SUMMARY**

The purpose of this report is to provide information about what the Durham and Oroville Mosquito Abatement Districts (DMAD and OMAD) are doing to comply with the Local Agency Formation Commission's (LAFCO) 2018 recommendation that they consolidate to form a single Mosquito and Vector Control District. The 2016 -2017 Butte County Grand Jury (BCGJ) also recommended this consolidation. Three years in, it is time to assess the steps they have taken to consolidate the Districts. This is important to the community because warming trends have increased the threat mosquitoes pose to Butte County residents. The 2019-2020 BCGJ re-interviewed all the involved entities and researched current information to update the status of those recommendations. In the process, the BCGJ discovered other areas of concern and commendation. This resulted in a secondary focus on the Butte County Mosquito and Vector Control District. The BCGJ also looked at mosquito problems created by the Camp Fire and issues with the Butte County Department of Public Health (BCDPH) website.

### **GLOSSARY**

- BCDPH – Butte County Department of Public Health
- BCGJ – 2019-2020 Butte County Grand Jury
- BCMVCD – Butte County Mosquito and Vector Control District
- BOT – Board of Trustees
- Brown Act – Passed in 1953; protects the rights of California citizens to attend and participate in meetings of local legislative bodies and establishes the right to public information.

- CalPERS – California Public Employees Retirement System
- Dip – A volume of water equal to one pint used to check for mosquito larvae
- DMAD – Durham Mosquito Abatement District
- GLACVCD – Greater Los Angeles County Vector Control District
- IVMP – Integrated Vector Management Plan: A plan that is submitted annually from BCMVCD and DMAD to LAFCO
- LAFCO – Local Agency Formation Commission: Regional service planning agencies of the State of California
- MSR – Municipal Service Review: A LAFCO public report
- MSR/SOI – 2018 Final Municipal Service Review and Sphere of Influence Plan for the Mosquito Abatement Districts of Butte County
- OMAD – Oroville Mosquito Abatement District
- SOI – Sphere of Influence: An area in which an organization has power to affect events and developments
- WNV – West Nile Virus

## **BACKGROUND**

At the time of the 2016-2017 BCGJ Report, Butte County had three mosquito abatement districts:

- **Oroville Mosquito Abatement District (OMAD):** Established 1915; served the City of Oroville; has been absorbed by BCMVCD as recommended by LAFCO; 12.25 square miles.

- **Durham Mosquito Abatement District (DMAD):** Established in 1918; originally served Durham and adjacent rice fields; 64 square miles; BCMVCD now treats the rice fields.
- **Butte County Mosquito Vector Control District (BCMVCD):** Established in 1948; served the rest of Butte County and Hamilton City in Glenn County; currently includes the 15,000 acres of rice fields adjacent to Durham. Only BCMVCD has aerial spraying capabilities and a fully functional lab with an entomologist on staff.

The 2016-2017 BCGJ Report recommended that pending the results of the *2018 Municipal Service Review and Sphere of Influence Plans for Butte Abatement Districts Within Butte County* (MSR/SOI), LAFCO initiate the process of consolidating OMAD and DMAD under BCMVCD. This recommendation was made, in part, because of the 2016-2017 BCGJ Finding that OMAD and DMAD were limited in their ability to fulfill the duties of a vector control district. A second Finding was that BCMVCD offered more services to the residents of their district than did the other districts and with a lower parcel tax. LAFCO's MSR/SOI came to the same conclusion as the 2016-2017 BCGJ and soon thereafter began initiating consolidation. For these reasons, this Grand Jury felt an update on consolidation and current conditions would be beneficial to Butte County residents.

## **METHODOLOGY**

The 2019-2020 Butte County Grand Jury performed the following actions:

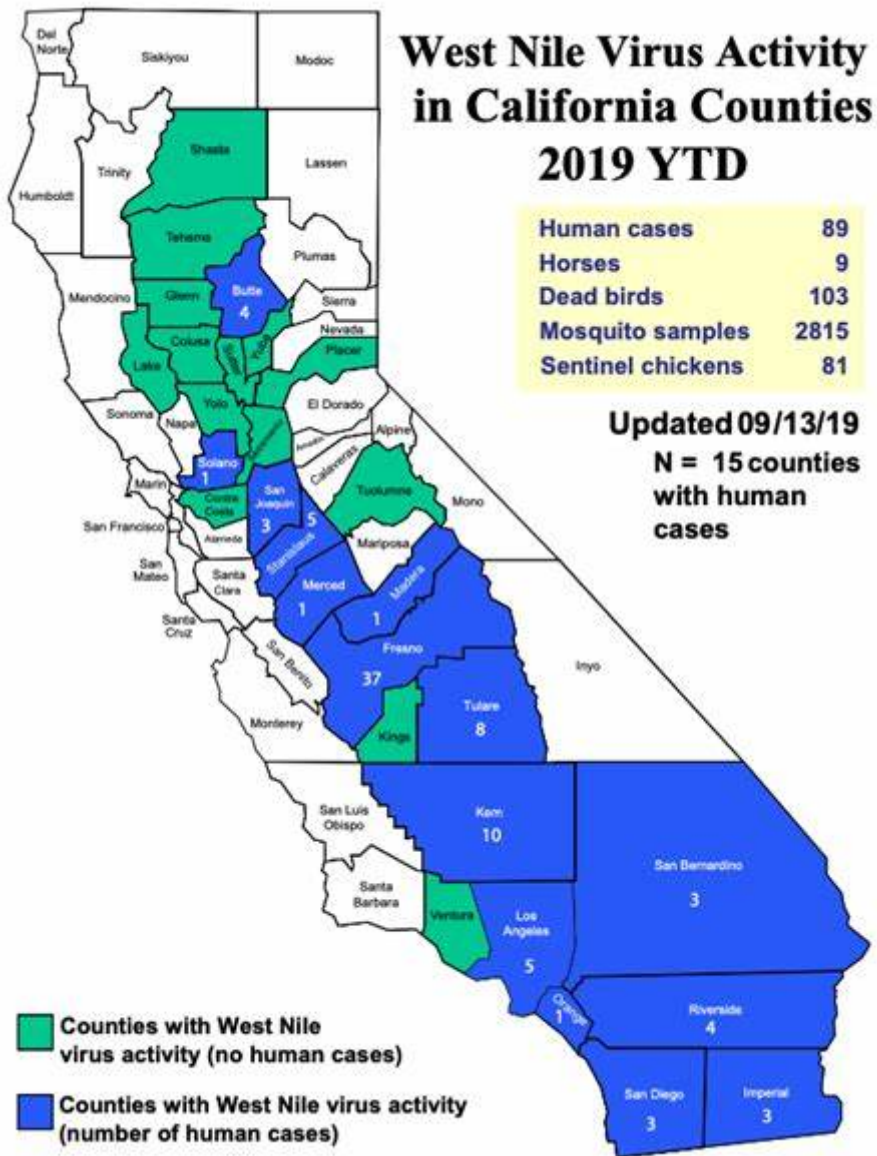
- **Interviewed:**
  - Director of Butte County Water and Resource Conservation
  - District Manager of Butte County Mosquito and Vector Control District
  - District Manager Durham Mosquito Abatement District
  - Legal Representative of Oroville Mosquito Abatement District
  - Executive Officer of the Butte Local Agency Formation Commission
  - Director of Butte County Department of Public Health
  - Butte County Board of Supervisor District 4

- **Toured:**
  - Butte County Mosquito and Vector Control District (BCMVCD) headquarters and laboratory
- **Attended:**
  - Local Agency Formation Commission (LAFCO) Board Meeting
- **Documents:**
  - LAFCO 2018 *Municipal Service Review and Sphere of Influence Plans for Butte Abatement Districts Within Butte County*
  - Prior Butte County Grand Jury reports pertaining to vector control and abatement districts
- **Websites:**
  - Butte County Mosquito and Vector Control District  
<http://www.bcmvcd.com/>
  - Butte County Public Health  
<http://www.buttecounty.net/publichealth/home>
  - CA Department of Public Health - Aedes aegypti & albopictus mosquitos  
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Aedes-aegypti-and-Aedes-albopictus-mosquitoes.aspx>
  - CA Department of Public Health - Mosquitoes and Mosquito Borne Diseases  
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/MosquitoesandMosquitoBorneDiseases.aspx>
  - CDC Potential Range of Zika in the US  
<https://www.cdc.gov/zika/vector/range.html>
  - CDC Microcephaly & Other Birth Defects  
[https://www.cdc.gov/zika/healtheffects/birth\\_defects.html](https://www.cdc.gov/zika/healtheffects/birth_defects.html)
  - Durham Mosquito Abatement District  
<http://www.durhammad.com/>
  - Greater Los Angeles County Vector Control District  
<https://www.glacvcd.org>

- *LAFCO 2018 Municipal Service Review and Sphere of Influence Plans for Butte Abatement Districts Within Butte County*  
<http://buttelafco.org/sites/default/files/resources/Final%20Mosquito%20MSR-SOI%20Plans%20%202018.pdf>
- West Nile Activity in California  
<http://www.westnile.ca.gov/>
- Wikipedia:
  - Butte County Mosquito Vector Control District
  - Greater Los Angeles County Vector Control District

## **DISCUSSION**

There are currently 23 different species of mosquito in Butte County. Some of these can carry West Nile Virus (WNV), Malaria, Western Equine Encephalitis, Saint Louis Encephalitis, heartworm and other diseases. Mosquitoes know no boundaries and can fly from one-quarter of a mile to twenty miles per day on their own, depending on mosquito species, wind velocity and altitude. WNV in the United States spread from coast to coast in only five years, primarily through bird migration. For the year 2019, the State of California reported 89 cases of WNV, four of those in Butte County. *Aedes aegypti* (Yellow Fever) mosquitoes, which are carriers of the Zika virus, were recently trapped in Placer County. The mosquito season in Butte County used to run April through October, but a few years ago districts were still fogging until mid-November. In addition, some newer species of mosquitoes arriving in Butte County remain active during the winter months, a situation known as “overwintering.”



Due to these continuing and accelerating mosquito threats, LAFCO’s 2018 MSR/SOI recommended that the three mosquito abatement districts in Butte County be reorganized to form a single, countywide mosquito abatement and vector control district.

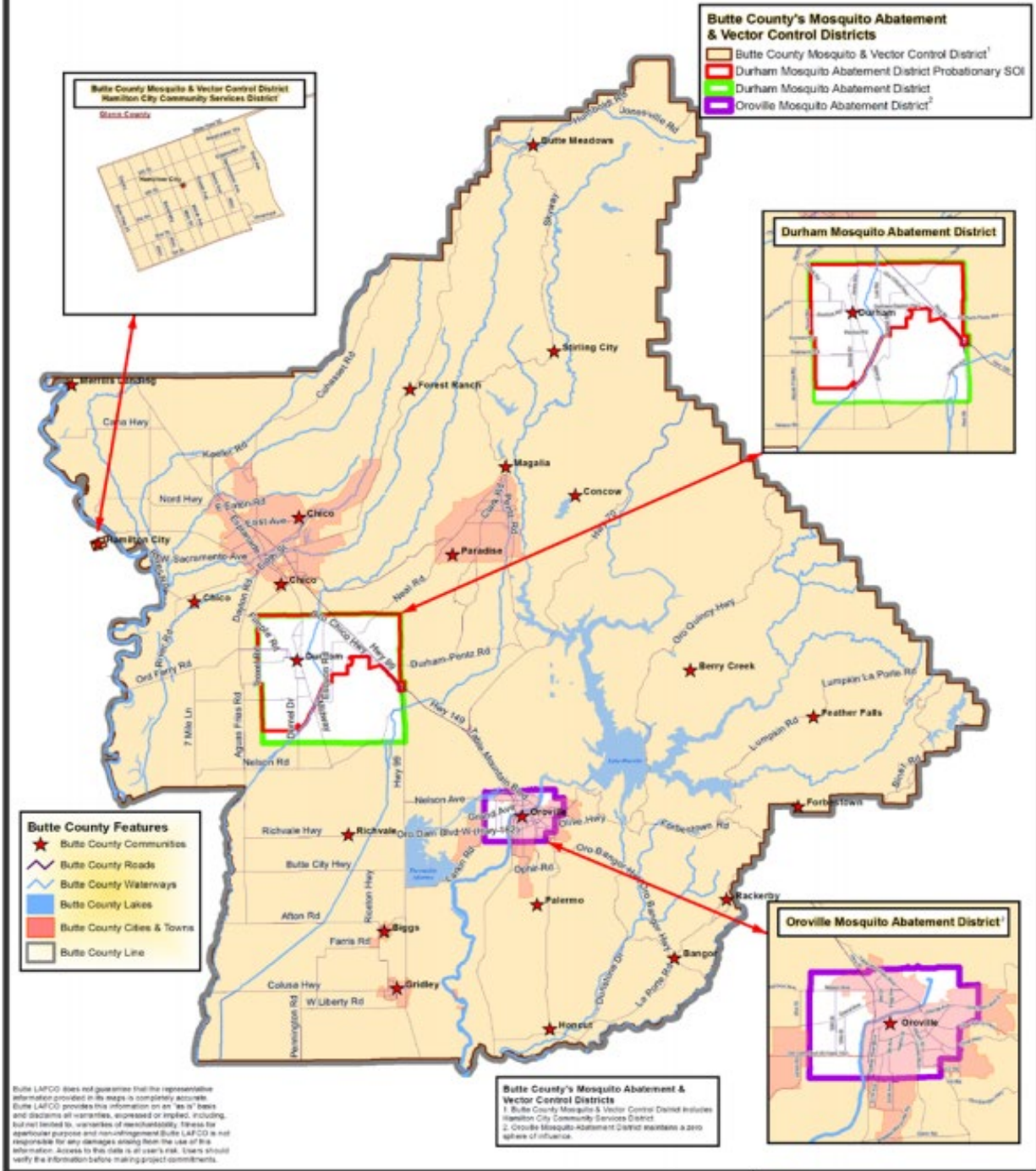
At the time of this report, BCMVCD has assumed responsibility for the treatment of OMAD’s SOI, although OMAD has not yet been legally dissolved. Residents of Oroville now pay less for their mosquito treatment service with no complaints registered to date. DMAD, however,



appealed to remain an operating district and was given a Probationary SOI pending the completion of certain conditions. The DMAD Board of Trustees (BOT) requested to remain an operating district in response to the majority of Durham residents' preference to keep DMAD, despite the higher parcel tax and heavy reliance on adulticide treatment. LAFCO is not authorized to dissolve any district against the wishes of the community.

In June 2018, LAFCO gave Durham a 0% SOI and removed DMAD's responsibility for treatment of 15,000 acres of rice fields due to inadequate mosquito abatement practices. DMAD did not have planes with which to treat rice fields and now treats only the town of Durham. BCMVCD, which has three planes for aerial treatment, now sprays the Durham rice fields. The kill rate of mosquito larvae treatment (larvicide) by plane is 85 – 100%, which reduces the spread of disease in Butte County. BCMVCD spent \$100,000 to spray the rice fields last year of which DMAD contributed approximately \$12,000 in property tax revenue. The total cost covered treating only one-third of the rice fields: areas nearest populations and those that tested "hot" for mosquito larvae. A "hot" test varies according to several factors such as proximity to populations, species of mosquito and time of year. One to three larvae per dip is usually considered "hot".

# Butte County's Mosquito Abatement & Vector Control Districts



## Butte Local Agency Formation Commission

**Butte County's Mosquito Abatement and Vector Control Districts Jurisdictional Boundaries**

<b>Action:</b> MAD, VCD MSR, SOI Plan Adoption	<b>Date:</b> 12-07-2017	<b>Res.:</b> 02 2017/18	<b>Agent:</b> Steve Lucas

**Butte County's Mosquito Abatement and Vector Control Districts Jurisdictional Boundaries**

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 Update: 01-01-2018  
 Data: Butte County & LAFCO

The 2018 LAFCO MSR/SOI included several recommendations to DMAD and BCMVCD:

- Immediately develop an Integrated Vector Management Plan (IMVP) that addresses all aspects of vector control as established by the Mosquito and Vector Control Association of California.
- Immediately reach out to the Butte County Department of Public Health (BCDPH) for guidance and fully participate in BCDPH mosquito and vector control coordination efforts.
- Post to its website an IVMP which includes past and current annual budgets; employee compensation reports; BOT meeting dates; BOT current and past meeting notices, agendas and minutes; MSR and SOI plans; and a map of the District jurisdictional boundaries.
- Fully cooperate with each other. The level of cooperation should have begun immediately with regularly scheduled coordinated meetings between the districts.

### **Durham Mosquito Abatement District**

DMAD is in the process of complying with LAFCO recommendations and conforming to the Brown Act. On February 21, 2018, and March 28, 2018, a DMAD Board of Trustees member conducted public meetings at the Durham Memorial Town Hall to address these issues. DMAD's District Manager, LAFCO and Public Health representatives, and approximately 60 community members attended the meetings. Soon thereafter, DMAD began the process of posting the minutes, agenda and a working budget on its website.

Recently, on February 6, 2020, the DMAD District Manager made a presentation to the LAFCO Board meeting to explain steps taken and request additional direction from LAFCO. In response, LAFCO extended DMAD's probationary SOI for six months (August 2020) at which time LAFCO will reconsider the status of DMAD's probationary SOI.

### **Oroville Mosquito Abatement District**

At the February 6, 2020 LAFCO meeting, the OMAD Board of Trustees adopted a resolution of application to dissolve the District and annex the territory to BCMVCD, which is currently providing services to OMAD under contract. Previously, BCMVCD agreed to absorb the CalPERS costs of OMAD employees.

### **LAFCO Recommendation to Cooperate**

The 2018 LAFCO MSR/SOI recommended that the three mosquito abatement districts fully cooperate with each other. The level of cooperation was to have begun immediately with regularly scheduled coordinated meetings between the districts. At this time, the two districts have not scheduled any regular meetings, but have collaborated informally and attended some of the same training.

### **Butte County Mosquito and Vector Control District**

BCMVCD does not have sufficient funding to treat all the rice fields, wetlands and agricultural areas throughout Butte County. Funding for Mosquito and Vector Control Districts is derived almost entirely from property taxes which underfunds rural areas like Butte County. For example, the Greater Los Angeles County Vector Control District (GLACVCD) comprises 1,340 square miles, represents six million residents, and has a budget of 16.7 million dollars.

BCMVCD covers a larger area of 1,600 square miles, (including mosquito breeding agricultural land), represents a population of 220,000 residents (as of the 2010 US census) and has a budget of 3.5 million dollars.

Butte County farmers do not spray their own fields for mosquitoes and rely solely on BCMVCD for that service. Last year BCMVCD observed 100,000 – 110,000 acres of rice planted in Butte County. Due to budget and staffing constraints, BCMVCD has a treatment threshold of one mosquito per dip which resulted in BCMVCD treating approximately 36,000 acres (one-third) of

its rice fields last year. The remaining 60,000 acres of rice were also breeding mosquitoes. However, BCMVCD's only option under its current dip policy was to let those mosquitoes develop and watch them fly. With more consistent funding, BCMVCD could reduce the treatment threshold and treat more acres of rice and other mosquito breeding grounds.

BCMVCD currently has three aircraft, all configured for different applications. One plane is set up for liquid larvicide, a second for dry larvicide and the third for liquid adulticide. However, none of its three aircraft are twin engine. Thus, under FFA law, the district cannot legally fly over Chico, Oroville, Biggs, Gridley, Richvale and other Butte County towns to make adult mosquito applications. In order to address emergency situations in urban areas, BCMVCD would need to contract with an aerial applicator owning a twin-engine aircraft. The District has received quotes and estimates the total cost per application, including pesticide, at \$70,000. Four to six applications per urban area each year could be required within the District's service area. BCMVCD does not have the budget to support this, so instead makes applications only outside urban areas, creating a buffer zone to keep mosquitoes out of urban areas.

Another limiting factor is that BCMVCD has only one pilot. For this reason, only one or two applications can be made per week. Due to lack of available funds, the District does not begin these applications until late July (when mosquito populations have reached the critical threshold and virus is present) to ensure treatments are 100% effective. Despite the best efforts of BCMVCD, Butte County is usually in the top five counties of WNV infections per capita and in the top five counties in mosquito production statewide.

To obtain more funding under Proposition 218, each year BCMVCD hosts a public hearing for the Board to consider lowering or raising resident parcel tax assessment. At that time, the Board also seeks input from the voting public. BCMVCD went to the voters in 2014 for its current benefit assessment, and the public approved an increase which went into effect in 2018. BCMVCD does not believe that going to the voters for a rate increase is appropriate this year because many residents are struggling financially due to the Camp Fire and the COVID-19 Pandemic.

BCMVCDD has had some success obtaining grants and additional funding, in part, due to its close working relationships with LAFCO and other California mosquito districts. Butte LAFCO was the driving force for obtaining \$310,000 from the Butte Strong Fund for Camp Fire mosquito treatment and an \$80,000 USDA grant to help cover the cost of the District's new tank truck. However, BCMVCDD management must wear many hats and has limited time available for researching funding opportunities or applying for grants. Better funded districts have personnel designated for this purpose. BCMVCDD management believes that BCDPH, LAFCO and other agencies are mindful of the need for funding and are pursuing funding opportunities. In addition, BCMVCDD management believes that time dedicated to acquiring funding is an area for improvement.

BCMVCDD's draft of its 2020-2021 budget includes \$50,000 for public education and outreach, which accounts for 1.43% of the BCMVCDD budget. This will fund the District's radio, TV and printed public service announcements; public notices; fair and expo entry fees; brochures; outreach materials; and newspaper leaflets. Public education focuses on increasing public awareness of the role residents can play in eliminating mosquito breeding grounds around their homes and the role of personal protection against mosquito bites and diseases. BCMVCDD management believes public education plays a vital role in controlling mosquitoes, particularly in Butte County urban areas.

At its March 2020 meeting, the BCMVCDD Board of Trustees (BOT) allocated \$16,000 for the creation of a new District website. This website will be secure, mobile friendly, easy to navigate and in compliance with all state and federal laws, including the American Disability Act (ADA).

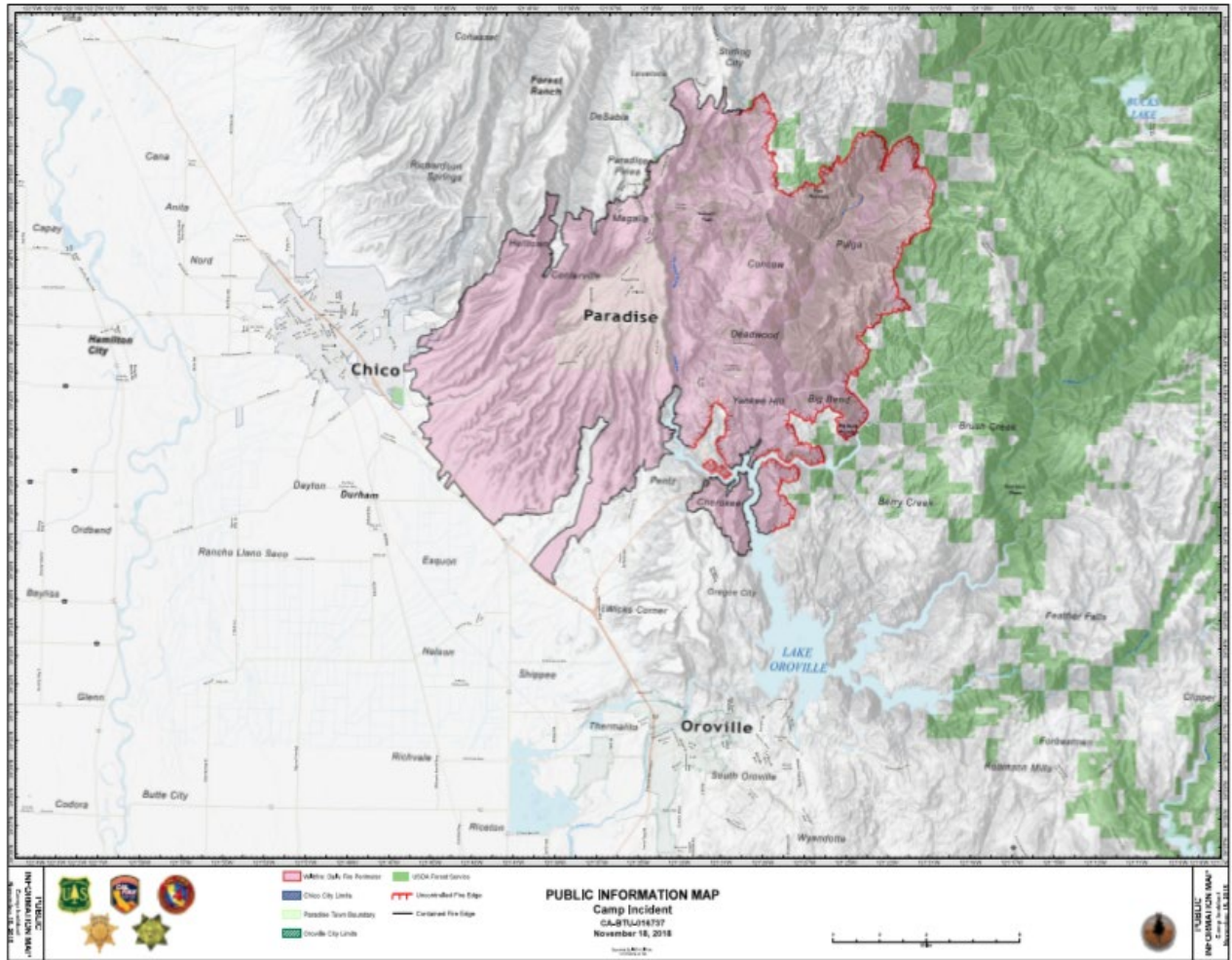
### **Camp Fire Issues**

In addition to its usual duties, following the Camp Fire, BCMVCDD immediately began identifying and treating new potential mosquito breeding grounds in the affected area. Abandoned swimming pools, along with ditches, drains, and damaged septic tanks became active breeding grounds for mosquitoes. The FEMA clean-up in the Burn Scar area did not include any pools; they were left as is. BCMVCDD began aerial surveillance to spot unmaintained pools.

When field staff spotted a pool or pond on the ground, staff checked the situation and put larvicide briquettes in the standing water. BCMVCD also offered free mosquito fish to the Burn Scar property owners. Septic tanks throughout the Burn Scar created a problem because lids melted, opening up underground water sources for egg-laying mosquitoes. At the time of this report, BCMVCD continues to treat the Paradise area with no WNV detected.

BCMVCD has lost revenue because of the disappearing Paradise property tax base. So far, a three-year California State property tax backfill has helped mitigate the loss. The District has received two years of this compensation and hopes the final year of backfill will be disbursed this coming year. The backfill covers lost taxes based on assessed property values, but not revenue lost from the District's special benefit assessment. Next year, State backfill funding will end and because Paradise is not being repopulated to pre-fire levels, BCMVCD will face an extremely difficult budgetary situation. BCMVCD received \$310,000 of the Butte Strong Fund from the North Valley Community Foundation and applied for insurance and PG&E compensation money following the Camp Fire.

## Camp Fire Burn Scar Map



### Butte County Department of Public Health

LAFCO recommended BCDPH work closely with the Mosquito Control Districts by establishing partnerships to educate and keep the public informed. BCDPH hosts monthly West Nile Virus Task Force meetings May through September of each year. At these meetings, BCDPH provides updates to case counts and public education and outreach efforts. The mosquito control districts can share surveillance data, control strategies, and public education and outreach projects. Attendees of these meetings include the BCDPH Public Health Officer, Information Officer, Epidemiologist, and the BCMVCD District Manager. As of this report, no representatives from DMAD have been attending although they have been invited each of the past two years.



Information on mosquito borne illness is not highlighted on the BCDPH website. There is no menu item, heading, or tab to access such information. A user needs to type specific disease names into the search bar to locate articles on the subject.

## **ACKNOWLEDGEMENTS**

The Butte County employees and the mosquito abatement district employees that this BCGJ interviewed are knowledgeable, cooperative, dedicated and professional. This BCGJ also commends their willingness to work together for the good of all Butte County residents.

## **FINDINGS:**

F1: Mosquito migration northward poses health risks to Butte County residents: West Nile Virus, Dengue, Yellow Fever, Zika and others.

F2: Butte County has significant vector risk due to the large agriculture base, wetlands and estuaries, all breeding grounds for mosquitoes.

F3: Mosquito Abatement and Vector Control Districts are funded almost entirely by property taxes which underfunds a rural area like Butte County.

F4: Butte County would benefit from regularly scheduled meetings between BCMVCD and DMAD.

## **Butte County Department of Public Health**

F5: BCDPH Mosquito and vector public information and outreach needs to be expanded.

F6: BCDPH website is not user friendly on the topic of mosquitoes.

## **Butte County Local Agency Formation Commission**

F7: LAFCO is limited in its effort to integrate DMAD and BCMVCD.

F8: LAFCO has reduced Butte County's risk by removing DMAD's SOI over 15,000 acres of rice fields.

F9: LAFCO has provided excellent oversight and direction for BCMVCD and DMAD.

**Butte County Mosquito and Vector Control District**

F10: BCMVCD excels in mosquito abatement despite its limited budget.

F11: BCMVCD did a great job identifying and treating mosquitoes in the Camp Fire Burn Scar area following the crisis.

F12: BCMVCD will face budgetary problems when tax-backfill funds end next year because Paradise is not being repopulated to its pre-Camp Fire level.

F13: BCMVCD would benefit from more funding for public education and outreach.

F14: BCMVCD's funding is not adequate to thoroughly protect Butte County.

F15: BCMVCD would benefit from personnel dedicated to acquiring funds.

**Durham Mosquito Abatement District**

F16: DMAD's website has improved.

F17: DMAD customers are satisfied with their level of service and cost.

F18: Butte County would benefit from the DMAD District Manager's regular attendance at BCDPH monthly West Nile Virus Task Force Meetings.

F19: DMAD would benefit from more funding for public education and outreach.

**RECOMENDATIONS:**

**Butte County Department of Public Health**

R1: Butte County Department of Public Health should add the term Mosquitoes to its search engine and to its drop-down menu on the BCDPH website by January 1, 2021.

R2: Butte County Department of Public Health should increase access to public information regarding mosquito disease prevention by creating a link on their website home page and through increased public service announcements by January 1, 2021.

### **Butte County Mosquito and Vector Control District**

R3: BCMVCD should create a new position dedicated to finding new funding by January 1, 2021.

R4: BCMVCD should increase the funding for public information and outreach by January 1, 2021.

### **Durham Mosquito Abatement District**

R5: DMAD should thoroughly comply with LAFCO's recommendations regarding its website by September 1, 2020.

R6: DMAD District Manager should regularly attend the BCDPH West Nile Virus Task Force Meetings beginning September 1, 2020.

R7: DMAD should increase the funding for public information and outreach by January 1, 2021.

## **RESPONSES**

Pursuant to Penal Code 933, the following responses are *required*:







### **From the following governing bodies:**

- **Director, Butte County Mosquito Vector Control:** F12, F13, F14, F15 and R3, R4 within 90 days.
- **Director, Butte County Department of Public Health:** F5, F6 and R1, R2 within 60 days.
- **Board of Trustees, Durham Mosquito Abatement District:** F18, F19 and R5, R6, R7 within 90 days.

The governing bodies indicated above should be aware that comment or response must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

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.
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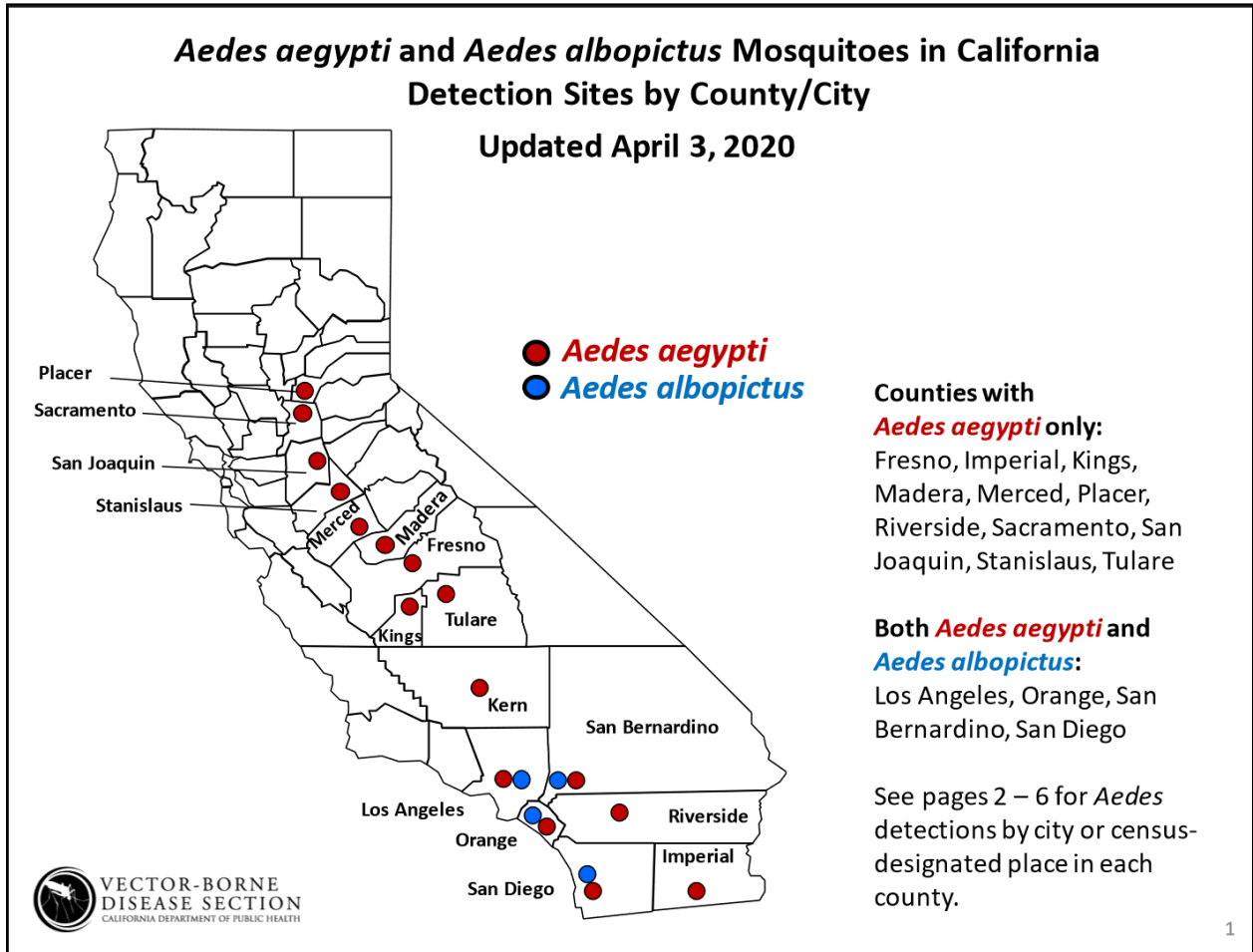
## APPENDIX I

Species	Common Name	Breeding Sources	Diseases	Bites	Description	Image
<i>Culex tarsalis</i>	western encephalitis mosquito	Ponds, vegetated pools, and agricultural areas	West Nile virus (mostly affects birds, humans, and horses), St. Louis encephalitis virus (humans), and Western equine encephalitis virus (humans and horses)	Dawn, dusk, and after dark	Light brown, with a light-colored band around its proboscis	 <small>Content Provider: CDC Photo Credit: James Gathany, 2005</small>
<i>Culex pipiens/Culex quinquefasciatus</i>	northern/southern house mosquito	Ponds, drains, underground, foul water, and artificial containers	West Nile virus (mostly affects birds, humans, and horses), St. Louis encephalitis virus (humans)	Dawn, dusk, and after dark	Brown, with dark-scaled unbanded legs and an unbanded proboscis	 <small>Content Provider: CDC/William Braggion Photo Credit: James Gathany, 2001</small>
<i>Aedes aegypti</i>	yellow fever mosquito	Standing water in containers; even as small as a bottle cap; thrives in urban areas	Zika, dengue, chikungunya, and yellow fever viruses	Daytime, and near dawn and dusk	Dark brown, with two white stripes in the shape of a lyre on its back; white bands on legs	 <small>Photo Credit: Joao P. Burini, 2011</small>
<i>Aedes albopictus</i>	Asian tiger mosquito	Standing water in containers; even as small as a bottle cap; thrives in urban areas	Zika, dengue, chikungunya, and yellow fever viruses	Daytime, and near dawn and dusk	Black, with one white "racing" stripe on its thorax; white bands on legs	 <small>Photo Credit: Kevin Stohlgren, 2015</small>
<i>Aedes sierrensis</i>	western tree-hole mosquito	Tree holes, tires, and other containers	Dog heartworm (parasite transmitted to dogs and occasionally cats)	Daytime and dusk	Dark brown, with white bands on legs	 <small>Photo Credit: R. Berg, www.bugguide.net</small>
<i>Anopheles freeborni</i>	western malaria mosquito	Vegetated pools, algal mats, and agricultural areas	Malaria (about 30-40 species worldwide transmit malaria)	Dawn, dusk, and after dark	Light brown, with dashed black marks on wings; typically rests with abdomen pointed up	 <small>Content Provider: CDC Photo Credit: Yasser, 2008</small>

Created by the California Department of Public Health Vector-Borne Disease Section, September 2016

<https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/GuidetoImportantMosquitoesinCA.pdf>

APPENDIX II



<https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/AedesDistributionMap.pdf>

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# **Public Works Roads Report**

## **SUMMARY**

Butte County Public Works has many divisions that serve the County. However, the focus of this report is road maintenance, repair and the funding this requires. Butte County has elected to be subject to the California Uniform Public Construction Cost Accounting Act (CUPCCAA). Butte County Public Works utilizes Street Saver, an analytic tool, to leverage its funding. This is important to Butte County as road conditions have further deteriorated due to the Oroville Dam Spillway failure, the Camp Fire, normal usage, and delayed maintenance. A secondary focus of this report is the handling of public complaints. Public Works uses Butte County Connect (BCC) to provide better communication between Public Works and the public. Overall, a lack of funding, manpower and training hinder Public Works' performance.

## **GLOSSARY**

- BCC – Butte County Connect
- BCGJ – 2019-2020 Butte County Grand Jury
- BOS – Butte County Board of Supervisors
- CalPERS – California Public Employees Retirement System
- CUPCCAA – California Uniform Public Construction Cost Accounting Act
- FEMA – Federal Emergency Management Act
- HUTA – Highway Users Tax Account
- ISAP – Information Systems Analyst Principal
- PCI – Pavement Condition Index
- RMRA – Road Maintenance and Rehabilitation Account
- RWC – Road Work Crew
- SB 1 – Road Repair and Accountability Act (2017)

## **BACKGROUND**

The Public Works Department employs 144 people who make up three separate divisions:

- Road & Bridge Engineering/Permits/Land Development/Drainage/Surveys/Right of Way
- Fleet Services/Administration/Construction/Road Operations
- Solid Waste/Landfill

Road maintenance is the process of road preservation that requires less than one inch of new pavement. Repair is the complete reconstruction of the road. Public Works uses the Street Saver analytic software to assist in projecting the life expectancy of a road. Butte County has elected to be subject to the California Uniform Public Construction Cost Accounting Act (CUPCCAA). This allows Butte County to perform larger repair projects. It is also important to note that Public Works is only responsible for roads in unincorporated areas, not for city or private roads. Road conditions have further deteriorated due to the Oroville Dam Spillway failure, the Camp Fire, normal usage, and delayed maintenance.

## **METHODOLOGY**

- **Interviewed:**
  - Public Works Director
  - Assistant Public Works Director
  - Superintendent of Road/Maintenance Operations
  - Fleet Services Coordinator
  - Senior Administrative Analyst
  - Information System Analyst Principal
  - Butte County Board of Supervisors Districts 1-5
- **Documents:**
  - California SB 1 (2017-2018)
  - California State Budget: Transportation Proposals (2018-2019)



- AB 1591 Transportation Funding (2015-2016)
  - Butte County Public Works Budget (2019-2020)
  - Butte County Public Works Construction Projects (2019-2020)
  - Butte County Public Works Work Program (2019-2020)
  - Butte County Public Works Fiscal Budget Schedule A (2019-2020)
  - Butte County Road and Bridge Capital Projects
  - Butte County Public Works Revenue Impact Analysis
  - Butte County Connect Program List of Open and Closed Work Orders
  - Butte County Street Saver Program
  - HUTA Revenues (2019-2020) and (2020-2021)
- **Websites:**
    - Blankley, B. The Center Square (February 25, 2020). Critics argue Gov. Newsom is diverting gas tax money to projects voters did not approve of.  
<https://www.washingtonexaminer.com/politics/critics-argue-gov-newsom-is-diverting-gas-tax-money-to-projects-voters-did-not-approve-of>
    - Fresno Bee Editorial Board (Fresno Bee Oct. 11, 2019). Did Governor Newsom pull a fast one on California with the gas tax?  
<https://www.fresnobee.com/opinion/editorials/article235929407.html>
    - Governor Newsom Executive Order (September 20, 2019) N-19-19.  
<https://www.gov.ca.gov/wp-content/uploads/2019/09/9.20.19-Climate-EO-N-19-19.pdf>
    - Rosales, E. YourCentralValley.com (Oct. 4, 2019). CBS47 Investigation: Gov. Newsom redirects gas tax money to fund railway systems, not highways.  
<https://www.yourcentralvalley.com/news/cbs47-investigates/cbs47-investigation-gov-newsom-redirects-gas-tax-money-it-wont-fun-highways-railway-system/>

## DISCUSSION

### Funding

Many residents wonder why roads in their communities are in such poor condition and why their property taxes are not used for improvements. In fact, Butte County taxes fund almost none of our needed road work. County funding for Public Works' road budget has been declining since 1980, and that budget is normally funded by the State. Butte County residents' property taxes

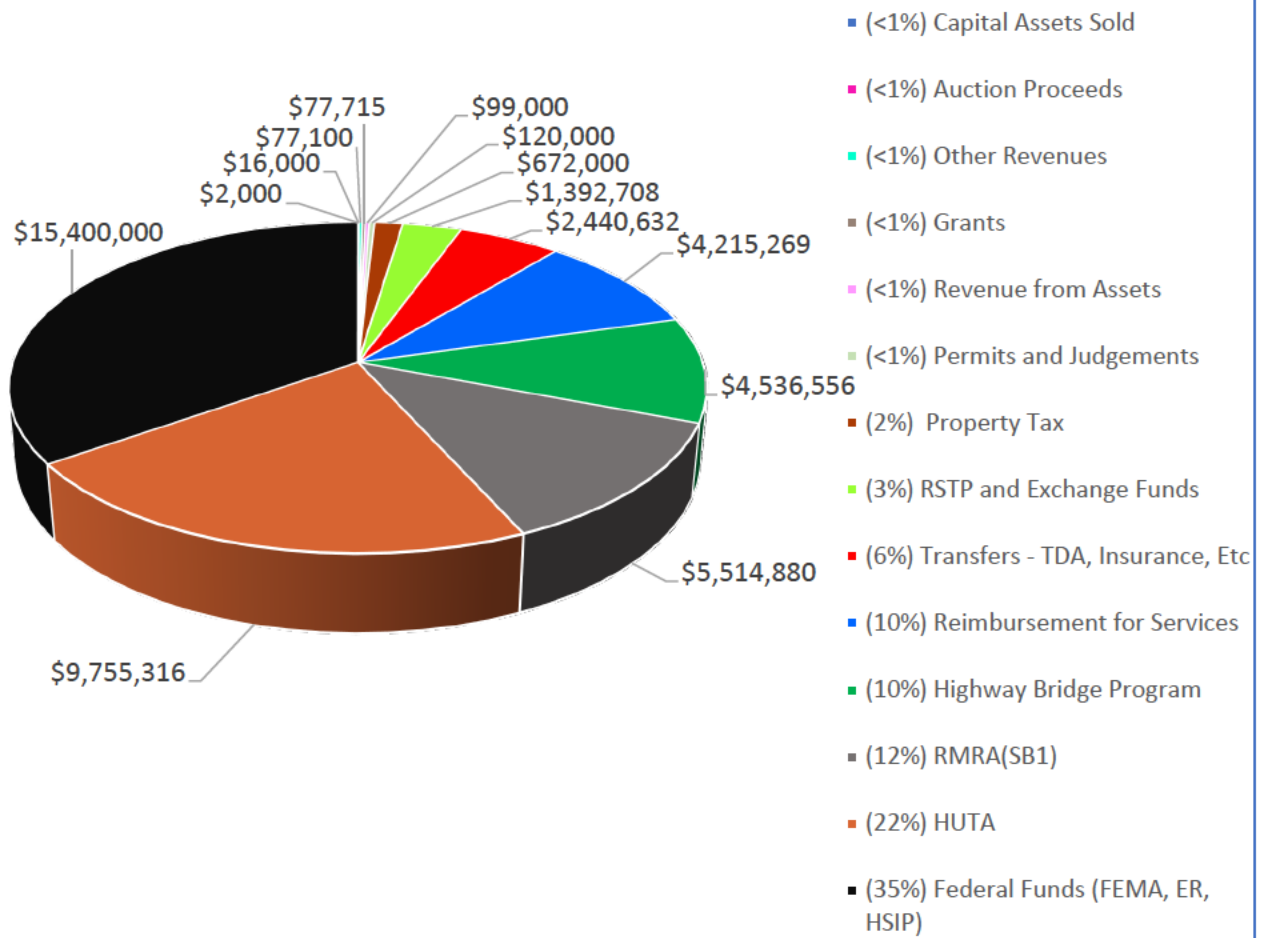
provide less than 2% of Public Works' annual funding. At the time of this report, Butte County property taxes totaled \$672,000 of the \$44.3 million of the 2019-2020 budget. Temporary FEMA funding has been a large part of Public Works road budget since the Camp Fire. This report does not focus on bridge construction projects, which account for \$4.5 million of the 2019-2020 total budget. Bridge construction projects are primarily federally funded.

### **Funding Sources**

- SB 1: California State Road Repair and Accountability Act of 2017
  - HUTA: California State Highway Users Tax Account. Gas tax money from SB 1 is deposited into this account. HUTA distributes money to county agencies.
  - RMRA: California State Road Maintenance and Rehabilitation Account. Gas tax money from SB 1 is deposited into this account. RMRA distributes money to county agencies.
- HBP: California State Highway Bridge Program
- California State Grants: Available for improving motorist safety or air quality
- Butte County Property Tax Discretionary Funds: Tax funds collected from a non-obligated account and assigned to Public Works
- FEMA: Federal Emergency Management Agency - post-disaster assistance

Note: The State of California controls SB 1 funds, and these can be redirected by the Governor at any time. This occurred in 2019 when Governor Newsom, through Executive Order N-19-19, redirected \$1 billion from this fund.

**FIGURE 1**  
**Butte County Public Works FY 2019-20 Revenue Sources**



**CUPCCAA**

The County has elected to be subject to CUPCCAA which promotes uniformity of cost accounting standards and bidding procedures on construction work performed or contracted by public entities in the state. California state law severely limits what counties can spend to repair their roads. Since Public Works is under CUPCCAA, it can perform road repair projects costing up to \$60,000 per project per year. This is substantially higher than the \$5,000 per project per year limit set by state law.

CUPCCAA defines road paving of less than one inch thick as maintenance and does not regulate it. Historically, the primary road maintenance program for Public Works has been chip seal, which is a slurry mixture of tar and ¼” road base aggregate (gravel). Public Works can perform

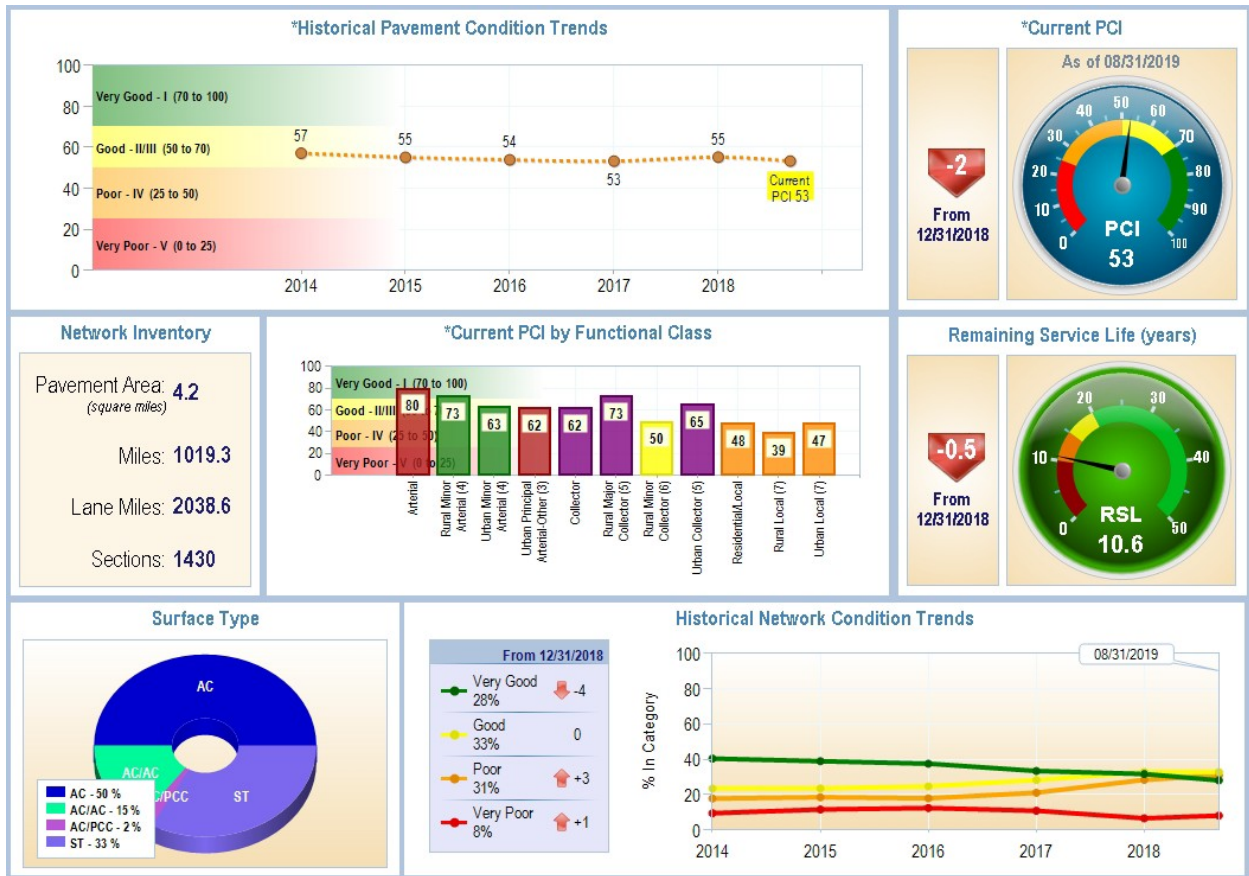
this type of project without any spending restrictions from the state, provided funds are available for the maintenance.

Many Butte County roads currently in use were constructed without the engineering available today. Large areas of Butte County sit on a bed of red clay soil. Over time, the roads built on this soil break down to a point requiring repair (rebuilding) prior to repaving. When this occurs, under CUPCCAA guidelines, a road repair project can only be completed by Public Works in \$60,000 annual increments. Under this requirement, it can take several years for Public Works to complete a road repair project. Alternately, Public Works can seek bids from outside contractors to rebuild an entire section of road. Contracted road projects range in cost between \$500,000 to \$1,000,000 per mile to repair. The repair cost depends on many different factors, including road topography, rural versus urban areas, etc. The prioritization of road repair is based on average daily vehicle use, current road conditions, road location, budget, and safety.

### **Street Saver**

Public Works utilizes an analytic tool called Street Saver, which assists with the logistics of scheduling road maintenance and repair. Street Saver benefits Public Works by producing a very accurate evaluation of road conditions. An important feature of Street Saver is its ability to incorporate a Pavement Condition Index (PCI) into the data. PCI is a numerical index between 0 – 100 which indicates the life expectancy of the pavement. County engineers determine this number by assessing the roads. Currently, the average PCI for all Butte County roads is 53. A road that has been evaluated at less than 50 PCI is considered in poor condition requiring repair/rebuilding rather than maintenance. Unfortunately, many roads in Butte County have no PCI designation because Public Works does not have the money to hire additional engineers to perform necessary evaluations. Quotes from outside engineering firms to calculate the PCI on Butte County roads have proven to be prohibitively expensive at an estimated cost of \$750,000.

## Street Saver Analytical Tool



### Butte County Connect

In 2016, Butte County purchased a software program called PublicStuff to promote strong communication between the public and county government. Renamed Butte County Connect (BCC), its purpose is to facilitate the reporting of residents' complaints and/or concerns. Public Works uses this platform to receive complaints regarding roads and other issues. BCC also produces customized reports for Public Works administrators. This software initially cost Butte County \$36,000. Butte County also pays the yearly subscription fee of \$20,000. Currently, three county departments use BCC: Development Services (Code Enforcement), Public Health, and Public Works. Public Works pays approximately \$7,000 of that yearly subscription cost.

BCC features smartphone and web page computer access. The smartphone application can be found and downloaded from either the Google Play or Apple App Store. This allows the public to use a smartphone to report a road condition to Public Works and attach a photo if necessary.

BCC is also accessible through the Butte County website on the Public Works page; however, a link to BCC on the Butte County home page does not exist.

Public Works staff utilizes BCC for phone-in complaints as well. BCC retains all complaints made to Public Works. If determined to be a safety concern, the Road Work Crew (RWC) Supervisor is alerted immediately by Public Works staff. Currently, all complaints default to medium priority and are reviewed by staff. There is no consistent updating of the BCC complaint to the most accurate priority level. Nine employees can change the priority level. However, the resident logging the complaint has no option to suggest which priority is appropriate. As a result, the priority level is not being utilized fully.

BCC was given a soft rollout on January 6, 2017. On February 8, 2017, the Oroville Dam Spillway failure occurred. The dam became the most important issue for Public Works and Butte County, so the soft rollout of BCC was largely overlooked.

The RWC Supervisor plays a vital role in the execution of the BCC program. Once a report is made, the RWC Supervisor receives an email notification on a smartphone or tablet. Public Works investigates the complaint, and if possible, addresses it immediately. Using BCC, the supervisor can notify the public of the repair, or explain when the repair can begin. When the job is done, the RWC Supervisor should close out the work order in BCC.

Management can extract data from the program to research work activity and produce reports. Reports can be custom or standard and include entries from residents awaiting complaint resolution or requests for pothole repair on a specific road. Public Works management values BCC and believes it is an effective tool. The Public Works Information Systems Analyst Principal (ISAP) has customized the software and can continue to customize it as needed.

The 2017-2018 Butte County Grand Jury made a recommendation to Public Works that RWC Supervisors update the complaint log upon completion of the job. The Director of Public Works agreed with the Recommendation and indicated a correction would occur. Currently, updates to the complaint log are not consistently entered upon completion.

## **Training**

Training on BCC was provided to personnel prior to the soft roll out in January 2017. However, the rapid succession of natural disasters these past few years has required employees to perform beyond their normal duties. As a result, RWC Supervisors were asked to work with a new reporting platform without enough in-depth training. Also, the soft rollout did not adequately inform the public of this program. Most people continue to call in their concerns to Public Works instead of entering them into BCC via a smartphone or a computer. When the office staff receives the complaint over the phone, the complaint is entered into BCC, generating a work order. A training tutorial designed for employees and the public is missing. The Public Works ISAP performed the initial training and believes that more is needed. Additionally, the ISAP believes a re-rollout of BCC would be beneficial.

In addition to training on BCC, the Director of Public Works believes training is needed department wide. However, due to the recent emergencies faced countywide, Public Works training has been given a lower priority.

The American Public Works Association (APWA) provides guidelines for writing procedures and creating training manuals. The Public Works Director estimates a two-year, full-time employee commitment to create and implement a fully accredited training program. Safety training required by Occupational Safety and Health Administration (OSHA) consistently takes place.

Public Works recognizes the need to cross train the RWC workers, especially in jobs that require a specific acquired skill set. The Director encourages succession planning: workers passing on critical knowledge before retiring. However, allocating a backup person for all jobs is not financially feasible. Training is an ongoing concern for Public Works due to the Board of Supervisors' (BOS) mandate for a 10% reduction in work force, the loss of personnel post Camp Fire, as well as recent retirements.

## **Employees**

Public Works has job openings for managers, engineers, and entry level workers. Wages in Butte County are not as competitive as in surrounding counties, which makes it difficult to attract and

retain employees. Additionally, the BOS decision to reduce the Butte County workforce by 10%, and follow a fiscally conservative wage policy, is discouraging many qualified candidates from applying for Butte County jobs.

Other factors are also discouraging potential applicants. The post-Camp Fire housing shortage contributes to this problem. The rigorous vetting process to become a Butte County employee also restricts some potential applicants from qualifying for employment. Employee retention is also affected by the costly employee contributions which are mandated for the benefit package. Many employees work only five years to become vested in CalPERS, then leave Butte County to pursue higher paying opportunities. Previously, Public Works retained employees for decades. This recent higher turnover rate has placed a strain on Public Works. Native knowledge acquired from years of working at Public Works is disappearing.

## **ACKNOWLEDGMENTS**

The BCGJ found Public Works employees to be dedicated, knowledgeable, forthcoming and professional. The BCGJ was also impressed by the willingness of Public Works employees to work together for the good of all Butte County residents during recent and ongoing emergencies.

## **FINDINGS**

- F1. Public Works operates on a BOS countywide mandate of a 10% reduction in work force, which hampers its ability to complete jobs in a timely manner.
- F2. BOS' county employee compensation policies are fiscally conservative to the point of discouraging potential qualified applicants.
- F3. All Butte County roads should have a current PCI rating to provide a complete picture of necessary road maintenance or repair.
- F4. The BCC link is difficult to locate on the Butte County website.
- F5. Public Works needs a BCC tutorial for its employees and the public.
- F6. BCC is not being utilized to its maximum potential because complaint logs are not consistently updated upon completion of the jobs.



- F7. Public Works staff would benefit from training on the BCC program from the perspective of a public user.
- F8. BCC is not utilized to its maximum potential because the priority feature is often bypassed by the nine staff members using the program and priority levels are not consistently assigned.
- F9. BCC software requires continuing customization.
- F10. A full-time dedicated employee is needed to develop and implement all necessary training.

## **RECOMMENDATIONS**

- R1. BOS work with stakeholders to reconsider and revise the pay scale, benefits, hiring guidelines, etc. in order to attract quality applicants and retain employees by the time the next contract negotiations begin.
- R2. Public Works define and develop a policy for consistent use of the BCC priority level feature for all Public Works staff who have access to enter or change the priority data by January 3, 2021.
- R3. Public Works ISAP place a link to BCC in a prominent place on Butte County's homepage by October 31, 2020.
- R4. Public Works ISAP add a feature to BCC that allows employees to view complaints from the general public's perspective by October 31, 2020.
- R5. Public Works create a BCC tutorial and introduce it to Public Works employees through training and to the public through Public Service Announcements by March 31, 2021.
- R6. Public Works management work with ISAP to simplify BCC to maximize its use for Public Works employees by March 31, 2021.
- R7. Public Works hire or train a full-time employee to develop and implement a training program for its employees by September 1, 2021.

## **REQUIRED RESPONSES**

Pursuant to Penal Code sections 933 and 933.05, the following responses are *required*:

**From the following governing body:**

- **Butte County Board of Supervisors:** F1, F2, F10 and R1, R7 within 90 days

**INVITED RESPONSES**

The Grand Jury invites the following response:

**From the following governmental official:**

- **The Director of Public Works:** F3, F4, F5, F6, F7, F8, F9, F10 and R2, R3, R4, R5, R6, R7 requested within 60 days

The governing bodies indicated above should be aware that comment or response must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

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.

# **The Status of Government in Butte County: The Face of our Past, Current and Future**

## **SUMMARY**

Butte County has experienced many changes in its various programs, operations and departments. The County installed a new radio system to improve communications between State, County and City agencies. Also, Butte County was part of a pilot program beginning in November 2019 to convert to an all-mail ballot election. In 2014 a new County Hall of Records was built in Oroville. Renovations were required post Camp Fire at the Paradise Veteran's Memorial Hall. Due to COVID-19, the State's Stay-At-Home Order has impacted County business operations. Butte County has devised new ways to creatively tackle, overcome and solve current and future problems facing the County.

## **GLOSSARY**

- BCEO - Butte County Elections Office
- BCGJ - 2019-2020 Butte County Grand Jury
- BCIS - Butte County Information Systems
- CAL FIRE - California Department of Forestry and Fire Protection
- CSUC - California State University, Chico

## **BACKGROUND**

The 2019-2020 Butte County Grand Jury (BCGJ) determined it was important to talk with leaders and tour as many offices and departments of our county as possible. This examination of County government resulted in a report on the following: Butte County Information Systems, Butte County Dispatch Center, Butte County Elections Office, Butte County Hall of Records and Butte County Veteran Memorial Halls.

The County is working to implement a new information system to provide a higher level of security to combat the increasing cyber threats. Butte County has also implemented a new radio system due to issues that arose during the Camp Fire.

Butte County has converted to using vote-by-mail ballots for its elections. Voter Assistance Centers replace polling places to assist the voter who has issues with voter registration or the ballot, or the voter who wishes to vote in person. Secure Ballot Drop Boxes make it possible for a voter to drop off a ballot.

On July 10, 2014, groundbreaking occurred for the Hall of Records building, a long-anticipated event. Originally, the County Hall of Records was housed with the other Administrative departments. The Butte County Clerk-Recorder has been placing one dollar from every document fee into a special building fund. The special building fund along with a grant from the United States Department of Agriculture of \$8.5 million provided the full funding of the Hall of Records.

Butte County Veterans Memorial Halls provide important locations for veterans and their families to come together and receive support.

## **METHODOLOGY**

### **Interviewed:**

- Butte County Auditor-Controller
- Butte County Board of Supervisors Districts 1-5
- Butte County Chief Administrative Officer
- Butte County Deputy Chief Administrative Officer
- Butte County Clerk-Recorder/Registrar of Voters
- Butte County Counsel
- Director of the Butte County Information Systems

**Toured:**

- Oroville Veterans Memorial Hall
- Oroville Veterans Memorial Park
- Butte County Elections Division
- Butte County Hall of Records
- 911 Dispatch Center
- Butte County Jail
- Butte County Juvenile Hall
- Butte County Sheriff's Work Alternative Program

**Documents:**

*Aylworth, Roger H.* (July 10, 2014 at 12:00 a.m., updated: June 4, 2018 at 10:20 a.m.) Butte County Hall of Records project launched. *Retrieved from URL*  
[https://www. Orovillemr.com/2014/07/10/butte-county-hall-of-records-project-launched/](https://www Orovillemr.com/2014/07/10/butte-county-hall-of-records-project-launched/)

**Participated in Oversight:**

- November 2019 First Assembly District Election
- March 2020 Primary Election

**DISCUSSION****Butte County Information Systems**

Butte County Information Systems (BCIS) has 25 employees and a budget of \$6 million. BCIS provides information services and equipment for all County departments except Behavioral Health. BCIS maintains the County website and the software used on County owned computers. It also provides the radio system used by the Sheriff's Department, the District Attorney's Office

and Public Works. Additional areas of responsibility which require information services include property taxes, elections, building permits and cybersecurity.

BCIS updated the County radio system to increase capacity with a new 700-megahertz band system. All local municipalities except Chico, which elected not to adopt it, will access the system.

BCIS has an enterprise agreement with Microsoft Corporation for the County computers which run Microsoft Office and Windows 10. The last server upgrade was in 2014. Approximately 400 computers are replaced on a three to four-year cycle. The network switches and routers are replaced on a five to eight-year cycle.

Cybersecurity is an important function of the department. The County's system experiences nearly one million attacks per month. The County installed an email filter that dropped the number to 150,000 per month. The County could install other firewalls, but they are expensive.

In order to maintain the data center, staff backs up the servers daily and back-up generators have been installed.

Issues that arose during the Camp Fire included the loss of the network in Paradise, incompatible radios for emergency responders and an insufficient number of radios for the Coroner and the Geographic Information System for the homes that were lost. Temporary microwave stations were installed in the Paradise area to get the area back online. Motorola donated \$1 million for radios. The department worked with California Department of Forestry and Fire Protection (CAL FIRE) to provide the necessary information on homes lost in the fire.

The COVID-19 pandemic has increased the network usage due to the use of Zoom (videoconferencing), voice over internet protocol (VOIP), Skype (videoconferencing) and the call center.

### **Butte County Dispatch Center**

Butte County operates a consolidated dispatch facility at the Government Center in Oroville. The dispatch center has back up power for emergency operations. All 911 calls for fire and medical issues are routed to CAL FIRE for dispatching. Eight 911 lines feed into the dispatch center. If all lines are busy, overflow calls will rollover to the Chico Police Department Dispatch Center

after the third ring. The Oroville, Paradise and Gridley Police Department calls are designed to rollover to the Butte County Sheriff's Department Dispatch Center when their dispatchers are busy. A minimum of two dispatchers work every shift. On an average day, they receive approximately 350-400 calls resulting in 200-250 incident reports. Dispatchers also monitor code enforcement.

The day of the Camp Fire the call center received 2,872 emergency calls and logged 1,317 incidents, overwhelming the dispatch center. After the Camp Fire, the Sheriff's Dispatch Center was contracted to cover dispatching for the Town of Paradise 911 calls along with its normal dispatching for the Butte County Sheriff's Department.

The Federal Emergency Management Agency (FEMA) wireless alert system or notification system IPAWS (Integrated Public Aware System) has a 90-character limitation for text messages. On Nov. 8, 2018, 30,000 messages were sent. Half failed due to congested and damaged communication towers. The dispatchers also manage the "Code Red" emergency mobile alert system that reverse dials to landlines, VOIP (Voice Over Internet Protocol) lines and cell phones to auto call with voice or text messages. Butte County Telecommunication personnel installed emergency communication equipment to restore the radio system.

### **Hall of Records – Elections – Recorder Building**



## **Butte County Elections Office**

During election years, the Grand Jury serves an additional role as the Logic and Accuracy Board for elections. Three Grand Jurors volunteered to be on the Accuracy Board/Election Observer Panel and to be trained for both the November 5, 2019 and March 3, 2020 elections. The purpose of the panel was to observe all procedures of the ballot counting process. The Accuracy Panel helps to ensure accuracy of the election and gives the Butte County voters confidence in the process.

The California Legislature passed Senate Bill 450 (California Voter's Choice Act) which was signed by the Governor in 2016. This law authorizes counties to conduct any election as an all-mail ballot election. Counties choosing to do so must provide ballot drop off locations, vote centers and conduct outreach.

November 5, 2019 was the first election that was conducted exclusively by mail in ballot. All future elections in Butte County will be Vote-by-Mail. The November election was a special election for 1st Assembly District with two candidates; it was a test for the new process and equipment.

This new election model allows voters to choose how, when, and where to vote and additionally:

- Mails every voter a ballot
- Expands in-person early voting
- Allows votes to be cast at any voting center in the County

Beginning in 2020, all California counties can opt to use the Voter's Choice Act which provides flexible voting options and expands the voting period. Butte County and four other counties adopted the model three years early as part of a pilot program. This helped those who were displaced by the Camp Fire and still wished to vote on issues in their districts.

Five direct mailings went out to Butte County voters. The Chico Enterprise Record and the Chico News and Review printed 19 articles about the upcoming election. To reach younger voters, the Butte County Elections Office (BCEO) posted information and short videos on Twitter, which in total received over 25,000 views. BCEO held many events and took actions, including:



- Two presentations at the Board of Supervisors Meetings
- Five advisory committee meetings
- Five public workshops
- Ten presentations to community organizations
- Five community event tables
- Five radio interviews/public service announcements
- Two community meetings/town halls
- Voting instructions provided at California State University, Chico (CSUC) for the Voting 101 course
- Ads placed on the Department of Motor Vehicles screens in Chico and Oroville

BCEO mailed a Vote-by-Mail ballot packet with prepaid postage on February 3, 2020 to all registered voters. BCEO set up 13 Voter Assistance Centers throughout the County. Three centers were open from February 22, 2020 through March 3, 2020: ten were only open for four days, February 29, 2020 through March 3, 2020. BCEO distributed ten Ballot Drop Boxes for completed ballots throughout the County. Sheriff's Department, Sheriff's Team of Active Residents in Service (STARS) or BCEO department staff picked up the completed ballots daily.

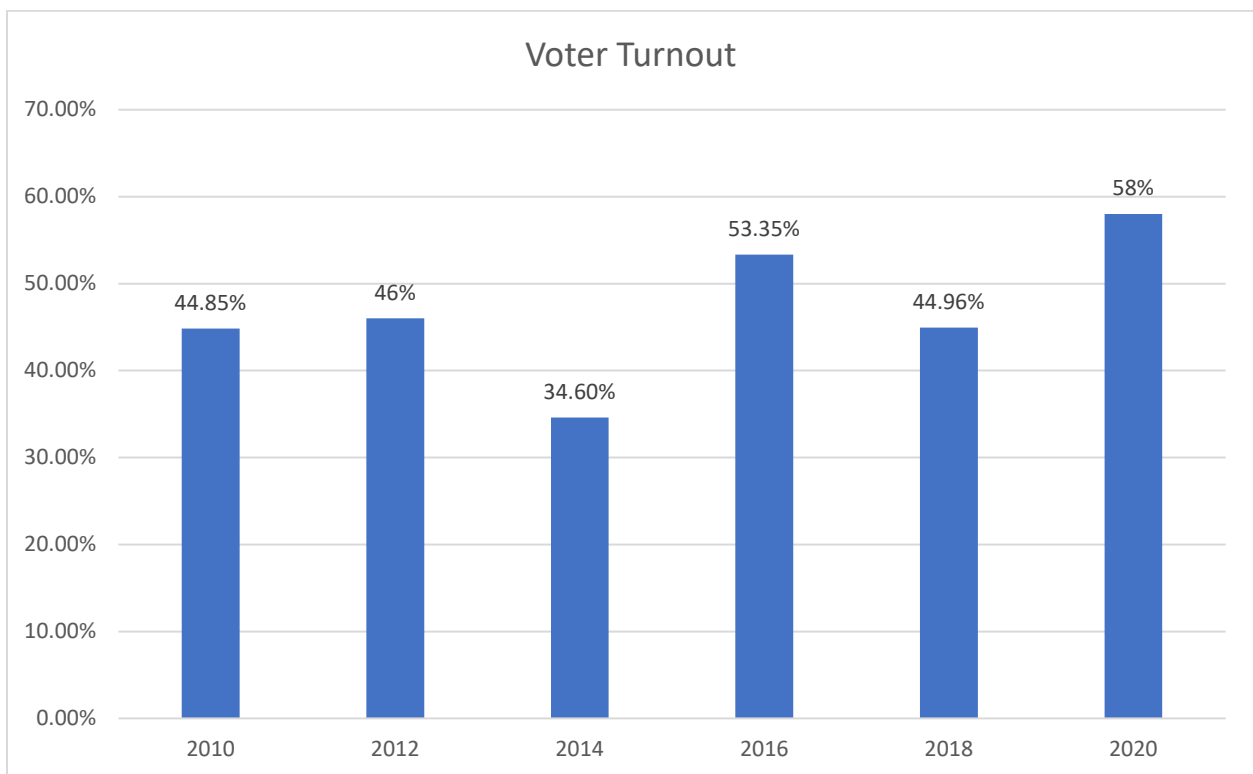
Several factors contributed to long lines and extended voting time on election day. BCEO advised many CSUC voters to vote at the Silver Dollar Fairgrounds or the Masonic Family Center. However, these facilities were also experiencing larger than expected turnout. Issues causing these long lines included the following:

- Many people waited until the last day to vote
- A majority of voters needed to change party affiliation
- People had not been previously registered making them conditional voters
- Some voters received a ballot but did not bring it to the voter assistance center
- Secretary of State's centralized voter registration database system (VoteCal) was both slow and non-responsive

Due to the COVID-19 virus, the Governor’s Shelter-in-Place Order resulted in the Elections Office staff being greatly reduced, which led to limited time to review needed adjustments for the upcoming November 2020 General Election. Regardless of the staff reduction, items they are working on include the following:

- Redesign the layout of the Voter Assistance Centers to accommodate larger numbers of voters
- Separate the voters into lines for faster service and social distancing
- Use radio, television, public service announcements and paid ads to reach voters
- Provide more laptops to facilitate voter check-in process
- Collaborate with CSUC to send out student voting information via text or emails
- Provide fewer voter assistance centers
- Open voter assistance centers for only four days

Even with all the challenges of instituting the new Vote-by-Mail process, the March 3, 2020 voter turnout of 58% was higher than turnouts for previous primary elections.



## **Butte County Hall of Records**

The Butte County Hall of Records facility has been recently constructed and is organized to meet the needs of this multi-tasked office of County Clerk, Recorder and Elections. Besides providing a functioning work environment for the public and employees, the building also serves as a repository and museum displaying the recorded document history of Butte County. Document restoration by volunteers is an ongoing process. The Butte County Archives is dedicated to the maintenance and safe keeping of the County's historic records. These documents help tell the true story of Butte County and many of its people from 1850 to the present.

## **Oroville Veterans Memorial Hall**



Butte County has five Veterans Memorial Halls, two in Chico and one in Oroville, Gridley and Paradise.

The Paradise Veterans Memorial Hall did not burn in the Camp Fire; however, CALFIRE parked heavy equipment over the two septic tanks causing them to crack. A contract to repair the damaged septic tanks states that the repair will be completed within 100 days of signature. When the repair is finished and restrictions from COVID-19 have been lifted, the Veterans Memorial Hall will reopen, possibly in August or September 2020.

The Oroville Veterans Memorial Hall was completed in 1928. It has three stories, including a ballroom with a stage, dining hall with a large kitchen, public rooms of assorted sizes and a Vets Only Room. Military art, photos and memorabilia are displayed throughout the facility. Information about programs of interest or assistance to veterans is available.

### **Oroville Veterans Memorial Park**



The Oroville Veterans Memorial Park is located adjacent to the Oroville Veterans Memorial Hall overlooking the Feather River. This park includes a wall with names of local fallen war service veterans engraved on it. Future plans for the facility include a large flagpole that will be lit at night. The Oroville Veterans Memorial Park Committee is requesting donations for a statue of a bugle boy in full uniform.

## **The Bugle Boy**



### **FINDINGS**

- F1. Butte County is doing a good job identifying, overcoming and solving current and future problems facing this county.
- F2. All agencies within Butte County will benefit by using the same radio communication system for seamless transmission during emergencies.
- F3. The November election was a successful test of the new process and equipment.
- F4. Voter turnout for the March 2020 Primary was highly successful.
- F5. Long lines and extended voting time on Election Day caused frustration for voters and poll workers in Chico.

### **RECOMMENDATIONS**

- R1. Chico Police Department radio system needs to be compatible with the Butte County 700 Megahertz radio communications system. Testing to be completed by January 1, 2021.

- R2. Butte County Elections should complete the redesign of the layout for Voter Assistance Centers to accommodate larger numbers of voters by October 15, 2020.
- R3. Butte County Elections should collaborate with CSUC to send out student voting information via text or email by October 1, 2020.

## **REQUIRED RESPONSES**

Pursuant to Penal Code sections 933 and 933.05, the following responses are *required*:

**From the following governing body:**

- **Butte County Registrar of Voters:** F5 and R2, R3 within 60 days

## **INVITED RESPONSES**

The Grand Jury invites the following response:

**From the following governing body:**

- **Chico Police Department:** F2 and R1 within 90 days

The governing bodies indicated above should be aware that comment or response must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

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.
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# **Oroville Union High School District**

## **Athletic Facilities**

### **SUMMARY**

The 2019-2020 Butte County Grand Jury (BCGJ) chose to look at the Oroville Union High School District (OUHSD), specifically District security cameras, Harrison Stadium, the athletic facilities at Oroville High School (OHS) and Las Plumas High School (LP), and the health and safety of the student population. Both High Schools use OUHSD's Harrison Stadium facilities. OUHSD also uses the facilities for special events. Other than noted, OUHSD takes great care to provide for the health and safety of the students. The BCGJ found areas of concern with the athletic facilities and security cameras.

### **GLOSSARY**

- BCGJ - 2019-2020 Butte County Grand Jury
- LP - Las Plumas High School
- OHS - Oroville High School
- OUHSD - Oroville Union High School District
- SARC - School Accountability Report Card - A required annual report on elementary and secondary schools including the safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair.

### **BACKGROUND**

The 2008 Bond Measure G provided \$12 million for the renovation of Harrison Stadium, used by both LP and OHS. OUHSD contracts with outside entities for special events, such as middle school graduations. OUHSD places facility use fees in a fund for maintenance and refurbishing. Harrison Stadium athletic field consists of an Epic System and artificial turf manufactured by Mondo. The stadium also has an all-weather track, two sets of bleachers, locker room, snack bar and restrooms.

The Epic System of the football field consists of three layers:

- Epic Center - An irrigation cooling system for the turf
- Ecofill® - Black beads (factory-manufactured polyolefin-based granule infill) that provides cushioning
- Turf - Synthetic grass system

In 2010, OUHSD completed the renovation of Harrison Stadium. In 2014, the contractor replaced the football field's infill with Ecofill®.

While California law requires oversight of high school facilities, Harrison Stadium is not part of that mandate. The BCGJ also noted that the most recent School Accountability Report Card (SARC) for both LP and OHS addressed only the restrooms and drinking fountains.

## **METHODOLOGY**

- **Interviewed:**
  - Butte County Superintendent of Schools
  - Superintendent of the Oroville Union High School District
  - Las Plumas High School Athletic Director
  - Oroville High School Athletic Director
  - OUHSD Maintenance Director
  - OUHSD maintenance staff
- **Toured:**
  - Harrison Stadium
  - Las Plumas High School athletic facilities
  - Oroville High School athletic facilities
- **Reviewed:**
  - Manufacturers Recommended Maintenance for Harrison Field
  - Complaints and maintenance records for OHS, LP and Harrison Stadium
- **Websites:**
  - Butte County Superintendent of Schools website:  
<http://www.bcoe.org>



- California Department of Education  
<https://www.cde.ca.gov/ta/ac/sa/legislation.asp>
- Las Plumas High School  
<https://www.ouhsd.org/lphs>
- Oroville High School District  
<https://www.ouhsd.org>
- Oroville High School  
<https://www.ouhsd.org/ohs>

## **DISCUSSION**

After reviewing the documentation and interviewing key personnel, the BCGJ toured the facilities at Harrison Stadium, and Oroville and Las Plumas High Schools.

### **Harrison Stadium**

OUHSD had not adequately maintained the football field at Harrison Stadium between the end of the football season and the beginning of the soccer season. A layer of black beads covered the field. The black Ecofill® beads were also present in the drainage culvert that drains to the street gutter system and into the Feather River. High rain inflows left a high-level mark in the culvert.

Although the BCGJ asked about the field cooling system, it did not receive any documentation to indicate when the cooling system was used or when regular maintenance of the system was performed.

Issues discovered at Harrison Stadium on January 17, 2020:

- Security cameras were not functional
- Girls' restroom ceiling in the locker room had water damage from a leak; the ceiling had not been repaired and paint was peeling off the walls
- Black Ecofill® beads were in large patches covering the field
- Black Ecofill® beads were in the drain culvert
- Track had a worn area

### **Girls' Restroom in the Locker Room at Harrison Stadium**



### **Oroville High School**

The BCGJ toured OHS facilities including a baseball and a softball diamond, practice football field, track, weight room, wrestling mat room, indoor snack bar, girls' and boys' locker rooms, and a gymnasium. The outside facilities had plush, well-groomed dark green grass. BCGJ found areas of concern, including a damaged weight room drinking fountain with the front push bar broken off and a cracked, vinyl weight bench surface. The weight bench is a health issue due to the potential spread of infection and viruses.

## Oroville High School Weight Room



## Las Plumas High School

LP is located on 64 acres. The BCGJ toured its practice field, track and the new gymnasium. The BCGJ observed that the practice field surface was uneven, and the grass was sparse. The grass had distinct circular patterns from watering and did not resemble the grass at Oroville High School.

In 2016, the LP Booster Club disbanded due to internal conflicts. Historically, high school booster clubs provide funds and support for athletic programs.

## Security Monitoring Cameras

LP and OHS have security cameras in place. The cameras are networked and are monitored through staff's computers and cell phones. Harrison Stadium security cameras are connected via DSL to a local site for viewing. This prevents remote real-time viewing which creates a potential safety and security concern.

## **COVID-19 Pandemic**

During our investigation of the high schools, the BCGJ observed that OUHSD responded to the COVID-19 pandemic in a timely manner. Instructors maintained communication with students, providing online instruction and work packets for those without computer access. OUHSD provided Chromebooks and Hotspots for over 400 students who needed the equipment for online classes.

## **FINDINGS**

- F1. The lack of maintenance documentation at Harrison Stadium for the athletic field creates a lack of accountability.
- F2. The water damage found at Harrison Stadium girls' bathroom, in the locker room, presents a health hazard.
- F3. The water run-off from the Harrison Stadium football field drains into a culvert and out to the street gutter, carrying black Ecofill® beads to the river which creates an environmental concern.
- F4. Security cameras which are not functioning at Harrison Stadium pose a potential safety and security risk.
- F5. The Harrison Stadium security cameras would provide better security if they were networked for remote access for real-time viewing.
- F6. Improved maintenance at the LP practice field would reduce the risk of injuries.
- F7. It would be financially beneficial for LP Athletics to re-establish the Booster Club.
- F8. In the OHS weight room, the broken water fountain push bar creates a safety hazard.
- F9. In the OHS weight room, the cracked, vinyl weight bench surface creates an unhealthy infection and virus control issue.
- F10. OUHSD has responded to the current pandemic with efficiency by providing for students' educational needs.

## RECOMMENDATIONS

- R1. OUHSD should document maintenance and retain records of Harrison Stadium athletic field and its equipment, including scheduled maintenance performed, and runtimes of equipment, by January 1, 2021.
- R2. OUHSD should repair the water damage in the Harrison Stadium girls' restroom in the locker room by January 1, 2021.
- R3. OUHSD should groom Harrison Stadium field as recommended by the manufacturer prior to sporting events and document it accordingly by January 1, 2021.
- R4. OUHSD should operate the Harrison Stadium field's cooling water system on a regular basis to maintain functionality and retain documentation, starting no later than October 1, 2020.
- R5. OUHSD should repair or replace the security camera system to provide real time capabilities at Harrison Stadium by January 1, 2021.
- R6. OUHSD should level and maintain LP's practice field by January 1, 2021.
- R7. LP should work to re-establish the Booster Club by September 1, 2021.
- R8. OUHSD should repair or replace the broken, water-fountain push-bar in the OHS weight room by September 1, 2020.
- R9. OUHSD should replace the damaged weight bench in the OHS weight room by September 1, 2020.

## REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the following responses are *required*:

**From the following governing bodies:**

- **Oroville Union High School District:** respond to F1, F2, F3, F4, F5, F6, F7, F8, F9 and R1, R2, R3, R4, R5, R6, R7, R8, R9 within 90 days.

## INVITED RESPONSES

The Grand Jury invites the Administration to respond:

- **Las Plumas High School:** respond to F6, F7 and R6, R7 within 60 days
- **Oroville High School:** respond to F8, F9 and R8, R9 within 60 days

The governing bodies indicated above should be aware that comment or response must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

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.

## APPENDIX I

### OHS Baseball Diamond



### OHS Practice Field



## **APPENDIX II**

### **LP Practice Field**



### **DISCLAIMER**

This report was issued by the Grand Jury with the exception of a juror who is affiliated with OUHSD. This grand juror was excluded from all parts of the investigation, including interviews, deliberations, and the writing and approval of this report.



## **BUTTE STRONG – CITIES OF BUTTE COUNTY**

### **SUMMARY**

Since 2017, the five incorporated cities in Butte County - Biggs, Chico, Gridley, Oroville and the Town of Paradise - have had to address a yearly crisis.

- The 2017 Oroville Dam Crisis
- The 2018 Wall Fire
- The 2018 Camp Fire
- The 2019 Public Safety Power Shutoffs
- The 2020 COVID-19 Stay-at-Home Executive Order

These events created challenges for each city government, but each met and addressed its obligations. The 2019-2020 Butte County Grand Jury chose to review how each city handled its challenges. The Grand Jury conducted initial interviews with the city management of Biggs, Chico, Gridley, Oroville and the Town of Paradise which all were affected by the Camp Fire.

The City of Chico estimates post Camp Fire financial impacts at \$500 million, largely due to a 20% increase in population. In the future, some financial offsets will be made to this cost. However, this unprecedented fire added additional strain to issues Chico was dealing with pre fire. California Public Employees Retirement System (CalPERS) payments limit Chico's revenue. The City of Chico continues to deal with insufficient revenue to repair roads, make infrastructure improvements, and meet public safety needs, staffing levels, and pension payments.

Post Camp Fire the City of Gridley became one of the main Federal Emergency Management Agency (FEMA) sites for survivors. The population has increased 20% due to the influx of Camp Fire survivors. The City leased its industrial park to FEMA for placement of temporary housing units. FEMA paid for all the utilities used at the housing location. The City benefited from the extra revenue generated by the population increase and has used the revenue to improve roads and city parks while maintaining a balanced budget. The nearby City of Biggs' population increased 17% post Camp Fire.

Oroville has dealt with numerous challenges during the last three years. As a result of the Camp Fire, Oroville has experienced population growth, and FEMA assisted with necessary housing.

The November 8, 2018 Camp Fire destroyed the Town of Paradise. The 2016 population pre Camp Fire was 26,551 residents, but only 2,034 in April 2019 based on a State of California survey. The ongoing recovery process has many components, and the Town Council is addressing each issue to make Paradise a safer, stronger, more resilient town.

## **GLOSSARY**

- CAL FIRE - California Department of Forestry and Fire Protection
- CalPERS - California Public Employees Retirement System
- FEMA - Federal Emergency Management Agency
- NCPA - Northern California Power Agency
- OES - California Office of Emergency Services
- PCI – Pavement Condition Index
- PG&E – Pacific Gas and Electric Company
- PID - Paradise Irrigation District
- WAPA - Western Area Power Administration

## City of Biggs Mural



## BIGGS

### METHODOLOGY

- **Interviewed:**
  - The City Administrator
  - The Chief of Gridley Police
  - Butte County Board of Supervisor District 4
- **Website:**
  - City of Biggs website:  
<http://www.biggs.ca.us>
- **Documents:**
  - City of Biggs 2019 budget

### DISCUSSION

The City of Biggs is a small farming community with a population of 1,724 (2018) and a total area of 0.6 square miles. The City of Biggs was founded in 1871 and was incorporated in 1903.

The City is an agriculture city encompassing 338 acres. Biggs has been relatively unaffected by the Camp Fire. While some Camp Fire survivors moved into Biggs, most stayed with relatives until permanent housing could be found. The California Department of Finance estimated the post-Camp Fire population of Biggs to be 2,066 (2019), an increase of 342 residents.

The City of Biggs is a general law city consisting of a City Council, Mayor and Administrator. The City has an operating budget of approximately \$6.7 million. Most of the City's revenue is generated from property tax, sales tax and its ownership of private utilities.

The City operates its own sewer, water and electrical systems. The City of Biggs Electric Utility has partial ownership of a geothermal steam field in Lake County. Biggs also benefits from long-term contracts for power allocation from the Federal Western Area Power Administration's Central Valley Project at Shasta Dam. Biggs partners with Gridley to fund the Gridley Biggs Electric Department, which handles the operation and maintenance of the system. The City is under mandate to create its own wastewater treatment plant and re-route some of its sewer lines. This is a multi-million-dollar, three-stage project. Stage one is almost complete.

The City of Biggs is a small municipality with few government employees. Biggs had a public safety contract with the City of Gridley police department. When the contract expired, the City of Biggs contracted with Butte County Sheriff's Department, saving the City money.

## “OUR HANDS” SCULPTURE in FRONT of CHICO CITY HALL

By Donna Billick



### City of Chico

#### METHODOLOGY

- **Interviewed:**
  - The City Manager
  - The Chief of Police
  - Butte County Board of Supervisors Districts 2, 3 and 5
  
- **Attended:**
  - City Council meeting
  
- **Reviewed:**
  - 2019 annual budget for City of Chico

- **Websites:**
  - Chavez, Colton, KRCC staff (11/24/2019) A look inside Chico's needle exchange program, aiming to curb the spread of diseases. *Retrieved from URL <https://krccrtv.com/news/deprecated-butte-county/a-look-inside-chicos-needle-exchange-program-aiming-to-curb-the-spread-of-diseases>*

## **DISCUSSION**

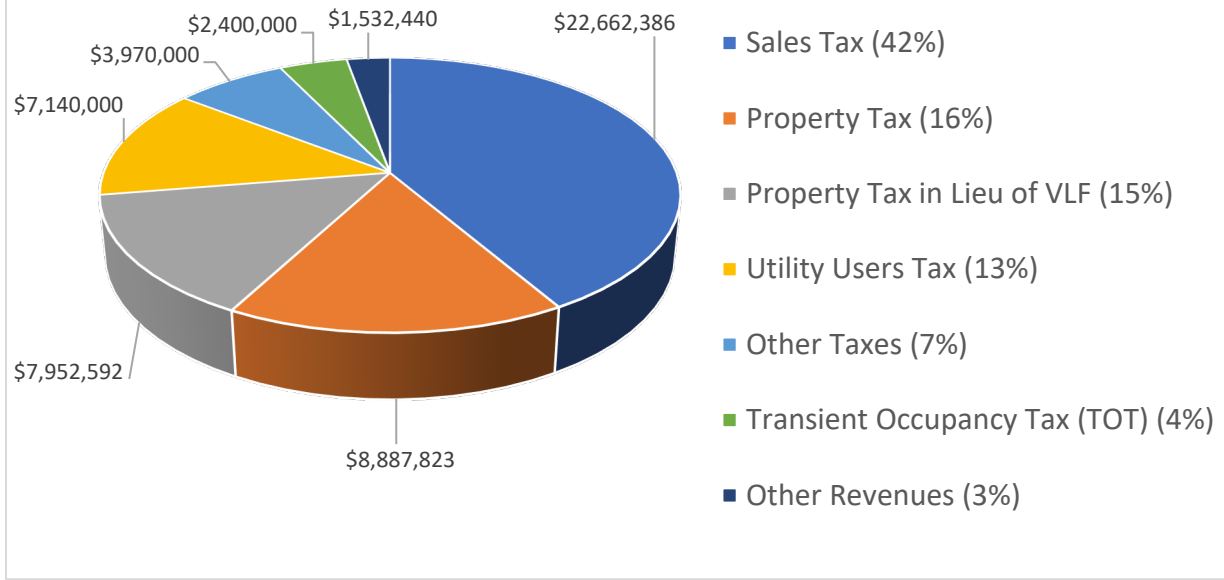
John Bidwell founded the City of Chico in 1860. It was incorporated in 1872 and is a Charter City, the largest city in Butte County. A Charter is an agreement between the citizens of Chico and the State of California. Under California law municipal government is conducted either as a general law city, which is governed as provided in the California Government Code, or as a charter city as provided in a document adopted by the city. Only the citizens of Chico can vote to change the City charter. The City spans over 33 square miles with a population of 91,567 in January 2016 (pre-Camp Fire) and 111,706 in 2018 (post-Camp Fire), an increase of approximately 20%.

The City of Chico employs 407 individuals in eight departments:

- Administration Services
- Community Development-Building & Code Enforcement
- Community Development-Planning & Housing
- Fire
- Human Resources and Risk
- Police
- Public Works-Engineering
- Public Works-Operations

Chico's main revenue source is local taxes: property taxes, utility user tax, and transient occupancy tax. The City of Chico estimates its total tax revenue for 2019-20 to be \$54 million (see Figure 1 below).

Figure 1  
Council Adopted Tax Revenues 2019-20



The City Manager, City Attorney and City Clerk are hired by and report directly to the City Council. The City Manager hires and fires all other personnel. The City Manager and management handle all daily operations and fiscal decisions, except for the budget.



## CITY OF CHICO READER'S GUIDE TO THE BUDGET

This guide is intended to help the reader understand the information available in this budget document and how it is organized. The document contains the Annual Budget for the City of Chico, Successor Agency to the Chico Redevelopment Agency and the Capital Improvement Program.

### TOTAL APPROPRIATIONS

The most frequently asked budget questions relate to the total General Fund budget and total budget appropriations. The following table was prepared as an easy reference summarizing the total appropriations as adopted by the City Council in the Proposed Budget.

	<u>FY2018-19 Council Adopted</u>	<u>FY2019-20 Council Adopted</u>
<b>Operating*</b>		
General/Park Funds	\$51,449,864	\$53,214,325
Successor Agency Funds	8,750,750	8,751,145
Improvement District Funds	821,021	956,507
Other Funds	31,103,604	32,170,567
	<b>\$92,125,239</b>	<b>\$95,092,544</b>
<b>Capital</b>		
General/Park Funds	\$1,537,407	\$861,365
Other Funds	37,445,903	39,002,323
	<b>\$38,983,310</b>	<b>\$39,863,688</b>
<b>Total Budget</b>		
General/Park Funds	\$52,987,271	\$54,075,690
Successor Agency Funds	8,750,750	8,751,145
Improvement District Funds	821,021	956,507
Other Funds	68,549,507	71,172,890
	<b>\$131,108,549</b>	<b>\$134,956,232</b>

\* Operating Expenditures include Debt Service payments

### GUIDE TO THE CITY OF CHICO BUDGET

Below is a description of the contents of City of Chico Budget. Major sections are divided into three sections: City of Chico (green tab), Capital Improvement Program (blue tab), and the Successor Agency to the Chico Redevelopment Agency (gold tab).

## CalPERS

The financial situation facing Chico is problematic. The CalPERS unfunded liability, as of June 30, 2018 (latest available information from the state system) is \$141 million. Unfunded accrued/actuarial liabilities are the calculated cost of promised benefits that are greater than the current value of a fund's asset. The yearly payments keep increasing along with the unfunded amount. The 2019-20 budgeted payment is \$11.4 million, almost 20% of projected tax revenue. The State system gives the unfunded dollar amount to the city. This amount rises more than it recedes each year even after the City makes multi-million-dollar payments. This situation is not unique to Chico. Many other municipalities in California are facing the same issue, and some of these municipalities have a higher unfunded amount and higher payments.



The fiscal year 2019-20 budget for Chico is \$135 million, and the unfunded liability is more than the budget. This problem cannot be solved locally. It will require either a change in state law or judiciary changes through the court system if state law is not changed. To manage this difficult situation, the city of Chico has created a fund (903) to deal with CalPERS payments. As of fiscal year 2019-20, the amount in the fund is \$2.4 million which can only be used for CalPERS payments.

**City of Chico**  
**2019-20 Annual Budget**  
**Fund Summary**  
**CALPERS UNFUNDED LIABILITY RSV FUND**

FUND 903 CALPERS UNFUNDED LIABILITY RSV	FY16-17	FY17-18	FY2018-19		FY2019-20	
	Actual	Actual	Council Adopted	Modified Adopted	City Mgr Recomm	Council Adopted
<b>Revenues</b>						
42691 CalPERS UAL Svc Chg - Misc.	0	3,993,184	4,332,153	4,332,153	4,877,981	4,877,981
42692 CalPERS UAL Svc Chg - Safety	0	3,364,796	4,026,264	4,026,264	4,737,797	4,737,797
44101 Interest on Investments	0	(34,002)	0	0	0	0
Total Revenues	0	7,323,978	8,358,417	8,358,417	9,615,778	9,615,778
<b>Expenditures</b>						
<b>Operating Expenditures</b>						
099 Debt Service	0	6,547,673	7,598,561	7,598,561	8,741,616	8,741,616
Total Operating Expenditures	0	6,547,673	7,598,561	7,598,561	8,741,616	8,741,616
<b>Capital Expenditures</b>						
Total Capital Expenditures	0	0	0	0	0	0
Total Expenditures	0	6,547,673	7,598,561	7,598,561	8,741,616	8,741,616
<b>Other Financing Sources/Uses</b>						
From:						
3001 General	541,455	0	500,000	500,000	0	0
To:						
9904 Pension Stabilization Trust	0	0	0	(1,041,455)	0	0
Total Other Sources/Uses	541,455	0	500,000	(541,455)	0	0
<b>Excess (Deficiency) of Revenues And Other Sources</b>	541,455	776,305	1,259,856	218,401	874,162	874,162
Non-Cash / Other Adjustments	0	(0)				
<b>Cash Balance, July 1</b>	0	541,455	1,196,222	1,317,759	1,536,160	1,536,160
<b>Cash Balance, June 30</b>	541,455	1,317,759	2,456,078	1,536,160	2,410,322	2,410,322

Fund Name: Fund 903 - CalPERS Unfunded Liability Reserve  
Authority: City Resolution and Budget Policy E.4.k.  
Use: Committed  
Authorized Capital Uses: None  
Authorized Other Uses: Operating  
Description: Fund to account for annual payments of CalPERS Unfunded Liability.

Remarks: Beginning in FY2017-18, each department will set aside a set percentage of payroll costs to fund the annual payment of the CalPERS unfunded liability. A target reserve of 10% of the annual unfunded liability expenditure will be retained in the fund.

## **Camp Fire**

The impact of the Camp Fire coupled with future and unfunded dollar amounts to CalPERS creates difficult fiscal decisions. The financial impact to the City from the Camp Fire is estimated by the City to be \$500 million. The City received one reimbursement from FEMA in the amount of \$7,302 to cover the cost of FEMA required high-efficiency particulate air (HEPA) filters for the offices. The City received \$549,862 in property tax back fill from the State of California. The Office of the Butte County Auditor-Controller determined the dollar amount of the tax back fill. The City also received \$3 million in relief from a State approved appropriation. Chico is using the bulk of the \$3 million to implement technology upgrades and pay for a new radio communication system.

However, there is no guarantee of any more compensation coming to the City. Since Chico is not in the Burn Scar, State and Federal agencies have communicated that disaster emergency funds cannot be expended to address or mitigate the impacts to the City. California's Office of Emergency Services (OES) will possibly direct more dollars to the city, but that is an unknown. City staff estimate the \$500 million Camp Fire financial impacts as follows:

- \$196 million in personnel costs over the next twelve years to service the increased population
- \$235 million for expansion of facilities
- \$34.8 million for roadways
- \$15 million for the sewer system

## **Roads**

The City's roadways 2019 Pavement Condition Index (PCI) is 52<sup>1</sup>. This number indicates needed maintenance or repair and will soon be lower if no repairs or maintenance are performed. A PCI below 50 usually requires complete reconstruction. Reconstruction is considerably more expensive than maintenance. For fiscal year 2019/20, \$2.5 million is budgeted for Capital

<sup>1</sup> City of Chico Chamber of Commerce "2020 Special Report"

Expenditures which includes road maintenance/repair. The Gas Tax Fund (Fund 307) funds road work/repairs. Fiscal year 2019/20 Fund 307 revenue is \$4.8 million.

The City of Chico staff, following the best government accounting practices, has set up a Public Infrastructure Fund (Fund 943), which is used for infrastructure projects and includes some of the waste hauler franchise fee. This revenue comes into the General Fund and is then allocated. The Fund 943 balance is \$68,000.

**City of Chico  
2019-20 Annual Budget  
Fund Summary  
GAS TAX FUND**

FUND 307 GAS TAX	FY16-17	FY17-18	FY2018-19		FY2019-20	
	Actual	Actual	Council Adopted	Modified Adopted	City Mgr Recomm	Council Adopted
<b>Revenues</b>						
41181 RSTP Exchange	875,426	928,592	875,000	875,000	875,000	875,000
41201 State Gas Tax-Sec 2105	569,523	412,260	537,000	512,921	512,875	512,875
41204 State Gas Tax-Sec 2106	400,518	295,266	360,000	352,641	352,609	352,609
41207 State Gas Tax-Sec 2107	752,962	546,919	667,000	669,916	669,855	669,855
41210 State Gas Tax-Sec 2107.5	7,500	0	7,500	7,500	7,500	7,500
41211 State Gas Tax-Sec 2103	251,894	314,786	716,000	338,723	795,377	795,377
41213 State Gas Tax - SB1	0	430,463	1,550,000	1,460,717	1,517,728	1,517,728
41214 State Gas Tax-SB1 Loan Repaymt	0	106,160	106,140	104,141	104,141	104,141
44101 Interest on Investments	8,966	18,048	0	0	0	0
44519 Reimbursement-Other	9,567	0	0	0	0	0
<b>Total Revenues</b>	<b>2,876,356</b>	<b>3,052,494</b>	<b>4,818,640</b>	<b>4,321,559</b>	<b>4,835,085</b>	<b>4,835,085</b>
<b>Expenditures</b>						
<b>Operating Expenditures</b>						
000 Funds Administration	0	78	0	0	0	0
<b>Total Operating Expenditures</b>	<b>0</b>	<b>78</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Capital Expenditures</b>						
12058 Bicycle Path-LCC to 20th St Pk	1,013	38,730	0	73,215	0	0
12066 Cohasset Road Widening	756	0	0	0	0	0
16011 Traffic Safety Improvements	178,148	68,812	200,000	436,517	200,000	200,000
16038 Bruce Road Reconstruction	0	0	0	0	500,000	500,000
17027 Bridge Plan of Action	14,670	7,901	0	18,265	0	0
18906 Annual Ped/ADA Improvements	0	1,703	60,000	97,397	100,000	100,000
18907 STREET IMPROVEMENTS & MAINTENA	111,670	2,266,869	1,600,000	1,548,907	1,650,000	1,650,000
19012 Manzanita Corridor Reconstruct	1,618	0	0	0	0	0
50057 Pavement Mgmt/Assessment Prog	15,261	6,903	100,000	130,923	30,000	30,000
50126 1st and 2nd Streets Couplet	50,637	3,752	0	175,328	0	0
50227 Retroreflectivity Signage	38,943	17,499	30,900	136,084	25,750	25,750
50229 FCC Radio Narrowbanding-GSD	14,109	0	0	0	0	0
50231 Salem St at LCC	0	196	0	39,804	0	0
50232 Guynn Rd at Lindo Channel	0	18,048	0	1,952	0	0
50233 Pomona Ave at LCC	0	288	0	39,712	0	0
50307 Annual Bikeway Maintenance	3,154	140,612	0	0	0	0
50336 Walnut Ave (SR32) Road Diet	12,820	618	0	75,562	0	0
50340 Nord Ave (SR32) Roundabouts	0	0	23,000	23,000	0	0
50357 Ivy Street Bridge at LCC	0	0	150,000	150,000	0	0
50373 Annual Bridge Rehabilitation	0	0	200,000	200,000	0	0
65983 E. 10th Street Storm Drainage	0	0	0	10,000	0	0
<b>Total Capital Expenditures</b>	<b>442,799</b>	<b>2,571,931</b>	<b>2,363,900</b>	<b>3,156,666</b>	<b>2,505,750</b>	<b>2,505,750</b>
<b>Total Expenditures</b>	<b>442,799</b>	<b>2,572,009</b>	<b>2,363,900</b>	<b>3,156,666</b>	<b>2,505,750</b>	<b>2,505,750</b>
<b>Other Financing Sources/Uses</b>						
From:						
3001 General	0	90,678	0	0	0	0
To:						
9001 General	(2,050,000)	(2,050,000)	(2,050,000)	(2,050,000)	(2,050,000)	(2,050,000)
<b>Total Other Sources/Uses</b>	<b>(2,050,000)</b>	<b>(1,959,322)</b>	<b>(2,050,000)</b>	<b>(2,050,000)</b>	<b>(2,050,000)</b>	<b>(2,050,000)</b>
<b>Excess (Deficiency) of Revenues And Other Sources</b>						
	383,557	(1,478,837)	404,740	(885,107)	279,335	279,335
<b>Fund Balance, July 1</b>	<b>1,980,387</b>	<b>2,363,944</b>	<b>422,049</b>	<b>885,107</b>	<b>0</b>	<b>0</b>
<b>Fund Balance, June 30</b>	<b>2,363,944</b>	<b>885,107</b>	<b>826,789</b>	<b>0</b>	<b>279,335</b>	<b>279,335</b>

Fund Name: Fund 307 - Gas Tax  
 Authority: Streets and Highway Code 2103, 2105, 2106, 2107, 2107.5 and Resolution  
 Use: Restricted  
 Authorized Capital Uses: Major programs, buildings and facilities, major equipment  
 Authorized Other Uses: Operating  
 Description: Right of way acquisition, maintenance, street sweeping, construction and improvement of street facilities.

City of Chico  
2019-20 Annual Budget  
Fund Summary

Attachment A - Fund Summaries

PUBLIC INFRASTRUCTURE REPLACEMENT FUND

FUND 943 PUBLIC INFRASTRUCTURE REPLACEMENT	FY16-17	FY17-18	FY2018-19		FY2019-20	
	Actual	Actual	Council Adopted	Estimated Final	City Mgr Recomm	Council Adopted
<b>Revenues</b>						
Total Revenues	0	0	0	0	0	0
<b>Expenditures</b>						
<b>Operating Expenditures</b>						
Total Operating Expenditures	0	0	0	0	0	0
<b>Capital Expenditures</b>						
16038 Bruce Road Reconstruction	0	0	0	0	300,000	0
18907 STREET IMPROVEMENTS & MAINTENA	0	471,725	800,000	928,275	1,066,674	0
Total Capital Expenditures	0	471,725	800,000	928,275	1,366,674	0
Total Expenditures	0	471,725	800,000	928,275	1,366,674	0
<b>Other Financing Sources/Uses</b>						
From:						
3001 General	0	866,674	800,000	1,064,000	904,000	0
To:						
Total Other Sources/Uses	0	866,674	800,000	1,064,000	904,000	0
<b>Excess (Deficiency) of Revenues And Other Sources</b>	0	394,949	0	135,725	(462,674)	0
<b>Fund Balance, July 1</b>	0	0	0	394,949	530,674	0
<b>Fund Balance, June 30</b>	0	394,949	0	530,674	68,000	0

Fund Name: Fund 943 - Public Infrastructure Replacement  
 Authority: Budget Policy E.4.r.  
 Use: Committed  
 Authorized Capital Uses: Major programs, buildings and facilities, major equipment  
 Authorized Other Uses: None  
 Description: Fund established to accumulate additional waste hauler revenues received to be spent on capital projects.

## City Staff

The City of Chico has not given city hall staff any pay raises in the last ten years. However, police (2017), public safety management (2017), and dispatchers (2016) did receive raises.

## Police Department

The department consists of 158 employees and is budgeted for 168. Of the 158 on staff, 98 are sworn officers with a budget for 108 officers. With approximately 20% more residents in Chico post Camp Fire, more sworn officers and support staff are needed. However, officer recruitment is difficult, largely due to low wages. After recruiting a candidate, another year to year and a half is required to complete the hiring process. This includes the Police Academy and department training. Technology upgrades such as automatic license plate readers and onboard computers will help relieve some of the pressure for more sworn officers. However, revenue is needed for either to occur.

The Chico Police Department continues to deal with the ever-changing policy decisions made at both the state and local level. AB 109, the State Prison Realignment Act, moved convicted criminals from state prison to county jails, affecting county jail population. Proposition 47 downgraded a variety of non-serious, non-violent crimes that had previously been considered felonies to misdemeanors. These include shoplifting, grand theft, receiving stolen property, forgery, fraud, and writing bad checks.

A criminal may now steal something under \$950 daily, and the crime will never rise to felony status. If a perpetrator is pursued and apprehended, the consequence can be a small fine or a brief stay in jail. This lack of prosecution, and/or reduction in jail time if prosecuted, effects public safety, allowing repeat offenders to remain in the community.

Proposition 57 allows for early inmate release and moves up parole consideration of nonviolent offenders who have served the full-term of the sentence for their primary (not including enhancements) offense. This includes those who demonstrate that their release to the community would not pose an unreasonable risk of violence to the community. The early release component allows a convicted criminal to return to the community early. These new laws are impacting both the City of Chico and the Police Department.

The needle distribution program managed by the North Valley Harm Reduction Coalition (NVHRC) is impacting Chico. The California Department of Public Health authorized NVHRC to provide these syringe services, and the program is effective through October 2021. The Chico Police Department did not endorse this program. The Chico Police Department believes it is attracting high-risk drug users to the community, enabling addiction, and creating syringe litter throughout the community.

The homeless population continues to be a major concern. A solution will require a collaborative effort from the community, homeless service providers, and the Police Department, an effort which requires compassion and accountability.

Another challenge for the Chico Police Department will be the hiring of a new Police Chief. On June 5, 2020, the current Chief will have retired after serving for five years in this position. The

retiring Chief will work with the city manager in the hiring process. The search could be ongoing, nation-wide and, as with any upper management personnel change, internal policy could be affected.

### **Conclusion**

Chico faces several financial obstacles including insufficient revenues for CalPERS payments, along with the need for improved infrastructure, road repair/maintenance, public safety and staff salaries. Due to Chico's growth, the infrastructure and roads need improving. To meet the safety concerns of the growing population, public safety improvements need to be made. Both financial and personnel issues also need to be addressed.



## CITY OF GRIDLEY MURAL



## CITY OF GRIDLEY

### METHODOLOGY

- **Interviewed:**
  - City Administrator
  - Chief of Police
  - Butte County Board of Supervisors District 4
  
- **Document:**
  - 2019-20 City of Gridley Operating Budget and Capital Improvement Plan
  
- **Website:**
  - City of Gridley  
*gridley.ca.us*

## **DISCUSSION**

The City encompasses 2.08 square miles with a population of 7,224 (2019 post Camp Fire). The City Administrator is also the City's Finance Director and Parks and Recreation Department Head, responsible for day-to-day operations and fiscal decisions. The City is a general law city, operating on the powers expressly given to it under state law. The City uses the council/city administrator form of government. The City Administrator reports directly to the City Council and the Mayor. The main sources of revenue for the City of Gridley are property taxes, sales tax and transient occupancy tax. An additional revenue source is the Gridley Biggs Electric Company, a private City-owned utility that includes the purchase and sale of electricity.

### **Police**

Gridley appointed an interim City Police Chief prior to the Camp Fire. The City has recently hired a permanent Police Chief. The City Police Department has met many goals. It has upgraded to an electronic policy manual, gone to paperless reports and took part in all community events. It now uses an online reporting system to report property crimes and uses Community Service Officers to aid in non-violent crime reporting.



The department is vetting new recruits to become sworn Police Officers and non-sworn Community Service Officers. It plans on sponsoring the candidates through the Police Academy. Other plans include:

- Place a citizen crime map on the City website to allow public access to police activity
- Implement a completely self-funded new K-9 Program
- Increase volunteer programs
- Increase social media/community engagement
- Participate in the Sacramento High Tech Task Force *Internet Crimes Against Children Program*.

## **Budget**

The City of Gridley's total yearly budget is \$18.8 million. Revenues include the following:

- \$6 million from the city owned electric utilities
- \$2 million from the city owned sewer and water utilities
- \$10.8 million property and sales taxes

Police and Fire account for 72% (\$13.5 million) of the City's General Fund budget expenditures. Health Insurance Premiums and CalPERS retirement costs contribute to this amount. CalPERS estimates local Government contributions will rise from 5% of payroll to 9% over the next five years. The City currently has 15% in reserves. The goal is to reach 20% reserves by 2024 by increasing the reserve amount 1% per year.

Four years ago, Gridley was in financial trouble and had to make decisions to balance its budget. One of those resulted in employee layoffs. The City contracts with CAL FIRE for fire protection. The personnel and equipment are provided by CAL FIRE with the city matching half the cost. The City chose not to fund one of the firefighter positions, resulting in the loss of one fire truck, as it could not be properly staffed. This budget period, the city plans to bring that fire position back and will get the fire truck back in service. Gridley is obligated to pay 25% of that position. Butte County notified the City that the 25% cost would be paid by the County, using FEMA money. The City also applied for and received a Staffing for Adequate Fire and

Emergency Response (SAFER) Grant. This grant will fund three more firefighter positions, all at no cost to the City.

Gridley's population increased 20% post Camp Fire. The Butte County Fairgrounds, in the heart of the City, became the largest Red Cross emergency camp in Butte County. The other Red Cross location was the Silver Dollar Fair Grounds in Chico. The Red Cross took a significant amount of time to deliver supplies to the Butte County Fair Grounds. In the meantime, the residents of Gridley took it upon themselves to donate and take care of the Camp Fire survivors, providing them with necessities. Local donations of \$100,000 were given to Gridley for marketing and for developing lot lines for future businesses.

The City agreed to lease FEMA the industrial park for a 400-space trailer park. The lease is costing FEMA \$129,000 per month for a period no longer than two and a half years. FEMA pays all the electric and utility bills. FEMA spent \$50 million developing the necessary infrastructure and built the park to the highest standards for future use. However, under a legal obligation, the site must convert back to an industrial park. FEMA estimated the cost to revert the site back to an industrial park at \$500,000. The city requested FEMA give it the funds to do the removal. The City Administrator believes his Public Works employees can do the job for \$20,000.

For years, residents complained about entering Highway 99 from West Liberty Road. With the addition of the FEMA Park, located off West Liberty Road, just West of Highway 99, California Department of Transportation agreed to put in a permanent stop light at that intersection at no cost to the City. This mitigated the increased traffic volume from businesses in the industrial park.

Another benefit to the City is the increase in new development of permanent housing. Pre Camp Fire the City was building 15 to 20 houses per month. Post Camp Fire building is now 40 to 60 houses per month. FEMA is keeping its commitment to dissolve the FEMA Camp. FEMA holds monthly meetings with the occupants, helping them locate permanent housing within the deadline.

The City of Gridley is considering the funds from FEMA a one-time revenue source. For that reason, the City is not investing in long-term projects that would overspend the revenue. Instead,

the City created the City Accounts Quality Streets Initiative, allowing it to invest in paving equipment, and is now repaving the most damaged roads using City employees to complete the work. Any leftover transit tax is being used to supplement the funding for this work. So far, the City has repaved a little over one mile of roadway, and a five-year plan is in place to repave the most severely damaged roads.

As stated previously, the City owns its electrical utility. Out of 480 cities in the state, Gridley is one of 40 cities that produces electricity. 15 cities, including Gridley, belong to the Northern California Power Agency (NCPA). The City Administrator is the representative for the City to the NCPA, which purchases electricity and sets regulations. The City also built two solar farms with panels purchased from the NCPA. This asset generates \$6 million in annual revenue. The City Electric employees also provide additional labor to the road maintenance crews in repaving the roads.

The North Valley Community Foundation donated \$25,000, and National Football League star Aaron Rodgers donated \$50,000. The City used these funds for additional playground equipment to help meet the needs of more children due to the 20% increase in population. The additional equipment is rated safe for children of all grade levels. The City has invested over \$200,000 in equipment, upgrades and maintenance to the city parks.

Post Camp Fire, the City has made improvements to its infrastructure. The City has plans for future growth while maintaining a balanced budget and a reserve fund.

## City of Oroville Mural on Montgomery Street



## CITY OF OROVILLE

### City of Gold

#### METHODOLOGY

- **Interviewed:**
  - Butte County Board of Supervisors District 1
  - City of Oroville City Administrator
- **Website:**
  - City of Oroville website URL:  
*<http://www.cityoforoville.org>*

## **DISCUSSION**

Located in the Sierra Nevada Foothills, Oroville, the Butte County Seat, is the 2nd largest municipality in the County with a population of 19,204<sup>2</sup>. Oroville became a Charter City on January 3, 1906.

Lake Oroville is the second largest reservoir in California with the tallest earthfill dam in the United States. The Lake Oroville Spillway failed on February 7, 2017. Sheriff Honea, Butte County Sheriff, called for the evacuation of Oroville on February 12, 2017 because of an expected failure of the Emergency Spillway. That failure would have flooded the City and low-lying areas along the Feather River Basin in Butte, Yuba and Sutter Counties. On February 14, 2017 emergency management officials reduced the evacuation order to an evacuation watch and allowed people to return to the evacuated areas.

Oroville faced another disaster with the November 8, 2018 Camp Fire which required the evacuation of 52,000 people. Following the Camp Fire, the City of Oroville experienced a population growth of 20%. Oroville hosted one of the Red Cross evacuation centers and then developed FEMA temporary housing locations. The State approved a one-time appropriation of \$2 million for the City of Oroville. City leaders had to decide how to allocate the money to address public safety, roads, traffic and other issues.

FEMA placed temporary housing in the City of Oroville at Rosewood Estates subdivision on Mono Avenue. This subdivision is housing 40 families in temporary units through July 2020. After the FEMA housing is removed, the City plans to place a permanent subdivision on the property, using some of the infrastructure which is now in place for the trailers. FEMA also placed 70 trailers at Lake Oroville Bidwell Canyon Campground that was closed to the public.

Recently, both the 2019 Power Safety Emergency Shutoffs and the 2020 COVID-19 pandemic caused reduction of normal business operations for the City of Oroville.

Revenue generated from sales, utility and property taxes enable the City to allow new businesses to open, which strengthens the local economy. The main revenue for the City is local taxes. Measure U, passed by voters in November 2018, increased Oroville sales tax by 1% (one cent on

<sup>2</sup> Wikipedia, Oroville, California

the dollar), resulting in a current rate of 8.5%. This 1% increase is expected to generate \$4.2 million annually. Additional sales tax revenue could be used to alleviate the water pooling at the well by the roundabout near Montgomery Street during heavy rains.

**CITY OF OROVILLE  
SUMMARY SCHEDULES**

**Summary of Revenues by Resource**

<b>GENERAL FUND</b>	<b>2017-18 ACTUAL</b>	<b>2018-19 BUDGET</b>	<b>2018-19 PROJECTED</b>	<b>2019-20 PRELIMINARY</b>
<b>Taxes</b>				
Sales and Use	\$ 4,364,469	\$ 4,397,121	\$ 4,752,421	\$ 5,182,867
Property	3,073,978	3,013,948	3,094,146	3,164,438
Utility User	1,964,304	1,845,407	1,801,034	1,876,386
Franchise Fees	833,108	787,000	873,156	890,619
Transient Occupancy	711,980	639,540	897,819	936,797
Other Taxes	42,732	34,500	39,226	40,444
<b>Total Taxes</b>	<b>10,990,571</b>	<b>10,717,516</b>	<b>11,457,802</b>	<b>12,091,551</b>
<b>License, Permits and Franchises</b>				
Licenses	75,053	79,061	71,953	74,112
Permits	342,189	272,500	408,264	416,829
<b>Total License, Permits and Fees</b>	<b>417,242</b>	<b>351,561</b>	<b>480,217</b>	<b>490,941</b>
<b>Other Revenues</b>				
Fines and Forfeitures	73,050	61,000	63,865	68,000
Interest, Rents and Concessions	162,626	97,600	75,855	166,054
Intergovernmental Revenues	198,131	127,813	111,780	115,545
Charges for Services	342,186	291,500	450,504	458,146
Other Revenues	1,129,286	278,740	1,009,853	520,030
Operating Transfers In	826,663	907,585	696,282	918,431
<b>Total Other Revenues</b>	<b>2,731,942</b>	<b>1,764,238</b>	<b>2,408,139</b>	<b>2,246,206</b>
<b>TOTAL GENERAL FUND REVENUES</b>	<b>\$ 14,139,755</b>	<b>\$ 12,833,315</b>	<b>\$ 14,346,158</b>	<b>\$ 14,828,698</b>

The CALTRANS project to widen State Highway 70 created a need for a new truck stop at Oroville Dam Boulevard and Feather River Boulevard. The widening project will begin in



November 2020 with completion targeted for November 2022. Approximately 17,000 vehicles travel the corridor daily. The new highway will have five lanes: two northbound, two southbound and a middle turn lane. The projected cost to Caltrans is \$104.6 million.

### **Fire Department**

Oroville Fire Department was initially founded in 1856. The department covers 13 square miles and protects 5,372 homes, various additional buildings, one airport and three industrial parks.

Currently, it has 13 firefighters and does not have enough revenue for more. Pre-Camp Fire, 13 firefighters served a population of 12,000 to 15,000. The Fire Department now serves more than 23,000 people. Response time is within five minutes for 90% of fire and medical incidents. The Fire Department has many partnerships:

- Oroville Aid Agreement with Butte County Fire
- California Department of Fire and Forestry
- Butte County Hazardous Materials Team
- Butte Interagency Rescue Group

### **Police Department**

The Police Department includes the following:

- Patrol and Traffic division: Made up of four Sergeants and sixteen Officers. The units operate 24 hours a day, seven days a week.
- School Resource Officer (SRO): Most important role is counselor or problem solver. The SRO serves Oroville Union High School District, primarily Oroville High School. The SRO helps maintain a safe school environment through the handling of assaults, theft, burglary, bomb threats, weapons, alcohol and drug incidents on and off campus.
- Municipal Law Enforcement Officers (MLEs): Assists patrol officers in crime prevention and patrol services to the community. MLEs are members of the Police Department who handle non-hazardous situations: taking reports where available, responding to most thefts, dealing with lost and found property, and searching for runaway juveniles and missing persons. MLEs also direct traffic at accident scenes, fires, or other locations as needed.

- K-9 Unit was re-established in 2007. More recently, the K-9 team raised funds from the local community to revitalize the program.
- Support Division:
  - Communications
  - Records
  - Detectives/Investigations
  - Butte Interagency Narcotic Task Force
  - Administrative Services
  - Volunteers
  - Chaplain
  - Evidence/Property
  - Special assignments under the supervision of the Lieutenant

## Town of Paradise Mural on the Skyway



## Town of Paradise The Road to Recovery

### METHODOLOGY

- **Interviewed:**
  - Town Manager
  - Butte County Board of Supervisors District 5
  - Paradise Irrigation District Manager
- **Website:**  
<http://www.townofparadise.com>

### DISCUSSION

The Town of Paradise covers 18.32 square miles, was incorporated in 1979, and pre Camp Fire was the second most populated city in Butte County. A five-member council, led by an elected

Mayor, governs the Town. The Council is the policy making body for the Town, and Town staff directed by the Town Manager implements these policies.

The Camp Fire ongoing recovery process has many components. The first is financial. The State of California agreed to backfill property taxes for three years. Property taxes account for almost 60% of the Town's revenue. A sales tax increase that Paradise voters approved in November 2014 (Measure C), a half cent tax increase, was initially set to sunset in March 2021, but has been extended by voters for ten more years.

The Butte Strong Foundation and various State grants have provided the funds for community projects. The Town received a USA Grant that included matching funds from Tri-Counties Bank. This grant and the matching funds were used to purchase a fire truck to replace one that burned in the Camp Fire. A special fund will be created and used for utilities, roads, and water. All donations that have come into the Town are handled by the Town's Finance Department. These donations go into a separate Special Donation Fund, which is audited by the Town and the State of California.

The Town has an agreement with Pacific Gas & Electric Company (PG&E) regarding the financial settlement. When it is approved, the money from the settlement will only be used for operational purposes.

The second component of the recovery is debris removal from the properties that were destroyed in the fire. 7,575 properties in Butte County have been cleared of 2.4 million tons of debris and ash. FEMA controlled and directed the debris removal. After the FEMA debris removal, private property owners could clean their properties through OES or a private contractor. Almost all the debris removal was completed by the end of November 2019. After debris removal, private property owners could not inhabit their properties, even temporarily, prior to the property being certified clean per Butte County Ordinance 575. Allowing property owners to reoccupy their properties prior to debris removal or certification could have cost the County \$1.7 billion in FEMA reimbursement. Fortunately, this was resolved.

The third component is ongoing tree removal. Over 400,000 trees are being removed: 100,000 are the Town's responsibility, 200,000 will be removed by OES, and 90,000 by PG&E. Private property owners need to address unsafe trees on their properties and remove those that create a

public safety hazard. All trees within ten feet of the roadways, within ten feet of homes, or ones which could be a hazard to a power line must be removed; most were compromised by the fire.

The tree removal project focuses on removing marketable dead and dying trees which are 12 inch or more in diameter. The hope is to use the lumber manufactured from these trees in the new construction. Certain requirements and limited funding allow the Town to help certain property owners (not all) who are within the footprint of the fire. To meet the requirement, a property owner needs a building permit for the property where the tree removal will occur. 70% of the dead or dying trees to be removed are conifers (a cone bearing tree). 20 harvestable trees per property would offset the high cost of the tree removal.

A fourth component is roads. The Town was incorporated in 1979. Many private and county roads existed at the time of the incorporation that were not designed and/or built under the direction of a traffic engineer. This lack of design created difficult evacuation routes which impeded evacuation when the fire occurred. The Town is planning on hiring a traffic engineer to oversee the repair and rebuilding of Town roads. The plan is for the engineer to inspect all Town roads and facilitate proper construction/design to improve both the evacuation routes and the quality of roads.

The Town is providing weekly construction updates to inform the public of new projects and the status of projects already in progress. These updates are posted on the Town's website.

Bank of America gifted the Town a building, which has been remodeled and is now the Central Resource Center, a one-stop resource helping fire survivors, property owners, and investors. The resources include assistance from the following entities:

- Town of Paradise
- Butte County
- OES
- PG&E
- State Licensing Board
- Various other agencies

Assistance is also available for financing and grant applications, including help from representatives of the Housing Advocacy Center. Rebuilding advocates offer services free of

charge to assist with rebuilding plans, insurance and financing, to name a few. As of March 25, 2020, 694 building permits had been issued, and 81 homes had been rebuilt.

A fifth component is water. Paradise Irrigation District (PID) issued a water advisory in December 2018, following the fire. PID has worked with state and federal agencies, scientists, and engineers to put a recovery plan in place. This plan includes a rigorous process of inspecting all main line lateral connections that allow water onto owners' properties. The advisory has been lifted on a customer-to-customer basis.

Steps required before receiving a letter of certification lifting the advisory:

- Main approval: PID engineers perform water sampling on the main lines that deliver the treated water to the service lateral on the owner's property. Testing needs to meet California drinking water guidelines. Currently, 97% of the lines tested have met the state standard and are certified.
- Service Lateral Approval: The service lateral is a smaller diameter pipe that delivers water from the main line onto the owner's property to be consumed. This pipe is the one most likely not to meet the state standard. If it fails, PID will need to replace the service lateral, which would be paid by the homeowner.
- Expert Panel Approval: Panel members consist of PID staff and engineers familiar with the flow and intricacies that might vary from service lateral to service lateral.

The Town of Paradise has a goal of placing all utilities underground. This will contribute to fire safety and aesthetics. Paradise asked PG&E to put its 190 miles of power lines underground. AT&T and Comcast have not committed to this plan. In October 2019, the Town passed a "dig once" ordinance that limits trenching to once every five years for projects. This is intended to encourage all service providers to put conduit underground when trenches are open for other utility work.

A sixth component to the recovery process is a new sewer system. The Town has never had a sewer system; pre Camp Fire septic tanks handled the sewage. A January 2020 estimate for the sewer project was in the \$1.25 million range and would be completed in two phases. Phase one is estimated to cost \$401,490, and phase two is estimated at \$850,954. The project estimate exceeds the grant funding from the United States Department of Agriculture and the State of California.

Town staff is working with the State Water Board to hopefully locate funding to bridge the estimated gap.

The final component to recovery is homeowner insurance post Camp Fire. Insurance companies have denied renewal or cancelled some Burn Scar area residents' homeowners policies. Some have been unable to obtain or afford a new homeowners' policy. This situation has impacted both homeowners who lost their homes and those who did not. In 2018, the California Insurance Commissioner was able to get relief for those affected through a new law that allowed at least one year of continued coverage for homeowners with homes standing in fire zones. Additionally, new state legislation allows homeowners whose homes became uninhabitable due to a wildfire to renew their homeowners' policies for at least two years.

### **Police Department**

The Town Police Department has 49 employees, including 16 sworn officers as of April 1, 2020. The Camp Fire destroyed the dispatch center, so Paradise contracted with Butte County Sheriff's Department to receive 911 emergency calls and dispatch.

The population has declined since the Camp Fire; however, Paradise still covers 18 square miles that need patrolling. The presence of squatters has increased since the Camp Fire. Trail cameras will be helpful to deter both illegal camping and other property crimes while allowing Police Officers to patrol a larger area. Farmers Insurance Company gifted the Paradise Police Officer Association \$10,000 for trail cameras.

### **Fire Department**

The Town contracts with CAL FIRE for local fire protection. Currently, 14 firefighters are assigned to Paradise. The Town retains and maintains the facilities, equipment and apparatus. Paradise Fire & Rescue has the following equipment:

- Two front line engines
- Two reserve engines
- One Type 3 engine
- One ladder truck
- One Type 3 squad

- One breathing support trailer
- Three staff vehicles

The Town contracts with CAL FIRE for local fire protection personnel. Staffing is three to an engine, including a captain, engineer and firefighter. Station 81, in the Town of Paradise, houses the administrative offices of Fire Chief, Battalion Chief, Fire Prevention Inspector and Administrative Assistant.

## **FINDINGS**

### **CITY OF CHICO**

- F1. The City of Chico's mandatory required contributions to CalPERS are putting an ever-increasing burden on the general fund, which impedes the city's ability to provide essential services.
- F2. The City of Chico is experiencing financial impacts and population growth from the Camp Fire.
- F3. The City of Chico roads need attention due to lack of maintenance.
- F4. The City of Chico staff has performed well while dealing with a higher population since the Camp Fire and has not received a pay increase in ten years.
- F5. The Chico Police Department is understaffed.
- F6. The Chico Police Department could experience a major change with the retirement of the current Chief this June.
- F7. The City of Chico has been very fortunate to have received five years of service from the retiring Chief of Police.

### **CITY OF GRIDLEY**

- F8. The City of Gridley became a hub for the Camp Fire Survivors and has seen a significant improvement to its infrastructure.



F9. The City of Gridley’s positive community response to the Camp Fire survivors was overwhelming.

F10. The City of Gridley is financially positioned to accommodate the extra population which has not burdened the City’s finances.

**CITY OF OROVILLE**

F11. The City of Oroville is resilient and has made a strong comeback from the experiences of the past three years.

F12. The State Highway 70 widening is coming to fruition thanks to the support of Butte County’s District 1 Supervisor Bill Connelly and will most likely reduce head-on collisions thus saving lives.

**TOWN OF PARADISE**

F13. The resiliency of all interviewees is admirable in the face of rebuilding from the ashes.

**RECOMMENDATIONS**

**CITY OF CHICO**

R1. The City of Chico needs to find additional revenue sources by March 1, 2021.

**REQUIRED RESPONSES**

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses as follows

**From the following governing bodies:**

- **The City of Chico City Council:** F1, F2, F3, F5 and R1 within 90 days.

The governing bodies indicated above should be aware that comments or response must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

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.



