

**COUNTY OF HUMBOLDT**  
Public Works  
Interoffice Memo

DATE: May 11, 2009  
TO: Loretta Nickolaus, County Administrative Officer  
FROM: Tom Mattson, Public Works Director  
SUBJECT: **Response to 2008-09 Redway Solid Waste Transfer Station**

**REDWAY SOLID WASTE TRANSFER STATION (Grand Jury Report #2009-PW-01)**

**Finding 1:**

The northern boundary of the Redway Solid Waste Transfer Station's property is not completely fenced and therefore the property can be accessed by unauthorized persons after business hours.

**RESPONSE:** Agree

**Recommendation 1:**

The Grand Jury recommends that the Humboldt County Public Works Department construct a fence along the northern boundary of the Redway Solid Waste Transfer Station to make the site more secure and to help prevent unauthorized access after business hours.

**RESPONSE:** The County had to prioritize available funding for repairs at the Redway Transfer Station due to issues related to water quality, which were a priority. The California Department of Forestry and Fire which owns the site upgraded its security measures to deal with the issues raised. The County is currently negotiating with both the site operator and the site owner to make improvements to this facility, which will require rate increases to pay for the improvements, which may include the fence.



# HUMBOLDT COUNTY SHERIFF'S OFFICE

GARY PHILP, SHERIFF

CIVIL/COURTS  
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MAIN STATION  
826 FOURTH STREET • EUREKA CA 95501-0516  
PHONE (707) 445-7251 • FAX (707) 445-7298

CUSTODY SERVICES  
(707) 441-5159

DATE: APRIL 16, 2009  
TO: THE HONORABLE JUDGE FEENEY  
PRESIDING JUDGE OF THE SUPERIOR COURT  
FROM: GARY PHILP, SHERIFF  
RE: RESPONSE TO THE 2008-2009 GRAND JURY REPORT

RECEIVED

APR 17 2009

CAO

## 2009-JL-02 HOOPA AND GARBERVILLE SUBSTATIONS

### FINDING NO. 1:

The Hoopa and Garberville Sheriff's Stations are both in need of the services of a Transportation Officer.

### SHERIFF'S RESPONSE TO 2009-JL-02 NO. 1:

Agree

### RECOMMENDATION NO. 1:

The Grand Jury of Humboldt County recommends that the Sheriff's Department central office in Eureka provide Transportation Officer services for the Garberville and Hoopa Substations and for any outlying areas that need them, using existing on-duty personnel when possible.

### SHERIFF'S RESPONSE TO 2009-JL-02 RECOMMENDATION NO. 1:

The recommendation has been implemented. A policy specific to this issue is in place, and has been in place for several years. Our policy has been, and continues to be, that whenever a deputy(s) makes an arrest in our outlying Garberville and/or Hoopa Stations or our resident posts that the deputy will make a request for a transport unit via our Emergency Communications Center. That request is relayed to the on-duty watch commander who evaluates the available staffing levels of our Main Station Patrol and/or North Area Patrol (McKinleyville) Divisions relative to their current workload and activity levels. Whenever practical a Main Station Patrol or North Area Patrol unit is dispatched to meet with the outlying unit and will transport that deputy's arrestee(s) to the

MCKINLEYVILLE STATION  
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Humboldt County Correctional Facility or Juvenile Hall. This allows the outlying deputy to remain close to his/her beat area and available for calls for service in their beat area.

It must be borne in mind, however, that all of our patrol areas, including our Main Station and North Area Patrol Divisions, generally operate at minimum staffing levels. No matter who transports the arrestee(s), that area's staffing level and response capabilities will be impacted. Many times the call for service/activity level in the Main Station or North Area relative to staffing does not allow for a unit to be diverted for the in-custody transport. Short of obtaining funding for additional staffing, these decisions must be made, and will continue to be made, on a case-by-case basis.

#### **GRAND JURY REPORT 2009-JL-05 HUMBOLDT COUNTY ANIMAL SHELTER**

##### **FINDING NO. 1:**

The annual general fund contribution to the operating budget of the Animal Shelter is rising rapidly with employee salaries and benefits being the most volatile line items.

##### **SHERIFF'S RESPONSE TO 2009-JL-05 FINDING NO. 1:**

Partially disagree with the finding; while the general fund contribution is rising, negotiated salary and benefit increases to the full-time employees is only part of the reason. The more volatile line items to the shelter operation are rising utility costs and necessary maintenance and repair costs to a facility that operates seven days a week.

##### **RECOMMENDATION NO. 1:**

The Sheriff's Office should review staffing and salary levels that affect the general fund contribution to the Animal Shelter's operating budget and consider the possibility of using low risk County Inmates and/or Sheriff's Work Alternative Program participants at the facility.

##### **SHERIFF'S RESPONSE TO 2009-JL-05 RECOMMENDATION NO. 1:**

This recommendation has been implemented for some time. When the Animal Shelter was initially opened, this Office, in cooperation with the County Administrative Office and the County Personnel Department, made a very careful study of the facility's basic staffing needs and class of positions needed. The current staffing levels are reviewed annually. Frankly, our current full-time staffing levels are the minimum necessary and at the correct position level for the seven-day a week operation of the facility.

As for the utilization of low-risk County inmates and/or Sheriff's Work Alternative Program participants at the facility, the use of Sheriff's Work Alternative Program participants has been in place since the shelter opened. Sheriff's Work Alternative Program participants are currently being used to augment and assist our Kennel Attendants at the shelter facility. Typically one to four Sheriff's Work Alternative Program participants, along with other volunteers, work at the facility on a daily basis, which does help keep down employee costs and saves taxpayer dollars.

**FINDING NO. 2:**

Utility costs for the Shelter are high and are increasing, particularly the cost of operating the floor heating system in the kennel areas.

**SHERIFF'S RESPONSE TO 2009-JL-05 FINDING NO. 2:**

Partially disagree: All utility costs, including water and garbage, continue to rise; but, for the type of facility operation, the costs do not appear to be exorbitant.

**RECOMMENDATION NO. 2:**

The County should pursue grant funding for the installation of a solar-assisted water heating system to supplement the current floor heating system in the kennel areas.

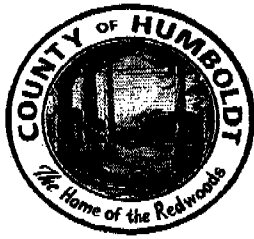
**SHERIFF'S RESPONSE TO 2009-JL-05 RECOMMENDATION NO. 2:**

This recommendation requires further analysis. A cost-benefit analysis and possible funding opportunities will need to be conducted in cooperation with, and most likely under, the auspices of the County Building Maintenance Department and the County Administrative Office.

Respectfully submitted,

  
GARY PHILP, Sheriff  
Humboldt County

GP:crm  
Cc: Board of Supervisors  
CAO ✓  
file



**COUNTY OF HUMBOLDT**  
County Administrative Office  
Interoffice Memo

DATE: June 8, 2009  
TO: Board of Supervisors  
FROM: Loretta Nickolaus, County Administrative Officer  
SUBJECT: **Response to 2008-09 Grand Jury Report 2009-JL-01**

**CORONER AND PUBLIC ADMINISTRATOR (GRAND JURY REPORT #2009-JL-01)**

**Finding 1:**

The driveway to the carport is not long enough to allow adequate room to enter from the street before backing into the carport. This has resulted in vehicles making contact with the building

**Recommendation 1:**

The Grand Jury recommends extending the driveway into the vacant area to the north.

**Board of Supervisors Response(s) to F.1. and R.1.**

**The Board of Supervisors agrees with the finding.** The Board will work with the Coroner Public Administrator to extend the driveway when funding is available upon the completion of facility improvements and deferred maintenance projects that are currently either under progress or of a more pressing matter.

**Finding 2:**

The unloading of bodies in the carport is in full public view from the adjacent sidewalk and street.

**Recommendation 2:**

The Grand Jury recommends extending the carport to shield the process of handling bodies from public view.

**Board of Supervisors Response(s) to F.2. and R.2.**

**The Board of Supervisors agrees with the finding.** The Board will work with the Coroner Public Administrator to extend the driveway when funding is available upon the completion of facility improvements and deferred maintenance projects that are currently either under progress or of a more pressing matter.



CORONER - PUBLIC ADMINISTRATOR

**COUNTY OF HUMBOLDT**

3012 "I" STREET

EUREKA, CALIFORNIA 95501

PHONE (707) 445-7242

May 28, 2009

Loretta Nickolaus  
County Administrative Officer  
825 Fifth Street  
Eureka, CA 95501

RECEIVED  
MAY 28 2009  
CAO

Re: Grand Jury Report 2009-JL-01

Dear Ms. Nickolaus:

In response to the Grand Jury requirements, findings and recommendations:

## Findings:

1. The driveway to the carport is not long enough to allow adequate room to enter from the street before backing into the carport. This has resulted in vehicles making contact with the building.

I agree with the finding.

2. The unloading of bodies in the carport is in full public view from the adjacent sidewalk and street.

I agree with the finding.

## Recommendations:

1. The Grand Jury recommends extending the driveway into the vacant area to the north.

I agree with the finding.

The recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation.

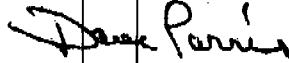
2. The Grand Jury recommends extending the carport to shield the process of handling bodies from public view.

May 28, 2009  
Page Two  
Loretta Nickolaus

I agree with the finding.

The recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation

Sincerely,



Dave Parris  
Humboldt County Coroner



**COUNTY OF HUMBOLDT**  
County Administrative Office  
Interoffice Memo

DATE: June 8, 2009  
TO: Board of Supervisors  
FROM: Loretta Nickolaus, County Administrative Officer  
SUBJECT: **Response to 2008-09 Grand Jury Report 2009- JL-05**

**HUMBOLDT COUNTY ANIMAL SHELTER EVALUATION (GRAND JURY REPORT #2009-JL-05)**

**Finding 1:**

The annual general fund contribution to the operating budget of the Animal Shelter is rising rapidly with employee salaries and benefits being the most volatile line items.

**Recommendation 1:**

The Sheriff's Office should review staffing and salary levels that affect the general fund contribution to the Animal Shelter's operating budget and consider the possibility of using low risk county inmates and/or Sheriff's Work Alternative Program participants at the facility.

**Board of Supervisors Response(s) to F.1. and R.1.**

**The Board of Supervisors partially agrees with the finding.** While the General Fund contribution is directed towards salaries and benefits, this facility is in constant use seven days a week and therefore also susceptible to increased utility costs and facility repairs. In the proposed FY 2009-10 budget, the Sheriff's Office has proposed "freezing" one Deputy Sheriff to generate \$65,000 in salary savings, in order to help contain costs.

The Sheriff's Work Alternative Program is already in use at the Animal Shelter and has been since it was opened. The shelter also seeks volunteers from the community to aid the kennel workers and to further offset the costs of employing full time workers. The Animal Shelter carefully studied the staffing needs of the facility in cooperation with the County Administrative Office and the County Personnel Department when it was originally opened. The current staffing needs are reviewed annually and are currently at a minimum.

**Finding 2:**

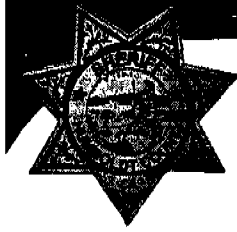
Utility costs for the shelter are high and are increasing, particularly the cost of operating the floor heating system in the kennel areas.

Recommendation 2:

The county should pursue grant funding for the installation of a solar-assisted water heating system to supplement the current floor heating system in the kennel areas.

**Board of Supervisors Response(s) to F.2. and R.2.**

**The Board of Supervisors agrees with the finding.** All utility costs are on the rise. To follow up on this recommendation the Board will need to look into the efficiency of the floor heating system as well as do a cost-benefit analysis. The Board will also look into the feasibility of grant funding.



# HUMBOLDT COUNTY SHERIFF'S OFFICE

GARY PHILP, SHERIFF

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CUSTODY SERVICES  
(707) 441-8159

DATE: JUNE 10, 2009  
TO: THE HONORABLE JUDGE FEENEY  
PRESIDING JUDGE OF THE SUPERIOR COURT  
FROM: GARY PHILP, SHERIFF  
RE: AMENDED RESPONSE TO THE 2008-2009 GRAND JURY REPORT

## 2009-JL-02 HOOPA AND GARBERVILLE SUBSTATIONS

### FINDING NO. 1:

The Hoopa and Garberville Sheriff's Stations are both in need of the services of a Transportation Officer.

### SHERIFF'S RESPONSE TO 2009-JL-02 NO. 1:

Agree

### RECOMMENDATION NO. 1:

The Grand Jury of Humboldt County recommends that the Sheriff's Department central office in Eureka provide Transportation Officer services for the Garberville and Hoopa Substations and for any outlying areas that need them, using existing on-duty personnel when possible.

### SHERIFF'S RESPONSE TO 2009-JL-02 RECOMMENDATION NO. 1:

The recommendation has been implemented. A policy specific to this issue is in place, and has been in place for several years. Our policy has been, and continues to be, that whenever a deputy(s) makes an arrest in our outlying Garberville and/or Hoopa Stations or our resident posts that the deputy will make a request for a transport unit via our Emergency Communications Center. That request is relayed to the on-duty watch commander who evaluates the available staffing levels of our Main Station Patrol and/or North Area Patrol (McKinleyville) Divisions relative to their current workload and activity levels. Whenever practical a Main Station Patrol or North Area Patrol unit is dispatched to meet with the outlying unit and will transport that deputy's arrestee(s) to the

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Humboldt County Correctional Facility or Juvenile Hall. This allows the outlying deputy to remain close to his/her beat area and available for calls for service in their beat area.

It must be borne in mind, however, that all of our patrol areas, including our Main Station and North Area Patrol Divisions, generally operate at minimum staffing levels. No matter who transports the arrestee(s), that area's staffing level and response capabilities will be impacted. Many times the call for service/activity level in the Main Station or North Area relative to staffing does not allow for a unit to be diverted for the in-custody transport. Short of obtaining funding for additional staffing, these decisions must be made, and will continue to be made, on a case-by-case basis.

### **GRAND JURY REPORT 2009-JL-05 HUMBOLDT COUNTY ANIMAL SHELTER**

#### **FINDING NO. 1:**

The annual general fund contribution to the operating budget of the Animal Shelter is rising rapidly with employee salaries and benefits being the most volatile line items.

#### **SHERIFF'S RESPONSE TO 2009-JL-05 FINDING NO. 1:**

Partially disagree with the finding; while the general fund contribution is rising, negotiated salary and benefit increases to the full-time employees is only part of the reason. The more volatile line items to the shelter operation are rising utility costs and necessary maintenance and repair costs to a facility that operates seven days a week.

#### **RECOMMENDATION NO. 1:**

The Sheriff's Office should review staffing and salary levels that affect the general fund contribution to the Animal Shelter's operating budget and consider the possibility of using low risk County inmates and/or Sheriff's Work Alternative Program participants at the facility.

#### **SHERIFF'S RESPONSE TO 2009-JL-05 RECOMMENDATION NO. 1:**

This recommendation has been implemented for some time. When the Animal Shelter was initially opened, this Office, in cooperation with the County Administrative Office and the County Personnel Department, made a very careful study of the facility's basic staffing needs and class of positions needed. The current staffing levels are reviewed annually. Frankly, our current full-time staffing levels are the minimum necessary and at the correct position level for the seven-day a week operation of the facility.

As for the utilization of low-risk County inmates and/or Sheriff's Work Alternative Program participants at the facility, the use of Sheriff's Work Alternative Program participants has been in place since the shelter opened. Sheriff's Work Alternative Program participants are currently

being used to augment and assist our Kennel Attendants at the shelter facility. Typically one to four Sheriff's Work Alternative Program participants, along with other volunteers, work at the facility on a daily basis, which does help keep down employee costs and saves taxpayer dollars.

**FINDING NO. 2:**

Utility costs for the Shelter are high and are increasing, particularly the cost of operating the floor heating system in the kennel areas.

**SHERIFF'S RESPONSE TO 2009-JL-05 FINDING NO. 2:**

Partially disagree: All utility costs, including water and garbage, continue to rise; but, for the type of facility operation, the costs do not appear to be exorbitant.

**RECOMMENDATION NO. 2:**

The County should pursue grant funding for the installation of a solar-assisted water heating system to supplement the current floor heating system in the kennel areas.

**SHERIFF'S RESPONSE TO 2009-JL-05 RECOMMENDATION NO. 2:**

This recommendation requires further analysis. A cost-benefit analysis and possible funding opportunities will need to be conducted in cooperation with County Administrative Office.

An assessment of our Shelter site's solar potential to determine the viability of utilizing a Solar Electric (PV) System for the Animal Shelter and to estimate a project cost, if found as a viable alternative, will be conducted on May 29, 2009, through the Redwood Coast Energy Authority. Once we obtain the results of the assessment which should be presented to us within the following 60 days, we will forward the information to the County Administrative Office and work with them to identify a potential funding source if feasible.

Currently the County Administrative Office is in conversation with the Redwood Coast Energy Authority regarding the potential for obtaining project funding through the use of zero-interest tax credit bonds known as Clean Energy Renewable Bonds (CERBS) and/or American Recovery and Reinvestment Act (ARRA) Energy Efficient Block Grants for Small Cities and Counties.

Respectfully submitted,

  
GARY PHILP, Sheriff  
Humboldt County

GP:crm  
Cc: Board of Supervisors  
CAO  
file



**COUNTY OF HUMBOLDT**  
County Administrative Office  
Interoffice Memo

DATE: June 8, 2009  
TO: Board of Supervisors  
FROM: Loretta Nickolaus, County Administrative Officer  
SUBJECT: **Response to 2008-09 Grand Jury Report 2009-AF-01**

**HUMBOLDT COUNTY ASSESSOR'S OFFICE EVALUATIONS (GRAND JURY REPORT #2009-AF-01)**

**Finding 6:**

Twenty California counties currently combine the duties of the Assessor with those of other county offices, as permitted by Government Code. Combining offices and functions for purposes of cost and management efficiency could be a benefit to Humboldt County.

**Recommendation 4:**

The Board of Supervisors should consider combining the duties of the Assessor's Office with those of other compatible County offices and report to the citizens of the County the outcome of its consideration.

**Board of Supervisors Response(s) to F.6. and R.4.**

**The Board of Supervisors partially agrees with the finding.** While combining the duties of the Assessor with those of other County offices may be an efficient way of cutting costs consolidating the functions and responsibility of an elected official takes careful study and consideration. The Board may consider combining the duties of the Assessor with other compatible County duties if further research indicates that such a decision would be beneficial to Humboldt County.



LINDA A. HILL, ASSESSOR  
COUNTY OF HUMBOLDT

825 5TH STREET, ROOM 300  
EUREKA, CALIFORNIA 95501 PHONE (707) 445-7663  
TOLL FREE (866) 240-0485

RECEIVED  
BOARD OF SUPERVISOR

JUN 05 2009  
AM 7, 8, 9, 10, 11, 12, 1, 2, 3, 4, 5, 6 PM

June 4, 2009

The Honorable John T. Feeney  
Presiding Judge  
Superior Court of California, County of Humboldt  
825 Fifth Street  
Eureka, California 95501

Dear Judge Feeney:

Enclosed with this letter is my response to Grand Jury Report 2009-AF-01.

I commend the Grand Jury for its dedicated service to the citizens of Humboldt County.

Sincerely,

Linda A. Hill, Assessor

cc: Humboldt County Grand Jury  
Board of Supervisors

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JUN 08 2009

CAO

ASSESSOR'S RESPONSE TO GRAND JURY REPORT 2009-AF-01

**FINDING 1:** Employee performance evaluations in the Assessor's Office are not being conducted according to the schedule specified by County policy.

**RESPONSE:** Partially disagree with this finding. We have in fact completed 42 evaluations over the last two years (2007 and 2008), not 18 as stated in the report. This office is very good about doing the required 3-month and 6-month evaluations of employees during their probationary periods. We agree that the yearly evaluations have not always been conducted as specified by County policy.

**FINDING 2:** Absence of the expectation that all employees attain appropriate computer competency, and the lack of adequate support for employees to improve their competency, contribute to declining operational efficiency in the Assessor's Office.

**RESPONSE:** We wholly disagree with this finding. All employees have the appropriate training for their job functions. The tax system software that we use is very complex and multi-functional. Employees cannot be expected to know the entire system, but are trained according to the needs for their particular jobs. The tax system software that is in use in Humboldt County fully integrates the Assessor with the tax functions of the Auditor-Controller and Treasurer-Tax Collector.

In the January 9, 2009 issue of the Cal-Tax Letter, State Board of Equalization Member (and current Chair) Betty Yee, was quoted as saying 'Ms. Hill has "improved the overall effectiveness and operation of the assessor's office with a continued commitment to technology, purchasing new and integrated computer systems, new hardware, and new employee workstations"'.

In addition to the tax system software training, employees are offered the opportunity to improve their computer skills through training courses offered by the Employment Development Department in document and spreadsheet software. This training is arranged for the employees by the office and taken during work hours.

This office is very committed to the professional training of staff related to appraisal theory and assessment procedures. In years when the budget was not so tight, we were able to send appraisers, auditor-appraisers and property transfer specialists to more than the required hours of training. It is more difficult with the current budget situation to send staff for extra training, but the availability of on-line courses has been increasing in recent years.

**FINDING 3:** The lack of a convenient Web-based system through which citizens can access property information and other public records through the Internet contributes to operational inefficiencies in the Assessor's Office and to unnecessary delays in recording, processing, and providing information.

RESPONSE: Partially disagree. A more robust website would be a benefit to the citizens of Humboldt County. It could also save some staff time now used for answering telephone inquiries and mailing certain forms. However, the confidential nature of much of the property information held by this office precludes making it available online.

An improved website would not increase recording or processing efficiencies. Those two items, which form the great majority of our work, would not be improved or enhanced by upgrading the web page.

FINDING 4: Regular management and staff meetings are not conducted in the Assessor's Office.

RESPONSE: Partially disagree. We have frequent management staff meetings and frequent meetings of the various divisions within the office with their respective supervisors. Full staff meetings have been held on an as-needed basis. Because of employee flex schedules and field work, it is often most efficient to distribute information by email or written memo.

FINDING 5: There appears to be a practice of grooming a current employee in the Assessor's Office to ultimately run for election to the Assessor position.

RESPONSE: Partially disagree. Senior management staff is given the training and resources necessary to run the department in the assessor's absence. Any staff member with the desire and initiative to seek additional knowledge and training of the assessor's office is encouraged in that pursuit. While this may make any one, or more, of the staff a qualified candidate for the office, it is also necessary to ensure the proper functioning of the office.

County administration has endorsed succession planning and is embarked on developing a plan to work toward this goal. It seems as appropriate in a department headed by an elected official as in a department run by an appointed department head. In no case is the person guaranteed a future promotion. Ultimately, it is the electorate that decides who will be the assessor.

FINDING 7: There is continuing confusion regarding the status of some properties in the County. This was previously noted in the 2006 Grand Jury Report. These unresolved issues are a source of frustration for the Assessor's Office, for other county departments, and for property owners in Humboldt County.

RESPONSE: Partially agree. As stated in the report "(t)he Assessor's Office is not normally involved in establishing property designations or in determining the legal/illegal status of a property". There are certain guidelines that the Assessor's Office must follow when creating assessor parcels. Because assessor parcels and legal parcels do not always

coincide, various county departments must work together to resolve the differences. This is often a lengthy process, which frustrates this office and the property owners.

**RECOMMENDATION 1:** The Assessor should ensure that all employee performance evaluations are conducted as prescribed in the Procedures Manual and that those performing the evaluations are properly trained.

**RESPONSE:** We have implemented a scheduling process to alert staff when it is time to perform the required evaluations. Completion of the evaluations will be an ongoing process.

**RECOMMENDATION 2:** The Assessor should consider the creation of a staff position for the purpose of training and supporting staff in the updating and implementation of technology now and for the future. The duties of this position should also include the development of a Web-based system to facilitate public access to information, documents, and maps.

**RESPONSE:** We have implemented this recommendation to the extent of considering the creation of a staff position dedicated to technology. We are very much in favor of such a position and this action has been the subject of discussion within the office many times over the years. Budget constraints have kept us from accomplishing this goal and dictated that we first fill the appraisal and assessment support positions. It is unlikely that the 2009/10 budget will allow the implementation of this recommendation. In the meantime, one of our employees has indicated his willingness to take on the task of improving the website as time and his other duties allow.

**RECOMMENDATION 3:** The Assessor should hold regular meetings with management staff, to ensure that all employees have a regular opportunity to discuss office operations and receive direct communication on office expectations, protocol, and procedures.

**RESPONSE:** We have implemented this by scheduling management staff meetings every two weeks.

**RECOMMENDATION 5:** The Assessor's Office should develop regular and effective communication procedures among County departments that are affected by unresolved property designations.

**RESPONSE:** This recommendation has been implemented. We have been working cooperatively since 2000 with other county departments to resolve outstanding parcel issues. The Assessor's Office has an open, on-going dialogue with various individuals in the county departments which are responsible for property designations. Established procedures are in place for notification to property owners and Community Development Services whenever a parcel that is non-compliant comes to our attention.



## inter-office memo

Date: May 21, 2009

To: Loretta Nickolaus, County Administrative Officer

From: Wendy B. Chaitin, County Counsel *Wendy Chaitin*

Re: Response to Grand Jury Report 2009-AF-01

### HUMBOLDT COUNTY ASSESSOR'S OFFICE (Grand Jury #2009-AF-01)

**Finding 7:** There is continuing confusion regarding the status of some properties in the County. This was previously noted in the 2006 Grand Jury Report. These unresolved issues are a source of frustration for the Assessor's Office, for other county departments, and for property owners in Humboldt County.

**RESPONSE:** Partially Disagree. We agree there appears to be some confusion on the part of some members of the community about the status of illegally subdivided parcels. The County Counsel is unable to comment on whether these issues are a source of frustration for the Assessor's Office or other county departments.

**Recommendation 5:** The Assessor's Office should develop regular and effective communication procedures among County departments that are affected by unresolved property designations.

**RESPONSE:** Recommendation has been implemented. The Assessor's office has been working with other county departments, including the Office of the County Counsel, to establish procedures to notify property owners and other departments when the Assessor suspects a parcel has been illegally created or is otherwise out of compliance with State and local laws.

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MAY 22 2009  
CAO

HUMBOLDT COUNTY COUNSEL

825 5<sup>th</sup> Street, Eureka, California 95501 -- Phone 707.445.7236 Fax 707.445.6297



COMMUNITY DEVELOPMENT SERVICES  
PLANNING DIVISION  
COUNTY OF HUMBOLDT

www.co.humboldt.ca.us/planning

Memorandum

Date: June 2, 2009  
To: Loretta Nickolaus, County Administrative Officer  
From: Kirk Girard, Director *Kirk Girard*  
Re: Response to 2008-2009 Grand Jury Report (2009-AF-01)

I have prepared a response to the Grand Jury Report 2009-AF-01 Finding #7 and Recommendation #5.

Grand Jury Finding:

7. There is continuing confusion regarding the status of some properties in the County. This was previously noted in the 2006 Grand Jury Report. These unresolved issues are a source of frustration for the Assessor's Office, for other county departments, and for property owners in Humboldt County.

Response – Partially Agree

Some members of the public are confused about the requirements of the Assessor's Office and the requirements of the Planning Division of Community Development Services in relation to the legal status of their property. The Assessor's office ensures the correct property taxes are levied. They maintain an Assessor Parcel system and issue Assessor Parcel numbers as a way to inventory and track properties for tax assessment purposes. The Planning Division ensures that properties have been legally created through a subdivision or legally equivalent process. The issuance of an Assessor Parcel number for tax purposes by the Assessor does not necessarily mean the parcel is a legal parcel as defined under the California Subdivision Map Act. The requirements of the California Revenue and Taxation Code and the Subdivision Map Act are separate and distinct. This can be a source of frustration for a property owner who has been issued an Assessor Parcel number by the County and paid taxes yet learns at the time they apply for a building permit that the property they own is not a legally recognized parcel.

Grand Jury Recommendation:

5. The Assessor's Office should develop regular and effective communication procedures among County departments that are affected by unresolved property designations.

Response – Agree

The Planning Division and the Assessor's office have implemented a referral system to close the gap between the Taxation Code and the Map Act. Newly issued Assessor Parcel numbers are now cross-checked against subdivision records. The Planning Division pro-actively contacts the property owner if the initial cross-check indicates there may be problem.

The Planning Division is also working to address the back-log of parcels in the County that were issued Assessor Parcel numbers for tax purposes but may or may not be legally recognized parcels under the Subdivision Map Act. This effort is beginning with the timber and agricultural resource lands where illegal subdivisions can have the most impact on tax revenues, economic productivity and the environment.



Date: August 20, 2009  
To: Amy Nilsen, Senior Administrative Analyst  
From: Board of Supervisors  
RE: Responses to the Humboldt County 2008-2009 Grand Jury Final Report

We are responding to the Grand Jury of Humboldt County 2008-2009 Final Report Findings and Recommendations 1 of Section 2009-PW-02 on Community Development Services.

**Finding 1:** The Permit Reform Committee made some progress in correcting deficiencies listed in the 2006 Grand Jury Report. (#2006-PW-02).

**Recommendation 1:** The Permit Reform Committee should reconvene regular meetings and continue to explore ways to further reduce duplication of effort and to eliminate unnecessary delays in processing of planning and building permits.

**BOS Response:** The Board of Supervisors agrees with the Finding and the Recommendation. In October, 2005, the Board of Supervisors formed the Permit Reform Committee in response to requests from constituents to help streamline the building and planning permit process. At the time, the Committee developed sixteen permit reform initiatives; some of which were implemented immediately, while others would require additional time to complete. To date, most of the reform initiatives have been fully or substantially implemented. The Board continues to monitor the effectiveness of the reforms implemented and most recently received an update from the Community Development Services Director at its March 24, 2009 Meeting, on the largest reform initiative project currently in progress; deployment of software to track and manage building and planning permits, known as "On Track," which allows for on-line access to building and planning permit application status.

The Permit Reform Committee is scheduled to reconvene in October, 2009 to review progress on current permit reform initiatives and/or explore new ways to further streamline the permit process, improve customer service and respond quickly to complaints.

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**COMMUNITY DEVELOPMENT SERVICES  
COUNTY OF HUMBOLDT**

3015 H Street, Eureka, CA 95501 Phone (707) 445-7745

**Memorandum**

Date: July 28, 2009

To: Loretta Nickolaus, County Administrative Officer

From: Kirk Girard, Director

Re: Response to the Humboldt County 2008-2009 Grand Jury Final Report (2009-PW-02)

I am responding to the Grand Jury of Humboldt County 2008-2009 Final Report Findings and Recommendations 1 through 4 of Section 2009-PW-2 on Community Development Services.

The Grand Jury Findings and Recommendations and the Community Development Services (CDS) responses are as follows:

**Finding 1:** The Permit Reform Committee made some progress in correcting deficiencies listed in the 2006 Grand Jury report (#2006-PW-02).

**CDS Response:** Agree with the finding.

**Recommendation 1:** The Permit Reform Committee should reconvene regular meetings and continue to explore ways to further reduce duplication of effort and to eliminate unnecessary delays in the processing of planning and building permits.

**CDS Response:** Agree with the recommendation. The Permit Reform Committee will reconvene in October 2009 to review progress and consider additional permit process reforms.

**Finding 2:** There is no process by which the applicant can determine the progress of his or her application other than personally contacting the Department.

**CDS Response:** Partially agree with the finding. In 2008, the Department introduced a pilot program that provided weekly permit application status e-mails or calls to applicants enrolled in the program. This program will be supplanted in 2010 by the new "On-track" computer software program that will allow applicants to monitor the progress of their application on-line.

**Recommendation 2:** The Community Development Services Department should implement an online permit tracking system to allow an applicant to personally monitor progress of his/her application.

**CDS Response:** Agree with the recommendation. On-line access to building permit application status through "On-track" will be available by November 2009. Access to planning permit application status is scheduled for 2010.

**Finding 3:** In a report to the Planning Commission on November 29, 2007, CDS staff omitted portions of state code, thus providing incomplete and potentially misleading information.

**CDS Response:** Partially agree with the finding. Correct punctuation rules should have been followed. The Planning Commission report included the correct section of the CEQA guidelines for the recommended CEQA exemption but did not follow punctuation rules that would allow the reader to know only an excerpt of the guidelines were included.

The portion that was not included does not undermine the recommended CEQA exemption and therefore its omission did not mislead the Planning Commissioners. The omitted section states that amendments of zoning ordinances are considered "projects" under CEQA. It is commonly known that zoning amendments are generally considered projects under CEQA unless they will not have "a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..." (Section 15378 (a)). This was the relevant point made in the staff report and this was the relevant section of Section 15378 (a) that was cited.

**Recommendation 3:** The Director of the Community Development Services Department should ensure that codes are either quoted fully in staff reports or that any deletion be clearly marked with an explanation for the deletion.

**CDS Response:** Agree with the recommendation.

**Finding 4:** The CDS website <http://www.co.humboldt.ca.us/planning> *Frequently Asked Questions* section contains outdated fee information and missing responses to many questions listed.

**CDS Response:** Agree with this finding.

**Recommendation 4:** The Director of the Community Development Services Department should ensure that the website contains accurate and up-to-date information on fees, the process and timelines applicants can expect, and that the *Frequently Asked Questions* section has answer to all questions listed.

**CDS Response:** Agree with this recommendation. The fee data have been updated. The *Frequently Asked Questions* section of the website will be updated by September 30, 2009, and the process and timeline information will be included in the on-line "On-Track" system in 2009 for the Building Division and 2010 for the Planning Division.



Date: August 20, 2009  
To: Amy Nilsen, Senior Administrative Analyst  
From: Board of Supervisors  
RE: Responses to the Humboldt County 2008-2009 Grand Jury Final Report

We are responding to the Grand Jury of Humboldt County 2008-2009 Final Report Findings and Recommendations 1 of Section 2009-CD-01 related to Humboldt County's Small Special Districts.

**Finding 1:** Maintaining compliance with audit requirements is a continuing financial problem for some small districts in Humboldt County.

**Recommendation 1:** The Board of Supervisors should authorize the County Auditor to perform small special district audits at cost to district.

**BOS Response:** The Board of Supervisors agrees with the Finding and partially agrees with the Recommendation. The Board agrees that audits and/or annual reviews should be conducted on special districts pursuant to Government Code Section 26909, and that the cost of those reviews should be borne by the district. However, the County Auditor/Controller's office does not have the resources to perform such audits internally. Limited staffing and budgetary constraints make this recommendation unfeasible.

While the Board of Supervisors fully understands the limited resources available to many small special districts, it should be noted that Board Members as well as the Auditor/Controller's office do attempt to help educate special district boards and staff whenever possible about reduced audit requirements and the lower cost alternatives to annual audits or reviews.



**COMMUNITY DEVELOPMENT SERVICES  
COUNTY OF HUMBOLDT**

3015 H Street, Eureka, CA 95501 Phone (707) 445-7745

**Memorandum**

Date: August 17, 2009

To: Loretta Nickolaus, County Administrative Officer

From: Kirk Girard, Director

Re: **Response to the Humboldt County 2008-2009 Grand Jury Final Report "Humboldt County Small Special Districts" (2009-CD-01)**

I am responding to the Grand Jury of Humboldt County 2008-2009 Final Report Findings 3 and 4 of Section 2009-CD-01 Humboldt County Small Special Districts.

The Grand Jury Findings and the Community Development Services (CDS) responses are as follows:

**Finding 3: The North Coast Water Resources Association has not been formally established.**

**CDS Response:** Partially disagree with the finding. This association is now known as the Redwood Water Resources Network and has been active throughout 2009. Members of the Network's planning team have been developing the charter for the Network, reaching out to water and wastewater providers, conducting training sessions and developing new training opportunities in conjunction with College of the Redwoods and the Rural Community Assistance Corporation. The planning team has prepared a draft Memorandum of Mutual Understandings that will be circulated and considered by the decision-making bodies of potential member agencies before the end of the year.

**Finding 4: Many education resources are available for special district board members, secretaries, managers and operators.**

**CDS Response:** Partially agree with this finding. There are available training resources but the Redwood Water Resources Network has identified a number of gaps and practical difficulties in making use of existing educational resources. Improving

the breadth, quality and accessibility of education and training resources to water and wastewater providers is a high priority of the Network.

**Recommendation 3: The Humboldt County Community Development Services Department should organize, facilitate, and promote membership and participation in a North Coast Water Resources Association.**

**CDS Response:** Partially agree with this recommendation. The Board of Supervisors has consistently supported the revitalization of the County's water and waste water infrastructure. With this goal in mind, the Community Development Services Department is committed to seek the funding necessary to assist the Redwood Water Resources Network, especially in its formative stages. While the County will be a participating member of the Network, it is the member agencies that will develop, guide and sustain the Network over time.

**Recommendation 4: Until such time as the North Coast Water Resources Association is established, the Humboldt County Community Development Services Department should continue to disseminate information regarding potentially useful educational materials and/or courses, including local resources and those available through the California Special Districts Association, College of the Redwoods and/or other online sources.**

**CDS Response:** Partially agree with this recommendation. The Redwood Water Resources Network, with assistance from its member agencies and the Rural Community Assistance Corporation, is now in a position to provide this service in Humboldt County.



**AUDITOR-CONTROLLER  
COUNTY OF HUMBOLDT  
825 FIFTH STREET, ROOM 126  
EUREKA, CALIFORNIA 95501  
PHONE (707) 476-2452**

August 13, 2009

The Honorable John T. Feeney  
Humboldt County Superior Court  
825 Fifth Street  
Eureka, CA 95501

Dear Judge Feeney:

This letter is in response to the Grand Jury's findings one and two and their related recommendations.

Recommendation one: The Board of Supervisors should authorize the County Auditor to perform small special district audits at cost to the districts.

Respectfully, we cannot implement this recommendation. The Government Accounting Office (GAO) established stricter rules for auditor independence in recent years. These rules are based on two overarching principles:

- Auditors shall not perform management functions or make management decisions; and
- Auditors shall not audit their own work or provide non-audit services in situations where the services involved are significant/material to the subject matter of the audit.

Our office provides most of these small districts with tax, accounting and reporting services and it would not be appropriate for us to also hold ourselves out as independent auditors when we would be to a large degree auditing our own work. No audit performed by this office under those circumstances would be recognized as valid by any authoritative body or government agency. Also our staff members who are licensed as Certified Public Accountants could be at peril of professional sanction, including losing their CPA licenses, if they performed audits that violated these independence standards.

Recommendation two: The Humboldt County Auditor-Controller should communicate with all special districts that may qualify for reduced audit requirements.

We concur with this recommendation and have taken steps to implement it. In the mailer we recently sent out to the special districts giving them their year-end balances and budgetary information we included information about the option for smaller districts to obtain annual financial reviews. These reviews have less stringent documentation requirements for auditors and they are able to conduct these engagements profitably at a much lower price than an audit. We know of two special districts that are currently involved in review engagements and we will continue to raise the districts' awareness of this lower cost option in our mailers and other communications during the coming year.

Sincerely;

A handwritten signature in cursive script that reads "Michael J. Giacone". The signature is written in black ink and is positioned above the typed name.

Michael J. Giacone  
Auditor-Controller