

The 2011-2012 Imperial County Civil Grand Jury



Final Report

<http://www.imperial.courts.ca.gov/>
Superior Court of California, County of Imperial



Courthouse
P.O. Box 2011
El Centro, CA 92244

Imperial County Grand Jury

June 14, 2012

Hon. William Lehman, Presiding Judge,
Superior Court of California, County of Imperial
El Centro, California

Citizens of Imperial County,

Judge Lehman and Citizens of The Imperial County,

In accordance with the California Penal Code, Section 933 (a), and in the name of the 2011-2012 Imperial County Civil Grand Jury, it is my privilege to submit our Final Report.

Each year, ordinary, every day citizens, of this county, from many walks in life dedicate much time of their own with the object of fair play as the official watchdogs of the county. Many jurors spent personal time and resources in order to accomplish this goal. This panel of jurors was certainly no exception. It was my honor to have served with them. We met with many people in different places of government from the smallest agencies and the largest. It was a grand learning experience for those on the various committees and certainly myself. I was pleased with the teamwork I encountered. I salute them for their hard work.

We appreciate the hard work of the members of the Jury Commissioner's Office, Superior Court staff, and county employees working with us. Our legal consultant was County Counsel Michael Rood, from whom we received great advice and taught us much about what we could or could not do as jurors. This year was the 2011-2012 Grand Jury's benefit to have had two presiding judges to work with, The Honorable Christopher Yeager, Presiding Judge during the first half of our term, and The Honorable William Lehman, Presiding Judge during the second half of our term.

I take this opportunity to invite county citizens to consider their involvement as members of future Civil Grand Juries.

Sincerely,

Gill Rapoza, Foreman,
2011-2012 Imperial County Civil Grand Jury



Courthouse
P.O. Box 2011
El Centro, CA 92244

Imperial County Grand Jury

June 14, 2012

A letter from the members of the 2011-2012 Imperial County Civil Grand Jury,

Citizens of Imperial County,

The Imperial County Grand Jury has ended another successful year. Investigations have included prisons, juvenile facilities, transportation, water treatment plants, school boards, well digging permits and the Mid-Winter Fair and Fiesta. Several requests had to be turned down because they were out of the Civil Grand Jury jurisdiction, but all requests were carefully considered and discussed.

The jurors came together from different backgrounds, different education levels and different types of employment. Each juror brought special skills and interests, which helped all of us to understand the complaints better and process them fully.

Working together in committees and as a whole, we completed all the investigations and reports. We gained information and insight in areas many of us had never before been exposed to. Some of the investigations showed again what good leadership we have in many areas of the county. Some of the investigations showed us what happens when rules are ignored by some.

It has been a pleasure and a privilege to serve as a Civil Grand Juror. We have accomplished a lot and much of what we reported will serve to change life in the Imperial Valley for the better.

The next Imperial County Civil Grand Jury will meet in July 2012. They will meet again to process new complaints and investigate other areas. I am sure they will find, as we have found, their service to be rewarding and well worth the effort.

Sincerely,

Victoria & Anne
Patrick E Harris
Ray D. Steyer
Dell Golow
Manuel J. Avila
B. SANCHEZ -
Nora Rebote
[Signature]

D.J. C.
John Blakeman
Jaime Ortiz
Rosa B.
Carolina Cortes-Ramirez
Kenneth Brown
Rosalie M. Avila
Peterson

Members of the 2011-2012 Imperial County Civil Grand Jury



Superior Court of California
County of Imperial



Office of County Counsel
County of Imperial

On behalf of our judiciary, jury commissioner staff, and Office of County Counsel, we would like to thank and congratulate the 2011-2012 Civil Grand Jury of Imperial County for its service, commitment, and contributions in making the Grand Jury system a relevant and important part of our local government. It is community members, like the grand jurors and regular trial jurors that help us preserve the principles of democracy in action and public trust in our local government.

The many hours devoted by members of the grand jury have resulted in investigations and recommendations aimed at improving the operations and of services by the agencies audited. Each year, the Court engages in community outreach to promote jury service and ensure that community participation in this important civic duty is not simply seen as a burden or inconvenience, but as an opportunity to participate in our democratic governance process and improve our community.

Demographical data required by Rule 10.625 of the California Rules of Court, for the 2011-2012 Civil Grand Jury reflects the following representation of our community:

By Supervisorial District

District 1 = 1, District 2 = 13, District 3 = 4, District 4 = 3, District 5 = 4

Gender

Males = 13, Females = 12

Age

(18-25) = 0, (26-34) = 5, (35-44) = 4, (45-54) = 5, (55-64) = 5, (65-74) = 6, (75 & over) = 0,

Not Available = 0

Race/Ethnicity

American Indian = 1 Asian American = 0, African American = 2, Hispanic = 12,

Native Hawaiian = 0, White = 9, Not Available = 1

Again, many thanks to each member of the 2011-2012 Civil Grand Jury for their civic duty and for making a difference.

Sincerely yours,

William D. Lehman
Presiding Judge

Kristine S. Kussman
Court Executive Officer
Jury Commissioner

Michael L. Rood
County Counsel



Michael L. Rood
County Counsel



Honorable Christopher W. Yeager
Presiding Judge
2010-2011



Honorable William Lehman
Presiding Judge
2012-2013

Imperial County Civil Grand Jury Members – 2011-2012



Weldon Driskill

Gill Rapoza

Benito Sanchez

Jaime Ortiz

Patrick Harris

Jo Ann Blakemore

Rachael Ekins

Nancy Rebik

Kenneth Brown

Ricardo Solorio

Manuel Avila

Rosalie Avila

Patricia Meyer

Carol Cortes-Ramirez

Victoria Heine

Gary Stanford

David Avila

Lee Buckingham

Weldon Driskill, Rachael Ekins *not shown*

California Penal Code Section 933.05

Covering the Civil Grand Jury

(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 therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

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

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

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

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

(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.

The 2010-2011 Imperial County Civil Grand Jury Overview

Purpose

The 2011-2012 Imperial County Civil Grand Jury members were drawn from varied places, and walks of life within the county with the combined purpose of service and civic duty. Our duties included investigating and reporting on county and local government entities, as well as our two state prisons. Some of our investigations were routine tours as per an established matrix or by law, while others were holdover investigations made by previous Civil Grand Juries, and some were due to complaints or allegations of misconduct by officials or agencies in our jurisdiction. If during any investigation it was determined that a criminal matter may have taken place, the Civil Grand Jury referred that matter to the appropriate authorities. The Civil Grand Jury does not investigate criminal matters. The Grand Jury also has a lesser-known purpose of investigating to see if they may make recommendations of improving government for efficiency or cost savings.

Authority

The Grand Jury is a judicial body of citizens comprised of nineteen (19) members. It acts as an arm of the court and has authority taken from the State Constitution, the California Penal Code, and from the Government Code of California.

History

Grand Juries were empanelled in some forms in history as far back as the beginning of Western Civilization, which included the Greeks, and later on the early British civilizations. The Commonwealth of Massachusetts, also known as the “Bay Colony,” began using grand juries only 15 years after colonists landed at Plymouth. Most of those were to deal with criminal matters, however the idea of an empanelled body of citizens to aid in the judicial system was a precursor to what eventually became the modern grand jury system. Most states do not have both a civil and a criminal grand jury, with California being among the few to have the former. It has been so since the early years of this state. Not all counties within this state have both civil and criminal juries as does Imperial County.

Organization

The 2011-2012 Imperial County Civil Grand Jury was made up of nineteen (19) members and six (6) alternate members, who served from July 1st through June 30th. Its officers included a foreperson and a foreperson pro tempore, who are selected by the presiding judge. Other officers, who were chosen by the members of the Civil Grand Jury, which included secretary, treasurer, sergeant-at-arms, and a chairperson for each committee. During the course of the term, members were divided into various committees and often have served on several committees. Jurors normally met twice a month for general meetings, and often met several times in a week for specific committee functions. No less than twelve (12) members of the Grand Jury approved all investigations, reports, findings and recommendations. All reports are completed and published no later than June 30 of the Grand Jury term. The final reports are published at: <http://www.imperial.courts.ca.gov/>.

Confidentiality

All jury meetings, discussions, decisions, complaints, documents, investigations, and testimonies received are considered to be confidential, and members may not discuss these matters with others prior to publication of reports.

Table of Contents

2011-2012 Final Report

Investigation	Page
Calipatria State Prison – Mandatory Annual Inspection / Investigation	12
Centinela State Prison – Mandatory Annual Inspection / Investigation	15
Imperial County Jail – Mandatory Annual Inspection / Investigation	18
Imperial County Juvenal Hall – Mandatory Annual Inspection / Investigation	19
Seeley Union School District – General Investigation	22
Imperial County Board of Supervisors and Imperial County Planning Department – Complaint	23
Imperial County Transportation Commission – General Investigation	26
Imperial County Fairgrounds – General Investigation	30
Brawley Elementary School District – Complaint	32
Grand Jury Administrative Support – General Investigation	34
Imperial County Department of Child Support Services – Complaint	36
Seeley County Water District – General Investigation	40
Appendix A – Attachments to Seeley County Water District Report	44
Appendix B – Responses to 2010-2011 Civil Grand Jury Final Report	55

Subject of Investigation:

Calipatria State Prison

Justification: California State Law mandates that the Civil Grand Jury (CGJ) will inspect all prison and jail facilities on a yearly basis.

Background: Calipatria State Prison (CAL) is operated by the California Department of Corrections and Rehabilitation. Construction was completed on CAL in late 1991, and the prison began receiving inmates in January 1992. The original design of the prison was made to house 2,208 inmates, though modifications took place prior to activation so that the prison could hold nearly double that amount, over 4,000.

Overview: A committee of the CGJ inspected the prison using a checklist developed for the prison by the Grand Jury, as well as additional information requested by the committee making the tour. The check list included, but was not limited to the general safety and security of the facility, fire safety, food services, medical services, job training requirements for staff, escape procedures, law library, inmate treatment, investigations, a housing unit, and staff morale. The committee of jurors assigned to this visit toured all areas of the prison. CAL has over thirteen-hundred (1,300) staff members; this includes approximately 700 peace officers.

The CGJ learned that at the time of the visit, September 2011, there were approximately 4,000 inmates assigned to CAL, the greatest number at Level Four custody (highest) with approximately 200 inmates at the Level One custody (lowest), which included 8 inmates assigned as institutional firefighters. Approximately three-fourths of the CAL inmates are serving a life sentence. CAL is a designated Immigration and Naturalization Service (INS) prison for inmates who are to be deported at the conclusion of their prison sentences. CAL is also a designated prison for inmates needing to be housed on a Sensitive Needs Yard (SNY), and not housed with the General Population (GP) inmates.

➤ **Tour:**

Prior to the start of the tour the jury met with several administrators and were encouraged to ask questions. Administrative staff were open and willing to speak. The CGJ tour was primarily led by the Administrative Assistant/Public Information Officer, with several other very helpful staff assisting. The CGJ was allowed access to all areas of prison. At the conclusion of the tour, the warden personally met with the CGJ committee. The CGJ was impressed with his willingness to speak openly of the issues concerning the prison. The warden himself stated how much he was impressed with what CAL staff are able to accomplish, particularly considering the many monetary cuts the prison has faced. The warden was very welcoming toward the idea of volunteers who are involved with inmate programs, which included Narcotics Anonymous /Alcohol Anonymous, veterans' meetings, and a large religious program. The CGJ committee observed first hand that CAL has a program for college interns who do work at the prison and get college credit from their work experience.

➤ **Food Preparation/Service:**

The CGJ visited the main area where food is prepared, called Central Kitchen. Inmate food is prepared several days in advance of when it is expected to be needed, then quick chilled. The food is heated back to serving temperatures just prior to serving. The Central Kitchen appeared to be well maintained and was in the process of being cleaned at the time of the visit. Staff and inmates wore protective gloves and hair-nets as needed. CAL has inmates who require specific meals for medical or religious needs and these are accommodated. A state dietitian/nutritionist determined the caloric intake and nutritional needs for the inmates and the prison follows those directions. Inmates are served hot breakfast and dinner, and are given

a bag lunch. The CGJ observed that in one unit we toured, the inmates had purchased a large amount of additional canteen food items.

➤ **Training:**

All staff are provided with at least 32 to 40 hours of annual In Service Training (IST). Some, depending on position and/or classification, are provided with additional training. Peace Officers are required to attend a 16-week Correctional Peace Officer Academy prior to beginning work at CAL. Some of the training courses include First Aid/CPR, prison security, escape prevention, and dealing with inmates who have mental or physical disabilities. Almost all training, including the On the Job Training (OJT), is conducted by CAL staff on grounds.

➤ **Security:**

CAL has very good security in general. There is an ongoing problem of cell phones being smuggled into the prison, which poses a danger to not only staff but also other inmates and persons in general on the outside. Inmates use them to communicate with those outside the prison without measures in place to stop the calls, and this has become a common problem for prison everywhere. CAL staff members have uncovered a very high number of illegal cell phones and illegal narcotics. The Investigations Security Unit (ISU) members advised they are combating federal restrictions on blocking the cell phone signals from phones inmates use. ISU staff advised that inmates use the phones to facilitate other crimes in and out of prison. ISU staff showed the CGJ some of the deadly weapons staff have recovered from assorted areas of the prison. The CGJ observed that identification cards are checked at all points where staff or inmates go from one area to another. CAL has armed towers at critical points and a lethal electrified fence in place for escape prevention. As part of the general tour, CGJ committee members observed the Administrative Segregation Unit (ASU) was well run. ASU is the highest level of security at the prison and inmates are housed there for security when their actions have shown they did not program well on the mainline. In general, CAL staff wear a lot of security equipment due to the higher custody level of most of the prison. Since the CGJ tour from the previous year, it is noted that while CAL still does not have their own narcotic-sniffing dogs assigned to the prison, they have made greater use of these types of dogs, which the department has assigned elsewhere. CAL cooperates with other law enforcement agencies in the county as needed. It was observed that an alarm sounded on Facility "A" as the CGJ was in the area and inmates were seated on the ground during the alarm. The recreation yards on each Level Four yard was fenced and divided for increased security. Inmates are routinely housed by specific needs in different parts of the prison. Security will override other needs or concerns.

➤ **Medical Care:**

CAL has an Outpatient Housing Unit (OHU) to tend to inmate medical needs that can be treated at the prison. In general, inmates with more acute medical or serious long-term medical needs are sent to different prisons that have facilities more in tune with the inmate needs, or to outside medical facilities such as Pioneers Memorial Hospital (PMH) in Brawley. PMH and CAL have together worked out a plan using a secure modular facility at PMH, which reduces costs. CAL staff stated they were appreciative of this cooperative program with PMH. CAL and other prisons have joined together to use one medical transportation bus, which is assigned to CAL, to save on costs of moving inmates to other places for medical treatment such as to the San Diego area. Much of the present medical costs borne by the prison are a direct result of what is required by the federal government. It was observed that medical staff are plentiful and there was much activity in the way of medical treatment at the OHU.

➤ **Inmate Resources/Programs:**

Inmates on each of the five facilities have access to sports such as basketball, soccer, and volleyball. Many inmates have television and/or radios in their cells at all times. Some of the education programs have been cut due to budget reductions, but it was observed that inmates still have access to well-equipped Law

Libraries and recreational reading. Inmates are permitted to take college or correspondence courses by mail. Mail is normally passed out to inmates six days a week. There are chapels on each facility with both professional and volunteer chaplains to assist. There is a Native American Sweat lodge program for inmates of that faith.

➤ **Other:**

Staff and inmates alike at CAL have regular fundraisers to benefit the community at large. Some of these fundraisers are to provide local scholarships or items to children they might not afford such as bikes, or mittens. In general, the CGJ found the staff members to be willing to speak openly at were at all times civil and polite. There were not many inmates the CGJ committee had the opportunity to speak with, but the few that were interacted with were polite and even after the purpose of the visit was stated, offered no particular comments. CAL continues to do almost all of their repairs to the prison structure and vehicles by staff and inmates on grounds.

Conclusion: It was determined by CGJ committee members that CAL is a well-run prison with no major issues discovered. The committee enjoyed the fact that many staff were very willing to speak with us. Based on what we have seen, there is a surprising amount of medical treatment available to inmates in prison.

Findings:

- F1** CAL has an ongoing problem of illegal narcotics, which is common in most modern prisons.
- F2** CAL continues to have security problems concerning inmates in possession of cell phones.

Recommendations: CAL is a well-run prison, but there are areas where the Grand Jury believes some improvements can be made.

- R1** It is recommended that the prison continue make a greater use of trained narcotic dogs in all areas of the prison. If financially feasible, a well-trained K-9 or two, which would be assigned to CAL, or even shared with its sister prison at Centinela, could greatly improve narcotic detection.
- R2** It is recommended that CAL continue to work with local, state, and national level officials to overcome the federal resistance to block illegal cell phone signals.

Response Required: No response is required as Calipatria State Prison is a state agency.

Subject of Investigation:

Centinela State Prison

Justification: California State Law mandates that the Civil Grand Jury (CGJ) will inspect all prison and jail facilities on a yearly basis.

Background: Centinela State Prison (CEN) is operated by the California Department of Corrections and Rehabilitation. Construction was completed on CEN in mid 1993, and the prison began receiving inmates in October 1993. The original design of the prison was made to house 2,208 inmates, though modifications took place prior to activation so that the prison could hold nearly double that amount, over 4,000.

Overview: A committee of the CGJ inspected the prison using a checklist developed for the prison by the Grand Jury, as well as additional information requested by the committee making the tour. The check list included, but was not limited to the general safety and security of the facility, fire safety, food services, medical services, job training requirements for staff, escape procedures, law library, inmate treatment, investigations, a housing unit, and staff morale. The committee of jurors assigned to this visit toured all areas of the prison. CEN has over eleven-hundred (1,100) staff members; which includes approximately 700 peace officers.

The CGJ learned that at the time of the visit, September 2011, there were approximately 4,000 inmates assigned to CEN. Three of the four main facilities hold approximately 1,000 inmates each (3,000). They are Level Three General Population (GP) custody (mid-level security). One facility holds approximately 1,000 inmates alone and houses Level Four GP custody (highest security), and one smaller facility outside of the main prison is the Level One GP custody (lowest security).

➤ **Tour:**

At the beginning of the tour, the jury was met by the Administrative Assistant/Public Information Officer (AA/PIO). He was very helpful and knowledgeable about CEN, its history and present functions, and was great in explaining any details or facts that were not confidential. The AA/PIO advised we were able to ask as many questions as we wished, and that all areas of the prison would be open for review and inspection. Just prior to the actual beginning of the tour several members of the admin staff greeted the jury committee while we waited. At the conclusion of the tour, the warden personally met with the CGJ committee. The warden explained how honored he was to be in the position he was in and spoke of some of his accomplishments at CEN. CEN has community education projects, student mentoring, and is involved in the annual “Shop With A Cop” program for some of the poorer children in the Imperial Valley. For staff there are peer support programs in place for times when needed.

➤ **Food Preparation/Service:**

The CEN CGJ visited the Facility “D” Satellite Food Kitchen/Inmate Dining Hall. The committee was slightly too late to see the inmates working there, but observed that it was clean and appeared to be well maintained. There are ovens and other devices used to reheat the food that had been cooked and quick chilled in the Central Kitchen. During normal dining times, officers are stationed in the dining hall and in the gun post as needed. Inmates are given a set amount of time to eat, and then the next group is seated. Inmates are permitted to purchase their own food to supplement their meals or in cases where they declined to eat in the dining hall. If special meals are requested for inmates due to medical, religious, or dietary needs, they are accommodated on a case-by-case basis. There are presently no pork products served in inmates’ meals. Inmates receive two hot meals per day, plus one boxed lunch each. All meals are planned by staff trained in nutrition.

➤ **Training:**

All peace officers assigned to CEN are required to complete a 16-week Correctional Peace Officer Academy before beginning work there. All staff attend orientation training at the start of employment at CEN. There is mandatory annual In Service Training (IST) for all staff, some more than others, with 32 to 40 hours being typical. Classes include, but not limited to, firearms and chemical agents, emergency response, First Aid/CPR, report writing, and inmate transportation. Training is conducted on grounds by trained staff as a rule.

➤ **Security:**

CEN has very good security overall. They are troubled by inmate usage of both illegal narcotics and illegal cell phones, as are all modern prisons. CEN Staff regularly bust inmates with these items, but the problem continues. The CGJ committee learned that there are no drug detecting dogs assigned to CEN despite the illegal drug problem. The CGJ observed that identification cards are checked at all points where staff or inmates go from one area to another. CEN has armed officers in towers at important checkpoints, outside patrol staff members, and a lethal electrified fence in place for escape prevention. CEN has a policy of checking identifications on all areas of the prison on a regular basis. The CGJ committee members toured the Administrative Segregation Unit (ASU), the highest security building, and found it well run. Inmates are placed in ASU when their behavior places other inmates or staff at risk. Inmates in the ASU are placed in restraints for safety and security reasons anytime they are not in a cell. Inmates in the ASU are afforded 2-3 hours of recreation time every other day in smaller recreation/exercise cells only with their cellmates. CEN cooperates with other prisons and other law enforcement agencies as needed. CEN's on grounds fire department also works with other fire agencies as needed. Inmates are placed on Levels One, Three, or Four based on their amount of custody points. The one Level Four yard had additional fencing based on security needs. It also had several more staff members there during some parts of the day for the same reason.

➤ **Medical Care:**

CEN has expanded its Outpatient Housing Unit (OHU) greatly since the prison was built. Inmates may be kept at their OHU longer than they might at some prisons because of the increased medical capabilities. There are additional staff at CEN to provide many medical needs including emergency procedures, negative pressure rooms for contagious airborne disease and recreation staff. Most of the OHU beds were full at the time of the tour. If inmates need to be taken to outside emergency care, it will generally be El Centro Regional Medical Center (ECRMC) or Pioneer's Memorial Hospital (PMH) in Brawley. On a few occasions inmates may need to be sent to San Diego hospitals by emergency helicopter. CEN uses a medical transportation bus assigned to Calipatria State Prison (CAL) to save on transportation costs when some inmates need to be taken to San Diego for treatment. While CEN had already provided many medical services to inmates, there is a marked increased number of both staff and treatment options. This increase is largely due to a federal order for all California prisons.

➤ **Inmate Resources/Programs:**

Inmates on all facilities may participate in sports such as soccer, basketball or volleyball. In addition, the Level Three inmates have a softball field on each yard, and horseshoe games were added this year. The CGJ committee observed the education program was running at full force on Facility "D" at the time of the visit. Some inmates take correspondence courses on their own as well. Inmates have access to well-equipped Law Libraries and a recreational library which checks out book to inmates in a like manner to the public libraries. Each facility has its own chapel for religious services of many faiths. There are Native Sweat Lodges where inmates of that belief are afforded the ability to practice their faith. Inmates on the Level One and Level Three facilities are permitted to be out in the yards for additional recreation evenings up to a set time. Volunteer chaplains assist with inmate religious services.

➤ **Other:**

The CGJ committee observed several inmates up very close in the medical unit, at the Receiving and Release building, education, ASU, and on one of the facility recreational yards. Several greeted and spoke with the committee, and were made aware of the reason for the visit. The inmates spoke freely and none offered up any complaints. The committee was pleased at how staff members in general were open to speaking with us. Several staff on their own, including but not limited to the educational officer, and one of the officers assigned to the OHU, explained their areas in good detail. There was one observation made by the CGJ committee, that on the recreation yards, inmates in general separate themselves by race when a much larger area is open to all inmates. Most all repairs to the facilities are completed by staff members assigned to the prison.

Conclusion: It was determined by CGJ committee members that the CEN is a well-run prison with no major issues uncovered. Inmates are treated fairly and as a whole are not slighted. The increased medical treatments and facilities were certainly beyond what was expected.

Findings:

- F1** CEN continues to have ongoing problem of illegal narcotics, which is common in most modern prisons.
- F2** CEN continues to have security problems concerning inmates in possession of cell phones.

Recommendations: CEN is a well-run prison, but there are areas where the Grand Jury believes some improvements can be made.

- R1** It is recommended that the prison do whatever is possible within its budget to work on increased detection and prevention of illegal narcotics in the prison. And, if possible, work with its sister prison at Calipatria to make use of one or more trained narcotic dogs that would be assigned to one or both prisons.
- R2** It is recommended that CEN do all its power to combat the illegal use of cell phones. And the CGJ believes it would be beneficial for the prison to work with local, state, and national level officials on this problem.

Response Required: No response is required as Centinela State Prison is a state agency.

Subject of Investigation:

Imperial County Jail

Justification: California State Law mandates that the Civil Grand Jury will inspect all prison and jail facilities on a yearly basis.

Background: The (ICJ) is operated by the Corrections Division of the Imperial County Sheriff's Office (ICSO). There are approximately one hundred (100) staff members, with about eighty eight (88) consisting of custody staff, who work at the two (2) facilities adjoining the main ICSO building. The jail consists of two main sections, the Herbert Hughes Correctional Center (HHCC) which was built in the 1960's and the Regional Adult Detention Facility (RADF) which was built in the 1970's. The Herbert Hughes Correctional Center (HHCC) houses up to 324 inmates, both male and female, in six (6) separate dormitories. These inmates include sentenced and non-sentenced inmates as well as inmate workers and federal detainees. The Regional Adult Detention Facility (RADF) was constructed in the late 1970's and houses up to 288 inmates, both male and female, housed in twelve (12) separate modules consisting of 10 to 20 cells per module. The RADF inmates are housed in cells alone or with another inmate.

Findings: A committee of the Civil Grand Jury inspected the jail using a checklist recommended by previous Civil Grand Juries, as well as additional information requested by the committee. The checklist included, but was not limited to, the general safety and security of the facility, fire safety, food services, medical services, job training requirements for staff, escape procedures, key and tool control, inmate treatment and staff morale. The committee toured all areas in both portions of the jail facilities.

The tour was led by three high ranking jail staff who encouraged questions. The committee members spoke to members of the staff of all ranks as well as medical staff and found them to be professional and well suited for the facility. Some members of the staff were bilingual in Spanish and English, a desirable skill for communicating with the many inmates who don't speak English. The inmate count was 602 on the day of the tour.

The committee members were shown the central kitchen area where all food for both facilities is prepared and then delivered to individual housing units. The kitchen area appeared clean and sanitary. The kitchen appliances appeared to be fairly new and in good condition. The overall condition of the kitchen area was good. The food served is evaluated by a dietitian/nutritionist.

It was observed while touring that inmate visits are done behind a glass partition making the introduction of drugs and contraband more difficult. There were also numerous types of surveillance/monitoring cameras observed, both stationary and cameras capable of panning, tilting and zooming in on different areas and inmates. These security measures go a long way to enhance the overall safety and security of the facilities.

There are medical staff members on duty 24 hours a day to treat inmate illnesses and injuries. There are also medical isolation units for inmates with specific medical conditions or ailments as well as padded rooms for inmates experiencing mental health issues.

Conclusion: It was determined by the committee members that the ICJ is a well-run facility with no major issues discovered. Staff was very positive and optimistic about the facilities where they are assigned and morale seemed very good. Inmates appeared to be well treated.

Recommendations: None.

Response Required: No response required.

Subject of Investigation:

Imperial County Juvenile Hall

Justification: The Civil Grand Jury is authorized and required to investigate the Imperial County Juvenile Hall (ICJH) annually as specified by the State of California.

Background: The ICJH operates under the regulations of the California Standards Authority. The Juvenile Hall detention facilities are located directly behind the main building of the Imperial County Probation Department, which administers the Juvenile Division and employs a Chief Deputy to oversee the Juvenile Hall and the staff. The ICJH average population during the year is 25 minors in custody. At the time of this report 18 wards were interned. The committee met with the interim Chief and the Facilities Manager. The Facilities Manager conducted the committee on a complete tour of the installation.

➤ **Facilities:**

The ICJH is a large facility that can house a total of 72 minors. The facility is divided into 2 main sections; the 32 bed front section and the 40 bed rear section. Each section has a command and control center where closed circuit television monitors are used for security and safety purposes. Each section has 2 dormitories. Each dormitory has a day room with couches, books, new large screen televisions and at least one collect call telephone. Dormitories have communal showers, which have been provided with partitions or modesty panels for regulated privacy matters. For logistical reasons the front section of the building is primarily used to house the wards except for the occasional times when the population swells and the rear section is also used. In the front section 16 of the 32 rooms do not have toilets or sinks. These rooms, called dry rooms, are used sparingly to house residents. The front section has staff offices, an infirmary, a staff break area and an Imperial County Behavioral Health office. The front section also has a dining hall with an attached service bay food distribution area. Three hot meals and snacks are prepared each day in the old California Youth Authority building, which has a well equipped and stocked kitchen. The food is rolled over to the facility in tall heated catering carts. The rear section has two large modern and fully equipped class rooms. Outside of the building is a fenced and gated soccer field, and a fenced and gated basketball court.

➤ **Staff:**

The ICJH is managed by the Facilities Manager who maintains a staff of 6 supervisors, 16 full time staff employees and 3 extra help personnel. Most of the staff have more than 7 years in service at the ICJH. Turnover is minimal and there is good cohesion and morale among the staff. The staff is well trained for the many different functions necessary to provide the county with an efficient and safe Juvenile Hall. ICJH and the Betty Jo McNeece Receiving Home (BJMRH) share one nurse.

➤ **Security:**

Safety of the minors interned and the staff at ICJH is a prime concern. Fighting among the wards is the main source of injuries for both inmates and staff. With the implementation of pepper spray, fighting has been greatly reduced. In the 2010 – 2011 ICGJ report, fighting had been reduced to 8-10 fights last year. Management reported to this year's committee that only 3 fights have occurred since then. Wards are thoroughly briefed on the consequences of fighting. With the warning, "pepper spray," each juvenile must get down in a prone position and cover their faces. Pepper spray is only used when minors refuse to comply with the order to stop and continue to fight. Loss of privileges will result from violations of the rules. However, the staff also uses a positive reinforcement program to control behavior. Each minor can get positive points for cooperation such as helping with cleaning, food service or painting. These points can be exchanged for items at the institution store for modest amounts of snacks or other items. Another incentive for good behavior is the limited use of small portable radios. These procedures have improved the safety

and the general physical and emotional well being of the minors and staff over the past year. Wards who reach 18 years of age are segregated from the general population as they await processing into the adult judicial system. Each dorm has a security officer assigned at night that physically checks the beds every 13 minutes from lights out at 8:00 PM to wake up at 6:00 AM. Wards who make suicide statements are handled with seriousness. The ward is put on suicide watch, Behavioral Health is contacted, and the subject is required to occupy a special room wearing self protective clothing, until they are cleared by a Behavioral Health counselor.

➤ **Nutrition:**

ICJH has recently hired a new kitchen manager who is ensuring that the diet for the population is in compliance with the new student nutritional guidelines of the Federal Government and the State of California. Meals and snacks are closely monitored to ensure that each ward is eating a healthy diet. In case of emergency, the kitchen maintains at least a three month supply of food. The kitchen facilities are routinely inspected by the Imperial County Health and Fire Departments.

➤ **Education:**

ICJH must be in compliance with the State of California to maintain educational standards for all wards in their care. ICJH is well equipped with two classrooms for daily morning and afternoon classes. Williams Act UPC compliance is posted in all classroom facilities. High School Diploma and GED educational studies are available. For segregated wards independent models are implemented with help from volunteer tutors. (See section on volunteers)

➤ **Juvenile Evaluations:**

ICJH uses the computerized D.R.A.I. System to evaluate incoming juveniles. This system has greatly reduced the need for internment for many alleged and convicted offenders. The D.R.A.I. System evaluates the juvenile offender based on convictions, and offenses; and the System determines that many minors can be released to their guardians prior to their court dates or placed on probation without internment once convicted. There is no “bail” in the Juvenile Court system.

➤ **Volunteers:**

Volunteers are a vital component for the well being of the juveniles at ICJH. Many religious organizations are doing group studies and activities, or one on one counseling. The grandparents program is especially productive in helping the wards with tutoring and life skill mentoring.

Findings:

- F1** The surveillance panel in the front section of the building has been temporarily repaired and is operational. A new system is in the process of contractor bidding and a budget has been approved. Primarily using the front of the facility is reasonable and necessary. The dry rooms are not conducive to overnight stays.
- F2** The old classroom is empty and plans are in the works to move the juvenile probation officers to that location.
- F3** The couches and chairs in the day rooms and in the in-processing area are clean, inherently safe, and still serviceable. However, these items are so aesthetically unpleasing that we find these items to be demoralizing to the emotional welfare of the juveniles in the county's charge.
- F4** The management, staff and volunteers of ICJH have exhibited excellent training, devotion to duty, obvious concern for the welfare of the minors in their custody, thoughtful procedures and careful maintenance of the facility.

Recommendations:

- R1** The ICJH should continue to primarily use the front section of the facility for safety and logistical reasons, but the use of dry rooms overnight should be avoided.
- R2** The Juvenile Probation offices should be moved into the old unused classroom in the ICJH facility so they can have better access to the juvenile population.
- R3** Every effort should be made to re-upholster the furnishings in the Juvenile Hall. Replacement of the furnishings would not seem to be economical or necessary as they appear to presently be safe for wards and staff.
- R4** The staff and volunteers should be commended for their excellence, service, procedures and care for those in their custody and devotion to duty.

Response Required: A response is required of the ICJH within 90 days of the publication of this report.

Subject of Investigation:

Seeley Union School District

Justification: The Imperial County Civil Grand Jury investigates various agencies within the county based on a rotating 5 year cycle. Seeley Union School District (SUSD) has not appeared on the matrix before this time and was added this year.

Background: The SUSD operates a kindergarten through eighth grade school system. The school site is divided into two areas, K through 6, plus 7 and 8. The two schools on the same site operate on different time schedules to facilitate efficient use of the campus.

The day-to-day operation of the schools is the responsibility of one person who works as a combination principal/superintendent. The school staff are comprised of 40 employees. Included are three part-time workers who assist two full-time custodians. Custodial staff are charged with cleaning classrooms and the exterior areas of the campus. One of the custodians also drives one of the school buses.

The cafeteria staff prepares daily lunches each morning in the cafeteria building. These meals are quick chilled after preparation. The food is warmed prior to serving lunch. Breakfast is provided to each student. Breakfast is counted as part of the instructional days per California state educational guidelines. The Seeley Elementary School has 100% student eligibility for free and reduced lunch program.

The professional staff consists of 23 fully qualified teachers who have met all the credential requirements in accordance with the State of California guidelines. SUSD has a marching band complete with uniforms. The school owns all of the musical instruments.

Student Achievement: SUSD students have achieved a 2010 Academic Performance Index (API) score of 714. California uses the Standardized Testing and Reporting (STAR) Program, including the California Standards Tests (CST), the California Modified Assessment (CMA) and the California Alternate Performance Assessment (CAPA). Student scores are reported as performance levels. The Seeley student API increased 16 points this year.

Physical fitness tests are administered to all students in grades 5 and 7. The fitness test measures each students ability to complete fitness tasks in six major areas. The No Child Left Behind (NCLB) Act is part of the Federal Title I funding program designed to support additional staffing programs to meet the needs of low income, low achieving students and other designated students with special needs.

Findings:

No serious problems were encountered during this investigation of the SUSD. The school site was found to be clean, safe, and orderly. This appears to be a well managed school district. Students are making strides in improving their API scores.

Response Required: No response is required.

Subject of Investigation:

**Complaint Against Imperial County Board of Supervisors
and Imperial County Planning Department**

Justification: The Civil Grand Jury (CGJ) is authorized to investigate complaints against public agencies within Imperial County per California state law. The Imperial County Board of Supervisors (CBOS) and the Imperial County Planning Department (CPD) are among those agencies.

Background: The complainant is a landowner with some acreage in the eastern portion of Imperial County. The landowner attempted to sell her property in early 2011, but the sale did not go through. The landowner believes the main reason the property sale fell through is due to the regulations and high costs involved in a conditional use permit for water well(s) to be drilled on their land. The landowner believes the regulations involved are too costly and not conducive to property development and growth in Imperial County. The landowner was also concerned that a conditional use permit might be revoked someplace in the future of when a permit would be issued. The landowner has water rights in the Colorado River area, paid for through the City of Needles, California, which extends into the Imperial Valley via the Lower Colorado River Water Supply Project and the Colorado River Board www.crb.ca.gov.

Investigation: The CGJ committee visited county facilities involved in the regulation of land use in Imperial County and obtained a complete copy of the Imperial County Ordinance on CD, which includes land use planning for the county. These ordinances were set in 1998. The committee viewed the CPD web site, <http://www.icpds.com/?pid=549>, and related documents were copied – a Land Use Permit Process, and a Permit Index. These were added as appendixes to this document. The CGJ committee researched the Imperial County Ordinance CD and the copied documents to better understand the land and water use process.

The committee conducted several interviews with persons involved with land usage and development, including supervisory staff members at the CPD, as well as those involved in real estate businesses. One of the latter was an agent not involved in the particular land sale attempt in question. The committee asked general questions of that individual about the processes involved due to this last person's long experience in the real estate field in Imperial County, and as one who had no known personal bias or interest in the matter.

The CGJ committee paid an unannounced visit to the CPD. Once the purpose of the visit was explained the committee was well received and supervisory staff spent a very reasonable amount of time with the committee. These CPD staff members explained the process involved in obtaining a well conditional use permit and verified the basic costs of obtaining the permit as what the landowner had also advised. The fees are generally about \$3,300 to start and some projects will cost more. The CPD staff members advised that it is their practice to review all requests for conditional use permits and that there must be a plan for usage that goes with any request. The plan must explain what the water use is for, that it is or will be made in accordance with the zoning for the land, and that it must be by the person or persons who are the landowners at the time of the application. Those that apply for water/well conditional use permits can not be merely possible future owners. The CPD staff members advised that while there are no guarantees those conditional uses permits are granted even after the fees are paid, they at the CPD will do what they can to see that landowners know what is required of them before they apply.

The staff members advised that the fees for a conditional use permit application would include payment for studies such as those required by the California Environmental Quality Act or an Environmental Impact Report. This also would include providing a public notice to those residing in the area, which may be

impacted by issuing permits for a well to be drilled. The same staff members also advised that consideration would be given to other wells in the area and how they may be impacted, particularly if a new well would cause a reduction of water usage in existing wells.

CPD staff advised they do not issue permits for vacant land with no plans, and the costs are linked to the intended use of the property. The CPD staff members stated it was not their practice to revoke water conditional uses permits after being issued. One longer term member did not know of any revocations. CPD staff members advised that the present land use regulations were not set by the present CBOS, but those now on the board were considering how they might make the process less costly to encourage land development within the county. One CPD staff member stayed with the CGJ committee to explain the use of the Imperial County Ordinance CD and encouraged the committee to spend time reviewing it. That staff member gave the committee a copy of the CD.

Among the real estate agents the CGJ committee spoke with, there were some varying opinions on what might be considered fair or reasonable. One agent believed there were probably cases of where some persons were given preferential treatment over others in the granting conditional use or other permits, but gave no specific examples of favoritism. None of the agents provided any examples of any particular wrong doing though two believed that some of the fees were too high and that sometimes the process of obtaining them takes too long.

At least one real estate agent who was familiar with the specific property was not fully aware of the full details of obtaining permits or whose responsibility it was. This agent was also asked if she was aware of any specific wrongdoing by the CBOS or the CPD. This agent thought there was probably what was called a “good ol’ boys network”, but had no examples to provide.

One real estate agent, who was not involved in the failed land sale, stated that it was the responsibility of a buyer and buyer’s agent to fully investigate what is available and legal, and should do so before making any offers. The same agent said it was the responsibility of the seller and seller’s agent to disclose all they know relevant to a property prior to a sale. This agent had found the CPD to be reasonable to deal with and believed that the CPD regularly approves of permits when presented with a reasonable plan.

The included appendix documents should be reviewed to gain a better understanding of obtaining permits and what agencies issue them.

Findings:

The present CBOS was found to have no direct involvement in the setting of the land ordinances approved of in 1998. Out of all the people the CGJ committee spoke with, none had anything specific against the presently seated CBOS, though one person believed that the present group should make changes to lower costs for obtaining permits.

One person the CGJ obtained information from found the CPD to be less than cooperative, while another found them to be quite cooperative. No person the CGJ spoke with made specific allegations against any particular person with the CPD.

- F1** The present CBOS has met and discussed what ways are possible to encourage land development in Imperial County
- F2** Even though the committee believed that CPD does provide information about obtaining permits, the process may be less than clear to some. It is possible that some are not aware, for example that having water rights does not always guarantee that a well can be dug.

Recommendations:

- R1** The CBOS continue to work on what can be done to reduce the costs of land development fees and see if there are ways to make the process easier for landowners.
- R2** It would be beneficial for the CPD to provide general information pamphlets to local real estate agents at least once and include important updates as they occur. These pamphlets can include the CPD's website where there is presently useful information.

Response Required: No response is required of either the Imperial County Board of Supervisors or the Imperial County Planning Department.

Subject of Investigation:

Imperial County Transportation Commission

Justification: The Civil Grand Jury (CGJ) is authorized to investigate public agencies within Imperial County per California state law. The Imperial County Transportation Commission (ICTC) was on the rotating matrix for this year's list of possible agencies to be investigated.

Background: The ICTC was established in 2009 under Senate Bill 607. Their purpose is to coordinate the transportation plan for the Imperial Valley area. Their plan is multi-purposed and functioned in that they are not only involved in overseeing the companies small and large that operate various transportation services, but also in the distribution of money under the Local Transportation Fund (LTF).

Investigation:

ICTC staff members gave the CGJ committee a good presentation and an overview of what they actually do. Prior to the tour there was a common misconception among the committee members that the ICTC were an operation that only oversaw local bus routes. We discovered there was much more involved including several types of transportation services and the roads themselves.

The ICTC is an association of city, county, and local governments, formerly known as the Imperial Valley Association of Governments (IVAG). It has been in operation since 1989 under its former name and county affiliation. The members of the ICTC are elected officials representing one each of the seven incorporated cities of this county, two Imperial County Supervisors, and one Imperial Irrigation District (IID) Board of Director. In addition, there is one non-voting member, appointed by the Governor, representing the California Department of Transportation (CalTrans). They are anticipating adding additional non-voting members to include one from the State of Baja California, Mexico who will represent Mexicali, and a member representing a recognized Native American tribe within Imperial County. It was explained to the CGJ committee that the IID was represented because of the large numbers of right-of-ways they have. It was advised that Baja Mexico would be represented to maintain good relations with our neighbor to the south and because of the large number of people who regularly travel here from that area. The ICTC has four paid staff members at their office in El Centro and expects to hire one more.

The ICTC holds regular meetings. These include general meetings on the 4th Wednesday of every month, Management Committees on the 2nd Wednesday of every month, Technical Advisory Committee (TAC) on the 4th Thursday of every month, and the Social Services Transportation Advisory Council (SSTAC) on the 1st Wednesday of every month. Special meetings may be called as needed. The CGJ understanding is that these are open to the general public.

➤ **Transportation Oversight**

A larger part of what the ICTC does is overseeing the public transportation systems within the valley. These include those services operated with public funds, but not those that are inter-city based outside the county or those that are inter-state. The ICTC oversees and monitors the following transportation services:

◆ **Imperial Valley Transit (IVT) System and Imperial Valley Transit Access (IVTA)**

The daily IVT <www.ivtransit.com> operations and actual buses are managed and run by a private company, First Transit, Inc. <www.firsttransit.com>. This particular company was chosen due to its ability to best meet the needs required for operations under state and federal guidelines. IVT was known as

Imperial County Transit when it began in 1989. There were only three (3) buses and five (5) routes back then, and the bus system had about 3,000 riders each month. As of the date of this investigation there were about 23,000 riders a month, many more buses and regular service to most of the Imperial Valley.

IVT schedules more buses as the demand is needed, such as to Imperial Valley College. Some areas are on call, including areas such as Winterhaven and Ocotillo. There are fewer buses operated on weekends and none on Sundays. All buses are capable of carrying bikes and have wheelchair lifts.

The cost for a bus fare will vary according to the Fare Zone, and express or local routes. There are discounted fares for students, seniors, and disabled people. About 15% of the fares cover transportation costs with the other 85% coming from state and federal funding.

As a part of our tour, the CGJ committee visited the bus yard/dispatch location. IVT does all their own repair work and provides all their own drivers for the standard length 40-foot buses. IVT staff are randomly drug tested, and offenders are terminated if illegal drug usage or alcohol on the job is discovered. Staff undergo regular training as needed. The California Highway Patrol pays both expected and unexpected visits to the IVT operation to make sure they are in compliance with state laws.

IVT staff members gave the CGJ a tour of several of the buses. While the oldest of the buses were approximately ten (10) years old, they were found to be in very good condition. Staff advised that they are in the process of getting more of the newer buses this year.

The IVTA buses are the smaller type of buses and supplement the larger bus system by providing service for those who are physically unable to go to the regular bus stops and use the bigger buses. IVTA passengers must first fill out an application to show their disability, and if they are within three quarters of a mile of any regular route, the buses will make home pick ups and drop offs. Those riders must make arrangements in advance with IVTA and need to provide their Americans with Disabilities Act (ADA) certification number. Fares also vary by location traveling to and from, and a non-ADA assistant to the ADA rider will pay the same fare as the ADA rider.

ICTC and IVT are exploring future circular routes within the cities of Imperial, Brawly and Calexico.

Both the IVT and the IVTAccess <www.ivtaccess.org/> are the same basic operation and were covered together. This site was chosen for a physical visit because it is by far the largest of the transportation services under the ICTC.

◆ **Med-Express – AIM Transit - El Centro, Imperial & West Shores Dial-A-Ride**

The Association for Retarded Citizens Imperial Valley (ARCIV), in association with ICTC provides unique services. ARCIV <www.arciv.org/> has a specific and commendable mission (among other things) of assisting those with both mental and physical transportation needs. ARCIV has paratransit services, where they provide:

- Med-Express, non-emergency paratransit shuttle service exclusively to major medical centers in metropolitan San Diego.
- AIM Transit, a county wide intercity dial-a-ride service for seniors and persons certified under the ADA.
- El Centro, Imperial and West Shores Dial-A-Rides are available to the general public and are considered especially useful for people with disabilities and senior citizens.

While the CGJ did not visit the ARCIV location, some members of the committee have seen the useful services they provide, including one committee member who uses their Med-Express medical services. Committee members believed that providing a non-emergency transport to several major medical centers in San Diego, for the very low cost they charge, is a great service to those in the Imperial Valley in need of such services.

The West Shores Dial-A-Ride also provided through ARCIV is a local on call service, as are the ones for Imperial and El Centro.

◆ **Other**

It is noted that both Brawley and Calexico Dial-a-Ride services operate in the cities of their name. Little information was gathered on either of those operations, and the CGJ committee was not certain if either service has ties with ICTC.

The ICTC has explored and is continuing to explore workable relationships with other transportation services and joint bus stops with them. These would include a connecting, but separate service, to Yuma through their Yuma County Area Transit (YCAT) system <<http://www.yciptatransit.org/>>.

All transportation systems that are governed by the ICTC are in compliance with ADA.

➤ **Infrastructure Oversight**

Local Transportation Authority (Measure D Sales Tax Program)

The ICTC also oversees the Local Transportation Authority (LTA). The LTA, according to the county website <www.co.imperial.ca.us/PublicWorks/Lta/default.htm>, “is a coalition of representatives of local cities and the County of Imperial. The Authority was formed as a result of the passage of Measure D, our local transportation measure. Adoption of this Measure places Imperial County as a whole further ahead for allocation of state dollars for transportation improvements.”

The CGJ committee learned from the meeting with the ICTC that Measure D was the locally passed measure in Imperial Valley to add a half-cent to the sales tax for road improvement and repairs. Money obtained through Measure D is funneled to the various city and county projects for roadwork. Some of this is done in conjunction with CalTrans. One such project is the widening of the Dogwood Road bridge that crosses Interstate 8 near the mall. Another interesting future proposed project is Forester Road, which would be widened to four lanes and become the rerouted Highway 86.

The CGJ discovered that there is a Local Taxpayer Supervising Committee (LTSC). Three professional valley citizens can be members of that committee to help oversee the LTA:

http://www.co.imperial.ca.us/IVAG/SpecialDocs/Invitationformembershipflyer-rev_2-8-11.pdf

Findings:

The ICTC staff members left the CGJ committee with the impression that they are open and willing to discuss all aspects of their operation, not only with the CGJ, but also with the general public. They held an open meeting with the public approximately a week or so prior to the CGJ visit. There is quite a bit of work involving ICTC that is entrusted to our local elected officials.

F1 The CGJ committee noted that the ICTC is not well known in the Imperial Valley as to who they are and what they do.

Recommendations:

R1 The ICTC would do well to continue to have publicized open meetings where the public knows they are welcome to attend.

Response Required: No response is required.

Subject of Investigation:

Imperial County Fairgrounds

Justification: The Imperial County Fairgrounds is on our matrix and has not been visited for several years.

Background: There has been no complaint received by the Grand Jury. Over the past few years there have been numerous changes at the fairgrounds including a new CEO and several of the Grand Jurors expressed an interest in making a visit.

Investigation: The CGJ committee met with Theresa Garcia, the current CEO of the Mid-Winter Fair and Fiesta on Thursday February 9 at the Imperial County Fairgrounds.

The “fair” is a State Agency, part of the 45th District Agriculture Association and under the Department of Food and Agriculture Division of Fairs and Expositions. The “fair” has a board of directors whose members are appointed by the Governor of California. This board of directors chooses a Chief Executive Officer, “CEO” If a person wants to be on the board, they may submit an on line application for consideration.

Theresa is the only part-time Fair CEO in the State. She works full time from October through June and is engaged in other Department of Agriculture activities the remainder of the year. During the four months she is not physically based here in Imperial County she is available by phone and computer on a daily basis.

The committee asked about fairgrounds activities we used to enjoy such as horse racing, car racing, and the rodeo. Across the board, the answer was that they were not profitable any more. The Cattle Call Rodeo had replaced the rodeo originally held at the fairgrounds. Fairgrounds throughout the State used to receive a 2% tax from statewide horse racing. Horseracing has declined across the board and that source of revenue has been eliminated. The fair is now funded through the state’s General Fund which has, of course, been slashed with all the budget cuts the entire state is experiencing.

Since the fair is supposed to be self-sustaining, the committee wondered why the fairgrounds seemed to be empty most of the time. Theresa explained that each of the buildings is available for a rental fee ranging from \$950 a day to \$2000 a day. Set up and chairs as well as security will be provided. The Plaza De La Cultura is often used for weddings and other formal occasions and has recently been remodeled. There has recently been a boxing match and a Bridal Show is planned for April. We suggested a craft show or a regular farmer’s market. Theresa explained that the City of Imperial has a farmer’s market and that, because of the internet, there is a declining interest in craft shows and crafts in general. They would be pleased to help put on a craft show if a sponsor showed interest in such an event.

Committee members were each given a poster showing the grandstand events for the fair this year. We asked why there were mostly tribute bands and no real headliners. Again, the answer was that it is not financially sound to pay a large amount for a headliner band and that the tribute bands actually show a profit.

Many of the 4H and FFA members bring trailers to park in the recreational vehicle lot during the Mid-Winter Fair and Fiesta. Committee members wondered why the fees had been increased. Theresa pointed out the increase was not as dramatic as we had been led to believe and the trailers pay a set fee for the full week of the fair. Many also come early and stay late at no extra charge.

While we have all enjoyed the displays in the Life Style building, committee members wondered how you can enter. Theresa explained there is an entry guidebook on line and in late January there is also a workshop which is open to the public. This workshop was announced in the Imperial Valley Press and this year there was a turnout of approximately 40 people.

Judging was also a topic of interest. The committee was told that fair system has a list of judges and if you have expertise in a particular area you should let the fair know if you want to be a judge. Each of the judges has an individual style but all are bound by the State Rules of Judging. A judge's decision is final. Period. You may complain, and sometimes people do, but there is no recourse.

Finally, the committee wondered what happens to all the animal waste generated by the show animals. Theresa told us that various farmers contract to pick it up and they use it on their crops.

Findings: The Imperial County Fairgrounds management, under the direction of CEO Theresa Garcia, appears to be doing a good job.

- F1** The fairgrounds is self sustaining in spite of major budget cuts and attendance has been increasing annually.
- F2** The fairgrounds appears to be underused most of the year.

Recommendations:

- R1** The current CEO, Theresa Garcia, should be commended for her work keeping the fairgrounds open and self sustaining in a difficult economy.
- R2** Greater effort needs to be made to sell use of the facilities to sponsors on a year round basis and to plan and execute events throughout the year. Regular use of all media to advertise activities at the fairgrounds would be helpful.

Response Required: No response is required. All the questions of the committee were answered to their satisfaction.

Subject of Investigation:

**Complaint Against Brawley Elementary School District
Governing Board**

Justification: The Civil Grand Jury (CGJ) is authorized to investigate complaints against public agencies within Imperial County per California state law. The Brawley Elementary School District Governing Board (BESD) is among those agencies.

Background: The Civil Grand Jury received five written complaints against the BESD alleging improper termination of Superintendent Ron Garcia's employment without cause on June 14, 2011. In the complaints, and in Imperial Valley Press stories, accusations were made that Mr. Garcia did not support Myron D. Witter Principal Irene Salazar in school personnel issues. Salazar is the sister of one of the three Board members who voted to fire Mr. Garcia. Several of the complainants cited violation of the Brown Act because the Board members ended the open session of the meeting and went into closed session voting to "non-reelect the Superintendent as a probationary employee." They returned to the open meeting session and reported their actions.

Investigation: A committee of the CGJ interviewed multiple witnesses and learned the following. The BESD Governing Board voted 3-2 to fire Garcia before July 1, 2011 because his contract would continue until June 30, 2012 if he was not released before the end of the fiscal year. Garcia was released at the June 14, 2011 School Board meeting. When Garcia was hired as superintendent, an Assistant Superintendent was already in place. That individual was cited by a board member as being dissatisfied with the working relationship with Mr. Garcia. The same board member also stated that another board member was not happy with Mr. Garcia's demeanor and interaction with some administrative staff. An additional board member stated that the Director of Building Maintenance faulted the lack of a clear chain of command from the Superintendent.

At one BESD meeting, boisterous protests broke out in support of Garcia demanding his reinstatement. Garcia's supporters filed lawsuits demanding the former superintendent's reinstatement. Approximately 800 signatures were collected on a petition demanding Garcia be rehired.

A vote of no confidence was presented and read by the Brawley Elementary Teachers Association against Salazar at a Board meeting during the public comments session. The majority of teachers (28 out of 33) at Myron D Witter Elementary School signed the vote of no confidence sometime between November 2010 and January 2011.

Salazar filed 2 harassment lawsuits against Garcia. According to a board member, the lawsuits were found to be having no basis by an outside firm hired to investigate the allegations.

Salazar was reassigned by interim Superintendent Roberto Moreno to the Learning Center to work on curriculum. Special Education teachers filed a complaint against Salazar. A recommendation was made that Salazar could not enter the Witter school grounds. Salazar has since retired.

The Assistant Superintendent to Garcia was assigned as a mentor to Salazar, and has resigned from BESD effective June 30, 2011, receiving full pay from July 1, 2011 to December 2011. In addition, she was given a \$500 monthly car allowance, and paid health benefits were paid until age 65.

Ron Garcia was paid the balance of his contract of \$130,000 per year while not working for the district. The School Board rehired Garcia by a 5-0 vote extending his contract to June 30, 2013. He was given an

increase to \$135,000 per year. Garcia was also given \$30,000 in a settlement for the lawsuit he filed to get his job back.

Two of the three BESD Governing Board members who voted to dismiss Garcia were not reelected to the Board. The third Board member has another year left in his term.

Government Code Section 87103 provides that a public official has a “financial interest” in a governmental decision if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, a member of his or her immediate family, or on any of the official’s economic interests. Government Code Section 82029 defines “immediate family” as the official’s “spouse and dependent children.” An adult sibling is not included in the definition of an “immediate family member.”

Based on the information obtained by the CGJ, there did not appear to be violations of the Brown Act, which was one of the allegations.

Findings:

- F1** It appears to the Civil Grand Jury that the previous BESD Governing Board voted on a personnel issue that could have been resolved differently. It is the CGJ’s observation that the present BESD Governing Board has since made changes to reverse the previous vote and bring back the staff member, at a greater cost to the school district.
- F2** The Civil Grand Jury finds that one or more members of the BESD Governing Board voted on an issue where it was perceived to be a conflict of interest by the public. However, there was no legal requirement for any of the BESD Governing Board members to recuse themselves from the decision.

Recommendation:

- R1** BESD Governing Board members should take great care in voting on issues that could be handled differently, particularly when it may cost the school district more to resolve an issue.
- R2** In the interest of public confidence in the BESD Governing Board, members should explain to members of the public the legal requirements for conflict of interest recusals when acting on a matter that is perceived by the public as a conflict of interest by the member.

Response required: None required

Subject of Investigation:

Grand Jury Administrative Support

Justification: The Grand Jury Administrative Support Staff are on the Civil Grand Jury (CGJ) matrix for review each year, as determined by each empanelled CGJ.

Background: There have been no complaints received by the CGJ from outside the Grand Jury on support staff. A major change in the meeting location and those that are the support staff took place between this CGJ term and the previous CGJ term. This gave the CGJ two sets of support staff.

Investigation: The CGJ did not set out to do a separate investigation on the administrative support staff, but as the year progressed, observations were made by CGJ members that were both good and not good. The CGJ believes it would be in the best interest to address some issues. Some of the observations are from things learned from both the 2011-2012 CGJ, and from the previous CGJ (2010-2011) members.

It would be appropriate to clarify that because of the changes in handling of the CGJ, there became two sets of administrative support staff, which were not the same people. One set of administrative staff remained with the courthouse, at the Superior Court of California for Imperial County, where the previous CGJ met. The other set were administrative staff members at the new meeting location, the Imperial County Administrative Center building, across the street.

The CGJ will address the administrative support staff at the courthouse first. It has been the experience of the CGJ that the staff at the courthouse have been nothing but cooperative and have gone out of their way to facilitate meetings, to see that contacts were made, and other things that were of a great benefit to the CGJ. For previous CGJ panels, they provided a permanent meeting room, a storage room, and made another very private room available when it was needed. The staff at the courthouse, particularly at the Jury Commissioner's office, continued to provide outstanding service during the 2011-2012 term even with the retirement of one supervising staff member early in the term. That member was not replaced.

The CGJ also addresses the support staff at the county administration building. Administrative support staff from the county attended a non-confidential portion of a late meeting of the 2010-2011 CGJ panel. The managing staff member and other staff advised that panel that they would do anything that was needed to make the next CGJ panel (2011-2012) and future CGJ terms as smooth as possible. That panel was assured that there would be a secure room for meetings, a secure room for any equipment that would be needed, a drop-off mail-box at the location of the CGJ's choosing, and anything else needed.

Two members of the 2010-2011 CGJ visited the county administrative building prior to the end of their term. They found that the secure CGJ mail-box was placed in a different location than where the 2010-2011 CGJ requested, and were told that the admin staff chose to place it where they did. Those 2010-2011 CGJ members were left with the impression that admin staff knew better. The first promise was broken. During the same visit that committee was shown meeting rooms C/D and were told that there were times that the CGJ would need to share half the room with others that met in the other half, separated by a thin folding divider. Those committee members objected and reminded the support staff member that the CGJ was a confidential body that could not meet in an unsecured location. The 2011-2012 never had to share the room after those objections were made.

During the 2011-2012 CGJ term there were several other promises made that were broken. County support staff assured the CGJ that there would be a printer/copier provided by them. That never happened. Staff from another office graciously provided a printer on long term loan. More than once the CGJ was assured

that they would have a computer to replace the defective ones brought over from the courthouse. That did not take place. There never was a secure room for equipment and files as promised, though filing cabinets were provided. The borrowed printer and the old defective computers sit on top of those cabinets as a rule, with only the printer used. CGJ members do reports on their own personal computers and use their own printers as a rule. Occasionally, a member brings in a personal lap top computer to print out what is needed, using the loaned printer. CGJ members regularly need to come in early to the main admin office to do any needed printing or copying.

There was one occasion where a meeting was called by county admin staff with some of the members of the CGJ. Those CGJ members believed that some staff attempted to pressure the CGJ into cutting back on expenses, which meant to the CGJ, reduced meetings and investigations. The CGJ for this county already has the lowest per capita funding of any in the state that the CGJ was able to find. It became necessary to remind the county support staff that the CGJ is an arm of the court, and while we will work with them to the very best of our abilities, the CGJ are not county employees. The CGJ members who met with the county staff believe that at least one of them was less than truthful in statements made at that meeting.

The CGJ does not wish to criticize all of the support staff at the county admin building. Several staff members were found to be hard working employees who provided excellent service at all times. Those were a credit to the county and hard working people everywhere. This was particularly true of the staff member who temporarily was the main contact between the CGJ and county admin support staff during 2011.

Findings:

- F1** The support staff at the courthouse, particularly those at the Jury Commissioner's Office have continued to provide excellent service and do a marvelous job.
- F2** The support staff at the county are a mixed group of employees, of which some are detrimental to good CGJ service, while others are very good.
- F3** The county support staff promised to supply all the needs of the CGJ, including a copier/printer, and a functional computer with Internet access for reports, and failed to do so.
- F4** The support staff working with and through the main office of the county administration had made other promises to the CGJ of which they failed to keep.

Recommendations:

- R1** The courthouse staff should be commended for their hard work and great service.
- R2** The county should provide documented in-service training to all employees working with and/or supporting the work of the CGJ that they better understand the Grand Jury's function. Those that do well should be commended and encouraged.
- R3** The county should supply the copier/printer, and a functional computer in a place where these things do not need to be moved and removed for every meeting. And Internet access for reports needs to be provided as promised as well.
- R4** The county should ensure that all promises made to the CGJ are kept, or those making those assurances will stop making promises if they are unable to follow up.

Response Required: No response is required.

Subject of Investigation:

**Complaint Against Imperial County
Department of Child Support Services**

Justification: The Civil Grand Jury (CGJ) is authorized to investigate complaints against public agencies within Imperial County per California state law. The Imperial County Department of Child Support Services (CSS) is a part of the County of Imperial and is therefore among those agencies.

Background: The Civil Grand Jury received a specific complaint alleging improper handling of child support cases and lack of customer service.

Investigation: As part of the CGJ investigation a committee took a tour of the Imperial County Department of Child Support Services located at 2795 S. 4th Street in El Centro. Their current hours of operation are Monday-Friday 8AM-4:30PM. At the time of the visit they had 58 employees, which were broken down as follows:

- *27 case workers
- *16 clerical staff
- *7 office supervisors
- *2 staff service analysts
- *2 attorneys
- *1 Ombudsman
- *1 financial worker
- *1 assistant director
- *1 Director

The CSS currently handles about 12,500 cases. CSS is funded 66% by the Federal Government and 34% by the State Government. All money submitted to or through the department for support payments is sent to a state centralized collection program. The centralized collection program (not located in Imperial County) is then responsible for dispersing money to the custodial parents. Money is held in the centralized collection program for 6 months until the custodial parent is located. During this time period, attempts are made to locate and transfer money to the custodial parent. If the parent cannot be located, the funds will be returned to the remitter. However, one of the specific focuses of the complaint received by the Civil Grand Jury was the fact that this process was not being followed. The civil grand jury was given specific evidence in one particular case indicating that collected funds from the non-custodial parent were returned before this six month period was over and that sufficient attempts were not made to locate the custodial parent. However, due to the desire to protect confidentiality, the Civil Grand Jury will not disclose the name or case number of the complainant.

The CGJ learned if either parent feels there is a mistake they can call or come in and report their complaint. CSS is required to respond to any complaints within two days. Attempts are first made to resolve complaints through an ombudsman on site. If the complaint cannot be resolved, the complainant can file an administrative appeal with the state.

During the committee's tour, upon entering the lobby, it was noted that there were two service windows open with employees assisting clients (there were three possible windows). There were very few persons in the lobby needing assistance. We were told Monday was the busiest day for their lobby (our visit occurred on a Wednesday). We were greeted by the director, Gustavo Roman, and the assistant director Tanya Matus. Our tour was conducted by Tanya. In the lobby area there are three computers available. On these

computers interested parties can look up their cases using their assigned case file numbers. On the website one can check on payments posted, send e-mails to their specific case worker, and update their information. For all other concerns, one would need to come into the office or call in. There was a security guard posted in the lobby upon entering the building. However, it was noted that this security guard was not present in the lobby upon our exit from the building.

We briefly entered the training room and observed case workers receiving training on the new Case Management Tool that was to be implemented. The training was broadcast from the LA county child support services. It was mentioned that this new tool would help better manage cases by dividing them up by type. Some types of cases mentioned were establishment cases, enforcement cases, and management cases.

To establish a case, one must come into the Department of Child Support Services with a variety of documentation (or forms may be mailed in). Documents include a very detailed Confidential Paternity Questionnaire, Family Violence Questionnaire, Visitation Verification form, Health Insurance Information form, an Income and Expense Declaration, a Declaration of Support Payment History, a Simplified Application for Child Support Services, and a Request for Support Services. Some of these documents will be filled out by the custodial parent (CP) and the other documents need to be filled out by the non-custodial parent (NCP). Once the documentation is completed, the CP will have an interview. Once this is completed, the CP is assigned a case worker and a case number and the NCP is notified by summons and a complaint is served. The NCP has 30 days to respond. The case is considered in "default" if the NCP does not respond within 30 days. During the 30 days, the NCP may dispute paternity and submit to a DNA test (performed in house and analyzed by Lab Corp). The NCP may also dispute the income reported and bring in documentation to have this corrected.

The CGJ was informed that only the CP can open a case for child support. However, our complainant has evidence that a case was opened in her name in a state where she does not reside. This caused her case to be suspended and all court ordered support payments ceased. The CGJ understands that this other fraudulent case was not opened in the Imperial County and therefore the Imperial County CSS is not responsible for the fraudulent opening of the case. However, the Imperial County CSS should be responsible for accounting where the funds from the NCP went during this time.

Enforcement cases were also reviewed. An enforcement case occurs when the case is in default and the NCP is not making child support (C/S) payments. CSS has a number of methods to enforce C/S payment. They report a default to the DMV and the NCP's license is suspended (a suspension can be removed when current payment and a percentage of back payment resumes). They will also report to the Employment Development Department (EDD) and C/S money will be deducted through unemployment checks (which is called a wage assignment). The Department has little to no enforcement authority if the NCP is located in Mexico. If a NCP loses his/her job, he/she may be placed on a job contact and will have to prove he/she is continuing to look for a job. This process is handled through the court system.

Within the last year, the CSS has implemented a new plan referred to as "Cradle to Grave." With this new plan, a case is assigned a single case worker and is not transferred between workers as cases had been previously. Each case worker is assigned between 499-533 cases that they handle individually. Cases are assigned alphabetically by the NCP's name.

Committee members then spoke to employees in the Service Unit (SU). Their job includes handling any of the five following possibilities:

1. Add a child to an existing case
2. Open a new case
3. Reopen a closed case if new information is obtained (this would apply if an NCP recently moved back into the country)
4. Transfer cases to another county (if the CP has moved and requests the transfer)
5. Try and resolve complicated cases (example: 2 NCPs listed on a single case or issues with incorrect names)

Most cases are referred to the SU through the county welfare department. These cases are transferred to Child Support Services electronically. All files now are kept electronically to facilitate the ease of transfer between counties and for easy access to records. Some cases are referred through the walk up service as well.

When someone opens a case through the C4 welfare database, certain documents are requested of them. It was noted the CSS requires a lot more documentation than the welfare office and CP's will have to pick up a packet of this documentation or request it be mailed to them.

If a CP is moving to another county they can (and probably should) transfer their case with them. They can request an inter-county transfer (ICT). However, the CP may also choose to leave their case where it is. It was noted there was one employee in the department who handles cases where the NCP works or lives out of the state of California. If a CP moves out of state they are called intergovernmental cases and modifications to their case will need to be requested through the CPs local agency. The Imperial County CSS will still process and collect C/S money for CPs who have moved out of state and they will send collected funds to the CPs local social services agency.

On the tour we were shown their mail room (DPU), which was found to be neat and organized. Also, it was noted that in a number of places in the building there were Shred-It boxes where employees can deposit confidential documents for shredding by the Shred-It Company.

If someone is contacting the department through the agency's provided phone number (866-901-3212) they will be directed to the call center in Orange County. Orange County has a large call center and volunteered the use of their call center services to Imperial County. If the caller would rather speak to his/her Imperial County case worker he/she can request this and will be transferred. The use of the call center has helped to reduce the number of questions fielded by the local case workers. Most questions can be answered and documents requested through the Orange County call center. Policies and procedures for the Imperial County CSS and Orange County CSS are the same, so there should be no confusion about local requirements or policies when speaking to call center personnel.

The Imperial County Department of CSS is held to certain standards administered by the state called Federal Performance Measures and submits to yearly audits. One of the areas this department continually performs well on its collections on established cases. One of the areas the audit showed needing improvement in is collecting of arrears payments (or back owed payments). A NCP will always owe arrears payments until the case is paid in full. Even when the child turns 18 if arrears payments are owed the case remains open. A number of cases at the department are currently in this state. It was noted, that the department in a number of cases, is waiting for the NCP to turn 65 so they can begin debiting their social security checks for owed C/S.

The Grand Jury did speak to the supervising attorney who organizes the legal team for the department. Most cases do not go to court but for those that do, the supervising attorney represents the interests of the county (not the CP or the NCP). There is currently a two month backlog of cases for court. The director

mentioned they are working closely with the court system to try and secure more time in court (rather than just on Wednesdays). This should help clear up backlogs. CP's or NCP's who would like to take their case to court can file their own motions and must secure their own attorneys. Assistance can be provided through the Access services at the court.

If at any time a CP or an NCP would like an audit of their account, he/she can contact the Department of Child Support Services and an audit will be prepared by their financial worker and sent out within a week. However, the complaint received by the CGJ documents the complainant has requested an audit of her case multiple times over the years and has never received a certified copy. All CPs have access to their financial records online however, the complainant has provided evidence that her records of payments online are incorrect. Without an official audit of her account she has a difficult time reconciling the payments the NCP has made with the payments she has received.

Findings:

- F1** The Civil Grand Jury finds the complaint to be valid.
- F2** The Civil Grand Jury finds this agency did may not have completely followed all procedures as to this complainant's case.
- F3** The CSS department appears to be understaffed for the volume of cases handled, leading to cases, such as the complainant's, to be neglected.
- F4** The Civil Grand Jury finds that custodial parents are not being well informed.
- F5** The Civil Grand Jury finds the complainant's case has not been handled by a single case manager.

Recommendations:

- R1** The Civil Grand Jury recommends the Imperial County Department of Child Support Services work toward resolving complaints in a timely manner.
- R2** The Imperial County Department of Child Support Services needs to do a more thorough job on making sure that they stick to their promised 7 day turn-around for requested audits.
- R3** The Civil Grand Jury recommends that Imperial County Department of Child Support Services explore hiring more case workers.
- R4** It is recommended that the Imperial County Department of Child Support Services make efforts to notify CPs of their policies. The Civil Grand Jury believes the policies and procedures outlined on the visit are good practices. However, we do not believe enough effort is being made to educate CPs on the policies and procedures of the Imperial County Department of Child Support Services. For example, CPs should know who their specific case manager is (and that this person is supposed to be cradle-to-grave) and the specific steps they can take if they are unhappy with their case management.
- R5** The Civil Grand Jury recommends that oversight needs to be applied to make sure that cases are handled as per the Imperial County Department of Child Support Services "Cradle-to-Grave" policy of one case manager.

Response Required: A response is required of Imperial County Department of Child Support Services within 90 days of the publication date of this report.

Subject of Investigation:

Seeley County Water District

Justification: “The Grand Jury’s civil powers and duties include examining the books and records of any special-purpose assessing or taxing district located wholly or partly in the county and to investigate and report on the method and System of performing the duties of such district.” (Imperial County Grand Jury Procedures Manual 2011 edition, and Penal Code Sections 925(a) and 933.5. It is the function of the Imperial County Civil Grand Jury to examine local government and the conduct of public officials. The civil grand jury (CGJ) is charged with the duty of examining the conduct of county and city governments, their boards, commissions, departments, and bureaus, and in reviewing the conduct of any elected or appointed official, to assure the public of competent and ethical stewardship of the public agencies in Imperial County. The CGJ is not intended to be a super government for Imperial County and will not interfere with the discretionary policy making powers of public officials elected by the public or appointed according to law. Only when public officials violate criminal or procedural laws, or abuse their discretion, do they become proper subjects for comment or action by the civil grand jury. The civil grand jury’s function is the investigation of government; it is a “citizen watchdog” panel with an agenda of it’s own choosing. The civil grand jury represents the public, not itself, not any organizations nor any group with which individual members may be associated. It is the duty of the CGJ to think at all time in terms of the public interest. The Imperial County Grand Jury investigates various agencies throughout Imperial County based on a rotating five year cycle. Seeley County Water District was added to the matrix this year and therefore an investigation was warranted.

Background: The Seeley County Water District is a public water agency recognized by the State of California since 1960. All demands for payment from the water district must be submitted to the Imperial County Auditor who maintains an account of funds for SCWD and processes all checks for the water district as long as sufficient funds are in the SCWD account. SCWD also maintains two savings accounts, which can be drawn upon to replenish the county account and also serves as a petty cash reserve to meet emergency financial situations. SCWD provides water and sewer service to the greater Seeley CA area, which includes Sunbeam Lake County Park and two rest stops on Interstate 8 east of the Drew Road “on ramps.”

Investigation: The SCWD receives Colorado River water from the Imperial Irrigation District Central Main Canal, which is made potable through several steps. Fresh water is filtered and treated with chemicals and an ultraviolet system before pumping into storage tanks. Water testing is performed each week as samples are taken from the water plant as well as at the end of service lines. The samples are sent to a testing facility in Calexico. Periodic news releases about the potable water quality are sent by mail to the recipients of the water with their water bill.

SCWD has received funds from two USDA grants for construction of two water storage tanks, new water lines, shutoff valves, fire hydrants, and water meters for residential and commercial customers. The old water tanks were installed in 1979-80. The new water tanks were necessary because of serious damage resulting from the Easter earthquake of 2010 to one tank and excessive corrosion to the other tank. The two new tanks hold 50,000 gallons each, whereas the old tanks held only 30,000 gallons of water each. The earthquake damaged tank was demolished and removed. The heavily corroded tank is used for back flushing the system and will be sealed with a new coating in the inside according to the president of the board. The contractors hired to complete this work were the low bidders. The CGJ was told it is very difficult to obtain bids on construction work in this area. The construction was implemented by three local companies RADCO and ANR Construction which, by all accounts, have no familial ties to anyone on the SCWD board of directors. Recently, new water service lines where installed for most of the Seeley area to

replace water lines from the 1950's made of cement and asbestos. The new water service lines will be made up of 8", 10", and 12" plastic. The new water meters will be read electronically by passing a wand device over it and then the information will be downloaded into a new computerized accounting system for water usage.

The waste water system is also being upgraded as part of an agreement with the Regional Water Control Board (RWCB) in 2008-2010. A Citation and Correction was implemented under a five year Cease and Desist order. (See attachment 1) This was put in place to avoid a fine because SCWD is discharging wastewater into the New River that has not met minimum environmental standards as set by the State of California.

Members of the Civil Grand Jury met with the president of the SCWD Board of Directors on October 20, 2011 and again on February 16, 2012. During the course of our investigation we learned that members of the Board of Directors are elected to four year terms. There are five members on the board serving staggered terms so that terms of office overlap every two years. The elections are held along with other county ballots. The Board meets on the second and third Monday of the month at the SCWD office located at 1898 W. Main St., in Seeley, CA. In addition to the Board of Directors, SCWD employs three permanent field workers, one part time temporary employee, and two office workers. Because it is a public agency with elections for board members that receives public monies from the residents of Seeley CA, SCWD is subject to the California Brown Act and the California Records Act.

During the first meeting on October 20th, 2011, the Board President gave the CGJ committee a general tour of the facilities to provide background and operational information. About January of 2012 the CGJ received from the Regional Water Control Board web-site, a copy of the current Cease and Desist order issued to the SCWD. The Civil Grand Jury then decided that a follow up meeting with the SCWD to address water and waste quality issues was warranted. Consequently, a second meeting was held at the SCWD office on February 16, 2012 with the Board President. The CGJ committee made further discoveries of the operations and administration of the SCWD. At the conclusion of the meeting the committee orally requested copies of three documents. Since the CGJ is a body that represents the interests of the public, there was an expectation that these documents would be quickly provided to the CGJ, because SCWD is subject to the statutes of the California Records Act and must therefore immediately provide all non exempt documents to any member of the public who asks to review or scrutinize the activity of the SCWD. The Civil Grand Jury waited approximately 35 days for the requested documents. These documents were never received by the CGJ. The entire Grand Jury was advised of the situation with SCWD and the missing records. Also, at about this time, a copy of the agenda for the board meetings of the SCWD was made available to the CGJ. The minutes of the SCWD meeting were deficient in vital information that would allow a person to understand what was being discussed and voted upon. Because the minutes may have constituted a breach of the Brown Act, the CGJ decided to attend a board meeting. At the next board meeting the committee observed other potential violations of the Brown Act, especially the SCWD procedure of voting for all expenditures in a block only listed as "demands" on the agenda. Also, it was discovered that routinely SCWD does not provide members of the general public fact sheets and other materials proscribed by law. The SCWD also did not disclose any financial information to the general public. After discussing the observations of the committee with the full CGJ, it was determined to make an official request in writing to the SCWD for 18 months of financial documents, 18 months of official agendas and minutes, CPA audits for 2010 and 2012 and other miscellaneous documents. The letter was officially received by the SCWD on April 4, 2012. SCWD did not have the documents ready for review by the maximum amount of time stipulated by law of 10 days (per the California Records Act), after receipt of the official request on April 4, 2012. Also, the SCWD failed to send the CGJ the mandated letter to extend compliance by 14 days as mandated by the California Records Act. Finally, the documents were ready for review on April 30, 2012, twenty-six days after the receipt of the request. At the April 30th

meeting with the SCWD, the CGJ committee was able to review the documents. During the meeting the SCWD Board President was adamant that the board had the right to keep all expenditures confidential from the general public and that the public had no right to see the individual “demands” expenditures before the vote to authorize payments by the SCWD Board of Directors.

Findings:

F1 The financial records of the SCWD are kept in good order and supporting documents are available for access. The CGJ found no evidence of financial negligence and the annual audits by a qualified CPA were complete and easy to comprehend.

F2

- a. The SCWD is working to correct previous problems in water waste removal cited by the Regional Water Control Board (RWCB) (Colorado River District). Starting in June of 2012, a plan for correction must be introduced by SCWD to the RWCB. The Cease and Desist order has set a time table for SCWD compliance. (See attachment 1)
- b. The SCWD is currently in a state of non-compliance with the quality of the potable drinking water. SCWD continually fails to comply with minimum California safe drinking water standards for the amount of carcinogens and chlorine when tested.

F3

- a. The SCWD did not appear to comply with requirements of the California Public Records Act by ignoring or rejecting requests for legitimate document review by members of the public. Some of the directors and staff exhibit an indignant attitude toward members of the public who seek to review and scrutinize SCWD records
- b. The SCWD did not appear to comply with requirements of the California Public Records Act in that it did not produce requested documents upon request or in a timely manner for public review.

F4

- a. The SCWD did not appear to comply with requirements of the California Brown Act that requires governing boards to provide sufficient information on meeting agendas to allow the public to intelligently comment on the items to be deliberated.
- b. The SCWD did not appear to comply with requirements of the California Brown Act that requires all boards to produce fact sheets for public scrutiny with the same information the board is deliberating upon.
- c. The SCWD did not appear to comply with requirements of the California Brown Act that in regular and special meetings, deliberation is conducted in such a way as to keep members of the public from understanding what is being deliberated upon. Motions are made with cryptic references to the board of directors’ fact sheets, which are not provided to the public
- d. It appears to be the policy of the SCWD to keep all income and expenditures or “demands” for payments confidential, especially prior to a vote. Certain items on the demands list would qualify for redaction per the California Records Act, such as employee names attached to individual salary amounts. However, the vast majority of expenditures must be made available to the public, especially disclosure prior to a vote by the board.
- e. The SCWD did not appear to comply with requirements of the California Brown Act by conducting closed sessions for matters that should be deliberated in an open session of a public meeting. Deliberation on choosing to do business with a private contractor from a list of private contractors does not appear to be a valid use of closed session under the Brown Act.
- f. The SCWD did not appear to comply with requirements of the California Brown Act by not giving ample legal reason to the public for it’s closed sessions. SCWD does not specify on the agenda the section of the Brown Act authorizing the closed session. SCWD is either

unaware or unwilling to use the legal templates provided in the Brown Act in drafting its agendas.

- F5** The SCWD does not publish or make available during public meetings any financial information. All budgets, income and expenditures are not provided to the public and can only be accessed, according to the Board President, with a request at the SCWD office.

Recommendations:

- R1** The CGJ recommends that the staff continue the good work of keeping and saving public documents. The office staff should be commended for the time and attention paid to the financial data.
- R2** The CGJ recommends that SCWD should continue to work aggressively with the Regional Water Control Board in order to be compliant with State of California water and waste regulations.
- R3** The CGJ recommends that the SCWD board and staff be educated thoroughly in the statutes of the California Records Act and the state Attorney General's interpretation of these laws.
- R4** The CGJ recommends that the SCWD board and staff be educated thoroughly in the statutes of the California Brown Act, and the state Attorney General's interpretation of these laws.
- R5** The CGJ recommends that the SCWD produce a web-site, where public information such as, meetings, agenda's, ratified minutes, budget, income, expenses, assets, cease and desist orders, annual audits and other vital public information is published. It is also recommended that SCWD send by mail the overall audit summery for every past fiscal year to its customers.

Response Required: Seeley County Water District Board is required to respond to the Civil Grand Jury within 60 days of publication, in writing.

Appendix A
Seeley County Water District
Attachments

Seeley County Water District
Attachment 1

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

**CEASE AND DESIST ORDER (CDO) R7-2011-0058
ISSUED TO
SEELEY COUNTY WATER DISTRICT, OWNER/OPERATOR
WASTEWATER TREATMENT PLANT
IMPERIAL - IMPERIAL COUNTY**

The California Regional Water Quality Control Board, Colorado River Basin Region, (hereinafter referred to as the Regional Board) finds that:

1. Seeley County Water District (hereinafter the Discharger) owns and operates the Wastewater Treatment Plant (WWTP) and corresponding collection and disposal systems, located at 1898 West Main Street, Seeley, CA 92273. The treatment system consists of a lift station, a drum screen, a bar screen, a "Clemson" aerated pond system with surface aerators, pressure sand filters, and an ultraviolet (UV) disinfection system.
2. The Discharger's WWTP is a publicly owned treatment works (POTW), and provides sewerage service to the town of Seeley. Wastewater is discharged from the Discharging Point 001 of the WWTP to the New River, a water of the United States, tributary to the Salton Sea, and within the Salton Sea Transboundary watershed.
3. The Water Quality Control Plan for the Colorado River Basin, as amended to date, designates the beneficial uses of ground and surface waters in the Region.
4. The designated beneficial uses of waters in the New River are:
 - a. Fresh Water Replenishment of Salton Sea (FRSH)
 - b. Industrial Service Supply (IND) ¹
 - c. Water Contact Recreation (REC I) ²
 - d. Non-Contact Water Recreation (REC II)
 - e. Warm Water Habitat (WARM)
 - f. Wildlife Habitat (WILD)
 - g. Preservation of Rare, Threatened, or Endangered Species (RARE) ³
5. On September 19, 2007, the Regional Board adopted Waste Discharge Requirements (WDRs) Order R7-2007-0036 (NPDES Permit CA0105023) for the Discharger to regulate discharges of treated wastewater. WDRs Order R7-2007-0036 contains specific effluent limitations, prohibitions, specifications, and provisions that were necessary to protect the beneficial uses of the surface and ground waters within the Colorado River Basin Region.

¹ Potential use

² Although some fishing occurs in the downstream reaches, the presently contaminated water in the river makes it unfit for any recreational use. An advisory has been issued by the Imperial County Health Department warning against the consumption of any fish caught from the river and the river has been posted with advisories against any body contact with the water.

³ Rare, endangered, or threatened wildlife exists in or utilizes some of these waterway(s). If the RARE beneficial use may be affected by a water quality control decision, responsibility for substantiation of the existence of rare, endangered, or threatened species on a case-by-case basis upon the California Department of Fish and Game on its own initiative and/or at the request of the Regional Board; and such substantiation must be provided within a reasonable time frame as approved by the Regional Board.

6. WDRs Order R7-2007-0036 (pages 11-12, section A.1.d) contains the following effluent discharge limitations:

Bacteria: The bacterial concentrations in the wastewater effluent discharged to the New River shall not exceed the following concentrations, as measured by the following bacterial Indicators

- i. **E. Coli** The geometric mean bacterial density (based on a minimum of not less than five samples equally spaced over a 30-day period) shall not exceed a Most Probable Number (MPN) of 126 MPN per 100 milliliters, nor shall any sample exceed the maximum allowable bacterial density of 400 MPN per 100 milliliters.
 - ii. **Enterococci.** The geometric mean bacterial density (based on a minimum of not less than five samples equally spaced over a 30-day period) shall not exceed a MPN of 33 MPN per 100 milliliters, nor shall any sample exceed the maximum allowable bacterial density of 100 MPN per 100 milliliters.
 - iii. **Fecal Coliform.** The geometric mean bacterial density (based on a minimum of not less than five samples equally spaced over a 30-day period) shall not exceed a MPN of 200 MPN per 100 milliliters, nor shall more than ten percent of the total samples during any 30-day period exceed 400 MPN per 100 milliliters.
7. On March 1, 2011, the Regional Board Assistant Executive Officer issued Administrative Civil Liability (ACL) Complaint R7-2010-0030 to the Discharger for violations of the effluent limitations for Biochemical Oxygen Demand (BOD) and bacteria and that the Discharger reported in its Electronic Self-Monitoring Reports (eSMRs) from August 2009 to September 2010. Additional violations are found in eSMRs from March 2011 to August 2011, which are identified in Exhibit "A" attached hereto and incorporated herein by this reference.
8. On July 6, 2011, Regional Board staff met with the Discharger in Seeley to discuss the discharge of effluent that exceeded the effluent limitations for bacteria set forth in WDRs Order R7-2007-0036.
9. On September 28, 2011, the Assistant Executive Officer received a letter from the Discharger, which requested that the Regional Board issue a CDO for the Discharger's WWTP. The letter states in part: "Seeley County Water District proposes to make several improvements to our wastewater treatment facility that should bring our treatment plant back into compliance with our current NPDES Permit Requirements. Specifically, the wastewater plant improvements would address the violations directly related to ammonia toxicity, BOD, and bacteriological quality."
10. Based on the information in the Discharger's letter and the Discharger's self-monitoring reports, the Discharger has violated current final effluent limitations in WDRs Order R7-2007-0036 set forth in Finding No. 7 above, for bacteria from August 2009 to September 2011. Discharger threatens continued and future violations of the final effluent limitations for bacteria set forth in WDRs Order R7-2007-0036.

11. California Water Code (CWC) Section 13301 states in relevant parts:

"When a regional board finds that a discharge of waste is taking place, or threatening to take place, in violation of requirements or discharge prohibitions prescribed by the regional board or the state board, the board may issue an order to cease and desist and direct that those

persons not complying with the requirements or discharge prohibitions (a) comply forthwith, (b) comply in accordance with a time schedule set by the board, or (c) in the event of a threatened violation, take appropriate remedial or preventive action.”

“In the event of an existing or threatened violation of waste discharge requirements in the operation of a community sewer system, cease and desist orders may restrict or prohibit the volume, type, or concentration of waste that might be added to that system by dischargers who did not discharge into the system prior to the issuance of the cease and desist order.”

12. CWC Section 13385(h) and (i) require the Regional Board to impose mandatory minimum penalties upon dischargers that violate certain effluent limitations. CWC Section 13385(j) exempts certain violations from the mandatory minimum penalties. CWC Section 13385(j)(3) exempts the discharge from mandatory minimum penalties “where the waste discharge is in compliance with either a cease and desist order issued pursuant to Section 13301 or a time schedule order issued pursuant to Section 13300, if all the [specified] requirements are met.”
13. Compliance with this Order exempts the Discharger from mandatory minimum penalties for violations of effluent limitations in accordance with CWC Section 13385 (j)(3) from the date of this Order’s adoption by the Regional Board.
14. Specifically, pursuant to CWC Section 13385(j)(3)(B)(iii), mandatory minimum penalties under 13385 (h) and (i) shall not apply to violations of effluent limitations for bacteria established in WDR Order R7-2007-0036 for the reasons detailed below:
 - a. Unanticipated changes in the quality of the municipal and industrial water supply available to the discharger are the cause of unavoidable changes in the composition of the waste discharge, which are the cause of the Discharger’s inability to comply with the effluent limitations;
 - b. No alternative water supply is reasonably available to the Discharger; and
 - c. New or modified control measures are necessary in order to comply with the effluent limitations; and
 - d. The new or modified control measures cannot be designed, installed, and put into operation within 30 days.
15. CWC Section 13385(j)(3) requires the Discharger to prepare and implement a pollution prevention plan pursuant to CWC Section 13263.3. Therefore, a pollution prevention plan for bacteria will be necessary in order to effectively reduce the effluent concentrations by source control measures.
16. CWC Section 13263.3(d)(1) states in relevant part:

The state board, a regional board, or a POTW may require a discharger subject to its jurisdiction to complete and implement pollution prevention plan if:

 - (D) The discharger is subject to a cease and desist order issued pursuant to Section 13301...
17. Because the time schedule to complete the construction and implementation of WWTP improvements exceeds 1 year, this Order includes interim requirements and dates for their achievement as required by 13385 (j)(3)(c)(iii).

18. Issuance of this CDO to enforce CWC Division 7, Chapter 5.5 is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, § 21000 et seq.), in accordance with Section 15321 (“Enforcement Actions by Regulatory Agencies”), Title 14, California Code of Regulations.
19. Any person aggrieved by this action of the Regional Board may petition the State Water Resources Control Board to review the action in accordance with CWC Section 13320 and California Code of Regulations, Title 23, Section 2050 and following. The State Board must receive the petition no later than 5:00 p.m., thirty (30) days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality. Copies will also be provided upon request.

IT IS HEREBY ORDERED, that in order to meet the provisions contained in Division 7 of the CWC and regulations adopted there under, the Discharger shall comply with the following:

1. The Discharger is required to prepare and implement a Pollution Prevention Plan pursuant to Section 13263.3 of the CWC. The Discharger must address all of the issues specified in CWC Section 13263.3(d)(3)(A) through (I) and shall take specific actions as indicated in the following time schedule to achieve compliance with all requirements of WDRs Order R7-2007-0036.

Table 1: Time Schedule

Milestone	Milestone Description	Milestone Submittal	Completion Date
1	Complete Pollution Prevention Plan (PPP)	Submit a copy of the PPP to the Regional Board	June 30, 2012
2	Complete Project Environmental Documents	Submit a copy of the Environmental Documents to the Regional Board	August 1, 2013
3	Complete Project Engineering and Design	Submit a copy of the Final Design Drawings to the Regional Board	July 1, 2014
4	Complete Construction of WWTP Improvements	Submit a summary and verification of construction completion	July 31, 2015

5	Achieve full compliance with WDRs Order R7-2007-0036	Submit written certification that WWTP is in compliance with WDRs Order R7-2007-0036 (NPDES Permit CA0105023)	August 31, 2015
---	--	---	-----------------

2. Wastewater discharged to the New River shall not exceed the following interim effluent limitations for E. coli, Fecal coliform, and Enterococci. The interim effluent limits are based on plant performance data, reference data from representative wastewater treatment facilities, and Best Professional Judgment (BPJ).
 - i. **E. Coli** The geometric mean bacterial density (based on a minimum of not less than five samples equally spaced over a 30-day period) shall not exceed a Most Probable Number (MPN) of 1,500 MPN per 100 milliliters, nor shall any sample exceed the maximum allowable bacterial density of 4,000 MPN per 100 milliliters.
 - ii. **Enterococci.** The geometric mean bacterial density (based on a minimum of not less than five samples equally spaced over a 30-day period) shall not exceed a MPN of 500 MPN per 100 milliliters, nor shall any sample exceed the maximum allowable bacterial density of 2,000 MPN per 100 milliliters.
 - iii. **Fecal Coliform.** The geometric mean bacterial density (based on a minimum of not less than five samples equally spaced over a 30-day period) shall not exceed a MPN of 2,000 MPN per 100 milliliters, nor shall more than ten percent of the total samples during any 30-day period exceed 4,000 MPN per 100 milliliters.”
3. The Discharger shall submit quarterly reports, due by the 15th of January, April, July, and October of each year, on the status of the preparation and implementation of the Pollution Prevention Plan and associated Milestones listed in Table 1 above.
4. Plans and schedules are subject to the approval of the Regional Board’s Executive Officer prior to implementation. Failure to comply with the terms of this Order may result in administrative civil liability of up to \$10,000 per day for each violation pursuant to Sections 13263.3(g), 13385(c)(1), and/or 13308 of the CWC.
5. In accordance with California Business and Professions Code Sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of California registered professionals (i.e., civil engineer, engineering geologist, geologist, etc.) competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain workplans, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall contain a statement of qualifications of the responsible licensed professional(s) as well as the professional’s signature and/or stamp of the seal.
6. Any person signing a document submitted under this Order shall make the following certification: “I certify under penalty of perjury under the laws of the State of California that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my knowledge and on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true,

accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

7. In addition, if in the opinion of the Regional Board's Executive Officer, the discharger fails to comply with this Order, the Regional Board's Executive Officer may issue a complaint against the discharger under Article 2.5, Chapter 5, Division 7 of the California Water Code, and seek the appropriate administrative civil liability and/or request the Attorney General to take appropriate action against the discharger including injunction and civil monetary liability as deemed appropriate.

I, Robert Perdue, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the Regional Water Quality Control Board, Colorado River Basin Region, on November 17, 2011.


ROBERT PERDUE
Executive Officer

EXHIBIT "A"
Summary of Violations and Mandatory Minimum Penalties (MMPs)

Violation ID¹	Date Occurred	Description of Violation	Serious Violation Defined by CWC 13385(h)	Amount Assessed Dollars (\$)
860336	08/19/2009	Exceeded daily maximum limit of 400 MPN/100 mL for E. coli Reported 687 MPN/100 mL	No	0 ²
860307	08/26/2009	Exceeded daily maximum limit of 100 MPN/100 mL for Enterococci Reported 300 MPN/100 mL	No	0 ²
860338	08/26/2009	Exceeded daily maximum limit of 400 MPN/100 mL for Fecal coliform Reported 1,600 MPN/100 mL	No	0 ²
860339	08/26/2009	Exceeded daily maximum limit of 400 MPN/100 mL for E. coli Reported 2,420 MPN/100 mL	No	3,000
860340	08/31/2009	Exceeded 30-day geometric mean limit of 126 MPN/100 mL for E. coli Reported 134 MPN/100 mL	No	3,000
860377	11/16/2009	Exceeded daily maximum limit of 400 MPN/100 mL for E. coli Reported 517 MPN/100 mL	No	3,000
860378	11/16/2009	Exceeded daily maximum limit of 400 MPN/100 mL for Fecal coliform Reported 1,600 MPN/100 mL	No	3,000
860379	11/23/2009	Exceeded daily maximum limit of 100 MPN/100 mL for Enterococci Reported 170 MPN/100 mL	No	3,000
862005	12/07/2009	Exceeded daily maximum limit of 400 MPN/100 mL for E. coli Reported 1,990 MPN/100 mL	No	3,000
862006	12/07/2009	Exceeded daily maximum limit of 100 MPN/100 mL for Enterococci Reported 1,600 MPN/100 mL	No	3,000
862007	12/07/2009	Exceeded daily maximum limit of 400 MPN/100 mL for Fecal coliform Reported 1,600 MPN/100 mL	No	3,000
862008	12/14/2009	Exceeded daily maximum limit of 100 MPN/100 mL for Enterococci Reported 280 MPN/100 mL	No	3,000
862009	12/31/2009	Exceeded 30-day geometric mean limit of 33 MPN/100 mL for Enterococci Reported 133 MPN/100 mL	No	3,000

¹ California Integrated Water Quality System (CIWQS)

² This is a supporting violation

Violation ID¹	Date Occurred	Description of Violation	Serious Violation Defined by CWC 13385(h)	Amount Assessed Dollars (\$)
869361	01/04/2010	Exceeded daily maximum limit of 100 MPN/100 mL for Enterococci Reported 1,600 MPN/100 mL	No	3,000
869359	01/04/2010	Exceeded daily maximum limit of 400 MPN/100 mL for Fecal coliform Reported 1,600 MPN/100 mL	No	3,000
869357	01/04/2010	Exceeded daily maximum limit of 400 MPN/100 mL for E. coli Reported 2,420 MPN/100 mL	No	3,000
869363	01/06/2010	Exceeded daily maximum limit of 100 MPN/100 mL for Enterococci Reported 1,600 MPN/100 mL	No	3,000
869360	01/06/2010	Exceeded daily maximum limit of 400 MPN/100 mL for Fecal coliform Reported 1,600 MPN/100 mL	No	3,000
869358	01/06/2010	Exceeded daily maximum limit of 400 MPN/100 mL for E. coli Reported 2,420 MPN/100 mL	No	3,000
878203	04/29/2010	Exceeded 30-day geometric mean limit of 33 MPN/100 mL for Enterococci Reported 130 MPN/100 mL	No	3,000
877096	05/12/2010	Exceeded weekly average limit of 65 mg/L for Biochemical Oxygen Demand (BOD); Reported 84 mg/L	No	3,000
877454	05/31/2010	Exceeded monthly average limit of 45 mg/L for Biochemical Oxygen Demand (BOD); Reported 46.7 mg/L	No	3,000
884261	09/08/2010	Exceeded daily maximum limit of 100 MPN/100 mL for Enterococci Reported 170 MPN/100 mL	No	3,000
884277	09/13/2010	Exceeded daily maximum limit of 400 MPN/100 mL for Fecal coliform Reported 1,600 MPN/100 mL	No	3,000
884262	09/13/2010	Exceeded daily maximum limit of 100 MPN/100 mL for Enterococci Reported 500 MPN/100 mL	No	3,000
884272	09/13/2010	Exceeded 30-day geometric mean limit of 33 MPN/100 mL for Enterococci Reported 133 MPN/100 mL	No	3,000
884282	09/22/2010	Exceeded daily maximum limit of 400 MPN/100 mL for Fecal coliform Reported 1,600 MPN/100 mL	No	3,000

Seeley County Water District WWTP
Cease and Desist Order R7-2011-0058

Violation ID¹	Date Occurred	Description of Violation	Serious Violation Defined by CWC 13385(h)	Amount Assessed Dollars (\$)
884278	09/22/2010	Exceeded daily maximum limit of 400 MPN/100 mL for E. coli; Reported 1,300 MPN/100 mL	No	3,000
898677	03/09/2011	Exceeded weekly average limit of 65 mg/L for Biochemical Oxygen Demand (BOD); Reported 120 mg/L	Yes	3,000
905255	05/18/2011	Exceeded daily maximum limit of 126 MPN/100 mL for E. coli Reported 1,120 MPN/100 mL	No	3,000
905256	05/31/2011	Exceeded monthly average limit of 45 mg/L for Biochemical Oxygen Demand (BOD); Reported 48.8 mg/L	No	3,000
905621	06/22/2011	Exceeded daily maximum limit of 100 MPN/100 mL for Enterococci Reported 900 MPN/100 mL	No	3,000
905623	06/30/2011	Exceeded 30-day geometric mean limit of 33 MPN/100 mL for Enterococci Reported 57 MPN/100 mL	No	3,000
905619	07/12/2011	Exceeded daily maximum limit of 400 MPN/100 mL for Fecal coliform Reported 500 MPN/100 mL	No	3,000
910266	08/09/2011	Exceeded daily maximum limit of 100 MPN/100 mL for Enterococci Reported 220 MPN/100 mL	No	3,000

Appendix B

Responses to 2010-2011 Civil Grand Jury Final Report

Listed by date



Westmorland Police Department

355 South Center Street, Westmorland, CA. 92281 (760) 344-3457 Fax (760) 344-0963

August 10, 2011

Fred R. Beltran
Chief of Police

Imperial County Civil Grand Jury
P.O. Box 2011
El Centro, California 92244

Re: Response to Report of Investigation of the Westmorland Police Department

Dear Members of the Civil Grand Jury:

Please allow this letter to serve as a response required following the report issued by the Civil Grand Jury concerning the inspection referenced above. The Westmorland Police Department appreciates your service and values the finding published in your report. Thank you for bringing these issues to our attention. Our Department strives to be responsive to all legitimate concerns expressed by the community that we serve. We sincerely hope that any future contacts that your organization may have with the Westmorland Police Department will be positive and productive.

The following are the responses of the Westmorland Police Department to the two final recommendations published in the report reference above:

Recommendation No. 1

Public Safety Building for Police and Fire Department

The Westmorland City Council considered the issue of constructing a Public Safety Building to house both Police and Fire Department. The council explored the possibility of obtain funding for such a project from various sources including, but not limited to the USDA, the RDA and other grant programs.

It is important to note that on July 19, 2006 a "Public Safety Facility Feasibility Study" was conducted and the results were presented to the City Council for review and consideration. The point of the study was to explore the feasibility of constructing the type of joint Public Safety Facility recommended in the Grand Jury's report. Unfortunately, the City of Westmorland does not have funds or the ability to obtain the funds necessary to construct such a facility at the present time.

Recommendation No 2:

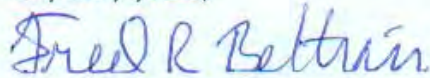
Traffic Signal at Intersection of Highway 86 and Center Street.

We are pleased to report that Mr. Hui Lai, Director of Development Services for the City of Westmorland is currently in the process of applying for a federal funded "Safe Routes to School" grant. The grant application will include enclosures from the California Department of Transportation ("CAL-TRANS") in support of the design and construction of the recommended traffic signal at the intersection of Highway 86 and Center Street. Enclosed is a copy of correspondence received from Cal-Trans Engineering and Analysis Chief wherein she expresses her support for the proposed signal

The City of Westmorland is optimistic that the grant application will be successful and the City will be able to construct the recommended signal in the near future.

If you require any additional information please feel free to contact me.

Very truly yours,



Fred R. Beltran
Chief of Police
Westmorland Police Department



CITY OF WESTMORLAND

355 South Center Street • Post Office Box 699

Westmorland, California 92281

Tel: (760) 344-3411 • Fax (760) 344-5307

westcityusa@roadrunner.com

www.cityofwestmorland.net/index

July 14, 2011

To Whom It May Concern:

I am aware that the City of Westmorland, in conjunction with the Westmorland Union Elementary School District, is applying for grant funding under the Cycle 3 of the Safe-Routes-to-School (SRTS) Program. I am very concerned for school children crossing the uncontrolled intersection of S.R. 86 and B Street. This traffic safety hazard is further compounded by the disproportionate high volume of interstate truck traffic to and from Mexico on S.R. 86. I fully support the proposed traffic signalization of the intersection of S.R. 86 and Center Street for improving both pedestrian and vehicular traffic safety. I am very pleased with Caltrans' cooperation and efforts to support the City for this proposed traffic signal. I fully support the traffic safety improvements proposed in the City's funding application. These improvements include traffic safety education, selective police traffic enforcement, community outreach, sidewalk and handicapped ramps, and long lasting thermoplastic crosswalk, traffic signage and markings.

On behalf of the Westmorland Police Department, I thank you in advance for securing federal funding for these traffic safety improvements.

Sincerely,

Fred Beltran, Chief
Westmorland Police Department

"Gateway City to the Imperial Valley"

MICHAEL W. HORN, MFT
DIRECTOR OF
BEHAVIORAL HEALTH SERVICES
ALCOHOL & DRUG PROGRAM
ADMINISTRATION



PAULA MALAN HUNTINGTON, LCSW
DEPUTY DIRECTOR OF
BEHAVIORAL HEALTH SERVICES
CLINICAL SERVICES-MENTAL HEALTH

202 N. 8th Street, El Centro, CA 92243 Tel.: (760)482-4069 (760) 482-4000 Fax: (760) 482-4188

CHILDREN SERVICES

Leticia Plancarte-Garcia
Sr. Behavioral Health Manager
2695 S. 4th Street
El Centro, CA 92243

El Centro Outpatient Clinic
Tel.: (760) 339-6800
Fax: (760) 337-7499

Brawley Outpatient Clinic
Tel.: (760) 351-2800
Fax: (760) 351-7501

Calexico FRC
Tel.: (760) 357-7791
Fax: (760) 357-7796

El Centro FACT Center
Tel.: (760) 337-5099
Fax: (760) 337-4315

San Pascual FRC
Tel.: (760) 572-0222
Fax: (760) 572-0711

Brawley Vista Sands
Tel.: (760) 351-3092
Fax: (760) 351-0574

Calexico Vista Sands
Tel.: (760) 357-7389
Fax: (760) 357-1106

El Centro Vista Sands
Tel.: (760) 337-6510
Fax: (760) 337-2009

AHLP Program
Tel.: (760) 336-4288
Fax: (760) 353-0467

FACT Program
Tel.: (760) 339-6800
Fax: (760) 336-8599

Betty Jo McNeece
Tel.: (760) 339-6264

ADULT SERVICES

Francisco Ortiz
Sr. Behavioral Health Manager
202 N. 8th Street
El Centro, CA 92243

El Centro Outpatient Clinic
Tel.: (760) 482-4076
Fax: (760) 353-3259

Brawley Outpatient Clinic
Tel.: (760) 351-2820
Fax: (760) 351-7702

Recovery Center
343 S. 8th Street
El Centro, CA 92243
Tel.: (760) 337-7777
Fax: (760) 353-4850

**Assessment Center and
Crisis Services**
202 N. 8th Street
El Centro, CA 92243
Tel.: (760) 482-4000
Fax: (760) 482-4114

August 30, 2011

Imperial County Superior Court
939 West Main Street
El Centro, Ca. 92243
Attn: Imperial County Grand Jury

Re: Investigation Conducted on September 8, 2010

Dear Grand Jury Members:

On July 2011, Imperial County Behavioral Health (ICBHS) received the results of the investigation conducted on the Betty Jo McNeece Receiving Home (BJMRH) on September 8, 2011. The following were your findings:

1. The facility is functioning at less than ½ capacity.
2. There is an open shed in the play area with tools and gardening supplies.
3. Staff have no communication devices (cell phones or radios) to contact other staff if needed.
4. Morale is low. There are rumors that the facility may be closed.

Below please find a response to your recommendations:

1. **Social Services should make better use of the facility. Surely there are more than nine children in Imperial County who need a safe place to stay.**

For the past years, Department of Social Services (DSS) has been working in increasing resources in order to decrease the number of children placed at BJM. Placements of children at BJM are supposed to be short-term and temporary. DSS staff has been working hard in providing interventions to families in order to prevent the removal of children from their families. If a child is removed and placed at BJM, DSS staff's focuses their efforts on placing children in a more appropriate placement, like relatives or in foster care. These efforts have resulted in an intended decrease of children placed at BJM.

Changes made by DSS are a result of a big movement, at the State level, to ensure that dependent children are placed in a home-like environment and that

they have consistent caregivers. Also, restrictions have been placed by Community Care Licensing on the number of days, children under the age of 6, can remain in a shelter home.

- 2. The open shed should be kept closed and locked so children cannot injure themselves playing there.**

The outside sheds are maintained closed and locked at all times. The sheds are only open if staff is cleaning the sheds or storing items from the facility. All staff have been made aware that the sheds must be maintained closed and locked at all times for the safety of the children residing in the facility.

- 3. Staff should be issued cell phones or radios so that they are able to communicate. They should not have to use their own personal devices.**

The facility has a telephone system that includes four cordless telephone handsets with an intercom system. One handset is located at each nursery. One is in the control center and used by the shift supervisor. The fourth handset is available for the staff working with the older children to take outside. Staff is not required to use their own devices to communicate.

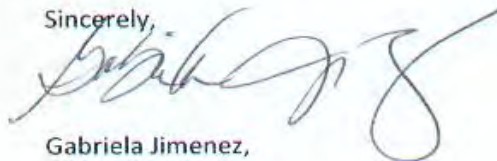
- 4. The future of the facility should be clearly communicated to the staff. The facility should be kept at or near capacity since operating costs are the same whether full or half empty.**

ICBHS and DSS have been working on a transition plan that consists of continuing to operate the shelter, but at a reduce capacity. The transition plan has been communicated to the BJMRH staff since February 2010 and updates are provided at every monthly staff meeting.

ICBHS and Department are aware that the cost of operating BJMRH and as part of the transition plan, are considering the use of the facility to operate other programs to maximize the use of the facility, at the same time prioritizing the care and quality services to meet the needs of children and families in our community.

Please feel free to contact me more information is required at (760)339-6264.

Sincerely,



Gabriela Jimenez,

Behavioral Health Manager
Imperial County Behavioral Health Services



Public Works works for the Public

COUNTY OF IMPERIAL

DEPARTMENT OF PUBLIC WORKS

155 S. 11th Street
El Centro, CA
92243

Tel: (760) 482-4462
Fax: (760) 352-1272

March 6, 2012

Superior Court of California
County of Imperial
939 E. Main Street
El Centro, Ca 92243

Attn: Imperial County Civil Grand Jury

SUBJECT: Response to Final Report of Findings Regarding Lack of Parking for County Employees near County Administration Center

To Whom It May Concern: specified

BACKGROUND

The Imperial County Department of Public Works (ICDPW) is in receipt of your Final Report of Findings for FY 2010-2011 regarding lack of parking for County employees complaint. The Imperial County Civil Grand Jury's concern with the lack of parking for county employees and the public near the County Administration Center (CAC) and various county departments is recognized. Efforts to alleviate this concern are being analyzed.

In 2010 a study was conducted to determine the number of parking spaces around/near the CAC and other county departments, number of employees associated with the various departments as well as how many public visitors pass through the doors of the CAC building. The study found the following information:

CURRENT PARKING STATISTICS

*Available parking counts were taken from a 1,600ft radius North and South and a 1,600ft radius East and West from a center point located at the CAC.

- Number of Unlimited County Parking Spaces: 674 (Attachment A)
 - (total excludes reserved parking, handicap parking, restricted parking, and loading and unloading areas)
- Number of Unlimited City Parking Stalls: 8 (Attachment B)
- Number of 2hr & 10min City Parking Stalls: 26 (Attachment B)
- Estimated Number of Curbed Unlimited Parking Spaces: 86* (Attachment B)

Number is based on average vehicle length and length of unlimited designated parking area.

- Estimated Number of Curbed 2hr & 10min Parking Spaces : 15[†] (*Attachment B*)

Total Available Parking: 809

CURRENT EMPLOYEE/VISITOR STATISTICS

- Number of Employees: 803 (*Attachment C*)
 - (*includes all County departments within a North and South, and East and West 1,600 ft radius of the CAC and individuals employed at the El Centro Courthouse*)
- Number of Public Visitors: 778 (*Attachment D*)
 - (*includes weekday visitors for the CAC and Jury Commission*)

Total Number of Employees and Visitors: 1,581

PARKING DEFICIT

Based on the parking study conducted by the City of El Centro in August 2000, it was determined that per every 250 square feet (sq ft) of business property there should be one (1) off street parking space. The property encompassed by county department’s totals 272,832 sq ft.

Based on the findings mentioned above, the County should have a total of 1,091 off street parking spaces. The County currently has 674 off street spaces thus there is a deficit of 417 spaces.

RECENT PARKING IMPROVEMENT PROJECTS

Recent improvements that have been done to increase parking and improve space constraints include restriping two (2) blocks of the east side of 11th street to gain a total of 34 parking stalls, eight (8) of which are unlimited. The total stalls gained are a combination of unlimited parking, two (2) hour parking, and ten (10) minute parking.

The 34 stalls can accommodate up to 885 visitors per day. This is based on a nine (9) hour working day multiplied by the number of visitors each designated stall can accommodate in an hour. Below is a breakdown of how the total visitor accommodation was calculated.

- Unlimited Parking: (total based on 20 minute increments)
 - 3 visitors per hour x 9 hour working day x 8 unlimited stalls = 216 visitors a day
- 10 Minute Parking: (total based on 10 minute increments)
 - 6 visitors per hour x 9 hour working day x 11 ten minute stalls = 594 visitors a day

[†] Number is based on average vehicle length and length of 2hr & 10 min designated parking area.

- 2 Hour Parking: (total based on 2 Hour increments)
 - 5 visitors per day x 15 two hour stalls = 75 visitors a day

Future parking improvement will bring an increased gain of parking stalls which will result in a greater number of spaces to accommodate visitors.

CURRENT ATTEMPTS BY COUNTY TO ALLEVIATE PARKING

The County of Imperial has been assessing potential sites for acquisition and/or lease to accommodate the growing need for parking lots to service the service County Center I and its surrounding facilities.

In January 2012, the County Executive Office (CEO) submitted a letter of Interest to two (2) parties expressing their interest in acquiring and/or leasing the individual's property. Between the two (2) parties, the CEO would be looking to acquire and/or lease five (5) parcels. The parcels of interest are listed below: *(Parcel maps are attached as Attachment E)*

APN: 053-171-005	APN: 053-173-006
APN: 053-171-006	APN: 053-173-019
APN: 053-171-007	

Should the parties in question agree to lease their land to the County, this could, in turn, be very beneficial as it would provide more parking spaces for County and public to occupy.

FUTURE PARKING IMPROVEMENT PROJECTS

Due to funding it is difficult to address all parking concerns at once. Future improvements to help correct the issue include, but are not limited to the following:

1. Ninth Street Parking Expansion project between Main Street and Broadway Avenue

The above mentioned project is currently on hold until funding becomes available. Once funds are obtained and approval granted to proceed with the project, the Ninth Street Parking Expansion project will result in approximately 50 additional spaces. The 50 additional parking spaces could accommodate approximately 1,350¹ visitors per day if spaces are not be occupied by county employees on a continuous basis throughout the nine (9) hour working day.

POSSIBLE ALTERNATIVES TO ALLEVIATE PARKING ISSUES

In addition to recent and future parking projects, some possibilities to improve parking concerns may include, but are not limited to the following alternatives:

¹ Total visitor accommodation was calculated based on 20 minute increments per hour: 3 visitors per hour x 9 hour working day x 50 stalls = 1,350

1. Changes to the two (2) hour parking located around county buildings should City of El Centro regulations permit.
2. Designated parking spaces for county employees and public.
3. Temporary re-striping along Ninth Street, in El Centro, to allow for diagonal and parallel parking in a one way direction (north).
 - o *This option, should County be allowed to remove the bust stop terminal (ICTC confirmation required), will create a gain of seventeen (17) parking spaces.*
4. Stripe parallel parking stalls for curbed on street parking.
5. Install parking meters.
 - o *This option, in addition to increased revenue, will assist in creating turnover for existing spaces.*
6. Reciprocal parking agreements with various businesses within reasonable distance that have underutilized lots (i.e. IID).
7. Purchase of vacant lot located on the corner State and 8th in El Centro as funding becomes available.
 - o *(requires cooperation from appropriate parties)*
8. Coordination with El Centro Courthouse to turn front landscape area into parking lot.
 - o *Exhibit D.3 attached – Civic Center Proposed Parking (Attachment F)*
9. Rideshare/Carpool
 - o Encouraging county, city and state employees, and public to carpool to their appropriate destinations this alternative could help improve the parking situation by reducing daily vehicle trips

Rideshare/Carpool Example: If there are currently six (6) individuals driving their vehicles (one (1) passenger per vehicle) this takes up six (6) parking spaces. If these individuals were to carpool, three (3) +/- individuals per vehicle, this method would result in only two (2) spaces being occupied, leaving four (4) spaces to be utilized by others.

Should County come to an agreement with appropriate parties to purchase the vacant lot on the corner of State and 8th and turn the front landscape area of the El Centro Courthouse into a parking lot, these alternatives would result in approximately 78⁵ additional parking spaces for County employees and public to utilize.

⁵ Total was reached by adding the # of parking spaces that would result from the vacant lot purchase (40) and the # of parking spaces that would result from the Courthouse project (38).

ADDITIONAL CAUSES OF PARKING ISSUES

The lack of parking is not an issue caused solely by the County and City. Also aiding in the lack of parking spaces is the state. The El Centro Courthouse located on 939 East Main Street directly in front of the CAC building employs approximately 100 employees. In addition to the number of courthouse employees, the number of individuals summonsed for jury duty creates a mass shortage in parking.

According to Jury Commission staff, there is on average two (2) jury sessions called per week. During those sessions, 250 members of the general public appear. Take 2 sessions multiplied by 250 public members, this equals 500 individuals on average per a five (5) day work week resulting in 100 members per day. Therefore, in any given month, the courthouse sees approximately 2,000 citizens for jury duty alone. Collectively, jury members, courthouse employees and general public equal an extensive number of persons requiring parking resulting in spaces becoming scarce comparatively quick.

COORDINATION AND RESULTS

Based on the information provided, recent, future and possible parking improvements, it is evident that the County of Imperial and City of El Centro are working and will continue to work to address the ongoing parking issue. In order to tackle all parking concerns it would take the cooperation and coordination of various entities (County, City and State).

With cooperation between all appropriate parties a parking solution could be achieved. Though not on a permanent basis, adjustments could cause temporary relief of the lack of parking spaces and lead to more permanent solutions in the near future. With all parking project improvements, including possible alternatives, the county could gain on average 147 parking spaces bringing available parking to a total of 956^{**}. Though this increase in spaces will not cover the full deficit of parking, it is a start.

Should you have any questions or concerns please do not hesitate to contact Jenell Guerrero, Administrative Analyst I, at the Imperial County Department of Public Works at 760-482-4462.

Respectfully,



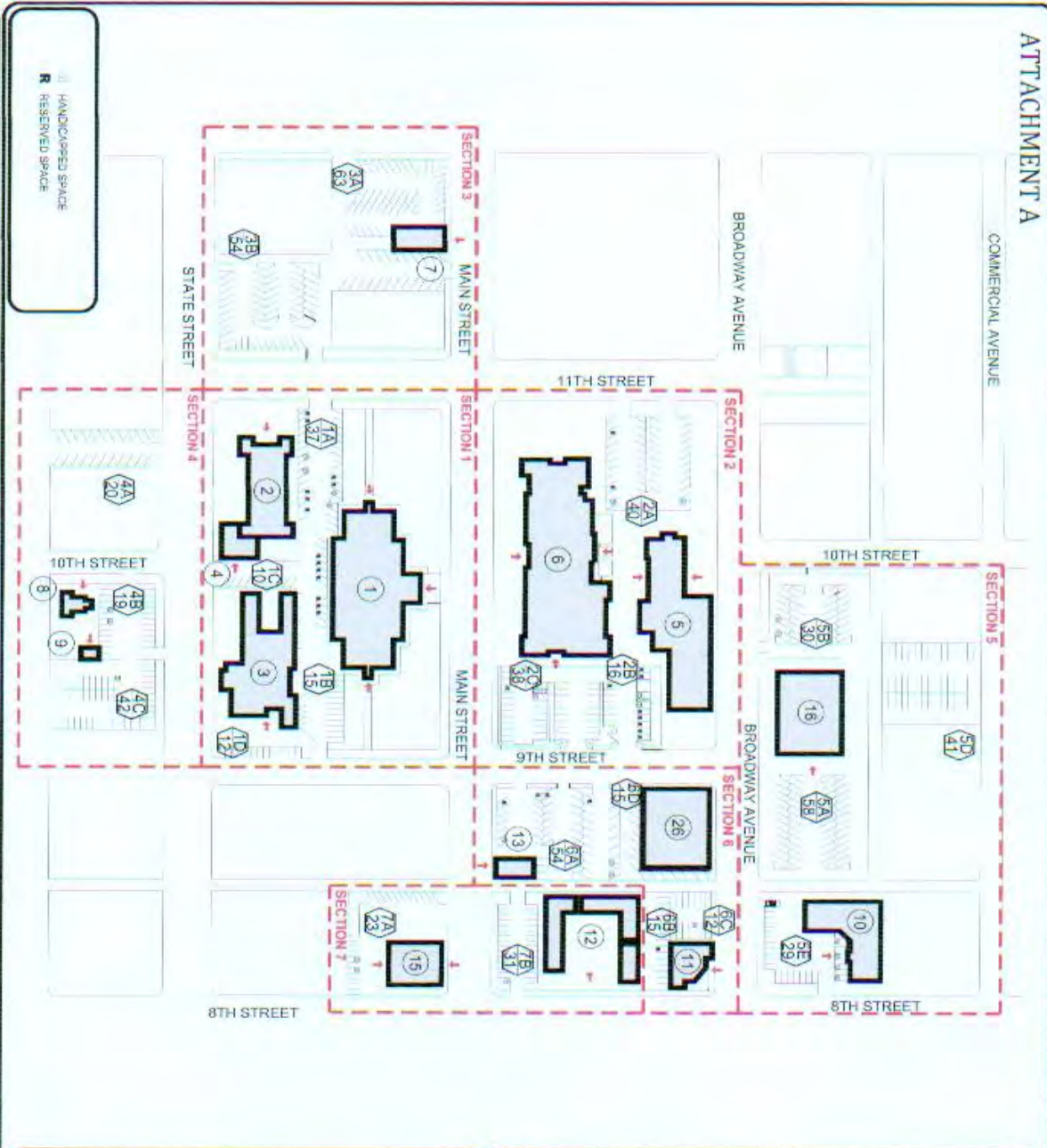
William S. Brunet, P.E.
Director of Public Works

JMG/dm

Attachments

^{**} Total was reached by adding the current # of available parking (806) with the # of future parking gained through improvements (147).

ATTACHMENT A



COUNTY CENTER I - PARKING PLAN
EL CENTRO, CA 92243

NOT TO SCALE



CC1

LEGEND	SQ. FT.
1 COORHOUSE 999 MAIN ST. EL CENTRO	80,290
2 PUBLIC WORKS EL CENTRO 195 E. 11TH ST. EL CENTRO	18,715
3 ARCO 181 E. 9TH ST. EL CENTRO	31,075
4 PUBLIC WORKS FACILITIES 1902 STATE ST. EL CENTRO	1,790
5 HEALTH DEPARTMENT 629 BROADWAY AVE. EL CENTRO	27,802
6 ADMINISTRATION CENTER 810 MAIN ST. EL CENTRO	68,150
7 PLANNING DEPARTMENT 1120 MAIN ST. EL CENTRO	2,882
8 VICTIM WITNESS (E.D.O. #4) E.D.O. #5	901
9 217 E. 10TH ST. EL CENTRO	111
10 801 HEALTH ADMIN. 200 N. 8TH ST. EL CENTRO	70,917
11 HIGH HEALTH ADMINISTRATION 807 BROADWAY AVE. EL CENTRO	3,005
12 801 HEALTH CLINIC 120 N. 8TH ST. EL CENTRO	7,147
13 PLANNING DEVELOPMENT SERVICES 558 MAIN ST. EL CENTRO	1,566
14 INTERNATIONAL LEFT BLANK	
15 PLANNING DEVELOPMENT SERVICES 811 MAIN ST. EL CENTRO	7,300
16 AGRICULTURE COMMISSIONER 832 BROADWAY AVE. EL CENTRO	11,348
17 PUBLIC OPERATIONS 832 BROADWAY AVE. EL CENTRO	8,707
SECTION 1	
1A 31 SPACES	
1B 10 SPACES	
1C 10 SPACES	
1D 13 SPACES	
SECTION 2	
2A 10 SPACES	
2B 17 SPACES	
2C 30 SPACES	
SECTION 3	
3A 53 SPACES	
SECTION 4	
4A 20 SPACES	
4B 13 SPACES	
4C 43 SPACES	
SECTION 5	
5A 31 SPACES	
5B 30 SPACES	
5C 0 SPACES	
5D 41 SPACES	
5E 28 SPACES	
SECTION 6	
6A 54 SPACES	
6B 15 SPACES	
6C 12 SPACES	
6D 15 SPACES	
SECTION 7	
7A 21 SPACES	
7B 37 SPACES	
TOTAL PARKING 874 SPACES	

HANDICAPPED SPACE
RESERVED SPACE

ATTACHMENT B



CITY OF EL CENTRO - SPECIFIED PARKING AREA PLAN EL CENTRO, CA 92243

NOT TO SCALE



131

LEGEND	50. FT.
1	COURTHOUSE
2	PUBLIC WORKS
3	APCD
4	PUBLIC WORKS FACILITIES
5	HEALTH DEPARTMENT
6	ADMINISTRATION CENTER
7	PURCHASING DEPARTMENT
8	VICTIM WITNESS (800.841.8100.86)
9	BEH - HEALTH ADMIN.
10	BEH - HEALTH ADMINISTRATION
11	BEH - HEALTH CLINIC
12	PLANNING DEVELOPMENT SERVICES
13	PLANNING DEVELOPMENT SERVICES
14	INTENTIONAL LEFT BLANK
15	PLANNING DEVELOPMENT SERVICES
16	AGRICULTURAL COMMISSIONER
17	PUBLIC OFFENSE

ON-STREET PARKING
SECTION A
1A 21HR 10 SPACES
2A 1HR 1 SPACES
3A 1HR 1 SPACES
4A 1HR 1 SPACES
5A 21HR 2 SPACES
6A 21HR 5 SPACES
7A 1HR 2 SPACES
8A 1HR 2 SPACES
9A 1HR 2 SPACES
SECTION B
1B 21HR 3 SPACES
2B 21HR 5 PARK STALLS
3B 10 MIN 0 PARK STALLS
4B EPCO 3 PARK STALLS
5B SCHOOL BUS STALLS
6B 1HR 1 SPACES
7B 1HR 1 SPACES
8B 21HR 5 SPACES
SECTION C
1C 21HR 4 SPACES
2C 21HR 8 SPACES
3C 1HR 1 SPACES
4C 1HR 1 SPACES
5C 1HR 1 SPACES
6C 1HR 1 SPACES
7C 10 MIN 1 SPACES
8C 10 MIN 2 SPACES
9C 21HR 5 SPACES
10C 21HR 5 SPACES
11C 21HR 4 SPACES
12C 21HR 1 SPACES
SECTION D
1D 21HR 4 SPACES
2D 1HR 1 SPACES
3D 1HR 1 SPACES
4D PAS/LOD 1 SPACES
5D 1HR 2 SPACES
6D 1HR 1 SPACES
7D 21HR 3 SPACES
8D 1HR 1 SPACES
9D 1HR 1 SPACES
10D 1HR 1 SPACES
11D BUS STOP
SECTION E
1E 21HR 4 SPACES
2E 21HR 2 SPACES
3E 1HR 1 SPACES
4E 21HR 4 SPACES
5E 21HR 4 SPACES
6E 21HR 4 SPACES
7E 21HR 4 SPACES
8E 21HR 4 SPACES
9E 21HR 4 SPACES
10E 21HR 4 SPACES
11E 21HR 4 SPACES
12E 21HR 4 SPACES
13E 21HR 4 SPACES
14E 21HR 4 SPACES
15E 21HR 4 SPACES
16E 21HR 4 SPACES
17E 21HR 4 SPACES
18E 21HR 4 SPACES
19E 21HR 4 SPACES
20E 21HR 4 SPACES
21E 21HR 4 SPACES
22E 21HR 4 SPACES
23E 21HR 4 SPACES
24E 21HR 4 SPACES
25E 21HR 4 SPACES
26E 21HR 4 SPACES
27E 21HR 4 SPACES
28E 21HR 4 SPACES
29E 21HR 4 SPACES
30E 21HR 4 SPACES
31E 21HR 4 SPACES
32E 21HR 4 SPACES
33E 21HR 4 SPACES
34E 21HR 4 SPACES
35E 21HR 4 SPACES
36E 21HR 4 SPACES
37E 21HR 4 SPACES
38E 21HR 4 SPACES
39E 21HR 4 SPACES
40E 21HR 4 SPACES
41E 21HR 4 SPACES
42E 21HR 4 SPACES
43E 21HR 4 SPACES
44E 21HR 4 SPACES
45E 21HR 4 SPACES
46E 21HR 4 SPACES
47E 21HR 4 SPACES
48E 21HR 4 SPACES
49E 21HR 4 SPACES
50E 21HR 4 SPACES
51E 21HR 4 SPACES
52E 21HR 4 SPACES
53E 21HR 4 SPACES
54E 21HR 4 SPACES
55E 21HR 4 SPACES
56E 21HR 4 SPACES
57E 21HR 4 SPACES
58E 21HR 4 SPACES
59E 21HR 4 SPACES
60E 21HR 4 SPACES
61E 21HR 4 SPACES
62E 21HR 4 SPACES
63E 21HR 4 SPACES
64E 21HR 4 SPACES
65E 21HR 4 SPACES
66E 21HR 4 SPACES
67E 21HR 4 SPACES
68E 21HR 4 SPACES
69E 21HR 4 SPACES
70E 21HR 4 SPACES
71E 21HR 4 SPACES
72E 21HR 4 SPACES
73E 21HR 4 SPACES
74E 21HR 4 SPACES
75E 21HR 4 SPACES
76E 21HR 4 SPACES
77E 21HR 4 SPACES
78E 21HR 4 SPACES
79E 21HR 4 SPACES
80E 21HR 4 SPACES
81E 21HR 4 SPACES
82E 21HR 4 SPACES
83E 21HR 4 SPACES
84E 21HR 4 SPACES
85E 21HR 4 SPACES
86E 21HR 4 SPACES
87E 21HR 4 SPACES
88E 21HR 4 SPACES
89E 21HR 4 SPACES
90E 21HR 4 SPACES
91E 21HR 4 SPACES
92E 21HR 4 SPACES
93E 21HR 4 SPACES
94E 21HR 4 SPACES
95E 21HR 4 SPACES
96E 21HR 4 SPACES
97E 21HR 4 SPACES
98E 21HR 4 SPACES
99E 21HR 4 SPACES
100E 21HR 4 SPACES
101E 21HR 4 SPACES
102E 21HR 4 SPACES
103E 21HR 4 SPACES
104E 21HR 4 SPACES
105E 21HR 4 SPACES
106E 21HR 4 SPACES
107E 21HR 4 SPACES
108E 21HR 4 SPACES
109E 21HR 4 SPACES
110E 21HR 4 SPACES

NOTES:
1. REAR DRIVEL
2. 2HR PARKING
3. 1HR PARKING
4. LONG RAMP DOWN
5. LONG RAMP UP
6. 10 MIN PARKING STALL
7. 1HR PARKING STALL
8. 2HR PARKING STALL
9. 3HR PARKING STALL
10. BUS STOP
11. ADA CURB RAMP

ATTACHMENT C



COUNTY OF IMPERIAL
 COUNTY CENTER I
 EMPLOYEE COUNT

DEPARTMENT/BUILDING	ADDRESS	NO. OF EMPLOYEES
County Administration Center Building	940 Main Street	233
El Centro Courthouse	939 Main Street	100
Public Works/Facilities Management	155 S. 11th & 1002 State Street	83
Air Pollution Control District	150 S. 9th Street	20
Public Health Department	935 Broadway Ave.	93
Procurement Services	1125 Main Street	6
Victim Witness (Buildings A & B)	217 S. 10th Street	3
Behavioral Health Services Administration Building	202 N. 8th Street	110
Behavioral Health Services	801 Broadway Ave.	15
Behavioral Health Services	120 N. 8th Street	33
Planning and Development Services Department	836 Main Street	0
Planning and Development Services Department	801 Main Street	43
Agricultural Commissioner	852 Broadway Ave.	42
Public Defender	895 Broadway Ave.	22
Total:		803

NOTE: Human Resources combined 836 and 801

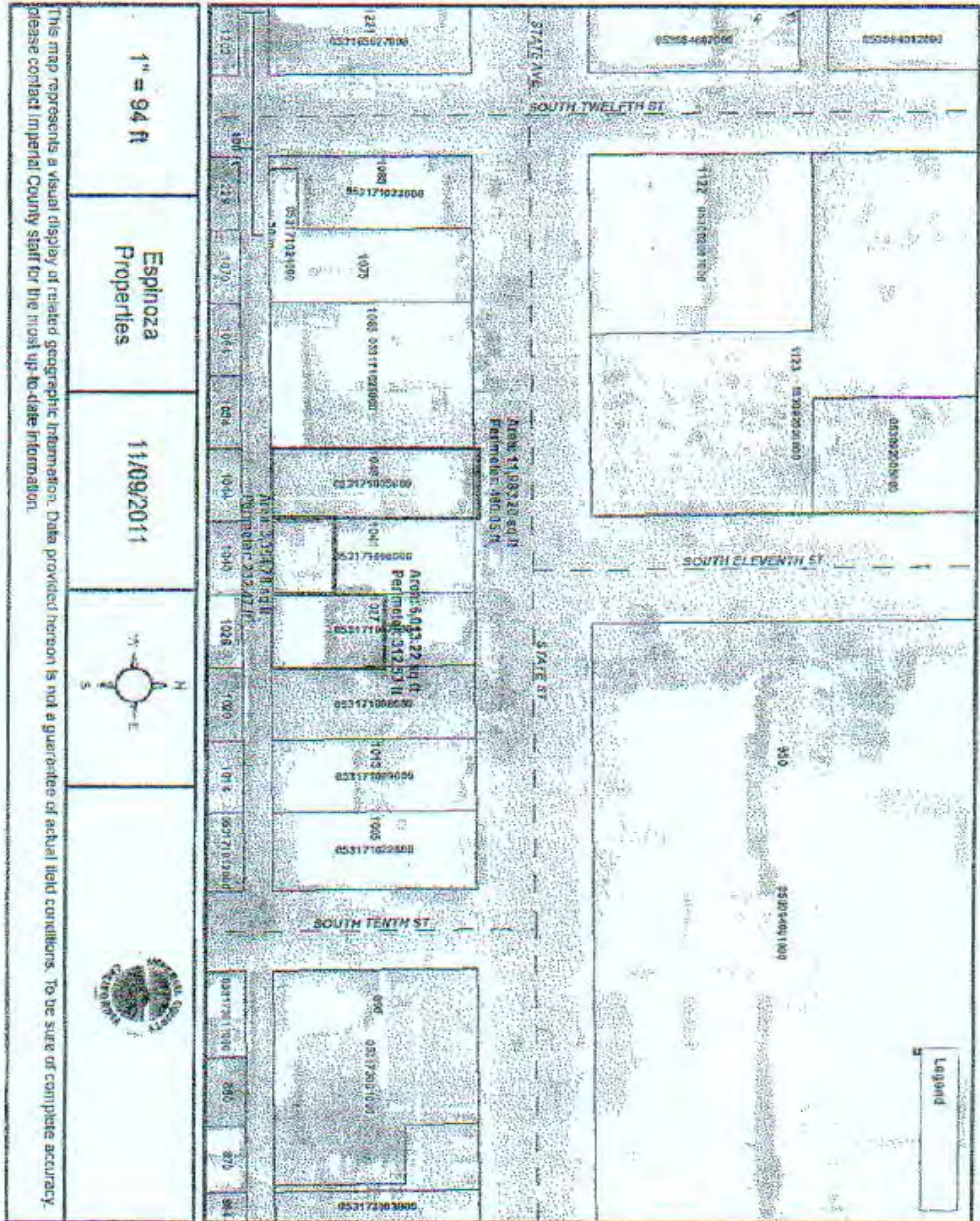


**COUNTY OF IMPERIAL
COUNTY CENTER I
PUBLIC VISITORS (WEEKDAYS)**

DEPARTMENT/BUILDING	SUITE #	PUBLIC VISITORS
Assessor	115	100
Auditor/Controller	108	50
Board of Supervisors	209	N/A
Clerk of the Board	209	18
Clerk/Recorder	202	150
Community & Economic	204	10
County Counsel	205	15
District Attorney	102	100
Executive Office	208	10
General Services Administration	204	5
Human Resources	101	30
Information Technical Services	201	50
Jury Commission*	Courthouse	100
Registrar of Voters/Elections	202	10
Snack Bar	103	15
Treasurer/Tax Collector	105/106	115
Total:		778

*NOTE: Public visitor count for the Jury Commission is based on the following equation.
 2 jury sessions per week x 250 individuals per session / 5 days per week = 100

APN's 053-171-005, 006 & 007



This map represents a visual display of related geographic information. Data provided herein is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Imperial County staff for the most up-to-date information.

APN's 053-173-006 & 019

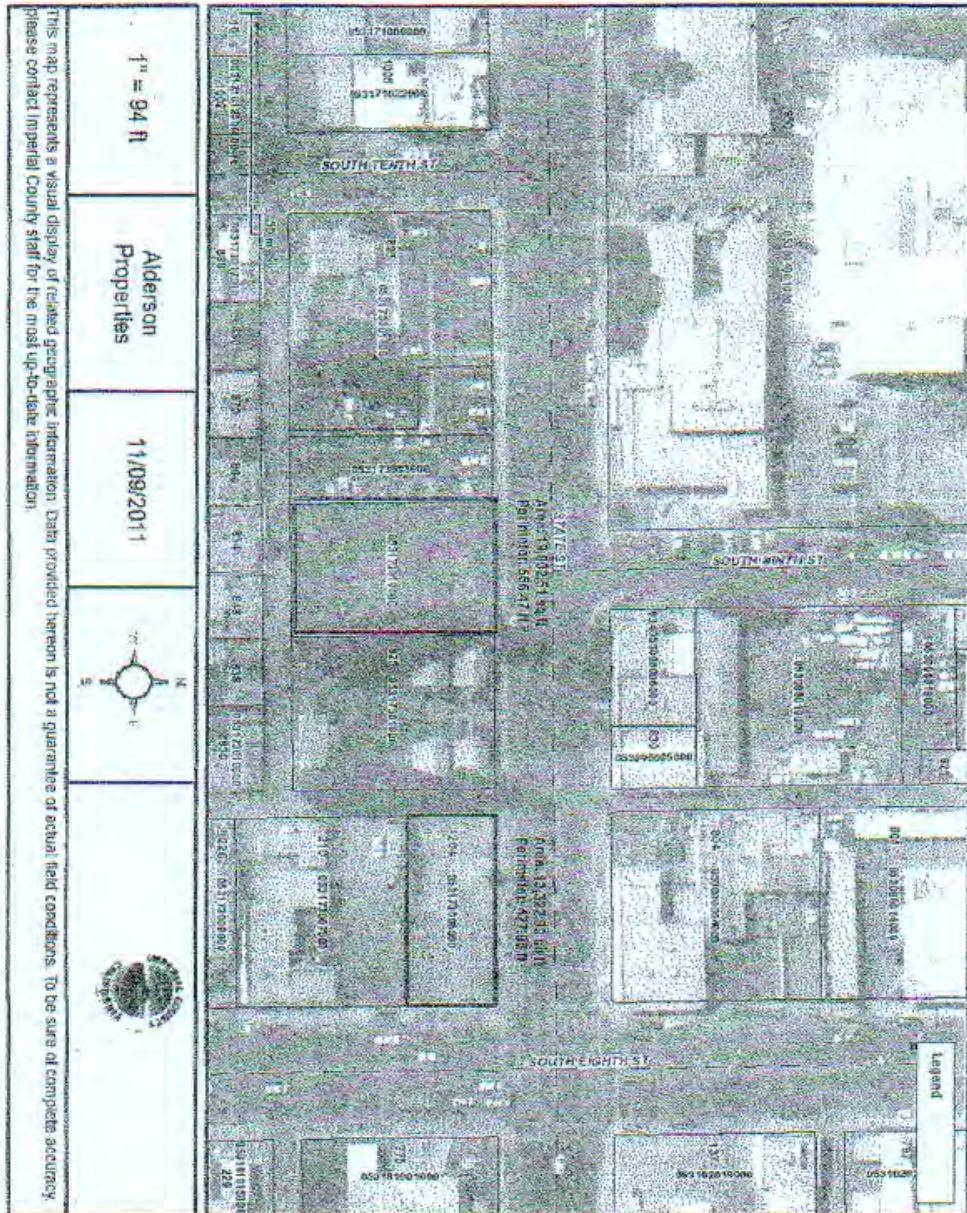
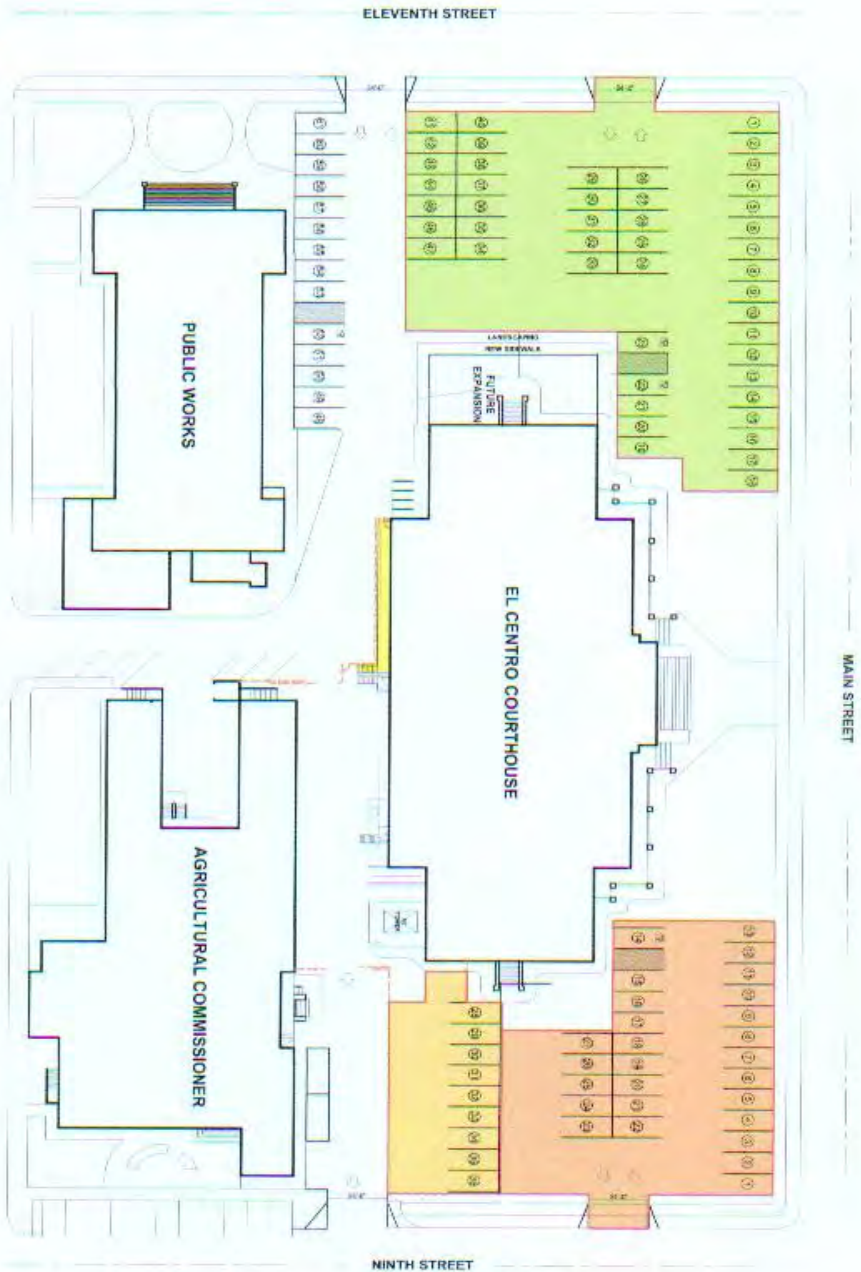


EXHIBIT D.3



PARKING DISTRIBUTION AND SPACES

<u>PARKING LOT</u>	<u>EXISTING SPACES</u>	<u>PROPOSED PARKING</u>	<u>SPACES GAINED W/ NEW PROPOSAL</u>
LOT 1A	42 SPACES (2 HANDICAP STALLS)	61 SPACES	19 SPACES (3 HANDICAP STALLS)
LOT 1B	17 SPACES	36 SPACES	19 SPACES (2 HANDICAP STALLS)
LOTS 1A & B	59 SPACES TOTAL	97 SPACES TOTAL	38 ADDITIONAL SPACES

CIVIC CENTER PROPOSED PARKING - OPTION 3 (97 SPACES)

NOT TO SCALE



COUNTY OF IMPERIAL
 CIVIC CENTER (EC COURTHOUSE)
 939 MAIN STREET
 EL CENTRO, CALIFORNIA