

**MEMORANDUM  
OFFICE OF THE  
COUNTY EXECUTIVE  
COUNTY OF PLACER**

**TO:** Honorable Board of Supervisors

**FROM:** Thomas M. Miller, Placer County Executive Officer  
By: Michael E. Paddock, Senior Management Analyst

**DATE:** September 18, 2007

**SUBJECT:** Final Report / Response 2006-07 Grand Jury – Burton Creek Facility

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**Action Requested:**

Review and consider formal response of the Board of Supervisors to the findings and recommendations of the 2006-07 Placer County Grand Jury – Burton Creek Facility Annual Inspection and authorize the Chairman to sign and submit the response to the Presiding Judge of the Superior Court.

**Background:**

On June 11, 2007 the Placer County Grand Jury released its Comprehensive Final Report for 2006-07. The Report includes findings and recommendations related to the annual inspection of the Burton Creek Facility. Your Board is identified as a respondent to the Report which requires a formal reply to the findings and recommendations of the Grand Jury. On behalf of your Board, staff has completed a formal response for your review, consideration and approval. A copy of the Final Report and the detailed response is attached to this memorandum. Also attached for your information and reference are the responses from the Sheriff and the Director of Facility Services, also identified as respondents to the Report.

**Summary – Findings / Recommendations:**

The Grand Jury finds the Burton Creek Facility to be inadequate for its current purpose and function and it should be replaced. A replacement facility is currently in the planning phase and a new facility should be completed by 2010 – 2011. Other recommendations include improvements in access to the building and interior renovations to upgrade the break room for dispatch staff. As indicated in the formal response these recommendations have been implemented. The Report also recommends a "fast track" construction schedule for the replacement facility. The replacement facility may not be completed before 2010 – 2011 due to the nature of a major construction project and facility of this type and its location in the Tahoe area.

**Fiscal Impact:**

There is no direct fiscal impact associated with the requested action.

**Attachments:** Final Response, Sheriff Response & Facility Services Response

# County of Placer Board of Supervisors

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District 5



September 18, 2007

The Honorable Larry Gaddis, Jr.  
Presiding Judge, Superior Court  
County of Placer  
Department 2  
101 Maple Street  
Auburn CA 95603

Dear Judge Gaddis,

I am pleased to submit the response of the Board of Supervisors to the 2006-07 Final Report of the Placer County Grand Jury – Burton Creek Facility Annual Inspection. We have carefully reviewed the findings and recommendations contained in the report and have considered the responses from the County Sheriff and the Director of Facility Services. The response of the Board follows below.

## **Burton Creek Facility Annual Inspection**

### **FINDINGS:**

The Grand Jury found that the Burton Creek Substation complies with the applicable Penal Code sections dealing with the processing and holding of persons in custody. As in past Grand Jury findings, Burton Creek continues to be inefficient due to inadequate facilities. The building is not ADA compliant in the sense that it is inadequate to serve the public in a safe and effective manner. The Burton Creek facility has for many years been in need of a replacement due to these deficiencies. Taxpayer money continues to be wasted to patch or quick fix the problems at this facility. We found overall that the management is doing the best they can with this facility to keep it maintained and well managed.

### **RESPONSE:**

The Board of Supervisors partially disagrees with the finding. We agree that the building is inadequate and inefficient, however it is safe for employees to occupy and for the public that may visit or have business in this building. It should also be noted that a replacement facility is planned for 2010-11 and the new facility will correct the problems inherent in an older structure and one that is subject to strict building regulations and extreme seasonal weather conditions. In addition, many of the "quick fixes" or "patch type work" are necessary to support the function and operations of the Sheriff and have been recommended or supported by the Grand Jury.

### **CONCLUSIONS / RECOMMENDATIONS:**

#### **RECOMMENDATION:**

ADA accommodations should be upgraded to current standards in all public areas.

**RESPONSE:**

The recommendation requires further analysis. As indicated in the response from the Director of Facility Services an ADA survey of the Burton Creek facility has been conducted and he has concluded that public access and travel paths of the property should meet the requirements of the ADA. However, the Director will conduct another inspection of the facility and property to determine if any addition improvements are necessary and advisable.

**RECOMMENDATION:**

Provide adequate access to the outside emergency telephone for those with disabilities or the elderly.

**RESPONSE:**

The recommendation has been implemented. As indicated from the response of the Facility Services Director, vending machines, that previously impeded or block access to the outside emergency telephone have been removed from the property.

**RECOMMENDATION:**

Replacement of concrete steps leading to entrance of substation.

**RESPONSE:**

The recommendation has been implemented. As indicated in the response of the Sheriff the concrete steps at the entrance of the building have been replaced. In addition, the Director of Facility Services has indicated that during the fall season the parking lot surrounding the building will be repaired or replaced and this may lead to an opportunity to eliminate the existing steps which may improve access and safety for the public and staff.

**RECOMMENDATION:**

Improve conditions and add personnel for the dispatch center.

**RESPONSE:**

The recommendation has been implemented. As indicated in the response of the Sheriff the dispatch center within the Burton Creek facility was recently renovated. Improvements include new carpeting, interior painting and a converted break room for the dispatch staff. The Sheriff has hired three new public safety dispatchers and additional candidates are completing the background screening phase of the recruitment process.

**RECOMMENDATION:**

Issue update on the proposed building of a new facility by 2010.

**RESPONSE:**

The recommendation has been implemented. Information and updates on this and all other capital projects of the Facilities Services Department are provided to their client departments on a periodic basis from the planning phase through construction and occupancy. More formal reports are provided during meetings of the Capital Facilities Improvement Committee. On August 7, 2007 the County Executive Officer presented a report to the Board of Supervisors on the status of various capital improvement projects and the financing plan for these projects including the replacement facility for Burton Creek.

**RECOMMENDATION:**

The County should take a fast track approach to get the facility built and operational due to the building constraints of the Tahoe area.

**RESPONSE:**

The recommendation will not be implemented because it is not reasonable, practical or feasible to complete construction and occupancy of a replacement facility sooner than 2011. The timeline for this major project (\$19.5 million dollars) is based on developing a suitable building site, building space programming, construction drawings and plans, bid proposal and solicitation, reviewing bids, negotiating and awarding construction contract and finally construction and occupancy. However, this Board, the County Executive Officer and the Director of Facilities Services are committed to a replacement facility in Tahoe for the Sheriff and will ensure that the project is completed within the current schedule and time frame.

Sincerely,

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Bruce Kranz, Chairman  
Placer County Board of Supervisors

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Date

Cc: The Honorable Eugene S. Gini  
Judge of the Superior Court  
Edward Bonner, Sheriff  
Thomas M. Miller, County Executive Officer  
Anthony LaBouff, County Counsel  
Rich Colwell, Chief Assistant CEO  
Mike Boyle, Assistant County Executive Officer  
Jim Durfee, Director, Facilities Services  
Mary Dietrich, Assistant Director, Facilities Services

PLACER COUNTY  
**SHERIFF**  
CORONER-MARSHAL

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**EDWARD N. BONNER**  
SHERIFF-CORONER-MARSHAL

**STEPHEN L. D'ARCY**  
UNDER SHERIFF

July 11, 2007

The Honorable Larry Gaddis  
Presiding Judge of the Superior Court  
County of Placer  
101 Maple Street  
Auburn, CA 95603

**Response to Findings and Recommendations  
2006 – 2007 Placer County Grand Jury**

After reviewing the Grand Jury's report and findings concerning the Burton Creek Facility and the Main Jail, we have prepared the following responses to the Grand Jury's recommendations.

**Burton Creek Facility**

**Findings:** We concur with the findings of the Grand Jury.

**Recommendation 1:** ADA accommodations should be upgraded to current standards in all public areas.

**Response:** Concur. We will request County Facilities Services to study possible ADA improvements for public areas.

**Recommendation 2:** Provide adequate access to the outside emergency telephone for those with disabilities or the elderly.

**Response:** Concur. A soda vending machine and two newspaper racks are blocking this access to the emergency telephone. Arrangements have been made with the vendors to have these items removed.

**Recommendation 3:** Replacement of concrete steps leading to entrance of substation.

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Response: Concur. The concrete steps at the entrance of the building have been replaced.

Recommendation 4: Improve conditions and add personnel for the dispatch center.

Response: Concur. The Tahoe Dispatch Center has recently been renovated, to include new carpet, paint, and cabinets. An equipment room has been converted to a break area. Dispatcher recruiting has resulted in three new hires, with additional candidates in the background/hiring process. Recruiting and training techniques are being evaluated for possible improvements to our current methods. Recruiting for this very specialized and high-stress classification remains a statewide problem.

Recommendation 5: Issue update on the proposed building of a new facility by 2010.

Response: Concur. As progress is made on the Tahoe Justice Center, updated information is released. The project is now moving on to a more advanced architectural design phase of the planning process.

Recommendation 6: The County should take a fast track approach to get the facility built and operational due to the building constraints for the Tahoe area.

Response: Concur. It is the intent of the Sheriff's Office to continue to pursue and complete this project as quickly as possible. Facility Services will ultimately dictate how quickly it moves along.

#### **Placer County Main Jail**

Findings: We concur with the findings of the Grand Jury.

Recommendation: Regardless of the ongoing litigation, the Grand Jury recommends that re-stuccoing of the building and fixing the shower unit leakage be addressed immediately.

Response: According to Facility Services Capital Improvements Manager, the stucco and shower repair to HU4 of the Main Jail is scheduled to be completed this summer. Two vendor bids are going before Board of Supervisors in the near future.

Sincerely,

Edward N. Bonner  
Sheriff-Coroner-Marshal

cc: Placer County Board of Supervisors  
Foreperson of the Placer County Grand Jury



**COUNTY OF PLACER  
FACILITY SERVICES DEPARTMENT**

Phone 530-886-4900 Fax 530-889-6809  
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**JAMES DURFEE, DIRECTOR  
MARY DIETRICH, ASSISTANT DIRECTOR  
ALBERT RICHIE, DEPUTY DIRECTOR  
WILL DICKINSON, DEPUTY DIRECTOR**

The Honorable Larry Gaddis, Jr.  
Presiding Judge, Superior Court  
County of Placer  
Department 2  
101 Maple Street  
Auburn CA 95603

August 10, 2007

Dear Judge Gaddis:

The Department of Facility Services has reviewed the Grand Jury's Narrative, Findings and Recommendations regarding the Burton Creek Sheriff's Substation and respectfully submits the following responses:

**Burton Creek Facility Annual Inspection**

**FINDINGS:**

The Grand Jury found that the Burton Creek Substation complies with the applicable Penal Code sections dealing with the processing and holding of persons in custody. As in past Grand Jury findings, Burton Creek continues to be inefficient due to inadequate facilities. The building is not ADA compliant in the sense that it is inadequate to serve the public in a safe and effective manner. The Burton Creek facility has for many years been in need of a replacement due to these deficiencies. Taxpayer money continues to be wasted to patch or quick fix the problems at this facility. We found overall that the management is doing the best they can with this facility to keep it maintained and well managed.

**RESPONSE:** The Department partially disagrees with this finding. While we agree with the Grand Jury's assessment that the facility is inadequate, the Department of Facility Services believes this is due to the age and configuration of the building rather than attributable to issues related to safety. With regard to the Americans with Disabilities Act (ADA), this statute requires that services and programs are provided to the public without regard to an individual's physical disabilities. A facet of the ADA does provide design standards, (e.g. slope, configurations for path of travel, counter accessibility, etc) however, the purpose of these requirements is to ensure that physical barriers do not impede access to programs that may be housed within a facility. The ADA does not address issues of safety and efficiency. Facility Services agrees this facility is in need of replacement and is taking actions to that end.

11476 C Avenue Auburn CA 95603  
Entrance at 2855 2nd Street

**CONCLUSIONS / RECOMMENDATIONS:**

**RECOMMENDATION:**

ADA accommodations should be upgraded to current standards in all public areas.

**RESPONSE:**

Facility Services partially agrees with this recommendation. The County has performed an ADA survey of the property. This Building's public path of travel and access are relatively compliant with the ADA. Facility Services will inspect the property to determine if any additional improvements to enhance accessibility are advisable.

**RECOMMENDATION:**

Provide adequate access to the outside emergency telephone for those with disabilities or the elderly.

**RESPONSE:**

Facility Services agrees with this recommendation. Vending machines that previously blocked access to the telephone have been removed.

**RECOMMENDATION:**

Replacement of concrete steps leading to entrance of substation.

**RESPONSE:**

Facility Services agrees with this recommendation. As indicated in the response of the Sheriff, the concrete step at the entrance of the building has been repaired. Additionally, this fall Facility Services will be contracting to repair/replace the asphalt parking lot around the building. At that time staff will investigate opportunities to eliminate this step to avoid future maintenance requirements.

**RECOMMENDATION:**

Improve conditions and add personnel for the dispatch center.

**RESPONSE:**

The recommendation has been implemented by the Sheriff's Department.

**RECOMMENDATION:**

Issue update on the proposed building of a new facility by 2010.

**RESPONSE:**

Facility Services believes this recommendation is currently being implemented. On August 7, 2007 staff from the County Executive's Office and Facility Services made a formal presentation to the Board of Supervisors seeking affirmation of the updated Capital Facilities Financing Plan which included project priorities and funding strategies. The Burton Creek project is included in this Plan as a Tier 2 project with completion slated for Fiscal Year 2010/2011. Facility Services' staff is working directly with client departments on the programming for this facility and provides updates to the County Executive's Office both formally through scheduled monthly meetings and informally through the County's Executive's staff.

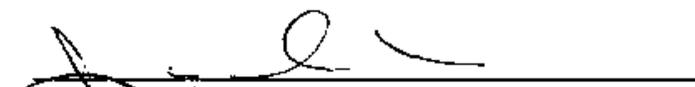
**RECOMMENDATION:**

The County should take a fast track approach to get the facility built and operational due to the building constraints of the Tahoe area.

**RESPONSE:**

Facility Services' disagrees with this recommendation. While this is an important project priority for both the Department and the County, Facility Services' is prevented from fast tracking this project by both the land use processes associated with development in the Tahoe area, as well as the procedural and contractual steps required to design, bid and build a project. Facility Services is committed to meeting the currently scheduled completion date.

Sincerely,

  
James Durfee  
Director, Department of Facility Services

10 August 2007  
Date

Cc: The Honorable Eugene S. Gini  
Edward Bonner, Sheriff  
Thomas M. Miller, County Executive Officer  
Anthony LaBouff, County Counsel  
Rich Colwell, Chief Assistant County Executive Officer  
Mike Boyle, Assistant County Executive Officer

# Burton Creek Facility Annual Inspection

## Placer County Sheriff's Department

### SUMMARY:

The Grand Jury conducted its annual inspection of the Placer County Sheriff's Burton Creek Substation. This facility has been recognized to be inadequate for more than ten years. With the existing facility there is inadequate space to house all the essential functions of the Sheriff's administration, jail/booking facility, investigations, records and dispatch offices. Burton Creek has found it necessary to expand the facility to keep up with the growth of its department and anticipates a move to a new location in the near future. Given the condition of the facility, the Grand Jury was pleased with the administration, maintenance and staffing of this facility. The employees at Burton Creek are a credit to the community they serve.

### BACKGROUND:

Each year the Grand Jury inquires into the condition and management of all public prisons/jails and holding areas within Placer County as required by Penal Code Section 919(b). Accordingly, the 2006-2007 Grand Jury conducted an on-site inspection of the Burton Creek Substation. Burton Creek is classified as a Type I jail, but currently is only used for daytime lockup and temporary detainee and court holdings. Type I jails are facilities that can hold a prisoner for up to 96 hours. Placer County has a working agreement with nearby Nevada County Jail in Truckee to hold overnight and long-term detainees that can't be transported to the main Placer County Jail at the end of the day.

As part of the inspection the Grand Jury looked into such areas as the overall operational condition of the facility, training of staff, condition of booking areas, information available to those in custody, and security. The Grand Jury inquired into the type of meals served, condition of the food and the food preparation area. Maintenance, security and cleanliness of the holding cell areas as well as inmate housing area, prisoner clothing and the general appearance of the facilities were also inspected. In addition, training and dispatch facilities were inspected.

### METHODOLOGY:

Grand Jury members visiting the facility were first familiarized with the requirements of Penal Code 919(b). The members were provided with a checklist to guide them and record their observations during the facility tour.

- A visit was scheduled with the facility manager.

- During the inspection visit, questions were asked to determine how the facilities were managed, as well as the process for handling arrestees and holding of the prisoners.
- Notes were taken of where deficiencies occurred or corrective action might be needed, if any.

#### **FACTS:**

Burton Creek is classified as a Type I jail, but currently is only used for daytime lockup and temporary prisoner and court holdings. The facility consists of a jail, a courtroom and the sheriff's office. There are a total of 60 people on Burton Creek's staff, of which 45 are law enforcement personnel. Among the 45 law enforcement personnel, nine are female, including one sergeant and two of the four detectives. There is a large turnover of personnel which the management believes is directly related to the cost of living, recruitment, working conditions due to severe inclement weather and the location of the substation.

The dispatch center is a modern electronic control center, with each work station having multiple computer monitors. Dispatchers have access to all law enforcement networks, a set of site surveillance screens and direct access to the deputies in the field. Dispatch is covered by two shifts a day from 5:00 am to 9:00 pm. At the end of the second shift the dispatch responsibilities are turned over to the county's central dispatch center. It is not unusual that after 5:00 pm the two dispatchers on duty are the only personnel in the building. This makes it difficult for them to physically answer the door if someone were to call on the emergency telephone at the front door.

The Grand Jury was informed that the building complies with Americans with Disabilities Act (ADA) only because the outside perimeter has not been changed to the point that new standards must be met. However, access to the emergency phone, located outside the front door, is not readily accessible to those with disabilities or the elderly. In addition, the front concrete steps leading to the entrance of the substation were in poor condition.

Burton Creek Substation is equipped with holding areas for the booking process. The facility's booking area consists of a working desk, network access to insure proper detainee identification and a small holding cell. Prior to incarceration at the main jail in Auburn, each detainee has to be health certified by a nurse. If the detainee is to be transferred to the Nevada County Jail, they have to be health certified by a medical doctor before being accepted. Following the booking process, the arrestees are either transported to the main jail located in Auburn or held at the Nevada County Jail in Truckee. Those that can't be transported by the end of the day or have to be held overnight are transferred to the Nevada County Jail.

For those prisoners being held for a court holding or for daytime lockup, meals can be provided. Burton Creek maintains up to a month supply of flash frozen meals that can be prepared for those in custody. The facility utilizes a trustee who, aside from doing general maintenance duties, assists in defrosting and heating the meals to be served.

Juvenile arrests are a special case because Burton Creek isn't approved to handle them. In the most extreme cases, they must be transported to Placer County Juvenile Hall in Auburn.

Because this ties up manpower and is difficult for the families involved, there is an informal agreement to book and release juveniles to their parents, if possible.

Due to the current condition of the Burton Creek Substation, Placer County is in the planning stages to replace its existing facility by 2010. Management told the Grand Jury that one of the main problems confronting the building of the new facility is the small window of opportunity to build. The Tahoe area has strict guidelines regarding the seasons of the year in which construction can take place in the area, which makes building an issue.

#### **FINDINGS:**

The Grand Jury found that the Burton Creek Substation complies with the applicable Penal Code sections dealing with the processing and holding of persons in custody. As in past Grand Jury findings, Burton Creek continues to be inefficient due to inadequate facilities. The building is not ADA compliant in the sense that it is inadequate to serve the public in a safe and effective manner. The Burton Creek facility has for many years been in need of replacement due to these deficiencies. Taxpayer money continues to be wasted to patch or quick fix the problems at this facility. We found overall that the management is doing the best they can with this facility to keep it maintained and well managed.

#### **CONCLUSIONS/RECOMMENDATIONS:**

Historically, over the past ten or eleven years, the Burton Creek facility has been recognized by prior Grand Juries as being inadequate and should be replaced. Based on our inspection the Grand Jury recommends:

1. ADA accommodations should be upgraded to current standards in all public areas.
2. Provide adequate access to the outside emergency telephone for those with disabilities or the elderly.
3. Replacement of concrete steps leading to entrance of substation.
4. Improve conditions and add personnel for the dispatch center.
5. Issue update on the proposed building of a new facility by 2010.
6. The County should take a fast track approach to get the facility built and operational due to the building constraints for the Tahoe area.

These recommendations are provided in the interest of officers and arrestees safety and should be given immediate attention.

#### **REQUEST FOR RESPONSE (S):**

Placer County Board of Supervisors  
Placer County Facility Services  
Placer County Sherriff