

2024/2025 TEHAMA COUNTY GRAND JURY

FINAL CONSOLIDATED REPORT



The Tehama County Grand Jury is an independent panel of 19 citizens responsible for investigating local government operations to ensure transparency, accountability, and compliance with the law.

Accountability | Service | Transparency



TEHAMA COUNTY 2024-2025 GRAND JURY

Debbie Chakarun, Foreperson

P.O.Box 1061

Red Bluff, CA 96080

Corning VFW Post #4218

Bruce Caulfield, Post Commander

1620 Solano Street

Corning, CA 96021

The Tehama County 2024 Civil Grand Jury would like to express a heartfelt thank you to all of the members of Corning VFW Auxiliary Post #4218 for their donation of the American Flag for use during Grand Jury meetings for 2024-2025 and all Grand Jury meetings hereafter. Your contributions to our community are unwavering and this generosity is greatly appreciated.

In addition, we would also like to give our special thanks to Mike Taylor, Elizabeth Ross and Auxiliary President Rachel Taylor.

Sincerely,

Tehama County 2024-2025 Grand Jury

Debbie Chakarun, Foreperson

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TEHAMA COUNTY GRAND JURY
P.O. Box 1061
Red Bluff, CA 96080

June 11, 2025

California Penal Code **§933(a)** states:

“Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year.”

In conformance with the aforementioned Penal Code requirement, the 2024 – 2025 Tehama County Grand Jury approves and respectfully submits this report to the Honorable Jonathan W. Skillman Presiding Judge, Superior Court of California, and County of Tehama.

Respectfully submitted,

Debbie Chakarun
Foreperson



FINAL REPORTS SUBMITTAL/APPROVAL STATEMENT

The 2024-2025 Tehama County Grand Jury approved this final report.

Debbie Chakarun

Debbie Chakarun

Foreperson, 2024-25 Tehama County Grand Jury

I accept for filing the final report of this 2024-25 Tehama County Grand Jury.

Jonathan W. Skillman

Honorable Jonathan W. Skillman

Presiding Judge of the 2024-25 Tehama County Grand Jury

Overview of the Grand Jury

Background

The California Grand Jury describes our duties as follows:

California is divided into fifty-eight counties, each county having a grand jury that is annually convened by the Superior Court to carry out three functions.

- Investigating and reporting on operations of the local government in a watchdog civil function, (not a criminal function).
- Issuing criminal indictments to require defendants to go to trial on felony charges.
- Investigating allegations of a public official's corrupt or willful misconduct in office and when warranted, filing an accusation against that official to remove him or her from office. The accusation process is considered Quasi-criminal in nature.

The Tehama County Grand Jury Manual further details our role.

California Penal Codes section 888 through 945 describe the powers and duties of the grand jury.

The Civil Grand Jury

The grand jury is part of the judicial branch of the government conducting civil investigations and audits of local governments. The grand jury is an inquisitorial and an evaluative part of the government whose object is detection and correction of flaws in government (civil function) and exposing of willful misconduct in office or criminal conduct (accusation and criminal functions) among its public officials.

The primary function of the grand jury is the examination of statutorily designated aspects of city governments, county government, special districts, local agency formation commissions, housing authorities, joint powers agencies, and non-profit agencies established by or operated of behalf of a public entity and the determination that monies of local government agencies are handled properly and that all accounts are properly audited, assuring honest, efficient government in the best interests of the people (Penal Code section 925, et seq.).

Qualifications for Grand Jury Service

- Must be a U.S. citizen.
- Must be at least 18 years old.
- Must be a resident of Tehama County for at least one year immediately prior to being selected.
- He or she is in possession of his or her natural faculties and is of ordinary intelligence, of sound judgement, and of fair character.
- Must have sufficient knowledge of the English language to communicate both orally and in writing.

Selection of Grand Jurors

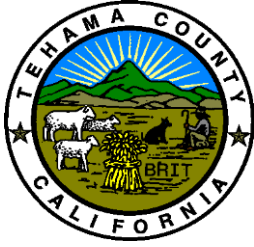
California Superior Court judges select grand jurors in each county. Tehama County randomly selects prospective jurors through the Court's jury selection program. After interviews, background checks, competency, and proper qualifications (Penal Code Section 893), thirty names are selected by the Superior Court for the candidate pool. Nineteen candidates are chosen from the pool by the presiding Superior Court Judge to fill the final panel of grand jurors.

Juror's Oath

Grand Jurors' oath of office is taken before the presiding Superior Court Judge over the grand jury. Penal Code section 911 jurors' oath of office is as follows:

"I do solemnly swear (affirm) that I will support the Constitution of the United States and the State of California, and all laws made pursuant thereto and in conformity therewith, will diligently inquire into and true presentment make, of all public offenses against the people of the state, committed or triable within this county, of which the grand jury shall have or can obtain legal evidence. Further, I will not disclose any evidence brought before the grand jury, nor anything which I or any other grand juror may say, or the manner in which I or any other grand juror may have voted on any matter before the grand jury. I will keep the charge that will be given to me by the court."

In Tehama County jurors serve for one-year terms generally beginning in July and ending in June.



2024 – 2025 Tehama County Civil Grand Jury

Jury Officers

Debbie Chakarun
Foreperson

Melissa Craig/Philip Wills
Pro Tem

Patricia Banks
Secretary

Andrew Bray
Parliamentarian

Melissa Craig
Librarian

Cynthia Houser
Sargeant At Arms

Linda Smith
Hospitality

Jury Members

Patricia Banks	Bonnie Glackler	Elizabeth Ross
Andrew Bray	Keely Grundy	Mike Shaffer
Audrey Brown	Kenneth Hartman	Linda Smith
Debbie Chakarun	Cynthia Houser	Mike Stroing
Jim Costello	Michelle Jordan	Charlie Sullivan
Melissa Craig	Leeann Oelrichs	Leo Whitlock
		Philip Wills

We wish to acknowledge those jurors who initially served with the 2024 – 2025 Tehama County Grand Jury but were unable to complete their term: Carol Shaefer, Tammy Simmons, Dan Mathews, Tom McJunkin, Richard Kuss. We thank them and appreciate the time they were able to serve.



2024 – 2025

TEHAMA COUNTY GRAND JURY
P.O. Box 1061
Red Bluff, CA 96080

To the Citizens of Tehama County,

The 2024 – 2025 Tehama County Grand Jury respectfully submits its Consolidated Final Report to the citizens of Tehama County.

Our jury was empaneled on January 11, 2024. Soon after empanelment we attended two days of grand jury training presented by the California Grand Jury Association. Marsha Caranci and Karen Jahr were amazing trainers and supported us through our entire term of service. We can't thank them enough for their guidance and encouragement as we navigated through our term.

At our first plenary meeting we voted to say the Pledge of Allegiance at the start of each of our meetings but we noted that there was no American flag in the Grand Jury meeting room. This became our first mission. After many attempts to secure a flag, the Veterans of Foreign Wars Post #4218 of Corning donated a flag and flag stand to be used by Tehama County Grand Juries into perpetuity. We whole-heartily thank them for their service and the donation of the flag.

We quickly learned that serving on the Grand Jury required a significant amount of time, dedication, integrity, and openness to a variety of opinions. We formed committees, chose officers, reviewed and responded to numerous citizen complaints, conducted interviews, toured facilities, researched, wrote reports and consulted with our legal

advisors. We also made a commitment to work on administrative tasks. This included a review of the Tehama County Grand Jury Procedures Manual. We re-wrote a section of the Manual to help clarify some of the Grand Jury duties. We developed a Quick Start Guide to assist future Grand Juries. We revised the Citizen Complaint Form to help clarify information coming in from complainants.

While a typical grand jury term is one year, our service lasted a year and a half. The 2019-2020 Grand Jury was extended due to COVID-19 protocols causing delays in the conduction of their investigations triggering subsequent jury terms to be out of alignment with the fiscal year that the rest of the county operates on. Since one of the duties of the Grand Jury is to serve as a “watchdog” over County government, we realized grand jury service would be more effective if the Grand Jury operated on the same timeline as the rest of the County. To return to the alignment with Tehama County’s fiscal year, we voted to extend our term for six months.

As our term progressed, we relied on the guidance of many individuals.

We wish to thank Tabettha O’Quinn, Tehama County Administrative Assistant, for her ‘you can do it’ attitude and her unwavering support. From making copies to pointing us to the right direction to help us locate the information we needed, her assistance was invaluable every step of the way.

We appreciate Sheryl Knutson, Superior Court Executive Assistant for her positive attitude, many words of encouragement and quick responses when we had questions.

We thank Maria Viera, Office Assistant III, at the Tehama County Department of Agriculture for coordinating and reserving the Grand Jury room for our many meetings. She was also a great help with computer and IT questions. We also extend our sincere thanks to Vanessa Sciaretta for generously opening the Grand Jury room on weekends, which was going above and beyond her normal duties.

We acknowledge David Bliss from Tehama County IT for his invaluable support—from our initial meeting where he guided us on securing and clearing our computer, to designing online fillable forms and answering all our IT questions.

We are grateful to our County Counsel Andrew Plett, who answered every question we came up with and consistently helped keep us on the legal straight and narrow.

We thank District Attorney Matt Rogers for the hours he spent listening to our concerns and providing us with the legal information we needed to compile our reports.

We also thank our families and friends who put up with us as we spent hours of our time investigating and writing our reports as we did our best to fulfill our duties as Grand Jurors.

I would like to express my utmost gratitude to each and every juror on the 2024-2025 Grand Jury. It was an honor to serve as their foreperson. They are a very committed group of citizens who worked hard to get our job done. I can't thank them enough for all the hard work and time they put it to bring this report to fruition.

Respectfully,

A handwritten signature in cursive script that reads "Debbie Chakarun".

Debbie Chakarun – Foreperson

Tehama County Grand Jury 2024 – 2025

Acknowledgements

The Tehama County Grand Jury recognizes the support, guidance, and assistance received throughout the 2024 – 2025 year:

Honorable Jonathan W. Skillman Presiding Judge of the Superior Court

Sheryl Knutson, Executive Assistant, Tehama County Superior Court

Andrew Plett, Tehama County Deputy County Counsel

Matt Rogers, Tehama County District Attorney

Marsha Caranci, California Grand Jury Association

Karen Jahr, California Grand Jury Association

Tehama County Board of Supervisors

Tehama County Department Heads and Program Managers

Tabetha O'Quinn, Staff Analyst, Tehama County Administration

Ashley King, Administrative Assistant, Tehama County Administration

David Bliss, Information Systems Manager, Tehama County Administration

Maria Viera, Office Assistant III, Tehama County Department of Agriculture

Vanessa Sciarretta, Office Manager, Tehama County Department of Agriculture

Sheriff Dave Kain and Lieutenant Steve Becker Tehama County Sheriff's Office

California Department of Corrections and Rehabilitation

California Department of Forestry and Fire Protection (CAL FIRE)

Red Bluff City Roads

SUMMARY

The Tehama County Grand Jury impaneled in January 2024. The public and Grand Jury expressed concerns about the condition of the city roadways. These concerns include safety for vehicles, vehicle occupants, and pedestrians. The city roads have deteriorated to the point of needing repair, they are uneven with patched potholes and the lane divider lines are difficult to see in inclement weather. The condition of the city roads poses hazards to drivers, vehicle control, electrical systems, fuel management systems, and pedestrians.

On January 16, 2024, Applied Research Associates completed a survey of the local city roads and presented the survey to the Red Bluff City Council. The survey showed the city has 0.47 square miles of pavement, 66.73 centerline miles and 135.99 lane miles (alleyways not included). The survey evaluation used the Pavement Condition Index (PCI), a numerical index between 0-100 to rate pavement sections' overall condition. The 0.47 square miles of surveyed roadway was photographed, analyzed, and assigned a PCI rating. Red Bluff city roads scored an average rating of thirty-nine out of one hundred in late 2023. Fifteen years ago, the roadway score was seventy-three out of one hundred.

METHODOLOGY

Responding to significant public concern regarding the condition of roads and infrastructure within the City of Red Bluff, the Grand Jury opened an investigation. Our investigation focused on the City of Red Bluff's Road Maintenance Department, with the primary objective of assessing the department's overall capabilities and effectiveness in addressing both current and future road conditions.

The Grand Jury accumulated and reviewed a variety of relevant materials, including documentation from the City of Red Bluff, records from City Council meetings, and data available on the city's official website. This comprehensive collection of information

provided insights into the decisions affecting road maintenance and infrastructure within the city. The Grand Jury's investigation was to determine the adequacy of financial resources allocated to road maintenance and whether these resources were being utilized effectively to ensure the safety and functionality of the city's infrastructure. The Grand Jury conducted an evaluation on the budgeting, funding, and spending practices of the City of Red Bluff's Road Maintenance Department, with a particular focus on both current and past city projects.

INVESTIGATION PROCEDURE

The Grand Jury initiated an in-depth investigation into the condition and management of the City of Red Bluff's streets and roads. This investigation included several key components to comprehensively evaluate the city's infrastructure and the effectiveness of its maintenance strategies. This investigation included the following procedures:

1. Interviews with City Officials: On June 17, 2024, the Grand Jury conducted an interview with city Manager, city Public Works Director and city Senior Engineer responsible for the management and upkeep of Red Bluff's streets and roads. The interview focused on analyzing the city's Capital Improvement Plan (CIP) to assess its alignment with the community's needs and the city's long-term infrastructure goals.

2. Evaluation of Financial Records: The Grand Jury reviewed two years of financial revenue and expense records related to the city's road maintenance and infrastructure projects. This evaluation was to determine the adequacy and effectiveness of the city's financial management in maintaining and improving its streets and roads.

3. The Pavement Condition Index (PCI): The Grand Jury reviewed the feasibility and accuracy of the Pavement Condition Index (PCI) used by the city. This index is crucial for determining the condition of road surfaces and prioritizing maintenance and repair work.

4. On-Site Evaluation: The Grand Jury conducted inspections of the City of Red Bluff's streets and roads. These inspections were aimed at assessing the overall condition of the infrastructure and determining its impact on public safety. Throughout the

investigation the Grand Jury gathered information from a variety of sources; including various government agencies, local newspapers, City of Red Bluff records (available via the city of Red Bluff's official website), and by attending City Council meetings. Additionally, interviews with key city officials provided further insight into the management and condition of the city's streets and roads.

Figure 1:



Figure 2:



CURRENT ROAD CONDITIONS

Proposal and Approval

In January 2023, the City Manager of Red Bluff identified a significant problem in Red Bluff City's infrastructure management: the absence of a Capital Improvement Plan (CIP). A five-year CIP for city roads/streets, water systems, sewer systems, and new buildings was developed. In February 2023, the Red Bluff City Manager proposed the Capital Improvement Plan to the City Council. As part of this plan, the council was asked to fund a Pavement Management Program. The City Council approved this

proposal for managing and prioritizing investments in city needs, recognizing the importance of maintaining and improving our roadways.

Request for Proposal and Consultant Hiring

By May 2023, the Red Bluff City Engineer had prepared a *request for proposal* to initiate the Pavement Management Program. In July 2023, Applied Research Associates was hired to conduct a Pavement Condition Index (PCI) analysis. A new database system was created for the City of Red Bluff based on the data collected from the Pavement Condition Index (PCI).

Pavement Condition Index Analysis

The Grand Jury evaluated the feasibility and accuracy of the Pavement Condition Index (PCI) used by the city. This index plays a vital role in assessing the condition of road surfaces and is the main guide for prioritization of maintenance and repair efforts.

The Pavement Condition Index (PCI) is a numerical rating of the pavement condition based on the type and severity of distresses observed on the pavement surface. The Pavement Condition Index (PCI) value of the pavement condition is represented by a numerical index between zero and one hundred. Where zero is the worst possible condition and one hundred is the best possible condition.

Pavement Condition Index (PCI): 100–85 Good, 85–70 Satisfactory, 70–55 Fair, 55–40 Poor, 40–25 Very Poor, 25–10 Serious, 10–0 Failed.

Applied Research Associates conducted a comprehensive evaluation of the city's 135.99 lane miles of city roads. Using a van equipped with advanced technology, they took photographs, mapped, measured pavement density, and performed various assessments to determine the condition of the roadways.

Results and Implications

In December 2023, the results provided an overall pavement index. The analysis revealed that, while some roads scored high, the average pavement index was only thirty-nine out of one hundred. A score below fifty indicates that a road requires total reconstruction. This means it must be ground down and completely replaced. With this

data, the city now has a detailed understanding of the condition of all roadways and a database that assists the Director of Public Works in prioritizing and budgeting for repairs.

A well-built asphalt road typically lasts at least 10-20 years before requiring major rehabilitation or full-depth reconstruction. The City of Red Bluff is now utilizing the Pavement Condition Index (PCI). This is a vital tool in assessing road conditions and determining cost evaluations for repairs or reconstructions. Using the Pavement Condition Index (PCI) to evaluate road surfaces, the city can prioritize maintenance efforts. Surface treatments or thin overlays applied every seven to ten years can extend the lifespan of roads up to 20 years between major work.

5. Roads with Pavement Condition Index (PCI) Below 50 Lead to:

- Reduced vehicle stability and control: Uneven surfaces, potholes and cracks make it harder for drivers to control their vehicles. Unsafe road conditions lead to skidding, loss of traction, accidents and personal injury. Potholes can cause drivers to lose control, damage tires/suspension systems, and lead to vehicle occupant or pedestrian injuries.
- Increased fuel consumption: Bad road conditions can cause drivers to waste time and fuel, especially during congested hours.
- Compromised visibility: Insufficient lighting, worn lane lines, and missing/broken reflective markers increase the risk of accidents, especially in poor weather.
- Tire Blowouts: Uneven pavement and potholes increase the risk of tire blowouts and axle damage.
- Windshield Damage: Loose debris on uneven/cracked pavement can also damage a vehicle's windshield.

FINANCIAL OUTLOOK

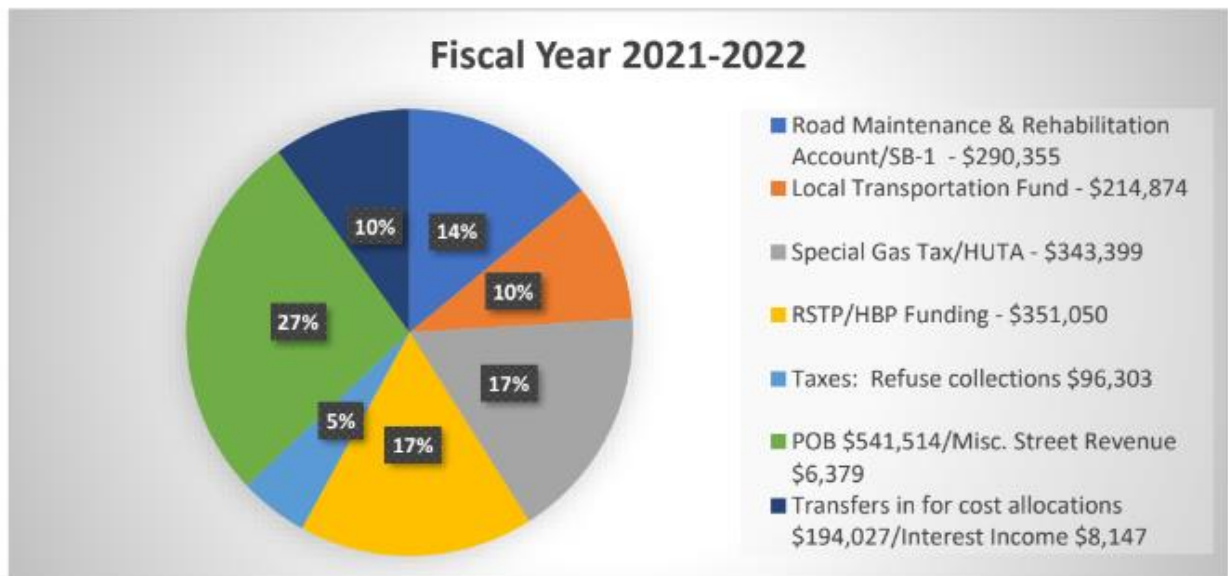
The current total estimated cost to repair all City of Red Bluff roads is \$220,000,000. Funding from federal, state, and local agencies (See Revenue Source and Expense pie charts below) has proved chronically insufficient in keeping up with the rising costs of replacing and repairing the roadways. The Capital Improvement Plan (CIP) will assist the city with budgeting for road maintenance and improvements every year. Additional funding sources are necessary.

MEASURE R

On the November 5, 2024 ballot, Measure R was proposed as a special use tax dedicated solely to repairing and maintaining deteriorating local streets in the city of Red Bluff. However, Measure R was rejected by voters, who did not approve the authorization of a $\frac{3}{4}$ cent sales tax that would have directly funded the city's road budget. A lack of clear public understanding with contradictory messaging from the city council, contributed significantly to confusion and uncertainty among city voters.

Figure 3:

City of Red Bluff Street Revenue Sources



Total is \$2,046,048



Total is \$1,724,619

Road Maintenance and Rehabilitation Account (RMRA) SB-1

- Enacted in 2017.
- Revenue comes from fuel tax and is adjusted for inflation. Allocation based on registered vehicles, assessed property valuations and populations.
- Used for local streets, roads, striping, signage, streetlights, traffic control lights/devises, bike lanes, curb/gutter/sidewalks, American's Disability Act (ADA) ramps or crossings.
- Use of fund restrictions apply.

Local Transportation Fund (for counties with less than 500K population)

- Enacted in 1971.
- Derived from a 1/4 cent general sales tax collected statewide
- Used for local streets, roads construction and maintenance. Allocated based on population. County receives funds and distributes to the cities.
- Use of fund restrictions apply.

Special Gas Tax-currently called HUTA (Highway Users Tax Account)

- Enacted 2009.
- Revenue comes from fuel tax per gallon, inflation adjusted
- Used for public streets and highways. Allocated based on population.
- Use of fund restrictions apply.

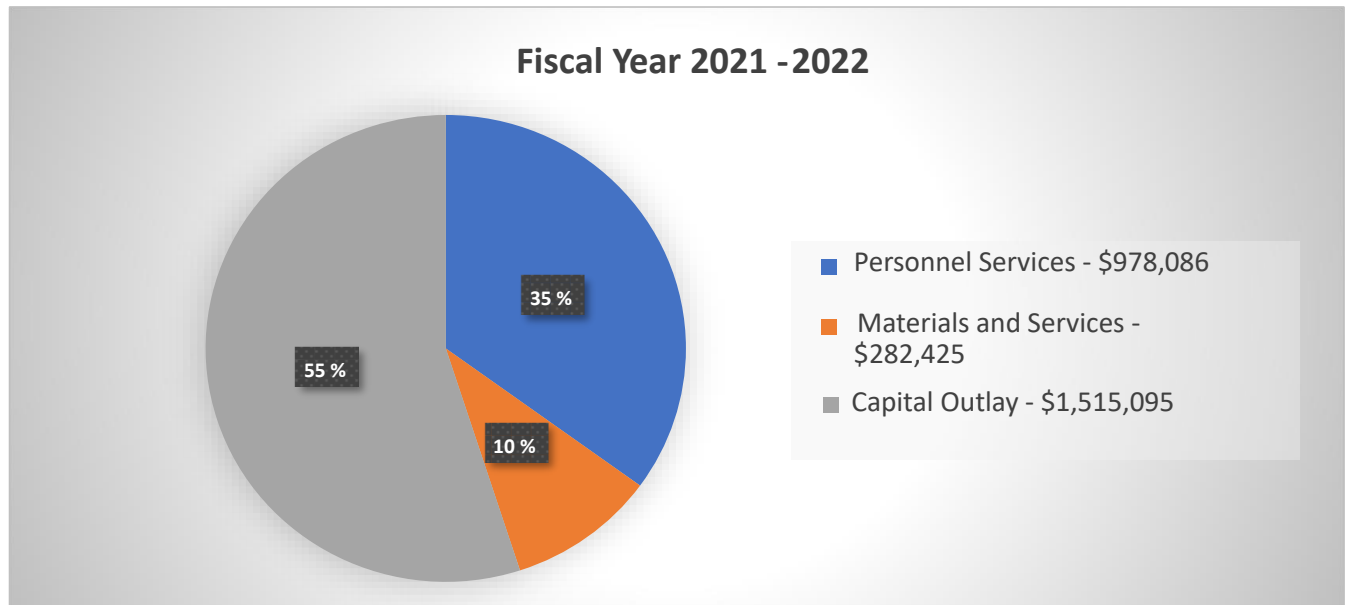
RSTP-Regional Surface Transportation Program/HBP Funding-Highway Bridge Program

- Funds originate from the federal excise fuel tax per gallon.
- Used to provide for eligible specific projects. The State of California distributes the funds to regional agencies and counties based on population. (Federal fuel tax rates have not changed since 1993.)
- Use of fund restrictions apply.

Taxes, Interest Income, and Miscellaneous Revenue transfers in for cost allocations is also reflected here:

Figure 4:

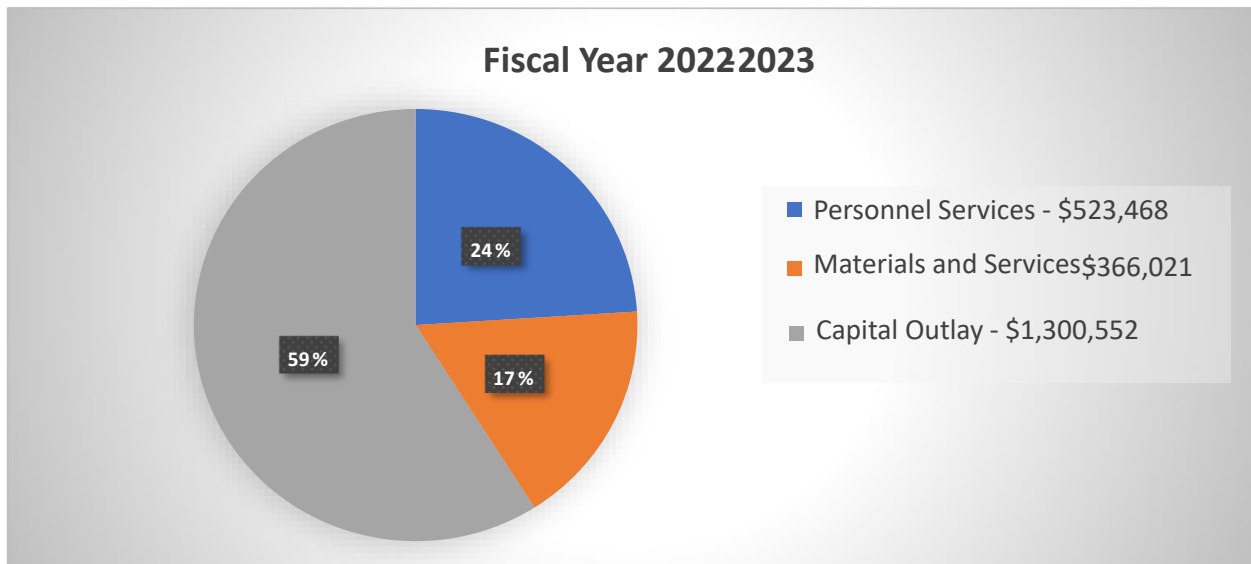
City of Red Bluff Street Expenses



Total \$2,775,606

Major projects were South Main Street and Monroe Street and included design costs for South Jackson Street.

Figure 5:



Total \$2,190,041

Major projects were South Main Street, Monroe Street, Highway 99W overlay augmentation, and purchase of a new truck.

LOOKING FORWARD

Budgeting and Future Planning

The Pavement Management Program database allows the City of Red Bluff to estimate the costs of road repairs by considering various factors; such as a square yard of concrete, a cubic yard of base rock, and bringing sidewalks to meet ADA requirements. Using the data from recently completed projects, Applied Research Associates can estimate the cost to improve the score of the Pavement Condition Index (PCI). The cost can be balanced against how much the score is improved. This detailed cost estimation assists the city planning and budgeting for future projects.

Ongoing Maintenance and Future Updates

The Pavement Management Program is not a one-time effort. The city pays approximately \$2,000.00 a year for the program and database maintenance. Applied Research Associates recommends conducting new evaluations every three to four years to monitor the rate of road degradation and adjust plans accordingly.

The Red Bluff City Manager, Engineer and Public Works Director work with various consultants to find potential grants and funding opportunities. Applying for grants can be challenging for cities with limited funding. The City of Red Bluff looks for Grants that are 100% funded but most Grants are specific and ask for a match in funds. Additionally, some grants are only available to projects that are considered "shovel ready," meaning planning, design, and permitting work must already be completed. These preparatory steps also require resources, which may not be accessible to all cities. It is challenging for the City of Red Bluff to meet Grant application requirements that are not 100% funded. The City of Red Bluff has applied for two grants since 2022; the Raise Grant and the LaMalfa Grant, with no success.

PAST PROJECT SPENDING BREAKDOWN

South Main Street Resurfacing was awarded to a contractor on April 05, 2021 in the amount of \$3,260,070.99. Construction was completed on October 03, 2022 and a Notice of Completion was filed on October 25, 2022. Design and Engineering was an additional \$193,277.46 and Construction Management Services provided were authorized up to \$302,237. Project included new hot-mix and rubberized hot-mix overlay, upgrading of Americans with Disabilities Act (ADA) pedestrian curb ramps, striping, signages, and upgrading pedestrian crosswalk signalization and vehicle loop detections. Project extended from Luther to Elm Streets. Change Orders authorized for the South Main Project as follows; from paint to thermoplastic striping, grind and pave timelines, conducting night operations, bridge deck paving, removal of extra striping, extra work at an Americans with Disabilities Act (ADA) curb ramp, extra electrical work

at the pedestrian signal light crossing. This resulted in additional costs totaling \$71,106.30.

CONCLUSION

The implementation of the Capital Improvement Plan (CIP) and the Pavement Management Program marks a significant step forward in managing our city's infrastructure. Now with accurate data, detailed cost estimates, and ongoing support from Applied Research Associates the City of Red Bluff is equipped to maintain and improve its roadways. Although the current road conditions remain unsafe, the Capital Improvement Plan (CIP) gives us hope.

FINDINGS

F1. According to the Pavement Condition Index (PCI) survey completed in December 2023. The city's 135.99 lane miles have an average PCI rating of 39 on a 100-point scale, indicating that the majority of roads are in poor condition. This low rating suggests that many streets require immediate maintenance or rehabilitation to prevent further degradation.

F2. Funding for maintenance and upgrading the roadway surface has been inadequate.

F3. Due to the City of Red Bluff's untimely repair and maintenance of roads, costs are increasing.

F4. The City of Red Bluff has difficulty securing funding grants.

F5. The roadways in the City of Red Bluff create hazardous and unsafe driving conditions, presenting a significant liability risk to the city.

RECOMMENDATIONS

R1. The Grand Jury recommends Public Works should create a plan for improving the Pavement Condition Index (PCI) of the roadways and communicate this to the public within one year of issuance of this report.

R2. The Grand Jury recommends Public Works conduct annual (starting in 2025) community forums to gather feedback on roadway conditions and facilitate communication with the public.

R3. The Grand Jury recommends Public Works create a plan to downsize roadway projects' scope of maintenance to reduce cost and improve likelihood of project completion. Plan should be completed in 2025.

R4. The Grand Jury recommends Public Works should make a plan to increase grant funding in 2025.

R5. The Grand Jury recommends Public Works should allocate annual funds for roadway maintenance with budget breakdown and communicate this to the public in 2025 (and going forward).

R6. The Grand Jury recommends the City of Red Bluff should create a space for designated roadway maintenance and work in progress updates on it's website within 6 months of issuance of this report.

R7. The Grand Jury recommends that the City of Red Bluff propose a special use sales tax dedicated to city street improvements and enhance public awareness through social media advertising to promote the proposed tax.

REQUIRED RESPONSES

Pursuant to California Penal Code Section 933 and 933.05, the following response is required:

- The City Red Bluff, City Manager, Public Works Director, and City Engineer shall respond to:
 - Findings F1, F2, F3, F4, F5
 - Recommendations R1, R2, R3, R4, R5, R6, R7

Responses to be sent to:

Honorable Jonathan W. Skillman, Presiding Judge of the 2024-25 Tehama County Grand Jury – 1740 Walnut Street, Red Bluff, CA 96080

Disclaimer

In accordance with California Penal Code Section 933.06, two members of the Tehama County Grand Jury have recused themselves from participating in the inquiry, deliberation, and preparation of the report due to a potential conflict of interest disqualifying circumstances.

Bibliography

Survey Says it's bad road conditions for Red Bluff

By [George Johnston](#) | gjohnston@redbluffdailynews.com | Red Bluff Daily News

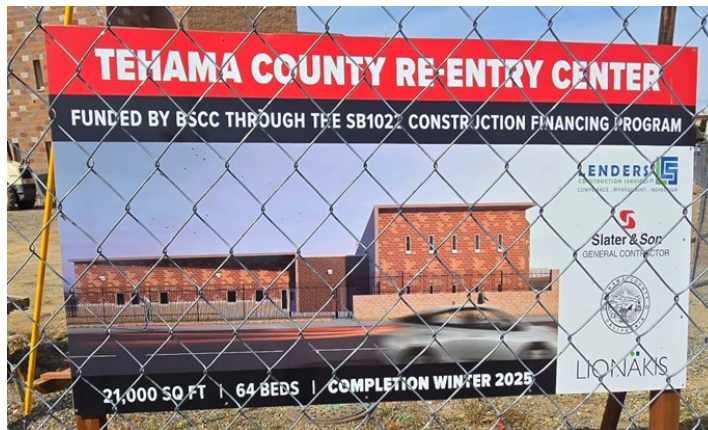
PUBLISHED: January 19, 2024

Red Bluff City Council Meeting Agenda February 21, 2023

Red Bluff City Council Meeting agenda May 2, 2023

US Department of Transportation Federal Highway Administration Chapter 3: Treatment Performance Table 15

Is Staffing Shortage Blocking New Re-Entry Center's Future?



SUMMARY

On May 24, 2025, in accordance with Penal Code 919 several members of the Tehama County Grand Jury (TCGJ) inquired into the conditions and operation of the Tehama County Jail (Jail). The TCGJ was surprised to learn that the jail was only holding 99 inmates, while its capacity is 191. The Jail has been housing 90 – 100 inmates since 2022 which is about half its holding capacity.

Adjacent to the Jail, a new Re-Entry Center is under construction and scheduled for completion in November 2025. The Re-Entry Center will have a maximum capacity of 64 inmates. It will include a much-needed state-of-the-art kitchen, laundry facility and medical room. The plan for the Re-Entry Center is to provide a culinary training program for inmates, giving them marketable skills upon their release.

With the completion of the new Re-Entry Center, the Board of State and Community Corrections (BSCC) rates the combined holding capacity of the Jail and Re-Entry Center at 225 inmates.

As of May 2, 2025, the Jail still runs at about half capacity due to a staffing shortage. The understaffing of county jails is an overarching issue in California and has hit Tehama County hard. This is a complex and serious issue. To meet safety standards,

less violent inmates are sometimes released when more violent offenders are booked. Some view this as “Catch and Release.”

The TCGJ was concerned that the current Jail was able to hold only about half the number of inmates it was capable of housing, due to understaffing of correctional officers, and yet a new building to house even more inmates was being built. The TCGJ questioned how the new Re-Entry Center was being funded and where the money would come from to staff and operate it.

During our investigation we were surprised to learn that, after over 12 years of anticipating the opening of the new Re-Entry Center, neither the Tehama County Sheriff nor the Tehama County Board of Supervisors (BOS) has a clear plan to fund the staff needed to operate it.

Glossary of Terms and Acronyms

AB 109	Public Safety and Realignment Act (2011)
BOS	Tehama County Board of Supervisors
BSCC	Board of State and Community Corrections
Jail	Tehama County Jail
Prop 47	Safe Neighborhood and Schools Act (2014)
Prop 57	Public Safety and Rehabilitation Act (2016)
Sheriff	Tehama County Sheriff
TCGJ	Tehama County Grand Jury
TCSO	Tehama County Sheriff Office

BACKGROUND

The current Jail was built in 1974 with an addition built in 1994. As with most county jails, it was designed as a detention facility for short term incarcerations. The current inmate capacity is 191.

In December 2022, the entire west wing of the Jail was shut down due to lack of correctional officers. This closure caused the inmate holding capacity to fall to just over half its designated capacity. The west wing remained closed until April 2025 when additional correctional officers were hired allowing the west wing to reopen at a reduced capacity.

As of May 2, 2025, the Jail continues to operate at approximately half of its inmate capacity. This is due to staffing limitations—not space. The BSCC mandates specific correctional officer-to-inmate ratios to ensure the safety of both staff and inmates. Currently the Jail is operating at capacity for the number of correctional officers it has. The competition for recruiting and retaining correctional officers throughout California is highly competitive, making it difficult to hire sufficient correctional officers. Factors such as low pay, lack of benefits, high levels of stress and increased workloads for existing officers contribute to the problem. These working conditions can cause burnout and lead to experienced officers leaving their profession. It can also deter new recruits from applying.

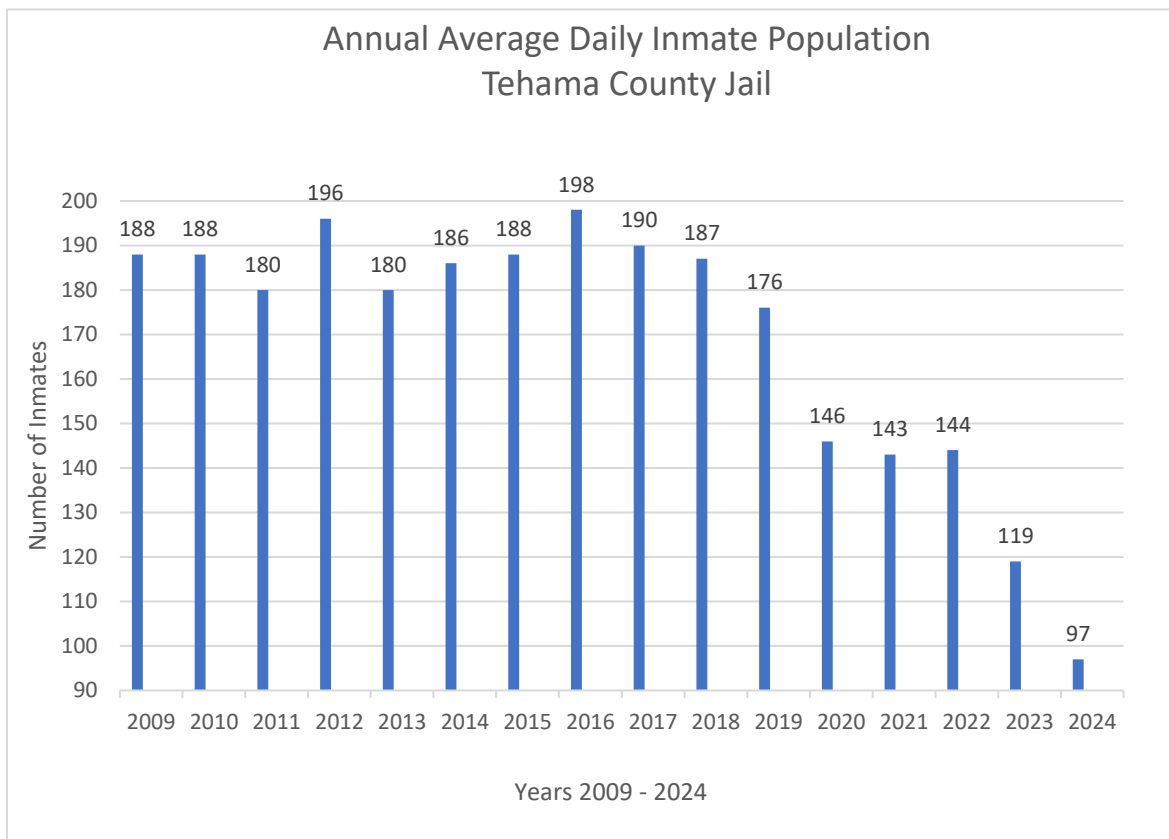
The Sheriff cites the inability to recruit new applicants, lack of qualified applicants, and the time it takes to pass required background checks as the major reasons for the understaffing of the Jail.

This staffing shortage has created a difficult situation: when a more violent offender is taken into custody, a less violent inmate may need to be released early to stay within safe staffing limits. Some members of the public view this practice as a form of "Catch and Release," and certain lower-level offenders have come to expect that they may not face incarceration at all.

Next to the Jail, a new Re-Entry Center is under construction. It is scheduled to be completed in November 2025 and will have a holding capacity of 64 inmates.

Combining the capacities of both facilities, the BSCC will update Tehama County's official inmate holding capacity to a total of 225.

The Re-Entry Center project has been underway since 2013, when the County accepted a Jail Needs Assessment Study contracted by Lionakas. At that time the Jail was operating at near-full, full (191 inmates), to over full capacity and had been for several years. The study indicated the Jail would soon face a shortage of beds for inmates. The Re-Entry Center was intended as a pro-active step to address the Jail's expected overcrowding situation. The graph below shows the Annual Average Inmate Population in the Jail.



In 2013 Tehama County applied for \$20 million in Bond money from the (BSCC) through the SB1022 Adult Local Criminal Justice Facilities Constructions Grant Program Funds. The Bond was a conditional award contingent on the county securing the additional funds needed to complete the project. The BSCC provided a contingent award of only \$6,526,000. The BOS made the decision to reject the contingent award for the partial funding of the project and petitioned to reapply. Upon reapplication, the BSCC increased the award in 2015 to \$15,580,000. The following year more funds became available through the BSCC and the full eligible amount of \$20 million was awarded.

There have been many obstacles to overcome since the project's inception – property acquisition, the realignment of Madison Street, securing funds, and COVID 19 issues to name a few.

Project delays, material and labor cost changes, and inflation have increased the cost of the project since its inception in 2013. To help keep the project within budget, the size of the building has been shrunk to the smallest footprint possible, while meeting the Bond requirement of having a 64-inmate holding capacity. The total cost of the project is now \$27,648,500.00. The County's commitment of funds for construction of the Re-Entry Center is \$7,648,500.00. These funds come from several sources including;

- Accumulated Capital Outlay fund – a fund that counties use to save and allocate money overtime for large, long-term capital projects (including jail construction) that would otherwise impart the county's general fund.
- General Fund (Cares Act), - 2020 federal COVID-19 relief providing emergency aid. CARES Act funds are applicable to the re-entry center because it addressed pandemic-related health risks, such as safer housing for individuals leaving incarceration.
- Community Corrections Partnership – a collaborative initiative between public stakeholders to support their local public safety realignment plans, which can include jail construction.

- Tobacco Securitization – A financing method where counties issue bonds backed by future tobacco settlement payments. Funds may support capital projects like a re-entry center if tied to direct health benefits, such as safer housing for those leaving incarceration.
- Capital Project Account - a fund used to finance major infrastructure projects, such as building public facilities. It's typically funded through grants, bonds, or budget allocations, and is designated for one-time, non-operating expenses related to capital improvements.
- American Rescue Plan Act - 2021 stimulus package for COVID-19 recovery, supporting investments in infrastructure, housing, and public safety.

A stipulation of the Bond money is that the new Re-Entry Center serves as a Re-Entry Center and not merely a Jail. This means the Re-Entry Center must offer a program to help prepare inmates for reintegration into the community once released. The planned program is a Culinary Arts Training Program utilizing the new kitchen. Shasta College has partnered with the TCSO to implement this program.

Ground was finally broken for the construction of the Re-Entry Center in December 2023.

In California, detention facilities are classified into different security levels and are categorized as;

- Type 1 facility - used for the detention of persons for no more than 96 hours (excluding holidays) after booking. Type 1 facilities may also detain people on court order either for their own safe keeping or those committed to a city jail or may house people sentenced to county jail provided such placement in the facility is on a voluntary basis on the part of the incarcerated person.
- Type 2 facility - used for the detention of persons pending arraignment, during trial and upon a sentence commitment.
- Type 3 facility - a local detention facility used only for convicted and sentenced persons.

- Type 4 facility - a local detention facility designed for housing work/education furlough and other programs involving access into the community.

The Tehama County Jail was designated and built as a type 2 facility and with the passage of AB 109 Public Safety and Realignment Act of 2011 (AB 109) the jail now operates as a type 2 and 3 facility.

California's adoption of AB 109 aimed to reduce state prison overcrowding by shifting non-violent offenders to county jails. While it lowered the state prison population, it significantly increased pressure on local jails.

This strain was worsened by Prop 47 Safe Neighborhood and Schools Act of 2014 (Prop 47), which reclassified some felonies as misdemeanors, and Prop 57 Public Safety and Rehabilitation Act of 2016 (Prop 57) which expanded parole for nonviolent offenders. Together, these laws reduced state incarceration but overburdened county jails, which are now housing more inmates for longer periods than they were designed to handle.

The original Tehama County Jail is over 50 years old, with a 30-year-old addition. While ADA-compliant for its age, it does not meet modern standards. The Jail has only one Sobering Cell, which may hold up to six non-violent intoxicated inmates, and one single occupancy Safety Cell for individuals needing medical or psychological monitoring. These limited and outdated facilities have long been inadequate, as noted in the 2018 Grand Jury Report.

METHODOLOGY

The process followed to develop this report consisted of:

- Seven members of the TCGJ toured the Jail on May 24, 2024, to fulfill the requirement of Penal Code 919 of inspecting the jails and prisons located in Tehama County.
- The full TCGJ voted to form a Jail investigation committee to examine how the new Re-Entry Center is being funded and the current staffing of the Jail and

determine the plans for staffing the new Re-Entry Center.

- TCGJ Jail Committee reviewed AB 109, Prop 47 and Prop 57 to gain a better understanding of the prison realignment enacted in 2011.
- Panels of 3 – 5 TCGJ members interviewed jail staff on three separate occasions in June and December of 2024, and February 2025. All interviews were recorded. Interviewees included: a Correctional Captain, Correctional Lieutenant, 2 Correctional Sergeants, Sheriff, and Undersheriff.
- Reviewed the Budget/Financial data for the Construction of the Re-Entry Center
- Attended Board of Supervisor meetings and viewed past BOS meetings
- Researched news representation across newspapers, television, and public documents.
- Reviewed an overview of the Jail Budget, Sheriff Department Budget and Tehama County Budget
- Toured the new Re-Entry Center
- Interviewed all current and four former BOS members as to their thoughts on how to fund the staffing for the new Re-Entry Center

Discussion

Through Bond money and other sources, Tehama County has fully secured the funds to cover the cost of the construction of the new Re-Entry Center. The total cost for construction, furnishings, fixtures and equipment is \$27,648,500.00. The Bond received by the County is \$20,000,000.00. The County's commitment for the Re-Entry Center is \$7,648,500.00.

Jail Re-Entry Center Expansion Project Funding Budget		
Fund	Fiscal Year	Amount
Community Corrections Partnership (Fund 561)	2013/2014	\$ 500,000.00
Community Corrections Partnership	10/22/2013	\$ 538,500.00
Accumulated Capital Outlay Contingency	10/22/2013	\$ 60,000.00
Community Corrections Partnership	5/9/2018	\$ 350,000.00
Tobacco Securitization	5/4/2021	\$ 600,000.00
Cares Act (General Fund)	5/4/2021	\$ 1,100,000
American Rescue Plan Act (Covid 19) (General Fund)	FY 22/23	\$ 3,500,000.00
Community Corrections Partnership	9/12/2023	\$ 1,000,000.00
SB1022 Bond Measure		\$ 20,000,000.00
TOTAL PROJECT COST		\$ 27,648,500.00

A stipulation of the Bond money is that the new Re-Entry Center serves as a Re-Entry Center and not merely a Jail. This means the Re-Entry Center must offer a program to help prepare inmates for reintegration into the community once released. The planned program is a Culinary Arts Training Program utilizing the new kitchen. Shasta College has partnered with the TCSO to implement this program.

Although the facility itself is fully funded, there is no plan in place to fund the staffing of the Re-Entry Center. The TCGJ recognizes that the lack of a funding plan to staff the Re-Entry Center has been on-going for approximately 12 years and cannot be solely attributed to current County Officials. Of the county officials most closely associated with this project; the Sherriff and two of the current BOS have been in office for only three years and the other three members of the BOS have been in office for less than six months. These officials have all inherited this task and have a challenging issue that must be solved quickly if the Re-Entry Center is to function as it is intended.

Through the years, since the inception of the plans for the new Re-Entry Center in 2013, the BOS should have been giving direction to County departments and officials to develop a funding plan for the Re-Entry Center staffing. This was not accomplished.

The TCSO has also been aware that this project was proceeding, and they also did not propose a long-range plan to fund staffing.

During interviews with each of the current BOS and the Sheriff the question was asked how they planned to fund the staffing of the new Re-Entry Center. The compiled responses are below:

- That's the Sheriff's job.
- That's the Board of Supervisor's job.
- Maybe a public safety tax?
- 2 responses were, I have no idea!
- Maybe get some money from the Department of Corrections?

In 2020, the Tehama County BOS voted to place a sales tax on the ballot (Measure G) to maintain county services and public safety staffing levels. Under Article XIII C of the California State Constitution, there are two types of local taxes approved by a county's citizens: general taxes and special taxes. General taxes must be approved by a simple majority vote of the citizens and money raised from a general tax can be used for any general governmental purpose. Special taxes must be approved by two thirds vote of the citizens and money raised from a special tax may only be spent on specific purposes. Although Measure G was referred to as a "safety tax", it was a general tax and not a special tax. Because Measure G was a general tax, it would have needed only a simple majority vote (50% plus 1) to pass. Had Measure G been designated for a specific purpose, such as public safety, law enforcement, or the Jail, it would have required two thirds approval to pass. Measure G was rejected with 84% of the citizens voting against it.

In March 2024, in an effort to help bring in needed money for public safety the BOS voted unanimously to form an Ad Hoc Public Safety Tax Initiative Working Group. This group was intended to include the department heads (or representatives) of each public safety agency (including the Sherriff's office, the DA's office, the Probation Department and Fire Department), two supervisors, a clerk, members of the public and union representatives. This committee was put on hold.

The Re-Center is scheduled for completion in November 2025. Once completed the TCSO staff anticipates it will take approximately six months to train personnel operating the Re-Entry Center. The Re-Entry Center will be open to house inmates when fully staffed and adequately trained.

Although the Jail is ADA compliant for its age, it does not meet modern ADA standards. Making any improvements or add-ons to the Jail would require the entire building to meet modern building standards and ADA requirements. To bring the Jail into compliance with today's ADA and building standards would be extremely costly. If the new Re-Entry Center was to be physically attached to the current jail, the entire structure would have to meet current ADA requirements. This requirement was the main reason for building a completely separate structure for the Re-Entry Center. There will be a covered and secured walkway to provide access between the two buildings.

The Jail currently has only one Sobering Cell (10' x 10' x 10') used to hold people with acute drug or alcohol intoxication. If these inmates are not considered harmful to themselves or others, the Sobering Cell may hold up to 6 inmates at a time. There is also only one Safety Cell (10' x 5.5' x 10') used to hold a person in need of medical or psychological monitoring, or someone at risk of self-harm. The Safety Cell has a limit of only one inmate at a time. These cells are inadequate to the County's needs and have been for many years, as reported in the 2018 Tehama County Grand Jury Report.

During our initial tour of the Jail it was observed that, although the Jail is outdated and showing definite signs of age, it is kept in a clean condition. The kitchen, laundry room, and medical room were well maintained and clean; though very small, outdated, and cramped for space.

We were impressed with the current staff, who have done their best to MacGyver solutions with what they have available to improve work and exercise spaces. The staff have gone above and beyond to make the best available use of the small space they have.

The Jail lost the Individual/Family Service Programs offered by community volunteers during the Covid pandemic. These programs included such things as AA, NA, and

church services. As of June 4, 2025 church services are being offered by TCSO staff, but the programs led by community volunteers have not been reinstated.

AB 109 aimed to reduce the state prison population by transferring the responsibility for incarcerating and supervising certain non-violent, non-serious and non-sexual offenders from state prisons to county jails. Prior to the passage of AB109 California's prison population had risen to almost 190% of its designed capacity and prisoners had become unable to receive routine medical or mental health care. AB 109 was California's way of meeting the federal court order to reduce its prison population.

Following AB 109 the passage of Prop 47 in 2014 changed certain theft and drug possession offenses from felonies to misdemeanors. It also authorized current felony inmates to petition courts for resentencing under the new misdemeanor provision. As a result, even more inmates were transferred from state prisons to county jails.

Prop 47's success in reducing state prison populations was followed by unintended consequences of "smash and grab" motor vehicle burglaries and a surge in retail shoplifting. The reduction of penalties associated with car break-ins, shoplifting, and other property crimes made it more difficult to issue felony sentences which emboldened vandals and thieves.

Prop 57 further increased the burden on California county jails by shifting responsibility for certain inmates—including some with violent offenses—from state prisons to county jails. Though aimed at easing prison overcrowding and promoting rehabilitation, it has led to overcrowded jails, strained resources, and higher costs for counties struggling to manage growing inmate populations and provide adequate services.

In 2009 Community Correction Partnerships (CCPs) were established to collaborate with local stakeholders to develop and implement plans that address public safety while promoting rehabilitation and recidivism. AB109 also established a Post-Release Community Supervision Program. This program resulted in CCPs expanding their roles as the realignment shifted responsibility for supervising lower-level offenders from the state to counties, requiring counties to develop and implement their own Community Corrections Plans.

California Penal Code 1230 authorized each county to establish in its treasury, a Community Corrections Performance Incentive Fund, to receive all amounts of money allocated to that county for the purpose of providing supervision and rehabilitative services to adult felony offenders on probation. The Community Correction Plans must be developed and implemented by Probation and advised by a local CCP.

The Tehama County CCP executive committee (voting members) consists of the Chief Probation Officer, Presiding Superior Court Judge, Health Services Director, District Attorney, Public Defender rep, Sheriff, and Red Bluff Police Chief.

Before the realignment requirements of AB 109 it was typical for misdemeanor convictions and those awaiting sentencing to serve their time at the county jail, while felony convictions would likely serve their time at a state prison. The maximum sentence for a misdemeanor is 364 days in jail. A felony is a serious crime punishable by a sentence of more than 1 year. Non-violent felonies have a minimum sentence of 16 months. County jails are designed for short-term incarcerations and lack the facilities and programs found in state prisons, which are equipped for long-term incarceration.

Constantly operating at or around capacity puts officials between a rock and a hard place when newly sentenced offenders are brought in. If the Jail is operating at capacity for the number of correctional officers it has employed, then an inmate has to be released for every inmate brought into custody. Officials make the best of a bad situation by retaining the most violent offenders and releasing the least violent offenders. Some less violent offenders may even realize they are less likely to face incarceration at all, and act accordingly. This can, and has, led to the public perception of a "Catch and Release" program.

Many of the TCGJ Jail Committee findings coincide with the problems that most county jails in California are facing with the adoption of AB 109, Prop 47, and Prop 57.

The Re-Entry Center will be a modern high-tech facility. The 21,000 square feet facility will provide a much-needed modern kitchen, a medical wing that is 4-6 times bigger than the Jail's current facilities, and a large laundry room with modern equipment.

These 3 facilities will service both the Re-Entry Center and the old Jail. The Jail's current facilities are severely inadequate.

The need for a plan to fund staffing for the Re-Entry Center has been on-going since the project's inception. A provisional staffing plan on June 4, 2025 calls for an additional Jail staff of 11 correctional deputies, 2 cooks, and 1 manager. If the staff funding issue can be resolved, and qualified correctional officers hired, the new Re-Entry Center can serve its intended purpose.

The failure to recruit new applicants, lack of qualified applicants, and the extensive time it takes to pass required background checks has hampered the ability of hiring correctional deputies in the past.

The new Re-Entry Center will have the capacity to house a total of 64 inmates in 2 wings. One wing is intended to hold males and the other females. Each wing is divided into 2 dorm style cells housing 16 inmates each, for a total of 32 inmates per wing.

The main control room will have a clear view and control of all the cells in the Re-Entry Center. It will be high-tech and is intended to eventually control both the Re-Entry Center and the Jail. The main control room will control access from the Re-Entry Center to the Jail and vice versa.

The shortage of correctional officers is a statewide problem that has counties trying to incentivize applicants with higher pay, signing incentives, and retention bonuses. Hiring a correctional officer is a highly competitive endeavor for counties.

Between January 1, 2025, and April 30, 2025, the TCSO successfully hired 4 new correctional officers and lost 1. As of June 4, 2025, the Jail has 8 correctional officer vacancies, and three positions currently frozen.

In April 2025, the West Wing of the Jail was reopened due to the addition of new correctional staff. As of June 4, 2025, the total inmate population was 117. At that time, there were also 6 additional correctional officer candidates undergoing background investigations as part of the hiring process.

FINDINGS

F1. Tehama County has secured the funding for the construction of the Re-Entry Center which includes the new kitchen appliances, laundry appliances, and medical furnishings.

F2. No county official has provided a clear plan for how staffing at the Re-Entry Center will be funded.

F3. BSCC mandates a specific inmate-to-correctional officer ratio to ensure the safety of both inmates and staff. Due to a shortage of correctional officers, the jail has been operating below full capacity.

F4. Like many counties in California, TCSO is struggling to recruit new correctional officers due to competition from more attractive employment opportunities, contributing to ongoing jail understaffing.

F5. The Tehama County Jail is old and was not designed to hold long term inmates as it is currently required to.

F6. The current Sobering and Safety Cells are inadequate and have been since reported in the 2018-2019 Grand Jury Final Report.

F7. Overpopulation (in reference to the inmate/officer ratio) of the jail can lead to some offenders being released early to make space for additional inmates. This has led to a negative public perception of “catch and release”.

F8. Currently there are no volunteer led community programs for inmates, which reduces re-habilitation and education opportunities.

F9. Without resolving the staffing shortage, the new Re-Entry Center will be unable to fulfill its intended purpose.

F10. Previous attempts to secure funding for Re-Entry Center staffing through county tax measures have been unsuccessful due to insufficient community support.

F11. To fulfill one of the requirements of being a Re-Entry Center, Shasta College will partner with TCSO to offer culinary training to inmates, proving them a useful skill after release.

Recommendations

R1a. The BOS and the TCSO shall work together to provide a plan to secure the money needed to fully staff the Re-Entry Center and the Jail. This plan should be presented at a BOS meeting by January 1, 2026.

R1b. The BOS shall reinstate the Ad Hoc Public Safety Tax Initiative Working Group by August 30, 2025. This group shall present a plan for securing additional tax revenue without unduly burdening the citizens of the county. All revenue shall go to a dedicated public safety fund for jail and Re-entry center staffing. The plan shall be presented at a BOS meeting by December 31, 2025.

R1c. The BOS and the TCSO shall work together to present a plan to educate the community on the necessity of these funds and gain community trust that the funds will be used as intended. Efforts could include but should not be limited to; town hall meetings, public presentations, facility tours, PSAs, etc. This plan should be presented at a BOS meeting by December 31, 2025.

R2. The BOS and the TCSO work together to make a plan to address retention and possible bonuses for attracting and retaining correctional officers. This plan shall be presented at a BOS meeting by January 1, 2026.

R3. The TCSO shall produce a written plan to address the inadequate Safety and Sobering Cell facilities. This plan shall be presented at a BOS meeting by December 31, 2025.

R4. The TCSO shall restore or implement new community led programs that would further the inmates' rehabilitation and educational needs (i.e. AA, NA, GED, etc.). At least 2 programs must be operating by September 30, 2025.

REQUIRED RESPONSES

Pursuant to California Penal Code Section 933 and 933.05, the following response is required:

- Board of Supervisors of the County of Tehama shall respond to:
 - Findings F2, F4, F9, F10
 - Recommendation R1a-c and R2.
- Tehama County Sherriff Office shall respond to:
 - Findings F2, F4, F6, F8, F9, F12
 - Recommendations R1a, R1c, R2, R3, and R4

In accordance with California Penal Code Section 933.06, five members of the Tehama County Grand Jury have recused themselves from participating in the inquiry, deliberation, and preparation of this report due to a potential conflict of interest or other disqualifying circumstances.

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Tehama County in Turmoil:

The Need for Conduct Reform in County Governance

Summary

Meetings of the Tehama County Board of Supervisors (BOS) have become increasingly dysfunctional, marked by disorder, tension, and a lack of professionalism. Growing concerns about Brown Act violations—such as alleged improper meeting notices, leaking closed-door discussions, and confidentiality failures—have been raised by officials, employees, and the public. These ongoing issues are eroding trust and disrupting effective governance.

Conflict among the BOS, the Sheriff, the Chief Administrator (CA), several department heads, and County Counsel has become a persistent issue. As a result, many of the Department Heads and Program Managers (DHPMs) have expressed embarrassment at county officials' behavior. This atmosphere of discord has contributed to a decline in employee morale. County employees are well aware of the problematic behavior among top county officials, and many are struggling to perform their duties in this environment.

Currently, all hired, elected, and appointed Tehama County employees are required to sign a Code of Conduct. However, only hired employees can be held accountable to this Code. Elected officials, including the BOS, are not subject to the same enforceable standards. This gap in accountability is deeply concerning, particularly as leadership should exemplify the highest standards of conduct. The Tehama County Grand Jury (TCGJ) believes an enforceable Code of Conduct for the BOS would help alleviate some of the dysfunction at BOS meetings. The absence of such standards undermines employee morale and operational efficiency.

The TCGJ believes that effective leadership within County Government must begin at the top. As the primary policy makers and overseers, the BOS sets the tone for the entire organization. Their meetings are accessible to both employees and the public, whether in person or online, making their conduct highly visible. The BOS should model

the professionalism and respect essential to fostering a healthy and productive work environment. Currently they are not.

ACRONYMS

BOS – Tehama County Board of Supervisors

CA – Chief Administrator

DHPM – Department Head and Program Managers

FPPC – Fair Political Practice Commission

TC – Tehama County

TCGJ – Tehama County Grand Jury

WVPP – Workplace Violence Protection Plan

METHODOLOGY

In conducting the investigation that culminated in this report the Tehama County Grand Jury:

- Reviewed numerous complaints concerning the conduct of several county agents. We inquired into their validity. We determined there were valid complaints and formed an investigative team
- Attended BOS meetings, viewed past BOS meetings online, reviewed BOS agendas and minutes
- Reviewed postings on several social media sites
- Reviewed local news articles
- Reviewed news articles from other counties facing similar complaints
- Reviewed the Tehama County Employee Code of Conduct
- Conducted online research for Codes of Conduct for County Supervisors in many other Counties

- Reviewed the Tehama County Personnel Handbook
- Sought legal advice from County Counsel and District Attorney
- Reviewed information from California State Association of Counties, The Brown Act, Rosenberg Rules of Order, Roberts Rules of Orders
- Interviewed all five members of the current BOS and 4 members of past Boards, and a past Chief Administrator
- Interviewed 25 DHPMs

The grand jury acknowledges the time given by all those interviewed and appreciates the interviewee's understanding that the Grand Jury exists to support and improve the operations of all areas of local government. The grand jury commends interviewees on their commitment to serving Tehama County and their willingness to answer openly and honestly, providing necessary information to help resolve the issues that are affecting their workplace environment.

Background

The California Constitution recognizes two types of counties: 43 general law counties and 15 charter counties. General law counties are governed by state laws, while charter counties have more autonomy in local matters. A charter county operates under a charter, a document that acts as a local constitution, defining the county's organizational structure, powers and duties of elected officials.

Tehama County is a charter county with a Board of Supervisors – Administrator form of government. The BOS consists of five members elected by Supervisorial Districts to serve four-year terms. The BOS governs the County and designated special districts. The BOS passes ordinances and resolutions, adopts the annual budget, approves contracts, appropriates funds, determines land use zoning for the unincorporated area, and appoints some County officers, including the CA and members of various boards and commissions. This workload demands as much or more time as a full-time job.

In Tehama County, members of the BOS earn a monthly salary of \$1,045 plus a vehicle allowance—significantly lower than the statewide BOS salary average of around \$5,000 per month. The BOS salary is set in the Tehama County charter. It can only be raised by a voter-approved amendment. While rural counties often pay less, Tehama

County's rate of pay is among the lowest. The small salary can discourage people without an outside income from serving.

The five-member BOS select and hire a County Administrator. The CA implements general policy set by the BOS and oversees the daily operations of county government. This role involves managing county programs, analyzing organizational systems, and coordinating the annual budget process. The CA also supervises key functions such as personnel, risk management, purchasing, and construction, while providing guidance and support to DHPMs.

Tehama County has approximately 900 employees that are hired, elected or appointed. These employees work within 28 county departments providing services for public safety, public health, community services and administrative support.

The TCGJ observed ongoing concerns related to transparency, workplace behavior, and adherence to the Brown Act. Many of these issues have played out publicly during BOS meetings, where conduct has at times included bullying, harassment, and threats of workplace violence. A TCGJ investigative committee was formed in response to these concerns. The committee recognized that the ongoing disruptions at BOS meetings were creating a difficult work environment and affecting employee morale. When morale suffers, so does the well-being of staff, their productivity, and ultimately the County's ability to serve the public effectively.

To assess employee morale the committee designed an online, anonymous, county-wide employee survey. After consultation with our legal advisor, it was determined that due to confidentiality laws we could not conduct our online survey.

To abide by confidentiality law, the TCGJ would need to interview each of the 900 employees in person. This was not feasible.

The TCGJ interviewed twenty-five DHPMs to assess their own morale and to gain insight into the overall morale within their respective departments.

The interview questionnaire was the same for all DHPMs. Five to eight jurors sat in on each interview. Each juror documented the responses from each interviewee. Every

interview was recorded, allowing verification and reviewing of any conflicting or unclear information. The interview responses were compiled, documented, and reviewed.

The TCGJ also interviewed the five current BOS members, four members of former Boards, and a past CA. These interviews were also compiled and recorded.

Following the interviews, it became clear that the number and complexity of issues within Tehama County government operations exceeded the scope and time available for the TCGJ to fully investigate within the current reporting period.

The TCGJ elected to focus on three areas of concern:

1. Disruptive Conduct by Elected Officials, Employees, and the Public at BOS Meetings
2. Harassment and Bullying by Elected Officials, County Staff, and the Public
3. Lack of Clarity Regarding Applicable Personnel Rules and Who They Govern

These three focus areas were identified as having the most significant and immediate impact on the functionality of County government, employee well-being, and public trust. The behavior modeled at BOS meetings does not occur in isolation—it shapes the workplace culture, influences how county business is conducted, and affects how the public perceives its leaders.

The turmoil and disorder often displayed at BOS meetings has led to increased public polarization, with individuals frequently taking sides and expressing their frustrations on social media. Unfortunately, these discussions often include inaccurate or misleading information, further fueling division and misunderstanding.

DISCUSSION

After attending and reviewing BOS meetings, as well as analyzing media coverage and social media posts, the TCGJ determined that many BOS meetings have become frequently turbulent and disorderly. Harassment, insinuations, accusations, and personal attacks are commonplace.

This ongoing display of unprofessional behavior—marked by hostility and frequent disruptions—is impeding the County’s ability to conduct business efficiently. It is not limited to County officials; members of the public have also contributed to the disruptive atmosphere. Third-party investigations and the threat of litigation are ongoing, consuming time and taxpayer resources, and contributing to a work environment that may be detrimental to employee well-being.

The TCGJ is concerned that this unprofessional, disruptive behavior is negatively affecting employee morale, impacting work productivity, and may have legal ramifications.

Employee Morale

Employee morale encompasses the overall attitude, confidence, and enthusiasm of employees toward their work. It represents how employees feel about their role in the workplace and their commitment to the organization.

High employee morale leads to increased productivity, reduced turnover, motivation, and a sense of well-being. Employees with high morale tend to be more engaged at work, productive and satisfied. They have positive relationships with their coworkers and supervisors.

Conversely, low employee morale can lead to decreased productivity, burnout, disengagement, and high turnover. Employees with low morale are more likely to be absent and to seek employment elsewhere.

The relationship between the BOS and all County employees—whether hired, appointed, or elected—is crucial. It significantly influences employee engagement, productivity, and the overall effectiveness of County operations. A strong, positive relationship fosters a healthier work environment, enhancing morale, lowering turnover, and improving the quality of work.

Morale Assessment

The TCGJ’s interviews confirmed that employee morale is being negatively impacted by the conduct of officials and members of the public during BOS meetings. Many BOS

members, DHPMs, employees, and citizens expressed embarrassment over the unbecoming behavior witnessed at these meetings. Several also shared concerns about potential retaliation if they voice concerns confidentially. They worry that the confidentiality will be broken, leading to harassment.

A compilation of the answers to several of our interview questions are shown below.

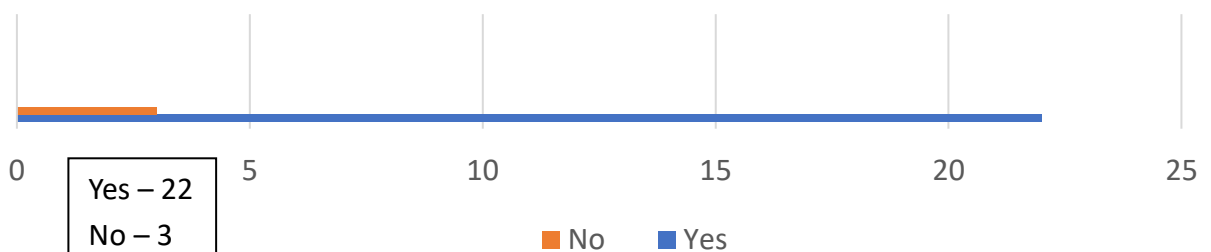
DHPM Interview compilations:

As a **DHPM**, in general, how do you feel the overall morale is among the DHPMs?

Key Comments were:

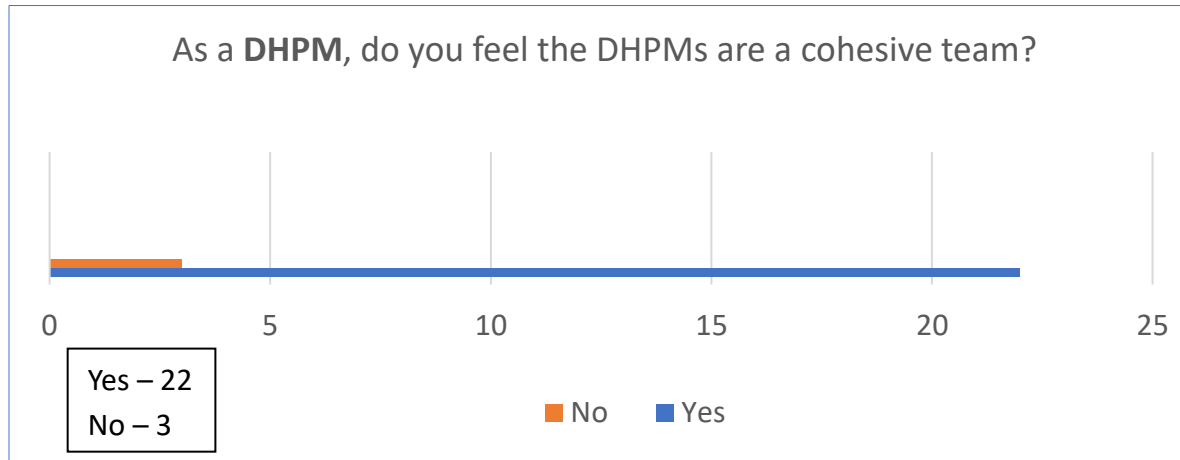
- It's been rocky
- We're tired of the games going on
- BOS influences the morale the most
- It's difficult for some of the department heads because of the way they are treated by the BOS

As a **DHPM**, do you feel there is open communication between DHPMs?



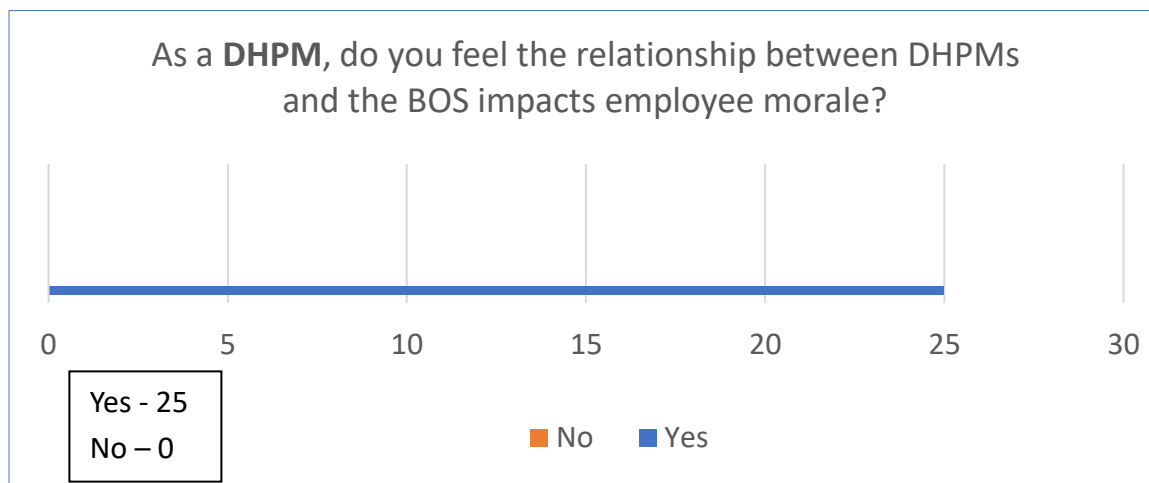
Key Comments:

- The BOS are a big challenge to the department heads
- It's difficult for the department heads because of the way they are controlled by the BOS
- It depends on the situation



Key Comments:

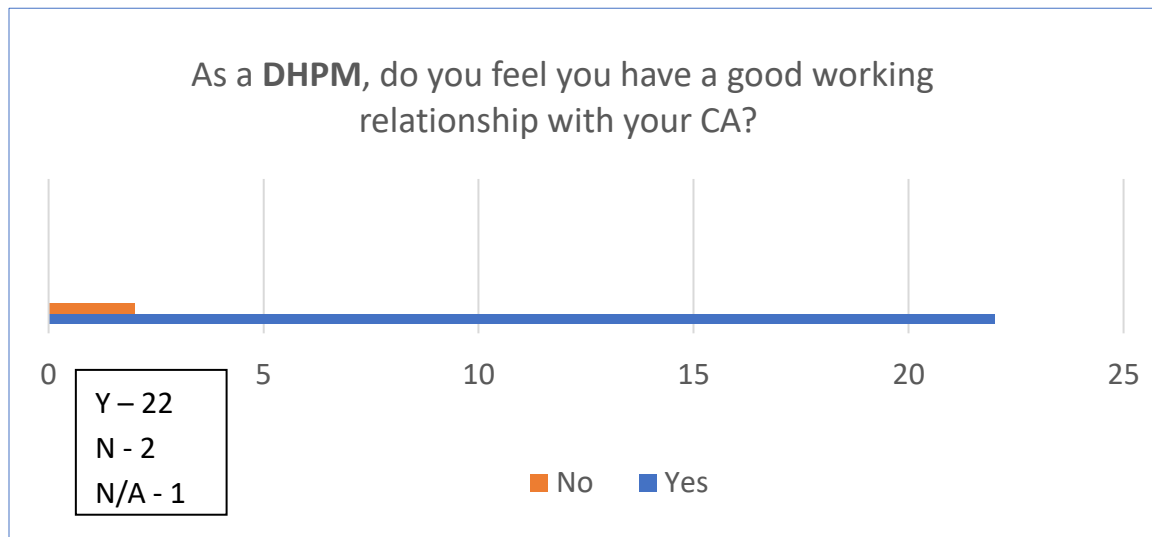
- Conflict between the Sheriff and the CA – this was brought up by the vast majority of the DHPMs (also by the BOS though not shown on this graph)
- Some are great some are not so good when it comes to working together
- Some departments don't work together often because they aren't involved in the same issues



Key Comments:

- There is visible conflict between them
- How the BOS presents itself can be problematic

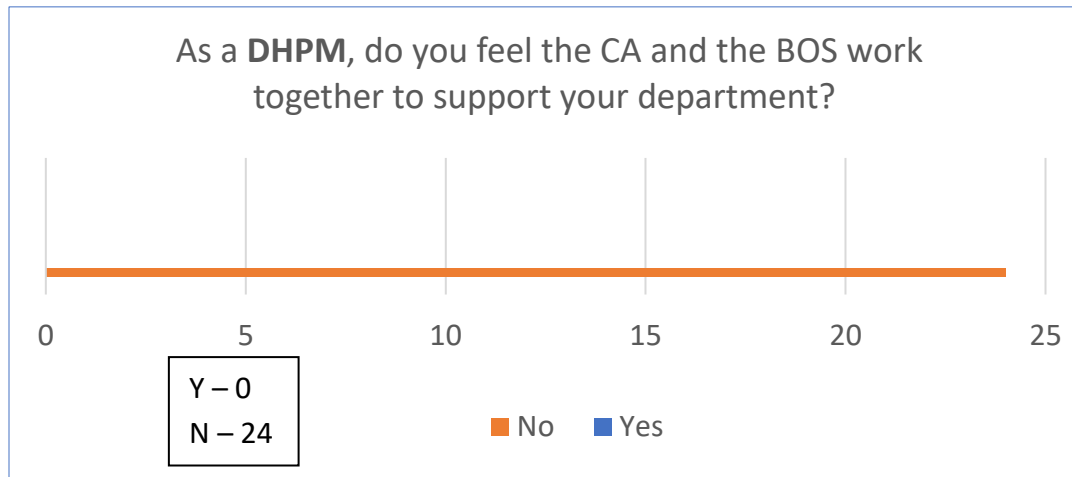
- BOS should be setting the example
- The public recognizes unprofessionalism from the BOS
- The relationship is toxic and hostile which is shown in Board meetings and newspaper articles
- Employees are not blind as to what is going on
- BOS has personal agendas
- BOS makes direct attacks against the CA



As **DHPM** Do you feel you get the support you need from the CA?

Key Comments:

- He provides good support
- He conducts monthly meetings for all DHPMs
- He is picked on by the BOS
- You can call him anytime and talk through issues
- He is understanding and calming
- I don't always agree with him but we work things out
- He is approachable
- He stands up for DHPMs
- He insulates DHPMs from the BOS in cases of the BOS trying to micromanage



Key Comments:

- The CA is disrespected by 1 or 2 of the BOS
- 1 or 2 of the BOS listen to the vocal minority in the BOS meetings
- The CA stands up for the department heads to the BOS
- The CA helps insulate the department heads from the BOS
- The BOS should respect and honor the department head credentials
- No, there is no energy there

Current BOS Interview Compilations:

As a **member of the BOS** how do you perceive the overall morale of the DHPMs?

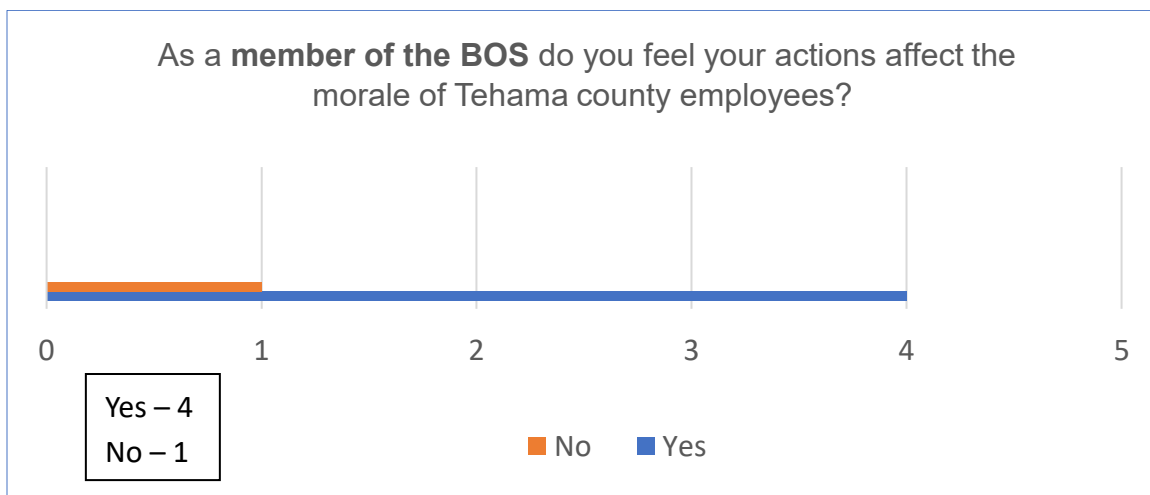
Key comments:

- Good – they know there are problems but they're very professional
- Very reserved – they know there are problems above them
- They're very frustrated
- Low – they see the friction between the Sheriff and the CA

As a **member of the BOS** how do you perceive the overall morale of Tehama County employees?

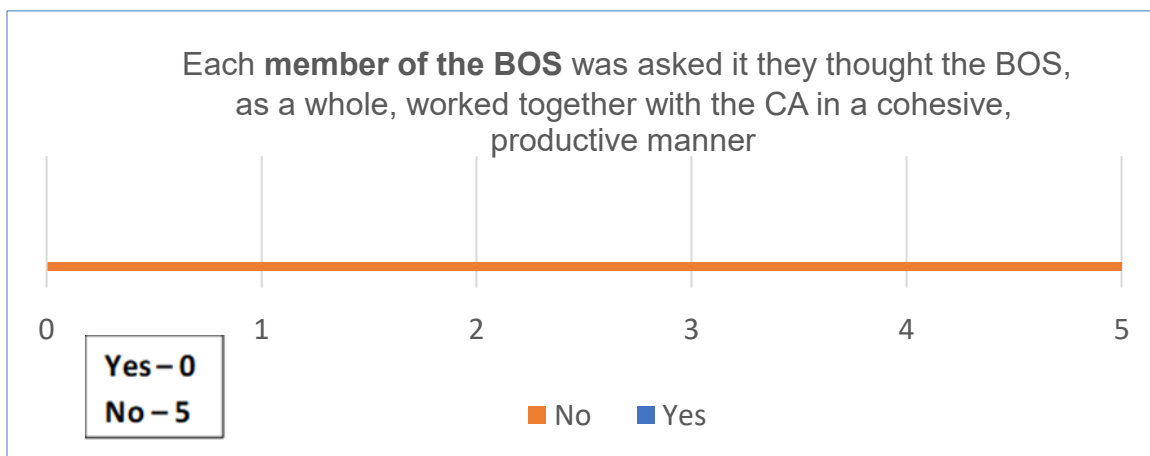
Key comments:

- Several responses were good
- Employees perceive things are not right
- Low but hope it improves



Key Comments:

- Yes, it can. BOS should lead by example
- 3 BOS members answered “Absolutely”
- No



Each **member of the BOS** was asked how they thought they could improve the working relationship between the CA and the BOS.

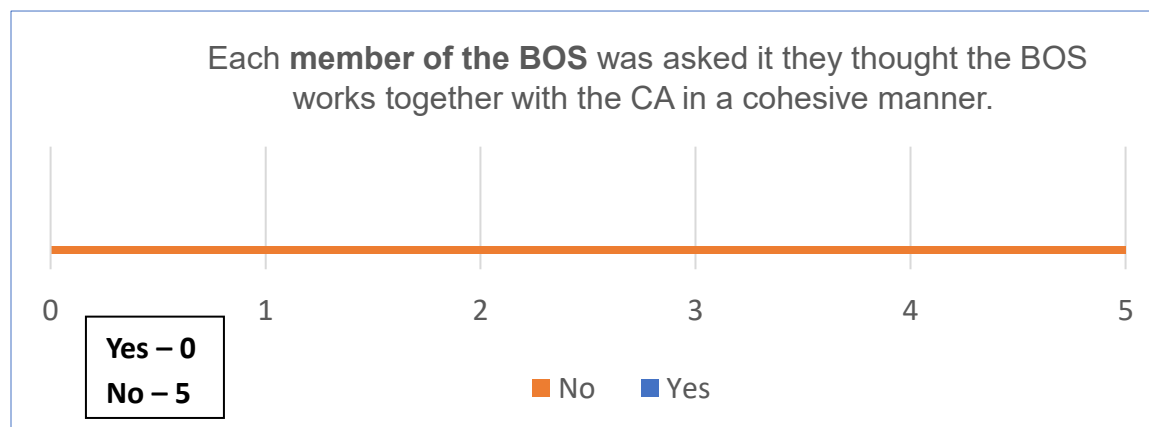
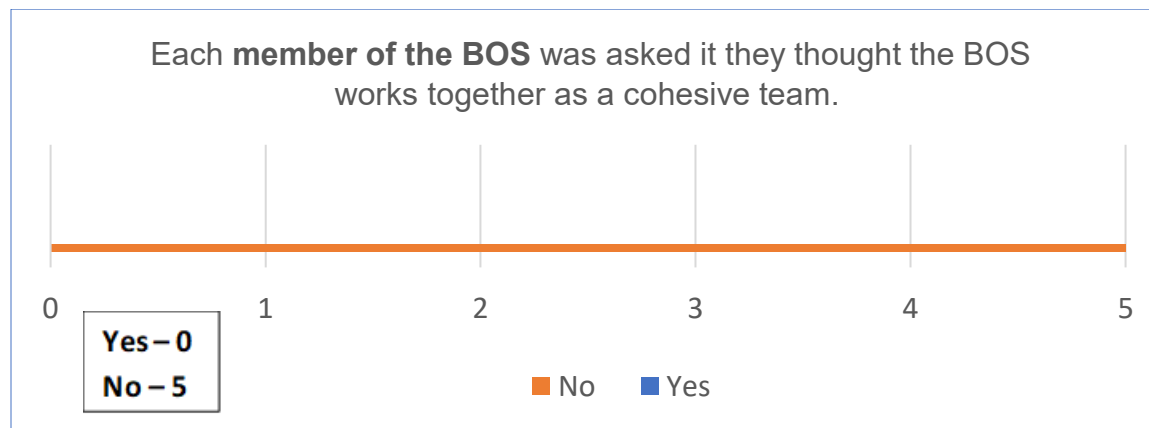
Key Comments:

- Can't – no
- Make all new supervisors meet with the CA and all the department heads.
- Impower the CA to do his job.
- Believes the CA is a dictator and won't cooperate
- Try to get to know the CA

It is worth noting that the vast majority of DHPMs interviewed (22 out of 24, CA excluded) had good things to say, respect, and enjoy working with the CA while 2 members out of 5 BOS do not believe he should even remain in office.

BOS Perceived as Divided and Disjointed

In a supervisor system, the Board of Supervisors serves as the collective governing authority of the county. While members may hold differing perspectives during discussions, the BOS is expected to act as a unified body when making decisions and overseeing county operations. Once a vote is taken, presenting a consistent and united front helps maintain public trust and institutional stability. However, one member of the BOS is frequently featured in the news—both making and facing accusations—which has contributed to public turmoil, internal dysfunction, and a negative perception of the Board and the county as a whole.



Each **member of the BOS** was asked if they felt that the Actions of the BOS at their Tuesday board meetings, and other public meetings, builds the public's trust in their ability to accomplish county business in a professional manner.

Comments included:

- No
- Somedays it is very challenging
- Most of the time
- It depends on the Supervisor

Clarify What Personnel Rules Apply to Whom

The Tehama County Personnel Rules Handbook, revised in February 2025, under the section entitled Employee Standards §1301: CODE OF CONDUCT, contains the sentence, 'Tehama County employees are entrusted with the responsibility of maintaining the reputation of the County by adhering to the highest level of standards and expectations for professionalism and integrity.' If followed by all County representatives, this statement alone, would help the BOS meetings run more efficiently.

TCGJ also noted that the issue of which Tehama County personnel rules apply to whom often resurfaces and much time is wasted arguing over it during the BOS meetings.

While all employees— whether hired, appointed, or elected—sign the Personnel Rules Code of Conduct, elected officials are not subject to its enforcement. Elected positions such as Assessor, Auditor-Controller, Clerk-Recorder, District Attorney, Sheriff-Coroner, and Tax Collector are only accountable through the recall process, not the county's internal personnel system. If an elected official violates conduct rules—for example, through bullying or sexual harassment—the county may face legal liability, including lawsuits for hostile work environments or discrimination. Depending on the circumstances, the official may also be held personally liable for damages. The Tehama

County Charter does not classify members of the BOS as employees. Currently, only hired employees can actually be held to a Code of Conduct.

Harassment, Bullying and Workplace Violence

Tehama County has long maintained a policy condemning harassment, bullying, and any form of workplace violence. These values are codified in the County's Personnel Rules and reinforced through the County's Workplace Violence Prevention Plan (WVPP), which promises a safe and respectful environment for all employees, officials, and members of the public interacting with county government. The Personnel Rules give a very clear definition of Workplace Violence, Harassment and Workplace Bullying (see Appendix). Unfortunately, despite these policies, a climate of hostility, personal attacks, and dysfunction has taken root—particularly at the highest levels of county leadership.

A significant and ongoing concern is the longstanding conflict between the Sheriff and the CA. Every DHPM (including the Sheriff and CA) interviewed acknowledged this tension, many noting that it had persisted for several years. The impact of this hostility has been widespread, creating unease among staff and department heads who feel caught in the crossfire of leadership disputes that have become personal, public, and increasingly toxic.

At the May 21, 2024 BOS meeting the TCDSA (Tehama County Deputy Sheriff Association) brought forth a Vote of No Confidence against the CA, Personnel Director, and County Counsel for failure to get a Memorandum of Understanding signed contract in place.

Soon after, Local Union #39 announced support for the vote at a BOS meeting. Closer scrutiny revealed that less than 2% of its members had signed the document, casting doubt on its legitimacy. Despite these low numbers, the issue gained traction in the community, especially among factions critical of the CA.

At the June 18, 2024 BOS meeting a member of the public in support of the Vote of No Confidence verbally threatened the CA and his family during public comment. This threat was alarming—not only in its content but in the public setting in which it occurred. One of the duties of the CA is to serve as the Risk Management Director. It is the CA's obligation to take proactive steps to stop any kind of workplace violence against county employees. In his capacity as the Risk Management Director, the CA acted appropriately by requesting the (then) Chair of the BOS to petition the County for a restraining order, which was granted. The Work Place Violence Restraining Order laws permit employers to seek protective orders on behalf of their employees to protect them and other employees who might be targeted. This decision was met with both support and criticism. While many employees and department heads stood behind the CA's action to protect the workplace, others publicly criticized him, accusing the CA of being “anti-elderly”, “anti-law enforcement,” and suggesting he “grow thicker skin.” This form of harassment should not have to be tolerated by anyone - let alone a public servant at a BOS meeting.

The Sheriff later acknowledged that he appreciated the individual's support but, made it clear that the threats were not acceptable.

Meanwhile, bumper-style stickers criticizing the CA began appearing throughout the county—an orchestrated campaign that took thought, money and time, clearly intended to harass and intimidate. Had the CA failed to act after such a threat was made against another employee, there would almost certainly have been a public outcry. In this case, he acted, and the backlash came anyway.





Comments regarding the actions of public servants in their official capacity should be focused on policy and performance—not target their personal character. The TCGJ is deeply concerned that, if this behavior continues to go unchecked, it may lead to a physical assault.

During a discussion at the April 30, 2025 BOS meeting, the District 1 Supervisor shouted “You work for me” at the County Administrator after the CA did not pause his remarks to allow for the Supervisor’s interjection. This outburst was not a policy-based objection, but a personal confrontation made in full view of county staff and the public. Such behavior reflects a troubling lack of decorum and respect for the professional roles within county government. Publicly demeaning a county employee in this way diminishes the integrity of public service and weakens the standard of conduct expected from elected officials.

Social media has further fueled this toxic atmosphere. Misinformation and unverified allegations circulate freely online. Opinions are shared as though they are facts, and very rarely are corrections issued when the truth emerges. This type of public discourse has helped inflame tensions among the public and within county departments, forcing officials to spend considerable time addressing unsubstantiated complaints instead of focusing on governance.

The situation is further complicated by accusations of ethical violations and political retaliation. On February 3, 2025, District 4 Supervisor filed a formal complaint with the Fair Political Practices Commission (FPPC), raising concerns about a possible conflict of interest involving the Sheriff and a long-standing contract with a local dentist for jail inmate care. While the dentist’s four decades of service are commendable, the Supervisor’s concern centered on transparency and fair bidding practices. Nevertheless, the Sheriff and others accused the Supervisor of harassment and retaliation, and a complaint was filed against him. The Supervisor was criticized for doing exactly what he was elected to do—ensure county business is conducted lawfully and fairly. Again, public officials are publicly attacked whether they do their job or they don’t do their job – comments at BOS meeting should be focused on policy not individuals.

Additional complaints surfaced as well. The District 3 Supervisor filed a wide-reaching complaint with the DA against the CA, Personnel Director, Deputy County Counsel, District 4 Supervisor and former District 1 and 5 Supervisors. The DA forwarded it to the Attorney General. In February 2025 it was publicly announced that the Attorney General found no wrongdoing and the allegations were unfounded. Despite this, the accusations continued to erode public trust and morale within county departments.

Confidentiality

The Brown Act, enacted in 1953, was designed to ensure transparency in local government by requiring that public agency meetings be open to the public. It does, however, permit closed sessions for specific confidential matters, such as personnel issues, real property or labor negotiations, and legal discussions. Breaching confidentiality can lead to legal consequences, including lawsuits to enforce confidentiality, disciplinary action, and referral to the grand jury.

Confidentiality in closed sessions is critical—information disclosed may not be shared with unauthorized individuals unless formally approved by the legislative body. Unauthorized release of closed session information could expose the county to liability for breaches of employee privacy/confidentiality as well as negatively impact the county's ability to effectively defend itself in lawsuits or negotiate fair agreements.

While discussions in closed session remain private, the Brown Act requires agencies to “report out” certain actions taken. This means they must publicly announce what decision was made—such as approving a settlement or confirming an appointment—how each board member voted (if a vote occurred), and any resulting agreements or actions, unless legally exempt from disclosure. This requirement ensures transparency and accountability to the public, even when sensitive matters are discussed behind closed doors.

Accusations of Brown Act violations have been rampant at BOS meetings, especially concerning confidential information being leaked from closed sessions. Text messages between a current Supervisor and members of the public show that details about labor

negotiations were discussed outside the confines of the BOS chambers. When confronted, the Supervisor claimed the information had already been shared to the public by another Supervisor—further proof of the casual disregard for confidentiality among some officials.

On November 5, 2024, the District 3 Supervisor was formally censured by a 3–2 vote of the BOS due to disruptive behavior during a meeting focused on employee contract negotiations. During the session, District 3 Supervisor publicly referred to the former District 5 Supervisor as "untrustworthy and a liar," citing frustration over their reversal on a contract extension—from a proposed three years to an approved three months.

In April 2025, the District 3 Supervisor was removed from participating in BOS Agenda Review meetings by the Chair due to concerns regarding breaches of confidentiality. Other troubling actions include unauthorized recordings being taken in closed session and incidents involving the removal of documents intended for internal review. These actions are clear violations of the Brown Act, which exists to ensure transparency while protecting sensitive negotiations.

Code of Conduct

During the interview process, the TCGJ explored issues related to employee morale and conduct at BOS meetings. The responses revealed that low morale is a significant concern, with unprofessional behavior at BOS meetings identified as a key contributing factor. The following questions and responses helped uncover the extent of the issue and highlighted the need for a formal Code of Conduct to promote civility, respect, and professionalism in County leadership.

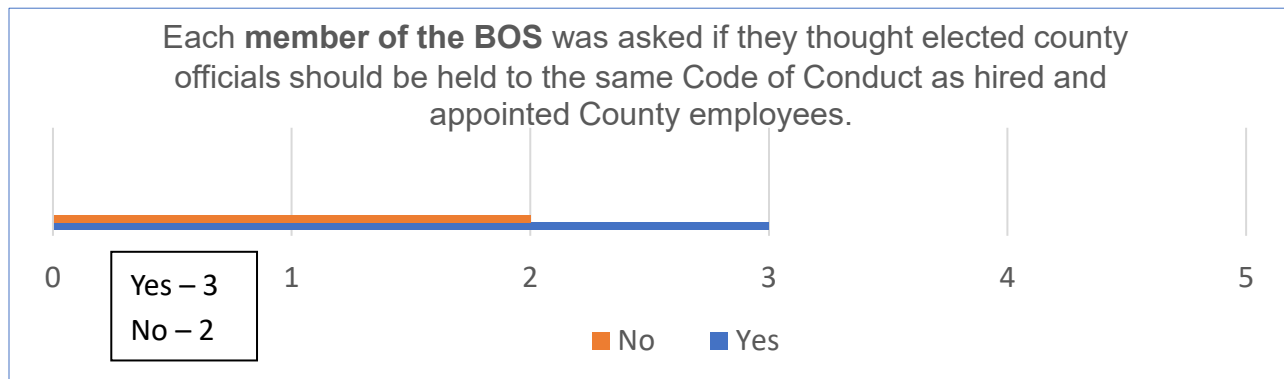
As a **DHPM** do you feel a Code of Ethics/Conduct would be beneficial for all elected officials in the County?

The majority responded yes with significant feedback as to why.

Key Comments:

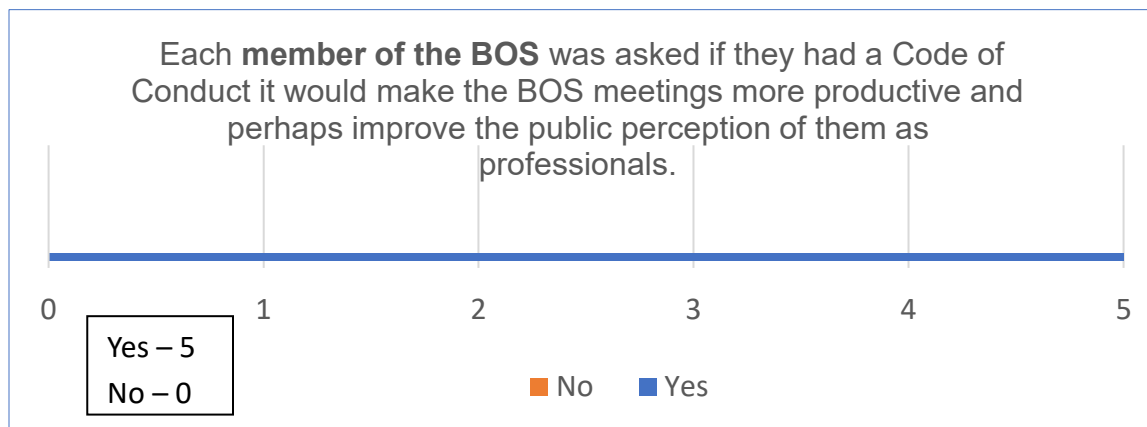
- ... to make it better than it is
- ... clear up rifts and differences
- ... eliminate the BOS from creating angst
- As leadership in the County – ethics is a symbol of expectation, and helps make decisions in the best interest of the County. Right now, the loudest get the attention.
- Yes, they need ethics training
- ... it's sad to have to ask
- Yes, there should be Brown Act Training.
- There would be potentially less public battle.
- Yes, it's embarrassing and people don't want to come to Tehama County for work.
- Absolutely, allowing more decisions to be made by department heads.
- Everyone should have to follow a Code of Conduct.
- Yes, it would be a step in the right direction.

The primary NO answers came from the belief that a Code of Conduct would not be enforceable.



Key Comments:

- No...elected are not employees...the Brown Act Stipulates it
- Absolutely they set policy and should be held to the same standards
- Yes...should be held to high standards...they are examples
- No, a Code of Conduct is not enforceable for them
- Absolutely



Key Comments:

- Yes, a Code of Conduct should be followed by all.
- Yes, it would stop bad behavior at meetings.
- Yes, it would help correct disrespectful behavior displayed at meetings.
- Yes, but it needs to be enforceable
- Yes, it would help eliminate personal attacks on County personnel.

The **members of the BOS** were also each asked if they had any ideas on how a Code of Conduct for elected officials could be enforced.

Key Comments:

- Have a Sergeant at Arms.
- ...civil penalties...ordinance
- ...responsibility of the chairperson...
- County Counsel is getting paid to do that.
- Civil penalty...it needs some teeth behind it.

The BOS does not sign the Code of Conduct that all Tehama County employees are required to sign. Since Tehama County is a Charter County, establishing an enforceable Code of Conduct for elected officials would require drafting, submitting, reviewing, and ultimately approving an ordinance by the BOS.

Why a Code of Conduct Matters

A Code of Conduct provides a structured framework for ethical behavior, encourages respectful communication, and fosters a productive meeting environment. It sets clear standards of conduct, defines expectations, and helps ensure that meetings are conducted in a manner consistent with the values of the County and the community it serves.

The TCGJ recognizes the importance of a Code of Conduct for the BOS to promote civility and create a positive atmosphere conducive to more efficient and effective meetings. Such a Code of Conduct serves as a reminder of the principles of integrity, objectivity, confidentiality, and respect for appointed officials, staff, and the public.

After reviewing Codes of Conduct from many other counties, TCGJ pulled out the concepts important to be included in a BOS Code of Conduct. We encourage the BOS to consider the following Code of Conduct.

BOS Proposed Code of Conduct

1. The Board is committed to maintaining a workplace and organization that is free from unlawful harassment, discrimination, and retaliation. Offensive language, humiliating, gossiping, threatening, or disparaging treatment, coercive, belittling, sabotaging, isolating, and discourteousness are considered abuse behaviors and can be considered bullying and will not be tolerated.
2. Board members conduct will further the ability of the Board and County to carry out business in an orderly and undisrupted manner.
3. Board members will refrain from behavior that brings County government or the Board into disrepute, including but not limited to engaging in abusive conduct toward staff, the community or other Board members; leveling unsubstantiated personal charges or allegations; using inappropriate or abusive language during Board meetings; or engaging in unsubstantiated or intemperate verbal or written attacks on the character or motives of other Board members, staff and members of the public.
4. Board members will respect the collective authority of the Board and will accurately represent the official policies and positions of TC and make clear the distinctions between such policies and positions and their individual positions and opinions. When stating their individual opinions and positions, Board members will explicitly state that they are not sharing the position of the entire Board.

Confidential Information

5. Board members recognize their obligation to protect the confidential nature of information received in the course of their work, including confidential information provided in the closed session portions of Board meetings. Board members are also committed to compliance with the Brown Act, the Public Records Act and other applicable laws.
6. Board members must avoid any situation in which their personal interests—or those of their family members—conflict with the interests of the County or with

their official duties as elected officials. Board members shall not use their position to influence county decisions, policies, or contracts for personal gain. Prohibited actions include, but are not limited to: bidding on county contracts, using their position to benefit themselves or relatives, or disclosing confidential information to assist themselves or others. Board members have an obligation to uphold the integrity of their office and must recuse themselves from any matter where a conflict of interest exists or could reasonably be perceived.

Respect for the Boards Authority

7. Individual members must respect the collective authority of the Board.

Code of Conduct Repercussions

There are three basic consequences when violating the Code of Conduct:

- Censure – a formal statement of severe disapproval. It serves as a condemnation and has no direct effect on the person being censured.
- Loss of Executive Power
- Recommendation for referral to the Grand Jury - Pursuant to **California Government Code Section 3060**, a civil grand jury has the authority to accuse a public officer of willful or corrupt misconduct in office, which may lead to their removal following a trial without a recall.

Public Code of Conduct

In the course of its review the TCGJ found that certain members of the public frequently direct personal attacks toward County employees, members of the BOS, and their families, rather than focusing their comments on the issues under discussion. The TCGJ found that several other counties have implemented a Code of Conduct for public participation at government meetings to promote respectful and constructive dialogue.

The TCGJ noted that having a Public Code of Conduct in place during BOS meetings can contribute to maintaining order and promoting respectful behavior. Such a code supports the smooth and safe conduct of County business by minimizing disruptions. In other jurisdictions, these codes are often displayed prominently in board chambers and included on agenda cover pages alongside information about the public's rights at government meetings.

The TCGJ suggests that the BOS formally adopt the proposed Public Code of Conduct or develop a comparable policy to guide public behavior during meetings.

Proposed Public Code of Conduct

1. Treat all participants with kindness and respect, valuing the diverse opinions and views.
2. Respect the process for meeting participation including pre-registering to make a public comment.
3. Listening is an important sign of respect.
4. Comments should be clear and brief and stay on topic.
5. Refrain from demeaning, discriminatory, or harassing behavior.
6. Critique ideas rather than individuals.
7. Avoid distracting behaviors such as private conversations and phone use.
8. Exercise self-control. No threats of violence and loud or offensive communications.
9. Understand the rights of individuals to speak at public meetings including the right to criticize the government.

Violations of this Code may result in removal from the meeting.

The TCGJ strongly recommends scheduling the Public Comment session at the conclusion of BOS meetings rather than at the outset. This change would not limit opportunities for public input on specific agenda items as they arise. Several other counties have already adopted this practice, which helps ensure a more efficient progression through agenda items and prioritizes the timely completion of county business.

Findings

- F1. The BOS meetings are a cause for concern due to the inability of the Board to operate as a cohesive team.
- F2. Animosity between several of the BOS inhibits the ability to get county work done in a timely manner.
- F3. There are members of the public that continually make unsubstantiated allegations instead of focusing on the County business which slows down the BOS from getting county business done in a timely manner.
- F4. A member of the BOS has expressed intent to remove the CA, Personnel Director, and County Counsel. This has caused unnecessary tension within County Administration.
- F5. One of the BOS thinks the CA intimidates the DHPMs. Our interviews pointed out that 22 out of 24 DHPMs feel supported and work well with the CA. This discrepancy suggests a significant gap between the perception of one supervisor and the experiences of the majority of DHPMs.
- F6. Although paid by the county, BOS members are not county employees and are not bound by county personnel rules. This lack of enforceable standards for elected officials appears to reduce accountability and encourage poor behavior, undermining a respectful workplace.

- F7. All of the current BOS agreed that a Code of Conduct for the BOS would be beneficial. Implementing a Code of Conduct could enhance public trust, improve working relationships within the BOS, and set consistent expectations that support a respectful and effective governing environment.
- F8. There is confusion among Tehama County officials over which personnel rules should apply to whom. This ambiguity has led to questions about whether elected, appointed, and hired individuals are being treated consistently and fairly under county policies, highlighting the need for clearer definitions and uniform application of rules.
- F9. All of Department heads noticed the conflict between the Sheriff and the CA which has created an uncomfortable and challenging work environment. This tension has negatively impacted the effectiveness of county operations and must be resolved.
- F10. The TCGJ observed that the BOS sometimes goes beyond its policy-making role by micromanaging the CA, making it difficult for the CA to effectively carry out his responsibilities.

RECOMMENDATIONS

- R1. The BOS shall hire an outside mediator to resolve differences between the Sheriff and the CA by October 1, 2025.
- R2. County Counsel will define clearly the job descriptions of the BOS and the CA at a BOS meeting with the public present by October 1, 2025.
- R3. The BOS shall adopt and sign the TCGJ's suggested Code of Conduct, or institute their own version, by October 1, 2025. This Code of Conduct shall be reviewed and revised as needed and shall be signed annually by the serving BOS.
- R4. The BOS shall adopt the Public Code of Conduct suggested by the TCGJ, or write one of their own, by October 1, 2025. The Code shall be placed on the front page

of the BOS agenda that is available to the public. TCGJ also suggests it be projected on the screen prior to the official start of the BOS meeting.

- R5. TCGJ recommends the Public Comment period be moved from the beginning of the BOS meetings to the end of the meetings by October 1, 2025.
- R6. The TCGJ recommends that the BOS develop and use a speaker's card system to better organize the public input during agenda items at BOS meetings. If no card is submitted, the individual should not be permitted to speak. This process will help ensure orderly, timely, and relevant public participation in Board proceedings. The system should be in place by October 1, 2025.
- R7. TCGJ recommends that the Personnel Director work with an Ad Hoc committee to clearly explain which personnel rules apply to hired, elected, and appointed county staff in the Tehama County Personnel Rules Handbook.

Pursuant to California Penal Code Section 933 and 933.05, the following response is required:

- Board of Supervisors of the County of Tehama shall respond to:
 - Findings: F1, F2, F4, F6, F7, F10
 - Recommendations: R1, R3, R4, R5
- Tehama County Counsel shall respond to:
 - Finding: F10
 - Recommendation: R2
- Tehama County Personnel Director shall respond to:
 - Finding: F8
 - Recommendation: R7

In accordance with California Penal Code Section 933.06, five members of the Tehama County Grand Jury have recused themselves from participating in the inquiry, deliberation, and preparation of this report due to a potential conflict of interest or other disqualifying circumstances.

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APPENDIX

Harassment: Any unwelcome or offensive conduct motivated by or directed to a person on the basis of race, religion, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, gender, gender identity, gender expression, sexual orientation, genetic information, marital status, military or veteran status, or age, including harassment of a person of the same gender as the harasser.

Hostile Work Environment: Referred to under Equal Employment Opportunity Commission (EEOC) guidelines as “work environment” harassment. A hostile work environment exists when one’s behavior within a workplace creates an environment that is difficult or uncomfortable for another person to work in, due to discrimination. Hostile work environment harassment is a common complaint in sexual harassment cases when there are unwelcome sexual advances, requests for sexual favors (even if not of a quid pro quo or conditional nature), verbal, visual and physical conduct of a sexual nature. Conduct creating a hostile work environment is a violation of this rule whether or not there is any tangible, adverse impact on the employee’s job benefits. The conduct need not be explicitly sexual to meet this definition and may include repeated or continuing unwelcome or offensive romantic advances, requests, invitations, or unwelcome or offensive overtures to express a romantic or intimate interest in another employee.

Workplace Bullying: Inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and / or in the course of employment. Actions such as offensive language, humiliating, gossiping, threatening, or disparaging treatment; coercive, belittling, sabotaging, isolation, and discourteousness are considered abusive behaviors and may be considered workplace bullying. These actions may be verbal or non-verbal, acts of commission or omission, direct or indirect, covert or overt, or incidents of aiding or abetting. This includes cyberbullying. 8103 Workplace Violence: Workplace violence is any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior which occurs at the work site. Workplace violence ranges from threats and verbal abuse to physical assaults and even homicide.

Reports issued by the grand jury do not identify the individuals who have been interviewed during the investigation. Penal Code section 929 requires that reports of the grand jury not contain the name of any person or facts leading to the identity of any person who provides information to the grand jury.

Department Head Interview Questions Summary

Between the dates of February 9, 2025 and March 7, 2025 a total of 25 Department Heads and Program Managers in Tehama County were interviewed by members of the Grand Jury. Below are the questions that were discussed and key take aways from members of the Grand Jury.

Departments included: District Attorney, Environmental Health, Health Services, Library, Planning, Probation, Public Guardian/Admin, Chief Administrator, Facilities Maintenance, Risk Management, Personnel, Civil & Veterans Services, Ag Department, Ag Ext, Air Pollution Control, Assessor, Auditor/Controller, Building and Safety, Child Support Services, Clerk/Recorder, County Counsel, Sheriff/Coroner, Public Works, Social Services, and Treasurer/Tax Collector.

Questions:

1. As a department head in this county do you feel there is open communication between department heads.
 - 22 stated YES
 - Key comments:
 - “Board of Supervisors are a big challenge to the department heads”
 - “It’s difficult for the Department Heads because of the way they are treated by the BOS”
 - 3 stated NO
 - Key comments:
 - “Depends on the situation”
- 1A. Do you feel the department heads are a cohesive team?
 - 22 stated YES
 - Key comments:
 - “Some are great, some are not so good”
 - 3 stated NO

1B. In general, how do you feel the overall morale is among the department heads?

- Mixed Responses, mostly low morale.
 - Key comments:
 - “It’s been rocky”
 - “Tired of games going on”
 - “BOS influences morale the most”
 - “It’s difficult for Department Heads because of the way they are treated by BOS”

2. What are your biggest challenges serving as a department head in this county?

- Key comments:
 - “Staffing”
 - “Budget”
 - “Dealing with different personalities”
 - “Subversion”
 - “Board of Supervisors micromanagement”
 - “Retention”
 - “Low pay”

3. Do you encourage progression within your department/team? How?

- All departments claim they encourage progression. Some provide on the job training, while others provide outside education.

4. There are three classes of department heads; elected, appointed and hired. Do you feel there is a difference in how elected department heads and hired department heads are treated?

- Majority stated YES
 - Key comments:
 - “They are disciplined differently”
 - “There is a difference between appointed and elected”
 - “Elected have more freedom”

5. Do you feel you have a good working relationship with your Chief Administrator?
- 23 stated YES
 - 2 stated NO

5A. Do you feel you get the support you need from him?

- Below are direct comments regarding the Chief Administrator:
- "He provides good support"
- "He conducts monthly meetings for all Department Heads"
- "He is picked on by the BOS"
- "You can call him anytime and talk through issues"
- "He works hand in hand with the Department Heads"
- "He is understanding and calming"
- "He is approachable"
- "He stands up for Department Heads"
- "He insulates Department Heads from the BOS in cases of the BOS micromanaging"
- "He is sometimes hard to get ahold of"

6. Do you feel you have a good working relationship with the BOS?
- 22 stated YES
 - 3 stated '50/50'

6A. Do you feel you get the support you need from them?

- Key comments:
- "There are three new Board Members so we will see"
- "I am hoping to get support from them"

7. Do you feel that the relationship between the department heads and the BOS impacts employee morale in your department?

- All stated YES
 - Key comments:
 - "There is visible conflict between them"
 - How the BOS presents itself can be problematic"
 - "BOS should be setting the example"
 - "The public sees unprofessionalism from BOS"

- “Toxic and hostile which is shown in Board Meetings and Newspaper Articles”
 - “Employees are not blind to what is going on”
 - “BOS has personal agendas”
 - “BOS makes direct attacks against the Chief Administrator
8. Do you feel the Chief Administrator and the BOS work together to support your department?
- Key comments:
 - “The Chief Administrator is disrespected by 1 or 2 of the BOS”
 - “1 or 2 of the BOS listens to the vocal minority”
 - “The Chief Administrator stands up for the Department Heads to the BOS”
 - “The Chief Administrator insulates the Department Heads from the BOS”
 - “The BOS should honor the Department Heads credentials”
 - “No, there is no energy there”
9. Do you feel the BOS sets a good example of work ethics, conduct and relationships that should be followed in all county departments?
- Predominately NO
 - Key comments:
 - “It’s the worst it’s ever been”
 - “There is new BOS so unsure about them”
 - “They need to clean up their language”
 - “Some do and some don’t”
10. Do you feel a Code of Ethics/Conduct would be beneficial for all elected officials in this county?
- The response was a majority YES with significant feedback as to why.
 - Key comments:
 - “To make it better than it was”
 - “Clear up rifts/differences”
 - “Eliminate the BOS from creating angst”
 - “As leadership in the county – ethics is a symbol of expectation, and helps makes decisions in the best interest of the county. Right now, the loudest get the attention”
 - “YES, they need ethics training”
 - “Sad to have to ask”

- “Yes, there should be Brown Act Training”
- “There would be potentially less public battle”
- “Absolutely, allowing more decisions to be made by department heads”
- “Everyone should have to follow a code of conduct/ethics”
- “Yes, it would be a great step in the right direction”
- “Yes, it’s embarrassing that people don’t want to come to Tehama County for work”

NOTE: The primary “NOs” came from the belief that a Code of Ethics would not be enforceable. The Board of Supervisors are agents of the County; therefore, a Code of Ethics should be enforceable. In addition, you do not eliminate or fail to create laws, rules, codes of conduct or ethics just because enforcing them potentially generates challenges.

How To Respond To Recommendations Contained In This Grand Jury Report

Pursuant to California Penal Code §933.05, the person or entity responding to each Civil Grand Jury finding shall indicate one of the following:

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

The person or entity responding to each Grand Jury recommendation shall report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implementation action. This implementation is from the governing body of the public agency.
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 the 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 the publication of this Grand Jury Report.
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

Send all responses to:

The Honorable Jonathan W. Skillman
Presiding Judge of the 2024-25 Tehama County Grand Jury
1740 Walnut St.
Red Bluff, CA 96080

Responses to the Grand Jury Final Report are due as follows:

1. Within 60 days of issuance of the final report for all elected officials.
2. Within 90 days of issuance of the final report for governing bodies of a public agency.

Inquiry into Tehama County Detention Facilities

In accordance with California Penal Code § 919(b), which mandates that “the grand jury shall inquire into the condition and management of the public prisons within the county,” the Tehama County Grand Jury (TCGJ) conducted inspections and interviews at several correctional and detention facilities. These included Ishi Conservation Camp #18, Salt Creek Conservation Camp #7, and the Tehama County Juvenile Detention Facility. The Tehama County Jail is included in an attached investigative report, and so will not be referenced here. The purpose was to evaluate training, conditions, operational effectiveness, and compliance with public safety responsibilities.

1. Ishi Conservation Camp #18

Date of Visit: March 10, 2025

Location: Paynes Creek, Tehama County

Agency: California Department of Corrections and Rehabilitation (CDCR)

Overview:

A team of seven Grand Jury members toured Ishi Conservation Camp and met with the Camp Commander. The facility is operated under the CDCR in cooperation with the California Department of Forestry and Fire Protection (CAL FIRE). The camp serves as a base for inmate firefighters trained for deployment across the state.

Conditions were observed to be clean and organized, with a focus on discipline, safety, and readiness. The camp collaborates with federal, state, and local agencies, as well as private property owners.

2. Salt Creek Conservation Camp #7

Date of Visit: April 10, 2024

Location: Paskenta, Tehama County

Agency: California Department of Corrections and Rehabilitation (CDCR)

Overview:

Six members of the Grand Jury visited Salt Creek Conservation Camp. Like Ishi Camp, this facility supports California’s emergency response system by housing and training

inmate firefighters. Conditions were observed to be clean and organized, with a focus on discipline, safety, and readiness. The camp collaborates with federal, state, and local agencies, as well as private property owners.

3. Tehama County Juvenile Detention Facility

Date of Visit: April 16, 2024

Location: Red Bluff, Tehama County

Agency: Tehama County Probation Department

Overview:

Members of the Grand Jury were given a comprehensive tour by the Interim Chief, Deputy Chief, and two Probation Officers. Areas toured included the kitchen, classroom, living quarters, “the Pod” (secure housing), and outdoor recreation space.

The facility is clean, secure, and well-maintained. Programming includes education and recreational activities for detained youth.

4. Tehama County Jail

Date of Visit: May 24, 2025

Location: 502 Oak Street Red Bluff, CA

Agency: Tehama County Sheriff Department - Jail

Overview:

The Jail Lieutenant from the Tehama County Sheriff Office conducted a tour of the Tehama County Jail for seven members of the TCGJ.

The jail is old but well maintained. The jail is holding about half its inmate capacity.

All four facilities inspected by the Tehama County Grand Jury demonstrated a commitment to public safety, rehabilitation, and training. The conservation camps provide inmates with valuable emergency response training while supporting statewide firefighting and disaster relief operations. The juvenile detention facility is managed with attention to both security and rehabilitation, offering supportive programming for youth. The jail is clean and security measures are firmly in place.

The Grand Jury commends the staff and leadership of all visited facilities for their professionalism, transparency, and adherence to their missions.

TEHAMA COUNTY AUDIT REPORT

SUMMARY

The Single Audit Act of 1984 requires governmental entities that expend more than \$750,000 in federal funds to have an organization-wide financial and compliance audit on an annual basis. The Single Audit has specific components which must be included in the audit. It is the Tehama County Grand Jury's responsibility to confirm that this audit has been completed and to investigate any findings or questioned costs.

BACKGROUND

The Auditor-Controller is the chief accounting officer for the County. Her responsibilities include the accounting of the County's revenue, expenditures, assets, liabilities, fund balances and related fiduciary responsibilities in accordance with generally accepted accounting principles. Among these duties are payroll and payroll reporting, auditing vendor claims, issuing warrants (checks), public assistance accounting, extending the property tax roll and apportioning the collections, financial statements and the compilation of the county budget. The goal of the department is to provide accurate and timely financial information to the Board of Supervisors, the State of California, other county departments, special districts, and the citizens of Tehama County as required by the Governmental Accounting Standards Board.

Each county department is responsible for its own accounting systems and personnel, and each is responsible to submit correct information to the external auditors. The Auditor-Controller does not directly supervise or provide oversight for the day-to-day accounting done by each department, but may provide training if requested. Job descriptions, education and experience requirements, and compensation vary, depending on the department.

The Tehama County audit for the 2019-20 fiscal year was conducted by Smith & Newell CPAs who have been conducting the County's audits for the last 8 years. The audit was initiated in August of 2020, and the final audit report was issued on March 4, 2021.

Audited financial statements were produced in accordance with Generally Accepted Accounting Principles (GAAP) and audited according to Government Auditing Standards (GAS).

The auditors reported on internal control and compliance, and included the Schedule of Expenditures of Federal Awards (SEFA). They also prepared a Schedule of Findings and Questioned Costs. This Schedule is significant in that Findings (i.e. Material Weaknesses or Significant Deficiencies) affect the ability of the County to obtain future funding, grants, or awards. If findings are identified, corrective action plans and/or responses from the county are required and are included in the final audit report. 2021 Tehama

METHODOLOGY

The Grand Jury reviewed the Audit Report for the year ended June 30, 2020 with an emphasis on the Single Audit Act Reports and Schedules. The Grand Jury interviewed the Auditor-Controller and senior leadership with accounting responsibilities in a large county department. The Grand Jury also reviewed policy guidance for closeout reporting issued by the Auditor-Controller and related guidance and instructions issued by a county department. The Grand Jury sought to understand the current and prior year findings in the audit report.

DISCUSSION

The Single Audit Schedule of Findings and Questioned Costs identified one finding in the Financial Statements. There were no Questioned Costs or Material Weaknesses, which are the most serious, but there was a Significant Deficiency noted. The American Institute of Certified Public Accountants (AICPA) defines a Significant Deficiency as “a deficiency in the internal control that is less severe than a Material Weakness, but still judged important enough to merit attention by those charged with governance”. The Grand Jury was concerned as this is a repeat finding from the prior year.

Significant Deficiency 2020-001 Audit Adjustments

The audit report stated that the County had not reconciled and adjusted all accounts on the general ledger to adequate documentation, with the result that the financial statements as presented to them contained misstatements and required adjustment. There were no questioned costs identified as a result of this review and adjustment process.

As noted in previous Grand Jury reports, this is a complex and recurring issue that is more process and timing related than a technical deficiency. The Auditor's office is required to present financial records before mid-August when the audit fieldwork begins. This requires each department to submit financial closeout information to the Auditor's office well in advance of the audit. In several cases, the departmental information is based on estimates and projections as they may receive federal, state, and grant reimbursements months in arrears. Those reimbursements are often received well after the start of the audit and final amounts may differ from their projections. County departments update their data and the related documentation as reimbursements are received, but this changes the financial information and schedules originally provided to the external auditors, resulting in their concern about misstatements and adjusting entries.

Because this was a prior finding, during 2020-21, the Auditor-Controller issued written policy guidance to county departments regarding closeout reporting. Additionally, communication and meetings between staff from the Auditor's office, and department financial managers, increased in order to improve the accuracy of projections and the format for presenting the information. The Auditor's office also implemented a more stringent review and reconciliation of the year end reports before submission to the external auditor. However, it is the opinion of the Grand Jury and the key financial staff who were interviewed, that this problem cannot be entirely eliminated due to the timing of reimbursements, changes in reimbursement rates and other factors outside of local control; as well as the timeframe required by law for the audit to be completed.

FINDINGS F1. The County has effectively implemented corrective actions to address the findings of the 2018-19 Single Audit.

F2. The issues and corrective action regarding Significant Deficiency 2020-2021 were adequately addressed by the Auditor-Controller and departmental staff.

COMMENDATION R1. The Auditor's Office and county departments should be congratulated on their effective implementation of corrective actions, and their focus on continued improvements.

REQUIRED RESPONSE: None

TEHAMA COUNTY GRAND JURY

FINANCE REVIEW OF

CITY OF CORNING - WATER & SEWER

Introduction

On April 19, 2024, three members of the Tehama County Grand Jury met with the City of Corning's Finance Manager to discuss the financial and operational aspects of the City's water and sewer treatment systems. This report focuses specifically on the Corning City Sewer Treatment Plant, its maintenance structure, financial obligations, and regulatory compliance.

Responsible Entities

The maintenance and operation of the Corning City Sewer Treatment Plant are a shared responsibility between:

- **City of Corning Public Works Department**

The department oversees the general operation and maintenance of the sewer infrastructure.

- **Inframark (Contracted Operator)**

Inframark is a private consulting firm contracted by the City to operate the Wastewater Treatment Plant (WWTP) and maintain the sewer collection system.

- **Contract Information**

- **Annual Contract Cost:** \$751,444
- **Contract Term:** Valid through December 2027
- **Service Coverage:** Inframark operates the WWTP and ensures the maintenance of the sewer collection system for approximately 2,350 homes and businesses within the city.

Annual Expenditures (Supplemental to Contract)

- **Chemicals:** Up to \$45,000 annually
- **Laboratory Testing:** \$70,000 annually
- **Maintenance Allowance:** \$89,654 annually
 - In 2024, a portion of this allowance was utilized to upgrade the chemical tank at the sewer treatment plant.

Operational Capacity

- **Permitted Discharge Limit:** 1.75 million gallons per day (MGD), as regulated by the California Regional Water Quality Control Board.
- **Service Type:** The WWTP processes domestic wastewater from residential and commercial customers in the City of Corning.

Environmental and Regulatory Compliance

Inframark is responsible for implementing and managing the City's **Fats, Oils & Grease (FOG) Program**, a pollution prevention and pre-treatment initiative required by the California Regional Water Quality Control Board. This program is designed to:

- Prevent hazardous or illegal discharge of pollutants into the sewer system.
- Protect the local environment, wastewater treatment infrastructure, and plant personnel.
- Ensure full compliance with state-mandated environmental and safety regulations.

Conclusion

The City of Corning has established a well-structured and contractually managed approach to the operation and maintenance of its sewer treatment plant. The City's partnership with Inframark allows for professional oversight, operational consistency, and adherence to state environmental regulations. Financial allocations appear to be in alignment with operational needs and long-term sustainability, including proactive maintenance and regulatory compliance efforts.

Continuity Report

Review of the BOS Responses to Findings and Recommendations in the 2023 TCGJ Report

Summary

Each year the empaneled Grand Jury investigates at least one County agency. These investigations often result in findings and recommendations that must be responded to by the agency being investigated. Commonly the responses are not received before the end of the issuing Grand Jury's term, which means the duty of vetting the responses falls on the successive Jury. The 2024-2025 Tehama County Grand Jury reviewed responses which were submitted to the findings and recommendations of the 2023 Grand Jury's investigation into the Tehama County Groundwater Sustainability Agency. The 2024-2025 Grand Jury then evaluated whether or not the responses were legally adequate.

Background

California Penal Code Section 933 requires the Grand Jury to "submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters." The agency being investigated is required to respond to the findings and recommendations of the report within 90 days. If the responding party is an elected official, they are required to respond within 60 days.

Penal Code Section 933.05 outlines the form that responses to findings and recommendations must take. For each finding respondents must state whether they **agree** with the finding, **disagree wholly**, or **disagree partially**. If the respondent disagrees partially, they must specify the portion of the finding that is disputed and give an explanation of their reasoning. For each recommendation respondents must report one of the following actions: (1) The recommendation **has been implemented** (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**. OR (4) The recommendation **will not be implemented** because it is not warranted or is not reasonable, with an explanation therefor.

Methodology

- Reviewed the California Penal Code Sections relevant to report responses, findings and recommendations
- Reviewed the investigation titled "Tehama County Groundwater Management" from the 2023 Tehama County Grand Jury Final Consolidated Report
- Reviewed the responses from the Board of Supervisors of the County of Tehama and the Board of Directors of the Tehama County Flood Control and Water Conservation District

Discussion

The 2023 Grand Jury investigation titled "Tehama County Groundwater Management" resulted in 6 Findings and 11 Recommendations for the County to respond to. Since the Board of Directors for the Tehama County Flood Control and Water Conservation District (TCFCWCD) are also the Board

of Supervisors (BOS) for the County - they are elected officials, which means they had 60 days to submit their response. The BOS responded to the Findings and Recommendations in their letter to the Judge of the Superior Court dated February 16, 2024. The response came 58 days after the Grand Jury Report was issued on December 20, 2023.

The purpose of the Grand Jury's review was to determine whether or not the County responded appropriately with regard to California Penal Code 933.05. No attempt was made to evaluate the effectiveness or legality of the County's policy as put forth in the responses. The Grand Jury's analysis of the responses is summarized in the table below.

Findings and Recommendations from the 2023 Grand Jury Report	District Response	Grand Jury's Analysis of District's Response - <u>Adequate</u> or <u>Inadequate</u>
F1 - Inequitable Fees	Disagrees	Adequate
R1 - Return Well Registration Program Fees	Further Analysis	Adequate
F2 - Inadequate Communication from the GSA	Disagrees	Adequate
R2a - Improve Public Communication	Already Implemented	Adequate
R2b - Maintain Public Outreach Program	Agrees	Adequate
F3 - Internal Debt Repayment	Disagrees	Adequate
R3 - Debt Repayment Strategy	Disagrees	Adequate
F4 - The GSA Extended It's Authority Beyond Groundwater Priority Subbasins	Disagrees	Adequate
R4 - Align GSA Authority with SGMA Groundwater Subbasins	Disagrees	Adequate
F5 - Accountability for Approval of GSPs	Disagrees	Adequate
R5 - Enforce the Contract Scope for the GSP Consulting Services	Disagrees	Adequate
F6 - Antelope Subbasin Groundwater Plan is Incomplete	Disagrees	Adequate
R6a - Research Dry Well Correlation to Diversion Dam Decommissioning	Disagrees	Adequate
R6b - Install Additional Groundwater Monitoring Wells	Agrees	Adequate
R6c - Develop Wastewater Master Plan (WWMP)	Disagrees	Adequate
R6d - Develop Groundwater Recharge Program	Already Implemented	Adequate
R6e - Incorporate Recommendations into Antelope GSP	Agrees	Adequate

Findings

The 2024-2025 Tehama County Grand Jury finds that the BOS responded adequately to all findings and recommendations from the report, and that they did so within the required timeframe.

The Grand Jury is not requesting a response to these findings.



TEHAMA COUNTY
FLOOD CONTROL AND WATER CONSERVATION DISTRICT
www.TehamaCountyWater.org

RECEIVED
MAR 20 2024

BY:

February 16, 2024

Honorable Laura S. Woods
Judge of the Superior Court
1740 Walnut Street
Red Bluff, CA 96080

Re: Response to Grand Jury 2023 Report

The Tehama County Flood Control and Water Conservation District has received and reviewed the 2023 Grand Jury Report. We thank the members of the Grand Jury for their service to the community by providing a thorough investigation and thoughtful findings and recommendations.

The Grand Jury requires the following responses, pursuant to Penal Code §§933 and 933.05:

- Board of Supervisors of the County of Tehama shall respond to Finding F4 and Recommendation R4.
- Board of Directors of the Tehama County Flood Control and Water Conservation District shall respond to Findings F1, F2, F3, F5 & F6; and Recommendations R1, R2a & 2b, R3, R5 and R6a through R6e.

The Board of Directors has reviewed the below responses and will refer to them as applicable.

F1. Inequitable Fees

The Grand Jury finds the procedures for assessing well registration fees to support the GSA and to inventory the County's wells is inequitable and inconsistent in its implementation and administration.

The District's Response to F1:

The District partially disagrees with the finding. The report is unclear on what facts it uses to establish the conclusion of inequity or inconsistency. There appear to be six issues identified: 1) a concern that the criteria relating to a de minimis water user in 10730(a) have not been met; 2) a concern that the procedural requirements were the bare minimum; 3) a concern that the fees were imposed in relation to property size; 4) a concern that some landowners were not assessed the fee; 5) a concern that the fee was being used to document all the wells within the county and not just those within a priority basin; and, conversely, 6) a concern that the fee was imposed countywide were intended to cover the costs of identifying wells within the priority subbasin. Even though these last two seem in conflict and, as best as the District reads the last paragraph on page 20 of the report, it will attempt to respond to each concern in turn.

Attachment: FW Response (26506 : FW 2023 Grand Jury Response)

- 1) Water Code section 10730 exempts de minimis extractors from any fees imposed pursuant to section 10730 unless those users are subject to a regulation imposed pursuant to Part 2.74 of Division 6 of the Water Code. Pursuant to Part 2.74, a “de minimis extractor” means a person who pumps, for domestic purposes, two acre-feet or less per year. In order to be a de minimis extractor, a person must pump groundwater. Resolution 9-2022 requires that all wells within the County of Tehama be registered with the District. The only way that a person could qualify as a de minimis extractor would be to use a groundwater extraction facility registered with the District. Therefore, the criteria the grand jury was concerned about has in fact been met.
- 2) Resolution 9-2022 is NOT an assessment subject to California Constitution Article XIID because fees associated with groundwater management are NOT fees for a property-related service. (See City of San Buenaventura v. United Water Conservation Dist. (2017) 3 Cal.5th 1191.) The well registration fee funds a regulatory investigation pursuant to Water Code Section 10730 and falls within the exceptions outlined in Proposition 26’s definition of “tax.” Although the District believes that the public meetings including phone and internet broadcasting, posters, news media, publishing in the newspaper and by website were more than sufficient to meet due process requirements, it agrees with the Grand Jury that the District met the minimum standard for institution of the regulatory fee.
- 3) Generally, large property owners in the County own many different APNs, require the most assistance with determining what parcels contain wells, the most clarification on use types, the highest mailing and distribution costs and the highest confirmation costs. A property owner that receives a total fee of \$30,000 would have to own greater than 100,000 acres, likely containing 100s of APNs of various sizes all needing to be cataloged, confirmed and managed in a database even if that owner did not have a single well, which is unlikely. There seems to be an implication that the fee should have been related to the number of wells on a property. Many wells existing throughout the County do not have any records associated with them. A regulatory investigation to determine who uses groundwater, and for what purpose, cannot be based on the outcome of the investigation it is to fund. As a result, the number of wells that a specific APN does or does not have cannot be used to determine if the fee is applicable, or equitable until we have an accurate count of wells.
- 4) Consistent with the Assessor’s office policy of not placing assessments on very small or low value properties due to the cost of placing the assessment being greater than the revenue from the assessment, the District did not charge fees to smaller parcels that would ultimately cause an increase in the overall cost of the investigation and an increase in the per acre fee. The level of effort to document the wells on these smaller parcels is not justified by groundwater use that likely to be de minimis in nature. The highest rate of response was from these smaller parcels and accounts for the differences in our database totals and figures referenced in the report. This may be what led to the idea that the fee was applied in an inconsistent manner. However, it is applied both consistently and in alignment with the Assessor’s policy. Upon completion of the well registration process, the total number of wells, and of each type, will be public information and can be the basis of future efforts to protect groundwater in the County for all who rely on it.

- 5) and 6) the fee is imposed countywide because it covers the costs of an investigation to identify wells throughout the County.

R1. Return Well Registration Program Fees

The TCFC&WCD BOD should abandon Resolutions 9-2022, 4-2023, and all other Resolutions, Ordinances or other declarations pertaining to the GSA's current 29¢per acre well registration program fee. Fees assessed and collected under this current well registration fee program should be returned to the landowners.

The District's Response to R1

The recommendation requires further analysis. The District is currently involved in active litigation the outcome of which will allow the District to determine whether this recommendation will be implemented.

F2. Inadequate Communication from the GSA

The Grand Jury finds the GSA outreach program was inadequate for broadly informing landowners (large and small) across Tehama County, and therefore ineffective in communicating the status of planned official actions related to implementation of groundwater management.

The District's Response to F2:

The District partially disagrees with the finding. Although the outreach resulted in a great deal more public participation than many other items considered by either the District or the County over the past several years, the District was unable to reach a significant portion of property owners in the County despite dozens of community meetings, newspaper articles, and press interviews. Nevertheless, the District agrees with the Grand Jury that the District met the minimum standard associated with institution of the regulatory fee.

R2a. Improve Public Communication

We recommend the GSA provide mailed communication detailing SGMA-related fees and assessments to all affected landowners, and that printed communication include the web addresses to obtain further information, and allow sign-up for the "Interested Party List".

R2b. Maintain Public Outreach Program

We recommend the GSA continue public meetings and related outreach programs for groundwater management related actions, as had been done previously.

The District's Response to R2a and R2b

The recommendation regarding allowing sign-up for the "Interested Party List" has already been implemented. The District has always allowed individuals to notify the District of their desire to be included in the "Interested Party List." In all other respects, the recommendations will be implemented as the District takes future groundwater related actions. The District has

received Department of Water Resources grant funding that includes monies for expanded community outreach that will include both mailers and meetings.

F3. Internal Department Debt Repayment

The GSA borrowed \$634,000 from the Road Department in FY 22/23 while developing the well registration funding plan 22. During interviews and recorded meetings it has been stated that repayment would be made from grants, or would come from future landowner fee assessments. The former is an unauthorized use of grant funds, the latter an inappropriate assessment to property owners.

The District's Response to F3:

The District partially disagrees with the finding. The District did transfer funds from 604 to 603 in order to support Groundwater Sustainability activities. Those transfers occurred on two separate occasions, one for \$400,000 and one for \$234,000, totaling \$634,000. Both of these funds are District funds used for flood control, levee repair and maintenance, water conservation and groundwater sustainability with funding sources ranging from assessments, grants, and fees. However, neither of these funds are County Road Department funds. Being that both funds are District funds, are only separated for the purpose of accounting, and do not contain any funds that are related to any County functions, they do not require the same process to transfer them and doing so in front of the Board was done solely to be in the public eye and to help track the use of funds. The only transactions that involve the County Road Fund in any way were and are payments for services provided to the District as part of our labor provision MOU with the County.

R3. Debt Repayment Strategy

We recommend that the TCFC&WCD identify a repayment plan to reimburse the \$634,000 borrowed in FY-22/23 from the road department to fund GSA activities. The repayment plan should not rely on unauthorized use of grant monies, nor inequitable landowner fees, particularly on properties that are not within the priority groundwater subbasins

The District's Response to R3

The Recommendation is not warranted. The GSA did not borrow from the Road Fund. The GSA activities that the money transfers supported are annual reporting for GSPs, monitoring activities for groundwater, consultant data assistance for GSPs, long term GSA funding sources and grant applications, and staff salaries associated with the above. No transfers were used in any way related to groundwater registration which has its own sub-accounting information under fund 603, and none of the transfers were from grant provided money.

Some of the transferred funds are in fact refundable from the Prop 68 round 2 funding recently acquired from the state and the District will be applying for that reimbursement. Once the reimbursement is received, the remaining funds will be rolled into the long term funding strategy of the GSA and paid back, over time, with a specific payment plan.

F4. The GSA Extended It's Authority Beyond Groundwater Priority Subbasins

The priority groundwater subbasins designated under SGMA are the boundaries where the GSA's authority ought to be limited. The GSA did not have authority over the entire county until the TCFC&WCD BOD passed Ordinance No. 2118 in May of 2022.

The District's Response to F4:

The District rather than the County responds here as District programs are in issue and the District disagrees with the finding. Ordinance No. 2118 establishes the rules by which the District may adopt Countywide regulations for groundwater sustainability. Although it is true that Water Code section 10725.2 outlines broad powers for the purpose of achieving groundwater sustainability and became effective in January of 2015, the legislature had to specifically identify these powers for GSAs because there were many possible agencies across California that could have become a GSA which did not already have these powers, as the District did. Nonetheless, prior to being recognized by the State as the GSA for the entire County for purposes of Part 2.74 of Division 6 of the Water Code, the District had authority under Chapter 82 of the Water Code Appendix to manage groundwater including but not limited to, requiring wells be registered, requiring wells be metered, institution of groundwater charges, and restrictions on how much groundwater could be used.

The District and the County of Tehama are in a somewhat unique position regarding groundwater management. The mountainous regions to the east and west form both the county boundaries and the boundaries for which watersheds, both below and above ground, recharge the large aquifers in the valley. While many areas, particularly in the Red Bluff formation, are not great areas for recharge due to their high clay contents, those areas are the conveyance of underground water from the fractured rock of the mountains above into the aquifers below. Because of this, the removal of groundwater from the areas outside the aquifers, or basins, does have an effect on the sustainability of the basins. Our water sources are all connected. Likewise, a lowering of the levels in the basins lowers the depth of water in the regions that feed them, potentially limiting access to water in those areas and ultimately devaluing the land. Bulletin 118 contains both graphic and descriptive explanations of this. All land in the County benefits from the District's management of groundwater.

R4. Align GSA Authority with SGMA Groundwater Subbasins.

The Grand Jury recommends the BOS re-evaluate, and amend or abolish Ordinance 2118, and restrict the GSA area of authority to the priority groundwater subbasins defined under SGMA, and described in DWR Bulletin 118.

The District's Response to R4

The recommendation will not be implemented because it is not warranted. The sole purpose of Ordinance 2118 is to outline a process by which the District adopts any new groundwater regulations. Neither re-evaluating, amending, nor abolishing Ordinance 2118 will have any effect on the District's ability to regulate groundwater throughout the entire District. As noted, all land in the County benefits from groundwater management and all our water sources are interconnected.

F5. Accountability for Approval of GSPs

The consulting fees paid for preparation and submission of the GSPs should include the follow-on corrections, resubmittal, approval and acceptance by the State, as outlined in the scope of services of the consulting contract between the County and LSCE.

The District's Response to F5:

The District disagrees with the finding. There is no contractual obligation for the consultant to provide services beyond the scope of the original grant funding to develop and submit GSPs in accordance with the legislation.

R5. Enforce the Contract Scope for the GSP Consulting Services

The Grand Jury recommends the BOD direct their staff to have the consultant revise and update the GSPs as indicated in the State DWR review letters, and in accordance with their consulting contract with the TCFC&WCD, at no additional fee.

The District's Response to R5

The recommendation will not be implemented because it is not warranted. The consultant has completed performance on its contract. Because review of the submitted plans occurred after the completion of the contract and DWR did not provide its guidance documentation or an accurate description of its review standards until after submission of the plans, the consultant could not be expected to foresee those requirements and promise to meet them. It is likely that DWR understands this difficulty and has included funding in the second round of grant funding for this response. Ultimately the required responses and modifications to the GSP's will be paid for by State money and will not be borne by the local funding that will be required for SGMA.

F6. Antelope Subbasin Groundwater Sustainability Plan is Incomplete

Many groundwater wells within the Antelope Groundwater Subbasin have gone dry apparently as a result of the decommissioning of the Diversion Dam. The GSA appears not to have taken into consideration public information regarding the effects the Diversion Dam had on groundwater recharge in the Antelope Subbasin, both during and after its decommissioning, when drafting the Antelope Subbasin Sustainability Plan.

The District's Response to F6:

The District partially disagrees with the finding. The drying of Lake Red Bluff had a clear and predicted effect on groundwater levels in the Antelope subbasin. Monitoring wells in the area indicate a drop of up to 14' in the water table locally. This is an unfortunate ramification of a Federal project which occurred prior to the adoption of SGMA by the California Legislature and would not be considered when drafting the GSPs.

R6.a Research Dry Well Correlation to Diversion Dam Decommissioning

The Grand Jury recommends the TCFC&WCD, in cooperation with the County Environmental Health, research the dry well areas in the Antelope Subbasin. The question should be answered whether there is a correlation between dry wells in the Antelope subbasin and decommissioning of the Diversion Dam. This research should cover an appropriate period of

time before and after the decommissioning, as well a representative radius of influence from the dam and Lake Red Bluff.

The District's Response to R6a:

The recommendation will not be implemented because it is not warranted. No research is necessary to clearly see the dam's decommissioning's effect on wells. The dam was decommissioned in 2013 and dry well reports in the area began in 2014. Many wells east of the East Sand Slough were shallow and quickly lost access to water. The radius of the lowering is indicated in our existing monitoring well system.

R6.b Install Additional Groundwater Monitoring Wells

The Grand Jury recommends the GSA install additional groundwater monitoring wells for the Antelope Subbasin to better track groundwater fluctuation in the dry well affected area(s) and provide a more robust database for dry well remediation.

The District's Response to R6b:

The recommendation will be implemented , but its timing will require further analysis. Expansion of groundwater monitoring is necessary in all basins and areas that feed them, this will be ongoing into the foreseeable future. While the District is looking at the institution of a dry well mitigation program, it is unlikely that the program will include mitigation for wells that went dry due to the Federal Government's actions prior to the institution of SGMA.

R6.c Develop Wastewater Master Plan (WWMP)

The Grand Jury recommends the TCFC&WCD, in cooperation with the County and its departments, initiate the development of a master plan for the adoption and implementation of a wastewater collection, treatment, and discharge system(s) in and around the Antelope subbasin. This will help to reduce nitrates and other constituents (of concern) emanating from existing septic systems, and contribute to improved water quality in the Antelope subbasin.

The District's Response to R6c:

The recommendation will not be implemented because it is not warranted. Nitrate contamination in the Antelope area is a long-standing issue and the District agrees that the installation or extension of collection and treatment facilities would be an effective remedy. While the District and SGMA are not wastewater service providers, it is assisting RCAC, Tehama County and the City of Red Bluff in current plans to expand City sewer systems to those areas. Also, in the GSP updates that will be presented to the Board for approval, there will be added monitoring of nitrate levels in Antelope to ensure that groundwater management is not impacting the existing contamination.

R6.d Develop Groundwater Recharge Program

The Grand Jury recommends the GSA initiate the planning and implementation of a groundwater recharge program for the installation of recharge ponds and related support systems at suitable locations within and around the Antelope subbasin.

The District's Response to R6d:

The recommendation has been implemented. The District is developing a recharge program to begin in the areas with the most impacted groundwater levels and expand over time to cover as much recharge area as is possible, including the Antelope Subbasin. Some recharge activities will be more immediate while others will require significant permitting and design work. **R6.e Incorporate Recommendations into Antelope GSP**

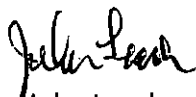
The Grand Jury recognizes the State's recent determination that the Antelope subbasin GSP is "incomplete". We recommend the GSA take appropriate steps to address deficiencies as required by the State, and use this opportunity to incorporate, to the extent practicable, the recommendations R6.a through R6.d as part of the revisions of the Antelope subbasin GSP due to the State by April 23, 2024.

The District's Response to R6.e

The recommendation will be implemented, but the timing of the revised GSPs are due to DWR is dictated by DWR and is currently set at April 23, 2024.

In closing, the Board of Directors has reviewed all of the responses and is committed to working with the District to meet their goals. Again the Board of Directors would like to express its appreciation to the members of the 2023 Grand Jury and offer recognition of the extraordinary commitment required to serve as a member of the Grand Jury.

Sincerely,



John Leach
Chairman

Attachment: FW Response (26506 : FW 2023 Grand Jury Response)



TEHAMA COUNTY GRAND JURY
P.O. Box 1061
Red Bluff, CA 96080

Tehama County Citizen Complaints - How to File a Complaint

Any Tehama County citizen may address the Grand Jury to express concerns regarding all levels of misconduct of local officials or employees of inefficiencies in local government. Complaints can be submitted by completing a Grand Jury Complaint Form. Complaints are treated as confidential. The Grand Jury is NOT REQUIRED to investigate any or all complaints, but may choose whether to investigate as part of its watchdog duties. Complaint forms can be obtained as follows:

- Via the Superior Court of California County of Tehama website: <https://www.co.tehama.ca.us/grand-jury> , then click on Complaint Form.
- Citizens may also pick up a form at the Superior Court, 1740 Walnut St. Red Bluff, CA 96080.

Complaints must be in writing, signed, dated and addressed to:

TEHAMA COUNTY GRAND JURY
P. O. Box 1061
Red Bluff, CA 96080