



County of Orange  
California

Thomas G. Mauk  
County Executive Officer

March 24, 2009

James R. Perez, Foreperson  
Superior Court of California  
700 Civic Center Drive West  
Santa Ana, CA 92702

Subject: Status Update on Open Grand Jury Implementation Items <sup>2007-2008</sup>

Dear Mr. Perez:

Per your request, and in accordance with Penal Code 933, please find the County of Orange response to the subject report as approved by the Board of Supervisors. If you have any questions, please contact Kathleen Long at (714) 834-7410 in the County Executive Office who will either assist you or direct you to the appropriate individual.

Very truly yours,

Thomas G. Mauk  
County Executive Officer

Enclosure

TGM:kl1

County Executive Office  
10 Civic Center Plaza  
Third Floor  
Santa Ana, California  
92701-4062

Te (714) 834-2345  
Fa (714) 834-3018  
Web: [www.oc.ca.gov](http://www.oc.ca.gov)

## 2007-08 Follow Up to Grand Jury Open Implementation Items

**Report:**        **Bankruptcy Controls – Going, Going . . .**

**Released:**    **March 25, 2008**

**R-2    Audit Oversight Committee:** Add additional members to the Audit Oversight Committee such as one appointed by the Orange County Board of Education to represent school districts and one appointed by the Orange County League of Cities to represent cities.

**Original Response:** The recommendation requires further analysis.

The nature and scope of the Audit Oversight Committee extends far beyond the investment pool. Audits of the pool account for less than 5% of the total audit activity within the county. The Orange County Board of Education actively participates on both the Treasury Oversight Committee and the Treasury Advisory Committee. Cities have minimal funds in the investment pool. A proposal to add four public members in addition to the one public member representing the five supervisors' districts was approved by the Audit Oversight Committee and is currently awaiting submittal for approval by the Board of Supervisors. Any change to the current and proposed membership would require further analysis.

**Current Status:** The recommendation requires further analysis.

The proposal to add four public members in addition to the one public member representing the five supervisors' districts was revisited at the December 11, 2008 meeting of the Audit Oversight Committee. The Committee did not reach an agreement at that time and asked that the item be continued to the next scheduled meeting on March 25, 2009 when it is anticipated that the issue of a change to the current membership will be resolved.

**Report:**        **MAN DOWN!! WILL HE GET UP? Nursing Care at Orange County's Jail Facilities**

**Released:**    **May 01, 2008**

**R-2a    Staffing Levels:** Levels of Senior Nurse staffing be increased to those of 2001/2002, an increase of at least eight additional positions.

**Original Response:** The recommendation requires further analysis.

Currently, all nine Senior Comprehensive Care Nurse positions are filled. Senior Comprehensive Care Nurse staffing levels will be reassessed in light of the findings of an assessment by the new Director of Nursing. A report recently received from a nursing consultant will also assist in this effort. An interim decision on Senior Nurse staffing levels is anticipated by November 1, 2008.

**Current Status:** The recommendation will not be implemented because it is not warranted or is not reasonable.

The Health Care Agency is unable to implement the recommendation of the addition of eight Senior Nurse positions at this time. The nurse staffing study, referenced above,

conducted for Correctional Medical Services recommended that the number of Senior Nurses be increased from nine to ten. In order to improve nursing supervision, Correctional Medical Services is working with the Health Care Agency's Human Resources Department to increase the number of Senior Nurse positions to ten within the current allocated staff positions and budget limits.

**R-2b Staffing Levels:** An outside consultant be hired to determine if present staffing levels in all areas are adequate for providing good medical care, and to analyze and potentially recommend the reorganization of "classification duties" for Senior Comprehensive Care Nurses and Supervising Comprehensive Care Nurses.

**Original Response:** The recommendation requires further analysis. The Health Care Agency will conduct a review of nursing staffing levels in Correctional Medical Services, including an analysis of the duties of Senior Comprehensive Nurses and Supervising Comprehensive Care Nurses. This review will determine gaps between existing staffing and the staffing needed to achieve Accreditation by the Institute for Medical Quality. Any additional needs will be prioritized. The review will be completed and transmitted to the Chief Executive Officer by November 1, 2008.

**Current Status:** The recommendation has been implemented. The Health Care Agency obtained a consultant's report regarding nurse staffing needs. The study recommended a net increase of five positions to achieve full Institute of Medical Quality accreditation, as well as adjustments in job classifications for certain functions, shift schedules and assignments. These recommendations are under review by the recently hired Director of Nursing who is developing a proposal for the most appropriate nurse staffing structure. The ability to fully implement the study's recommendations, including accreditation, will be influenced by the current financial challenges affecting state and county governments. The consultant's report has been shared with the County Executive Office.

**R-6 Computer Programs:** Up to date computer programs be purchased and training provided to allow better patient charting and communication between nurses and supervisors.

**Original Response:** The recommendation has not yet been implemented, but will be implemented in the future. The Health Care Agency agrees with the need to acquire an integrated system to replace the existing "CHART" system. This will be a multi-year project. The first step will be to secure a consultant to determine information technology needs within Correctional Medical Services - this step will be completed within the current fiscal year. The next step will be a Request for Proposals to acquire and install the information technology system. Necessary additional funding for the replacement system will be requested in future budgets.

**Current Status:** The recommendation has not yet been implemented, but will be implemented in the future.

HCA is working to replace the CHART (Correctional Health Assessment, Recording and Tracking) system. The first step is to bring in a consultant to evaluate the needs of Correctional Medical Services (CMS) regarding creation of an electronic health records system. This consultant will be selected in the 2008-09 fiscal year. It is estimated that the process of evaluating Correctional Medical Services' information technology needs, developing and releasing a request for proposal, budgeting for and acquiring a new system, and full implementation of that system will take three to five years. In the interim, CMS will expand use of the existing CHART system to the extent that it is cost-effective.

**R-7a Communications:** A more direct communication system between nurses and supply personnel be developed which would replace the present request box and telephone messaging system now in place.

**Original Response:** The recommendation has not yet been implemented, but will be implemented in the future.

By October 1, 2008, a system of improved communication will be established between supply personnel and clinical staff in all jail facilities addressing items that are currently on back order and the anticipated return date for equipment that has been sent out for repair. CMS staff members currently have numerous avenues of communication available, including e-mail, radios, the daily nursing report, and direct communications opportunities during rounding of the units by supervisors. The systematic use of such communication channels will be reinforced for staff at all facilities.

**Current Status:** The recommendation has been implemented.

On August 1, 2008, a log of all equipment that is out of service due to maintenance or repair became available to all staff through the CMS computer system. As of September 15, 2008, all staff members are able to check the status of orders anytime on the shared drive. If an order or part of an order cannot be filled, the reason and expected fill date are indicated.

**R-7b Bar-Coding:** Implement a computerized bar code inventory control system to more accurately track and order inventory.

**Original Response:** The recommendation requires further analysis.

HCA agrees with the desirability of implementing a bar code inventory control system and plans to explore the availability and cost of inventory management systems applicable to the correctional medical services environment. It is anticipated that an initial review of available systems and their cost will be completed by October 15, 2008.

**Current Status:** The recommendation has not yet been implemented, but will be implemented in the future.

HCA/IT reviewed available inventory control systems and recommended using a vendor that currently provides many of the supplies used by CMS. This vendor will deliver and set up a control system, planned to be implemented in March 2009.

**Report:** **No County for Old Boomers: When Orange County Baby Boomers Retire, Where Will They Live?**

**Released:** **May 02, 2008**

**R-2 Senior Population Growth:** Include sufficient data in the Housing Element to acknowledge the imminent growth in the county's aging population. This data is to include the current population and the growth trend of the aging baby boomer generation as well as the current median income and income trend of the senior population.

**Original Response:** The recommendation has not yet been implemented, but will be implemented in the future.

The County is currently undertaking its 2008 Update to the Housing Element and will take the opportunity to include a discussion that addresses the aging baby boomer population. This will include available data regarding current and future population and income trends for seniors in the unincorporated area.

**Current Status:** The recommendation has been implemented.

The Orange County Board of Supervisors adopted the Orange County Housing Element on December 9, 2008. This report contains a discussion of the aging baby boomer generation in Section 2, "Community Profile and Needs Assessment."

**Report:** **Can the Emergency Operations Center at Loma Ridge Survive a Disaster?**

**Released:** **May 06, 2008**

**R-2b Sewage System:** The Orange County Board of Supervisors approve the aforementioned funding request upon submission.

**Original Response:** The recommendation requires further analysis.

The Sheriff-Coroner is currently completing cost estimations for improving the disposal of sewage at the EOC. Sheriff-Coroner expects to complete its evaluation by July 31, 2008. Once the matter is placed on the Board agenda, it will be considered by the Board of Supervisors.

**Current Status:** The recommendation will not be implemented because it is not warranted or is not reasonable.

The Sheriff-Coroner submitted cost estimates to the CEO and Board of Supervisors for the purchase of a new larger sewer holding tank (\$386,446) and for the extension of the sewer main (\$6.8M). While funding for either project is not currently budgeted and is not anticipated for funding in the near future due to the County's financial situation as a

result of the economy and the State Budget, activities and alternatives are in place to address the issue:

- The Santiago fires represented the longest activation on record for the EOC at Loma Ridge. During this critical period, the current sewer system posed no issues and access for pumping the sewer tank required no special activities other than additional pumping frequencies. As a matter of process, the sewer tank is pumped once it reaches 50% of its holding capacity.
- If access to the sewer tank was not possible, other waste solutions such as portable toilets can be dispatched to the site in order to maintain EOC activation.
- There are other EOC options currently available to the County:
  - Use of Sheriff mobile units
  - Use of the Regional EOC in Los Alamitos
- The Sheriff-Coroner Department is conducting a waterless urinals research project to determine the impact their use would have on the amount of waste going into the sewer tank.

**R-3b Fire Suppression System:** The Orange County Board of Supervisors approve the aforementioned funding request upon submission.

**Original Response:** The recommendation has not yet been implemented, but will be implemented in the future.

In fiscal year 2007-2008, appropriations of \$800,000 were set aside to acquire a clean agent fire suppression system; however, the project was unable to begin. Funds of \$800,000 have now been appropriated in fiscal 2008-2009 to undertake the project.

**Current Status:** The recommendation has not yet been implemented, but will be implemented in the future.

The dry fire suppression system project is underway. A-E design is expected to commence in March 2009. A completion date for the project can be estimated upon completion of the design and cost estimates for the project. Significant milestones are as follows:

- June 27, 2008 - Statement of Qualifications (SOQ) solicitation for design
  - Solicitors scored low due to lack of dry fire suppression system experience
- November 12, 2008 – Second SOQ solicitation for design
- December 23, 2008 – Received Architect/Engineer scope of work and proposal fee for design
  - Scope of work and proposal fee for design currently being revised
- February 13, 2008 – Receive final Architect/Engineer scope of work and proposal

**Report: Restaurant Inspections: What No One is Telling You**

**Released: May 08, 2008**

**R-1 Adopt a New Grading System:** Adopt a new grading procedure for restaurant inspections that provides accurate and easily understood on-site health information for all restaurant and food vending locations.

**Original Response:** The recommendation requires further analysis. The Orange County Health Care Agency will provide the Board of Supervisors with a report for the Board's consideration on the available public notification options for food facility inspection results by November 1, 2008.

**Current Status:** The recommendation will not be implemented because it is not warranted or is not reasonable.

The Orange County Health Care Agency submitted to the Board of Supervisors a report outlining the available options for revisions to the county's Restaurant Inspection Public Notification System, including options for letter grading, a color coded notification system, and revisions to the current system of restaurant inspection seals. The matter was heard by the Board of Supervisors during their meetings on December 9 and 16, 2008. Following consideration of the options available, the Board, by majority decision, chose to modify the current restaurant inspection seals, with changes in the system to take effect October 1, 2009. The revised Public Notification System will have three seals that may be posted at a food facility following an inspection: Pass, Reinspection Due-Pass, and Closed.

**R-2 ABC Grading System:** Implement an ABC grading system similar to the one presently in use in Los Angeles and neighboring counties.

**Original Response:** The recommendation requires further analysis. The Orange County Health Care Agency will provide the Board of Supervisors with a report for the Board's consideration on the available public notification options for food facility inspection results by November 1, 2008.

**Current Status:** The recommendation will not be implemented because it is not warranted or is not reasonable.

The Orange County Health Care Agency submitted to the Board of Supervisors a report outlining the available options for revisions to the County's Restaurant Inspection Public Notification System, including options for letter grading, a color coded notification system and revisions to the current system of restaurant inspection seals. The matter was heard by the Board of Supervisors during their meetings on December 9 and 16, 2008. Following consideration of the options available, the Board, by majority decision, chose to modify the current restaurant inspection seals, with changes in the system to take effect October 1, 2009 rather than implement an ABC grading system.

**Report: After the Big One, Will Critical County Services Survive?**

**Released: May 19, 2008**

**R-4 Data Centers:** Require all data centers in Orange County, including the Loma Ridge EOC and others, to replace water-based fire suppression systems with those using inert gas, based upon the Standard on Clean Agent Fire Extinguishing Systems, 2004 Edition published by the National Fire Protection Association.

**Original Response:** The recommendation requires further analysis.

- OC Public Works: We currently use inert gas in the Osborne Building primary data centers (basement and 3rd floor). OC Facilities and Operation and Maintenance are planning a project to replace the water-based fire suppression system with one using inert gas, based upon the Standard on Clean Agent Fire Extinguishing Systems, 2004 Edition published by the National Fire Protection Association. OCPW is planning to complete this project within 24 months. The Geomatics data center can be moved into the main Data Center at the Osborne Building.

**Current Status:** The recommendation requires further analysis.

OC Public Works has two server rooms that will require attention to comply with the Standard on Clean Agent Fire Extinguishing Systems Edition, published by the National Fire Protection Association (NFPA).

- OC Facilities – Card Access and Environmental Control Servers – These servers are located in a communications closet without fire suppression systems (adequate backups are maintained) at the Fruit Street Facility. The plan is to move these servers into either the County Data Center or the OCPW Data Center within 12 to 18 months based on available funding sources. Work on the details of the plan is anticipated to begin in May 2009 when a suitable schedule will be developed.
- Geomatics – Landbase Information System Servers are currently located on the 2<sup>nd</sup> floor of the Osborne building in a room without fire suppression systems (adequate backups are maintained). The plan is to move these servers into the OCPW basement server room within 8 to 12 months based on available funding sources. Work on the details of the plan is anticipated to begin in May 2009 when a suitable schedule will be developed.

**Original Response:** The recommendation requires further analysis.

- Treasurer-Tax Collector: The Treasurer/ Tax Collector has already opened a work request with OC Public Works for an estimate for smoke detectors, heat detectors, water detectors, and a fire suppression system with inert gas.

**Current Status:** The recommendation will not be implemented because it is not warranted or is not reasonable.

Due to the County's current financial situation, installation of an inert gas system will not be implemented at this time. The Treasurer-Tax Collector will have no fire suppression systems in the computer rooms, but will have smoke detectors installed and tied into the building alarm system. This modification to the work request will provide more protection than currently exists.

**Original Response:** The recommendation has not yet been implemented, but will be implemented in the future.

- OC Waste and Recycling: The OCWR Data Center will be relocating within the next 12 months to a new county facility that will utilize an inert gas fire suppression system.

**Current Status:** The recommendation has been implemented. OC Waste and Recycling (OCWR) relocated in December 2008 to the third floor data center that is shared with OC Public Works. This facility has an inert gas system as well as fluid and particle detection, temperature and humidity sensors, and video monitoring.

**Original Response:** The recommendation has not yet been implemented, but will be implemented in the future.

- John Wayne Airport: John Wayne Airport (JWA) is planning a project to replace the water-based fire suppression system with one using inert gas, based upon the Standard on Clean Agent Fire Extinguishing Systems, 2004 Edition published by the National Fire Protection Association. JWA plans to complete this project within 24 months. Design and installation will require coordination with both the Orange County Fire Authority and the Costa Mesa Fire Department for approvals.

**Current Status:** The recommendation has not yet been implemented, but will be implemented in the future.

John Wayne Airport (JWA) is still in the planning stages of a project to replace the water-based fire suppression system with one using inert gas, based upon the Standard on Clean Agent Fire Extinguishing Systems, 2004 Edition published by the National Fire Protection Association. The target project completion date remains within 24 months. It should be noted that the local building codes and Orange County Fire Authority require water-based fire suppression systems at this facility even when an inert, gas-based system is used.

**Report:** Orange County Human Resources Out of Date, Out of Time

**Released:** May 20, 2008

**R-1 Selection Rules and Appeals Procedure (SRAP):** Rewrite the Orange County Merit System Selection Rules and Appeals Procedure without further delay.

**Original Response:** The recommendation has not yet been implemented, but will be implemented in the future.

A Countywide Selection Rules Project Team was formed in April 2008 to achieve this objective. It is anticipated that the Team will have a new SRAP drafted and ready for submission to the State for consideration by April 2009. Preparation for State submission will include prior meet-and-confer discussions with seven labor organizations.

**Current Status:** The recommendation has not yet been implemented, but will be implemented in the future.

A Countywide Selection Rules Project Team consisting of recruiters from several departments and agencies was formed in April 2008 to achieve this objective and the team drafted a new SRAP. Meet-and-confer discussions have been completed with the Orange County Manager's Association with discussions continuing with six other labor organizations. In order to expedite State review, the SRAP draft has also been submitted to Cooperative Personnel Services (CPS)/Merit System Services (MSS), the contractor that monitors merit system compliance for the State of California. Depending on labor discussions and CPS/MSS review readiness, it is anticipated that a final draft will be ready for submission to the State for consideration by April 2009.

**R-3 Background Screening:** Redefine background screening procedures to verify job applicant qualifications, experience and credentials.

**Original Response:** The recommendation has not yet been implemented, but will be implemented in the future.

The County will develop a Guide by May 2009 to obtain more consistency between departments. Guide development will take into consideration business needs of County Agencies and Departments and include guidelines for verification of application materials.

**Current Status:** The recommendation has not yet been implemented, but will be implemented in the future.

Research continues regarding best practices, and the overall approach to accomplish the objective is being refined. It is anticipated that the guide will be completed in May 2009 as originally reported.

**R-4 Agency Practices:** Implement consistent recruitment, hiring and promotion practices throughout County government in accordance with merit principles as defined in California Local Agency Personnel Standards (LAPS).

**Original Response:** The recommendation has not yet been implemented, but will be implemented in the future.

Implementing more consistent recruitment, hiring and promotion practices throughout County government will be accomplished with the SRAP project that is underway. It is anticipated that the SRAP Team will have a new document drafted and ready for submission to the State by April 2009, which will include prior discussions with seven labor organizations. The new SRAP will memorialize what is already in practice and reinforced through recruiter forums, involving Agencies and Departments, increased site visits, and training. The new SRAP will help ensure department's recruitment and selection activities remain fair, legally compliant, and focused on the spirit of Merit System Principles.

**Current Status:** The recommendation has not yet been implemented, but will be implemented in the future.

The SRAP Team has drafted a new document which has been submitted to CPS/MSS for input. Discussions with one labor organization have been completed and six are in progress. It is anticipated that the draft document will be ready for final submission to the State by April 2009.

**Report:** What is Orange County Doing About Teenage Pregnancy?

**Released:** May 29, 2008

R-2 **Program Publicity:** That the Orange County Health Care Agency and the Orange County Superintendent of Schools coordinate and publicize programs about pregnancy and parenting to high school students and their parents.

**Original Response:** The recommendation has not yet been implemented, but will be implemented in the future.

The Health Care Agency will meet with representatives of the Orange County Department of Education to cooperatively develop a plan to more widely distribute information about existing programs serving pregnant or parenting teens. This may include the development of brochures and Internet-based resources. A plan for increasing awareness of existing programs will be developed by January 1, 2009.

**Current Status:** The recommendation has been implemented.

Representatives from the Health Care Agency (HCA) and the Orange County Department of Education (OCDE) met on two occasions to discuss ways to disseminate information to Orange County youth about resources for pregnant and parenting teens. A resource guide for teens and providers was developed and distributed at an October 24, 2008 meeting with California School Age Families Education (Cal-SAFE) Program providers. HCA and OCDE are also working together to disseminate information through the Teen Resource Roundtable. HCA and OCDE will continue to work with Cal-SAFE providers, school nurses, and 2-1-1 Orange County to distribute resource information to pregnant and parenting teens in Orange County.

**Report:** Is Orange County Going to the Dogs?

**Released:** May 29, 2008

R-1 **Limited Access Shelters:** The cities utilizing limited-access shelters adopt an open-shelter policy for all dogs and cats within their city limits or reimburse the County Shelter for the expense of boarding and euthanizing animals from their cities.

**Original Response:** This recommendation requires further analysis.

OC Animal Care does not receive any reimbursement for services provided to the residents of the 12 non-contract cities. OC Animal Care will work with the City Managers Financial and Operational Advisory Board to conduct an analysis on this recommendation and the results will be forthcoming. The Advisory Board is scheduled to meet on September 25, 2008. At this meeting, all responses from the 12 non-contract

cities will be reviewed and discussed. Based on their decisions regarding admission policies, the Advisory Board will evaluate options related to non-contract cities reimbursing the County for boarding and euthanizing animals from their cities. By December 1, 2008, the Advisory Board will have completed the evaluation and will have a response for this recommendation.

**Current Status:** The recommendation requires further analysis.

The analysis is in progress. The City Managers Financial and Operational Advisory Board reviewed the respective responses from the non-contract cities to the Grand Jury recommendation. After evaluating options, the Advisory Board requested that a notice be sent to all non-contract cities notifying them of the proposed policy to close the OC Shelter to non-contract cities and offering an option to negotiate contracts in advance. It is expected that completion of any contract negotiations and provision of a final recommendation to the Board of Supervisors will occur by August 2009.