



COUNTY OF SANTA CRUZ

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Edith Driscoll, Chief Deputy Auditor-Controller
Pam Silbaugh, General Accounting Manager
Mark Huett, Audit and Systems Manager
Marianne Ellis, Property Tax Accounting Manager

AGENDA: JANUARY 25, 2011

December 22, 2010

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Subject: Santa Cruz County Whistleblower Hotline Activity Report for Calendar Year 2010

Dear Members of the Board:

Pursuant to the Santa Cruz County Policies and Procedures Manual section VII 700, the attached schedule provides statistical information on the 2010 calendar year Whistleblower Hotline activity and summarizes the Hotline reports received during the year.

The Whistleblower Hotline is intended for Santa Cruz County residents, vendors, contractors and employees to report allegations of fraud, waste and abuse, including fraudulent activity by Santa Cruz County government employees; misuse of County resources by vendors, contractors or County employees; or significant violations of County policy.

To enable the reporting of these activities, the Auditor-Controller's Office maintains a Whistleblower Hotline at 831-454-3333, a reporting website that can be accessed via the County's webpage, and accepts written reports at 701 Ocean Street, Room 100. Reports can be made anonymously. The Auditor-Controller receives and reviews Whistleblower Hotline reports, and then either independently investigates the reports or forwards them to the appropriate departments to research and resolve as necessary. The Auditor-Controller's Office requests a status update from the departments at a 60 day and 6 month interval until the report is resolved and closed. If appropriate, the Auditor-Controller's Office investigates reports independently.

**Santa Cruz County Whistleblower Hotline
Activity Report for Calendar Year 2010**

The following are the statistics for the 2010 reporting period:

Contacts Received Via:

Letter	6
Telephone call	14
Hotline webpage reporting form	<u>22</u>
Total contacts received	42

The Whistleblower Hotline is an integral component in the County's internal control system, due in part to the willingness of County departments and other agencies to investigate and communicate their findings.

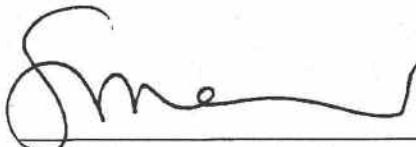
It is therefore RECOMMENDED that Board of Supervisors accept and file this report on the Whistleblower Hotline activity for calendar year 2010.

Sincerely,



Mary Jo Walker, CPA
Auditor-Controller

RECOMMENDED



SUSAN A. MAURIELLO
County Administrative Officer

CC: County Administrative Officer
Auditor-Controller

Attachment: Whistleblower Hotline Statistical and Reporting Overview 2010

Whistleblower Hotline Statistical and Reporting Overview 2010

Total contacts received: 42
 Method of contact:

- 6 Letters
- 14 Telephone calls
- 22 Web page reports

Summary of contacts:

- 16 Determined to be outside the scope of the Hotline of which three cases involved matters related to the Planning Department . In each case, the reporting party was referred to the appropriate authority as applicable.
- 13 Determined to be Personnel matters relating to current County employees. One case included insufficient facts to enable investigation. Ten cases were reviewed and researched by the Auditor-Controller's Office, Personnel and the appropriate department heads resulting in corrective action when necessary. Two reports were open as of December 31, 2010 and are currently being investigated by the appropriate department head .
- 5 Reports of private individuals committing welfare or social security fraud. Three cases involving welfare fraud were investigated by the Chief Welfare Fraud Investigator and determined to be unfounded. Two cases involving social security fraud were referred to the Social Security Administration.
- 2 Reports of private individuals claiming homeowner occupied property tax exemptions. Both cases were open as of December 31, 2010 and are being investigated by the appropriate department head.
- 6 Detailed below

Report Forwarded to
 and/or Reviewed By
 Allegation Summary
 Current Status

	Allegation Summary	Report Forwarded to and/or Reviewed By	Current Status
1	The address of a home was provided where garbage was improperly being stored in the backyard.	Appropriate Department Head	Closed - The property owner resolved the substantive issues of the complaint.
2	The name of a food facility kitchen was provided that had unsanitary food service conditions and practices.	Appropriate Department Head	Closed - The kitchen area was immediately closed, cleaned and sanitized. It was subsequently inspected and reopened.

Allegation Summary		Report Forwarded to and/or Reviewed By	Current Status
3	County vendor not providing services under contract.	Appropriate Department Head	Closed - It was determined that the services that are allegedly not being provided, are not services the County contracts for. Report determined to be outside of the scope of the Hotline.
4	Vendor not providing services that may be under County contract.	Auditor-Controller's Office	Closed - Pending receipt of specific information from the reporting party to determine which vendor is involved. Initial contract with reporting party was five months ago so the report has been closed until information is received.
5	County vendor using County materials on non-County jobs.	Appropriate Department Head	Closed - The material in question was asphalt concrete that was dug out and removed before new work could be completed. The roadway excavation materials became the property of the contractor who could decide how to dispose of them properly. Report closed with no action needed.
6	County vendor not providing contracted services. Report was broad in nature and contained no specific incidents to investigate.	Appropriate two Department Heads who researched and responded jointly.	Closed - This vendor has contracts with two departments. County investigation confirmed that clients of this vendor are provided with a copy of program rules, policies and procedures. The vendor agency also has written complaint/grievance policies and procedures which allow for a mechanism for clients to file a complaint. These procedures are provided verbally to clients and are now posted in a public area of the agency. Applicable departments will continue to provide oversight and monitoring of this agency contract and have asked to be made aware of any client concerns as they arise.

¹ Per the Santa Cruz County Policies and Procedures Manual section VII 700, Reports related to building code violations, planning code violations or other code violations expressly authorized by the Board of Supervisors cannot be accepted from anonymous sources and must include reporting party contact information.

Whistleblower Hotline Update

Civil Service Commission

September 15, 2011

Mary Jo Walker

Auditor-Controller

Whistleblower Hotline Update

Civil Service Commission

September 15, 2011

- Whistleblower Program established by the Board of Supervisors in January 2005.
- Managed by the Auditor-Controller.
- Detailed in the County's Policies and Procedures Manual
- Annual report to the Board of Supervisors regarding whistleblower activity.

Whistleblower Hotline Update

Civil Service Commission

- Whistleblower reports are taken via email, letter, phone, or in person, and are bi-lingual.
- Whistleblowers can provide contact information or remain anonymous.
- All reports are kept strictly confidential.
- Final resolution is required within 6 months, with a preliminary report within 2 months.
- Whistleblowers are not notified of responses.

Whistleblower Hotline Update

Civil Service Commission

- Auditor-Controller does not have investigators to investigate most reports.
- Auditor-Controller staff personally research all reports within our expertise, (i.e. financial).
- Areas beyond our expertise are forwarded to an appropriate department for investigation, usually the department the report is about.
- Personnel matters are forwarded to Personnel dept and/or department head for resolution.

Whistleblower Hotline Update

Civil Service Commission

- The department head is notified of all whistleblower reports, unless the report is about the department head, in which case the County Administrative Officer is notified.
- Whistleblower reports about an elected department head are forwarded to the Board of Supervisors.

Whistleblower Hotline Update

Civil Service Commission

- We generally receive about 30 or 40 reports a year that are reasonable.
- Approximately 1/3 of them are something we can act upon.
- Welfare fraud reports are immediately forwarded to the Welfare fraud hotline for resolution.
- Reports about building code violations are forwarded to the Planning Dept.

Whistleblower Hotline Update

Civil Service Commission

- Grand Jury made recommendations in 2008.
- Recommendations which were implemented:
 - Make it easier to find Hotline the County website
 - Whistleblowers to be notified that certain reports may be turned over to department for resolution.
 - Preliminary results within 60 days.
- Recommendation not implemented:
 - Establish a separate independent body as first point of contact for whistleblower complaints.

County of Santa Cruz
2011 Layoffs

Bargaining Unit	Number of Letters Distributed (Full layoffs; partial layoffs; voluntary layoffs; displacements (bumping); reassignments, etc)	Number of Placements	Number of employees laid off on 8/5/11
SEIU	46	17	12*
Middle Management	15	10	1 (Unsuccessful in placement process)
Executive Management	1	1	N/A
TOTAL	62	28	13

Note: Several letters were rescinded due to AVTO, other funding availability, voluntary layoffs and Board approval for delay deletes which were approved at the Board on August 2, 2011. Additionally, three of the employees who received letters are scheduled for layoffs on Sept. 30, 2011 and are currently active in the placement process.

- * 7 Did not participate in placement process
- 2 Voluntary Layoffs
- 3 Unsuccessful in placement process

CIVIL SERVICE COMMISSION 2011 ATTENDANCE REPORT

Meeting Dates, Time, and Location

This year the Commission met in January, February (cancelled for lack of quorum), April, May, July, September, and November on the third Thursday at 5:45 p.m. in the Board of Supervisors' Chambers in the County Governmental Center. Additionally, Commissioners hold the first Wednesday afternoon and third Wednesday all day of each month for potential appeal hearings. There were two disciplinary appeal hearings in 2011.

Commission Structure

The Commission consists of five members, each nominated for full Board approval by each Supervisor. The Commission members in 2011 were: First District, Carmen Potro; Second District, James Maxwell; Third District, Dina Hoffman (appointed December 14, 2010); Fourth District, Olivia Madrigal; and Fifth District, Margaret Leonard.

In January, the Commission elects a Chair and a Vice-Chair for one-year terms. In 2011 the Commission Chair was James Maxwell and the Vice-Chair was Olivia Madrigal.

Attendance

The columns below indicate Commission attendance for 2011:

Meeting	Hoffman	Madrigal	Potro	Maxwell	Leonard
January 20	X	X	A	X	X
March 17	X	X	X	X	A
May 19	Cancelled – no quorum – no agenda				
July 20 Hearing	X		X		X
July 21	Cancelled – no quorum				
September 15	X	A	X	X	A
November 17					
December 6 Hearing					

X = Present; A = Absent

Commission Staff

The Commission is staffed by the County Personnel Department. Laurie Hill, Senior Personnel Analyst, served as the Commission Secretary. Thornton Kontz served as Commission attorney.



COUNTY OF SANTA CRUZ

PERSONNEL DEPARTMENT

MICHAEL J. MCDUGALL, DIRECTOR

AJITA PATEL, DEPUTY DIRECTOR

701 OCEAN STREET, SUITE 310, SANTA CRUZ, CA 95060-4073

(831) 454-2600 FAX: (831) 454-2411 TDD: (831) 454-2123

TO: Civil Service Commissioners
FROM: Laurie Hill, Secretary to the Commission
SUBJECT: Civil Service Commission: 2012 Schedule of Meetings

Every year, the schedule of meetings for the next calendar year is distributed to Commissioners, representation units and County staff members. This memo contains the 2012 Commission schedule. The Commission traditionally reserves the first Wednesday afternoons of each month and the full third Wednesday of each month for potential appeal hearings. Quarterly business meetings are also held in the early evening of the third Thursday in January, March, May, July, September and November. The Board of Supervisors' Chambers has been reserved for these dates.

The full schedule is listed below, so please mark your calendar:

Quarterly Meetings, Third Thursdays, 5:45 p.m.

January 19, 2012, March 15, 2012, May 17, 2012, July 19, 2012, September 20, 2012 and November 15, 2012

Dates held for potential appeal hearings:

First Wednesday, 1:30-5:00 p.m.

January 4, 2012
February 1, 2012
March 7, 2012
April 4, 2012
May 2, 2012
June 6, 2012
No hearing – 4th of July
August 1, 2012
September 5, 2012
October 3, 2012
November 7, 2012
December 5, 2012

Third Wednesday, 8:00 a.m. - 5:00 p.m.

January 18, 2012
February 15, 2012
March 21, 2012
April 18, 2011
May 16, 2012
June 20, 2012 (calendar conflict with Board)
July 18, 2012
August 15, 2012
September 19, 2012
October 17, 2012
November 21, 2012
December 19, 2012

Cc: SEIU Local 521
District Attorney Assoc.
Susan Mauriello, CAO
General Services Department

Operating Engineers
Middle Management Assoc.
Board of Supervisors
Personnel Department Staff
Each Department Head

SUMMARY FOR DELEGATED CLASSIFICATIONS - September & October, 2011

DEPARTMENT	ACTION	PROPOSED or CURRENTLY ESTABLISHED CLASS	CLASS AFTER PERSONNEL STUDY
Health Services Agency	Establish New Alt-Staffing Pattern	Behavioral Health Manager	Senior/Behavioral Health Manager
Health Services Agency	Establish New Alt-Staffing Pattern	Behavioral Health Manager	Senior/Behavioral Health Manager
Health Services Agency	Abolish Alt-Staff	Public Health Nurse II/Public Health Nurse I/Clinic Nurse III/Clinic Nurse II/Clinic Nurse I	Clinic Nurse II/Clinic Nurse I
Health Services Agency	Abolish Alt-Staff	Public Health Nurse II/Public Health Nurse I/Clinic Nurse III/Clinic Nurse II/Clinic Nurse I	Clinic Nurse II/Clinic Nurse I
Health Services Agency	Abolish Alt-Staff	Public Health Nurse II/Public Health Nurse I/Clinic Nurse II/Clinic Nurse I	Clinic Nurse II/Clinic Nurse I
Health Services Agency	Abolish Alt-Staff	Public Health Nurse II/Public Health Nurse I/Clinic Nurse II/Clinic Nurse I	Clinic Nurse II/Clinic Nurse I
Health Services Agency	Abolish Alt-Staff	Public Health Nurse II/Public Health Nurse I/Clinic Nurse II/Clinic Nurse I	Clinic Nurse II/Clinic Nurse I
Health Services Agency	Abolish Alt-Staff	Public Health Nurse III/Clinic Nurse III	Clinic Nurse III
Health Services Agency	New position approved by BOS. Department requested Clinic Nurse III. Classification study approved Clinic Nurse III.	Clinic Nurse III	Clinic Nurse III
Health Services Agency	Modify job specification	Senior Mental Health Client Specialist	Senior Mental Health Client Specialist
Health Services Agency	Modify job specification	Mental Health Client Specialist	Mental Health Client Specialist
Sheriff-Coroner	New position approved by BOS. Department requested Typist Clerk III. Classification study approved Typist Clerk III.	Typist Clerk III	Typist Clerk III
Sheriff-Coroner	New position approved by BOS. Department requested Administrative Aide. Classification study approved Administrative Aide.	Administrative Aide	Administrative Aide

PROVISIONAL REPORT
July – September 2011

Department	Classification	Reason for Filling Position	Type of Appointment
District Attorney	Attorney III – DA	Due to limited staffing the department needed to make an immediate hire to fill a critically needed position within their Sexual Assault Unit.	Provisional
Health Services Agency	Mental Health Client Specialist	Incumbent out on medical leave; department operationally needed to fill position to provide continued case management services to severely ill clients and their families.	Provisional Promotion Substitute
Human Services Department	Social Worker I	Incumbent out on medical leave; department operationally needed to fill position to handle the complex In Home Support Services (IHSS) provider enrollment program.	Provisional Substitute
Planning	Economic Development Coordinator	Department operationally needed to fill position to address the immediate needs of the Economic Development Program.	Provisional Demotion
Probation	Deputy Probation Officer II	Incumbent out on leave; department operationally needed to fill position to ensure the needs of the Juvenile Hall population are addressed in a timely manner.	Provisional

Number of Provisional Appointments

Type of Appointment	July – September 2010	July - September 2011
Provisional	1	2
Provisional Promotion	1	0
Provisional Substitute	0	1
Provisional Substitute Promotion	2	1
Provisional Demotion	0	1
Provisional to Probationary	0	0

Civil Service Rule 130.VI.G: When there are less than five (5) qualified eligibles on any appropriate employment list, the Personnel Director may authorize the provisional appointment of any individual meeting the established standards for the position pending the establishment of an eligible list, but in any event, no such provisional appointment shall continue for longer than the following: a. For department heads – 180 days; b. For other positions – 90 days.

COUNTY OF SANTA CRUZ

Inter-Office Correspondence

DATE: October 5, 2011
TO: Various County Advisory Bodies
FROM: Chairperson Mark W. Stone *MWS*
RE: SUBMISSION OF 2011 ATTENDANCE REPORTS

11 OCT -5 PM 1:12

The purpose of this memo is to remind you that the advisory bodies listed below are required to submit attendance reports (only) to the Board of Supervisors at the end of this year, documenting attendance at meetings held during 2011. The report is to be submitted to our office on or before January 31, 2012.

- Agricultural Policy Advisory Commission
- Alcoholism and Drug Abuse Commission
- Ambulance Technical Advisory Group
- Animal Nuisance Abatement Appeals Commission
- Arts Commission
- Assessment Appeals Board
- ✓ Civil Service Commission
- Deferred Compensation Advisory Commission
- Commission on Disabilities
- Domestic Violence Commission
- Emergency Management Council
- Emergency Medical Care Commission
- Commission on the Environment
- Environmental Health Appeals Commission
- Equal Employment Opportunity Commission
- Fire Department Advisory Commission
- First 5 Commission
- Fish and Game Advisory Commission

Your next full report highlighting activities during 2011 and 2012 will not be due until January 31, 2013.

Please send your 2011 attendance report directly to the office of the Board of Supervisors no later than January 31, 2012. If you have any questions, please feel free to contact Terry Dorsey at extension 2200.

MWS:pmp

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