

2002 – 2003
FINAL REPORT

PLACER COUNTY
GRAND JURY



PLACER COUNTY GRAND JURY

(530) 889-7469
Mailing Address:

FAX (530) 889-7447
11490 C Avenue, Auburn, CA 95603

The Honorable Alan Pineschi
Presiding Judge, Superior Court
County of Placer
11546 B Avenue
Auburn, CA 95603

The Honorable James D. Garbolino
Judge of the Superior Court and
Advising Grand Jury Judge
11546 B Avenue
Auburn, CA 95603

Reference: 2002-2003 Placer County Grand Jury Final Reports

Dear Judge Pineschi and Judge Garbolino:

Presented herewith is the Final Report of the 2002-2003 Placer County Grand Jury.

This report is the result of investigations by the Grand Jury of matters required by law, brought to us by citizen's complaints, or presented to us by other avenues. The period covered by the report is our Grand Jury term, July 1, 2002 through June 30, 2003. Most of our investigations were completed and the report provides closure. Some of our investigations are incomplete and in these cases we recommend further investigation or follow-up by future Grand Juries.

In general we find that Placer County continues to operate efficiently and effectively. The County department staffs we dealt with are cooperative people who are doing an effective job. Many departments do have severe budgetary problems in completing County business.

I want to thank the members of this year's Grand Jury. The members gave freely of their expertise, personal resources, and hundreds of hours of time for the betterment of Placer County. It was an honor for me to serve with such an outstanding group.

Respectfully submitted,

George H. Wichman, Foreman
2002-2003 Placer County Grand Jury

2002-2003
Placer County Grand Jury

The following Placer County residents have qualified and been sworn to serve on this Grand Jury.

Alice Bothello	Christopher Jensen	Clyde Quick
Jim Datzman	George McKinney	Craig Tourte
Rhada DeWayne	Robert J. Nelson	Karen Von Elten
Lynne Dutton	Alan Parker	Al Wharton
Bob Fogt	Manuel Perry	George Wichman
Linda Hall	Harry Powell	Bob Williams

Dave Shattuck also served for the first six months of the term, then had to resign for personal reasons.

The Grand Jury organized itself into nine Standing Committees for purposes of Research and study, and preparation of reports. All reports herein have been approved by the full panel of the Grand Jury.

Audit and Finance	Editorial	Cities
Health and Welfare	County Administration	Schools and Libraries
Criminal Justice	Special Districts	Continuity

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ALTA FIRE PROTECTION DISTRICT

Complaint 2002B-11

Background/Summary

The 2002-2003 Grand Jury instituted an investigation of the Alta Fire Protection District Board of Directors for their failure to comply with the request of the Placer County Auditor-Controller to take the necessary corrective action recommended by an independent auditor hired by the District.

Discussion

On February 22, 2002 the District's independent auditor issued a report to the Alta Fire Protection District Board of Directors titled Report on Compliance and on Internal Control Over Financial Reporting Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards. This report was forwarded to the Placer County Auditor-Controller's Office by the Alta Fire Protection District Board of Directors. On July 2, 2002 in a letter to the Fire District Board, the Placer County Auditor-Controller directed them to provide their office with a corrective action plan by July 31, 2002. Further, if they needed assistance in developing this plan, a contact person was provided.

In the February 22nd report, the Alta Fire Protection District's independent auditor found reportable conditions relating to significant deficiencies in the design and operation of the internal control structure that, in their judgment, could adversely affect the District's ability to record, process, summarize, and report financial data:

1. The District does not use a pre-numbered receipt book for hall rentals. Without controls, deposit rental fees could be collected and misappropriated.
2. The District allows certain individuals or organizations to use the hall without paying a rental fee but does not have a list of authorized users to assure that fee waivers are properly granted.
3. The District keeps detailed expenditure records but only reconciles these expenditures on an annual basis to the County of Placer.

The report further states, "These same findings have been reported every year since your Financial Statements ending June 30, 1995 and they remain uncorrected."

Numerous phone calls to the Fire District Clerk went unanswered. In December, 2002 contact was made with the Fire District Clerk and the above compliance issues were discussed. The District Clerk agreed that Items 1 and 2 needed to be complied with, but the Clerk did not understand Item 3.

Finding 1

The Alta Fire Protection District has not been in compliance with Items 1 and 2 of the Independent Auditor's Report since June 30, 1995.

Recommendation 1

1. The Alta Fire Protection District should use a pre-numbered receipt book.
2. The Alta Fire Protection District must adopt a clear and easily understood policy regarding rental fees for the hall.
3. The Alta Fire Protection District should have a list of authorized users of the hall and make the list available to all residents of the District.

Finding 2

The 2002-2003 Grand Jury does not agree with Item 3 by the independent auditor and finds that the District submits both bills and money receipts on a monthly basis. These are applied to the proper cost accounts.

Finding 3

The Alta Fire Protection District was unresponsive to the County Auditor-Controller and to this Grand Jury.

Recommendation 3

The Alta Fire Protection District should implement policies and procedures whereby they are more responsive to the County Auditor-Controller, the Grand Jury, and to their constituents.

Respondents

Alta Fire Protection District Board of Directors
Placer County Auditor-Controller

RESPONSE REQUIRED WITHIN 90 DAYS TO:

The Honorable Presiding Judge of Superior Court
11546 B Avenue
Auburn, CA 95603

BURTON CREEK (TAHOE) SHERIFF'S SUBSTATION, COURT FACILITIES AND JAIL INSPECTION

California Penal Code Section 919 requires the Grand Jury to inspect Placer County Jails to evaluate conditions and management of these facilities, to inquire about prisoners not indicted and to review any changes implemented since the previous Grand Jury's inspection.

Background

For more than 10 years Placer County Grand Juries have been documenting deficiencies in the Burton Creek Sheriff's facility. The 2001-2002 Grand Jury issued a report with five recommendations that they felt would extend the life of the facility and enhance safety. These recommendations include an inmate walkway, a fire escape on the 2nd floor, a fire suppression system, a fire door at the top of the stairway, and after-hours access for the fire department.

The Facilities Services Department provided the following estimates for the recommended corrections: Inmate Walkway, \$65,000; Fire Escape, \$25,900; Fire Suppression, \$50,100 (in 3 high risk areas); Fire Door, \$2,500 (estimate not confirmed); After-hours Access (lock box), \$500 (estimate not confirmed).

The following responses have been received from the responsible parties:

Inmate Walkway: The Board of Supervisors, County Executive Officer, Facility Services Director, Risk Management Administrator and Sheriff/Coroner all concur with the recommendation. It is currently funded. It was originally funded for 2000-2001 and held over to 2001-2002. It is scheduled to be completed by October, 2003.

Fire Escape: Although the Board of Supervisors and the County Executive Officer feel that the existing smoke/fire detection systems are adequate to allow for safe exit when necessary, and that there is no legal requirement, an external fire escape from the 2nd story of the building has been funded and is scheduled to be completed not later than October, 2003. The Risk Management Administrator will provide appropriate training. Facility Services Department, Sheriff/Coroner and North Tahoe Fire Protection District concur with the plan for an external fire escape.

Fire Suppression: The North Tahoe Fire Protection District recommends automatic extinguishing systems be installed in the kitchen, the radio room, and the evidence room. The Board of Supervisors and the County Executive Officer concur and it is scheduled for completion in October, 2003. It is included in the 2002-2003 Sheriff's budget as a recommended expenditure. The North Tahoe Fire Protection District feels that recent

improvements, including a fire detection and alarm system, enhance early detection and safety, but recommends that prevention, early detection, evacuation routes, and suppression systems be improved as funding allows. In the interim, prevention, early detection, and practiced evacuation routes should prevent injury or loss of life. The Risk Management Administrator notes there is no legal requirement for a fire suppression system.

Fire Door: The North Tahoe Fire Protection District recommended a self-closing door at the top of the stairs with panic hardware in front of the dispatch center. The Board of Supervisors, Risk Management Administrator, and County Executive Officer did not agree that this correction is necessary.

After-Hours Access: A lock box was installed on May 3, 2002, allowing for after-hours access for the fire department.

Discussion

The 2002-2003 Grand Jury inspected the Burton Creek facility on September 18, 2002. It found that there have been several improvements. The building has been painted and the patrol division has been relocated to a rented facility in Carnelian Bay. This move has provided for more space for a training/conference room, which can also serve as an Emergency Operations Center, expanded investigations room and supervisory space. The Grand Jury was informed that prisoners are no longer held at this facility overnight. Prisoners are transported to a jail in Truckee, which is in Nevada County. There is presently a contract governing this procedure which expires in late 2003. However, the Placer County Sheriff has announced that it will be renewed. The remaining recommendations of the preceding Grand Jury have not been implemented. The status of these is as follows:

Inmate Walkway: Construction documents were submitted to Placer County and the Tahoe Regional Planning Association (TRPA) on August 23, 2002. County Facility Services has received design review approval. TRPA approval could take several months.

Fire Escape: The fire escape is still considered on schedule for October, 2003. However, the original plan for a ladder will not meet legal requirements. An exterior stairway with a door and a landing will be required. Facility Services Department and County Executive Officer are working to assess the change in scope. It will require approval of TRPA.

Fire Suppression: The system is still scheduled for completion by October, 2003.

Fire Door: The Board of Supervisors, the Facility Services Department and the County Executive Office state that the fire door will not be implemented.

Finding 1

It is the belief of the current Grand Jury and several Grand Juries before it that what is needed is a brand new facility. In the words of Bryce E. Keller, Division Chief, Fire and Life Safety, North Tahoe Fire Protection District (letter to 2001-2002 Grand Jury, January 17, 2002): "It should be noted that the structure itself is at risk of catastrophic loss should a fire occur. The building . . . is primarily wood frame construction. A fire start without immediate or automatic intervention will become deep seated and cause significant damage or total loss. . . . I believe a fire in the building would spread rapidly through the old construction." However, this new facility is not expected to begin until Spring, 2005. The adjacent Department of Public Works facility must first be relocated and this relocation is not scheduled to begin until Spring, 2004. Funding for this project is not yet allocated.

Finding 2

Grand Juries have been making recommendations regarding the Burton Creek facility for several years. Some of the members of this Grand Jury were irate and incredulous that nothing has been done. It is a common complaint of government that it is sometimes slow to respond; in this case it has been glacial!

Once again, in the hope that, like a drop of water on a rock, we can eventually make a dent, this Grand Jury recommends the following:

Recommendation 1

Future Grand Juries should monitor the facility to see that a) the inmate walkway is completed by October, 2003; b) the fire suppression systems are completed by October, 2003; and c) the fire escape from the 2nd floor is installed.

Recommendation 2

Future Grand Juries must stay on top of situations concerning the construction of an entirely new facility.

No response required.

Addendum

After the Grand Jury report was written and finalized, correspondence from the office of the County Executive and the North Tahoe Fire Protection District were received. The 2002-2003 Grand Jury felt that both of these letters should be included for informational purposes.

The letter from the County Executive shows at least some thought and some preliminary action on recommendations by prior Grand Juries. The letter from the North Tahoe Fire Protection District reiterates the problems that have prompted several successive Grand Juries to make the recommendations that have been made.

**P.O. Box 5879
300 North Lake Boulevard
Tahoe City, CA 96145
(530) 583-6911
Fax (530) 583-6909**



Date: March 22, 2003
Subject: Burton Creek Administration Center
2501 North Lake Blvd.
Tahoe City, Placer County

2003 Fire/Life Safety Inspection

Ellie Shelton
Deputy State Fire Marshall III
Office of the State Fire Marshall
Code Enforcement - North
P.O. Box 944246
Sacramento, CA 94244-2460

Dear Ellie;

On January 22, 2003, an inspection was made of the Burton Creek Administration Center in Tahoe City. This facility houses the Sheriff's Department including the jail facility, the District Attorney's Office and Municipal Court.

Minor deficiencies affecting fire/life safety were found and noted on the accompanying North Tahoe Fire Protection District Fire/Life Safety Inspection Report. These items are in addition to the noted concerns by North Tahoe Fire Protection District as outlined in the letter to the Placer County Grand Jury, dated January 17, 2002.

For communication pertaining to the above project, contact Steven D. Hook, Fire Prevention Technician at (530) 583-6911.

Sincerely,

DUANE WHITELAW
Fire Chief

A handwritten signature in black ink, appearing to read "Steven D. Hook".

STEVEN D. HOOK
Fire Prevention Technician,
Fire and Life Safety

Enclosure

Cc: Captain Kent Hawthorne, Placer County Sheriff's Office
Virginia Ferral, Director of Communication Services for Placer County
Placer County Grand Jury
File

Business Name: PLACER COUNTY BUREAU CESEK Address: 2501 NORTH LAKE BLVD.
Mailing Address: _____ City: TAHOE CITY State: CA Zip: 96145
Contact Name: Sgt DON HUCHINSON Phone: (530) 581-6314
Property Owner: PLACER COUNTY Phone: _____
Owner Address: _____ City: _____ State: _____ Zip: _____

Check if new information above

Conditions discussed with: Lt Hutchinson

No violations noted - THANK YOU.

An inspection of your facility revealed the following violations which must be corrected:

① In Dispatch Center replace power strip servicing 2 coffee makers and a refrigerator with permanent wiring.

② In new Detective Squad Room - replace power strip servicing air conditioning unit, refrigerator, toaster, 2 coffee pots, stereo and box fan with permanent wiring.

③ Attic space - replace cover plates on 2 junction boxes seen. Inspect spaces where new wiring is going in for uncovered junction boxes.

④ Gasoline storage for snow blower to be in approved safety can with spring latch, maximum 5 gallons.

NOTE: Refer to January 17, 2002 letter to Fred Copeland - Placer County Grand Jury regarding on going concerns regarding this facility.

ITEMS 1, 2 & 3 & 4 MUST BE CORRECTED WITHIN 30 DAYS.

ITEMS _____ MUST BE CORRECTED WITHIN _____ DAYS.

Upon correction of all listed violations, please sign & date below and return a copy of this form to the address above.

Violations Corrected - Signature: _____ Date: _____

Print Name: _____

A reinspection will be conducted on or about _____.

Date: 4/2/03 Inspected By: [Signature]

Received By: [Signature]

Date: _____ Reinspected By: _____

Corrected: Yes No/ Item # _____

Date: _____ Reinspected By: _____

Corrected: Yes No/ Item # _____

Refer to F.P.B.

Refer to other: _____

Date: _____

**OFFICE OF THE STATE FIRE MARSHAL
Code Enforcement - North
DEPARTMENT OF FORESTRY AND FIRE PROTECTION**



P.O. Box 944246
Sacramento, CA 94244-2460
Web Site: www.fire.ca.gov
(916) 445-8550
(916) 324-3784 FAX

March 4, 2003

DUANE WHITELAW
NORTH TAHOE FPD
PO BOX 5879
TAHOE CITY

CA 96145

31044

Dear Chief DUANE WHITELAW:
California Health and Safety Code Section 13146.1 requires the State Fire Marshal to inspect every place of detention annually, unless the Chief of the local fire authority notifies the State Fire Marshal in writing that the Chief or a representative of their fire department will be conducting the inspection(s).

Our records indicate that the detention facilities listed on the attached page(s) fall within your jurisdiction. In order to expedite the inspection process, please indicate the following:

The Chief or a representative of my Fire Department;

- Will be inspecting ALL detention facilities.
- Will be inspecting SOME of the detention facilities as indicated on the attached Facility Listing Sheet.
- Will NOT be inspecting any of the detention facilities.

Please sign and date this form and return it with the attached Facility Listing Sheet by April 1, 2003 to:

**Office of the State Fire Marshal
Code Enforcement - North
P.O. Box 944246
Sacramento, CA 94244-2460
or
FAX to (916) 324-3784**

In order for us to schedule our inspections for 2003, it is imperative that you respond promptly.

We appreciate your cooperation and look forward to hearing from you soon. If you have any questions regarding this form or the attached Facility Listing Sheet, please contact Connie Marques at (916) 445-8550.

Sincerely,
Ellie Shelton

Ellie Shelton
Deputy State Fire Marshal III

FIRE AUTHORITY STATEMENT

SIGNATURE: *DJ Whitelaw* DATE: 4/4/03
(Must be signed by Fire Chief Only)

CONTACT PERSON: *Bryce Keller* TELEPHONE NUMBER: (530) 583-6911

CONSERVATION IS WISE --- KEEP CALIFORNIA GREEN AND GOLDEN
PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV

2003 FIRE/LIFE SAFETY INSPECTION REPORT

ADULT/JUVENILE DETENTION FACILITIES

Facility:

FACILITY TYPE: (check one)

- Adult max/med security
- Adult minimum security
- Juvenile max/med security
- Juvenile minimum security
- Holding Cell(s) only

40-31-44-0011-000-044-L
PLACER CO. SHERIFF'S DEPT JAIL
2501 NORTH LAKE BLVD
TAHOE CITY CA 96145

An inspection of this facility was conducted per the mandate of Section 13146.1, California Health and Safety Code, and applicable requirements of Titles 19 and 24, California Code of Regulations. **(Check appropriate box)**

- No deficiencies affecting fire/life safety were noted. Fire clearance is granted.
- Minor deficiencies affecting fire/life safety were noted and are pending correction. Fire clearance granted
- Fire clearance is withheld pending correction of deficiencies. (List of deficiencies is attached).
- Prisoners are no longer detained at this facility.

The authority conducting the inspection shall submit copies of this report to the appropriate bodies listed below. Where fire/life safety deficiencies are noted, a list of the deficiencies must accompany this report.

- Office of the State Fire Marshal
Code Enforcement - North
P.O. Box 944246
Sacramento, CA 94244-2460
FAX: (916) 324-3784
- Board of Corrections
Facilities Standards & Operations Division
600 Bercut Drive
Sacramento, CA 95814
FAX: (916) 327-3317
- Official in Charge of the Facility
- Local Governing Body (i.e., Board of Supervisors, City Council, etc.)

Date of Inspection: JANUARY 22, 2003 Inspected by: Steven D. Hook

Fire Authority: NORTH TAHOE FIRE PROTECTION DISTRICT

Facility Representative: LT DON HUCHINSON

2003 ADULT/JUVENILE DETENTION FACILITY INSPECTION GUIDE

The following is to be used only as a guide and is not intended to include all applicable codes and requirements.

		Yes	No	N/A
A. CONSTRUCTION				
1.	Building construction type and fire resistive rating conform throughout and are maintained in good repair. (19 CCR 3.24; CBC 308.2.2.2; CBC 3.24A.1; CBC 324A.2; CBC Table 6-A)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.	Proper interior ceiling and floor finish ratings are provided. (CBC 324A.4, CBC Table 8B)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	Vertical shaft enclosures are in good repair and fire assemblies at openings are properly maintained. (CBC 711, Table 6A)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B. EXITS				
4.	Proper corridor construction and opening protection are provided and maintained. Dead-end corridors do not exceed 20 feet in length. (CBC 1004 through 1006). Exit balconies do not exceed 50 feet. (CBC 332A.4)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	All means of egress are unobstructed and free of storage. (19 CCR 3.11)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	Means of egress and exit signs are installed, illuminated and maintained. (CBC 1003.2.8.2 through 1003.2.9.2; CBC 331A.5)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	Corridors are not used as part of the air distribution system. (CMC 602.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.	Supervisory personnel are continually on duty and effective provisions are made to remove occupants in case of fire or other emergency. (Penal Code 6030[c]; CBC 1003.3.1.8 exception 3)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. MECHANICAL/ELECTRICAL				
9.	Fire and smoke dampers and similar devices are adequate, properly installed, maintained and tested. (CMC 606.1 & 2; CBC 713.10, 713.11)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	All heating, cooling and ventilation equipment is maintained satisfactorily. There are no visible defects. (CMC 109.2; 19 CCR 3.02)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	Electrical wiring, fixtures and appliances are properly installed and operated. (19 CCR 3.01; CBC 3.24)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12.	Emergency power is provided for minimal lighting and fire/life safety systems. (CBC 1003.2.9; CBC 328A)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. HOUSEKEEPING				
13.	Kitchen hoods, vents, ducts and filters are installed, adequate, are maintained in proper condition and are free of grease. (19 CCR 3.19, 3.24; CMC 501 through 510)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.	All areas are free of unacceptable amounts of storage. (19 CCR 3.19)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. FIRE EXTINGUISHING/FIRE ALARM				
15.	All portable fire extinguishers, automatic fire sprinkler systems, wet and dry standpipe systems are installed and maintained properly. (CBC 3.24; CBC 3.29; CBC 3.29A; NFPA 13)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.	Manual and automatic fire alarm systems, when installed, shall be properly installed and maintained. (19 CCR 3.24; CBC 330A; NFPA 72)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17.	The automatic fire alarm system is properly maintained. (19 CCR 3.24)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. TRAINING/PREPLANNING				
18.	At least one person is on duty who meets the training standards established for general fire and life safety relating specifically to the facility. (Penal Code 6030[c])	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19.	Fire suppression preplanning inspections are conducted by the local fire authority at least every two years. (Penal Code 6031.1)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Code references above are from the most recent SFM adopted codes. Note that code references for the CBC may be different for facilities constructed prior to the revision of this form.

Where any deficiency is identified, please provide specific information regarding the deficiency type and location (e.g., the fire alarm in Building C indicated a trouble alarm and must be repaired.)



P.O. Box 5879
300 North Lake Boulevard
Tahoe City, CA 96145
(530) 583-6930
Fax (530) 583-6909

Date : January 17, 2002

Fred Copeland
Placer County Grand Jury
11490 C Avenue
Auburn, CA 95603

Dear Fred Copeland:

Thank you for the opportunity to meet with you and other Jury members on Tuesday January 22nd. As discussed, there are a few remaining fire and life safety improvements to be accomplished at the Placer County facility at Burton Creek. The following re-caps our discussion on January 22nd.

Overview:

As stated earlier the building doesn't meet current standards for fire protection, specifically, no automatic sprinkler system. However in the last few years there have been significant improvements to the building to enhance early detection and safety. This includes but is not limited to a fire alarm and detection system. Prevention, early detection, acceptable evacuation routes and suppression systems should continue and be improved as funding allows. Though the building has no sprinkler system, prevention and early detection coupled with known and practiced evacuation routes should prevent injury or loss of life to occupants. It should be noted that the structure itself is at risk of catastrophic loss should a fire occur. The building has insufficient occupancy separations and is primarily wood frame construction. A fire start without immediate or automatic intervention will become deep seated and cause significant damage or total loss.

Current and practical improvements needed:

- #1 An emergency exit needs to be installed for the dispatch office.
- #2 Install a self closing door at the top of the stairs with panic hardware (in front of dispatch).
- #3 Install automatic extinguishing systems in the kitchen, radio room and evidence room.
- #4 After hours access for North Tahoe Fire Protection District.

Conclusion:

I believe a fire in the building would spread rapidly through the old construction. If the building is not going to be replaced, then I recommend the building be retrofit with a total fire sprinkler system in addition to the above fore mentioned items.

Thank you for the opportunity to comment, for communication pertaining to the fire requirements for this facility, contact Bryce E. Keller, Division Chief at (530) 583-6930.

DUANE WHITELAW
Fire Chief



BRYCE E. KELLER
Division Chief,
Fire and Life Safety

Cc:
Kent Hawthorne
Virginia Ferral



COUNTY OF PLACER

BOARD MEMBERS

BILL SANTUCCI
District 1

HARRIET WHITE
District 3

ROBERT M. WEYGANDT
District 2

EDWARD "TED" M. GAINES
District 4

REX BLOOMFIELD
District 5

OFFICE OF COUNTY EXECUTIVE

JAN M. CHRISTOFFERSON, County Executive Officer

175 FULWEILER AVENUE / AUBURN, CALIFORNIA 95603

TELEPHONE: 530/889-4030

FAX: 530/889-4023

www.placer.ca.gov

April 25, 2003

Mr. George Wichman
Foreman
Placer County Grand Jury
11490 C Avenue
Auburn, CA 95603

Dear Mr. Wichman:

The purpose of this letter is to update the Grand Jury on the improvements to the justice facilities at Burton Creek in Tahoe.

Inmate Walkway

The building permit has been issued for the original design of an exterior secure walkway between the jail and the courtroom. Purchase requisitions for materials have been prepared and are being held pending the analysis of an alternative proposal made by the Sheriff's Department. The alternative involves relocating the existing furnace in the courtroom to the attic above, thereby allowing the construction of a new door directly from one of the jail cells into the courtroom, making it a court holding cell. The proposal will be evaluated by court staff, Lt. Hutchinson of the Sheriff's Department and probably the Presiding Judge. The State Board of Corrections is expected to comment on the proposal next week. If implemented, the alternative proposal would cost approximately \$25,000, compared to \$65,000 for the original scope of work.

Fire Suppression Systems

Installation of fire suppression systems in the telecom room, evidence storage and at the kitchen hood are scheduled for spring/summer.

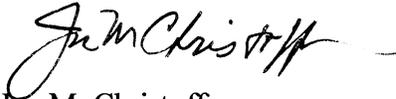
Emergency Exit from Dispatch

The preliminary design for a "secure tower" will be complete in the next week or two and will be ready to submit to TRPA for review. Staff will prepare a more detailed cost estimate. The time required to go through TRPA and building permit review will determine the construction

timeframe. Once the final cost is established, staff will evaluate the cost/benefit in view of budgetary constraints, the non-mandatory nature of the exit, and progress being made toward a permanent Tahoe justice facility.

I hope this information is useful to you. The County is anxious to conclude these projects and focus its attention on the design and construction of a new justice facility in Tahoe, which we expect to be a vast improvement over the facilities we now have.

Sincerely,
COUNTY OF PLACER

A handwritten signature in black ink, appearing to read "Jan M. Christofferson". The signature is written in a cursive style with a horizontal line extending to the right.

Jan M. Christofferson
County Executive Officer

HANDLING OF POTENTIALLY EXPLOSIVE DEVICES ON SCHOOL GROUNDS WITHIN PLACER COUNTY

Complaint Number 2002B-02

Background

The 2002-2003 Grand Jury received an anonymous complaint alleging the improper handling of a potential explosive device found on the grounds of a middle school in Placer County. The complaint detailed the following circumstances:

The custodian of a middle school found what he believed to be a pipe bomb on the grounds of the school and took the potential bomb to the principal's office. Summer school was in session and there were approximately 300 children on the school grounds. Two officers from the local police department responded. Before the officers could contact the Placer County Sheriff's Department Explosive Ordinance Disposal Team the local police chief arrived at the scene. He directed one of the officers to return to the police department to pick up a metal box and then return to the school. After this was done and the device placed in the metal box, it was then transported to the local police department. Placer County Sheriff's Department was notified and arrived at the local police department where they found two potential explosive devices. They then properly disposed of both of the devices.

The Grand Jury interviewed the police chief from the local jurisdiction. The Grand Jury obtained copies of the applicable guidelines for the handling of explosive devices from the local police department and the Placer County Sheriff's Office.

Finding 1

The local police department has guidelines for responding to bomb calls. Those guidelines indicate that potential explosive devices should not be touched or transported to any other location. When in doubt call for assistance from the Placer County Sheriff's Department Explosive Ordinance Disposal Team. This guideline was not followed.

Finding 2

Placer County Sheriff's department has issued a Crime Analysis Bulletin to all local law enforcement agencies within the county which advises that anytime they encounter a bomb, suspicious package or anything with explosive potential to leave it in place and immediately contact Placer County Sheriff's dispatch. This guideline was not followed.

Finding 3

The Police Chief had extensive experience and knowledge regarding explosive devices. The Chief saw almost immediately that this particular device could not explode and then ordered the officer to get the metal box from the station. The County was notified and responded.

Finding 4

The second device was a microphone with smokeless powder confiscated from a youth.

Finding 5

The Grand Jury is satisfied that in the future no explosive device will be stored at the station and that Sheriff's advisory bulletins will be followed.

Discussion

Based on the facts in this case no one was placed in harm's way. What could have been an enormously dangerous situation was found to be innocuous. However, because this device was handled at the school by first the custodian and then the principal, the Grand Jury was concerned about the handling of potentially explosive devices at this or any other school within Placer County. The Grand Jury decided it should take a survey of all school districts in the county to ascertain whether or not there were plans or guidelines for the handling of explosive devices. Following is a report on that set of circumstances.

HANDLING OF POTENTIALLY EXPLOSIVE DEVICES ON SCHOOL GROUNDS WITHIN PLACER COUNTY – FOLLOW-UP REPORT

Complaint 2002B-02

Discussion

The 2002-2003 Grand Jury sent a letter to all school district offices within Placer County requesting copies of current Emergency Response Plans and the method of review. Responses were received from all districts in the county. While some were more detailed than others, the overall quality of all the plans were acceptable. The district offices reported in all cases that the policies and procedures are reviewed with all employees at the beginning of the year, handbooks are readily available, and teachers are responsible for reviewing the policies and procedures with the students in the classroom. Some districts require schools to conduct drills of different potential incidents throughout the year.

Finding

Every plan addressed procedures to follow when a bomb threat is received: how to react, whom to notify, how to evacuate, and how to work with law enforcement. However, only one district addressed the handling of a found device:

Should a bomb threat be received, the Principal or his designated representative shall:

- A. Notify local police or sheriffs department of intended actions. The Principal or his designated representative may request assistance. If assistance is requested, state clearly where he or his representative will meet officers.
- B. Notify:
 - . The Superintendent
 - . Others (according to local school district organization).
- C. Make the decision on whether or not to evacuate the buildings (conduct fire drill?) on an individual basis or general fire alarm.
- D. Avoid any publicity concerning the bomb threat. If the "bomb threat" caller has alerted the news media, assistance for the Principal in working with the press will be supplied by the District Office.

- E. NO ONE SHOULD BE PERMITTED TO TOUCH, HANDLE, OR MOVE THE SUSPICIOUS OBJECT.
- F. If a search is to be conducted, police or fire agencies will be asked to conduct such a search.

Recommendation

The 2002-2003 Grand Jury recommends that every district insert into their Emergency Response Plan a clear direction not to disturb a suspicious object and confirm that all employees and students are notified of this amendment.

Commendation

The 2002-2003 Grand Jury commends all of the school districts in Placer County for the obvious care and concern incorporated into their Emergency Response Plans.

Respondents

Ackerman Elementary School District
Alta Dutch Flat School District
Auburn Union Elementary School District
Colfax Elementary School District
Dry Creek Joint Elementary School District
Eureka Union School District
Foresthill Union School District
Loomis Union School District
Newcastle Elementary School District
Ophir Elementary School District
Penryn School District
Placer County Office of Education
Placer Hills Union School District
Placer Union High School District
Rocklin Unified School District
Roseville City School District
Roseville Joint Union High School District
Sierra Joint Community College District
Tahoe-Truckee Unified School District

Western Placer Unified School District

RESPONSE REQUIRED WITHIN 90 DAYS TO:

The Honorable Presiding Judge of the Superior Court
11546 B Avenue
Auburn, California 95603

PLACER COUNTY ANIMAL CONTROL

Complaint 2002B-04

Background

The 2002-2003 Grand Jury received a complaint regarding Placer County Animal Control Services. This complaint referenced the 2000-2001 Grand Jury's Final Report on Complaint 2000B-36 and responses to it.

Discussion

The 2002-2003 Grand Jury reviewed the 2000-2001 Grand Jury's Final Report on Complaint 2000B-36 and the responses to it. This Grand Jury also reviewed the 2001-2002 Grand Jury's report on Placer County Animal Control and responses to it. The Grand Jury toured the animal shelter in Tahoe City once and the Auburn animal shelter three times. The Grand Jury interviewed the Animal Control Services Program Manager, the Placer County Capital Improvements Manager, and the Placer County Executive Officer and reviewed the capital improvement plans for the Auburn shelter.

In early 2002, Placer County provided \$300,000 to meet some of the most immediate needs of the Auburn shelter. These funds have allowed for additional space, additional staff, and additional training.

There is now one Veterinary Technician on staff and a contract with a local licensed veterinarian. This allows for better compliance with the current law regarding the daily monitoring of the animals' health and behavior status. Appropriate vaccinations and heartworm tests are performed on all incoming animals. A licensed veterinarian will be hired when construction of a health clinic, scheduled for the second or third quarter of 2003, is completed.

A modular building has been added, which now houses animal control officers, dispatchers, and an employees' lounge. This has allowed for additional food preparation space and animal cages in the permanent structure. Adoptable, stray, feral, and quarantined animals are now housed separately. These quarters have improved ventilation and can be cleaned in a way that controls and prevents disease. Delaying the opening of the shelter to 10:30 a.m. has enabled the shelter employees to complete cleaning of the animals' cages before the public enters.

Placer County Animal Control Services has an active Shelter Committee that meets monthly to provide input on the direction of the shelter. Members include Friends of Placer County Animal Shelter, Auburn Area Rescue Foundation, Roseville SPCA, area veterinarians, the County Executive Office, Animal Control Services Program Manager, Animal Control supervisors, and interested citizens.

The improvements made in this facility have led to better relationships with veterinarians and other pet placement partners. Fewer animals are returned or destroyed due to illness.

Placer County has also committed to building a new animal shelter to replace the current Auburn facility. The plan calls for expenditures of \$6 million, with 50 percent to be provided by the community. The Request for Proposal was due in Fall, 2002, with the pre-design and schedule due in early 2003. The final project is scheduled for completion in 2005.

Finding 1

The current Auburn animal shelter has been vastly improved as the result of the \$300,000 renovation project.

Commendation

The 2002-2003 Grand Jury commends the Animal Control Services Program Manager, the Capital Improvements Manager, and the County Executive Officer for the value they have gained from the \$300,000 investment.

Finding 2

The Request for Proposal for the new animal shelter to replace the Auburn facility, due in the Fall of 2002, has not yet been issued, putting the entire schedule in jeopardy.

Recommendation

The Board of Supervisors and the County Executive Office should resolve the outstanding issues regarding the new facility so the schedule can get back on track.

Respondents

Placer County Board of Supervisors
Placer County Executive Office

RESPONSES REQUIRED WITHIN 90 DAYS TO:

The Honorable Presiding Judge of the Superior Court
11546 B Ave.
Auburn, California 95603

PLACER COUNTY ANNUAL AUDIT

Summary

The 2002-2003 Placer County Grand Jury is required by California Penal Code Section 925 to "...investigate and report on the operations, accounts, and records of the officers, departments, or functions of the County...". The Grand Jury did this.

The 2000-2001 Grand Jury had recommended that the County Board of Supervisors fund an internal audit division within the Auditor-Controller's Office. The 2001-2002 Grand Jury noted that this process had begun. Since then the County has funded two positions devoted to the internal audit division.

Discussion

The Certified Public Accountants and Management Consulting firm of Macias, Gini & Company performed the annual independent audit. The members of the Placer County Grand Jury met on several occasions with representatives of this firm during County Audit Committee meetings. Accounting issues were discussed during these meetings.

The Government Accounting Standards Board (GASB) is the accounting and financial reporting and standards setting body for government entities. The current GASB requirements charge the County with many new accounting reporting and standards requirements. The Grand Jury was impressed with the implementation of these GASB requirements and standards by the Auditor-Controller's Office.

It was noted that the County Auditor-Controller's Office received national recognition by the Government Finance Officers Association for the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2001. This Certificate of Achievement for Excellence in Financial Reporting is the highest form of recognition in government accounting and financial reporting.

Finding 1

The financial audits for the period ending June 30, 2002 found no major problems in the County's financial position.

Finding 2

The 2002 -2003 Grand Jury continues to be impressed by the professionalism of the County-Auditor Controller.

Finding 3

The 2002 -2003 Grand Jury was impressed with the County's implementation of the new GASB requirements

Finding 4

The County has received national recognition for its achievement from the Government Finance Officers Association.

Commendation

The attainment of the Certificate of Achievement for Excellence in Financial Reporting represents a significant accomplishment by the County Auditor-Controller's Office.

No response required.

PLACER COUNTY HEALTH AND HUMAN SERVICES CHILDREN'S RECEIVING HOME

Background/Summary

Placer County Health and Human Services administers the Children's Receiving Home. The purpose of the Home is to provide a safe environment for children who require immediate care and supervision due to suspected abuse and/or change in foster placement.

As part of an integrated system of care, the Receiving Home provides an immediate safe environment for children while efforts are made to work with the family, relatives, and guardians to have the child returned to their care, or placed in a foster home. The Children's Receiving Home is available 24 hours a day, 7 days a week, for children needing emergency removal from their home due to suspected physical or sexual abuse, abandonment, and/or neglect.

The mission of the Receiving Home is to provide a safe, nurturing, supportive and stable living environment for children who require temporary protection and shelter.

Discussion

The 2002-2003 Grand Jury visited the Children's Receiving Home. The facility can house up to 24 juveniles ranging in age from six through eighteen years. The Children's Receiving Home consists of a preteen and an adolescent unit.

The preteen unit provides shelter for children six to twelve years of age. The adolescent unit provides shelter for children thirteen to seventeen years of age. The children are separated by gender and do not share the same sleeping or bathing areas. One room has three beds and its own bath and shower that can be used as a sibling group room for children from six to seventeen years of age.

Meals are planned and prepared on site in a clean, modern kitchen and served to the children in a home-like decorated dining room. The entire facility is decorated in such a fashion to resemble a home environment.

The average stay for children is two weeks. The children attend a school near the facility.

The community supports the Children's Receiving Home with its generous contribution of food, clothes, money, outside meals, sporting events and day trips. Bootlegger's Restaurant, various service clubs, and individuals have donated their time, funds, and equipment for the children's welfare and to refurbish the facility. (See Attachment)

Commendation

The Grand Jury found the Children's Receiving Home adhering to its stated purpose and mission. The Grand Jury was particularly impressed with the enthusiastic professionalism demonstrated by the director, staff, and volunteers who are commended for their dedication.

No response required.

PLACER COUNTY — S.M.A.R.T.

Systems Management, Advocacy, and Resource Team

C.S.O.C./A.C.C.E.S.S.

Children's System of Care/Adult, Child & Community Emergency Services System

Member Agencies: Superior Court Juvenile Court Department of Health and Human Services
 Probation Department Placer County Office of Education



March 25, 2003

Linda Hall
Placer County Grand Jury
Fax 530-889-7469

Dear Ms. Hall,

As you requested, I'm providing you a list of the community organizations that support the efforts and program at the Placer County Children's Receiving Home.

While we receive year-round support from individual citizens in our community, the following have supported and donated to the shelter time and time again.

City of Rocklin (Citizens and Government)*
City of Roseville (Citizens and Government)*
Antique Plaza- Rocklin
AAA- Auburn Office
Sierra Gardens School- Roseville*
Breen Elementary- Rocklin*
Auburn Eye Care Associates
St Joseph's Church- Auburn
Auburn Host Lions Club*
Roseville Elks Lodge #2248
First Congregational Church- Auburn
Faith Lutheran Church- Meadow Vista
Veriphone- Rocklin
Round Table Pizza- Auburn Ravine Rd.
Round Table Pizza- Elm Ave., Auburn
Ann Kelly's Salon- Auburn
Formica- Rocklin
Coldwell Banker- Auburn
Placer Title- Auburn & Roseville
Mountain People's Warehouse- Auburn
Placer Juvenile Courts
Lyons Real Estate- Roseville
Nor Cal- Loomis
Clampers*
Church of Jesus Christ of Latter Day Saints- Roseville

CSOC/ACCESS
11716 Enterprise Drive
Auburn, CA 95603
Phone: (530) 889-6700
Fax: (530) 889-6735

CSOC/ACCESS
Administration
11716 Enterprise Drive
Auburn, CA 95603
Phone: (530) 889-6766
Fax: (530) 886-2695

CSOC @ CONROY
1130 Conroy Lane
Suite 500
Roseville, CA 95661
Phone: (916) 784-6440
Fax: (916) 784-6466

CSOC/ ACCESS
5225 North Lake Blvd.
P.O. Box 399
Carnelian Bay, CA 96140
Phone: (530) 546-1900
Fax: (530) 546-1912

ACCESS
101 Cirby Hills Drive, Suite 5
Roseville, CA 95678
Phone: (916) 737-8860
Fax: (916) 787-8916

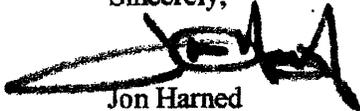
First Presbyterian Church of Roseville
Placer County Clerk-Recorder's Office
United Methodist- Roseville
Neighbors of Golden Spike Court- Del Webb, Roseville
Scandia Family Fun Center- Sacramento
National Charity League- Granite Bay
Family Limited Partnership- Applegate
Savvy Women's Investment Group- Granite Bay
Soroptimist International of Historic Auburn*
Sure West- Roseville
Oracle- Rocklin*
Coherent- Auburn*
New Faith Church- Auburn *
Placer County Sheriff's Department
Roseville Emblem Club
Bootlegger's Restaurant- Auburn*
Toy and Nature- Auburn
Crate & Barrel- Roseville *

* = Significant year round contributions and support

This is a list of the organizations that support the shelter. In addition to these, there are many individual citizens who contribute as well.

I hope this is helpful. I can be reached at 530-889-7674 should you require anything further.

Sincerely,



Jon Harned
Program Supervisor
Placer County Children's Receiving Home

PLACER COUNTY JUVENILE DETENTION CENTER

Background/Summary

California Penal Code Section 919 charges each Grand Jury to inquire into the condition and management of the public prisons within the County. Section 925 further authorizes investigation and reports into the operations, departments, or functions of the county.

The Placer County 2001-2002 Grand Jury visited the Placer County Juvenile Detention Center in February and March of 2002 and noted four findings and recommendations in their final report.

Discussion

In September the 2002-2003 Grand Jury visited the Juvenile Detention Center in Auburn to fulfill its annual charge and follow up on the findings made by the prior Grand Jury. The staff arranged the visit and provided a comprehensive tour with a question and answer session following. The newly appointed Chief Probation Officer (CPO) was introduced.

Findings

The 2002-2003 Grand Jury found the Placer County Juvenile Detention Center to be a clean, modern facility run by a competent, professional staff of male and female officers.

The following are concerns from the 2001-2002 Grand Jury and the findings of the current Grand Jury:

Recommendation 1. "The County should fill this vacancy as quickly as possible." (Referring to CPO position)

Although a CPO was hired in September of 2002, he resigned "for personal reasons" in December. In January 2003, the Board of Supervisors then filled the position with a representative from the California Board of Corrections, on an interim basis, for an approximate six-month period.

Recommendation 2. "Staffing levels should be re-evaluated for compliance with Title 15."

Two positions have been recently filled. Four openings remain.

Both Grand Juries noted that salary ranges for an entry level Probation Officer are low compared to competitive employment opportunities; thus turnover is high.

Recommendation 3. "Complete pepper spray training for staff as soon as possible."

All officers carry and have received training for pepper spray.

Recommendation 4. "Conduct workshops on a regular basis to ensure staff becomes familiar with policies to be followed."

All staff are issued a copy of the policy manual and its content is reviewed at staff meetings and on an ongoing basis.

Recommendation 1

The Placer County Board of Supervisors should initiate an evaluation of salary ranges for the entry level Probation Officer.

Respondents

Placer County Board of Supervisors.

Response Required within 90 Days to:

The Honorable Presiding Judge Superior Court
11546 B Avenue
Auburn, CA 95603

PLACER COUNTY LIBRARY SYSTEM

Background

As a follow-up to the 2001-2002 Placer County Grand Jury Final Report, members of the 2002-2003 Placer County Grand Jury visited many of the 13 libraries within Placer County and met with the Director of Library Services.

Discussion

Based on their findings, the 2001-2002 Grand Jury made three recommendations. The Director of Library Services responded in writing. The following are those recommendations and responses:

Recommendation 1. "The library staff should provide a more institutionalized method for a security system."

Response: "To further enhance their security, staff will be provided with pepper spray within 30 days. Panic buttons connected to the Sheriff's station will be installed in the smaller libraries within 90 days."

Recommendation 2. "A more positive, pro-active system for the monitoring of minor's use of computers with Internet access should be implemented. Automated systems of monitoring computer time use are feasible to free the staff from these duties. Whenever possible adult computer use should be separate from the areas used by minors."

Response: "In very large libraries, new positions have been created whose sole function is to supervise computer use. However, in smaller libraries, such as the Auburn-Placer County Library, these tasks have unavoidably become part of the staff's job duties. Blocking software designed to block inappropriate sites doesn't block all the inappropriate sites and does block some legitimate sites. In small libraries such as the Auburn-Placer County Library, monitoring patron use of the computers takes minimal time and provides the most effective method to deter inappropriate use. To give parents control of their children's library Internet use, parents have the option of restricting their library card. New automated equipment is being developed for some functions . . . However, it has not been perfected and it is very expensive. The benefit does not justify the cost for small libraries at the present

time. The Library's technology analyst will continue to watch the technology's development and cost. When it becomes cost effective, it will be purchased for the system. The libraries in Auburn, Rocklin, Granite Bay and Tahoe City are large enough to accommodate separate computer locations for adult and children's use. The remaining seven libraries are so small that all the computers are grouped together. They are located near the service desk so that staff can provide assistance and monitor their use."

Recommendation 3. "Placer County should look at the current pay scale of its library personnel to bring the employees in conformance with other professional classifications."

Response: "Implementation of this recommendation is dependent on the County Board of Supervisors. County salaries are established by the Board of Supervisors based on recommendations of the County Executive Office and Personnel Department. The matter is under review at this time."

Finding 1

Pepper spray has not yet been provided; issues are still being worked out with Risk Management and Training and should be resolved within 30 days. Panic buttons have not yet been installed; issues are still being worked out with Information Technology and should be resolved within 30 days.

Recommendation 1

Issues with Risk Management and Training and Information Technology should be resolved and the recommendation of the 2001-2002 Grand Jury should be implemented with all due speed. They are nearly a year overdue.

Finding 2

The position of Assistant Director of Library Services has been vacant since December, 2001.

Recommendation 2

Placer County should make the appropriate adjustments in order to fill this position as soon as possible.

Finding 3

The 2002-2003 Grand Jury finds the placement of computers and monitoring of their use to be both adequate and reasonable.

Finding 4

The current Memorandum of Understanding (MOU) between Placer County and Placer Public Employee's Organization has been extended from September 1, 2003 to June 30, 2006. This MOU provides for annual cost of living increases. In addition, this MOU provides for a salary study that was to begin not later than January 1, 2003, for librarians and library assistants, among others. The MOU states that upon completion of the study the County will "meet and confer regarding prospective implementation of salary adjustments."

Commendation

The 2002-2003 Grand Jury wishes to commend the Friends of the Library for its extraordinary work on behalf of the libraries in Placer County. This is a very active and effective association of volunteers. There are active organizations in virtually every library in the county. These organizations provide volunteers to augment the paid staff, hold monthly used book sales which are superbly organized and managed, and other fund-raising events. Friends of the Library provide additional services to expand the effectiveness of the libraries.

Respondents

Placer County Risk Management and Training
Placer County Information Technology
Placer County Board of Supervisors
Placer County Director of Library Services

RESPONSE REQUIRED WITHIN 90 DAYS TO:

The Honorable Presiding Judge of the Superior Court
11546 B Ave.
Auburn, California 95603

PLACER COUNTY OFFICE OF EMERGENCY SERVICES

Background/Summary

The Placer Operational Area Office of Emergency Services (OES) is the emergency management agency for Placer County. Placer County OES is headquartered in Auburn. The office provides service countywide in cooperation with local cities and special districts such as fire and law enforcement agencies.

The tragic events on September 11, 2001 and their aftermath have caused emergency services organizations nationwide to review emergency readiness and training. OES continues to work closely with other public safety agencies in Placer County. They have increased their involvement in regional planning activities with local, state, and federal public safety agencies in case of a possible terrorist attack in the area.

The 2002-2003 Grand Jury has received and reviewed various materials prepared by the Office of Emergency Services, which is available to the public. In addition, the Grand Jury has interviewed various employees of OES regarding County disaster preparedness.

Discussion

What Placer County OES Does

County Emergency Management Program

- Directs the County's overall response to natural and human-caused disasters.
- Assigns emergency responsibilities to the various departments of the County.
- Coordinates the response and recovery efforts of governmental and non-governmental agencies during disasters.
- In the case of a possible terrorist attack, works with the Placer County Health Officer and the Placer County Sheriff's Office to respond and protect public health and safety.
- Manages the County's Emergency Operations Center.
- Conducts emergency drills and simulations.

Homeland Security Planning and Preparation

- Coordinates planning, preparation and training to safeguard public health and safety in case of a terrorist event with the Placer County Health Officer, the Placer County Sheriff's Office, other local law enforcement and fire agencies, and other public health and safety professionals in the county.
- Prepares information in print and on the county web site for the public so they can become better informed on the possible threats of terrorist attacks so they can prepare for a possible emergency.

Liaison to Other Agencies

- Acts as liaison to the Federal Emergency Management Agency.
- Acts as a representative of the County Executive and the Board of Supervisors with the other agencies in the matters of emergency management, fire protection, and terrorism response and prevention planning.
- Serves as the Placer Operational Area Coordinator and liaison to the Governor's Office of Emergency Services.

Fire Protection and Hazardous Materials Response

- Administers the Placer County Fire Department and fire protection contracts with the California Department of Forestry and Fire Protection and the Donner Summit Fire Department.
- Manages the Placer Operational Area Interagency Hazardous Materials Response Program.
- Provides training to emergency responders.
- Responds to hazardous materials releases and other emergencies.

Public Outreach and Emergency Public Information

- Provides preparedness information to citizens and community groups.
- Provides information to the public during emergencies.
- Coordinates training of Public Information Team.

Finding 1

The Placer County Office of Emergency Services provides a current emergency information web page. During a County emergency, when the Emergency Operations Center is operating; this Web page will be updated with current official emergency information. Electronically, the Placer County Web site is www.placer.ca.gov/emergency, which also includes links to other key agencies. The Placer County emergency public information phone line is staffed when the County is responding to an emergency.

The emergency phone numbers are:

(530) 886-5310 – Roseville to Donner Summit, including Auburn, Lincoln, Rocklin, Loomis and Colfax.

(530) 584 -1590 – North Tahoe Area.

Emergency Services Office – (530) 886-5300 or 1-800-488-4308, ext 5300, toll-free within Placer County.

Fax – (530) 886-5343
2968 Richardson Drive
Auburn, CA 95603

Finding 2

Although excellent planning, training and informational material is available from OES, there appears to be limited awareness and dissemination of this available material to the public.

Recommendation

The Board of Supervisors should fund a public awareness campaign with Placer County to disseminate OES information. An example would be direct mailings and ready reference material showing emergency telephone numbers.

Respondents

Placer County Office of Emergency Services
Placer County Board of Supervisors
Placer County Office of the County Executive

RESPONSE REQUIRED WITHIN 90 DAYS TO:

The Honorable Presiding Judge of the Superior Court
11546 B Avenue
Auburn, California 95603

PLACER COUNTY PAYROLL/PERSONNEL SYSTEM

Background/Summary

The payroll system currently utilized by Placer County was acquired in 1980. It was originally designed in the late 1970s by the Federal Government for the City of Aurora, Colorado. The payroll system does not have a human resources component for personnel data and employee history. This data is recorded manually and results in significant duplication of effort between department staff, the Personnel Department, and the Auditor-Controller. In addition, as a result of numerous changes in both State and Federal Laws coupled with substantial growth, the system is no longer adequate to meet the County's payroll needs. The current program is nearing obsolescence. Field size limitations require significant manual intervention for calculation and tracking of items such as retroactive pay, special pays or corrections, deferred compensation, and pay integration for State Disability Insurance or workers' compensation benefits.

Discussion

To resolve the above identified deficiencies, a Request for Proposal (RFP) was issued in 2002 to solicit bids from qualified vendors for hardware, system software, and application software to support the activities of the Personnel Department and the Auditor-Controller's Office. Total cost was expected to be about \$4.5 million, of which \$2.5 million was for software.

Finding 1

Three bids to the RFP were received. Vendor presentations and site demonstrations were scheduled during November and December, 2002. Selection of the successful vendor and forwarding to the Board of Supervisors for their approval was originally expected to be in late December, 2002 or early January, 2003. The new system was to be fully operational by January 1, 2004.

The above dates were delayed, and vendor selection with a total system cost of approximately \$5 million was approved in April, 2003. The new system is expected to be fully tested and operational sometime in 2004.

Recommendation 1

This project should be given high priority by the County to insure implementation as soon as possible. Progress/implementation should be monitored by the 2003-2004 Grand Jury.

Respondents

Placer County Board of Supervisors
Placer County Executive Officer
Placer County Auditor-Controller
Placer County Personnel Department

RESPONSE REQUIRED WITHIN 90 DAYS TO:

The Honorable Presiding Judge of the Superior Court
11546 B Avenue
Auburn, California 95603

**PLACER COUNTY CLERK-RECORDER
REGISTRAR OF VOTERS USE OF VOTER
REGISTRATION INFORMATION**

Complaint 2002-B14

Background/Summary

The 2002-2003 Grand Jury received and investigated a complaint regarding use of the voter's name, telephone number(s), and party affiliation obtained from the voter registration form. Specifically the complaint concerned identity theft and the Placer County Registrar of Voters' policy regarding personal data recorded on the voter registration form(s). To whom is personal information released and under what circumstances?

Discussion

The Grand Jury addressed this question with the Placer County Clerk-Recorder-Registrar of Voters and obtained the forms distributed to the public for voter registration and application for absentee ballot.

These forms are identified by title as:

- (1) State of California County of Placer-Voter Registration Form.

This form provides a section for the voter's name, address, city, mailing address, date of birth, place of birth, California driver license number, telephone, e-mail address, and political party.

- (2) Application For Absentee Ballot For: November 5, 2002, Presidential Primary Election.

This form provides a section for name, date of birth, address, telephone and mailing address.

- (3) Application For Absent Voter's Ballot (attached to sample ballot).

This form provides a section for name, address, telephone, work and daytime telephone number.

Findings

Public information obtained from the Placer County Clerk-Recorder-Registrar of Voters states the following: "California Election Code 2180 speaks to the printing of the voter registration index (also known as the street index). Specifically 2180(b)(1) states that (t)he index shall contain the name, address, residence telephone number if furnished, and political affiliation of each voter, and also a ruled space to the left of each name, within which to write, in figures, the line number designating the position of the name of the voter on the roster of voters."

The Placer County Clerk-Recorder-Registrar of Voters informed the 2002-2003 Grand Jury that it is not necessary for a citizen who completes a voter registration form to provide a telephone number. However, if the citizen provided that information and did not wish it disclosed, the citizen could contact the Clerk-Recorder-Registrar of Voters and request said information not be revealed.

Pursuant to California Elections Code 2187, 2188 and 2194, voter registration information is available to persons or groups for election, scholarly, journalistic, political, or governmental purposes as determined by the Secretary of State. All requests to view, purchase, or use the voter registration information must be accompanied by a written application.

The Placer County Clerk-Recorder-Registrar of Voters provides an Application To Purchase/View Voter Registration Information. Information provided by the Placer County Clerk-Recorder-Registrar of Voters states that this form must be completed each time a person makes a request for voter registration information. Such a request must also fall into one of the categories for express use, which includes elections, journalistic, political, governmental, or scholarly purposes. The release of this information is entirely within the provisions of section 2187, 2188, and 2194 of the California Elections Code. The form also provides the declaratory certification provision under penalty of perjury, clarifies the use will not be for commercial purposes, and requires a signature by the person or group requesting the information.

Commendation

The Placer County Clerk-Recorder-Registrar of Voters is commended for its quick response to public inquiry, personal availability of employees to answer questions from the public and the availability of written election information.

No response required.

**PLACER COUNTY PUBLIC WORKS
PUBLIC TRANSPORTATION**

Complaint 2002-B3

Background/Summary

The 2002-2003 Grand Jury received and reviewed a complaint regarding the lack of fixed route public transportation to the Roseville Office of the Department of Health and Human Services located on Stonehouse Court. This site is in a difficult area to serve clients who may not have their own transportation because it is wedged between the railroad tracks, SR 65, and I-80. Additionally no public transportation is available from this location to Placer County medical, child immunization and mental health facilities at DeWitt Center, Auburn.

Grand Jury members attended the Placer County Transportation Commission's annual Unmet Transit Needs hearing held in February, 2003. The recommendation from this meeting states, **"This is not an unmet transit need. It is recommended that Placer County Health and Human Services consider relocating customer-oriented facilities, such as this one, to a location already served by public transportation. Alternatively, the County could provide shuttle service to and from the closest bus stop."**

Recommendation

Because of the length of time required to discover why the Health and Human Service Center is located in such a difficult site for people who need County services, it is recommended that the 2003-2004 Grand Jury begin an in depth study to see if it would be fiscally responsible to consider a new location for the center. Costs of a shuttle service to and from the closest bus stops (Galleria and Sun Splash Centers) could also be researched.

No response required.

PLACER COUNTY WATER AGENCY

Background

Several citizens have voiced a concern to the media about the future availability of potable water in light of the explosive growth within Placer County. The 2002-2003 Grand Jury shares their concern and chose to examine the available information about the planned growth and the Placer County Water Agency's (PCWA) plans for supplying water to meet the planned growth.

Discussion

The Grand Jury looked at the General Plans for the incorporated cities and the Town of Loomis plus the General Plan for Western Placer County. The growth plans are described in these General Plans. The Grand Jury contacted the PCWA and asked for information about their plans for meeting the water needs for the planned growth. The Chief Planner for PCWA met with the Grand Jury on more than one occasion. He presented the plans for acquiring additional water and distributing the water to the areas requiring additional water. He assured the Grand Jury that sufficient water is allotted and available to PCWA to meet the growth needs of the cities, the Town of Loomis, and the unincorporated western area of the county. Further, he stated that the construction to bring the water from the source (the American River and the Sacramento River) was part of the plan and the facilities would be built in a timely manner.

Finding 1

Sufficient water allocations are available to PCWA (according to the PCWA) to meet the growth presented in the existing General Plans for the incorporated cities and the Town of Loomis plus the unincorporated western area of Placer County. Major construction is required to bring the water from the source via distribution pipelines in order to meet the demand for additional water due to growth within the county.

Recommendation 1

Future Grand Juries should continue to monitor the growth within the County and PCWA's progress on constructing the necessary

infrastructure to meet the growing need for water. The cities, the Town of Loomis, and Placer County should reaffirm to the next Grand Jury their future water requirements. PCWA should reaffirm to the next Grand Jury its future water allocations and its plans for infrastructure construction.

Respondents

Placer County Water Agency
Placer County Board of Supervisors
City of Auburn
City of Colfax
City of Lincoln
City of Rocklin
City of Roseville
Town of Loomis

RESPONSE REQUIRED WITHIN 90 DAYS TO:

The Honorable Presiding Judge of the Superior Court
11546 B Avenue
Auburn, California 95603

POLICE FACILITIES IN PLACER COUNTY

California Penal Code Section 919 requires the Grand Jury to inspect all local jurisdiction jail facilities within Placer County to evaluate conditions and management, to inquire about prisoners not indicted and to review any changes implemented since the previous Grand Jury inspection.

Background

Mandated visits were completed for each of the agencies that hold prisoners (Placer County Sheriff, and Police Departments in the cities of Auburn, Lincoln, Rocklin, and Roseville), including prisoners transported at time of arrest. All facilities were found to be in compliance with standards based on an annual inspection by the State of California State Board of Corrections and this year's Grand Jury. The cities of Auburn, Lincoln, and Rocklin choose to transport prisoners to the County Jail for booking in order to eliminate the need for mandated jail staffing, while the City of Roseville books its own prisoners.

The Grand Jury also inspected the County jail facility in North Lake Tahoe. Information concerning the status of the Sheriff's substation at Burton Creek in North Lake Tahoe is contained in a separate section of this Grand Jury report.

Discussion

Completed jail visits were made at the County Sheriff's Office (including the new jail wing which opened in April 2003), Auburn Police Department, Lincoln Police Department, Rocklin Police Department, and Roseville Police Department. The Grand Jury also discussed community programs in place in each of the agencies as part of the jurisdictional visit. Observations for each agency are listed as follows.

Placer County

Placer County Jail Facilities, operated by the Placer County Sheriff's Department, were visited by the Grand Jury. The main jail at DeWitt Center in Auburn continues to operate in a manner consistent with

modern jail standards. The jail was opened in 1985, at a cost of approximately \$4 million, and was rated by the Bureau of Corrections for 108 beds, all in cells. In 1990 the jail crowding situation led to an expansion of the facility in the form of additional cells and dormitory beds. The plan met an immediate need to house at least 225 additional beds. While the Grand Jury found the existing facility to be clean, adequately staffed, and apparently well organized and managed, it has not met the continued growing need for additional prisoner capacity. According to the Placer County Sheriff, in 2002 a total of 9100 inmates were booked into the main jail facility. The lack of available capacity necessitated the early release of over 2400 prisoners.

The need to address the lack of prisoner capacity is being addressed with the recent opening (April, 2003) of the new jail wing known as "Housing Unit 4". The new housing unit incorporates the best designs from around the state as Placer County Sheriffs Corrections Management toured numerous model jails taking the best design of each to help design Housing Unit 4. The wing was built with a combination of \$2.7 million in state funds and \$6.8 million in County funds. The building cost \$7.5 million and the site work and design work cost \$2 million, for a total cost of \$9.5 million.

The Grand Jury made a special inspection of the new facility prior to its opening. It is apparent that the new addition will improve operation of the entire jail facility through incorporation of the following special features:

Housing Unit 4 will add 116 new jail beds to the jail facility, increasing the main jail capacity to 630 beds. The design features of the new wing included three all weather recreation yards. The efficiency of the jail visitation center is significantly improved. It includes the addition of two attorney/client visiting rooms in the lobby area and an increase in public visiting booths from 12 booths (old facility) to a new total of 40 visiting booths. The facility is also designed to meet important standards for the American with Disabilities Act (ADA) for both visitors and prisoners.

Enhancements include a classroom with teacher office space, plus a multi-purpose room for religious programs and special classes (Alcoholics Anonymous, Narcotics Anonymous, etc.) Office space is available for volunteer staff associated with the programs listed above.

The Grand Jury met with the Sheriff and agency staff members on several occasions. The agency is making efforts to offer professional law enforcement services in a County that is being challenged with unprecedented growth and change. It was apparent to this Grand Jury that the staff is well trained and that they demonstrate a positive deportment in the performance of their duties.

The Grand Jury also inspected jail and detention facilities in the cities of Auburn, Lincoln, Rocklin, and Roseville. Each of the facilities was found to be in conformance with standards for jail operations. The City of Roseville operates its own jail facility and it is adequately staffed and well maintained. The Cities of Auburn, Lincoln, and Rocklin have only temporary detention cells. Almost all bookings in these three jurisdictions are completed at the County Jail. The inspection process also included station tours and interviews with the respective police chiefs.

As a result of these visits the following observations are offered concerning police services in each of the following communities:

Auburn

The Auburn Police Department recently initiated a volunteer program titled Citizens Representing You (CRU Program). The program is currently staffed with 25 volunteers. Each volunteer attends a ten-week training session. Volunteers agree to work 16 hours per month on various non-hazardous duties varying from directing traffic at parades to stocking various supplies at the department. The volunteers also attend meetings of the four community business associations on a regular basis and report back to the department on important issues.

In addition to providing detailed police department budget information to the Grand Jury we also were provided with a document titled 2003 Goals and Objectives for the Auburn Police Department. The document contains excellent information on police expectations in a variety of areas including crime prevention measures, accident reduction measures, police training, and the delivery of other police services to the community.

Lincoln

The City of Lincoln is currently coping with many challenges associated with the strong surge in community population growth. The department has historically had a combined police and fire department, better known as a public safety department. The City is in the process of moving toward separate agencies in the interest of better addressing the training issues of each agency. While doing so they are continuing to provide quality services by using police personnel to assist at fire scenes and using fire personnel to assist at some police emergency scenes. In addition, the Police Department is establishing a "Citizen Patrol" volunteer program and continues to provide a strong Police Athletic League Program to interact effectively with the youth of the community.

Rocklin

The Rocklin Police Department is also attempting to increase staffing levels in order to maintain service delivery levels in a rapidly growing community. The department presently functions in a facility that is only 5,000 square feet and is cluttered and overcrowded. Fortunately, plans have been completed and financing is reportedly in place to create a 40,000 square foot police facility on a parcel adjacent to the existing facility. The new facility is estimated to cost approximately \$13 million and could open as soon as January 2005.

Roseville

The Roseville Police facility is a modern spacious building constructed in 1998. The facility was designed to accommodate the increase in personnel associated with community growth. The police department chooses to operate its own jail in lieu of transporting each prisoner to the county jail in Auburn. The jail was recently inspected by the State Board of Corrections in accordance with Penal Code Section 6031. In order to maintain compliance with required jail standards the department is increasing corrections staffing from eight to ten personnel.

Roseville Police Department is acting as lead agency for Placer County police departments in an effort to establish a regional communications and records system. The Police Chiefs are working with the Sheriff to create a standardized system that will enhance data sharing and

communications capability among Placer County agencies as well as outside agencies such as the Highway Patrol and adjacent counties. The system is estimated to cost almost \$2 million and the costs will be shared proportionately between Placer County and the participating police agencies.

Finding #1

The Placer County Sheriff and his staff have done an excellent job of incorporating important jail operation design features into the new jail wing. The addition of special features such as the classroom and the multi-purpose room demonstrates a commitment to modern jail practices.

Commendation #1

The Sheriff and his staff are hereby commended by the Grand Jury for the commitment to modern jail standards and practices as demonstrated in the operation of the main Placer County Jail and the programs incorporated into the design of the new facility.

Finding #2

The Placer County Sheriff's Office and the respective local police agencies are apparently working effectively in a cooperative atmosphere in order to provide this rapidly growing county with a professional level of law enforcement services. A very positive example of this cooperation is represented in the present study to enhance data sharing and communications capabilities through a joint-use study.

Commendation #2

The Sheriff and Police Chiefs are hereby commended by the Grand Jury for the spirit of cooperation demonstrated in the Regional Public Safety Communications and Records System study. The completion of this project will definitely improve the ability of each agency to respond to the public safety needs in Placer County.

No response required.

REVIEW OF CITY/TOWN KEY DOCUMENTS AND CONDUCT OF BUSINESS

Background/Summary

Pursuant to California Penal Code section 925a., the Grand Jury of a County may, at any time, examine the books and records of any incorporated city or joint powers agency located within the county. In addition to any other investigatory powers granted by this chapter, the Grand Jury may investigate and report upon the operations, accounts, and records of the officers, departments, functions, and system of performing the duties of any such city or joint powers agency and make such recommendations as it may deem proper and fit.

The 2002-2003 Grand Jury made a decision to elevate its profile at the city/town level this year by visiting each city/town and attending some council meetings in each community. The Grand Jury also developed a list of key documents for local government and conducted an inventory of these documents in each community. The purpose for the key document inventory was to determine if such documents were in existence and up to date.

The Grand Jury formed subcommittees to gather and evaluate key documents in each community, to schedule meetings with the appropriate city administrator, and to arrange attendance at one or more council meetings to review the public conduct of city business. The communities scheduled for review were:

City of Auburn	Town of Loomis
City of Colfax	City of Rocklin
City of Lincoln	City of Roseville

Items for review included the following:

- City/Town Budget
- Independent Financial Audit
- List of Assets
- Fair Political Practices Commission Policy Implementation
- Disaster Plan
- General Plan

As a result of the review the Grand Jury found all communities to be in basic compliance with the above items. In addition we offer the following observations as part of the review process:

City of Auburn

Discussion

Auburn is the county seat of Placer County. Auburn is an historic city which dates back to the California Gold Rush. It is a city constrained in its desire to grow by its current boundaries. Earlier efforts to annex additional areas to the city were unsuccessful.

The City is governed by an elected City Council consisting of five members. In the November 2002 election, two new council members were elected to the council. There are 10 standing subcommittees or commissions assisting the city council and they are supported by City staff, including the City Manager. A new City Manager was appointed and started in February 2003.

Members of the Grand Jury attended numerous meetings of the City Council and at least one meeting of most of the Council's standing committees. The Council election made it necessary to attend additional Council meetings after the new year and the hiring of a City Manager required talking to both the old and new managers. The members also talked with several of the senior level staff about a number of subjects.

All of the documents for the City of Auburn were current at the time of the Grand Jury review, although there was an update in progress for the housing element of the General Plan. City staff and management were very cooperative in providing public documents, including the minutes of the City Council, commissions, and committees. The City budget and the auditor's report were reviewed. It was noted that the City's Certificate of Participation, used to finance the Police Department building, is being paid off early. The independent auditor's report stated that they were unable to form an opinion concerning the enterprise fund fixed assets in the June 30, 2001 general purpose financial statement or the amount of depreciation expense for the year ending June 30, 2001. This appears to be a continuing problem and is mentioned in the 2002 independent

auditor's report.

City Council meetings are conducted in a fair and open manner. Extensive public comments are allowed on proposals to the council for action. Similarly, the subcommittees and commissions are conducted in the same manner. The City Council and the Planning Commission votes are taken by a roll call while the council subcommittee's and other commissions only record the total ayes and nays in a consensus management approach. Council subcommittee and commission members are required to fill out the Fair Political Practices Commission (FPPC) Form 700 (Statement of Economic Interests). This requirement is another important element in an open government.

Annexation was an important issue with the past and present City Councils. Annexation is viewed as the solution to the need for additional tax revenues. Economic interests provide the motivation for land owners and the City to move forward on a plan to make annexation happen. The City Council Annexation Subcommittee is charged with moving the process forward.

Finding 1

Financially the City of Auburn appears to be on firm ground although constrained by tax revenues. It appears to be managed conservatively and is attempting to minimize its debt by paying off Certificates of Participation early, which will reduce the City's debt costs. The City Council is attempting to adhere to the annual budget by carefully reviewing major expenditures.

Commendation

The City Council and city staff are commended for the positive job done in tracking and controlling financial expenditures.

Recommendation - None

Finding 2

All parts of the city government appeared responsive to the public concerns and suggestions.

Commendation

The Grand Jury commends the City for its continuous efforts to promote responsiveness.

Finding 3

Minutes of some Council subcommittees were found to be up to six months in arrears in being transcribed and published. Timely publishing of minutes is an important function of local government. This problem was being addressed as we reviewed the documents and is no longer an issue because additional clerical resources are being used.

Recommendation 3

The City of Auburn is encouraged to have all subcommittee meeting minutes kept up to date.

Finding 4

The City must resolve the questions concerning the original cost of assets in order to depreciate the property. The financial statements using an asset's value cannot proceed unless there is an agreed-upon cost.

Recommendation 4

The City should use an agreed-upon method to fix any problems in determining the original cost of all assets.

Respondents

Auburn City Council

City of Colfax

Discussion

The City of Colfax is on the perimeter of the Sacramento suburban

corridor and is not currently subject to the same rapid growth issues facing other Placer County cities/towns. The city has limited financial resources due to the relatively small number of businesses in the community. The City Manager, hired in 2001, has stressed the adoption of sound economic policies to balance the budget.

During the past year the city developed a report titled City of Colfax Economic Development Report and Strategy to focus on business retention, business attraction, business climate improvements, and tourism development.

The City of Colfax formerly had its own police department but is currently contracting with the Placer County Sheriff for police services. Discussions with the City Manager and the Sheriff's Department Detail Commander indicated that a positive working relationship has been established. The Grand Jury received positive comments from Sheriff's Department personnel expressing confidence in City management. The document represents an excellent planning tool to prepare for the growth that will eventually occur in that community.

Findings

The Colfax City Council and City staff are currently struggling with the same budget issues facing all California cities today. The need to provide municipal services requires a focus on ways to retain current revenues while finding a way to enhance the revenue stream by encouraging new business ventures in the community. The City has adopted an economic development strategy in an effort to address that need. The strategy document represents an excellent planning tool to prepare for the growth that will eventually occur in that community.

Commendation

The City Council and City staff for the City of Colfax are commended for their adoption of a formalized document to retain current businesses, to attract new business, and to develop tourism as a way to provide the revenues necessary for the provision of important municipal services for the future.

No response required.

City of Lincoln

Discussion

The City of Lincoln has recently faced many new challenges associated with unprecedented growth. The City Council and City Manager recently developed a strategic plan to explore the various issues associated with this growth. This planning document allows the Council and staff to evaluate various issues associated with such growth and to develop strategies accordingly. An important example of such issues is represented in a tentative decision to develop a separate police and fire agency instead of the current joint public safety model.

In addition, the City of Lincoln developed a partnership with the Western Placer Unified School District and the Sierra Community College District to obtain grant funding to construct a joint use library facility. The City is also exploring the possibility of constructing a joint use facility for City Hall and administrative offices for the Western Placer Unified School District. These project proposals serve as positive examples of using public funding in a cost effective manner by using shared resources.

Finding 1

The City of Lincoln has responded to the sudden population surge in the community by engaging in various proactive planning strategies in an effort to resolve many of the problems associated with such growth.

Commendation

The City Council and City staff for the City of Lincoln are commended for the foresight represented in the employment of various planning strategies to cope with population growth, including implementation of a Strategic Plan for the community.

Finding 2

The City Council and City staff have made conscientious efforts to reduce operational costs by promoting and evaluating the savings associated with joint use facilities.

Commendation

The City Council and City staff are also commended for their attempt to achieve cost savings to the public through the use of a facility sharing process.

No response required.

Town of Loomis

Discussion

The Town of Loomis currently provides services to its residents by using both in-house and contract methods and by providing financial support to special districts. The town is concerned with the current state of the budget at the State level, as it may result in the removal of local revenues while continuing to mandate service responsibilities at the local level. Loomis Town officials estimate that the community could lose as much as 18 percent of its current revenues, which would result in both layoffs and service cuts.

Loomis Town officials suggest that there are three possible avenues that merit further exploration as ways to improve the delivery of local services in the future.

Those three key areas are:

1. Regional Participation and Cooperation

Issues associated with regional growth include water availability, traffic, and the need to retain open space. Loomis officials are concerned that water rights be guarded for slow growth communities as a part of the

regional planning process. Traffic issues on major local arteries such as Sierra College Boulevard are also a concern. The Town of Loomis believes that improvements to this boulevard should not be left as a sole responsibility of Loomis.

During the last 10 years, Placer County has changed drastically. It has gone from a small rural county to a major player in this region. This growth has not occurred without pains. There are regional problems which have arisen that need equitable solutions. Specific issues such as water availability, traffic, and open space retention require participation and cooperation of all jurisdictions in this county.

2. Distribution of State and Local Revenues

Loomis Town officials suggest that the State of California and local agencies need to revisit the funding mechanisms for all levels of government and make revisions to allow a more stable source of funding for each entity.

3. Fire District Consolidation

The Town of Loomis is currently served by three separate fire districts: Loomis, Penryn, and South Placer Fire. In the event of a major emergency, additional regional agencies supplement that service by agreement. Loomis Town officials recommend that a renewed effort be undertaken to consolidate these districts. This would result in the improvement of services and eliminate the current duplicated costs for such services.

Finding

The area between Roseville and Newcastle is served by a series of small fire districts which has had some problems in the past.

Recommendation

The Grand Jury recommends that LAFCO (Local Agency Formation Commission) undertake a feasibility study to consider the consolidation of fire protection for the Town of Loomis.

Respondents

Town of Loomis
Loomis Fire Protection District
Penryn Fire Protection District
South Placer County Fire District
LAFCO (Placer County Local Agency Formation Commission)

City of Rocklin

Discussion

The City of Rocklin was able to produce the items requested and members of the Grand Jury subsequently met with the City Manager to discuss them. The City Manager was able to produce each of the items requested with the exception of the list of assets singled out in the independent audit. The City Manager advised that the City of Rocklin is in the process of complying with the requirements of the Governmental Accounting Standard Board - Statement 34, commonly referred to as the GASB 34 Act, and was on schedule to be in compliance by the required date. All city assets were listed in the independent audit.

Finding

Many cities are dependent upon outside resources to develop information contained in a city disaster plan. The City Council and City staff have taken time to develop information particular to the City of Rocklin for inclusion in its disaster plan.

Commendation

One of the items included in the Grand Jury's review of local information is the disaster plan. The City of Rocklin has done an outstanding job compiling information in the disaster plan document and should be commended accordingly.

City of Roseville

Discussion

The City of Roseville has seen a continued growth in population, businesses, and city service needs. The City Council and City Manager have continued to work on the strategic plan to anticipate the needs of Roseville. An important example of this planning is represented in light of the energy problems experienced by many communities. Roseville has instituted an alternative energy plan of incentives to get residents a rebate on alternative energy producers as well as building their most recent firehouse with photo cells so it can produce its own energy.

RESPONSE REQUIRED WITHIN 90 DAYS TO :

The Honorable Presiding Judge of the Superior Court
11546 B Avenue
Auburn, California 95603

SIERRA COLLEGE

Complaint 2002B-20

Background/Summary

Sierra College, located in Placer County, is a community college serving the people of the county. Its main campus is located in Rocklin, with other facilities in Roseville, Truckee, Nevada County and portions of El Dorado County. The total enrollment of all campuses is 21,000 students, with an operating budget of \$65 million annually.

The Associated Students of Sierra College (ASSC) is a service organization serving the students of Sierra College. As stated on the Sierra College web site: "All students are members of ASSC. It is a student run organization promoting student activities and clubs, providing student representation, receiving student complaints, and investigating student problems. The ASSC participates in decisions affecting students, and promotes understanding and cooperation between students, the Board of Trustees, faculty and administrators." Students are given an option to join the ASSC to get discounts at local businesses, and to buy tickets to school events at a student rate. The optional fee is \$6.00.

The 2002-2003 Grand Jury received a complaint alleging that: "Beginning in the spring 2003 semester all students will automatically be charged the \$6.00 ASSC fee even though this is suppose to be an optional fee that students can choose or not. This is a cover so that more money goes into the ASSC funds and many students will not even realize they are being charged for it. If the student does realize they are being charged, staff have to go in manually and remove the fee which takes wasted time on the part of using staff time efficiently. If the student pays the fee and then realize what it was for, they can get a refund which will further waste the District's money in refunding many \$6.00 refund checks. How can the District automatically charge students for an optional fee?"

Discussion

The 2002-2003 Grand Jury invited representatives from Sierra College to review the ASSC and how the \$6.00 fee is collected. All fees are calculated when a student registers for classes at the college. There are

three ways in which a student can register: by the Internet, telephone or in person.

Finding 1

In reviewing registration via the Internet it was found that students did in fact have an option to pay the \$6.00 ASSC fee. The option was clearly a simple yes or no answer.

Finding 2

In reviewing registration via the telephone the option was not given to the student. The optional fee menu allows the student to get a vehicle parking permit, a motorcycle parking permit, and donate to the Students Helping Students Scholarship. When it comes to the ASSC fee the phone message states: "You can stop by the Admissions and Records office to pick up your student body ID card. This photo ID card supports a number of college programs and provides you with valuable campus and community discounts. The amount added to your total for the Sierra College student body ID card is \$6.00." There is no option to cancel the ASSC fee. A Student Fee Memo dated December 31, 2002 states "In Legal Opinion 01-03, we assessed a telephone registration system that automatically calculates all mandatory and optional fees and then allows the student seven working days to pay the fees and secure waivers for optional fees they do not wish to pay. Although the Chancellor's Office does not recommend such a process, we analyzed whether the fee waiver process was unduly burdensome to the students. We concluded that requiring a student to secure and sign one form that was simple to complete to waive optional fees that are automatically assessed during phone registration was not unduly burdensome. Conversely, if students were required to secure and sign multiple forms from multiple sources, that process would be unduly burdensome and would be unacceptable."

Recommendation 2

Sierra College should add an option to its phone registration allowing students to choose to pay the \$6.00 ASSC fee if they wish. It would reduce the need for the student to fill out a waiver for optional fees.

Finding 3

Those students who register on campus must fill out a payment coupon and they are given the option to pay the ASSC \$6.00 fee.

Finding 4

The ASSC Student Council voted that they would be responsible for a student ID card that would cover all optional fees. These fees include parking, library card, ASSC fee and residence hall card resulting in a combined savings of approximately \$3,000 per year to the Library and Police Services.

Recommendation 4

ASSC should follow up with the College Library and Police Services for funds to help pay for the production of the student ID card.

Finding 5

It was felt that the Sierra College student ID card was not explained clearly in its admissions information section of the summer & fall schedule. In the schedule it states "ID cards allow you to check out material from the library, buy tickets at student rates, and get discounts at area businesses. Cards can be obtained from Admissions Office." It is the understanding of the Grand Jury that the student ID card is free as is the library card as stated in Student Fee Memo dated December 31, 2002 "In Legal Opinion L 97-11, we concluded that a district cannot charge a mandatory fee for a student identification card, even if the card also has other purposes...." Buying tickets at student rates, and getting discounts at area businesses is the advantage of the \$6.00 ASSC fee.

Recommendation 5

Sierra College should rewrite its explanation of the student ID card and explain that the cards are free, that the ASSC fee gives them opportunities to save on the cost of student functions and purchases on and off campus.

Respondents

Sierra College President
Sierra College Associate Vice-President of Student Services.

RESPONSE REQUIRED WITHIN 90 DAYS TO:

The Honorable Presiding Judge of the Superior Court
11546 B Ave.
Auburn, California 95603

Note To Respondents

Effective 1 January 1997, there was an extensive change in the law affecting respondents and responses to grand jury findings and recommendations. The legal requirements are contained in California Penal Code, Section 933.05. The full text of the law is printed below.

Each Respondent should become familiar with these legal requirements and, if in doubt, should consult legal counsel prior to responding.

For the assistance of all Respondents, Sec. 933.05, Penal Code is summarized as follows:

How To Respond To Findings

The responding person or entity must respond in one of two (2) ways:

- (1) That you agree with the finding.
- (2) That you disagree 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 for the disagreement.

How To Report Action In Response To Recommendations

Recommendations by the grand jury require action. The responding person or entity must report action on all recommendations in one of four (4) ways:

- (1) The recommendation has been implemented, with a summary of the implemented action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
- (3) The recommendation requires further analysis. If a person or entity reports in this manner, the law requires a detailed explanation of the analysis or study must be submitted to the officer, director or governing body of the agency being investigated.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Budgetary Or Personnel Recommendations

If either a finding or recommendation deals with budgetary or personnel matters of a County department headed by an elected officer, both the elected officer and the Board of Supervisors shall respond if the Grand Jury so requests. While the Board of Supervisors' response is somewhat limited, the response by the department head must address all aspects of the finds or recommendations.

Appearance Before The Grand Jury

Prior to the publication or release of Grand Jury findings, the Grand Jury may request a personal appearance by the person or entity to discuss the proposed findings.

Advance Release Of Grand Jury Report Disclosure Prohibited Prior To Public Release

Two working days prior to release of the Final Report, the Grand Jury will provide a copy of the portion of the report to all affected agencies or persons. *No officer, agency, department, or governing body of a public agency shall disclose the contents of the report prior to its public release.*

Time To Respond, Where And To Whom To Respond

Section 933(c), Penal Code, depending on the type of Respondent, provides for two different response times and to whom you must respond:

- (1) Public Agency: The governing body of any public agency must respond within ninety (90) days. The response must be addressed to the Presiding Judge of the Superior Court.
- (2) Elective Office or Agency Head: All elected officers or heads of agencies who are required to respond must do so within sixty (60) days, to the Presiding Judge of the Superior Court, with an information copy provided to the Board of Supervisors.

The Presiding Judge of the Placer County Superior Court system is:

The Honorable Alan V. Pineschi
Presiding Judge of the Superior Court
County of Placer
11546 B Avenue
Auburn, CA 95603

California Penal Code Section 933.05

- (a) For purposes of subdivision (b) of Section 933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - (1) The Respondent agrees with the finding.
 - (2) The Respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

- (b) For purposes of subdivision (b) of Section 933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following actions:
 - (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a County agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

- (d) A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

- (e) During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation, unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.

- (f) A grand jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two (2) working days prior to its public release and after the approval of the Presiding Judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the Final Report.

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