



**2007/2008 Placer County  
Grand Jury Final Report  
Responses**





## PLACER COUNTY GRAND JURY

(530) 886-5200  
Mailing Address:

FAX (530) 886-5201  
11490 C Avenue, Auburn, CA 95603

January 5, 2009

Honorable Charles D. Wachob  
Placer County Superior Court  
Auburn, CA 95603

**Subject: *Responses to the 2007-2008 Placer County Grand Jury Final Report***

Dear Judge Wachob:

The 2008-2009 Placer County Grand Jury has received and reviewed the required responses as noted in the 2007-2008 Grand Jury Final Report.

This year's Grand Jury found several responses lacking in substance, therefore, there may be additional study done to acquire more information. Additional fact finding may be addressed in the upcoming 2008/2009 Final Report document.

We have assembled and published the responses as required by Penal Code Section 933(3) for issuance to the public and the respondents. An electronic version will also be published on the Grand Jury website.

Sincerely,

Rick Morgan  
Foreperson

# **Placer County 2007 – 2008 Grand Jury Recommendation Responses**

## **INTRODUCTION**

The Placer County Grand Jury Report 2007 – 2008 was published and distributed in June of 2008. Copies may be found in all public libraries.

State law regarding responses to Grand Jury reports is described in California Penal Code Section 993 (3).

Some of the recipients responded to multiple Grand Jury Findings with a single document. In those instances, an excerpt of the letter has been published in relation to the appropriate Grand Jury Finding. A complete copy of the response has been published as an exhibit in the appendix.

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**Placer County  
2007 – 2008 Grand Jury  
Recommendation Responses**

**FROM EUPHORIA TO DISILLUSIONMENT:  
WESTERN PLACER UNIFIED SCHOOL DISTRICT  
FINANCING, FACILITIES AND MANAGEMENT  
(Pages 5 – 52, 2007 – 2008 Final Report)**



**WESTERN  
PLACER  
UNIFIED  
SCHOOL  
DISTRICT**

600 Sixth Street  
Fourth Floor  
Lincoln, CA 95648

(916) 645-6350  
(916) 645-6356 FAX

District  
Superintendent

Scott Leaman

Board of Trustees

Paul Carras  
Brian Haley  
Paul Long  
James McLeod  
Ana Stevenson

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AUG 29 2008

Placer County Grand Jury

August 25, 2008

Placer County Grand Jury  
11490 C Avenue  
Auburn, CA 95603

**Public Agency and Agency Head responses to the Grand Jury Report on the  
Western Placer Unified School District**

In compliance with Penal Code section 933(c) we respectfully submit the attached written response to the final report of the Placer County Grand Jury. This document includes requested responses from both the District Superintendent and the President of the Board of Education on all identified recommendations.

We appreciate the work of the Grand Jury to examine the District's facilities financing and management practices and have taken under advisement all of the report's conclusions and recommendations. The school district leadership has worked very hard in recent months to get its financial house in order and has already taken corrective actions and implemented many of the recommendations called for by the Grand Jury.

If you have any questions or need any additional information please direct inquiries to the Office of the Superintendent. An electronic copy of this response has also been included on CD-Rom for the court's use.

Maintaining public confidence, accountability, and public support for our schools continues to be a very high priority for the leaders of the Western Placer Unified School District. Please accept this formal response as further evidence of our dedication and commitment to these objectives.

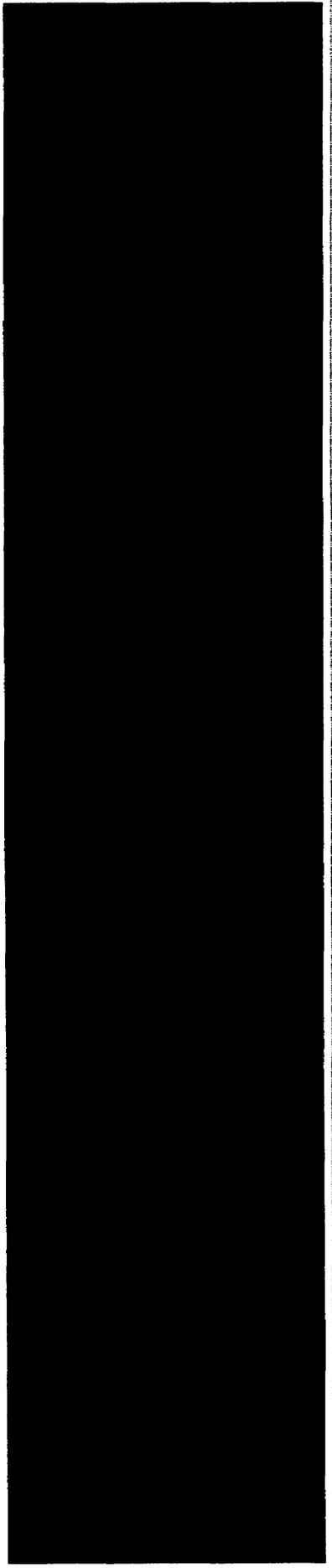
Sincerely,

Scott Leaman  
Superintendent of Schools

Paul Carras  
President of the Board of Education



"DISTRICT ON THE MOVE"



**Restoring Accountability  
& Community Confidence**

RECEIVED

AUG 29 2008

Placer County Grand Jury

**Response to the  
Grand Jury Report**

**Submitted by the  
Board of Education and  
District Superintendent**

**Western Placer Unified School District**

**August 25, 2008**

## Excerpts from the Grand Jury Report

"The City of Lincoln continues to grow and its citizens should not lose faith that they will overcome these difficulties. There cannot be an "old" Lincoln and a "new" Lincoln and a "retired" Lincoln, but only one Lincoln. By working together as one community, the people of Lincoln can reach the common goal of housing and educating their students."

## BACKGROUND

On June 27, 2008, the Placer County Grand Jury issued its annual report to the community. Within that report was an assessment of the management practices, financing and oversight of the building program in the Western Placer Unified School District.

The Grand Jury was approached by community members with concerns about the district's practices. Even though the Grand Jury was presented with nearly 50 questions by complainants, they decided that only 13 merited specific investigation.

As the Grand Jury analysis proceeded, the school district took several positive steps to uncover the extent of concerns about implementation of our Facilities Master Plan and to take corrective action.

- Independent, impartial fiscal experts were brought in to review our procedures, policies, management practices and financial plans.
- The district hired its own investigator, Robert Aaronson, to review the situation and examine the building program.
- Finally, the district joined in legal action to ensure its interests were served.

School district leaders welcome this examination by the Grand Jury and concur with most of its findings and recommendations. The Grand Jury asked that the district superintendent and school board respond to eleven of its fifteen recommendations. This joint response complies with that request.

## GENERAL OBSERVATIONS ABOUT THE REPORT

The Grand Jury chose to title its report "From Euphoria to Disillusionment." This phrase reflects a new reality faced by not only our public schools, but our overall community when it comes to population growth, housing development, and expansion.

The community of Lincoln was growing at a phenomenal rate during the late 1990's. Our schools were scrambling to keep pace by embarking on an ambitious building program to avoid overcrowding and ensure adequate classrooms and school facilities for our students.

Just as that planned expansion was hitting its stride, there was an unexpected downturn in the economy and slump in the California housing market. The housing bubble burst, much like the dot.com crisis a decade before. Locally, our area's families, local government and the private sector have felt the negative effects of this slowdown, and so have the public schools. Not only did our enrollment estimates come up short, but we realized that our financing plans were tied to growth. Without growth, we couldn't adequately cover our bills, plain and simple.

### **Lincoln wants and deserves high-quality school facilities**

We appreciate that the Grand Jury recognized the broad-based community engagement process we used to fashion our goals and objectives for facilities modernization and growth. The Facilities Master Plan was a community plan, not a leadership plan. As a community, we came to a shared conclusion that we wanted first-class schools and were willing to take on the financial responsibility that goes with achieving that goal.

Everyone recognized the great potential in our community. Over the last two years, we all have had to re-calibrate our expectations. The Grand Jury

## Excerpts from the Grand Jury Report

"There are specific past issues that deserve more detailed investigation, but the Grand Jury recommends that recriminations within the district stop. The community should use its energy to create a solid plan for the future. The facts of the current situation are daunting and these problems will not be completely solved for decades."

investigation has been an important reality check for our school district. The reality is that we must temper our dreams against the harsh reality of variable market forces and an uncertain economy.

However, district leaders would challenge the pronouncement that our community is "disillusioned" with their public schools. In fact, the opposite is true. We continue to see strong support among residents for the many positive achievements and academic progress we are showing. The people of Lincoln still see a bright future for their public schools and their community.

Disappointed might be a better word. Clearly, we are disappointed that planned expansion of school facilities cannot move forward as quickly or economically as we were led to believe. The school board and top management relied too heavily on the views and reporting processes of a few vendors and contractors that, in retrospect, had an appearance of a conflict of interest.

We are also disappointed that we may not have done our best to anticipate problems or been thorough enough in monitoring the implementation of our facilities construction program. Too much decision-making was fragmented between entities or consolidated with a few individuals. The district has taken steps to modify that process to make it more transparent and accountable.

We also appreciate the Grand Jury's observation that while there may have been shortcomings in our oversight process, there was never any intentional misconduct by the administration or trustees that placed us in this difficult financial position. We appear to have been victims of our own optimism and desire to satisfy the perceived demands of our residents for quality schools. This has been a hard lesson, but one that we have taken to heart as a school district.

In education, we look for the "teachable moment" when students are prepared and engaged enough with the subject matter and the instructional techniques to really advance their learning. This has been a "teachable moment" for the leaders in Western Placer Unified School District.

The district is now back on the right track. We agree with the Grand Jury that the community should not dwell on past practices or mistakes, but move forward to ensure that we implement a responsible and prudent growth management plan.

We need to do a much better job of two-way communication with our stakeholders and make school facilities planning a community priority with shared responsibility among the private sector and municipal government. It is in that spirit that the Superintendent and Board of Education submit this response to the Grand Jury.

Scott Leaman  
Superintendent

Paul Carras  
Board of Education President

## Excerpts from the Grand Jury Report

"The new administration, led by Superintendent Scott Leaman, reassessed the situation and brought in outside experts, as needed. The district faced painful realities as the facts were discovered and made difficult decisions in its attempt to make corrections. Its processes and dialog have become more transparent to the public."

## SPECIFIC RESPONSES TO GRAND JURY RECOMMENDATIONS

### Grand Jury Conclusion #1

*"The school board members must clearly understand their role and responsibilities. The board plays a vital role in the well-being of the district. They must work with the administration, but examine information critically. They must support and assist the superintendent to achieve district goals, and must hold the superintendent accountable for district finances, practices and policies. They must require high standards, to maintain district financial health."*

### Board of Education Response: Agree

With the election of several new trustees to the Board of Education and the support of current members, school board members now have a growing understanding and appreciation of their oversight responsibilities relating to facilities funding and construction. They are encouraged to ask questions of management and seek clarification about facilities issues and concerns. The superintendent's goals and employee evaluation instruments have been modified to reflect the need to maintain closer and more open communication regarding facilities issues with all stakeholders including the Board of Education members.

### Grand Jury Conclusion #2

*"WPUSD should guarantee all building projects are tied to defined and specific funding sources. The school board should perform an annual review to assure the facilities plans match student demographics and funds available. The board must approve building plans and costs, and major changes to those plans."*

### Board of Education & Superintendent Response: Agree

The Board has amended its practices to ensure that there is adequate review of detailed financing packages for all building projects. As part of its improved monitoring system, the board receives regular updates on the status of facilities construction, student demographic trends and projections, and construction funds expenditures. Changes to building plans are presented to the school board for the members' review and awareness. The district has worked hard over the last year to get its fiscal house in order and will continue to make improvements in its business management practices as needed.

### Grand Jury Conclusion #3

*"WPUSD should be determined to protect its own interests. Given its current financial situation, there is little margin for error. It should make no commitment to schools in the new developments until clear, firm and sustainable funding mechanisms are in place. Schools are an asset for the entire community and WPUSD must encourage developers and the city to jointly shoulder this burden. The Grand Jury agrees with Dr. Ron Feist, who said it is vital for the district to partner with the City of Lincoln to develop the financial resources needed to build future school facilities."*

### Board of Education & Superintendent Response: Agree

The management team and school board have made decisions to cut back building plans and decrease the use of less secured funding mechanisms such as COPs to finance construction contracts. The new leadership teams understands that there are more tough decisions that will need to be made in the months and years ahead. They are prepared to accept that challenge to keep the district's facilities budgets stable and fiscally sound.

Leaders in Western Placer USD understand that there is a symbiotic relationship between quality schools and a healthy, vibrant community. The quality of life and the economic vitality of the city hinges on the caliber and reputation of its public school system. While advancing stronger partnerships with the civic and land development interests of Lincoln, the Superintendent and Board will work to ensure that the district's financial integrity and long-term budget stability remain protected.

If all three parties in land use decisions (city, developer and school district) can recognize and respect the needs of each other, then compromises can be reached that benefit all of the parties.

#### **Grand Jury Conclusion #4**

*"WPUSD must ensure it is receiving fair value in all transactions, such as the City of Lincoln or Wildlands, Inc.*

- *It must negotiate business arrangements, such as the selling of environmental mitigation rights, to maximize district benefits.*
- *It must use competitive bidding for all contracts*
- *It must be sure it is properly paid by the city for joint projects, such as parks.*
- *It must be very confident joint ventures with the city, such as the library and city hall, are in the best, long-term interests of the school district."*

#### **Board of Education & Superintendent Response: Agree**

Western Placer USD believes in the concept of joint use facilities that can mutually benefit all parties; school district, city and community members. In furthering this goal, district leaders will ensure that adequate compensation is secured for the district's participation in these projects, including the selling of mitigation rights. We have examined and overhauled business practices and instituted greater checks and balances in the way contracts are approved, monitored and amended.

#### **Grand Jury Conclusion #5**

*"The school district should not allow partnerships between its architect and primary contractor, to avoid even the appearance of a conflict of interest. Districts must rely on the architect to be a representative of the district's interests. Decisions made by the contractor directly influence the profits of the architect, and vice versa."*

#### **Board of Education & Superintendent Response: Agree**

The district held a competitive architect interview for participation in future projects. Guaranteed Maximum Price contracts will be used sparingly in the future, if at all.

#### **Grand Jury Conclusion #6**

*"The Grand Jury recommends WPUSD create a department dedicated to new construction, separate from facilities maintenance. The district needs to make certain it has staff competent to oversee facility construction. This department must have qualified experts who can negotiate contracts, monitor construction, and work actively with inspectors and architects, guarding the district's interests."*

#### **Board of Education & Superintendent Response: Agree in part**

While it is laudable to create a separate department for new construction, that may not be the most cost-effective approach for managing our Facilities Plan. The goal is to make sure that new building projects get dedicated attention from professionals with experience and expertise in construction. The district will take this recommendation under advisement and work to ensure that there is adequate and appropriate staffing to oversee our new construction efforts.

#### **Grand Jury Conclusion #7**

*"The Grand Jury is concerned that there are still relationship and communication issues within the district. The district must adhere to clear organizational reporting lines and job descriptions."*

#### **Board of Education & Superintendent Response: Agree**

A more streamlined organizational chart has been implemented and supervisorial duties reinforced. Ongoing evaluation and support has been reinforced by the personnel department.

Each employee group met with the superintendent regarding their working conditions, including salary, last year. Budget reductions were completed last year using a collaborative process with all employee stakeholder groups.

### **Grand Jury Conclusion #8**

*"The district administration and board have taken positive steps to be open and transparent in their communications. The Grand Jury recommends that the district continue to communicate aggressively with the public. The district needs to make better use of its website. As all district and project information becomes available, it should be posted and maintained on the district website. The site should include details on the CFDs, and their requirements, the COPs, the facilities building plans, the project plans, and the district foundations."*

### **Board of Education & Superintendent Response: Agree**

The school district will undertake an overhaul of its district web site to include specific links to facilities documents and updates. One of the ways the community and key stakeholders can regain confidence in the district's management activities is to give them greater access to credible, accurate, complete and timely information. The district will take this recommendation under advisement and work to expand its public information activities in the area of construction management and decision-making.

### **Grand Jury Conclusion #9**

*"The Grand Jury recommends the district staff actively communicate with local realtors and developers to ensure they have the latest school facilities information for prospective home buyers."*

### **Board of Education & Superintendent Response: Agree**

The district intends to create a Realtor/Developer Information Kit including literature that these professionals can give to prospective home buyers explaining the facilities plans and activities of the district. It is essential that new residents have a reliable presentation and timetable of how the district intends to accommodate enrollment growth and how new buildings and modifications to existing buildings will occur.

### **Grand Jury Conclusion #10**

*"The Grand Jury commends the volunteers who invest their time and energy as district foundation board members and advisors. The foundations are separate entities but not autonomous from WPUSD. The district must be sure the foundation's directors are familiar with the laws and regulations under which a public foundation operates, and make sure they comply with those processes. The foundations should be as transparent in their operations as the district."*

### **Board of Education & Superintendent Response: Agree in part**

Educational foundations are by law separate entities not under the control of a public agency. While the district can do its part to educate foundation board members and leaders as to their fiduciary and board roles it would be an inappropriate intrusion to attempt to enforce any actions on these foundations. The school district will assist in board member education efforts and in its liaison role will help to ensure that district-related foundations comply with necessary tax and non-profit laws, regulations and reporting requirements.

### **Grand Jury Conclusion #11**

*"The Grand Jury commends the district for its longstanding farm education program. It recommends the district expand the use of the Lincoln High School Farm as an educational tool. The district might develop agricultural or environmental programs for elementary or middle schools, or offer its programs to other districts or colleges."*

### **Board of Education & Superintendent Response: Agree in part**

The district is proud of the school farm and will expand its use based on the educational plan of the district.



600 Sixth Street  
Lincoln, CA 95648  
www.ci.lincoln.ca.us

October 1, 2008

Mr. Gordon Blakeman  
Foreperson, Placer County Grand Jury  
11490 C Avenue  
Auburn, CA 95603

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OCT 10 2008  
Placer County Grand Jury

Main City Phone  
916-434-2400

City Manager's Office  
916-434-2490

Community Development  
916-434-2470

Parks & Recreation  
916-645-5298

Public Works  
916-434-2450

Administrative Services  
916-434-2430

Fire  
916-645-4040

Library  
916-434-2410

Police  
916-645-4040

RE: City of Lincoln Responses to the 2007-08 Placer County Grand Jury Final Report  
\*\*\*Supplemental to September 29, 2008 Response\*\*\*

Dear Mr. Blakeman:

The following letter constitutes supplemental responses by the City of Lincoln City Council to the 2007-08 Placer County Grand Jury Final Report.

Specifically, this letter is in response to the following findings and recommendations:

4. WPUSD Must be Promptly Paid by the City for Joint Projects, such as Parks

The City and WPUSD have worked cooperatively to improve the invoicing and payment processes for joint projects. The staff of the City and WPUSD will continue to meet on a regular basis to resolve payment concerns in a timely manner.

14. The District must also have a Strong Relationship with the City of Lincoln. City Officials Need to be Actively Involved in District Activities, since a Strong School District is Integral to a Healthy Community.

The City of Lincoln agrees with this conclusion and to that end holds quarterly school district/city committee meetings consisting of two city council members, two school board members, the city manager and the school board superintendent. Issues of common concern and future planning issues are discussed at these meetings to facilitate better communication between the individuals and agencies.

Sincerely,

Jim Estep  
City Manager

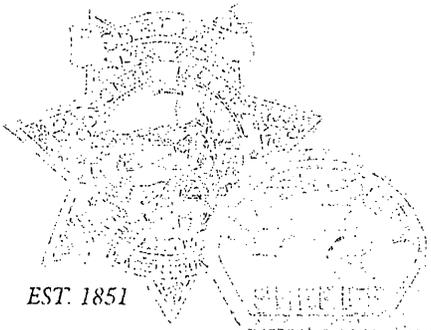
**Placer County  
2007 – 2008 Grand Jury  
Recommendation Responses**

**ANNUAL INSPECTION OF THE PLACER  
COUNTY  
SHERIFF'S DEPARTMENT BURTON CREEK  
FACILITY**

(Pages 57 – 61, 2007 – 2008 Final Report)

**(Excerpt)**

Note: See Exhibit # 1 of the Appendix for the entire response from Edward Bonner, Sheriff-Coroner-Marshal



PLACER COUNTY  
**SHERIFF**  
CORONER-MARSHAL



MAIN OFFICE  
2929 RICHARDSON DR.  
AUBURN, CA 95603  
PH: (530) 889-7800 FAX: (530) 889-7899

TAHOE SUBSTATION  
DRAWER 1710  
TAHOE CITY, CA 96145  
PH: (530) 581-6300 FAX: (530) 581-6377

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

**DEVON BELL**  
UNDERSHERIFF

July 31, 2008

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

**RECEIVED**

**AUG - 7 2008**

Placer County Grand Jury

**Response to Findings and Recommendations  
2007 - 2008 Placer County Grand Jury**

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

**Burton Creek Facility**

**Recommendation 1:** Review the possibility of expanding patrol areas from three to four.

**Response:** *This need will be evaluated based on response times and calls for service in the northern patrol area. An additional beat would require at least five patrol deputies and additional patrol vehicles. Given the current fiscal climate, this will be considered once economic conditions have improved.*

**Recommendation 2:** If the COP program is implemented and a new patrol area is created, obtain additional vehicles.

**Response:** *We concur with this recommendation. Additional vehicles would be absolutely necessary should either program be implemented.*

**Recommendation 3:** Implement a COP program (Citizens On Patrol) to relieve the patrol deputies of some duties that do not require a sworn officer.

**Response:** *We are currently evaluating the expansion of our volunteer programs department-wide. Recruitment efforts currently used at our South Placer Substation could be employed at Burton Creek; however, the reduced availability of resident volunteers to staff the North Lake Tahoe service areas could be an obstacle.*

**Recommendation 4:** Recruit and train additional dispatch personnel and provide incentives to retain these employees.

*Response:* This is an ongoing effort department-wide. We have obtained approval from the Board of Supervisors to contract with a consultant to conduct an organizational assessment of the Sheriff's Department Dispatch Units. The consultant will provide recommendations to improve organizational effectiveness. Recruitment and retention of public safety dispatchers is a state-wide crisis, and we are looking to remedy our own deficiencies to address the problem.

I wish to thank the members of the 2007-2008 Placer County Grand Jury for their dedication to the community and all of their work during the past year.

Sincerely,



Edward N. Bonner  
Sheriff-Coroner-Marshal

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

# County of Placer Board of Supervisors

175 FULWEILER AVENUE  
AUBURN, CALIFORNIA 95603  
530/889-4010 • FAX: 530/889-4009  
PLACER CO. TOLL FREE # 800-488-4308

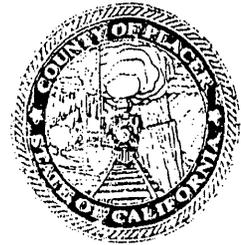
F.C. "ROCKY" ROCKHOLM  
District 1

ROBERT WEYGANDT  
District 2

JIM HOLMES  
District 3

KIRK UHLER  
District 4

BRUCE KRANZ  
District 5



September 9, 2008

RECEIVED

SEP 15 2008

Placer County Grand Jury

The Honorable Larry Gaddis  
Presiding Judge of the Superior Court  
County of Placer  
10820 Justice Center Drive  
Roseville, CA 95661

Subject: 2007-08 Final Report of the Placer County Grand Jury –  
Annual Inspection of the Placer County Sheriff's Department Burton  
Creek Facility

Dear Judge Gaddis:

On behalf of the Placer County Board of Supervisors I am pleased to submit our response to the 2007-08 Final Report of the Placer County Grand Jury – Annual Inspection of the Placer County Sheriff's Department Burton Creek Facility. We have carefully reviewed the conclusions and recommendations contained in the Final Report including the responses from the Placer County Sheriff Edward Bonner. We have also consulted the Director of Facilities Services to gain his insights and comments related to the construction schedule for the replacement facility. Our response to conclusion / recommendation # 5 as designated by the Grand Jury follows below.

### Conclusions / Recommendations

The Grand Jury has the following recommendations.

5. The County Supervisors should make the new facility a higher priority and build it sooner than currently projected.

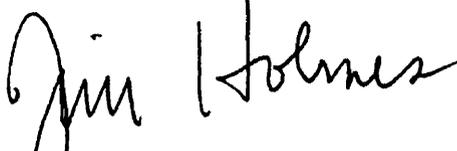
### Response:

The Board of Supervisors is committed to providing improved criminal justice facilities that will ensure a high level of public safety to residents of the County and visitors alike. Recently, the County completed a \$51 million dollar, nine court room Justice Courthouse in the South Placer area and within the new Placer County Bill Santucci Justice Center to replace aging and inefficient facilities throughout the County. In addition, the County is in the process of planning and designing a new and modern jail facility at the Justice Center adjacent to the new courthouse.

The new jail is scheduled for completion in 2012 to meet the projected inmate population demand and increase public safety. Likewise, replacement of the Burton Creek Facility with a new and modern Sheriff's substation in Tahoe is a priority of the County to meet the goal of improving criminal justice facilities. However, the recommendation above will not be implemented because it is not reasonable, practical or feasible to complete construction and occupancy of a replacement facility sooner than the target date of 2011. As stated in the Board's response to this same recommendation in 2006-07, the timing for this major project is based on developing a suitable building site, building space programming, construction drawings and plans, bid proposal and solicitation, reviewing bids, negotiating and awarding construction contract, final construction and occupancy. In addition, this project is subject to stringent environmental review under the California Environmental Quality Act (CEQA) and regional review, oversight and compliance by the Tahoe Regional Planning Agency (TRPA), which may extend the time necessary to complete a project of this scope and complexity. However, this Board, the County Executive Officer and the Director of Facility Services remain committed to a replacement facility in Tahoe for the Sheriff and will ensure that it is completed within a reasonable and practical time frame.

Sincerely,

COUNTY OF PLACER



Jim Holmes, District 3 Supervisor  
Chairman of Placer County Board of Supervisors

JH/MEP/br

Cc: Thomas M. Miller, County Executive Officer  
Rich Colwell, Chief Assistant County Executive Officer  
Mike Boyle, Assistant County Executive Officer  
Holly Heinzen, Assistant County Executive Officer  
Anthony La Bouff, County Counsel  
Edward N. Bonner, Placer County Sheriff-Coroner Marshal  
Gerald Carden, Chief Deputy County Counsel  
Jim Durfee, Director, Facility Services  
Mary Dietrich, Assistant Director, Facility Services

**Placer County  
2007 – 2008 Grand Jury  
Recommendation Responses**

**ANNUAL INSPECTION OF THE  
LINCOLN POLICE DEPARTMENT**

(Pages 72 – 76, 2007 – 2008 Final Report)

**(Excerpt)**

Note: See Exhibit # 2 of the Appendix for the entire response from Jim Estep, City Manager and Brian Vizzusi, Police Chief



600 Sixth Street  
Lincoln, CA 95648  
www.ci.lincoln.ca.us

*Main City Phone*  
916-434-2400

*City Manager's Office*  
916-434-2490

*Community Development*  
916-434-2470

*Parks & Recreation*  
916-645-3298

*Public Works*  
916-434-2450

*Administrative Services*  
916-434-2430

*Fire*  
916-645-4040

*Library*  
916-434-2410

*Police*  
916-645-4040

September 29, 2008

Mr. Gordon Blakeman  
Foreperson, Placer County Grand Jury  
11490 C Avenue  
Auburn, CA 95603

RE: City of Lincoln Responses to the 2007-08 Placer County Grand Jury Final Report

Dear Mr. Blakeman:

The following letter constitutes the responses by the City of Lincoln City Council to the 2007-08 Placer County Grand Jury Final Report.

Specifically, this letter is in response to the following findings and recommendations in which the City of Lincoln was listed as a respondent.

Lincoln Police Department

Item #1 – The Grand Jury suggested a new police facility to increase the Lincoln Police Department's effectiveness. Although we have been quite effective in keeping Lincoln one of the safest places to live in California, we are currently examining properties within the City of Lincoln that are viable locations for the future site of a new police department. The construction of a new police facility is dependent on funding that may not be available for five to ten years.

We are currently in the process of relocating two of our three department divisions, Administration and Support Services, to our new Headquarters facility located at 640 5<sup>th</sup> Street. This two story facility is approximately 10,000 square feet and will provide adequate work space until a new facility can be built. Our Operations Division, which consists of Patrol Officers, Dispatchers, and Property and Evidence, will remain at the 770 7<sup>th</sup> Street location, which will become our new Police Substation.

Both facilities are in the process of being remodeled to meet the current and future needs of the department. Our City Council recently approved 1.4 million to renovate both facilities. These funds will be used to build a new Communications Center at our Police Substation and upgrade our security system at both facilities. The renovation funds will also be used to purchase new computers, furniture, flooring, gym equipment, and any repairs that are necessary at both facilities.



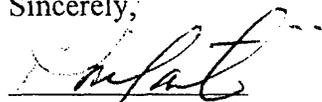
Item #2 – The Grand Jury recommended the installation of a video recording device in the rear pre-booking area of the police substation. The pre-booking room has a camera that is monitored by our communications personnel for officer safety reasons, but it is not equipped with recording equipment. We will use our renovation funds to install a recording device in this room.

Item #3 – The Grand Jury recommended repairs to the ceiling, walls and insulation in the rear garage/warehouse area of the Police Substation. A work order was completed for the repairs and our Public Works Department has been notified. We are currently identifying a vendor that can make the repairs to the ceiling insulation.

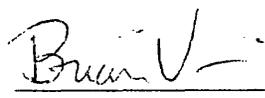
Item #4 – The Grand Jury recommended repairs to the rear roll up door of the Police Substation in order to prevent rodent infestation. A work order has been completed for the repairs and our Public Works Department has been notified. We are currently identifying a vendor that can make the repairs to the bottom of the roll up door so that all gaps are eliminated.

Item #5 – The Grand Jury recommended the installation of a heating and air conditioning system in the workout area of the Police Substation warehouse. The workout equipment was moved inside the Police Substation in a climate controlled room that was formerly occupied by our detectives. There are future plans to build a new climate controlled workout and locker room in the rear warehouse area of the Substation.

Sincerely,

  
Primo Santini  
Mayor

  
Jim Estep  
City Manager

  
Brian Vizzusi  
Police Chief

  
John Pedri  
Director of Public Works

  
Rod Campbell  
Director of Community Development

**Placer County  
2007 – 2008 Grand Jury  
Recommendation Responses**

**ANNUAL INSPECTION OF  
PLACER COUNTY MAIN JAIL**

(Pages 77 – 85, 2007 – 2008 Final Report)

**(Excerpt)**

Note: See Exhibit # 1 of the Appendix for the entire response from Edward Bonner, Sheriff-Coroner-Marshal



## COUNTY OF PLACER

OFFICE OF  
COUNTY EXECUTIVE  
THOMAS M. MILLER, County Executive Officer

### BOARD MEMBERS

F. C. "ROCKY" ROCKHOLM  
District 1

JIM HOLMES  
District 3

ROBERT M. WEYGANDT  
District 2

KIRK UHLER  
District 4

BRUCE KRANZ  
District 5

175 FULWEILER AVENUE / AUBURN, CALIFORNIA 95603

TELEPHONE: 530/889-4030

FAX: 530/889-4023

www.placer.ca.gov

August 13, 2008

The Honorable Larry Gaddis  
Presiding Judge of the Superior Court  
County of Placer  
10820 Justice Center Drive  
Roseville, CA 95661

RECEIVED

AUG 18 2008

Placer County Grand Jury

Subject: Final Report of the Placer County Grand Jury – Annual Inspection of the Placer County Main Jail

Dear Judge Gaddis:

I am pleased to submit my Response to the 2007-08 Final Report of the Placer County Grand Jury – Annual Inspection of the Placer County Main Jail. I have carefully reviewed the conclusions and recommendations contained in the Final Report including the responses from the Placer County Sheriff, Mr. Edward Bonner. I have also consulted the Director of Facility Services to gain his insights and comments related to the construction schedule for the new jail at the Placer County Bill Santucci Justice Center, the status and condition of the minimum security barracks, security video recording devices for the existing Main Jail and the condition and status of the hall way flooring of the Main Jail as described in the Report. My response to each conclusion and recommendation follows below.

### Conclusions / Recommendations

The Grand Jury has the following recommendations.

1. High release levels due to the federal cap illustrate the need for the South Placer Jail. Placer County should take the steps necessary to keep the new jail construction on schedule to reach the 2012 target date.

#### Response:

The recommendation has been implemented. The construction of a new jail facility at the Placer County Bill Santucci Justice Center will meet the target date of 2012 to help ease the current capacity limitations of the Main Jail in Auburn and projected increases in inmate population. Also, to meet the permit requirements of the development of the Justice Center site

it is necessary for the County to build the new jail by 2012 and have it ready for inmate occupancy in that same year. On March 6, 2008, the Board of Supervisors authorized the Director of Facility Services to begin implementation of this project by developing a proposal for a "design-build" method and process to construct the new jail. With assistance from contract construction management experts, the Director is planning to solicit proposals for the design and construction of the new jail by the end of 2008.

2. A new barracks must be built nearer the Main Jail to improve logistics and to replace the current outdated building.

Response:

The recommendation will not be implemented at the present time because it is not reasonable, practical or feasible given the scope and extent of the current Capital Improvement Plan of the County and the limitation of funding resources for any additional capital projects. At the present time the Board of Supervisors have identified several high priority projects over the next decade that total over \$400 million dollars including the new jail at the Placer County Bill Santucci Justice Center and a replacement facility for the Sheriff's substation in Tahoe. Although it would be desirable to replace the barracks due to the age of these facilities and to possibly expand and improve operations, it still provides function and relative location convenience for the Sheriff. In addition, many other county offices at the DeWitt Government Center are located within the original "barrack" type structures and continue to operate and function at an acceptable level. In developing a long-range capital plan and allocating resources for priority projects, the County must strike a balance between need, cost and the amount of resources available.

3. Cameras with recording devices should be installed throughout the jail for the protection of the staff and inmates.

Response:

The recommendation has not been implemented but it may be implemented in the future. As indicated in the response from the Sheriff his staff is working with Facility Services and the Communications Division to identify improvements in the existing surveillance system including a recording capacity or to develop a new system to meet the security requirements of the Jail.

4. The Grand Jury specifically urges a timely solution be found to the hallway flooring problems. Thirteen years is too long to wait for a satisfactory repair.

Response:

The recommendation will not be implemented at the present time because it is not feasible or practical to make replacement of the flooring without closing and isolating the main corridor of the jail resulting in a de-facto closure of the jail facility for a period of time. The adhesive component of the flooring contains asbestos and any replacement process would require

The Honorable Larry Gaddis

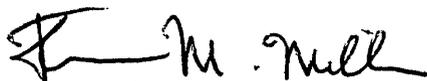
August 13, 2008

Page 3 of 3

containment and isolation of the main jail corridor. The main corridor serves as the primary circulation path for the access and operation of the entire jail facility and it would be problematic to close this area for even a short period of time. For the last ten years, staffs from the Sheriff's office and Facility Services have tried to identify a reasonable and acceptable process to make the necessary replacement of the flooring that would minimize any impact upon the critical operations of the Jail. However, at the present time the floor is functional, safe and sanitary. I will ask the Director and the Sheriff to continue to explore and conduct research to identify a solution to this problem.

Sincerely,

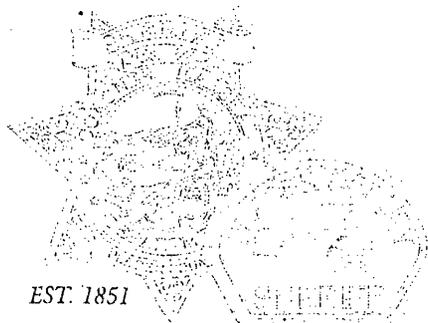
COUNTY OF PLACER



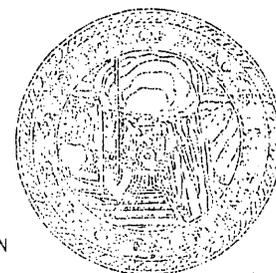
Thomas M. Miller,  
Placer County Executive Officer

TM/MEP/br

Cc: Edward N. Bonner, Placer County Sheriff-Coroner-Marshal  
Anthony La Bouff, County Counsel  
Gerald Carden, Chief Deputy County Counsel  
Rich Colwell, Chief Assistant CEO  
Mike Boyle, Assistant CEO  
Holly Heinzen, Assistant CEO  
Jim Durfee, Director, Facility Services  
Mary Dietrich, Assistant Director, Facility Services



PLACER COUNTY  
**SHERIFF**  
CORONER-MARSHAL



MAIN OFFICE  
2929 RICHARDSON DR.  
AUBURN, CA 95603  
PH: (530) 889-7800 FAX: (530) 889-7899

TAHOE SUBSTATION  
DRAWER 1710  
TAHOE CITY, CA 96145  
PH: (530) 581-6300 FAX: (530) 581-6377

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

**DEVON BELL**  
UNDERSHERIFF

July 31, 2008

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

**RECEIVED**

**AUG - 7 2008**

Placer County Grand Jury

**Response to Findings and Recommendations  
2007 - 2008 Placer County Grand Jury**

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

### Placer County Main Jail

Recommendation 3: Cameras with recording devices should be installed throughout the jail for the protection of the staff and inmates.

*Response: We recognize the importance of upgrading our current camera system at the Jail to include recording capability. We have been working with Facility Services and Communications to develop and find an affordable system upgrade. Cost has been a factor; but we continue to work towards a system that will meet our needs and fall within our budget.*

Recommendation 4: The Grand Jury specifically urges a timely solution be found to the hallway flooring problems. Thirteen years is too long to wait for satisfactory repair.

*Response: The flooring in the Jail was installed during initial construction in 1985, and needs to be replaced. Tile replacement in other areas of the Jail has been accomplished by rotating inmates and staff out of those areas during removal in order to comply with asbestos abatement standards. There is no way to complete this work in the hallway area without disrupting operations. The hallway would have to be shut down, which would effectively shut down any movement of inmates, staff, visitors and emergency responders in the Jail. We will continue to work on a solution to the hallway flooring that will allow us to operate the facility in a safe and effective manner.*

I wish to thank the members of the 2007-2008 Placer County Grand Jury for their dedication to the community and all of their work during the past year.

Sincerely,



Edward N. Bonner  
Sheriff-Coroner-Marshal

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

**Placer County  
2007 – 2008 Grand Jury  
Recommendation Responses**

**JUVENILE DETENTION FACILITY  
PLACER COUNTY PROBATION DEPARTMENT**  
(Pages 86 – 90, 2007 – 2008 Final Report)

STEPHEN G. PECOR  
Chief Probation Officer

MICHAEL E. CHOLERTON  
Assistant Chief Probation Officer

Auburn Justice Center  
2929 Richardson Drive, Suite B  
Auburn, CA 95603  
(530) 889-7900  
(530) 889-7950 (fax)  
www.placer.ca.gov



Adult Services  
11564 "C" Avenue  
Auburn, CA 95603  
(530) 889-7933  
(530) 889-6815 (fax)

Juvenile Detention Facility  
11260 "B" Avenue  
Auburn, CA 95603  
(530) 886-4860  
(530) 886-4588 (fax)

Central Kitchen  
11352 "C" Avenue  
Auburn, CA 95603  
(530) 889-7923  
(530) 889-7955

## COUNTY OF PLACER

## PROBATION DEPARTMENT

CSOC - Probation  
11716 Enterprise Drive  
Auburn, CA 95603  
(530) 889-6700  
(530) 889-6735 (fax)

CSOC- Roseville  
1130 Conroy  
Roseville, CA 95661  
(916) 784-6432  
(916) 784-6480 (fax)

Day Reporting Center  
11517 "F" Avenue  
Auburn, CA 95603  
(530) 889-7782  
(530) 889-6815 (fax)

Youth Resource Ctr  
1020 Sundown Way  
Roseville, CA 95661  
(916) 784-6166  
(916) 625-1786

Special Investigations Unit  
PO Box 293  
Rocklin, CA 95677  
(916) 632-3111

Roseville - Probation  
1051 Junction Blvd.  
Roseville, CA 95678  
(916) 787-8971  
(916) 772-1060 (fax)

Loomis - Probation  
6140 Horseshoe Bar Rd.  
Loomis, CA 95650  
(916) 652-2451/2452  
(916) 652-2490 (fax)

Tahoe Office - Probation  
PO Box 363  
Tahoe Vista, CA 96148  
(530) 546-1960  
(530) 546-8734 (fax)

August 12, 2008

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AUG 15 2008

Placer County Grand Jury

Placer County Grand Jury  
11490 C Avenue  
Auburn, CA 95603

Dear Grand Jury Members,

I am pleased to submit my response to the of the 2007/2008 Final Report of the Placer County Grand Jury related to operations at the Juvenile Detention Facility (JDF).

### Recommendation # 2

"A specific target date for completion of the camera installation project should be prior to the required tour from the 2008/2009 or the end of this calendar year.

### Response:

### Recommendation #2

Our intent is to see the project through to completion as soon as possible, but no later than June 30, 2009.

Thank you for your continued support. We look forward to discussing our operations with the Grand Jury members in the future.

Sincerely,

Stephen G. Pecor  
Chief Probation Officer  
Placer County Probation Department

STEPHEN G. PECOR  
Chief Probation Officer

MICHAEL E. CHOLERTON  
Assistant Chief Probation Officer

Auburn Justice Center  
2929 Richardson Drive, Suite B  
Auburn, CA 95603  
(530) 889-7900  
(530) 889-7950 (fax)  
www.placer.ca.gov



Adult Services  
11564 "C" Avenue  
Auburn, CA 95603  
(530) 889-7933  
(530) 889-6815 (fax)

Juvenile Detention Facility  
11260 "B" Avenue  
Auburn, CA 95603  
(530) 886-4860  
(530) 886-4588 (fax)

Central Kitchen  
11352 "C" Avenue  
Auburn, CA 95603  
(530) 889-7923  
(530) 889-7955

## COUNTY OF PLACER

## PROBATION DEPARTMENT

CSOC - Probation  
11716 Enterprise Drive  
Auburn, CA 95603  
(530) 889-6700  
(530) 889-6735 (fax)

CSOC- Roseville  
1130 Conroy  
Roseville, CA 95661  
(916) 784-6432  
(916) 784-6480 (fax)

Day Reporting Center  
11517 "F" Avenue  
Auburn, CA 95603  
(530) 889-7782  
(530) 889-6815 (fax)

Youth Resource Ctr  
1020 Sundown Way  
Roseville, CA 95661  
(916) 784-6166  
(916) 625-1786

Special Investigations Unit  
PO Box 293  
Rocklin, CA 95677  
(916) 632-3111

Roseville - Probation  
1051 Junction Blvd.  
Roseville, CA 95678  
(916) 787-8971  
(916) 772-1060 (fax)

Loomis - Probation  
6140 Horseshoe Bar Rd.  
Loomis, CA 95650  
(916) 652-2451/2452  
(916) 652-2490 (fax)

Tahoe Office - Probation  
PO Box 363  
Tahoe Vista, CA 96148  
(530) 546-1960  
(530) 546-8734 (fax)

August 12, 2008

Placer County Grand Jury  
11490 C Avenue  
Auburn, CA 95603

Dear Grand Jury Members,

I am pleased to submit my response to the findings and recommendations contained in the 2007/2008 Final Report of the Placer County Grand Jury related to operations at the Juvenile Detention Facility (JDF).

The findings of the Grand Jury were as follows:

### Finding #1

"JDF is a well-run facility with an experienced Superintendent and Assistant Superintendent, as well as a staff that appears calm and caring while understanding the risks and limitations of the detainees."

### Finding # 2

"The 2006/2007 Placer County Grand Jury recommended that cameras be located in the dining hall, open air recreation area and all classrooms. The funds for this request have been allocated and according to senior staff, a request for bids has been issued."

### Response:

I appreciate the positive comments made by the Grand Jury regarding the operation of JDF, and I share their confidence in the JDF administration and staff. Additionally, I intend to follow-up on the Grand Jury's recommendations:

Recommendation #1

Specifically, it was the Grand Jury's recommendation that the current surveillance system be upgraded to include recording devices in specific areas of the facility including, but not limited to, the dining area, open air recreation and the classroom locations.

The Superintendent of the JDF is pursuing the above objectives and has obtained bids to install new equipment that would improve our surveillance capabilities. He is also obtaining additional bids and evaluating various alternatives.

Recommendation #2

Our intent is to see the project through to completion as soon as possible, but no later than June 30, 2009.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Chinn', with a long horizontal line extending to the right.

Greg Chinn  
Superintendent  
Placer County Juvenile Detention Facility

**Placer County  
2007 – 2008 Grand Jury  
Recommendation Responses**

**PLACER COUNTY SPECIAL DISTRICTS  
SPECIAL BENEFIT ASSESSMENT  
PROCEDURES**

(Pages 91 – 94, 2007 – 2008 Final Report)



OFFICE OF

PLACER COUNTY CLERK – RECORDER –  
REGISTRAR OF VOTERS

Elections Division • 2956 Richardson Drive • P.O. Box 5278 • Auburn, CA 95604  
(530) 886-5650 • FAX (530) 886-5688  
[www.placer.ca.gov](http://www.placer.ca.gov)

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AUG - 7 2008

Placer County Grand Jury

July 28, 2008

JIM McCAULEY  
County Clerk-Recorder-Registrar

RYAN RONCO  
Assistant Recorder-Registrar

Placer County Grand Jury  
11490 C Avenue  
Auburn, CA 95603

Attn: Grand Jury Foreperson

Dear Grand Jury Foreperson and Grand Jury Members,

The following is my response to the Final Report of the 2007-08 Placer County Grand Jury concerning its findings and recommendations regarding Special Benefit Assessment Procedures (pp. 100-104).

Our office concurs with the Grand Jury's recommendations that:

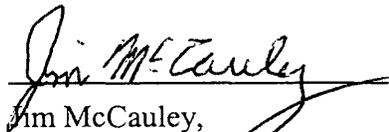
1. Special districts considering new assessment fees should consult with our office for guidance in conducting impartial proceedings;
2. Signature requirements should be made verifiable and confidential, consistent with Election Code standards;
3. Informational material prepared by special districts pertaining to proposed special benefit assessments should be impartial, and
4. Ballots should be opened, qualified and counted at the hearing location following the conclusion of the requisite public hearing for any proposed special benefit assessment.

Accordingly, our office supported the introduction of AB 2218 by Assemblyman Ted Gaines, which as the Grand Jury noted was intended to amend the provisions enacted with Proposition 218 to provide "positive reform to special district benefit assessment" proceedings. The provision of AB 2218 were designed to make such proceedings more closely adhere to the existing provisions of the California Elections Code especially regarding verification of voter signatures, transparent and publically accessible vote counting, and requirements for providing impartial analysis and information for such ballot measures.

Unfortunately, the essential language in AB 2218 was removed in subsequent committee review after the bill's introduction. We hope that future legislative efforts will be successful at achieving the desired reforms in procedures for special benefit assessment elections, to the benefit of the public, particularly since the recommended reforms are not matters that can be directed locally, but only by State action.

My office is appreciative of the Grand Jury's deliberative and thorough review of this issue and for its careful and appropriate recommendations, which we fully support.

Sincerely,

A handwritten signature in cursive script that reads "Jim McCauley". The signature is written in black ink and is positioned above the printed name and title.

Jim McCauley,  
Placer County Clerk-Recorder-Registrar

**Placer County  
2007 – 2008 Grand Jury  
Recommendation Responses**

**WESTERN PLACER WASTE MANAGEMENT  
AUTHORITY  
MATERIAL RECOVERY FACILITY  
(Pages 105 – 110, 2007 – 2008 Final Report)**

**(Excerpt)**

Note: See Exhibit # 2 of the Appendix for the entire response from Jim Estep, Lincoln City Manager.



**WESTERN PLACER**  
WASTE MANAGEMENT AUTHORITY

ROBERT WEYGANDT, PLACER COUNTY, CHAIRMAN  
JOHN ALLARD, ROSEVILLE  
ROCKY ROCKHOLM, PLACER COUNTY  
GEORGE MAGNUSON, ROCKLIN  
SPENCER SHORT, LINCOLN  
JAMES DURFEE, EXECUTIVE DIRECTOR

August 14, 2008

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

RECEIVED

AUG 29 2008

Placer County Grand Jury



**RE: PLACER COUNTY 2007 - 2008 GRAND JURY FINAL REPORT**

The Western Placer Waste Management Authority (WPWMA) wishes to thank the members of the Grand Jury for their efforts associated with investigating the WPWMA's Materials Recovery Facility (MRF) and their favorable comments regarding its operation. The WPWMA is extremely proud of the cost-effective and environmentally responsible services it provides to the cities and county.

In addition to commenting on the Grand Jury's findings and recommendation, the WPWMA has provided the following clarifications to several of the relevant statements made within the report. The WPWMA hopes that these clarifications serve to strengthen this otherwise favorable report of the MRF. In addition, as one of my staff (Eric Oddo, WPWMA Senior Civil Engineer) was listed in the Grand Jury's report as a Respondent, please consider this letter as having satisfied his obligation to respond.

**Clarifications to the Report**

**1. [The MRF] exceeds state-mandated recycling standards...**

The WPWMA is not obligated to meet the "state-mandated recycling standard" of 50 percent. Instead, the WPWMA's facility acts as the cornerstone for each of the participating agencies' (namely the cities of Lincoln, Rocklin, Roseville, Auburn, the Town of Loomis and the unincorporated portions of western Placer County) recycling programs. The participating agencies must ultimately comply with the state-mandated diversion rate.

**2. "...Wayne Trehitt, President of Nortech, the company which has contracted with the county to operate the MRF."**

Nortech Waste, LLC., the contract operator of the MRF, and Madera Disposal, Inc., the contract operator of the Western Regional Sanitary Landfill, are under contract to the WPWMA, not Placer County.

**3. "In 2006, Nortech was awarded a seven-year contract to run [the MRF] with an option to renew in 2013."**

The WPWMA entered into an agreement with Nortech to operate the MRF from July 1, 2005 through June 30, 2012. The WPWMA has the right, in its sole option, to extend the term of the agreement in 1-year increments up to 2 years.

*RECYCLING AND DISPOSAL MADE EASY*

11476 C AVENUE AUBURN, CA 95603  
(916) 543-3960 / (916) 543-3990 FAX  
WWW.WPWMA.COM

**4. "Nortech is paid by the ton to dispose of waste and may sell recyclables that are recovered for profit."**

Nortech is paid by the ton by the WPWMA to *process* wastes for the purposes of diverting material from landfill disposal. Nortech is obligated to market recovered materials, which constitutes a significant portion of their revenue stream. These revenues serve to limit the costs to operate the facility that are borne by the WPWMA.

**5. "[The state] conducted studies on specific waste production activities in 1990, like household garbage and green waste, then used a statistical model to project waste production by population."**

As part of the California Integrated Waste Management Act of 1989, each city and county in California was required to conduct an analysis of its waste stream and identify methods for achieving the diversion mandates listed in the act. To determine a particular city or county's compliance with the act, the state provides a method for computing potential annual waste generation rates by inflating a "base generation rate" utilizing population estimates, employment rates, taxable sales and the California Consumer Price index.

**6. "The [blue bag] program was designed to have MRF personnel extract blue bags at the facility as they are initially dumped in the warehouse."**

The blue bag program was designed such that blue bags filled with recyclable material would be commingled with other municipal solid waste and processed on the sorting lines at the MRF. Blue bags are not sorted or recovered upon entry to the warehouse (also referred to as the MRF receiving floor) as this could pose safety, traffic flow and other operational efficiency problems.

**7. "Through a series of machines and personnel, all bags are shredded and recyclable material is sorted out."**

Although a "bag ripper" is used to open some of the bags received at the MRF, a majority of bags are opened by MRF personnel to expose recyclable material for recovery. No shredding of waste occurs at the WPWMA MRF.

### **Comments on the Grand Jury's Findings**

**1. The new equipment and expansion of the plant in 2003 dramatically improved the recycling program. The Grand Jury was impressed with the new technology for sorting recyclables.**

The WPWMA thanks the Grand Jury for its acknowledgement of the success of its recent expansion which was completed and became operational in October 2007.

**2. Jurors observed that most blue bags were not separated, but handled as regular trash. The blue bag program didn't appear to improve the waste management program. In fact, the blue bag program increased waste.**

Blue bags are processed with other municipal solid wastes and recovered by Nortech personnel on the sorting tables for further processing at a later time.

Jurors observed the initial recovery of these bags, however they did not have the benefit of observing the secondary processing of the bags.

Although the blue bags themselves (not the contents of the bags) are not currently marketable as a recyclable commodity and are therefore landfilled, a majority of the contents within the bag are successfully recovered. Although they represent only a small fraction of the overall waste processed at the MRF, due to the relatively high recovery rate achieved from the blue-bagged materials, the program serves to marginally decrease waste.

#### **Comments on the Grand Jury's Conclusion and Recommendation**

- **Conclusion: The Western Placer Waste Management Authority's MRF serves the community efficiently.**

The WPWMA thanks the Grand Jury for making this conclusion.

- **Recommendation: The Grand Jury recommends that jurisdictions serviced by the MRF eliminate their blue bag program.**

The WPWMA has no response to this recommendation. It is the responsibility of each of the participating agencies to identify its recycling needs and to develop specific programs, such as the blue bag program, to address those needs. To the extent that these programs are consistent with the purpose and function of the MRF, the WPWMA will continue to support these programs and assist the participating agencies in meeting their waste management and diversion needs. As such, we will continue to handle and process blue bags for any of the participating agencies as long as those agencies elect to continue their involvement in the program.

We appreciate the opportunity to comment and respond to the report.

Respectfully,



---

James Durfee, Executive Director  
Western Placer Waste Management Authority

cc: Placer County Grand Jury  
Placer County Board of Supervisors  
Roseville City Council  
Rocklin City Council  
Lincoln City Council  
Auburn City Council  
Loomis Town Council



600 Sixth Street  
Lincoln, CA 95648  
[www.ci.lincoln.ca.us](http://www.ci.lincoln.ca.us)

**Main City Phone**  
916-434-2400

**City Manager's Office**  
916-434-2490

**Community Development**  
916-434-2470

**Parks & Recreation**  
916-645-5298

**Public Works**  
916-434-2450

September 29, 2008

Mr. Gordon Blakeman  
Foreperson, Placer County Grand Jury  
11490 C Avenue  
Auburn, CA 95603

RE: City of Lincoln Responses to the 2007-08 Placer County Grand Jury Final Report

Dear Mr. Blakeman:

The following letter constitutes the responses by the City of Lincoln City Council to the 2007-08 Placer County Grand Jury Final Report.

Specifically, this letter is in response to the following findings and recommendations in which the City of Lincoln was listed as a respondent.

## Western Placer Waste Management Authority Material Recovery Facility

The City of Lincoln was named an "All American City" in 2006 primarily because of the City's development emphasis on sustainability and environmental quality. Lincoln leads the nation, and is very proud of the environmental example we continue to display.

Calendar year 2006 is the last year for which there is complete data regarding solid waste collection, diversion, and disposal. The California Integrated Waste Management Board (CIWMB) is currently in the process of finalizing reporting information for 2006. When that report is finalized the City will be credited with 60% diversion. Based on WPWMA information, less than 7.5% of the 60% was the result of sorting activities at the MRF. If the WPWMA and its contractor Nortech only processed currently received source separated materials, and performed no sorting activities, the City would have a CIWMB calculated diversion of +52%. However we estimate approximately 23% of the City's solid waste budget supports sorting activities at the MRF.

In the 1990's the CIWMB required the City to commit to a number of diversion program to meet the requirements of AB 939. At that time the City selected the blue bag program to be part of the City's arsenal of diversion programs. There are a substantial number of our residents who want to actively participate in recycling, and the blue bag program provides this. The blue bag program costs about 4% of the City's contribution to the MRF sorting operation. Today, the City cannot eliminate a functioning program without replacing it with something else. At some time in the future, the City may implement a "third can" curbside program which will eliminate the need for a blue bag program.

The differences between the WPWMA MRF and the City of Davis curbside program are substantial. Unfortunately the CIWMB diversion calculation from which Appendix A of the Grand Jury Report is based is much more about the way the State estimates solid waste generated than true program diversion. To present a direct comparison of the State diversion calculation of a single curbside program as justification for rejection of all curbside programs is statistically flawed. In 2006 Davis's residential curbside program generated 5,825 tons of commodity based recyclables (non-greenwaste) from about 15,000 residences. This averages about 15 pounds per residence per week. In Lincoln we found the average house produces 64.4 pounds of solid waste per week (not including greenwaste). If we were to get 15 pounds of recyclables in a curbside program we would have 23% diversion from the residential component alone.

To date we have seen nothing that substantiates the WPWMA MRF to have a higher residential commodity recovery of mixed waste in the MRF. Our data combined with community demographics strongly indicate a curbside program in Lincoln would have higher diversion with substantially lower operational costs.

City of **Auburn**

1225 Lincoln Way, Auburn, CA 95603 • (530)823-4211 • FAX (530)885-5508  
www.auburn.ca.gov

RECEIVED

SEP 26 2008

Placer County Grand Jury

September 9, 2008

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

RE: Placer County 2007-2008 Grand Jury Final Report

Dear Honorable Judge Gaddis:

The City of Auburn would like to thank the Grand Jury for their review of Western Placer Waste Management Authority's (WPWMA) operations as it relates to the operation of the Material Recovery Facility (MRF). The MRF facilitates recycling in South Placer County and the cities and county benefit from the MRF's operations.

The City will comment on the Grand Jury's conclusion and recommendations. The City Manager, Robert Richardson, was a Respondent to the Grand Jury report and please consider this letter as having fulfilled his obligation to respond.

***Recommendation: The Grand Jury recommends that jurisdictions serviced by the MRF eliminate their blue bag program.***

The City of Auburn has offered its residents the option of the blue bag program since 1996. The residents of Auburn appreciate the convenient option to source separate recyclables at their home. The residents of Auburn in the 2007 calendar year turned in over 67,000 blue bags to be processed at the MRF. The residents are instructed to place all dry, clean recyclable materials in their blue bags and either place the blue bag in their garbage can or beside their can.

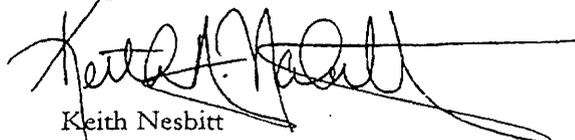
The City believes that the foundation of a successful education and environmental stewardship program is public involvement. The blue bag is a valuable educational tool that allows our citizens to participate in the recycling process at their home which naturally increases their awareness of waste issues. This awareness can foster waste reduction behavior patterns that can be applied at home, business and during recreational activities.

The City Council agreed that it was apparent that the Grand Jury only saw the initial recovery of the blue bag process and the entire process was probably not availed to them.

At the August 25, 2008 City Council meeting the City Council agreed to continue to offer the blue bag program to the residents of the City of Auburn.

The City of Auburn appreciates the opportunity to respond to the Grand Jury.

Respectfully,



Keith Nesbitt  
Mayor of the City of Auburn

**Placer County  
2007 – 2008 Grand Jury  
Recommendation Responses**

**CHILD ABUSE REPORTING PROCEDURES IN  
PLACER COUNTY SCHOOLS**

(Pages 111 – 115, 2007 – 2008 Final Report)



GOLD IN EDUCATION

Gayle Garbolino-Mojica  
County Superintendent of Schools

RECEIVED

AUG 26 2008

Placer County Grand Jury

August 20, 2008

**Board of Education**

**Dr. Kenneth Sahl**  
Area 1

**Mr. Robert Tomasini**  
Area 1

**Mr. Richard Colwell**  
Area 2

**Mr. Scott Gnile**  
Area 3

**Dr. Donald Brophy**  
Area 4

**Mr. E. Ken Tokutomi**  
Area 4

**Ms. Lynn M. Oliver**  
Area 5

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

Dear Judge Gaddis:

I would like to submit my response to the findings and recommendations contained in the 2007-08 Grand Jury Report pertaining to Child Abuse Reporting Procedures in Placer County Schools. I have carefully reviewed the information provided and the recommendations formulated by the Placer County Grand Jury pertaining to its investigation of child abuse reporting procedures in Placer County schools. After a thorough review, my responses are as follows:

**Superintendent's Cabinet**

**Keith J. Bray**  
Chief Administrative Officer

**Joan E. Kingery**  
Assistant Superintendent  
Business & Operations

**Randi Scott**  
Assistant Superintendent  
Career Technical Education  
49th R.O.P.

**Renee Regacho-Anaclerio, Ed. D.**  
Assistant Superintendent  
Educational Services

**Larry Mozes, Ed. D.**  
Assistant Superintendent  
Student Services

**Catherine Goins**  
Executive Director  
Early Childhood Education Services

**Barbara Morton**  
Executive Director  
Placer County SELPA

**James L. Anderberg**  
Director III  
Information Technology  
& Communications

CONCLUSIONS/RECOMMENDATION #1:

The Grand Jury recommends all Placer County schools have consistent policies and procedures for reporting child abuse available for any mandated reporter to review. All new school employees should be trained and current employees annually updated on child abuse reporting. Current information should be available at all times.

RESPONSE:

I agree with this conclusion and recommendation. I believe that each school district should have a Child Abuse Reporting policy that meets the thresholds set in law and develops procedures by which each school has a set reporting procedure that is established by the district. In addition, I agree that all new school employees must be trained on not only mandated reporting duties, but how to access the documents needed to file a suspected child abuse report. I also support periodic on-going training for current employees on child abuse reporting procedures.

CONCLUSIONS/RECOMMENDATION #2:

The Grand Jury recommends the PCOE ask all school districts in Placer County to update their child abuse reporting policies and procedures and make that information available to all mandated reporters.

The Honorable Larry Gaddis  
Presiding Judge of the Superior Court  
August 20, 2008  
Page 2

RESPONSE:

I agree with this conclusion/recommendation. Districts are required annually to update their Safe School Plans, which contains child abuse reporting procedures, by March 1<sup>st</sup> of each year. I have contacted each school district recommending that their child abuse reporting procedures be updated as necessary.

Respectfully Submitted by:

  
Gayle Garbolino-Mojica  
Placer County Superintendent of Schools

GGM/ma  
c: Placer County Board of Supervisors





PLACER COUNTY  
**SHERIFF**  
CORONER-MARSHAL

**Exhibit # 1**

MAIN OFFICE  
2929 RICHARDSON DR.  
AUBURN, CA 95603  
PH: (530) 889-7800 FAX: (530) 889-7899

TAHOE SUBSTATION  
DRAWER 1710  
TAHOE CITY, CA 96145  
PH: (530) 581-6300 FAX: (530) 581-6377

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

**DEVON BELL**  
UNDERSHERIFF

July 31, 2008

**RECEIVED**

**AUG - 7 2008**

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

Placer County Grand Jury

**Response to Findings and Recommendations  
2007 – 2008 Placer County Grand Jury**

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

**Burton Creek Facility**

**Recommendation 1:** Review the possibility of expanding patrol areas from three to four.

**Response:** *This need will be evaluated based on response times and calls for service in the northern patrol area. An additional beat would require at least five patrol deputies and additional patrol vehicles. Given the current fiscal climate, this will be considered once economic conditions have improved.*

**Recommendation 2:** If the COP program is implemented and a new patrol area is created, obtain additional vehicles.

**Response:** *We concur with this recommendation. Additional vehicles would be absolutely necessary should either program be implemented.*

**Recommendation 3:** Implement a COP program (Citizens On Patrol) to relieve the patrol deputies of some duties that do not require a sworn officer.

**Response:** *We are currently evaluating the expansion of our volunteer programs department-wide. Recruitment efforts currently used at our South Placer Substation could be employed at Burton Creek; however, the reduced availability of resident volunteers to staff the North Lake Tahoe service areas could be an obstacle.*

Recommendation 4: Recruit and train additional dispatch personnel and provide incentives to retain these employees.

*Response:* This is an ongoing effort department-wide. We have obtained approval from the Board of Supervisors to contract with a consultant to conduct an organizational assessment of the Sheriff's Department Dispatch Units. The consultant will provide recommendations to improve organizational effectiveness. Recruitment and retention of public safety dispatchers is a state-wide crisis, and we are looking to remedy our own deficiencies to address the problem.

### Placer County Main Jail

Recommendation 3: Cameras with recording devices should be installed throughout the jail for the protection of the staff and inmates.

*Response:* We recognize the importance of upgrading our current camera system at the Jail to include recording capability. We have been working with Facility Services and Communications to develop and find an affordable system upgrade. Cost has been a factor; but we continue to work towards a system that will meet our needs and fall within our budget.

Recommendation 4: The Grand Jury specifically urges a timely solution be found to the hallway flooring problems. Thirteen years is too long to wait for satisfactory repair.

*Response:* The flooring in the Jail was installed during initial construction in 1985, and needs to be replaced. Tile replacement in other areas of the Jail has been accomplished by rotating inmates and staff out of those areas during removal in order to comply with asbestos abatement standards. There is no way to complete this work in the hallway area without disrupting operations. The hallway would have to be shut down, which would effectively shut down any movement of inmates, staff, visitors and emergency responders in the Jail. We will continue to work on a solution to the hallway flooring that will allow us to operate the facility in a safe and effective manner.

I wish to thank the members of the 2007-2008 Placer County Grand Jury for their dedication to the community and all of their work during the past year.

Sincerely,



Edward N. Bonner  
Sheriff-Coroner-Marshal

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

Exhibit # 2



600 State Street  
Lincoln, CA 95648

www.lincoln.ca.us

Main City Phone  
916-434-2400

City Manager's Office  
916-434-2490

Community Development  
916-434-2470

Parks & Recreation  
916-645-5298

Public Works  
916-434-2450

Administrative Services  
916-434-2430

Fire  
916-645-4040

Library  
916-434-2410

Police  
916-645-4040

September 29, 2008

Mr. Gordon Blakeman  
Foreperson, Placer County Grand Jury  
11490 C Avenue  
Auburn, CA 95603

RE: City of Lincoln Responses to the 2007-08 Placer County Grand Jury Final Report

Dear Mr. Blakeman:

The following letter constitutes the responses by the City of Lincoln City Council to the 2007-08 Placer County Grand Jury Final Report.

Specifically, this letter is in response to the following findings and recommendations in which the City of Lincoln was listed as a respondent.

Lincoln Police Department

Item #1 – The Grand Jury suggested a new police facility to increase the Lincoln Police Department's effectiveness. Although we have been quite effective in keeping Lincoln one of the safest places to live in California, we are currently examining properties within the City of Lincoln that are viable locations for the future site of a new police department. The construction of a new police facility is dependent on funding that may not be available for five to ten years.

We are currently in the process of relocating two of our three department divisions, Administration and Support Services, to our new Headquarters facility located at 640 5<sup>th</sup> Street. This two story facility is approximately 10,000 square feet and will provide adequate work space until a new facility can be built. Our Operations Division, which consists of Patrol Officers, Dispatchers, and Property and Evidence, will remain at the 770 7<sup>th</sup> Street location, which will become our new Police Substation.

Both facilities are in the process of being remodeled to meet the current and future needs of the department. Our City Council recently approved 1.4 million to renovate both facilities. These funds will be used to build a new Communications Center at our Police Substation and upgrade our security system at both facilities. The renovation funds will also be used to purchase new computers, furniture, flooring, gym equipment, and any repairs that are necessary at both facilities.



Item #2 – The Grand Jury recommended the installation of a video recording device in the rear pre-booking area of the police substation. The pre-booking room has a camera that is monitored by our communications personnel for officer safety reasons, but it is not equipped with recording equipment. We will use our renovation funds to install a recording device in this room.

Item #3 – The Grand Jury recommended repairs to the ceiling, walls and insulation in the rear garage/warehouse area of the Police Substation. A work order was completed for the repairs and our Public Works Department has been notified. We are currently identifying a vendor that can make the repairs to the ceiling insulation.

Item #4 – The Grand Jury recommended repairs to the rear roll up door of the Police Substation in order to prevent rodent infestation. A work order has been completed for the repairs and our Public Works Department has been notified. We are currently identifying a vendor that can make the repairs to the bottom of the roll up door so that all gaps are eliminated.

Item #5 – The Grand Jury recommended the installation of a heating and air conditioning system in the workout area of the Police Substation warehouse. The workout equipment was moved inside the Police Substation in a climate controlled room that was formerly occupied by our detectives. There are future plans to build a new climate controlled workout and locker room in the rear warehouse area of the Substation.

#### Western Placer Waste Management Authority Material Recovery Facility

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Calendar year 2006 is the last year for which there is complete data regarding solid waste collection, diversion, and disposal. The California Integrated Waste Management Board (CIWMB) is currently in the process of finalizing reporting information for 2006. When that report is finalized the City will be credited with 60% diversion. Based on WPWMA information, less than 7.5% of the 60% was the result of sorting activities at the MRF. If the WPWMA and its contractor Nortech only processed currently received source separated materials, and performed no sorting activities, the City would have a CIWMB calculated diversion of +52%. However we estimate approximately 23% of the City's solid waste budget supports sorting activities at the MRF.



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#### THE WESTERN PLACER UNIFIED SCHOOL DISTRICT

**Grand Jury Comment:** "The district and city did not negotiate aggressively enough with developers for up-front fees to build schools. Instead they relied on CFD assessment and COPs.

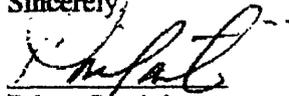
During the late 1990's the City of Lincoln approved a series of large scale Specific Plan communities in implementing its 1988 General Plan. In developing the Specific Plans for each of the communities the City's primary role relative to the Western Placer Unified School District was to ensure the coordination of a sufficient number of school sites to address projected student enrollment. This effort resulted in the placement of 5 new elementary school sites, 2 new Junior High School sites and 1 new High School site throughout the newly developing areas. Beyond the setting aside of the number and type of school sites deemed appropriate by the District, the City of Lincoln was not asked to participate in the direct negotiations with developers regarding their school mitigation fees. The Western Placer Unified School District had developed independent of the City its own facilities finance plan for the mitigation of school impacts. The City of Lincoln for its part had required as a condition of approval for each of the major projects that the developer enter into a school mitigation agreement with the District. This left the



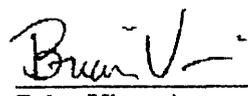
specific terms and conditions of such agreements in the discretion of the District. The decision to rely upon a Community Facilities District or Certificates of Participation, rather than up-front fees was solely that of the District. While the City was fully supportive of the District and its efforts to develop school facilities, at no time was the City asked to participate in the negotiation of the required school mitigation agreements. From the City's perspective, such judgments regarding the District's financial situation and the selection of funding mechanisms which would best serve the District's needs were appropriately left to their Board. As regards the use of Community Facilities Districts and Certificates of Participation rather than more reliance on up-front fees, the City would offer no judgment.

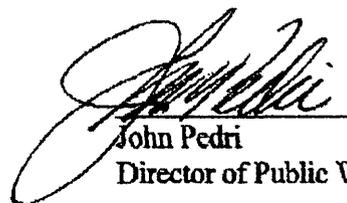
The City of Lincoln appreciates the time and effort spent by the Grand Jury and its thoughtful report.

Sincerely,

  
Primo Santini  
Mayor

  
Jim Estep  
City Manager

  
Brian Vizzusi  
Police Chief

  
John Pedri  
Director of Public Works

  
Rod Campbell  
Director of Community Development



PLACER COUNTY

ASSESSMENT APPEALS BOARD

RECEIVED

DEC 12 2008

175 Fulweiler Avenue, Room 101, Auburn, CA 95603  
(530) 889-4020 • FAX (530) 889-4099

December 5, 2008

Placer County Grand Jury

Re: Grand Jury Report 2007-08 Placer County Assessor's Office Property Assessment Appeals Process

Dear Mr. Rick Morgan, Foreperson

The Placer County Assessment Appeals Board has directed the undersigned to respond to the above captioned report as it applies to the Assessment Appeals Board process.

First, the Board would like to thank the Grand Jury for its excellent and informative report.

On page 93 of the report in the second paragraph from the top the Report explains the process for filing an assessment appeal to the Board. The Report, however, states that the Board does not have oversight authority of property valuation. To the extent there may be some confusion, the Board would like to clarify its constitutional and statutory role in the process.

The Placer County Assessment Appeals Board receives its delegated authority from the Placer County Board of Supervisors and acts pursuant to the California Constitution and the California Revenue and Taxation Code.

Its function is to equalize the values of all property on the local assessment roll by adjusting individual assessments by insuring uniformity in the processing and decision of equalization petitions.

As a consequence, the Assessment Appeals Board does act in an oversight capacity when it reviews the assessment of individual properties to insure assessments are applied properly and uniformly so that all taxpayers receive similar treatment in the valuation of their property. An application need not be filed with the Board to make that determination.

The California Assessment Appeals Manual published by the State Board of Equalization, which guides and regulates all County Assessors and Local Assessment Appeals Boards confirms the Board's authority to invoke its jurisdiction to review any assessment within the county as to information which may come to its attention by way of information received from another taxpayer, an Assessor, or by other means.

The Board's independent investigative and review authority has also been confirmed by the courts of this state.

The Board chair and the undersigned are available if you have questions on the Board's role and jurisdiction. If you have any questions please do not hesitate to contact Mr. Kevin Eckard, Chair of the Assessment Appeals Board or myself.

Sincerely

Allen A. Haim  
Board Counsel

Cc Members of the Placer County Assessment Appeals Board