

Placer County



Mountain Quarry Bridge

2010-2011
GRAND JURY
RESPONSES



PLACER COUNTY GRAND JURY

11490 C Avenue
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Wednesday, November 16, 2011

The Hon. Alan V. Pineschi
Presiding Judge, Superior Court
County of Placer
P. O. Box 619072
Roseville, CA 95661

The Hon. Jeffrey S. Penney
Advising Grand Jury Judge
County of Placer
P.O. Box 619072
Roseville, CA 95661

And Citizens of Placer County

Subject: Responses to the 2010-2011 Placer County Grand Jury Final Report

Dear Judge Pineschi, Judge Penney and the Citizens of Placer County,

The 2011-2012 Placer County Grand Jury has received and reviewed all the required responses as noted in the 2010-2011 Grand Jury Report.

The Responses that are assembled and published in this Response Report are those that were received after the May 31, 2011 publishing deadline. An electronic version of all responses will be published on www.placergrandjury.org, the Superior Court's County website.

Sincerely,

Ruth Braun, Foreperson
2011-2012 Placer County Grand Jury

Placer County
2010-2011 Grand Jury
Recommendation Responses

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**Placer County
2010-2011 Grand Jury
Recommendation Responses**

**Annual Inspection of the Holding Facilities
in Placer County**

(Pages 44-50, 2010-2011 Final Report)

RECEIVED

JUN 21 2011

Placer County Grand Jury



COUNTY OF PLACER

**OFFICE OF
COUNTY EXECUTIVE**

THOMAS M. MILLER, County Executive Officer

BOARD MEMBERS

JACK DURAN
District 1

JIM HOLMES
District 3

ROBERT M. WEYGANDT
District 2

KIRK UHLER
District 4

JENNIFER MONTGOMERY
District 5

175 FULWEILER AVENUE / AUBURN, CALIFORNIA 95603

TELEPHONE: 530/889-4030

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www.placer.ca.gov

June 15, 2011

John Monaco, Foreperson
Placer County Grand Jury
11490 C Avenue
Auburn, CA 95603

Re: 2010-11 Grand Jury Final Report – Annual Inspection of the Holding Facilities in Placer County

Dear Mr. Monaco,

I would like to thank the 2010-11 Grand Jury for their continued efforts with the annual inspection of Placer County's holding facilities and am pleased to submit my response to the final report. I have carefully reviewed the findings and recommendations of the Grand Jury. My response statements follow below.

FINDINGS

I agree with all the findings on Placer County's Holding Facilities.

- **Finding No. 1 – All County Facilities.** The overall operations of the holding facilities within the County are clean, organized, and well maintained.
- **Finding No. 4 – Historic Courthouse Holding Facility.** The motor operating the sally port gate at the Historic Courthouse is unreliable and there is no way to manually control the gate.
- **Finding No. 7 – Main Jail and Minimum Security.** Food Service Manager Renee Harvey for doing an outstanding job and uses local products to help keep costs down.
- **Finding No. 8 – Santucci Justice Center Holding Facility.** The Santucci Justice Center is modern, clean, secure, and well maintained.
- **Finding No. 9 – Sheriff's Tahoe Substation at Burton Creek.** Deputies at the Burton Creek substation are cross-trained in search and rescue. The employees at this facility take pride in their work and the services they provide to the public. The Substation was constructed in 1959 and Grand Jury reports since 1999 have made recommendations to replace this facility.

RECOMMENDATIONS

- Recommendation R1 to replace the motor for the sally port at the Historic Courthouse has not yet been implemented, but will be implemented in the future.

Under the terms and provisions of the *Transfer Agreement Between the Judicial Council of California, Administrative Office of the Courts (AOC), and the County of Placer*, after the transfer of the Historic Courthouse, the AOC is responsible for the ongoing oversight, management, operation, maintenance and repair of the Court Exclusive-Use Area, including the sally port.

According to a May 23rd email from the Placer County Sheriff's Department, who is responsible for security at the Historic Courthouse, a motor has been authorized for purchase by the AOC and will be installed upon its delivery.

- Recommendation R2 to replace the Burton Creek substation has not yet been implemented, but will be implemented in the future.

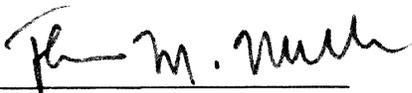
The County recognizes the need to replace the Burton Creek facility with the project on the County's Capital Improvement Projects list. Consistent with past responses to similar recommendations by previous Grand Juries, the replacement of the Burton Creek facility is contingent upon a variety of factors including: funding, building location, environmental reviews, design, bidding, negotiation and awarding construction contract, construction, and inspections prior to occupancy.

On June 7, 2011, the Board of Supervisors approved in the Fiscal Year 2011-2012 Proposed Budget which includes \$2,708,416 towards the Burton Creek Justice Center project. While this appropriation does not complete the project, it is indicative of the County's commitment to replacing the existing Burton Creek facility. This funding will be used, in part, on the initial work listed above needed to replace the Burton Creek facility, such as appropriately scoping the project. As mentioned in the Board's response to the Grand Jury dated May 3, 2011, the current Burton Creek facility is a comprehensive justice center including a Sheriff substation, jail, and a courtroom used by the Superior Court. Noting the potential economies of scale related to the co-locating of services, we continue to explore opportunities to replace the existing facility with similar features. The County continues to work with the AOC as they proceed with the courthouse project on whether co-location is possible, which will ultimately define the scope of the replacement Burton Creek facility.

I again would like to thank the 2010-11 Grand Jury for its report on the annual inspection of the County's holding facilities and the opportunity to respond to the findings and recommendations.

Sincerely,

COUNTY OF PLACER



Thomas M. Miller
County Executive Officer

cc: Placer County Board of Supervisors
Edward Bonner, Placer County Sheriff-Coroner-Marshall
Jim Durfee, Director, Placer County Facility Services

**Placer County
2010-2011 Grand Jury
Recommendation Responses**

**Placer County Wastewater
Advisory Committee**

(Pages 55-64, 2010-2011 Final Report)

County of Placer Board of Supervisors

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JACK DURAN
District 1

ROBERT M. WEYGANDT
District 2

JIM HOLMES
District 3

KIRK UHLER
District 4

JENNIFER MONTGOMERY
District 5

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JUN 14 2011

Placer County Grand Jury



June 7, 2011

Placer County Grand Jury
11490 C Avenue
Auburn, CA 95603

Re: 2010-11 Grand Jury Final Report – Placer County Wastewater Advisory Committee

To the Placer County Grand Jury:

The Board of Supervisors would like to thank the Grand Jury for the opportunity to respond to the report regarding the Placer County Wastewater Advisory Committee. Proposed amendments to the PCWAC's By-Laws have been drafted in response to the Grand Jury's Findings and Recommendations. The PCWAC will consider these and any other proposed changes on the afternoon of June 7, 2011. The drafted proposal was given to the PCWAC on May 6, 2011, and two members have already commented on the proposal. It is anticipated that the By-laws revisions will be approved at the next meeting or soon thereafter by the PCWAC. The following is the Board's response to the individual Findings and Recommendations of the Grand Jury.

FINDINGS

F1. The PCWAC does not have annual financial interest statements or Statement of Economic Interests (Form 700) on file with the Placer County Clerk-Recorder's Office. This is a contradiction between what is stated in the Committee By-Laws and the actual practice that has been implemented.

The Board of Supervisors partially disagrees with Finding F1. The PCWAC is an advisory committee and its members are not required to file an annual Form 700 statement as a matter of County ordinance nor State Law. However, those PCWAC members who also serve on the Appeals Board or other separate decision-making hearing bodies are required to file an annual Form 700 Statement. The current PCWAC By-Laws are misleading on this point and proposed amendments to the By-Laws have addressed and clarified this issue.

F2. The PCWAC Agendas and Minutes are not consistently posted by the Director of Environmental Health for public access.

The Board of Supervisors partially disagrees with Finding F2. The Agendas are routinely posted on the kiosk outside the Community Development Resources Agency building located at 3091 County Center Drive in Auburn. The By-Laws do not require Minutes to be posted but are available to members of the public upon request to the Division of Environmental Health.

E-mail: bos@placer.ca.gov — Web: www.placer.ca.gov/bos

F3. The Committee By-Laws state the advisory committee “shall meet regularly on a monthly basis and no less than quarterly...” This is a contradiction and may be confusing to the public.

The Board of Supervisors agrees with Finding F3. Draft amendments to the By-Laws have addressed and clarified this issue. The PCWAC is in the process of public review and consideration of these amendments.

F4. The definition and application of a quorum in the Committee By-Laws is unclear and ambiguous.

The Board of Supervisors agrees with Finding F4. Draft amendments to the By-Laws have addressed and clarified this issue. The PCWAC is in the process of public review and consideration of these amendments.

F5. There are specific rules stated in The California Political Reform Act regarding recusal. If there is a conflict of interest, the member must state there is a conflict; he/she must summarize the conflict and then must leave the podium and/or the room during consideration of that agenda item. This is not uniformly practiced and not clearly defined in the Committee By-Laws.

The Board of Supervisors agrees with Finding F4. Draft amendments to the By-Laws have addressed and clarified this issue. The PCWAC is in the process of public review and consideration of these amendments.

F6. There appears to be inconsistency in following Robert’s Parliamentary Rules or the rules of order stated in their Committee By-Laws.

The Board of Supervisors agrees with Finding F4. Draft amendments to the By-Laws have addressed and clarified this issue. The PCWAC is in the process of public review and consideration of these amendments.

RECOMMENDATIONS

R1. The By-Laws be revised regarding recusal of a member. in the event of a conflict of interest, the member recusing them self must leave the room.

Recommendation R1 has not yet been implemented but will be implemented in the future. Drafted amendments to the By-Laws have addressed and clarified this issue. It should be noted that a conflict of interest only occurs on action items before the PCWAC (or in the case of the Appeals Board, those appeals before it). If the conflict of interest involves real property owned by the PCWAC member, that member may testify to the PCWAC as a member of the public and property owner. In all other instances, the member must recuse him/her self and leave the hearing room. The By-Laws have been amended to state this procedure.

R2. Redefine a quorum to be one more than 50% of the committee membership. A quorum be present at the time of voting.

Recommendation R2 has not yet been implemented but will be implemented in the future. The PCWAC is comprised of 13 members. The draft amendment to the By-Laws has been proposed to define a quorum as 7 members present.

R3. The PCWAC practices be consistent with the revised By-Laws.

Recommendation R3 has not yet been implemented but will be implemented in the future. Draft amendments to the By-Laws include a new section outlining the PCWAC's meeting practices and procedures.

R4. Keep the public informed as to how they function as an advisory committee to the Director of Environmental Health.

Recommendation R4 has been implemented. The Division of Environmental Health strives to keep the public informed of all of its activities and functions, including assisting in the dissemination of matters considered and discussed by the PCWAC in its meetings and will continue to do so in the future.

R5. The PCWAC require the members to complete the Statement of Economic Interests (Form 700), and submit the forms to the Placer County Clerk-Recorder's Office.

Only those members of the PCWAC who serve on the Appeals Board or who are required through another committee appointment or County employment to file a Form 700 must complete the form. The Director will ensure that those members file a Form 700 with the Placer County Clerk-Recorder's Office no later than July 31, 2011 and will ensure that these same members file every year thereafter. The By-Laws include an amendment to correct and clarify the Form 700 requirements for the PCWAC members.

R6. The Director of Environmental Health be responsible for posting the meeting agenda and location of the meeting 72 hrs in advance:

- *At the front office of the Environmental Health Department,*
- *The meeting board located at the Placer County Board of Supervisors' Office,*
- *On the Placer County Website (www.placer.ca.gov),*
- *If the committee has no agenda items and there is no reason to meet, a cancelation should be posed in the same manner.*

Proposed amendments to the By-Laws are proposed to address the above issue. These amendments will outline the noticing and posting procedures for regular and special meetings as well as cancellations.

Specifically, for regular meetings the agenda will be posted at the following locations 72 hours in advance of the meeting:

- On the kiosk outside the CDRA building (Please note, since moving into the CDRA building, there is a community public counter but no general public access to the Division of Environmental Health. As a result, the Division along with other departments and divisions in CDRA post meeting notices in this kiosk.)
- On the meeting board located at the Placer County Board of Supervisors' office located at 175 Fulweiler Avenue, Auburn; and
- On the Placer County Website (www.placer.ca.gov).

In addition, the proposed amendments to the By-Laws will include 48 hours in advance posting and noticing provisions for any special meetings and 24 hour posting of meeting cancellations procedures at the above identified locations.

The By-Laws will also outline the procedures for ensuring that copies of the agenda, minutes and any staff reports for action items be made available in advance to the PCWAC members and upon request to members of the public.

The Board of Supervisors appreciates the opportunity to respond to the report on the Placer County Wastewater Committee. Richard J. Burton, Placer County Health Officer and Director of Health & Human Services, has been asked to respond to this report as well and will provide additional information relative to this matter, and describe the final amendments to the By-laws as approved by the PCWAC.

Sincerely,

Robert M. Weygandt, Chairman
Placer County Board of Supervisors

cc: Jill Pahl, REHS, Environmental Health Division Director
Placer County Wastewater Advisory Committee



**Placer County
Health and Human Services Department**

Richard J. Burton, M.D., M.P.H.
Health Officer and Department Director

June 13, 2011

RECEIVED

JUN 15 2011

Placer County Grand Jury

The Honorable Alan Pineschi
Presiding Judge
Placer County Superior Court
10820 Justice Center Drive
Roseville, CA 95661

Re: 2010-11 Grand Jury Report
Responses to Placer County Wastewater Advisory Committee Investigation

Dear Judge Pineschi:

I appreciate the opportunity to respond to the above-identified portion of the Grand Jury report. The Placer County Wastewater Advisory Committee ("PCWAC") was formed in 2000 (and given its current name in 2004) to make recommendations to the Director of Environmental Health ("Director") regarding on-site sewage treatment and disposal systems, methods and techniques. Since that time, the PCWAC has provided valuable expertise and insight to the Director in matters involving on-site sewage systems in the County. In furtherance of the Grand Jury's findings and recommendations, amendments to the PCWAC's By-Laws were drafted. Written and oral comments on the draft amended By-Laws were considered by the PCWAC during their June 7, 2011 public meeting at the conclusion of which the attending members of the PCWAC voted unanimously to adopt the amended by-laws (the June 7, 2011 amended By-Laws are hereinafter referred to as "Amended By-Laws, the former version of the By-Laws are hereinafter referred to as "Former By-Laws). The Amended By-Laws take effect immediately.

With respect to the specific findings and recommendations of the Grand Jury, I wish to respond as follows:

Findings

F1. The PCWAC does not have annual financial interest statements or Statement of Economic Interests (Form 700) on file with the Placer County Clerk-Recorder's Office. This is a contradiction between what is stated in the Committee By-Laws and the actual practice that has been implemented.

Agree. However, the PCWAC is an advisory committee and the members of the PCWAC are not required to file an annual Form 700 statement as a matter of County ordinance nor State Law. Those PCWAC members who also serve on the Appeals Board are required to file an annual Form 700 Statement because the Appeals Board does render final decisions on matters before it. The Former By-Laws did not recognize and explain this distinction. The Amended By-Laws have addressed and clarified this issue.

Perspective, Hope, and Opportunity

F2. The PCWAC Agendas and Minutes are not consistently posted by the Director of Environmental Health for public access.

Disagree. The Agendas are routinely posted on the kiosk outside the Community Development Resources Agency building located at 3091 County Center Drive in Auburn. Cancellation notices will now also be posted on the kiosk. Minutes are not required to be posted, but final minutes are posted on the website. Minutes are available to members of the public upon request to the Division of Environmental Health.

F3. The Committee By-Laws state the advisory committee "shall meet regularly on a monthly basis and no less than quarterly..." This is a contradiction and may be confusing to the public.

Agree. The Amended By-Laws have addressed and clarified this issue. The PCWAC will now meet twice annually starting in October 2011. Should special meetings be needed, the Amended By-Laws now provide for such to be scheduled.

F4. The definition and application of a quorum in the Committee By-Laws is unclear and ambiguous.

Agree. The Amended By-Laws have addressed and clarified this issue. The PCWAC is comprised of thirteen members. The Amended By-Laws now define a quorum as seven members.

F5. There are specific rules stated in The California Political Reform Act regarding recusal. If there is a conflict of interest, the member must state there is a conflict; he/she must summarize the conflict and then must leave the podium and/or the room during consideration of that agenda item. This is not uniformly practiced and not clearly defined in the Committee By-Laws.

Disagree partially. The PCWAC has practiced the proper recusal procedures during its meetings. However, the Former By-Laws did not clearly outline the procedure. The Amended By-Laws have addressed and clarified this issue.

F6. There appears to be inconsistency in following Robert's Parliamentary Rules or the rules of order stated in their Committee By-Laws.

Agree. The Amended By-Laws have addressed and clarified this issue. The Amended By-Laws adopt specific meeting procedures for the PCWAC.

Recommendations

R1. The By-Laws be revised regarding recusal of a member. In the event of a conflict of interest, the member recusing them self must leave the room.

Partially implemented. The Amended By-Laws now state that if the conflict of interest arises for a member of the PCWAC, he/she is required to disclose this on the record

immediately after the action item is called by the Chair. The Amended By-Laws, however, allow the member to remain in the meeting room to testify as a member of the public if the action item involves real property owned by that PCWAC member. The Amended By-Laws require in this case, the recused member to leave the meeting area, sit in the area reserved for the general public and state on the record that he/she is testifying as a member of the public and as a property owner. This practice is consistent with FPPC regulations.

R2. Redefine a quorum to be one more than 50% of the committee membership. A quorum be present at the time of voting.

Implemented. The PCWAC is comprised of 13 members. The Amended By-Laws now define a quorum as 7 members present. The Amended By-Laws also outline the procedures should the quorum be lost during the course of a meeting or due to a conflict of interest by one or more members. In the former scenario, the remaining PCWAC members shall vote to continue any other agenda items to the next regularly or specially scheduled meeting and then adjourn the meeting. In the latter scenario, the remaining PCWAC members may vote to continue that specific action item to the next meeting and then continue with the balance of the agenda. In both cases, the Amended By-Laws require the PCWAC record to reflect the loss of a quorum and the reason for it.

R3. The PCWAC practices be consistent with the revised By-Laws.

Implemented. The Amended By-Laws include a new section outlining the PCWAC's meeting practices and procedures.

R4. Keep the public informed as to how they function as an advisory committee to the Director of Environmental Health.

Implemented. The Division of Environmental Health has always striven to keep the public informed of all of its activities and functions, including assisting in the dissemination of matters considered and discussed by the PCWAC in its meetings and will continue to do so in the future.

R5. The PCWAC require the members to complete the Statement of Economic Interests (Form 700), and submit the forms to the Placer County Clerk-Recorder's Office.

This recommendation has been partially implemented. As discussed under Finding F1, only those members of the PCWAC who also serve on the Appeals Board are required to file a Form 700. The Amended By-Laws have been revised to clarify which members must file a Form 700.

R6. The Director of Environmental Health be responsible for posting the meeting agenda and location of the meeting 72 hrs in advance:

- *At the front office of the Environmental Health Department,*
- *The meeting board located at the Placer County Board of Supervisors' Office,*
- *On the Placer County Website (www.placer.ca.gov),*

- *If the committee has no agenda items and there is no reason to meet, a cancelation should be posed in the same manner.*

This recommendation has been implemented except for the first bullet. There is no direct public access to the office of Environmental Health. Therefore posting the meeting agenda at the internal offices of Environmental Health would not accomplish the Grand Jury's goal of providing notice to the public of the PCWAC meetings. The Amended By-Laws have been revised to expressly identify the remaining locations identified in the Grand Jury's above recommendation.

Specifically, for regular meetings the agenda will be posted at the following locations 72 hours in advance of the meeting:

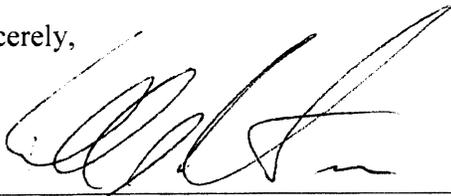
- On the kiosk outside the CDRA building (Please note, since moving into the CDRA building, there is a community public counter but no general public access to the Division of Environmental Health. As a result, the Division along with other departments and divisions in the CDRA building post meeting notices in this kiosk.)
- On the meeting board located at the Placer County Board of Supervisors' office located at 175 Fulweiler Way, Auburn; and
- On the Placer County Website (www.placer.ca.gov).

In addition, the Amended By-Laws include 48 hours in advance posting and noticing provisions for any special meetings and 24 hour posting of meeting cancellations procedures at the above identified locations.

The Amended By-Laws also outline the procedures for ensuring that copies of the agenda, minutes and any staff reports for action items be made available in advance to the PCWAC members and upon request to members of the public.

Again, I appreciate the opportunity to respond to this report. Should you or any member of the Grand Jury have questions regarding the above responses, please do not hesitate to contact me.

Sincerely,



Richard J. Burton, M.D. and M.P.H.
Health Officer and Department Director

cc: Placer County Grand Jury
Clerk, Placer County Board of Supervisors
Placer County Clerk-Recorder



PLACER COUNTY COUNSEL

RECEIVED

JUN 15 2011

Placer County Grand Jury

ANTHONY J. La BOUFF, COUNTY COUNSEL

GERALD O. CARDEN, CHIEF DEPUTY

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June 15, 2011

The Honorable Alan Pineschi
Presiding Judge
Placer County Superior Court
10820 Justice Center Drive
Roseville, CA 95661

Re: County Counsel's Response to the Grand Jury
Placer County Wastewater Advisory Committee Report of April 12, 2011

Dear Judge Pineschi:

I appreciate the opportunity to respond to the above-identified Grand Jury report ("Report"). This office has worked closely with the Director of Environmental Health ("Director") to address the findings and recommendations contained in the Report. The Placer County Wastewater Advisory Committee ("PCWAC") met on June 7, 2011, and approved amendments to the bylaws to address the Grand Jury's recommendations. My office is also working with the Director to present necessary amendments of the County Code to the Board of Supervisors for consideration and adoption. With respect to the specific findings and recommendations in the Report, I wish to respond as follows:

Findings

F1. The PCWAC does not have annual financial interest statements of Statement of Economic interests (Form 700) on file with the Placer County Clerk-Recorder's Office. This is a contradiction between what is stated in the Committee By-Laws and the actual practice that has been implemented.

I agree with this finding. A detailed discussion of this issue is included in the response to Recommendation 5 (R5) below.

F4. The definition and application of a quorum in the Committee By-Laws is unclear and ambiguous.

I agree with this finding. A detailed discussion of this issue is included in the response to Recommendation 2 (R2), below.

Recommendations

R2. Redefine a quorum to be one more than 50% of the committee membership. A quorum be present at the time of voting.

The recommendation has been implemented. On June 7, 2009, the PCWAC amended its By-Laws to define a quorum as 7 members (the PCWAC is comprised of 13 members), all of whom must be present in order to convene the meeting. A Quorum of at least 7 members must also be present to vote on any action item on the agenda.

R5. The PCWAC require the members to complete the Statement of Economic Interests (Form 700), and submit the forms to the Placer County Clerk-Recorder's Office.

This recommendation has partially been implemented. On June 7, 2011, the PCWAC amended its By-Laws to list three specific members of the PCWAC who would also serve on the Appeals Board, rather than selecting three members from the larger PCWAC at the time an appeal is filed. The three specified members of the Appeals Board will need to file Form 700's on an annual basis, but none of the other PCWAS members would need to file.

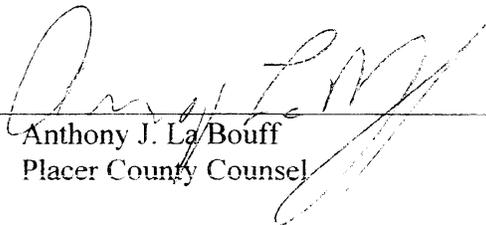
As a result of your report, this office re-visited the issue of whether the members of the PCWAC are required to file a Form 700. As a result of our analysis, we have concluded that it is unnecessary for the members to file a Form 700 statement simply by virtue of their membership on the PCWAC, as the PCWAC is solely an advisory panel. However, as the PCWAC was originally formed, each member also had the potential to serve as a member of an Appeals Board if it became necessary. Since the Appeals Board would render a final decision on a matter before it (as opposed to simply making recommendations), a conflict of interest could be possible, triggering the requirement to submit Form 700s.

There are two final items that will be necessary to fully implement this recommendation. One, this office will assist the Director to identify and present any needed changes to the County Code to the Board of Supervisors. Two, this office will take the appropriate measures to ensure that the Appeal Board members will file Form 700s in the future. Both of these items will be presented to the Board of Supervisors for its consideration in accordance with existing processes for setting Board of Supervisor agendas. It is expected that these measures will be implemented by mid-August 2011.

Again, I appreciate the opportunity to respond to this report. Should you or any member of the Grand Jury have questions regarding the above responses, please do not hesitate to contact me.

Very truly yours,

PLACER COUNTY COUNSEL'S OFFICE

By: 
Anthony J. LaBouff
Placer County Counsel

cc: Placer County Grand Jury
Placer County Board of Supervisors, c/o Clerk of the Board

**Placer County
2010-2011 Grand Jury
Recommendation Responses**

**Trouble at Western Placer
Unified School District**

(Pages 65-69, 2010-2011 Final Report)

Response to Grand Jury Report Form

Report Title: Trouble at Western Placer Unified School District

Report Date: April 12, 2011

Response By: Scott Leaman, Superintendent

Western Placer Unified School District Board of Trustees

FINDINGS

- I (we) agree with finding numbered: 3.
- I (we) disagree wholly or partially with the findings, numbered: 1, 2, 4.

RECOMMENDATIONS

- Recommendations numbered 2 and 3 have been implemented.
- Recommendation numbered 1 has not been implemented but will be implemented in the future.
- Recommendation numbered 4 requires further analysis.

Please see attached report for additional information and administration responses.



 Scott Leaman, Superintendent

6/7/11

 Date



 Paul Carras, Board of Trustees President

6/7/11

 Date

Grand Jury Responses

R1. The Board of Trustees develops and approves a new five-year deferred maintenance budget that can be implemented, given the current budgetary realities and maintenance needs.

According to the Office of Public School Construction (OPSC), “historically, the State School Deferred Maintenance Program provided State matching funds, on a dollar-for-dollar basis, to assist school districts with expenditures for major repair or replacement of existing school building components. Typical components for repair or replacement include plumbing, heating, air conditioning, electrical systems, roofing, interior/exterior painting, floor systems, etc. “

However, revisions to the 2008-09 fiscal year State Budget Act and the 2009-10 fiscal year State Budget Act grant school districts flexibility to use Deferred Maintenance funding for any educational purpose with no required school district matching share. This flexibility was in effect from the 2008-09 fiscal year to the 2012-13 fiscal year and will be extended to the 2014-15 school year per recent state legislation.

In order for a district to be eligible to receive the Basic Deferred Maintenance Grant (Basic Grant) each year they must have a current *Five Year Plan* (Form SAB 40-20) approved by the State Allocation Board (SAB) that encompasses the fiscal year of funding. This is the ‘five-year deferred maintenance budget’ referred to by the Grand Jury.

According to the Deferred Maintenance Program Handbook prepared by OPSC for SAB, “the Basic Grant and the district’s matching share is to be used for projects listed on the SAB approved *Five Year Plan*, Form SAB 40-20. A *Five Year Plan* is good for a period of five fiscal years. The intent of the plan is to forecast deferred maintenance projects within the district over the next five years. **It is not intended to be an expenditure report; therefore, the project costs reported should be estimates. The district does not have to perform all the work listed on the plan** (emphasis added). New or revised plans for the current fiscal year shall be submitted to the Office of Public School Construction (OPSC) by the last working day in June for that fiscal year. “

The five year plan WPUSD adopted in 2007-08 did not contemplate the very difficult budget environment we are operating within today. In the past two fiscal years, WPUSD has exercised the flexibility provisions introduced in the 2008-09 State Budget Act and used the deferred maintenance Basic Grant to support the general fund and avoid educational program cuts and personnel layoffs. We anticipate taking similar action for the next few fiscal years. We will be operating with a limited and fixed amount of funding for deferred maintenance. As a result, we approached all deferred maintenance projects with caution. As is indicated in the OPSC handbook, the district does not have to perform all the work listed on the plan. We have been very frugal with the limited funds we have available. We will bring a new five year plan to the WPUSD Board of Trustees in 2011-12 fiscal year as required by the deferred maintenance program.

R2. The Director of Maintenance be responsible for executing the maintenance plan, setting priorities for all maintenance activities, and adherence to the maintenance budget.

The Director of Maintenance job description includes the following:

“Under the supervision of the Assistant Superintendent, Facilities & Maintenance Services, supervise, direct and organize the District maintenance and grounds program, custodial and warehouse services and provide assistance in the coordination of facilities planning activities related to new school construction, renovation or modernization of existing schools, relocatable classrooms and other support activities.

Further, the Director administers the expenditure of capital maintenance, and grounds funds. Develops and prepares applicable budgets; analyzes and reviews budgetary and financial data with the Assistant Superintendent, Facilities & Maintenance Services; monitors and authorizes expenditures in accordance with established guidelines.”

The Director has and continues to perform his position responsibilities in conjunction with the Assistant Superintendent. The Assistant Superintendent of Facilities and Maintenance recently resigned to accept a position with another district. In her absence, the Assistant Superintendent of Business Services will be responsible for the facilities and maintenance departments. This step is being taken to preserve budget during these difficult economic times.

Ultimate budget authority rests with the Board of Trustees and is delegated to the Superintendent and Assistant Superintendents. All directors work in conjunction with their respective Assistant Superintendent to determine budget priorities for their areas of responsibility.

R3. The WPUSD consider consulting with an outside mediator to build teamwork, trust, and positive communication in the work environment. It is further recommended the WPUSD report to the Grand Jury regarding the overall action taken and progress achieved through the mediation.

WPUSD administrators have contacted a facilitator to work with the facility and maintenance department staff to improve communication in the work environment. The following memorandum was sent to staff inviting them to attend the upcoming facilitation:

R4. As a minimum, institute a paper timesheet reporting process for all non-management employees in the Facilities and Maintenance Department to work in conjunction with the leave request notification process already implemented.

Per the CSEA contract, “all permanent employees are assigned and paid a fixed, regular, and ascertainable minimum number of hours per day, days per week, and days per year. This schedule may be modified by mutual agreement between the employee and the supervisor. All overtime must be pre-approved by the immediate supervisor. It shall be mutually agreed upon at that time whether it is to be compensatory time or wages. Any overtime worked must be

compensated by compensatory time or wages. Compensatory time shall be accrued at the appropriate overtime rate. Unauthorized overtime could be grounds for disciplinary action.”

The WPUSD agreement with CSEA does not require timesheets for permanent classified employees. Only exception timesheets are required to indicate if an employee has worked less or more hours than they are assigned. Instituting a paper timesheet reporting process for all non-management employees in the Facilities and Maintenance Department would require negotiating the change working conditions with CSEA and would mean the Facilities and Maintenance Department staff would be treated differently regarding timesheets than all other classified employees.

**Placer County
2010-2011 Grand Jury
Recommendation Responses**

Election Report

(Pages 70-76, 2010-2011 Final Report)



COUNTY OF PLACER

BOARD MEMBERS

JACK DURAN
District 1

JIM HOLMES
District 3

ROBERT M. WEYGANDT
District 2

KIRK UHLER
District 4

JENNIFER MONTGOMERY
District 5

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

175 FULWEILER AVENUE / AUBURN, CALIFORNIA 95603
TELEPHONE: 530/889-4030
FAX: 530/889-4023
www.placer.ca.gov

July 1, 2011

John Monaco, Foreperson
Placer County Grand Jury
11490 C Avenue
Auburn, CA 95603

RECEIVED

2011 JUL 1 10:00 AM

Re: 2010-11 Grand Jury Final Report – Election Report

Dear Mr. Monaco,

I would like to thank the 2010-11 Grand Jury for the opportunity to respond to the Findings contained in the above referenced document. I have reviewed the report and agree with all of the Findings of the Grand Jury.

• **Finding No. 1 – Direct Cost-per-Registered Voter Increase from 1993 through 2008.**

As noted in the Grand Jury's Findings, factors contributing to the increase in cost-per-voter in the 15 year period identified include a general CPI increase of 51% between 1993 and 2008, employee cost drivers (salaries, benefits, retirement health cost increases), and state-mandated electronic voting machines.

• **Finding No. 2 – Processes to minimize disenfranchised voters.**

Election processes currently in place by the Clerk-Recorder-Registrar of Voters help ensure that all ballots are counted whether they are completed in-person or through the mail.

• **Finding No. 3 – Programs to increase voter registration, voter and candidate education.**

Programs at the Clerk-Recorder-Registrar of Voters attempt to reach a wide audience including not only voters, but those interested in running for office.

Again, I would like to express appreciation for the Grand Jury's steadfast effort in examining the County's practices. Recognizing there were no recommendations of the Grand Jury in this report, the County Executive Office will continue to work with the Clerk-Recorder-Registrar of Voters to provide the citizens of Placer County quality elections.

Sincerely,

COUNTY OF PLACER

Thomas M. Miller,
Placer County Executive Officer

Cc: Placer County Board of Supervisors
Jim McCauley, Placer County Clerk – Recorder – Registrar

JIM MCCAULEY

COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS

RYAN RONCO

ASSISTANT RECORDER-REGISTRAR



ADMINISTRATIVE DIVISION

FINANCE ADMINISTRATION BUILDING

2954 RICHARDSON DRIVE

AUBURN, CA 95603

PLACER COUNTY CLERK-RECORDER-ELECTIONS

June 10, 2011

The Honorable Alan V. Pineschi
Presiding Judge of the Superior Court
County of Placer
P.O. Box 619072
Roseville, CA 95661

Mr. John J. Monaco
Foreman
2010-11 Placer County Grand Jury
11490 C Avenue
Auburn, CA 95603

Re. Response to the 2010-2011 Placer County Grand Jury Final Report – Elections Report

Hon. Judge Pineschi and Grand Jurors:

The following is submitted in response to the 2010-2011 Placer County Grand Jury Final Report – Elections Report. While the Final Grand Jury report did not make any specific recommendations, the Grand Jury did conclude that the Elections Office was “doing an outstanding job” and that the “Office continually seeks ways to cut election costs, increase voter registration, and provide voter and candidate education.”

On behalf of all the Placer County Elections staff, I am most appreciative of the Grand Jury’s observations and conclusions. I remain immensely proud of the untiring efforts of all in our Office in providing the highest levels of service to the public, candidates, offices and agencies and in conducting each election with the utmost integrity and legal compliance. We appreciate the Grand Jury’s interest in the operations of the Elections Office and in the requirements for conducting elections in accordance with the federal and state law, many of which were outlined in the Grand Jury’s Final Report.

Since the Grand Jury’s Final Elections Report does not contain any recommendations, our Office’s response to the Report contains our concurrence with the Grand Jury’s findings per Sect. 933.05(a) of the California Penal Code. Additionally, I am providing comments that supplement the information provided during the Jury’s November 2010 and January 2011 Grand Jury’s reviews of election procedures.

Response to Findings

F1. The Elections Office concurs with the Grand Jury’s finding that total direct costs for conducting November Elections have increased from approximately \$3.32 per registered voter in November 1993 to approximately \$7.27 per registered voter (not adjusted for inflation) in November 2008. Our Office calculates that consolidation of district governing board and city council races into the even-year November General Elections has saved an *average* of over \$480,000 since November 1994 [adjusted downward slightly from the information provided earlier to the Grand Jury in January]—on a biennial basis, i.e. every two years—for an estimated total savings to Placer County of between \$3.8 and \$3.9 million from November 1994 through November 2008. These significant savings have been realized though districts and cities paying

a pro-rata share of overall, even-year November election costs. At the same time, however, costs to the districts and cities have been limited to a charge of \$1.25 (currently) per registered voter for those jurisdictions going to election—an amount which has been virtually always less costly for local agencies in the County than the per voter charges for unconsolidated special elections.

F2. The Elections Office concurs with the Grand Jury's finding that, "Significant processes and partnerships are in place for vote casting, transport, and voter verification to minimize disenfranchised voters." The many election processes and policies also are designed to provide for the security of voting systems and results, both of which are essential to the maintaining the integrity of elections.

F3. The Elections Office concurs with the Grand Jury's finding that, "The Registrar of Voters office actively seeks to increase voter registration and voter and candidate education through several robust programs." Our Office remains very committed to maintaining and possibly expanding outreach and education programs that encourage voter registration and that increase knowledgeable voter and candidate participation in the electoral process.

Supplementary Comments

- As noted in the Report, Placer County uses AccuVote[®]-OS (optical scan) equipment for precinct voting and AccuVote[®]-TSX (touch screen) equipment to meet the needs of disabled precinct voters for private and independent voting. Equipment is transported on Election Night, with all tabulations done at the County's central count computer facility.
- At least one touch screen voting machine is required at each polling location in accordance with the federal Help America Vote Act (HAVA) passed after the 2000 Presidential Election.
- All voting equipment and systems used must be federally qualified and state certified, as are the AccuVote[®]-OS and AccuVote[®]-TSX machines and vote counting software used by Placer County. There are other vendors with qualified and certified voting equipment for California use, although the complexity and cost of requirements have limited competition and possibly, innovation and development, in recent years, along with a clear consolidation within the industry.
- Placer County uses "ballot trapping" in cooperation with the US Postal Service to take possession of absentee ballots that may have been mailed by voters too late to be delivered by the Postal Service no later than 8:00 PM on election day. Instead, Elections employees travel to the County's post office facilities before the close of the polls each election to collect any mailed absentee ballots secured by the Postal Service and return the ballots to the Elections Office for processing.
- The County is permitted to begin tabulating signature-verified, returned absentee ballots seven working days before an Election Day. Bar-coded envelopes allow for the required 100% signature verification of all absentee ballots cast without opening of the sealed ballot envelopes prior to tabulation processing. As noted in the Grand Jury's report, absentee ballots are separated from their envelopes after signature verification in such a way that voter identities remain anonymous with tabulation. Also as noted, absentee totals cannot be released until close of the polls, with these preliminary absentee results, i.e. "early returns", then provided just after the close of polls on Election Night.

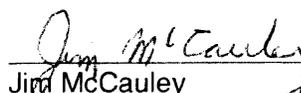
- State law requires manual counting of one percent of all precincts and ballots cast to verify the accuracy of vote recording and tabulation. All votes cast on touch screen equipment must be manually verified, as well.
- The direct costs for elections and savings realized through consolidation of district governing board and city council races with the even-year November General Elections, as set forth in the Grand Jury's Report, are based on estimates provided by our Office earlier this year. These estimates were based on:
 - Expenditure and revenue information contained in County financial records and budgets;
 - Adjustments to provide for comparability of costs from 1993 to 2008, and
 - Calculations to determine the average costs of district governing board and city council races as a percentage of total operating costs for elections, including costs for conducting elections for voter registration activities, for candidate and voter outreach and education, and for candidate and campaign report filings.

As noted previously in the section responding to the Grand Jury's Findings, the savings estimate provided to the Grand Jury in January for consolidating district and city elections with the November even-year General Elections beginning in 1994 was subsequently revised by our Office to a slightly lower average and total, reflecting additional, more precise fiscal information and to provide greater comparability of costs over the period covered.

- Costs and charging methodologies are currently under review by the Elections Office to assure that overall cost savings instituted for elections are reflected, while also achieving full cost recovery as allowed by law. Additionally, our Office is reviewing whether districts and cities should be charged their pro-rata share of costs for absentee ballot processing, rather than the County continuing to assume the full responsibility for submitting consolidated claims for program expenditures, since the State has indicated it will eliminate mandated cost reimbursements for the absentee ballot program due to its Budget shortfall.
- The Elections Office is committed to continuing the voter and candidate education and outreach programs commended by the Grand Jury. In addition to our current programs, we are using competitive grant funding secured from HAVA to update our existing brochure outlining services available to seniors and disabled voters. We are also using HAVA funding to increase purchases of poll accessibility equipment and supplies.

Again, on behalf of myself and the entire Elections Office, we are most appreciative of the Grand Jury's considerable interest in and support of election operations, activities and processes in Placer County. Please do not hesitate to contact me at 530-886-5690 should you need any additional information or have any further questions that we might respond to.

Sincerely,



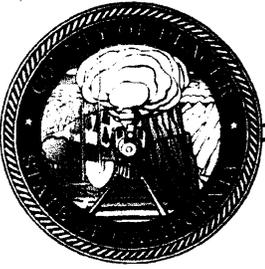
Jim McCauley
County Clerk-Recorder-Registrar of Voters

Cc: Thomas M. Miller
Placer County Executive Officer

**Placer County
2010-2011 Grand Jury
Recommendation Responses**

Placer Land-Use System (PLUS)

(Pages 77-81, 2010-2011 Final Report)



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

ADMINISTRATION

August 31, 2011

John Monaco, Foreperson
Placer County Grand Jury
11490 C Avenue
Auburn, CA 95603

SUBJECT: 2010/11 Grand Jury Final Report – Placer Land Use System (PLUS)

Dear Mr. Monaco:

On behalf of the Placer County Community Development/Resource Agency, I would like to thank the members of the 2010/11 Placer County Grand Jury for their efforts associated with the Grand Jury report on the follow-up to the audit of the Community Development / Resource Agency and its Placer Land Use System (PLUS). As requested, this letter sets forth the response from the Placer County Community Development/Resource Agency (Agency) regarding the Grand Jury's findings on consistent utilization of the PLUS computer application by the Agency.

Facts

1. Financial control discrepancies, identified in the 2009 Audit, were significantly improved prior to the follow-up audit performed in 2010.

Agency Response: The Agency agrees with this Fact. In early 2009, the County Executive Office, with the assistance of the Auditor-Controller and Administrative Services Departments, conducted an internal audit of financial, administrative and management practices for the Agency to ensure prudent business practices were in place to maximize efficiency and effectiveness in service delivery. An overarching goal with this audit was to assess existing operations within the Agency and provide recommendations for action to better align practices with policy and regulation, enhance efficiency and cost effectiveness, and enhance operations management and service delivery.

Based upon the findings of the audit, the Agency implemented the findings and recommendations addressing Financial/Internal Controls and Automation. Examples of changes made by the Agency included:

- Formalized roles and clarified processes of communication between the Agency's accounting unit and staff when there are technical questions or discrepancies.
- Developed a detailed "documentation" form that must be submitted for approval of credit card expenses, along with other billing records.
- Initiated and continue to provide staff training on existing County policy, rules, and codes most specifically to date: Credit Card Program Policies and Procedures, Placer County Procurement Services Division Delegated Purchasing Policy Guidelines and Restrictions, and Chapter 2 of the Administrative Rules.
- Departmental policies and procedures have been adopted to affirm correct practices specific within the Agency, including policies regarding securities, accounts receivables, and old deposits.

While there has been marked improvement in the areas of financial/internal controls and automation, the Agency continues to review the findings and recommendations of the 2009 audit to assure that the Agency is properly addressing the identified issues as well as to determine if any additional improvements/modifications are needed to better align the Agency practices with the County's rules and regulations.

2. There continues to be inconsistent use of PLUS throughout CDRA, contrary to the recommendation in the audit of 2009.

Agency Response: The Agency disagrees with this Fact. Prior to 2005 when an automated permit system, the Placer Land Use System (PLUS), was brought on line, the County recognized the need to improve communication and streamline activities in the land development departments. Better tools were needed to help staff track permits, land entitlement activities, and inspections. With the delivery of PLUS, the Agency began implementing its use to more effectively track and monitor project applications. Since that time, other automated systems have been put in place to help achieve goals to improve internal coordination between staff on projects and to provide information to customers and those external to the county.

To facilitate customer service operations, a new system (Q-Flow) was purchased to manage customer flow at the public counter in Auburn; SIRE is a document management application to support efforts for electronic document storage and use; PLUS KIVA Citizen Access is used to provide Placer County citizens access to permit information from anywhere in the world; Interactive GIS Website is used to disseminate mapped (GIS) information to the public; and videoconferencing is the tool used to conduct meetings between remote locations. While not fully quantified, these automated systems assist in reducing costs by allowing greater customer access to information instead of making requests to staff and by reducing staff need for travel to conduct business.

In conjunction with the other supporting systems described above, the PLUS system is being consistently used throughout the Agency. That being said, there are many different uses and users for the PLUS program, and the manner in which the program is used is dependent upon the information needed. The public counter staff uses the PLUS program to log in project applications and monitor activities on individual properties. The Planning Services and Engineering/Surveying staff utilize the PLUS program to research historic project files and to

enter/monitor data regarding current applications. The Building Services staff utilize the PLUS program to document information on plan checks.

While there may be varying degrees of familiarity/comfort between different employees and the use of the PLUS system, the reality is that the use of the PLUS system is integral to the daily activities of each Agency employee. To assure that employees are provided the tools necessary to be successful with the ongoing use of PLUS, regular training sessions are held to allow employees to more fully utilize PLUS in their daily activities.

While the PLUS program was state-of-the-art in 2005, the County continues to find challenges and limitations within the program. Because the program is proprietary, as noted by the Grand Jury, the Agency is limited in ways that it can modify the program to address County-specific issues. Accordingly, the Agency can only operate the system within the parameters of the existing program.

3. PLUS contains data that may be useful to other Placer County organizations.

Agency Response: The Agency agrees with this Fact. Based upon findings in the Grand Jury's 2006-2007 report on PLUS in which it was recommended that the Agency should expand its land use services by integrating existing communications and data (i.e., PLUS) across all departments, the Agency has dedicated staff and resources to implement this recommendation. Because of the useful and valuable data contained within PLUS, various County departments as well as agencies outside of the Community Development Resource Agency have established accounts for access to the PLUS system. Other County departments that current have access to and utilize the PLUS system include the Environmental Health Department, the County Assessor's Office, the Department of Facility Services, the Sheriff's Department and the Department of Public Works. Outside agencies that currently have access to and utilize the PLUS system on a daily basis include the Placer County Air Pollution Control District as well as the local fire jurisdictions for Placer County Fire (CDF), North Tahoe, Truckee, South Placer, Squaw Valley, Newcastle, Loomis, Placer Hills, Foresthill, Northstar and Penryn.

Of this group, Environmental Health is probably the most frequent user of PLUS, both for data inquiry and data entry resulting from its involvement in two critical permit processes: Planning entitlements and construction permits. The fire jurisdictions have only recently been granted access for data inquiry and data entry, currently with building permits only, but hopefully this will expand to include entitlements as well. The fire agencies are now able to inquire directly into PLUS to track and manage their requirements both prior to and after a building permit is issued. As a result, the fire departments are able to clear a permit for issuance and add restrictions or comments to preclude a permit from receiving final inspection prior to the fire requirements being met. Any time a department or staff can enter requirements or process data on their own without input by others, the product is more accurate and immediate.

4. Security issues with the PLUS application, identified in the 2009 Audit, have been addressed.

Agency Response: The Agency agrees with this Fact. Based upon the findings of the audit, CDRA implemented the findings and recommendations addressing Financial/Internal Controls and Automation. Issues regarding security for the PLUS program are reviewed by Agency management on a regular basis to assure that all feasible measures are being taken to protect the integrity of the PLUS system.

As more users, including outside users, have access to the PLUS program, the need to maintain security remains a primary concern. To this end, security issues with the PLUS application, identified in the 2009 audit, have been addressed, and Agency staff routinely meets with representatives of Administrative Services to assure these security issues are continually reviewed and modified, as required.

5. The current system entry of customer data is manually intensive.

Agency Response: The Agency agrees with this Fact. While there are many benefits to the PLUS system, staff has generally stated that the program is very cumbersome. The County recognized this issue when it purchased an "off-the-shelf" product, and customization of the project was kept to a minimum. Because the PLUS program is proprietary, as noted by the Grand Jury, the Agency can only operate within the parameters of the existing program. That being said, there are many positive aspects to the PLUS program, and the County continues to utilize the program in a manner consistent with the program's intended purpose.

While the PLUS system is tied into the Assessor's database and the California Contractors' State License Board, there are perhaps other systems that PLUS could be tied to as well (i.e., County's business license database) to bring forward data from another source rather than the user having to manually move the information. At this time, staff is not aware of any programming changes that could be made that would reduce the manual requirements for the PLUS system, or if programming changes are even an option. The system is generally static, unlike other database programs where programming changes can occur instantly. To address these issues, Agency IT staff, in concert with Administrative Services IT staff and the Auditor-Controller, continues to look for ways that the existing system can be streamlined to be more user friendly.

6. Performance measures/metrics, although potentially available, are not used to a significant extent.

Agency Response: The Agency disagrees with this Fact. Performance measure/metrics are in fact available, but not at the user level. To gather statistical data that could be used to measure performance or prepare informational reports requires an outside program and the intervention of IT staff with a lot of back and forth discussion to tailor the output to meet the requestor's need. Although not available at the user level, PLUS can and does deliver the required data, just not "on demand." Such reports are regularly requested and received by management staff in an effort to better understand staff's performance.

When the PLUS program was purchased, the County recognized the program for its permit-tracking capabilities. It is important to note that the Building Services division does use the PLUS system to track its plan check process, while the Agency administrative team uses information from PLUS in its cost accounting.

PLUS is best used as a project management/communication tool for project status, interdepartmental communication and permit processing. The primary use of PLUS is to provide a single location where the Agency can store and retrieve electronic data regarding properties in Placer County. This aspect of PLUS is used on a daily basis by most every employee in the Agency. To gain information regarding performance measures/metrics, the Agency utilizes other tools such as the Q-Flow program, which was designed specifically for producing performance measures/metrics.

7. PLUS is a mature product with limited vendor support for any future changes or enhancements.

Agency Response: The Agency agrees with the Fact. While the PLUS system may have been state-of-the-art when it was purchased in 2005, other products on the market have been better received by other agencies, and the demand for the PLUS program is waning. At this time, there are less than 10 agencies in the United States that utilize the PLUS system. As a result, the vendor is less inclined to provide technical support to Placer County, and there is little indication that the vendor will be increasing its technical support. Accordingly, the Agency, with assistance from the Administrative Services Department, is actively pursuing opportunities to purchase a new software program that will have improved and ongoing technical support.

8. An updated Policy Manual for the PLUS application is currently in the management review cycle and has been for over four months.

Agency Response: The Agency agrees with this Fact. Rather than hurriedly prepare and distribute a document that was factually incorrect or could not be implemented, Agency management staff instead decided to thoroughly review and edit the PLUS Policy Manual before distributing to staff. While this may have taken slightly more time, the end result is that a factually correct and implementable document was released, and this document has been well received by staff.

9. The Policy Manual contains a PLUS Training Plan as a direct result of the 2009 Audit findings regarding lack of consistency in PLUS use.

Agency Response: The Agency agrees with this Fact. Based upon the findings of the 2009 audit, Agency management concluded that there was a need to develop a specific PLUS training program to ensure the consistent application of PLUS. To this end, Agency management concluded there was value in having a single staff member identified as the overseer of the PLUS program, and the 'PLUS Quality Control Manager' position was created. The Agency's most versatile PLUS user, Lisa Bloom, was assigned the position of 'PLUS Quality Control Manager.' In the role of PLUS Quality Control Manager, Ms. Bloom has assumed full responsibility for the oversight and implementation of the Agency's PLUS system. One of the primary duties of Ms. Bloom's PLUS responsibilities is to provide regular training sessions for Agency (as well as other County department) employees to assure that each employee has the tools and skills needed to fully utilize PLUS in their daily activities. Through these ongoing training sessions, the Agency is finding that staff remains informed and knowledgeable about PLUS, and the accuracy and consistency in use of PLUS is increased.

10. As of late March 2011, the Policy Manual has not been approved.

Agency Response: The Agency agrees with this Fact. As noted in the response to Fact 8 above, rather than hurriedly prepare and distribute a document that was factually incorrect or could not be implemented, Agency management staff instead decided to thoroughly review and edit the PLUS Policy Manual before distributing to staff. While this may have taken slightly more time, the end result is that a factually correct and implementable document was released, and this document has been well received by staff.

11. There is no strong, universal CDRA management direction regarding consistent and timely updating of the PLUS data by various CDRA organizations.

Agency Response: The Agency disagrees with this Fact. Based upon the recommendations from the Grand Jury in its 2006-2007 review of the PLUS program, the Agency implemented a training program for all Agency staff to improve the consistent use of PLUS. In addition to training staff in the use of PLUS, the Agency management team also developed a program to scan previously approved projects and documents into the PLUS system. Through this scanned information, staff and the public would have electronic access to much (if not all) of the County's historical projects and documents, thereby reducing the time staff and the public would need to spend reviewing bulky, hard-copy project files.

As noted in the response to Fact 9 above, based upon the recommendations from the 2006-2007 Grand Jury report, and as highlighted in the 2009 audit, Agency management concluded that there was a need to develop additional PLUS training programs to continue to ensure the consistent application of PLUS. To provide this consistent training, Agency management staff concluded there was value in having a single staff member identified as the overseer of the PLUS program, and the 'PLUS Quality Control Manager' position was created. Through the PLUS Quality Control Manager, Agency management is able to provide direction to assure the consistent and timely updating of PLUS data not only by various Agency organizations, but also for other County departments and outside agencies that utilize the PLUS program.

Findings of the Grand Jury

1. In the Audit of 2009, CDRA was apprised of numerous financial control issues. The Auditor-Controller, in the follow-up Audit, indicated all control issues had been addressed, and the few remaining issues were of no material importance.

Agency Response: The Agency agrees with this Finding. As stated in the response to Fact 1 above, based upon the findings of the audit, CDRA implemented the findings and recommendations addressing Financial/Internal Controls and Automation. While there has been and continues to be marked improvement in the areas of financial/internal controls and automation, the Agency continues to review the findings and recommendations of the 2009 audit to assure that the Agency is properly addressing the identified issues as well as to determine if any additional improvements/modifications are needed to better align the Agency practices with the County's rules and regulations.

2. The Grand Jury finds that two organizations (Permitting and Front Counter Services) within CDRA have embraced the use of PLUS. Other functions within CDRA still view it as a system that staff ultimately has to enter data into, but is not an integral part of their operations. If the data in PLUS is perceived to be accurate and complete, customer service can be more efficient, accurate, and timely in addressing organizational goals.

Agency Response: The Agency partially agrees with this Finding. The Agency concurs that the Permitting and Front Counter Services operations have fully embraced the use of PLUS, as most (if not all) of their daily work responsibilities involve the use of the PLUS system. At the same time, other divisions within the Agency have also embraced the use of the PLUS system as an integral (but not primary) part of their operations. While other divisions within the Agency may not use the PLUS system with the regularity that the Permitting and Front Counter Services staff utilize PLUS, this more limited need for the PLUS system does not mean that staff has not embraced the PLUS system.

As noted in previous responses, to assure that the information in PLUS is accurate and complete, the Agency created the PLUS Quality Control Manager position. Through this position, whose sole responsibility is to oversee and manage the daily use of the PLUS program, the Agency have been able to improve the staff use of the system as well as scan previously approved project files to allow electronic access to a majority of the Agency's historic project files. This increased access, which is available to both staff and the public, allows for improved, 24/7 access to information, thereby freeing staff to focus on other issues of County-wide importance.

3. The inconsistent application of PLUS in CDRA is not due to training, but to a lack of management commitment that PLUS is an integral part of the operation and therefore a responsibility within every job.

Agency Response: The Agency disagrees with this Finding. From the implementation of the PLUS system in 2005, Agency management has and continues to remain committed to the use of the PLUS system as an integral part of the daily operation of the Agency. As noted in the Findings Response 2 above, while other divisions within the Agency may not use the PLUS system with the regularity that the Permitting and Front Counter Services staff utilize PLUS, this more limited need for the PLUS system does not mean that staff has not embraced the PLUS system nor does it infer that management has not been and continues to be committed to the making PLUS an integral part of the Agency operations and a responsibility within every job.

As noted in numerous responses above, Agency management continues to seek solutions for improving staff training and access to PLUS data. The identification of a PLUS Quality Control Manager position is further evidence of Agency management's commitment to the long-term success of the PLUS program.

4. The updated policy manual identifies a PLUS Steering Committee comprised of senior level management within CDRA. The management review of the Policy Manual has been in process for over four months and is still not complete.

Agency Response: The Agency agrees with this Finding (although the Policy Manual has in fact been completed). As noted in the response to Fact 8 above, rather than hurriedly prepare and distribute a document that was factually incorrect or could not be implemented, Agency management staff instead decided to thoroughly review and edit the PLUS Policy Manual before distributing to staff. While this may have taken slightly more time, the end result is that a factually correct and implementable document was released, and this document has been well received by staff. The Policy Manual document has been completed and is currently being utilized by staff.

5. There is little attention paid to the use of performance data collected by the PLUS system. No one interviewed could identify the use of the reports that are generated by PLUS to validate the operations of the department or division.

Agency Response: The Agency disagrees with this Finding. As noted in the response for Fact 6 above, the Building Services division does in fact use the PLUS system to track its plan check process, while the Agency administrative team uses information from PLUS in its cost accounting. Additionally, various divisions utilize the PLUS system to identify average turn-around times for particular project types. While there is always room for improvement and expanded use, the reality is that the Agency is utilizing PLUS to track and measure individual and overall performance.

Performance measure/metrics are in fact available, but not at the individual user level. Instead, managers are responsible for obtaining performance measures/metrics, then reviewing the information with staff. Although not available at the user level, PLUS can deliver the required data, just not "on demand." Such reports are regularly requested and received by management staff in an effort to better understand staff's performance.

6. The only group that seems to be mindful of any performance measure need is the front counter operations that uses a software application external to PLUS, QFlow, to track customer queue time.

Agency Response: The Agency disagrees with this Finding. While the front counter staff is mindful of performance measure information that can be gained from Q-Flow, this does not mean that other divisions do not understand and/or utilize the performance tracking benefits of the PLUS system. As noted in the response above, the Building Services division does in fact use the PLUS system to track its plan check process, while the Agency administrative team uses information from PLUS in its cost accounting. Additionally, various divisions utilize the PLUS system to identify average turn-around times for particular project types. While there is always room for improvement and expanded use, the reality is that the Agency is utilizing PLUS to track and measure individual and overall performance.

7. There has been a change in the function of the PLUS users group since it was formed. Originally a major activity of the PLUS users group was to answer the question 'how do I do that?' The primary focus was to identify bugs in the underlying software. Currently the focus of the users group is to discuss and provide guidance into the use of PLUS to enhance CDRA operations.

Agency Response: The Agency agrees with this Finding. As with any software program, the early years are spent working through bugs in the underlying software. Once the bugs are worked out, staff is then able to shift the focus towards how best to utilize the software to enhance Agency operations. Staff has worked through the issues of the software program, and is now fully vested in identifying ways in which the software can enhance daily operations.

8. PLUS is a mature software application. While the vendor has not made any commitments or published any dates with regard to the end of support of the PLUS system, it is anticipated that this will happen in the foreseeable future. Basic safeguards for CDRA are in place, such as escrow storage for source code protection, and the fact that the system is of sufficient age that very few errors are now being found and they are not of general significance.

Agency Response: The Agency agrees with this Finding. The Agency is currently working with the County Executive Office and Administrative Services to determine options that may exist for upgrading and/or replacing the PLUS software with a new system that has improved applicability and support.

Recommendations of the Grand Jury

1. The PLUS Steering Committee establishes goals to ensure that all employees use the PLUS application as the Policy document dictates.

Agency Response: The Agency agrees with this recommendation, and this recommendation continues to be implemented on a daily basis through the auspices of the Agency's PLUS Quality Control Manager.

2. The PLUS Steering Committee completes the Policy Manual management review and approval process.

Agency Response: The Agency agrees with this Recommendation, and the Recommendation has already been implemented.

3. The PLUS Users Group be redirected, and possibly reconstituted, to accomplish the following tasks:
 - Devise a method of measuring the efficiency of operations supported by PLUS to provide management with a tool to evaluate the effectiveness of their operations.
 - Develop a plan for a comprehensive PLUS training and education program.
 - Develop a plan to increase the overall utilization and value of the PLUS application to the County.
 - Start planning for the eventual replacement of the PLUS application. Even though there is no indication of near-term support termination, planning for a major upgrade to a system is integral to operations is nominally a multi-year task.

John Monaco
August 31, 2011
Page 10 of 10

Agency Response: The Agency agrees with this Recommendation, and the Recommendation is already being implemented. The Agency is currently working with the County Executive Office and Administrative Services to determine options that may exist for upgrading and/or replacing the PLUS software with a new system that has improved applicability and support.

The Community Development/Resource Agency appreciates the work of the Placer County Grand Jury in its report regarding the Placer Land Use System. The Agency remains fully committed to continuing to implement, improve and expand the utilization of the PLUS system within the Agency and through the County.

Sincerely,



MICHAEL J. JOHNSON, AICP
Agency Director
Placer County Community Development / Resource Agency

cc: Tom Miller, County Executive Officer, County of Placer
Placer County Board of Supervisors
Anthony LaBouff, County Counsel
Kathy Martinez, County Auditor-Controller
James Importante, Management Analyst

**Placer County
2010-2011 Grand Jury
Recommendation Responses**

**Tahoe-Truckee
Unified School District**

(Pages 82-85, 2010-2011 Final Report)

District Office
11603 Donner Pass Rd.
Truckee, CA 96161-1953
(530) 582-2500
Fax: (530) 582-7606

Elementary Schools

Donner Trail Elementary
52755 Donner Pass Rd.
Kingvale, CA 95728
126-3639

Glenshire Elementary
10990 Dorchester Drive
Truckee, CA 96161
582-7675

Kings Beach Elementary
8125 Steelhead Ave.
Kings Beach, CA 96143
546-2605

Tahoe Lake Elementary
375 Grove St.
Tahoe City, CA
583-3010

Truckee Elementary
11911 Donner Pass Rd.
Truckee, CA 96161
582-2650

Intermediate Schools

Alder Creek Middle
10931 Alder Drive
Truckee, CA 96161
582-2750

North Tahoe 4-8
2945 Polaris Rd.
Tahoe City, CA 96145
581-7050

High Schools

Cold Stream Alternative
11661 Donner Pass Rd.
Truckee, CA 96161
582-0157

North Tahoe High
2945 Polaris Rd.
Tahoe City, CA 96145
581-7000

Sierra High
11661 Donner Pass Rd.
Truckee, CA 96161
582-2640

Tahoe Truckee High
11725 Donner Pass Rd.
Truckee, CA 96161
582-2600

Board Of Trustees

Dianna Driller,
Randy Hill,
Gaylan Larson,
Kirsten Lyvak,
Kim Szczurek

***An Equal Opportunity
Employer***

TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT

"Every Student Learning Every Day"

Steve Dickinson, Assistant Superintendent for Business Services

Placer County Grand Jury
11490 C Avenue
Auburn, CA 95603

RECEIVED

JUL 20 2011

Placer County Grand Jury

Response to Grand Jury Report Form

Report Title: Tahoe Truckee Unified School District – Double Taxation Must Stop

Report Date: May 31, 2011

Response By: Steve Dickinson

Title: Assistant Superintendent for Business Services

FINDINGS

We agree with the findings, numbered: F1

RECOMMENDATIONS

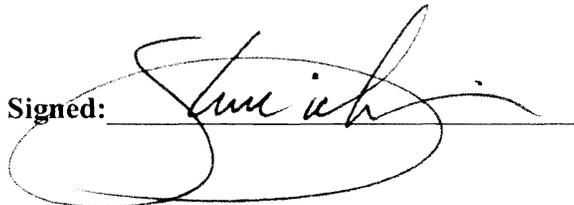
Recommendations numbered R1 and R2 have been implemented.

Documents attached:

- Spreadsheet of nineteen (19) affected properties. Seven (7) properties were already exempt/not charged the parcel tax. Twelve (12) properties are due refunds. The total of all refunds is \$13,776.
- Copies of all letters sent to the affected property owners. The letter explains the issue, provides them a calculation of the refund due, and asks them to sign and return. The school district will send the refund upon receipt of this signed confirmation.

Date: July 15, 2011

Signed: _____



REFUNDED 3 YEARS BACK										Year Bought	Amount Refund
15609	Cottonwood	Exempt 2/7/11	Yes	17-244-15-000	Robinet, Ripley & Joyce	Refunded for 3 years	1985	\$1,108.00			
15619	Cottonwood	Exempt 2/7/11	Yes	17-244-11-000	Lucia, Bruce & Michele	2008, 2009, 2010 and Exempt 2011	1979	\$1,108.00			
15749	Cottonwood	Exempt 2007	Yes	17-244-01-000	Bawa, Thomas & Carol	Refunded for 3 years	1969	\$1,010.00			
15759	Cottonwood	Exempt 2007	Yes	17-140-21-000	Bawa, Thomas & Carol	2007, 2008, 2009, Exempt 2010	1969	\$1,010.00			
ADDRESSES WITHHELD/PRIVACY ACT - NO RESPONSE FROM DISTRICT LETTERS											
15629	Cottonwood	Exempt 2011/12 FY	No	17-244-13-000	Carpenter, Clifton & Charlotte		2004	\$656.00			
15639	Cottonwood	Exempt 2011/12 FY	No	17-244-12-000	Long, Peter ETAL		2003	\$766.00			
15649	Cottonwood	Exempt 2011/12 FY	No	17-244-11-000	Tiner, John & Sharon		1989	\$1,598.00			
15659	Cottonwood	Exempt 2011/12 FY	No	17-244-10-000	Hovell, Beverly ETAL	Exempted 2011/12	1967	\$1,598.00			
15669	Cottonwood	Exempt 2011/12 FY	No	17-244-09-000	Lopez, Michael & Susan		1987	\$1,598.00			
15679	Cottonwood	Exempt 2011/12 FY	No	17-244-08-000	Durkin, Robert ETAL		2010	\$0.00			
15689	Cottonwood	Exempt 2011/12 FY	No	17-244-07-000	Perez, Joseph & Patricia		1963	\$1,598.00			
15769	Cottonwood	Exempt 2011/12 FY	No	17-140-20-000	Buckner, Tab & Sharon		2010	\$0.00			
EXEMPT FROM 1989/1990- NO PROPERTY TAXES FOR MEASURE A											
15699	Cottonwood	Exempt 1989	No Charge	17-244-06-000	Epperle, Wilma	Exempt from 1989/1990	0	\$0.00			
15719	Cottonwood	Exempt 1990	Yes	17-244-04-000	Smith, Dwayne	No Property Taxes Charged	0	\$0.00			
15729	Cottonwood	Exempt 1989	No Charge	17-244-03-000	Burkeon, Frank & Diane		0	\$0.00			
15779	Cottonwood	Exempt 1990	Yes	17-140-19-000	McComber, Frances ETAL		0	\$0.00			
SENIOR CITIZENS EXEMPTION											
15709	Cottonwood	Exempt 2009	Yes	17-244-05-000	Alley, Randy and Mary L.		1966	\$1,304.00			
15739	Cottonwood	Exempt 2008	Yes	17-244-02-000	Abbott, Margaret and Jim		1976	\$0.00			
15789	Cottonwood	Exempt 2011/12 FY	No	17-140-18-000	Wright, Brian & Nancy		2006	\$392.00			
										Total Amount to Refund	\$13,776.00