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August 12, 2025

The Honorable Michael Jurkovich
Supervising Judge of the Grand Jury
Madera County Superior Court
200 S. G Street
Madera, CA 93637

Subject: Response to the 2024-25 Grand Jury Report entitled "Responses to the Grand Jury: Buried in the Consent Calendar"

Honorable Judge Jurkovich:

Pursuant to the California Penal Code 933.05, the Madera County Board of Supervisors submits this response to the findings and recommendations in the 2024-25 Madera County Grand Jury report entitled **"Responses to the Grand Jury: Buried in the Consent Calendar"**

Finding 1:

The MCGJ finds that the responses were received within the 90-day period as required by Penal Code 933.05.

Response

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

Finding 2:

The MCGJ finds that the responses were properly sent to the appropriate recipients, including the Presiding Judge and the Madera County Grand Jury.

Response

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

Finding 3:

The MCGJ finds that the responses to the Madera Grand Jury Reports for the year 2023-2024 were made in accordance with the guidelines in Penal Code 933.05.

Response

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

Finding 4:

The MCGJ finds that the review, approval, and signing of the Board of Supervisors' responses to the MCGJ final report is systematically hidden in the consent calendar.



Response

Respondent disagrees with the finding per California Penal Code 933.05 (a) (2). Most legislative bodies utilize some version of a consent calendar or agenda. By consolidating non-controversial items, consent calendars streamline the meeting process. Items appearing on the consent calendar are not "hidden." Consistent with the provisions of the Ralph M. Brown Act, which governs open meetings for local government bodies, board meeting agendas, including the consent calendar, must be published at least 72 hours in advance of a regular meeting. Any person wishing to make a comment on any matter appearing on an agenda, including consent items, may appear at a meeting in person or virtually to be heard or submit a comment in writing. Further, any board member who feels that a consent item deserves to be a discussion item may request that an item be removed from the consent calendar and considered with other discussion items.

Recommendation 1:

The MCGJ recommends that all future responses be submitted within the 90-day period required by Penal Code 933.05 to ensure continued compliance and accountability.

Response

The recommendation has been implemented. Consistent with past practice, and in accordance with Penal Code Section 933(c), the Board of Supervisors will continue to comment on the findings and recommendations of the grand jury no later than 90 days after the grand jury submits a final report.

Recommendation 2:

The MCGJ encourages that responses continue to be addressed and delivered promptly to both the Presiding Judge and the Madera County Grand Jury, maintaining the integrity of the reporting process.

Response

The recommendation has been implemented. Consistent with past practice, and in accordance with Penal Code Section 933(c), the Board of Supervisors will continue to address its comments to the Presiding Judge and the grand jury as required by law.

Recommendation 3:

The MCGJ recommends that future responses clearly and thoroughly address each finding and recommendation, in accordance with Penal Code 933.05, to avoid any ambiguity and to strengthen the reporting process.

Response

The recommendation has been implemented. Consistent with past practice, and in accordance with Penal Code Section 933.05, the Board of Supervisors will continue to clearly and thoroughly address all grand jury findings and recommendations.

Recommendation 4:

The MCGJ recommends that the review, approval and signing of the Board of Supervisors' responses to the MCGJ's final report be placed on the agenda outside of the consent calendar as a separate item and moved to the beginning of any scheduled public meeting concerning the report, in order to promote transparency,

reinforce public trust and demonstrate commitment to open government principles.

Response

The recommendation will not be implemented because it is not warranted or not reasonable. The placement of the Board of Supervisor's responses to the Grand Jury's final report on a consent calendar is appropriate. Responses are subject to the posting requirements of the Brown Act and review and public comment from any interested party. Additionally, any member of the Board may request to have a consent item removed from the consent calendar and considered as a discussion item. The Board Chair also has the discretion to remove an item from the consent calendar during the agenda review process prior to a given board meeting date.

The Board of Supervisors acknowledges the Grand Jury's review and time involved in this matter and appreciates the opportunity to respond to the findings and recommendations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leticia Gonzalez", with a long horizontal flourish extending to the right.

Leticia Gonzalez, Chair
Board of Supervisors