

PLACER COUNTY GRAND JURY  
RESPONSES TO THE 2014-2015 FINAL REPORT  
November 30, 2015

STATE OF CALIFORNIA  
PLACER COUNTY  
SUPERIOR COURT  
GRAND JURY

11532 B AVENUE  
AUBURN, CA 95603



# PLACER COUNTY GRAND JURY

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November 30, 2015

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

The Honorable Colleen Nichols  
Advising Grand Jury Judge  
Superior Court, County of Placer  
P.O. Box 619072  
Roseville, CA 95661

Citizens of Placer County

**Subject: Responses to the 2014-2015 Grand Jury Report:**

Dear Judge Pineschi, Judge Nichols, and Citizens of Placer County:

The 2015-2016 Placer County Grand Jury has received and reviewed all the responses to the 2014-2015 Grand Jury Report.

All the responses received by the Grand Jury, between the final report's release date in June 2015 through November 16<sup>th</sup>, have been assembled and published in this Response Report. The report is being published primarily in electronic form and is available on the Placer County Superior Court's website at [www.PlacerGrandJury.org](http://www.PlacerGrandJury.org). Hard copies of the report are being distributed if requested.

If you desire a hard copy, please email your request to the Placer County Grand Jury at [grandjury@placer.ca.gov](mailto:grandjury@placer.ca.gov). Include your contact name, title, agency name, department name, and complete mailing address.

Sincerely,

Sharon Stanners  
Foreperson  
2015-2016 Placer County Grand Jury

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***Eureka Union School District  
School Lunch Program Contract  
Brown Act Open Meeting Concerns***

**Findings**

The Grand Jury found that:

- F1. The 2x2 meetings were held to disseminate information regarding the RJUHSD conditions of approval of the lunch contract in advance of the EUSD Board meeting.
- F2. EUSD understood that there would be no contract if there were any dissenting Board votes or any negative comments made at the EUSD public board meeting at which the EUSD-RJUHSD school lunch contract was considered.
- F3. The presence of a common Board member at all 2x2 briefing meetings between EUSD staff and one other Board member is a violation of the serial meeting provisions of the Brown Act.

**Recommendations**

The Grand Jury recommends that:

- R1. Informational 2x2 meetings between EUSD staff and Board of Trustee members should never include a common Board member present at all the meetings.
- R2. The EUSD staff should arrange an annual training seminar on the Brown Act provisions for all Board members and executive staff.

**Responses**

**Board of Trustees**  
Eureka Union School District

**Ms. Linda Rooney**  
Superintendent

**Recommendations  
Requiring Response**

**R1, R2**

**R1, R2**

**RECEIVED**

AUG 10 2015

**PLACER COUNTY  
GRAND JURY**

**Response to Grand Jury Report Form**

Report Title: Eureka Union School District School Lunch Program Contract

Report Date: June 26, 2015

Response By: Andy Sheehy

Title: Eureka Union School District Board President

Tom Janis

Title: Eureka Union School District Superintendent

**FINDINGS**

- I (we) agree with the findings, numbered: 1 and 2.
- I (we) disagree wholly or partially with the findings, numbered: 3 (Please see attached response)  
(Describe here or attach a statement specifying any portions of the findings that are disputed or not applicable; include an explanation of the reasons therefore.)

**RECOMMENDATIONS**

- Recommendations numbered 2 have been implemented.  
(Describe here or attach a summary statement regarding the implemented actions.)
- Recommendations numbered 1 have not yet been implemented, but will be implemented in the future.  
(Per Penal Code 933.05(b)(2), a time frame for implementation must be included. Describe here or in an attachment.)
- Recommendations numbered \_\_\_\_\_ require further analysis.  
(Describe here or attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six (6) months from the date of publication of the grand jury report.)
- Recommendations numbered \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.  
(Describe here or attach an explanation.)

Date: 7/23/15

Signed: \_\_\_\_\_

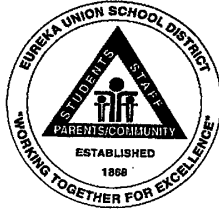


Number of pages attached 7

Tom Janis

# EUREKA UNION SCHOOL DISTRICT

5455 Eureka Road  
Granite Bay, CA 95746  
Phone: (916) 791-4939  
Fax: (916) 791-5527  
[www.eurekausd.org](http://www.eurekausd.org)



Superintendent:  
Tom Janis  
Chief Business Officer:  
Melody Glaspey  
Director of Curriculum, Instruction,  
Professional Development and Student  
Assessment:  
Ginna Myers  
Director of Human Resources:  
Kelli Hanson, Ed.D.  
Director of Student Services:  
Kristi Ellison

July 14, 2015

Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
PO Box 619072  
Roseville, California 95661

**RECEIVED**

AUG 10 2015

**PLACER COUNTY  
GRAND JURY**

**Re: Board of Trustees, Eureka Union School District, Response to Placer County June 26, 2015 Grand Jury Report, "Eureka Union School District School Lunch Program Contract, Brown Act Open Meeting Concerns"**

Honorable Judge Nichols:

Pursuant to California Penal Code sections 933 and 933.05, the Board of Trustees ("Board") of the Eureka Union School District ("District" or "EUSD") hereby submits its formal response to the June 26, 2015 Placer County Grand Jury Report entitled, "Eureka Union School District School Lunch Program Contract, Brown Act Meeting Concerns" ("Report").

## **OVERVIEW OF BOARD'S RESPONSE**

The Board and the District agree that, as a general rule, Board action and Board deliberations should be conducted openly pursuant to the Ralph M. Brown Act (hereinafter, Brown Act or Act; Government Code § 54950 *et seq.*). Consequently, the Board and District have carefully and thoroughly considered each of the Grand Jury's factual contentions, findings and recommendations contained in the above-referenced report, to ensure full compliance with Brown Act requirements.

Based on the Board's review of all available evidence relevant to the items identified in the Grand Jury's report, the Board agrees that the 2x2 meetings were held to disseminate information regarding the proposed lunch contract with the Roseville Joint Union High School District ("RJUHSD") and that the District Board members understood that there would be no contract between the two districts if there were any dissenting votes or any negative comments made during the upcoming board meeting. The Board respectfully disagrees, however, with the Grand Jury's contention that the presence of a common Board member at the 2x2 meetings held to discuss the potential contract with RJUHSD was a violation of the serial meeting provisions of the Brown Act.

**BOARD OF TRUSTEE'S RESPONSE TO GRAND JURY'S FINDINGS**

**Finding 1:**

The 2x2 meetings were held to disseminate information regarding the RJUHSD conditions of approval of the lunch contract in advance of the EUSD Board meeting.

**Response to Finding 1:**

The Board agrees with this finding. As noted in the Report, in the spring of 2014, the District needed to find a new vendor for its school lunch program for the upcoming 2014-2015 school year. One of the options it considered was entering into an agreement with RJUHSD which provided the lunches to the district during prior school years as part of an interagency agreement. Although RJUHSD was initially reluctant to submit a bid, it eventually agreed to do so with the condition that the contract would be a multi-year contract, that the Board's decision to enter into an agreement would be unanimous and that negative comments would not be made at the Board meeting at which the proposed contract would be considered. In order to discuss the feasibility of meeting RJUHSD's demands, the former Superintendent, Linda Rooney<sup>1</sup>, organized a series of 2x2 meetings.

**Finding 2:**

EUSD understood that there would be no contract if there were any dissenting Board votes or any negative comments made at the EUSD public board meeting at which the EUSD-RJUHSD school lunch contract was considered.

**Response to Finding 2:**

The Board agrees with this finding. All of the District's Board members were aware that these were the conditions set forth by RJUHSD in regards to its bid to provide food service to the District.

**Finding 3:**

The presence of a common Board member at all 2x2 briefing meetings between EUSD staff and one other Board member is a violation of the serial meeting provisions of the Brown Act.

**Response to Finding 3:**

The Board respectfully disagrees.

Pursuant to Government Code section 54952.2(b)(1):

A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications

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<sup>1</sup> Former Superintendent Linda Rooney, retired from the District as of June 30, 2015 after numerous years of dedicated services to the District. Mr. Tom Janis became Superintendent as of July 1, 2015.

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of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

Section 54952.2(b)(2) however provides an exception to this rule which states:

Paragraph [54952.2b](1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, *if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.* (Emphasis added.)

Although the Grand Jury found, and the District does not disagree, that one common Board member *attended* all of the 2x2 meetings, the Grand Jury found no evidence that this Board member (or any of the Board members) *communicated* any of the information that was discussed during the 2x2 meetings to anyone outside of their particular meeting. Absent communication of the comments or position of any member to other members of the Board, there is no violation of the Brown Act.

### **BOARD'S RESPONSE TO GRAND JURY'S RECOMMENDATIONS**

#### **Recommendation 1:**

Informational 2x2 meetings between EUSD staff and Board of Trustee members should never include a common Board member present at all meetings.

#### **Response to Recommendation 1:**

Although the Board respectfully asserts that it did not violate the Brown Act during the 2x2 information meetings held to discuss its school lunch program for the 2014-2015 school year, it will comply with the Grand Jury's request to not have a common Board member present at all future 2x2 meetings.

#### **Recommendation 2:**

The EUSD staff should arrange an annual training seminar on the Brown Act provisions for all Board members and executive staff.

#### **Response to Recommendation 2:**

This recommendation has already been implemented as the Board receives training annually on the Brown Act, through the Placer County Office of Education. In addition, the members of the Board also attend the annual education conference sponsored by the California School Boards

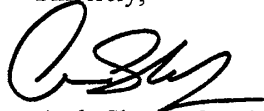
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Association during which they attend Brown Act trainings as well as other topics that are significant to school board members. The Superintendent also customarily attends these trainings with the members of the Board members. Additionally, the District has developed a governance calendar which contains regular training for the Board and the Superintendent on the topic of the Brown Act and other related issues.

CONCLUSION

As explained above, the Board is committed to abiding by the requirements set forth in the Brown Act. Although the Board does not believe it violated the Act, it is willing to implement both of the Grand Jury's recommendations to avoid even the suggestion of a potential violation.

Sincerely,



Andy Sheehy, President  
Board of Education  
Eureka Union School District



Tom Janis  
Superintendent  
Eureka Union School District

Enclosures

cc: Members of the EUSD Board of Trustees  
Tom Janis, EUSD Superintendent  
Eureka Union School District  
5455 Eureka Road  
Granite Bay, CA 95746

Board of Trustees:

Tony Corado ♦ Ryan Jones ♦ Renee Nash ♦ Aimee Scribner ♦ Andrew Sheehy

**Eureka Union School District Governance Calendar  
Approved June 24, 2014 – Amended April 14, 2015**

| Job Area  | January  | February   | March  | April   | May   | June   | July | August  | September | October   | November | December  |
|---|--|--|--|---|---|--|------|---|-----------|---|----------|---|
| <b>Effective Governance</b>                           | <ol style="list-style-type: none"> <li>Review of Governance Team norms &amp; protocols</li> <li>Update Board bylaws as appropriate</li> <li>Ethics training (AB 1234) every two years/within year of election</li> </ol> | <ol style="list-style-type: none"> <li>Review/update Board EUSD Governance Calendar and Board Governance Handbook</li> </ol> |  |   |   | <ol style="list-style-type: none"> <li>Adoption/review/revision of EUSD Governance Calendar (3 year document)</li> <li>Discussion of CSBA Annual Education Conference attendance by EUSD Board members/ Admin Team</li> <li>Evaluation of legal service agreements/consider renewal of agreements (BB 9124)</li> </ol> |      |   |           |   |          | <ol style="list-style-type: none"> <li>CSBA Annual Education Conference</li> <li>New Board members sworn in</li> <li>Annual organization meeting</li> <li>Election of Officers</li> <li>Appoint sub-committee - EUSD Governance Calendar</li> </ol> |
| <b>Setting Direction for the District</b>             | <ol style="list-style-type: none"> <li>Supt's mid-year progress report on progress toward supt. goals</li> </ol>   | <ol style="list-style-type: none"> <li>Report progress on goals to the community/LCAP</li> </ol>                             | <ol style="list-style-type: none"> <li>LCAP – annual revision/update</li> </ol>                                  |   |   | <ol style="list-style-type: none"> <li>Approve revised/updated LCAP</li> </ol>   |      |   |           | <ol style="list-style-type: none"> <li>Discuss priorities and preliminary goals for following year</li> <li>Report progress on goals to the community</li> </ol>  |          |   |
| <b>Student Learning &amp; Achievement</b>             | <ol style="list-style-type: none"> <li>CELDT results/EL student info reported to Board</li> <li>Consolidated application</li> <li>SARC updates</li> <li>Instructional materials adoption cycle/process</li> </ol>        | <ol style="list-style-type: none"> <li>Superintendent evaluation</li> </ol>  | <ol style="list-style-type: none"> <li>Summer school planning</li> <li>Summer Professional Dev. Plans</li> </ol> | <ol style="list-style-type: none"> <li>GATE Program Update/Report on GATE Plan/Guide for Parents and Staff</li> </ol> | <ol style="list-style-type: none"> <li>Single Plan for Student Achievement-review each site</li> <li>Program update: GATE, Spec. Ed., EL, etc.</li> <li>Instructional materials adoption process &amp; recommendation</li> <li>Consolidated Application</li> <li>LCAP Approval</li> <li>Attend graduations</li> <li>Summer Institute in progress: report to Board</li> <li>Summer School, EL, ESY, STAR, Spanish, etc. report</li> <li>Adopt/review 3 year technology plan</li> </ol> |  |      | <ol style="list-style-type: none"> <li>Accountability reports, local multiple measures report via LCAP</li> <li>Opening of school report</li> <li>Assessment results reviewed</li> <li>Public hearing: adoption of Resolution declaring sufficient K-8 textbooks and instructional materials</li> </ol> |           | <ol style="list-style-type: none"> <li>CAASPP (Statewide Assessment) District allocations for State and Federal funds</li> <li>Disaggregated student group data (special education, EL, GATE, low SES, foster)</li> </ol> |          |   |
| <b>School Presentations at Monthly Board Meetings</b> |  | Curriculum implementation  | Professional development implementation  |   |   |  |      |   |           |   |          |   |
|   |  |  |  |   |   |  |      |   |           |   |          |   |

| Job Area                                    | January  | February   | March  | April   | May   | June  | July  | August  | September   | October                              | November | December  |  |
|---|--|--|--|---|---|---|---|---|---|--------------------------------------|----------|---|--|
| <b>Finance</b>                              | 1. Budget Sub-Committee meets with district staff to review updated budget information   | 1. Update on Governor's proposed State budget<br>2. 2 <sup>nd</sup> Interim Report presented<br>3. Staff projects next year's revenue and expenses, enrollment forecast<br>4. Staffing needs projected |  | 1. Budget Sub-Committee Members work with district staff to develop budget priorities | 1. Report on and discussion of Governor's May revision of the budget and ongoing discussions regarding priorities | 1. Adopt the budget/LCAP                                      |   | 1. LCAP approval report from PCOE                           | 1. Present Unaudited Actuals report for approval                            |                                      |          | 1. Accept and approve audit report<br>2. 1 <sup>st</sup> Interim report presented |  |
| <b>Facilities/<br/>Safety/<br/>Security</b> | 1. Facilities Sub-Committee meets to review needs/establish priorities- including summer projects  |  |  | 1. Deferred maintenance update for inclusion in budget development                    | 1. Budget Workshop including Facilities and Maintenance Plans   |   |   |   |   |                                      |          |   |  |
| <b>Policy</b>                               |  |  | 1. Summer projects report on deferred maintenance/ current issues    | Continued focus on security/safety issues district-wide (per DPREP reports)           |   |   |   |   | 1. Report on current issues including list of projects requiring completion | 1. Report by School Resource Officer |          | 1. Schedule study session: Facilities Master Plan                                 |  |
| <b>Judicial Review</b>                      | Board bylaws, policies and administrative regulations ongoing, as needed   |  |  |   |   |   |   |   |   |                                      |          |   |  |
| <b>Human Resources</b>                      | 1. Supt's mid-year progress report on goals presented to the Board   | 1. Every several years review hiring & evaluation policies   | 1. Lay-off notification to certified staff by March 15 <sup>th</sup> | 1. Lay-off notification to classified staff by April 29 <sup>th</sup>                 | 1. Final lay-off deadline May 15 <sup>th</sup> for certified staff  | 1. Finalize goals and success indicators for coming year/LCAP | 1. Resolution declaring administrator salaries indefinite | 1. Summer certified layoff deadline August 15 <sup>th</sup> | Provide on-going climate of support for staff                               |                                      |          |   |  |
| <b>Collective Bargaining</b>                | Be familiar with the district's bargaining process as defined in board policy. Establish parameters for negotiations. Receive reports on negotiations. Approve negotiated agreements |  |  |   |   |   |   |   |   |                                      |          |   |  |

| Job Area                                   | January  | February | March | April   | May  | June | July | August  | September | October | November | December   |
|--|--|----------|-------|---|--|------|------|---|-----------|---------|----------|--|
| <b>Community Relations</b>                 | 1. Involvement and/or attendance at school and community events<br>2. Development and dissemination of key meetings about important district topics and issues, including progress on LCAP |          |       |   | 1. Attend Open House nights and community events<br>2. Involvement and/or attendance at school<br>3. Development and dissemination of key messages about important district topics and issues, including the district budget |      |      | 1. Attend Back to School Nights and beginning of year site activities<br>2. Supt report/Board review re: communication plan |           |         |          | 1. Involvement and/or attendance at school and community events<br>2. Development and dissemination of key messages about important district topics and issues, including student assessment results |
| <b>Advocacy</b>                            | Monitor/Advocate for legislative action, as needed   |          |       |   |  |      |      |   |           |         |          |  |
| <b>Student Wellness/Nutrition Services</b> |  |          |       | 1. Review/marketing communication plan in line with Student Wellness Plan | Report on Nutrition/Wellness Program   |      |      |   |           |         |          | 1. Report by school nurses re: student wellness  |
|  | Assessment of Nutrition Services/Student Wellness – update, as needed  |          |       |   |  |      |      |   |           |         |          |  |

## ***Examination of Fire Hydrant Inspection and Maintenance***

### **Findings**

The Grand Jury found that:

- F1. Inspection and maintenance of hydrants within the county is not uniform. If a fire hydrant needs repair, replacement, etc., the responsiveness is not consistent.
- F2. Cost is often a factor for smaller private services such as those provided by homeowners associations and the like.
- F3. Availability of functioning hydrants is a primary factor in Insurance Standards Organization (ISO) ratings which determine property owners' fire insurance rates. This gives local districts an additional incentive to insure that their hydrants are maintained.
- F4. There is disagreement among some fire and water districts as to who actually owns the fire hydrants in some jurisdictions. Some water district personnel interviewed indicated that the hydrants are owned by the fire department, while some fire department personnel indicated that hydrants are owned by the water agencies.
- F5. Improperly functioning fire hydrants are a threat to public health and safety.
- F6. Despite the lack of standardization, the Grand Jury did not identify any area in which hydrants are not kept operational.
- F7. The local water and fire districts seem to work well together to see that hydrants are maintained.
- F8. Some water and fire districts serving a given geographic area have entered into formal written agreements.
- F9. In some areas, there are less formal agreements between the fire and water agencies' respective management teams.
- F10. Generally, the fire district does inspection and light maintenance and the water districts do the heavier maintenance and repairs. Staff seemed to think that that arrangement makes sense in that it takes advantage of the skills of each agency's employees.
- F11. The Grand Jury did not find any specific inadequacies in the operation of fire hydrants.

**Recommendations**

The Grand Jury recommends that:

- R1. The Placer County CEO should consider whether a fire hydrant inspection and maintenance program be established to ensure uniformity throughout the county.

**Responses**

**Mr. David Boesch**  
Placer County CEO

**Recommendations**  
**Requiring Response**

**R1**



**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**

David Boesch, County Executive Officer

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

September 15, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**Re: 2014-15 Grand Jury Final Report – Examination of Fire Hydrant Inspection and Maintenance**

Dear Judge Nichols,

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled *Examination of Fire Hydrant Inspection and Maintenance*. The Placer County Executive would like to thank the members of the 2014-15 Grand Jury for their efforts associated with the examination of fire hydrants.

**Findings of the Grand Jury**

I agree with the findings numbered F1 through F11.

**Recommendations of the Grand Jury**

*(R1) The Placer County CEO should consider whether a fire hydrant inspection and maintenance program be established to ensure uniformity throughout the county.*

**County Executive Response:** This Recommendation has been considered by the CEO. Due to the nature of both Independent Fire Districts, City Fire Departments and Special District Water agencies, the County does not have jurisdictional authority to dictate uniformity on this issue throughout the County. In addition, after engaging with fire agencies and the Placer County Water Agency, staff has determined that the current fire hydrant inspection and maintenance protocols are functioning properly.

Sincerely,

COUNTY OF PLACER

---

David Boesch  
Placer County Executive Officer

cc: Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Carden, Placer County Counsel

## ***Human Trafficking***

### **Findings**

The Grand Jury found that:

- F1. Long-term placement for child victims of sex trafficking in Placer County is problematic.
- F2. An advocate, who has worked with victims for 15 years, uses stringent software to test for boundaries and sexual propensities (Diana Screening) in potential safe houses for victims. This advocate says that the use of this more extensive software could improve the probability of human trafficking victims to find a safe home.
- F3. In ten months, and as of the time of this interview, one facility had turned away 79 victims due to lack of beds.
- F4. Child victims are usually sent out of their local area for their own safety.
- F5. Law enforcement commented that monetary fines on massage parlors are not severe enough to stop the rotation of female victims. When law enforcement questions these females, they frequently have scripted answers (“just visiting from out of town, staying with a friend”, etc.) When law enforcement conducts follow-up investigations on the same businesses within a short period of time, those employees have moved on to new locations. New female employees have the same scripted responses to questions.
- F6. Law enforcement has much less control or power to protect adult victims since they are over 18, and unless charged with a crime, they can’t hold them.
- F7. Establishment of state-wide tracking systems for victims already identified by law enforcement is necessary.

**Recommendations**

The Grand Jury recommends that:

- R1. Health and Human Services continues to seek up to date information and state-of-the-art programs for human trafficking victim assistance.
- R2. The CSEC continue “active” coordination of all agencies involved in identifying and tracking human trafficking incidents in Placer County.
- R3. The CSEC develop human trafficking awareness programs to educate parents and children, with a special emphasis on foster parents and foster children.

**Responses**

**Recommendations  
Requiring Response**

**Mr. Jeff Brown**  
Director, Health and Human Service

**R1 - R3**



**Placer County  
Health and Human Services Department**

**Jeffrey S. Brown, M.P.H., M.S.W.**  
Department Director

September 15, 2015

**RECEIVED**

**SEP 25 2015**

**PLACER COUNTY  
GRAND JURY**

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**Re: 2014-15 Grand Jury Final Report – Human Trafficking**

Dear Judge Nichols,

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled *Human Trafficking*. The Department of Health and Human Services would like to thank the members of the 2014-15 Grand Jury for their efforts in bringing to light the very unique emerging challenges associated with identifying and serving victims of human trafficking. Care for this unique set of youth is challenging.

The Grand Jury should also be aware that the County's Mental Health Alcohol and Drug Board Children's Committee has also identified commercially and sexually Exploited Children and Youth, as a focus for exploration and support in 2016.

Our department respectfully submits the following as response to your board's report of June 26, 2015.

**FINDINGS**

We agree with the findings, numbered F1, F3, F4, F5, F6, and F7.

We disagree partially with the findings, numbered F2.

**F2 - An advocate, who has worked with victims for 15 years, uses stringent software to test for boundaries and sexual propensities (Diana Screening) in potential safe houses for victims. This advocate says that the use of this more extensive software could improve the probability of human trafficking victims to find a safe home.**

While there is the potential for screening instruments, used in conjunction with personal interviews and background checks, to identify individuals who may not be suitable for working with children and youth, the Diana screening tool has yet to be fully embraced by the provider community due to issues with its sensitivity and limited validation studies.

**RECOMMENDATIONS**

Recommendations numbered R1, R2 and R3 have been implemented.

helping people, changing lives

**R1 - Health and Human Services continues to seek up to date information and state-of-the-art programs for human trafficking victim assistance.**

The Health and Human Services (HHS) and Probation departments have provided more than 16 hours of clinical training in the last year to more than 100 social workers, emergency shelter staff, therapists and probation officers serving youth and families. Staff have overwhelmingly expressed satisfaction with the content, which comes from state approved trainers with many years of experience in child sex trafficking. Additionally, several staff have recently become certified trainers on prevention principles.

**R2 - The CSEC continues "active" coordination of all agencies involved in identifying and tracking human trafficking incidents in Placer County.**

HHS's Children's System of Care (CSOC) has been among the first programs in California to complete a specific county plan to address this challenge with partner agencies. Additionally, a Memorandum of Understanding involving local law enforcement partners is near finalization. The Commercial Sexual Exploitation of Children Task Force (CSEC) will be supported with the full awareness and energies of the Systems Management Advocacy Resource Team (SMART) Policy Board, including local judges, as it seeks to protect and treat young people whose lives are affected by trafficking.

Additional to identification and treatment, CSOC will focus efforts on prevention, working with districts and Placer's County Office of Education, to raise awareness for teachers and school personnel who are often first line identifiers of at-risk young people.

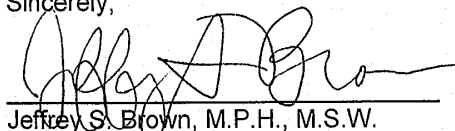
**R3 - The CSEC develop human trafficking awareness programs to educate parents and children, with a special emphasis on foster parents and foster children.**

CSOC has already begun screening and identification of all youth at the Children's Emergency Shelter and Juvenile Detention Facility. Continuing efforts will seek out the best tools to enhance this process when possible. Self-directed youth education training is available to identified foster youth, as a method of raising personal awareness for potential victims.

The Department is working with both training and local Group Home provider partners to build CSEC content and process into a host of training requirements. These informational trainings will be available for youth in the community to increase awareness of CSEC warning signs and preventative measures.

Later this year, the Department will be requesting the Board of Supervisors pass a resolution affirming the county's full support for identifying and treating young victims.

Sincerely,



Jeffrey S. Brown, M.P.H., M.S.W.  
Health and Human Services Department Director

cc: Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Carden, Placer County Counsel

## ***Investigation of County and City Operational Policies***

### **Findings**

The Grand Jury found that:

- F1. Policies for travel seemed appropriate and adequate while recognizing the wide differences in size of the workforce and responsibilities. Colfax has policies, but they are not in writing.
- F2. Travel controls for all entities are adequate.
- F3. Vehicle policies for all jurisdictions are satisfactory, although Colfax's policy is not in writing.
- F4. Each government body has different policies and procedures for issuance and use of credit cards.
- F5. Credit cards are widely used by Placer County, Rocklin and Roseville. Use in other jurisdictions is more limited.
- F6. Monitoring and control of credit card use is adequate.
- F7. Monitoring cell phone usage continues to be an on-going challenge for management.
- F8. Smart phones have blurred the lines between cell-phone and technology use policies.
- F9. Management oversight and monitoring of technology usage is an evolving challenge.
- F10. The extent of personal computer and tablet usage varies with the number of employees.
- F11. Management approach and policies on technology vary.
- F12. All entities have adequate policies on contracting and bidding.
- F13. Policies are not being updated in a timely fashion.
- F14. Some, but not all, policies identified the original date of issue or date of review.
- F15. Issuance dates, recurring reviews and approvals of operational policies were only completed by Placer County, Colfax and Roseville. Other entities revised policies on an "as necessary" basis.
- F16. Complete standardized numbered policies were only available from Placer County and Roseville.

- F17. Initial training on operational policies is completed for newly elected officials and new employees in a variety of ways.
- F18. Recurring training policies can be improved.
- F19. Management of technology innovations requires an inter-disciplinary approach.
- F20. On-going internal auditing serves to monitor internal controls and minimize non-compliance and abuse. The addition of internal auditors would be valuable for the larger cities.
- F21. Providing forms for employees to submit whistleblower reports in writing would be of value.

### **Recommendations**

The Grand Jury recommends that:

- R1. A written policy for travel and vehicle use be developed.
- R2. A regular schedule be established for reviewing all policies to assure they are current.
- R3. All policies should include, approval, adoption, and review dates. Policies should be indexed for improved access.
- R4. Cell phone policies be documented.
- R5. Computer and internet policies be documented.
- R6. Technology policies include computer, tablet, internet and email use.
- R7. Consideration should be given to the development of a Technology Resources Policy including a schedule of reviews and employee acknowledgements.
- R8. Consideration be given to procuring cyber security insurance.
- R9. Require that employees on a recurring schedule verify that they understand and acknowledge, by signature, operational policies and any changes thereto.
- R10. A whistleblower policy and reporting form be developed.
- R11. Consideration be given to adding one or more internal auditors to staff.

**Responses**

**Recommendations  
Requiring Response**

**Mr. David Boesch**  
Placer County CEO

**R8, R10**

**Mr. Andrew Sisk**  
Placer County Auditor Controller

**R10**

**Mr. Tim Rundel**  
City Manager, City of Auburn

**R2, R3, R6-R10**

**Mr. Mark Miller**  
City Manager , City of Colfax

**R1-R6, R08-09**

**Mr. Matt Brower**  
City Manager, City of Lincoln

**R2-R4, R6-R10**

**Mr. Rick Angelocci**  
Town Manager, Town of Loomis

**R2-R6, R8-R10**

**Mr. Ricky A. Horst**  
City Manager, City of Rocklin

**R2, R3, R8-R10**

**Mr. Ray Kerridge**  
City Manager, City of Roseville

**R10, R11**



## COUNTY OF PLACER

### BOARD MEMBERS

|                                   |                          |
|-----------------------------------|--------------------------|
| JACK DURAN<br>District 1          | JIM HOLMES<br>District 3 |
| ROBERT M. WEYGANDT<br>District 2  | KIRK UHLER<br>District 4 |
| JENNIFER MONTGOMERY<br>District 5 |                          |

## OFFICE OF COUNTY EXECUTIVE

David Boesch, County Executive Officer

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

September 15, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**Re: 2014-15 Grand Jury Final Report – *Investigation of County and City Operational Policies***

Dear Judge Nichols,

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled *Investigation of County and City Operational Policies*. The County Executive Officer would like to thank the members of the 2014-15 Grand Jury for their efforts.

**Findings of the Grand Jury**

The County Executive agrees with the findings numbered F8-F11 which generally relate to the use of evolving technology and the related challenges of management oversight and monitoring. Technology is changing rapidly, and agencies, including Placer County, must constantly be vigilant to ensure that assets are protected.

**County Executive Response:** The County Executive Office will continue to work with staff from Administrative Services – Information Technology and the Placer County Administrative Manual (PAM) Committee to further update our policies and oversight processes as technology evolves and consistent with related internal control.

I also agree with the finding numbered F21.

**County Executive Response:** See R10 Recommendation/Response below.

**Recommendations of the Grand Jury**

*(R8) Consideration be given to procuring cyber security insurance.*

**County Executive Response:** This recommendation has been implemented. The County has had countywide cyber security insurance coverage since FY 2014-15.

*(R10) A whistleblower policy and reporting form be developed.*

**County Executive Response:** This recommendation has not yet been implemented, but will be implemented in the future. The County Executive Office acknowledges that the Auditor-Controller is updating the Placer County Fraud Policy to include instruction on how to report fraud, waste and abuse by County employees. Additionally, the Auditor-Controller has commenced a Whistleblower Hotline Feasibility Study which will determine best practices among counties and the most cost effective way of administering a whistleblower policy. The Auditor-Controller anticipates an updated policy be approved by October 31, 2015 and the feasibility study be completed by December 31, 2015.

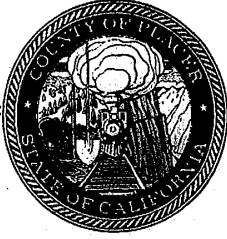
Sincerely,

COUNTY OF PLACER

A handwritten signature in blue ink, appearing to read 'D. Boesch', is written over a horizontal line.

David Boesch  
Placer County Executive Officer

cc: Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Carden, Placer County Counsel



## COUNTY OF PLACER

OFFICE OF  
AUDITOR-CONTROLLER

ANDREW C. SISK, CPA  
Auditor-Controller  
E-mail: [asisk@placer.ca.gov](mailto:asisk@placer.ca.gov)

NICOLE C. HOWARD, CPA  
Assistant Auditor-Controller  
E-mail: [nhoward@placer.ca.gov](mailto:nhoward@placer.ca.gov)

August 20, 2015

**RECEIVED**

AUG 24 2015

PLACER COUNTY  
GRAND JURY

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**Re: 2014-15 Grand Jury Final Report – Investigation of County and City Operational Policies**

Dear Judge Nichols:

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled *Investigation of County and City Operational Policies*. The Auditor-Controller's Office would like to thank the members of the 2014-15 Grand Jury for their efforts.

**Findings of the Grand Jury**

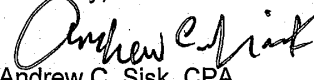
- I agree with the finding numbered F21.

**Recommendations of the Grand Jury**

- Recommendation numbered R10 has not yet been implemented, but will be implemented in the future. I am in the process of updating the Placer County Fraud Policy to include instructions on how to report fraud, waste and abuse by County employees, including a newly created Internal Audits email account. In addition, consistent with our 2015/16 Internal Audit Plan, we have commenced a Whistleblower Hotline Feasibility Study which will determine best practices among counties and the most cost effective way of administering a whistleblower policy and related procedures.

We anticipate that our updated policy will be approved by October 31, 2015 and the feasibility study to be completed by December 31, 2015. Once the study is completed, we would then make recommendations to the Audit Committee on next steps to implement a whistleblower hotline.

Sincerely,

  
Andrew C. Sisk, CPA  
Auditor-Controller

cc: Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Carden, Placer County Counsel

2970 Richardson Drive / Auburn, California 95603 / (530) 889-4160 / Fax (530) 889-4163  
Internet Address: <http://www.placer.ca.gov> / email: [auditor@placer.ca.gov](mailto:auditor@placer.ca.gov)

# City of Auburn

1225 Lincoln Way, Auburn CA 95603 • (530) 823-4211 • fax (530) 885-5508  
[www.auburn.ca.gov](http://www.auburn.ca.gov)

July 13, 2015

Sharon Stanners  
Foreperson  
Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

**RECEIVED**

JUL 17 2015

**PLACER COUNTY  
GRAND JURY**

Mrs. Stanners –

The City of Auburn is in receipt of the Placer County Grand Jury 2014-15 Final Report dated June 26, 2015. In the report, the Placer County Grand Jury offered recommendations for each agency listed in the report, including the City of Auburn (the “City”). I write this letter to you as a formal response on behalf of the City.

**Recommendation #2**

A regular schedule be established for reviewing all policies to assure they are current.

City of Auburn Response:

Recommendation accepted. The City will research and implement a policy review schedule for administrative policies to ensure policies remain current and are updated as needed.

**Recommendation #3**

All policies should include approval, adoption and review dates. Policies should be indexed for improved access.

City of Auburn Response:

Recommendation accepted. The City will research and implement a process for approval, adoption and review of current administrative policies, including a process for indexing those policies. The City currently has indexed all financial policies and may utilize this process as a guide for additional administrative policies.

**Recommendation #6**

Technology policies include computer, tablet, internet and email use.

---

City of Auburn Response:

Recommendation noted. The City has a current Technical Resources Policy which governs proper use of technical resources provided by the City to its employees or at its facilities. The policy is provided to every employee. In its current form, the policy covers computer, tablet, internet and email use for all City employees.

**Recommendation #7**

Consideration should be given to the development of a Technology Resources Policy including a schedule of reviews and employee acknowledgements.

City of Auburn Response:

Recommendation accepted. The City will develop a policy review schedule for administrative policies, including the Technical Resources Policy. Currently, the City requires all employees to review the Technology Resources Policy prior to beginning employment. The employee is required to sign an acknowledgment form which is kept in the employee's personnel file for the duration of employment.

**Recommendation #8**

Consideration be given to procuring cyber security insurance.

City of Auburn Response:

Recommendation noted. The City currently purchases cyber security insurance as part of its citywide crime policy. The policy is purchased through the Northern California Cities Self Insurance Fund (NCCSIF) whereby Auburn is an original member. The City will continue purchasing cyber security insurance.

**Recommendation #9**

Require that employees on a recurring schedule verify that they understand and acknowledge, by signature, operational policies and any changes thereto.

City of Auburn Response:

Recommendation accepted. Currently, the City updates policies and notifies all employees through labor associations of proposed changes and/or additions to City policy. The City will research and implement a process to by which employees, by acknowledgment and signature, are updated and made aware of current policies.

**Recommendation #10**

A whistleblower policy and reporting form be developed.

---

**City of Auburn Response:**

Recommendation accepted. The City will research and develop a whistleblower policy and reporting form.

The City of Auburn appreciates the dedication and commitment to members of the Placer County Grand Jury, particularly during your research related to the 2014-15 Final Report. Please let me know if you need additional information.

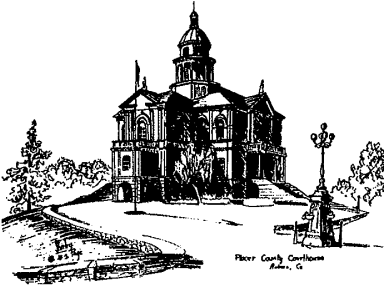
Thank you,



Dylan Feik  
Administrative Services Director

**Cc: by email**

Tim Rundel, City Manager  
Amy Lind, Assistant City Clerk



## PLACER COUNTY GRAND JURY

11532 B Avenue  
Auburn, CA 95603

Phone: (530) 886-5200  
Fax: (530) 886-5201  
Email: grandjury@placer.ca.gov

Mr. Tim Rundel  
City Manager, City of Auburn  
1225 Lincoln Way  
Auburn, CA 95603

September 3, 2015

Re: Response to Report Investigation of County and City Operational Policies

Dear Respondent:

The Grand Jury appreciates your response to the findings and recommendations contained in the above referenced report. However, your response was missing some critical information that is mandated by statute. When a respondent indicates that a recommendation "will be implemented" a time frame for implementing the recommendation is required.

Penal code §933.05(b) allows the respondent to select one of four actions for each recommendation. The action to implement the recommendation in the future is covered in §933.05(b)(2). That section reads "The recommendation has not yet been implemented, but will be implemented in the future, *with a time frame for implementation.*" A copy of the pertinent Penal Code is enclosed.

In accordance with this statute, the Placer County Grand Jury requests that you furnish the implementation time frame to validate your response. Please submit your reply to the Grand Jury within 30 days from the date of this letter.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Stanners".

Sharon Stanners, Foreperson  
2015-2016 Placer County Grand Jury

Enclosure

Lxxx

## California Penal Code

### *Section 933.05*

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
  - (1) The respondent agrees with the finding.
  - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
  - (1) The recommendation has been implemented, with a summary regarding the implemented action.
  - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
  - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
  - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

City of **Auburn**

1225 Lincoln Way, Auburn CA 95603 • (530) 823-4211 • fax (530) 885-5508  
[www.auburn.ca.gov](http://www.auburn.ca.gov)

September 25, 2015

Sharon Stanners  
Foreperson  
Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

**RECEIVED**

OCT 05 2015

**PLACER COUNTY  
GRAND JURY**

RE: Response to Report Investigation of County and City Operational Policies

Mrs. Stanners –

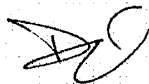
The City of Auburn is in receipt of your subsequent letter dated September 3, 2015 to the City of Auburn, California, regarding your additional request for information. You requested the City provide “a time frame for implementation,” for the City to implement findings of the Placer County Grand Jury 2014-15 Final Report.

The City is contracting for professional services related to development of an appropriate Records Retention Schedule. As part of this project, staff will review all current policies, procedures, records, etc. and make determinations on how long the City should retain such records. Work is estimated to be completed by June 30, 2016.

The City will review current employee policies, procedures, etc. and implement recurring scheduled updates, employee acknowledgments, and adopt a whistleblower policy – as referenced in the Placer County Grand Jury 2014-15 Final Report – by June 30, 2016 or as budget allows.

Please let me know if you need additional information.

Thank you,



Dylan Feik  
Administrative Services Director

Cc: by email

Tim Rundel, City Manager  
Amy Lind, Assistant City Clerk

City of Auburn  
RE: Response to Report Investigation of County and City Operational Policies

**RECEIVED**

AUG 24 2015

PLACER COUNTY  
GRAND JURY

**Response to Grand Jury Report Form**

**Report Title:** Investigation of County and City Operational Policies

**Report Date:** June 26, 2015

**Response By:** Mark Miller

**Title:** City Manager,  
City of Colfax

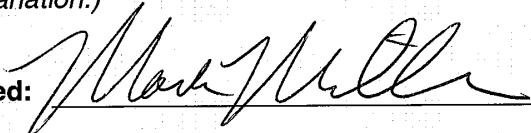
**FINDINGS**

- I (we) agree with the findings, numbered: 1-6, 8,9.
- I (we) disagree wholly or partially with the findings, numbered: \_\_\_\_\_.  
(Describe here or attach a statement specifying any portions of the findings that are disputed or not applicable; include an explanation of the reasons therefore.)

**RECOMMENDATIONS**

- Recommendations numbered R2, R3, R8 have been implemented.  
*Review schedule and matrix attached. Insurance is in place*
- Recommendations numbered R1, R4, R5, R6, R9 have not yet been implemented, but will be implemented in the future.  
*The City Council of the City of Colfax will review new policies in September 2015.*
- Recommendations numbered \_\_\_\_\_ require further analysis.  
(Describe here or attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six (6) months from the date of publication of the grand jury report.)
- Recommendations numbered \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.  
(Describe here or attach an explanation.)

**Date:** 8/20/15

**Signed:** 

Number of pages attached 1.

City of Colfax  
 Administrative Policies and Procedures  
 Updated 8-12-15

| <b>Policy #</b> | <b>Policy</b>                           | <b>Adoption Date</b> | <b>Review Date*</b> |
|-----------------|---|----------------------|---------------------|
| 09-01           | City Credit Card for Business Use       | 2/2/2009             | 3/1/2016            |
| 14-01           | Financial Policies                      | 10/8/2014            | 3/1/2016            |
| 14-02           | Whistleblower Policy                    | 10/8/2014            | 3/1/2016            |
| 14-03           | Investment Policy                       | 10/8/2014            | 3/1/2016            |
| 09-02           | Smoking on City Property/Vehicle        | 9/2/2009             | 3/1/2016            |
| 99-01           | Drug Testing Policy                     | 6/8/1999             | 3/1/2016            |
| 15-01           | <i>Travel Policy (pending approval)</i> |                      | 3/1/2018            |
| 15-02           | <i>Use of City Vehicles (pending)</i>   |                      | 3/1/2018            |
| 15-03           | <i>Cell Phone Use (Updating)</i>        |                      | 3/1/2018            |
| 15-04           | <i>Technology (pending approval)</i>    |                      | 3/1/2018            |

\*Reviews for most policies will coincide with the mid-year budget review.

**Response to Grand Jury Report Form**

**Report Title:** City of Lincoln Grand Jury Response - City Operational Policies

**Report Date:** August 14, 2015

**Response By:** Matthew Brower **Title:** City Manager

**RECEIVED**

AUG 26 2015

PLACER COUNTY  
GRAND JURY

**FINDINGS**

• I agree with the findings, numbered: 1-21

• I disagree wholly or partially with the findings, numbered:

*(Describe here or attach a statement specifying any portions of the findings that are disputed or not applicable; include an explanation of the reasons therefore.)*

**RECOMMENDATIONS**

• Recommendations numbered 4, 6, 8 and 10 have been implemented.

*(Describe here or attach a summary statement regarding the implemented actions.)*

• Recommendations numbered 2, 3, 7 and 9 have not yet been implemented, but will be implemented in the future.

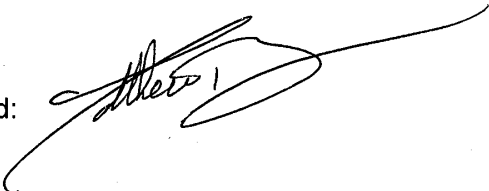
• Recommendations numbered 1, 5 and 11 are not applicable to the City of Lincoln.

***(Per Penal Code 933.05(b)(2), a time frame for implementation must be included. Describe here or in an attachment.)***

• Recommendations numbered \_\_\_\_\_ require further analysis.

*(Describe here or attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the mailer to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six (6) months from the date of publication of the grand jury report.)*

Date: 8/21/15

Signed: 

Number of pages attached: 38 pages

## **Facts and Findings**

For Placer County and the cities of Auburn, Colfax, Lincoln, Loomis, Rocklin and Roseville, the Grand Jury determined the following:

### **Travel Policies**

#### **Facts**

- All have budgets, controls and policies for travel of elected officials and employees.
- Travel plans and projected costs are developed in the fiscal budget process.
- Any out of state, out of the country, and unbudgeted travel requires pre-approval by the respective elected officials (Board of Supervisors for county, council members for cities).
- All policies for travel require the use of the lowest cost for airfare, ground transportation and lodging.
- Per Diem rates for employees on official travel use IRS or lesser rates.
- All governmental entities have personnel approving travel in advance and staff monitoring travel claims and payments.
- Elected officials and appointed employees are subject to the same operational policies in all entities.
- Colfax does not have a written policy on travel.

#### **Findings**

F-1. Policies for travel seemed appropriate and adequate while recognizing the wide differences in size of the workforce and responsibilities. Colfax has policies, but they are not in writing. **AGREE**

F-2. Travel controls for all entities are adequate. **AGREE**

### **Vehicle Policies**

#### **Facts**

- County and all local governments have government vehicles. The majority of vehicle use is by public safety and public service departments.
- The use of personal vehicles for official travel is reimbursed at the IRS approved mileage rate.
- The Board of Supervisors and other elected local government officials are not assigned government owned vehicles.
- Elected officials receive set allowances to compensate for transportation expenses.
- Colfax does not have a written policy on vehicle use.

## Findings

- F-3. Vehicle policies for all jurisdictions are satisfactory, although Colfax's policy is not in writing. **AGREE**

## Credit Card Policies

### Facts

- The county and all cities use credit cards. The number of cards in use varies; for example, Loomis has only one credit card, while Roseville has over 300 credit cards.
- Managers or department heads are responsible for approving the issuance of cards and monitoring appropriate use.
- Typical credit card use includes:
  - Travel expenses such as airfare and conference fees payable in advance
  - Purchases for emergency repairs
  - Numerous other authorized routine field expenses
- Credit card expenses are reviewed and approved prior to payment.
- Monitoring of credit card expenses is routinely done by staff and, proactively by the issuing credit card banks.

## Findings

- F-4. Each government body has different policies and procedures for issuance and use of credit cards. **AGREE**

- F-5. Credit cards are widely used by Placer County, Rocklin and Roseville. Use in other jurisdictions is more limited. **AGREE**

- F-6. Monitoring and control of credit card use is adequate. **AGREE**

## Cell-Phone Policies

### Facts

- All entities issue and use cell-phones for employee use.
- The bulk of cell-phone use is by public safety and public service employees.
- Elected officials generally use their own cell-phones and are reimbursed or have allowances covering such use.
- Placer County and Roseville department heads authorize cell-phone issuances.
- Placer County and Roseville IT departments have responsibility for negotiating cellphone contracts.

## Findings

- F-7. Monitoring cell phone usage continues to be an on-going challenge for management. **AGREE with facts, City of Lincoln has instituted unlimited cell phone plans to remediate on-going challenges.**

## Technology Policies

### Facts

- All entities have a wide variety of hardware and software.

- Placer County, Auburn, Rocklin and Roseville have inter-disciplinary groups to assess technology changes, their application and their costs.
- Some agencies monitor Internet access to preclude personal use.
- Rocklin has a social media policy.
- Roseville has e-mail and remote e-mail policies that employees must read, acknowledge and understand before signing.
- Roseville incorporates technology training in yearly ethics training.
- Cyber security insurance is purchased by Roseville.
- Auburn has a technical procedures policy that employees must sign.
- Deleted

### **Findings**

- F-8. Smart phones have blurred the lines between cell-phone and technology use policies. **AGREE**
- F-9. Management oversight and monitoring of technology usage is an evolving challenge. **AGREE**
- F-10. The extent of personal computer and tablet usage varies with the number of employees. **AGREE**
- F-11. Management approach and policies on technology vary. **AGREE**

### **Contracting, Bidding and Purchasing Policies**

#### **Facts**

Contracting and bidding practices vary but conform to state laws, regulations and appeared adequate.

#### **Findings**

- F-12. All entities have adequate policies on contracting and bidding. **AGREE**

### **Management and Administration of Policies**

#### **Facts**

- Training policies and practices, both initial and recurring, vary.
- All operational policies apply to elected officials as well as employees.
- Not all policies were current and in writing.
- Not all policies were organized and indexed.
- Only Placer County has internal auditors on staff.
- Roseville does not have an internal auditor but is considering adding this role.
- Colfax has a policy and a complaint form for whistleblower reports. All others rely on Federal Law protecting whistleblowers but do not have a policy or form for written whistleblower reports.

#### **Findings**

- F-13. Policies are not being updated in a timely fashion. **AGREE**

- F-14. Some, but not all, policies identified the original date of issue or date of review. **AGREE**
- F-15. Issuance dates, recurring reviews and approvals of operational policies were only completed by Placer County, Colfax and Roseville. Other entities revised policies on an "as necessary" basis. **AGREE**
- F-16. Complete standardized numbered policies were only available from Placer County and Roseville. **AGREE**
- 
- F-17. Initial training on operational policies is completed for newly elected officials and new employees in a variety of ways. **AGREE**
- F-18. Recurring training policies can be improved. **AGREE**
- F-19. Management of technology innovations requires an inter-disciplinary approach. **AGREE**
- F-20. On-going internal auditing serves to monitor internal controls and minimize noncompliance and abuse. The addition of internal auditors would be valuable for the larger cities. **AGREE**
- F-21. Providing forms for employees to submit whistleblower reports in writing would be of value. **AGREE**

### **Conclusions**

The Grand Jury's review of the operating policies of the county and cities indicates they are appropriate. There are actions that the Grand Jury would consider **best practices** that should be instilled. Current policies apply equally to elected officials, appointed management and employees.

Significant variability exists in the level of detail included in the operating policies of the county and various cities. As the size of the government entity and number of employees increases, more reliance is placed on managerial control.

## **Recommendations**

(Table I on the following page specifies which recommendations are applicable to each entity)

The Grand Jury recommends that:

- R2. A regular schedule be established for reviewing all policies to assure they are current.  
The City of Lincoln has adopted Resolution 2010-190 establishing an annual review by City Council of the city-wide Administrative Policy Manual which unfortunately due to staff turnover has not occurred. The City intends to follow this schedule in the Fiscal Year 2015/16 – See Attachment A.
- R3. All policies should include, approval, adoption, and review dates. Policies should be indexed for improved access  
The City of Lincoln Administrative Policy Manual currently includes an index and date of the policy but does not specify whether the date is approval or adoption and does not include review dates. The City intends to re-format their policies to include all of the above in the next six months – See Attachment B (index and sample policy).
- R4. Cell phone policies be documented.  
The City of Lincoln has administrative policy number 75 (Cellular Telephone Policy) – See Attachments C.
- R6. Technology policies include computer, tablet, internet and email use.  
The City of Lincoln has administrative policy number 55 (Use of Electronic Communications) – See Attachments D.
- R7. Consideration should be given to the development of a Technology Resources Policy including a schedule of reviews and employee acknowledgements.  
The City intends to form an employee based Technology Innovation Board (TIB) within the next six months. The TIB will not only coordinate software purchases but also development policy in regards to technology.
- R8. Consideration be given to procuring cyber security insurance.  
The City of Lincoln currently has cyber security insurance – See Attachment E.
- R9. Require that employees on a recurring schedule verify that they understand and acknowledge, by signature, operational policies and any changes thereto.  
The City intends to distribute to all employees and have them verify their understanding of the administrative policies at their annual performance reviews.
- R10. A whistleblower policy and reporting form be developed.  
The City of Lincoln adopted a “Whistleblower” policy on August 28, 2012 – Attachment F.

Table 1 – Recommendations

| County    | Recommendations |    |    |    |    |    |    |    |    |     |     |
|-----------|-----------------|----|----|----|----|----|----|----|----|-----|-----|
|           | R1              | R2 | R3 | R4 | R5 | R6 | R7 | R8 | R9 | R10 | R11 |
| County    |                 |    |    |    |    |    |    | X  |    | X   |     |
| Auburn    |                 | X  | X  |    |    | X  | X  | X  | X  | X   |     |
| Colfax    | X               | X  | X  | X  | X  | X  |    | X  | X  |     |     |
| Lincoln   |                 | X  | X  | X  |    | X  | X  | X  | X  | X   |     |
| Loomis    |                 | X  | X  | X  | X  | X  |    | X  | X  | X   |     |
| Rocklin   |                 | X  | X  |    |    |    |    | X  | X  | X   |     |
| Roseville |                 |    |    |    |    |    |    |    |    | X   | X   |

Key: X - indicates this recommendation applies.

**ATTACHMENT A**

---

RESOLUTION NO. 2010 – 190

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN  
APPROVING THE UPDATE OF THE CITY'S ADMINISTRATIVE POLICIES MANUAL

WHEREAS, Ordinance 293B, adopted in 1975, established the office of City Administrator and provided the powers and duties thereof; and

WHEREAS, Ordinance 537, adopted in 1989, amended Chapter 2.16 which added Section 2.16.050S and reads: *"to draft, adopt and maintain administrative policies and to maintain an administrative policy manual. Said administrative policy manual may contain standard operating procedures and administrative policies designed to facilitate the effective operation of the City;"* and

WHEREAS, in 1992, Ordinance 567B amended Chapter 2.16 of the Lincoln Municipal Code, which changed the City Administrator position to a City Manager position and further clarified that the reference of City Administrator to be deemed and interpreted as City Manager throughout the existing sections of the Code; and

WHEREAS, Ordinance 537B did not specify whether or not the policies are to come before the Council for consideration and adoption, the majority of the policies have received Council approval; and

WHEREAS, a recent review determined that the Manual is extremely outdated and in need of updating and it is the City Manager's desire to separate the existing Manual into a city-wide manual and into department-specific manuals, and

WHEREAS, after each Department Head had reviewed their respective policies, a determination was made on how to handle them and a status was provided for each policy.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF LINCOLN DOES HEREBY RESOLVE AS FOLLOWS:

Section 1: The City Council of the City of Lincoln has determined that Exhibit A (attached) accurately sets forth the policies and their status as recommended by staff.

Section 2: With adoption of this resolution, the existing City of Lincoln Administrative Policy Manual will be null and void.

Section 3: The existing Manual will be replaced by department manuals, requiring City Manager approval and will be maintained by individual departments. The new city-wide manual, to be inclusive of policies affecting all employees, will require

City Council approval. This process to be completed in phases by the departments as time permits.

Section 4: Pursuant to Section 2.16.050S of the Lincoln Municipal Code, the City Manager will continue to maintain the city-wide Administrative Policy Manual with the assistance of the City Clerk and report policy status yearly to the City Council.

PASSED AND ADOPTED this 26th day of October 2010 by the following roll call vote.

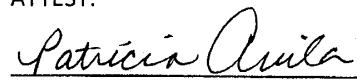
AYES: Councilmembers: Joiner, Stackpoole, Cosgrove

NOES: Councilmembers: None

ABSENT: Councilmembers: Nakata, Short

  
MAYOR

ATTEST:

  
CITY CLERK

| <u>ADMINISTRATIVE SERVICES</u> |  |                            |
|--------------------------------|--|----------------------------|
| AP No. 6                       | Local Miscellaneous Purchases  | CITY WIDE                  |
| AP No. 9                       | Internal Control Procedures  | CITY WIDE                  |
| AP No. 11                      | Water Service Termination/Reconnection                                       | DEPT POLICY                |
| AP No. 21                      | Employee Travel Advances and Refunds   | CITY WIDE                  |
| AP No. 23                      | Petty Cash   | CITY WIDE                  |
| AP No. 26                      | Accounts Receivable Write-Offs   | CITY WIDE                  |
| AP No. 30                      | Fire Damage to 90-Gallon Refuse Containers                                   | CITY WIDE                  |
| AP No. 32                      | Storage of Personal Property at or in City/Owned Leased Facilities           | CITY WIDE                  |
| AP No. 43                      | Cash Handling Procedures   | CITY WIDE                  |
| AP No. 45                      | Use of Private Vehicles on City Business by Employees and Volunteers         | CITY WIDE                  |
| AP No. 52                      | Hydrant Water Use Permit   | CITY WIDE                  |
| AP No. 54                      | Authorized Uses of City Credit Cards - US Bank Cards Only                    | CITY WIDE                  |
| AP No. 55                      | Use of Electronic Communications   | CITY WIDE (also H/R)       |
| AP No. 58                      | City Hall Hours of Operation   | CITY WIDE                  |
| AP No. 61                      | Utility Bill Inserts   | CITY WIDE                  |
| AP No. 62                      | Per Diem and Travel Allowances   | CITY WIDE                  |
| AP No. 64                      | Fixed Asset Capitalization   | DEPT POLICY                |
| AP No. 65                      | Inventory Entry & Maintenance  | CITY WIDE                  |
| AP No. 66                      | Recycled-Content Purchasing Policy   | CITY WIDE                  |
| AP No. 67                      | Capital Equipment Purchases  | CITY WIDE                  |
| AP No. 73                      | Bi-weekly Payroll  | CITY WIDE                  |
| AP No. 75                      | Cellular Telephone Policy  | CITY WIDE (also C/M & H/R) |
| AP No. 77                      | Section 125 Flex Plan  | DEPT POLICY (also H/R)     |
| AP No. 79                      | Procedures & Authority for Processing Tort Liability Claims Against the City | DEPT POLICY (also C/Clerk) |
| AP No. 80                      | Low-Emission Vehicle & Fleet Policy  | DEPT POLICY (also P/W)     |
| AP No. 81                      | Contracting Policy   | CITY WIDE (also P/W)       |

|                                  |  |                          |
|----------------------------------|--|--------------------------|
| AP No. 82                        | Formal Bidding Procedures  | DELETE/OBSOLETE          |
| AP No. 95                        | Employee Personal Computer Purchase Loan Program                                   | CITYWIDE (also C/Clerk)  |
|                                  |  |                          |
| <b>CITY MANAGER'S DEPARTMENT</b> |  |                          |
| AP No. 22                        | Taking City Files Home REPLACE W/WORKING FROM HOME                                 | DELETE/OBSOLETE          |
| AP No. 49                        | City Council Correspondence  | UPDATE                   |
| AP No. 63                        | City Publications and Mass Mailings  | DELETE/OBSOLETE          |
| AP No. 69                        | Guidelines for eBulletins  | PID/IN/DBOOK             |
| AP No. 71                        | LCTV Channel 51 Guidelines and Policies JILL TO TALK W/TIM RE: LEGALITY            | PID/IN/DBOOK             |
| AP No. 75                        | Cellular Telephone Policy CHECK W/JOHN LEE OR TERI COMBINE W/55?                   | CITYWIDE (also A/S &H/R) |
| AP No. 79                        | Procedures & Authority for Processing Tort Liability Claims Against the City (Pat) | UPDATE                   |
| AP No. 82                        | Formal Bidding Procedures  | DELETE/OBSOLETE          |
| AP No. 86                        | Media Policy   | PID/IN/DBOOK             |
| AP No. 94                        | Policy on Wide Area Rapid Notification   | PID/IN/DBOOK             |
| AP No. 95                        | Employee Personal Computer Purchase Loan Program                                   | UPDATE                   |
| AP No. 98                        | Contracting with Professional Consultants  | CITYWIDE (also A/S)      |
|                                  |  |                          |
| <b>DEVELOPMENT SERVICES</b>      |  |                          |
| AP No. 34                        | Use of McBean Park Senior League Football/Soccer Fields                            | DEPT POLICY / P/S        |
| AP No. 41                        | Application of Development Fees to Parcels with Previously Demolished Dwellings    | DEPT POLICY / P/S        |
| AP No. 50                        | Handling Complaints  | DEPT POLICY / P/S        |
| AP No. 56                        | Valuation of Patios, Porches and Carports  | DEPT POLICY / P/S        |
| AP No. 68                        | City Facility Rental Definitions and Fee Structures                                | DEPT POLICY / P/S        |
| AP No. 70                        | Banner Requirements  | P/S                      |
| AP No. 76                        | Admin Interpretation of the City's Automatic Fire-Extinguishing Systems Ord        | FWG                      |
| AP No. 83                        | Renting Out Park Facilities/Users  | DEPT POLICY / P/S        |
| AP No. 84                        | Jump House Permit  | DEPT POLICY / P/S        |

|           |   |             |
|-----------|---|-------------|
| AP No. 92 | Park Development Fee  | P/S         |
|           |   |             |
|           | <b>FIRE DEPARTMENT</b>  |             |
| AP No. 8  | Priority of Non-Scheduled Maintenance   | DEPT POLICE |
| AP No. 12 | Weed Abatement  | DEPT POLICE |
|           |   |             |
| AP No. 76 | Admin Interpretation of the City's Automatic Fire-Extinguishing Systems Ord     | DEPT POLICE |
|           |   |             |
|           | <b>HUMAN RESOURCES</b>  |             |
| AP No. 1  | Emergency Medical Treatment First Report  | DEPT POLICE |
| AP No. 14 | Employee Assistance Program   | DEPT POLICE |
| AP No. 15 | Pre-Employment Physical Standards   | DEPT POLICE |
| AP No. 17 | Marital Status  | DEPT POLICE |
|           |   |             |
| AP No. 19 | Part-time/Temporary Workers and Use of Contract Labor Services                  | DEPT POLICE |
| AP No. 20 | General Personnel Recruitment and Severance Procedures                          | DEPT POLICE |
| AP No. 27 | Procedure for Processing Workman's Comp Claims for Dept Migrs and Supv          | DEPT POLICE |
| AP No. 29 | Drug/Alcohol Testing  | DEPT POLICE |
| AP No. 33 | Government Requester Program for Department of Motor Vehicles Records           | DEPT POLICE |
| AP No. 38 | Disability Discrimination and Complaint Procedure                               | DEPT POLICE |
| AP No. 36 | Use of Polygraph Examinations in the Recruitment of Police Department Employees | DEPT POLICE |
| AP No. 44 | Uniforms  | DEPT POLICE |
| AP No. 46 | Leaves of Absence   | DEPT POLICE |
| AP No. 47 | Outside Employment  | DEPT POLICE |
| AP No. 48 | Substance Abuse   | DEPT POLICE |
| AP No. 55 | Use of Electronic Communications (also A/S)                                     | DEPT POLICE |
| AP No. 57 | Bi-Lingual Pay  | DEPT POLICE |
| AP No. 59 | Temporary Employees   | DEPT POLICE |
| AP No. 60 | Performance Appraisals  | DEPT POLICE |

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| AP No. 72  | Insurance Cash Back Benefit   |             |
| AP No. 74  | Attendance Policy   |             |
| AP No. 75  | Cellular Telephone Policy (also A/S & C/M)                                      |             |
| AP No. 77  | Section 125 Flex Plan (also A/S)  |             |
| AP No. 78  | Volunteers  |             |
| AP No. 85  | Harassment in Employment  |             |
| AP No. 93  | Footwear Allowance Reimbursement  |             |
| AP No. 96  | Emergency Sick Leave Cash-out Policy  |             |
| AP No. 100 | Professional Work Area  |             |
|            |   |             |
|            | <b>LIBRARY</b>  |             |
|            |   |             |
| AP No. 87  | Confidentiality of Library Patron Records                                       | DEPT POLICY |
| AP No. 88  | Library Cardholder Policy   | DEPT POLICY |
| AP No. 89  | Library Material Selection Policy   | DEPT POLICY |
| AP No. 90  | Library Gift & Donation Policy  |             |
| AP No. 91  | Library internet/Computer Use Policy  |             |
| AP No. 97  | Lincoln Public Library Community Materials Posting/Distributing Policy          | DEPT POLICY |
| AP No. 99  | Library Meeting Room Use Policy   | DEPT POLICY |
| AP No. 102 | Library Exhibit Policy  | DEPT POLICY |
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|            |   |             |
| AP No. 8   | Priority of Non-Scheduled Maintenance   | DEPT POLICY |
|            |   |             |
|            |   |             |
|            |   |             |
| AP No. 36  | Use of Polygraph Examinations in the Recruitment of Police Department Employees | DEPT POLICY |
| AP No. 101 | DUI Emergency Response Cost Recovery  | DEPT POLICY |
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|            |   |             |
|            |   |             |
|            |   |             |
| AP No. 3   | ATV Operating Procedures  | DEPT POLICY |



**ATTACHMENT B**

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**CITY OF LINCOLN  
ADMINISTRATIVE POLICIES**

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**CITY OF LINCOLN  
ADMINISTRATIVE POLICY MANUAL  
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| 08/26/86               | PER DIEM AND TRAVEL ALLOWANCES -<br><b>SUPERSEDED BY AP NO. 40</b> .....                   | 2             |
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| 02/01/88               | INTERNAL CONTROL PROCEDURES .....  | 9             |
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| 06/01/89               | WELL MAINTENANCE AND MANAGEMENT .....  | 16            |

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| CITY OF LINCOLN<br>ADMINISTRATIVE POLICY     | NUMBER: 6                            |
|  | DATE: JANUARY 1, 1988                |
| SUBJECT:<br>LOCAL MISCELLANEOUS<br>PURCHASES | AUTHORITY:<br>CITY ADMINISTRATOR     |
|  | ADMINISTRATOR:<br>RICHARD J. RAMIREZ |

Due to a desire to provide more flexibility at the department level--yet not at the expense of our established internal controls--all department managers have been directed to establish a petty cash account. By establishing said account the departments will be accountable for miscellaneous purchases: small order paper products, small tools, etc. Likewise, departments will no longer have to rely solely on the Finance office.

Hence, minor purchases (less than \$100) may be in cash or the department may use the City's established credit. However, the department must inform finance in writing (c/o Bob Sesnon) who is authorized to use the City's established credit line. Said authorization must be forwarded to the vendor in question. The exception to this rule is an emergency. Departments shall continue to follow the City's purchasing ordinance.

For the above reasons the City's departments will no longer have to rely solely on credit.

**ATTACHMENT C**

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|   |                                 |
|---|---------------------------------|
| City of Lincoln<br>Administrative Policy<br>Prepared by: Debbie Lindh | Number 75                       |
|   | Date: May 27, 2004              |
| Subject:<br>Cellular Telephone Policy                                 | Authority:<br>City Manager      |
|   | City Manager:<br>Gerald Johnson |

**PURPOSE**

The purpose of this policy is to establish employee guidelines for the use of City issued and personal cellular telephones.

**REFERENCE**

Applicable Individual Department Policies  
Administrative Policy 62: Per Diem and Travel Allowances

**GENERAL POLICY**

Cellular telephones may be provided to employees to enhance normal and emergency City operations. City supplied cellular telephones are public resources and should not normally be used for personal telephone calls. The City reserves the right to monitor the use of all City-owned cellular telephones. When traveling out of town on City business, employees may use City issued cell phones for personal purposes, as per Administrative Policy 62: "Per Diem and Travel Allowances", which notes that employees may make one call per day of six minutes to family members.

During business hours, some departments prohibit the use of any cellular telephones. Unless otherwise restricted or prohibited by an individual Department policy, personal cellular telephones should be used minimally during work hours and in a manner that does not hinder job responsibilities. When on duty and traveling in a vehicle, City employees must always comply with safe driving practices, department policies and state laws. Cellular calls on either a City issued or personal telephone which require hand operation should not be made or received.

**EMPLOYEE RESPONSIBILITY**

All employees are responsible for the following:

- Following all Department and City policies regarding cellular telephone use.
- Assuring that City issued cellular telephones are handled in a proper manner and are maintained in good operating condition.

## **DEPARTMENT HEAD RESPONSIBILITY**

The Department Head or designee shall be responsible for:

- Determining which employees may be issued City cellular telephones.
- Establishing as required special departmental procedures for cellular telephone use.
- Monitoring cellular telephone usage to assure proper usage is occurring.

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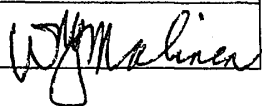
- Taking proper steps to prevent/stop any cellular telephone abuses.

## **FINANCE DIVISION RESPONSIBILITIES**

- Issuing to each Department Head detailed City issued cellular telephone billing to monitor proper usage.

**ATTACHMENT D**

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|  |   |
|--|---|
| <b>City of Lincoln<br/>Administrative Policy</b>     | <b>Number 55</b>  |
|  | <b>Date: December 1, 2000</b>   |
| <b>Subject:<br/>Use of Electronic Communications</b> | <b>Authority:<br/>City Manager</b>  |
|  | <b>City Manager:<br/>William J. Malinen</b>  |

**PURPOSE**

The purpose of this policy is to establish standards for the use of the City's electronic communication systems including, but not limited to computers, radio, telephone, voice mail, electronic mail (E-mail) and the Internet.

**GENERAL POLICY**

The City owns all electronic communications systems and equipment that it assigns to employees. All data, images, documents, messages, voice imprints, recordings and materials of any kind or format that are stored, generated or created (intentionally or inadvertently) on these systems, including computers and other equipment, are owned by the City.

The City expects employees to act responsibly and professionally when using all forms of electronic communications such as computers, radio, telephone, voice mail, E-mail and the Internet. These forms of communication are designed to facilitate communications among our employees, business partners and customers. It is recognized that the E-mail and Internet capabilities can improve the quantity and quality of City services; therefore, the use of E-mail and the use of the Internet for City business is encouraged when used appropriately.

**INAPPROPRIATE USE**

Transmission and maintenance of electronic materials in any form or format over or on City property that is either unlawful or against City policy is strictly prohibited. Creating "junk mail" and "spamming" are examples of inappropriate use. Employees are not to use City property for personal gain; personal and non-business related uses are prohibited. Examples of uses of electronic communications that are contrary to City policy include, but are not limited to, use in which the message or activity:

- Violates or infringes on the rights of any other person
- Violates or infringes on another employee's right to privacy
- Would in any way bring discredit to the City
- Contains defamatory, threatening, racially, ethnically, or sexually offensive content, or is otherwise in violation of the City's anti-discrimination policies
- Contains sexually explicit materials including nudity
- Encourages the use of controlled substances or uses the system for the purpose of criminal intent
- Conducts any non-authorized business
- Transmits and/or stores material, information, or software in violation of any local, state, or federal law or in violation of City policy or procedure

- Conducts any unauthorized fund raising or public relations activities
- Conducts any personal business transactions

## **PRIVACY**

The City owns all electronic communications systems and equipment that it assigns to employees. All data, images, documents, messages, voice imprints, recordings and materials of any kind or format that are stored, generated or created (intentionally or inadvertently) on these systems, including computers and other equipment, are owned by the City. The City has the right to monitor employee's electronic communications including information, data, and/or materials that may have been stored on any City electronic equipment.

The City Manager, or designee, reserves the right, without limitation, to review E-mail sent and received by employees. The City Manager, or designee, may purchase software for the specific use of monitoring and logging individual use of electronic communications including, but not limited to, use of the Internet. No employees shall:

- Read E-mail received by another employee when there is no business purpose for doing so
- Send E-mail under another employee's name without authorization
- Change any portion of a previously sent E-mail without authorization
- Have expectations of any right to privacy in any materials and data stored and/or maintained on City property

## **EMPLOYEE RESPONSIBILITY**

Employees are representatives of the City and are responsible for learning to use electronic communications properly and wisely. Good judgement and common sense should always prevail regarding the use of any City equipment for electronic communications. Questions regarding use of electronic communications that are not addressed in this policy should be addressed to the employee's department head or designee.

## **PENALTIES**

Violations of this policy may result in restrictions on access to electronic communications. In addition, employees found to have violated any provision of this policy shall be subject to appropriate disciplinary action pursuant to City policies or collective bargaining agreements, up to and including termination.

**ATTACHMENT E**

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**Alliant Property Insurance Program (APIP)**  
**CYBER COVERAGE EVIDENCE ATTACHMENT**

**TYPE OF COVERAGE:** Information Security & Privacy Insurance with Electronic Media Liability Coverage

**PROGRAM:** Alliant Property Insurance Program (APIP) inclusive of Public Entity Property Insurance Program (PEPIP), and Hospital All Risk Property Program (HARPP)

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**NAMED INSURED:** Any member(s), entity(ies), agency(ies), organizations(s), enterprise(s) and/or individuals(s) attached to each Declaration insured as per schedule on file with Insurer.

**DECLARATION:** Various Declarations as on file with Insurer

**POLICY NUMBER:** PH1533938

**POLICY PERIOD:** July 1, 2015 to July 1, 2016

**TERRITORY:** WORLD-WIDE

**RETROACTIVE DATE:**

**APIP/PEPIP**  
*For new members – the retro active date will be the date of addition*  
July 1, 2015 For existing members included on the July 1, 2015/16 policy  
July 1, 2014 For existing members included on the July 1, 2014/15 policy  
July 1, 2013 For existing members included on the July 1, 2013/14 policy  
July 1, 2012 For existing members included on the July 1, 2012/13 policy  
July 1, 2011 For existing members included on the July 1, 2011/12 policy  
July 1, 2010 For existing members included on the July 1, 2010/11 policy

**HARPP**  
*For new members – the retro active date will be the date of addition*  
July 1, 2009 For members endorsed onto the July 1, 2009/10 policy at a \$500,000 limit except for those members who did not provide a “No Known Losses Letter” then the retro date is the date that the member was added  
July 1, 2010 For \$1,500,000 excess \$500,000

**CSU**  
July 1, 2008 California State University and CSU Auxiliary Organizations

**COMPANIES:** Lloyd’s of London - Beazley Syndicate:  
Syndicates 2623 - 623 - 100%

**COVERAGES &  
LIMITS:**

|  |      |    |            |   |
|--|------|----|------------|---|
| <b>THIRD PARTY<br/>LIABILITY</b>             | Ai.  | \$ | 25,000,000 | <b>Annual Policy and Program Aggregate Limit of Liability</b> (subject to policy exclusions) for all Insured's/Members combined (Aggregate for all coverage's combined, including Claims Expenses), subject to the following sub-limits as noted.                       |
|  | Aii. | \$ | 2,000,000  | <b>Annual Aggregate Limit of Liability for each Insured/Member for Information Security &amp; Privacy Liability.</b> Each Member of a JPA will have a <b>\$2,000,000 Limit Each</b> (Aggregate for all coverages combined, including Claim Expenses) but sublimited to: |
|  | B.   | \$ | 500,000    | <b>Annual Policy Aggregate Limit of Liability</b> for each Insured/Member <b>Privacy Notification Costs</b> coverage. Limit is \$1,000,000 if Beazley vendor services are used.   |
|  | C.   | \$ | 2,000,000  | <b>Annual Policy Aggregate Limit of Liability</b> for each Insured/Member for all Claims Expenses and <b>Penalties for Regulatory Defense and Penalties</b><br><br><b>PCI Fines and Penalties</b> coverage added with sub-limit of \$100,000.                           |
|  | D.   | \$ | 2,000,000  | <b>Annual Policy Aggregate Limit of Liability</b> for each Insured/Member for all Damages and Claims Expenses for <b>Website Media Content Liability</b> (Occurrence Based)   |
| <b>FIRST PARTY<br/>COMPUTER<br/>SECURITY</b> | E.   | \$ | 2,000,000  | <b>Policy Aggregate Sublimit of Liability</b> for each Insured/Member for <b>Cyber Extortion Loss</b>   |
|  | F.   | \$ | 2,000,000  | <b>Policy Aggregate Sublimit of Liability</b> for each Insured/Member for <b>Data Protection Loss and Business Interruption Loss</b>  |
|  | G.   |    |            | <b>First Party Business Interruption Sub-Limits of Liability</b> for each Insured/Member<br>\$ 50,000 1) Hourly Sublimit<br>\$ 50,000 2) Forensic Expense Sublimit<br>\$ 150,000 3) Dependent Business Interruption Sublimit.   |

The sub-limits of liability displayed above in Items B, C and D are part of, and not in addition to, the overall Annual Aggregate Limit of Liability for each Insured/Member (Item Aii)

|                   |    |         |  |
|-------------------|----|---------|--|
| <b>RETENTION:</b> | \$ | 25,000  | CSU Auxiliary Organizations only   |
|                   | \$ | 50,000  | Per Occurrence for each Insured/Member with TIV up to \$500,000,000 at the time of loss<br>8 Hour waiting period for first party claims    |
|                   | \$ | 100,000 | Per Occurrence for each Insured/Member with TIV greater than \$500,000,000 at time of loss<br>8 Hour waiting period for first party claims |
|                   |    |         |  |

**NOTICE:** Policy coverage sections I.A - Information Security & Privacy Liability, I.B.- Privacy Notification Costs and I.C.-Regulatory Defense & Penalties of this policy provide coverage on a claims made and reported basis; except as otherwise provided, coverage under these insuring agreements applies only to claims first made against the insured and reported to underwriters during the policy period. Claims expenses shall reduce the applicable limit of liability and are subject to the applicable retention.

**EXTENDED REPORTING PERIOD:** For First Named Insured - To be determined at the time of election (additional premium will apply)

- SPECIFIC COVERAGE PROVISIONS:**
- A. **Information Security and Privacy Liability** pays on behalf of the Insured/Member damages and claims expenses excess of the retention which the Insured/Member shall become legally obligated to pay because of any claim, including a claim for violation of a privacy law first made against the Insured/Member and reported to underwriters during the policy period for
- theft, loss or unauthorized disclosure of personally identifiable non-public information or third party corporate information that is in the care, custody or control of the Insured/Member, or an independent contractor that is holding, processing or transferring such information on behalf of the Insured/Member.
  - Acts or incidents that directly result from the failure of computer security to prevent a security breach including
    - Alteration, corruption, destruction, deletion, or damage to a data asset stored on computer systems
    - Failure to prevent transmission of malicious code from computer systems to third party computer systems
    - Participation in a denial of service attack directed against a third party computer system
  - The failure to timely disclose any of the above in violation of any breach notice law
  - The failure to comply with a privacy policy involving the disclosure, sharing or selling of personally identifiable non-public information
  - The failure to administer an identity theft prevention program
- B. **Privacy Notification Costs** pay the Insured/Member for reasonable and necessary costs to comply with a breach notice law because of an incident that first takes place on or after the retroactive date and before the end of the policy period. Privacy Notification Costs means costs incurred within one year of the reporting of the incident or suspected incident to the Underwriters:
- To hire security experts;
  - Notification provisions,
  - Public relations mitigation up to \$50,000 subject to Nil coinsurance
  - Credit monitoring for the purpose of mitigating potential damages and are subject to Nil coinsurance
    - Credit file monitoring,
    - Mailing and third party administrative costs

**SPECIFIC  
COVERAGE  
PROVISIONS:  
(Continued)**

To provide notification to:

- (a) Individuals who are required to be notified by the **Insured Organization** under the applicable **Breach Notice Law**; and
- (b) In the Underwriters' discretion, to individuals affected by an incident in which their **Personally Identifiable Non-Public Information** has been subject to theft, loss, or Unauthorized Disclosure in a manner which compromises the security or privacy of such individual by posing a significant risk of financial, reputational or other harm to the individual.

- C. **Regulatory Defense and Penalties** pays on behalf of the Insured/Member claims expenses and penalties which the Insured/Member shall become legally obligated to pay because of any claim in the form of a regulatory proceeding resulting from a violation of a privacy law and caused by an incident described under certain sections of the information security and privacy liability section of the policy.
- D. **Website Media Content Liability** (occurrence based) pays on behalf of the insured damages and claims expenses resulting from any claim made against the Insured/Member for one or more of the following acts committed in the course of covered media activities:
  - Defamation, libel, slander, trade libel
  - Privacy violation
  - Invasion or interference with publicity
  - Plagiarism, piracy, misappropriation of ideas under implied contract
  - Infringement of copyright
  - Infringement of domain name, trademark
  - Improper deep-linking or framing within electronic content
- E. **Cyber Extortion** indemnifies the Insured/Member for costs incurred as a result of an extortion threat by a person other than employees, directors, officers, principals, trustees, governors, managers, members, etc.
- F. **First Party Data Protection** indemnifies the Insured/Member for data protection loss as a result of alteration, corruption, destruction, deletion, damage or inability to access data assets.
- G. **First Party Network Business Interruption** indemnifies the Insured/Member for business interruption loss as a direct result of the actual and necessary interruption or suspension of computer systems and is directly caused by a failure of computer security to prevent a security breach.

**EXCLUSIONS:**  
(Including but not limited to)

- Coverage does not apply to any claim or loss from
- Bodily Injury or Property Damage
  - Any employer-employee relations, policies, practices
  - Contractual Liability or Obligation
  - Any actual or alleged act, error or omission or breach of duty by any director, officer, manager if claim is brought by principals, officers, directors, stockholders and the like
  - Anti-Trust violations
  - Unfair trade practices
  - Unlawful collection or acquisition of Personally Identifiable Non-Public Information
  - Distribution of unsolicited e-mails, facsimile, audio or video recording
  - Prior knowledge or previously reported incidents
  - Incidents occurring prior to retroactive date/continuity date
  - Any act, error, omission, of computer security if occurred prior to policy inception
  - Collusion
  - Securities Act Violations
  - Fair Labor Act Violations
  - Discrimination
  - Intentional Acts with regard to Privacy and Security Breach
  - Infringement - Patent and Copyright
  - Federal Trade Commission and related state, federal, local and foreign governmental activities
  - Insured vs. Insured
  - Money/Securities/Funds Transfer
  - Broadcasting, Publications and Advertising
  - War and Terrorism
  - Pollution
  - Nuclear Incident
  - Radioactive Contamination

|                         |  |
|-------------------------|--|
| <b>NOTICE OF CLAIM:</b> | <ul style="list-style-type: none"><li>• IMMEDIATE NOTICE must be made to Beazley NY of all potential claims and circumstances (assistance, and cooperation clause applies)</li><li>• Claim notification under this policy is to:<br/>Beazley Group<br/>Attn: Beth Diamond<br/>1270 Avenue of the Americas<br/>New York, NY 10020<br/>tmbclaims@beazley.com</li></ul> |
|-------------------------|--|

**NOTICE OF CANCELLATION:** 10 days for non-payment of premium

**REINSTATEMENT PROVISIONS:** Optional reinstatement at 125% of the annual premium

Exhaustion of \$2,000,000 Annual Aggregate Limit of Liability for Each Insured/Member for Information Security & Privacy Liability:  
Reinstatement of Aggregate Limits for each Insured/Member will be automatic and subject to additional premium

**CYBER COST:** Cost is included in Total Property Premium  
30% Earned Premium at Inception

**OTHER SERVICES** Unlimited Access to Beazley Breach Response services as per attached brochure.

**BROKER:** ALLIANT INSURANCE SERVICES, INC.

License No. 0C36861

**NOTES:** Coverage outlined in this Evidence is subject to the terms and conditions set forth in the policy. Please refer to Policy for specific terms, conditions and exclusions.

**IMPORTANT NOTICE:** THE NONADMITTED & REINSURANCE REFORM ACT (NRRRA) WENT INTO EFFECT ON JULY 21, 2011. ACCORDINGLY, SURPLUS LINES TAX RATES AND REGULATIONS ARE SUBJECT TO CHANGE WHICH COULD RESULT IN AN INCREASE OR DECREASE OF THE TOTAL SURPLUS LINES TAXES AND/OR FEES OWED ON THIS PLACEMENT. IF A CHANGE IS REQUIRED, WE WILL PROMPTLY NOTIFY YOU. ANY ADDITIONAL TAXES AND/OR FEES OWED MUST BE PROMPTLY REMITTED TO ALLIANT INSURANCE SERVICES, INC.

This evidence of insurance is provided as a matter of convenience and information only. All information included in this evidence, including but not limited to personal and real property values, locations, operations, products, data, automobile schedules, financial data and loss experience, is based on facts and representations supplied to Alliant Insurance Services, Inc. by you. This evidence does not reflect any independent study or investigation by Alliant Insurance Services, Inc. or its agents and employees.

Please be advised that this evidence is also expressly conditioned on there being no material change in the risk between the date of this evidence and the inception date of the proposed policy (including the occurrence of any claim or notice of circumstances that may give rise to a claim under any policy which the policy being proposed is a renewal or replacement). In the event of such change of risk, the insurer may, at its sole discretion, modify, or withdraw this evidence whether or not this offer has already been accepted.

This evidence is not confirmation of insurance and does not add to, extend, amend, change, or alter any coverage in any actual policy of insurance you may have. All existing policy terms, conditions, exclusions, and limitations apply. For specific information regarding your insurance coverage, please refer to the policy itself. Alliant Insurance Services, Inc. will not be liable for any claims arising from or related to information included in or omitted from this evidence of insurance.

Alliant embraces a policy of transparency with respect to its compensation from insurance transactions. Details on our compensation policy, including the types of income that Alliant may earn on a placement, are available on our website at [www.alliant.com](http://www.alliant.com). For a copy of our policy or for any inquiries regarding compensation issues pertaining to your account you may also contact us at: Alliant Insurance Services, Inc., Attention: General Counsel, 701 B Street, 6th Floor, San Diego, CA 92101.

Analyzing insurers' over-all performance and financial strength is a task that requires specialized skills and in-depth technical understanding of all aspects of insurance company finances and operations. Insurance brokerages such as Alliant Insurance typically rely upon rating agencies for this type of market analysis. Both A.M. Best and Standard and Poor's have been industry leaders in this area for many decades, utilizing a combination of quantitative and qualitative analysis of the information available in formulating their ratings.

A.M. Best has an extensive database of nearly 6,000 Life/Health, Property Casualty and International companies. You can visit them at [www.ambest.com](http://www.ambest.com). For additional information regarding insurer financial strength ratings visit Standard and Poor's website at [www.standardandpoors.com](http://www.standardandpoors.com).

Our goal is to procure insurance for you with underwriters possessing the financial strength to perform. Alliant does not, however, guarantee the solvency of any underwriters with which insurance or reinsurance is placed and maintains no responsibility for any loss or damage arising from the financial failure or insolvency of any insurer. We encourage you to review the publicly available information collected to enable you to make an informed decision to accept or reject a particular underwriter. To learn more about companies doing business in your state, visit the Department of Insurance website for that state.

*NY Regulation 194 Disclosure and General Broker Compensation Disclosure*

Alliant Insurance Services, Inc. is an insurance producer licensed by the State of New York and other States. Insurance producers are authorized by their license to confer with insurance purchasers about the benefits, terms and conditions of insurance contracts; to offer advice concerning the substantive benefits of particular insurance contracts; to sell insurance; and to obtain insurance for purchasers. The role of the producer in any particular transaction typically involves one or more of these activities.

Compensation will be paid to the producer, based on the insurance contract the producer sells. Depending on the insurer(s) and insurance contract(s) the purchaser selects, compensation will be paid by the insurer(s) selling the insurance contract or by another third party. Such compensation may vary depending on a number of factors, including the insurance contract(s) and the insurer(s) the purchaser selects. In some cases, other factors such as the volume of business a producer provides to an insurer or the profitability of insurance contracts a producer provides to an insurer also may affect compensation.

The insurance purchaser may obtain information about compensation expected to be received by the producer based in whole or in part on the sale of insurance to the purchaser, and (if applicable) compensation expected to be received based in whole or in part on any alternative quotes presented to the purchaser by the producer, by requesting such information from the producer.

**ATTACHMENT F**

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RESOLUTION NO. 2012 – 148

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN  
ESTABLISHING AN ADMINISTRATIVE POLICY AGAINST RETALIATION –  
“WHISTLEBLOWER” POLICY FOR THE CITY OF LINCOLN

WHEREAS, In the auditors’ management letter to the City of Lincoln, dated April 20, 2012, the auditor noted that the City is currently using the State’s Whistle Blower Policy; and,

WHEREAS, the auditors recommended that the City should adopt its own Anti-Retaliation/Whistle Blower Policy, including fraud reporting procedures and add it to the Personnel Manual; and,

WHEREAS, the auditor’s report further recommended that these procedures should include a discussion of what types of activities constitute fraud or contracting improprieties, how an employee should report such suspected fraud or contracting improprieties and to whom or where an employee should report such activities, including reporting procedures if an employee’s supervisor or a member of senior management is suspected of these activities; and,

WHEREAS, at their May 22, 2012 meeting, the City Council expressed an interest in evaluating options for establishing a “Whistleblower” Policy for the City of Lincoln and staff was directed to research and prepare an Administrative Policy Against Retaliation aka “Whistleblower” Policy for consideration; and,

WHEREAS, staff researched and surveyed other jurisdictions and only a few adjacent jurisdictions had locally adopted whistleblower policies; and,

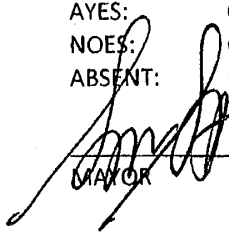
WHEREAS, staff prepared an Administrative Policy Against Retaliation—“Whistleblower” Policy to affirm the City’s efforts in conducting all its activities in a responsible, legal, and accountable manner.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF LINCOLN DOES HEREBY RESOLVE AS FOLLOWS:

The City Council of the City of Lincoln does hereby adopt the Administrative Policy Against Retaliation - “Whistleblower” Policy, attached hereto as Exhibit A, which shall become effective immediately.

PASSED AND ADOPTED this 28<sup>th</sup> day of August 2012.

|         |                |   |
|---------|----------------|---|
| AYES:   | Councilmembers | Nader, Hydrick, Joiner, Cosgrove, Short |
| NOES:   | Councilmembers | None                                    |
| ABSENT: | Councilmembers | None                                    |

  
MAYOR

ATTEST:  
  
CITY CLERK

CITY OF LINCOLN  
ADMINISTRATIVE POLICY AGAINST RETALIATION  
AKA  
"WHISTLEBLOWER POLICY"

I. PURPOSE OF POLICY

---

It is the policy of the City of Lincoln to encourage employees to notify an appropriate government or law enforcement agency when they have reason to believe the City is violating a local, state, or federal law, or not complying with a local, state, or federal law.

This Administrative Policy against Retaliation, also known as a "Whistleblower Policy," prohibits City officials, officers, employees or contractors from retaliating against applicants, officers, officials, employees or contractors for carrying out or otherwise engaging in any of the Protected Activity as defined herein.

II. DEFINITIONS

"Protected Activity" includes any of the following:

- Filing a complaint with a federal or state enforcement or administrative agency regarding a violation of a local, state, or federal law.
- Participating in or cooperating with a federal or state enforcement agency that is conducting an investigation of the City regarding alleged unlawful activity.
- Testifying as a party, witness or accused regarding alleged unlawful activity.
- Associating with another employee who is engaged in any of the Protected Activities enumerated herein.
- Making or filing an internal complaint with the City disclosing an alleged unlawful activity.
- Calling a governmental agency's "Whistleblower hotline" regarding an alleged unlawful activity.
- Filing a written complaint under penalty of perjury that the City has engaged in "gross mismanagement, a significant waste of public funds or a substantial and specific danger to public health or safety."

"Adverse Action" may include, but is not limited to any of the following:

- Real or implied threats of intimidation to attempt or prevent an individual from reporting alleged unlawful activity or otherwise engaging in a Protected Activity.

- Refusing to hire an individual because of participation in a Protected Activity in any former employment.
- Denying a promotion to an individual because of participation in a Protected Activity.
- Taking any form of disciplinary action because of participation in a Protected Activity.
- Extending a probationary period because of participation in a Protected Activity.
- Altering work schedules or work assignments because of participation in a Protected Activity.
- Condoning hostility and criticism of co-workers and third parties because of participation in a Protected Activity.


### III. POLICY

It is the policy of the City of Lincoln to prohibit the taking of any adverse employment action, including retaliation, against those who in good faith report, oppose or participate (as witnesses or accused) in investigations into complaints of alleged violations of City policy or state or federal law in retaliation for that reporting, opposition, or participation. Disciplinary action, up to and including termination, will be taken against an employee or officer who is found to have violated this policy. Any elected official or contractor who violates this *Policy Against Retaliation* will be subject to appropriate sanctions.

### IV. COMPLAINT PROCEDURE

An employee, officer, official or contractor who feels he or she has been retaliated against in violation of this Policy or who wishes to report information of alleged unlawful activity as described above should immediately report the conduct to his or her immediate supervisor or the supervisor's manager so that the complaint can be resolved fairly and quickly. If an employee, officer, official, or contractor is uncomfortable for any reason addressing such report to his or her supervisor or does not have an immediate supervisor or manager, that person may contact the City Manager, Human Resources Director, or City Attorney. Such complaints or reports should provide as much specific information as possible, including names, dates, places, and events that took place and reasons why the act(s) may be a violation. Complaints and/or reports of alleged unlawful activity will be investigated and appropriate action will be taken. Each complaint and/or report will be reviewed to determine whether a trained internal or external person will conduct an investigation. Whenever possible, confidentiality of the parties involved will be maintained; however, if confidentiality cannot be assured, the complaining party and any other involved personnel will be apprised of this fact. Upon conclusion of the investigation, recommendations for action will be made and implemented, as appropriate. Alternatively, a person engaging in Protected Activity may call the California State Attorney General's Whistleblower

Hotline at 1-800-952-5225. The Attorney General will refer the call to the appropriate governmental authority for review and possible investigation.

  
\_\_\_\_\_  
Jim Estep, City Manager  
City of Lincoln

8/31/12  
\_\_\_\_\_  
Dated

1005752 1 13583 003

Acknowledgement of Receipt

ADMINISTRATIVE POLICY AGAINST RETALIATION

I have read the City of Lincoln's "Administrative Policy Against Retaliation" policy and agree to abide by the provisions set forth in the Policy.

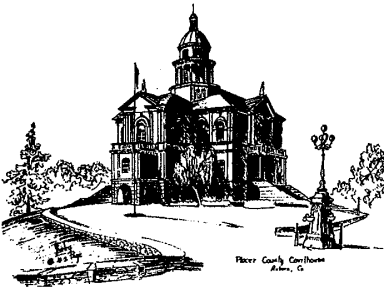
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\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Dated

1005752.1 13583.003



## PLACER COUNTY GRAND JURY

11532 B Avenue  
Auburn, CA 95603

Phone: (530) 886-5200  
Fax: (530) 886-5201  
Email: [grandjury@placer.ca.gov](mailto:grandjury@placer.ca.gov)

Mr. Matt Brower  
City Manager, City of Lincoln  
600 6<sup>th</sup> St  
Lincoln, CA 95648

September 3, 2015

Re: Response to Report Investigation of County and City Operational Policies

Dear Respondent:

The Grand Jury appreciates your response to the findings and recommendations contained in the above referenced report. However, your response was missing some critical information that is mandated by statute. When a respondent indicates that a recommendation "will be implemented" a time frame for implementing the recommendation is required.

Penal code §933.05(b) allows the respondent to select one of four actions for each recommendation. The action to implement the recommendation in the future is covered in §933.05(b)(2). That section reads "The recommendation has not yet been implemented, but will be implemented in the future, *with a time frame for implementation.*" A copy of the pertinent Penal Code is enclosed.

In accordance with this statute, the Placer County Grand Jury requests that you furnish the implementation time frame to validate your response. Please submit your reply to the Grand Jury within 30 days from the date of this letter.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Stanners".

Sharon Stanners, Foreperson  
2015-2016 Placer County Grand Jury

Enclosure

Lxxx

## California Penal Code

### *Section 933.05*

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
  - (1) The respondent agrees with the finding.
  - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
  - (1) The recommendation has been implemented, with a summary regarding the implemented action.
  - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
  - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
  - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.



## PLACER COUNTY GRAND JURY

11532 B Avenue  
Auburn, CA 95603

Phone: (530) 886-5200  
Fax: (530) 886-5201  
Email: grandjury@placer.ca.gov

RECEIVED

SEP 9 2015

September 3, 2015

Mr. Matt Brower  
City Manager, City of Lincoln  
600 6<sup>th</sup> St  
Lincoln, CA 95648

RECEIVED

SEP 11 2015

Re: Response to Report Investigation of County and City Operational Policies **PLACER COUNTY  
GRAND JURY**

Dear Respondent:

The Grand Jury appreciates your response to the findings and recommendations contained in the above referenced report. However, your response was missing some critical information that is mandated by statute. When a respondent indicates that a recommendation "will be implemented" a time frame for implementing the recommendation is required.

Penal code §933.05(b) allows the respondent to select one of four actions for each recommendation. The action to implement the recommendation in the future is covered in §933.05(b)(2). That section reads "The recommendation has not yet been implemented, but will be implemented in the future, *with a time frame for implementation.*" A copy of the pertinent Penal Code is enclosed.

In accordance with this statute, the Placer County Grand Jury requests that you furnish the implementation time frame to validate your response. Please submit your reply to the Grand Jury within 30 days from the date of this letter.

Thank you for your cooperation.

Sincerely,

Sharon Stanners, Foreperson  
2015-2016 Placer County Grand Jury

Enclosure

Lxxx

## Response to Grand Jury Report Form

**Report Title:** City of Lincoln Grand Jury Response - City Operational Policies

**Report Date:** August 14, 2015

**Response By:** Matthew Brower                      **Title:** City Manager

### FINDINGS

- I agree with the findings, numbered: 1-21
- I disagree wholly or partially with the findings, numbered:  
*(Describe here or attach a statement specifying any portions of the findings that are disputed or not applicable; include an explanation of the reasons therefore.)*

### RECOMMENDATIONS

- Recommendations numbered 4, 6, 8 and 10 have been implemented.  
*(Describe here or attach a summary statement regarding the implemented actions.)*
- Recommendations numbered 2, 3, 7 and 9 have not yet been implemented, but will be implemented in the future.
- Recommendations numbered 1, 5 and 11 are not applicable to the City of Lincoln.  
***(Per Penal Code 933.05(b)(2), a time frame for implementation must be included. Describe here or in an attachment.)***
- Recommendations numbered                      require further analysis.  
*(Describe here or attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six (6) months from the date of publication of the grand jury report.)*

Date: 9/8/15

Signed: 

Number of pages attached: 38 pages

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## **Facts and Findings**

For Placer County and the cities of Auburn, Colfax, Lincoln, Loomis, Rocklin and Roseville, the Grand Jury determined the following:

### **Travel Policies**

#### **Facts**

- All have budgets, controls and policies for travel of elected officials and employees.
- Travel plans and projected costs are developed in the fiscal budget process.
- Any out of state, out of the country, and unbudgeted travel requires pre-approval by the respective elected officials (Board of Supervisors for county, council members for cities).
- All policies for travel require the use of the lowest cost for airfare, ground transportation and lodging.
- Per Diem rates for employees on official travel use IRS or lesser rates.
- All governmental entities have personnel approving travel in advance and staff monitoring travel claims and payments.
- Elected officials and appointed employees are subject to the same operational policies in all entities.
- Colfax does not have a written policy on travel.

#### **Findings**

F-1. Policies for travel seemed appropriate and adequate while recognizing the wide differences in size of the workforce and responsibilities. Colfax has policies, but they are not in writing. *AGREE*

F-2. Travel controls for all entities are adequate. *AGREE*

### **Vehicle Policies**

#### **Facts**

- County and all local governments have government vehicles. The majority of vehicle use is by public safety and public service departments.
- The use of personal vehicles for official travel is reimbursed at the IRS approved mileage rate.
- The Board of Supervisors and other elected local government officials are not assigned government owned vehicles.
- Elected officials receive set allowances to compensate for transportation expenses.
- Colfax does not have a written policy on vehicle use.

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## Findings

- F-3. Vehicle policies for all jurisdictions are satisfactory, although Colfax's policy is not in writing. *AGREE*

## Credit Card Policies

### Facts

- The county and all cities use credit cards. The number of cards in use varies; for example, Loomis has only one credit card, while Roseville has over 300 credit cards.
- Managers or department heads are responsible for approving the issuance of cards and monitoring appropriate use.
- Typical credit card use includes:
  - Travel expenses such as airfare and conference fees payable in advance
  - Purchases for emergency repairs
  - Numerous other authorized routine field expenses
- Credit card expenses are reviewed and approved prior to payment.
- Monitoring of credit card expenses is routinely done by staff and, proactively by the issuing credit card banks .

## Findings

- F-4. Each government body has different policies and procedures for issuance and use of credit cards. *AGREE*

- F-5. Credit cards are widely used by Placer County, Rocklin and Roseville. Use in other jurisdictions is more limited. *AGREE*

- F-6. Monitoring and control of credit card use is adequate. *AGREE*

## Cell-Phone Policies

### Facts

- All entities issue and use cell-phones for employee use.
- The bulk of cell-phone use is by public safety and public service employees.
- Elected officials generally use their own cell-phones and are reimbursed or have allowances covering such use.
- Placer County and Roseville department heads authorize cell-phone issuances.
- Placer County and Roseville IT departments have responsibility for negotiating cellphone contracts.

## Findings

- F-7. Monitoring cell phone usage continues to be an on-going challenge for management. *AGREE with facts, City of Lincoln has instituted unlimited cell phone plans to remediate on-going challenges.*

## Technology Policies

### Facts

- All entities have a wide variety of hardware and software.

- Placer County, Auburn, Rocklin and Roseville have inter-disciplinary groups to assess technology changes, their application and their costs.
- Some agencies monitor Internet access to preclude personal use.
- Rocklin has a social media policy.
- Roseville has e-mail and remote e-mail policies that employees must read, acknowledge and understand before signing.
- Roseville incorporates technology training in yearly ethics training.
- Cyber security insurance is purchased by Roseville.
- Auburn has a technical procedures policy that employees must sign.
- Deleted

#### **Findings**

F-8. Smart phones have blurred the lines between cell-phone and technology use policies. *AGREE*

F-9. Management oversight and monitoring of technology usage is an evolving challenge. *AGREE*

F-10. The extent of personal computer and tablet usage varies with the number of employees. *AGREE*

F-11. Management approach and policies on technology vary. *AGREE*

#### **Contracting, Bidding and Purchasing Policies**

##### **Facts**

Contracting and bidding practices vary but conform to state laws, regulations and appeared adequate.

##### **Findings**

F-12. All entities have adequate policies on contracting and bidding. *AGREE*

#### **Management and Administration of Policies**

##### **Facts**

- Training policies and practices, both initial and recurring, vary.
- All operational policies apply to elected officials as well as employees.
- Not all policies were current and in writing.
- Not all policies were organized and indexed.
- Only Placer County has internal auditors on staff.
- Roseville does not have an internal auditor but is considering adding this role.
- Colfax has a policy and a complaint form for whistleblower reports. All others rely on Federal Law protecting whistleblowers but do not have a policy or form for written whistleblower reports.

##### **Findings**

F-13. Policies are not being updated in a timely fashion. *AGREE*

- 
- F-14. Some, but not all, policies identified the original date of issue or date of review. *AGREE*
- F-15. Issuance dates, recurring reviews and approvals of operational policies were only completed by Placer County, Colfax and Roseville. Other entities revised policies on an "as necessary" basis. *AGREE*
- F-16. Complete standardized numbered policies were only available from Placer County and Roseville. *AGREE*
- F-17. Initial training on operational policies is completed for newly elected officials and new employees in a variety of ways. *AGREE*
- F-18. Recurring training policies can be improved. *AGREE*
- F-19. Management of technology innovations requires an inter-disciplinary approach. *AGREE*
- F-20. On-going internal auditing serves to monitor internal controls and minimize noncompliance and abuse. The addition of internal auditors would be valuable for the larger cities. *AGREE*
- F-21. Providing forms for employees to submit whistleblower reports in writing would be of value. *AGREE*

### **Conclusions**

The Grand Jury's review of the operating policies of the county and cities indicates they are appropriate. There are actions that the Grand Jury would consider **best practices** that should be instilled. Current policies apply equally to elected officials, appointed management and employees.

Significant variability exists in the level of detail included in the operating policies of the county and various cities. As the size of the government entity and number of employees increases, more reliance is placed on managerial control.

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## **Recommendations**

(Table I on the following page specifies which recommendations are applicable to each entity)

The Grand Jury recommends that:

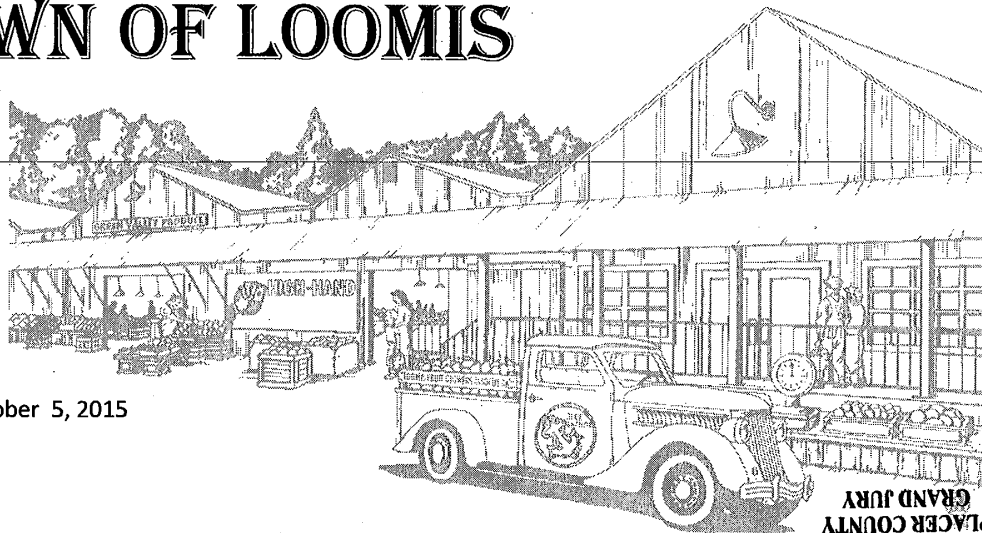
- R2. A regular schedule be established for reviewing all policies to assure they are current.  
The City of Lincoln has adopted Resolution 2010-190 establishing an annual review by City Council of the city-wide Administrative Policy Manual which unfortunately due to staff turnover has not occurred. The City intends to follow this schedule in the Fiscal Year 2015/16 – See Attachment A. Implementation will begin January 1, 2016.
- R3. All policies should include, approval, adoption, and review dates. Policies should be indexed for improved access  
The City of Lincoln Administrative Policy Manual currently includes an index and date of the policy but does not specify whether the date is approval or adoption and does not include review dates. The City intends to re-format their policies to include all of the above in the next six months – See Attachment B (index and sample policy). Implementation will begin January 1, 2016.
- R4. Cell phone policies be documented.  
The City of Lincoln has administrative policy number 75 (Cellular Telephone Policy) – See Attachments C.
- R6. Technology policies include computer, tablet, internet and email use.  
The City of Lincoln has administrative policy number 55 (Use of Electronic Communications) – See Attachments D.
- R7. Consideration should be given to the development of a Technology Resources Policy including a schedule of reviews and employee acknowledgements.  
The City intends to form an employee based Technology Innovation Board (TIB) within the next six months. The TIB will not only coordinate software purchases but also development policy in regards to technology. Implementation will begin January 1, 2016.
- R8. Consideration be given to procuring cyber security insurance.  
The City of Lincoln currently has cyber security insurance – See Attachment E.
- R9. Require that employees on a recurring schedule verify that they understand and acknowledge, by signature, operational policies and any changes thereto.  
The City intends to distribute to all employees and have them verify their understanding of the administrative policies at their annual performance reviews. Implementation will begin January 1, 2016.
- R10. A whistleblower policy and reporting form be developed.  
The City of Lincoln adopted a “Whistleblower” policy on August 28, 2012 – Attachment F.

Table 1 – Recommendations

| County    | Recommendations |    |    |    |    |    |    |    |    |     |     |
|-----------|-----------------|----|----|----|----|----|----|----|----|-----|-----|
|           | R1              | R2 | R3 | R4 | R5 | R6 | R7 | R8 | R9 | R10 | R11 |
| County    |                 |    |    |    |    |    |    | X  |    | X   |     |
| Auburn    |                 | X  | X  |    |    | X  | X  | X  | X  | X   |     |
| Colfax    | X               | X  | X  | X  | X  | X  |    | X  | X  |     |     |
| Lincoln   |                 | X  | X  | X  |    | X  | X  | X  | X  | X   |     |
| Loomis    |                 | X  | X  | X  | X  | X  |    | X  | X  | X   |     |
| Rocklin   |                 | X  | X  |    |    |    |    | X  | X  | X   |     |
| Roseville |                 |    |    |    |    |    |    |    |    | X   | X   |

Key: X - indicates this recommendation applies.

# TOWN OF LOOMIS



October 5, 2015

RECEIVED  
OCT 14 2015  
PLACER COUNTY  
GRAND JURY

Sharon Stanners, Foreperson  
Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

To: Sharon Stanners, Forepreson; Members of the Placer County Grand Jury

Attached is the letter that was approved by the Loomis Town Council on August 11, 2015 and for whatever reason, you didn't receive it. On August 11, 2015 Council also approved policies for "procedures for cellular and wireless devices," "computer, e-mail and internet use," and "Whistleblowers" with reporting forms to be signed yearly. Also, all policy formats now include approval, adoption and review dates and we are in the process of indexing for improved access.

Thank you for your cooperation and patience in this matter.

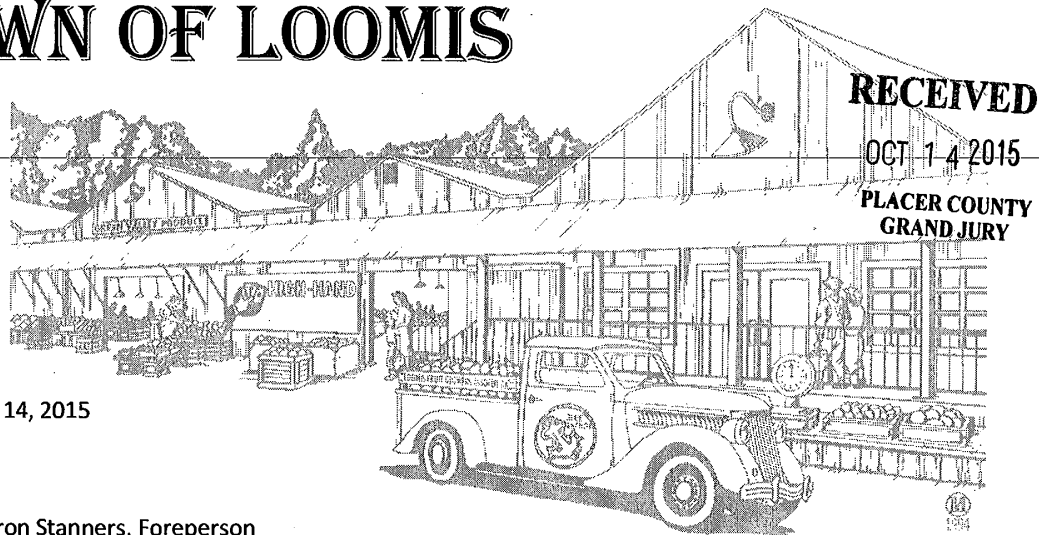
Sincerely,

Rick Angelocci  
Town Manager

Enclosure: Letter from August 11, 2015

(916) 652-1840 • (916) 652-1847  
3665 TAYLOR ROAD • P.O. Box 1330 • LOOMIS, CA 95650

# TOWN OF LOOMIS



July 14, 2015

Sharon Stanners, Foreperson  
Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

To: Sharon Stanners, Foreperson; Members of the Placer County Grand Jury

The Loomis Town Council and Staff would like to thank the Placer County Grand Jury for the time and effort they put into reviewing the Town's operational policies and the recommendations they have given. We take these recommendations seriously and plan to implement each one.

Below are the recommendations of the Grand Jury, and the Town's response.

**R2. A regular schedule be established for reviewing all policies to assure they are current.**

**Response:** The Town Clerk and the Finance Director are currently reviewing all the policies. Some need no change, some require updating, and some have been superseded by adopted ordinances and can be deleted. Upon completion of the current review, a complete operations policy manual will be presented to the Town Council for approval.

Going forward, each July, the Clerk and the Finance Director will give all policies a cursory review. If no need for change is found, the reviewer will sign and date the bottom of the policy. If there appear to be changes needed, the policy will be updated and brought to Council in September for approval.

**R3. All policies should include approval, adoption, and review dates. Policies should be indexed for improved access.**

**Response:** When the above mentioned policy manual has been adopted by the Town Council, each policy will be noted with its adoption date. Each July, the Clerk and the Finance Director will give all

policies a cursory review. If no need for change is found, the reviewer will sign and date the bottom of the policy. If there appear to be changes needed, the policy will be updated and brought to Council in September for approval. Upon approval, the policy will be marked as amended and dated.

**R4. Cell phone policies should be documented.**

**Response:** A cell phone policy will be drafted and included in the policy manual in R2, above.

**R5. Computer and internet policies should be documented.**

**Response:** A computer and internet policy will be drafted and included in the policy manual in R2, above.

**R6. Technology policies include computer, tablet, internet and email use.**

**Response:** A technology policy, including computer, tablet, internet and email use will be drafted and included in the policy manual in R2, above.

**R8. Consideration should be given to procuring cyber security insurance.**

**Response:** On June 26, 2015 (prior to receiving the Grand Jury Report), the Town contracted for cyber insurance, effective July 1, 2015.

**R9. Require that employees on a recurring schedule verify that they understand and acknowledge, by signature, operation policies and any changes thereto.**

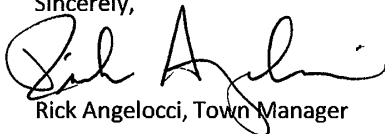
**Response:** During each employee's annual review, they will be required to review and verify that they understand and acknowledge, by signature, operation policies and any changes thereto that relate to their position or job assignment.

**R10. A whistleblower policy and reporting form should be developed.**

**Response:** A whistleblower policy and reporting form will be drafted and included in the policy manual in R2, above.

We expect that all the above will be in place by September 30, 2015.

Sincerely,



Rick Angelocci, Town Manager



July 28, 2015

Ms. Sharon Stanners, Foreperson  
Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

**RECEIVED**

JUL 31 2015

**PLACER COUNTY  
GRAND JURY**

Re: Response to the 2014-2015 Grand Jury Report – Investigation of County and City Operational Policies

Dear Foreperson Stanners:

This letter is in response to the 2014-2015 Grand Jury's Findings and Recommendations from the report titled *Investigation of County and City Operational Policies*. The City of Rocklin would like to thank the members of the 2014-2015 Grand Jury for their efforts related to this report.

**Recommendations of the Grand Jury (applicable to the City of Rocklin)**

R2. A regular schedule be established for review all policies to assure they are current.

City Response: The City of Rocklin will establish a schedule for the annual review of all policies as part of our annual audit preparation. Procedures will be established for the updating of polices determined to not be current.

R3. All policies should include, approval, adoption, and review dates. Policies should be indexed for improved access.

City Response: The City of Rocklin will update the policies for the inclusion of review dates as part of its annual review schedule. Policies will be indexed for improved access.

R8. Consideration be given to procuring cyber security insurance.

City Response: The City of Rocklin currently has cyber security insurance.

R9. Require that employees on a recurring schedule verify that they understand and acknowledge, by signature, operational policies and any change thereto.

City Response: The City of Rocklin will schedule the dissemination of operational policies and updates to all employees as part of the City's annual policy review process.

Ms. Sharon Stanners, Foreperson  
July 28, 2015  
Page 2

R10. A whistleblower policy and report form be developed.

City Response: The City of Rocklin has an administrative policy against retaliation which discusses the topic of whistleblowers. However, the City will develop a separate policy and form specifically for whistleblowers, and make these available to all employees.

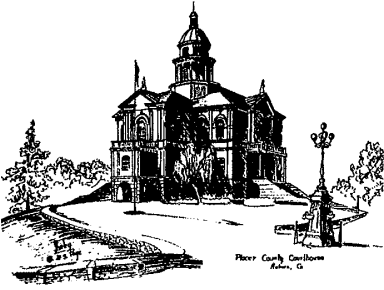
The City of Rocklin appreciates the work of the 2014-2015 Placer County Grand Jury for their report and their service to the City of Rocklin.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Horst", written over a faint, illegible background.

Rick Horst  
City Manager, City of Rocklin

cc: Kim Sarkovich, Assistant City Manager/Chief Financial Officer



## PLACER COUNTY GRAND JURY

11532 B Avenue  
Auburn, CA 95603

Phone: (530) 886-5200  
Fax: (530) 886-5201  
Email: [grandjury@placer.ca.gov](mailto:grandjury@placer.ca.gov)

Mr. Ricky A. Horst  
City Manager, City of Rocklin  
4970 Rocklin Rd.  
Rocklin, CA 95677

September 3, 2015

Re: Response to Report Investigation of County and City Operational Policies

Dear Respondent:

The Grand Jury appreciates your response to the findings and recommendations contained in the above referenced report. However, your response was missing some critical information that is mandated by statute. When a respondent indicates that a recommendation "will be implemented" a time frame for implementing the recommendation is required.

Penal code §933.05(b) allows the respondent to select one of four actions for each recommendation. The action to implement the recommendation in the future is covered in §933.05(b)(2). That section reads "The recommendation has not yet been implemented, but will be implemented in the future, *with a time frame for implementation.*" A copy of the pertinent Penal Code is enclosed.

In accordance with this statute, the Placer County Grand Jury requests that you furnish the implementation time frame to validate your response. Please submit your reply to the Grand Jury within 30 days from the date of this letter.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Stanners".

Sharon Stanners, Foreperson  
2015-2016 Placer County Grand Jury

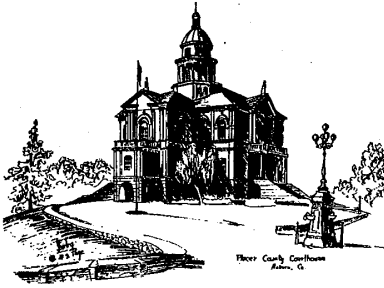
Enclosure

Lxxx

## California Penal Code

### *Section 933.05*

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
  - (1) The respondent agrees with the finding.
  - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
  - (1) The recommendation has been implemented, with a summary regarding the implemented action.
  - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
  - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
  - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.



## PLACER COUNTY GRAND JURY

11532 B Avenue  
Auburn, CA 95603

Phone: (530) 886-5200  
Fax: (530) 886-5201  
Email: [grandjury@placer.ca.gov](mailto:grandjury@placer.ca.gov)

September 2, 2015

Mr. Rick Horst, City Manager  
City of Rocklin  
3970 Rocklin road  
Rocklin, CA 95677-2720

Re: Response to Report *Investigation of County and City Operational Policies*

Dear Mr. Horst:

The Grand Jury appreciates your response to the findings and recommendations contained in the above referenced report. However, the Grand Jury is requesting a clarification of your response to the recommendation listed below.

Recommendation R9 of this report reads: *"Require that employees on a recurring schedule verify that they understand and acknowledge, by signature, operational policies and any change thereto."*

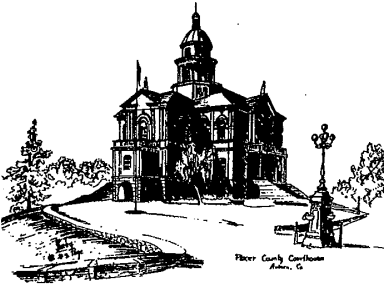
Your response was: *"The City of Rocklin will schedule the dissemination of operational policies and updates to all employees as part of the City's annual policy review process."*

Can you please clarify if your response means that as part of the annual policy review process, you will have employees sign to acknowledge the receipt and understanding of policies and changes?

We would appreciate receiving your response within 30 days from the date of this letter. Thank you for your cooperation.

Sincerely,

Sharon Stanners, Foreperson  
2015-2016 Placer County Grand Jury

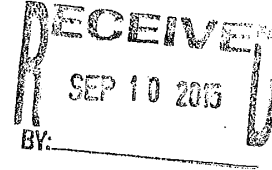


## PLACER COUNTY GRAND JURY

11532 B Avenue  
Auburn, CA 95603

Phone: (530) 886-5200  
Fax: (530) 886-5201  
Email: grandjury@placer.ca.gov

September 3, 2015



Mr. Rick Horst  
City Manager, City of Rocklin  
3970 Rocklin Road  
Rocklin CA 95677-2720

Re: Response to Report Investigation of County and City Operational Policies

Dear Respondent:

The Grand Jury appreciates your response to the findings and recommendations contained in the above referenced report. However, your response was missing some critical information that is mandated by statute. When a respondent indicates that a recommendation "will be implemented" a time frame for implementing the recommendation is required.

Penal code §933.05(b) allows the respondent to select one of four actions for each recommendation. The action to implement the recommendation in the future is covered in §933.05(b)(2). That section reads: "The recommendation has not yet been implemented, but will be implemented in the future, *with a time frame for implementation.*" A copy of the pertinent Penal Code is enclosed.

In accordance with this statute, the Placer County Grand Jury requests that you furnish the implementation time frame to validate your response. Please submit your reply to the Grand Jury within 30 days from the date of this letter.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "SHARON STANNERS".

Sharon Stanners, Foreperson  
2015-2016 Placer County Grand Jury

Enclosure

## California Penal Code

### Section 933.05

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent agrees with the finding.
  - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation has been implemented, with a summary regarding the implemented action.
  - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
  - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
  - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.



RECEIVED

SEP 21 2015

PLACER COUNTY  
GRAND JURY

September 11, 2015

Ms. Sharon Stanners, Foreperson  
Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

Re: September 2, 2015 and September 3, 2015 letters: Response to Report *Investigation of County and City Operational Policies*

Dear Foreperson Stanners:

This letter is in response to the September 2, 2015 letter from the Grand Jury requesting clarification of the City's response to Recommendation R9 from the report titled *Investigation of County and City Operational Policies* and also in response to the September 3, 2015 letter requesting timeframes for implementation of applicable recommendations.

**September 2<sup>nd</sup> letter - Recommendation and Clarification:**

R9. Require that employees on a recurring schedule verify that they understand and acknowledge, by signature, operational policies and any change thereto.

City's Original Response: The City of Rocklin will schedule the dissemination of operational policies and updates to all employees as part of the City's annual policy review process.

**Clarification of Original Response: The intent of the City's response is to have all employees sign to acknowledge the receipt and understanding of all policies and changes thereto as part of our annual review process.**

**September 3<sup>rd</sup> letter – Timeframe for Implementation of Recommendations:**

R2. A regular schedule be established for review all policies to assure they are current.

City Response: The City of Rocklin will establish a schedule for the annual review of all policies as part of our annual audit preparation. Procedures will be established for the updating of policies determined to not be current.

**Timeframe for Implementation: Initial schedule to be completed by June 30, 2016 and annually thereafter.**

CITY OF ROCKLIN Administrative Services Department  
3970 Rocklin Rd. Rocklin, CA 95677 | [rocklin.ca.us](http://rocklin.ca.us)  
P. 916.625.5020 | F. 916.625.5095 | TTY. 916.632.4013

Ms. Sharon Stanners, Foreperson  
September 11, 2015  
Page 2

R3. All policies should include, approval, adoption, and review dates. Policies should be indexed for improved access.

City Response: The City of Rocklin will update the policies for the inclusion of review dates as part of its annual review schedule. Policies will be indexed for improved access.

**Timeframe for Implementation: Initial update and index to be completed by June 30, 2016 and any new policies to be integrated in this process on an ongoing basis.**

R8. Consideration be given to procuring cyber security insurance.

City Response: The City of Rocklin currently has cyber security insurance **which it has maintained since July 1, 2010 and will continue to do so indefinitely.**

R9. Require that employees on a recurring schedule verify that they understand and acknowledge, by signature, operational policies and any change thereto.

City Response: The City of Rocklin will schedule the dissemination of operational policies and updates to all employees as part of the City's annual policy review process.

**Clarification of Original Response: The intent of the City's response is to have all employees sign to acknowledge the receipt and understanding of all policies and changes thereto as part of our annual review process.**

**Timeframe for Implementation: Initial annual employee verification that they understand and acknowledge will be completed by June 30, 2016 and annually thereafter.**

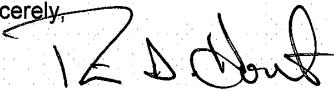
R10. A whistleblower policy and report form be developed.

City Response: The City of Rocklin has an administrative policy against retaliation which discusses the topic of whistleblowers. However, the City will develop a separate policy and form specifically for whistleblowers, and make these available to all employees.

**Timeframe for Implementation: To be completed by June 30, 2016.**

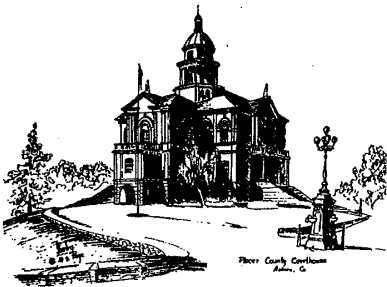
The City of Rocklin apologizes for any omissions or confusion created by the original response and once again thanks the 2014-2015 Placer County Grand Jury for their report and their service to the City of Rocklin.

Sincerely,



Ricky A. Horst  
City Manager  
City of Rocklin

cc: Kim Sarkovich, Assistant City Manager/Chief Financial Officer



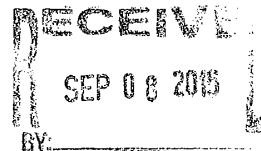
## PLACER COUNTY GRAND JURY

11532 B Avenue  
Auburn, CA 95603

Phone: (530) 886-5200  
Fax: (530) 886-5201  
Email: grandjury@placer.ca.gov

September 2, 2015

Mr. Rick Horst, City Manager  
City of Rocklin  
3970 Rocklin road  
Rocklin, CA 95677-2720



Re: Response to Report *Investigation of County and City Operational Policies*

Dear Mr. Horst:

The Grand Jury appreciates your response to the findings and recommendations contained in the above referenced report. However, the Grand Jury is requesting a clarification of your response to the recommendation listed below.

Recommendation R9 of this report reads: *"Require that employees on a recurring schedule verify that they understand and acknowledge, by signature, operational polices and any change thereto."*

Your response was: *"The City of Rocklin will schedule the dissemination of operational policies and updates to all employees as part of the City's annual policy review process."*

Can you please clarify if your response means that as part of the annual policy review process, you will have employees sign to acknowledge the receipt and understanding of policies and changes?

We would appreciate receiving your response within 30 days from the date of this letter. Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Stanners".

Sharon Stanners, Foreperson  
2015-2016 Placer County Grand Jury



311 Vernon Street  
Roseville, California 95678-2649

**RECEIVED**

SEP 01 2015

**PLACER COUNTY  
GRAND JURY**

August 1, 2015

Foreperson  
Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

Regarding: Investigation of County and City Operational Policies,  
Report date: June 26, 2015  
Response by: Ray Kerridge, City Manager

Dear Honorable Judge Nichols and the Placer County Grand Jury,

On behalf of the Roseville City Council, I would like to thank the Placer County Grand Jury for your continued dedication to the citizens of Placer County. I am pleased to submit our response to the 2014-2015 Grand Jury Final Report. The facts and findings outlined in the report were based on a cumulative review of Placer County and the cities of Auburn, Colfax, Lincoln, Loomis, Rocklin and Roseville.

In regards to your findings, Roseville responds with the following:

- I (we) agree with the findings, numbered: F1, F2, F3, F4, F5, F6, F9, F12, F15, F16, F17, F18, F19, F20, and F21.

F1. Policies for travel seemed appropriate and adequate while recognizing the wide differences in size of the workforce and responsibilities. Colfax has policies, but they are not in writing.

F2. Travel controls for all entities are adequate.

F3. Vehicle policies for all jurisdictions are satisfactory, although Colfax's policy is not in writing.

F4. Each government body has different policies and procedures for issuance and use of credit cards.

F5. Credit cards are widely used by Placer County, Rocklin and Roseville. Use in other jurisdictions is more limited.

F6. Monitoring and control of credit card use is adequate.

F9. Management oversight and monitoring of technology usage is an evolving challenge.

F12. All entities have adequate policies on contracting and bidding.

F15. Issuance dates, recurring reviews and approvals of operational policies were only completed by Placer County, Colfax and Roseville. Other entities revised policies on an "as necessary" basis.

F16. Complete standardized numbered policies were only available from Placer County and Roseville.

F17. Initial training on operational policies is completed for newly elected officials and new employees in a variety of ways.

F18. Recurring training policies can be improved.

F19. Management of technology innovations requires an inter-disciplinary approach.

F20. On-going internal auditing serves to monitor internal controls and minimize non-compliance and abuse. The addition of internal auditors would be valuable for the larger cities.

F21. Providing forms for employees to submit whistleblower reports in writing would be of value.

- I (we) respectfully disagree with the findings, numbered: F7, F8, F13, and F14

F7. Monitoring cell phone usage continues to be an on-going challenge for management - City staff monitors cell phone usage (minutes and data usage) on a monthly basis through a centralized Mobile Device Management software.

F8. Smart phones have blurred the lines between cell-phone and technology use policies - As mentioned in the Facts, Roseville has inter-disciplinary groups to assess technology changes, their application and their costs. Also, Roseville incorporates technology training in yearly ethics training.

F13. Policies are not being updated in a timely fashion. -Please refer to F15 which indicates recurring reviews and approvals were completed by Roseville.

F14. Some, but not all, policies identified the original date of issue or date of review. - All City administrative regulations include 'Date Effective' and 'Date Revised'. The regulations are posted to the City's internal training site (RoseU) where employees are required to read and acknowledge all regulations.

- I (we) cannot agree or disagree with the findings, numbered: F10 and F11

F10. The extent of personal computer and tablet usage varies with the number of employees. - This finding is a broad generalization of the cities interviewed. Roseville can't agree or disagree on behalf of what the other cities are doing.

F11. Management approach and policies on technology vary. - This finding is a broad generalization of the cities interviewed. Roseville can't agree or disagree on behalf of what the other cities are doing.

## RECOMMENDATIONS

Responses to the following recommendations are listed below:

**Report Recommendation 1 as to Roseville (R10):** A whistleblower policy and reporting form be developed.

**Response:** The City believes adequate policies and procedures already exists today that employees can follow. Employees can contact their union representative and/or City management to discuss their concerns. Employees also have the ability to send anonymous questions, comments, concerns, or suggestions directly to the City Manager through a link on the City's intranet page.

Additionally, included in the City's Personnel Rules and Regulations are various sections that address such issues. For example, Section 3.01.030 of the Roseville Municipal Code regarding Anti-Reprisal provides protections for whistleblowers as follows:

Employees shall not be discharged, demoted, harassed, discriminated against, or otherwise retaliated against in their terms and conditions of employment for any of the following: (1) reporting violations of these personnel rules or an adopted City administrative regulation; (2) reporting health and safety hazards to the City or other governmental agencies; (3) filing complaints of harassment or discrimination whether suffered by the employee or another person; (4) participating in an employment harassment or discrimination proceeding, such as an investigation or lawsuit; and (5) reporting incidents of violence in the workplace.

Section 3.15.040 of the Roseville Municipal Code regarding General Employee Conduct, provides guidelines the City expects all employees to follow. All employees will be expected to conduct themselves at all times during the course of work in the following general manner:

A. Conduct. An obligation rests upon every employee of the city to render honest and efficient service in performance of the employee's duties. All employees shall be responsible for adhering to all prescribed operations of the city and provisions of these rules and regulations, or any other city regulations relating to operational activities.

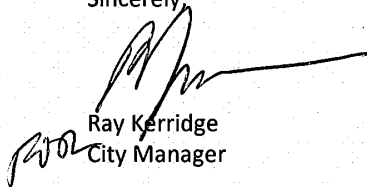
B. Reporting Requirement. All employees have a duty to report, verbally or in writing, promptly and confidentially any evidence of any improper practice of which they are aware. As used here, the term "improper practice" shall mean any illegal, fraudulent, dishonest, negligent, or otherwise unethical action arising in connection with city operations or activities.

C. Reporting Process. Reports of improper practice shall be submitted through the line of administrative supervision except when the alleged impropriety appears to involve supervisory officials. In such cases, reports shall be submitted directly to the city manager.


**Report Recommendation 2 as to Roseville (R11):** Consideration be given to adding one or more internal auditors to staff.

**Response:** As the City has grown and expanded, executive leadership has expressed an interest in adding an Internal Auditor division. Due to funding issues, the plan to create this division is temporarily on hold. The conceptual vision has an Internal Auditor division reporting directly to the City Manager and/or City Council once adequate and ongoing funding is available.

Sincerely,



Ray Kerridge  
City Manager



Carol Garcia  
Mayor

***Placer County Water Agency  
Enhanced Service to Placer County Residents  
Utilizing Reserves from the Sale of Surplus Water and Electricity***

**Findings**

The Grand Jury found that:

- F1. PCWA is a well-managed special district agency and uses its water and electrical assets to the advantage of its rate payers.
- F2. The ongoing reality of drought and reduced water inflows into all water districts serving Placer County residents and businesses is requiring PCWA to reevaluate how all county residents are served with water.
- F3. During the ongoing drought PCWA may benefit from utilizing advisory councils as provided by the Act.

**Recommendations**

The Grand Jury recommends that:

- R1. A significant portion of revenue from the sale of surplus water and some of the net revenues from the sale of electricity be used to extend delivery of potable water to neighborhoods and communities not currently served by PCWA.
- R2. Consideration be given to potential or emergency needs of existing underserved areas within Placer County in the Water Master Plan being prepared by PCWA.
- R3. For public water systems not currently served by PCWA, the Water Master Plan should include the opportunity to connect their water service to PCWA. PCWA should make emergency financial aid available for this purpose.
- R4. PCWA form zone advisory councils pursuant to PCWA Act § 81-15.2.

**Responses**

**Recommendations  
Requiring Response**

**PCWA Board of Directors**

**R1, R2, R3, R4**

**Mr. Joseph Parker**  
Director of Financial Services

**R1, R2, R3, R4**



PLACER COUNTY WATER AGENCY  
SINCE 1957  
BOARD OF DIRECTORS      BUSINESS CENTER  
Gray Allen, District 1      144 Ferguson Road  
Primo Santini, District 2      MAIL  
Mike Lee, District 3      P.O. Box 6570  
Robert Dugan, District 4      Auburn, CA 95604  
Joshua Alpine, District 5      PHONE  
Einar Maisch, General Manager      (530) 823-4850  
WWW.PCWA.NET      (800) 464-0030

September 4, 2015

Placer County Grand Jury  
11532 B Avenue  
Auburn CA 95603

**RECEIVED**

SEP 09 2015

**PLACER COUNTY  
GRAND JURY**

**RE    *Grand Jury Final Report – Placer County Water Agency – Enhanced Service to Placer County Residents Utilizing Reserves from Sale of Surplus Water and Electricity dated June 26, 2015***

We are pleased to forward Placer County Water Agency's (PCWA) response to the Placer County Grand Jury's three findings and four recommendations in the above titled report.

On behalf of PCWA we thank the members of the Grand Jury for familiarizing themselves with the responsibilities and opportunities that PCWA has in its retail, wholesale and stewardship roles for the provision of clean, reliable water to Placer County residents and the generation of clean hydroelectric energy.

The compliments noting that PCWA is a "well-managed special district" that "uses its water and electrical assets to the advantage of its rate payers" are very much appreciated. The PCWA Board of Directors and management staff are dedicated to confronting the challenges of securing our future water supply reliability and the efficient generation of energy in California today.

PCWA's work is accomplished through a dedicated team of the Board of Directors, management, staff and legal counsel and through the cooperative efforts of numerous consultants, cooperating agencies and member associations.

We are pleased to respond to the findings and recommendations of the Grand Jury:

**Placer County Water Agency  
Response to the Grand Jury Report**

**Report Title:** *Placer County Water Agency – Enhanced Service to Placer County Residents Utilizing Reserves for Sale of Surplus Water and Electricity*

**Report Date:** *June 26, 2015*

**Response By:** Einar Maisch  
Joseph Parker

**Title:** General Manager  
Director of Financial Services

**FINDINGS AND RESPONSES**

**Finding F1**

*PCWA is a well-managed special district agency and uses its water and electrical assets to the advantage of its rate payers.*

**PCWA Response:**

PCWA agrees with this finding numbered F1.

**Finding F2**

*The ongoing reality of drought and reduced water inflows into all water districts serving Placer County residents and businesses is requiring PCWA to reevaluate how all county residents are served with water.*

**PCWA Response:**

PCWA disagrees wholly with this finding numbered F2.

Placer County's numerous surface water purveyors have relatively abundant surface water resources. The combination of this year's precipitation (which, although well below normal still contributed considerable water to reservoir storage), available carryover reservoir storage from prior years, water conservation by customers and improved operational efficiency has provided sufficient water supplies to meet the needs of most residents who are dependent upon surface water. Similarly, most residents reliant on purveyors that pump from recognized groundwater basins in west Placer, Squaw Valley, Martis Valley and along the perimeter of Lake Tahoe have also had sufficient water this year.

However, we are aware that some small water systems and individual residents in rural areas that are reliant on small reservoirs in small watersheds or groundwater from rock wells have increased water supply challenges during periods of drought. Drought can reduce the yield of these types of wells, sometimes to levels that are insufficient to sustain normal household needs, and the problem can be worse in areas with many neighboring wells trying to access the same groundwater source. These problems are extremely difficult and expensive to solve because of a lack of alternative water sources and the dispersed and low-density nature of such development.

PCWA, acting in its stewardship role, is moving forward with the preparation of a Master Plan to identify areas with water supply problems and to identify potential solutions. PCWA also anticipates that in the future it will have Agency Wide funds from the sale of surplus water and/or energy from its Middle Fork Project that it can allocate to its Financial Assistance Plan to help solve these problems.

However, the implication of Finding F2 that a majority of county residents are suffering critical water shortages or that a reevaluation of how water is served throughout the county is needed as a result of the drought is not accurate, and neither is the implication that PCWA is responsible for water planning for other water purveyors or for all county residents.

PCWA will continue its stewardship work within the County to protect water rights and entitlements by providing assistance to purveyors when needed, including through legal assistance, through planning and the development of the Master Plan and through legislative and regulatory advocacy on water issues.

**Finding F3**

***During the ongoing drought PCWA may benefit from utilizing advisory councils as provided by the Act.***

**PCWA Response:**

PCWA disagrees wholly with this finding numbered F3.

During this drought PCWA staff has been directed to engage in an extensive public outreach program to identify water supply problems and help customers meet water conservation goals. The Agency's Board of Directors meets twice a month during which any member of the public may address the Board on any matter within the jurisdiction of the Agency. In addition, there are frequent news releases, and a host of information is posted on PCWA's website through which the Agency attempts to inform the public on important matters affecting customers and residents. Also, PCWA staff frequently takes advantage of the County's Municipal Advisory Committees to provide information to, and seek input from, the public regarding important matters pending consideration. PCWA's staff is available to listen to suggestions or respond to any questions or concerns that customers or residents may have. And finally PCWA Board members and management are routinely in communication with community groups, community leaders and individual constituents, in a variety of different venues, in order to keep informed on the issues that are important to the communities they represent and serve.

The Board does not believe that there is an unmet need that the formation of an advisory council(s) would help fulfill and does not believe that there would be any benefit to interjecting other parties between the Board and its constituents.

**RECOMMENDATIONS AND RESPONSES**

**Recommendation R1**

***A significant portion of revenue from the sale of surplus water and some of the net revenues from the sale of electricity be used to extend delivery of potable water to neighborhoods and communities not currently served by PCWA.***

**PCWA Response:**

***The recommendation R1 has not yet been implemented, but it is anticipated to be implemented in the future, following the adoption of the Master Plan.***

To begin, we would like to provide clarification on the Agency's available funds discussed in the Summary section of the report. On December 31, 2014, the Agency had Unrestricted Reserves (cash and investments) totaling \$110,370,043. This is money from 3 different funds: Agency Wide, Power Division and Water Division.

The Water Division is the largest component with \$85.2 million of unrestricted funds, which includes customer deposits, funds designated for capital projects, reserves and working cash. All the unrestricted water system cash and investments are ratepayer monies, and their expenditure must benefit the existing water system and ratepayers. Expenditures from this source as a grant to provide water service to new customers would be an inappropriate gift of public funds. In addition to the unrestricted funds, the Water Division has \$40 million of restricted funds, primarily from water connection charges that are restricted by California Government Code Sections 66012-66014.

The Power Division fund had an unrestricted cash balance of \$300,000. This is working cash, appropriated by the Middle Fork Project Finance Authority (Authority), and is not available for other purposes.

The Agency Wide fund had an unrestricted cash balance of \$28.9 million, of that, working cash and committed capital project funding total \$7.2 million. The remaining \$17.7 million, a substantial portion of which was derived from recent out of county water sales, is currently designated for specific purposes. The Board could re-designate a portion of these funds to its Financial Assistance Program (FAP) for use in meeting the objectives identified in Resolution 08-16, including objectives recommended by the Grand Jury. Until now the Board has decided to wait to make those funding allocation decisions until the Master Plan is complete and available to guide those funding decisions. Completion of the Master Plan is expected in 2016. There can be no commitment at this time as to what portion of those existing reserves would be added to the FAP or what portion of FAP funds would be allocated specifically to the objective

of extending potable water to neighborhoods and communities not currently served by PCWA.

The Agency understands there are unmet water supply needs within the county and it is anticipated that a portion of future Middle Fork Project net energy sale revenues from distributions from the Authority will be appropriated to the FAP. However, with the current drought and low energy prices, the Authority's 2015 Budget Schedule does not anticipate any distributions to the Agency or County within the next 5-years (2015 – 2019).

**Recommendation R2**

***Consideration be given to potential or emergency needs of existing underserved areas within Placer County in the Water Master Plan being prepared by PCWA.***

**PCWA Response:**

***The recommendation R2 has been implemented.***

PCWA staff has been actively seeking data regarding the effects of the drought on small water systems and rural water supplies throughout Placer County for inclusion in the Master Plan.

**Recommendation R3**

***For public water systems not currently served by PCWA, [a.] the Water Master Plan should include the opportunity to connect their water service to PCWA. [b.] PCWA should make emergency financial aid available for this purpose.***

**PCWA Response:**

***The recommendation R3 [part a.] has been implemented.***

The Master Plan will evaluate potential solutions to identified water supply problems. Those solutions may include the opportunity to connect existing PCWA water systems when it is judged to be physically practical and financially feasible for the water system or land owner(s).

***The recommendation R3 [part b.] will not be implemented because it is not warranted.***

PCWA has leveraged its resources to assist in securing emergency state and federal funding to solve water supply problems during this drought. In the winter of 2013/14 the Ophir Gardens community reached out to the Placer County Department of Environmental Health for help due to the failure of the single well that was the sole water supply for 15 residences. The Agency was ultimately able to secure a \$1,000,000 in grants for a pipeline to connect to PCWA's water system.

In addition, for over 20 years the Agency has maintained the FAP through which the Agency has distributed \$1.6 million in grant funds to help meet the county's water supply needs. And PCWA will continue to address critical water supply problems in the most effective way it can on a going forward basis.

However, a blanket approach of providing emergency financial aid to a select group without regard to feasibility or making best use of available financial assets is not warranted.

**Recommendation R4**

***PCWA form zone advisory councils pursuant to PCWA Act § 81-15.2.***

**PCWA Response:**

***The recommendation R4 will not be implemented because it is not warranted.***

The Agency's Board of Directors meets twice a month during which any member of the public may address the Board on any matter within the jurisdiction of the Agency. In addition, PCWA staff frequently takes advantage of the County's Municipal Advisory Committees to provide information to, and seek input from, the public regarding important matters pending consideration. PCWA's staff is available to listen to suggestions or respond to any questions or concerns that customers or residents may have. And finally PCWA Board members and management are routinely in communication with community groups, community leaders and individual constituents, in a variety of different venues, in order to keep informed on the issues that are important to the communities they represent and serve.

The Board does not believe that there is an unmet need that the formation of an advisory council(s) would help fulfill and does not believe that there would be any benefit to interjecting other parties between the Board and its constituents.

---

As noted in the responses, all actions by PCWA staff in regards to matters of policy and budget are subject to review and final approval by the Board of Directors.

Once again, thank you for your interest in PCWA. Should you have any questions or need clarification or further information on any aspects of my letter, please let us know and our team will follow up immediately with you. Please feel free to contact one of us at any time.

Sincerely,

PLACER COUNTY WATER AGENCY



Einar L. Maisch  
General Manager



Joseph Parker  
Director of Financial Services

c: PCWA Board of Directors  
PCWA General Counsel

## ***Review of Placer County Government and Special District/Agency Websites***

### **Findings**

The Grand Jury found that:

- F1. The websites provide a large variety of information, making many documents readily available to the public without necessitating a CPRA request or physical visit. This information includes data such as:
- locations
  - services
  - business hours
  - governance
  - fees
  - taxes
  - licenses
  - annual financial reports and
  - other governmental or special agency procedures.
- F2. Due to the lack of consistency between websites, locating similar information on different websites is time consuming and exasperating.
- F3. The inclusion of outdated information on the website, besides being of limited value, clutters the website and calls into question other postings on the website. An example is that one website includes labor force statistics and economic reports from 2006.
- F4. The lack of document information, including posting dates and sunset dates, decreases confidence in the validity of data found on the websites.
- F5. Some meeting minutes are not being posted in a timely manner.
- F6. It is generally more difficult to distinguish the minutes when they are embedded in agendas or in videos, rather than posted separately.
- F7. Posting of summarized minutes (abstracts), or a summary of actions taken, would improve the public's experience in trying to understand what governance actions were taken, or what decisions were made or deferred.
- F8. Video recordings of proceedings are beneficial to the public's understanding of their representatives actions in council and board meetings.
- F9. The ability to locate current financial results is improved when financial performance reports are directly posted on the website.

- F10. Lack of consistency in posting of bid opportunities and awards on websites makes it difficult for the public to discern available contracting opportunities and what awards have been approved.
- F11. The public's access to operating policies, applying to elected officials and employees, would be enhanced if these documents were available through the website.
- F12. A link on the website to fill out CPRA document requests improves the public's ability to submit requests.
- F13. A link to the Grand Jury website where the Grand Jury complaint form "Confidential Citizen Complaint" is available enables public access for registering a confidential complaint on line.

### **Recommendations**

The Grand Jury recommends that:

- R1. A website best-practices guide be considered for development in the next 12 months by representatives from Placer County and the Cities of Auburn, Colfax, Lincoln, Rocklin, Roseville and the town of Loomis.
- R2. All Special Districts/Agencies should assure that their websites, at a minimum, meet the best- practices checklist from the Special District Leadership Foundation.
- R3. All website information should be subject to annual reviews to ensure information is still pertinent.
- R4. All documents have a posting and sunset (required removal) date that triggers an automatic archiving of the document.
- R5. All city and special districts webpages should include current written minutes, which include a summary of actions taken and decisions made.
- R6. Posting of complete video recordings of meetings should be investigated to determine if it is economically feasible.
- R7. All websites should include direct links to financial reports, including on-going progress and performance reports on financial results versus budgets.
- R8. Placer County, City of Auburn, City of Colfax, and all special district/agency websites should include access to the policy, process, and posting of current contracting opportunities. Results of bid awards should also be posted.

- R9. Current operating policies covering travel and use of entity owned assets, including vehicles, cell phones, computers, and credit cards should be available on websites or by online CPRA requests.
- R10. Placer County, Auburn and Colfax, along with all special districts, should incorporate into their websites a link to make CPRA Public Records Requests.
- R11. Websites should include a link to the Grand Jury website where the public can access the Grand Jury complaint form “Confidential Citizen Complaint”.

| <b><u>Responses</u></b>  | <b><u>Recommendations<br/>Requiring Response</u></b> |  |
|--|--|--|
| <b>Mr. David Boesch</b><br>Placer County CEO                         | <b>R1, R3, R4, R7-R10</b>                            |  |
| <b>Mr. Keith Nesbitt</b><br>Mayor, City of Auburn                    | <b>R1, R3-R5, R7-R11</b>                             | <b>No response received<br/>by publication date.</b> |
| <b>Mr. Kim Douglass</b><br>Mayor, City of Colfax                     | <b>R1, R3-R11</b>                                    |  |
| <b>Mr. Paul Joiner</b><br>Mayor, City of Lincoln                     | <b>R1, R3-R7, R9, R11</b>                            | <b>No response received<br/>by publication date.</b> |
| <b>Ms. Rhonda Morillas</b><br>Mayor, Town of Loomis                  | <b>R1, R3-R7, R9, R11</b>                            | <b>No response received<br/>by publication date.</b> |
| <b>Mr. George Magnuson</b><br>Mayor, City of Rocklin                 | <b>R1, R3-R7, R9, R11</b>                            |  |
| <b>Ms. Carol Garcia</b><br>Mayor, City of Roseville                  | <b>R1, R3-R7, R9, R11</b>                            |  |
| <b>Board of Directors</b><br>Northstar Community Service District    | <b>R2 – R11</b>                                      |  |
| <b>Board of Directors</b><br>San Juan Water District                 | <b>R2 – R11</b>                                      |  |
| <b>Board of Directors</b><br>Placer County Water Agency              | <b>R2 – R11</b>                                      |  |
| <b>Board of Directors</b><br>South Placer Municipal Utility District | <b>R2 – R11</b>                                      |  |
| <b>Board of Directors</b><br>Truckee Tahoe Airport District          | <b>R2 – R11</b>                                      |  |



## COUNTY OF PLACER

### BOARD MEMBERS

|                                   |                          |
|-----------------------------------|--------------------------|
| JACK DURAN<br>District 1          | JIM HOLMES<br>District 3 |
| ROBERT M. WEYGANDT<br>District 2  | KIRK UHLER<br>District 4 |
| JENNIFER MONTGOMERY<br>District 5 |                          |

## OFFICE OF COUNTY EXECUTIVE

David Boesch, County Executive Officer

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

September 15, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

Re: 2014-15 Grand Jury Final Report – Review of Placer County Government and Special District/Agency Websites

Dear Judge Nichols,

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled, Review of Placer County Government and Special District/Agency Websites. The County Executive Officer would like to thank the members of the 2014-15 Grand Jury for their efforts.

### **Findings of the Grand Jury**

The County Executive agrees with the findings, numbered F1 through F13.

### **Recommendations of the Grand Jury**

(R1) A website best-practices guide be considered for development in the next 12 months by representatives from Placer County and the Cities of Auburn, Colfax, Lincoln, Rocklin, Roseville and Loomis.

**County Executive Response:** The County Executive Office is unable to respond to a finding related to the Cities of Auburn, Colfax, Lincoln, Rocklin, Roseville and the town of Loomis. These agencies are separate legal entities, not County departments or agencies, with their own budgets and communication programs.

However there is an organization, Sacramento Area Council of Governments (SACOG), which is an association of local governments in the six-county Sacramento Region. Its members include the counties of El Dorado, Placer, Sacramento, Sutter, Yolo and Yuba and the cities of Auburn, Colfax, Lincoln, Rocklin, Roseville, Loomis and Folsom.

They have recently been meeting to address open data portals to increase "government transparency" and where "open data portals" can be utilized to allow citizens full access to unfiltered government data to review and manipulate as they see fit. Placer County would propose that this recommendation be addressed through this organization.

*(R3) All website information should be subject to annual reviews to ensure information is still pertinent.*

**County Executive Response:** Recommendation 3 has been implemented. Placer County currently distributes monthly website reports to each department. The reports are automatically sent to the department “website liaisons” that are responsible for the accuracy of their specific webpages. The reports highlight the number of pages scanned and identify any broken links and misspellings along with the appropriate detail for corrective action.

*(R4) All documents have a posting and sunset (required removal) date that triggers an automatic archiving of the document.*

**County Executive Response:** Recommendation 4 has been implemented. The Placer County’s Web Content Management System (WCMS) allows for posting and sunset date/time triggers of links to documents. This is a valuable feature and should be given due consideration when posting a new document, however not all documents will fit into this scenario. With thousands of documents on the website, many document expiration dates are variable and cannot be determined at the time of posting. Department web liaisons are responsible for reviewing and tracking documents on their specific web pages on a quarterly basis.

*(R7) All websites should include direct links to financial reports, including on-going progress and performance reports on financial results versus budgets.*

**County Executive Response:** Recommendation 7 has been partially implemented. Placer County’s website supports direct links to the County Budget, Financial Reports (CAFR) and Audit Reports. An implementation effort has begun to post on-going progress and performance reports on financial results versus budgets. This implementation is scheduled for completion within the next 6 months

*(R8) Placer County, City of Auburn, City of Colfax, and all special district/agency websites should include access to the policy, process, and posting of current contracting opportunities. Results of bid awards should also be posted.*

**County Executive Response:** The County Executive Office is unable to respond to a finding related to the Cities of Auburn and Colfax and all special district/agency. These agencies are separate legal entities, not County departments or agencies, with their own budgets and communication programs. However, the County Executive Office agrees with Recommendation 8 for Placer County and it has been partially implemented. Placer County’s website includes the policy, process, and posting of current contracting opportunities. Placer County currently has an initiative underway to include the posting of bid awards on the website.

*(R9) Current operating policies covering travel and use of entity owned assets, including vehicles, cell phones, computers, and credit cards should be available on websites or by online CPRA requests.*

**County Executive Response:** Recommendation 9 has been partially implemented. Placer County currently has an initiative underway to implement an online CPRA requests which would satisfy this recommendation.

*(R10) - Placer County, Auburn and Colfax, along with all special districts, should incorporate into their websites a link to make CPRA Public Records Requests.*

**County Executive Response:** Recommendation 10 has been partially implemented. Placer County currently has an initiative underway to implement an online CPRA requests which would satisfy this recommendation.

Sincerely,

COUNTY OF PLACER

A handwritten signature in blue ink, appearing to read 'D. Boesch', is written over a horizontal line.

David Boesch  
Placer County Executive Officer

cc: Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Carden, Placer County Counsel



# CITY of COLFAX

C A L I F O R N I A



CITY HALL, 33 SOUTH MAIN STREET, COLFAX, CA

October 29, 2015

Sharon Stanners  
Placer County Grand Jury  
11532 B Avenue  
Auburn, Ca 95603

**RECEIVED**

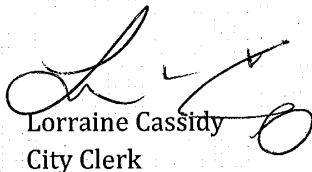
NOV 02 2015

**PLACER COUNTY  
GRAND JURY**

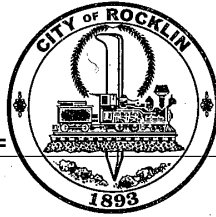
Dear Ms. Stanners:

Please find the enclosed Response Letter from the City of Colfax to the Placer County Grand Jury Review of Government Websites.

Sincerely,

  
Lorraine Cassidy  
City Clerk





October 27, 2015

**RECEIVED**

NOV 02 2015

**PLACER COUNTY  
GRAND JURY**

Ms. Sharon Stanners, Foreperson  
Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

Re: 2014-2015 Grand Jury Report – Review of Placer County Government and Special District/Agency Websites

Dear Foreperson Stanners:

This letter is in response to the 2014-2015 Grand Jury's Findings and Recommendations from the report titled *Review of Placer County Government and Special District/Agency Websites*.

**Recommendations of the Grand Jury (applicable to the City of Rocklin)**

R1. A website best-practices guide be considered for development in the next 12 months by representatives from Placer County and the Cities of Auburn, Colfax, Lincoln, Rocklin, Roseville and the town of Loomis.

City Response: The City of Rocklin is willing to work with the County and listed cities to consider the development of a website best-practices guide. However, it is important to recognize that each agency has varying needs, goals and allocable resources.

R3. All website information should be subject to annual reviews to ensure information is still pertinent.

City Response: The City of Rocklin currently reviews all posted information periodically and at least annually.

R4. All documents have a posting and sunset (required removal) date that triggers an automatic archiving of the document.

City Response: Documents available on the City's website are maintained according to the City's retention schedule. The City will ensure this schedule is being properly administered as part of its periodic reviews.

R5. All city and special districts webpages should include current written minutes, which include a summary of actions taken and decisions made.

City Response: The City of Rocklin currently posts a summary of the minutes in writing and in full audio for all City Council, Planning Commission, and Recreation, Arts, and Event Tourism Commission Meetings to the City's website.

R6. Posting of complete video recordings of meetings should be investigated to determine if it is economically feasible.

City Response: Audio recordings are currently available on the City's website. The City Council of the City of Rocklin has elected to not record meetings in video format.

R7. All websites should include direct links to financial reports, including on-going progress and performance reports on financial results versus budgets.

City Response: The City of Rocklin currently provides regularly updated budget versus actual financial reporting through the City's open government portal.

R9. Current operating policies covering travel and use of entity owned assets, including vehicles, cell phones, computers, and credit cards should be available on websites or by online CPRA requests.


City Response: The City of Rocklin currently makes all policies available online or through online public records request.

R11. Websites should include a link to the Grand Jury website where the public can access the Grand Jury complaint form "Confidential Citizen Complaint".

City Response: The City of Rocklin will add a link to the Grand Jury website where the public can access the Grand Jury complaint form "Confidential Citizen Complaint". This will be completed by November 30, 2015.

The City of Rocklin appreciates the work of the 2014-2015 Placer County Grand Jury for their report and their service to the City of Rocklin.

Sincerely,



George Magnuson  
Mayor, City of Rocklin

cc: Ricky A. Horst, City Manager  
Kim Sarkovich, Assistant City Manager/Chief Financial Officer



City Council  
311 Vernon Street  
Roseville, California

**RECEIVED**

SEP 01 2015

**PLACER COUNTY  
GRAND JURY**

August 5, 2015

Honorable Judge Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

Placer County Grand Jury  
Attn: Sharon Stanners, Foreperson  
11532 B Avenue  
Auburn, CA 95603

**Regarding: City of Roseville Response to Grand Jury Final Report – Review of Placer County Government and Special District/Agency Websites**

Dear Honorable Judge Colleen Nichols and Ms. Stanners:

Thank you for the opportunity to report on the findings of the 2014-2015 Grand Jury. As a matter of background, the City of Roseville is a recipient of the 2014 Center for Digital Government award for progressive technology and innovation for cities its size in the United States. As Roseville continues to grow the demand for City services remains very strong. Through our website the City of Roseville has been able to provide our citizens access to an array of data and services. Although we have made a great deal of progress towards achieving transparency, the City of Roseville recognizes as the demand for data and information increases, the City must be flexible to meet the needs of our citizens. The need to provide information digitally is a priority. Roseville currently offers online e-notify service and offers free subscriptions to e-mail newsletters and alerts on a range of topics from traffic alerts and public safety to policy items. In addition, the City is actively engaged in a variety of social media channels, which also offer the opportunity for two-way interaction.

Civic engagement is one of the Roseville City Council multi-year priorities. The goal is to engage citizens on policy and operational issues and to provide greater transparency in operations. Moving towards this goal in 2014-2015, the City launched Roseville's Open Data Portal (<https://data.roseville.ca.us/>) offering a single website location where City data sets can be accessed. Initial data sets include often-requested items such as permits and crime statistics.

In regards to your recommendations, Roseville responds with the following:

R1. Website Best Practices Guide Development – Roseville's Public Affairs and Communication Department has collaborated with industry experts to commission the completion of a *Public Affairs and Communications Strategic Plan* and has partnered with the IT Department on development of an *e-Government Strategic Plan*. Both of these documents will guide Roseville in beginning development of a *Website Best-Practices Guide* within the next 12 months. Roseville does not agree that the development of a guide with representatives from Placer County and the surrounding communities would be in the best interests of all parties involved. Each agency or city is distinct in the services it offers and many of the communities

are not full-service cities with operations in utilities, public safety, and an energy plant. A one-size-fits-all guide for all Placer County agencies would be cumbersome to develop and implement, given the unique needs of various organizations and their stakeholders.

R3. Annual Review of Website Information – Roseville **will** hold quarterly reviews of the website information in accordance with both strategic plans mentioned earlier.

R4. Auto Archiving and Sunset of Documents – Roseville **will** implement a process to address the posting/sunset dates for documents and processes will be addressed in Roseville's Website Best-Practices Guide.

R5. Written Minutes should be Included with Action Taken & Decision – Roseville currently posts minutes and action taken by the City Council at the following link, which can be accessed several ways, through the homepages of the following departments: City Clerk, City Council, and Public Affairs & Communications, as well as through the menu bar at the top of the City homepage under the heading "Residents," by scrolling to COR-TV: [http://roseville.granicus.com/ViewPublisher.php?view\\_id=2](http://roseville.granicus.com/ViewPublisher.php?view_id=2)

R6. Feasibility of Posting Video Recording – Roseville already posts complete video streams of City Council meetings and has done so since 2005. View meeting videos utilizing the following link: [http://roseville.granicus.com/ViewPublisher.php?view\\_id=2](http://roseville.granicus.com/ViewPublisher.php?view_id=2), which can be accessed several ways, through the homepages of the following departments: City Clerk, City Council, and Public Affairs & Communications, as well as through the menu bar at the top of the City homepage under the heading "Residents," by scrolling to COR-TV.

R7. Financial Data – Although financial reports are available under the Roseville Finance Department webpage, Roseville **will** create a "Meetings & Records" link on the website homepage that have a drop-down menu with links to a variety of information such as financial data, open data portal, public records request, watch recorded council and commission meetings, watch live city TV, and agendas & minutes.

R9. Current Operating Policies Covering Travel and Use of Entity Owned Assets – Policy documents are already made available to citizens when they submit a public records act request. People can go to the "e-services" drop-down menu on the homepage and click "records request," and they will also be able to request records through the "Meetings & Records" link on the homepage mentioned above.

R11. Link to Grand Jury Complaint Form – The City of Roseville created a reference and link to the Grand Jury website on our website homepage under the "Report" tab.

Again, thank you for the opportunity to respond. The City of Roseville is constantly working to improve transparency, civic engagement and accountability. With the recommendations and our proposed changes and/or modifications, we will better our efforts towards these goals.

Sincerely,



Carol Garcia  
Mayor



Rob Jensen  
Acting City Manager

## Response to Grand Jury Report Form

**Report Title:** Review of Placer County Government and Special District/Agency Websites

**Report Date:** June 26, 2015

**Response By:** Carol Garcia

**Title:** Mayor – City of Roseville

### FINDINGS

- I (we) agree with the findings, numbered: R1\*, R3, R4, R5, R6, R7, R9, R11
- I (we) disagree wholly or partially with the findings, numbered: \_\_\_\_\_

\* R1. Website Best Practices Guide Development – Roseville’s Public Affairs and Communication Department has collaborated with industry experts to commission the completion of a *Public Affairs and Communications Strategic Plan* and has partnered with the IT Department on development of an *e-Government Strategic Plan*. Both of these documents will guide Roseville in beginning development of a Website Best-Practices Guide within the next 12 months (By August 6, 2016). Roseville does not agree that the development of a guide with representatives from Placer County and the surrounding communities would be in the best interests of all parties involved. Each agency or city is distinct in the services it offers and many of the communities are not full-service cities with operations in utilities, public safety, and an energy plant. A one-size-fits-all guide for all Placer County agencies would be cumbersome to develop and implement, given the unique needs of various organizations and their stakeholders.

### RECOMMENDATIONS

- Recommendations numbered R5, R6, R7, R9, R11 have been implemented.

R5. Written Minutes should be Included with Action Taken & Decision – Roseville currently posts minutes and action taken by the City Council at the following link, which can be accessed several ways, through the homepages of the following departments: City Clerk, City Council, and Public Affairs & Communications, as well as through the menu bar at the top of the City homepage under the heading “Residents,” by scrolling to COR-TV:  
[http://roseville.granicus.com/ViewPublisher.php?view\\_id=2](http://roseville.granicus.com/ViewPublisher.php?view_id=2)

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[http://roseville.granicus.com/ViewPublisher.php?view\\_id=2](http://roseville.granicus.com/ViewPublisher.php?view_id=2), which can be accessed several ways, through the homepages of the following departments: City Clerk, City Council, and Public Affairs & Communications, as well as through the menu bar at the top of the City homepage under the heading “Residents,” by scrolling to COR-TV.

R7. Financial Data – Although financial reports are available under the Roseville Finance Department webpage, Roseville **will** create a “Meetings & Records” link on the website

homepage that have a drop-down menu with links to a variety of information such as financial data, open data portal, public records request, watch recorded council and commission meetings, watch live city TV, and agendas & minutes.

R9. Current Operating Policies Covering Travel and Use of Entity Owned Assets – Policy documents are already made available to citizens when they submit a public records act request. People can go to the “e-services” drop-down menu on the homepage and click “records request,” and they will also be able to request records through the “Meetings & Records” link on the homepage mentioned above.

R11. Link to Grand Jury Complaint Form – The City of Roseville created a reference and link to the Grand Jury website on our website homepage under the “Report” tab.

- Recommendations numbered R3, R4 have not yet been implemented, but will be implemented in the future.

R3. Annual Review of Website Information – Roseville plans to hold quarterly reviews of the website information in accordance with both strategic plans mentioned earlier. **Timeline is August 6, 2016.**

R.4 Auto Archiving and Sunset of Documents – Roseville **will** implement a process to address the posting/sunset dates for documents and processes will be addressed in Roseville’s Website Best-Practices Guide. **Timeline is August 6, 2016.**

- Recommendations numbered \_\_\_\_\_ require further analysis:

None of the recommendations require further analysis.

- Recommendations numbered \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.

None of the recommendations will not be implemented because they are not warranted or are not reasonable.

Date: 8/19/15

Signed: Caul Garner

Number of Pages Attached: \_\_\_\_\_

RECEIVED

OCT 18 2015

PLACER COUNTY  
GRAND JURY

Response to Grand Jury Report Form

Review of Placer Co  
Government + Special District  
websites

Report Title: Northstar Community Services District - Government + Special District websites  
Report Date: 8-26-15  
Response By: Steve Goates Title: JT/GIS Coordinator

FINDINGS

- I (we) agree with the findings, numbered: 1-13.
- I (we) disagree wholly or partially with the findings, numbered: \_\_\_\_\_.  
(Describe here or attach a statement specifying any portions of the findings that are disputed or not applicable; include an explanation of the reasons therefore.)

RECOMMENDATIONS

- Recommendations numbered 3,5 have been implemented.  
(Describe here or attach a summary statement regarding the implemented actions.)
- Recommendations numbered 1, 2, 4, 7, 8, 9, 10, 11 have not yet been implemented, but will be implemented in the future.  
**(Per Penal Code 933.05(b)(2), a time frame for implementation must be included. Describe here or in an attachment.)**
- Recommendations numbered 6 require further analysis.  
(Describe here or attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six (6) months from the date of publication of the grand jury report.)
- Recommendations numbered \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.  
(Describe here or attach an explanation.)

Date: 10-7-2015

Signed: [Signature]

Number of pages attached \_\_\_\_\_



## PLACER COUNTY GRAND JURY

11532 B Avenue  
Auburn, CA 95603

Phone: (530) 886-5200  
Fax: (530) 886-5201  
Email: [grandjury@placer.ca.gov](mailto:grandjury@placer.ca.gov)

November 3, 2015

Board of Directors  
Northstar Community Service District  
908 Northstar Drive  
Northstar, CA 96161

Re: Response to Report Review of Placer County Government and Special  
District/Agency Websites

Dear Board of Directors:

The Grand Jury appreciates your response to the findings and recommendations contained in the above referenced report. However, your response was missing some critical information that is mandated by statute. When a respondent indicates that a recommendation "will be implemented" a time frame for implementing the recommendation is required.

Penal code §933.05(b) allows the respondent to select one of four actions for each recommendation. The action to implement the recommendation in the future is covered in §933.05(b)(2). That section reads "The recommendation has not yet been implemented, but will be implemented in the future, *with a time frame for implementation.*" A copy of the pertinent Penal Code is enclosed.

In accordance with this statute, the Placer County Grand Jury requests that you furnish the implementation time frame to validate your response. Please submit your reply to the Grand Jury within 30 days from the date of this letter.

Thank you for your cooperation.

Sincerely,

Sharon Stanners, Foreperson  
2015-2016 Placer County Grand Jury

Enclosure

L011- Response Missing Time Frame

Re: November 3, 2015 Letter to Northstar Community Service District

As of the publication date of this report, the Placer County Grand Jury had not yet received a response from Northstar Community Service District to the November 3<sup>rd</sup> letter requesting time frames for implementation.



August 18, 2015

**RECEIVED**

SEP 09 2015

**PLACER COUNTY  
GRAND JURY**

Directors  
Edward J. "Ted" Costa  
Kenneth H. Miller  
Dan Rich  
Pamela Tobin  
Bob Walters  
General Manager  
Shauna Lorange

Sharon Stanners  
2014-2015 Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

Subject: Response to Grand Jury Final Report – Review of Placer County  
Government and Special District Websites

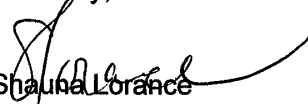
Dear Ms. Stanners:

Thank you for the copy of the Review of Placer County Government and Special District Websites dated June 26, 2015. San Juan Water District (SJWD) strongly believes that the public deserves the highest level of transparency that can reasonably be accommodated. As such, we appreciate the information in your report.

In order to provide thorough information to you related to the findings and recommendations included in your report, I have included our comments to each finding and recommendation in the attachment to this letter. You will find that SJWD either already complies with each of your recommendations, or will take the recommended actions to improve as suggested.

If you have any questions, please do not hesitate to contact me at 916-71-6936.

Sincerely,

  
Shauna Lorange  
General Manager

## Response to Grand Jury Report Form

Report Title: Review of Placer County Govt & Special District websites

Report Date: June 26, 2015

Response By: Shauna Grace

Title: General Manager

### FINDINGS

- I (we) agree with the findings, numbered: 1, 4-13. *in relationship to SPOD many are already implemented*
- I (we) disagree wholly or partially with the findings, numbered: 2, 3.  
(Describe here or attach a statement specifying any portions of the findings that are disputed or not applicable; include an explanation of the reasons therefore.)

### RECOMMENDATIONS

- Recommendations numbered 2-5, 8-11 have been implemented.  
(Describe here or attach a summary statement regarding the implemented actions.)
- Recommendations numbered 7 have not yet been implemented, but will be implemented in the future.  
(Per Penal Code 933.05(b)(2), a time frame for implementation must be included. Describe here or in an attachment.)
- Recommendations numbered 6 require further analysis.  
(Describe here or attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six (6) months from the date of publication of the grand jury report.)
- Recommendations numbered \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.  
(Describe here or attach an explanation.)

Date: 9-1-2015

Signed: Grace

Number of pages attached 2

**Findings:**

- F1: Agree
- F2: Although it would be helpful for locating specific information if each special district had a website set up exactly the same, this is highly unlikely to be the most efficient approach to developing a useful website that meets the individual needs of each district. SJWD strives to make our website as customer friendly as possible. To assist customers in locating specific information, search capabilities have been included. In addition, the website is arranged by topics in a manner that is intuitive to navigate.
- F3: SJWD agrees that outdated information, without the inclusion of updated information, can be unhelpful. However, as long as the latest information is included on a website, historical information can be beneficial in many instances.
- F4: Most information posted on our website that is time sensitive is related to financial reports, budgets, etc. which all have the dates of applicability clearly shown. However, I also agree that it is likely that there is some data presentation that could be improved related to the applicable dates of the data provided.
- F5: SJWD cannot comment on the posting of meeting minutes by other agencies, but SJWD meeting minutes are posted in draft form as part of the following board meeting packet. Approved meeting minutes are posted after the meeting at which they are approved.
- F6: SJWD agrees that meeting minutes posted embedded in other documents can make finding information more difficult. SJWD posts minutes as a separate link from the agenda packets.
- F7: Agree that summary of actions improves the public's ability to understand actions of the Board. SJWD summarizes Board discussions and uses bold and italicized font to distinguish actions of the Board of Directors.
- F8: Video recordings of proceedings do provide additional information for the public to better understand their representative's actions in Board meetings. However, the additional cost for staffing and technical equipment is not always appropriate for all districts. SJWD does record audio but does not video record any meetings.
- F9: Agree
- F10: Agree. SJWD agrees that the posting of bid opportunities and awards could be improved on our website. SJWD will make available contracting opportunities and status on our website.
- F11: SJWD was recently awarded the Special District Transparency Certificate and will include the application information on our website.

- F12: SJWD will include a link on our website to the California Public Records Act document requests.
- F13: SJWD will provide a link to the Grand Jury website to allow a citizen to register a confidential complaint online.

**Recommendations**

- R1: Not applicable to SJWD
- R2: SJWD has confirmed that our website meets the best-practices checklist from the Special District Leadership Foundation. SJWD was just awarded the Special District Transparency Certificate.
- R3: SJWD does, and will continue to, conduct an annual review to ensure information on website is still pertinent.
- R4: SJWD information on the website is varied in the length of time it will be applicable. Financial information and budgets have dates included. Other information, such as fees and rates, include dates of applicability. SJWD will continue to conduct an annual review of our website, and where applicable, posting and sunset dates will be included.
- R5: SJWD Board of Directors meetings page includes a link for the minutes from each board meeting. The minutes highlight the actions taken and decisions made through bold and italic font. SJWD is in compliance with this recommendation.
- R6: SJWD has reviewed the option of video recordings of SJWD Board of Directors meetings. It has been determined that it is not cost effective. SJWD will review this recommendation periodically to see if it can be implemented.
- R7: SJWD has direct links to the financial reports that are currently available. Due to the recent upgrade in software, and the opportunity that provided to completely recreate the district financial processes and software, SJWD has very limited financial reporting currently posted on our website. It is our intent to significantly increase the availability of financial information as soon as the upgrade and overhaul of processes is completed. SJWD fully intends to provide a significant amount of financial information on our website to fully educate the public on our finances. We anticipate complying with this recommendation by the end of 2015.
- R8: SJWD will update our website to include easy access to current contracting opportunities and bid awards.
- R9: SJWD will include the link to the CPRA website to provide the public an easy approach to filing public record requests.
- R10: SJWD will incorporate a link on our website to CPRA for public records requests.
- R11: SJWD will include a link to the Grand Jury on our website.



PLACER COUNTY WATER AGENCY  
SINCE 1957

|                               |                   |
|-------------------------------|-------------------|
| BOARD OF DIRECTORS            | BUSINESS CENTER   |
| Gray Allen, District 1        | 144 Ferguson Road |
| Primo Santini, District 2     | MAIL              |
| Mike Lee, District 3          | P.O. Box 6570     |
| Robert Dugan, District 4      | Auburn, CA 95604  |
| Joshua Alpine, District 5     | PHONE             |
|                               | (530) 823-4850    |
|                               | (800) 464-0030    |
| Einar Maisch, General Manager | WWW.PCWA.NET      |

September 4, 2015

**RECEIVED**

OCT 05 2015

**PLACER COUNTY  
GRAND JURY**

Placer County Grand Jury  
11532 B Avenue  
Auburn CA 95603

**Re: *Grand Jury Final Report – Placer County Water Agency – Review of Placer County Government and Special District/Agency Websites***

Attached you will find the Response to Grand Jury Report Form for the report titled Review of Placer County Government and Special District/Agency Websites. The date of this Grand Jury report is June 26, 2015.

Thank you for the opportunity to respond to the findings and recommendations of the Placer County Grand Jury. Should there be any questions regarding PCWA's response to the report, please advise and PCWA will follow up accordingly.

We are pleased to respond to the findings and recommendations of the Grand Jury:

**Placer County Water Agency  
Response to the Grand Jury Report**

**Report Title:** *Placer County Water Agency – Review of Placer County Government and Special District/Agency Websites*

**Report Date:** *June 26, 2015*

**Response By:** Einar Maisch                      **Title:** General Manager

**FINDINGS AND RESPONSES**

**Findings F1 through F13**

**PCWA Response:**

PCWA agrees with findings numbered F1 through F13.

**RECOMMENDATIONS AND RESPONSES**

**Recommendations R2 through R11**

**PCWA Response:**

*Recommendations numbered R2 through R11 have been completed/implemented.*

*PCWA has completed and/or implemented Grand Jury recommendations R2 through R11. It has also created a "Transparency Information" page on its website to make information of interest to the public easily accessible. The agency's website now conforms to the best-practices checklist from the Special District Leadership Foundation (SDLF). Additionally, PCWA has been awarded the District Transparency Certificate of Excellence from SDLF.*

**Recommendation R6**

***Posting of complete video recordings of meetings should be investigated to determine if it is economically feasible.***

**PCWA Response:**

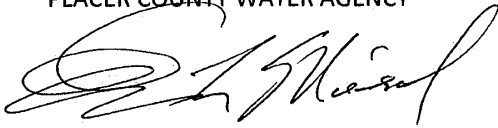
***PCWA has investigated the feasibility of posting video recordings of its meetings of the Board of Directors on the agency website. However, PCWA has decided not to implement the posting of video recordings at this time. Posting video recordings of Board meetings on the agency's website would require an investment in special hardware and software, as well as the allocation of additional staff resources. PCWA has determined that the cost of the equipment and staff resources that would be necessary to provide video recordings currently outweighs the potential benefits to be achieved. PCWA does post minutes of meetings to its website and audio recordings are made available to the public upon request.***

---

Thank you for the opportunity to respond to the findings and recommendations of the Placer County Grand Jury.

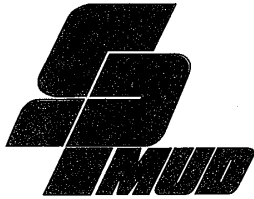
Sincerely,

PLACER COUNTY WATER AGENCY



Einar L. Maisch  
General Manager

c: PCWA Board of Directors  
PCWA General Counsel



**SOUTH PLACER  
MUNICIPAL UTILITY DISTRICT**

September 3, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
PO Box 619072  
Roseville, CA 95661

**RECEIVED**  
**SEP 25 2015**  
**PLACER COUNTY**  
**GRAND JURY**

Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

Subject: Placer County Grand Jury Report titled Review of Placer County Government and Special District/Agency Websites dated June 26, 2015

The South Placer Municipal Utility District (District) acknowledges receipt of the Placer County Grand Jury Report titled "Review of Placer County Government and Special District/Agency Websites", dated June 26, 2015. The District provides sewer collection services to the City of Rocklin and Town of Loomis, plus portions of southern Placer County including the unincorporated communities of Penryn, Newcastle and the Rodgersdale area of Granite Bay. Sewage is collected by the District and conveyed to regional wastewater treatment plants operated by the City of Roseville.

The District notes that the Grand Jury review took place from October through December 2014. Prior to the publication of the Grand Jury Report, the District had already commenced a complete overhaul of the District's website. As such, the District is under the belief that its previous and current efforts substantially comply with the recommendations of the Grand Jury Report. The following represents the District's responses to Recommendations 2 through 11 of the subject Grand Jury Report.

**Recommendation 2**

All Special Districts/Agencies should assure that their websites, at a minimum, meet the best-practices checklist from the Special District Leadership Foundation.

**Response to Recommendation 2**

The District is in the process of implementing this recommendation.

The District is an active member of the California Special Districts Association (CSDA) and Special District Risk Management Authority (SDRMA). Both CSDA and SDRMA support the Special District Leadership Foundation (SDLF). SDLF is an independent,

non-profit organization formed to promote good governance and best practices among California's special districts through certification, accreditation and other recognition programs. As the Grand Jury has pointed out, the SDLF has a "District Transparency Certificate of Excellence." As previously mentioned, the District had already commenced a complete overhaul of the District's website and is embarking on the effort to obtain aforementioned "Certificate of Excellence." The District believes that it currently complies with a majority of the Basic, Website and Best Management Requirements listed on the Certificate of Excellence Checklist. The District will transmit a Certificate of Transparency to the Grand Jury once it is officially obtained.

**Recommendation 3**

All website information should be subject to annual reviews to ensure information is still pertinent.

**Response to Recommendation 3**

The District has implemented this recommendation.

The District currently provides this annual review to ensure information is still pertinent.

**Recommendation 4**

All documents have a posting and sunset (required removal) date that triggers an automatic archiving of the document.

**Response to Recommendation 4**

The District has implemented this recommendation.

The District has established a schedule to retain one year of Agenda and Board meeting materials on the website. In the budget and financial section of the website, three years of reports are provided, and will be updated on an annual basis. Other information for employment, public notices etc. are updated in accordance with Board meeting dates.

**Recommendation 5**

All city and special districts webpages should include current written minutes, which include a summary of actions taken and decisions made.

**Response to Recommendation 5**

The District has implemented this recommendation.

The District's website currently links to Agenda Packets for Meetings of the Board of Directors for the current meeting and meetings over the previous 12 months. Typically part of any Agenda Packet are minutes for the previous meeting that includes a summary of actions taken and decisions made.

**Recommendation 6**

Posting of complete video recordings of meetings should be investigated to determine if it is economically feasible.

**Response to Recommendation 6**

The District has not implemented this recommendation.

The District does not currently video-record or televise its meetings. It has been previously determined that it is not economically feasible to video-record or televise District meetings. In accordance with previous District Policy, and consistent with the provisions of the Ralph M. Brown Act and California Public Records Act, an audio tape or digital recording of regular and special meetings of the Board of Directors are (were) made and kept in a fireproof vault or in a fire-resistant, locked cabinet for a minimum of 60 days. (The District has recently adopted Policy 5060 extending this time period to 180 days.) The sole purpose of this recording is to facilitate the preparation of the meeting minutes by the Board Secretary. Members of the public may inspect recordings of Board meetings without charge on a playback machine that will be made available by the District. After the aforementioned retention period, the audio tape or digital recording is erased.

**Recommendation 7**

All websites should include direct links to financial reports, including on-going progress and performance reports on financial results versus budgets.

**Response to Recommendation 7**

The District has implemented this recommendation.

The District's previous financial management software did not easily lend itself to monthly operations and financial reporting. Furthermore, since the District bills customers quarterly for sewer collection services, revenues were only reported every 3 months. These systems did not have the ability to provide performance reports on financial results versus budgets. During Fiscal Year 2014/15, the District upgraded its financial management software. In the current Fiscal Year, 2015/16, the District is implementing a staggered quarterly billing so that billing will remain on a quarterly schedule, however revenues will be realized monthly. These changes will allow the District to post to its website monthly performance reports on financial results versus budgets.

**Recommendation 8**

Placer County, City of Auburn, City of Colfax, and all special district/agency websites should include access to the policy, process, and posting of current contracting opportunities. Results of bid awards should also be posted.

**Response to Recommendation 8**

The District has implemented this recommendation.

Bid awards are typically reported in the minutes of the Meetings of the Board of Directors. It should be noted that during the Grand Jury's review of the District's website from October through December 2014, the District did not have any construction projects out to bid. Currently, there are no construction projects out to bid. The District's website currently lists major projects underway and those construction projects out to bid. Recent bid awards, if any, will also be posted to the site.

**Recommendation 9**

Current operating policies covering travel and use of entity owned assets, including vehicles, cell phones, computers, and credit cards should be available on websites or by online CPRA requests.

**Response to Recommendation 9**

The District has implemented this recommendation.

The District has just completed an exhaustive review of District Policies and adopted a Policy Handbook per District Resolution 15-21 that includes, but is not limited to, policies covering travel and use of District owned assets, including vehicles, cell phones, computers, and credit cards. This Policy Handbook is currently available on the District website.

**Recommendation 10**

Placer County, Auburn and Colfax, along with all special districts, should incorporate into their websites a link to make CPRA Public Records Requests.

**Response to Recommendation 10**

The District has implemented this recommendation.

**Recommendation 11**

Websites should include a link to the Grand Jury website where the public can access the Grand Jury complaint form "Confidential Citizen Complaint".


**Response to Recommendation 11**

The District has implemented this recommendation.

**Conclusion**

The District thanks the Grand Jury for this opportunity to respond to this report. Should you require additional information, please contact the District's General Manager, Herb Niederberger, at telephone 916-786-8555, ext 110, or email, [hniederberger@spmud.ca.gov](mailto:hniederberger@spmud.ca.gov).

Very Truly Yours,



John Murdock, President  
South Placer Municipal Utility District

cc: Placer County Board of Supervisors, Clerk of the Board



**TRUCKEE TAHOE AIRPORT DISTRICT**  
10356 Truckee Airport Rd.  
Truckee, CA 96161  
(530) 587-4119 tel  
(530) 587-2984 fax  
WWW.TRUCKEETAHOEAIRPORT.COM

**DIRECTORS**  
MARY HETHERINGTON  
JOHN JONES  
JAMES W. MORRISON  
J. THOMAS VAN BERKEM  
LISA WALLACE

September 2, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

**RECEIVED**

SEP 09 2015

**PLACER COUNTY  
GRAND JURY**

Re: Truckee Tahoe Airport District Response to Grand Jury "Review of Placer County Government and Special District/Agency Websites"

Dear Judge Nichols and Grand Jury Members:

The Board of Directors (hereafter "Board") of the Truckee Tahoe Airport District (hereafter "District") has decided to utilize this letter process as opposed to the optional "Response to Grand Jury Report Form" in order to more fully discuss the Grand Jury's findings and recommendations. We respond only on behalf of this District, as follows:

**FINDINGS**

1. Agree.
2. No response as we are responding only to our District's website.
3. Partially disagree inasmuch as we are unaware of the website referencing the 2006 Report. However, we do strive to maintain as much historical information on our website so to make it readily available to the public, a goal with which we believe the Grand Jury concurs.
4. Disagree inasmuch as we believe that the information provided on our website, if not identified as being current (such as weather conditions) remains accurate and useable regardless of when it is posted.
5. Disagree as our minutes are posted promptly after Board approval.
6. Agree as our minutes are posted and accessible separately from agendas and videos.
7. Disagree inasmuch as the minutes are to be approved by the Board and delegating to staff the requirement to summarize the minutes could result in critical information or nuances being innocently retained or deleted from the actual minutes.
8. Agree inasmuch as we broadcast our regular board meetings live over the internet and local cable service as well as providing a link on our website to allow them to be viewed after the meeting.
9. Agree inasmuch as we currently post our financial information on our website, requiring only one click at the homepage.

10. Agree; we already post bid opportunities and will begin to post what bids have been approved.
11. Agree inasmuch as this information is currently on our website requiring only two clicks from our homepage.
12. Agree as we have added this to our homesite, requiring one click at our homepage.
13. Agree as we have added links to both the Placer County and Nevada County Grand Jury websites, requiring only one click from our homepage.

### **RECOMMENDATIONS**

1. Not applicable.
2. Although not noted in the Grand Jury Report, our District has received the Special District Leadership Foundation "Transparency Certificate of Excellence" (which is noted on our homepage).
3. This recommendation was already in place.
4. This recommendation seems counter-intuitive to the Grand Jury's desire that we provide as much information available and transparent on our website. Given our existing practice, which includes updating our website daily (on business days), we already remove outdated information and therefore believe that our existing practice is appropriate. We do invite further input from the Grand Jury if they feel that such would be of value.
5. This was implemented prior to the Grand Jury Report.
6. This has been implemented and live video broadcasts have been available on our website and on local cable service as well as providing a link on our website to allow them to be viewed after the meeting.
7. This was implemented prior to the Grand Jury Report.
8. We already provided information regarding open bids prior to the Grand Jury Report. We will begin to post the bid results.
9. This was implemented prior to the Grand Jury Report.
10. This has been implemented upon receipt of the Grand Jury Report.
11. This has been implemented upon receipt of the Grand Jury Report.

In conclusion, we believe that the Grand Jury conducted only a cursory or perhaps no review of our website inasmuch as the bulk of their findings and recommendations were already in place on our website.

Thank you for the opportunity to respond to that Report.

Yours truly,

  
JOHN B. JONES, JR., Board President  
Tahoe Truckee Airport District

## ***Temporary Emergency Homeless Shelter***

### **Findings**

The Grand Jury found that:

- F1. In December 2014, the homeless people camping at the DeWitt campus in harsh weather conditions represented an urgent, unmet need for temporary shelter.
- F2. The Barracks seemed to be in acceptable condition and relatively simple to convert to a temporary emergency shelter for homeless individuals.
- F3. In January and February 2015, the BOS began to address the issue by calling a special meeting and a public hearing.
- F4. The need for a permanent solution to the homeless situation continues.

### **Recommendations**

The Grand Jury recommends that:

- R1. An evaluation of the use of the DeWitt Barracks as emergency homeless housing should be conducted at the end of the 90-day period for the conditional-use permit, and on a recurring schedule thereafter.
- R2. The BOS and county staff should promptly review Marbut Consulting's final report to determine its impact on the need for a temporary emergency shelter. In addition, the BOS should monitor the implementation of the Strategic Action Plan referred to in the final report.
- R3. The 2015-2016 Grand Jury continue to monitor the BOS progress on implementing a more permanent solution to the homeless issue in Placer County.

### **Responses**

**Mr. David Boesch**  
Placer County CEO

**Placer County Board of Supervisors**

### **Recommendations Requiring Response**

**R1, R2**

**R1, R2**

# County of Placer Board of Supervisors

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ROBERT M. WEYGANDT  
District 2  
JIM HOLMES  
District 3  
KIRK UHLER  
District 4  
JENNIFER MONTGOMERY  
District 5



September 15, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**Re: 2014-15 Grand Jury Final Report – *Temporary Emergency Homeless Shelter***

Dear Judge Nichols,

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled *Temporary Emergency Homeless Shelter*. The Placer County Board of Supervisors and County Executive Officer would like to thank the members of the 2014-15 Grand Jury for their efforts.

### **Findings of the Grand Jury**

We agree with the findings, numbered F1, F3 and F4.

*(F2) The Barracks seemed to be in an acceptable condition and relatively simple to convert to a temporary emergency shelter for homeless individuals.*

**Board of Supervisors and CEO Response:** We disagree partially with the finding. The barracks is a reasonable location, but Right Hand Auburn (RHA), who is sponsoring the shelter, had to invest approximately \$160,000 in improvements to open a shelter that meets the needs of the homeless as well as adheres to all health, safety and building codes. RHA is proposing to spend another \$150,000 to expand services and provide capacity for additional residents. The cost to improve the building is a significant investment, particularly if a permanent shelter is eventually built elsewhere. It is also important to note that the use of the barracks facility is not without controversy. Adjacent residents have raised legitimate concerns with the location of the facility, which has required an open and transparent process to determine the acceptability of a temporary shelter at the location.

E-mail: [bos@placer.ca.gov](mailto:bos@placer.ca.gov) — Web: [www.placer.ca.gov/bos](http://www.placer.ca.gov/bos)

**Recommendations of the Grand Jury**

*(R1) An evaluation of the use of the Dewitt Barracks as emergency homeless housing should be conducted at the end of the 90 day period for the conditional use permit, and on a recurring schedule thereafter.*

**Board of Supervisors and CEO Response:** Recommendation R1 has been implemented. On August 18, 2015, the Board of Supervisors conducted a public hearing reviewing operations of the temporary homeless shelter and considering requests from Right Hand Auburn (RHA) to: (1) extend the terms of their Site Use Agreement until March 31, 2016; (2) modify the Temporary Use Permit and Site Use Agreement to allow expanded services (24/7 operations) and additional shelter capacity; and (3) to consider a future financial contribution by the County for ongoing shelter operations and improvements.

The Board voted on August 18, 2015, to modify the Conditional Use Permit and allow expanded services and capacity. They directed staff to return with additional information on proposed building upgrades and a detailed financial analysis before further consideration of a financial contribution.

The temporary use permit will expire on March 31, 2016. The Board will further evaluate the shelter at the DeWitt Barracks at that time.

*(R2) The BOS and County staff should promptly review Marbut Consulting's final report to determine its impact on the need for a temporary emergency shelter. In addition, the BOS should monitor the implementation of the Strategic Action Plan referred to in the final report.*

**Board of Supervisors and CEO Response:** Recommendation R2 has not been fully implemented but will be implemented in the future. The Board of Supervisors and Health and Human Services staff have reviewed the Marbut Study Report and recommendations. A core element of the recommendations was a collaborative effort between all government agencies, the business community, non-profit organizations and residents to address homelessness within our community. Health and Human Services staff has begun outreach and planning discussions within the community. They will be involving different segments of the community in the months ahead to discuss the Marbut recommendations and how they apply within our County. The intent is to return to the Board of Supervisors in early 2016 to discuss the feedback, develop strategies and determine action plans.

Sincerely,

COUNTY OF PLACER

  
\_\_\_\_\_  
Kirk Uhler,  
Chairman, Placer County Board of Supervisors

The Honorable Colleen Nichols  
Re: 2014-15 Grand Jury Final Report – Temporary Emergency Homeless Shelter  
September 15, 2015  
Page 3 of 3



\_\_\_\_\_  
David Boesch,  
Placer County Executive Officer

cc: Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Garden, Placer County Counsel

***A Five-Year Plan  
for Meeting the Needs of a  
Growing Senior Population in Placer County***

**Findings**

The Grand Jury found that:

- F1. The Older Adult Advisory Commission (OAAC) is advisory only. It is a county-wide volunteer advisory commission, which has no budget, meets monthly, reports to the BOS once yearly, and has no direct authority to act. The OAAC has been given no responsibility for creating a five-year plan, nor does it have the resource capacity to do so. It primarily functions as an interagency coordinator and information sharing group.
- F2. The BOS agrees that the needs of the county's seniors and disabled population ought to be addressed by a plan. Stating that it will happen in the future lacks the specificity that the response requires.
- F3. It is not clear how the \$100,000 contract for the multi-generational facility feasibility study would fit into a five-year plan in terms of service to the senior and disabled population.

**Recommendations**

The Grand Jury recommends that:

- R1. County staff should research collaboration models such as Nevada County's Aging Disability Resource Connection (ADRC) Program.
- R2. With county staff recommendations, the BOS should designate an existing agency to take the lead, to seek grant funding, and to move the ADRC model forward to service providers.
- R3. Involve the Director of HHS as a proponent of the ADRC model and have key staff research the model in order to become subject matter experts in how to adapt the ADRC model to meet Placer County needs within the next fiscal year.
- R4. If it is determined that the ADRC model is not appropriate as a five-year plan for Placer County, then the county should implement another model for providing necessary single points of entry into a long-term support and services system for older adults and people with disabilities.

R5. Provide a time frame for the implementation of these recommendations in accordance with subdivision (b)(2) of Penal Code § 933.05.

**Responses**

**Recommendations  
Requiring Response**

**Placer County Board of Supervisors**

**R1 – R5**

**Mr. David Boesch**  
Placer County CEO

**R1 – R5**

# County of Placer Board of Supervisors

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District 1

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District 2

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District 3

KIRK UHLER  
District 4

JENNIFER MONTGOMERY  
District 5



September 15, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**Re: 2014-15 Grand Jury Final Report – A Five Year Plan for Meeting the Needs of a Growing Senior Population in Placer County**

Dear Judge Nichols,

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled, *A Five Year Plan for Meeting the Needs of a Growing Senior Population in Placer County*. The Placer County Board of Supervisors and County Executive Officer would like to thank the members of the 2014-15 Grand Jury for their efforts.

**Findings of the Grand Jury**

We agree with the findings, numbered F1 and F2.

*(F3) It is not clear how the \$100,000 contract for the multi-generational facility feasibility study would fit into a five-year plan in terms of service to the senior and disabled population.*

**Board of Supervisors and CEO Response:** We disagree partially with the finding. The \$100,000 contract for the multi-generational facility feasibility study will review the needs of both seniors and those of other ages. This will be important data collected in the Auburn area that can be used with other data collected as part of the necessary planning to develop a multi-year strategic plan to address the needs of seniors.

**Recommendations of the Grand Jury**

*(R1) County staff should research collaboration models such as Nevada County's Aging Disability Resource Connection (ADRC) Program.*

**Board of Supervisors and CEO Response:** Recommendation R1 has been implemented. The Older Adult Advisory Commission in coordination with Health and Human Services and the Board of Supervisors held an informational meeting on the Aging Disability Resource Connection (ADRC) Program on September 15, 2015.

*(R2) With county staff recommendations, the BOS should designate an existing agency to take the lead, to seek grant funding, and to move the ADRC model forward to service providers.*

E-mail: [bos@placer.ca.gov](mailto:bos@placer.ca.gov) — Web: [www.placer.ca.gov/bos](http://www.placer.ca.gov/bos)

*(R3) Involve the Director of HHS as a proponent of the ADRC model and have key staff research the model in order to become subject matter experts in how to adapt the ADRC model to meet Placer County needs within the next fiscal year.*

*(R4) If it is determined that the ADRC model is not appropriate as a five-year plan for Placer County, then the county should implement another model for providing necessary single points of entry into a long-term support and services system for older adults and people with disabilities.*

*(R5) Provide a time frame for the implementation of these recommendations in accordance with subdivision (b)(2) of Penal Code Section 933.05.*

**Board of Supervisors and CEO Response:** Recommendations R2 through R5 have not yet been implemented but will be implemented in the future. The existing agencies that are mandated to begin the process to develop an ADRC Program are the Placer Independent Resource Services and Area 4 Agency on Aging Advisory Council (A4AA). Placer County has assigned a Manager who will be available to work with this group when they are ready. It is premature to seek grant funding for a model that has not yet be analyzed or discussed in Placer County.

Placer County agrees it is important to move forward to create a plan to address the needs of seniors in Placer County. Health and Human Services will take the lead in this effort in coordination with the Placer Older Adult Advisory Council and other key stakeholder organizations, including A4AA and other service providers. Health and Human Services will review and explore the ADRC and other models during the development of this plan in FY15-16, utilizing needs assessments, community input, data and research.

Sincerely,

COUNTY OF PLACER

  
Kirk Uhler,  
Chairman, Placer County Board of Supervisors

  
David Boesch,  
Placer County Executive Officer

cc: Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Carden, Placer County Counsel

## ***Anti-Bullying Policies in Middle and High Schools: Are They Effective?***

### **Findings**

The Grand Jury found that:

- F1. During interviews, school district personnel indicated that they either have implemented, or are implementing, mechanisms for the safe reporting of bullying and cyber-bullying.
- F2. Some schools do not have a means for anonymous reporting.
- F3. Schools are measuring the effectiveness of the programs, but with a few exceptions, do not yet have enough data to draw statistically valid conclusions.
- F4. Schools are utilizing PBIS to collect behavior data that includes bullying incidents.

### **Recommendations**

The Grand Jury recommends that:

- R1. Schools should continue to develop and refine mechanisms for the safe reporting of bullying and cyber-bullying.
- R2. Schools with no provisions for the anonymous reporting of bullying should create them. As part of their response, all schools are to provide a copy of their anonymous bullying reporting policy.
- R3. Schools should continue to measure the effectiveness of their anti-bullying policies and utilize that data to improve school climate, including creating a safe environment for all.
- R4. Schools utilizing PBIS should continue its use and foster its expansion to other schools as training is available.

**Responses**

**Recommendations**  
**Requiring Response**

**Ms. Gayle Garbolino-Mojica**  
Placer County Supt. Of Schools

**R1, R2, R3, R4**

**Mr. George Sziraki**  
Placer Union High School Dist. Supt.

**R1, R2, R3, R4**

**Mr. Roger Stock**  
Rocklin Unified School Dist. Supt.

**R1, R2, R3, R4**

**Mr. Ron Severson**  
Roseville Joint Union High School Dist. Supt.

**R1, R2, R3, R4**

Mr. Scott Leaman  
Western Placer Unified School Dist. Supt.

**R1, R2, R3, R4**

**Mr. Robert Leri**  
Tahoe-Truckee Unified School Dist. Supt.

**R1, R2, R3, R4**



GOLD IN EDUCATION

Gayle Garbolino-Mojica  
County Superintendent of Schools

**Board of Education**

Susan Goto  
Area 1

Suzanne Jones  
Area 1

Robert Tomasini  
Area 1

Kelli Gnile  
Area 2

David Patterson, Ed. D.  
Area 3

Lynn Oliver  
Area 4

E. Ken Tokutomi  
Area 4

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Associate Superintendent  
Business Services

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Associate Superintendent  
Educational Services

Phillip J. Williams  
Associate Superintendent  
Student Services

Catherine Goins  
Assistant Superintendent  
Early Education & Administration

James L. Anderberg  
Executive Director  
Administrative Services

Mary Ann Garcia  
Executive Director  
Human Resources

August 26, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
PO Box 619072  
Roseville, CA 95661

Dear Judge Nichols:

Please find enclosed Superintendent Garbolino-Mojica's Grand Jury Response. This response was due on August 24, 2015 and mailed out on August 12, 2015. Today, the response was returned by the US mail due to an incorrect mailing address.

Please accept my apology for the delayed response due to a clerical error. Had the response been mailed to the appropriate address, you would have received it by the deadline date.

I have corrected the error and Superintendent Garbolino-Mojica has re-signed the corrected copy.

Sincerely,

Suzie Arcuri  
Executive Assistant to  
Gayle Garbolino-Mojica  
County Superintendent of Schools  
Placer County Office of Education

/sa

Enclosure

RECEIVED

OCT 05 2015

PLACER COUNTY  
GRAND JURY

Scanned via  
Rosalinda Cruz to GJ



GOLD IN EDUCATION

Gayle Garbolino-Mojica  
County Superintendent of Schools

August 12, 2015

**Board of Education**

Susan Goto  
Area 1

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Area 1

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Area 1

Kelli Gnile  
Area 2

David Patterson, Ed. D.  
Area 3

Lynn Oliver  
Area 4

E. Ken Tokutomi  
Area 4

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Associate Superintendent  
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Associate Superintendent  
Educational Services

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Student Services

Catherine Goins  
Assistant Superintendent  
Early Education & Administration

James L. Anderberg  
Executive Director  
Administrative Services

Mary Ann Garcia  
Executive Director  
Human Resources

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
PO Box 619072  
Roseville, CA 95661

Dear Judge Nichols:

I would like to submit my response to the findings and recommendations contained in the 2014-15 Grand Jury Report pertaining to *Anti-Bullying Policies in Middle and High Schools: Are They Effective?* I have carefully reviewed the information and recommendations formulated by the Placer County Grand Jury pertaining to anti-bullying policies. After a thorough review, my responses are as follows:

FINDINGS

I agree with findings numbered 1, 2, 3 and 4.

RECOMMENDATIONS

Recommendations numbered 1 and 3 have been implemented.

Recommendations numbered 2 and 4 require further analysis.

RECOMMENDATION #1

Schools should continue to develop and refine mechanisms for the safe reporting of bullying and cyber-bullying.

RESPONSE:

*This recommendation has been implemented.*

Schools in Placer County continually refine and develop mechanisms for the safe reporting of bullying and cyber-bullying. Schools are most concerned in identifying a methodology that reports accurate and timely information that can be acted upon to provide a safe and secure school campus for all students.

RECOMMENDATION #2:

Schools with no provisions for the anonymous reporting of bullying should create them. As a part of their response, all schools are to provide a copy of their anonymous bullying reporting policy.

RESPONSE:

*This recommendation requires further analysis.*

The existence of a mechanism to report anonymously bullying or cyber-bullying incidents has not necessarily been a deterrent for bullying, nor has it been used extensively by students. In a recent discussion with school districts regarding the number of anonymous tips of bullying and cyber-bullying, the schools only reported two anonymous reports per school in a single year. Though these types of mechanisms may be useful, their sheer existence does not curb bullying and cyber-bullying at schools.

As far as an anonymous bullying reporting policy, schools have a bullying policy and whether or not the mechanism to report anonymously should be a part of their bullying policy is a local decision by each school district. Districts may find a much more reliable mechanism to report and intercede in a bullying incident than an anonymous tip.

School districts are required to annually review and monitor data consistent with a school climate goal specified in their Local Control Accountability Plan (LCAP). Each Placer County school district reviewed this data, which includes bullying incidents, in the spring of 2015 in order to determine if they met their goal or need to revise their goal. School districts will review the progress of their annual LCAP goals in the winter of 2015/16 and will be required to make any necessary changes in those school climate goals for 2016 which will require adoption by their respective school boards in June of 2016.

RECOMMENDATION #3:

Schools should continue to measure the effectiveness of their anti-bullying policies and utilize that data to improve school climate, including creating a safe environment for all.

RESPONSE:

*This recommendation was implemented.*

As stated above, schools annually evaluate data pertinent to school culture (bullying included) for their annual LCAP and make changes to policies and practices according to the data.

The Honorable Colleen Nichols  
August 12, 2015  
Page 3

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RECOMMENDATION #4:

Schools utilizing PBIS should continue its use and foster its expansion to other schools as training is available.

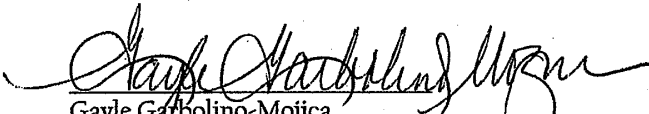
RESPONSE:

*This recommendation requires further analysis.*

Though there are numerous schools throughout Placer County that utilize PBIS, the expansion of this program is at the discretion of each school district. A program that is similar to PBIS, such as being research based and driven by data, maybe a suitable option for a school district in the county. A one size fits all approach is not necessary for all sixteen school districts.

As mentioned earlier, each school district will have to annually review the progress towards their school culture goal in their LCAP and will make changes according to the data. This review will happen in the winter/spring of 2016 with each district submitting an updated LCAP for board approval in June of 2016.

Respectfully submitted by:

  
Gayle Garbolino-Mojica  
Placer County Superintendent of Schools

**Board of Education**  
**Susan Goto**

Area 1

**Suzanne Jones**

Area 1

**Robert Tomasini**

Area 1

**Kelli Gnile**

Area 2

**David Patterson, Ed. D.**

Area 3

**Lynn Oliver**

Area 4

**E. Ken Tokutomi**

Area 4

**Superintendent's Cabinet**

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**Renee Regacho-Anaclerio, Ed. D.**

Associate Superintendent

Educational Services

**Phillip J. Williams**

Associate Superintendent

Student Services

**Catherine Goins**

Assistant Superintendent

Early Education & Administration

**James L. Anderberg**

Executive Director

Administrative Services

**Mary Ann Garcia**

Executive Director

Human Resources

September 26, 2015

Sharon Stanners  
Foreperson  
Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

Dear Foreperson Stanners:

The Placer County Office of Education has received your notice that the Placer County Grand Jury has not yet received the response on *Anti-Bullying Policies in Middle and High Schools: Are They Effective?* I have contacted Rosalinda Cruz of the Placer County Court who has confirmed that they did receive our response on August 31, 2015. Ms. Cruz stated she will scan and email you a copy of the response.

The response was due on August 24, 2015 and mailed out on August 12, 2015. However, on August 26, 2015, the response was returned by the US mail due to an incorrect mailing address. Please accept my apology for the delayed response due to a clerical error. Had the response been mailed to the appropriate address, you would have received it by the deadline date.

Sincerely,



Suzie Arcuri  
Executive Assistant to  
Gayle Garbolino-Mojica  
County Superintendent of Schools  
Placer County Office of Education

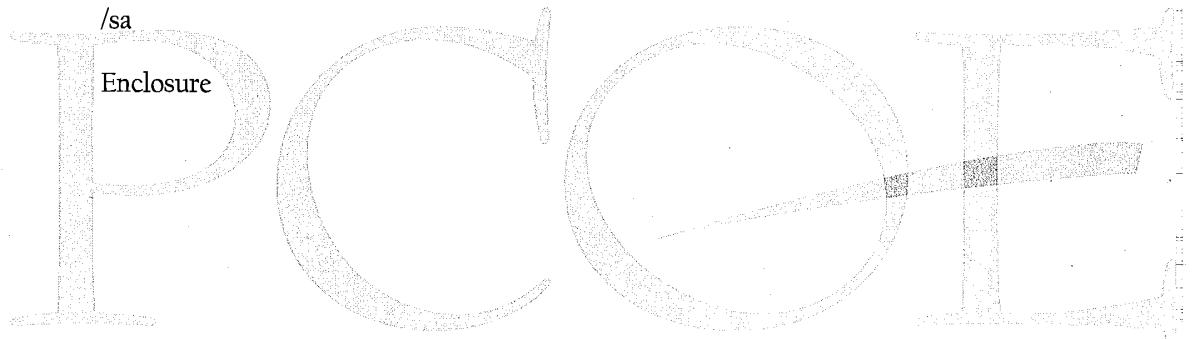
/sa

Enclosure

**RECEIVED**

OCT 05 2015

**PLACER COUNTY  
GRAND JURY**



**Placer County Grand Jury**

---

**From:** Rosalinda Cruz <RCruz@placer.courts.ca.gov>  
**Sent:** Wednesday, September 30, 2015 1:55 PM  
**To:** Sharon Stanners-gj; Kevin Knauss-gj; Placer County Grand Jury  
**Subject:** Response to Grand Jury Report from the Placer County Office of Education  
**Attachments:** Response from PCOE - Received Aug. 31, 2015.pdf

Good afternoon,

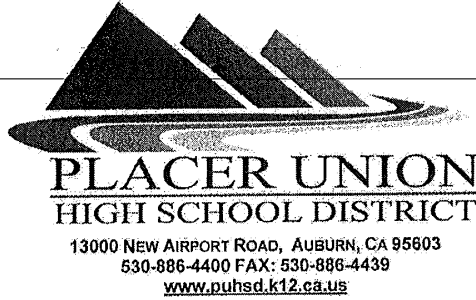
The Court received the attached response from the Placer County Office of Education (PCOE) on August 31, 2015. Per my conversation with Susie at PCOE this afternoon, it is my understanding that they did not send a copy of the report directly to the Grand Jury, so I am attaching a copy of the report for your records.

Thank you,

*Rosalinda Cruz*  
Executive Assistant  
Superior Court of California, County of Placer  
10820 Justice Center Drive, Roseville, CA 95678  
(916) 408-6186 | Fax (916) 408-6188  
[www.placer.courts.ca.gov](http://www.placer.courts.ca.gov)

Disclaimer: Superior Courts of California, County of Placer. This Message contains confidential information and it is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission can be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard copy version.

**GEORGE S. SZIRAKI, JR. Ed.D.**  
SUPERINTENDENT  
**MR. DOUGLAS MARQUAND**  
ASSISTANT SUPERINTENDENT  
ADMINISTRATIVE SERVICES  
**MR. JEFFREY TOOKER**  
DEPUTY SUPERINTENDENT  
EDUCATIONAL SERVICES  
**MR. ERIC VEREYKEN**  
ASSISTANT SUPERINTENDENT  
OF HUMAN RESOURCES



**BOARD OF TRUSTEES**  
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**RON OATES**  
AREA 4/DEL ORO  
**KATHLEEN GEARY**  
AREA 5/DEL ORO

September 1, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
Post Office Box 619072  
Roseville, CA 95661

Dear Judge Nichols:

The following is in response to the findings and recommendations contained in the 2014-15 Grand Jury Report pertaining to *Anti-Bullying Policies in Middle and High Schools: Are They Effective?* I have carefully reviewed the information and recommendations formulated by the Placer County Grand Jury pertaining to anti-bullying policies. After a thorough review, my responses are as follows:

#### **FINDINGS**

I agree with the findings numbered 1, 2, 3 and 4.

#### **RECOMMENDATIONS**

Recommendations numbered 1 and 3 have been implemented.

Recommendations numbered 2 and 4 require further analysis.

#### **RECOMMENDATION # 1**

Schools should continue to develop and refine mechanisms for the safe reporting of bullying and cyber-bulling.

**RECOMMENDATION #4:**

Schools utilizing PBIS should continue its use and foster its expansion to other schools as training is available.

---

**RESPONSE:**

*This recommendation requires further analysis.*

Though there are numerous schools throughout Placer County that utilize PBIS, the expansion of this program is at the discretion of each school district. A program that is similar to PBIS, such as being research based and driven by data, maybe a suitable option for a school district in the county. A one size fits all approach is not necessary for all sixteen school districts.

The Placer Union High School District utilizes research based and data driven interventions which includes a Multi-Tiered System of Support. Supports include academic, behavioral and social emotional interventions. During the past two years, all school sites received professional development in Reality Therapy/Choice Theory, developed additional classroom based behavior management supports, increased teacher/parent participation in supporting students. Programs have been implemented at each of our sites including Signs of Suicide, Student Assistance Program and Parenting Class for Adolescents. These programs are being continually evaluated. Additional programs and supports are being researched for additional supports to our students.

As mentioned earlier, the Placer Union High School District will annually review the progress towards our school culture goal in our LCAP and will make changes according to the data. This review will happen in the winter/spring of 2016 with each district submitting an updated LCAP for board approval in June of 2016.

Respectfully submitted by:



George S. Sziraki, Jr., Ed.D.  
Superintendent, Placer Union High School District

*Attachment: PUHSD Bullying, Harassment or Intimidation Reporting Form*

GSS:ed:lb

**PLACER UNION HIGH SCHOOL DISTRICT  
BULLYING, HARASSMENT OR INTIMIDATION REPORTING FORM**

Bullying, harassment, or intimidation are serious and will not be tolerated.

- **Bullying** is the use of force or coercion to abuse or intimidate others with behavior that can be habitual and involve an imbalance of social or physical power.
- **Harassment** is behavior intended to disturb or upset and is characteristically repetitive.
- **Intimidation** is intentional behavior that would cause a person of ordinary sensibilities fear of injury or harm.

Directions: This is a form to report alleged bullying harassment, or intimidation that occurred on school property; at a school-sponsored activity/event off school property; on a school bus; or on the way to and/or from school, in the current school year. If you are a student victim, the parent/guardian of a student victim, a close adult relative of a student victim, or a school staff member and wish to report an incident of alleged bullying, harassment, or intimidation, complete this form and return it to the administration at the student victim's school. Contact the school administration for additional information or assistance at any time.

Placer Union High School District programs and activities shall be free from discrimination, including harassment, with respect to a student's actual or perceived sex, gender, ethnic group identification, race, national origin, religion, color, physical or mental disability, age or sexual orientation. The Board prohibits intimidation or harassment of any student by an employee, student or other person in the District. Prohibited harassment includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the purpose or effect of substantially or unreasonably interfering with a student's academic performance; or otherwise affect the student's educational opportunities.

Today's date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ School: \_\_\_\_\_  
Month Day Year

**PERSON REPORTING INCIDENT: Print Name:** \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Place an X in the appropriate box:  Student (Victim)  Student (Witness/Bystander)  Parent/guardian  Close adult relative  
 School Staff  Other \_\_\_\_\_

1. Name of student victim: \_\_\_\_\_ Grade: \_\_\_\_\_  
(Please print)

|   |       |                   |  |
|---|-------|-------------------|--|
| 2. Name(s) of alleged offender(s) (If known): <small>(Please print)</small> | Grade | School (if known) | Is he/she a student?                                     |
| _____   | _____ | _____             | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____   | _____ | _____             | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____   | _____ | _____             | <input type="checkbox"/> Yes <input type="checkbox"/> No |

3. On what date(s) did the incident(s) happen?:

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_      \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_      \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Month Day Year                      Month Day Year                      Month Day Year

4. Where did the incident happen (choose all that apply)?

On school property       At a school-sponsored activity/event off school property  
 On a school bus       On the way to/from school

5. Place an X next to the statement(s) that best describes what happened (choose all that apply):

Hitting, kicking, shoving, spitting, hair pulling or throwing something  
 Getting another person to hit or harm the student  
 Teasing, name-calling, making critical remarks, or threatening, in person or by other means  
 Demeaning and making the victim of jokes  
 Making rude and/or threatening gestures  
 Intimidation  
 Spreading harmful rumors or gossip  
 Other (specify) \_\_\_\_\_

# Rocklin Unified School District

2615 Sierra Meadows Drive • Rocklin, CA 95677

Phone • (916) 624-2428 Fax • (916) 624-7246



Roger Stock, Superintendent

Barbara Patterson, Deputy Superintendent  
Colleen Slattery, Assistant Superintendent

September 21, 2015

Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

Attention: Sharon Stanners, 2014-2015 Placer County Grand Jury Foreperson

**RECEIVED**

SEP 25 2015

**PLACER COUNTY  
GRAND JURY**

Dear Ms. Stanners:

Pursuant to California Penal Code section 933.05, I respectfully submit my formal response to the Grand Jury Report entitled "*Anti-Bullying Policies in Middle and High Schools: Are They Effective?*"

I have carefully reviewed the findings and recommendations formulated by the Placer County Grand Jury pertaining to anti-bullying policies.

## FINDINGS

I agree with findings numbered 1, 2, 3 and 4.

## RECOMMENDATIONS

Recommendations numbered 1 and 3 have been implemented.

Recommendations numbered 2 and 4 require further analysis.

## RECOMMENDATION # 1:

Schools should continue to develop and refine mechanisms for the safe reporting of bullying and cyber-bullying.

## RESPONSE:

*This recommendation has been implemented.*

Rocklin Unified School District (RUSD) middle and high schools continually refine and develop mechanisms for the safe reporting of bullying and cyber-bullying. Schools are most concerned in identifying a methodology that reports accurate and timely information that can be acted upon to provide a safe and secure school campus for all students. All RUSD secondary sites are interested in Positive Behavior Interventions and Supports (PBIS) and will attend training in October that is being hosted by Placer County Office of Education. Additionally, the district has contracted with West Ed, a highly regarded educational research and development service

Board Members: Greg Daley • Wendy Lang • Todd Lowell • Camille Maben • Susan Halldin

agency to facilitate the development of a school based Multi-Tiered System of Supports (MTSS) that includes behavioral, social, and academic interventions.

RECOMMENDATION #2:

Schools with no provisions for the anonymous reporting of bullying should create them. As a part of their response, all schools are to provide a copy of their anonymous bullying reporting policy.

RESPONSE:

*This recommendation requires further analysis.*

As far as an anonymous bullying reporting, in the past RUSD secondary sites have worked directly with the Rocklin Police Department School Resource Officers to provide a link on the school webpage where students could anonymously report a bullying incident. Historically, the number of reports did not change. This option is no longer available through the Rocklin Police Department. In speaking to site administrators, a majority of the reports are made when students feel they are in a safe environment speaking with an adult that they trust. Modern technology allows students to use social media to report bullying incidents to their teachers who, in turn, report this information to the administration. Sites have found this to be a much more reliable mechanism to report and intercede in a bullying incident than an anonymous tip. The District; however, is exploring other options to anonymously report bullying situations.

RUSD will continue to annually review and monitor data consistent with the school climate goal specified in their Local Control Accountability Plan (LCAP). Sites will review the progress of their annual LCAP goals in the winter of 2015/16 and will make necessary changes as needed to school climate goals.

RECOMMENDATION #3:

Schools should continue to measure the effectiveness of their anti-bullying policies and utilize that data to improve school climate, including creating a safe environment for all.

RESPONSE:

*This recommendation was implemented.*

As stated above, sites annually evaluate data pertinent to school culture (bullying included) for their annual LCAP and make changes to policies and practices accordingly. RUSD has two elementary sites using PBIS and all five secondary sites will be attending PBIS training in the near future. RUSD is also working closely with the Coalition for Placer County Youth and will be reviewing the data made available through their survey. All RUSD secondary sites are interested in Positive Behavior Interventions and Supports (PBIS) and will attend training in October that is being hosted by Placer County Office of Education. In addition, the district has contracted with West Ed, a highly regarded educational research and development service agency to facilitate the development of a school based Multi-Tiered System of Supports (MTSS) that includes behavioral, social, and academic interventions.

RECOMMENDATION #4:

Schools utilizing PBIS should continue its use and foster its expansion to other schools as training is available.

RESPONSE:

*This recommendation requires further analysis.*

As mentioned above RUSD currently has two elementary sites using PBIS and all secondary sites will attend training in the near future to determine whether the feasibility of this option at the secondary level. Furthermore, the district has contracted with West Ed, a highly regarded educational research and development service agency to facilitate the development of a school based Multi-Tiered System of Supports (MTSS) that includes behavioral, social, and academic interventions.

Sincerely,



Roger Stock  
Superintendent



# Roseville Joint Union High School District

1750 CIRBY WAY, ROSEVILLE, CALIFORNIA 95661  
Office (916) 782-8882 • Fax (916) 786-2681 • E-mail: rseverson@rjuhsd.us

RON SEVERSON, Superintendent

**RECEIVED**

OCT 13 2015

PLACER COUNTY  
GRAND JURY

BOARD OF TRUSTEES

RENE AGUILERA  
SCOTT E. HUBER  
LINDA M. PARK  
R. JAN PINNEY  
PAIGE K. STAUSS

September 16, 2015

**COPY**

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
PO Box 619072  
Roseville, CA 95661

*Mailed  
9/21/15*

Dear Judge Nichols:

Please accept my response to the findings and recommendations contained in the 2014-15 Grand Jury Report pertaining to *Anti-Bullying Policies in Middle and High Schools: Are They Effective?* Just as we did a year ago, our district team has reviewed the information and recommendations formulated by the Placer County Grand Jury pertaining to anti-bullying policies.

### FINDINGS

I agree with findings numbered 1, 2, 3 and 4.

### RECOMMENDATIONS

Recommendations numbered 1, 3 and 4 have been implemented. We have been working to implement PBIS for 3 years and have seen a significant decline in discipline issues. We are implementing new reporting and data collecting procedures within the context of the program.

Recommendations 2 will be implemented this year.

### RECOMMENDATION # 1

Schools should continue to develop and refine mechanisms for the safe reporting of bullying and cyber-bulling.

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### RESPONSE:

*This recommendation has been implemented.*

Each of the schools in the Roseville Joint Union High School District has procedures in place to provide for the reporting of bullying and cyber

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bullying. Specific assembly and other school wide programs encourage students to report incidents and promote a safe campus for every student.

RECOMMENDATION #2:

Schools with no provisions for the anonymous reporting of bullying should create them. As a part of their response, all schools are to provide a copy of their anonymous bullying reporting policy.

RESPONSE:

*This recommendation will be implemented during the 2015-16 school year.*

Each of the schools will have a "Bully Incident Reporting" link posted on their homepage. The bully incident reporting system will allow any student and/or member of the community to report an incident of bullying or harassment. Any report submitted using the system will be forwarded to the school's administration and will remain anonymous and confidential. Anyone reporting an incident also has the option of including their contact information for follow-up.

Adoption of **RJUHSD Board Policy 5131.2-Bullying** (attached) is expected to occur in October, 2015. The policy, which includes anonymous bullying reporting, addresses bullying prevention, intervention, complaints, investigation, and discipline.

RECOMMENDATION #3:

Schools should continue to measure the effectiveness of their anti-bullying policies and utilize that data to improve school climate, including creating a safe environment for all.

RESPONSE:

*This recommendation was implemented.*

Our PBIS teams are working with site support staff to implement data collection strategies that enable us to measure the safety and climate of each campus. Major discipline infractions are already well documented. The focus now is on doing a better job collecting data on minor infractions and responding sooner to situations where students are not feeling safe. The district has used LCAP funds for the past two years to dramatically improve the safety net by hiring marriage and family counseling interns, social work

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The Honorable Colleen Nichols  
September 16, 2015  
Page 3

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interns, and developing mentoring programs to provide early identification and early intervention whenever a student is struggling.

RECOMMENDATION #4:

Schools utilizing PBIS should continue its use and foster its expansion to other schools as training is available.

RESPONSE:

*This recommendation is already implemented.*

As mentioned above, we have a district wide PBIS program that is implemented on each site. The impact on school culture and climate has been palpable.

Our district takes bullying very seriously. Each school employs a variety of strategies to build a culture of trust and acceptance where all students feel safe. We evaluate our discipline data regularly and are working to become more adept at intervening at the first signs of problems.

Sincerely,



Ron Severson  
Superintendent, RJUHSD

**BULLYING**

The Board of Trustees recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

*Cyberbullying* includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

**Bullying Prevention**

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed through student handbooks and other appropriate means of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

**BULLYING (continued)**

*Legal Reference:*

EDUCATION CODE

- 200-262.4 Prohibition of discrimination
- 32282 Comprehensive safety plan
- 35181 Board of Trustees policy on responsibilities of students
- 35291-35291.5 Rules
- 48900-48925 Suspension or expulsion
- 48985 Translation of notices

PENAL CODE

- 647 Use of camera or other instrument to invade person's privacy, misdemeanor
- 647.7 Use of camera or other instrument to invade person's privacy, punishment
- 653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

- 254 Universal service discounts (e-rate)

COURT DECISIONS

- J.C. v. Beverly Hills Unified School District*, (2010) 711 F.Supp.2d 1094
- Lavine v. Blaine School District*, (2002) 279 F.3d 719

*Management Resources:*

CSBA PUBLICATIONS

- Addressing the Conditions of Children: Focus on Bullying*, Governance Brief, December 2012
- Safe Schools: Strategies for Board of Trustees to Ensure Student Success*, 2011
- Providing a Safe, Nondiscriminatory School Environment for All Students*, Policy Brief, April 2010
- Cyberbullying: Policy Considerations for Boards*, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

- Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve*, 2008
- Bullying at School*, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

- Dear Colleague Letter: Harassment and Bullying*, October 2010

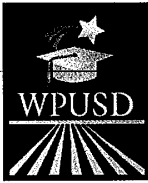
WEB SITES

- CSBA: <http://www.csba.org>
- California Cybersecurity for Children: <http://www.cybersafety.ca.gov>
- California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>
- Center for Safe and Responsible Internet Use: <http://cyberbully.org>
- National School Boards Association: <http://www.nsba.org>
- National School Safety Center: <http://www.schoolsafety.us>
- U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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Policy  
adopted:

**ROSEVILLE JOINT UNION HIGH SCHOOL DISTRICT**  
Roseville, California



**WESTERN PLACER  
UNIFIED SCHOOL DISTRICT**

600 Sixth St, Suite 400, Lincoln CA 95648  
Ph: 916-645-6350

**Board of Trustees:** Paul Long  
Brian Haley  
Paul Carras  
Kris Wyatt  
Damian Armitage

**Superintendent:** Scott Leaman

**RECEIVED**

OCT 28 2015

**PLACER COUNTY  
GRAND JURY**

September 22, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
PO Box 619072  
Roseville, CA 95661

Dear Judge Nichols:

I would like to submit my response to the findings and recommendations contained in the 2014-15 Grand Jury Report pertaining to *Anti-Bullying Policies in Middle and High Schools: Are They Effective?* I have carefully reviewed the information and recommendations formulated by the Placer County Grand Jury pertaining to anti-bullying policies. After a thorough review, my responses are as follows:

FINDINGS

I agree with findings numbered 1, 2, 3 and 4.

RECOMMENDATIONS

Recommendations numbered 1 and 3 have been implemented.

Recommendations numbered 2 and 4 require further analysis.

RECOMMENDATION #1

Schools should continue to develop and refine mechanisms for the safe reporting of bullying and cyber-bullying.

RESPONSE:

*This recommendation has been implemented.*

Our schools and school board continually update board policy and procedures relating to bullying and cyber-bullying. Schools are interested in reports that can be acted upon to provide safe campuses for all.

RECOMMENDATION #2:

Schools with no provisions for the anonymous reporting of bullying should create them. As a part of their response, all schools are to provide a copy of their anonymous bullying reporting policy.

RESPONSE:

*This recommendation requires further analysis.*

Our schools receive very few reports of bullying anonymously. Although reported anonymously, each report is still investigated by school administration to the degree that it seems credible. Although this is not a direct "provision" for anonymous reporting, each anonymous report is acted upon.

RECOMMENDATION #3:

Schools should continue to measure the effectiveness of their anti-bullying policies and utilize that data to improve school climate, including creating a safe environment for all.

RESPONSE:

*This recommendation was implemented.*

The district evaluates data pertinent to school culture based on our LCAP. Changes based on the data are implemented.

RECOMMENDATION #4:

Schools utilizing PBIS should continue its use and foster its expansion to other schools as training is available.

RESPONSE:

*This recommendation requires further analysis.*

PBIS is one solution to track discipline and positive school culture. Many schools in our district use PBIS, but the decision to use the system must begin at the school level. Schools use a variety of systems to support positive behavior and maintain discipline.

Sincerely,



\_\_\_\_\_  
Scott Leaman  
Superintendent





*"Pathways to Possibilities and Student Success"*

Robert J. Leri, Ed.D., Superintendent Chief Learning Officer

**RECEIVED**

SEP 25 2015

September 15, 2015

**PLACER COUNTY  
GRAND JURY**

|  |  |
|--|--|
| The Honorable Colleen Nichols<br>Presiding Judge of the Superior Court<br>County of Placer<br>P.O. Box 619072<br>Roseville, CA 95661 | Placer County Grand Jury<br>11532 B Avenue<br>Auburn, CA 95603 |
|--|--|

Re: Response of Chief Learning Officer/Superintendent of Tahoe Truckee Unified School District to Grand Jury Report Entitled "Anti-Bullying Policies in Middle and High Schools: Are They Effective?"

Dear Judge Nichols:

Please accept this letter as Tahoe Truckee Unified School District's ("District") formal response to the above referenced Grand Jury Report ("Report"). This response is submitted to you pursuant to Penal Code section 933.05. I have thoroughly reviewed the information and recommendations contained in the Report pertaining to anti-bullying policies and respond as follows:

**FINDINGS**

F1: District cannot respond regarding schools in other school districts, but agrees that District has implemented mechanisms for the safe reporting of bullying and cyber-bullying.

F2: District cannot respond regarding schools in other school districts, but agrees that District does have a procedure for anonymous reporting. The District utilizes a program called the "We Tip Hotline" which allows students to make anonymous reports regarding bullying and harassment.

F3: District cannot respond regarding schools in other school districts, but District agrees with this finding as it applies to District. The District's anti-bullying policies, including student discipline for bullying, comply with state laws and are published and distributed in student handbooks as well as other locations.

F4: District cannot respond regarding schools in other school districts, but agrees that it is using PBIS to collect data that includes bullying incidents.

---

11603 Donner Pass Road Truckee, CA 96161

530-582-2500

## RECOMMENDATIONS

R1: This recommendation was implemented prior to the Report. As described in my response to the 2013/2014 Grand Jury Report regarding bullying, the District maintains board policies, student handbooks, student discipline procedures, staff training, and an anonymous tip program to ensure its schools are safe for students to report bullying and cyberbullying.

R2: This recommendation was implemented prior to the Report. As stated above, the District utilizes a program called the "We Tip Hotline" which allows students to make anonymous reports regarding bullying and harassment. Posters and information regarding We Tip are posted at all schools sites and are well known to students. Information regarding the District's "We Tip" program is enclosed herein as Attachment 1.

R3: This recommendation has been implemented and will continue to be implemented. Our District is committed to a safe environment for all students and is constantly reviewing our procedures and effectiveness in this regard. The District has consistently participated in the California Healthy Kids Survey. The School Climate module, which specifically measures factors related to bullying, was added to the survey in the spring of 2014. This survey is administered bi-annually. Additionally, earlier this year our District reviewed data regarding bullying incidents as part of our "school climate goal" in our Local Control Accountability Plan ("LCAP"). Our review of this data revealed we have met our goal contained in the LCAP. Each year we will review the progress toward our school climate goal and make changes as necessary.

R4: This recommendation was implemented prior to the Report. The District utilizes PBIS and will continue to do so to effectively address student behavior and to curb bullying. Additionally, the District utilizes numerous other resources to address student behaviors and partners with local law enforcement and community organizations to ensure student behavior is addressed holistically.

We thank the Grand Jury for their hard work reviewing this issue at the schools in Placer County. Thank you for the opportunity to respond.

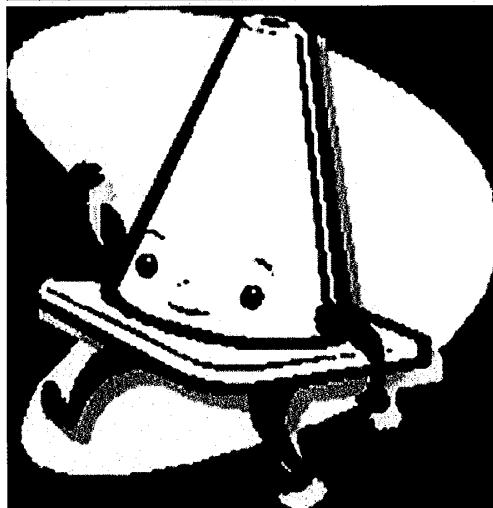
Regards,



Robert J. Leri, Ed.D.  
Superintendent Chief Learning Officer

Attachment 1: District's We Tip Program documentation

**Safety**



The safety of all students and all adults on our school property is of the utmost importance. Each of the TTUSD schools have developed a Safe School Plan as part of SB187 (Comprehensive Safe School Planning). These Safe School Plans are available for your viewing.

In addition, each site has been trained in the National Incident Management System for responding to an emergency. Each site typically participates in 10 emergency drills every school year. Local law enforcement and fire services often offer additional assistance during many of these drills. We appreciate the support they've given us!

**Contents**

- Safe School and Accountability Plans 2013-2014
- Emergency Preparedness and Procedures
- Safety Newsletter
- Hoja Informativa
- Emergency Preparedness & Evacuation Guide
- Emergency Preparedness Checklist

**Links**

- We Tip--Anonymous Crime/Bullying Reporting Tool

**TTUSD Links/TTUSD Enlaces**

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<http://wetip.com/>

## **WETIP** Is Texting Tips Really Anonymous?

Most students are proficient at texting and it seems like an easy way to get tip information. The problem is that text tips are never anonymous. Many times with text tips a tipster will give quick, short spurts of information... What city? What State? What School District? What did they look like? Name, license number? ect., None of these questions can be answered and the informant is not anonymous because a text tip can be traced back to the cell phone. No one wants to jeopardize lives or safety because not enough information was obtained to stop a dangerous situation.

"Anonymous" means that no one ever knows who the caller is and even when subpoenaed they cannot reveal who the tipster is because they do not have the information. Anonymity on School campus is top priority when establishing an anonymous reporting hotline. The Trust factor ranks number one with students and staff members.

The reality is this... we want information from our students and staff but not when the mechanism itself can be full of risks. Most of our students with cell phones have smart phones... From these phones, they can log on to WeTip's fire walled and encrypted site at [www.wetip.com](http://www.wetip.com) and submit a tip. They can scan the Mobile Tip form QR code with their bar code scanner app and submit a tip, or they can just call 800 78-CRIME and give information. It is safe, it is truly anonymous and it is a method that works and it has worked for over 40 years, never jeopardizing the safety of the caller.

### **SAVE OUR SCHOOLS PROJECT AN S.O.S. MESSAGE TO PARENTS AND STUDENTS EVERYWHERE**

WeTip's SAFE SCHOOLS PROGRAM gives the young people who want to stay out of trouble an opportunity to do something about crime while staying absolutely anonymous. It also provides undecided youngsters a way to turn in information about crimes or weapons that they feel are bad without fearing reprisal. No one ever knows who they are. Not us... Not ever!

School Districts can urge their insurer to subscribe to WeTip and provide this valuable resource, a WeTip membership, as a portion of their insurance. Your J.P.A. can join or self insured schools can join for a very nominal fee. Your membership will provide toll-free lines, staffed 24 hours a day, 365 days a year with a Spanish speaking operator on each shift, effective posters for your schools and a whole array of other materials that are available to members.

## **Depth and Impact of Bullying**

According to the national Association of School Psychologists, 160,000 students stay home every day out of fear of attack or intimidation

**75% of students say they have been bullied at school**

(Centers for disease control)  
25,000 students are targets of attacks, shakedowns, robberies, in secondary schools every day (National School Safety Center).  
260 teachers are assaulted and 6,250 are threatened every day (national Education Association.) Untold number of students that come to school are distracted by the bullying.

### **Residual affects of Bullying**

- Bullying and mistreatment, if not stopped, can lead to higher forms of violence, in and out of school.
- The bully tends to escalate the mistreatment and the target student can eventually explode, causing both to be in trouble, even charged with a crime.
- The harassment is carried over to the neighborhoods, the malls, the sports events, the parties and other places where "rules don't apply."
- Homes and cars are vandalized.
- Cyber-bullying, online threats and harassment increasing daily.

**DON'T FUEL THE FIRE OF**

**HATE**



**STOP  
HATE  
CRIMES**

If you have information about violence directed against someone because of their race, ethnicity, national origin, religion, gender, sexual orientation or disability...

Call:

**WETIP**  
**1-800-78-CRIME**  
**ANONYMOUSLY**



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**24 Hours a Day**  
**365 Days a Year**

**UP TO \$1,000 REWARD**

***Placer County Meals on Wheels: A Failure to Communicate  
Response to a Response***

**Findings**

The Grand Jury found that:

- F1. The BOS response to Recommendation 1 of the 2013-2014 Grand Jury report lacks a time frame for implementation of the recommendation. It is in violation of Penal Code § 933.05(b)(2).

**Recommendations**

The Grand Jury recommends that:

- R1. The BOS provide a time frame for the implementation of Recommendation 1 of the 2013-2014 Grand Jury Report regarding the establishment of a written policy or procedure for information flow between itself and its Board and Commission appointees.

**Responses**

**Placer County Board of Supervisors**

**Recommendations  
Requiring Response**

**R1**

# County of Placer Board of Supervisors

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District 2

JIM HOLMES  
District 3

KIRK UHLER  
District 4

JENNIFER MONTGOMERY  
District 5



September 15, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**Re: 2014-15 Grand Jury Final Report – *Placer County Meals on Wheels: A Failure to Communicate.***

Dear Judge Nichols,

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled *Placer County Meals on Wheels: A Failure to Communicate*. The Placer County Board of Supervisors would like to thank the members of the 2014-15 Grand Jury for their efforts associated with the Meals on Wheels review.

### **Findings of the Grand Jury**

*(F1) The BOS response to Recommendation 1 of the 2013-2014 Grand Jury report lacks a time frame for implementation of the recommendation. It is in violation of Penal Code 933.05(b)(2).*

**Board of Supervisors Response:** The Board of Supervisors agrees with this finding.

### **Recommendations of the Grand Jury**

*(R1) The BOS provide a time frame for the implementation of Recommendation 1 of the 2013-14 Grand Jury Report regarding the establishment of a written policy or procedure for information flow between itself and its Board and Commission appointees.*

**Board of Supervisors Response:** This recommendation has been implemented. Since the receipt of the Grand Jury's report, the Board of Supervisors has been working towards defining the roles and responsibilities of its representatives, particularly those serving on the A4AA Governing Board. On January 20, 2015, the Placer County Board of Supervisors approved an appointment for a new representative to serve on this Board, and on January 29, 2015, a letter was sent out to both representatives outlining their responsibilities and communication expectations.

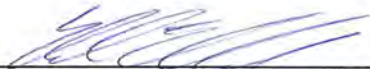
E-mail: [bos@placer.ca.gov](mailto:bos@placer.ca.gov) — Web: [www.placer.ca.gov/bos](http://www.placer.ca.gov/bos)

The Honorable Colleen Nichols  
Re: 2014-15 Grand Jury Final Report – Meals on Wheels  
September 15, 2015  
Page 2 of 2

The Placer County Board of Supervisors appreciates the work of the 2014-15 Placer County Grand Jury in their report regarding Meals on Wheels.

Sincerely,

COUNTY OF PLACER



---

Kirk Uhler,  
Chairman, Placer County Board of Supervisors

cc: David Boesch, CEO  
Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Carden, Placer County Counsel

## ***Transfer of Dewitt Center Enterprise Funds and Its Impact on Citizens***

### **Findings**

The Grand Jury found that:

- F1. Seniors First provides Placer County senior and disabled citizens with the following services at no or reduced costs for the following services:
- Assisted Living Placement
  - Door-to-Door Rides for shut-in citizens for medical/dental appointments, food shopping, and other out-of-home appointments
  - Friendly Visitor Program for shut-ins
  - Senior nutrition at senior cafes throughout the county
  - Health Express for hospital needs
  - Handy Person Program assist for home repairs
  - Information and referrals to other programs serving disabled and senior residents
- F2. Seniors First contracts for funding with the California Area 4 Agency on Aging and other Community Foundations. They also solicit donations and hold fundraisers. A majority of their services are offered free of charge to the citizens they serve. This population consists primarily of persons who are disabled, or seniors in need. Many are shut-ins without other family in the area or families unable to provide for their needs. These clients have little political advocacy or presence in the county.
- F3. Seniors First relocated from their offices at the DeWitt Center due to the cancellation of their lease. In absorbing the costs of the relocation, they have \$29,000 less to spend serving seniors, including the disabled and shut-ins. Additionally, their monthly rental payments have increased from \$708.92 to \$1,129.80 a month at their new location.
- F4. The reclassification of the DeWitt Center Enterprise funds to the PCGC-ISF does not obviate the recommendation of the 2013-2014 Grand Jury that these funds might be used to offset the costs of relocation for Seniors First.
- F5. Placer County Officials indicated that the revenues from the DeWitt Government Center are dedicated exclusively to the county government offices. All income derived from external leases on the DeWitt Government Center Campus (Home Depot, as an example) are earmarked for DeWitt Government Center growth, maintenance, and building needs.

F6. The Grand Jury views county government and the Board of Supervisors as stewards of the DeWitt Government Center for the people of Placer County. The income earned through management of that asset may be used in any manner at their discretion.

**Recommendations**

The Grand Jury recommends that:

- R1. Income generated by the DeWitt Government Center be considered to be available to the people of Placer County and not just dedicated to DeWitt Government Center needs.
- R2. Placer County considers reimbursing Seniors First for their out-of pocket costs (\$29,000) expended in their forced relocation.

**Responses**

**Recommendations  
Requiring Response**

**Ms. Mary Dietrich**  
Placer County Director of Facility Services

**R1, R2**

**Placer County Board of Supervisors**

**R1, R2**



**COUNTY OF PLACER  
DEPARTMENT OF  
PUBLIC WORKS AND FACILITIES**

Phone 530-886-4900 Fax 530-889-6809  
www.placer.ca.gov

**KEN GREHM, DIRECTOR  
PETER KRAATZ, ASSISTANT DIRECTOR  
VALERIE BAYNE, ADMIN. SVS. MANAGER  
BOB COSTA, DEPUTY DIRECTOR  
MARK RIDEOUT, DEPUTY DIRECTOR  
BILL ZIMMERMAN, DEPUTY DIRECTOR**

August 31, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**Re: 2014-15 Grand Jury Final Report – *Transfer of Dewitt Center Enterprise Funds and Its Impact on Citizens***

Dear Judge Nichols,

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled *Transfer of Dewitt Center Enterprise Funds and Its Impact on Citizens*. The Placer County Board of Supervisors and County Executive Officer would like to thank the members of the 2014-15 Grand Jury for their efforts.

**FINDINGS OF THE GRAND JURY**

- F1 Seniors First provides Placer County senior and disabled citizens with the following services at no or reduced costs for the following services:**
- **Assisted Living Placement**
  - **Door-to Door Rides for shut-in citizens for medical/dental appointments, food shopping, and other out-of-home appointments**
  - **Friendly Visitor Program for shut-ins**
  - **Senior nutrition at senior cafes throughout the county**
  - **Health Express for hospital needs**
  - **Handy Person Program assist for home repairs**
  - **Information and referrals to other programs serving disabled and senior residents**

Facility Services' Response: The Department agrees with this Finding.

- F2 Seniors First contracts for funding with the California Area 4 Agency on Aging and other Community Foundations. They also solicit donations and hold fundraisers. A majority of their services are offered free of charge to the citizens they serve. This population consists primarily of persons who are disabled, or seniors in need. Many are shut-ins without other family in the area or families unable to provide for their needs. These clients have little political advocacy or presence in the county.**

Facility Services' Response: The Department agrees with this Finding.

11476 C Avenue, Auburn, CA 95603  
Entrance at 2855 2<sup>nd</sup> Street

Administration – Building Maintenance – Capital Improvements – Museums – Parks  
Property Management – Environmental Engineering – Utilities

- F3 Seniors First relocated from their offices at the DeWitt Center due to the cancellation of their lease. In absorbing the costs of the relocation, they have \$29,000 less to spend serving seniors, including the disabled and shut-ins. Additionally, their monthly rental payments have increased from \$708.92 to \$1,129.80 a month at their new location.**

Facility Services' Response: The Department partially agrees with this Finding. The initial term of Seniors First's lease, from January 1, 2012 through December 31, 2014, was not cancelled. On May 21, 2014, the County notified Seniors First that the County would not consent to Seniors First's exercising its 1-year option, as provided for in Seniors First's lease. Based on this information, Seniors First elected to terminate their initial term in mid-September to allow for their move to its new location. As with other tenants, the County waived Seniors First's last month rent.

- F4 The reclassification of the DeWitt Center Enterprise funds to the PCGC-ISF does not obviate the recommendation of the 2013-2014 Grand Jury that these funds might be used to offset the costs of relocation for Seniors First.**

Facility Services' Response: The Department agrees with this Finding.

- F5 Placer County Officials indicated that the revenues from the DeWitt Government Center are dedicated exclusively to the county government offices. All income derived from external leases on the DeWitt Government Center Campus (Home Depot, as an example) are earmarked for DeWitt Government Center Growth, maintenance, and building needs.**

Facility Services' Response: The Department partially agrees with this Finding. As a point of clarification, as an internal service fund, revenues from the DeWitt Government Center would typically, be dedicated to offsetting current and future expenses on the Government Center Property.

#### **RECOMMENDATIONS OF THE GRAND JURY**

- R1 Income generated by the DeWitt Government Center be considered to be available to the people of Placer County and not just dedicated to DeWitt Government Center needs.**

Facility Services' Response: The Department partially disagrees with this Recommendation. Income generated by leases at the Government Center are public funds available for allocation by the Board of Supervisors through the budgeting process. The County set up an internal service fund to better track costs and revenues associated with the Government Center property. The intent is to provide better transparency and accountability on the costs of the Government Center. The Board of Supervisors has historically had separate programs (such as revenue sharing) that have supported non-profit organizations.

- R2 Placer County considers reimbursing Seniors First for their out-of pocket costs (\$29,000) expended in their forced relocation.**

Facility Services' Response: The Department disagrees with this Recommendation although the Department considered this at expiration of the lease. The Department disagrees with reimbursing a tenant for relocation costs after the expiration of a lease. A request can be made of the Board of Supervisors to provide funding to a non-profit organization including Seniors First.

Sincerely,

A handwritten signature in cursive script that reads "Ken Grehm". The signature is written in black ink and is positioned above a horizontal line.

Ken Grehm  
Director of Public Works and Facilities

cc: Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Carden, Placer County Counsel

# County of Placer Board of Supervisors

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District 4

JENNIFER MONTGOMERY  
District 5



September 15, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**Re: 2014-15 Grand Jury Final Report – *Transfer of DeWitt Center Enterprise Funds and Impact on Citizens***

Dear Judge Nichols,

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled *Transfer of DeWitt Center Enterprise Funds and Impact on Citizens*. The Placer County Board of Supervisors would like to thank the members of the 2014-15 Grand Jury for their efforts.

**Findings of the Grand Jury**

The Board of Supervisors agree with findings numbered F1, F2, and F4.

*(F3) Seniors First relocated from their offices at the DeWitt Center due to the cancellation of their lease. In absorbing the costs of the relocation, they have \$29,000 less to spend serving seniors, including the disabled and shut-ins. Additionally, their monthly rental payments have increased from \$708.92 to \$1,129.80 a month at their new location.*

**Board of Supervisors Response:** The Board of Supervisors partially disagrees with this Finding. The initial term of Seniors First's lease, from January 1, 2012 through December 31, 2014, was not cancelled. On May 21, 2014, the County notified Seniors First that the County would not consent to Seniors First exercising its 1-year option, as provided for in their lease. Based on this information, Seniors First elected to terminate their initial term in mid-September to allow for their move to its new location. As with other tenants, the County waived Seniors First's last month rent.

*(F5) Placer County Officials indicated that the revenues from the DeWitt Government Center are dedicated exclusively to the county government offices. All income derived from external leases on the DeWitt Government Center Campus (Home Depot, as an example) are earmarked for DeWitt Government Center Growth, maintenance, and building needs.*

**Board of Supervisors Response:** The Board of Supervisors partially disagrees with this Finding. As a point of clarification, as an internal service fund, revenues from the DeWitt Government Center would typically be dedicated to offsetting current and future expenses on the Government Center Property.

E-mail: [bos@placer.ca.gov](mailto:bos@placer.ca.gov) — Web: [www.placer.ca.gov/bos](http://www.placer.ca.gov/bos)

**Recommendations of the Grand Jury**

*(R1) Income generated by the DeWitt Government Center be considered to be available to the people of Placer County and not just dedicated to DeWitt Government Center needs.*

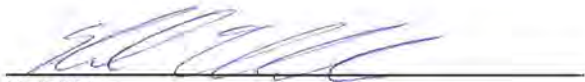
**Board of Supervisors Response:** Recommendation 1 requires further analysis through its annual budget process. Income generated by leases at the Government Center are public funds available for allocation by the Board of Supervisors through the budgeting process. The County set up an internal service fund to better track costs and revenues associated with the Government Center property. The intent is to provide better transparency and accountability on the costs of the Government Center. The Board of Supervisors has historically had various programs (such as revenue sharing) that have supported non-profit organizations.

*(R2) Placer County considers reimbursing Seniors First for their out-of pocket costs (\$29,000) expended in their forced relocation.*

**Board of Supervisors Response:** Recommendation 2 requires further analysis. The County does not reimburse a tenant for relocation costs after the expiration of a lease. However, a formal request can be made of the Board of Supervisors to provide funding to a non-profit organization including Seniors First.

Sincerely,

COUNTY OF PLACER



Kirk Uhler,  
Chairman, Placer County Board of Supervisors

cc: David Boesch, CEO  
Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Carden, Placer County Counsel

***Auburn Police Department and Holding Facility  
Annual Inspection***

**Findings**

The Grand Jury found that:

- F1. The interview room known as the “soft room”, while having a comfortable appearance, was uncomfortably chilly.
- F2. On the day of the inspection, cleanliness issues were noted that included fecal matter on the toilet seat in the men’s lobby restroom.
- F3. Notable stains and scratches on the door trim in the hallway were observed.
- F4. On the day of the inspection, what appeared to be blood stains were noted on the exterior stairway entrance/exit to the building. The jurors also observed bodily fluids on the exterior stairway entrance/exit to the building.
- F5. The lack of an epi-pen and defibrillator puts the detainees at risk in case of a medical emergency.

**Recommendations**

The Grand Jury recommends that:

- R1. Funds be allocated for the purchase of at least one epi-pen and defibrillator for the premises, including the training of personnel.
- R2. The APD monitor the temperature in the “soft room” to ensure comfort during interviews.
- R3. The APD monitor the public restrooms to alleviate health hazards.
- R4. A fresh coat of paint be applied over stains and scratches on the door trim in the hallway.
- R5. Staff more closely monitor cleanliness of the exterior stairway entrance/exit to the building.

**Responses**

**Mr. John Ruffcorn**  
Police Chief, City of Auburn

**Recommendations  
Requiring Response**  
**R1 – R5**

# AUBURN POLICE DEPARTMENT

**JOHN F. RUFFCORN**

Chief of Police  
1215 Lincoln Way  
Auburn, California 95603  
Phone (530) 823-4237 ext. 201  
Fax (530) 823-4224



INFO/NON-EMERGENCY 823-4234  
INVESTIGATIONS 823-4237 EXT. 221  
OPERATIONS DIVISION 823-4237 EXT. 203  
RECORDS 823-4237 EXT. 218

Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

**RECEIVED**

SEP 21 2015

**PLACER COUNTY  
GRAND JURY**

**Re: 2013-2014 Placer County Grand Jury Report-Auburn Police Department  
Holding Area**

Dear Placer County Grand Jury,

I would like to thank you for your continued efforts with the annual inspections of the Auburn Police Department, and I am pleased to submit my response to their final report. I would also like to apologize for the delayed response. I have carefully reviewed the findings and recommendations and I am pleased to provide you with the following response:

**FINDINGS**

I **agree** with the following findings of the Placer County Grand Jury in regards to the holding facility and building condition:

- F1) The soft interview room does have heating/air system nuances and is not the best design for that room.
- F2) I did not notice, but I am sure there could have been fecal matter on the toilet seat in the men's lobby restroom.
- F3) There were stains and scratches on the door trim in the hallway.
- F5) We do lack epi-pen and defibrillators in our facility.

I **disagree** with the following finding:

- F4) I do not think there was blood stains on the exterior stairway entrance/exit of the building. I also disagree that there were bodily fluids on the exterior entrance/exit to the building.

***PROTECTION - SERVICE - CONCERN***

The Auburn Police Department is committed to serving and supporting our community through education, crime prevention, transparency, and mentoring. We realize that our success is directly related to a collaborated effort with our entire community.

## RECOMMENDATIONS

R1)The City of Auburn has recently changed our Municipal Code and our business model to combine the administration functions of the police department and the fire department. With this in mind, we are researching methods to possibly incorporate some of the medical training and medical responses into the police department job description.

Response 1) Medical training is something public safety has to take seriously to meet the needs of the community that we serve. We are currently researching potential service delivery changes that will create potential efficiencies that will provide all of our officers a higher level of emergency medical service training.

R2)The Department will continue to arrange for repair of the heating/air system in the soft interview room as soon as possible, and ensure the environmental conditions throughout the facility are adequately controlled and regulated.

Response 2) The Auburn Police Department is housed in an older building. We continue to fix the building as needed, but like any older structure, it is constantly being worked on. With limited space in our building, we think we are maximizing our usage of the building configuration.

R3)The Department will monitor the public restroom to alleviate health hazards.

Response 3) The Department contracts with a cleaning service that provides service twice a week. Our public restrooms are included in the cleaning schedule, but they are open to the public and we do let all of the public use them during regular business hours.

R4)The Department will apply paint over stains and scratches on the door trim in the hallway.

Response 4) The City of Auburn does have a Capital Facilities Plan that encompasses all of its facilities, to include the police department. During the recession, the city did not have the funds to spend on several projects, but they did maintain all of their facilities. Now, as the economy continues to move forward, the city is dedicated to improving all of our facilities as the budget allows, to include cosmetic work.

R5)Staff will continue to monitor the cleanliness of the exterior stairway entrance/exit to the building.

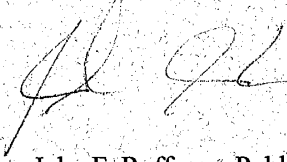
Response 5) As previously stated, I **disagree** that there were bloodstains and bodily fluids on our entrance/exit stairwell. These stairs are our front and are used by the public. I researched our lobby activity that day and our calls for service and none of them would lead me to believe that what was observed was blood or bodily fluids. However, we will continue to monitor our facility and clean when necessary.

### ***PROTECTION - SERVICE - CONCERN***

The Auburn Police Department is committed to serving and supporting our community through education, crime prevention, transparency, and mentoring. We realize that our success is directly related to a collaborated effort with our entire community.

---

I again would like to thank the 2014-2015 Placer County Grand Jury for its report on the annual inspection of the Auburn Police Department and the opportunity to respond to the findings and recommendations. If you have any feedback or additional questions, I would be more than happy to talk with you or respond through a written correspondence.  
Sincerely,



John F. Ruffcorn, Public Safety Director  
City of Auburn

cc: Mr. Tim Rundel, City Manager, City of Auburn

***PROTECTION - SERVICE - CONCERN***

The Auburn Police Department is committed to serving and supporting our community through education, crime prevention, transparency, and mentoring. We realize that our success is directly related to a collaborated effort with our entire community.

---

***Placer County Jails and Holding  
Facilities: A Consolidated Report  
Annual Inspections***

**Findings**

The Grand Jury found that:

- F1. In general, all six Placer County jails and holding facilities are clean, well-maintained, and well-managed. It is clear that all staff is proud of the facilities.
- F2. The Burton Creek Substation Jail/Holding Facility is functional and well-coordinated, especially, considering its age.
- F3. The South Placer Main Jail and the Auburn Main Jail are the most impacted by AB109, which creates overcrowding, as discussed in the Summary section. Long-term rehabilitation and extended medical services are now more vital for those with longer sentences. County facilities were not built to accommodate this AB109 mandate.
- F4. Proposition 47 places a burden on the correctional system because of the sudden surge in petitions for inmates to have their classifications and sentences reduced. Future plans to build a second minimum-security facility on the South Placer property may help alleviate the increase in population of those with lesser sentences, but this is just a small step toward a more permanent solution.

**Recommendations**

The Grand Jury recommends that:

**Auburn Historic Courthouse Recommendations:**

- R1. Obscure the glass in Dept. 1, so inmates cannot see into the judge's office area.
- R2. Train and supply staff with epi-pens in case of emergency (bee stings, mosquito bites, food allergies, etc.)
- R3. Install security cameras in the back parking lot (a recurring Grand Jury recommendation from the 2013-2014 Grand Jury Report).
- R4. Adjust the sensitivity of the metal detector in the lobby, so it is not triggered by the movement of the elevator.
- R5. Install bars on the window in the stairwell that the inmates utilize.
- R6. Improve the emergency public announcement (PA) system, so it is site-wide.

**Burton Creek Recommendations:**

- R7. Increase the security of the sally port and lock up the flares stored there.
- R8. Train and supply staff with epi-pens, in case of emergency.
- R9. Repair the heating system.
- R10. Increase the security of the storage of evidence.
- R11. Implement changes to make the facility more ADA-compliant.

**South Placer Main Jail Recommendations:**

- R12. Assign responsibility for the cracks in the concrete flooring and repair them.

**South Placer Minimum Security Facility Recommendations:**

- R13. Provide more opportunity for work hours for the female inmates.

**Auburn Main Jail Recommendations:**

- R14. Repair the numerous, on-going ceiling water leak problems inside the facility.

**Responses**

**Mr. Edward Bonner**  
Placer County Sheriff-Coroner-Marshal

**Mr. David Boesch**  
Placer County CEO

**Recommendations**  
**Requiring Response**

R1 – R14

R1 – R14



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

August 13, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**RECEIVED**

AUG 24 2015

**PLACER COUNTY  
GRAND JURY**

**Re: Response to the 2014-15 Grand Jury Final Report – Placer County Jails and Holding Facilities: A Consolidated Report**

Dear Judge Nichols:

After careful review of the findings and recommendations of the Placer County Grand Jury, I am pleased to submit the following responses to the 2014-15 Grand Jury Final Report – Placer County Jails and Holding Facilities: A Consolidated Report.

**FINDINGS**

I agree with the findings, numbered F1, F2, F3 & F4.

- **F1.** In general, all six Placer County jails and holding facilities are clean, well-maintained, and well-managed. It is clear that all staff is proud of the facilities.
- **F2.** The Burton Creek Substation Jail/Holding Facility is functional and well-coordinated, especially considering its age.
- **F3.** The South Placer Main Jail and the Auburn Main Jail are the most impacted by AB109, which creates overcrowding, as discussed in the Summary section. Long-term rehabilitation and extended medical services are now more vital for those with longer sentences. County facilities were not built to accommodate this AB109 mandate.
- **F4.** Proposition 47 places a burden on the correctional system because of the sudden surge in petitions for inmates to have their classifications and sentences reduced. Future plans to build a second minimum-security facility on the South Placer property may help alleviate the increase in population of those with lesser sentences, but this is just a small step toward a more permanent solution.

**RECOMMENDATIONS**

**Auburn Historic Courthouse Recommendations:**

- **R1.** Obscure the glass in Department 1 so inmates cannot see into the judge's office area.

**Response:** Recommendation R1 will not be implemented because it is not warranted. The glass in Department 1 leading into the Judge's chambers is already obscured and matches all other privacy glass in the Historic Courthouse.

- **R2.** Train and supply staff with epi-pens in case of emergency (bee stings, mosquito bites, food allergies, etc.).

**Response:** Recommendation R2 will not be implemented because it is not reasonable. An epi-pen is a means of medical intervention with prescribed, injectable medication. It should not be administered without a prescription from a medical professional. In the event of a medical emergency at the Historic Courthouse, we would call for EMS services from the Fire Department only one block away from the Courthouse.

- **R3.** Install security cameras in the back parking lot (a recurring Grand Jury recommendation from the 2013-2014 Grand Jury Report).

**Response:** Recommendation R3 will require further analysis. The Sheriff's Office defers to the Administrative Office of the Courts (AOC) for further analysis on this issue, as they are responsible for the facility. The Sheriff's Office will again advise the AOC of the Grand Jury's recommendation.

- **R4.** Adjust the sensitivity of the metal detector in the lobby so it is not triggered by the movement of the elevator.

**Response:** Recommendation R5 will not be implemented because it is not warranted. The facility is a historic building and presents irregularities. At times, the magnetometer sensors can pick up the various movements in the building. Although the magnetometer can be calibrated to be less sensitive, I do not advise this in the interest of public safety.

- **R5.** Install bars on the window in the stairwell that the inmates utilize.

**Response:** Recommendation R5 will not be implemented because it is not warranted. There are bars on the windows of the stairwell of the Historic Courthouse. There is one small corner of a second story window that is not barred; however, it has been evaluated and is not a safety concern.

- **R6.** Improve the emergency public announcement (PA) system, so it is site-wide.

**Response:** Recommendation R6 will require further analysis. The Sheriff's Office defers to the Administrative Office of the Courts (AOC) for further analysis on this issue, as they are responsible for the facility. The Sheriff's Office will advise the AOC of the Grand Jury's recommendation.

#### **Burton Creek Recommendations:**

- **R7.** Increase the security of the sally port and lock up the flares stored there.

**Response:** Recommendation R7 has been implemented. The sally port area at the Burton Creek facility sits adjacent to the Sheriff's vehicle maintenance bay. Although the sally port area is under the direct supervision of a jail deputy during inmate movement, maintenance items left unsecured can be a safety concern. The flares and other equipment have been secured and will not be left in the sally port area.

- **R8.** Train and supply staff with epi-pens in case of emergency.

**Response:** Recommendation R7 will not be implemented because it is not reasonable. An epi-pen is a means of medical intervention with prescribed, injectable medication. If an inmate in our custody carried such a device, it would be included in the inmate's property. In the event of a medical reaction, we would retrieve the prescribed epi-pen to allow the inmate to self-deploy. Unfortunately, the Burton Creek facility does not utilize CFMG, our inmate medical provider, on-site. In the event of a medical emergency, we would call for EMS services from North Lake Tahoe Fire.

- **R9.** Repair the heating system.

**Response:** Recommendation R9 has been implemented. At the time of the Grand Jury's inspection, the facility's heater was not operating. The problem was identified and corrected.

- **R10.** Increase the security of the storage of evidence.

**Response:** Recommendation R10 has not yet been implemented, but will be implemented in the future. Our evidence procedures at the North Lake Tahoe Station have been an evolution of practice and procedure over time. We are currently in the process of upgrading locks and related equipment to our evidence unit, and expect the upgrades to be completed by September 2015. Due to the physical design and age of the Burton Creek facility, as well as the climate conditions experienced in the Tahoe Basin, long-term storage of evidence is transferred to the Auburn Justice Center. To be clear, the storage of evidence is not a function of the Burton Creek jail facility.

- **R11.** Implement changes to make the facility more ADA-compliant.

**Response:** Recommendation R11 will require further analysis. The Sheriff's Office defers to the AOC, the Placer County Board of Supervisors, and the County Executive Officer to pursue the most feasible option to either implement changes to the current Burton Creek facility, or the option of a new Sheriff's Station in North Lake Tahoe. Either option would be driven by other capital improvement priorities within the County.

**South Placer Main Jail Recommendation:**

- **R12.** Assign responsibility for the cracks in the concrete flooring and repair them.

**Response:** Recommendation R12 has been implemented in part. The location of the cracks in the concrete flooring is in the kitchen of the South Placer Jail. The Probation Department is assigned responsibility for this area. They are currently evaluating several issues with the kitchen floors and plan to resurface the floors in the near future.

**South Placer Minimum Security Facility Recommendation:**

- **R13.** Provide more opportunity for work hours for the female inmates.

**Response:** Recommendation R13 has been implemented. We have added weekend shifts in the kitchen specifically for the female workers. The laundry schedule has been modified to create additional shifts and more work opportunities for female inmates.

**Auburn Main Jail Recommendation:**

- **R14.** Repair the numerous, on-going ceiling water leak problems inside the facility.

**Response:** Recommendation R14 has been implemented. The entire roof of the Auburn Mail Jail was resurfaced approximately six years ago. Since that time, the building has had random leaks that present during extremely inclement weather. We have upgraded our maintenance reporting process with an online system. The Jail's Operations Sergeant works directly with our maintenance vendor to address any issues that arise. The process is working very well for us at this time.

I wish to thank the members of the 2014-15 Placer County Grand Jury for their dedication to the community, and for their work during the past year.

Sincerely,



Edward N. Bonner  
Sheriff-Coroner-Marshal

- c: Board of Supervisors  
David Boesch, Placer County Executive Officer  
Gerald O. Carden, Placer County Counsel  
Sharon Stanners, Foreperson of the Placer County Grand Jury ✓



## 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

David Boesch, County Executive Officer

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

September 15, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**Re: 2014-15 Grand Jury Final Report – Placer County Jails and Holding Facilities: A Consolidated Report**

Dear Judge Nichols,

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled *Placer County Jails and Holding Facilities: A Consolidated Report*. The Placer County Executive would like to thank the members of the 2014-15 Grand Jury for their efforts associated with the examination of the County's holding facilities.

**Findings of the Grand Jury**

I agree with the findings numbered F1, F2, F3, and F4.

**Recommendations of the Grand Jury**

Recommendations numbered R7, R9, R12, R13, R14 have been implemented.

*(R7) Increase the security of the sally port and lock up the flares stored [at the Burton Creek facility].*

**County Executive Response:** Recommendation 7 has been implemented. Flares and other equipment have been secured and will not be left in the sally port area.

*(R9) Repair the heating system.*

**County Executive Response:** Recommendation 9 has been implemented. The facility's heater has since been repaired.

*(R12) Assign responsibility for the cracks in the concrete flooring and repair them.*

**County Executive Response:** Recommendation 12 has partially implemented. The cracks are located in the kitchen and part of the food services, which is a Probation Department function. Probation is currently addressing issues with the kitchen floors with resurfacing as part of the project.

*(R13) Provide more opportunity for work hours for the female inmates.*

**County Executive Response:** Recommendation 13 has been implemented. The Sheriff has worked with Probation to add weekend shifts in the kitchen, which includes additional hours for female inmates. The Sheriff has also modified the laundry schedule with additional shifts and work opportunities for female inmates.

*(R14) Repair the numerous, on-going ceiling water leak problems inside the [Auburn Jail].*

**County Executive Response:** Recommendation 14 has been implemented. Leaks are known to occur during extreme rain. The Sheriff works with their maintenance contractor to resolve these issues in a timely manner as they occur.

*(R10) Increase the security of the storage of evidence [at Burton Creek].*

**County Executive Response:** Recommendation 10 has not yet been implemented, but will be implemented in the future. The Sheriff is in the process of upgrading evidence security and is included in the FY 2015-16 budget. Projected completion is September 2015. For clarification purposes, evidence obtained from the Tahoe area may be initially stored at the Burton Creek facility. However, evidence is then transferred to the Auburn Justice Center for long-term storage.

Recommendations numbered R3, R5, R6, and R11 require further analysis.

*(R3) Install security cameras in the back parking lot (a recurring Grand Jury recommendation from the 2013-2014 Grand Jury Report).*

**County Executive Response:** The County Executive Office is unable to respond as the Administrative Office of the Courts (AOC) is responsible for the facility. It is understood that the Sheriff's Office has advised the AOC of the Grand Jury's recommendation.

*(R5) Install bars on the window in the stairwell that the inmates utilize.*

**County Executive Response:** The County Executive Office is unable to fully respond as the Administrative Office of the Courts (AOC) is responsible for the facility.

*(R6) Improve the emergency public announcement (PA) system, so it is site-wide.*

**County Executive Response:** The County Executive Office is unable to respond as the Administrative Office of the Courts (AOC) is responsible for the facility. It is understood that the Sheriff's Office has advised the AOC of the Grand Jury's recommendation.

*(R11) Implement changes to make the facility more ADA-compliant.*

**County Executive Response:** The County Executive Office is unable to respond as the Administrative Office of the Courts (AOC) is responsible for the facility. It is understood that the Sheriff's Office has advised the AOC of the Grand Jury's recommendation.

Recommendations numbered R1, R2, R4, and R8 will not be implemented because they are not warranted or are not reasonable.

*(R1) Obscure the glass in Department 1 so inmates cannot see into the judge's office area.*

**County Executive Response:** The County Executive Office is unable to fully respond as the Administrative Office of the Courts (AOC) is responsible for the facility. However, it is understood that the glass in Department 1 leading into the Judge's chambers is already obscured.

*(R2) Train and supply staff with epi-pens in case of emergency (bee stings, mosquito bites, food allergies, etc.) [at the Historic Courthouse].*

**County Executive Response:** Recommendation 2 will not be implemented because it is not reasonable. An epi-pen should not be administered without a prescription from a medical professional.

*(R4) Adjust the sensitivity of the metal detector in the lobby so it is not triggered by the movement of the elevator.*

**County Executive Response:** Recommendation 5 will not be implemented because it is not warranted. This recommendation would reduce the sensitivity of the metal detector, and may reduce the effectiveness of security screening.

*(R8) Train and supply staff with epi-pens in case of emergency [at the Burton Creek facility].*

**County Executive Response:** Recommendation 8 will not be implemented because it is not reasonable. An epi-pen should not be administered without a prescription from a medical professional.

Sincerely,

COUNTY OF PLACER



David Boesch  
Placer County Executive Officer

cc: Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Carden, Placer County Counsel

***Placer County Juvenile Detention Facility  
Annual Inspection***

**Findings**

The Grand Jury found that:

- F1. The JDF was clean and well maintained.
- F2. The design of the outdoor grass area at the JDF facility is inherently flawed.
- F3. The JDF Staff exhibited a good rapport with the detainees. They have implemented a merit/point system and their focus is preparing the detainees for release with a view to minimizing the recidivism rate.
- F4. The JDF Staff appear to run a good program for detainees who are there for a short time (i.e., days to weeks). However, certain aspects of the program, namely the repetition of class offerings and limited access to the grass field could be detrimental to detainees held for a longer period of time (i.e., months to years).
- F5. The JDF Staff stated that serving food in the dayroom rather than the cafeteria saves time, and limits security risks caused by traveling back and forth. This procedure also allows detainees more time to eat in a more relaxed atmosphere.

**Recommendations**

The Grand Jury recommends that:

- R1. Seek funding from the Placer County Executive office to address the fencing security and staffing issues relating to the use of the grassy outdoor area.
- R2. Provide additional behavior and social development classes for detainees who have already taken the basic courses.

**Responses**

**Recommendations  
Requiring Response**

**Mr. Marshall Hopper**  
Chief Probation Officer

**R1, R2**

**Mr. David Boesch**  
Placer County CEO

**R1**

Marshall Hopper  
Chief Probation Officer

David McManus  
Assistant Chief Probation  
Officer

Auburn Justice Center  
2929 Richardson Drive, Suite B  
Auburn CA 95603  
(530) 889-7900  
(530) 889-7950 (Fax)



Santucci Justice Center  
10810 Justice Center Dr. Suite 170  
Roseville CA 95678  
(916) 543-7400  
(916) 543-7472 (fax)

Juvenile Detention Facility  
11260 "B" Avenue  
Auburn CA 95603  
(530) 886-4850  
(530) 886-4588 (fax)

## COUNTY OF PLACER

## PROBATION DEPARTMENT

August 31, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**RECEIVED**

SEP 03 2015

**PLACER COUNTY  
GRAND JURY**

**Re: 2014-15 Grand Jury Final Report – Annual Inspection of the Juvenile Detention Facility**

Dear Judge Nichols,

I would like to thank the 2014-2015 Grand Jury for their continued efforts with the annual inspection of the Placer County Juvenile Detention Facility (JDF). I have thoroughly reviewed the final report, findings and recommendations of the Grand Jury and have submitted my response below.

### Findings of the Grand Jury

I agree with the following findings, numbered F1, F3 and F5:

- F1. The JDF was clean and well maintained.
- F3. The JDF Staff exhibited a good rapport with the detainees. They have implemented merit/point system and their focus is preparing the detainees for release with a view to minimizing the recidivism rate.
- F5. The JDF Staff stated that serving food in the dayroom rather than the cafeteria saves time, and limits security risks caused by traveling back and forth. This procedure also allows detainees more time to eat in a more relaxed atmosphere.

I partially disagree with the following findings, numbered F2 and F4:

- F2. The design of the outdoor grass area at the JDF facility is inherently flawed. The design of this facility was based on meeting the maximum potential occupancy needs, along with an ability to grow in the future. Original plans to address future growth have been revised based on the declining facility population over the last decade. The outdoor grass area at the JDF has been reduced and we are currently in the process of restructuring the outdoor space with a smaller grass area, which will increase the use of the area while enhancing institutional security.

- F4. The JDF Staff appear to run a good program for detainees who are there for a short time (i.e., days to weeks). However, certain aspects of the program, namely the repetition of class offerings and limited access to the grass field could be detrimental to detainees held for a longer period of time (i.e., months to years). I agree that staff provide good evidence-based programming to youth in our care and custody. Unfortunately, on occasion, youth are held in the JDF for longer periods of time in order for them to be held accountable through adult court. These types of cases often involve very serious crimes resulting in the assignment to our maximum security unit in order to properly supervise these individuals while maintaining the safety and security of the institution. In the event a youth is detained for an extended period of time, every effort is made to ensure the continued education and success of the youth through academic study and evidence-based programming. In addition to participation in evidence-based programming such as Forward Thinking, PBIS, and Teaching Prosocial skills, as part of the youth's Case Plan they can be assessed for the JDF work program, can help set up and teach classes to peers, and can even act as a peer mentor, when appropriate. In addition, the Placer County Re-Entry Program (PREP) can be considered as part of their long term community transition plan upon release, if appropriate. In regards to the outdoor grass area, Title 15 and 24 of the California Code of Regulations dictate the type and minimum size of recreation spaces and minimum time periods that youth are allowed to access those recreation areas. The Placer County JDF exceeds the minimum size requirements and typically exceeds the minimum required access time for outdoor recreation. The covered, all weather "Sports Court" referred to in the Grand Jury Report is considered to be an outdoor recreation area by the Board of State and Community Corrections. In addition, the maximum security unit has a secure open outdoor recreation area directly connected to the unit.

#### **Recommendations of the Grand Jury**

- R1 Seek funding from the Placer County Executive office to address the fencing security and staffing issues relating to the use of the grassy outdoor area.
- R2 Provide additional behavior and social development classes for detainees who have already taken the basic courses.

#### **Response:**

Recommendation R1 will be implemented without a need to increase JDF staffing. A time line has been established, with completion expected on October 31, 2015.

- The large grass outdoor recreation area has not been regularly utilized for the reasons outlined in the Grand Jury Report. The Probation Department is working with other County agencies to remedy this by reconfiguring the dimensions and location of the grass field. The reduced configuration and realignment of fencing will provide for a higher level of security and less public access around the fence perimeter. The new configuration addresses the security concerns without the need to enhance staffing while exceeding Title 24 minimum size requirements by approximately 46%.

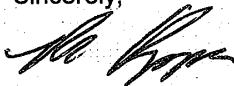
- The department is working with Facility Services, and the JDF fencing project has involved a coordinated effort with County agencies and the vendor completing the Placer County Animal Services Center. The project began in the spring of 2015. The JDF fencing project has been completed and the final phase includes the rehabilitation of the remaining existing field in conjunction with establishment of a new field. The timeline for completion of the JDF field project is October 31, 2015, though it will be completed as part of a larger development plan in coordination with the Animal Services Center project and as a result may be subject to change.

Recommendation R2 will require further analysis based on the individual criminogenic needs of each long term commitment.

- The length of stay for youth in our care and custody averaged 22 days in Fiscal Year 2014 – 2015. Our current evidence-based programming is designed to be administered over a period as short as one week, but may take as long as six months to complete. Current best practices dictate that youth be placed in positive environments conducive to their mental and emotional growth, usually with family members, as quickly as practical. While in our care and custody, we are to foster the needed growth. Youth are not typically detained in the JDF on a long term basis as a punitive measure. Youth ordered into our care and custody in excess of the six months happens only sporadically. These youth are typically minors facing very serious adult charges and if convicted, will enter our adult system or be sentenced to the California Department of Corrections and Rehabilitation (CDCR). The Department will continue to evaluate each long term commitment through individual assessments designed to identify the criminogenic needs of each minor and investigate cost effective evidence-based resources that might be available for long term commitments, youth pending adult court, or those pending a commitment to CDCR.

This addresses all of the required responses from the Probation Department. Again, I would like to express appreciation for the Grand Jury's steadfast effort in inspecting our Juvenile Detention Facility and we recognize the value the Grand Jury brings to the citizens of Placer County.

Sincerely,



Marshall Hopper  
Chief Probation Officer

cc: Sharon Stanners, Foreperson of Placer County Grand Jury  
Gerald O. Carden, Placer County Counsel  
Placer County Board of Supervisors  
David Boesch, County Executive Officer, Placer County



## COUNTY OF PLACER

### BOARD MEMBERS

JACK DURAN  
District 1

JIM HOLMES  
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ROBERT M. WEYGANDT  
District 2

KIRK UHLER  
District 4

JENNIFER MONTGOMERY  
District 5

## OFFICE OF COUNTY EXECUTIVE

David Boesch, County Executive Officer

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

September 15, 2015

The Honorable Colleen Nichols  
Presiding Judge of the Superior Court  
County of Placer  
P.O. Box 619072  
Roseville, CA 95661

**Re: 2014-15 Grand Jury Final Report – Placer County Juvenile Detention Facility – Annual Inspection**

Dear Judge Nichols,

This letter is in response to the 2014-15 Grand Jury's Findings & Recommendations from the report titled *Placer County Juvenile Detention Facility – Annual Inspection*. The Placer County Executive would like to thank the members of the 2014-15 Grand Jury for their efforts associated with the juvenile detention facility review.

**Findings of the Grand Jury**

The County Executive agrees with the findings numbered F1, F3, and F5.

*(F2) The design of the outdoor grass area at the JDF facility is inherently flawed.*

**County Executive Response:** The County Executive partially disagrees with this finding. The design of the juvenile detention center was originally predicated on the need to expand in the future. However, due to the declining juvenile population, these designs have been revised. The outdoor area has already been reduced and redirected to other County priorities. The Probation Department is currently in the process of restructuring the remaining smaller outdoor grass area.

*(F4) The JDF staff appear to run a good program for detainees who are there for a short time (i.e., days to weeks). However, certain aspects of the program, namely the repetition of class offerings and limited access to the grass field could be detrimental to detainees held for a longer period of time (i.e., months to years.)*

**County Executive Response:** The County Executive partially disagrees with this finding. The current programs available to the youth at the juvenile detention facility can be administered in periods ranging from one week to six months. In the rare circumstance that a youth is being detained for longer than six months is generally attributed to their awaiting the period when they can progress into the adult system. The Placer County Probation Department currently exceeds the requirements set forth by Title 15 and Title 24 of the California Code of Regulations in the size and availability of recreational space allotted to the youth at the facility.

**Recommendations of the Grand Jury**

*(R1) Seek funding from the Placer County Executive office to address the fencing security and staffing issues relating to the use of the grassy outdoor area.*

**County Executive Response:** This recommendation has not yet been implemented, but will be implemented in the future. Due to security concerns previously expressed, the large grassy area is not being regularly utilized by the Probation Department. A large portion of this area has been sectioned off to accommodate the building of the County's new animal shelter. The County is currently working to fence in the remaining outdoor recreation area to reduce the size, but still be in compliance with Title 24 requirements. The project began in the spring of 2015, and is estimated to be completed by October 2015.

*(R2) Provide additional behavior and social development classes for detainees who have already taken the basic courses.*

**County Executive Response:** This recommendation requires further analysis. The youth currently residing at the juvenile hall are in custody, on average, for less than a month's time. Programs currently administered at the juvenile hall accommodate juveniles that are in custody for up to six months. Youth who are detained for more than a six month period happen only sporadically, and are generally those who have been charged with serious crimes and are awaiting such time as they can be sentenced into the adult system. The County will work the Probation Department to look into additional programming options that may be available for youth in custody for longer periods of time.

The County Executive appreciates the work of the 2014-15 Placer County Grand Jury in their report regarding the Annual Inspection of the Juvenile Detention Facility.

Sincerely,

COUNTY OF PLACER

  
\_\_\_\_\_  
David Boesch  
Placer County Executive Officer

cc: Sharon Stanners, Foreperson of Placer County Grand Jury  
Marshall Hopper, Chief Probation Officer

***Rocklin City Jail  
Annual Inspection***

**Findings**

The Grand Jury found that:

- F1. The Rocklin Police Department is to be commended for its upkeep of its modern facility.
- F2. The RPD is also to be commended for its willingness to make this facility available to fire department personnel as well.

**Recommendations**

The Grand Jury has no recommendations at this time.

**Responses**

**None Required**

**Recommendations**

**Requiring Response**

***Roseville Police Department and Holding Facility  
Annual Inspection***

**Findings**

The Grand Jury found that:

- F1. There are maintenance issues at the secondary entrance.

**Recommendations**

The Grand Jury recommends that:

- F2. The Roseville Police Department conduct regular maintenance of the secondary entrance door area.

**Responses**

**Mr. Daniel Hahn**  
Chief of Police  
Roseville Police Department

**Roseville City Council**

**Recommendations  
Requiring Response**

**R1**

**R1**



**Roseville Police Department**

1051 Junction Blvd.  
Roseville, CA 95678

Daniel Hahn, Chief of Police

**RECEIVED**

Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

July 22, 2015

AUG 10 2015  
PLACER COUNTY  
GRAND JURY

**Re: 2014-2015 Placer County Grand Jury Report-Annual Inspection of the Roseville Police Department Jail and Holding Facility**

Dear Placer County Grand Jury,

I would like to thank you and the Placer County Grand Jury for your continued dedication to the citizens of Placer County. I am pleased to submit my response to the Grand Jury report.

**FINDINGS**

F1. I agree with Finding 1 that states: **There are maintenance issues at the secondary entrance.**

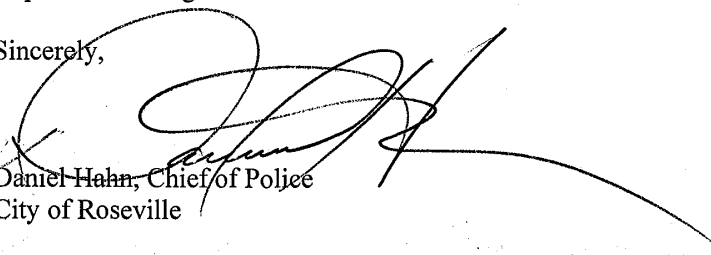
**RECOMMENDATIONS**

**R1. The Roseville Police Department conduct regular maintenance of the secondary entrance door area.**

Response 1. The Roseville Police Department correctional and custodial staff will insure, as part of their daily duties, the secondary entrance presents a clean and professional environment free from debris or unsanitary conditions.

I again would like to thank the 2014-2015 Placer County Grand Jury for its report and service to the City of Roseville. If there is any additional information I can provide, I would be happy to speak with you or respond in writing.

Sincerely,

  
Daniel Hahn, Chief of Police  
City of Roseville

**Response to Grand Jury Report Form**

**Report Title:** Roseville Police Department and Holding Facility Annual Inspection

**Report Date:** June 26, 2015

**Response By:** Carol Garcia

**Title:** Mayor – City of Roseville

**FINDINGS**

- I (we) agree with the findings, numbered: R1
- I (we) disagree wholly or partially with the findings, numbered: \_\_\_\_\_

R1. We agree with this recommendation. Roseville Police Department correctional and custodial staff will insure, as part of their daily duties, the secondary entrance presents a clean and professional environment free from debris or unsanitary conditions.

**RECOMMENDATIONS**

- Recommendations numbered R1 \_\_\_\_\_ have been implemented.
- Recommendations numbered \_\_\_\_\_ have not yet been implemented, but will be implemented in the future.

- Recommendations numbered \_\_\_\_\_ require further analysis:

None of the recommendations require further analysis.

- Recommendations numbered \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.

None of the recommendations will not be implemented because they are not warranted or are not reasonable.

**Date:** 8/19/15

**Signed:** Carol Garcia

**Number of Pages Attached:** \_\_\_\_\_



**Roseville Police Department**  
1051 Junction Blvd.  
Roseville, CA 95678  
Daniel Hahn, Chief of Police

**RECEIVED**

AUG 24 2015

**PLACER COUNTY  
GRAND JURY**

Placer County Grand Jury  
11532 B Avenue  
Auburn, CA 95603

July 22, 2015

**Re: 2014-2015 Placer County Grand Jury Report-Annual Inspection of the Roseville Police Department Jail and Holding Facility**

Dear Placer County Grand Jury,

I would like to thank you and the Placer County Grand Jury for your continued dedication to the citizens of Placer County. I am pleased to submit my response to the Grand Jury report.

**FINDINGS**

F1. I agree with Finding 1 that states: **There are maintenance issues at the secondary entrance.**

**RECOMMENDATIONS**

**R1. The Roseville Police Department conduct regular maintenance of the secondary entrance door area.**

Response 1. The Roseville Police Department correctional and custodial staff will insure, as part of their daily duties, the secondary entrance presents a clean and professional environment free from debris or unsanitary conditions.

I again would like to thank the 2014-2015 Placer County Grand Jury for its report and service to the City of Roseville. If there is any additional information I can provide, I would be happy to speak with you or respond in writing.

Sincerely,

Daniel Hahn, Chief of Police  
City of Roseville