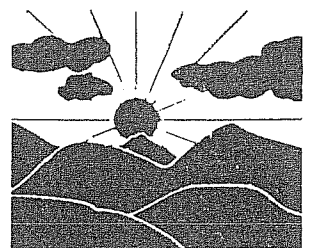
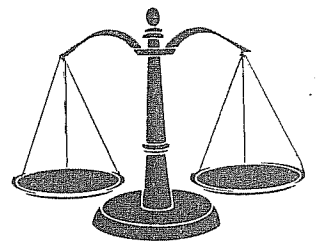
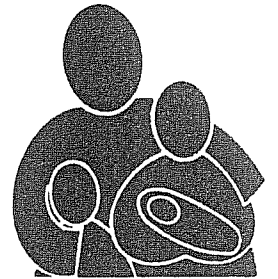
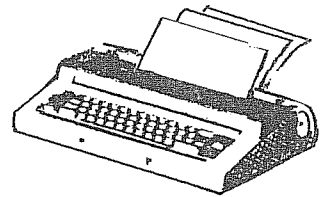
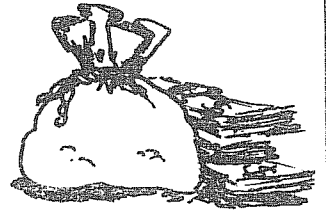


FORMAL FILE
GRAND JURY FINAL REPORTS
DO NOT REMOVE FROM THIS OFFICE
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SAN LUIS OBISPO COUNTY

GRAND JURY

1987-1988
FINAL REPORT
RESPONSES



1036.0112

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tues day September 20, 1988

PRESENT: Supervisors Jerry Diefenderfer, Evelyn Delany, James Johnson
Carl Hysen and Chairman William B. Coy

ABSENT: None

In the matter of response to the 1987-88 Final Grand Jury Report:

Consideration of response to the 1987-88 Grand Jury Final Report, is presented. Mr. Paul Hood, Administrative Office, outlines the Final Report by the 1987-88 Grand Jury; summarizes the recommendations of the Grand Jury; states that the Grand Jury did an excellent job and should be commended. Mr. Chuck Richmond, Foreman for the 1987-88 Grand Jury, thanks all the departments who worked with them and that they only have one problem with the response as it relates to Social Services and asks to have Mr. Jim Spence, who was on the committee who investigated this department speak. Mr. Jim Spence states that they had a real concern with regard to the Child Protective Services program and how it was operating; that the general feeling of the committee was that there was a general attitude by those persons involved that it would be business as usual with no change; that their recommendation included having the County Administrative Officer run this program directly. Supervisor Johnson questions Mr. Spence with Mr. Spence responding to their concerns that there needed to be one person running the whole show and that each agency involved had a little piece of that charge; further, to concerns to children being sent back into homes where they were in danger. Mr. Tim Ness, Acting County Administrative Officer, speaks to the Administrative Offices role in working with these agencies and the review that was done by the Task Force; further, addresses work that is being done on the 'long-term case management program' and the County Administrative Officers position in this. Matter is discussed and thereafter, on motion of Supervisor Diefenderfer, seconded by Supervisor Hysen and unanimously carried, the Board adopts the staff response of September 20, 1988 to the 1987-88 Grand Jury Final Report.

cc: Administration
Grand Jury
9/23/88 vms

STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.
FRANCIS M. COONEY

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____
September 23, 1988
day of _____, 1988

FRANCIS M. COONEY

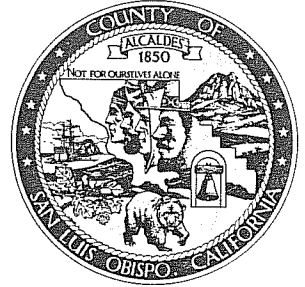
County Clerk and Ex-Officio Clerk of the Board
of Supervisors

By Vice M. Shelly
Deputy Clerk.

(SEAL)

County of San Luis Obispo

COUNTY GOVERNMENT CENTER ▪ SAN LUIS OBISPO, CALIFORNIA 93408 ▪ (805) 549-5011



OFFICE OF THE
COUNTY ADMINISTRATOR

TO: BOARD OF SUPERVISORS
FROM: TIM NESS, ^{TN}ACTING COUNTY ADMINISTRATOR
DATE: SEPTEMBER 20, 1988
SUBJECT: RESPONSE TO THE 1987-88 GRAND JURY FINAL REPORT

Summary

Attached for your Board's review and approval is the response to the 1987-88 Grand Jury Final Report. Section 933 of the Penal Code requires a response to the report within ninety days of its filing in Superior Court.

Recommendation

That your Board review the attached material, adopt it as the official response to the 1987-88 Grand Jury Report, and extend appreciation to the Grand Jury for the time and effort that they devoted to their recommendations.

Discussion

On June 30, 1988, the Grand Jury submitted its 1987-88 Final Report. Section 933 of the Penal Code requires a response to the report within ninety days. The attached responses were prepared only for recommendations that affect County Departments. Several of the Grand Jury's recommendations concern cities, special districts or the State of California. A County response is only required for those matters under the control of the Board of Supervisors.

In the attached response, each of the Grand Jury's recommendations is listed in the order it appears in the final report. Following each recommendation is a response from the appropriate county department and when necessary, Administrative Office comments. If there are no comments from the Administrative Office, this office concurs with the departmental response.

The Grand Jury's final report is organized into several special committee reports with specific recommendations to improve county government operations. There are 30 recommendations in the report, which includes three interim reports.

The 1987-88 Grand Jury devoted a great deal of time and effort to make positive recommendations designed to improve county government operations. Many of the recommendations made by the Grand Jury have been or will be implemented by county departments. Implementation of these recommendations serves not only to respond to the Grand Jury, but also to improve a portion of our County's operation. The jurors should be commended for their efforts and their work product.

Attachment

PLH/mm/gj

P-1
9/20/88

RESPONSE TO THE 1987-88 GRAND JURY REPORT

Administrative Committee Report

I. Administration of policies of the City of Pismo Beach - No County response required.

II. Contract for Professional Services

Recommendation:

1. THAT THE COUNTY ENGINEERING DEPARTMENT STRICTLY ADHERE TO ESTABLISHED POLICIES AND PROCEDURES AT ALL TIMES.
2. THAT THE COUNTY ENGINEERING DEPARTMENT REVIEW THE DOCUMENTATION OF ITS POLICIES AND PROCEDURES FOR CHOOSING FIRMS WHICH PROVIDE ENGINEERING SERVICES TO THE COUNTY TO ENSURE THAT THEY ARE CONSISTENT WITH CENTRAL SERVICES POLICY.

Engineering Department's Response:

An allegation of impropriety in the awarding of a professional service contract by the Engineering Department was investigated by the Grand Jury. During the review of that matter, it was brought to the attention of the Engineering Department that the established Board of Supervisor's policy for professional service contracts in excess of \$10,000, was not followed. The policy states that for services costing over \$10,000 the selection committee be made up of at least one person not employed by the Department. As indicated in the Grand Jury Report, this oversight was corrected before the contract was awarded.

The Engineering Department is in full agreement with both Grand Jury recommendations and has reissued a procedural memorandum to all members of the staff who deal with professional contracts reiterating the Board of Supervisor's policy on contract procedure.

III. Oceano Community Services District - No County response required.

Audit and Finance Committee Report

I. Audits

Recommendation:

1. IT IS RECOMMENDED THAT MULTI-YEAR AUDITS CONTRACTING BE CONTINUED.

Auditor-Controller's Response:

The Auditor-Controller is not involved in the auditor selection process. The Auditor-Controller supports the practice of multi-year contracting for the Grand Jury Audit. We feel this is more beneficial to the county overall because it allows the auditors the opportunity to use the experience and knowledge gained in the first year of audit to provide more coverage and specialization in the subsequent year(s). It also reduces the amount of staff time required in orienting the new auditors to county policies, procedures, and accounting systems.

Recommendation:

2. IT IS RECOMMENDED THAT A LIMITED NUMBER OF SPECIAL DISTRICT AUDITS BE PROVIDED TO THE GRAND JURY.

Auditor-Controller's Response:

We concur with this recommendation and encourage not only independent studies of special districts, but also studies involving the cities of the county where there is a program or operation of special significance to the Grand Jury. As in the past, the Auditor-Controller will continue to provide the Grand Jury with copies of all audits performed by our internal audit staff including concessionaire, special district and departmental audits.

Recommendation:

3. IT IS RECOMMENDED THAT THE GRAND JURY CONTINUE TO BE INCLUDED IN THE AUDITOR SELECTION PROCESS.

Auditor-Controller's Response:

The Auditor-Controller concurs with this recommendation and believes that the nature of the Grand Jury is similar in many respects to the independent auditors, and because they use the independent auditors in the performance of their duties, the Grand Jury should be involved in the selection process for these services.

- II. Legality of Cities Providing Defense for Former Employees - No County response required.

Editorial and Review Committee

I. County Media Relations

Recommendation:

1. IMPLEMENT EXISTING PLANS FOR A SMALL GOVERNMENT CENTER PRESS OFFICE WITH WORK TABLES, PHONE LINES, CHAIRS AND ELECTRICAL OUTLETS FOR EQUIPMENT SUCH AS TAPE RECORDERS.

County Administrator's Response:

The County currently has no plans for a press office in the government center. In the past a small press office was available to the media, but due to low usage and the expanding space needs of county employees, the space was converted for other uses. Equipment has been installed in the Board of Supervisors Chambers to allow television cameras to operate effectively and tape recording equipment to be utilized. Public phones are available throughout the government center complex. Numerous tables and chairs are also readily available immediately adjacent to the Board Chambers. Special considerations are given to the press during elections.

Recommendation:

2. EMPHASIZE THAT THE COUNTY ADMINISTRATOR'S OFFICE WILL WORK WITH THE NEWS MEDIA TO ENSURE AN OPEN FLOW OF COMMUNICATION FROM THE VARIOUS COUNTY DEPARTMENTS AND AGENCIES.

County Administrator's Response:

The County Administrative Office is committed to insuring an open flow of communication between the news media and county government staff.

Recommendation:

3. DEVELOP A STRUCTURED ORIENTATION PROGRAM FOR ALL COUNTY EMPLOYEES WHO DEAL WITH THE PRESS AS PART OF THEIR DUTIES.

County Administrator's Response:

A structured orientation program for all county employees who deal with the press as part of their duties has considerable merit and will be reviewed by the Personnel Department and Risk Management Division of the Administrative Office. The county currently provides an orientation program for new employees, and departments also have their own training programs. Additionally, the county has an active public information program as part of the county's emergency plan. Four public information officers have received a significant amount of training. A structured orientation program can be developed using these resources.

Health, Education, and Social Services Committee

- I. Monitoring of Group Homes in San Luis Obispo County

Recommendation:

1. THE COUNTY OF SAN LUIS OBISPO SHOULD IMPLEMENT A CLEAR AND CONSISTENT MONITORING SYSTEM THAT WOULD ENSURE REGULAR CONTACT WITH THE STATE COMMUNITY CARE LICENSING AGENCY REGARDING INFORMATION ON INFRACTIONS AND VIOLATIONS OF ANY GROUP HOMES UTILIZED BY THE COUNTY FOR PLACEMENT OF YOUNG WARDS.

Social Services Department's Response:

As the Grand Jury pointed out in their report, "County agencies such as the Department of Social Services and the Probation Department have the authority to place county youths in such facilities, but not the authority to conduct compliance inspections regarding license and certification requirements." Monitoring of group homes is the responsibility of the State Department of Social Services. There is no legislative mandate nor are state funds made available for this function to be carried out by the county.

Recommendation:

2. THERE SHOULD BE A MORE OPEN AND FREE FLOWING EXCHANGE OF INFORMATION BETWEEN THE STATE COMMUNITY CARE LICENSING AGENCY FOR GROUP HOMES AND THE COUNTY REFERRING AGENCIES (i.e. DEPARTMENT OF SOCIAL SERVICES AND THE PROBATION DEPARTMENT).

Social Services Department's Response:

The department agrees that information should be made available to the county regarding licensing issues. We will formally request that any information concerning licensing infractions or violations be shared with us as soon as possible. We will continue reporting such information to the state agency as it may become known.

II. Lanterman-Petris-Short(L.P.S.) Conservatorship Act

Recommendations:

1. THE DIRECTOR OF SOCIAL SERVICES SHOULD PROVIDE THE BOARD OF SUPERVISORS AN INTERIM WRITTEN ASSESSMENT AS TO HIS DEPARTMENT'S ABILITY TO PROCESS CONSERVATORSHIP APPLICATIONS AND TO COORDINATE INPUT FROM THE DEPARTMENT OF MENTAL HEALTH AND THE L.P.S. CONSERVATORSHIP INVESTIGATOR.
2. THE DIRECTOR OF HEALTH SERVICES SHOULD PROVIDE THE BOARD OF SUPERVISORS AN INTERIM WRITTEN ASSESSMENT AS TO HIS ABILITY TO SUPPORT THE NEWLY ASSIGNED ROLE OF L.P.S. CONSERVATORSHIP ADMINISTRATOR.

County Administrator's Response:

The changes in assignment of responsibilities relating to the county's administration of L.P.S. conservationists took place in 1987-88. The transfer of the Public Guardian function to the Health Agency became effective April 1, 1988. The Board of Supervisors heard an interim report on operations while considering the Public Guardian budget at the 1988-89 budget hearings. To allow for six months of operation, and a more thorough examination of program performance, both the Health Agency Director and the Director of Social Services will submit written assessments, to the Board of Supervisors, during October 1988.

Recommendation:

3. THE L.P.S. TASK FORCE SHOULD CONTINUE TO EVALUATE AND MONITOR L.P.S. CONSERVATORSHIPS.

County Administrator's Response:

The inter-departmental task force was created to evaluate the county's administration of L.P.S. conservationists, and to recommend changes for improving overall program performance. The task force included representatives from all of the departments and divisions which have responsibilities in the creation and administration of conservationists. The research, findings and conclusions of the task force resulted in the changes discussed above and in the Grand Jury's Final Report. With implementation of the recommended changes, the objective of the large task force was met. It has been replaced by a smaller Public Guardian Advisory Group, which will meet regularly to discuss program performance, communications, and pertinent policy issues. This group will monitor conservatorship administration, resolve operational problems, and make recommendations to the affected departments and the County Administrative Officer as needed.

Recommendation:

4. EXPAND FUNDING TO MENTAL HEALTH AND THE DEPARTMENT OF SOCIAL SERVICES TO ESTABLISH LOCAL COMMUNITY CARE AND TREATMENT OF THE MENTALLY ILL.

County Administrator's Response:

The Board of Supervisors has exhibited commitment to community mental health and social services programs by continued funding of substantial over-matches in the departments' budgets. In addition, the 1988-89 Final Budget contains noteworthy increases in appropriations for the Public Guardian and homeless programs. Funding requests for community mental health programs will continue to be evaluated based upon program needs and priorities, available county financing, the Governor's budget, and legislative changes.

- III. Policy Regarding the Employment Status of a County Employee Suspected of a Crime.

Recommendations:

1. IT IS RECOMMENDED THAT THE COUNTY PERSONNEL DEPARTMENT SHOULD DEVELOP A WRITTEN POLICY CONCERNING ANY EMPLOYEE ACCUSED OF MISCONDUCT WHICH MIGHT POSSIBLY ENDANGER CITIZENS.
2. IT IS RECOMMENDED THAT SUCH AN EMPLOYEE BE REASSIGNED TO OTHER DUTIES PENDING THE OUTCOME OF AN INVESTIGATION.

Personnel Department's Response:

The county has a written policy concerning employment status of a county employee suspected of a crime. It states that:

The Board of Supervisors recognizes that extraordinary action may need to be taken when a county employee is under an investigation for the alleged commission of a crime. Of specific concern are allegations of criminal conduct which would, if substantiated, suggest jeopardy to the safety of the public or other employees or compromise of the employee's responsibilities as a county employee.

The Board of Supervisors remains equally concerned about protection of the employee's due process rights during a criminal investigation.

In recognition of the foregoing, it is authorized that the Appointing Authority may, with approval of the Personnel Director, reassign an employee under a job related criminal investigation to duties which are not compromised by the criminal charges. When circumstances make reassignment impractical, an administrative leave with pay may be authorized. All such administrative leaves with pay should be confidentially reported to the Board of Supervisors. Any such reassignment or leave with pay shall be temporary in nature and shall terminate: (1) at such time as the investigation or any associated prosecution cease; or (2) at such time as the Appointing Authority acts pursuant to Civil Service Commission Rule 14 to discipline or terminate the employee.

IV. Child Protective Services

Recommendation:

THE GRAND JURY STRONGLY URGES THE BOARD OF SUPERVISORS TO TAKE ACTION TO CHARGE THE DEPARTMENT OF SOCIAL SERVICES TO ACCOMPLISH THE FOLLOWING ACTION STEPS IMMEDIATELY.

1. STRENGTHEN THE ORGANIZATION AND LEADERSHIP IN THE DEPARTMENT OF SOCIAL SERVICES, DIVISION OF CHILD PROTECTIVE SERVICES(CPS).

Social Services Department's Response:

The department's Division of Adult and Family Services (the appropriate title for the Division of Children's Protective Services), is more effectively organized now than at any time in recent years. The Board's financial supplement for Child Welfare Services has helped provide adequate staffing and resources to permit this development. Additional management support is needed in this division to permit greater focus on children related issues and concerns. A plan is in place to address this need.

Recommendation:

2. ESTABLISH BROAD OBJECTIVES THAT INCORPORATE THE RECOMMENDATIONS OF THE 1986 CONSULTATION REPORT OF THE AMERICAN ASSOCIATION FOR THE PROTECTION OF CHILDREN, THE COUNTY ADMINISTRATIVE OFFICER, WILLIAM BRIAM'S, RECOMMENDATIONS OF DECEMBER 1986.

Social Services Department's Response:

All but four of the consultant's seventeen recommendations have been either fully or partially implemented. Recommendations not implemented either involved other departments over which the Department of Social Services has no control or a lack of resources, e.g., developing a client treatment unit within the Department of Social Services. Developing a three-year plan has not been feasible because of inadequate staff resources and the unpredictability of State funding.

Recommendation:

3. DEVELOP SPECIFIC PLANS AND OBJECTIVES THAT CLEARLY IDENTIFY THE ROLES AND RESPONSIBILITIES OF ALL THE DEPARTMENTS INVOLVED WITH THE PROTECTION AND HEALTH OF CHILDREN.

Social Services Department's Response:

Some work in this area has already been completed in terms of a flow chart which depicts the responsibilities of various departments and organizations. There is a need for a comprehensive view of the total Children's Protective Services system which identifies the roles and responsibilities of the various departments and organizations and how they interface. Developing a handbook or similar document which describes the system from abuse prevention through treatment of the victims and abusers will be considered as a long-range goal of the CPS Task Force. The essence of the Grand Jury's concern in this area is shared by Children's Protective Services Task Force members and the Department of Social Services. The department and Task Force are working toward these ends.

Recommendation:

4. RE-ESTABLISH INTERDEPARTMENTAL TEAM CONFERENCING WITH THE DEPARTMENT OF SOCIAL SERVICES TO BE RESPONSIBLE FOR INITIATION OF THIS ACTION.

Social Services Department's Response:

Inter-departmental team conferencing is an ongoing process between Social Services, Probation and Mental Health. However, the CPS Task Force believes more joint involvement of line staff, especially in the area of sharing resources information, would be helpful. Steps to facilitate this development will be taken in the near future.

Recommendation:

5. RE-FORM THE CHILDREN'S TASK FORCE COMMITTEE AND CHARGE COUNTY ADMINISTRATIVE OFFICER, WILLIAM BRIAM, WITH DIRECT RESPONSIBILITY FOR THE COMMITTEE.

Social Services Department's Response:

The Children's Protective Services Task Force was established in 1985 by the Board of Supervisors in response to a grievance/appeal submitted by social workers within the Department of Social Services. Upon completion of the Task Force's short-term objectives, in December 1986, the Board of Supervisors re-formed the Task Force's membership and charged it with the responsibility to deal with the long-term objective of striving for the best coordination and cooperation for the provision of children's services in the county.

The practice of electing a chairperson from among Task Force members should be continued. Until a new chairman is elected, responsibility for the Task Force's activities should continue under the direction of the Director of Social Services. If the role of the Task Force was supervisory in nature, it might more appropriately be placed under the Administrative Office. However, the County Administrator is too far removed from the day-to-day operations of the Children's Protective Services system to have effective control over the Task Force's activities.

Law and Justice Committee

- I. California Youth Authority Inspection - No County response required.
- II. Inspection of California Men's Colony - No County response required
- III. Juvenile Services Center Inspection

Recommendation:

- 1. IN AN EFFORT TO PREVENT AN INCREASE IN THE CURRENT ADULT PRISON POPULATION, IT IS RECOMMENDED THAT THE BOARD OF SUPERVISORS AND THE PROBATION DEPARTMENT RE-EVALUATE THE BUDGET PRIORITIES TO INCLUDE THE FOLLOWING:
 - A. PROVIDE A SPECIAL EDUCATION INSTRUCTOR, AS NEEDED;
 - B. FUND ADDITIONAL HOURS FOR THE PSYCHIATRIST;
 - C. INCREASE PSYCHOLOGICAL TESTING FOR MINORS.

Probation Department's Response:

- 1a. The educational staff for the Juvenile Court School are hired by and responsible to the County Superintendent of Schools (CSS). Based upon the Grand Jury's recommendation, the Probation Department approached CSS to inquire about their ability to provide additional special education instructors. CSS, like many other government agencies, is limited by budget constraints. CSS has provided, to the best of their ability, adequate staffing for the Juvenile Court School. Classes are held year round for the benefit of the students. The Probation Department will continue to address this issue with CSS and will forward the Grand Jury's recommendation to that office for their consideration.

- 1b. The Health Agency has not been able to provide additional hours for psychiatrist assistance, although the need is recognized. The Probation Department is currently in negotiations to find a more economical source of service so that additional time can be obtained.
- 1c. The budget request of the department for 1988-89 included a full-time psychologist to increase psychological testing for minors. Due to limited financing and other budgetary priorities, the full-time psychologist position was not approved. However, additional funding was provided in the Department's professional services account to increase psychological testing for minors. We are also exploring ways of maximizing the diagnostic testing services available to minors at the Juvenile Services Center.

IV. San Luis Obispo County Sheriff's Department Inspection.

Recommendation:

1. IT IS RECOMMENDED THAT THE TELEVISION MONITORS IMMEDIATELY BE REPAIRED AND SUFFICIENT STAFF BE ASSIGNED TO OVERSEE THEIR FUNCTION.

Sheriff Department's Response:

All monitors located in the Booking Office have been replaced as part of the Jail Renovation Project, funded by Proposition 2. In addition, closed circuit television (CCTV) cameras have been added to provide coverage for the Female Jail, Main Jail Dorm, Jail Kitchen and Stahl Hall. These cameras and monitors are currently in use.

With regard to sufficient staff to oversee the operation of the monitors, two additional booking clerks were authorized in the current budget. This additional staffing will assist in the viewing of the monitors. It should be pointed out though that the monitors are a backup to the direct observation of jail activities as performed by Correctional Officers. The current camera coverage and additional booking clerks now provide a good balance in officer observation and Booking Office viewing.

Recommendation:

2. IT IS RECOMMENDED THAT THE IDENTIFICATION CAMERA, LOCATED IN THE MAIN JAIL FACILITY, BE REPAIRED AND THAT AN ADDITIONAL CAMERA BE PURCHASED AS A BACKUP CAMERA.

Sheriff Department's Response:

The booking photo camera was sent to the manufacturer for repair and was out of service during the Grand Jury tour. The camera was repaired and returned to service shortly after the tour. Without the use of the booking camera for a short period of time, certain inmates were received and booked at the jail, but a photograph was not obtained.

In recognition of this problem, a second booking photo camera was requested in the 1988-89 budget. This item was denied at the County Administrator's review level.

The Custody Division will continue to utilize an instant picture camera in those instances when the booking photo camera may be out of service. The negative aspects of this alternative is the increased cost per photograph and the lack of standard photos for photo lineups.

County Administrator's Comments:

A second booking camera was requested by the Sheriff's Office as part of the department's 1988-89 budget. Unfortunately, not all items requested can be funded due to financial constraints. The backup booking camera was not a high priority within the Sheriff's requested equipment list.

V. Four-Wheel-Drive-Rescue/Support Vehicle for the Sheriff's Search and Rescue Unit.

Recommendation:

1. THE SEARCH AND RESCUE VEHICLE PRESENTLY USED BE REPLACED AND ADDITIONAL NEEDED EQUIPMENT BE ADDED.

Sheriff Department's Response:

The present "squad" vehicle used by Search and Rescue is a surplus county four-wheel drive truck with a utility bed. The Search and Rescue Volunteer Unit contacted the Grand Jury for assistance in obtaining a replacement, more serviceable unit. The Sheriff was in favor and appreciative of the Grand Jury support.

During the budget process the Sheriff personally petitioned the Board of Supervisors for assistance in the area of overall Emergency Response for the department. The Board authorized the Sheriff to purchase a Sheriff's Mobile Command Post, which will serve several purposes for the entire department and not just be designated for Search and Rescue only. The research is presently underway for the design and acquisition of this vehicle as approved by the Board in the 1988-89 budget.

We perceive this vehicle to be a totally self-contained Mobile Command Post built on a motor home chassis. It will be equipped with all necessary communications equipment for Search and Rescue, Posse, Aero Squadron and Sheriff's operational emergencies such as floods, earthquakes, aircraft crashes and crime scene management.

Planning and Environment Committee

- I. County Adherence to the Requirements of the California Environmental Quality Act(CEQA).

Recommendation:

1. THAT THE ENVIRONMENTAL COORDINATOR AND PLANNING STAFF CONTINUE TO GIVE THE FULLEST CONSIDERATION TO THE OBJECTIONS OR DISSATISFACTION WITH PROPOSED DEVELOPMENTS TO ENSURE THAT CEQA GUIDELINES ARE STRICTLY FOLLOWED.

County Administrator's Response:

Public input is an important part of the CEQA process. All comments (including objections and dissatisfactions) and appeals are fully responded to by staff and considered by the Planning Commission and/or Board of Supervisors prior to approval of Negative Declarations and Environmental Impact Reports. This process will continue to be followed.

Recommendation:

2. THAT THE COUNTY CONSTANTLY MONITOR THE AMOUNT OF FEES COLLECTED FOR PROCESSING DEVELOPMENT APPLICATIONS TO ENSURE THAT PROCESSING COSTS ARE BORNE BY THE PROPOSERS.

County Administrator's Response:

The Environmental Coordinator's fee schedule is reviewed yearly by staff and the Board of Supervisors. Staff will continue to monitor and evaluate the fee schedule. As part of next year's fee schedule review, staff will evaluate the option of increasing the fees to offset the actual cost of processing projects.

II. Administration of the California Land Conservation Act(Williamson Act).

Recommendation:

1. IT IS RECOMMENDED THAT THE BOARD OF SUPERVISORS ACT PROMPTLY TO ENACT CHANGES AND MODIFICATIONS IN THE COUNTY RULES OF PROCEDURE TO PRESERVE THE INTEGRITY AND TO FURTHER THE AIMS OF THE CALIFORNIA LAND CONSERVATION ACT AS PROPOSED BY THE REVIEW COMMITTEE ON OPEN SPACE PRESERVATION.

Planning Department's Response:

On March 15, 1988, the Board of Supervisors approved the Planning and Building Department's proposed work program for revising the county's Rules and Procedures to Implement the Land Conservation Act of 1965. Since then, the Review Committee on Open Space Preservation has met four times (May 19, June 13, July 11 and July 25, 1988). They have reviewed the agricultural preserve program in general and have reviewed proposed revisions to program eligibility standards. Ensuing meetings will include review of proposed land use restrictions and procedures to monitor the program more effectively. The work program schedule estimated that the hearing draft of the revised Rules and Procedure would be completed by August 1988, with final adoption by the end of

October 1988, but progress has been slower than anticipated due to the scope of the issues involved. The Review Committee expects to complete its work so the revised rules can be adopted before the end of this year. The revised Rules could then be used to evaluate agricultural preserve applications before the March 1, 1989 deadline for contracts for the next tax year, 1989-90.

Recommendation:

2. IT IS RECOMMENDED THAT THE REVIEW COMMITTEE ON OPEN SPACE PRESERVATION MEET REGULARLY IN THE FUTURE TO MONITOR ADMINISTRATION OF THE WILLIAMSON ACT IN THIS COUNTY.

Planning Department's Response:

The role of the Review Committee on Open Space Preservation as specified in the existing Rules of Procedure is to review agricultural and open space preserve applications of questionable eligibility and unusual circumstances. However, the Review Committee has agreed to meet regularly and to expand their role to guide development of agricultural and open space policy and to review and make recommendations on all new agricultural preserve applications and related matters that significantly affect the administration of land conservation contracts.

Monitoring the agricultural preserve program will primarily involve the combined efforts of the County Assessor and the Planning and Building Department to detect any violations of contracts and to identify cases where the county should consider serving notices of non-renewal of land conservation contracts on property owners. Examples of such cases are separate conveyances of existing parcels of record to new owners where pre-1972 contracts do not prohibit such conveyances and changes in land use where an agricultural specialty use that originally qualified a small property for the agricultural preserve program has been terminated.

Another situation that is currently being addressed is excessive land division on contracted lands. Pre-1972 agricultural preserves were generally designated with minimum parcel sizes that are smaller than the sizes specified in the 1972 Rules of Procedure and they are also smaller than Land Use Ordinance standards for land divisions on non-contracted lands in the Agriculture category of the Land Use Element. The proposed solution is to amend the Land Use Ordinance unless a contract otherwise specifies a more restrictive parcel size.

In conclusion, substantial progress is being made toward resolving the 1987-88 Grand Jury's concerns with the county's agricultural preserve program.