



County of Tuolumne

Civil Grand Jury

Tuolumne County Administration Center

2 South Green Street

Sonora, CA 95370

2018-2019

Tuolumne County

Civil Grand Jury Report

June 26, 2019

The Honorable Kate Powell Segerstrom
Superior Court Judge of Tuolumne County
60 North Washington Street
Sonora, CA 95370

Dear Judge Powell Segerstrom;

It is with extreme gratification, and honor, the 2018-2019 Grand Jury presents our final report. We could not have done it without your complete support, guidance, and confidence in us.

I would like to publicly thank The District Attorney, Laura Krieg for her support and guidance through this sometimes difficult and trying term. Additionally, County Counsel Sarah Carrillo and her staff for nearly instant response to our requests. Diana Neely greatly helped with our needs as well.

We began our term as 19 members. Throughout the year, several members left the Grand Jury for various reasons. We completed our term with 17 standing members. We met as a group every Wednesday (with the exception of 3 days) and put in countless hours in committees, conducting interviews, investigating and writing reports. Through our combined investigations, we conducted more than 20 interviews with county officials, managers, and members of the public to complete five investigative reports and a continuity report that reviews responses to the 2017-2018 Grand Jury final report.

Topics of the 2018-2019 investigations were selected based on citizen complaints and concerns, continued review of last year's report, and correctional facilities that require annual review. It is our hope that the reports we completed will shed a light on government and special

district functions that can be improved to better serve the citizens of Tuolumne County.

It has been a privilege to have had the opportunity to serve as Foreperson on this Grand Jury and to work alongside so many dedicated citizens as we tackled issues, resolved differences, and sought solutions. Some Jurors had a velvet hammer of leadership, exquisite writing abilities, no-holds-barred discussion style, and attention to detail. Our work has been the culmination of countless hours of hard work and dedication to bring our Reports to you and the citizens of Tuolumne County. It is an experience I would recommend to anyone who has the time, willingness, and concern for our government.

Respectfully,



Frank Cooper

Foreperson

2018-2019 Tuolumne County Grand Jury

Members of the 2017-2018 Grand Jury

Frank Cooper

Foreperson

Lisa DeLacy

Foreperson pro tem

Karen Willenberg

Secretary

Robert “Bert” Van Laer

Paula Bickford

Janie Bozworth-Cabral

David Choate

Jason Culbertson

Stephen Lampl

Tim Pavlecic

David Bealby

Debra Bolter

Janice Bradley

Carl Collins

Marie Jenkins

Sonja Marum

Helga Zuber

Acknowledgements

The 2018-2019 Grand Jury acknowledgment and thanks goes to the jurors who served but were unable to complete their term: Kevin Barbo, Jennifer Grabowski, Denice Trenerry, Melissa Blanton, Roxnne Kane, Tiffany Vargas, Ty Bowman, Shina Forsyth, Randy Gomez, Susan Patrick, Dennis Smith and Wes Cosgrove.

The 2018-2019 Grand Jury would like to acknowledge the IT Department, Facilities Department, County officers, specifically Christina Cunha and Maureen Frank.

Disclaimer

During the 2018-2019 Grand Jury term, one juror was recused due to a conflict of interest in an investigation. This juror was excluded from all parts of the investigation, including interviews, deliberations, writing and approval of this report.

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TCEDA/EPCTC Oversight*

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MAY 03 2019

Superior Court of California
County of Tuolumne

By: *Diana Reeling*, Clerk



SUPERIOR COURT OF CALIFORNIA
COUNTY OF TUOLUMNE

2018-2019 Grand Jury Report on
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Credit photo: F. Cooper

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The mission of the Tuolumne County Grand Jury is to create positive change in the County by improving the efficiency, effectiveness, and transparency of local government.

SUMMARY

The 2018-2019 Grand Jury was days away from releasing its report on the lack of oversight of the Tuolumne County Economic Development Authority (TCEDA) by its Board, when on February 19, 2019 both the Tuolumne County Board of Supervisors and Sonora City Council voted to dissolve the Joint Powers Agreement which funded the TCEDA, prior to the release of the financial and managerial audits.

The 2018-2019 Grand Jury's investigations, findings and recommendations had led to the same conclusion: the TCEDA must be disbanded, along with the Economic Prosperity Council of Tuolumne County (EPCTC). Many of the Grand Jury recommendations in this report may already be underway by the County and City. However, the Grand Jury felt compelled to codify the scope of the issues that were uncovered, and itemize recommendations for the future of economic development in the County.

The 2018-2019 Grand Jury uncovered ethics issues that are particularly troubling, and do not follow the County's own "Mission, Vision and Value Statements" of integrity to "be a good steward of County property and public funds." The Board of Supervisors created and approved the original document on December 06, 2011. The current Tuolumne County Code of Ethics are located at this website: <https://www.tuolumnecounty.ca.gov/766/Mission-Vision-and-Value-Statements>

It is the finding of the 2018-2019 Grand Jury that the TCEDA Board of Directors is responsible for the failure of the TCEDA. The TCEDA Board of Directors:

- Was responsible for the Director's employment agreement, which included compensation and severance package.

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- Provided little oversight of the TCEDA with regard to the Director's spending of public money.
- Cannot show a return on the nearly 4 million dollars of public funds invested into the TCEDA.
- Did not adhere to their governing Code of Ethics, Code of Conduct, and Vision and Values.
- Failed to provide the leadership expected by the public.

BACKGROUND

The 2018-2019 Grand Jury found that from its inception, the TCEDA and the Economic Prosperity Council of Tuolumne County (EPCTC) operated with little oversight by its Board of Directors.

With the February 19, 2019 decisions by both the Tuolumne County Board of Supervisors and Sonora City Council to end their Joint Powers Agreement, the TCEDA and EPCTC will be dissolved by the end of the fiscal year.

Given recent statements in March 2019 by the County that they will develop an alternative economic development entity, (see <https://www.tuolumnecounty.ca.gov/DocumentCenter/View/844/Direct-or-of-Economic-Development->) the 2018-2019 Grand Jury feels obligated to complete and publish the current investigation into both the TCEDA and the EPCTC in order to provide insight and guidance for future economic development activities.

The 2018-2019 Grand Jury commends the *Union Democrat* for its investigative reporting of TCEDA and EPCTC over the course of 2017-2019, articles that exposed significant facts and details about the operations and expenditures of TCEDA.

The TCEDA has been investigated twice previously by the Tuolumne County Grand Jury. The first time was in 2010-2011, when a lack of measurable goals was identified. A recommendation was made to implement "results in" goals where action could be measured numerically. The previous CAO responded that the recommendation would not be implemented as (a) it would take too much time, (b) it is

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not reasonable as neither the County, nor TCEDA have enough control over outside factors (e.g., expertise) to make the measurement valid, and (c) some of the needed data are already captured by Sonora Area Foundation's "Tuolumne County Profile – Community Indicators Project."

The 2017-2018 Grand Jury also investigated TCEDA, and had findings specifically in (a) effectiveness of the organization in achieving its stated goals and objectives, (b) effectiveness assisting businesses within Tuolumne County, and (c) management of the agency.

In response to the 2017-2018 Grand Jury recommendations, the TCEDA has undergone independent financial and managerial audits. These audits were not completed at the time of the JPA dissolution.

Both audits have been released and were limited in focus to a review of best practices for travel, meal, alcohol and entertainment expenses, on accurate time card reporting, on policies regarding working vacations, and on performance evaluations. The auditors recommended best practices to measure economic development, and identify more transparent ways to report on interactions with private businesses that may wish to remain anonymous.

The 2018-2019 Grand Jury recognizes that effective economic development is crucial to Tuolumne County and supports the County's current plan to restructure an agency within the County's purview. However, given the *culture of insufficient oversight* perpetuated throughout TCEDA's tenure in the County, changes must be made in the management structure and in the process of accountability of such an organization, in order for a new agency to be successful and to be trusted by the public.

As stated by one Tuolumne County Supervisor "If you've got a problem with the economic development authority, then you've got a problem with the [TCEDA governing] Board and the process" (Union Democrat, *Unanimous: TCEDA Dissolved*, Feb. 19, 2019). The 2018-2019 Grand Jury agrees with this assessment.

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The 2018-2019 Grand Jury found that the Employment Agreement was solely approved by the TCEDA Board. County Counsel would advise on the legality of conditions, and Human Resources would review for implementation, but ultimately the TCEDA Board would, without any oversight from other departments, pass along to the Director increases in compensation. These increases ramped up remarkably beginning in 2014. The Board was 100 percent responsible for implementing the increases in the Director's compensation.

The County and City put the trust of economic development in one agency. However, there was insufficient oversight from county or city management, despite the fact that both had representation on the Board. The TCEDA Board has caused excessive County Counsel time to be used to respond to lawsuits, and redirected the majority of the highly paid Director's time in 2018-2019 to more menial administrative tasks of responding to public records requests and to lawsuits. In addition, numerous civic services hours have been spent through *three separate* grand jury investigations to try to correct the course of management and oversight of the TCEDA Board.

Much of the criticism of TCEDA comes from the public through letters to the editor and investigative articles in the local newspapers. To respond to the public, and to contribute to better management of future economic development in Tuolumne County, the Grand Jury issues this report.

The *culture of insufficient oversight* caused the failure of the TCEDA. This mismanagement is evidenced by:

1. Incomplete and uneven information on the return on investment of approximately \$4 million dollars of TCEDA monies over the last 10 years;
2. An overly generous and excessive employment contract for the Director position;
3. Lack of transparency and oversight regarding spending more than \$300,000 in the last 10 years through the EPCTC;
4. Lack of a master plan or budgetary goals for EPCTC;
5. Public mistrust of TCEDA in Tuolumne County.

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GLOSSARY

Amgen	The Amgen Tour of California is an annual professional cycling race that passed through Sonora in 2012.
Board	Board of Directors for Tuolumne County Economic Development Authority, which is also the same set of individuals that compose the Board of Directors for the Economic Prosperity Council of Tuolumne County
CAO	Chief Administrative Officer of Tuolumne County
Director, or Economic Development Director	Director of TCEDA
EPCTC	Economic Prosperity Council of Tuolumne County, also known as the Prosperity Council
InnovationLab	Workspace with technology kits for schools and public use
JPA	Joint Powers Agreement between Tuolumne County and the City of Sonora jointly to employ an Economic Development Director
TCEDA	Tuolumne County Economic Development Authority

METHODOLOGY

The 2018-2019 Grand Jury:

- compiled data from various sources including the TCEDA website, posted agenda packets, and recorded minutes from TCEDA and EPCTC Board meetings;
- read through numerous past and current articles from the Union Democrat and on mymotherlode.com, as well as other online information from news media;
- read through the TCEDA Director's employment agreements;
- reviewed additional documents provided through the Grand Jury's interview processes or available publicly online such as financial reports;
- attended TCEDA Board meetings;
- interviewed several citizens, current and past TCEDA Board members, TCEDA's Director, the Tuolumne County Human Resources manager, and County Counsel; and
- read through the Grand Jury Final Reports from 2017-2018 and 2010-2011 as well as the responses from the TCEDA Governing Board, Tuolumne County Counsel, the Tuolumne County Auditor, the City of Sonora and the Tuolumne County Board of Supervisors.

DISCUSSION

Conflict of Interest Review, Previous Grand Jury Request

The 2017-2018 Grand Jury recommended: "County Counsel review potential conflicts of interests for TCEDA Board members serving in various capacities on multiple boards." The TCEDA Board will not release the details of this review, stating attorney-client privilege with County Counsel. Note that the TCEDA Board has the right to waive this privilege, but they have chosen not to do so. Numerous requests have been made by the 2018-2019 Grand Jury for this information and they have been refused.

Economic Indicators for Tuolumne County

Tuolumne County has languished near the bottom of California counties in almost all economic indicators. The 2018 median household income at \$54,325 is far below the state average of \$67,169. The median household income is now slightly less than it was in 2010 at \$55,365, one year after the TCEDA was formed. In Tuolumne County, 32% of “wage earning” families have no one working, which is over double the 15% average of California. 13.6% of Tuolumne County residents live in poverty. (*source: US Census Bureau statistics*).

TCEDA: Overview

TCEDA was funded through a Joint Powers Agreement (JPA) between the City of Sonora and the County of Tuolumne to increase economic development in Tuolumne County. For the last three years, this funding formula resulted in the City of Sonora contributing around 21% of TCEDA’s revenue, with the County contributing about 66%. The rest of the revenue was generated from other sources such as grants. In 2016 the total TCEDA revenue was \$398,945; in 2017-\$406,695; in 2018-\$515,506.

TCEDA guiding principles were to recruit to Tuolumne County, new manufacturing and medical businesses (~60%), and to retain the County’s current businesses (~40%), as reported during the investigative interviews. The focus of TCEDA was on County rather than City development. For the last two years, small retail businesses within Sonora city limits were not considered in TCEDA’s direct development efforts. TCEDA’s guiding principles were that small retail businesses develop through a trickle down effect through larger business development and employee workforce in the County.

The Board of Directors of TCEDA/EPCTC was comprised of two County Supervisors, two Sonora City Council members, and up to three appointed citizens. Over the lifetime of TCEDA (2009-2019), there was some turnover of individuals serving on the Board, particularly the City of Sonora appointees. From 2014 to 2018, the

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TCEDA retained four of the same seven Board members (one County Supervisor, and three citizen volunteers). The same individual held the Chairman of the TCEDA position since 2014, and had served on the Board since 2011. To procure a citizen appointment, an individual had to apply, and then the current TCEDA Board members voted on his/her application.

TCEDA Director Compensation

The TCEDA Director was not a County employee although Tuolumne County Human Resources administered the payroll and benefits of the TCEDA Director, according to the contract, in addition to salary adjustments tied to the Tuolumne County Executive/Confidential Compensation Plan and range/step classifications of the County. The TCEDA did not follow the County's travel or expense policies, nor the standard health insurance compensation rates that apply to other Tuolumne County employees. The reporting structure to a separate Board of appointed individuals also differed from traditional County employee reporting structures.

In 2019, the Economic Development Director was the 4th highest paid Tuolumne County position, ranked below only the County Psychiatrist, the County Health Officer, and then County Administrator, in that order (source: Tuolumne County Classification Listing with Salaries, December 26, 2018). This base salary figure for the TCEDA Director did not include benefits or monthly car and phone allowances, which increased the total compensation to over \$250,000 per year. See Table 1.

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TABLE 1. Tuolumne County Highest Paid Positions in 2016 (in thousands of dollars) *Source: transparentcalifornia.com*

Job Title	Regular Pay	Other Pay	Total Pay*	Benefits	Total Pay and Benefits
County Administrator	\$184K	\$93K	\$277K	\$76K	\$353K
<i>Economic Development Director</i>	<i>\$166K</i>	<i>\$17K</i>	<i>\$184K</i>	<i>\$70K</i>	<i>\$253K</i>
Sheriff - Coroner	\$171K	\$0	\$171K	\$69K	\$241K
Psychiatrist	\$150K	\$54K	\$204K	\$35K	\$239K
Human Services Director	\$151K	\$26K	\$177K	\$58K	\$236K
Community Resource Director	\$164K	\$0	\$165K	\$60K	\$225K
Public Defender	\$151K	\$13K	\$164K	\$52K	\$216K
Deputy CRA - Roads	\$142K	\$25K	\$167K	\$46K	\$212K
Clerk/Auditor-Controller	\$152K	\$0	\$152K	\$59K	\$211K
County Counsel	\$143K	\$8K	\$151K	\$57K	\$208K
District Attorney	\$154K	\$0	\$154K	\$52K	\$207K

*includes base salary, allowances, vacation cash out, managerial leave cash out and any lump sum payments received during the year

The TCEDA Director compensation package was also compared to compensation packages for similar positions outside Tuolumne County. The 2018-2019 Grand Jury determined that the total compensation package for the TCEDA Economic Development Director was out of line with other compensation packages (Table 2). The total compensation package for the Director of TCEDA was 28% more than for the similar job of the Economic Director of the County of San Francisco, and higher than for the comparable position in Monterey County and Sonoma County.

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TABLE 2. 2016 Comparable Total Compensation for Economic Development Positions in California (in thousands of dollars) *Source:transparentcalifornia.com*

Entity	Position	Total Compensation
Santa Clara County	Economic Development Director	\$269K
Tuolumne County	Economic Development Director	\$253K
Monterey County	Economic Development Director	\$222K
City of San Francisco	Director, Office of Economic and Workforce Development	\$193K
Sonoma County	Economic Development Director	\$187K

Employment Agreement for Director

In a review of the TCEDA Director’s employment agreement, there were additional allowances and benefits that accounted for this significant increase in compensation over the base salary. These allowances were negotiated through a series of contracts, the first originally signed in March 9, 2009 at the date of hire. The signing authority included the TCEDA Chairman, its new Director, and County Counsel. The contract was amended June 11, 2010 to add a monthly car allowance, and again May 8, 2012 to add a technology allowance and cash-out option of accrued personal leave.

The contract was subsequently amended on March 14, 2014 by contract, on March 13, 2015 by memo, on May 23, 2016 by contract, and then again on May 11, 2018 by contract. The last iteration was termed the “2nd Amendment to 2nd Amendment.” The three contract amendments from 2014 – 2018 were signed by the same individuals: the TCEDA Chairman, TCEDA Director, and Deputy County Counsel.

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Over the course of the position from 2009 to 2019, the base salary increased from \$93,595 to \$158,801.04. The most recent contract amounts and details are itemized below.

1. Compensation for the Director as of March 2019 was \$158,801.04/year base salary.
2. The Director and spouse's insurance (Employee +1) were covered 100% by the TCEDA. The coverage adjusted annually with changes in insurance premiums. At the end of the Director's contract, this amount totaled \$21,795.12/year.
3. The Director received the benefits and salary adjustments granted to the Tuolumne County Executive/Confidential Compensation Plan. The Director may cash out 160 hours of accrued vacation. This equates to roughly \$12,000. Eighty (80) hours of management leave converts to 80 hours of management pay, roughly \$6000.
4. The Director received a monthly technology allowance of \$200, for personal broadband and cellular phone use. This monthly allowance was in addition to the monthly salary.
5. The Director received a monthly, in-county, car travel allowance of \$500. This monthly allowance was in addition to the monthly salary. The CEO was reimbursed at the standard IRS rate for out of county mileage.

Note: The 2018-2019 Grand Jury found that

- all other County employees receive either \$15/month (low usage) or \$30/month (mid usage) for cell phone reimbursement;
- no other County employee was compensated at 100% for Employee+1 medical benefits. Only single County employees get 100% insurance coverage;
- a monthly car allowance is very rare for County employees.

EPCTC: Overview

The EPCTC, or Prosperity Council, was a nonprofit organization operated by and on behalf of the TCEDA. EPCTC began operating in 2009. EPCTC was an organization within an organization, in other words, a nonprofit corporation designed to accept charitable donations on behalf of the TCEDA. The TCEDA and the EPCTC shared oversight from the same individuals on their Boards of

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Directors, and the Director of TCEDA was also the Director of EPCTC.

EPCTC was incorporated with the stated goal “to encourage economic prosperity in Tuolumne County through research, education and economic development.”

EPCTC: Revenue and Expenses

Complete income and expenditure records for the EPCTC either do not exist or were not provided to the Grand Jury. From tax filings and review of the EPCTC’s check registers, the Grand Jury was able to reconstruct a general financial picture of the agency.

EPCTC brought in \$324,801 in revenue from 2009-2017. Revenue primarily came from grants by large and small businesses operating in Tuolumne County, from private individuals, and through memberships for access to the InnovationLab. Two main areas of expenditures occurred during the lifetime of EPCTC: the Amgen Tour and the InnovationLab.

The **Amgen Tour of California** was hosted by Sonora on May 16th, 2012, but Sonora has not been included on the tour since then. EPCTC was heavily involved in fundraising and promoting this 2012 event, raising over \$95,000. Expenditures included advertising and marketing, such as \$6,136.00 for radio advertisement, \$6,536.62 for event shirts, and \$4,091.38 to produce Amgen videos. Other costs included hospitality, such as \$14,781.60 in hotels for Amgen staffing, for promotional items such as \$1,005.87 for train whistles for spectators, and \$1,000 in a donation to Sonora High School for scholarships for event volunteers.

The InnovationLab, opened in 2014 and closed in 2018. It was funded by EPCTC through grants and memberships to provide access to cutting-edge technology, like 3D printers and robotics. The total cost of lab equipment was approximately \$32,000, with office space rent to the County totaling \$24,000.

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Other than these two areas, the 2018-2019 Grand Jury found it difficult to discern the funding priorities of EPCTC. Generally, they gave out small grants that ranged from 7.1%-18.2% of total yearly revenue. Marketing plus staff development (from EPCTC check registers) ranged from 6.8% to 24.3% of yearly revenue. In some years, a substantial amount of revenue was carried forward into the next year and not spent. In some years, it was unclear how significant portions of the revenue were spent.

There appeared to be no formal requirement for Board approval of purchases, donations, sales or expenditures for the \$324,801 in EPCTC funds.

Conclusion

The 2018-2019 Grand Jury's investigation confirms that the TCEDA and EPCTC dissolutions are warranted. Three Grand Jury investigations were required to address problems with the TCEDA, amounting to hundreds of hours of civil service time, County Counsel time and time spent by the staff of TCEDA. Ongoing issues exist, such as the refusal to disclose the Conflict of Interest review. The 2018-2019 Grand Jury uncovered ethics issues in this investigation that do not follow the County's mission to "be a good steward of County property and public funds." It is the finding of the 2018-2019 Grand Jury that the TCEDA Board of Directors are responsible for the failure of the TCEDA/EPCTC.

The 2018-2019 Grand Jury finds the TCEDA Board's refusal to provide the Conflict of Interest review to the public disingenuous. The Board has the right to waive the privilege and allow the public to learn the results of this review. They have chosen not to do so. Therefore, while the 2018-2019 Grand Jury recognizes the legal right to attorney-client privilege, it was clear from the beginning that the public wanted these results. Thus, County Counsel and the TCEDA Board should have agreed to an independent audit. The public has a right to evaluate whether any conflicts existed, and whether conflicts permeated the decision making process of TCEDA Board members. However, to avoid additional cost to the taxpayers, the 2018-2019 Grand Jury has chosen not to pursue this matter further.

FINDINGS

F1: Effective economic development is crucial to Tuolumne County, which lags behind the state in economic health.

F2: There are multiple instances of lack of control and oversight by the TCEDA/EPCTC Board over the agencies.

F3: This lack of oversight from the Board of Directors allowed the TCEDA Director to be compensated at a high level compared to other counties in California, and to other employees in Tuolumne County.

F4: The Employment Agreement for the TCEDA Director was overly broad with its benefits, travel and expense policies that surpass other County employees/managers.

F5: Private allowance and benefit negotiations of the TCEDA Director's contract hid the true and far-reaching compensation package from other County employees, and from the public.

F6: TCEDA misused public funds.

F7: The majority of TCEDA/EPCTC monies were not clearly accounted for in publicly available documents for approximately 10 years.

F8: There was a lack of clarity on how to define economic development and how to measure TCEDA's effectiveness to develop the County's economy.

F9: There persisted a *culture of insufficient oversight* of TCEDA/EPCTC by its Governing Board over the course of ten years.

F10: Two previous Grand Jury investigations indicated significant mismanagement issues and lack of measurable effectiveness of the TCEDA, which indicates a longstanding, structural incompetency of the agency.

F11: The County and City acknowledged the failure of the agency by dissolving it in 2019, even before the financial and managerial audits were complete.

F12: The TCEDA Board is responsible for countless hours spent by County Counsel and TCEDA's employee in responding to lawsuits and public records requests, and in three investigations by grand juries, because of its ongoing lack of transparency and its mismanagement.

F13: A conflict of interest review of TCEDA Board members serving on multiple boards was done at the request of the 2017-2018 Grand Jury by County Counsel, but due to attorney-client privilege, none of the findings of the review are available to the 2018-2019 Grand Jury or the public.

RECOMMENDATIONS

R1: Tuolumne County and City of Sonora maintain continuous investment in economic development going forward (**F1**).

R2: A new Economic Development entity be developed, and be accountable to CAO of the County (**F2, F9**).

R3: Tuolumne County appoint an Economic Development leader who is a County employee, under County policies and procedures, with standard County compensation packages (**F2, F3, F4, F5, F6**).

R4: The County develop measures to track progress of economic development (**F7, F8**).

R5: The CAO and the City Administrator educate their respective elected officials and managers on "Code of Conduct" and "Code of Ethics" expectations as public servants, by providing ethics training on an annual basis, to ensure that they understand that their primary missions are to serve the public of Tuolumne County (**F10, F11, F12**).

REQUEST FOR RESPONSES

According to California Penal Code §933(c), no later than 90 days after the grand jury submits a final report on the operations of any public agency subject to the reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body and every elected county office or agency head for which the grand jury has jurisdiction pursuant to §914 shall comment within 60 days to the presiding judge of the superior court.

The Tuolumne County CAO is requested to respond to: **R1, R2, R3, R4, R5**

The City of Sonora Administrator is requested to respond to: **R1, R5**

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Managerial Audit Contract with Macias Gini & O'Connel LLP

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<https://www.census.gov/quickfacts/fact/table/tuolumnecountycalifornia/INC110217>

FILED

MAY 03 2019

Superior Court of California
County of Tuolumne

By: Diana A. Kelly Clerk

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 IN AND FOR THE COUNTY OF TUOLUMNE

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11 IN RE:

GENERAL ORDER

12 2018-2019 Grand Jury
13

14 I certify that the 2018-2019 Tuolumne County Grand Jury
15 Final report section on TCEDA/EPCTC Oversight complies with
16 Title Four of the California Penal Code and direct the County
17 Clerk to accept and file this section of the final report as a
18 public document.

19
20 Dated this 3d day of May, 2019

21
22 Kate Powell-Segerstrom
23 Kate Powell-Segerstrom
24 Judge of the Superior Court
25

GENERAL ORDER

FILED

MAY 20 2019

Superior Court of California
County of Tuolumne

By: Diana Neely Clerk



**2018-2019 Tuolumne County
Civil Grand Jury**



Photo Credit: Courtney Rodes

**SIERRA CONSERVATION CENTER
AND BASELINE CONSERVATION CAMP REPORT**

SIERRA CONSERVATION CENTER AND BASELINE CONSERVATION CAMP

SUMMARY

Sierra Conservation Center (SCC) and Baseline Conservation Camp (BCC) are two State prison facilities located near Jamestown. The SCC A and B facilities are showing considerable age, since the original buildings were constructed in 1965. A third, C building, was constructed in 1987. Administrative and other staff exhibited dedication and professionalism. All staff agreed to sign Admonishment forms if requested. Administration also has some charity programs in effect.

GLOSSARY

AA	Associate of Arts
AB 109	Assembly Bill 109, which transfers the responsibility of some felony prisoners from State prisons to county jails
BCC	Baseline Conservation Camp
BOR	Bureau of Reclamation
CDCR	California Department of Corrections and Rehabilitation
CDPH	California Department of Public Health
EHSR	Environmental Health Survey Report
GED	General Education Development
MAC	Men's Advisory Council
PUPP	Prisoners Uniting People and Puppies
RAC	Rehabilitative Achievement Credit
SCC	Sierra Conservation Center

BACKGROUND

California Penal Code (919)b states that the Grand Jury in each county shall inquire into the condition and management of the public prisons every year. Just prior to the Grand Jury visit the California Department of Public Health (CDPH) did their bi-annual Environmental Health Survey Report (EHSR), August 20-24. Their findings were published October 22, 2018, and SCC was already in the process of addressing any deficiencies. In lieu of this report, the Grand Jury opted not to consider this visit an investigation, but rather simply a required visit as per California Penal Code (919)b.

METHODOLOGY

On November 6, 2018, the Grand Jury conducted a five hour tour of Sierra Conservation Center (SCC) with the Administrative Assistant staff. On arrival the Grand Jury was met by most department managers. The staff wanted to be sure they would be able to answer any questions. Following the meeting the jury was able to tour the recreation area, food services, medical and dental facilities, the religious facility, academic and vocational areas, and living accommodations. SCC also has American Indian yards for any Native American cultural activities.

DISCUSSION

During the tour we were able to speak with a member of the Men's Advisory Council (MAC), a spokesman for the inmates. We were also able to speak with some inmates who were in the intake process. This process includes issuance of a picture ID, a handbook of rules and regulations, clothing, bedding, dormitory assignments and an initial inmate file review. Inmates requiring medical, dental, or mental health services are referred to the appropriate clinics. Several of these inmates told us they were interested in educational and vocational training so they could leave prison with useful skills.

The Grand Jury visited all three buildings. There are approximately 2,500 inmates housed in these facilities with a capacity to house 3,433. Building A (Level I) houses the lowest security risks. Building B (Level II) houses moderate security risks. Building C (Level III) houses the highest security risks. Each dorm in Facility A and B has the capacity to house 32 inmates, however most dorms have about 20. Facility A has the possibility to house 1,215, Facility B has the possibility to house 1,219. Facility C has the capacity to house 999. Facility C is cell living and each cell has the capacity to house two inmates. Outside time for inmates in Facilities A and B is spent in a communal courtyard. There is no perimeter fencing around these two buildings. Inmates in Building C may be serving life sentences, may have mental health issues, or may be dangerous to themselves or others. Outside time for these inmates is in single person increments in a secure yard. Inside Facility C there are armed guards in a control booth watching over inmates who are in a common room. There are over 900 staff and personnel, including health care, correctional officers and office staff.

Inmates from Building A and a few from Building B can be eligible to apply for BCC. They have a two week training period to see if they will qualify.

Summer heat, mold and holes in the wall are continuing problems. Holes in the walls are often put there by inmates for varying reasons. Roofing is in a constant state of being replaced. Budgetary restraints keep it a revolving problem. Although there are continuing complaints from inmates about the inside temperature during the summer, it would be a \$27 million project to install air conditioning. Currently, inmates are evaluated as to whether they would be susceptible to extreme heat and those inmates are placed in the coolest part of the buildings. A few of last year's Grand Jury recommendations still have not been addressed. Some of these issues are because of funding limitations. Any repairs over \$5,000 need to be approved by Sacramento as a capital expenditure.

Meals for SCC are prepared by the inmates at SCC. They prepare and serve a hot meal for breakfast and dinner and a bag lunch. All meals meet State calorie and nutritional requirements. These meals also cater to medical dietary restrictions and special religious requirements. Building A and Building B share a common dining area and receive their meals at different times. Building C has its own dining area. Inmates who are in Administrative Segregation receive their meals in their cells. One current

issue with the kitchen that the EHSR reported, was the safety guard missing on one of the old mixers. This is currently being addressed.

SCC has a very well equipped on-site medical/dental facility. Maximum capacity is ten inmates. Inmates are sent here for assessments, treatments and emergencies. They are then transported to the local hospital if the need should arise.

Inmates are also responsible for the laundry and yard maintenance at SCC. This is a very essential operation for SCC.

Part of the SCC visit included the educational facility. This is a very essential part of trying to rehabilitate inmates before being released. Prop 57 has enabled inmates to receive credits for time off their sentences by participating in rehabilitative and educational programs. They will then be assessed as to their criminal history, institutional behavior and rehabilitative efforts. The Rehabilitative Achievement Credit (RAC) program is one of these programs. They have a very well equipped library. Inmates have access to fiction, non-fiction and law books. They also have computers at their disposal with limited internet access. GED, AA and Bachelor's Degrees can be obtained at SCC. Substance abuse and anger management are other courses available and can even be made mandatory per sentencing conditions.

Another aspect of education is the technical educational programs available. SCC offers welding, automotive, auto body, masonry and carpentry programs. Currently some of these programs are unavailable due to teachers resignations, but SCC is actively seeking new instructors.

Another program is the Wastewater Treatment Plant. This program is operated by licensed professionals. This is a high demand job if an inmate can complete the program. SCC has had an inmate complete this program and find a well paying job when he was released back into society.

Textile manufacturing is a huge program at SCC. For example, uniforms for CalTrans and CAL FIRE, are manufactured in this facility. This program provides a work opportunity for inmates, and also generates over \$3 million dollars of revenue for SCC.

One other relatively new program is the Prisoners Uniting People and Puppies (PUPP) program. This is a twelve week dog training program in Building C. Inmates who are serving at least a one year sentence are

eligible to apply for the program. There are eight dogs in training at one time. The dogs actually live with inmates in their cells. This program has been working well, as it is giving the inmates an opportunity to be responsible, and do something constructive. This program is therapeutic for these inmates; some haven't touched a dog in several years. These dogs are trained to detect contraband and are also used at BCC for searches.

BASELINE CONSERVATION CAMP

On December 4, 2018 the Grand Jury conducted a two hour tour of BCC with the Camp Commander. While BCC is a separate entity from SCC, and on Bureau of Reclamation (BOR) property, inmates at this facility are selected from low risk inmates at SCC who have at least six months left on their sentences. If they qualify, they are moved to BCC to train to fight wildfires. This saves the community about \$11 million a year. Because of AB109, the inmate population is currently down. A lot of low risk inmates are being detained at the Tuolumne County Jail instead of being sent to SCC.

BCC is comprised of six housing units, five of which contain up to twenty inmates who assist CAL FIRE, fighting fires. Each of these units has two inmates, called Swampers, who are responsible for getting the team together when they are called out onto a fire. The sixth unit contains inmates that may be having health or other issues. These inmates are responsible for maintenance of the Baseline Camp. This would include making meals, doing laundry, and yard work. The fire fighting inmates are paid \$1/hr to fight fires during summer months. In the off season they clear and make fire breaks to keep fire risk to a minimum. While working on a fire, the inmates are supervised by CAL FIRE. While at BCC they are supervised by the California Department of Corrections and Rehabilitation (CDCR) personnel.

Security at BCC is somewhat relaxed. There are however, random drug testing and disciplinary consequences for bad behavior. If the bad behavior continues, they can be sent back to SCC. The inmates have their own barber shop and are allowed scissors to cut hair. They also have a wood shop with various tools. All tools need to be accounted for after use

though. One issue at the wood shop was that there was no first aid and the shop had not been cleaned up.

Meals at BCC, and while they are on fires, are very good. BCC receives \$3/day from their own budget and also \$3/day from CAL FIRE to feed inmates. This allows for very good, high calorie meals that the inmates require while fighting fires. The Grand Jury was asked to join them for lunch and were quite impressed.

PROGRAMS

Being at BCC is a great opportunity for these inmates. They have an opportunity to get an education and learn a trade to be able to transition back into society while performing a great service for the community. One former inmate is now a Captain for CAL FIRE. This is a win/win situation for everyone.

FINDINGS

F1 No first aid kit at wood shop.

RECOMMENDATIONS

R1 Install a first aid kit in wood shop area.

REQUEST FOR RESPONSES

According to California Penal Code §933(c), no later than 90 days after the grand jury submits a final report on the operations of any public agency subject to the reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body and every elected county office or agency head for which the grand jury has jurisdiction pursuant to §914 shall comment within 60 days to the presiding judge of the superior court.

The BCC Commander is requested to respond to: R1

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Prop 57: <https://cdcr.ca.gov/proposition57/>

FILED

MAY 20 2019

Superior Court of California
County of Tuolumne

By: Diana Neely Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF TUOLUMNE

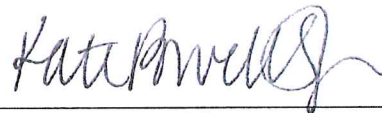
IN RE:

GENERAL ORDER

2018-2019 Grand Jury

I certify that the 2018-2019 Tuolumne County Grand Jury Final report section on Sierra Conservation Center and Baseline Conservation Camp complies with Title Four of the California Penal Code and direct the County Clerk to accept and file this section of the final report as a public document.

Dated this 20th day of May, 2019



Kate Powell-Segerstrom
Judge of the Superior Court

GENERAL ORDER

FILED

MAY 20 2019

Superior Court of California
County of Tuolumne

By: Diana Neeley Clerk



**2018-2019 Tuolumne County
Civil Grand Jury**



Photo Credit: David Douglass

TUOLUMNE COUNTY JAIL REPORT

TUOLUMNE COUNTY JAIL REPORT

SUMMARY

The Tuolumne Grand Jury made its annual inspection of the Tuolumne County Jail with members of the Tuolumne County Sheriff's Department staff. The Grand Jury found the existing Jail outdated. In addition, it was found that the Jail was understaffed. With a new jail already in the construction phase, the 2018-2019 Tuolumne County Grand Jury had very few recommendations. In light of new construction, the Grand Jury considers making substantial repairs to the existing building a waste of the taxpayers' money.

BACKGROUND

California Penal Code (919)b mandates that the Grand Jury in each county inspect the condition of all jails every year. Sections 919(a), 925, and 925 (a) authorize the Grand Jury to investigate city and county jails, and other detention facilities.

METHODOLOGY

The 2018-2019 Tuolumne Grand Jury inspected the Tuolumne County Jail facility on October 30, 2018. Research included queries with members of the Tuolumne County Sheriff's Department staff and follow up questions via email.

DISCUSSION

Upon initial entry to the Jail, Grand Jury badges were not checked, nor were the Grand Juror members asked about having prohibited items on their persons. There was also a private citizen in the foyer when the 2018-2019 Grand Jury was receiving information about Jail operations, safety protocols and procedures.

Due to the age and deterioration of the current facility, a new jail is under construction. It is scheduled to be finished by December 2019. The new jail will accommodate approximately 230 inmates, whereas the current facility, built in 1959, houses only 147 inmates. It is also in a residential neighborhood within the Sonora city limits. The Grand Jury found the Jail to be clean and as well kept as could be expected given the age of the facility. Inmate capacity of the current facility is insufficient. Every day inmates are released and the Jail is again immediately filled to capacity.

JAIL INSPECTION

The inspection of the Tuolumne County Jail was conducted by five members of the Grand Jury. It was led by the Jail Commander and two other officers of Tuolumne County Sheriff's Department. A tour of the facility included most areas of the Jail, including "safety and sobering" cells, the control room, various cell blocks, the kitchen, and the rooftop recreation area. Inmates assume responsibility for the cleanliness of the Jail. The inmates were observed performing various tasks, such as laundry and fixing meals. Some of the Jail offices were very small and did not allow for natural lighting.

Recently the Jail installed a state of the art visitation system in the front of the Jail. Visitors can now communicate with inmates via monitors that have been installed in the reception area.

Safety and sobering cells are designed for a single person. These cells are for inmates just entering the Jail who may be alcohol or drug impaired, or have mental health issues. Each of these cells has a large window facing the control room so as to permit observation. These people need to be checked on a regular basis (every 15 minutes) should any medical or safety issue occur. Inmates in regular units are checked a minimum of once per hour.

The jurors were allowed in the control room to observe the booking procedure and to speak with personnel. They were informed of the decision-making process that occurs when someone must be released because the Jail operates at capacity and needs to create space for a newly incarcerated person. Some of the inmates have been incarcerated at the Jail for years due to Assembly Bill AB109, which realigns the

sentencing of nonviolent, nonsexual and non-serious offenders to serve their sentences in county jails instead of state prisons.

The jurors were also shown the officer locker rooms and clothing and supplies lockers. Due to the limited space, entrance to the women's lockers necessitated going through the men's locker room. Training was also done in this area.

Several leaks were noted of gray water being funneled into drums because of leaking pipes. These leaks were brought to the attention of the Jail by the 2017-2018 Grand Jury and still have not been addressed. The jurors also noted an extension cord running through a hallway into a cell block.

The staff discussed some of the programs available to the inmates. They also related some of their experiences and were eager to relocate to the new jail. They were hoping a lot of the existing problems will then be eliminated.

STAFFING

Minimum staffing, as required by law, is one supervisor and four deputies. The Jail is not fully staffed and, it appears, won't be in the near future, until the new jail is completed. At the present time there is no clear guideline for increasing of staff as this would require allocating additional funds by the Board of Supervisors. Therefore, if an employee is absent for any reason, there is no other option except for other employees to work overtime. One concern expressed by staff is the difficulty recruiting and retaining officers, especially women. The Jail tends to be a training ground, since jobs for officers in other capacities generally pay better. Dispatch and the administration staff will be staying in the old jail offices once the new jail is finished. Unfortunately some of the offices for staff are extremely small with no windows and barely large enough for room to work.

PROGRAMS

There are few educational programs available. The library is in dire need of maintenance. Inmates have access to computer terminals that allow

them some limited online research. They can also use these for filing complaints with staff.

The Jail has some work programs created under the auspices of the Jail Industries Authority. These programs provide training for inmates. Time spent in these programs counts toward reduction of inmates' sentences and gives them skills to fall back on when they are released.

There are some in-house occupational training opportunities, such as woodworking, landscaping and culinary arts. These include building bird feeders, chairs and dog houses. Inmates currently work in the kitchen preparing meals for the Jail, which also provides the meals for the Juvenile Detention Center. The inmates also do the laundry for the Jail.

Unfortunately the recidivism rate is quite high. Of 251 inmates in one year, 56 returned to jail (22.3%).

CONCLUSION

The Tuolumne County Jail is well operated when considerations are made regarding the age and deterioration of the building. The Jail is not fully staffed and it is difficult to keep staff due to budget restrictions. The only real concern would be to expand on security measures. Overall, the staff should be commended for a job well done.

FINDINGS

F1 The Jail is currently understaffed by four officers. With the opening of the new jail in 2019, additional officers will need to be hired.

F2 Safety issues found in the 2017-2018 Grand Jury report have not been addressed. These would include the gray water being collected in drums rather than repairing the pipes and correcting the extension cord running down the hall.

F3 There appeared to be a lack of adherence to security protocol.

F4 Better educational opportunities and rehabilitative programs may reduce repeat incarcerations.

RECOMMENDATIONS

R1 Recruit officers to fill current vacancies. This may include seeking additional budget funding. (F1)

R2 Address safety and health issues. These will need to be addressed if the building continues to be occupied as planned. (F2)

R3 Adhere to security measures. This could entail refresher training on admitting private citizens into the Jail. (F3)

R4 Pursue educational opportunities and rehabilitation programs for inmates. This may include studying for and obtaining a GED or post secondary degree, and counseling services. Maybe some retired professionals would be willing to donate their time. (F4)

REQUEST FOR RESPONSES

According to California Penal Code §933(c), no later than 90 days after the grand jury submits a final report on the operations of any public agency subject to the reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body and every elected county office or agency head for which the grand jury has jurisdiction pursuant to §914 shall comment within 60 days to the presiding judge of the superior court.

Tuolumne County Sheriff is requested to respond to: R1, R2, R3, R4

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FILED

MAY 20 2019

Superior Court of California
County of Tuolumne

By: Diana Neelley Clerk

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 IN AND FOR THE COUNTY OF TUOLUMNE

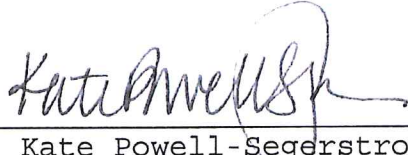
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11 IN RE:

GENERAL ORDER

12 2018-2019 Grand Jury

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14 I certify that the 2018-2019 Tuolumne County Grand Jury
15 Final report section on Tuolumne County Jail complies with
16 Title Four of the California Penal Code and direct the County
17 Clerk to accept and file this section of the final report as a
18 public document.

19
20 Dated this 20th day of May, 2019

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22 
23 Kate Powell-Segerstrom
24 Judge of the Superior Court
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GENERAL ORDER

FILED

JUN 03 2019

Superior Court of California
County of Tuolumne

By: Diana Neely Clerk



Photo Credit: Karen Willenberg

2018-2019 Tuolumne County Civil Grand Jury Groveland Community Services District Report

*2018-2019 Grand Jury Report On
Groveland Community Services District*

SUMMARY

The 2018-2019 Grand Jury investigated the Groveland Community Services District (GCSD) based on letters of complaint received from Groveland community members. The complaints generally grouped into the following areas: 1) Fiscal mismanagement; 2) Wastewater treatment issues regarding lift stations and maintenance; 3) Bullying or intimidation by GCSD of rate-payers; and 4) Public trust.

We found that the GCSD is financially stressed and has identified some ways to improve their finances and operations, but in other ways is not improving. There are significant and legitimate issues surrounding wastewater treatment and standard maintenance, issues that may cause future problems to the District. There is a small but very vocal and critical public contingency that scrutinizes the operations of GCSD, and this acrimonious relationship continues to deteriorate. Because of these three issues, GCSD generally experiences a lack of public trust within the community of Groveland and surrounding Services areas.

GLOSSARY

Board	Board of Directors for Groveland Community Services District
GCSD	Groveland Community Services District
GM	General Manager
Lift Station	A facility/site where wastewater is transported from lower elevations to higher elevations in the process of conveyance to the wastewater treatment plant
Rate-payer	A resident who pays for water and/or sewer Services in GCSD
SWRCB	State Water Resource Control Board
TUD	Tuolumne Utilities District
Vacuum truck	Truck with holding tank that pumps sewage debris and liquids into its tank and transports the materials by land for disposal

METHODOLOGY

The Grand Jury:

- compiled data from the GCSD website, from posted agenda packets and recorded minutes from GCSD Board meetings, and from our attendance at Board meetings;
- interviewed and collected information from Groveland community members and from GCSD representatives;
- read through documents, including past articles from the Union Democrat and on mymotherlode.com, other online information from news media, social media posts of closed groups (e.g., NextDoor) and private email correspondence between GCSD representatives and rate-payers;
- read through the GCSD Policy and Procedures Manual and reviewed additional documents provided to us through our interview processes or available publicly online, such as certificates of accomplishments of employees, GCSD contracts for consulting Services, monthly financial reports, long-term investment statements, the GCSD 2018/2019 Budget, and other operating documents from water/sewer districts within California;
- read through the Grand Jury Final Report from 2017-2018, and the Response from GCSD; and
- appointed one Grand Jury member to this sub-committee with special expertise in this field, who retired from an outside-county wastewater treatment facility after a long career.

BACKGROUND

The Groveland Community Services District (GCSD) is a special district in Tuolumne County, serving the residents of Groveland, Pine Mountain Lake and Big Oak Flat. It supplies clean water, sewer disposal, fire protection and park maintenance. GCSD provides water to ~3,500 customers and sewer to ~1,500 customers (many wastewater rate-payers are also water rate-payers). For comparison, Tuolumne Utilities District (TUD) headquartered in Sonora, and known to most residents of Tuolumne County, serves ~44,000

*2018-2019 Grand Jury Report On
Groveland Community Services District*

rate-payers. Therefore, GCSD is a small district, only serving about 7% of the rate-payers Serviced by TUD in Sonora. The State Water Resource Control Board (SWRCB), the overseeing state agency of GCSD, categorizes them as a Disadvantaged Community based on median income in the district. This Disadvantaged status qualifies GCSD for particular state grants at 100% (planning grants) and 75% (construction grants with matching 25% funds from GCSD). State grant approvals are currently backlogged with a long wait time for review of applications, so it is not predictable when GCSD will receive grants.

GCSD currently employs 16 personnel, 12 who work in operations/field and 4 who are office staff. In January 2018, they contracted a consultant to serve no more than half-time capacity as their General Manager at \$110/hour, "not to exceed \$115,000 over six months", or a maximum of 20 hours/week over 6 months (2018-2021 Contract, page B-1) and allocated at \$185,000 in the 2018/2019 Budget. The position is classified as a "Consultant". This classification means that this position is not technically an employee of GCSD, and therefore there are no additional health benefits, retirement, or car allowances provided in the compensation package. It is not clear why the GM Consultant contract is written in six month funding blocks, when the GCSD budget covers one fiscal year -- which may lead to confusion about the number of hours worked and funding over the course of a year.

For comparison, TUD has 80 employees, and the full-time General Manager of TUD earns \$190,000/year in base salary, plus additional car allowance, health benefits, and retirement.

Starting August 2018, GCSD also employed a part-time consultant for Communications/Public Relations (\$50/hr up to \$2,500/month) allocated at \$25,000 in the final 2018/2019 Budget (subsequently amended with an additional \$5,000 in March 2019). In the final 2018/2019 Budget, a Human Resources consultant was also added at an additional \$6,696 cost. The total budgeted for GCSD employees (salary, benefits, taxes, etc) and the GM Consultant is

*2018-2019 Grand Jury Report On
Groveland Community Services District*

\$572,458. For 2017/2018 the total was \$535,732, for an increase in 2018/2019 of \$36,726.

There are four areas that are separate categories in the GCSD budget: 1) Sewer; 2) Water; 3) Fire; and 4) Park. The revenues differ for each category. Wastewater service charge fees are collected from residents using the GCSD sewer system, and may only be allocated by GCSD to running the wastewater portion of their operations. Water service charge fees are collected from residents to whom the GCSD supplies water, and may only be allocated to the cost of operating the water portion of the GCSD. The fire revenues support the wing of GCSD that operates the regional fire department. Fire revenue comes from property taxes/bonds, and from partial reimbursement when responding to requests for help in fighting wildfires from the State of California and from the federal government. The Groveland park maintenance and upkeep category is funded through property taxes.

These are categorical funds, which means it is not acceptable to commingle funds or use reserves from one fund to off-set costs in another. A deficit in one fund does not cause a deficit in another categorical fund.

There are three additional areas of GCSD revenue: funds received from leasing GCSD equipment, property or facilities; selling of GCSD assets, like equipment, property, or facilities, and interest accrued from investments of GCSD funds. Other sources of revenue generation, such as fees accepted for third party waste disposal, are not currently being utilized. *(For a more extensive overview of these categories, revenue and operating costs, see GCSD 2018/2019 Final Budget Preparation Memorandum, August 13, 2018).*

Several areas for commendation were revealed during our investigations. Over the past fiscal year, several staff trainings have occurred, as well as staff completion of additional skills certificates. Board members have also participated in professional development trainings. The Office Manager has initiated a policy to convert GCSD paper documents into efiles (electronic files). The efficient and quick

*2018-2019 Grand Jury Report On
Groveland Community Services District*

repairs and restorations after general flood damage of the Mary Laveroni Park in Groveland are commended.

DISCUSSION

Finances

The GCSD is in financial stress, an ongoing problem over the last several years and more recently exacerbated by storm damage in 2017 and 2018. The District has historically addressed this long-term financial stress not with rate increases, but through employee attrition and delay of Capital Improvement Projects.

Currently the GCSD is operating more in “crisis” mode than “routine” mode. Infrastructure needs remain major concerns for the future, such as lift station upgrades to prevent system clogs and buildup, equipment needs such as pump replacement for wastewater management, along with staffing needs (see below).

In the 2018-2019 Budget, the GCSD states “[t]his budget year, we are spending to stay afloat, and investing in the studies needed to document the long-term improvements and replacements needed, so we can plan them out financially for the long term” (page 14).

In Fall 2018, GCSD rate-payers experienced a 17% sewer rate increase. 2019 and 2020 will also see 17% rate increases, followed by smaller increases in 2021 and 2022. The rate increases will offset significant flood damage to infrastructure experienced in 2017 and 2018, will build growth into the budget to address current equipment needs, and will buffer upcoming anticipated loan payments for 25% matching funds for a SWRCB construction grant.

The high cost of the fire and park areas under the jurisdiction of the GCSD is not sustainable under the current budget projections. To offset this, the GM Consultant foresees a bond measure or special tax on the local ballot in two years. The funds will be used to maintain the park services under GCSD purview, and to staff fire prevention teams 24 hours/7 days a week in the Groveland area.

2018-2019 Grand Jury Report On
Groveland Community Services District

Staffing Needs

In the January 8, 2019 Board meeting, the Board approved additional staffing that will presumably also be partially funded by the sewer rate increases. A new office staff position was approved (Administrative Services Technician) and at this writing is being advertised. A management/supervisory position was identified as needed but not yet approved. A *Classification and Comparison Study* by Koff and Associates was commissioned by the GCSD to assess salary comparisons with similar agencies, although it did not assess staffing needs.

No new field staff positions have been approved for 2018/2019. The GCSD maintains a very complex wastewater system, with 16 lift stations, 35 miles of gravity line (pipes that are not under pressure), and seven miles of forced main lines (pipes that are under pressure). There are currently only five field crew at GCSD, and no field supervisor; only four employees are available to work in the field if one is occupied with reading meters. The five field staff members must work both wastewater and water systems; they work beyond their job descriptions due to the shortage of staffing, and due to the GCSD operating in a reactionary, triage mode. The lack of dedicated wastewater operators makes regular and routine maintenance of the sewer systems not possible.

GCSD leadership acknowledges the challenges of failing equipment and the lack of funding to purchase upgrades, which then requires more field staff to triage problems. The 2018-2019 Budget states:

“As we are always responding to crisis, we currently do not have the staff to perform standard maintenance such as street, control and pressure regulating valve operation and maintenance, fire hydrant flushing and servicing. Lack of maintenance will result in premature failure and the need for replacement of system components ... Completion of planned system replacement projects coupled with the purchase of updated technology, system maps, tools and equipment will

*2018-2019 Grand Jury Report On
Groveland Community Services District*

free up time to allow for increased maintenance without adding staff.” (Page 14)

The inability to replace failing equipment, coupled with the lack of ability to conduct standard maintenance, will exacerbate the need for additional staffing. Field staff shortage was a finding of the 2017-2018 Grand Jury. GCSD responded on August 15, 2018, “We disagree with the finding that the District was or is inadequately staffed....the Grand Jury is simply not qualified to understand the intricacies of the operation and maintenance of a water and wastewater system.” This response from GCSD remains puzzling, given their subsequent statements that they do not have adequate staffing for routine and regular maintenance.

Wastewater treatment issues

As the GCSD is operating in a “crisis” or “reactionary” mode of operations, the District is deferring maintenance in lift stations. There isn’t enough staffing to maintain a planned program of daily/weekly scheduled maintenance and flushing. This daily “trouble-shooting” mode of Services means that the GCSD is waiting until complaints arise, such as odor issues at lift stations, before flushing and physically cleaning wastewater stations. Both Pine Mountain Lake residents, and GCSD representatives/employees, acknowledge ongoing odor issues around lift stations.

GCSD recognizes these long-term issues in the 2018-2019 Budget:

“...we do not have the appropriate equipment to fully clean and flush portions of the sewer collection system, due to its high expense and infrequent use. Lack of sewer cleaning can result in sewer overflows. Investment in correct equipment or contracting regularly for the cleaning work in difficult locations should be funded” (page 14).

Board oversight and subconsultant work

Per the GM Consultant’s contract, any duties that fall under the GM purview but are handled by a subcontractor are to be paid at “the Consultant’s own expense.” In a preliminary review of the GM

2018-2019 Grand Jury Report On
Groveland Community Services District

Consultant scope of duties, we found overlaps in Services in \$30,000 for the Communications/Public Relations Consultant and \$6,696 for Human Resources Consultant (\$36,696 total).

From the GM Consultant Contract effective May, 2018 – April 2021, it states:

“E. Consultant may, at Consultant’s own expense, use any employees or subconsultants as Consultant deems necessary to perform the services required of the Consultant by this Contract. The District shall not control, direct or supervise Consultant’s employees or subconsultants in the performance of those Services.”
(A-2, emphasis added)

In the General Manager Consultant’s contract Exhibit A, Scope of Work, it reads:

“He/she represents the Board’s policies and programs with employees, community organizations, the general public, other agencies, and associations...The General Manager is responsible for all Human Resources and Personnel issues in the District” (A-7) and “Consultant... shall serve as public information officer for the District as necessary” (A-10, emphasis added).

Additionally, in the “Norms and Protocol” Resolution 2019-2, adopted by the Board, under “Relations with the Community,” it states:

“23) Communication with the media—contact person/training
a) The Board agreed that this communication will be left as sole responsibility of the GM, and that the Board members may only confirm that facts or statements they made are accurate. Possible policy creation in the future if needed” (page 9, emphasis added).

However, the 2018-2019 Grand Jury found that a Public Relations subconsultant was making statements, posting online comments, and representing the GCSD to the public. Other areas of overlap in contracted services may exist, for example, in the area of engineering consultants.

GM Consultant work outside GCSD

The GCSD GM Consultant currently serves as the Site Manager or GM Consultant for four additional small districts: Lake Don Pedro (Tuolumne County), Saddle Creek (Calaveras County), Cortina (Colusa County) and Hornbrook (Siskiyou County). The Grand Jury found no conflict of interest in one person holding these five positions at one time. In fact, having a GM Consultant with expertise and experience in multiple small districts is a commendation. However, in totaling up hours required for each of these appointments, the number of work hours is beyond an 8 hour/day, 5 day/week work schedule. The Grand Jury considers the ability for the GM Consultant to sub-contract out parts of the GM Consultant duties at the GCSD as one appropriate way to handle such an excessive workload.

Update: In April 2019 as this report was being finalized, the GCSD Board announced that it hired the GM Consultant as a full-time General Manager. The contract has not yet been finalized as the time of this report.

“Watchdog” group

The GCSD is heavily scrutinized by a very small group of community members who work together to serve as a “watchdog” over District management. This group of citizens attend monthly Board meetings in order to voice their concerns and raise questions regarding District management. The Grand Jury finds that the same vocal community members at Board meetings seldom (if ever) bring praise to the Board or GCSD representatives/employees. Their concerns, even if well founded, exacerbate a caustic atmosphere between the community and the District. When public trust is fragile, these interactions are counterproductive.

GCSD communications with rate-payers

There is a clear history of acrimony between these vocal Groveland community members and the Groveland Community Services District Board and staff. The Grand Jury found confrontational, intimidating behaviors on the part of GCSD representatives via social media (Nextdoor). In addition, another GCSD representative has admittedly

*2018-2019 Grand Jury Report On
Groveland Community Services District*

taken part in an altercation with a rate payer on GCSD property. This history sets the background for tensions and frustrations to run high in interactions that may, under normal circumstances, not provoke such strong emotions. The Grand Jury found intense reactions on both sides of the interactions. Community support must come from trust of the GCSD, which the Grand Jury investigations found to be seriously compromised.

The GM Consultant outlined a comprehensive Communications Plan on Nov. 13, 2018, and projects a June 30, 2019 completion date, in part to address this history of acrimony with rate-payers. The Grand Jury commends the GM Consultant and GCSD Board for its proactive nature in addressing this history.

In “Norms and Protocol” Resolution 2019-2, the GCSD Board outlined processes for complaints. They separate out public and staff into two different reporting structures.

“32) Handling complaints or comments from the public outside of meetings

- a) The Board agreed that public complaints or concerns should be routed through the GM, who will bring them to the Board as needed.

33) Handling complaints from staff

- a) The Board agreed these would be handled by the GM or through the use of outside consultants if related to the GM” (page 10).

Given that our investigation uncovered instances of confrontational verbal and written interactions against rate-payers that were not reported, it suggests to us that there is still stigma, concern, and/or confusion in voicing complaints against the GCSD and/or its representatives.

Board meetings

Board meeting agendas contain many items of business that often cause meetings to run in excess of two hours, sometimes up to 5 hours long. These excessive meetings may impact Board communications, and the ability for more members of the community

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Groveland Community Services District*

to attend and fully participate in the meetings. Strategies and tactics exist for facilitating short and efficient meetings, which may not be fully utilized at the GCSD.

Additionally, minutes that summarize Board meetings do not adequately capture the depth of the discussions and presentations.

For example, in the September 11, 2018 the minutes read:

“Discussion and Board Direction Related to Current District Policy Regarding Fire Department Cost Recovery Fees

No action taken. Board directed staff to gather information regarding issues discussed” (page 2)

It is unclear from the minutes what was discussed, and why further information gathering was required.

Website issues

The online Operating Policies and Procedures Manual has only 5 out of 54 heading/chapter links active. Key chapters that would facilitate public trust and education such as Board Policies and Procedures, Board Action and Decisions, and Personnel and Financial Policies, are not accessible to the public through the GCSD website. These issues make it difficult to navigate the GCSD website for public records and information regarding Finances, Board and Personnel Policies.

Board agenda packets on the GCSD website are difficult to identify and locate. The agenda packets are not labeled as such, and the links do not include the date of the Board meetings. Another issue we found is that links to Resolutions do not provide any supporting exhibits upon which the Resolutions are based.

FINDINGS

F1. GCSD is financially stressed and does not have the funds to maintain and replace all its equipment and technology needs.

F2. There is inadequate staffing to perform standard maintenance.

F3. The high cost of the fire and park areas under the jurisdiction of GCSD is not sustainable under the current budget projections.

F4: Wastewater issues regarding lift stations and routine maintenance are not being properly addressed.

F5: Other sources of revenue generation or enterprises are not being fully utilized as they were in the past, such as accepting mobile and industrial waste hauler tank truck loads (dumps) for a fee.

F6. GCSD is funding subcontractors for jobs that fall under the duties and obligations of the General Manager Consultant.

F7: There is no time conflict in the General Manager Consultant representing several water districts at one time. However, given the new full-time employment position of a GCSD General Manager, there is a time conflict in the ability to perform full-time duties and part-time work at several other districts.

F8: Confrontational, intimidating behaviors toward rate-payers by GCSD representatives has occurred.

F9. The GCSD is heavily scrutinized by a small group of community members who emphasize shortcomings while not equally acknowledging improvements.

F10. Board meetings are excessively long.

F11. Board minutes do not adequately capture the substance of the meetings.

F12. The GCSD website is difficult to navigate.

*2018-2019 Grand Jury Report On
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RECOMMENDATIONS

R1: Increase field staff in 2019 to maintain reliability, efficiency and long-term health of the GCSD (F1, F2, F4).

R2: Investigate the use of designated reserves and other creative sources of revenue for the wastewater system to address the current “crisis” or “reactionary” mode of operations (F1, F5).

R3: Pursue a voter bond measure or special tax in the next two years to offset park and fire services costs (F3)

R4: To mitigate odors, hire a vacuum truck and thoroughly clean and flush to remove solids from all lift stations when the odors are the worst and complaints occur, which currently includes Lift Station 2 and 7 (F2, F4).

R5: Implement regular, on-going, routine procedures for maintenance of the wastewater collection system, and hire a designated pump station field maintenance staff for regular and routine upkeep (F2, F4).

R6: Invoice the General Manager Consultant for past GCSD payments to consultants/subconsultants that performed the job duties of the GM Consultant, and amend the 2018/2019 Budget to remove overlapping service expenses (F1, F6).

R7. Create a procedure regarding communications with the public that includes training of consultants/subconsultants on how to handle sensitive and difficult issues and complaints (F6, F8, F9).

R8. Undertake an annual community building event (such as a picnic or potluck) that is out of the board room context and encourage open discourse among rate-payers, staff, and Board members to foster better relationships. (F8, F9).

R9. Develop a clear reporting structure for handling complaints by identifying and publishing names with contact information including phone numbers for the currently undesignated “outside consultants” identified to field complaints against the GCSD in Resolution 2019-2,

*2018-2019 Grand Jury Report On
Groveland Community Services District*

and not allow these “outside consultants” to be funded by the GM Consultant (F8, F9).

R10. Combine the public and staff complaint reporting structures for one method for handling complaints in which both the public and GCSD staff have access to the currently undesignated “outside consultants” identified in Resolution 2019-2 (F8, F9).

R11. Modify the November 2018 Communications Plan to target a date that the GCSD expects to transition from “crisis” mode to “regular and routine” operations mode (F1, F2, F3, F4).

R12. Change Board meeting times and agenda items to accommodate more local residents who work during the day and limit meetings to two hours (F9, F10).

R13: Document the substance of key discussions during Board meetings in Board minutes, and insert a timestamp in Board minutes to cross reference audio recordings (F11).

R14: Update GCSD website’s Board agenda packet links to include labels with dates, active links to the Policy and Procedures Manual, and include all supporting exhibits in Resolution links (F12).

R15: Require on-site, regularly scheduled 40 hours for a full-time General Manager (F7).

REQUEST FOR RESPONSES

According to California Penal Code §933(c), no later than 90 days after the grand jury submits a final report on the operations of any public agency subject to the reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body and every elected county office or agency head for which the grand jury has jurisdiction pursuant to §914 shall comment within 60 days to the presiding judge of the superior court.

*2018-2019 Grand Jury Report On
Groveland Community Services District*

The GCSD Board of Directors are requested to respond to recommendations: **R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15.**

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Summary of 2018 Accomplishments, Groveland Community Services District. January 8, 2019 (3 pages).

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JUN 06 2019

Superior Court of California
County of Tuolumne

By: Diana Neely Clerk

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF TUOLUMNE

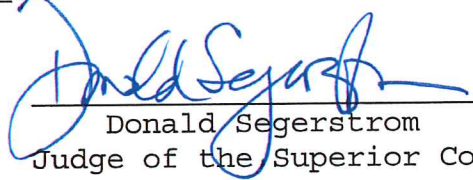
IN RE:

GENERAL ORDER

2018-2019 Grand Jury

I certify that the 2018-2019 Tuolumne County Grand Jury Final report section on the Groveland Community Services District complies with Title Four of the California Penal Code and direct the County Clerk to accept and file this section of the final report as a public document.

Dated this 6TH day of June, 2019

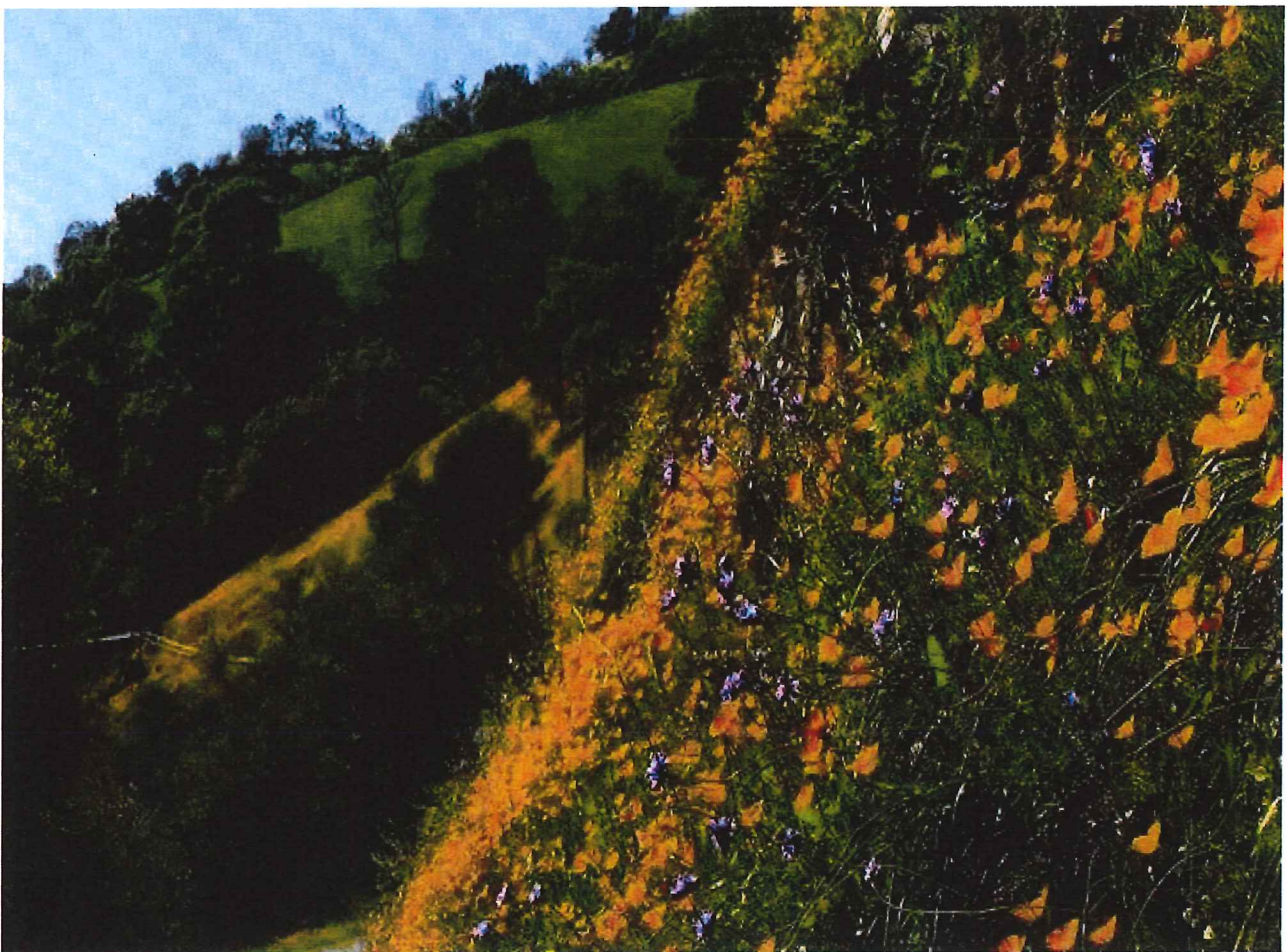

Donald Segerstrom
Judge of the Superior Court

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Superior Court of California
County of Tuolumne

By: Diana Neely Clerk



Credit Photo: Karen Willenberg

2018-2019 Tuolumne County Civil Grand Jury Mother Lode Juvenile Detention Center Report

MOTHER LODGE REGIONAL JUVENILE DETENTION CENTER

SUMMARY

The Grand Jury toured the Mother Lode Regional Juvenile Detention Center (MLRJDC) on October 31, 2018. At that time there were 14 staff and 11 detainees (four of whom were from out of county). Detainees can stay at the facility until they are 19 years old. After that age they are transferred to the Tuolumne County Jail. The MLRJDC can be expanded to 30 juveniles in the future if needed by increasing staff members. The length of stay for a detainee varies. Detainees are evaluated upon entering the facility as to their physical and mental health. Every effort is made to eventually place the detainee with family.

BACKGROUND

The Mother Lode Regional Juvenile Detention Center (MLRJDC) is a newly constructed and newly inhabited facility. It was designed to keep the general public safe and also offer youth a rehabilitative environment. MLRJDC has a memorandum of understanding (MOU) in place with Amador, Calaveras, Inyo and Mariposa Counties to place juveniles with MLRJDC. This affords MLRJDC some income from these counties to help offset costs. These counties pay \$100 per day for each youth placed with Tuolumne County.

GLOSSARY

FTE	Full Time Employees
LCSW	Licensed Clinical Social Worker
MLRJDC	Mother Lode Regional Juvenile Detention Center
MOU	Memorandum of Understanding
TCJ	Tuolumne County Jail

METHODOLOGY

The Grand Jury was given a tour by the Superintendent of the Detention Center and the Tuolumne Chief Probation Officer, who were forthcoming and answered any questions asked.

DISCUSSION

The MLRJDC was opened in April 2017. It was designed to accommodate 30 youths. Originally the plans called for double this capacity but eventually it was decided that would not be needed. In the past 12 months there were 92 bookings. Of these seven were from Calaveras County, three from Amador County and two from Mariposa County. The average length of stay is 51 days. The average daily population for the last 12 months was 8.4 youth. The average daily population for the last six months was 9.4 youth. The highest population has been 14 and the lowest population has been five. Before the opening of MLRJDC, the processing time for taking youth to “out of county” facilities was approximately 3-6 hours. Now that they are being kept in County, it is closer to 30 minutes.

MLRJDC was built with the understanding that it was not constructed to make money. Tuolumne County felt that keeping our youth in County was the “right thing to do” and it was a commitment to our youth.

The Facility cost \$20 million to construct with \$16 million covered by State grants. The Center is currently using 2.1% of the general fund budget to operate. This is \$1,704,502 minus revenues of approximately \$202,800 for a net cost to the County of approximately \$1,501,702 for the 2018/2019 fiscal year. The actual expenses for 2017/2018 were \$1,423,501. Sonora Area Foundation has also given Hidden Treasures (trained volunteer mentors who meet weekly with detainees) a grant for youth activities and needs. The County is currently exploring other options to generate more revenue from the other four counties who signed the MOU with the County.

Also, more and more California juvenile facilities are underfilled, as juvenile crime has gone down, making the costs of running the facilities more expensive per detainee; this trend may trigger statewide downsizing or closing of juvenile facilities across the state (source: Vanishing Violence: Juvenile Hall Costs Skyrocket. San Francisco Chronicle, April 26, 2019). This trend could mean that Tuolumne County may benefit from housing

more juvenile detainees from out of county, which would generate more revenue to offset costs.

The 2018-2019 Grand Jury was informed by MLRJDC staff that keeping youth close to home is much more beneficial to rehabilitation efforts. They are able to see their families on a regular basis and also don't feel like Tuolumne County has abandoned them by shipping them far away from everyone and everything they know. It is much easier to place youth back with their families if they are close by. In the long run the County is saving money because the youth are usually not detained as long when they are kept close to home. This gives the family an opportunity to have group counseling. Recidivism, defined as no new crimes committed, in 2013-2016 was 49%. Since opening MLRJDC that recidivism has dropped to 19%.

Currently there are no detained juveniles being placed in Foster Care, which is a huge expense. Recently the Center had its first adoption, a 17 year old.

There is a Juvenile Justice Commission that has been appointed by the Presiding Judge of the Tuolumne County Superior Court and meets every 2nd Thursday. They interview youth and report on the progress of the juveniles at the Center.

Recently the Farm Bureau has offered \$2,500 grants to several facilities for gardens. They were so impressed with two of the youth at MLRJDC that they gave the Center two grants instead of the standard one grant. The 4H Master Gardener volunteer helped to mentor the youth with these beds. The youth wanted to move the beds because they weren't receiving enough sunlight for the plants to do well.

At Thanksgiving, Hidden Treasures brought Thanksgiving dinner for the youth. The detainees couldn't believe that the dinner was actually for them. They are not used to anyone caring enough about them to provide something like this. A lot of the youth have expressed sincere gratitude for helping them turn their lives around. When these youth were being taken out of county, they felt like they were not wanted.

Youth entering the facility are first evaluated to assess medical or mental health needs. If none are required they are given a room with the general population of the facility. The 1st floor contains the male population and the

2nd floor is for females. There is also a large social area, thus the youth are not locked in their rooms all day. There are also two outdoor recreation areas, one covered and one uncovered.

EDUCATION

MLRJDC provides a regular school curriculum five days a week in their classroom. Youth are in class from 8:30 am to 2:30 pm with a half hour lunch and two breaks. One retired college mathematics professor volunteer provides 12 hours of academic tutoring weekly. Tuolumne County Superintendent of Schools provides credit recovery and specialized education services. Three youth have graduated high school in the facility due to their commitment and one-on-one academic assistance. Weekends they are allowed visitation on Saturday mornings plus free time for special events. The youth are required to clean up the classroom, living area and dining area after meals.

MEALS

The MLRJDC was constructed with a functional kitchen but for now it is more cost effective for TCJ to provide the meals. The food is prepared according to dietary guidelines although youth do occasionally complain about it. There have been some cooking classes offered to the youth. Occasionally the Superintendent will have a BBQ. Youth have to earn the right to attend.

STAFFING

Currently there is one Superintendent, 11 Juvenile Correctional Officers, two Probation Aides and a half-time Behavioral Health Clinician. Volunteers make up a large portion of the staff, which is evidenced by the community involvement in the following areas:

- 19 trained mentors come weekly to meet with detainees one-on-one (Hidden Treasures);
- Five members of local churches make up the Board of Directors for Hidden Treasures with one local retired principal who heads them and provides one-to-one weekly mentorship;
- 35 volunteers who have provided special meals during weekly religious services and five local churches donate monetarily to provide activities and special weekly meals;

-
- Ten local restaurants donate special weekly meals for youth on Sundays;
 - The local Christian Motorcycle Association has donated multiple holiday meals;
 - Three local individuals have provided culinary lessons to the youth (how to make and enjoy nutritious meals);
 - Two retired librarians maintain and update the MLRJDC library;
 - One volunteer cosmetologist provides monthly haircuts;
 - Five local volunteers make individual quilts for every youth to have in their room and keep upon release;
 - A local artist donates time and provides art supplies;
 - Two trained and approved adult mentors provide weekly recreation and supportive services to the youth;
 - One volunteer guitarist provides weekly guitar lessons to youth;
 - A local dentist donates his time and expertise to treat severe dental issues; and
 - One local orthodontist donated his time and expertise to treat a youth with severe dental issues.

Offices and a break room are provided for staff. There are also offices for counseling. Counselors come to the facility once a week to meet with youth. There is a joint assessment of a youth's situation, whether to stay in MLRJDC or to be placed in Child Protective Services.

PROGRAMS

The primary functions of MLRJDC are the supervision, treatment, and rehabilitation of youth accused of criminal or delinquent behavior. MLRJDC contracts with local medical services. They have successfully treated a variety of conditions, from severe STD's to ecto-parasites. One youth was suffering from malnutrition upon intake, and multiple youth experience drug withdrawal upon intake. Psychiatric services provide specialized medication services to youth identified with a mental illness. Tele-psychology is available for the youth to access counselors during the week and weekends in an emergency. There is also a trauma informed LCSW working with the youth, providing individual and group therapeutic intervention for a variety of mental health and substance abuse related conditions. A nurse comes to the facility twice a week for any health issues. She can be contacted by tele-computer if needed. This tele-computer is also available for youth to visit with their family if the family

lives a great distance from MLRJDC. Youth that are in these services tend to maintain these programs if they stay in county because these contacts are local.

There are multiple evidence-based programs to reduce recidivism and promote positive change. These programs address impulse control, anger management, emotional regulation, substance abuse, PTSD, and self-care.

MLRJDC offers, facilitates, and encourages an array of pro-social recreational activities, to include exercise, strength training (e.g., tractor tire manipulation), volleyball, basketball, Ping-Pong, karaoke, board games, soccer, creative writing, journaling, arts and crafts, barbequing and movie night.

There are weekly multidisciplinary meetings with the youth which result in comprehensive individually driven treatment plans. They have a motivation system in place in which positive behavior is noticed and reinforced. They have experienced extremely positive behavior as a result of this.

Youth also participate in work programs daily. These include lawn care, floor care, kitchen cleaning, dishes, vacuuming, mopping, and trash removal.

The staff look at behavior challenges as an opportunity to mentor and positively change antisocial behavior. They have a culture of caring about the youth, recognizing their behavior as a product of negative life experiences.

The Center reconnects youth with their parents, family members and other supportive adults by offering six hours of weekly in-person visitation and daily phone calls.

As communicated through one of the interviews, the MLRJDC staff take youth who are “broken, angry, hurting, abandoned, sick, drug addicted, criminally oriented, impulsive, reckless, suicidal, self-injurious, jaded, credit deficient, emotionally damaged and alone ... and tell them they are worth something ... that they are precious assets....that their families and communities need them and will not give up on them.” MLRJDC introduces hope, discipline, motivation, compassion, laughter, self-worth, pro-social thinking and positive plans for the future. It emphasizes education,

community harmony, non-violence, critical thinking, respect, working and earning what they achieve and healthy living.

COURT APPEARANCES

Currently MLRJDC staff are transporting youth to any court appearances, medical and dental appointments.

CONCLUSION

The staff appear highly dedicated to changing delinquent and criminal behavior of the youth. They are very proactive in rehabilitation programs. They are extremely focused on rehabilitating youth and returning them to their families. The MLRJDC is extremely clean, and well kept. The staff is very courteous and informative. MLRJDC is very conscientious about budgetary limits in providing services to youth.

FINDINGS

F1. The Motherlode Regional Juvenile Detention Center appears to be saving the County money in the long term, and is good for the community, by reducing County youth recidivism from 49% to 19%.

F2. The Tuolumne County volunteer community is heavily invested and committed to providing support and services for MRJDC juvenile detainees.

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Superior Court of California
County of Tuolumne

By: Diana Neely Clerk

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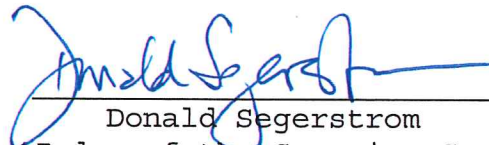
10 IN RE:

GENERAL ORDER

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12 2018-2019 Grand Jury

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14 I certify that the 2018-2019 Tuolumne County Grand Jury
15 Final report section on the Mother Lode Regional Juvenile
16 Detention Facility complies with Title Four of the California
17 Penal Code and direct the County Clerk to accept and file this
18 section of the final report as a public document.

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20 Dated this 6TH day of June, 2019

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23 Donald Segerstrom
24 Judge of the Superior Court

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GENERAL ORDER

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Superior Court of California
County of Tuolumne

By: Diana Feeley Clerk

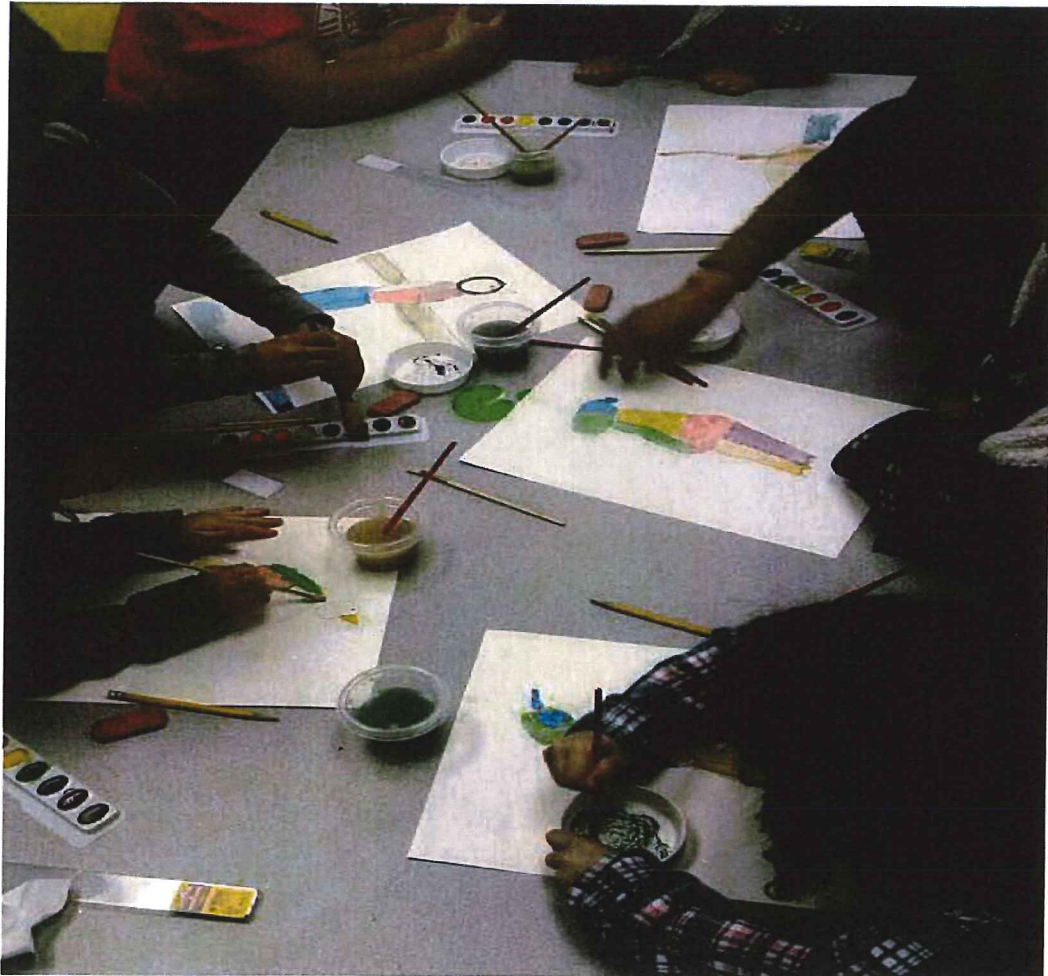


Photo Credit: Lisa DeLacy

2018-2019 Tuolumne County Civil Grand Jury
Continuity Report

Review of Responses to the Tuolumne County 2017-2018 Civil Grand Jury Report

Summary

The 2017-2018 Tuolumne County Grand Jury issued its final report on June 21, 2018. The report consisted of six investigative reports.

California Penal Code §933 requires elected officials or agency heads to respond within sixty days of the issuance of a Grand Jury report, when a response is required. Governing bodies are required to respond within ninety days.

Elected officials and government agencies must respond to recommendations made in Grand Jury reports indicating their agreement or disagreement with those recommendations, and the reasons and action taken with regard to the recommendations. These responses are to be sent to the presiding judge of the Superior Court. The Grand Jury is responsible by law to ensure that each response is submitted within the required time frame and is otherwise compliant with California Penal Code §933.

The 2018-2019 Tuolumne County Grand Jury has received and reviewed all responses submitted to the 2017-2018 Grand Jury's investigative reports. Most agencies responded by either accepting and agreeing with the recommendations, stating that they had already been implemented, or had plans for implementation as required by California Penal Code §933.5. Where there was disagreement, reasons were noted.

Glossary

BSCC	State of California Board of State and Community Corrections
CALED	California Assn. of Local Economic Development
CDCR	California Department of Corrections and Rehabilitation
CDPH	California Department of Public Health
DIR	Department of Industrial Relations
GCSD	Groveland Community Services District
ICE	Immigration and Customs Enforcement
MGO	Macias, Gini, & O'Connell LLP
OLA	Office of Legal Affairs
OSHA	Occupational Safety and Health
RAC	Rehabilitative Achievement Credits (Prop. 57)
SCC	Sierra Conservation Center
SCCCAP	Sierra Conservation Center Corrective Action Plan
TCEDA	Tuolumne County Economic Development Authority

Background

The 2017-2018 Tuolumne County Grand Jury made requests for responses from the following entities:

- Sierra Conservation Center Warden
- Tuolumne County Sheriff
- Mother Lode Regional Detention Facility Superintendent
- Tuolumne County Probation Department, Juvenile Division Manager
- Groveland Community Services District Board of Directors
- Tuolumne County Board of Supervisors
- Sonora City Council
- Tuolumne County Auditor
- Tuolumne County Economic Development Agency Governing Board
- Tuolumne County Counsel

Complete responses as submitted are available online:
<https://www.tuolumnecounty.ca.gov/1132/2018-Grand-Jury-Report>

Methodology

The 2018-2019 Grand Jury evaluated responses to the 2017-2018 Grand Jury's Recommendations to ensure compliance with the law. The Grand Jury evaluated each response using the questions listed in the table below. The Grand Jury's determination for each Response is listed below the Recommendation.

Grand Jury Evaluation Table for 2017-2018 Report Responses

<p>Did the agency's response address the subject of the findings and recommendations?</p>	<p>Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?</p>	<p>Did the agency's response indicate that it would take the necessary action to correct the problem?</p>	<p>Did the agency provide a specific date by which it would take the necessary action?</p>
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The Grand Jury has endeavored to present this report in the most easily understandable form, and therefore where possible has listed findings adjacent to their corresponding recommendations. In some cases this was not possible and findings are listed separately.

Minor corrections to grammar, syntax, and punctuation have been made to various responses in favor of readability and do not affect the meaning of the passages altered in any way.

Review of Responses to the Report on Sierra Conservation Center

Summary

Every year, the Grand Jury is mandated to visit the three jail facilities in our county. The 2017-18 Grand Jury visited and inspected various locations within the Sierra Conservation Center. Six findings, and recommendations to remedy those findings, were included in the 2017-18 Final Report.

F1: According to SCCCAP, as of May 2018, the hand washing sink in the inmates' restroom in the Hazardous Materials/Motor Pool area still lacks a soap dispenser, as noted in the CDPH inspection report from August 2017.

R1: Install a soap dispenser at the hand washing sink of the inmates' restroom in the Hazardous Materials/Motor Pool area.

Response: The recommendation has been implemented.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary action?
Yes	Accepted	Yes	Implemented

F2. According to the SCCCAP as of May 2018, the upper level shower of Building 2 of Facility C is still awaiting remediation of the mold and deteriorated paint that were noted in the CDPH inspection report from August 2017.

R2: Remedy the mold and deteriorated paint in the upper level shower in Building 2 of Facility C.

Response: The recommendation has not yet been implemented, due to pending approval and funding from CDCR Headquarters. This recommendation will be implemented in the future once funding has been secured.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary action?
Yes	Made Excuse	Yes	No

2018-2019 Tuolumne County Grand Jury Note: While we concur that painting will require considerable funding, time, and logistical planning, paint is esthetic in nature. Mold, on the other hand, is a known health hazard, for both inmates and staff, and should be remedied forthwith.

F3: Temperatures as recorded in the SCC facilities that were monitored last summer did not reach as high as 100 degrees Fahrenheit. Temperatures were not recorded in many sections of the prison.

R3: Consider recording temperatures in Facility A and other sections of the prison during the summer months.

Response: The recommendation will not be implemented, as it is not warranted. The mandate of where and when temperatures are documented is directed by the courts through the Coleman lawsuit agreement between the plaintiffs and CDCR.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary action?
Yes	Rejected	No	No

F4: At least one safety warning displayed in Spanish in Facility C, which reads, "NO SE AVISA PARA DISPARAR," imperfectly conveys the information shown in the parallel warning in English.

R4: Review all safety warnings displayed in Spanish, or other foreign languages, and revise any translations that are unclear.

Response: The recommendation will not be implemented because it is not warranted. The specific translation identified by the Grand Jury was discussed with a certified Spanish interpreter and, although imperfect, it does effectively convey the message there are no warning shots fired in the building.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary action?
Yes	Rejected	No	No

F5: The SCC's current practice of declining to evaluate an inmate's "satisfactory participation" in connection with awarding credits for RAC programs leaves considerable room for inmate manipulation of the system for earning rehabilitative program credits.

R5: Select and make known to the inmates one or more measures, in addition to mere physical presence, by which SCC staff or program facilitators will evaluate whether an inmate has met the "satisfactory participation" requirement for earning RAC hours credits.

Response: The recommendation will not be implemented because it is not warranted. SCC staff and program facilitators monitor, evaluate, and audit attendance for all programs on an ongoing basis. RAC programs do not have course work or testing, so they do not have concrete methods other than participation and attendance to identify "satisfactory participation." SCC is following and applying RAC credits as outlined by the CDCR regulations regarding Proposition 57.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary action?
Yes	Rejected	No	No

F6: This year's Grand Jury's investigation was compromised by SCC management's refusal to abide by the confidentiality requirements of Grand Jury investigations.

R6: Review and commit the SCC to full compliance with the confidentiality requirements of Grand Jury investigations.

Response: This recommendation requires further analysis. Previously SCC was directed by CDCR attorneys not to sign the admonishment form. This has been the practice of SCC since 2014 and was clearly communicated to the Grand Jury prior to scheduling the entrance meeting. However, SCC has again reached out to the CDCR attorneys at OLA for clarification and are awaiting a response.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary action?
Yes	Further Analysis	No	No

Review of Responses to Report on Tuolumne County Jail

Summary

In the 2017-2018 Tuolumne Grand Jury Jail Report, the Grand Jury found the existing jail facility complied with all regulatory standards during its inspection by the State of California's Board of State and Community Corrections (BSCC) on June 27, 2017. The 2017-2018 Tuolumne County Grand Jury found that two jail procedures No. 6.97 regarding transgender inmate housing (Finding 1), and No. 6.88 regarding immigration detainees, needed clearer definitions, or were outdated (finding 2). A third finding was a discrepancy in the Sheriff's Office's stated practice to provide an inmate's release date in response to a request from a federal immigration authority and the written procedure stating the Sheriff's Office will review an inmate's criminal charges and convictions and determine whether one of the enumerated circumstances applies before providing the release date to the immigration authority.

Responses to the Grand Jury's recommendations were provided by Tuolumne County Sheriff-Coroner and filed with the Superior Court on August 3rd, 2018. Below is a review of the Sheriff's responses to the former Grand Jury's recommendations by the 2018-2019 Grand Jury Continuity Committees.

F1: Sheriff's Office Procedure No. 6.97, relating to housing of transgender inmates, includes defined terms that are outdated or inaccurate and extraneous to the procedure itself.

F2: Sheriff's Office Procedure No. 6.88 has not been revised to reflect California Values Act, SB 54, which took effect January 4, 2018.

R1: Revise and update the Sheriff's Office Procedures as needed (F1, F2).

Response: Agree - Procedure No. 6.97 Section II Definitions A, Gender Identity Disorder (GID). Also referred to as Gender Dysphoria: A recognized health condition that involves strong and consistent cross-gender identification and a persistent disassociation with a person's birth-assigned sex. GID is a stable, non-violent condition that is not due to psychosis. This section of the Jail Policy has been removed due to the 2012 American Psychiatric Association removing Gender Identity Disorder from its list of recognized psychiatric disorders.

Procedure No. 6.88 has been updated and added to the Jail Policy to reflect the California Values Act which took effect in January 2018.

The Values Act (SB 54):

A. California law enforcement agencies shall not:

1. Inquire into an individual's immigration status.
2. Detain an individual on the basis of a hold request.
3. Provide information regarding a person's release date or

responding to requests for notification by providing release dates or other information unless that information is available to the public, or is in response to a notification request from immigration authorities in accordance with Section 7282.5. Responses are never required, but are permitted under this subdivision, provided that they do not violate any local law or policy.

4. Provide personal information, as defined in Section 1798.3 of the Civil Code, about an individual, including, but not limited to, the individual's home address or work address unless that information is available to the public.
 5. Make or intentionally participate in arrests based on civil immigration warrants.
 6. Transfer an individual to immigration authorities unless authorized by a judicial warrant or judicial probable cause determination, or in accordance with Section 7282.5.
 7. Provide office space exclusively dedicated for immigration authorities for use within a city or county law enforcement facility.
- B. The Value Act does not prevent any California law enforcement agency from doing any of the following that does not violate any policy of the law enforcement agency or any local law or policy of the jurisdiction in which the agency is operating:
1. Respond to a request from immigration authorities for information about a specific person's criminal history,

including previous criminal arrests, convictions, or similar criminal history information accessed through the California Law Enforcement Telecommunications System (CLETS), where otherwise permitted by state law.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary action?
Yes	Accepted	Yes	Already Implemented

F3: The Sheriff's Office's stated practice is to provide an inmate's release date in response to a request from a federal immigration authority. This practice differs from the Sheriff's Office's written procedure No. 6.88, which states that the Sheriff's Office will review an inmate's criminal charges and convictions and determine whether one of the enumerated circumstances applies before providing the release date to the immigration authority.

R2: Review the Sheriff's Office's practices to ensure they comply with the utmost up to date version of Procedure No. 6.88. (F3).

Response: Agree – Procedure No. 6.88 does reflect our practice of not giving any information to ICE unless the inmate has a serious or violent felony charge or conviction as outlined in the Jail Policy. An inmate's release information is available to the public when the inmate has been sentenced. If ICE requests this information we will release it to them as we would to anyone who inquires as this is public information.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary action?
Yes	Accepted	Yes	Already Implemented

Review of Responses to Report On Mother Lode Regional Juvenile Detention Facility

Summary

The Mother Lode Regional Juvenile Detention Facility (MLRJDF) is a modern facility opened on April 10, 2017. The MLRJDF houses youth who are detained in connection with juvenile delinquency proceedings. The 2017-2018 Grand Jury inspected the MLRJDF under California Penal Code sections 919(a) and 925

The MLRJDF has memoranda of understanding in place with Amador, Calaveras, Inyo, and Mariposa Counties for their youth to be housed at the MLRJDF. All persons interviewed in connection with the Grand Jury's investigation indicated that detainees are treated well by the MLRJDF staff and management.

Quality of the Food provided

The facilities meal service is the same one in place for the inmates of the Tuolumne County Jail. Detained youth expressed frequent dissatisfaction with the quality of the food served.

Full provision of child welfare services to juveniles who come into contact with County through Juvenile Delinquency

There was a concern that youth in unsafe home situations who first come into contact with the County through juvenile delinquency, rather than child welfare proceedings, do not receive the full benefit of the services available through Child Welfare Services.

There exists a written protocol for joint assessments of a youth's situation by Child Welfare Services and Juvenile Probation, as required under California Welfare and Institutions Code section 241.1(e). Juvenile Probation confirmed that in the

last three years, there has not been any instance of that protocol being employed for a youth whose first contact with the County was through delinquency rather than child welfare proceedings.

F1: Youth housed at the MLRJDF expressed significant dissatisfaction with the jail food served there.

R1. Review the options for feeding the youth detainees at the MLRJDF something other than the food served to Tuolumne County Jail inmates.

Response: The recommendation is already in place for the Probation Department and is ongoing. Probation management staff is aware of the complaints of the youth housed at the Mother Lode Regional Juvenile Detention Facility regarding the meal service. During the services/program planning prior to the opening of the facility, multiple possible resources were explored for the food service which included running our own kitchen, local schools, restaurants and Adventist Health Sonora. Due to the low number of meals that would be prepared and other factors (transporting meals, capacity, hours of operation, cost), these options were not feasible. Trinity Food Services provides food service for many juvenile facilities in the western United States and were already providing the food service for our county jail. They are able to provide the complex and required documentation needed to participate in the National School Lunch Program which allows us to claim meal reimbursements through the program.

The meals meet the Title 15 Regulations nutrition guidelines/requirements and differ from the jail meals slightly to meet these requirements, as well as the School Lunch Program mentioned above. Discussions with Trinity Food Services' West Region Dietitian are on-going in an attempt to modify the menu to allow for more appealing meals. In addition, the Superintendent of the facility provides cooking opportunities for

the youth as a behavioral incentive and the Gold Ridge Educational Center incorporates cooking breakfast and lunch in their curriculum a few times each month. Our religious services volunteers often bring a meal or snacks for their Sunday evening program. We are also fortunate to have volunteers who have provided culinary experiences in the form of cooking classes as well.

Sincere and earnest attempts are made for the youth to have multiple opportunities each month for an alternative or additional meal that is more appealing and satisfactory to the youth housed in the facility.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary action?
Yes	Accepted	Yes	Already Implemented

F2: Tuolumne County has a written protocol for joint assessments by Child Welfare Services and Juvenile Protection under Welfare and Institutions (W&I) Code section 241.1(e), the "Dual Status Youth" protocol that has not been employed in the last three years for any youth whose first contact with the County is through juvenile delinquency rather than child welfare proceedings.

R2: Review the files of youth who are in delinquency

proceedings and determine whether the W&I Section 241.1(e) protocol should be employed for any additional youth.

Response: The recommendation will not be implemented because it is not warranted.

The Deputy Probation Officers assigned to the Juvenile Unit are trained to assess situations in a youth's life that may require a Suspected Child Abuse Report (SCAR) to be completed and submitted to Child Welfare Services. This assessment process is on-going, and remains for the life of the involvement with the youth or case.

When a youth first enters the delinquency system the Officer assigned to the case reviews any and all Child Welfare Services history. An extensive investigation and social interview is conducted. If the Officer believes there is a situation that falls under the W&I Code section 300, a meeting is scheduled between the two agencies to determine if a Petition should be filed under W&I Code Section 241.1(e). In order to pursue a Petition under this code section for youth whose first contact with the County is through delinquency rather than child welfare proceedings, there must be a current allegation of abuse or neglect of the youth by a parent or someone who resides in the home. In this case, Child Welfare Services is also required to file a Petition with the Juvenile Court alleging abuse or neglect.

Child Welfare Services and Probation have a strong working relationship. A potential "Dual Status Youth" is reviewed and assessed to determine which agency is best able to meet the needs of a particular youth and their family, or if involvement in both systems would be advantageous to the family. The Probation Department is considered a Child Protective Agency;

however, Child Welfare Services is considered the experts in the matters of abuse or neglect. Probation staff often consults with Child Welfare Services staff regarding questionable abuse or neglect situations.

Because Deputy Probation Officers are required to follow the same regulations regarding out-of-home placement and services to provide families as CWS Social Workers, there are situations that do not warrant the involvement of Child Welfare Services and services can best be provided by the Probation Department. With that being said, Tuolumne County understands the implications for a youth who is in the delinquency vs. dependency system. Out-of-home placement cases are assessed formally every six months (through Child and Family Team meetings) and informally monthly (during regular youth and family contact) or at the request of the Social Worker or Probation Officer. It is always a priority to de-escalate a youth from the delinquency system to the dependency system whenever possible. This is accomplished through the 241.1 W&I Code Section process. Youth in the delinquency system who have achieved rehabilitation by meeting their Court ordered terms and conditions of probation are almost always transitioned to the dependency system through a process allowed under W&I Code Section 450.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary action?
Yes	Rejected	No	No

Review of Responses to the Report on Groveland Community Services District

Summary

The 2017-2018 Grand Jury investigated the Groveland Community Services District due to perceived lack of transparency by the Board and management, contributing to a lack of trust from the public. The Grand Jury found consensus among GCSD employees and ratepayers that the District struggles financially to maintain operational integrity and to support its aging infrastructure. The Grand Jury also found instances of misbehavior during public Board meetings as well as issues with employee retention. The Grand Jury recognized a more positive and transparent environment at Board meetings with three new Directors and the new GM in place.

Below is a review of the responses provided by the Groveland Community Services District, filed at the Superior Court on August 15, 2018. Responses provided by Robert Swan, President of the Groveland Community Services District.

F1: Public confidence and trust has been eroded by disrespectful behavior of Directors at Board meetings and negligent management practices.

R1: Develop and enforce standards of orderly conduct by Board members during meetings. (F1)

Response: The recommendation has not yet been implemented, but the District has conducted three Board workshops thus far to develop Board Norms and Protocol, a process that will be completed by December 31, 2018. Protocol

developed in the first three Board workshops have been implemented.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issue, offer excuses, or accept and begin to implement the action within six months of the published date of this report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accept	Yes	Yes

F2: Management practices created work conditions that resulted in the loss of highly qualified, experienced and certified employees.

R2: Periodically train employees in the problem resolution process outlined under section 710 of the GCSD employee handbook. (F2)

Response: The recommendation has not yet been implemented, but the policy will be reviewed and implemented by September 30, 2018.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issue, offer excuses, or accept and begin to implement the action within six months of the published date of this report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accept	Yes	Yes

F2: Management practices created work conditions that resulted in the loss of highly qualified, experienced and certified employees.

R3: Offer exit interviews with Board members to all departing employees. (F2)

Response: The recommendation will not be implemented because it is not reasonable to involve Board members in personnel matters that are specifically delegated to the General Manager at Section 61051 of the Government Code. By December 31, 2018, the District will include in its employee relations system or separate employee retention program a policy detailing that employee exit interviews are to be conducted and establishing the appropriate method therefor.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issue, offer excuses, or accept and begin to implement the action within six months of the published date of this report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Rejected *	Yes	Yes

**2018-2019 Tuolumne County Grand Jury Note: The GCSD offered an alternate recommendation that the Grand Jury finds reasonable.*

F3: Management has used District legal counsel communications to intimidate public individuals without full Board knowledge.

R4: Inform all Board members of legal communication before action is taken. (F3)

Response: The recommendation will not be implemented because it is not reasonable to involve all Board members in legal communications before actions are taken by management. The District will implement a policy by December 31, 2018 requiring that legal communication, appropriate for distribution to the Board, be made available to all Board members within a reasonable timeframe following its preparation.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issue, offer excuses, or accept and begin to implement the action within six months of the published date of this report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Rejected *	Yes	Yes

**2018-2019 Tuolumne County Grand Jury Note: The GCSD offered an alternate recommendation that the Grand Jury finds reasonable.*

F4: Inadequate staffing levels have increased environmental and safety risks for GCSD.

R5: Delegate responsible staff for training and proper disposal of Hazmat according to the new Board policy currently in the process of development. (F4)

Response: The recommendation has been implemented through management direction for specific hazmat training, and implementation of an Asbestos Cement Pipe handling and disposal protocol in accordance with OSHA and DIR standards.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issue, offer excuses, or accept and begin to implement the action within six months of the published date of this report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Implemented	Ongoing	Ongoing

F4: Inadequate staffing levels have increased environmental and safety risks for GCSD.

R6: Create a "whistleblower" program that protects the confidentiality of employees and the public. (F4)

Response: The recommendation has not yet been implemented, and the District will adopt a specific policy regarding reporting and handling of safety, operational and administrative concerns. Currently, the District annually posts California Labor Law Posters which include information regarding the state's "Whistleblower Protection Act" and how employees can report illegal acts. This poster is posted throughout the District's different departments and employees are made aware of where they are located.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issue, offer excuses, or accept and begin to implement the action within six months of the published date of this report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accepted	Yes	No

F4: Inadequate staffing levels have increased environmental and safety risks for GCSD.

R7: Adequately staff operations to meet the requirements for routine inspections and preventative maintenance. (F4)

GCSD Comments (on F4): “We disagree with the finding that the District was or is inadequately staffed. Lacking state certification, experience in the public utility field, and not having utility management expertise; the Grand Jury is simply not qualified to understand the intricacies of operation and maintenance of a water and wastewater system. Every utility is different in the age and condition of infrastructure, mechanical complexity of the system, construction standards used, amount of money invested in infrastructure and equipment, etc. All of these factors, coupled with ever changing state permit requirements, come into play in determining adequate staffing levels.

In addition, there are no established industry standard staffing levels against which the Grand Jury can measure and make the determination that the District is understaffed.

We also disagree with the finding that District safety or environmental risks were increased, for any reason. In fact, there had been over one year without a workplace injury until March 2018, when an employee was bitten by a dog during its rescue from the wastewater pond. In addition, there has been no enforcement action by the Regional Water Quality Control Board, the enforcement entity for (wastewater) environmental compliance, since 2013, and that action was due to sewer spills caused by grease and a defective sewer pipe, not due to a shortage of employees. There have also been no legal actions or liability claims filed against the District due to environmental or safety issues.

Lastly, District staff was able to keep service going during the March 22, 2018 150 year storm event that flooded Groveland and wreaked havoc throughout parts of Tuolumne County, surely a testament that contradicts the Grand Jury's findings."

Response (to R4): The recommendation has been implemented and the adoption of the 2018/19 fiscal year budget and sewer rate increase proposal supports this effort. The Board's July 9, 2018 agenda contains consideration for increased staffing.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issue, offer excuses, or accept and begin to implement the action within six months of the published date of this report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Contradictory	Disagreed with Finding; Claimed Implementation	Contradictory	No

F5: Employees have used District equipment for personal use in violation of policy.

R8: Hold employees accountable for violating policies regarding unauthorized equipment use. (F5)

Response: The recommendation has been implemented and will be reinforced through management memoranda.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issue, offer excuses, or accept and begin to implement the action within six months of the published date of this report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
No	Implemented	Ongoing	Ongoing

F6: Policy and procedures were not followed for purchasing vehicles in 2017.

R9: Hold managers and employees accountable for violations of District purchasing policies. (F6)

Response: The recommendation has been implemented and will be reinforced through management memoranda.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issue, offer excuses, or accept and begin to implement the action within six months of the published date of this report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Implemented	Ongoing	Ongoing

F7: Union pay negotiations between management and union workers were conducted by relatives.

R10: Train GCSD Board members on their conflict of interest policy documented in the Policy Manual of the Board of Directors. (F7)

Response: The recommendation has been implemented and the District's conflict of interest policy will be updated by December 31, 2018. A Board Orientation program outline was approved by the Board in June, 2018, and will be completed and implemented by November 30, 2018. The Board orientation program includes annual training on the District Conflict of Interest policy.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issue, offer excuses, or accept and begin to implement the action within six months of the published date of this report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accept	Yes	Yes

Review of Responses to the Report on Tuolumne County's Deteriorating Roads

Summary

The 2017-2018 Tuolumne County Grand Jury found that, in general, the important Major Arterials, Minor Arterials, and Major Collectors are in good condition. In addition, the jury found that the rest of the County roads are in very poor condition. Further, the jury determined that this is due to the overall lack of funding for road maintenance and that the State and County policies give priority to Major Arterials, Minor Arterials, and Major Collectors.

Below is a review of the responses provided by the Board of Supervisors of Tuolumne County filed at the Superior Court on August 24, 2018, and response provided by the Administrator for the City of Sonora.

F1: Funding for road maintenance (including the new SB1 funds) remains inadequate to reverse the deterioration of the City and County system, particularly the Minor Collector and Local community roads. Current Tuolumne County funding for maintenance will be about \$9 million per year when fully receiving the new SB1 funds. An additional \$4 million per year for 20 years is needed to catch up for all roads.

F2: The County uses a two-stage approach to allocation of available funds. Minor Arterials and Major Collectors are given first priority, followed by a screening process based on the Pavement Condition Index process if there are any remaining funds.

F3: Using the Pavement Condition Index (PCI) as the primary criteria to allocate funds for Minor Collectors and Local Roads is not a true Return to Source policy and disadvantages some communities over others. (Return to Source: a method for fairly and proportionately distributing a general tax back to the various communities of the County.)

F4: The oldest roads in the County (71 of 484 non-private subdivisions) were not built to known road standards for drainage, base, and asphalt topping, and generally require more maintenance than newer roads built to standards.

F5: The County lacks adequate funding to maintain roads in the 375 non-private subdivisions for which it is responsible.

F6: Of the 107 non-private subdivisions with responsibility for funding of road maintenance, only 21 are currently doing so.

R1: Tuolumne County continue to maintain priority for State and Federal maintenance funding (including SB1) on Minor Arterials and Major Collector roads and extend where possible to Minor Collector roads.

Board of Supervisors Response: This recommendation has been implemented and will continue in the future. The Board adopted *2016 Pavement Management Preventive Maintenance Methodology Matrix* implemented direction to staff consistent with this recommendation. Staff will continue to present the condition of the roads to the Board by means of the *State of the Roads Report* and allow the Board to make necessary changes based on available funding and goals of the Board.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Agreed	Yes	Already implemented

City of Sonora Response: The City agrees with the finding. Available funding for roads (Gas Tax, LTF, RSTP and, etc.), even with the addition of SB1 funds, are not adequate to maintain the City's arterial, major/minor collector and local roads.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Agreed	No	No

R2: Tuolumne County and the City of Sonora to conduct a public discussion regarding a sales tax increment for Minor Collector and Local Roads, following the successful approach offered by the Self-Help Counties Coalition (the existing 24 county sales tax programs throughout the State of California).

Board of Supervisors Response: This recommendation has not been implemented but will be in the future. County staff continues to follow our neighboring agencies and watch the success within rural regions of the Self-Help Counties Coalition.

The Board and County staff will seek additional steps to engage public discussion for additional local measures to improve roadway infrastructure.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Agreed	Yes	No

City of Sonora Response: The City has not implemented the recommendation but will conduct a public meeting prior to the end of Fiscal Year 2018-2019 to ascertain the level of community support for a sales tax increase dedicated to the maintenance of local roads. Should there be sufficient support, the City staff will present a sales tax ballot measure to the City Council to consider for an election in 2020.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accepted	Yes	Yes, by end of new Fiscal Year

Review of Responses to the Report on Tuolumne County Economic Development Authority

Summary

The 2017-2018 Tuolumne County Grand Jury investigated Tuolumne County Economic Development Authority and focused on three primary topics including general assistance to businesses, management oversight of the agency, and overall strategy and direction for the agency.

The following entities responded to the recommendations in the report as listed below:

Tuolumne County Board Of Supervisors: R2

City Council of Sonora: R2

Tuolumne County Auditor: R2

Tuolumne County Counsel: R5

TCEDA Governing Board: R1, R3, R4, R5, R6, R7

F1: Businesses have an inconsistent awareness of the existence of TCEDA and the services it offers.

R1: TCEDA develop a Business Support Guide (similar to the Incentives and Grants guides) that indicates business support services offered by TCEDA and other local, state, and federal resources. (F1)

TCEDA Governing Board Response: Implemented. The TCEDA already developed and published a Business Support Guide. The first Business Guide was produced in 2012 with funding support from the Sonora Area Foundation. It was last

revised in 2016 (see Attachment G) in partnership with Tuolumne County SCORE, "'Counselors to America's Small Business". The Business Guide lists several local, state and federal resources with links to their related websites. In acknowledgment of the Grand Jury's comments, the TCEDA will endeavor to include brief summaries of the various services available through each organization in addition to that inferred in the formatting of the Guide and provision of website links.

Did the agency's address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accepted	Yes	Already implemented

F2: TCEDA's refusal to disclose the specific nature of its activities or the identities of business clients does not allow for independent oversight or auditing and may impact Brown Act compliance.

F3: TCEDA does not follow best practices for public agencies with regard to transparency in the use of public funds.

F4: TCEDA Board fails to provide effective operational oversight and does not verify or monitor the accuracy of information presented to the public.

F5: TCEDA lacks both internal and public transparency regarding the appropriateness of budget expenditures.

F7: TCEDA lacks sufficient metrics and procedures to evaluate its effectiveness.

R2: The County Auditor retain an independent firm to perform a Management Audit of TCEDA operating policies and practices. The Board of Supervisors and the City Council of Sonora fund the County Auditor in retaining an independent firm. (F2, F3, F4, F5, F7) The audit will include:

- a. Best practice for comparable agencies with specific recommendations on implementing a check and balance system for pre-approval and post-approval of travel and entertainment.
- b. A set of minimum disclosure requirements that includes the purpose of each meeting/trip/meal, specific entertainment participants and their organizations, who accepted a meal.
- c. Performance metrics and management reporting.
- d. Identification of a process for specific independent review and approval of exceptions to policies.
- e. Policies in regard to TCEDA interactions and disclosures with private businesses.
- f. Policies regarding meals and alcohol.
- g. Identifying whether the CEO is correctly identifying work time on time cards.

Tuolumne County Board of Supervisors Response: This recommendation has not yet been implemented, but will be as outlined below:

- The Board of Supervisors will immediately request that the TCEDA Board take the necessary budgetary actions to fund the management audit. Based on numbers provided by the Auditor-Controller, \$26,250 should be set-aside for this purpose; and
- This management audit should cover all of the points

requested by the Grand Jury with the exception of those related to TCEDA interactions and disclosures with private business. On behalf of the TCEDA, County Counsel is already addressing this matter.

In addition, the Board of Supervisors will also immediately request the TCEDA Board to:

- Take the necessary budgetary actions to fund a full financial audit of the TCEDA. Based on numbers provided by the Auditor-Controller, \$15,000 should be set-aside for this purpose; and
- Request the California Association of Local Economic Development (CALED) to poll its membership to help identify best practices in the area of setting goals, establishing related performance measures and reporting. CALED has already committed to performing this service at no cost except for any travel (lodging and/or food) costs that may be incurred to come to Tuolumne County to present and/or assist the TCEDA with implementation of same. The TCEDA should likewise budget \$2,000 for this purpose. CALED has also offered to help gather information that could assist the audit firm in complying with the Grand Jury's work point "a" outlined above.

It is the Board's desire that: 1) the Auditor-Controller coordinate completion of both the management audit and financial audit; and 2) all of this work be completed expeditiously. If the work cannot be completed before the end of calendar 2018, it should be completed as early in 2019 as possible.

This response is intended to address all of the points raised by the Grand Jury and more (i.e. requesting the financial audit) to demonstrate the Board's commitment to transparency in the conduct of governmental affairs.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accepted	Yes	Yes

Sonora City Council Response: The City has not implemented the recommendation but will do so within the next fiscal year. In coordination with the County of Tuolumne, the City will implement this recommendation during Fiscal Year 2018-2019 by retaining a mutually agreeable firm to conduct a Management Audit addressing the areas of concern identified by the Grand Jury. It is the City's position that the funding for this audit should come from the existing TCEDA budget and/or existing TCEDA reserves. It is also the City's position that as part of this Management Audit, a separate and independent audit of the TCEDA's financial records be conducted for the prior two fiscal year(s). The requested audit of TCEDA's financial records should be separate and apart from any obligation TCEDA has to conduct a financial audit as required by law.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accepted	Yes	Yes

Tuolumne County Auditor Response: Recommendation has not been implemented. I have contacted the County's outside auditors for an estimate of both a financial audit and a management audit. Since this will be the first year for a financial audit the cost will be between \$10,000 and \$15,000. For a management audit the cost will not exceed \$26,250. I have attached proposed estimate and scope of work for a management audit provided by MGO, the County's external auditors. I would need authorization from the TCEDA Board to enter into a contract for either or both of these audits.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accepted	Yes	No

F2: TCEDA's refusal to disclose the specific nature of its activities or the identities of business clients does not allow for independent oversight or auditing and may impact Brown Act compliance.

F3: TCEDA does not follow best practices for public agencies with regard to transparency in the use of public funds.

F4: TCEDA Board fails to provide effective operational oversight and does not verify or monitor the accuracy of information presented to the public.

F5: TCEDA lacks both internal and public transparency regarding the appropriateness of budget expenditures.

F7: TCEDA lacks sufficient metrics and procedures to evaluate its effectiveness.

R3: TCEDA Board consider and implement recommendations that result from the management audit. (F2, F3, F4, F5, F7)

TCEDA Governing Board Response: It has not yet been implemented due to the fact a Management Audit has not yet been commissioned and completed. Once the issues raised have been studied and specific recommendations made the TCEDA will discuss each and take action within specific timelines as deemed appropriate.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accepted	Yes	No

F3: TCEDA does not follow best practices for public agencies with regard to transparency in the use of public funds.

R4: TCEDA to obtain Certification by the California Joint Powers Association. (F3)

TCEDA Governing Board Response: It will not be implemented because it is not warranted. The City of Sonora

and County of Tuolumne are members of several JPAs which do not seek or maintain this certification. Obtaining such a certification requires a fee (approximately \$2000). This seems to be an unnecessary and partially duplicative process that would require additional staff time and money during a time of scarce resources. Audits have been discussed above.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Rejected	No	No

F8: TCEDA Board and Staff serve on multiple boards and appear to be in conflict of interest.

R5: County Counsel review possible conflicts of interest for TCEDA Board members serving in various capacities on multiple boards. (F8)

TCEDA Governing Board Response (to F8): Partially disagree. The TCEDA Board agrees that TCEDA Board members and staff serve on multiple boards. Given this fact, some may believe conflict of interests exist. However, the Government Code specifically exempts some conflicts of interest for Board members who are appointed to a Joint Powers Authority (JPA) Board because they are on the Board of one of the governmental bodies that is a party to the JPA. Thus, for the Board of Supervisor members and the City Council members, there is no conflict of interest under the law

and they are authorized to serve in both capacities. As to the at-large Board members of the JPA and staff, the TCEDA Board will work with County Counsel to review all potential conflicts of interest. Should a true conflict of interest be identified, it will immediately be rectified. The TCEDA Board finds it important to note that individuals serving on these boards do so in a volunteer capacity. Unfortunately, there are not enough volunteers to serve on all the boards identified in the Grand Jury report and as a result a few committed individuals serve on numerous boards. The TCEDA Board recommends one simply look at the vacancies on the numerous County boards, commissions, committees, etc. which demonstrates the fact more volunteers are needed to serve in these volunteer capacities.

Tuolumne County Counsel Response: The recommendation has not yet been implemented, but will be implemented by the end of the calendar year. This Office provides legal representation to the TCEDA and one of the deputies has been assigned as the primary legal advisor to that entity. This Office is in the process of meeting with individual TCEDA Board members and staff to gather facts regarding potential conflicts of interest so that a detailed legal analysis may be completed. Once completed, this Office will advise the TCEDA Board of its recommendations. As with all other attorney-client privileged matters, the advice to the TCEDA Board regarding conflicts of interest will remain confidential. The role of counsel is to advise its client as to its legal opinion and make recommendations for action, but the client maintains the ultimate decision-making authority. This Office thoroughly reviews all conflicts of interest

brought to its attention and accordingly, will exercise due diligence in its review of the matters raised by the Grand Jury.

TCEDA Governing Board Response: It has not been implemented but is in process with some meetings already scheduled. The TCEDA Board will work with County Counsel to review any potential conflicts of interest and should any exist, such conflicts will be immediately addressed and rectified. This process will be completed by the end of December 2018.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accepted	Yes	Yes

2018-2019 Tuolumne County Grand Jury Note: The 2018-2019 Tuolumne County Grand Jury notes that this review was performed, but the TCEDA Governing Board has repeatedly refused to release the results to the public, claiming Attorney-Client privilege. See 2018-2019 Tuolumne County Grand Jury Report for more information.

F6: TCEDA policy on entertaining “Clients” is loosely interpreted beyond the original intent of the Executive Director contract.

R6: TCEDA Board develop, and describe and approve a formal policy specifically defining “Clients” and acceptable entertainment of Clients, as well as defining a policy of

acceptable entertaining of Board members and other officials of the City and County. (F6)

TCEDA Governing Board Response: It has not yet been implemented but will be by the end of December 2018. The Director has been instructed that going forward and pending adoption of a formal policy regarding this topic, meals are for clients only.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accepted	Yes	Yes

F9: The Executive Director's vacation policy allows for both abnormally low use of vacation time and abnormally high cashing out of vacation time.

R7: TCEDA Board establish a maximum amount of accrual of vacation time for the Executive Director per fiscal year. (F9)

TCEDA Governing Board Response: It has been implemented in that accrual caps are already established in Section 13, Subsection B of the County of Tuolumne Executive & Confidential Compensation Plan and pursuant to the Employment Agreement between the TCEDA and the Executive Director. However, to the extent there are disparities between the Employment Agreement and the Executive & Confidential Compensation Plan, the Board will make the

necessary revisions to ensure County policies are complied with when it comes to vacation accrual and cash outs.

Did the agency's response address the subject of the findings and recommendations?	Did the agency attempt to avoid the issues, offer excuses, or accept and begin to implement the action within six months of the published date of the report?	Did the agency's response indicate that it would take the necessary action to correct the problem?	Did the agency provide a specific date by which it would take the necessary corrective action?
Yes	Accepted	Yes	Implemented

FILED

6-10-19

Superior Court of California
County of Tuolumne

BY Diana Deely
Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF TUOLUMNE

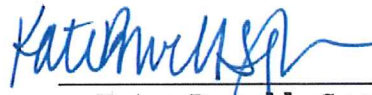
IN RE:

GENERAL ORDER

2018-2019 Grand Jury

I certify that the 2018-2019 Tuolumne County Grand Jury Final report section on the Tuolumne County Civil Grand Jury Continuity Report complies with Title Four of the California Penal Code and direct the County Clerk to accept and file this section of the final report as a public document.

Dated this 10th day of June, 2019



Kate Powell-Segerstrom
Judge of the Superior Court

GENERAL ORDER