RESPONSES TO THE

2000-2001

FRESNO COUNTY GRAND JURY REPORT

COMPILED BY
THE FRESNO COUNTY ADMINISTRATIVE OFFICE

RESPONSES TO THE

2000-2001

FRESNO COUNTY GRAND JURY REPORT

DERAN KOLIGIAN, CHAIRMAN
DISTRICT 1

BOB WATERSTON, VICE CHAIRMAN
DISTRICT 5

SUSAN B. ANDERSON
DISTRICT 2

JUAN ARAMBULA
DISTRICT 3

JUDITH CASE
DISTRICT 4

BART BOHN
COUNTY ADMINISTRATIVE OFFICER

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SECTION I

AD HOC COMMITTEE

AD HOC COMMITTEE

AUDIT OF THE CITY OF PARLIER

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

1. To be in compliance with the above restricted revenue requirements and regulations and to eliminate the appearance that restricted revenues are being used to fund general fund expenditures, the City of Parlier should ensure that such restricted revenues are clearly used for the related program purposes. Costs charged to the special revenue funds should reflect actual costs attributable to the program and should be supported by applicable documentation such as time tracking. The City of Parlier should obtain clarification from the applicable regulatory agency to determine if their current cost allocation methodology is acceptable.

2. In the absence of fully supportable cost allocation methodologies or regulatory approval of existing cost allocation methodologies, the City of Parlier should reverse the $268,224 and $393,602 in overhead costs charged to the special revenue funds listed above. In addition, any other insufficiently supported cost allocations that were not noted in this report should also be reversed.

3. In order to provide for sound accounting and budgeting practices and to ensure a clear audit trail, appropriations and expenditures should be initially recorded in the originating department/fund where the activities are incurred.

4. The City of Parlier Finance Department should implement procedures that provide segregation of duties related to accounts payable. Specifically, the person who approves payments should not be the same person who signs checks and submits requests for payments. When it is necessary for the Finance Director to submit a request for payment, the payment should be sufficiently reviewed and approved by another authorized staff member (e.g. the City Manager).

5. To strengthen internal controls over expenditures in special revenue funds and to ensure that funding does not need to be reimbursed or that future funding is withheld, the City of Parlier should ensure that program costs incurred are fully supported and are in compliance with program requirements. This can be achieved in part by requiring that receipts for credit card purchases be retained for supporting documentation and submitted to the Finance Department for review and approval.

6. To prevent losses and enhance internal controls, the City of Parlier should immediately implement procedures to ensure that the City's charge accounts and credit cards are not used for personal purchases.

City of Parlier's Response to Recommendations #1 - #6:

See page 17.

Parlier Redevelopment Agency (RDA)

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

7. In compliance with the above code sections and to ensure that funding is not withheld, the RDA should immediately submit a 5-year plan to the State Controller's Office and submit all future required documents when due.

8. In order to comply with Health & Safety Code Section 33487 and to ensure that funding is not withheld, the RDA should transfer $3,907 to the low income housing fund for fiscal year 1998/99 from the RDA Capital Projects Fund.

9. In order to explain material changes in the financial statements in accordance with generally accepted accounting principles, the City of Parlier should provide adequate disclosure in the notes to the financial statements. For example, Parlier could have identified the above increase in the capital projects fund balance as a "restated" fund balance in the financial statements. In addition, a note disclosure should have been provided to reconcile the restated fund balance to the prior year ending balance. The disclosure should have also explained the reason(s) for the restatement. Parlier should consider this for future reporting purposes.

10 a, b, c, and d. To ensure that funding is not withheld, the RDA should ensure all proper procedures and legal requirements are followed when issuing loans and all appropriate documents are maintained in their loan files and that all loans are properly authorized. Parlier staff should review all available loan records since the formation of the RDA to try to locate all missing loan documentation and criteria information on the sixteen known loans addressed above. Parlier staff should also determine if there are any additional outstanding loans not currently known that should be followed up on. Also, even though Parlier has indicated that the commercial borrowers of the "written off" loans are out of business, Parlier should continue to bill the business owners until these loans are officially written off by the City Council. Proper procedures must be followed to assure that all redevelopment loans are repaid timely and in full.

Redevelopment loans determined to be uncollectible should be written off by the City Council and referred to a collection agency as appropriate. Parlier should consider following up with other collection agencies or pursue other means of recouping unpaid balances, e.g. through small claims processes, other lawsuits, etc. In addition, Parlier should ensure and be able to support that interest charged on Redevelopment loans is charged fairly and equitably.

City of Parlier's Response to Recommendations #7 - #10:

See page 18.

Community Development Block Grant (CDBG)

Recommendation

The 2000-01 Fresno County Grand Jury recommends that:

11. To enhance internal controls, ensure the accuracy of the City's accounting records, and ensure continued funding, Parlier should implement formal procedures to ensure proper accounting for and reconciliation of restricted revenues. In addition, all transactions and supporting documentation must be maintained until such records have been audited by all appropriate oversight agencies. Finally, the City of Parlier should make the appropriate general ledger entries within the special revenue fund to record these transactions.

City of Parlier's Response to Recommendation #11:

See page 19.

Child Development Grant

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

12. The City of Parlier should post transactions to proper accounts and subsequently classify expenditures appropriately in their financial statements.

13. In order to comply with terms of the Child Development Grant, the City of Parlier should reimburse the Child Development fund the $582.50 noted above and only make expenditures appropriate for grant purposes from this fund.

14. In order to comply with terms of the Child Development Grant, the City of Parlier should obtain an annual audit of the Child Development Program that conforms to the terms of the grant agreement and reports on Child Development revenues and expenditures of the City of Parlier. In addition, the City of Parlier should consistently review any audit reports prepared for their program prior to finalization of the report.

City of Parlier's Response to Recommendations #12 - #14:

See page 20.

Measure "C" – Transportation Authority, Sales Tax Proceeds

It was noted during our review that insufficiently supported overhead allocations were applied to the Measure "C" special revenue fund. See findings and recommendations #1 - #3.

Highway User Tax (Gas Tax)

Recommendation

The 2000-01 Fresno County Grand Jury recommends that:

15. In order to properly account for and report Gas Tax revenues, the City of Parlier must reconcile any variances between revenues paid by a funding entity and revenues recorded by the City.

City of Parlier's Response to Recommendation #15:

See page 20.

Local Transportation Fund

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

16. In order to properly administer the Local Transportation Fund and ensure proper financial statement presentation, the City of Parlier must reconcile the Local Transportation fund to receipts and implement procedures to ensure that all transactions are properly recorded and reported.

17. The City of Parlier should either provide supporting documentation for the $70,702 reduction of revenues or reverse this adjustment as appropriate.

18. The City of Parlier should work with their current external auditor to correct any errors or misstatements in the fund as a result of our findings (#16 and #17, as well as findings #1-3) to ensure the accuracy of the financial statements.

City of Parlier's Response to Recommendations #16 - #18:

See page 20.

Local Law Enforcement Block Grant (LLEBG)

Recommendation

The 2000-01 Fresno County Grand Jury recommends that:

19. The City of Parlier should contact the DOJ for written clarification of what constitutes acceptable expenditures for this grant. The City of Parlier should comply with the information provided by the DOJ related to this audit finding. Unauthorized expenditures of grant funds must be reimbursed or a waiver should be requested from the grantor agency.

City of Parlier's Response to Recommendation #19:

See page 20.

Cops Grant AB3229

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

20. The City of Parlier should ensure that actual interest is allocated to the COPS fund for 1998/99, 1999/00 and thereafter. In addition, the City should ensure that adequate interest allocation methodologies are used to ensure that all restricted revenues are accurately calculated, allocated and available to be used for restricted program purposes or returned to regulatory agencies as necessary in the event of non-compliance with program requirements.

21. In compliance with the provisions of Government Code Section 30061 as stated above, the City of Parlier should ensure that the appropriation of COPS grant monies for 2000/01 and thereafter are separately presented to and approved by Parlier's City Council as required.

22. The City of Parlier should maintain support for all financial transactions that affect special revenue funds as well as other funds until all oversight agencies conduct periodic audits. Unauthorized expenditures of grant funds must be reimbursed or a waiver should be requested from the grantor agency.

City of Parlier's Response to Recommendations #20 - #22:

See page 21.

Universal Hiring Grant (Cops)

Recommendation

The 2000-01 Fresno County Grand Jury recommends that:

23. The City of Parlier should implement procedures to ensure that expenditures are not claimed/reported twice and that overtime costs are not claimed in compliance with Universal Hiring Grant provisions. Parlier should also adjust the above reports and charges to reverse duplicated expenditures and inappropriate overtime costs.

City of Parlier's Response to Recommendation #23:

See page 21.

Office Of Emergency Services (OES)

Recommendations

24. The City of Parlier should investigate the difference of $2,404 between revenues reported in their general ledger for OES revenues and the amount of payments confirmed through the State OES or have support for the variance readily available.

25. The City of Parlier should immediately revise the Project Completion and Certification Report to reflect actual costs for the disaster period. They should provide support for costs claimed or return $36,136 claimed inappropriately to the State OES.

26. To ensure accuracy of records, enhance internal controls, and ensure the availability of current and future funding, the City of Parlier should properly maintain files containing supporting documentation for transactions and retain these records until audited by all appropriate oversight agencies.

City of Parlier's Response to Recommendations #24 - #26:

See page 21.

THE PARLIER PAINT PROJECT

Recommenda tions

The 2000-01 Fresno County Grand Jury recommends that:

27. The Parlier City Manager confer with the City Council before engaging in city projects costing over $10,000 as required by PMC.

28. Bidding and contracting of services be in compliance with PMC.

29. The City Manager and City Council be held responsible for implementing the directives set forth in PMC.

30. Compensation of employees and/or contractors be in compliance with existing State and Federal laws.

City of Parlier's Response to Recommendations #27 - #30:

See page 22.

PARLIER ANIMAL CONTROL

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

31. The City hire an animal control officer.

32. The animal shelter be relocated within the city to make it more accessible.

33. Leash and licensing laws be enforced.

34. The City educate the community regarding licensing, vaccinations, leash laws, spaying and neutering.

35. The City establish a fee schedule for costs incurred in animal control.

36. All record keeping relating to animal control be current.

37. State guidelines be followed for the ultimate disposal of any animal.

38. Polaroid photographs of impounded dogs be posted at city hall in order for citizens to see if their dog has been impounded.

City of Parlier's Response to Recommendations #31 - #38:

See page 22.

CARPETING OF PARLIER CITY HALL

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

39. The Parlier Municipal Code and Purchasing Ordinance be followed.

40. Shortcuts that violate the existing code not be considered.

City of Parlier's Response to Recommendations #39 and #40:

See page 23.

CODE ENFORCEMENT IN PARLIER

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

41. The present policy of code enforcement be changed to a more aggressive system which addresses all violations existing in the City of Parlier.

42. Written policy and procedures be developed to provide for the tracking and documented resolution of all complaints.

43. The city hire a code enforcement officer, supported with sufficient staff.

44. Adequate training be provided for the code enforcement officer and staff, including instruction in property owner and tenant rights.

45. A written manual providing guidelines on how to resolve code enforcement disputes be developed and implemented.

46. The City of Parlier inform and educate the public on current code enforcement policy.

47. A current copy of the Parlier Municipal Code be available for public use at City Hall and the public library.

City of Parlier's Response to Recommendations #41 - #47:

See page 23.

PERSONNEL MANAGEMENT WITHIN THE CITY OF PARLIER

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

48. The City of Parlier formulate and implement written policies and procedures regarding labor relations.

49. The City develop written job classifications for all positions and issue them to all employees.

50. The City require department heads to adhere to the PMC sections covering their areas of responsibility.

51. A current copy of the PMC be made available to City Council members.

52. The City prepare, and provide to all employees, a handbook informing them of employee rights as stated in the PMC.

53. Employees be advised, in writing, of their rights of representation at all disciplinary hearings.

54. Written annual job performance evaluations of all employees be conducted, a copy placed in the employee's permanent file and a copy provided to the employee.

55. A written salary schedule for each position be prepared and a copy made available to each employee.

56. The city develop and issue a written policy regarding advancement and salary increases.

City of Parlier's Response to Recommendations #48 - #56:

See page 23.

NEPOTISM IN THE CITY OF PARLIER

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

57. PMC section 4.01.080 be rewritten to more clearly state the city's policy on nepotism as defined by Merriam-Webster's Collegiate Dictionary, "favoritism shown to relatives or close friends by those in power (as by giving them jobs)."

58. The policy of the city be to recruit, employ, and promote the best-qualified individuals.

City of Parlier's Response to Recommendations #57 and #58:

See page 24.

PARLIER PERSONNEL HEARING BOARD

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

59. The current PHB be dissolved.

60. The position for citizen at large be advertised (noticed).

61. The position for citizen at large be posted at City Hall.

62. All citizens who submit applications for this position be given equal consideration.

City of Parlier's Response to Recommendations #59 - #62:

See page 24.

PARLIER POLICE DEPARTMENT

Recommendation

The 2000-01 Fresno County Grand Jury recommends that:

63. The 2000-01 Fresno County Grand Jury recommends that the Parlier Police Department be closed immediately and the policing of Parlier be contracted with the Fresno County Sheriff.

City of Parlier's Response to Recommendation #63:

See page 24.

CITY OF PARLIER

A Community with a vision to the future.
Una Comunidad con vision al futuro
Incorporated November 14, 1921
Founded 1876

July 24, 2001

Honorable Gary D. Huff
Presiding Judge Superior Court
County of Fresno
1100 Van Ness Avenue
Fresno, CA 93721

Dear Judge Hoff:

Enclosed please find the City of Parlier's response to the 200-2001 Grand Jury Report.

The City was quite disappointed with the quality of work performed by the Grand Jury, and found and determined that many of the findings were incorrect.

Nevertheless, there were many useful recommendations that will be put in place.

Sincerely,

Michael R. Swigart
City Manager

Enclosures

1100 E. Parlier Avenue, Parlier, California 93848 .(559) 646.3545 FAX (559) 646-0416

CITY OF PARLIER

A Community with a vision to the future.
Una Comunidad con visión al futuro
Incorporated November 14, 1921
Founded 1878

Staff Report
Date: 07172001
To: Mayor, Council
From: City Manager

Council Meeting of July 17,2001
G. City Manager/Executive Director Reports

Item g.4, Grand Jury Recommendations

Recommendation: 1. Receive Recommendations from the Grand Jury;
2. Review Draft Responses prepared City Manager; 3. Accept responses or give direction as appropriate

Discussion: The Grand Jury has released their report. This year's focus was on the City of Fresno and the City of Parlier.

The Fresno County Grand Jury began a review of Parlier's Municipal procedures in the fall of 2000. The Grand Jury consists of private citizens with an interest in service to the community. The members of the Jury receive no instruction in municipal organization and through May of this year had little grasp of Council/Manager form of governance, the history of municipal reform, or professional traditions. Although, the City Manager wrote them repeatedly offering to provide information and correct misunderstandings, they did not meet with him until late in the fiscal year and relied substantially on innuendo and false information provided by politically motivated local people. As a consequence, the report is tinged with 'partisanship' and is flawed in many respects. Certain numerous errors in the report were allowed to remain and were not corrected even when brought to their attention by the City Manager.

Paint Project

The paint project was initially designed to be a summer youth program. The program employed local youths on civic projects. In previous years, the City has employed youths in the planting of trees and painting of senior citizens housing in conjunction with Proteus and a grant from the workforce development board. The funding for these youth employment programs was cancelled, and the City Manager hired 3 painters as temporary employees to paint the Community Center. They were paid a flat hourly rate for their time. The project was completed satisfactorily. One of the painters gave the name of a relative and was paid under that name. The City Manager had the matter referred to the U.S. Attorney's office. The

project was done in house with hired labor and the city purchasing the materials. The project did not involve Public Works Contract Law. The City Manager may have erred in not having social security & taxes deducted from the payroll of the temporary employees. The matter was reported to the City Council and is closed.

Animal Control

The City of Parlier does not operate an "animal shelter." It operates a temporary holding facility for wild dogs and dogs that have been abandoned in the city's streets by their owners. State Law regarding the required holding period increased the mandatory time from 4 days to 6 days in the year 2000. The city has now implemented the new time frame. Dogs are captured, transported to the holding facility, receive food and water, medical treatment if necessary, and held as law requires for 4 consecutive business days/six days to enable owners an opportunity to claim the animal. At the end of the required holding period the animals are transported to an animal shelter where they are available for adoption by the public or for destruction & disposal. Public Works personnel have been instructed in the requirement of law. The city has limited resources. The holding facility is cleaned and animals fed and watered on a daily basis. Citizens wishing to claim their lost or abandoned animal pay a fee and the animal is released. The city is meeting the minimum requirements of state law and its updated record system reflects this. While the city has significant sympathy for animals who been lost, mistreated or abandoned by their owners, the city's resources are targeted to other priorities and the city will continue to meet the requirements of law as cost effectively and efficiently as possible. The current location of the facility and procedures for managing it are consistent with requirements of State law.

Carpeting of City Hall

The carpeting of City Hall was in the city's budget. In accordance with the city purchasing ordinance the City Manager requested quotes for purchase and installment from several carpeting companies. He awarded the purchase and installment to the lowest quote received. It was less than $10,000. Extra work required during installation involved extra costs that brought the total cost to approximately $11,000. The City Manager's action was consistent with the purchasing ordinance. The City Manager erred in not recognizing that purchase and *installation* of carpet is subject to Public Works Contract Laws. The matter was taken to the City Council who approved the purchase and considers the matter closed.

Nepotism: None.

Code Enforcement:

The City of Parlier does not have a Code Enforcement Officer; specific violations of the Municipal Code (vehicles, weeds, zoning/bldg., housing, and sanitation) are handled by the appropriate department: Police, Fire, Community Development, Public Works, and Health. Due to lack of resources the city responds to discoveries or complaints of code violations and does not have on active program. Those code violations that city identifies are handled effectively, efficiently and professionally. Violations are corrected and brought into compliance making the issuance of citations unnecessary. The City Council's fiscal year 2001-2002 budget provides for a part-time code enforcement officer.

Personnel Management:

The City of Parlier does not have significant resources but has balanced its budget for the last several years. Salaries for all city employees, including police officers, is lower than salaries for the same position in cities in this area. The city does not have sufficient funding to be professionally competitive. The city, however, has a dedicated professional and committed staff, who take great pride in their service to our community. The city staff and police department have a good 'esprit de corps; and the city's personnel are professional and conscientious in the performance of their duties. Morale appears to be good. There are job descriptions for the employees. The City Council and the Peace Officers Association have reached an agreement and memorandum of understanding is being prepared for execution by the parties. The city has an adopted a Personnel Ordinance, and a Personnel Handbook which follows personnel procedures. A personnel appeals board was formed and appointed by Council consistent with the Municipal Code. Written salaries are adopted by the Council by resolution. Annual evaluations have not been done in the past but the procedure is being instituted this year. The city does all it can to take care of its employees within the limits of its resources. It is proud of its workforce and its fair treatment of them.

Police Department:

The City of Parlier has limited resources but it is a fine community despite its lack of revenues. Ten years ago, the city decided to form its own police department because it wanted neighborhood policing, a quicker response time and a focus on local issues & youth. The city's department has been operational for more than a decade and is staffed by caring and dedicated officers. The city has a number of loyal officers who have served the city for several years. The department has a high turnover rate because salaries are higher in other communities, thus Parlier becomes a training ground for officers newly out of the Police Academy. This turnover of officers does not mean morale is low. It is a fact of life in our city and the way we do business. Morale is high. There is a strong 'esprit de corps' among our officers.

The city has retained the service of a series of Police Chiefs, but most of them have been 'interims,' who have held the position while a permanent Chief was being recruited. In the four years one Chief left after a month's service. One retired. Over a two-year period, the city had the opportunity to utilize the services of 3 retired Chiefs as interims with a hundred years of combined experience. During their stay, the Parlier Police Department's Manual was updated, training programs were put in place, personnel descriptions, and department policies were written and the officers had the opportunity to work with men of high caliber, men who are role models for young professional representing the best of the law-enforcement profession.

In the last four years the fleet has been upgraded and replaced, communications and computer technology and training put in place and advancement has been made. Public Safety is getting better all the time. It is difficult to understand why the Grand Jury Report traded in innuendoes, discussed allegations without facts.

P.O.S.T. routinely conducts audits of Police departments and issues a 'correction list' of items that are deficient. The city corrects those deficiencies that have been identified. This is routine in all cities. P.O.S.T. makes us better.

The current Chief of Police submitted a recommendation on the use of SLEFS to the City Council via the City Manager. The council approved the funding plan and it is being put in place for the City's 2001-2002 fiscal year budget. A proposal by a prior chief was not acceptable to the manager because it did not address fiscal and policy need. It was not taken before the Council.

Recruitment is a constant in Parlier. Turnover of personnel occurs everywhere. Turnover in Parlier is higher because other communities can offer more opportunity. Our city and police department have a number of fine, dedicated professionals, motivated and with a strong work ethic.

For the Grand Jury to call our people and Police Department a disservice is an insult. The Grand Jury's recommendation to close the department is ludicrous nonsense. The voters and elected officials make those decisions and we do not conclude that any grounds exist for consideration of closure.

Financial Findings and Recommendations:

The Grand Jury had extensive comments on our financial management and audits. We will review their recommendations carefully with the intent of implementing those findings that can improve accountability and our services to the community .The Finance Director erred in the use of a city credit card, reported the mistake to the City Manager and corrected the error. At few of the financial findings are also in error but we will prepare an analysis for the Council. As our last four audited statements will attest, there are no 'financial irregularities' and I am appalled at some of the language in the findings. Many of the recommendations, however, are quite good.

City Manager Summary:

The Grand Jury spent nearly a year reviewing practices in the City of Parlier, but relied on information from 2 or 3 dissatisfied citizens and a couple of disgruntled employees to form most of its conclusions. The Grand Jury only contacted members of the Council and management after it had ill formed its conclusions. The work is flawed. Minor procedural errors have been characterized and exaggerated as "epic" matters. Parlier has made great strides; it has one of its lowest crime rates in the county. It has better infrastructure and planning for the future than any other city in the San Joaquin Valley. It has an extremely limited budget and economy and yet provides an enormous range of quality services with a smaller staff than cities half its size.

Numerous findings by the grand jury were erroneous. City Staff brought the errors to their attention. For whatever reason they were not corrected. Errors in their findings led to errors in their recommendations. Many of their recommendations are without basis because the findings they are premised on are false.

The Grand Jury report begins by stating they began an investigation because they received complaints of malfeasance, mismanagement and corruption. They failed to state that they found none. There isn't any, but they neglected to say so, and should have.

To the credit of the Foreman of the Grand Jury, in his message of transmittal of the report, he said, ' In defense of the City of Parlier, I feel it is safe to say that the same problems exist in many smaller cities in the County.'

The Grand Jury has failed to respect and admire this heroic little city, its numerous accomplishments and its fine citizenry, its dedicated and hard working public employees. In the past four years, the city has updated its General Plan, developed a Strategic Plan, added a thousand acres to is Sphere of Influence, annexed 240 acres, Master Planned an Industrial Park, balanced its budget, kept its Police Department, had two major companies add several hundred new jobs, added the USDA Research Center, acquired 11 acres for its "Downtown Revitalization". It adopted a Capital Improvement Plan, has promoted the development of a variety of housing for its citizenry , expanded its schools, streets, water and sewer systems, storm drainage, added a child care center, maximized state and federal grant programs and continues to address the domestic needs of residents; seniors, men, women, and children.

Parlier has limited resources, but it makes them go far. Poverty is not a crime. Parlier's long term economic development strategies are beginning to make a difference. The City's growth is modest, but sure. Focusing on the glass 'half empty' is short sighted. We resent the condescending point of view that the Grand Jury has taken toward our community and its governance. The Grand Jury has missed an opportunity to recognize a small success story, an American town at work.

I am sorry that the grand jury failed to recognize the success of this sweet little valley town and failed to take pride in it. I am sorry that the Grand Jury failed. They have completely misrepresented the hard work of a fine council and staff. The Grand Jury has performed a disservice. If it were not automatically going to adjourn at the end of its term, I would recommend that it be disbanded.

Below, please find the 63 recommendations of the Grand Jury Report and our responses. We did not bother to respond to specific findings as our disagreements are too numerous and would be too lengthy, argumentative and unproductive. We have taken the recommendations at face value and believe many of them to have merit.

Grand Jury Recommendations and Specific Responses:

Audit

Recommendation #1
To be in compliance with the above restricted revenue requirements and regulations and to eliminate the appearance that restricted revenues are being used to fund general fund expenditures, the City of Parlier should ensure that such restricted revenues are clearly used for the related program purposes. Costs charged to the special revenue funds should reflect actual costs attributable to the program and should be supported by applicable documentation such as time tracking. The City of Parlier should obtain clarification from the applicable regulatory agency to determine if their current cost allocation methodology is acceptable.

Response: The City concurs with the recommendation.

Recommendation #2
In the absence of fully supportable cost allocation methodologies or regulatory approval of existing cost allocation methodologies, the City of Parlier should reverse the $268,224 and $393,602 in overhead costs charged to the special revenue funds listed above. In addition, any

other insufficiently supported cost allocations that were not noted in this report should also be reversed.

Response: The matter will be referred to the Finance Director and City Auditor for review, the manager will report back to Council with recommendation for appropriate action.

Recommendation #3
In order to provide for sound accounting and budgeting practices and to ensure a clear audit trail, appropriations and expenditures should be initially recorded in the originating department/fund where the activities are incurred.

Response: The City is in compliance with generally accepted accounting practices. The matter will be referred to the Finance Director and City Auditor for further review and appropriate action.

Recommendation #4
The City of Parlier Finance Department should implement procedures that provide segregation of duties related to accounts payable. Specifically, the person who approves payments should not be the same person who signs checks and submits requests for payments. When it is necessary for the Finance Director to submit a request for payment, the payment should be sufficiently reviewed and approved by another authorized staff member (e.g. the City Manager).

Response: Payments are approved by Department Heads. Any Department expenditures greater than a thousand dollars must be reviewed and approved by the City Manager. Additionally, the City Manager reviews and approves ***all*** *payments on the demand warrant register. This register is published in the Council agenda for public review.*

Recommendation #5
To strengthen internal controls over expenditures in special revenue funds and to ensure that funding does not need to be reimbursed or that future funding is withheld, the City of Parlier should ensure that program costs incurred are fully supported and are in compliance with program requirements. This can be achieved in part by requiring that receipts for credit card purchases be retained for supporting documentation and submitted to the Finance Department for review and approval.

Response: The City concurs with the recommendation.

Recommendation #6
To prevent losses and enhance internal controls, the City of Parlier should immediately implement procedures to ensure that the City's charge accounts and credit cards are not used for personal purchases.

Response: The City concurs with the recommendation. Such procedures are in place.

Recommendation #7
In compliance with the above code sections and to ensure that funding is not withheld, the RDA should immediately submit a 5-year plan to the State Controller's Office and submit all future required documents when due.

Response: The City has held off on updating its 5 year housing plan pending certification of its housing element by the State Housing and Community Development Department. The element will be certified in a few weeks. The plan will be updated during this 2001-2002 fiscal year.

Recommendation #8
In order to comply with Health & Safety Code Section 33487 and to ensure that funding is not withheld, the RDA should transfer $3,907 to the low income-housing fund for fiscal year 1998/99 from the RDA Capital Projects Fund.

Response: The matter will be referred to the Finance Director and City Auditor for review, the manager will report back to Council with recommendation for appropriate action.

Recommendation #9
In order to explain material changes in the financial statements in accordance with generally accepted accounting principles, the City of Parlier should provide adequate disclosure in the notes to the financial statements. For example, Parlier could have identified the above increase in the capital projects fund balance as a "restated" fund balance in the financial statements. In addition, a note disclosure should have been provided to reconcile the restated fund balance to the prior year ending balance. The disclosure should have also explained the reason(s) for the restatement. Parlier should consider this for future reporting purposes.

Response: The matter will be referred to the Finance Director and City Auditor for review and appropriate future action.

Recommendation #10 a, b, c, and d
To ensure that funding is not withheld, the RDA should ensure all proper procedures and legal requirements are followed when issuing loans and all appropriate documents are maintained in their loan files and that all loans are properly authorized. Parlier staff should review all available loan records since the formation of the RDA to try to locate all missing loan documentation and criteria information on the sixteen known loans addressed above. Parlier staff should also determine if there are any additional outstanding loans not currently known that should be followed up on. Also, even though Parlier has indicated that the commercial borrowers of the "written off" loans are out of business, Parlier should continue to bill the business owners until these loans are officially written off by the City Council. Proper procedures must be followed to assure that all redevelopment loans are repaid timely and in full.
Redevelopment loans determined to be uncollectible should be written off by the City Council and referred to a collection agency as appropriate. Parlier should consider following up with other collection agencies or pursue other means of recouping unpaid balances, e.g. through small claims processes, other lawsuits, etc. In addition, Parlier should ensure and be able to support that interest charged on Redevelopment loans is charged fairly and equitably.

Response: The Redevelopment Agency has not made any loans in nearly a decade. Of those older loans on the Agencies books: some loans have been paid off; some loans are in process and payment is timely, some loans are behind in payment and payment is sporadic, on some there is no activity and they are considered uncollectable. Many of the loans were unsecured and should have been. Loans that are secured by real property shall be paid. Extensive searches for records of prior loans have been made, for some loans there are little or no records. A list of uncollectable loans shall be provided to the Redevelopment Agency for 'write-off' consideration. Future loans, if any, considered by the Redevelopment Agency will be secured by real property and shall be recorded.

Recommendation #11
To enhance internal controls, ensure the accuracy of the City's accounting records, and ensure continued funding, Parlier should implement formal procedures to ensure proper accounting for and reconciliation of restricted revenues. In addition, all transactions and supporting documentation must be maintained until such records have been audited by all appropriate oversight agencies. Finally, the City of Parlier should make the appropriate general ledger entries within the special revenue fund to record these transactions.

Response: The matter will be referred to the Finance Director and City Auditor appropriate future action.

Recommendation #12
The City of Parlier should post transactions to proper accounts and subsequently classify expenditures appropriately in their financial statements.

Response: The City concurs with the recommendation.

Recommendation #13
In order to comply with terms of the Child Development Grant, the City of Parlier should reimburse the Child Development fund the $582.50 noted above and only make expenditures appropriate for grant purposes from this fund.

Response: The matter will be referred to the Finance Director and City Auditor for review, the manager will report back to Council with recommendation for appropriate action.

Recommendation #14
In order to comply with terms of the Child Development Grant, the City of Parlier should obtain an annual audit of the Child Development Program that conforms to the terms of the grant agreement and reports on Child Development revenues and expenditures of the City of Parlier. In addition, the City of Parlier should consistently review any audit reports prepared for their program prior to finalization of the report.

Response: The City concurs with the recommendation.

Recommendation #15

In order to properly account for and report Gas Tax revenues, the City of Parlier must reconcile any variances between revenues paid by a funding entity and revenues recorded by the City.

Response: The City concurs with the recommendation.

Recommendation #16
In order to properly administer the Local Transportation Fund and ensure proper financial statement presentation, the City of Parlier must reconcile the Local Transportation fund to receipts and implement procedures to ensure that all transactions are properly recorded and reported.

Response: The City concurs with the recommendation.

Recommendation #17
The City of Parlier should either provide supporting documentation for the $70, 702 reduction of revenues or reverse this adjustment as appropriate.

Response: The matter will be referred to the Finance Director and City Auditor for review, the manager will report back to Council with recommendation for appropriate action.

Recommendation #18
The City of Parlier should work with their current external auditor to correct any errors or misstatements in the fund as a result of our findings (#16 and #17, as well as findings #1-3) to ensure the accuracy of the financial statements.

Response: The matter will be referred to the Finance Director and City Auditor for review, the manager will be report back to Council with recommendation for appropriate action.

Recommendation #19
The City of Parlier should contact the DOJ for written clarification of what constitutes acceptable expenditures for this grant. The City of Parlier should comply with the information provided by the

DOJ related to this audit finding. Unauthorized expenditures of grant funds must be reimbursed or a waiver should be requested from the grantor agency.

Response: The City concurs with the recommendation.

Recommendation #20
The City of Parlier should ensure that actual interest is allocated to the COPS fund for 1998/99, 1999/00 and thereafter. In addition, the City should ensure that adequate interest allocation methodologies are used to ensure that all restricted revenues are accurately calculated, allocated and available to be used for restricted program purposes or returned to regulatory agencies as necessary in the event of non-compliance with program requirements.

Response: The matter will be referred to the Finance Director and City Auditor for review, the manager will report back to Council with recommendation for appropriate action.

Recommendation #21
In compliance with the provisions of Government Code Section 30061 as stated above, the City of Parlier should ensure that the appropriation of COPS grant monies for 2000/01 and thereafter are separately presented to and approved by Parlier's City Council as required.

Response: The City concurs with the recommendation.

Recommendation #22
The City of Parlier should maintain support for all financial transactions that affect special revenue funds as well as other funds until all oversight agencies conduct periodic audits. Unauthorized expenditures of grant funds must be reimbursed or a waiver should be requested from the grantor agency.

Response: The City concurs with the recommendation.

Recommendation #23

The City of Parlier should implement procedures to ensure that expenditures are not claimed/reported twice and that overtime costs are not claimed in compliance with Universal Hiring Grant provisions. Parlier should also adjust the above reports and charges to reverse duplicated expenditures and inappropriate overtime costs.

Response: The matter will be referred to the Finance Director and City Auditor for review, the manager will report back to Council with recommendation for appropriate action.

Recommendation #24
The City of Parlier should investigate the difference of $2,404 between revenues reported in their general ledger for OES revenues and the amount of payments confirmed through the State OES or have support for the variance readily available.

Response: The matter will be referred to the Finance Director and City Auditor for review, the manager will report back to Council with recommendation for appropriate action.

Recommendation #25
The City of Parlier should immediately revise the Project Completion and Certification Report to reflect actual costs for the disaster period. They should provide support for costs claimed or return $36,136 claimed inappropriately to the State OES.

Response: The matter will be referred to the Finance Director and City Auditor for review, the manager will report back to Council with recommendation for appropriate action.

Recommendation #26
To ensure accuracy of records, enhance internal controls, and ensure the availability of current and future funding, the City of Parlier should properly maintain files containing supporting documentation for transactions and retain these records until audited by all appropriate oversight agencies.

Response: The City concurs with the recommendation.

Summary: It is our recommendation that the City of Parlier hire either a CPA firm or professional accounting staff to help them address the findings and recommendations in this report, correct their records/reports related to special revenue funds, and implement procedures/processes to ensure that restricted revenues are properly expended and accounted for and that all applicable rules, regulations and laws are followed with strict compliance.
Gary W. Peterson Auditor-Control Treasurer-Tax Collector

Response: The City concurs with the Summary recommendation and the matter is referred to the Finance Director and City Auditor.

Paint Project:

27. The Parlier City Manager confer with the City Council before engaging in city projects costing over $10,000 as required by PMC.

28. Bidding and contracting of services be in compliance with PMC.

29. The City Manager and City Council be held responsible for implementing the directives set forth in PMC.

30. Compensation of employees and/or contractors be in compliance with existing State and Federal laws.

Response: The City concurs with recommendations 27 though 30. It disagrees with many of the findings.

Animal Control

31. The City hire an animal control officer.

32. The animal shelter be relocated within the city to make it more accessible.

33. Leash and licensing laws be enforced.

34. The City educate the community regarding licensing, vaccinations, leash laws, spaying and neutering.

35. The City establish a fee schedule for costs incurred in animal control.

36. All record keeping relating to animal control be current.

37. State guidelines be followed for the ultimate disposal of any animal.

38. Polaroid photographs of impounded dogs be posted at city hall in order for citizens to see if their dog has been impounded.

Response to 31 - 38: The current location of the city's holding facility and city's procedures for managing it are cost effective and consistent with requirements of law. The Council expects and management will ensure that our operation is in compliance with state law.

City Hall Carpeting

39. The Parlier Municipal Code and Purchasing Ordinance be followed.

40. Shortcuts that violate the existing code not be considered.

Response: The City concurs with recommendations 39 and 40.

Code Enforcement

41. The present policy of code enforcement be changed to a more aggressive system which addresses all violations existing in the City of Parlier.

42. Written policy and procedures be developed to provide for the tracking and documented resolution of all complaints.

43. The city hire a code enforcement officer, supported with sufficient staff.

44. Adequate training be provided for the code enforcement officer and staff, including instruction in property owner and tenant rights.

45. A written manual providing guidelines on how to resolve code enforcement disputes be developed and implemented.

46. The City of Parlier inform and educate the public on current code enforcement policy.

47. A current copy of the Parlier Municipal Code be available for public use at City Hall and the public library.

Response to 41 -47: The City has budgeted for a ½ time Code Enforcement Officer in the FY2001-2002 budget. A more active code enforcement program will be instituted accordingly.

Personnel Policies

48. The City of Parlier formulate and implement written policies and procedures regarding labor relations.

49. The City develop written job classifications for all positions and issue them to all employees.

50. The City require department heads to adhere to the PMC sections covering their areas of responsibility .

51. A current copy of the PMC be made available to City Council members.

52. The City prepare, and provide to all employees, a handbook informing them of employee rights as stated in the PMC.

53. Employees be advised, in writing, of their rights of representation at all disciplinary hearings.

54. Written annual job performance evaluations of all employees be conducted, a copy placed in the employee's permanent file and a copy provided to the employee.

55. A written salary schedule for each position be prepared and a copy made available to each employee.

56. The city develop and issue a written policy regarding advancement and salary increases.

Response: Items 48, 49, 50, 51, 52, 53, 55 are in place and are standard practice. Item 54 will be instituted this fiscal year. Item 56 will be put in place if and when it is deemed necessary.

Nepotism

57. PMC section 4.01.080 be rewritten to more clearly state the city's policy on nepotism as defined by Merriam-Webster's Collegiate Dictionary, "favoritism shown to relatives or close friends by those in power (as by giving them jobs)."

Response: The matter will be referred to the City Attorney for review and to report back to Council with recommendation for appropriate action.

58. The policy of the city be to recruit, employ, and promote the best-qualified individuals.

Response: This is City Policy.

Personnel Appeals Board

59. The current PHB be dissolved.

60. The position for citizen at large be advertised (noticed).

61. The position for citizen at large be posted at City Hall.

62. All citizens who submit applications for this position be given equal consideration.

Response: The City disagrees with recommendations 59-62. *The Personnel Appeals Board was established by the municipal code. Council appointments were made consistent with that code.*

Police Department

63. The 2000/2001 Fresno County Grand Jury recommends that the Parlier Police Department be closed immediately and the policing of Parlier be contracted with the Fresno County Sheriff.

Response: The majority of the Police Department findings were absurd; this recommendation is nonsense.

SECTION II

CITY COMMITTEE

CITY COMMITTEE

SOLID WASTE MANAGEMENT DIVISION

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

64. Continue the broad public education program to increase awareness of the need to meet recycling goals.

65. Tailor educational efforts to target each culture within our community in a way that has proven most effective for that group.

City of Fresno's Response to Recommendations #64 and #65:

See page 28.

FRESNO CITY PARKS SANITATION FACILITIES

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

66. Increase the budget to provide for care of the new parks.

67. Add personnel to help maintain the park sanitation facilities.

68. Provide adequate funds for replacement of fixtures with more durable ones.

City of Fresno's Response to Recommendations #66 - #68:

See page 29.

CITY COUNCIL INFRASTRUCTURE FUNDS

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

69. Distribution of the City Council discretionary infrastructure funds be reviewed and approved by the City Manager prior to disbursement.

70. Consideration be given to reducing the current allotment from $140,000 to $70,000 per district.

71. Carryover of any unused infrastructure funds be eliminated.

72. Future Grand Juries continue to monitor the program.

City of Fresno's Response to Recommendations #69 - #72:

See page 30.

CITY OF FRESNO WATER METERS

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

73. The Mayor, City Council and all civic groups unite to promote the installation of water meters.

74. Homeowners and businesses that currently have meters be excluded from further meter installation costs.

75. The city utilities department continue to publish average water bills for various family sizes with and without meters.

76. Water police be reactivated to prevent water waste.

City of Fresno's Response to Recommendations #73 - #76:

See page 32.

BASEBALL/MULTI-USE STADIUM

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

77. The City require an annual independent audit of the financial statements of FDG.

78. All seventeen dates the city controls be devoted to for-profit events to enhance the City's revenues.

79. The public be assured of coordinated parking and security by FDG and the City.

City of Fresno's Response to Recommendations #77 - #79:

See page 34.

CITY OF FRESNO FIRE DEPARTMENT

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

80. The fire department have a budgeted *vehicle replacement plan*. The city should consider replacement of vehicles after seven or eight years while they still have significant value on the used fire vehicle market.

81. The inventory of fire fighting tools be increased so that all spare engines/trucks are fully equipped.

82. The city recognize the need to increase the number of fire fighting personnel.

83. The City of Fresno revisit its traffic light pre-emption plan and budget funds to complete this program.

84. The Fresno Fire Department develop a plan to reduce response times to the NFPA standards.

City of Fresno's Response to Recommendations #80 - #84:

See page 35.

Daniel G. Hobbs
City Manager

October 3, 2001

Mr. Rick Allen Foreman
Fresno County Grand Jury
1100 Van Ness #102
Fresno, CA 93721

Dear Mr. Allen:

SUBJECT: 2000-2001 GRAND JURY RECOMMENDATIONS

The following contains the City of Fresno's response to the 2000-2001 Grand Jury Findings and Recommendations. The responses to the findings were prepared by City staff and ratified by the City Council of the City of Fresno on October 2, 2001.

SOLID WASTE MANAGEMENT DIVISION

Response to Findings:

The City agrees with the findings.

Recommendation 64:

Continue the broad public education program to increase awareness of the need to meet recycling goals.

Response to Recommendation 64:

The City has implemented the recommendation. The Solid Waste education budget has been increased for FY 02 specifically for this purpose. Broad recycling education programs are ongoing, with acceleration of effort planed for a spring of 2003 multi-media campaign.

Recommendation 65:

Tailor educational efforts to target each culture within our community in a way that has proven most effective for that group.

City of Fresno
City Hall • 2600 Fresno Street • Fresno, California 93721-3601
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Response to Recommendation 65:

The City has not yet fully implemented the recommendation. Solid Waste is developing educational strategies to fit several linguistic and cultural specialized groups. A media consultant with multi-cultural expertise will be retained in FY 02, while we are currently working with EOC and several community groups to tailor educational messages and venues to maximize results.

FRESNO CITY PARKS FACILITIES

Response to Findings:

The City agrees with the findings.

Recommendation 66:

Increase the budget to provide for care of new parks.

Response to Recommendation 66:

The City has implemented the recommendation. The FY02 budget for neighborhood parks was increased by $266, 700 to compensate for the opening of Layne, Kolligian and Pilibos Parks and the Multi-Cultural Corridor and increased operating costs including energy.

Recommendation 67:

Add personnel to help maintain the park sanitation facilities.

Response to Recommendation 67:

The City has implemented the recommendation. The Parks Division budget was increased during fiscal year 2000-2001 to increase the number of times the outdoor facilities at neighborhood parks are maintained from 5 to 7 times per week, including holidays. Those parks that are staffed with Recreation personnel, which is 27 out of 58, receive at least one additional maintenance visit daily during operating hours. The maintenance level on the regional parks restroom facilities remain at two cleanings per day and a minimum of one additional visit each day by maintenance personnel.

Recommendation 68:

Provide adequate funds for replacement of fixtures with more durable ones.

Response to Recommendation 68:

The City has not yet fully implemented the recommendation. The four outdoor restroom facilities at Woodward Park are on a four year schedule for complete renovation. The funding source for the improvements is from Crystal Valley Decorating for their Festival of Lights Exhibit. Fixtures at other facilities are replaced when damaged, and the Parks Division is pursuing grants from Federal and State agencies for replacements at other outdoor facilities.

CITY COUNCIL INFRASTRUCTURE FUNDS

Response to Findings:

The City agrees that certain non-capital expenses were authorized out of what is generally called district infrastructure, but disagrees that any cited expenditures were legally or procedurally questionable. Funding sources were used for legally permissible expenditures; general fund sources were used for non-capital expenditures.

Recommendation 69:

Distribution of the City Council discretionary infrastructure funds be reviewed and approved by the City Manager prior to disbursement.

Response to Recommendation 69:

Expenditures funded from district infrastructure budgets follow standard City procedures for review and payment. Additionally, non-capital expenditures were placed on Council agendas, considered in Council open meetings, and approved by a supermajority vote and subject to mayoral veto.

Recommendation 70:

Consideration be given to reducing the current allotment from $140,000 to $70,000 per district.

Response to Recommendation 70:

The Mayor and City Council have recently discussed this matter in public session, and have confirmed the need for resources to be available to expediently resolve infrastructure needs within Council districts. Additionally, the Council has placed a limit of 15 percent of their infrastructure budgets for funding non-capital related expenditures. Finally, the City Attorney's Office is preparing, for Council consideration, a resolution which establishes the criteria for use of Community Service Program Funds. The Council adopted the resolution which is attached as Exhibit '"A".

Recommendation 71:

Carryover of any unused infrastructure funds be eliminated.

Response to Recommendation 71:

The budgeting of unused infrastructure funds is a policy decision regarding the allocation of limited City resources to the infrastructure needs of the City. The issue is compounded by the timing and process necessary to complete infrastructure projects including, Charter required competitive bidding and approvals necessary to properly expend the funds. The matter was considered by the City Council on August 21, 2001, at which time the funds were appropriated for use in fiscal year 2001-2002.

Recommendation 72:

Future Grand Juries continue to monitor the program.

Response to Recommendation 72:

Should future Grand Juries choose to monitor the program, City staff will provide requested information as required.

CITY OF FRESNO WATER METERS

Response to Findings and Conclusions:

The City agrees with findings A through F, Findings H and I, and Conclusion C. Regarding Finding G which stated that “”Water Police" have been inactivated due to lack of funds", it is correct that the program of proactive water waste patrols was de-funded. The principal reason however, was not a lack of funds but was a policy decision by the

previous City administration and previous Council to redirect the resources of the water conservation program. Regarding Conclusion A, the cost of San Joaquin water supply *will* increase. Contract costs will increase from a current $30 per acre ft to a minimum of $70 per acre ft. Regarding Conclusion B, the cost of installation, maintenance and administration of a residential metering program will be fully offset after full implementation by the anticipated decrease in pumping, water treatment and wastewater treatment costs.

Recommendation 73:

The Mayor, City Council and all civic groups unite to promote the installation of water meters.

Response to Recommendation 73:

The City has not yet fully implemented the recommendation. The Mayor and Council have all endorsed meters if they are necessary to renew the City's CVP contract. A broad based stakeholders group (Contract Renewal Advisory Group) has been formed to provide feedback and support in the contract renewal process and a referendum on water meters should it become necessary to renew the CVP contract. Timing and need for such a campaign must wait the outcome of current City negotiations with the Bureau of Reclamation. While the Council has authority to place measure on the ballot for voter approval, State law prohibits the City from using public funds to advocate passage or defeat of a local ballot measure. The rationale grounded in case law is that public money cannot be spent to tip the scales in favor of some electors and against others in matters left for the citizenry to decide.

Recommendation 74:

Homeowners and businesses that currently have meters be excluded from further meter installation costs.

Response to Recommendation 74:

Recommendation 74 requires further analysis. At first blush this might seem like an equitable approach, however all customers will benefit from the installation of meters. The benefits derived from any system wide improvement are returned to all customers, not just a limited class. If the improvement provides system wide operational benefits, the costs should also be spread system wide. In short, the avoided energy and treatment costs derived from the metering program will be shared by all; similarly, the

cost should be shared by all.

The cost of installation, maintenance and administration of a residential metering program will be fully offset after full Implementation by the anticipated decrease in pumping, water treatment and wastewater treatment costs.

Recommendation 75:

The City Utilities Department continue to publish average water bills for various family sizes with and without meters.

Response to Recommendation 75:

Ongoing.

Recommendation 76:

Water police be reactivated to prevent water waste.

Response to Recommendation 76:

The City has not yet fully implemented the recommendation. This and related conservation program expansions are a condition of the City's Central Valley Project contract renewal and will be re-implemented at the time of contract renewal. In addition, increased conservation funding is anticipated in the FY 03 budget cycle.

BASEBALL/MULTI-USE STADIUM

Response to Findings:

The findings specified as A-M were generally accurate as of the time Grand Jury received its information. Some of the matters are estimated (e.g., annual debt service; final project cost) while other matters are in development (e.g., safety/traffic control plan). City disagrees with Conclusion A; conclusion B is ambiguous; and City disagrees with Conclusion C and D, to the extent that security and traffic plans are in the process of development. These plans will be developed and implemented with the purpose of avoiding or minimizing serious parking impacts except during intermittent, non peak business hours.

Recommendation 77:

The City require an annual independent audit of the financial statements of FDG [Fresno Diamond Group].

Response to Recommendation 77:

The recommendation will be implemented as deemed necessary by the City, per Section 17.9 of the lease agreement as follows:

> "Records of Tenant pertaining to any obligations of Tenant hereunder shall be kept on a generally recognized accounting basis and shall be available to the City or its authorized representatives upon request during regular business hours throughout the life of this Agreement and for a period of three years thereafter. In addition, all books, documents papers, and records of Tenant pertaining to any obligation of Tenant pursuant to this Agreement shall be available for the purpose of making audits, examinations, excerpts, and transcriptions for the same period of time. If an audit by the City discloses underpayment in excess of one percent of any monies due the City hereunder, reasonable audit costs shall be reimbursable by Tenant to the City. This Section shall survive expiration or termination of this Agreement."

Recommendation 78:

All seventeen dates the city controls be devoted to for-profit events to enhance the City's revenues.

Response to Recommendation 78:

The recommendation will not be implemented. Under the lease, the City is allocated 10 Concession-Using Events, and 7 Non-Concession-Using Events, and it states, in Section 3.6(h):

> "Non-Concession-Using Events shall generally be partially or wholly sponsored or contracted for by either the City or other not-for-profit organizations (which are not required to be 501 (c)(3) organizations or for charitable purposes."

It is the general understanding between the parties that the 7 events would not be "for-profit" events.

Recommendation 79:

The public be assured of coordinated parking and security by FDG and the City.

Response to Recommendation 79:

The City has not yet fully implemented the recommendation. Parking plans are being developed (with a consultant's study being completed in September) to provide for stadium event parking, and security plans will be in place by the opening of the stadium.

CITY OF FRESNO FIRE DEPARTMENT

Response to Conclusions:

The City agrees with Conclusion A; disagrees with Conclusions B and D; and agrees in part with Conclusions C, E, and F. Regarding Conclusion C, vehicle status is monitored by the department and equipment is replaced as needed. Regarding Conclusion E, and while the ratio may be accurate, it does not necessarily reflect the ability to provide Fire services within the City of Fresno. Regarding Conclusion F, the implementation is ongoing.

Recommendation 80:

The fire department have a budgeted *vehicle replacement plan.* The city should consider replacement of vehicles after seven or eight years while they still have significant value on the used fire vehicle market.

Response to Recommendation 80:

The City has not yet fully implemented the recommendation. While the Fire Department does not currently maintain a specific vehicle replacement plan, vehicles have been replaced as needed, by financing the purchase over a ten year period. The Department is currently developing a draft replacement plan for consideration.

Recommendation 81:

The inventory of fire fighting tools be increased so that all spare engines/tools are fully equipped.

Response to Recommendation 81:

The City has implemented the recommendation. Active engines and trucks equipped with necessary tools. Reserve engines and trucks are currently equipped with a minimum of tools; typically hose and small tools on engines, and ladders and small

tools on trucks. The balance of the inventory is stocked when a front line engine or truck is out of service for repairs. When reserve apparatus is temporarily placed in service as a new company, it operates with existing equipment. In those cases when additional equipment is needed to perform a task, the equipment from other apparatus on scene is utilized.

Recommendation 82:

The city recognize the need to increase the number of fire fighting personnel.

Response to Recommendation 82:

The City has not yet fully implemented the recommendation. The City recognizes that the 0.58 firefighters/1000 population is at the low end of national and regional standards. However, these standards do not take into account specific service needs of Fresno.

The City will continue to pursue options for increasing Fire Department staffing in future budget deliberations.

Recommendation 83:

The City of Fresno revisit its traffic light preemption plan and budget funds to complete this program:

Response to Recommendation 83:

The City has not yet fully implemented the recommendation. The intersections of Herndon and West, and Clovis and Clinton currently have the Opticom traffic preemption device. Fire apparatus specifications have included the Opticom transmitter as emergency warning equipment to be installed since 1998. Nine of our thirty one fire apparatus are equipped with an Opticom transmitter. The City implementation of this program will continue to be a priority in future budget deliberations. The Fire Department is continually reviewing opportunities for improving response times, and will present a report of such opportunities as part of the fiscal year 2001-2002 budget process.

ELKHORN CORRECTION FACILITY

Response to Findings:

Finding J relates to the City of Fresno. The City has not been apprized of sufficient information to determine that the majority of juveniles confined at Elkhorn commit crimes or live within the City. The City has agreed for a nine year period to contribute one million dollars annually as part of a comprehensive settlement agreement in 1998. Certain conditions are attached to that contribution, including conditions relating to minimum bed size and location.

Recommendation 98:

The City of Fresno continue to fund Elkhorn Correctional Facility at no less than the current rate of $1,000,000 per year with no sunset provision.

Response to Recommendation 98:

The City will not implement the recommendation, as stated. The City of Fresno's position is to continue the present commitment to fund the ECF for the balance of the nine years, if the ECF stays at the current 200 bed capacity both in staffing of correctional personnel and commitments to the facility. City recognizes that as long-term solutions Juvenile Hall expansion is still several years away, it essential that County maintain the ECF as a rehabilitation center for nonviolent Juvenile offenders.

It is neither wise, nor sound policy for the City at this time to make a perpetual commitment for these reasons: a perpetual commitment is subject to availability of funding; a perpetual commitment is subject to revocation by a future Council on a variety of grounds; future City-County agreements may require the need to revisit future funding; a future Council may determine that City resources are more urgently needed to fund other related programs (crime prevention, after school programs, etc.) other than confinement costs; making a minimum commitment now may discourage greater, participation by Fresno and/*or* other cities in the County, should the need arise. Under the above circumstances, making such a minimum commitment now would be misleading and unproductive. In sum, the City is encouraged by the present level of activities of the ECF, and will consider future opportunities to involve itself and other cities in the county to support the program in the most appropriate means then available.

BRIEFING BOOK FOR NEWLY ELECTED OFFICIALS

Response to Findings:

City agrees with the need and desirability for newly elected officials to receive a minimum and appropriate level of orientation in the new position, and the information needed and legally available to get up to speed on pending issues as expeditiously as possible.

Recommendation 101:

Constituent files be retained and made available to newly elected officials.

Response to Recommendation 101:

The recommendation will be implemented by reminding Council members of their obligations to retain records in the constituent files pursuant to the City of Fresno's records retention schedule in Resolution No.93-139. A copy of the Resolution is attached hereto as Exhibit "B".

We assume "constituents files" refer to files pertaining to private citizens who are represented by, and whose files are maintained by the outgoing elected officials. An out-going elected official must retain records in a constituent's file that are "public records"[1] in a manner constituent with the records retention guidelines.[2] The records retention schedule for the City of Fresno is located in Resolution No.93-139, a copy of which is attached as Exhibit "A". The Resolution lists 26 types of records that are retained by the Council, including citizen complaints, correspondences, and subject files, and the number of years those records must be retained by the City Council's Office. In compliance with the applicable laws and the Grand Jury's recommendation, we will remind the Council members of the obligation to retain those records in the constituent files in a manner consistent with the State land local laws, and Resolution No. 93-139.[3]

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[1] "Public records" include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. (Gov. Code § 6252.)

[2] Retention of public records is governed by the provisions of Government Code Section 34090 et seq.

[3] Although the issue is not before us, it appears the records in a constituent's file maintained by an elected official would not be subject to disclosure as a public record, under the deliberative process privilege. (Gov. Code § 6255; cf, Times Mirror v Superior Court (1991) 53 Cal.3d 1325- the court held the Governor's appointment calendar for the last five years was not subject to disclosure as such scrutiny would interfere with the Governor's deliberative process, deter the public from conferring with him, and would not demonstrably

Recommendation 103:

The City Attorney and City Manager and their staffs prepare and maintain briefing books, position papers, background and historical data. They should act as a clearinghouse to assure that uniform information is provided to newly elected members of the Fresno City Council.

Response to Recommendation 103:

The recommendation has been implemented in part, and the balances will be implemented, as explained below. The City Manager will commence preparation of a briefing book. Insofar as the Grand Jury made a finding that newly elected officials receive information and background material in a non-uniform and piecemeal manner from the City Attorney, we find it imperative to clarify that the City Attorney's Office has provided newly elected Council members with a guidebook dating back to 1993. The guidebook was entitled, "Primer On legal Issues for New Council members," which provided general guidance on various legal issues to elected officials. After the transition to the Mayor-Council form of government in 1997, the City Attorney's Office has prepared a guidebook, entitled "Municipal Law Guidebook for City of Fresno Elected Officials," which provides an overview of the laws and procedures for elected officials. Newly elected official are given a hard copy of the guidebook when elected to office. The guidebook is updated biennially, and is now available on the City of Fresno website under the heading of Staff Area. A copy of the guidebook is attached hereto as Exhibit “C".

PROPERTY AND EVIDENCE ROOM IN INCORPORATED CITIES

Response to Findings:

The City agrees with all findings except E and I. Regarding finding E, As of this date, Fresno Police Department Property & Evidence Control Section has only one Senior Property Technician vacancy. We hope to begin the testing process to fill this position in October 2001.

In the past, the Property & Evidence Control Section was staffed with one sworn Sergeant, two Property Technicians, one Administrative Clerk, two Cadets and two volunteers for a total of eight positions. In November 2000, three additional Property Technician positions were added to the staffing and the unit was divided into two sections, Equipment & Supply and Property & Evidence.

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benefit the public.) A final determination whether a constituent's file is subject to disclosure will require a case by case analysis, as the types of records contained in the constituent's files may vary widely.

On January 1, 2000, extensive changes were made as far as procedures and staffing of the Property & Evidence Control Section. We currently have one sworn Sergeant, two Senior Property technicians (one currently vacant), four Property Technicians, two Cadets, one Senior Account Clerk, one Senior Storekeeper, one sworn Officer, two Community Service Officers, one part time employee and one volunteer for a total of sixteen positions.

Regarding Finding I, electronic surveillance equipment is scheduled to be installed in the Property & Evidence Control Section within the next two months. Due to the vendor, Sonitrol Alarm System, moving their office, there was a delay with installation.

Recommendation 130:

When an electronic barcode system is installed, every effort be made to assign a separate SKU number to each item within the property room.

Response to Recommendation 130:

Recommendation 130 requires further analysis. The Property & Evidence Control Section underwent an audit by a recognized expert, Joseph Latta, on July 19 and 20, 2001. Whether or not a bar code system will be installed will rely heavily on his recommendations from his audit. Mr. Latta will have his report to the Fresno Police Department within 90 days of the audit. We have been in contact with Q-Tel and have selected this system if, in fact, the decision is made to go forward with the bar code system.

Recommendation 131:

A knowledgeable software consultant be available, not only at the time of software installation, but on an ongoing basis to make certain that the system is regularly updated and modified.

Response to Recommendation 131:

The City has implemented the recommendation. The Information Services Bureau works closely with the Property & Evidence Control Section in the current Data 911 system. The Information Services Bureau enters all of the property and evidence received by the department into the computer system. Updates and tracking are done by PECS personnel, however, the Information Services Bureau is always available for assistance when needed.

Recommendation 132:

FPD senior staff require periodic testing of the system by a staff officer who is not permanently assigned to the property room

Response to Recommendation 132:

The City has implemented the recommendation. Fresno Police Department has recently implemented procedures for an annual audit, of various units, that is performed by an outside staff member and supervisor. Property & Evidence Control Section's last audit was done on April 17, 2001 by a Lieutenant and Sergeant who are not permanently assigned to the Property Room.

Recommendation 133:

Since knowledge of how the property room works is unique and property room skills are hard to come by, every effort be made to retrain management personnel and exclude them from departmental regular rotation of job assignments and responsibility.

Response to Recommendation 133:

The recommendation will be implemented to the extent feasible. The current rotation policy of the Property & Evidence Control Section's Sergeant is mandated by a Memorandum of Understanding. However, the Chief of Police does have the authority to extend the length of stay of the Sergeant. The Chief also reserves the right to determine the length of time the Lieutenant remains in this assignment. All other personnel in PECS are permanently assigned.

Recommendation 134:

Off site staff training, seminars, visitation and other forms of formal training be encouraged. This training will supplement regular on the job training, which should be conducted on an ongoing basis.

Response to Recommendation 134:

The City has implemented the recommendation. Property & Evidence Control Section personnel currently attend a 24 hour basic Property & Evidence Management class instructed by Joseph Latta. There is also four hours of training available quarterly from the Central Chapter of the California Association of Property & Evidence. (Each training session), three to four Property & Evidence Control Section personnel attend.

Recommendation 135:

Electronic surveillance technology be provided to enhance security in critical areas of the property room.

Response to Recommendation 135:

The City has implemented the recommendation. Electronic surveillance equipment is scheduled to be installed within the next two months.

Recommendation 136:

Drug testing and periodic review of all property room personnel be conducted on an ongoing basis.

Response to Recommendation 136:

Recommendation 136 requires further analysis. Drug testing is a negotiated issue by the Fresno City Employees Association and the Fresno Police Department Memorandum of Understanding. At this time, we do not do drug testing for Property Room employees. This issue will be raised during the next contract negotiations with the Fresno City Employees Association.

Recommendation 137:

When cash is involved, all envelopes containing cash be opened and observed by two members of the main property room staff. After cash balance is verified, cash should be signed in and deposited in a bank or placed in sealed envelopes bearing two counter signatures.

Response to Recommendation 137:

The City has implemented the recommendation. Currently, two members of the Property & Evidence Control Section open the cash envelopes to verify the amount. This is done when the money is ready to be deposited in the City Finance Department after being held in the Property & Evidence Control Section vault for 6 months. The Property & Evidence Control Section has hired a full time Sr. Account Clerk to deposit and keep records off all cash in this unit. Also written procedures have been established to ensure the security of the money.

FRESNO AIRPORTS:

Response to Findings

City substantially agrees with the findings, with this correction to Finding: The second sentence should read as follows:

> 'When low visibility centerline lights are installed in designated taxiways from Runway 29R and parking aprons, thereby permitting the pilot to taxi from the runway to the terminal in low visibility conditions (i.e., fog), the airport can request a CAT III ILS certification upgrade to allow zero visibility landings."

Recommendation 138:

Improvements at Chandler Field be continued with the aim of making it more attractive to general aviation; therefore, relieving future congestion at FYI.

Response to Recommendation 138:

The City has implemented the recommendation. Airport Improvement Program (AIP) grants totaling over $3.5 million will be utilized for improvements by 2003.

Recommendation 139:

The capital improvement programs at FYI be continued. Of special importance is the project to install runway exit and taxiway lighting so that the landing system becomes Category III C ILS.

Response to Recommendation 139:

The City has implemented the recommendation. AIP grants will continue to be utilized for ongoing capital improvement programs.

Recommendation 140:

Airways Golf Course be relocated to the east side of the airport so the land can be developed for more profitable uses. To preclude objections to this development, airport authorities must show, in concrete actions and good faith, their intent to construct the new golf course.

Response to Recommendation 140:

The City has not yet fully implemented the recommendation. City staff currently negotiating with property owners of potential golf course sites. Staff is also working on financial study and planning to achieve this goal.

Recommendation 141:

City, county and airport authorities market FYI in aviation circles and business publications. Fresno has a lot more to offer than just the "gateway to Yosemite Park". FYI must be marketed as the Central Valley hub airport.

Response to Recommendation 141:

The City has implemented the recommendation. City staff utilize Speakers Bureau talks to groups to emphases the marketability of Fresno's airports. The references to FYI as a regional airport is pushed at every opportunity.

FRESNO AREA EXPRESS

Response to Findings

The City agrees with all findings and conclusions, except conclusion A. Regarding conclusion A, the City Council recently selected the CNG path after much analysis and debate.

Recommendation 142:

The 2020 Master Transportation Plan be a priority with FAX officials. The plan should be supported by elected officials.

Response to Recommendation 142:

The City has implemented the recommendation. The Department is working closely with the Nelson\Nygaard, the consulting firm hired to assist FAX in producing the Transit Long Range Plan, and anticipates presenting the plan for adoption to the City Council and Mayor before the end of the year. The plan will then be presented to the Fresno County Council of Governments shortly thereafter.

Recommendation 143:

Time intervals be reduced on bus routes.

Response to Recommendation 143:

The City has implemented the recommendation. FAX has successfully pursued additional funding that was needed to purchase the buses required to reduce time intervals (waiting periods). Currently FAX has thirty-five buses on order of which twenty have been earmarked to reduce the waiting times on the busiest routes from 30 minutes to 15 minutes during peak commute periods. It is anticipated that the buses will be delivered by October 2002.

Recommendation 144:

FAX study the effect that the new hybrid buses have in its ability to recover operating expenses from fares.

Response to Recommendation 144:

Recommendation 144 requires further analysis. Both hybrid buses have accumulated more than 31,755 miles since being placed into revenue service in April. The buses are equipped with data loggers that allow the manufacturer of the hybrid drive system to download vehicle data via a cellular modem. This information has been used by FAX, BAE Systems and Orion Bus Industries to identify and resolve issues as they occur. Initially the buses experienced a loss of power as the day progressed but this problem has since been resolved by the manufacturer. Since that time both buses have demonstrated a level of reliability comparable to a conventional transit bus.

Performance and operating cost information for hybrid buses are currently being collected by FAX, Orange County Transit, Torrance Transit, and San Francisco Muni. FAX has been asked to make a presentation at the California Transit Association's Fall Conference regarding our experiences with this new technology.

CITY STREET AND TRAFFIC LIGHTS

Response to Findings:

The City agrees with all findings.

Recommendation 145:

The City of Fresno continue to fund the replacement of 70-watt incandescent light bulbs in traffic signals with 11-watt LEDs.

Response to Recommendation 145:

The City has implemented the recommendation. The red and green incandescent bulbs in all of the City's traffic signals have been replaced with low wattage LEDs. Traffic signal power consumption has been reduced by at least twenty percent. This reduction also allows us to qualify for the Governor's 20/20 rebate (an additional twenty percent reduction rebate). The yellow bulbs will be phased out over a longer period, based upon funding ability.

Recommendation 146:

The City of Fresno Road maintenance Department become more proactive in its street maintenance and repair activities.

Response to Recommendation 146:

The City has implemented the recommendation. Funding has been appropriated this year for the implementation of a street inventory system to assist in the scheduling of road maintenance.

Recommendation 147:

The City encourage citizens of Fresno to contact their Council Districts when streets, curbs or gutters need repair. The Councilmen are allotted infrastructure funds annually for just such purposes.

Response to Recommendation 147:

NA

Recommendation 148:

The City of Fresno Road Maintenance Department place maximum emphasis on completing the TOC and placing it in operation.

Response to Recommendation 148:

The City has not yet fully implemented the recommendation. The City is placing maximum emphasis on the successful completion of the TOC, within the time frames noted above.

Recommendation 149:

The City of Fresno analyze the results of the "red light runner" traffic camera systems and expand their use beyond the three planned intersections, if they do enhance safety.

Response to Recommendation 149:

The City has implemented the recommendation. The City will evaluate the program and expand it as appropriate.

Recommendation 150:

The City and County Street Maintenance Departments hold joint meetings and determine on what areas cooperation might save both entities and money.

Response to Recommendation 150:

The City has implemented the recommendation. The City will continue to work with the County in those areas that are to the benefit to both the City and the County.

RAIL UNIFICATION

Response to Findings:

Recommendation 151:

Funding for the project be shared by the two railroads and Federal, State, and local government.

Response to recommendation 151:

Recommendation 151 requires further analysis. Funding for this project will more than likely have to come from local efforts such as the continuation of Measure C. This is not to say that no effort should be made to get the two railroads to make some contribution to the project. However, both railroads are satisfied with the present situation of not

having to share their rail route with their competition and have expressed this in various meetings. They have stated on several occasions that they are agreeable to rail consolidation if it doesn't cost them any money. Stockholders may ultimately determine whether the railroads participate in the funding of this project.

Federal and State grants may be available but the bulk of the funding may have to come from local sources.

Recommendation 152:

Efforts to acquire grants, as well as direct funding from the various agencies be vigorously pursued.

Response to Recommendation 152:

Grant writer positions have been added to acquire and pursue all available grants. Positions have been added to the Redevelopment Agency and to the Parks/Public Works departments.

Respectfully submitted,

Andrew T. Souza
Assistant City Manager

Attachments (3): Exhibit A - Resolution No. 2001-310
Exhibit B - Resolution No. 93-139
Exhibit C - Municipal Law Guidebook for City of Fresno Elected Officials

ADDITIONAL BACKUP TO THE CITY OF FRESNO'S RESPONSE TO THE 2000-2001 GRAND JURY REPORT IS ON FILE WITH THE PRESIDING JUDGE OF SUPERIOR COURT AND THE FRESNO COUNTY CLERK'S OFFICE.

SECTION III

COUNTY COMMITTEE

COUNTY COMMITTEE

OFFICE OF THE PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

85. The PA/PG evaluate the use of the County Treasury Pool.

Fresno County Coroner-Public Administrator/Public Guardian's Response to Recommendations #85 - #89:

See page 53.

Fresno County's Response to Recommendation #85: Fresno County agrees with the findings that the Public Administrator/Public Guardian's (PA/PG) Office has fiduciary responsibility for almost $10 million of clients' assets and that these funds are invested in certificates of deposit or brokerage accounts. The recommendation has been implemented. The PA/PG has reviewed the option of investing clients' funds in the County Treasury pool and has determined that this process would not best serve the needs of the conservatees for the following reasons:

- PA/PG staff require access to clients' monies on a daily basis to address immediate needs on behalf of their clients. These emergency needs are primarily related to new cases, which are opened on a daily basis. An example of such a need would include payment of utility bills to avoid shut off of services.

- The County's investment pool is insured through various means; however, it is not Federal Deposit Insurance Corporation (FDIC) insured as required by the Superior Court.

Pursuant to County Counsel opinion, the Probate Code gives the PA/PG authority to make decisions regarding the investments of decedents' monies. The California Probate Code also gives the PA/PG discretion, in his capacity as administrator of decedents' estates, conservator/guardian of estate funds, or trustee of private trust funds, to invest monies in accounts other than the County pool.

The PA/PG has indicated that he will continue current investment practices.

86. Storage be improved for case records and client assets. Construction of an on-site storage building would eliminate the need for expensive off-site mini-storage.

Fresno County's Response to Recommendation #86: Fresno County agrees with the findings that the PA/PG has unique storage needs and adequate dry storage space is required for records and documents and clients' possessions must be maintained for future disposition. The recommendation has been partially implemented. Records retention schedules for the ongoing destruction of records have been developed and approved for the Coroner-PA/PG's office. Construction of an on-site storage facility has been evaluated. However, due to fiscal constraints, the storage facility was not included in the 2001-02 recommended budget. It will be reevaluated and reconsidered for funding as part of the 2002-03 recommended budget.

87. Evaluate the need for additional deputies due to the implementation of the new Elder Abuse Referral Law SB 1742.

Fresno County's Response to Recommendation #87: Fresno County agrees with the findings that the passage of Senate Bill 1742 could increase the number of PA/PG cases by an unknown factor. The recommendation will be implemented. The Department will meet with law enforcement agencies and Adult Services staff to determine the impact and will present recommendations to the County Administrative Office for review and consideration as part of the 2002-03 recommended budget.

88. PA/PG add the services of a Registered Nurse to staff. This person would aid in evaluating and inspecting medical care facilities as well as review proposed client treatment and prescription history.

Fresno County's Response to Recommendation #88: Fresno County agrees with the findings that inspection of care facilities and review of clients' medical care are carried out on a regular basis. The recommendation has been evaluated. However, due to fiscal constraints the addition of a Registered Nurse was not included in the 2001-02 recommended budget. It will be reconsidered for funding as part of the 2002-03 recommended budget. Nursing services are currently contracted for on an as-needed basis.

89. PA/PG evaluate the purchase of Long Term Care Insurance for those clients who would be eligible.

Fresno County's Response to Recommendation #89: Fresno County disagrees with the findings that long-term care insurance is not being used to offset client costs. The recommendation has been implemented. The need for long-term care insurance is reviewed on a case by case basis by the PA/PG staff. These reviews have not, however, resulted as of this time in such a service being determined to be necessary. The need is continuing to be reviewed on a case by case basis.

OFFICE OF THE FRESNO COUNTY CORONER

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

90. A plan be developed for a new morgue before the County reaches a crisis situation.

Fresno County Coroner-Public Administrator/Public Guardian's Resonse to Recommendations #90 - 92:

See page 55.

Fresno County's Response to Recommendation #90: Fresno County agrees with the findings that the cleanliness of the autopsy suite is satisfactory and the holding room for bodies is cooled by air conditioning rather than refrigeration. The recommendation requires further analysis. The County Administrative Office will work with the department and Public Works to review the feasibility of constructing a new morgue. If warranted, the project will be considered as part of the 2002-03 Capital Projects review process.

91. A new commercial washing machine be purchased for on-site laundering needs and/or use a commercial laundry.

Fresno County's Response to Recommendation #91: Fresno County agrees with the findings that the laundering of body bags and other items is performed in noncommercial washing machines. The recommendation requires further analysis to allow the department to review the benefits of various commercial versus noncommercial laundry equipment. A request for replacement laundry equipment will be reviewed as part of the preparation of the 2002-03 recommended budget.

92. Reference be made to the Grand Jury reports of 1998/1999 and 1999/2000 regarding the need for improvement of record storage.

Fresno County's Response to Recommendation #92: Fresno County agrees with the findings that storage of Coroner's tissue specimens and records has improved over last year. The recommendation has been partially implemented. Records retention schedules for the ongoing destruction of records have been developed and approved for the Coroner-PA/PG's office. Construction of an on-site storage facility has been evaluated. However, due to fiscal constraints the storage facility was not included in the 2001-02 recommended budget. It will be reconsidered for funding as part of the 2002-03 recommended budget.

County of
Fresno

David M. Hadden, M.D.
Public Administrator –Coroner
Office of Public Administrator -Public Guardian -Coroner

August 27, 2001

The Honorable Gary Hoff
Fresno County Superior Court Presiding Judge
1100 Van Ness Avenue
Fresno, California 93721

Re: Response to the 2000-2001 Grand Jury Report

Dear Judge Hoff:

Recommendation #85: The PA/PG evaluate the use of the County Treasury Pool.

Response: The option of putting the Public Guardian funds with the County under the Auditor-Controller/Treasurer-Tax Collector was carefully investigated. This Department decided that it was not a viable option because:

1) The Department loses control of the citizens' funds. Currently, when a vendor fails to respond in an adequate manner, the funds are immediately transferred to an institution providing more satisfactory services. It would be unlikely that we could remove the funds from the County's control once they are delivered whatever the level of service.

2) Limitations within the Auditor-Controller/Treasurer-Tax Collector's Office preclude the guarantee of providing "rush" checks. The Public Administrator/Guardian staff requires access to client's monies on a daily basis to address immediate needs on behalf of their clients. These emergency needs are primarily related to new cases, which are opened on a daily basis. An example of such a need would include payment of utility bills to avoid interruptions of services.

3) The County's investment pool is insured through various means; however, it is not Federal Deposit Insurance Corporation (FDIC) insured as required by the Superior Court.

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Telephone: Public Administrator (559) 268-0139
Coroner (559) 268-0109
Public Guardian (559) 268-0139
Equal Employment Opportunity Affirmative Action Disabled Employer

Recommendation #86: Storage be improved for case records and client assets. Construction of an on-site storage building would eliminate the need for an expensive off-site mini-storage.

Response: This Department initiated this recommendation and, therefore, we concur. The monies being paid to private outside storage companies could largely defray the cost of such storage. Personnel time spent visiting off-site storage would be curtailed.

In the meantime the Department has surplused equipment, old computers, and furniture that were housed in the metal shed to provide additional storage space in that facility. The Department, in conjunction with the County Clerk as Records Manager, has also developed a record retention schedule, which was approved by the Board of Supervisors in December 2000 and is being utilized by the Department to eliminate dormant files:

The Department submitted a second Capital Improvement Projects request for the 2001-2002 budget year. The County Administrative Office, when made aware of our storage needs, sent a team to evaluate the situation. After several months, no recommendation has been forthcoming.

Recommendation #87: Evaluate the need for additional deputies due to the implementation of the new Elder Abuse Referral Law SB 1742.

Response: We have not yet determined the potential impact of SB 1742 on the Public Guardian's Office nor how such a program will be funded. The Public Guardian will meet with law enforcement agencies and Department of Adult Services to ascertain whether these agencies have been properly trained in the area of adult abuse and to determine the anticipated impact. The Public Guardian is presently in negotiations with the Department of Adult Services for funding to add an additional deputy position to expedite cases referred from Adult Protective Services. An agreement is expected to be forthcoming.

Recommendation #88: PA/PG add the services of a Registered Nurse to staff. This person would aid in evaluating and inspecting medical care facilities as well as review proposed client treatment and prescription history.

Response: This position was included in the Department's 2001-2002 budget request but not recommended by the County Administrative Office.

Recommendation #89: PA/PG evaluate the purchase of Long Term Care Insurance for those clients who would be eligible.

Response: The need for long-term care insurance is reviewed on a case by case basis by the Public Administrator/Guardian staff. These reviews have not resulted in such a service being determined to be in the client's best interest. The need is continuing to be reviewed on a case by case basis.

Recommendation #90: A plan be developed for a new morgue before the County reaches a crisis situation.

Response: Over 20 years ago after touring various morgues the County built a nearly state-of- the-art facility in a 32 year-old building. The building is now 54 years old and lacks proper electricity, proper plumbing, proper cooling and proper heating. A similar tour of morgues today shows that we are deficient in such areas as special airflow rooms to reduce possible contamination by tuberculosis and other diseases, pneumatic doors to prevent bloody gloves from contaminating doorknobs, storage, etc.

There is a shortage of forensic pathologists. These doctors can easily find employment in communities of their choice. Our aging facility handicaps our recruiting efforts.

Ideally, a new morgue should be placed in the vicinity of the Community/University Medical Center to serve as an educational opportunity for medical students and other physicians doing their rotation in Fresno.

Recommendation #91: A commercial washing machine be purchased for on-site laundering needs and/or use a commercial laundry.

Response: Currently this Department uses a non-commercial washer and dryer. Due to the nature of the work in this office, these machines do not hold up well to the types of materials that are cleaned and dried and the cleaning agents that are used. Use of commercial laundry with their garment requirements has not proved satisfactory in delivery and scheduling because of limited volume and cost benefit.

Based on the recommendation and the above noted factors, this Department will include in next fiscal year's budget a request for a commercial grade thirty-five pound washer and a commercial graded fifty pound dryer. It is expected that these machines will have a much longer service life and lower the maintenance cost of the units we now use. The estimated cost for the commercial units described above are expected to be approximately $6,000.00, delivered and set up.

Recommendation #92: Reference be made to the Grand Jury reports of 1998/99 and 1999/2000 regarding the need for improvement of record storage.

Response: The Response to Recommendation #86 reflects the facility storage concerns for the entire Department and would address such issues as record storage.

Very truly yours,

David M. Hadden, M.D.
Fresno County Coroner-Public Administrator/
Public Guardian

DMH:slb

MENDOTA UTILITY BILL COLLECTIONS

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

93. The monthly shutoff list and notices be reviewed by an individual independent of the accounting department of the City of Mendota.

94. The subject of outstanding utility bills be reviewed during the annual financial audit conducted by an outside auditor.

95. The City establish and maintain training for all employees on the use of the Municipal Code and written procedures and policies regarding the collection of utility bills.

City of Mendota's Response to Recommendations #93 - #95:

See page 61.

ELKHORN CORRECTIONAL FACILITY

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

96. The Fresno County Board of Supervisors review commitments made in the February 11, 1997, letter issued by a former County Chief Administrative Officer and assure the neighbors of ECF that the County intends to honor these commitments. If certain commitments cannot be met, the County should negotiate with the neighbors to reach an equitable arrangement.

Fresno County's Response to Recommendation #96: Fresno County agrees with the findings that a February 11, 1997 Board Briefing Report from the former County Administrative Officer included a statement that the boot camp juvenile population would be limited to those with no history of violent offenses or arson. The recommendation has been implemented. The Elkhorn facility is comprised of 150 minimum security dormitory beds for misdemeanants and non-violent felony offenders (e.g., auto thefts, residential burglaries). The remaining 50 beds house the Barrack D Delta program for minors with three or more offenses, prior long-term commitment program failure, boot camp failure, or violent offenders (e.g., robbery without a weapon, battery, grant theft person, assault without a weapon). The Probation Department has met with the Caruthers community regarding the category of minors being housed at the Elkhorn facility and the community has expressed its satisfaction with the current

population. The Probation Department will continue to have meetings with the community.

97. The Board of Supervisors continue to fund and maintain the present level of services at ECF.

Fresno County's Response to Recommendation #97: Fresno County agrees with the findings that the County cost of housing juvenile offenders in the Elkhorn Correctional Facility is significantly less than sending these juveniles to the California Youth Authority. The recommendation has been implemented. The Board of Supervisors voted to restore funding for the fourth barrack at the Elkhorn facility during the 2001-02 budget hearing process.

98. The City of Fresno continue to fund Elkhorn Correctional Facility at no less than the current rate of $1,000,000 per year with no sunset provision.

Fresno County's Response to Recommendation #98: Fresno County agrees with the findings that the majority of juvenile offenders confined at Elkhorn lived or committed their crimes in the City of Fresno. Fresno County agrees with the recommendation and would also request that the City of Fresno continue its $1,000,000 commitment per year with no sunset provision.

City of Fresno's Response to Recommendation #98:

See page 37.

99. The County provide boot camp facilities for female juvenile offenders.

Fresno County's Response to Recommendation #99: Fresno County agrees with the findings that no female juveniles are housed at the Elkhorn boot camp. The recommendation has been implemented. The County of Fresno has an agreement with the County of Madera for up to ten beds for the placement of females in their boot camp program.

100. Future Grand Juries continue to monitor the activities at the Elkhorn Correctional Facility.

See Appendix A.

BRIEFING BOOK FOR NEWLY ELECTED OFFICIALS

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

101. Constituent files be retained and made available to newly elected officials.

Fresno County's Response to Recommendation #101: Fresno County disagrees with the finding that there is no procedure to provide information uniformly to new Supervisors, but acknowledges isolated instances where constituent files were not made available to the newly elected officials and is working to rectify the situations.

The recommendation is already implemented. Under California Law, public records are legally subject to statutory retention timeframes and are therefore maintained in accordance with those limits. Constituent issues are not necessarily developed into Board maintained files, but referred for action/resolution to departments with information retained in those files. Formal constituent files are limited and should be retained in accordance with statutory guidelines and made available to a new Supervisor-elect. County staff reports and other information upon which Supervisors base their decisions is compiled and shared with newly elected Supervisors as indicated in the response to Recommendation #102 below.

City of Fresno's Response to Recommendation #101:

See page 38.

102. The County Chief Administrative Officer and staff prepare and maintain briefing books, position papers, background and historical data. They should act as a clearinghouse to assure that uniform information is provided to newly elected members of the County Board of Supervisors.

Fresno County's Response to Recommendation #102: Fresno County disagrees with the finding that no procedures are in place to assure that background and historical information is provided to newly elected Supervisors. The recommendation that the County Administrative Officer and staff should prepare and maintain briefing books, position papers, background and historical data for newly elected members of the Fresno County Board of Supervisors has been and will continue to be implemented. The County Administrative Office contacts each Supervisor-elect and encourages them to begin meeting with the County Administrative Officer, County Administrative Office staff, and County department heads prior to taking office. The County Administrative Office then compiles a compendium of documents that provide vital information to the newly elected Supervisor as it relates to current and future County issues. All Board Briefing Reports and other relevant information are sent to a Supervisor-elect and every effort is made to keep them apprised of upcoming issues.

103. The City Attorney and City Manager and their staffs prepare and maintain briefing books, position papers, background and historical data. They should act as a clearinghouse to assure that uniform information is provided to newly elected members of the Fresno City Council.

City of Fresno's Response to Recommendation #103:

See page 39.

CITY of MENDOTA

October 29,2001

Via Facsimile 488-1830
and First Class Mail

The Honorable Gary D. Hoff
Superior Court of California
Fresno Grand Jury
1100 Van Ness Avenue
Fresno CA 93721

Re: City of Mendota Grand Jury Response

Dear Judge Hoff:

This letter will serve as the City of Mendota's response to the Grand Jury Report of 2000-2001. The City apologizes for the delay in responding.

The City would like to confirm as follows:

Item No.93: The City has appointed Ms. Brenda Carter to review the monthly shut-off list. Ms. Carter is the City Clerk and the position is independent from the Accounting Department. Ms. Carter will keep the City Manager apprized of her review.

Item No.94: The City has given information related to the outstanding bills to an Independent Auditor, Price, Paige & Company while they are performing the annual audit.

Item No.95: The City has implemented training to keep all employees informed on the use of the Municipal Code and written procedures and policies regarding the collection of utility bills.

Once again, the City apologizes for its delay in responding and should you have any questions or require additional information, please contact me.

Respectfully,

CITY OF MENDOTA

Keith Woodcock, City Manager

643 QUINCE STREET • MENDOTA, CALIFORNIA 93640 • 559-655-3291 • FAX 559-655-4064

SECTION IV

EDUCATION, LIBRARY AND YOUTH COMMITTEE

EDUCATION, LIBRARY AND YOUTH COMMITTEE

STUDENT VIOLENCE EMERGENCY PLANS

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

104. All school districts develop and implement plans that deal with violence perpetrated by students, staff or intruders.

105. Students and all campus personnel be regularly in-serviced on relevant policies and procedures.

Fresno County Office of Education's Response to Recommendations #104 and #105:

See page 64.

WASHINGTON UNION HIGH SCHOOL DISTRICT UNIFICATION

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

106. West Fresno School District unify with Washington Union High School District.

107. The other K-8 school districts consider unification; however, if there is a strong desire to retain independence, the districts should initiate Joint Powers Agreements to provide adequate special school programs.

108. The Districts develop coordinated curriculum that will enable students to function efficiently at the high school level.

Washington Union High School District's Response to Recommendations #106 - #108:

See page 66.

West Fresno School District's Response to Recommendations #106 - #108:

See page 67.

STATE CENTER COMMUNITY COLLEGE DISTRICT
HIRING AND PROMOTION PRACTICES

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

109. The SCCCD administration and the campus presidents continue to review procedures and policies to address grievances and concerns by its faculty, staff and students.

110. Avenues of redress be available and be understood by all.

111. Every effort be made to resolve concerns within the campus community.

State Center Community College District's Response to Recommendations #109 - #111:

See page 69.

EDISON HIGH SCHOOL
EXPANSION AND RECONSTRUCTION

Recommendation

The 2000-01 Fresno County Grand Jury recommends that:

112. When school construction projects are scheduled, arrangements should be made for regular meetings between school administrators, parents, architects and construction company personnel to address areas of concern.

Fresno Unified School District's Response to Recommendation #112:

See page 71.

Fresno County
Office of Education

Dr. Peter G. Mehas
Superintendent

October 3, 2001

Judge Stephen Kane, Presiding Judge
Fresno County Superior Court
1100 Van Ness Avenue
Fresno, CA 93721

RE: Reply of Fresno County Office of Education

Dear Judge Kane:

The Fresno County Office of Education has received and reviewed the Fresno County Grand Jury's report and recommendations for the 2000-2001 year. We provide the following reply to portions of that report.

1. Washington Union High School District Unification

   The Fresno County Office of Education concurs entirely with the conclusion of the Fresno County Grand Jury with regards to the possible unification within the Washington Union High School District. We especially agree that unification involving the West Fresno Elementary School District with Washington Union High School is to be highly recommended.

2. Edison-Bethune Charter School

   While the Grand Jury makes no specific recommendations with regards to the Edison-Bethune Charter School, it is worthy to note that the observations of the Grand Jury with regards to the efforts underway at Edison-Bethune are accurate and appropriately represent the positive steps being taken to improve the education for these students. The Grand Jury appropriately identifies the effort by the school's administration to recruit teachers of color and to work diligently to improve test scores while at the same time promoting safety, responsibility, and respect.

3. Student Violence Emergency Plans

   The Fresno County Office of Education joins with the Fresno County Grand Jury in encouraging all school districts to develop and implement comprehensive master plans to deal with

1111 Van Ness Avenue • Fresno, California 93721-2000 • (209) 265-3010
TDD (209) 497-3912 • Web Site -http://fcoe.k12.ca.us/ • FAX: (209) 237-0733

violence. We also agree that students and campus personnel should be regularly inserviced on relevant policies and procedures.

The Fresno County Office of Education has a long history of working closely with school districts in the County of Fresno to promote the development of school site master plans and to coordinate these master plans with local law enforcement and emergency services. The County Office of Education has also provided training sessions and inservice workshops for school personnel so that hopefully, all of our County school districts will be prepared in the event another unspeakable event should occur similar to Columbine.

Respectfully submitted,

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

DR. PETER G. MEHAS

sbb

c: Walter Blore, Foreman
2000-2001 Fresno County Grand Jury

Fresno County Board of Education

WASHINGTON UNION
HIGH SCHOOL DISTRICT

WILLIAM R. GRIFFIN
DISTRICT SUPERINTENDENT

JOHN PESTORICH
PRINCIPAL

CATHY GREEN
ADMINISTRATIVE ASSISTANT

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CHUCK FREITAS
MEMBER

NEIL MARTHEDAL
MEMBER

October 26, 2001

To Whom It May Concern,

Following are responses from Washington Union High School District regarding the 2000/2001 Fresno County Grand Jury Report Recommendations.

106 - West Fresno School District unit)t with Washington Union High 5chool District.
Washington Union High School District has been concerned about unification for several years. We have slated our position and have solicited the support of all of our partner schools in this endeavor but we have not succeeded in doing so. Local control has been the primary concern of these K-8 school districts.

107 - The other K-8 school districts consider unification; however, if there is a strong desire to retain independence, the districts should initiate Joint Powers Agreements to provide adequate special school programs.
Washington Union High School District has attempted to implement agreements to provide articulated special programs but we have not succeeded in doing so. We have been and will continue to be supportive in this outreach.

108 - The Districts develop coordinated curriculum that will enable students to function efficiency at the high school level.
Washington Union High School District currently plans to implement "vertical curricular teams" within the scope of our four year Advanced Placement Challenge Grant in order to articulate curriculum with our partner schools in the areas of English, Math, Science, Social Science.

In conclusion, the Washington Union High School Board of Trustees still believes that it is in the best interest educationally for a unified school district. We initiated a study to support this belief and evidence indicates that unification should be a priority of all.

Sincerely,

William R. Griffin
District Superintendent

WRG/ceg

LUIS ROMERO – ADMINISTRATOR CATEGORICAL/SPECIAL PROGRAMS
ALBERTO LOPEZ – PRINCIPAL, EASTON HIGH SCHOOL
JOEY CAMPBELL – ADMINISTRATOR INSTRUCTIONAL & STUDENT SERVICES
ARDEN JONES – ADMINISTRATOR INSTRUCTIONAL & STUDENT SERVICES
6041 SOUTH ELM AVENUE FRESNO, CALIFORNIA 93706-6099 (559) 485-8805 FAX: (559) 485-4435
Accredited by Western Association Schools and Colleges through 2002

WEST FRESNO SCHOOL DISTRICT

BOARD OF TRUSTEE S
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INTERIM, SUPERINTENDENT
Virgil H. Price, J.D.
PRINCIPAL, Middle School
Vinita Armstrong
Fax (559) 485-3006
PRINCIPAL, Elementary School
Granville Redmond
Fax (559) 233. -6446

October 1, 2001

Ms. Pamela L. Carozza
Deputy County Administrative Officer
County of Fresno
2281 Tulare Street, Room 304
Fresno, CA 93721

Dear Ms. Carozza:

I am remitting the reponse to the Grand Jury Report on behalf of West Fresno Elementary School District per your request. If you have any questions, please feel free to contact me at (559) 441-5600.

Sincerely,

Virgil H. Price

2888 South Ivy, Fresno, CA 93706
(559) 485-2272 (559) 264-0805 FAX
District Office (559) 441-5601

Recommendation 106.

> West Fresno School District unify with Washington Union High School District.

Response 106.

According to the Grand Jury's own findings, the schools within each district in the west Fresno area are a source of community pride. They also noted that cost savings are not a major area of concern of residents of any of the districts surveyed, nor are they of West Fresno district residents. Residents of West Fresno School District identify positively with the district and support its continuance as an independent entity.

If the County or our neighboring districts want to form a JPA to take advantage of cost savings from purchasing for food services, transportation, staff training, special programs, etc., West Fresno staff would be happy to attempt to develop a collaborative to achieve those results.

In addition, there is an historical mindset in residents in the West Fresno community that would make a forced unification difficult.

Recommendation 107.

> That the other K-8 school districts consider unification: however, if there is a strong desire to retain independence, the districts should initiate Joint Powers Agreements to provide adequate special school programs.

Response 107.

West Fresno's School Board and administration will willingly discuss a collaboration on those issues that would mutually benefit neighboring districts and West Fresno while allowing this community to maintain its separate identity and independence.

Recommendation 108.

> That the districts develop coordinated curricula that will enable students to function efficiently at the high school level.

Response 108.

Notwithstanding the conclusions of the Grand Jury in re: West Fresno's educational environment, the district currently employs administrators with the background, knowledge, training and credentials to participate fully with Washington Union and Fresno Unified staff to coordinate the various curricula to insure smoother transitions and greater articulation for students transferring to those districts.

State Center Community College District

1525 East Weldon Avenue • Fresno, California 93704
Telephone (559) 244-5901 • FAX (559) 226-3757

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Vice Chancellor North Centers
Don C. Yeager

President Fresno Cidty College
Daniel L. Larios

President Reedley College
Thomas A. Crow

October 10, 2001

Mr. Bart Bohn
Fresno County Administrative Office
Hall of Records, Room 304
2281 Tulare Street
Fresno, CA 93721

Dear Mr. Bohn:

Please allow this letter to serve as a response to the Fresno County Grand Jury Final Report Findings for 2000/2001. Outlined below is a summary of the findings relating to State Center Community College District's hiring and promotion practices and the District's formal response regarding these recommendations:

1. The SCCCD administration and campus presidents continue to review procedures and policies to address grievances and concerns by its faculty, staff and students.

   The SCCC District and campus administrators have recently conducted a review of the District's hiring and promotional practices to insure conformance with State law and accessibility to all constituents. These processes provide formal and informal. opportunities for students, faculty and staff to address issues relating to the District's employment practices. As an outgrowth of the District's review, a Districtwide Diversity Committee has been established to review and insure that the District is hiring the most qualified workforce with consideration of the diverse population we serve. Review of employment practices is also conducted as an outgrowth of the District' master plan in an effort to expedite and insure an efficient process.

2. Avenues of redress be available and be understood by all.

   The District's current employment practices allow employees and applicants to appeal or express concerns regarding the District's hiring and promotional policies. While many of these appeals processes are specifically outlined in Board Policy or Administrative Regulations, those concerning classified employees are established by the District's Personnel Commission and its corresponding rules. The District has been communicating with employees regarding these rules and practices to insure clear understanding of the process is communicated.

3. Every effort be made to resolve concerns within the campus community.

   The District and campuses continue to pride themselves on having excellent communications with the various employee groups. SCCCD commits itself to continuing this excellent relationship and communicating with all constituents about concerns brought to our attention, including employment practices. The District's informal and formal process to voice these concerns will continue to be available to all constituents and welcome for the betterment of our employment practices. In addition, the District is sensitive to the necessity to communicate with applicants and prospective employees and reaffirms its commitment to an open hiring and promotional process.

In summary, the District was pleased to find that the Grand Jury review of the District's hiring and promotional practices resulted in many positive findings regarding the District's employment practices. Further, the District recognizes the importance of open communications and clear understanding of the District's hiring and promotional practices and reaffirms our commitment to enhancing an open recruitment and selection process to employ an outstanding and diverse workforce, which our students and communities deserve.

If you have any questions or require additional information regarding the District's response or employment practices, please feel free to contact us.

Sincerely,

Dr. Judith R. Redwine
Chancellor

JS:dbm

cc: Pamela L. Carozza

Fresno Unified
School District

Education Center • 2309 Tulare Street
Fresno, California 93721-2287 • 559/457-3000

Operational Services

4600 North Brawley Avenue
Fresno, California 93722
(559) 457-3135 FAX: (559) 457-3137

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Santiago Wood, Ed.D

October 25, 2001

Fresno County Administrative Office
Hall of Records, Room 304
2281 Tulare Street
Fresno, CA 93721
ATTN: Pamela L. Carozza

Dear Ms. Carozza:

In regards to your letter of September 26, 2001 regarding Edison High School Expansion and Reconstruction, the district has made regular meetings with all stakeholders a formalized part of every project. In addition, they have hired retired principals to serve as liaisons for immediately dealing with any concerns that may arise on projects and to ensure a constant line of communication exists between all parties.

Sincerely,

Rick Hausman
Assistant Superintendent

RH:r
C: Carol Bloesser

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SECTION V

HEALTH AND SOCIAL SERVICES COMMITTEE

HEALTH AND SOCIAL SERVICES COMMITTEE

THE HOUSING OF FOSTER CHILDREN IN MOTELS

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

113. Fresno County acquire a shelter for rejected foster children who need special care.

114. The facility be operated and supervised by qualified county personnel, social/case workers and auxiliary staff.

Fresno County's Response to Recommendations #113 and #114: Fresno County agrees with the findings that foster care is designed to provide temporary/emergency guardianship for children at risk and that the number of children in that system is growing. The recommendation that Fresno County acquire a shelter for rejected foster children who need special care and that that facility be operated and supervised by County personnel, social/case workers, and auxiliary staff requires further analysis. The private sector has recently developed several new group homes, which have assisted Fresno County in meeting the needs of foster children. Based on State Department of Social Services, Community Care Licensing Division data, there are 63 licensed group homes in Fresno County. The Department of Children and Family Services has recently entered into agreements with five agencies for securing 12 dedicated Rate Level 12-14 beds. This care level is defined as licensed facilities that provide therapeutic services for minors that have profound behavioral problems or mental health diagnoses. The Department is currently negotiating with two other agencies to secure four more dedicated Rate Level 12-14 beds for children with higher-level placement needs. Fresno County believes that the acquisition of these beds will greatly enhance the ability to place foster children who need special care.

115. Fresno County continue to investigate new possibilities for foster care.

Fresno County's Response to Recommendation #115: Fresno County agrees with the findings and the recommendation is being implemented. The Department of Children and Family Services continues to work with local children's service providers to supply transportation services, visitation facilities, and emergency-temporary residential placements for foster children. The Department is actively working toward securing dedicated residential beds (see response under item 113, above). County staff continue to provide information to the Foster Care Oversight Committee and work closely with this group to find solutions to issues related to providing care to foster children. Along with these efforts, the Department has developed an Action Plan, which serves as a blueprint to implement services to this population, and is developing an application (Implementation Plan) for State funds to establish a Children's System of Care to provide a collaborative approach toward the delivery of services to children and their families.

JUVENILE HALL

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

116. The Board of Supervisors arrange funding and complete the proposed Juvenile Justice Campus project as soon as possible.

Fresno County's Response to Recommendation #116: The County agrees with the findings and has begun implementation of the recommendation.

On October 3, 2000, the Board of Supervisors directed staff to begin the planning process for a new Juvenile Justice Campus, including searching for a suitable site. The County entered into an agreement with the architectural firm of Kaplan-McLaughlin-Diaz to prepare a Needs Assessment and Master Plan. The Needs Assessment and a public hearing regarding site selection have been before the Board of Supervisors and a preferred site has been selected. The next step is to complete the Master Plan and an Environmental Impact Report for the new facility. The Master Plan will be scheduled for the Board of Supervisors' agenda in early 2002 to meet the State Board of Corrections application deadline for juvenile facilities construction grant funds. As there are only limited grant funds available from the Board of Corrections, if awarded, it would only provide partial funding for the project's first phase. To date, the Board of Supervisors has appropriated $4.7 million in funding for this project. Additional funding options will continue to be explored.

117. Future Grand Juries monitor the progress of this project.

See Appendix A.

SECTION VI

LAW ENFORCEMENT COMMITTEE

LAW ENFORCEMENT COMMITTEE

PROPERTY AND EVIDENCE ROOMS IN INCORPORATED CITIES

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

118. Property and evidence rooms have alarm systems.

119. Locks and keys be changed on a regular basis and as needed.

120. Firearms be stored and locked in a separate area of the room.

121. Narcotics be stored and locked in a separate area of the room.

122. Cash booked as evidence be deposited in a separate bank account.

123. Evidence and property be inventoried on a continuing basis and unneeded items be regularly purged.

124. A sign in and sign out policy be implemented.

125. A barcode inventory system be installed in all Police Department Property and Evidence Rooms.

126. All firearms not returned to their owners be destroyed upon their release by the Court.

127. All police departments in the County work together to develop a manual that contains basic guidelines and operating procedures.

128. Personnel working in the Property and Evidence Rooms be provided formal training.

City of Parlier's Response to Recommendations #118 - #128:

See page 77.

City of Clovis' Response to Recommendations #118 - #128:

See page 80.

City of Coalinga's Response to Recommendations #118 - #128:

No response to date.

City of Firebaugh's Response to Recommendations #118 - #128:

No response to date.

City of Fowler's Response to Recommendations #118 - #128:

See page 82.

City of Huron's Response to Recommendations #118 - #128:

See page 84.

City of Kerman's Response to Recommendations #118 - #128:

See page 86.

City of Kingsburg's Response to Recommendations #118 - #128:

See page 90.

City of Reedley's Response to Recommendations #118 - #129:

See page 93.

City of Sanger's Response to Recommendations #118 - #128:

See page 96.

City of Selma's Response to Recommendations #118 - #128:

See page 98.

129. Future Grand Juries visit and review policies, procedures and operations of Police Department Property and Evidence Rooms in the County of Fresno.

See Appendix A.

FRESNO POLICE DEPARTMENT PROPERTY ROOM

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

130. When an electronic barcode system is installed, every effort be made to assign a separate SKU number to each item within the property room.

131. A knowledgeable software consultant be available, not only at the time of software installation, but on an ongoing basis to make certain that the system is regularly updated and modified.

132. FPD senior staff require periodic testing of the system by a staff officer who is not permanently assigned to the property room.

133. Since knowledge of how the property room works is unique and property room skills are hard to come by, every effort be made to retrain management personnel and exclude them from departmental regular rotation of job assignments and responsibility.

134. Off site staff training, seminars, visitation and other forms of formal training be encouraged. This training will supplement regular on the job training, which should be conducted on an ongoing basis.

135. Electronic surveillance technology be provided to enhance security in critical areas of the property room.

136. Drug testing and periodic review of all property room personnel be conducted on an ongoing basis.

137. When cash is involved, all envelopes containing cash be opened and observed by two members of the main property room staff. After cash balance is verified, cash should be signed in and deposited in a bank or placed in sealed envelopes bearing two counter signatures.

City of Fresno's Response to Recommendations #130 - #137:

See page 40.

CITY OF PARLIER

Police Department
8770 S. Mendocino Ave
Suite A
Parlier, CA 93648
(559) 646-6600

August 27, 2001

The Honorable Gary Hoff
Presiding Judge
Fresno County Court
1100 Van Ness Avenue
Fresno, Ca 93724-0002

Dear Judge Hoff:

Following is our response to the 2000/2001 Fresno County Grand Jury recommendations, (items 118 - 129) regarding property and evidence rooms throughout the Fresno County area.

Item 118 - Property and Evidence Room have alarm system:
Partially disagree.
Currently and in conjunction with other county police agencies, we are undergoing a study to determine the feasibility of installing evidence room alarm systems. To date we have not determined whether the Parlier Police Department will implement that recommendation.

Item 119 - Locks and Keys be changed on a regular basis and as needed:
Agree
Our keys and locks are changed as needed, most recently in March, 2001.

Items 120, 121 - Firearms and narcotics be stored and locked in a separate area of the room.
Agree
These procedures were in place prior to receipt of this report and are followed by the Parlier Police Department.

Item 122 - Cash booked into evidence be deposited in a separate bank account.
Agree
A separate account is being set up with the assistance of the Parlier Finance Department to insure needed safeguards in handling these monies.

Item 123 - Evidence and property be inventoried on a continuing basis and unneeded items be purged.
Agree
This policy was implemented prior to receipt of this report.

Item 124 - A sign in and out policy be implemented.
Agree
This policy was implemented prior to receipt of this report.

Item 125 - A Bar Code System be installed in all police department evidence rooms.
Agree
This system was implemented prior to receipt of this report.

Item 126 - All firearms not returned to their owners be destroyed upon their release by the court.
Partially disagree
In some instances firearms confiscated by police can be beneficial in the training of officers when handling unfamiliar weapons. For example, where an officer encounters a weapon, either during an arrest, following a shooting or as found property, insuring that weapon no longer presents a danger can be hazardous if the officer is not familiar with making it safe. In most instances these retained weapons will be made inoperable and marked as training items.

Item 127 - All Police Departments in the County work together to develop a manual that contains basic guidelines and operating procedures.
Agree
We are currently reviewing a California POST manual dealing with evidence and will be implementing procedures following that review.
Law enforcement agencies throughout Fresno County work together in many collaborative efforts. As part of this effort, we have discussed various evidence room issues and will include this recommendation as part of our future discussion.

Item 128 - Personnel working in the Property and Evidence Rooms be provided formal training.
Agree
All personnel selected to handle evidence and property will be trained this fiscal year (2001/2002).

Item 129 - Future Grand Juries visit and review policies, procedures and operations of Police Department Property and Evidence Rooms in the County of Fresno.
Agree
The Parlier Police Department agrees that visits by the Grand Jury are essential to insure that their accepted recommendations are followed. Additionally, we will be inviting the Grand Jury to attend our open house in November to help us celebrate our 10th year as a reconstituted Police Department. We believe that the Grand Jury will *see* us differently than they did in their last session.

If you have any questions or comments regarding this matter, please feel free to call me at 559-646-6602.

Sincerely,

Michael Dunlap
Chief of Police

cc: Pamela Carozza, Fresno County Adm. Office.

CITY OF CLOVIS

CITY HALL • 1033 FIFTH STREET • CLOVIS, CA 93612

August 27, 2001

Judge Gary D. Hoff
Presiding Judge, Fresno County Court
1100 Van Ness Ave
Fresno, Ca 93721

RE: Response to Grand Jury 2000-2001 Recommendations

Dear Judge Hoff:

During a recent inspection of the Clovis Police Department's Property/Evidence Room, the Grand Jury made the following recommendations. Also included is our response to each recommendation.

118. Property/evidence rooms have alarm systems.

Our property room has been alarmed for approximately six years.

119. Locks and keys be changed on a regular basis and as needed.

Locks and keys are changed as personnel changes occur.

120. Firearms be stored and locked in a separate area of the room.

At this time, we do not have room for this requirement. However, a new police facility is presently under construction, and this feature will be incorporated.

121. Narcotics be stored and locked in a separate area of the room.

This is presently being done.

122. Cash booked as evidence be deposited in a separate bank account.

Cash is presently being kept in a safe, with the combination known only to property employees (3). This cash is either returned to owner or turned over to the general fund as soon as the case is adjudicated. A separate bank account is being considered, with cash deposited as soon as it is received.

City Manager (559) 297-2320 • Community Services 297-2480 • Finance 297-2304 • Fire 297-2460
General Services 297-2320 • Planning & Development Services 297-2340 • Police 297-2400 • Public Utilities 297-2376

123. Evidence and property be inventoried on a continuing basis and unneeded items be regularly purged.

The department's policy for several years has been to purge property as soon as the case is adjudicated or the statute of limitations allows. A bar coding system was purchased and installed in the last month, which will allow for frequent, accurate inventory.

124. A sign in and sign out policy be implemented.

This procedure is already in place.

125. A barcode inventory system be installed in all Police Department Property and Evidence Rooms.

Installed and implemented in July, 2001.

126. All firearms not returned to their owners be destroyed upon their release by the Court.

This procedure is already in place.

127. All police departments in the County work together to develop a manual that contains basic guidelines and operating procedures.

This department has a manual with basic guidelines. We would be happy to share our manual with other local agencies.

128. Personnel working in the Property and Evidence Rooms be provided formal training.

All personnel working in the Property Room are provided basic formal training as well as monthly association meetings and yearly conferences.

If you have any questions, please call Lannie Moon, Police Records Supervisor, at (559) 297-2430.

Sincerely,

Kathy Millison
City Manager

cc: Joe Maskovich, Chief of Police
cc: Fresno County Administrative Office, Hall of Records

citypub/police/grandjury01

CITY OF FOWLER

August 31, 2001

Ms. Pamela L. Carozza
County of Fresno
Administrative Office
Room 304, Hall of Records
2281 Tulare Street
Fresno, CA 93721

RE: Response to 2000/2001 Grand Jury Report

Dear Ms. Carozza:

Pursuant to your letter dated August 14, 2001 regarding the above-mentioned matter, the following response addresses the recommendations made to the City of Fowler Police Department:

118. Property and evidence looms have alarm s stems.

We are planning on installing an alarm system to the entrance door to the Evidence Room during the 2001/2002 fiscal year.

119. Locks and kevs be changed on a regular basis and as needed.

During the 2001/2002 fiscal year we are planning to change the locks and keys on the evidence storage box, Evidence Room, and locked storage compartments within the Evidence Room.

120. Firearms be stored and locked in a separate area of the room.

We are continuing, as our ongoing' operating procedures indicate, to be in compliance with the requirement of firearms being stored and locked in a separate area of the room.

121. Narcotics be stored and locked in a separate area of the room,

We are continuing, as our ongoing operating procedures indicate, to be in compliance with the requirement of narcotics being stored and locked in a separate area of the room.

122. Cash booked as evidence be deposited in a separate bank account.

Any future U. S. Currency that is booked as evidence, will be deposited into a separate bank account, if applicable. At this time, to the best of my knowledge, there is no U. S. Currency that has been booked as evidence that would warrant opening a separate account. We will also make certain that we are in compliance with this requirement for any currency or report of currency that may be found upon inventorying evidence in the Evidence Room.

128 SOUTH FIFTH STREET • FOWLER, CALIFORNIA 93625 • TELEPHONE: (559) 834-3113 • FAX (559) 834-0185

123. Evidence and property be inventoried on a continuing basis and unneeded items be regularly purged.

The process of inventorying evidence and property to purge unneeded items will also begin during fiscal year 2001/2002.

124. A sign-in and sign-out policy will be implemented.

We will implement a sign-in and sign-out policy for the Evidence Room during fiscal year 2001/2002.

125 A barcode inventory system be installed in all Police Department Property and Evidence Rooms.

We have purchased a separate computer that is connected to the Fresno County Sheriffs Department (FSO) RMS System, which is a computerized property and evidence inventory program. By October 1, 2001, we expect to be in full compliance with the RMS system, and it will be used for all future evidence received. After we purge the existing evidence, any other items in the Evidence Room we feel should be entered into this program will be entered. At this time the FSO program is not using a bar code system and it is unknown if' a bar code system will be implemented in the future. If FSO implements a bar code system, we will also use the system if necessary.

126. All firearms not returned to their owners be destroyed upon their release by the Court.

All firearms will be either destroyed, or if allowed by the Court, auctioned. We will sell the items at auction when we are in receipt of 40 firearms that have been released by the Court.

127. All police departments in the County work together to develop a manual that contains basic guidelines and operating procedures.

We are planning a meeting with the Clovis and Reedley Police Departments to develop a manual that is in compliance with each agency and the Fresno County Sheriff's Department.

128. Personnel working in the Property and Evidence Rooms be provided formal training.

We will provide formal training, when it is applicable and/or needed, to personnel working in the property and evidence room.

If I can be of any further assistance regarding this matter, please contact me at any time.

Sincerely,

Darrell Jamgochian
Chief of Police

HURON POLICE DEPARTMENT
36389 LASSEN AVENUE / P.O. Box 339 HURON. CALIFORNIA 93234
Bus. Phone (559) 945-2348 / (559) 945-2046 FAX (559) 945-6411
E-Mail Address: huronpd@calis.com

Joseph P. Miranda
Chief of Police

October 19,2001

Honorable Gary D. Hoff
Presiding Judge
County of Fresno
1100 Van Ness
Fresno, California 93721

RE: Grand Jury report

Dear Judge Hoff,

The recent Grand Jury inspection has proven to be beneficial to the Huron Police Department as well as myself personally. As a new administrator, there are many facets within the organization and unfortunately not one person knows it all. During the inspection, I spoke to the members of the Grand Jury who were able to share with me some of their wisdom and guidance for a proper evidence room.

Upon receiving my copy of the Grand Jury's report, I saw the recommended improvements needed to upgrade the evidence room. With this in mind, it gave me a guideline to go by. Out of the 11 recommended items to be corrected, we were able to correct 8 areas immediately. The evidence door lock has been ordered and will be replaced with key lock pad. The firearms will be destroyed upon an order from the case judge. Firearms and narcotics will also be stored separately. The cash booked will be implemented and we already have an existing account for same. The sign it sheet has been developed and implemented as well. We have purchased a bar code system which should be up and running December of this year. There is an up coming property / evidence management class in January 2002.

I also have taken the liberty to tour the Reedley Police Department's evidence room and found that to be very helpful. All in all the changes are taking place and improvements will be seen on the Grand Jury's next visit.

Again thank you for the guideline. If I can be of further assistance to you or your staff be don't hesitate to call me at (559) 945-2348.

Sincerely,

Joseph P. Miranda
Chief of Police

City of Kerman

GATEWAY TO THE WESTSIDE

850 S. MADERA AVE.
KERMAN, CA 93630-1799

FAX (559) 846-6199
Telephone (559) 846-9384

August 27, 2001

Pamela L. Carozza
Deputy County Administrative Officer
Hall of Records, Room 304
2281 Tulare Street
Fresno Ca 93721

RE: City of Kerman Response: Recommendations
FY 2000 - 2001 Fresno County Grand Jury Report -Item 118-128

Dear Ms. Carozza:

Attached you will find the City of Kerman's response to the Grand Jury's recommendations 118-128, regarding the City of Kerman's Police Department.

The City of Kerman's Police Chief Jerrell Huckobey prepared this response. While I concur with Chief Huckobey that the Grand Jury function performs a valuable and needed community service; I am somewhat puzzled by the methodology and delivery of the report (see Chief Huckobey pg. 2 comments, attached).

It appears that the Grand Jury utilized a universal "boiler plate" list of recommendations and applied them to the City of Kerman Police Department without paying attention to whether the conditions actually existed here. Possibly these items are all of general concern to the Grand Jury or other interested parties. As noted by Chief Huckobey's response some recommendations were practices already in place at the Kerman Police Department.

Grand Jury recommendations fulfill an important oversight role in our community. With this comes a powerful and important responsibility. The forwarding of these "recommendations" by your office is the first we have heard of any recommendations or Grand Jury Report. Therefore, we are responding to your request and copying the Presiding Judge. Rather than formally responding to the Presiding Judge as suggested in your letter.

Sincerely,

Ron Manfredi
City Manager

1.5 BUSINESS
DEVELOPMENT
CORRIDOR
A Rural Partnership
For Central California
Commerce

Cc: Presiding Judge of the Fresno County Court
City Council, Chief Huckobey

Enclosure

City of Kerman
Police Department

GATEWAY TO THE WEST SIDE

850 SO. MADERA AVE.
KERMAN, CA 93630-1799

FAX 559-846-9435
Telephone: 559 -846-6633

The Honorable Gary Hoff
Presiding Judge
Fresno County Superior Court
1100 Van Ness
Fresno, CA 93724

RE: Reply to the 2000 -2001 Fresno County Grand Jury Report

Enclosed you will find my formal reply to the recommendations contained in the 2000-2001 Grand Jury Report.

I received a copy of recommendations 118-128 of the 2000-2001 Fresno County Grand Jury from Deputy County Administrative Officer Pamela L. Carozza in a letter dated August 14, 2001. These recommendations purportedly apply to the Kerman Police Department, although they were received out of context and no attendant text was presented. No copy of the sections of the Fresno County Grand Jury Report, or those sections pertaining to the Kerman Police Department were forwarded to this office by the Grand Jury or the office of the Presiding Judge. Had Deputy County Administrative Officer Pamela L. Carozza not contacted this office with a request for a copy of the Kerman Police Department response to these recommendations, the Kerman Police Department would have had no knowledge that the recommendations had been made.

The Kerman Police Department responds to the Fresno County Grand Jury 2000-2001 recommendations as follows:

Recommendation 118 will not be implemented.

Recommendation 118: The Kerman Police Department disagrees with the need for an alarm system on our facility. All exterior walls of the facility are concrete filled block with steel reinforcing. The ceiling and interior wall of the property and evidence room are lined with perforated steel sheeting. The only door to the facility is steel with a steel jam.

Recommendation 119: The Kerman Police Department disagrees with the need to change keys on a regular basis. There are three keys to the property facility in existence. One key is the master, which is kept by the City of Kerman key master. One key is maintained by the Property Officer and one key by the Administrative Lieutenant. Should any of the three keys be lost,

temporarily misplaced, or if the personnel issued those keys are changed, the lock will be changed to a different key.

Recommendation 119 will not be implemented.

Recommendation 120: The Kerman Police Department agrees with the recommendation that firearms be kept in a separate, locked area of the room. The Kerman police department currently stores firearms in this fashion and did so at the time of the Fresno County Grand Jury inspection. We do not know why this recommendation was made, as it is our current and long standing policy and procedure.

Recommendation 120 is our current practice.

Recommendation 121: The Kerman Police Department agrees with the recommendation that narcotics be kept in a separate, locked area of the room. The Kerman police department currently stores narcotics in this fashion and did so at the time of the Fresno County Grand Jury inspection. We do not know why this recommendation was made, as it is our current and long standing policy and procedure.

Recommendation 121 is our current practice.

Recommendation 122: The Kerman Police Department disagrees with the need to create a bank account for the storage of cash booked as evidence. Cash booked as evidence will be returned to the person from whom it was seized upon the approval of the District Attorney to use photocopies of the currency in lieu of the actual cash. Cash booked as actual physical evidence due to the possibility of trace or chemical contamination is preserved, as would be any other such evidence.

Recommendation 122 will not be implemented.

Recommendation 123: The Kerman Police Department agrees with the need that property and evidence be inventoried and purged on a continuing basis. We do not know why this recommendation was made, as it is our current and long standing policy and procedure.

Recommendation 123 is our current practice.

Recommendation 124: The Kerman Police Department agrees with the need for a sign in and sign out policy for personnel entering and leaving the property room.

Recommendation 124 has been implemented.

Recommendation 125: The Kerman Police Department disagrees with the need for a bar code inventory system. The quantity of evidence contained at any one time in the evidence and property room of the Kerman Police Department does not warrant the expense of a bar code reader system.

Recommendation 125 will not be implemented.

Recommendation 126: The Kerman Police Department agrees with the need to destroy all firearms not returned to the owner upon release by the Court. We do not know why this recommendation was made, as it is our current and long standing policy and procedure.

Recommendation 126 is our current practice.

Recommendation 127: The Kerman Police Department disagrees with the need to develop countywide operating procedures for property and evidence handling. The size and physical plant of each separate agency in the county will determine the policy and procedure best suited to each. Those policies and procedures that may be appropriate for one agency may be inappropriate for another due to many factors.

Recommendation 127 will not be implemented.

Recommendation 128: The Kerman Police Department agrees with the recommendation that personnel assigned to the property and evidence room receive formal training. We do not know why this recommendation was made, as it is our current and long standing policy and procedure.

Recommendation 128 is our current practice.

The Kerman Police Department is currently undergoing a physical plant remodel and construction, which will include a more secure property and evidence room. In reviewing these recommendations, it would appear that they are generic recommendations to all agencies in the County of Fresno. I am unsure if that is the case, as no copies of the Fresno County Grand Jury Report, or those portions of the report pertaining to this agency were forwarded to the Kerman Police Department. The Grand Jury performs a valuable and needed service to the community and as always, the Kerman Police Department will cooperate fully with their investigations. This cooperation would be much easier if the recommendations specific to this agency were communicated to us through an established policy of the Grand Jury to provide copies of pertinent areas of the report to the affected agencies.

Sincerely,

Jerrell W. Huckobey
Chief of Police

City of Kingsburg

1401 Draper Street, Kingsburg, California 93631-1908 (559) 897-5821 Fax (559) 897-5568

John A. Wright
Mayor

Leland E. Bergstrom
Mayor Pro-Tern

COUNCIL MEMBERS
Dr. Paul Kruper
Mike Karby
Andrew T. Souza

Donald F. Pauley
City Manager

August 20, 2001

The Honorable Gary D. Hoff
Presiding Judge
Fresno County Superior Courts
C/O Fresno County Administrative Office
Hall of Records, Room 304
2281 Tulare Street
Fresno, CA 93721
Attn: Pamela L. Carozza

Re: 2000-2001 Grand Jury Report

Dear Judge Hoff:

The City of Kingsburg has reviewed the 2000-2001 Fresno County Grand Jury Report and wishes to offer the following responses with respect to recommendation numbers 118-128. Due to the August 31 deadline established for responses, this letter has not been reviewed and approved for submittal by the Kingsburg City Council.

118. Property and evidence rooms have alarm systems.

Response: The City's current Police Station facility is not equipped with an alarm system. The new Police Station facility, that is expected to be completed within 12 months, will have an alarm system.

119. Locks and/or keys be changed on a regular and as needed basis.

Response: The City/Department changes locks and/or keys as needed.

120. Firearms be stored and locked in a separate area of the room.

Response: Due to limited space in the existing facility, firearms are separated as well as they can be. In the new facility fIrearms will be stored in a separate area.

121. Narcotics be stored and locked in a separate area of the room.

Response: Due to limited space in the existing facility, narcotics are separated as well as they can be. In the new facility they will be stored in a separate area.

122. Cash booked as evidence be deposited in a separate bank account.

Response: Cash booked as evidence and not required for testing or serial number verification is deposited and logged as a separate account.

123. Evidence and property be inventoried on a continuing basis and unneeded items be regularly purged.

Response: The property room is inventoried and unneeded items are purged at least once per year.

124. A sign in and sign out policy be implemented.

Response: All evidence is signed in and out as required by existing Department policy.

125. A barcode inventory system be installed in all Police Department Property and Evidence Rooms.

Response: Due to the limited number of items taken into evidence by the Department, the expense related to the capital and operational costs of a barcode system are not cost effective.

126. All firearms not returned to their owners be destroyed upon their release by the Court.

Response: Illegal and unsafe weapons are destroyed once released by the Court. Hunting rifles are subject to auction if they are not returned to the owner.

127. All Police Departments in the County work together to develop a manual that contains basic guidelines and operating procedures.

Response: The Kingsburg Police Department will cooperate with and participate in a County-wide effort to develop a set of basic and generic guidelines and procedures.

128. Personnel working in the Property and Evidence Rooms be provided formal training.

Response: Personnel currently assigned to the Property and Evidence Rooms receive training within the Department. Future personnel may receive applicable P.0.S.T. training if available in the area and reimbursable.

The City of Kingsburg trusts that these responses adequately address the Grand Jury's recommendations. Please be assured that both the City and the Kingsburg Police Department are committed to providing professional law enforcement services within the funding afforded to us by the State and the taxpayers of Kingsburg.

Sincerely,

Donald F. Pauley
City Manager

cc: Mayor and City Council

City of Reedley
Police Department
843 "G" Street
Reedley, CA 93654
(559) 637-4250
FAX 638-7218

August 22, 2001

Presiding Judge
Fresno County Court
1100 Van Ness Avenue
Fresno, Ca 93724-0002

Dear Judge:

On July 2, 2001, I received a correspondence from the Fresno County Grand Jury entitled *"Property and Evidence Rooms in Incorporated Cities.* "

This was in response to a Grand Jury investigation regarding property and evidence rooms throughout the Fresno County area. The Fresno County Grand Jury came up with 12 recommendations from 118 to 129. It should also note that listed in the Grand Jury report, the City of Reedley was listed as having an evidence room that was in excellent condition.

The following will be my response to the recommendations.

Item 118 - Property and Evidence Room have alarm system: Currently, we are undergoing a study in which we are looking into the feasibility of evidence room alarm systems. It has not been determined at this particular point in time whether the Reedley Police Department will follow that recommendation.

Item 119 - Locks and Keys be changed on a regular basis and as needed: Our current Evidence Room has both a key lock and a punch-code *system.* Keys to this room are extremely limited and the punch code does get changed on a frequent basis. Both are needed for entry.

Items 120, 121, 122, 123, 124 were in place prior to the receipt of this report and are utilized by the Reedley Police Department.

Item 125 - A Bar Code System be installed in all police department evidence rooms: As part of our technology 2001-2002 budget, we are looking at the implementation of such a program.

Items 126 and 128 have been implemented prior to the receipt of this report.

Item 127- All Police Departments and County work together to develop a manual that contains basic guidelines and operating procedures: In regards to this recommendation, the City of Reedley Police Department has been requested by several different agencies throughout the County to go on-site and make recommendations and support for evidence for departments requesting assistance in the auditing and setup of their evidence rooms. We are currently reviewing a State POST manual for evidence and will be implementing procedures that will be found beneficial and fit our situation.
One of the items that I am extremely proud of in working with other law enforcement agencies throughout the Fresno County area is that in Fresno County, all agencies work in all forms of collaborative efforts. As part of our Countywide collaborative effort, we have discussed working together on various evidence room issues.

129 - Future Grand Jury visits and reviews, policies, procedures and operations of proper department policies in evidence rooms in the County of Fresno: The Reedley Police Department appreciates the Grand Jury for conducting audits and review of police department facilities and we look forward to any further visits, assistance or recommendations that the Grand Jury might give to us in these and other matters.

If there are any questions or comments with regard to this matter, please feel free to contact my office 559-637 -4200, ext. 242.

Sincerely,

Douglas N. Johnson
City of Police

c: Pamela Carozza, Fresno County Adm. Office.

01kp158

CITY OF SANGER
POLICE DEPARTMENT

TIM HART
Chief of Police

1700 7th STREET
SANGER, CALIFORNIA 93657
PHONE (559) 876-6363
FAX (559) 875-5391

Presiding Judge
Fresno County Superior Court
1100 Van Ness Avenue
Fresno, California 93721

August 23, 2001

Re: Grand Jury Report 2000-2001

Your Honor:

Enclosed please find the Sanger Police Department's response to the Grand Jury Recommendations from the Grand Jury Report 2000-2001. If there are any questions or concerns please contact my office.

Respectfully submitted,

Tim Hart
Interim Chief of Police

c: Pamela L. Carozza
Deputy County Administrative Officer

SANGER POLICE DEPARTMENT
MEMORANDUM

TIM HART, CHIEF OF POLICE

Date: August 23, 2001

To: Dr. Hart

From: V. Ghoslin, Evidence Technician

Subject: Grand Jury Recommendations

Responses to Grand Jury recommendations are as follows:

118. Both Property/Evidence #1 and #2 are alarmed at the doors and have interior motion detectors.

119. I have been the Evidence Technician for 8 years. The only other person in possession of a key to the evidence locker is my supervisor, Cmdr. Welborn. We have not seen the need to change keys or locks during my tenure.

120. Firearms are stored in a separate, designated locked locker.

121. Narcotics are stored in a separate, designated locked locker.

122. Cash booked into evidence is deposited on a regular basis in a Criminal Activities Fund bank account which was established in August, 1994.

123. Evidence and property is inventoried and purged on a regular basis in accordance with California Penal Code laws, statute of limitation laws and court orders.

124. All evidence is signed in and out by me or Cmdr. Welborn in my absence.

125. At present we do not have a bar code system in place. Although a bar code system is planned for the future, the present method of logging in evidence manually is working well.

126. Current department policy requires me to destroy firearms upon receipt of a court order. Firearms are destroyed on an every two year basis.

127. All police departments were recently issued the Law Enforcement Property and Evidence Management Guide for 2001. This is the first guide commissioned by P.O.S.T and is used as the standard for the entire state of California.

128. Since becoming evidence technician 8 years ago I have been to the annual California Association for Property and Evidence seminars every year but the past two. In our local Central Valley chapter I have served as secretary for 3 years and president for 3 years. I am still active in the chapter; attending several training meetings a year.

C I T Y O F S E L M A
1710 TUCKER STREET • SELMA, CALIFORNIA 93662

November 5. 2001

Fresno County Administrative Office
Hall of Records, Room 304
2281 Tulare Street
Fresno, CA 93721
Attn: Pamela L. Carozza

Re: Letter of August 14, 2001
Grand Jury Recommendation Nos. 118-128

Dear Ms. Carozza:

In response to your letter of August 14, 2001 regarding the 2000-2001 Grand Jury Recommendation Numbers 118-128.

Police Chief Thomas Whiteside and his administrative stuff have met and reviewed the recommendations. They are in the process of bringing in an outside consultant to work with the department to address the recommendations. I assure you that the City of Selma takes this matter seriously and is working to address the issues raised.

There are two Recommendations that I cannot, at this time, respond to. They are Recommendations 127 & 128. Recommendation 127 - this seem to be a countywide issue and I feel that there needs to be one agency to spearhead the development of a manual. Recommendation 128 - I presently do not know of a provider, or what is offered in the way of training for Property and Evidence Room personnel

The City of Selma will continue to work to address these matters. If you have any questions, please feel free to contact me at (559) 896-1064.

Sincerely,

D B Heusser
City Manager

ADMINISTRATION • (559) 896-8134/FAX (559) 896-1068

SECTION VII

TRANSPORTATION COMMITTEE

TRANSPORTATION COMMITTEE

FRESNO AIRPORTS

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

138. Improvements at Chandler Field be continued with the aim of making it more attractive to general aviation; therefore, relieving future congestion at FYI.

139. The capital improvement programs at FYI be continued. Of special importance is the project to install runway exit and taxiway lighting so that the landing system becomes a Category III C ILS.

140. Airways Golf Course be relocated to the east side of the airport so the land can be developed for more profitable uses. To preclude objections to this development, airport authorities must show, in concrete actions and good faith, their intent to construct the new golf course.

141. City, county and airport authorities market FYI in aviation circles and business publications. Fresno has a lot more to offer than just "the gateway to Yosemite Park". FYI must be marketed as the Central Valley hub airport.

City of Fresno's Response to Recommendations #138 - #141:

See page 43.

Fresno County's Response to Recommendation #141: Fresno County agrees with the findings and has taken steps to implement the recommendations. The Board of Supervisors has created the Fresno County Tourism Committee to promote tourism in Fresno County. During the last three years, the Board has allocated $150,000 to the Fresno City and County Convention and Visitors Bureau each year, which when combined with the private contribution match amount of $150,000, has financed three $300,000 annual advertising campaigns (A total of $900,000) to promote tourist attractions in Fresno County. The Fresno Airport and the entire hospitality industry of Fresno County (hotels, motels, restaurants, and other cultural locations) benefit from these promotions which are intended to generate more visitors to Fresno County.

FRESNO AREA EXPRESS

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

142. The 2020 Master Transportation Plan be a priority with FAX officials. The plan should be supported by elected officials.

143. Time intervals be reduced on bus routes.

144. FAX study the effect that the new hybrid buses have on its ability to recover operating expenses from fares.

City of Fresno's Response to Recommendations #142 - #144:

See page 44.

CITY STREETS AND TRAFFIC LIGHTS

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

145. The City of Fresno continue to fund the replacement of 70-watt incandescent light bulbs in traffic signals with 11-watt LEDs.

146. The City of Fresno Road Maintenance Department become more proactive in its street maintenance and repair activities.

147. The City encourage citizens of Fresno to contact their Council Districts when streets, curbs or gutters need repair. The Councilmen are allotted infrastructure funds annually for just such purposes.

148. The City of Fresno Road Maintenance Department place maximum emphasis on completing the TOC and placing it in operation.

149. The City of Fresno analyze the results of the "red light runner" traffic camera systems and expand their use beyond the three planned intersections, if they do enhance safety.

150. The City and County Street Maintenance Departments hold joint meetings and determine in what areas cooperation might save both entities time and money.

City of Fresno's Response to Recommendations #145 - #150:

See page 46.

Fresno County's Response to Recommendation #150: The County of Fresno agrees with the findings of the Grand Jury, particularly in recognition of the numerous public roads throughout the County where the City/County jurisdictional boundary is located mid-street. The County is supportive and has initiated implementation of the recommendation by meeting with the City to explore possible ways to enhance efficiency and coordination of street repairs.

RAIL UNIFICATION

Recommendations

The 2000-01 Fresno County Grand Jury recommends that:

151. Funding for the project be shared by the two railroads and Federal, State, and local governments.

152. Efforts to acquire grants, as well as direct funding from the various agencies be vigorously pursued.

Fresno City's Response to Recommendations #151 and #152:

See page 47.

Fresno County's Response to Recommendations #151 and #152: The County of Fresno agrees with the findings of the Grand Jury that rail consolidation is a priority for the Fresno community. The County has been a strong supporter of rail consolidation due to the regional impacts, however, consolidation will require agreement of not only the affected local agencies but the two railroads and the PUC.

The recommendations are being implemented. Rail consolidation is also included as a regional goal in the Regional Transportation Plan of the Regional Transportation Planning Agency (Council of Fresno County Governments, or COFCG), and the COFCG is currently conducting an update of the Rail Consolidation Feasibility and Cost Study. The Study is expected to be complete by November of this year. The County contributed $25,000 for this study effort. However, local funding will not be able to offset the $400 million-plus cost of rail consolidation, but, without a local funding commitment, it will be difficult to attract significant State or Federal legislative support and funding. Local funding for rail consolidation will be addressed (with other regional projects or programs) through the Measure C (local transportation sales tax measure) extension effort. That effort has been initiated and utilizes a Measure C Steering Committee, made up of local agency, chamber of commerce, and numerous other public and organization representatives.

SECTION VIII

APPENDIX A

APPENDIX A

THE 2000-01 FRESNO COUNTY GRAND JURY RECOMMENDATIONS TO THE 2001-02 GRAND JURY

The 2000-01 Grand Jury made four recommendations to the 2001-02 Grand Jury:

Recommendation #72: The 2000-01 Grand Jury recommends that Future Grand Juries continue to monitor the Fresno City Council's Infrastructure Funds program.

Recommendation #100: The 2000-01 Grand Jury recommends that Future Grand Juries continue to monitor the activities at the Elkhorn Correctional Facility.

Recommendation #117: The 2000-01 Grand Jury recommends that Future Grand Juries continue to monitor the progress of the Juvenile Justice Campus Project.

Recommendation #129: The 2000-01 Grand Jury recommends that Future Grand Juries visit and review policies, procedures and operations of Police Department Property and Evidence Rooms in the County of Fresno.