

**RESPONSES TO THE**

**2002-2003**

**FRESNO COUNTY GRAND JURY REPORT**



**COMPILED BY  
THE FRESNO COUNTY ADMINISTRATIVE OFFICE**

**RESPONSES TO THE  
2002-2003  
FRESNO COUNTY GRAND JURY REPORT**

**JUAN ARAMBULA, CHAIRMAN  
DISTRICT 3**

**SUSAN B. ANDERSON, VICE CHAIRMAN  
DISTRICT 2**

**PHIL LARSON  
DISTRICT 1**

**JUDITH CASE  
DISTRICT 4**

**BOB WATERSTON  
DISTRICT 5**

**BART BOHN  
COUNTY ADMINISTRATIVE OFFICER**

# TABLE OF CONTENTS

Page

## COMMITTEE REPORTS

### Section I - Cities in Fresno County Committee

City of Fresno Financial Management .....	1
City of Fresno's Response to Recommendations #1 - #7 .....	6
City of Fresno Urban Growth Management (UGM) Fees .....	1
City of Fresno's Response to Recommendations #8 - #15 .....	10
Water Usage and Conservation Practices in the City of Fresno .....	2
City of Fresno's Response to Recommendations #16 - #19 .....	13
City of Fresno Boards and Commissions .....	3
City of Fresno's Response to Recommendations #20 - #26 .....	15
City of Fresno Contract Administration .....	4
City of Fresno's Response to Recommendations #27 - #29 .....	18
City of Fresno Zoning Ordinances .....	4
City of Fresno's Response to Recommendations #30 - #34 .....	20

### Section II - County Committee

Office of the Fresno County Coroner .....	36
Fresno County Coroner-Public Administrator/Public Guardian's Response to Recommendations #35 - #42 .....	43
Fresno County's Response to Recommendations #35 - #42 .....	36
Fresno Irrigation District .....	38
Fresno County's Response to Recommendation #44 .....	38
Fresno Irrigation District's Response to Recommendations #43 - #44 .....	48
Fresno County Auditor-Controller/Treasurer-Tax Collector's Response to Recommendation #44 .....	51
Fresno County Fire Protection District .....	39
Fresno County's Response to Recommendations #45 - #47 .....	39
Fresno County Fire Protection District's Response to Recommendations #48 - #49 .....	53
Security of Fresno County Buildings .....	41
Fresno County's Response to Recommendations #50 - #56 .....	41

**Section III - Education, Library and Youth Committee**

School Transportation in Fresno County ..... 55

- Alvina School District’s Response to Recommendation #58 ..... 59
- American Union School District’s Response to Recommendation #58..... 55
- Big Creek School District’s Response to Recommendation #58 ..... 55
- Burrel Union School District’s Response to Recommendation #58 ..... 60
- Caruthers Unified School District’s Response to Recommendation #58 ..... 55
- Central Unified School District’s Response to Recommendation #58 ..... 55
- Clay Joint School District’s Response to Recommendation #58 ..... 55
- Clovis Unified School District’s Response to Recommendation #58 ..... 61
- Coalinga-Huron Joint Unified School District’s Response to Recommendation #58 ..... 63
- Firebaugh-Las Deltas Unified School District’s Response to Recommendation #58..... 64
- Fowler Unified School District’s Response to Recommendation #58 ..... 65
- Fresno Unified School District’s Response to Recommendation #58..... 66
- Golden Plains Unified School District’s Response to Recommendation #58..... 67
- Kerman Unified School District’s Response to Recommendation #58 ..... 56
- Kings Canyon Unified School District’s Response to Recommendation #58..... 68
- Kingsburg Joint Union School District’s Response to Recommendation #58..... 69
- Laton Unified School District’s Response to Recommendation #58 ..... 71
- Mendota Unified School District’s Response to Recommendation #58 ..... 56
- Monroe School District’s Response to Recommendation #58 ..... 56
- Orange Center School District’s Response to Recommendation #58 ..... 72
- Pacific Union School District’s Response to Recommendation #58 ..... 73
- Parlier Unified School District’s Response to Recommendation #58..... 56
- Pine Ridge School District’s Response to Recommendation #58..... 56
- Raisin City School District’s Response to Recommendation #58 ..... 57
- Riverdale Joint Unified School District’s Response to Recommendation #58 ..... 75
- Sanger Unified School District’s Response to Recommendation #58 ..... 78
- Selma Unified School District’s Response to Recommendation #58..... 79
- Sierra Unified School District’s Response to Recommendation #58 ..... 80
- Washington Colony School District’s Response to Recommendation #58 ..... 57
- Washington Union School District’s Response to Recommendation #58..... 57
- West Fresno School District’s Response to Recommendation #58..... 81
- West Park School District’s Response to Recommendation #58..... 82
- Westside School District’s Response to Recommendation #58 ..... 57
- Fresno County Office of Education’s Response to Recommendation #59 ..... 83

Driver Education in Fresno County High Schools ..... 58

- Fresno County Office of Education’s Response to Recommendation #61 ..... 83

**Section IV - Health and Social Services Committee**

“One Stop” Regional Centers..... 84  
    Fresno County’s Response to Recommendation #62..... 84

Foster Care in Fresno County..... 84  
    Fresno County’s Response to Recommendations #63 - #65..... 84

Child and Adolescent Mental Health Care in Fresno County..... 85  
    Fresno County’s Response to Recommendations #67 - #68..... 85

**Section V - Law Enforcement Committee**

Fresno Police Department Property Room ..... 87  
    City of Fresno’s Response to Recommendations #69 - #71 ..... 22

The Fresno Police Chief’s Advisory Board ..... 87  
    City of Fresno’s Response to Recommendations #74 - #76..... 24

Fresno Police Department Canine Unit ..... 88  
    City of Fresno’s Response to Recommendations #77 - #80..... 26

Elkhorn Correctional Facility ..... 88  
    Fresno County’s Response to Recommendations #81 - #86..... 88  
    City of Fresno’s Response to Recommendation #86..... 28

**Section VI - Transportation Committee**

Traffic Enforcement and Related Issues ..... 92  
    Fresno County’s Response to Recommendation #90..... 92  
    City of Fresno’s Response to Recommendations #87 - #90..... 29  
    Caruthers Unified School District’s Response to Recommendation #91 ..... 92  
    Central Unified School District’s Response to Recommendation #91 ..... 92  
    Clovis Unified School District’s Response to Recommendation #91 ..... 62  
    Coalinga-Huron Joint Unified School District’s Response to Recommendation #91 ..... 63  
    Firebaugh-Las Deltas Unified School District’s Response to Recommendation #91..... 64  
    Fowler Unified School District’s Response to Recommendation #91 ..... 65  
    Fresno Unified School District’s Response to Recommendation #91 ..... 93  
    Golden Plains Unified School District’s Response to Recommendation #91..... 67  
    Kerman Unified School District’s Response to Recommendation #91 ..... 93  
    Kings Canyon Unified School District’s Response to Recommendation #91..... 68  
    Kingsburg Joint Union School District’s Response to Recommendation #91 ..... 93  
    Laton Unified School District’s Response to Recommendation #91 ..... 71  
    Mendota Unified School District’s Response to Recommendation #91 ..... 93  
    Parlier Unified School District’s Response to Recommendation #91..... 93  
    Riverdale Joint Unified School District’s Response to Recommendation #91 ..... 75  
    Sanger Unified School District’s Response to Recommendation #91 ..... 78  
    Selma Unified School District’s Response to Recommendation #91 ..... 79  
    Sierra Unified School District’s Response to Recommendation #91 ..... 80  
    Washington Union School District’s Response to Recommendation #91 ..... 94

Fresno Yosemite International Airport Concourse Expansion Project ..... 94  
    City of Fresno’s Response to Recommendations #92 - #95..... 31

Transit Consolidation ..... 95  
    Council of Governments’ Response to Recommendations #96 - #99 ..... 97  
    Fresno County Rural Transit Agency’s Response to Recommendations #96 - #98 ..... 122

Joint Jurisdictional Streets Between County and City of Fresno ..... 95  
    Fresno County’s Response to Recommendations #100 - #102..... 95  
    City of Fresno’s Response to Recommendations #100 - #102..... 35

**Section VII - Appendix A** ..... 132

**SECTION I**

**CITIES IN FRESNO COUNTY COMMITTEE**



**CITY OF FRESNO  
FINANCIAL MANAGEMENT**

**Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that the City of Fresno:

1. Develop a long-term plan for the reduction of its level of debt.
2. Establish procedures to insure that appropriate financial analysis always accompany requests for major capital expenditures.
3. Establish a process to insure the selection of an external auditor who is independent from the City's financial management and the departments being audited.
4. Simplify the accounting system, to the extent possible, in order that the City Council, department heads, and the public, better understand the City's financial statements.
5. Establish effective administration and accounting for the grants received by the City.
6. Require effective and direct communications between the Redevelopment Agency and the City Finance Department.
7. Improve communication between departments and agencies of City government.

**City of Fresno's Response to Recommendations #1 - #7:**

See Page 6.

**CITY OF FRESNO  
URBAN GROWTH MANAGEMENT (UGM) FEES**

**Recommendations**

The 2002-2003 Fresno County Grand jury recommends that:

8. Final resolution of the past accounting differences be completed between the City and the building industry.
9. The City Manager transfer the management of accounting matters regarding Urban Growth Management to the Finance Director/Controller.
10. The responsible city department respond to the building industry's inquiries in a timely manner.



11. Annual audits of Urban Growth Management accounts be completed in a timely manner.
12. The Public Works Department evaluate and update the Urban Growth Management fee structure annually.
13. The City Manager appoint a mediation board to resolve Urban Growth Management differences between developers and the city.
14. Urban Growth Management reimbursements to builders be made twice annually in accordance with the *City of Fresno Municipal Code*.
15. The City investigate new growth support plans and funding, such as Mello-Roos Bonds or more flexible development impact fees.

**City of Fresno's Response to Recommendations #8 - #15:**

See Page 10.

**WATER USAGE AND CONSERVATION PRACTICES  
IN THE CITY OF FRESNO**

**Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that the City of Fresno:

16. Maintain efforts to negotiate the renewal of its water contract with United States Bureau of Reclamation.
17. Coordinate with private companies and independent districts serving water customers in the Fresno metropolitan area to promote water conservation practices.
18. Aggressively enforce the *City of Fresno Municipal Code* on water wastage.
19. Develop plans to charge residential water users on a more equitable basis.

**City of Fresno's Response to Recommendations #16 - #19:**

See Page 13.

**CITY OF FRESNO  
BOARDS AND COMMISSIONS**

**Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that:

20. The Fresno City Manager authorize the City Clerk to develop procedures to maintain accurate and current information on records of appointments to Boards by the City Council and Mayor.
21. The City Clerk's office develop an appointment document to be placed on the City of Fresno website to include the following:
  - a. A proper name to identify each Board.
  - b. A concise and clear description of the purpose of each Board.
  - c. Designate meeting dates, times, and locations for the Board.
  - d. Annual budget and the remuneration for each Board member, if any.
  - e. The name, telephone number and e-mail address of the city staff representative who is assigned to each Board.
  - f. The length of term and expiration date for each Board member.
  - g. Application form.
22. The City Clerk notify the appointing authority of an appointee's expiration date no less than 90 days prior to the end of the term.
23. The City Clerk publicize Board member vacancies by posting them at City Hall and listing them on the City of Fresno website.
24. The Fresno City Manager verify all information on applications.
25. The Fresno City Manager advise appointing authorities to route all applications to the office of the City Clerk.
26. The Fresno City Manager direct appointing authorities to inform the City Clerk's office of new appointments.

**City of Fresno's Response to Recommendations #20 - #26:**

See Page 15.

**CITY OF FRESNO  
CONTRACT ADMINISTRATION**

**Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that:

27. The City Manager assign the ultimate responsibility for contract administration to a properly staffed, single department that will be responsible for contract enforcement, compliance, and renewal.
28. The department that is ultimately responsible for supervision of contract administration, set up a “reminder” file to advise appropriate departments of contract term date, renewal date, and other significant implementation dates.
29. The City Manager instruct appropriate departments that enter into contracts to utilize the standard city contract form whenever possible.

**City of Fresno’s Response to Recommendations #27 - #29:**

See Page 18.

**CITY OF FRESNO  
ZONING ORDINANCES**

**Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that the City Manager:

30. Budget adequate funds to complete the full revision of the Zoning Ordinance.
31. Assign a member of the City Attorney’s staff to specifically assist in the revision of the Zoning Ordinance.
32. Direct the City Clerk’s office to use an 8½ x 11 inch format in the revision of the ordinance.
33. Place the newly formatted Zoning Ordinance on the City’s website and update it every six months.
34. Make available hard copies of the Zoning Ordinance for distribution at a nominal cost.

**City of Fresno’s Response to Recommendations #30 - #34:**

See Page 20.



Daniel G. Hobbs  
City Manager

October 10, 2003

Fresno County Administrative Office  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93721  
Attention: Vicki Samarin

Dear Ms. Vicki Samarin:

**SUBJECT: 2002-2003 GRAND JURY RECOMMENDATIONS**

The following contains the City of Fresno's responses to the 2002-2003 Fresno County Grand Jury Findings and Recommendations. The responses to the findings were prepared by City staff and approved by the City Council on October 7, 2003.

Sincerely,

Daniel G. Hobbs,  
City Manager

Attachments

**RECEIVED**

OCT 10 2003

**ADMINISTRATIVE OFFICE**

City of Fresno

City Hall • 2600 Fresno Street • Fresno, California 93721-3601  
(559) 621-7770 • FAX (559) 621-7776 • [www.fresno.gov](http://www.fresno.gov)



## Finance Department

### FINANCIAL MANAGEMENT

#### Response to Findings:

The City agrees with findings A - G, I, and L - R.

The City disagrees wholly with finding H. This disagreement is due to the fact that important financial data for decision-making purposes is regularly distributed and always available to the City Council. Furthermore, the Finance Department is proactive in providing information on routine financial information, as well as unusual and/or extraordinary issues.

The City disagrees partially with finding J due to the fact that the Stadium project reached its fiscal projections by being constructed on time and within budget. However, the City has not been able to book sufficient events into the Stadium to reach its original projections. This is being addressed by the outsourcing of the Convention Center operations to SMG.

The City disagrees partially with findings K and S.

For finding K, this disagreement is due to the fact that the Financial Officers of different departments within the City have had little disagreement concerning appropriate accounting methods. Any disagreement has only been between the Financial Officers of the City and the Redevelopment Agency.

For finding S, this disagreement is due to the fact that the City Controller is not aware of any lack of trust concerning financial matters, between departments within the City government.

#### Response to Conclusions:

The City agrees with the Conclusions A, B, D, and F.

The City disagrees wholly with the Conclusions C, E & G.

For Conclusion C, this disagreement is due to the fact that important financial data for decision-making purposes is regularly distributed and always available to the City Council. Furthermore, the Finance Department is proactive in providing information on routine financial information, as well as unusual and/or extraordinary issues. Each month important financial data is communicated by the distribution of Monthly Investment Reports and Finance Reports, mid-year budget review, and weekly reporting to the Department Directors.

For Conclusion E this disagreement is due to the fact that the Fiscal Responsibility Committee participated as members of the RFP/Proposal Evaluation Committee. This committee unanimously recommended the current City auditors.

For Conclusion G, this disagreement is not due to a lack of financial expertise, but due to projections regarding revenue generated from City sponsored events that were not realized.

The City partially disagrees with Conclusion H.

For conclusion H, the reason for this partial disagreement is that the issue regarding misleading financial statements arose previous to the Autry Administration. The Macias Group study concluded that there was inefficient communication between departments and agencies of City government. The current administration has worked to overcome this situation by implementing routine distribution of monthly financial statements, as well as, established routine face to face communications with Councilmembers.

Recommendation 1:

Develop a long-term plan for the reduction of its level of debt.

**Response to Recommendation 1:**

The City has not yet implemented Recommendation One. However, the Finance Department plans to implement this recommendation in FY 2004 or FY 2005.

Recommendation 2:

Establish procedures to insure that appropriate financial analysis always accompany requests for major capital expenditures.

**Response to Recommendation 2:**

The City has implemented Recommendation Two.

Recommendation 3:

Establish a process to insure the selection of an external auditor who is independent from the City's financial management and the departments being audited.

**Response to Recommendation 3:**

The City had previously implemented a process to ensure the selection of an independent external auditor. This is done through a competitive RFP process.

Recommendation 4:

Simplify the accounting system, to the extent possible, in order that the City Council, department heads, and the public better understand the City's financial statements.

**Response to Recommendation 4:**

Recommendation Four will not be implemented for these reasons:

a. The Finance Department has already taken steps to simplify the accounting system, to the extent possible, by reducing the number of funds by approximately 50%.

b. Further simplification of the accounting system is not cost-beneficial because a large full-service City such as Fresno requires the use of a complex accounting system, and further simplification would require significant resources that are not currently available given our financial constraints.

Recommendation 5:

Establish effective administration and accounting for the grants received by the City.

**Response to Recommendation 5:**

The City has implemented Recommendation Five. Following is a summary of how this recommendation was implemented:

Finance has established a Grants Management unit. This unit has begun development and implementation of Citywide policies on grant management and tracking of: grant applications, awards, finding sources of grant funding, and planning corrective action plans. The Grants Management unit will identify programs with greater inherent risks in order to identify training needs and assist departments in maintaining compliance.

Recommendation 6:

Require effective and direct communications between the Redevelopment Agency and the City Finance Department

**Response to Recommendation 6:**

The City has already implemented Recommendation Six. Following is a summary of how this recommendation was implemented:

Improved communications have been in place for several months now between the City Finance Department and the Redevelopment Agency (RDA). The RDA and the City Finance Department have all worked well together on two key initiatives that ended successfully. It is recognized that there exists legitimate competition for limited resources and staff is committed to work together to meet this challenge.

Recommendation 7:

Improve communication between departments and agencies of City government.

**Response to Recommendation 7:**

The City has implemented Recommendation Seven. Following is a summary of how this recommendation was implemented:

The Finance Department provides monthly investment and financial reports, implemented the mid-year budget review, participates in the required reporting at weekly department director's meetings and contributes to the Weekly Highlights reports.



## Public Works Department

### **URBAN GROWTH MANAGEMENT (UGM) FEES**

#### Response to Findings:

The City agrees with Findings A, B, C, D, E, G, H, I, and J.

The City partially disagrees with Findings F and K. For Finding F, the City Council sets UGM fees. Public Works only makes recommendations on the fees to the City Council.

For Finding K, the number of separate accounts may have been 237 at the time of the inquiry, but the number is currently 151.

#### Response to Conclusions:

The City agrees with Conclusions B, D, F, G, and I.

The City partially disagrees with Conclusions A, C, and E. For Conclusion A, the City believes that long-standing disagreements will be resolved by mutual agreement, without compromise or adjudication.

For Conclusion C, subsequent to FY 2000, an annual accounting has been provided in a satisfactory and timely manner.

For Conclusion E, Code mandated accounting requirements have not always been complied with in the past; however, all UGM funds are currently balanced to the City's PeopleSoft program, and are balanced to the City's financial records on a monthly basis.

The City disagrees wholly with Conclusion H. The Public Works Department is fully capable of overseeing the UGM program. Staff has developed a solid working relationship with developers. UGM funds in the Public Works stand-alone program have been reviewed in depth and balanced to the City's PeopleSoft program. The mandated annual report was assumed by Public Works from Finance as of FY 2002 and was prepared in a complete and timely manner.

#### Recommendation 8:

Final resolution of the past accounting differences be completed between the City and the building industry

#### **Response to Recommendation 8:**

The City is currently implementing Recommendation 8. Funds are in balance and available for review by all parties. Final resolution is planned to occur during the implementation of the Next Generation of UGM. City Council considered the Next Generation at their September 16, 2003 meeting.

Recommendation 9:

The City Manager transfer the management of accounting matters regarding Urban Growth Management to the Finance Director/Controller.

**Response to Recommendation 9:**

The Public Works Department recommends that Recommendation 9 not be implemented. Public Works understands the management of accounting matters. The City recommends that Finance continue to manage the City's overall financial system and Public Works continue to manage the UGM program.

Recommendation 10:

The responsible City department respond to the building industry's inquiries in a timely manner.

**Response to Recommendation 10:**

The City has implemented Recommendation 10 by identifying a single point of contact for all building industry inquiries, resulting in timely responses to questions.

Recommendation 11:

Annual audits of Urban Growth Management accounts be completed in a timely manner.

**Response to Recommendation 11:**

The City had previously implemented a process that addresses Recommendation 11. Beginning in FY 2002, annual reports and audits of UGM accounts are completed in a timely manner.

Recommendation 12:

The Public Works Department evaluate and update the Urban Growth management fee structure annually.

**Response to Recommendation 12:**

The Public Works Department will recommend implementation of Recommendation 12 as part of the Next Generation of the UGM program.

Recommendation 13:

The City Manager appoint a mediation board to resolve Urban Growth Management difference between developers and the City.

**Response to Recommendation 13:**

The City feels Recommendation 13 requires further analysis. The analysis will be included as part of the Next Generation of UGM implementation, which will take 24 months to fully implement.

Recommendation 14:

Urban Growth Management reimbursements to builders be made twice annually in accordance with the *City of Fresno Municipal Code*.

**Response to Recommendation 14:**

The City has implemented Recommendation 14. Reimbursements to builders are now made twice annually.

Recommendation 15:

The City investigates new growth support plans and funding, such as Mello-Roos Bonds or more flexible development impact fees.

**Response to Recommendation 15:**

The City is currently reviewing Recommendation 15 as part of the Next Generation of UGM.

**Public Utilities Department**

**WATER USAGE AND CONSERVATION PRACTICES IN THE CITY OF FRESNO**

Response to Findings:

The City agrees with Findings A, B, C, D, E, F, G, I, J, and K.

The City partially agrees with Finding H. The Mayor is forming a Blue Ribbon committee to review and advise on CVP water supply contract renewal. The Mayor is not, however, forming a committee to promote a referendum on water meters.

Response to Conclusions:

The City agrees with these Conclusions.

Recommendation 16:

Maintain efforts to negotiate the renewal of its water contract with United States Bureau of Reclamation.

**Response to Recommendation 16:**

The City is in the process of implementing this Recommendation.

Recommendation 17:

Coordinate with private companies and independent districts serving water customers in the Fresno metropolitan to promote water conservation practices.

**Response to Recommendation 17:**

The City is in the process of implementing this Recommendation.

Recommendation 18:

Aggressively enforce the *City of Fresno Municipal Code* on water wastage.

**Response to Recommendation 18:**

The City will implement this Recommendation with the CVP contract renewal.

Recommendation 19:

Develop plans to charge residential water users on a more equitable basis.

**Response to Recommendation 19:**

The City will implement this Recommendation with the CVP contract renewal.

## City Clerk/City Manager

### **BOARDS AND COMMISSIONS**

#### Response to Findings:

The City agrees with Findings D, E, F, G, H, I, K, L, M, N, O, and P.

The City partially disagrees with Findings A, B, C, and J. For Finding A, the disagreement relates specifically to two individual boards, namely the Fresno-Madera Area Agency on Aging Advisory Council, and the Neighborhood Opportunities for Affordable Housing. The City is no longer responsible for appointments to either Board/Council.

For Finding B, the disagreement relates specifically to the record of appointments to the Boards and Commissions not being kept current. Upon action by the City Council to approve an appointment, the roster is updated. The City Clerk's Office agrees the list is not always accurate. That is the result of not being advised of resignations or of appointments to Boards where confirmation by the City Council is not required.

For Finding C, the disagreement relates specifically to the number of separate Boards that have been established by the City Council and other agencies. The reason for and explanation of the disagreement is due to the recent information provided by staff in the Mayor's Office advising twenty-one (21) of the Boards and Commissions are no longer active, leaving sixteen (16) active Boards or Commissions where the Mayor and/or City Council have appointment authority.

For Finding J, the disagreement relates specifically to the statement "When a position become available on a Board, a list of...". This is incorrect. Upon receipt of an application, a copy is forwarded to the Councilmember representing the district within which the applicant resides as well as to the Mayor. Whether there is a vacancy on the Board or Commission for which the applicant is requesting consideration is not a factor.

#### Response to Conclusions:

The City agrees with Conclusions A, B, C, and D.

The City partially disagrees with Conclusion E. The City of Fresno website does include some specific information regarding Board applications, however the information could be expanded upon. The application form is available and contains specific information relating to where the completed application is to be submitted.

#### Recommendation 20:

The Fresno City Manager authorize the City Clerk to develop procedures to maintain accurate and current information on records of appointments to Boards by the City Council and Mayor.

### **Response to Recommendation 20:**

The City has implemented Recommendation 20.

### Recommendation 21:

The City Clerk's office develop an appointment document to be placed on the City of Fresno website to include the following:

- a. A proper name to identify each Board.
- b. A concise and clear description of the purpose of each Board.
- c. Designated meeting dates, times, and locations for the Board.
- d. Annual budget and the remuneration for each Board member, if any.
- e. The name, telephone number and e-mail address of the City staff representative who is assigned to each Board.
- f. The length of term and expiration date for each Board member.
- g. Application form.

### **Response to Recommendation 21:**

The City is implementing Recommendation 21. The City Council has authorized the City Clerk's Office to work with staff from the Mayor's Office to develop a policy regarding the entire Board and Commission process, beginning with the application form itself, which will replace the current application form available on the City's website. The policy will encompass requirements for City staff assigned to assist each Board to notify the Clerk's Office of any an all changes to the membership as they occur. The information suggested to be placed on the City of Fresno website can be accommodated.

### Recommendation 22:

The City Clerk notify the appointing authority of an appointee's expiration date no less than 90 days prior to the end of the term.

### **Response to Recommendation 22:**

The City will not implement Recommendation 22. Although many of the terms are listed specifically to run for a set period, i.e. eighteen (18) months, two (2) years, four (4) years, or to run concurrent with the appointing authority, Board and Commission members serve at the pleasure of the appointing authority and can be replaced at any time. Newly elected appointing authorities may either re-appoint or replace members as they determine to be appropriate. Resignations also occur.

### Recommendation 23:

The City Clerk publicize Board member vacancies by posting them at City Hall and listing them on the City of Fresno website.

**Response to Recommendation 23:**

The City will implement Recommendation 23 upon completion of the appropriate website and the policy regarding Board and Commission process. The anticipated time frame for implementation is January 1, 2004.

Recommendation 24:

The Fresno City Manager verify all information on applications.

**Response to Recommendation 24:**

This Recommendation will be considered as the City goes through the process of revising its policies on Boards and Commissions.

Recommendation 25:

The Fresno City Manager advise appointing authorities to route all applications to the office of the City Clerk.

**Response to Recommendation 25:**

This Recommendation will be considered as the City goes through the process of revising its policies on Boards and Commissions.

Recommendation 26:

The Fresno City Manager direct appointing authorities to inform the City Clerk's Office of new appointments.

**Response to Recommendation 26:**

This Recommendation will be considered as the City goes through the process of revising its policies on Boards and Commissions.



**City Manager**

**CONTRACT ADMINISTRATION**

Response to Findings:

The City agrees with Findings A, C, D, E, F, And G.

The City disagrees partially with Finding B. This disagreement is due to the fact that a recent Internal Audit of Lease and Rental Agreements between the City and outside parties has identified the number of these type agreements for administration and monitoring purposes

Response to Conclusions:

The City agrees with Conclusions A, B, C, D, and E.

**Recommendation 27:**

The City Manager assign the ultimate responsibility for contract administration to a properly staffed, single department that will be responsible for contract enforcement, compliance, and renewal.

**Response to Recommendation 27:**

Recommendation 27 will not be implemented. It is considered more efficient and effective to have each individual department, which is familiar with the contractual obligations and provisions between the City (department) and the contracting party, to be directly responsible for contract enforcement, compliance, and renewal of its own contracts. However, Internal Audit staff will annually conduct a random sampling audit of departments to ensure that contract enforcement, compliance and renewal is properly handled.

Each City Department (Lead Department) has already been indirectly given the responsibility to ensure that all City policies regarding contracts are followed, via the City's Administrative Order No. 4-1. This Administrative Order should, however be further strengthened and revised to specifically state that each Lead Department is directly responsible for the administration, enforcement, compliance, and renewal of their respective contracts upon execution.

**Recommendation 28:**

The department that is ultimately responsible for supervision of contract administration, set up a "reminder" file to advise appropriate departments of contract term date, renewal date, and other significant implementation dates.

**Response to Recommendation 28:**

Recommendation 28 will not be implemented for the same reasons cited for Recommendation 27.

Recommendation 29:

The City Manager instruct appropriate departments that enter into contracts to utilize the standard City contract form whenever possible.

**Response to Recommendation 29:**

Recommendation 29 has been implemented.

**Planning and Development Department**

**ZONING ORDINANCES**

Response to Findings:

The City agrees with the Findings.

Response to Conclusions:

The City agrees with the Conclusions.

**Recommendation 30:**

Budget adequate funds to complete the full revision of the Zoning Ordinance.

**Response to Recommendation 30:**

The City is currently implementing Recommendation 30. The City's FY 2004 Budget provides \$350,000 for updating the City's Zoning Ordinances. The update process will require approximately two (2) years.

**Recommendation 31:**

Assign a member of the City Attorney's staff to specifically assist in the revision of the Zoning Ordinance.

**Response to Recommendation 31:**

The City is currently implementing Recommendation 31.

**Recommendation 32:**

Direct the City Clerk's Office to use an 8 ½ x 11-inch format in the revision of the Ordinance.

**Response to Recommendation 32:**

The City is currently implementing Recommendation 32.

**Recommendation 33:**

Place the newly formatted Zoning Ordinance on the City's website and update it every six months.

**Response to Recommendation 33:**

The City is currently implementing Recommendation 33.

Recommendation 34:

Make available hard copies of the Zoning Ordinance for distribution at a nominal cost.

**Response to Recommendation 34:**

The City is currently implementing Recommendation 34.

## Police Department

### PROPERTY ROOM

Response to Findings:

The City agrees with the Findings.

Response to Conclusions:

The City agrees with the Conclusions A, B, D, and E.

The City disagrees with Conclusion C. The Fresno Police Department has a total of eleven (11) PRIMUS bar code computer stations: two (2) computer stations at each of the four (4) District Stations (CE, SE, NE and NW), one (1) computer station at the HQ property and evidence booking room, and one (1) computer station in the Identification Bureau. Detectives and narcotic officers are currently setting up an additional (1) computer station in the homicide unit for use. This currently meets the needs of the Police Department. Additional computers may be purchased if future needs arise.

### Recommendation 69:

The Fresno Police Department continue to train personnel in the use of the bar code system.

### **Response to Recommendation 69:**

The City has implemented Recommendation 69. All training of Officers, CSO's, IB Technicians, Property and Evidence Technicians, and volunteers was completed in February 2003. Training is currently given to all newly hired Officers and CSO's during the orientation program.

### Recommendation 70:

The Fresno Police Department place computer stations at locations where needed.

### **Response to Recommendation 70:**

The City has implemented Recommendation 70. The Fresno Police Department has a total of eleven (11) PRIMUS bar code computer stations: two (2) computer stations at each of the four (4) District Stations (CE, SE, NE and NW), one (1) computer station at the HQ property and evidence booking room, and one (1) computer station in the Identification Bureau. An additional (1) computer station is currently being set up in the homicide unit for use by detectives and narcotic officers. This currently meets the needs of the Police Department. Additional computers may be purchased if future needs arise.

Recommendation 71:

The Fresno Police Department conduct random drug testing of all property room personnel.

**Response to Recommendation 71:**

The City will implement Recommendation 71. On July 10, 2003, a final meeting on this issue was held with Property and Evidence Control Section personnel and Fresno City Employee Association representatives. It was agreed by all that the drug testing procedure would be accepted and will be documented in the next contract.

Recommendation 72:

Future Grand Juries revisit and review the property room

**Response to Recommendation 72:**

The City is willing to implement Recommendation 72. The Fresno County Grand Jury is welcomed to visit and review the Fresno Police Department Property and Evidence Control Section at any time.

## **POLICE CHIEF'S ADVISORY BOARD**

Response to Findings:

The City agrees with the Findings.

Response to the Conclusions:

The City agrees with the Conclusions.

### Recommendation 74:

The Fresno Police Chief's Advisory Board establish a website to include:

- Mission statement
- Board member names and term expiration dates
- Agenda
- Meeting minutes, excluding confidential information
- Process for bringing concerns or complaints to the Board
- Application for membership to the Board

### **Response to Recommendation 74:**

The City is implementing Recommendation 74. The website modification is in progress and will be completed in the near future.

### Recommendation 75:

The Fresno Police Chief's Advisory Board establish and publicize a procedure for citizens to file concerns or complaints.

### **Response to Recommendation 75:**

The City will not implement Recommendation 75. The Chief's Advisory Board was not designed as a means to file citizens' complaints against Fresno Police Officers. Currently, there is existing policy and procedures for citizens to file complaints both in person and in writing against members of the Fresno Police Department. Recently, multi-language complaint forms (which can be mailed to the Internal Affairs Unit) were distributed to ten (10) community locations throughout the City and to the Human Relations Commission at City Hall.

Although the Chief's Advisory Board listens to numerous concerns from those sitting on the board, it would be counter-productive to encourage complaints during this particular forum. The meetings only last for approximately one hour and fifteen minutes and the agendas center on crime statistics, demographic data trends, and discussion of current events occurring within the City of Fresno. Board members who do voice a complaint to attending Fresno Police Department members during these meetings are advised in

detail how to file a citizen's complaint against a member of the Fresno Police Department.

Recommendation 76:

The Fresno Police Chief and City Council promptly replace members upon expiration of their terms or when vacancies arise.

**Response to Recommendation 76:**

The City will implement Recommendation 76. The Fresno Police Chief will ensure that the members who have finished their two-year term with the Chief's Advisory Board are replaced as soon as another replacement is located and brought into the group from the community and/or by City Council appointment. However, the Chief of Police reserves the right to extend advisory board members for an additional two years depending on various projects or assignments.



## **CANINE UNIT**

Response to Findings:

The City agrees with the Findings.

Response to Conclusions:

The City agrees with the Conclusions.

### Recommendation 77:

Amend Divisional Order No. 4.1.23, entitled *Canine Operations*, issued on December 20, 2001, to include clearly defined procedures as to the use of canine with ballistic vests.

### **Response to Recommendation 77:**

The current canine policy was written as a Divisional Order. It has been revised with the recommendation that it become a Standing Order as the Canine unit is assigned to Patrol Support Division (PSD) and a resource for the Patrol Division. The Revision has been approved by the PSD staff and is currently with the Management Support Bureau for staffing. One of the many recommended changes is as follows, under 03.00 Handler Responsibilities. With this change and the work outlined, the concerns raised in the Grand Jury report should be satisfied. Enclosed above is a sample revision to the Canine Unit Operations Manual that provides procedures for the use of the Canine with ballistic vest. Once the Operations Manual has been updated, there is no need to update Standing or Divisional orders that are referenced.

### Recommendation 78:

Amend Standing Order 2.3.1, Canine Operations Manual, to include clearly defined procedures as to the deployment of canines with ballistic vests.

### **Response to Recommendation 78:**

The current canine policy was written as a Divisional Order. It has been revised with the recommendation that it become a Standing Order as the Canine unit is assigned to Patrol Support Division (PSD) and a resource for the Patrol Division. The Revision has been approved by the PSD staff and is currently with the Management Support Bureau for staffing. One of the many recommended changes is as follows, under 03.00 Handler Responsibilities. With this change and the work outlined, the concerns raised in the Grand Jury report should be satisfied. Enclosed above is a sample revision to the Canine Unit Operations Manual that provides procedures for the use of the Canine with ballistic vest. Once the Operations Manual has been updated, there is no need to update Standing or Divisional orders that are referenced.

Recommendation 79:

Provide funds to purchase the most technologically advanced canine ballistic vests.

**Response to Recommendation 79:**

The City is addressing Recommendation 79. The Fresno Police Department has been advised that a private citizen might be willing to pay for new Canine vests. This may be an avenue that we can explore once we have an accurate picture of the cost of outfitting the entire unit with new vests. The donations to purchase these new canine vests were approved for acquisition through the non-profit Fresno Police Chief's Foundation. One of our Canine Officers has also acquired sample vests from different vendors for testing purposes. Those vests have been assigned to handlers for field use. Once the field trials conclude, a recommendation will be forwarded regarding vest replacement.

Recommendation 80:

Improve training, for canines and their handlers, on the use and deployment of ballistic vests.

**Response to Recommendation 80:**

The City will implement Recommendation 80. The Fresno Police Department Canine Unit currently trains with the vests once every two or three weeks. Upon selection of an updated vest, and if funds are obtained for purchase, we will have the vendor provide initial training. We can have our Department Canine vendor, Master K-9, incorporate ongoing vest training into our weekly training.

**City Manager**

**ELKHORN CORRECTIONAL FACILITY**

Response to Findings and Conclusions:

The Findings and Conclusions relate to Fresno County's operation of the Elkhorn Correction Facility, and the City has no basis for agreeing or disagreeing with the Findings and Conclusions.

**Recommendation 86:**

The City of Fresno continue to fund one million dollars each year for Elkhorn.

**Response to Recommendation 86:**

The City will not implement the recommendation, as stated. The City of Fresno's position is to continue the present commitment to fund the Elkhorn Correctional Facility (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. The City recognizes that as long-term solutions to Juvenile Hall expansion is still several years away, it is 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 City Council on a variety of grounds; future City-County agreements may require the need to revisit future funding; a future City 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.

## Police Department

### **TRAFFIC ENFORCEMENT AND RELATED ISSUES**

#### Response to Findings:

The City agrees with the Findings A, B, C, D, E, F, G, H, I, K, L, and M

The City disagrees with Finding J. The disagreement is made on the basis that the Police Department's original compliment of 22 traffic enforcement officers has increased to 42 traffic officers as of July 2003. Part of their duties include participating in school events from elementary to high school level. Events include, but are not limited to, "Seat-belt Challenges, Reality Checks, and Every 15 Minutes" Programs.

#### Response to Conclusions:

The City agrees with Conclusion C, D, and F.

The city disagrees with Conclusions A, B, and E. The disagreement with Conclusions A and B is due to the fact that the Police Department's original compliment of 22 traffic enforcement officers has increased to 42 traffic officers as of July 2003. Part of their duties include participating in school events from elementary to high school level. Events include, but are not limited to, "Seat-belt Challenges, Reality Checks, and Every 15 Minutes" Programs.

The City disagrees with Conclusion E due to the fact that the Department has initiated a number of educational programs directed primarily at the high school level that include the traditional programs such as the Every 15 Minutes program, Reality Check operation, etc. The Department has also included some non-traditional programs such as "Live Theater," anti-DUI programs aimed towards the Hispanic and Southeast Asian communities.

#### Recommendation 87:

The Fresno City Police Department allocate more police officers to traffic safety enforcement and related education activities.

#### **Response to Recommendation 87:**

The City implemented Recommendation 87. The Department's original compliment of 22 traffic enforcement officers has increased to 42 traffic officers as of July 2003. Part of their duties include participating in school events from elementary to high school level. Events include, but are not limited to, "Seat-belt Challenges, Reality Checks, and Every 15 Minutes" Programs.

Recommendation 88:

The Fresno City Police Department continue to compile statistics which will provide additional information to determine the effectiveness of "Red Light" cameras.

**Response to Recommendation 88:**

The Department does make use of the Information Services Bureau to track the number of traffic events to better manage our resources. A traffic sergeant currently is in charge of the "Red Light" camera program.

Recommendation 89:

The Fresno Police Department, in compliance with the 2002 revenue sharing agreement on traffic fines and forfeitures between the City and County of Fresno, use a portion of its revenues for traffic education activities.

**Response to Recommendation 89:**

The Department has initiated a number of educational programs directed primarily at the high school level that include the traditional programs such as the Every 15 Minutes program, Reality Check operation, etc. The Department has also included some non-traditional programs such as "Live Theater," anti-DUI programs aimed towards the Hispanic and Southeast Asian communities.

Recommendation 90:

The County and City of Fresno assist the traffic court in an effort to expedite the processing of traffic citations.

**Response to Recommendation 90:**

The City has implemented Recommendation 90. The Department has supplied four (4) additional input clerks to address the increased workload caused primarily by the Department's Traffic Officers. Paperless electronic citations are currently being developed to further reduce the court's workload.

Recommendation 91:

All Fresno County school districts comply with the California Education Code by requiring that high schools in the districts offer a driver education course as part of their curriculum.

**Response to Recommendation 91:**

The City has no authority to implement Recommendation 91. The Fresno Police Department disagrees that police departments should ensure compliance. The Department has no control over the school district's curriculum but does support driver education courses being provided to all eligible students.

## Transportation Department

### **FRESNO YOSEMITE INTERNATIONAL AIRPORT CONCOURSE EXPANSION PROJECT**

Response to Findings and Conclusions:

The City agrees with the Findings and Conclusions.

#### Recommendation 92:

The City adopt a new bidding procedure for selection of low bidders on projects requiring competitive bidding.

#### **Response to Recommendation 92:**

The City has implemented Recommendation 92 with a change to the bidding process, which became effective May 24, 2000.

The following is a summary of how this recommendation was implemented:

As a result of an appeal that occurred to the bid opening for the Air Terminal Expansion project, the following language was added to the bid specifications on the Notice inviting bids, "Bid Proposals must be filed with the Purchasing Manager prior to the bid opening at 3:00 p.m." And in the first paragraph of the Instructions to Bidders, "Bids received at 3:00 p.m. or after will not be accepted." Based on this language, a time clock indicating seconds is not needed. Bids time stamped "3:00 p.m." or later are not accepted.

#### Recommendation 93:

The City involve the Public Works Department much more intimately in the connection with major construction projects within the City, including hiring specialists for such projects, instead of contracting with consultants for overall management.

#### **Response to Recommendation 93:**

The City has implemented Recommendation 93. The following is a summary of how this recommendation was implemented:

The City, as Owner, is an active and knowledgeable participant in all major projects. Current management practice is to include Public Works Capital Management Division in all major projects. This practice provides a more intimate connection with major construction projects within the City, which includes the hiring of specialists for such projects.

Recommendation 94:

The City carefully monitor possible conflicts of interest of parties involved in City projects.

**Response to Recommendation 94:**

The City has implemented Recommendation 94. The following is a summary of how this recommendation was implemented:

The City's practice is to require a Conflict of Interest Statement (Conflict Disclosure Form) on all project submittals. Consultants have an ongoing duty to inform the City of any change in conflict disclosure during the life of the agreement. Section 4, Conflict of Interest Issues, [http://www.fresno.gov/city/staff/Attorney/law guidebook/law guide.asp](http://www.fresno.gov/city/staff/Attorney/law%20guidebook/law%20guide.asp).

A strict interpretation of the specifications of the contract allowed for Parsons Brinckerhoff (PB) to perform both duties of Construction Manager and City Engineer. The City removed the duties of City Engineer from PD on May 1, 2002, which were then transferred to City Staff.

Recommendation 95:

The City aggressively pursue its claims for liquidated and other damages.

**Response to Recommendation 95:**

City agrees with Recommendation 95, and is proceeding in its pursuit of claims for liquidated and other damages by retaining an expert special counsel who is working with City staff.

## **TRANSIT CONSOLIDATION**

### **Response to Findings:**

The City of Fresno agrees with the Grand Jury findings A through J with regard to the consolidation of transit services, but would offer the following clarifications. Concerning the revenues derived from passenger fares; transit providers operating within an urbanized area are required to recoup 20% of their operating costs through passenger fares or other local revenues in order to qualify for state funding (Transit Development Act). Rural transit operators, such as the Fresno County Rural Transit (FCRTA), are required to recover, at a minimum, 15% of the operating costs in order to qualify for state funding. The farebox recovery for FAX in FY03 was 32%.

With regard to Finding J, there will be some challenges associated with the consolidation of transit services as it relates to transit employees, but the Grand Jury is correct in that most of these issues are not insurmountable and can be resolved through the "meet and confer" process. Because Fresno County Rural Transit Agency (FCRTA) and Fresno Area Express (FAX) are recipients of federal transit funding, both agencies must comply with federal regulations that provide mass transit employees with certain levels of protection. A transit agency's ability to receive federal funding is predicated on receiving approval by the affected bargaining units, which is coordinated through the Department of Labor (DOL). Therefore, the formation of a new entity, whether a transit district or JPA, would require new 13c Agreements with the affected labor unions in order for such an entity to receive federal funding.

### **Response to Conclusions:**

The City of Fresno agrees with the conclusions of the Grand Jury regarding the formation of a transit district that includes the oversight of public and school transportation services.

### **Recommendation 96:**

The Council of Fresno County Governments and affiliated agencies continue their discussions directed toward consolidation of the transit services in the county, and that those discussion specifically include school buses.

### **Response to Recommendation 96:**

The City of Fresno has implemented Recommendation 96. The City of Fresno's Best Practices Committee is currently developing a list of items that would be needed in order to form a transit district or Joint Powers Authority (JPA). On January 28, 2003, the Fresno City Council also directed staff to pursue, through the Council of Fresno County Governments (COFCG), a study that would analyze the benefits of either a transit district or a JPA. The COFCG included such a study in its Overall Work Program and is currently in the process of submitting a grant application to Caltrans that will be used to fund such a study.



Recommendation 97:

A transit district, rather than a Joint Powers Authority, be formed in the interests of efficiency in management, cost effectiveness, and to better serve the environmental needs of the Valley in the future.

**Response to Recommendation 97:**

Recommendation 97 requires further analysis. As indicated in the Grand Jury Finding I, contained on page 68, the formation of a transit district will require voter approval. The information provided through either the City's Best Practices Committee and/or the Council of Fresno County Governments (COFCG) will include information pertaining to issues such as Board structure, revenue sharing, tax authority, etc. It is anticipated that the COFCG study will be completed within 12 months from the publication date of the Grand Jury report.

Recommendation 98:

The transit district include areas outside the County, such as portions of Madera County.

**Response to Recommendation 98:**

The City has not yet implemented Recommendation 98, but it will be subject to further review and discussion once the COFCG study is completed.

Recommendation 99:

The Board of Directors of the Council of Fresno County Governments appoint a transportation expert to organize and promote a new county-wide transit district.

**Response to Recommendation 99:**

The City of Fresno can not implement Recommendation 99, but concurs with this recommendation and will encourage the County of Fresno's Council of Fresno County Governments (COFCG) to complete its study and facilitate the implementation of the Grand Jury's findings as soon as possible.

**Public Works Department**

**JOINT JURISDICTIONAL STREETS BETWEEN COUNTY AND CITY OF FRESNO**

Response to Findings:

The City agrees with Findings A, B, C, E, F, and G.

The City partially disagrees with Finding D. Currently, approximately 85 miles of roadways require joint maintenance.

Response to Conclusions:

The City agrees with the Conclusions.

**Recommendation 100:**

The City and County of Fresno enter an agreement that addresses the maintenance of joint jurisdictional streets to replace the terminated Agreement.

**Response to Recommendation 100:**

The City has begun to implement Recommendation 100. Staff has met with the County and agreed to pursue a new agreement. Both agencies have agreed that the joint jurisdiction streets will be roughly divided in half, and the responsible agency will perform agreed upon maintenance for the entire street width. Anticipated time frame to complete the agreement is six (6) months.

**Recommendation 101:**

When a development would otherwise create a joint jurisdictional street, the City of Fresno consider annexation of the entire street.

**Response to Recommendation 101:**

Recommendation 101 requires further analysis. The City will include this discussion as part of the agreement discussions.

**Recommendation 102:**

Joint projects, not otherwise defined as maintenance, should continue to be performed under separately negotiated agreements between City and County of Fresno.

**Response to Recommendation 102:**

Recommendation 102 is a continuance of a current practice as noted in Finding F.

**SECTION II**  
**FRESNO COUNTY COMMITTEE**

---

**THE FRESNO COUNTY  
CORONER-PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN**

**Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that:

35. Construction of a new Coroner's Office, morgue, and autopsy suite be given top priority by the Fresno County Board of Supervisors.

**Fresno County's Response to Recommendation #35:** Fresno County agrees with the findings relating to the inadequacy of the existing Coroner facility. The recommendation has been implemented. On March 11, 2003, the Board of Supervisors approved the establishment of a capital project for a new Coroner-Public Administrator/Public Guardian facility. In addition, on May 20, 2003, the Board of Supervisors approved the selection of Kaplan McLaughlin Diaz to prepare the needs assessment, space program, and schematic design for the new facility. Completion of the needs assessment, space program, and conceptual design is scheduled for presentation to the Board of Supervisors in December 2003. The County has also selected a Real Estate firm to conduct a search for potential sites for the new facility upon completion of the space program. To date, a total of \$1,300,000 has been appropriated for the project.

36. Violations cited by CAL/OSHA be promptly corrected.

**Fresno County's Response to Recommendation #36:** Fresno County partially disagrees with the finding that a CAL/OSHA inspection resulted in a finding of multiple violations. Only one condition noted by CAL/OSHA was considered a violation of health and safety standards. In response, a Bloodborne Pathogen Exposure Control Policy was written and approved by CAL/OSHA. The recommendation has been implemented.

37. The Offices of Coroner and Public Administrator/Public Guardian be separated.

**Fresno County's Response to Recommendation #37:** The County of Fresno agrees with the findings related to the duties of the Public Administrator and Public Guardian (PA/PG). The recommendation will not be implemented, as a separation of the Coroner-PA/PG offices may negatively impact service delivery and is fiscally unjustified. The relationship between the office of the Coroner and the PA/PG is common throughout the State of California. The offices were established as separate elective offices under the Fresno County Charter, but were later combined through resolutions by the County Board of Supervisors as being in the County's best interest. The combination of these functional areas provides direct benefits to consumers and taxpayers. Common staffing provides a continuity of related services and allows for a redistribution of resources within the offices as workload fluctuations occur, helping to ensure uninterrupted service delivery. These staffing efficiencies may be lost if the offices are separated or combined with other County departments. Taxpayers benefit from reduced costs of having one elected official managing both offices, thereby minimizing overhead and administrative costs.

The current Coroner-Public Administrator/Public Guardian assumed the office in January 2003 and began an internal review of processes to maximize efficiencies within both offices. Any viable alternative methods of organizing the offices of the Coroner or PA/PG, resulting from this internal review, will be presented to the Board of Supervisors.

38. The Fresno County Charter be amended to eliminate the office of Coroner, and an office of Medical Examiner be created and filled.

**Fresno County's Response to Recommendation #38:** The County of Fresno disagrees with the finding that many counties in California have eliminated the office of Coroner and have substituted a system requiring the appointment of a licensed Medical Examiner in place of the Coroner. The recommendation will not be implemented. Only four counties in California have Medical Examiner systems, all of which have been in place for many years. At this time, the Fresno County office of Coroner is adequately staffed with two full-time licensed Forensic Pathologists conducting all medical examinations and identifying the cause of death. The Coroner then reviews these findings and upon certifying the manner of death, signs the death certificate. There is insufficient evidence to support an action to amend the Fresno County Charter.

39. The Coroner-Public Administrator/Public Guardian provide a technically advanced system for control of all inventoried properties.

**Fresno County's Response to Recommendation #39:** Fresno County agrees with the finding that property storage rooms are now more organized than in the past. The recommendation requires further analysis to determine if inventory control capability can be provided within the framework of the current case management program. A determination will be made by December 31, 2003.

40. The Coroner-Public Administrator/Public Guardian provide a technically advanced system for control of all files and autopsy specimens.

**Fresno County's Response to Recommendation #40:** Fresno County agrees with the findings regarding the need for additional space and controls for files and specimens. The recommendation has been implemented with the installation of a new computer system in the Coroner Division.

41. The Coroner-Public Administrator/Public Guardian dispose of all files and autopsy specimens not required by law to be maintained.

**Fresno County's Response to Recommendation #41:** Fresno County agrees with the finding that old files and specimens are still being stored. The recommendation requires further investigation of legal and evidence matters related to retention. Until the investigation is complete, no items will be disposed of. Office clean-up measures have been implemented to organize record and material storage, and the proper disposal of tissue specimens is being explored through contracted services.

42. The Coroner-Public Administrator/Public Guardian dispose of all unclaimed bodies in the morgue without delay.

**Fresno County's Response to Recommendation #42:** Fresno County agrees with the findings regarding the disposition of unclaimed bodies. The recommendation has been implemented. Court-ordered delayed death certificates have been obtained for all individuals deceased longer than one year enabling proper disposition. New policies and procedures have been implemented to prevent any recurrence of past practices.

**Fresno County Coroner-Public Administrator/Public Guardian's Response to Recommendations #35 - #42:**

See Page 43.

## FRESNO IRRIGATION DISTRICT

### **Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that:

43. No assignments of certificates of sale of delinquent properties be made by the Fresno Irrigation District.
44. The Fresno County Auditor-Controller/Treasurer-Tax Collector assume billing and collection of all assessments by Fresno Irrigation District and management of any delinquency sales of property.

**Fresno County's Response to Recommendation #44:** Fresno County agrees with the finding that the Auditor-Controller/Treasurer-Tax Collector (Auditor) has legal authority and is able to perform billing and collection services for the Fresno Irrigation District (District) for a reasonable charge. The recommendation has been implemented. The Auditor agreed to place the District assessments on the tax roll for Fiscal Year 2003-04. The District will remunerate one-fourth of one percent of the total assessments collected to the Auditor for these services. The Auditor will also assume the responsibility for the sale of property due to non-payment of taxes related to Fiscal Year 2003-04 and future years.

**Fresno Irrigation District's Response to Recommendations #43 - #44:**

See Page 48.

**Fresno County Auditor-Controller/Treasurer-Tax Collector's Response to Recommendation #44:**

See Page 51.

## FRESNO COUNTY FIRE PROTECTION DISTRICT

### Recommendations

The 2002-2003 Fresno County Grand Jury recommends that:

45. The Fresno County Board of Supervisors support the special fire districts in the County.

**Fresno County's Response to Recommendation #45:** Fresno County agrees with the findings that the Fresno County Fire Protection District is the largest fire district in Fresno County; that the district provides fire protection to most residents of the unincorporated areas of Fresno County and to some incorporated cities; that district fire stations are approximately 12 miles apart with 8 to 12 minute response times; and, that the Fresno County Fire Protection District is one of five special districts that provide fire protection for County residents.

The recommendation has been implemented in that the Board of Supervisors continues to be supportive of the special fire districts, as well as all fire protection service providers, in Fresno County. In addition to the Board-sponsored Countywide fire protection study completed earlier this year, the County's legislative platform includes support for legislation to establish an adequate revenue base for fire protection districts, including a return of property taxes that were transferred to the State through the Educational Revenue Augmentation Fund (ERAF), while not harming those fire protection districts receiving funds through this program. The Fresno County Fire Protection District, in particular, loses a significant portion of its property tax allocation as a result of ERAF.

46. The Fresno County Board of Supervisors implement a plan to qualify Fresno County Fire Protection District and other fire districts within the County to receive Proposition 172 funds, as approved by California voters in 1993.

**Fresno County's Response to Recommendation #46:** Fresno County agrees with the finding that the County has not provided Proposition 172 funds to the Fresno County Fire Protection District. The recommendation will not be implemented. The Fresno County Board of Supervisors does not have the legal authority to distribute Proposition 172 funds to the Fresno County Fire Protection District or any of the other fire protection districts in Fresno County. This conclusion is based on a legal opinion by County Counsel, provided in a Board Legal Report dated January 22, 2003, and released as a public document, concluding that the Fresno County Fire Protection District ('District') "does not qualify for Prop. 172 funds under the Local Public Safety Protection & Improvement Act of 1993" and that the Board of Supervisors "does not have discretionary authority to allocate Prop. 172 funds to the District". While this legal opinion was for the specific case of the Fresno County Fire Protection District, its conclusions extend to the other four fire protection districts within Fresno County.

47. The Fresno County Board of Supervisors authorize and allocate developer impact fees for fire districts in the County.

**Fresno County's Response to Recommendation #47:** Fresno County agrees with the finding that the County does not have a developer impact fee for fire protection. The recommendation has not yet been implemented; however, recommendations on implementation measures will be taken to the Board of Supervisors within the next six months. One of the recommendations resulting from the Board-sponsored Countywide fire protection study completed earlier this year was to provide County authority for fire protection districts to collect development impact fees for new construction within their respective districts. County staff is currently evaluating the feasibility of implementing a developer impact fee for fire protection districts throughout unincorporated Fresno County.

48. The boards of the fire districts in the County develop a plan to consolidate all districts into one district with one administration.
49. The Fresno County Fire Protection District re-establish full time staffing of the Riverdale Fire Station.

**Fresno County Fire Protection District's Response to Recommendations #48 - #49:**

See Page 53.



## SECURITY OF FRESNO COUNTY BUILDINGS

### Recommendations

The 2002-2003 Fresno County Grand Jury recommends that:

50. A complete and thorough security survey be conducted by either the Fresno County Sheriff or the United States Marshals Service.

**Fresno County's Response to Recommendation #50:** Fresno County agrees with the findings that the Sheriff and the Marshals Service are capable and willing to perform security reviews of County facilities. The recommendation has not been implemented; however, Fresno County's General Services Security conducts security surveys of County facilities on a routine basis. General Services Security will continue to work with the Sheriff's Department to review all Fresno County security needs.

51. Based upon the findings of the security review, a new management directive on work site security be written and issued by the County of Fresno.

**Fresno County's Response to Recommendation #51:** Fresno County agrees with the finding that the current Management Directive concerning Work Site Security is outdated. The recommendation will be implemented by February 1, 2004. The Management Directives are being revised and will be submitted for approval and issuance by the County Administrative Office.

52. The County of Fresno place and monitor security cameras in appropriate locations in County garages and buildings.

**Fresno County's Response to Recommendation #52:** Fresno County partially disagrees with the finding that security cameras in County facilities are virtually nonexistent. During the past year, the County has placed security cameras in and around various County facilities. The newly remodeled Heritage Center has a state-of-the-art security camera system that monitors the interior and exterior of the facility. Cameras have been installed at the County Plaza Building, with additional cameras scheduled to be placed in the Plaza Garage. The recommendation will be implemented and the County will continue to add security camera systems to facilities depending upon security need and financial ability.

53. Access gates be placed at all entrances to the Plaza Garage where none currently exist.

**Fresno County's Response to Recommendation #53:** Fresno County agrees with the finding that one of the two entrances to the Plaza Garage contains a restrictive gate and that the gate is not utilized during business hours. The recommendation requires further analysis prior to implementation. The Plaza Garage is available for use by the 24-hour County operations housed in the Plaza Building, as well as during the evenings and on weekends for functions held in the Plaza Ballroom. An evaluation will be completed by February 1, 2004, to determine the appropriateness, cost, and feasibility of installing gates at the Plaza Garage.

54. Pedestrian access into the Plaza Building and the Hall of Records be restricted to only one entrance into and one exit door from each building and both buildings be closely monitored by security personnel.

**Fresno County's Response to Recommendation #54:** Fresno County agrees with the findings regarding entrances and the presence of security officers in the Plaza Building and Hall of Records. The recommendation will not be implemented. The Plaza Building and the Hall of Records are public facilities, accessed by hundreds of people daily to conduct business with the County. Restricting or reducing access to these facilities is not in the best interest of the citizens of Fresno County. The County will be increasing the use of video camera surveillance of these facilities, which will enhance security. General Services Security will continue to monitor the public within these facilities with routine security patrols throughout the normal business day. The Hall of Records has been equipped with the "Hirsch" access control system, which eliminates public access to the facility outside of the normal business day, thus significantly increasing the safety and security of County staff. This system is scheduled to be installed at the Plaza Building during the current fiscal year. Additional security measures will be implemented as warranted.

55. A management directive be issued making it mandatory that all County employees wear identification badges in the work place.

**Fresno County's Response to Recommendation #55:** Fresno County agrees with the findings that County employees are issued identification badges, however, there is no uniform compliance regarding the use of employee identification badges. The recommendation will be implemented by February 1, 2004. The requirement for all employees to wear identification badges in the workplace will be included in the revised Management Directives relating to General Services Security (as noted in #51 above).

56. Fresno County Board of Supervisors increase security for the safety of all employees and the public, and for the protection of the facilities of Fresno County.

**Fresno County's Response to Recommendation #56:** Fresno County agrees with the finding regarding the responsibility for security patrol of all County facilities. The recommendation has been implemented. In addition to the enhanced security measures outlined above, General Services Security will continue to evaluate security needs and make recommendations as necessary.

57. The 2003/2004 Fresno County Grand Jury continue to monitor the progress of the implementation of security improvements throughout the County of Fresno.

See Appendix A.



# County of Fresno

LORALEE H. CERVANTES  
PUBLIC ADMINISTRATOR – CORONER  
OFFICE OF PUBLIC ADMINISTRATOR – CORONER – PUBLIC GUARDIAN

September 10, 2003

RECEIVED

SEP 12 2003

ADMINISTRATIVE OFFICE

Fresno County Board of Supervisors  
Chairman Juan Arambula  
Supervisor Susan Anderson  
Supervisor Judy Case  
Supervisor Bob Waterston  
Supervisor Phil Larson  
Hall of Records, third Floor  
2281 Tulare Street  
Fresno, CA. 93721

Dear Board Members:

Enclosed for each of you is a copy of my responses to the 2002-2003 Fresno County Grand Jury recommendations related to the Fresno County Public Administrator/ Coroner – Public Guardian's Office. As you will see I have addressed the Grand Jury's recommendations one by one.

Should you have any questions regarding my responses, I would look forward to discussing them with you.

Sincerely,

Lorelee H. Cervantes  
Coroner – Public Administrator/Public Guardian

cc: Vicki Samarin, Interim Deputy Co. Administrative Officer

760 West Nielsen Avenue / Fresno, California 93706  
Telephone: Public Administrator (559) 268-0139  
Coroner (559) 268-0109  
Public Guardian (559) 268-0139

Equal Employment Opportunity – Affirmative Action – Disabled Employer



# County of Fresno

LORALEE H. CERVANTES  
PUBLIC ADMINISTRATOR – CORONER  
OFFICE OF PUBLIC ADMINISTRATOR – CORONER – PUBLIC GUARDIAN

September 10, 2003

The Honorable Brad R. Hill  
Presiding Judge of the Fresno County Superior Court  
1100 Van Ness Avenue  
Fresno, CA. 93721

Dear Judge Hill:

The following are my responses as Fresno County Coroner-Public Administrator/  
Public Guardian to the findings and recommendations of the 2002-2003 Grand  
Jury.

***Recommendation 35: Construction of a new Coroner's Office, morgue and  
autopsy suite be given top priority by the Fresno County Board of  
Supervisors.***

The Board of Supervisors along with County Management has made the  
construction of a new facility a top priority. A team made up of members of the  
Public Administrator/Coroner and Public Guardian's Office, Fresno County Public  
Works and the County Administrative Office has formed and we are working well  
through Phase One of the building project which should be complete in mid -  
October. Talks regarding the development of a new facility started in mid-  
February, approximately six weeks after the change in department management.

760 West Nielsen Avenue / Fresno, California 93706  
Telephone: Public Administrator (559) 268-0139  
Coroner (559) 268-0109  
Public Guardian (559) 268-0139

***Recommendation 36: Violations cited by CAL/OSHA be promptly corrected.***

The deficiencies identified by the two CAL/OSHA inspectors visiting the PA/Coroner – PG's office on 1/22/2003 and noted in "Information Memorandums" issued 3/18/2003, have been or are in the process of being rectified. It was clear in the notices issued by CAL/OSHA that the conditions noted were not yet considered violations of health and safety standards with the exception of one. A "Citation and Notification of Penalty" was issued 3/18/2003 for a violation due to a lack of an Exposure Control Plan. A Bloodborne Pathogen Exposure Control Policy was specifically written for this department by staff and approved of by CAL/OSHA; the fine was paid in a timely manner.

***Recommendation 37: The Offices of Coroner and Public Administrator/ Public Guardian be separated.***

I strongly disagree with this recommendation. There are no findings to support this move. In many ways the Coroner and the Public Guardian connect with the Public Administrator as work flows from one division to the other. Both the Coroner and the Public Administrator serve a deceased public. The Public Guardian serves a living public but when life ends, often the issues addressed for the living pass through the Coroner to the Public Administrator for final settlement and distribution. With the correct department management and leadership, the divisions complement each other in the services provided and the information shared. All divisions provide at their base an investigative function with the Public Administrator and Public Guardian complemented by a financial management component. As a group of three somewhat small, yet inter-related divisions the Public Administrator/ Coroner and Public Guardian have the daily opportunity to add dignity, respect and protection to their client base whether they be alive or deceased. Separated and moved into larger organizations, these small yet extremely effective divisions would soon become overpowered and with the exception of the Coroner function, unrecognizable.

***Recommendation 38: The Fresno County Charter be amended to eliminate the office of Coroner, and an office of Medical Examiner be created and filled.***

The finding supporting this recommendation, that "many counties in California have eliminated the office of coroner and have substituted a system requiring the appointment of a licensed medical examiner in place of a coroner" is untrue. Of 58 counties in California, only four are Medical Examiner systems and have been

for many years. The trend statewide over the past dozen years has been to recombine Coroner's offices into Sheriff - Coroner systems of which forty-four counties exist in this combination, some with the Public Administrator included in the combination as well.

***Recommendation 39: The Coroner-Public Administrator/Public Guardian provides a technically advanced system for control of all inventoried properties.***

This recommendation will be investigated within the case management framework of the Computrust program currently being used in the Public Administrator and Public Guardian to manage estate assets. Additional enhancements to the program are being offered by the program developer. These options can be explored to determine whether they provide inventory control capability.

***Recommendation 40: The Coroner – Public Administrator/ Public Guardian provide a technically advanced system for control of all files and specimens.***

This capability exists in the new Coroner – Medical Examiner computer system recently installed for use in the Coroner Division. The Division is daily working with the system to refine its capabilities to suit the needs of Fresno County. Other counties using this same computer program have found that major modifications have had to be made to make all its features useful.

***Recommendation 41: The Coroner- Public Administrator/Public Guardian dispose of all files and autopsy specimens not required by law to be maintained.***

With new leadership and management in the office clean-up measures are being pursued in all areas of record and material storage, but nothing will be disposed of until legal and evidence matters related to their retention are thoroughly investigated. The Public Administrator/ Coroner – Public Guardians Office is currently exploring through existing purchasing contracts a biohazard and tissue disposal contract for the proper disposal of the tissue specimens.

***Recommendation 42: The Coroner -Public Administrator/ Public Guardian dispose of all unclaimed bodies in the morgue without delay.***

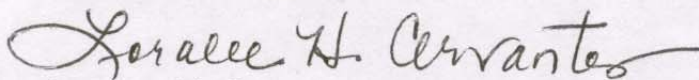
Many of the bodies located in the morgue upon my taking of office received proper disposition early on because necessary paperwork was recoverable or

timelines for disposition without a court order had not yet passed. Court ordered delayed death certificates have been obtained for those individuals who have been deceased longer than one year enabling me to provide for proper disposition. Policies and procedures have been written and personnel are in place to prevent this type of neglect from recurring.

In general the review of the Public Administrator/ Coroner – Public Guardian's Office by the Grand Jury occurred across two department administrations, with the prior administration of approximately 24 years ending on January 6, 2003 at noon and the new administration taking office on that same date.

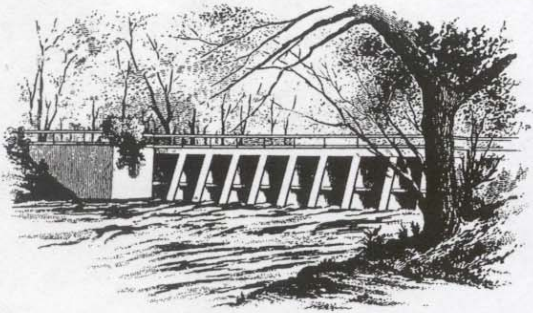
This concludes my comments on the recommendations of the Grand Jury for the year 2002-2003. Thank you for your consideration.

Respectfully submitted,



Lorelee H. Cervantes  
Fresno County Coroner-  
Public Administrator/Public Guardian

cc: Vicki Samarin, Interim Deputy County Administrative Officer  
Board of Supervisors



Your Most Valuable Resource - Water

OFFICES OF  
**FRESNO**  
**IRRIGATION DISTRICT**

PHONE (559) 233-7161  
FAX (559) 233-8227  
2907 SOUTH MAPLE AVENUE  
FRESNO, CALIFORNIA 93725-2218

August 29, 2003

Fresno County Grand Jury  
1100 Van Ness Avenue, Room 102  
Fresno, CA 93721

Re: Response to Grand Jury Report Regarding Fresno Irrigation District

Honorable Brad R. Hill:

Thank you for the opportunity to respond to the Report of the Grand Jury regarding the delinquent assessment collection practices of the Fresno Irrigation District.

It is not necessary for the District to respond to your conclusions with respect to the intent of the legislature when enacting provisions of the California Water Code, which authorize irrigation districts to assign certificates of sale for properties with delinquent assessments. The California Legislature this year passed Senate Bill 10 carried by State Senator Chuck Poochigian. This Bill repealed the provisions of Water Code Section 26134. Thus, effective January 1, 2004, districts will not be able to assign certificates of sale as previously authorized by the California Water Code. The Fresno Irrigation District actively supported Senate Bill 10 and provided assistance to Senator Poochigian in marshalling the legislation through the California Legislature.

The District has also adopted a resolution and entered into an agreement with the County of Fresno to provide assessment collection services for the District as authorized by the California Water Code. This transition has been completed and from this point forward the Fresno Irrigation District will no longer be involved in directly assessing property served by its water conveyance systems. These services will be provided by the County of Fresno as part of the normal tax collection process.

Once again, on behalf of the Fresno Irrigation District I want to thank the Grand Jury for its thoughtful and objective analysis of the procedures utilized by the Fresno Irrigation District.

Sincerely,

FRESNO IRRIGATION DISTRICT

Gary R. Serrato  
General Manager



**RESOLUTION NO. 2003-15**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE FRESNO IRRIGATION DISTRICT FOR  
AUTHORIZING THE EXECUTION OF A CONTRACT  
WITH FRESNO COUNTY FOR THE  
COLLECTION OF DISTRICT ASSESSMENTS**

**WHEREAS**, the Fresno Irrigation District Board of Directors accepts the contract terms offered by Fresno County to process and collect assessments for the District; and

**WHEREAS**, acceptance of these terms include service fees charged by Fresno County in the amount of  $\frac{1}{4}$  of 1% of assessments collected; and

**WHEREAS**, the District dispenses with the office of Assessor/Collector as required under the California State Water Code; and

**WHEREAS**, the District transfers the duties of Assessor/Collector to Fresno County in which the lands within the district are located; and

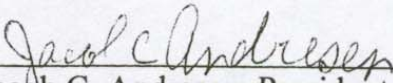
**WHEREAS**, lands subject to sale for unpaid assessments shall be declared tax defaulted.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of Fresno Irrigation District that it approves adopting a contract for collection of District assessments with the County of Fresno.

The Board of Directors direct staff to deliver a certified copy of its Resolution accepting the County's contract for services along with a boundary map and a statement identifying special zones therein and the rate of taxation to be levied therefore to:

Clerk of the Board of Supervisors  
County Assessor  
County Auditor  
State Board of Equalization

**PASSED AND ADOPTED** at a regular meeting of the Board of Directors of Fresno Irrigation District on June 25, 2003.

  
\_\_\_\_\_  
Jacob C. Andresen, President

I, GARY SERRATO, Secretary of the Fresno Irrigation District hereby certify that the Board of Directors at a regular meeting on June 25, 2003 adopted the foregoing Resolution by the following roll call vote:

President Andresen  
Vice-President Niederfrank  
Director Boswell  
Director Dangaran  
Director Neely

  
\_\_\_\_\_  
Gary Serrato, Secretary



# County of Fresno

VICKI CROW, C.P.A.

AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

September 15, 2003

The Honorable Brad Hill  
Presiding Judge  
California Superior Court, Fresno County  
1100 Van Ness Ave., Dept. 20  
Fresno, CA 93721

**RE: Response to the 2002-2003 Grand Jury Final Report - Fresno Irrigation District**

Dear Judge Hill:

The Auditor-Controller/Treasurer-Tax Collector is referenced in Recommendation #44. The following is the Auditor-Controller/Treasurer-Tax Collector's official response to the above recommendation of the Grand Jury.


**FRESNO IRRIGATION DISTRICT**

- 44. The Fresno County Auditor-Controller/Treasurer-Tax Collector assume billing and collection of all assessments by Fresno Irrigation District and management of any delinquency sales of property.**

The Fresno County Auditor-Controller/Treasurer-Tax Collector (ACTTC) agrees with the finding that the ACTTC has legal authority and is able to perform billing and collection services for FID for a reasonable charge. The recommendation has been implemented; the ACTTC agreed to place the Fresno Irrigation District assessments on the tax roll for fiscal year 2003-04. The assessments will be due in two equal installments on December 10<sup>th</sup> and April 10<sup>th</sup>, respectively. The district will be apportioned taxes based on collections on or around January 15<sup>th</sup>, May 15<sup>th</sup>, and July 15<sup>th</sup>. The district will remunerate ¼ of 1% of the total assessments collected to the Auditor-Controller/Treasurer-Tax Collector for these services.

The Auditor-Controller/Treasurer-Tax Collector will also assume the responsibility for the potential sale of property due to non-payment of taxes related to fiscal year 2003-04 and for future years.

Sincerely,

A handwritten signature in cursive script that reads "Vicki Crow".

Vicki Crow, C.P.A.  
Auditor-Controller/Treasurer-Tax Collector

VC/fsl

Cc: Board of Supervisors  
Vicki Samarin, Interim Deputy County Administrative Officer



## FIRE PROTECTION DISTRICT

September 12, 2003

Vicki Samarin  
Fresno County Administrative Office  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, Ca. 93721

Steven K. Sunderland, Chief  
Fresno County Fire Protection District and  
Fig Garden Fire Protection District  
210 S. Academy Ave.  
Sanger, Ca. 93657

RECEIVED

SEP 22 2003

ADMINISTRATIVE OFFICE

Dear Ms. Samarin,

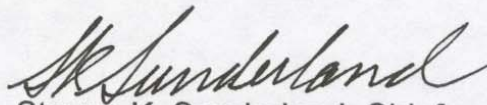
In reference to the Fresno County 2002-2003 Grand Jury Report please accept this as the fire district's response to recommendations numbered 48 and 49.

Recommendation 48 suggests, albeit in a remote sense, the fire districts in Fresno County have the authority to consolidate into one fire district. Indeed the boards of directors can plan for this event in the preparation sense, however the Board of Supervisors and LAFCo are the empowered government entities that will ultimately be required to act upon this recommendation. I have solicited opinion on the matter from the Chiefs of the three fire districts that are not cooperatively managed by virtue of a California Department of Forestry and Fire Protection contract. Until such time I receive the Chief's responses to the question of consolidation I will not be able to evaluate accurately the likelihood of this ever occurring.

Recommendation number 49 suggests the Fresno County Fire Protection District (Fire District) re-establish a presence in the Riverdale community. The Fire District Board of Directors elected to discontinue service in that part of the fire district out of economic and operational considerations. There is no plan to return to full time staffing at the Riverdale Fire Station.

The Riverdale Public Utility District (PUD) has the primary and legal responsibility to provide fire protection service to those residents in the Utility District and the PUD owns the fire station. As partial compliance with the recommendation Fire District staff has successfully negotiated terms for an Automatic Aid Fire Protection Service Agreement with the PUD whereby the PUD owned fire engine(s) will respond to areas outside of their boundary to assist the Fire District in fire and motor vehicle emergency incidents.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "S. Sunderland". The signature is written in a cursive style with a large initial "S".

Steven K. Sunderland, Chief  
Fresno County Fire Protection District and  
Fig Garden Fire Protection District

**SECTION III**

**EDUCATION, LIBRARY & YOUTH COMMITTEE**



## SCHOOL TRANSPORTATION IN FRESNO COUNTY

### Recommendations

The 2002-2003 Fresno County Grand Jury recommends that:

58. School districts in Fresno County take immediate steps toward consolidation of their transportation services wherever practicable.

#### **Alvina School District's Response to Recommendation #58:**

See Page 59.

#### **American Union School District's Response to Recommendation #58:**

No response to date.

#### **Big Creek School District's Response to Recommendation #58:**

No response to date.

#### **Burrel Union School District's Response to Recommendation #58:**

See Page 60.

#### **Caruthers Unified School District's Response to Recommendation #58:**

No response to date.

#### **Central Unified School District's Response to Recommendation #58:**

No response to date.

#### **Clay Joint School District's Response to Recommendation #58:**

No response to date.

#### **Clovis Unified School District's Response to Recommendation #58:**

See Page 61.

#### **Coalinga-Huron Joint Unified School District's Response to Recommendation #58:**

See Page 63.

#### **Firebaugh-Las Deltas Unified School District's Response to Recommendation #58:**

See Page 64.



**Fowler Unified School District's Response to Recommendation #58:**

See Page 65.

**Fresno Unified School District's Response to Recommendation #58:**

See Page 66.

**Golden Plains Unified School District's Response to Recommendation #58:**

See Page 67.

**Kerman Unified School District's Response to Recommendation #58:**

No response to date.

**Kings Canyon Unified School District's Response to Recommendation #58:**

See Page 68.

**Kingsburg Joint Union School District's Response to Recommendation #58:**

See Page 69.

**Laton Unified School District's Response to Recommendation #58:**

See Page 71.

**Mendota Unified School District's Response to Recommendation #58:**

No response to date.

**Monroe School District's Response to Recommendation #58:**

No response to date.

**Orange Center School District's Response to Recommendation #58:**

See Page 72.

**Pacific Union School District's Response to Recommendation #58:**

See Page 73.

**Parlier Unified School District's Response to Recommendation #58:**

No response to date.

**Pine Ridge School District's Response to Recommendation #58:**

No response to date.

**Raisin City School District's Response to Recommendation #58:**

No response to date.

**Riverdale Joint Unified School District's Response to Recommendation #58:**

See Page 75.

**Sanger Unified School District's Response to Recommendation #58:**

See Page 78.

**Selma Unified School District's Response to Recommendation #58:**

See Page 79.

**Sierra Unified School District's Response to Recommendation #58:**

See Page 80.

**Washington Colony School District's Response to Recommendation #58:**

No response to date.

**Washington Union School District's Response to Recommendation #58:**

No response to date.

**West Fresno School District's Response to Recommendation #58:**

See Page 81.

**West Park School District's Response to Recommendation #58:**

See Page 82.

**Westside School District's Response to Recommendation #58:**

No response to date.

59. Fresno County Office of Education be responsible for monitoring the progress of such consolidation.

**Fresno County Office of Education's Response to Recommendation #59:**

See Page 83.

60. The 2003/2004 Fresno County Grand Jury continue to monitor the progress of the consolidation of school transportation.

See Appendix A.

## **DRIVER EDUCATION IN FRESNO COUNTY HIGH SCHOOLS**

### **Recommendation**

The 2002-2003 Fresno County Grand Jury recommends that:

61. The Fresno County Office of Education insure that all high schools are in compliance with the existing law requiring that driver education be included in the curriculum during the school day.

### **Fresno County Office of Education's Response to Recommendation #61:**

See Page 83.



# ALVINA ELEMENTARY CHARTER SCHOOL DISTRICT

Bobby Dean Mullins, Jr. Superintendent/Principal

*A Tradition of Commitment to Excellence • Established in 1912*

RECEIVED

SEP 23 2003

ADMINISTRATIVE OFFICE

September 22, 2003

Fresno County Administrative Office  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93721  
Attention: Vicki Samarin

Dear Vicki,

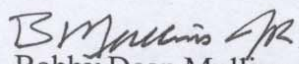
This letter is in response to the Fresno County 2002-2003 Grand Jury Report regarding Southwest Transportation and the Grand Jury's recommendation number 58.

Alvina Elementary School District is one of the five "charter" members of Southwest Transportation Agency.

We have been pleased with our transportation consolidation.

It has benefited our district to the extent of enabling more dollars to be kept in programs that directly benefit students.

Should you have further questions, please do not hesitate to contact me.

  
Bobby Dean Mullins, Jr.  
Superintendent

Cc: Kirk Hunter, Director of Southwest Transportation Services.

---

295 West Saginaw Avenue \* Caruthers, California 93609  
(559) 864-9411 \* FAX (559) 864-1808

C:\Documents and Settings\bmullins\Desktop\Letterhead Mullins.doc *Board of Trustees*

*David Hill \* Mark Sorensen \* Bill Yamamoto*

**Burrel Union Elementary  
School**

16704 S. Jameson  
Burrel Ca.93607  
Timothy J. Bybee  
Superintendent/Principal  
Phone 559-866-5634  
Fax 559-866-5280  
E-mail tbybee@fcoe.net  
Web Site: www.burrel.k12.ca.us

September 12, 2003

Fresno County Administrative Office  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93721  
Attention: Vicki Samarin

Subject: Comments on recommendation number 58.

To Whom It May Concern:

We are a district that contracts with Southwest Transportation Agency for all home-to-school transportation. Even with that contract, we will still be \$20,000 in the red on this year's transportation budget.

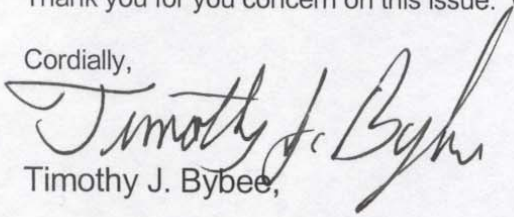
The facts are that all rural students must be transported to school and the State of California has unreasonable expectations on how this is to be accomplished. We do agree with all of the findings in Recommendation number 58.

We do not agree with recommendation 59 that states that FCOE should be responsible for monitoring the progress on school district consolidations. We believe in the autonomy of local districts and find it hard to support any move that results in loss of local control.

We also believe that the best way for the Grand Jury to support school transportation in the central valley is to undertake a study that compares rural school district transportation needs with those of urban districts. The state believes that we should be able to transport all students based on the same rate. The reality is that rural districts spend considerably more per student based on the number of miles traveled. These recommendations should be made available to our state legislators.

Thank you for your concern on this issue. We remain available for any further inquiries.

Cordially,



Timothy J. Bybee,

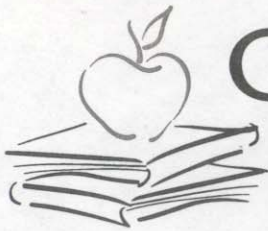
Superintendent/Principal

tb

**RECEIVED**

SEP 26 2003

ADMINISTRATIVE OFFICE



**CLOVIS**

**UNIFIED**  
SCHOOL DISTRICT

RECEIVED

SEP 29 2003

ADMINISTRATIVE OFFICE

1450 HERNDON AVENUE  
CLOVIS, CA 93611-0599  
559.327.9000  
www.clovisusd.k12.ca.us

September 25, 2003

Vicki Samarin  
Interim Deputy County Administrative Officer  
County of Fresno Hall of Records  
2281 Tulare Street, Room 304  
Fresno, California 94721

**GOVERNING BOARD**

Sandra A. Bengel  
Brian D. Heryford  
Ginny L. Hovseplan  
Richard Lake, C.P.A.  
Elizabeth J. Sandoval  
Jim Van Volkinburg, D.D.S.  
Susan M. Walker, D.H.Sc.

SUBJ: **2002-2003 Fresno County Grand Jury Report**

Dear Ms. Samarin:

Please be advised that we are in receipt of your letter dated September 17, 2003 requesting responses to Recommendation Nos. 58 and 91 of the 2002-2003 Fresno County Grand Jury Report.

Following please find our responses to each of the aforementioned recommendation numbers:

- **Recommendation No. 58** – *That school districts in Fresno County take immediate steps toward consolidation of their transportation services wherever practicable.*

We support the recommendation that school districts not just within Fresno County, but within our region, take immediate steps to consolidate transportation as well as other services that will result in reduced expenditures without affecting the quality of services provided to our students, employees and members of our community.

For the past several years, our district has provided transportation management services to the Sanger Unified School District. Although we did not employ any of the Sanger bus drivers, our staff administered and managed the Sanger transportation program. This program resulted in a reduction in our overhead costs and also reduced costs for Sanger Unified. Unfortunately, our contract was not renewed for the 2003-04 school year.

Since its unification, the Golden Valley Unified School District in Madera County has contracted with our district to provide transportation services to Golden Valley. Although we do not employ their bus drivers, we establish their bus routes, maintain their buses, and provide overall services to Golden Valley. This program has been beneficial to our district in that it has reduced our overhead costs. It has also been beneficial to Golden Valley in that Golden Valley has not had to construct maintenance facilities nor incur the cost of a management staff for its transportation services.

**ADMINISTRATION**

Terry Bradley, Ed.D.  
*Superintendent*  
Virginia R. Borls, Ed.D.  
*Associate Superintendent*  
Daniel E. Kaiser, Ed.D.  
*Associate Superintendent*  
William C. McGuire  
*Associate Superintendent*  
Janet L. Young, Ed.D.  
*Associate Superintendent*

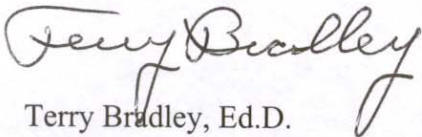
With the enactment of Assembly Bill 1419 (the anti-contracting bill that became effective January 1, 2002), it does not appear this recommendation is feasible in California at the present time. This legislation essentially prohibits school districts from contacting for services that have been traditionally performed by a school district. A major effort to overturn this legislation failed during the past legislative session. This legislation affects not only transportation consolidation but the consolidation of other services that could be beneficial to both large and small districts.

- **Recommendation No. 91** – *That all Fresno County school districts comply with the California Education Code by requiring that high schools in the districts offer a driver education course as part of their curriculum.*

The Clovis Unified School District offers a driver education course to students at all five high schools operated by our district. Driver education classes taught at our four comprehensive high schools (Clovis High School, Clovis West High School, Buchanan High School and Clovis East High School) are taught by teachers fully credentialed to teach driver education classes. The driver education class at our alternative education high school (Gateway High School) is currently being taught by a teacher who does not have a driver education credential; however, teachers in alternative education schools do not require a driver education credential.

Thank you for the opportunity to respond to the two recommendations of the Grand Jury that affect our school district. Please let me know if you have further questions or need additional information regarding these issues.

Sincerely,



Terry Bradley, Ed.D.  
Superintendent



# COALINGA-HURON UNIFIED SCHOOL DISTRICT

"Building Bright Futures"

657 Sunset Street  
Coalinga, CA 93210

(559) 935-7500  
Fax (559) 935-5329

October 1, 2003

Fresno County Administrative Office  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93721  
Attention: Vicki Samarin

*Board of Trustees:*

*Ramon J. Zubiri*  
President

*Eduardo Gonzalez*  
Vice President

*Sylvia Hunt*  
Clerk

*Aurelio Plasencia*  
Member

*Deborah Witt*  
Member

*Administration:*

*Pat H. Lewis, Ed.D.*  
Superintendent

*Saddie Nishitani, D.P.A.*  
Deputy Superintendent

*Glenston Thompson*  
Chief Business Officer

*Lillian Safrastian*  
Coordinator of  
Special Ed.

*Jim Reckas*  
Director of Maint./  
Oper. & Transp.

Subject: Response to the 20022003 Grand Jury Report  
Recommendation Numbers 58 and 91

## Response to Recommendation Number 58

The Recommendation has been explored, but not implemented.

The Coalinga-Huron Unified School District has a fleet of 22 busses and provides home to school transportation over 1100 square miles in Southwestern Fresno County. These miles include two canyons of 25 miles each that reach into Monterey and San Benito counties.

During the past year the district negotiated with Southwest Transportation exploring if there were savings to be gained by the District through joining Southwest. Although there is a savings to be gained for small districts who get a representative on the board of the JPA, it did not appear our district could save. We were refused representation through a seat on the board made up of the smaller district representatives.

A proposal from Southwest Transportation Agency, for management only, quoted the service at over \$110,000. The needed services included a person on site and computer assistance with management tools. Our budget did not allow us to make that kind of change this year.

The fact is that transportation is under-funded at a rate that has caused encroachment on the educational program since the early eighties. Every effort is made to look for an economical alternative.

## Response to Recommendation Number 91

The recommendation has been implemented.

The Coalinga Huron Unified School District offers driver education as part of the tenth grade requirements course. Each student has the opportunity to take driver education as part of their regular curriculum.

*Pat H. Lewis, Ed.D.*





# FIREBAUGH-LAS DELTAS UNIFIED SCHOOL DISTRICT

1976 MORRIS KYLE DR. • FIREBAUGH, CA 93622 • (559) 659-1476 • FAX (559) 659-2355

**JOHN W. WIGHT**  
Superintendent

**MARCO A. SIGALA**  
Assistant Superintendent

**MARIA CALDERON**  
Business Manager

## BOARD OF TRUSTEES

Glenn Holly, President

Oscar M. Sablan, Clerk

Gilbert F. Coelho, Member

Sean Howard, Member

Maurice L. Ledford, Member

October 1, 2003

Fresno County Administrative Office  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93721

Attn: Vicki Samarin

Dear Ms. Samarin,

The following is the Firebaugh-Las Deltas Unified School District response to the recommendations from the 2002-2003 Grand Jury Report filed on June 30, 2003:

### Recommendation #58

The Firebaugh-Las Deltas Unified School District will take immediate steps toward consolidation of their transportation services wherever practicable.

### Recommendation #91

The Firebaugh-Las Deltas Unified School District is in compliance with the California Education Code requiring Firebaugh High School to offer an driver education course as part of its curriculum.

If you have any questions, or need further clarification regarding the response to these recommendations, please contact me at (559) 659-1476.

Sincerely,

Violet L. Chuck  
Acting Superintendent

VLC/spr

*"Progress With Pride"*

"EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER"

RECEIVED

SEP 23 2003

ADMINISTRATIVE OFFI

658 E. Adams Avenue  
Fowler, CA 93625  
(559) 834-2591  
(559) 834-3390 (FAX)  
<http://www.fowler.k12.ca.us>

## Fowler Unified School District

Marshall School · Malaga School · Fremont School · Sutter Middle School · Fowler High School  
Casa Blanca Continuation/Opportunity School

September 22, 2003

Fresno County Administrative Office  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93721  
Attention: Vicki Samarin

Dear Ms. Samarin:

As per your letter dated September 17, 2003, I am responding, on behalf of Fowler Unified School District, to items 58 and 91 in your letter.

**Item 58:** The Fresno County Grand Jury recommends that school districts in Fresno County take immediate steps toward consolidation of their transportation services wherever practicable.

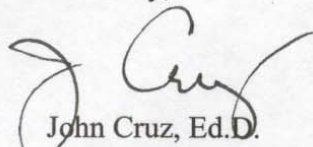
**Response:** The Fowler Unified School District would be willing to consider consolidation of transportation services with other Fresno County school districts.

**Item 91:** The Fresno County Grand Jury recommends that all Fresno County school districts comply with the California Education Code by requiring that high schools in the districts offer a driver education course as part of their curriculum.

**Response:** Fowler High School currently provides driver education in its Freshman Orientation course.

Thank you for the opportunity to respond.

Sincerely,



John Cruz, Ed.D.  
Superintendent

John Cruz, Ed.D., Superintendent · Eric Cederquist, Assistant Superintendent · Lucile King, Director of Instructional Services

**Board of Trustees**

Peter Cholakian · Leonard Hammer · Darlene Martin · Henry Murrieta · Jerry Turner



**Board of Education**

Richard A. Johanson,  
President  
David D. Wright, Clerk  
Patricia R. Barr  
Luisa Medina  
Manuel G. Nuñez  
Michael E. O'Hare  
Tony Vang, Ed.D.

**Superintendent**

Santiago V. Wood, Ed.D.

**Deputy Superintendent**

Carole Sarkisian-Bonard, Ed.D.

October 1, 2003

Fresno County Administrative Office  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93721

Attention: Vicki Samarin

Dear Ms. Samarin:

AB 1419 has supported collaboration relative to consolidation of transportation. However, school districts are precluded from this consolidation.

Please note that the Fresno Unified School District will review current practices to determine if the consolidation of transportation services is practicable and/or cost effective. The District will contact various agencies with joint power agreements (i.e., Antelope Valley and Mid Placer), requesting information to review.

Sincerely,

Carole Sarkisian-Bonard, Ed.D.,  
Deputy Superintendent

CSB/slk

*Equal Opportunity Employer*

# Golden Plains Unified School District

22000 Nevada Street • P.O. Box 937 • San Joaquin, California 93660  
(559) 693-1115 • FAX (559) 693-4366

## Board of Trustees

KATHY CHAFFIN            ROD LUCAS  
LARRY GILLO             BILLY JOE McDONALD  
MARTIN SANDOVAL       ALEX METZLER  
                                 CATARINO RUIZ

DR. DAVID B. VAUGHN  
District Superintendent

Fresno County Administrative Office  
Attn: Vicki Samarin  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, California 93721

October 1, 2003

RE:    FRESNO COUNTY 2002-2003 GRAND JURY REPORT

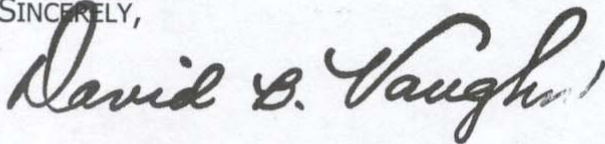
DEAR VICKI SAMARIN:

THE GOLDEN PLAINS UNIFIED SCHOOL DISTRICT HAS INVESTIGATED CONSOLIDATION OF TRANSPORTATION OF PUPILS. THE DISTRICT CURRENTLY CONTRACTS FOR SCHOOL BUS MECHANIC SERVICES PROVIDED BY SOUTHWEST TRANSPORTATION AGENCY. THE DISTRICT CONTINUES TO EXPLORE THE COST EFFECTIVENESS OF CONTRACTING SERVICES, ESPECIALLY TRANSPORTATION.

IN THE MATTER OF PROVIDING DRIVER TRAINING FOR HIGH SCHOOL STUDENTS OUR DISTRICT HAS RECOGNIZED THE NEED AND IMPORTANCE OF SUCH INSTRUCTION AND CONTINUES TO PROVIDE THIS PROGRAM.

THANK YOU FOR THE OPPORTUNITY TO RESPOND TO THESE IMPORTANT ISSUES.

SINCERELY,



DAVID B. VAUGHN, Ed.D.  
SUPERINTENDENT

DBV: JF

### *Serving the Communities of*

*Cantua Creek • Helm • San Joaquin • Three Rocks • Tranquillity*

Cantua Elementary (559) 829-3331	Helm Elementary (559) 866-5683	San Joaquin Elementary (559) 693-4321	Tranquillity Elementary (559) 698-5517	Tranquillity High School (559) 698-7205
	Rio del Rey High School (559) 866-5900	Westside Adult School (559) 693-2401		

Equal Employment Opportunity / Affirmative Action Employer

Response to Recommendation # 58

Kings Canyon Unified School District was unified in 1965 which consolidated transportation service for several small elementary school districts. Kings Canyon Unified is unique in that it serves population centers which includes Reedley, Orange Cove, Squaw Valley, Dunlap, Miramonte, Pinehurst, and Wilsonia. The district has an area of over 600 square miles which includes parts of Kings Canyon National Park. The district now consists of ten elementary schools, three middle schools, one high school, one continuation school, and one alternative education school.

The Transportation Department consists of a bus fleet of 62 busses and over 100 district support vehicles. The Transportation Department's maintenance is completed in the transportation yard in Reedley. The average KCUSD transportation cost per mile for the last eight years is \$3.39 per mile which is below the state average of \$3.86 per mile.

Many of the district miles are in the mountain area which results in a higher cost per mile. In order to consolidate with other neighbor districts, KCUSD would have to (a) increase the shop facilities, and (b) increase personnel. At this point, KCUSD has determined that it is not economically feasible to consolidate transportation services more that it already is.

Response to Recommendation # 91

Kings Canyon Unifies School District offers a driver education course to all students at Reedley High School.

# *Kingsburg Joint Union School District*

## *Kingsburg Elementary Charter School District*



MARK FORD, PH.D.  
Superintendent

RECEIVED

OCT 01 2003

ADMINISTRATIVE OFFICE

September 30, 2003

The Honorable Brad Hill  
California Superior Court, Fresno County  
1100 Van Ness Avenue, Dept. 20  
Fresno, CA 93721

Dear Judge Hill:

This letter is in response to Recommendation Number 58, contained in the 2002-2003 Grand Jury Report. The recommendation states that, "School districts in Fresno County take immediate steps toward consolidation of their transportation services wherever practicable."

It is not feasible to implement the recommendation at this time. There are a number of reasons for this statement. The primary issue is one of local control and local needs. The Kingsburg Elementary Charter School District bus drivers also work as custodians, maintenance and operations employees, mechanics, and perform a variety of other vital functions within the district. A small district would not be able to employ full time individuals in any of these positions; thus, services to children would suffer.

The next consideration would be related to that which a private vendor would offer. District owned busses can and have been on call virtually 24 hours a day, serving the needs of our students. Last minute or emergency situations can be immediately served by the district's transportation department. An outside vendor with busses located some distance from the district would greatly restrict, if not eliminate, the district's ability to meet student needs in these situations.

Our internal investigation of outside vendor sourcing transportation services has shown that the district would not save money. Indeed, in many cases such as field trips, the costs exceed that which we currently experience. On the surface, outside vendor per mile charges appear less costly than that to districts. However, it is important to note that in addition to the per mile cost and the inconvenience of not owning the busses, the district must also pay for hourly driver costs

The Honorable Brad Hill  
September 30, 2003  
Page 2

that are above and beyond the per mile charge, as well as per mile charges between the vendor's garage and the district pick up.

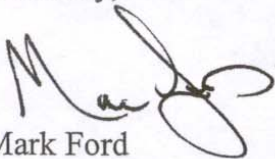
Finally, the recent passage of AB 1419 forbids school districts to contract with outside vendors for current district programs if the district would save money by doing so. In other words, even if outside vendor transportation were less expensive, districts are not allowed by AB 1419 to contract with them if the contract replaces current employees. Obviously, this poorly conceived legislative action has ramifications beyond just that of transportation. Nonetheless, it would be one of the prime considerations in preventing transportation contracts with outside vendors.

Currently, virtually all local small school districts already consolidate transportation services where it is feasible. Examples include common fuel supplies resulting in bulk buying, shared training for drivers; and frequently, even shared mechanic services and busses. In other words, we currently experience the best of both worlds: the ability to save money through collaboration while retaining local control.

It is our constant mandate to review district expenditures. The district motto is, "Kaizen: What can I do better today than I did yesterday?" As much as we appreciate the input of outside sources, I can assure you that combining transportation sources is amongst the literally hundreds of concepts that have been explored by virtually all districts. Many of these concepts have been implemented. Many others have been rejected because there was no real cost savings or they were more complicated to implement than the cost savings realized. Transportation recommendations such as that which has been recommended by the Grand Jury fall into this latter category.

Thank you for the interest of the Grand Jury in wanting to come along side schools with their ideas to help us better serve children.

Sincerely,



Mark Ford  
Superintendent

MF:ds

c: Vicki Samarin ✓  
Fresno County Administrative Office

# Laton Unified School District

P.O. BOX 248

LATON, CALIFORNIA 93242

Telephone (559) 922-4015  
FAX (559) 923-4791

BOARD OF TRUSTEES  
RICHARD M. ALVES  
RAUL CORTEZ  
DELBERT E. MELLO  
LARRY D. TERRY  
DANIEL VARGAS

ROBERT M. HUDSON  
DISTRICT SUPERINTENDENT

September 23, 2003

Ms. Vicki Samarin  
Interim Deputy County Administrative Officer  
Hall of Records  
2281 Tulare Street, Room 304  
Fresno, CA 93721

Dear Ms. Samarin:

The following is our formal response to Recommendation Numbers 58 & 91 of the 2002-2003 Grand Jury Report filed on June 30, 2003.

### **Recommendation Number 58**

Laton Unified School District is a founding member of the Southwest Transportation Agency Joint Powers Authority. We strongly agree with the Grand Jury recommendation that school districts in Fresno County take steps towards the consolidation of their transportation services.


### **Recommendation Number 91**

We agree that School Districts should comply with the California Education Code and offer a drivers education course as part of the curriculum. However some the problems we have faced on implementing this requirement are; finding a person certified to teach this course and with a High School of only 200 students to find the funding to offer this course. It would be helpful if the state offered funding to comply with this requirement.

We believe it would be a great service for the Fresno County Office of Education to provide. They could hire a person to teach the course and travel for a specific time period to each of the various schools throughout the county to teach the course. The school districts would then be charged based on the number of students in the class.

If you have any questions, you may contact me at 922-4015.

Sincerely,

  
Karen M. Motley  
Chief Business Official

RECEIVED

SEP 26 2003

ADMINISTRATIVE OFFICE



# ORANGE CENTER SCHOOL DISTRICT

3530 So. Cherry Ave. ♦ Fresno, California 93706 ♦ 559-237-0437 ♦ Fax: 559- 237-9380

John W. Stahl  
District Superintendent

Ann T. Alemania  
Vice-Principal

September 26, 2003

Board of Trustees  
Panfilo Cerrillo, *President*  
Lilo Santellano, *Clerk*  
Gene Balthrop, *Member*  
John Graham, *Member*

Fresno County Grand Jury  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93721

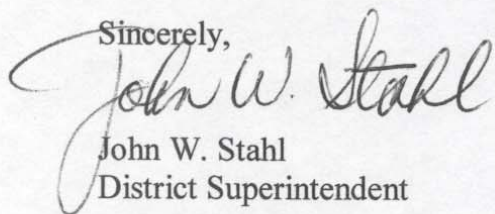
Dear Fresno County Grand Jury:

In response to your 2002/2003 recommendation number 58 regarding the consolidation of transportation services, we have taken the initial step of contracting with Southwest Transportation for maintenance of our buses. At least five of the other single school districts within the Washington Union High School attendance area are currently contracted with this company.

Although we are only contracting for maintenance services we have not found transportation costs to be a major encroachment to our general fund. This is partly due to the fact that we can meet the transportation needs of our students with two buses and that our three custodians also serve as bus drivers.

If you have any further questions or concerns, please contact me at 237-0437.

Sincerely,



John W. Stahl  
District Superintendent

JWS/ljd

Pacific Union School District  
2065 E. Bowles Avenue  
Fresno, CA 93725  
(559) 834-2533

Board of Trustees  
Susan Markarian, President  
Barbara Petersen, Clerk  
Valerie Holmes, Member  
John Jaurigue, Member  
R. Allen Scheidt, Member

Warren E. Jennings, Superintendent  
Henry Alvarado, Vice Principal  
Annette Machado, Programs Director  
Sandi Johnson, Administrative Assistant

September 26, 2003

Vicki Samarin  
Interim Deputy County Administrative Officer  
Hall of Records  
2281 Tulare Street, Room 304  
Fresno, CA 93721

Re: Response to Grand Jury Report for 2002-2003

Dear Ms. Samarin:

Recommendation 58 is a topic that has been discussed and considered by administrators and trustees in our school district on an on-going basis. We are currently contracting with Southwest Transportation Agency on a year to year basis and we have been doing so since 1997. We would very much like to be a part of the Southwest Transportation Joint Powers Authority, but membership in the J.P.A. has never been offered to our district. Pacific Union administration and trustees have considered forming a J.P.A. with other area school districts. We will continue to discuss the consolidation of transportation with representatives from other area school districts and we will once again approach Southwest Transportation Agency with a request to become a member of their J.P.A.

Any decision to form a J.P.A. or to consolidate transportation involves policy decisions and would need to be approved by the Pacific Union School District Board of Trustees. Since this request for a response is due prior to the next scheduled trustees' meeting, I am unable to include any response from our trustees. At the October 14, 2003 trustees' meeting the Pacific Union School trustees are scheduled to discuss the 2002-2003 Grand Jury Report and they will consider the findings, conclusions and recommendations. I will gladly transmit the trustees response to the Grand Jury Report, especially the trustees response to recommendation number 58. If you are interested in the trustees response to the report please let me know.

Sincerely,

A handwritten signature in cursive script, reading "Warren E. Jennings". The signature is written in dark ink and features a long, horizontal flourish extending to the right.

Warren E. Jennings

Superintendent



## RIVERDALE JOINT UNIFIED SCHOOL DISTRICT



P.O. Box 1058 • 3086 West Mt. Whitney Avenue • Riverdale, CA 93656 • (559) 867-8200 • FAX (559) 867-6722

September 23, 2003

Fresno County Administrative Office  
Attention: Vicki Samarin  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93271

Dear Ms. Samarin:

The Riverdale Unified School District is cooperating with your request for information on consolidation of transportation services (#58) and the requirement for offering drivers education in high schools (#91).

The District has been a member of the Southwest Transportation Agency Joint Powers Authority to provide transportation services for students from the time of its formation in 1988.

Enclosed you will find a copy of the District's response to the Fresno County Grand Jury regarding the requirement of Driver's Education classes offered in high schools in Fresno County. Also enclosed is a copy of the Social Science-World Geography/Drivers Education course listing from the Riverdale High School's 2002/2003 curriculum handbook.

If you need further information, Please do not hesitate to call.

Sincerely,

Elaine C. Cash  
Superintendent

ECC/bnm

Enclosures

RECEIVED

SEP 25 2003

ADMINISTRATIVE OFFICE

---

Elaine C. Cash, Superintendent  
Shirley Atteberry, Assistant Superintendent

Fipps Primary • 21320 S. Feland • Riverdale, CA 93656 • (559) 867-3353 • FAX (559) 867-4949  
Riverdale Elementary • 3700 Stathem Street • Riverdale, CA 93656 • (559) 867-3589 • FAX (559) 867-3393  
Riverdale High • 3086 West Mt. Whitney Avenue • Riverdale, CA 93656 • (559) 867-3562 • FAX (559) 867-4750  
Alternative Education • 3021 West Kruger • Riverdale, CA 93656 • (559) 867-3614 • FAX (559) 867-4575



*mailed  
1/3/03  
L*

## RIVERDALE JOINT UNIFIED SCHOOL DISTRICT



P.O. Box 1058 • 3086 West Mt. Whitney Avenue • Riverdale, CA 93656 • (559) 867-8200 • FAX (559) 867-6722

January 2, 2003

Fresno County Grand Jury  
Dave Barber, Chairman  
Education, Youth, and Library Committee  
1100 Van Ness Avenue, Room 102  
Fresno, CA 93721

Dear Mr. Barber,

The Riverdale Unified School District is cooperating with your request for information on drivers education classes. Enclosed you will find a copy of the Social Science-World Geography/Drivers Education course listing from the Riverdale High School's 2002/2003 curriculum handbook.

If you need further information, please do not hesitate to call.

Sincerely,

Elaine C. Cash  
Superintendent

ECC/bnm

Enclosure

---

Elaine C. Cash, Superintendent  
Shirley Atteberry, Assistant Superintendent

Fipps Primary • 21320 S. Feland • Riverdale, CA 93656 • (559) 867-3353 • FAX (559) 867-4949  
Riverdale Elementary • 3700 Stathem Street • Riverdale, CA 93656 • (559) 867-3589 • FAX (559) 867-3393  
Riverdale High • 3086 West Mt. Whitney Avenue • Riverdale, CA 93656 • (559) 867-3562 • FAX (559) 867-4750  
Alternative Education • 3021 West Kruger • Riverdale, CA 93656 • (559) 867-3614 • FAX (559) 867-4575

## Social Science

### World Geography/Drivers Education

---

Grade: 9

Prerequisites: None

Description: This two-semester course will develop a mastery of the basic themes of physical geography including a systematic discussion of the physical landscape through geomorphology and topography, the patterns and processes of climate and weather, and water resources and hydrology. These studies equip students with an understanding of the constraints and possibilities that the physical environment places on human interaction. Attention is also given to the study of natural resources and their relation to physical geography. Students will also analyze various aspects of work cultures and comprehend the influence of geography on regional cultures.

Six weeks of Driver Education, which will cover the laws and rules of the road and the requirements for a California Drivers License, will take place during the spring semester of the 9<sup>th</sup> grade Social Science curriculum. At the completion of this training, students who successfully pass the Department of Motor Vehicles (DMV) drivers test will receive a DMV drivers education classroom instruction certificate. All 9<sup>th</sup> grade students are required to complete this course for graduation.



# SANGER UNIFIED SCHOOL DISTRICT

1905 7th STREET • SANGER, CALIFORNIA 93657 • (559) 875-6521 / 237-3171 FAX 875-0311

ASSOCIATE SUPERINTENDENTS

Michael Giovannetti, Ed.D. • Marc Johnson • Lloyd Kuhn

September 29, 2003

Vicki Samarin  
Fresno County Administrative Office  
Hall Of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93721

Dear Ms. Samarin:

In response to your letter of September 17, 2003 regarding two Grand Jury recommendations, the District provides the following responses.

#### Recommendation # 58

The District has contracted for transportation management services in the past. These services were provided through a Joint Powers Authority (JPA) operated by the Clovis Unified School District. While the contracted services met the needs of Sanger Unified School District at the time, it was determined that the Districts' needs could be better met by providing these services with district employees. The District will continue to evaluate the cost for home to school transportation and give careful consideration to alternate providers within the context of Senate Bill 1419 and Education Code Section 45103.1.

#### Recommendation # 91

Sanger High School provides driver education as part of the curriculum.

Should you require additional information regarding this matter, please contact me by calling 875-6521 ext. 240.

Sincerely,

Lloyd Kuhn  
Associate Superintendent  
Business Services

*"A Tradition of Excellence"*

Trustees: Larry Coffin      Pete Filippi      Jim Gonzalez      Paul Hernandez  
   Jim Karle      Steve Mulligan      Jesse Vasquez



September 23, 2003

**Honorable Brad Hill  
Fresno County Superior Court  
1100 Van Ness Avenue  
Fresno, CA 93724-0002**

Dear Judge Hill:

This letter is in response to the 2002-2003 Grant Jury Report filed on June 30, 2003.

We agree with Grand Jury Recommendation Number 58 that we should look at the consolidation of transportation services wherever practicable. We will attempt to work toward this solution taking into consideration current laws that apply to school districts in the state of California.

We also agree with Grand Jury Recommendation Number 91 regarding driver education and continue to offer a driver education course as part of our curriculum. Mr. Jim Geren is the driver education teacher at this time.

Sincerely,

**Anthony Monreal  
Superintendent**

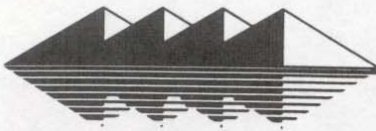
AM:ic

c Ms. Vicki Samarin, Interim Deputy County Administrative Officer  
Dr. Pete Mehas, Superintendent of Schools, Fresno County Office of Education

RECEIVED

SEP 25 2003





**Board of Trustees**

Don Fowler  
Sharon Kientz  
Rosemary Lee  
Tom Matthews  
Stan Neal  
Norman Saude  
Jerry Schroer

**Superintendent**

Dr. Don A. Witzansky

September 29, 2003

Fresno County Administrative Office  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93721

Attention: Vicki Samarin

From: Dr. Don A. Witzansky, Superintendent

Re: Fresno County 2002-03 Grand Jury Report – Response to Recommendations

In answer to your request for a response to recommendations submitted by the Grand Jury, I provide the following:

**Recommendation # 58 – School Districts in Fresno County take immediate steps toward consolidation of their transportation services wherever possible.**

The geographical area of our district offers some very interesting challenges for student transportation services. We daily bus approximately 85% of the students within an area in excess of 2,000 miles. We have consolidated services with the Big Creek and Pine Ridge Elementary School Districts, along with the Chawanakee Unified School District in Madera County. We avoid duplication of services wherever possible.

**Recommendation #91 – All Fresno County school districts comply with the California Education Code by requiring that high schools in the districts offer a driver education course as part of their curriculum.**

We offer a driver education course as part of our curriculum.

Please contact my office if you need additional information.



# West Fresno School District

2888 S. Ivy Avenue  
Fresno, CA 93706  
Telephone: (559) 485-2272  
Fax: (559) 264-0805



**Advisory Board**  
Darrell Carter  
Will Harris  
Oscar Robinson Jr.  
Melvin Sanders  
James Tucker

RECEIVED  
SEP 23 2003  
ADMINISTRATIVE OFFICE

**STATE ADMINISTRATOR**  
William R. Griffin  
**Middle School Principal**  
Vinita Armstrong  
**Elementary School Principal**  
Denise Montoya  
**State & Federal Programs**  
Bernadette Vazquez  
**Curriculum & Instruction**  
Liz Pianetta  
**Guidance Learning Specialist**  
Granville Redmond

September 22, 2003

Fresno County Administrative Office  
Hall of Records, Room 304  
Attn: Vicki Samarin  
2281 Tulare Street  
Fresno, CA 93721

Dear Vicki:

West Fresno School has entered into a contract with Southwest Transportation in an attempt to cut costs for the 2003-2004 school year.

I've read your findings and I agree that consolidation of Support Services is the direction that small school districts must take in an attempt to cut costs.

Respectfully,

William R. Griffin  
State Administrator

WRG:sij  
GrandJuryFindings.0304  
09/22/03



# WEST PARK

## SCHOOL DISTRICT

October 2, 2003

The Honorable Judge Brad Hill  
California Superior Court, Fresno County  
1100 Van Ness, Dept. 20  
Fresno, CA 93721

Re: Fresno County 2002-2003 Grand Jury Report

Dear Judge Hill,

This is in response to the 2002-2003 Grand Jury Report, filed on June 30, 2003, regarding Recommendation Number 58.

West Park School District concurs with the recommendation that school districts in Fresno County consolidate transportation services wherever practicable. In keeping with this agreement, West Park has implemented consolidated transportation services with Washington Union High School through Southwest Transportation services.

If you have any questions, please contact me at 233-6501.

Sincerely,

Vickie Nishida, Superintendent  
West Park School District

Cc: Vicki Samarin, Interim Deputy County Administrative Officer



# fresno county office of education

Dr. Peter G. Mehas  
Superintendent

September 24, 2003

Honorable Brad R. Hill  
Presiding Judge  
Fresno County Superior Court  
1100 Van Ness Avenue  
Fresno, CA 93721

RE: 2002-2003 Grand Jury Report

Dear Judge Hill:

The Fresno County Office of Education has carefully reviewed the 2002-2003 Final Report of the Fresno County Grand Jury as it pertains to public education. We agree with the Grand Jury that school districts within the County need to take immediate steps towards consolidation of their transportation services and we also agree that it is appropriate that the County Office of Education be responsible for monitoring progress of such consolidation.

As the County Superintendent of Schools, I have vigorously advanced the idea of consolidation of services, and paid particular attention to the issue of consolidating transportation services for several years. I am pleased that the Grand Jury has arrived at the same conclusion.

We also concur with the Grand Jury's conclusions that Fresno County high schools are required to provide driver education and that failure to do so is a violation of existing law. We agree that it is appropriate that the County Office insure compliance with existing law as it pertains to driver education and we are currently engaged in such an effort.

Thank you for the opportunity to review and respond to the Grand Jury's report and conclusions on behalf of public education in the County.

Yours very truly,

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

DR. PETER G. MEHAS

sbb

c: County Administrative Officer

RECEIVED

OCT 01 2003

ADMINISTRATIVE OFFICE

**SECTION IV**

**HEALTH AND SOCIAL SERVICES COMMITTEE**



## **“ONE STOP” REGIONAL CENTERS**

### **Recommendation**

The 2002-2003 Fresno County Grand Jury recommends that:

62. The Fresno County Human Services System expand the concept of “one stop” Regional Centers to other areas of the County of Fresno.

**Fresno County’s Response to Recommendation #62:** The County of Fresno agrees with the findings regarding the Human Services System “One Stop” Regional Centers. The recommendation requires further analysis, and implementation will depend on funding availability and partnering with the community. The concept of expanding regional centers to other areas in the County reflects the long-term goals of the County and the Human Services System. Opportunities for partnering with community leaders, community-based organizations, and other governmental agencies continue to be explored. Implementation of the recommendation for new Center development in both rural and metropolitan areas will depend on available funding for both start-up and ongoing operational costs.

## **FOSTER CARE IN FRESNO COUNTY**

### **Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that:

63. A documented placement policy for foster children be completed and implemented by the Department of Children and Family Services.

**Fresno County’s Response to Recommendation #63:** Fresno County agrees with the finding that at the present time there is no documented policy regarding placement of foster children. The recommendation has not yet been implemented, but will be implemented after a comprehensive review of placement practices has been completed. A commitment was made by Fresno County in April 2003 to adopt the *Family to Family* approach to redesign and reconstruct the local foster care system. Training and implementation of this approach is targeted to begin in January and continue throughout 2004. The goal is to use the *Family to Family* Model to develop policies and procedures for placement and monitoring of placement practices.

64. A plan for increased supervisory visits to foster homes be established and implemented by the Department of Children and Family Services.

**Fresno County’s Response to Recommendation #64:** Fresno County disagrees with the finding that oversight visits to foster homes are infrequent and usually in response to complaints and problems. Mandated visits in foster homes are addressed in the State Department of Social Services Regulations Manual, Division 31 policy. Current practice is based on, and in compliance with, Division

31 policies and applicable California Welfare and Institutions Codes. However, the recommendation for a plan for increased supervisory visits to foster homes deserves further analysis and will be evaluated in the context of placement policy development.

65. The Fresno County Board of Supervisors continue to provide strong backing and active support to the Foster Care Standards and Oversight Committee.

**Fresno County's Response to Recommendation #65:** Fresno County agrees with the finding that there is a good working relationship and much interaction between the Foster Care Standards and Oversight Committee and the Department of Children and Family Services. The recommendation for the Board of Supervisors to continue to provide strong backing and active support to the Committee has been implemented and will continue throughout 2003-04. Supervisor Susan Anderson is an active member of the Foster Care Standards and Oversight Committee. Committee bylaws were taken to the Board of Supervisors in September 2003 for approval for Committee member participation in lawfully constituted multi-disciplinary review teams that review cases involving child abuse or neglect and in Department of Children and Family Services internal review committees. The Board's approval is indicative of the ongoing support provided to the Oversight Committee.

66. Future Grand Juries continue to investigate the Department of Children and Family Services Foster Care System.

See Appendix A.

## **CHILD AND ADOLESCENT MENTAL HEALTH CARE IN FRESNO COUNTY**

### **Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that:

67. Fresno County provide inpatient child and adolescent mental health facilities in the County of Fresno.

**Fresno County's Response to Recommendation #67:** Fresno County agrees with the finding that currently there are no facilities for child and adolescent mental health care in Fresno County and that inpatient care is currently being contracted out of the County. The recommendation requires further analysis. The Department of Children and Family Services Director, the local Mental Health Director, and Mental Health Board, in collaboration with Fresno Metro Ministries and community partners are currently exploring the feasibility of a child and adolescent inpatient unit and continuum of care in Fresno to support families and children/youth. A recommendation to pursue a Joint Powers Authority (JPA) for the establishment of a local regional inpatient psychiatric service for children and adolescents was taken to the Board of Supervisors on September 30, 2003. The Board adopted a Resolution endorsing the pursuit of a JPA to establish local regional inpatient psychiatric services for children and adolescents and directing the local Mental Health Director and the Department of Children and Family

Services Director to take actions necessary, bringing together public and private resources, to operationalize a regional JPA.

68. Fresno County Department of Child and Adolescent Mental Health Care continue to increase the number of child psychiatrists in this area.

**Fresno County's Response to Recommendation #68:** Fresno County agrees with the finding that the demand for child and adolescent psychiatric services is increasing. The recommendation has been implemented. The Department of Children and Family Services budget funds six (6) child psychiatrist positions: one (1) Chief Child Psychiatrist and five (5) full time Child Psychiatrist positions. Two positions are currently vacant. In the past year, three child psychiatrists have been hired and the County has begun to participate in the development of a local psychiatrist internship program. The County continues to actively seek other avenues for attracting more psychiatric services to Fresno County.



**SECTION V**

**LAW ENFORCEMENT COMMITTEE**



## FRESNO POLICE DEPARTMENT PROPERTY ROOM

### Recommendations

The 2002-2003 Fresno County Grand Jury recommends that:

69. The Fresno Police Department continue to train personnel in the use of the bar code system.
70. The Fresno Police Department place computer stations at locations where needed.
71. The Fresno Police Department conduct random drug testing of all property room personnel.

### Fresno City's Response to Recommendations #69 - #71:

See Page 22.

72. Future Grand Juries visit and review the property room.

See Appendix A

73. Not used.

## CITY OF FRESNO POLICE CHIEF'S ADVISORY BOARD

### Recommendations

The 2002-2003 Fresno County Grand Jury recommends that:

74. The Fresno Police Chief's Advisory Board establish a website to include:
  - Mission statement
  - Board member names and term expiration dates
  - Agenda
  - Meeting minutes, excluding confidential information
  - Process for bringing concerns or complaints to the Board
  - Application for membership to the Board
75. The Fresno Police Chief's Advisory Board establish and publicize a procedure for citizens to file concerns or complaints.
76. The Fresno Police Chief and City Council promptly replace members upon expiration of their terms or when vacancies arise.

### City of Fresno's Response to Recommendations #74 - #76:

See Page 24.

**FRESNO POLICE DEPARTMENT  
CANINE UNIT**

**Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that the Fresno City Police Department:

77. Amend Divisional Order No. 4.1.23, entitled *Canine Operations*, issued on December 20, 2001, to include clearly defined procedures as to the use of canine with ballistic vests.
78. Amend Standing Order 2.3.1, *Canine Operations Manual*, to include clearly defined procedures as to the deployment of canines with ballistic vests.
79. Provide funds to purchase the most technologically advanced canine ballistic vests.
80. Improve training for canines and their handlers, on the use and deployment of ballistic vests.

**City of Fresno's Response to Recommendations #77 - #80:**

See Page 26.

**ELKHORN CORRECTIONAL FACILITY**

**Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that:

81. Fresno County Personnel Department modify the hiring process to give extra-help Juvenile Correctional Officers credit for a specific number of hours for on the job training, and be able to waive the County interview for a permanent position without taking the same entry written test a second time.

**Fresno County's Response to Recommendation #81:** Fresno County disagrees with the finding that extra-help Juvenile Correctional Officers (JCO) are required to retake the written entry examination to be hired as a permanent JCO. The recommendation to modify the hiring process will not be implemented because there is no basis for which to do so as defined by Fresno County Personnel Rule 4. Upon JCO candidates' passing of the examination, an employment list is established in rank order of final scores composed of persons both in and out of County service. The employment list is established for a duration of three (3) months, and under ordinary circumstances may be extended for a like period. The listing may be extended for periods of time not to exceed 12 months from the initial expiration date of the list. JCO candidates whose names are on an employment list will be certified out to the hiring authority. The only instance where an individual would have to take an exam more than once would be if they were not selected from the employment list and the list

subsequently expires. Upon such time that a list expires and a vacancy occurs, a new employment list must be established as the list of eligible names no longer exists.

In addition, a policy is already in place for extra-help employees who are subsequently hired for a permanent position to be given credit toward completion of their probationary period up to a maximum of three months.

**Chief Probation Officer's Response to Recommendation #81:** A formal answer to this question is within the jurisdiction of the Personnel Department. However, the Probation Department does have an opinion on this matter. The issue of giving some advantage to Extra Help employees has been discussed with Personnel on numerous occasions. Ideally, the Probation Department would like to choose permanent staff from the extra help pool before doing a permanent recruitment. Any employee who is working as an Extra Help Juvenile Correctional Officer has had to pass the same written and oral exams, as well as the background investigation, medical, and psychological exams as those on the permanent list. Currently, if we receive the name of an Extra Help employee for a permanent slot, the medical and psychological examinations are waived because they have already taken it. It seems that the same should apply to the written and oral. A background update may be in order.

It has also been suggested that if, in fact, it is necessary for extra help employees to compete again, that they should receive extra credit, similar to the way veteran credits are given. It does not serve the County well, nor make good business sense, to hire someone as an Extra Help Juvenile Correctional Officer, demonstrate that they do a very good job, and then send them back through the competitive process to become a permanent employee.

82. Fresno County Probation Department allocate additional positions for Juvenile Correctional Officers to meet staffing needs for 200 cadets.

**Fresno County's Response to Recommendation #82:** Fresno County agrees with the findings regarding staffing of Juvenile Correctional Officers for the Elkhorn Correctional Facility. The recommendation will not be implemented at this time due to budgetary constraints. The County recognizes the benefit of accommodating additional juveniles, but the current fiscal condition of the County and the State is not conducive to operating at maximum capacity. As additional funds become available, Fresno County will review capacity and staffing issues of the facility.

**Chief Probation Officer's Response to Recommendation #82:** The Elkhorn Correctional Facility currently has a rated capacity of 200 from the California Board of Corrections. However, due to budget restrictions, the Boot Camp is currently staffed for 185 cadets. It would be an excellent benefit to the County, the Courts, and the Probation Department if Elkhorn could house 200 cadets. In the current economic environment of the county and the state it is more likely in the next two fiscal years that we would have to consider reducing the budgeted capacity of Elkhorn below 185.

83. Fresno County Probation Department allocate additional positions for staff to assist at special events, transportation of cadets, and farming.

**Fresno County's Response to Recommendation #83:** Fresno County agrees with the finding that cadets participate in special events, and recognizes that supervision and transportation are required. The recommendation will not be implemented at this time due to budgetary constraints. No new positions are planned at this time.

**Chief Probation Officer's Response to Recommendation #83:** The Elkhorn Correctional Facility utilizes extra help when necessary to directly supervise cadets or backfill permanent employees that are supervising special events in the community, provide transportation, and coordinate the farming operation. A position that would be very beneficial to the Elkhorn program would be the establishment of a Juvenile Correctional Officer - Farm Manager. Currently, the Elkhorn Correctional Facility is fully staffed and has been so for several months. Programming at the facility is being carried out at a sufficient level at this time.

84. Fresno County Probation Department modify the current philosophy of the program at Elkhorn to assure the criteria for commitments be tightened to reduce the flow of cadets into Elkhorn so a consistent program can be taught and cadets are provided with an improved chance to become a productive citizen.

**Fresno County's Response to Recommendation #84:** Fresno County disagrees with the findings regarding completion of programs by cadets. The recommendation to modify the current philosophy will not be implemented, as the basic philosophy has not changed since its inception, as stated in the response from the Chief Probation Officer.

**Chief Probation Officer's Response to Recommendation #84:** The population of the Elkhorn Correctional Facility, during the course of a twelve-month period, will have a high point above rated capacity and a low point below. At the writing of this response to the Grand Jury, there are only 165 youth in the Elkhorn Correctional Facility. We went through a brief period in 2003 wherein the population was high and some youth were being released prematurely before completing the final phase of the program. Even though they were released from custody early, they still transitioned into the after care program known as Forward Bound Academy.

Philosophically the program has not changed at ECF. Programmatic changes have occurred during the past fiscal year due to sporadic periods of high numbers of referrals. The majority of the referrals have, in fact, been consistent with the adopted sentencing criteria.

85. Fresno County Probation Department modify the current philosophy of the program at Elkhorn to assure that Delta Cadets be kept separated from the regular Boot Camp Cadets.

**Fresno County's Response to Recommendation #85:** Fresno County agrees with the finding that regular Boot Camp Cadets and Delta Cadets share classrooms and cafeteria facilities. The recommendation will not be implemented

at this time due to budgetary constraints; however, the planned construction of the new Juvenile Justice Campus will allow the separation of these two groups.

**Chief Probation Officer's Response to Recommendation #85:** The Delta program consisting of the use of one barrack was implemented to provide a next level for those that failed the regular boot camp program and for those that were very borderline to be recommended to the California Youth Authority. It was felt that the Delta program was needed as a program in between to add integrity to the continuum of sanctions available to the Court.

The layout of the Elkhorn Correctional Facility campus is not ideal for these two programs. There is no practical way to separate them without increased costs. Currently, both the ECF cadet program and the Delta Program youth go to school together and eat in the dining room together. The cadets in the Delta Program wear different and identifiable uniforms and all Delta Program youth are housed in the same barracks. We only have one place to feed the cadets, however, the Delta cadets do sit separately together in the dining room. Our records indicate that the Delta cadets have fewer incidents of acting out behavior on the campus than those youth in the regular program. In the opinion of this writer, there has been a lot of miscommunication or, in more simplistic terms, unfounded rumors regarding the severity of crimes committed by those in the Delta Program.

Without a separate campus, we have no solution to this current recommendation by the Grand Jury. However, it should be noted that when the new Juvenile Justice Campus opens in 2006, those youth currently in the Delta program will be classified into the new commitment facility on the new Juvenile Justice Campus and free up all four barracks at the Elkhorn Correctional Facility for the regular program.

86. The City of Fresno continue to fund one million dollars each year for Elkhorn.

**Fresno County's Response to Recommendation #86:** Fresno County agrees with the finding that the City of Fresno has not committed to continue funding for the Elkhorn facility. Fresno County fully supports the recommendation and will continue discussions with the City of Fresno for ongoing funding of the facility.

**Chief Probation Officer's Response to Recommendation #86:** The response to this recommendation should come officially from the Fresno County Administrative Office. The terms and conditions for the one million dollar a year payment for Elkhorn from the City of Fresno was an agreement between the City Council and the Fresno County Board of Supervisors. That agreement is set to terminate at some point in the near future.

It is the opinion of the Chief Probation Officer, that since the Elkhorn Correctional Facility population is approximately 85% of youth from the City of Fresno, that there should be some sense of obligation by the City of Fresno to assist the County in providing a suitable juvenile justice/public safety program for the youth living in the City.

**City of Fresno's Response to Recommendation #86:**

See Page 28.

**SECTION VI**  
**TRANSPORTATION COMMITTEE**

---

## TRAFFIC ENFORCEMENT AND RELATED ISSUES

### Recommendations

The 2002-2003 Fresno County Grand Jury recommends that:

87. The Fresno City Police Department allocate more police officers to traffic safety enforcement and related education activities.
88. The Fresno City Police Department continue to compile statistics which will provide additional information to determine the effectiveness of "Red Light" cameras.
89. The Fresno City Police Department, in compliance with the 2002 revenue sharing agreement on traffic fines and forfeitures between the City and County of Fresno, use a portion of its revenues for traffic education activities.
90. The County and City of Fresno assist the traffic court in an effort to expedite the processing of traffic fines.

**Fresno County's Response to Recommendation #90:** Fresno County agrees with the findings that an increase in the filing of traffic infractions created a processing backlog and that the backlog continued to rise until the City of Fresno provided the courts with added assistance. The recommendation has been implemented. In accordance with the current agreement, the City and County of Fresno pay an equal share of one clerical position to assist the Courts with the increased workload. As the backlog increased, the City provided four additional contract staff resulting in a reduction of the backlog from 6,786 at the time of the Grand Jury report, to 1,080 as of September 5, 2003. The County will continue to monitor the processing of traffic citations and the backlog situation.

**City of Fresno's Response to Recommendations #87 - #90:**

See Page 30.

91. All Fresno County school districts comply with the *California Education Code* by requiring that high schools in the districts offer a driver education course as part of their curriculum.

**Caruthers Unified School District's Response to Recommendation #91:**

No response to date.

**Central Unified School District's Response to Recommendation #91:**

No response to date.

**Clovis Unified School District's Response to Recommendation #91:**

See Page 62.



**Coalinga-Huron Joint Unified School District's Response to Recommendation #91:**

See Page 63.

**Firebaugh-Las Deltas Unified School District's Response to Recommendation #91:**

See Page 64.

**Fowler Unified School District's Response to Recommendation #91:**

See Page 65.

**Fresno Unified School District's Response to Recommendation #91:**

No response to date.

**Golden Plains Unified School District's Response to Recommendation #91:**

See Page 67.

**Kerman Unified School District's Response to Recommendation #91:**

No response to date.

**Kings Canyon Unified School District's Response to Recommendation #91:**

See Page 68.

**Kingsburg Joint Union School District's Response to Recommendation #91:**

No response to date.

**Laton Unified School District's Response to Recommendation #91:**

See Page 71.

**Mendota Unified School District's Response to Recommendation #91:**

No response to date.

**Parlier Unified School District's Response to Recommendation #91:**

No response to date.

**Riverdale Joint Unified School District's Response to Recommendation #91:**

See Page 75.

**Sanger Unified School District's Response to Recommendation #91:**

See Page 78.

**Selma Unified School District's Response to Recommendation #91:**

See Page 79.

**Sierra Unified School District's Response to Recommendation #91:**

See Page 80.

**Washington Union School District's Response to Recommendation #91:**

No response to date.

**FRESNO YOSEMITE INTERNATIONAL AIRPORT CONCOURSE  
EXPANSION PROJECT**

**Recommendations**

The 2002-2003 Fresno County Grand Jury recommends that:

92. The City adopt a new bidding procedure for selection of low bidders on projects requiring competitive bidding.
93. The City involve the Public Works Department much more intimately in connection with major construction projects within the City, including hiring specialists for such projects, instead of contracting with consultants for overall management.
94. The City carefully monitor possible conflicts of interest of parties involved in City projects.
95. The City aggressively pursue its claims for liquidated and other damages.

**City of Fresno's Response to Recommendations #92 - #95:**

See Page 31.

## TRANSIT CONSOLIDATION

### Recommendations

The 2002-2003 Fresno County Grand Jury recommends that:

96. The Council of Fresno County Governments and affiliated agencies continue their discussions directed toward consolidation of the transit services in the County, and that those discussions specifically include school busses.
97. A transit district, rather than a Joint Powers Authority, be formed in the interests of efficiency in management, cost effectiveness, and to better serve the environmental needs of the valley in the future.
98. The transit district include areas outside the County, such as portions of Madera County.
99. The Board of Directors of the Council of Fresno County Governments appoint a transportation expert to organize and promote a new countywide transit district.

### **Council of Fresno County Government's Response to Recommendations #96 - #99:**

See Page 97.

### **Fresno County Rural Transit Agency's Response to Recommendations #96 - #99:**

See Page 122.

## JOINT JURISDICTIONAL STREETS BETWEEN COUNTY AND CITY OF FRESNO

### Recommendations

The 2002-2003 Fresno County Grand Jury recommends that:

100. The City and County of Fresno enter an agreement that addresses the maintenance of joint jurisdictional streets to replace the terminated Agreement.

**Fresno County's Response to Recommendation #100:** Fresno County agrees with the findings that the City and County have been performing street maintenance activities independently on shared jurisdictional streets, which has created a loss of efficiency for both agencies since termination of the former cooperative agreement. The recommendation requires further analysis and negotiations with the City. County and City staffs have recently held several meetings together for the purpose of developing a mutually supported

agreement. Progress to date includes the creation of a Fresno metropolitan area base map, which precisely identifies the location of all roads that involves both jurisdictions. The City and County will continue to meet in an effort to negotiate the details of an agreement that can be recommended for approval by the County Board of Supervisors and City Council.

101. When a development would otherwise create a joint jurisdictional street, the City of Fresno consider annexation of the entire street.

**Fresno County's Response to Recommendation #101:** Fresno County agrees with the finding that the City and County have been performing separate maintenance of joint jurisdictional streets . The recommendation requires further analysis and negotiation with the City. Administration of the Department of Public Works and Planning has discussed this matter with the Local Agency Formation Commission and the City of Fresno. Staff from both agencies have expressed agreement with the idea of entire street annexation. Efforts will continue to develop recommendations for consideration and approval by the County Board of Supervisors and City Council.

102. Joint projects, not otherwise defined as maintenance, should continue to be performed under separately negotiated agreements between the City and County of Fresno.

**Fresno County's Response to Recommendation #102:** Fresno County agrees with the finding that projects on joint jurisdictional streets, not otherwise defined as maintenance under the terms of the agreement, have been negotiated separately. The recommendation will be implemented. Fresno County supports the continuing practice of handling non-routine maintenance projects on shared jurisdictional roads in separate agreements due to the need for a greater level of planning, engineering, and budget effort.

**City of Fresno's Response to Recommendations #100 - #102:**

See Page 35.

**COUNCIL OF FRESNO COUNTY GOVERNMENTS'  
RESPONSES TO 2002-2003 GRAND JURY REPORT  
REGARDING TRANSIT CONSOLIDATION  
PAGES 67-69**

This report contains an excerpted section on Transit Consolidation (*italics*) from the 2002-2003 Grand Jury Report, with appropriate responses shown. For the benefit of those reading these responses, please note that existing law requires we form our responses on the following premises:

1. For each Grand Jury finding, the response should either
  2. Agree with the finding, or
  3. Disagree wholly or partially with the finding, specifying the portion of the finding that is disputed, and including an explanation of the reasons for the dispute.
4. For each Grand Jury recommendation, the response should report one of the following actions:
  5. The recommendation has been implemented, with a summary regarding the implemented action.
  6. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
  7. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion. This timeframe shall not exceed six months from the date of publication of the grand jury report.
  8. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation provided.

***TRANSIT CONSOLIDATION***

**Introduction**

*The 2002/2003 Fresno County Grand Jury considered the proposals made by several sources to examine ways to consolidate the various transit systems in Fresno County, including school busses. In this connection, the Grant Jury met with the Director of the Council of Fresno County Governments (COG), the Transit General Manager of Fresno Area Express (FAX) and the Manager of Fresno County Rural Transit Agency (FCRTA), who expressed their views and concerns regarding consolidation.*

**Findings**

- A. *Three main separate systems provide public transportation services within Fresno County, which are FAX, FCRT, and Clovis Stagelines. In addition, school districts within the County provide school bus service.*

Agree. Fresno Area Express (FAX) is governed by the City of Fresno's City Council and Mayor. Fresno County Rural Transit Agency (FCRTA) is governed by a Joint Powers Agency, with representation from the County of Fresno and the Cities of Coalinga, Firebaugh, Fowler, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger,



2100 Tulare Street, Suite 619  
Fresno, California 93721-2111

Telephone: (559) 233-4148 ♦ Fax: (559) 233-9645  
Website Address: [www.fresnocog.org](http://www.fresnocog.org)

September 22, 2003

The Honorable Brad R. Hill  
Presiding Judge of the Fresno County Superior Court  
1100 Van Ness Avenue  
Fresno, CA 93721

Dear Judge Hill:

Enclosed please find the draft responses from the Council of Fresno County Governments regarding the 2002-2003 Fresno County Grand Jury Report. This draft report covers recommendation numbers 96-99, and I expect the Council of Governments Policy Board to formally approve the document, subject to change, on September 25th.

I have also provided a copy of our responses to the County of Fresno Administrative Office where I believe a compiled response is being prepared.

Please contact me if there are any further questions or further documentation needed from our agency. I will confirm by letter the final outcome of our September 25th Policy Board meeting.

Sincerely,

*Barbara Goodwin*

BARBARA GOODWIN, Executive Director  
Council of Fresno County Governments

**Member Agencies:** The cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma & Fresno County

and Selma. Clovis' transit systems are governed by the City of Clovis City Council. There are numerous school districts within the County that provide school bus service.

- B. *The public transit systems are operated by independent boards of directors which purchase busses, fix fares, and establish policies within each district. Accordingly, each district operates with different equipment, fares, and general policy.*

Agree. There are existing coordinated efforts between the entities, such as fare transfers, provision of transit publications, occasional shared use of equipment purchase orders, etc.

- C. *School busses and drivers are subject to different regulations than other types of transit; however, school children may be and are bussed in public transit busses.*

Agree. Public transit systems may not run exclusive school service, but they may have public transit stops which happen to be near schools, and students may choose to ride a public bus for their mobility needs, which may include getting to school.

- D. *Bus fares pay approximately 20% of public transportation costs; the balance is paid by government subsidies. It is in the public interest to maintain public transportation systems, as they provide a means for low-density housing residents to travel within the community at reasonable cost with the smallest amount of pollution.*

Agree in general with the statement. The State of California mandates that rural transit services maintain a minimum of a 15% farebox recovery rate, and that urban transit systems maintain a minimum of a 20% farebox recovery rate. The rest of the service is subsidized. It is in the public interest to maintain public transportation systems for a variety of reasons, including for those who are transit dependant. It also provides an alternative mode of travel to any Fresno County resident.

As to the pollution issue, a great deal depends on the type of transit provided. The current systems within Fresno County are bus systems. An August 26, 2003 internal COG report is attached to this response document, and it reviews emission factors related to the effect of bus transit on reducing vehicle emissions. Results are somewhat variable, and therefore the entire report should be read. However, there are several points worth noting: (1) older, diesel buses do not seem to provide an emissions benefit over the use of light-duty vehicles; (2) with improved technology in future years, buses need to carry more passengers to offset the improvement in passenger vehicle emissions, and (3) these passengers must not be transit dependant to achieve an emissions benefit. The analysis suggests that in the 2002 year Fresno County 40-passenger buses would need to have an average of 13 non-transit dependant passengers to have lower emission factors than those same 13 people in passenger vehicles. By 2010, Fresno County 40-passenger buses would need to carry an average of 24 non-transit dependant passengers to have a lower emission factor.

- E. *At certain times of the day, FAX busses run either empty or with only a few passengers.*

Agree. This however is the "glass half-empty" outlook. One could also cite the certain times of day that the FAX buses run full, with standing-room only.

- F. *The Economic Opportunities Commission provides transportation for some social service programs.*

Agree. Pursuant to state law, the Council of Fresno County Governments chose to officially designate Consolidated Transportation Service Agencies (CTSAs) in the early 1980's to provide social service transportation services around the county in a consolidated manner. The Council of Fresno County Governments provided for three designations:

Clovis Area:	City of Clovis (Clovis Round-up Service)
Fresno Metropolitan Area:	Joint designation of Fresno Area Express along with the Fresno County EOC.
Fresno County Rural Area:	Joint designation of Fresno County Rural Transit Agency along with the Fresno County EOC.

The Council of Fresno County Governments also provides, pursuant to state law, funds from the Transportation Development Act to aid in the provision of social service transportation. To access the funds, EOC and its clients must match the Transportation Development Act funds. Riders, or the social service agency, are responsible for a 10% farebox contribution. In the 2002-2003 fiscal year the Council of Fresno County Governments and its members will provide over \$1 million to these agencies for social service transportation trips.

- G. *Applications receiving favorable consideration for grants from state and federal governments usually show far-reaching program proposals and useful concepts providing maximum coverage and benefit.*

Agree.

- H. *COG and related transportation entities have had preliminary meetings in which they explored the means and benefits of consolidation of the transit systems. At the meetings, the concept of consolidation was favorably received. The parties examined the system adopted in Merced County, where a Joint Powers Authority (JPA) was adopted, and Kern County, where a countywide district was chosen. Both counties have benefited from consolidation. However, consolidation into one district provides more centralized management and decision making ability.*

Agree

- I. *It is likely that an election would be required to establish a countywide transit district.*

Agree.

- J. *While some workers are union members, others are not; this will cause some problems with consolidation. However, it is generally believed that the problem can be overcome with special qualifications for different types of equipment and uniformity in wage scales.*

Agree. There are implications from the Federal Transit Administration's 13C statute. Council of Fresno County Governments staff has conferred with Fresno Area Express on this issue. Fresno Area Express, with union members providing service, will be explaining the implications that 13C has on consolidation efforts in their own responses to the Grand Jury.



## Conclusions

- A. *Consolidation of the transit systems, including school busses, in Fresno County would be of benefit to the general public, in that it would result in substantial cost savings in uniformity of service, single management, and reduced pollution.*

This is a conclusion that needs to be substantiated, although common sense tends to lead one to this conclusion. The Council of Fresno County Governments has proposed a \$60-70,000 transit consolidation study, for which funding is currently being sought, to examine the pros and cons of consolidation through either a transit district, Joint Powers Agreement or Memorandum of Understanding. It is even possible that a combination of the three would provide the best benefit for Fresno County citizens. It is also proposed that school districts be involved in the study, so as to identify more clearly barriers to further consolidation efforts with schools. In this manner we may be able to overcome those barriers through legislative change or in some other manner. The Council of Fresno County Governments has applied to the U.S. Environmental Protection Agency for funds, as well as a LEGACI grant from the Great Valley Center. Also to be pursued are funds from the San Joaquin Valley Air District and any other logical funding resource. This year happens to be the year that the federal transportation act is being negotiated, and the Council of Governments has refrained from using some of its current funds for studies until continuity of staff funding for the upcoming year is obtained through congressional action. Should that action occur and funding for this study is not yet secured, the Council of Governments Policy Board will be asked by staff to use its resources to embark upon the study. Once funded and authorized to proceed, it is anticipated the study could be completed within a year or less.

- B. *A substantial benefit of consolidation would be the ability to focus grant applications on a much broader scale.*

Agree.

- C. *Consolidation would result in better planning for expense and fare management as well as scheduling to increase ridership.*

Agree that this is a likely outcome, however the study referenced in "A" is the tool by which this analysis would be undertaken.

- D. *Concentration on promotion of transit services within the community will be enhanced by centralized management.*

Agree that this is a likely outcome, however the study referenced in "A" is the tool by which this analysis would be undertaken.

- E. *While a JPA arrangement could be initiated to provide substantially the same services, formation of a transit district from the beginning would best serve the needs of the public.*

See answer to A on this page.

## Recommendations

*The 2002-2003 Fresno County Grand Jury recommends that:*

96. *The Council of Fresno County Governments and affiliated agencies continue their discussions directed toward consolidation of the transit services in the county, and that those discussions specifically include school busses.*

This recommendation is being carried out at this time, specifically in the pursuit of the transit consolidation study outlined previously in this document.

97. *A transit district, rather than a Joint Powers Authority, be formed in the interests of efficiency in management, cost effectiveness, and to better serve the environmental needs of the valley in the future.*

This recommendation requires further analysis, and the transit consolidation study proposed and outlined in this document would provide the pros and cons of such a decision. As noted previously the timeframe for completion of this study, depending upon when the Council of Governments secures appropriate funding, would be anticipated at less than one year.

98. *The transit district include areas outside the County, such as portions of Madera County.*

This recommendation requires further analysis. The Council of Fresno County Governments will refer this recommendation to the Madera County Transportation Commission for their input. The difficulty with this recommendation is that it is beyond the scope and authority of our Fresno County jurisdictions to pursue without active consent and participation from Madera County. This recommendation will require a follow up response.

99. *The Board of Directors of the Council of Fresno County Governments appoint a transportation expert to organize and promote a new countywide transit district.*

Upon conclusion of the transit consolidation study, recommendations for further action will be presented to the Council of Governments Policy Board. Upon review, comment and action by the Council of Governments, the study would then be referred to the various transit agency boards for their further action. If there is agreement to pursue a transit district or other consolidation efforts, the Council of Governments can help facilitate those further actions. It is now premature to ask that we appoint someone to carry out the task recommended by the Grand Jury. Also at some point this issue would need to be presented to the voters, and at such time as it placed on the ballot the Council of Governments would need to continue its educational role, but not be able to advocate for a "yes" vote.

## MEMORANDUM

TO: Barbara Goodwin, Executive Director  
Mike Bitner, Senior Planner  
FROM: Jason Paukovits, Planning Coordinator  
DATE: August 26, 2003  
RE: Bus and Light-Duty Vehicle Emissions

At your request, I have reviewed emission factors related to bus and light-duty vehicles in order to determine the effect of bus transit on reducing vehicle emissions. I have reviewed information provided by ARB, as well as performed my own calculations using ARB Methodology and EMFAC calculations for 2002 and 2010. The results vary considerably, but several points are worth noting: (1) older, diesel buses do not seem to provide an emissions benefit; (2) with improved technology in future years, buses need to carry MORE passengers to offset the improvements in passenger vehicle emissions, and (3) *these passengers must NOT be transit dependent to achieve an emissions benefit.*

### **Previous ARB Results**

I have attached a memo and charts calculated by ARB several years ago. This information was recently forwarded to FAX; however, ARB believes that this information is still valid. ARB estimates that a 4.0 g/bhp-hr bus (1998 standards) will "break-even" with passenger vehicles carrying approximately 20 passengers. If a bus has improved emission standards, the number of passengers necessary to "break-even" is even lower.

While it does provide an interesting overview of the emissions, I believe that there are some inherent problems with their calculations. First, comparing emissions from future bus models to 2001 light-duty vehicles will bias the calculations in favor of the buses. This method also does not account for a mixed vehicle fleet for both the buses and light-duty vehicles. Second, using an average occupancy rate for passenger vehicles (1.2 passengers per vehicle) does not seem to provide a clean comparison. Every passenger on a bus should remove 1 passenger vehicle from the road (not 1.2 passengers). As ARB concedes, these must NOT be transit-dependent passengers, which make the results even more difficult to achieve in reality.

### **ARB Calculation Methodology**

ARB Calculation Methodology for CMAQ and other air quality projects provide the emission factors for various vehicle types. Using these standard factors, which are not necessarily representative of the on-road vehicle fleet, I compared diesel buses, CNG buses, and light-duty vehicles. With this scenario, diesel buses never achieved a lower emission rate than light-duty vehicles. CNG buses, similar to those recently purchased by FAX, need to carry 25 passengers to realize an emissions benefit.

### **EMFAC Calculations**

Using the most recent EMFAC version, I performed model runs for 2002 and 2010 Annual Ozone Emissions. Similar to the ARB memo, I used emissions from light-duty vehicles and motorcycles, divided by VMT, to determine the emission factor. The results for 2002 suggest that buses with 14 passengers would have lower emission factors than passenger vehicles. By 2010, buses need to carry 28 passengers to have a lower emission factor.

**Bus Service and Air Quality –**  
**A comparison of emissions per passenger mile and bus occupancy**  
 October 2001

The following charts compare emissions per passenger mile traveled from urban transit buses with various rider occupancy rates to emissions per passenger mile for an average calendar year 2001 light-duty vehicle with 1.2 passengers. The bus model years were selected to represent NOx emission rates of 4.0, 2.0, and 0.2 g/bhp-hr.

**Emission rates**

The following table shows the model years of the buses selected to represent NOx emission rates of 4.0, 2.0, and 0.2 g/bhp-hr.

Applicable Standards		
Model Year of Bus	NOx (g/bhp-hr)	PM (g/bhp-hr)
2001	4.0	0.05
2003	2.5 (NOx+HC)	0.01
2008	0.2	0.01

The 2.5 g/bhp-hr emission standard for NOx plus HC is typically associated with 2.0 NOx and 0.5 HC. EMFAC 2000, version 2.02 was used to determine the grams per mile emission rates for each bus model year. Since the 2.5 g/bhp-hr standard first applies in the last quarter of 2002, model year 2003 was selected so that the EMFAC model run would accurately reflect full implementation of the 2002 standard. Similarly, the 0.2 NOx standard will apply in 2007; thus, model year 2008 was selected for the EMFAC model run.

The bus emission standards shown above are for the diesel path of the Transit Bus Regulation. In 2007 the diesel path and alternative-fuel path have the same emission limits.

Emission rates in grams per mile for transit buses and average light-duty vehicles are shown below.

Grams per mile			
	NOx	ROG	PM10
<b>Bus MY 2001</b>	18.31	1.23	0.39
<b>Bus MY 2003</b>	6.81	0.65	0.06
<b>Bus MY 2008</b>	0.67	0.34	0.06
<b>LDVs CY 2001</b>	1.18	1.24	0.02

Source: EMFAC 2000, version 2.02

**Methodology:**

The bus emissions represent urban diesel bus emissions divided by VMT for the chosen model years. Emissions are based on EMFAC 2000, version 2.02. The light-duty vehicle emissions represent light-duty cars, trucks, and motorcycles for the typical calendar year 2001 fleet. Emissions are from starts, soaks, running evaporatives, and running exhaust were divided by VMT. (Resting losses and diurnal emissions were excluded.)

The vehicle occupancy rate for light-duty vehicles was assumed to be 1.2 persons per vehicle based on the peak-period occupancy rate given in the 1991 Statewide Travel Survey.

**Caveats**

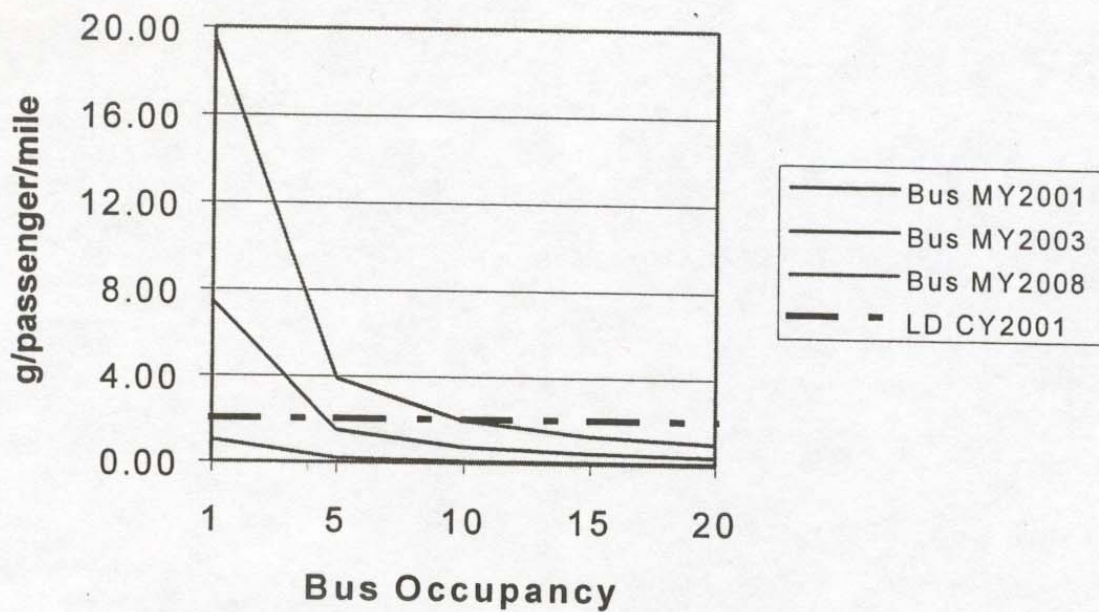
Three issues associated with transit travel are not accounted for in the charts. First, studies show that about 25 percent of transit riders are transit dependent\*, meaning they could not make the trip without transit. This means it would take about 19 passengers to represent 15 light-duty vehicles replaced on the road.

Second, transit passengers often arrive at the transit station by way of light-duty vehicle. Therefore, there are emissions associated with traveling by way of transit that are not represented in the grams per mile emissions of the transit bus itself.

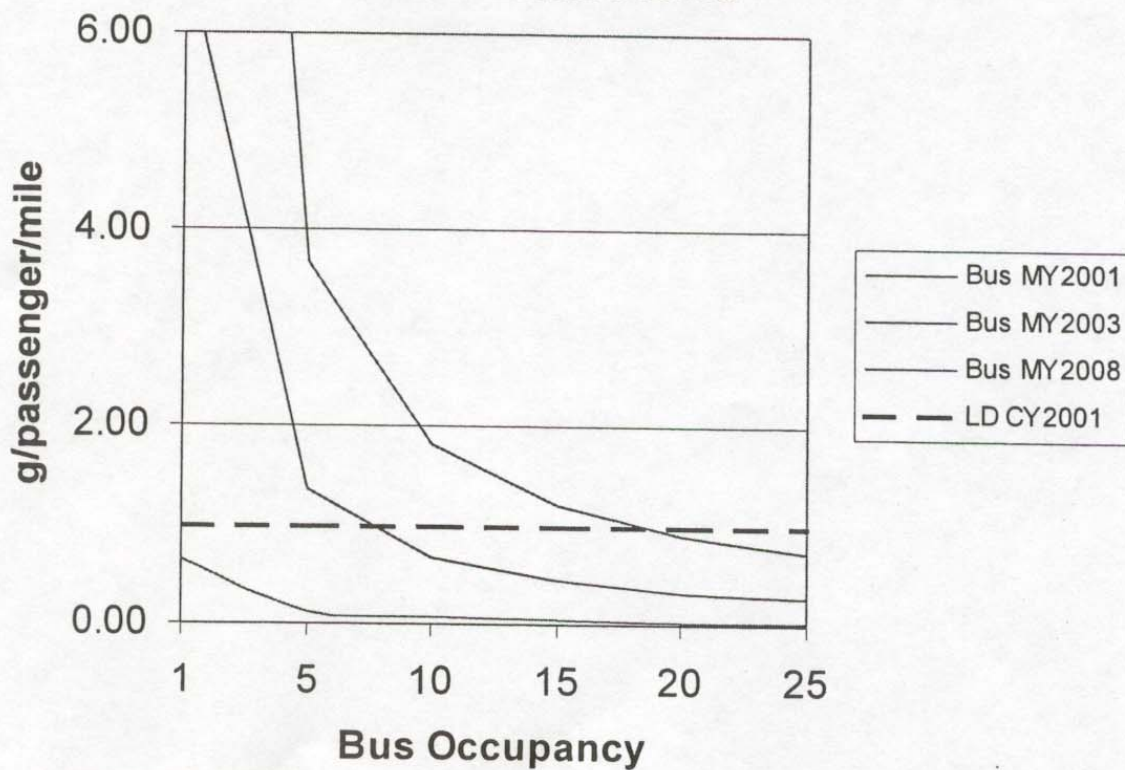
Last, the light-duty vehicle fleet is getting cleaner as time goes by due to the LEV II program. As a result, the number of bus riders needed to offset bus emissions in calendar year 2008 will be more than in 2001. This is because the typical light-duty vehicle in 2008 will be substantially cleaner than in 2001.

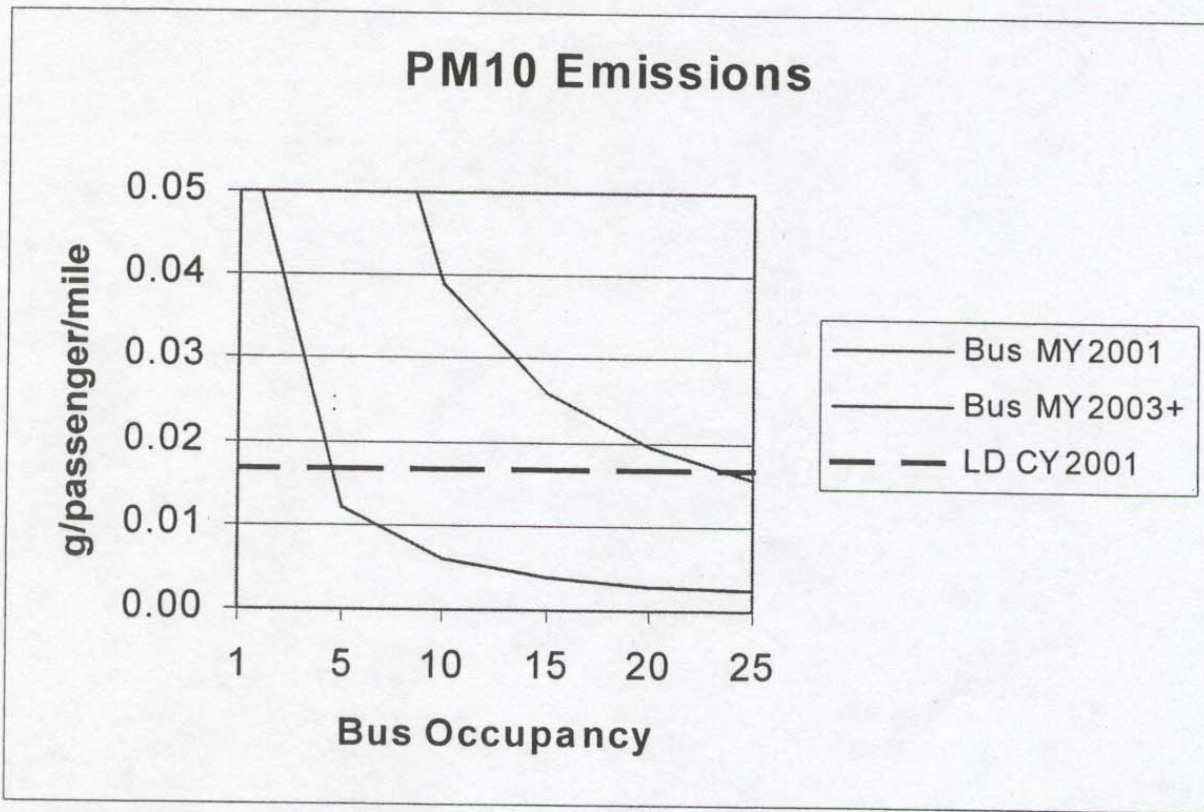
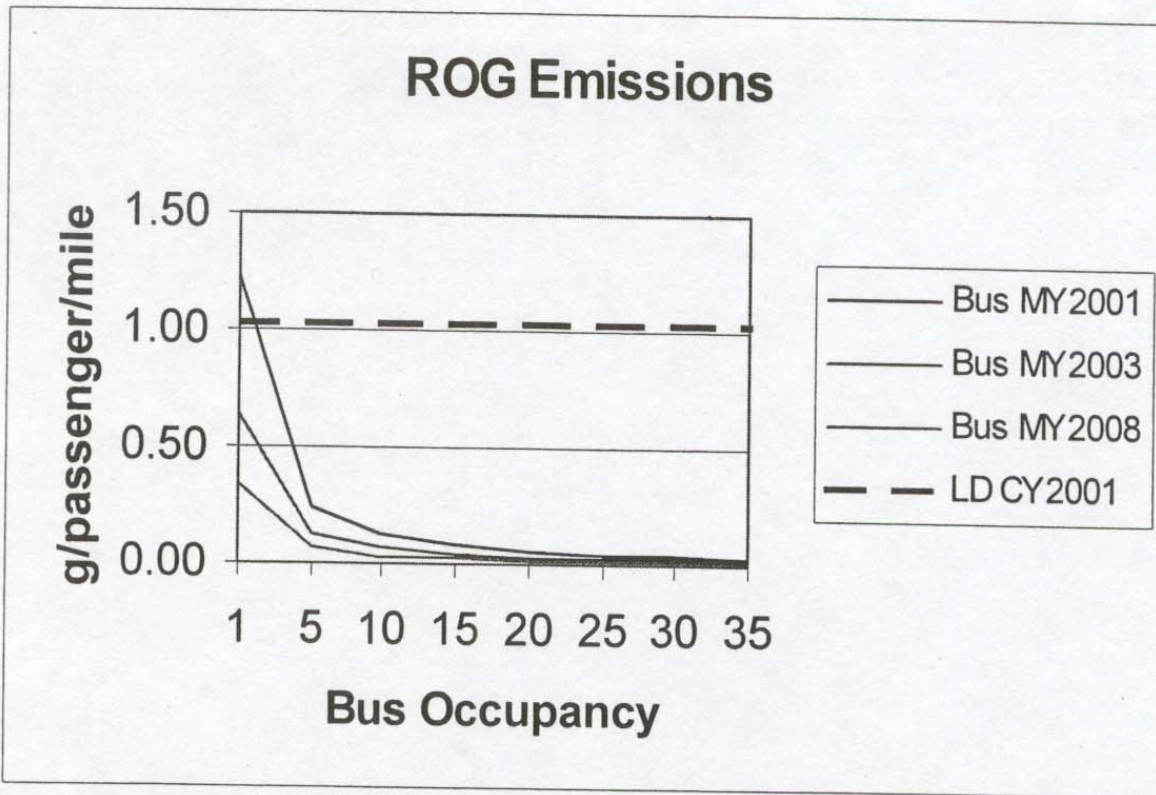
\* While many metropolitan transit rider surveys indicate that over 50 percent of bus riders are "transit dependent" (they don't own a vehicle), over half of this population say they would have someone drive them to their destination if transit was not available. Thus, about 25 percent of bus riders would make the trip in a vehicle.

### Ozone Precursor Emissions

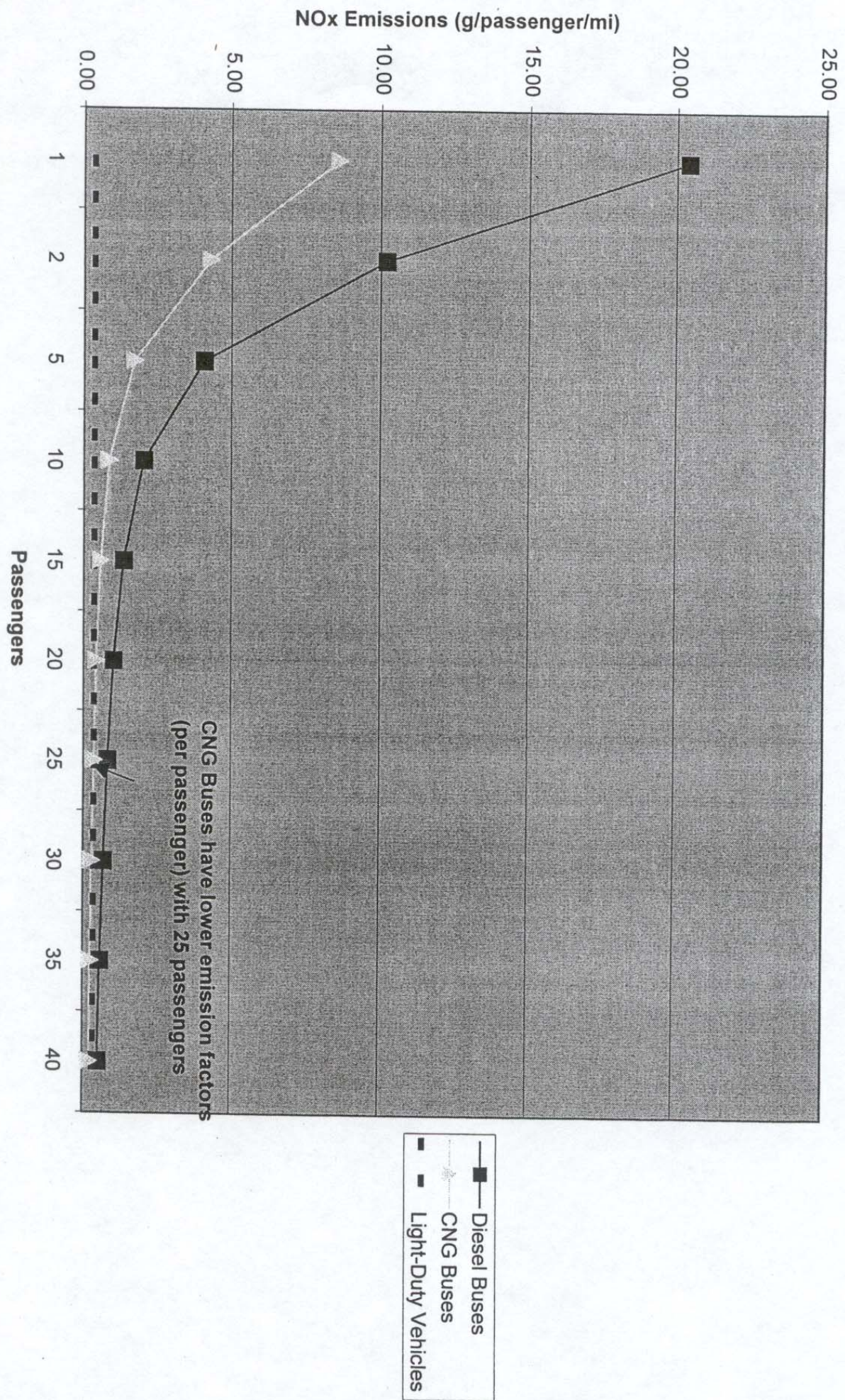


### NOx Emissions





# ARB Emission Factors -- Bus and Light-Duty Vehicles





## ARB Emission Factors -- Buses and Light-Duty Vehicles

	NOx (g/mi)
Diesel Bus <sup>(1)</sup>	20.4
CNG Bus <sup>(2)</sup>	8.60
Passenger Vehicles <sup>(3)</sup>	0.35

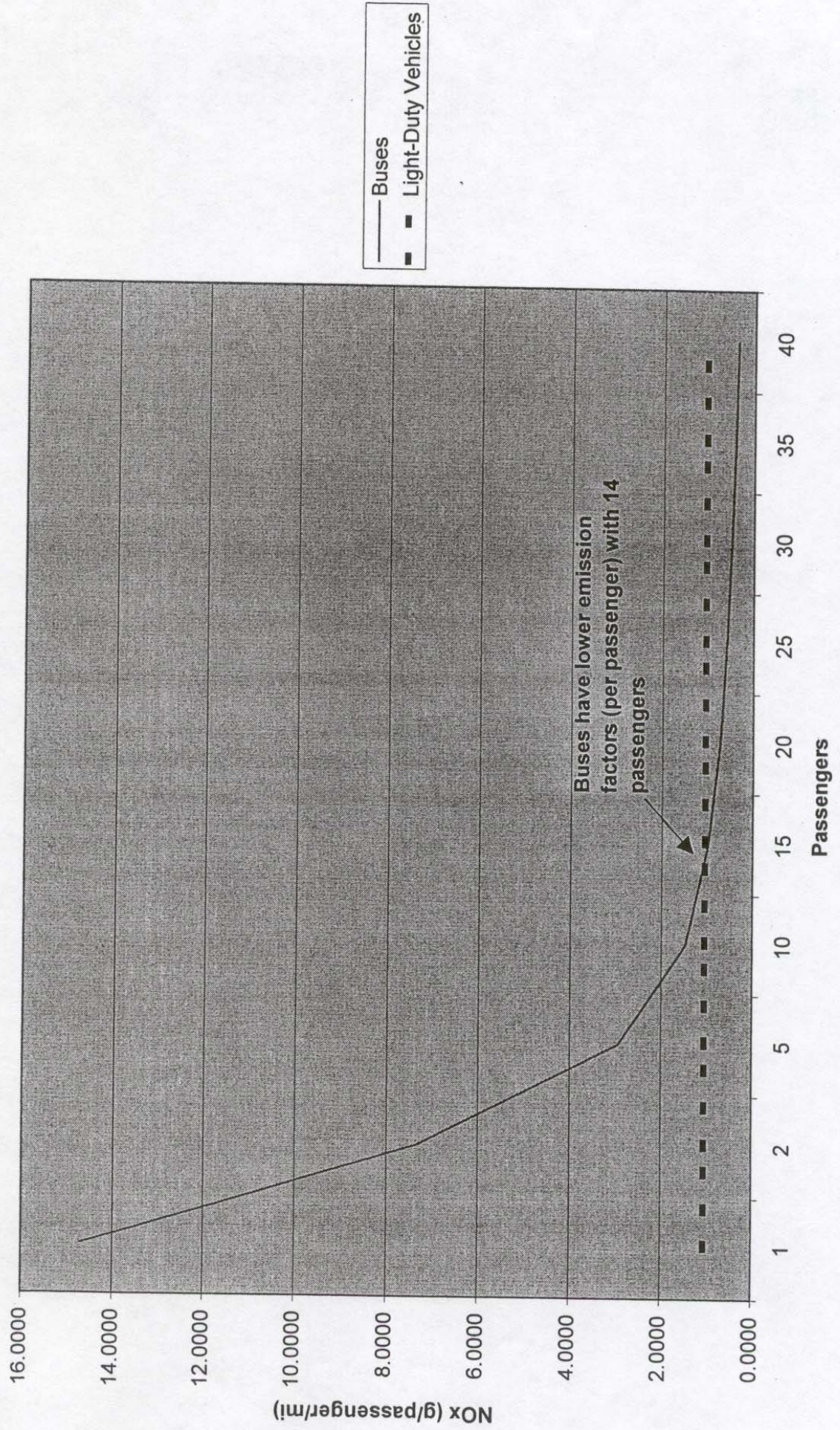
Passengers	Diesel Buses	CNG Buses	Light-Duty Vehicles
1	20.40	8.60	0.35
2	10.20	4.30	0.35
5	4.08	1.72	0.35
10	2.04	0.86	0.35
15	1.36	0.57	0.35
20	1.02	0.43	0.35
25	0.82	0.34	0.35
30	0.68	0.29	0.35
35	0.58	0.25	0.35
40	0.51	0.22	0.35

(1) Table 5. On-Road Emission Factors for Heavy-Duty Cleaner Vehicle Projects. Methods to Find the Cost-Effectiveness of Funding Air Quality Projects.

(2) Assumes 2.0 g/bhp-hr. NOx Certification. Table 5. On-Road Emission Factors for Heavy-Duty Cleaner Vehicle Projects. Methods to Find the Cost-Effectiveness of Funding Air Quality Projects.

(3) Averages NOx emissions from all LEV I Vehicles weighing 0 to 5750 lbs. Table 2. Light-Duty and Medium Duty Vehicle Emission Factors For Vehicles Meeting LEV II Standards. Methods to Find the Cost-Effectiveness of Funding Air Quality Projects.

# EMFAC Emission Factors -- Bus and Light-Duty Vehicles 2002 Annual Ozone for the San Joaquin Valley



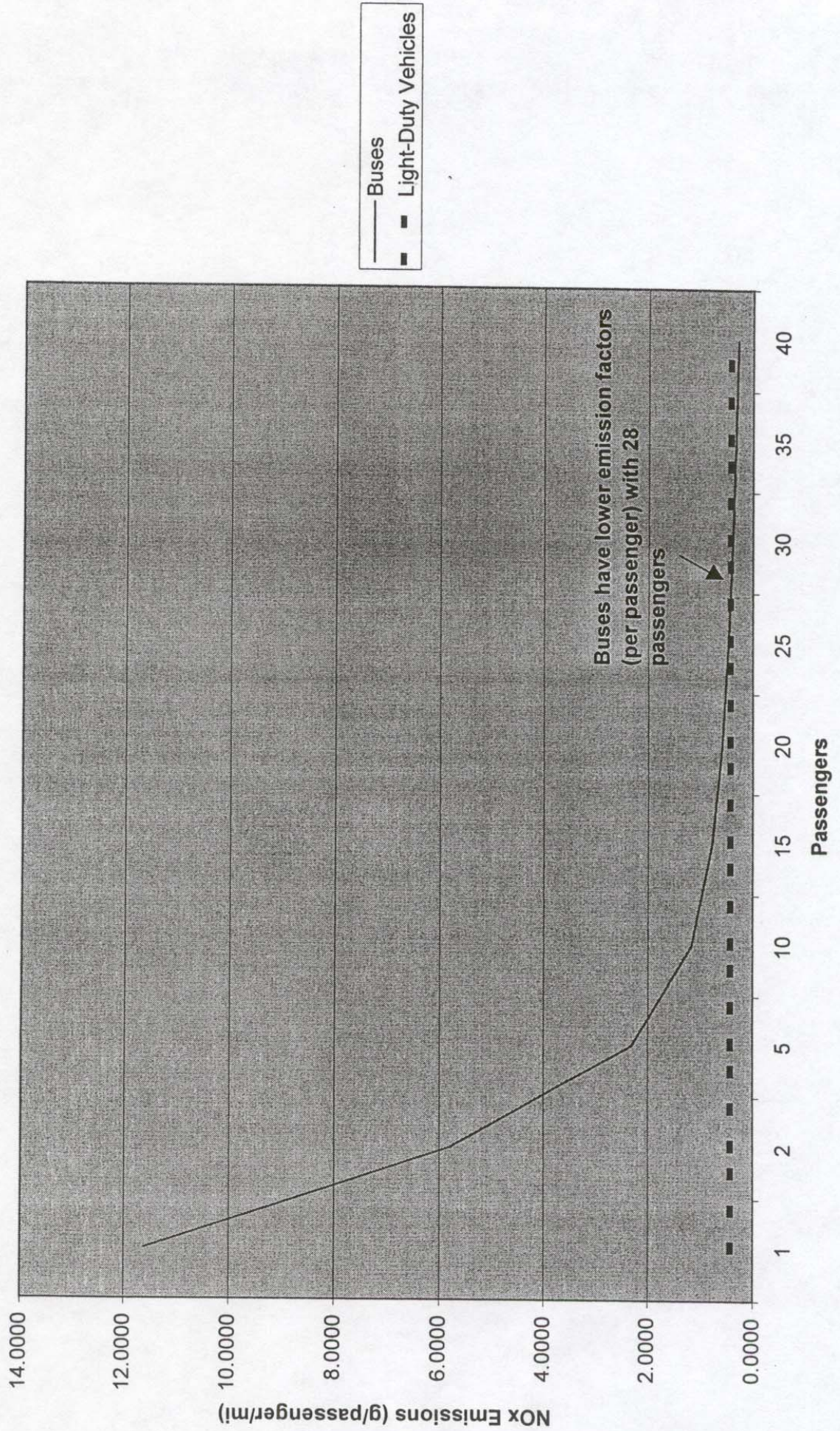
**EMFAC 2002 Emission Factors -- Buses and Light-Duty Vehicle**  
 San Joaquin Valley 2002 Annual Ozone Emissions

	<b>NOx (tons/day)</b>	<b>VMT</b>	<b>NOx (g/mi)</b>
Cars	38.04	41,659,000	0.8301
Trucks	45.03	30,233,000	1.3540
Motorcycles	0.47	286,000	1.4940
Total LDV	83.54	72,178,000	1.0522
Buses	4.8	297,000	14.6924

<b>Passengers</b>	<b>Buses</b>	<b>Light-Duty Vehicles</b>
1	14.6924	1.0522
2	7.3462	1.0522
5	2.9385	1.0522
10	1.4692	1.0522
15	0.9795	1.0522
20	0.7346	1.0522
25	0.5877	1.0522
30	0.4897	1.0522
35	0.4198	1.0522
40	0.3673	1.0522

# EMFAC Emission Factors -- Bus and Light-Duty Vehicles

2010 Annual Ozone for the San Joaquin Valley



**EMFAC 2002 Emission Factors -- Buses and Light-Duty Vehicles**  
 San Joaquin Valley 2010 Annual Ozone Emissions

	<b>NOx (tons/day)</b>	<b>VMT</b>	<b>NOx (g/mi)</b>
Cars	17.73	52,580,000	0.3065
Trucks	24.43	37,975,000	0.5848
Motorcycles	0.57	380,000	1.3636
Total LDV	42.73	90,935,000	0.4272
Buses	4.71	369,000	11.6038

<b>Passengers</b>	<b>Buses</b>	<b>Light-Duty Vehicles</b>
1	11.6038	0.4272
2	5.8019	0.4272
5	2.3208	0.4272
10	1.1604	0.4272
15	0.7736	0.4272
20	0.5802	0.4272
25	0.4642	0.4272
30	0.3868	0.4272
35	0.3315	0.4272
40	0.2901	0.4272

**Jason Paukovits**

---

**From:** Jason Paukovits <jasonp@fresnocog.org>  
**To:** Bruce Rudd <Bruce.Rudd@ci.fresno.ca.us>  
**Cc:** Barbara Goodwin <bgoodwin@fresnocog.org>; Mike Bitner <mbitner@fresnocog.org>; John Downs <John.Downs@ci.fresno.ca.us>; John Villeneuve <John.Villeneuve@ci.fresno.ca.us>  
**Sent:** Thursday, August 28, 2003 2:09 PM  
**Attach:** bus and vehicle emissions memo 82603.doc; Bus and Passenger Vehicle Emission Factor Comparison 82503.xls; 2001 Bus emissions comp tables (JWeir edits - Jul03).doc; Fresno County Bus and Passenger Vehicle Emission Factors 82803.xls  
**Subject:** Bus and Vehicle Emission Calculations

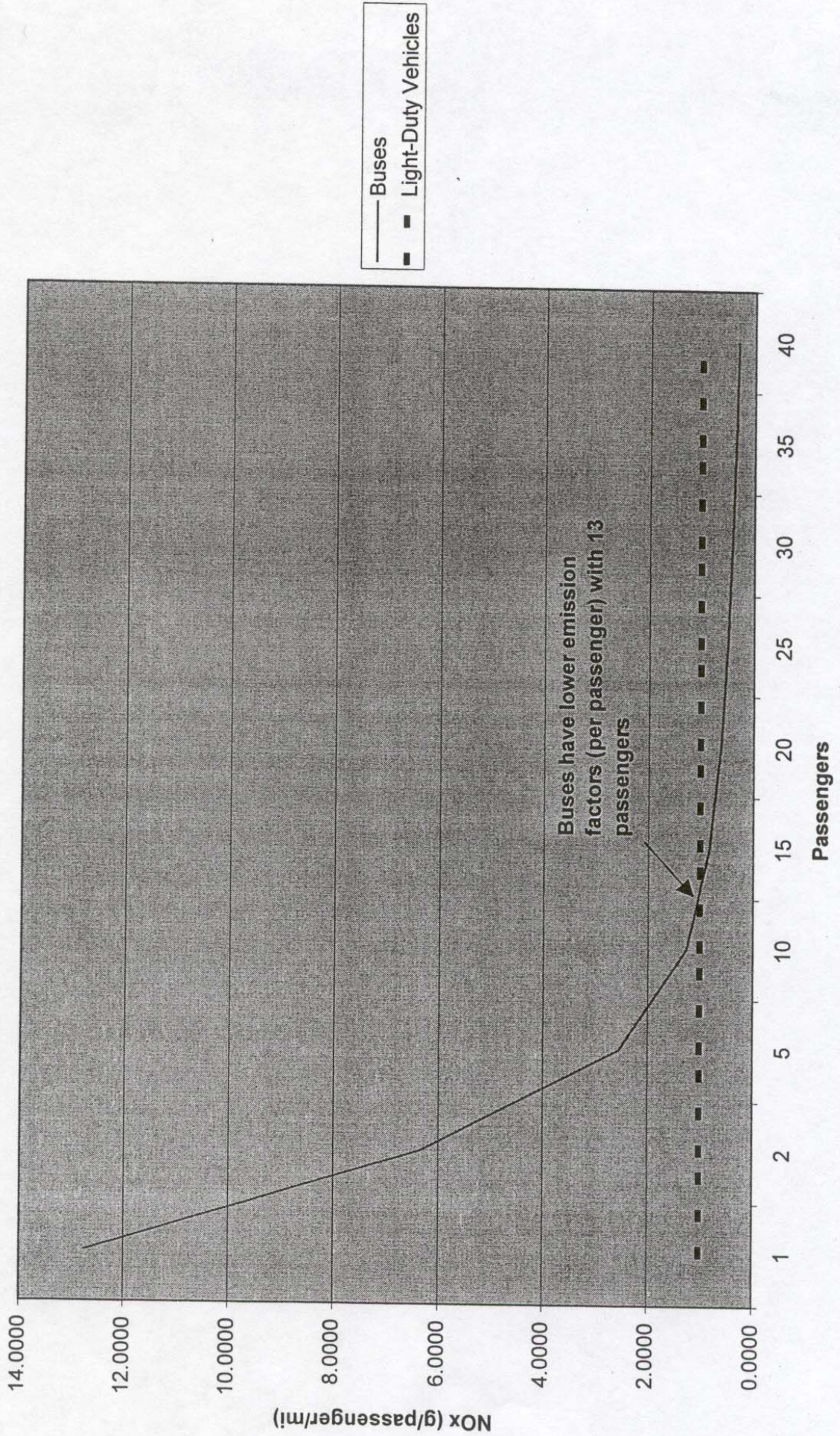
Bruce,

As we discussed earlier, attached is the information regarding the "break-even" point for bus emissions (NOx) to show a reduction over passenger vehicles. I have included a brief memo, spreadsheets, and the information provided by ARB. Obviously, these are rough estimates and can vary based on the specific vehicle fleet.

Note that the first set of estimates (which are also the set referenced in the memo) is based on a model run for the entire Valley. Today, I also looked at the specific information for Fresno County (thinking that this information may be useful to you)...the number of passengers necessary for a "break-even" point in Fresno County for 2002 and 2010 are 13 and 24 passengers, respectively. This is very similar to the overall Valley estimates (14 and 28 passengers) in the other attached spreadsheets. Please let me know if you have any questions (or comments on any of the assumptions or calculations). Thanks.

Jason

# EMFAC Emission Factors -- Bus and Light-Duty Vehicles 2002 Annual Ozone for Fresno County



# EMFAC 2002 Emission Factors -- Buses and Light-Duty Vehicle

Fresno County 2002 Annual Ozone Emissions

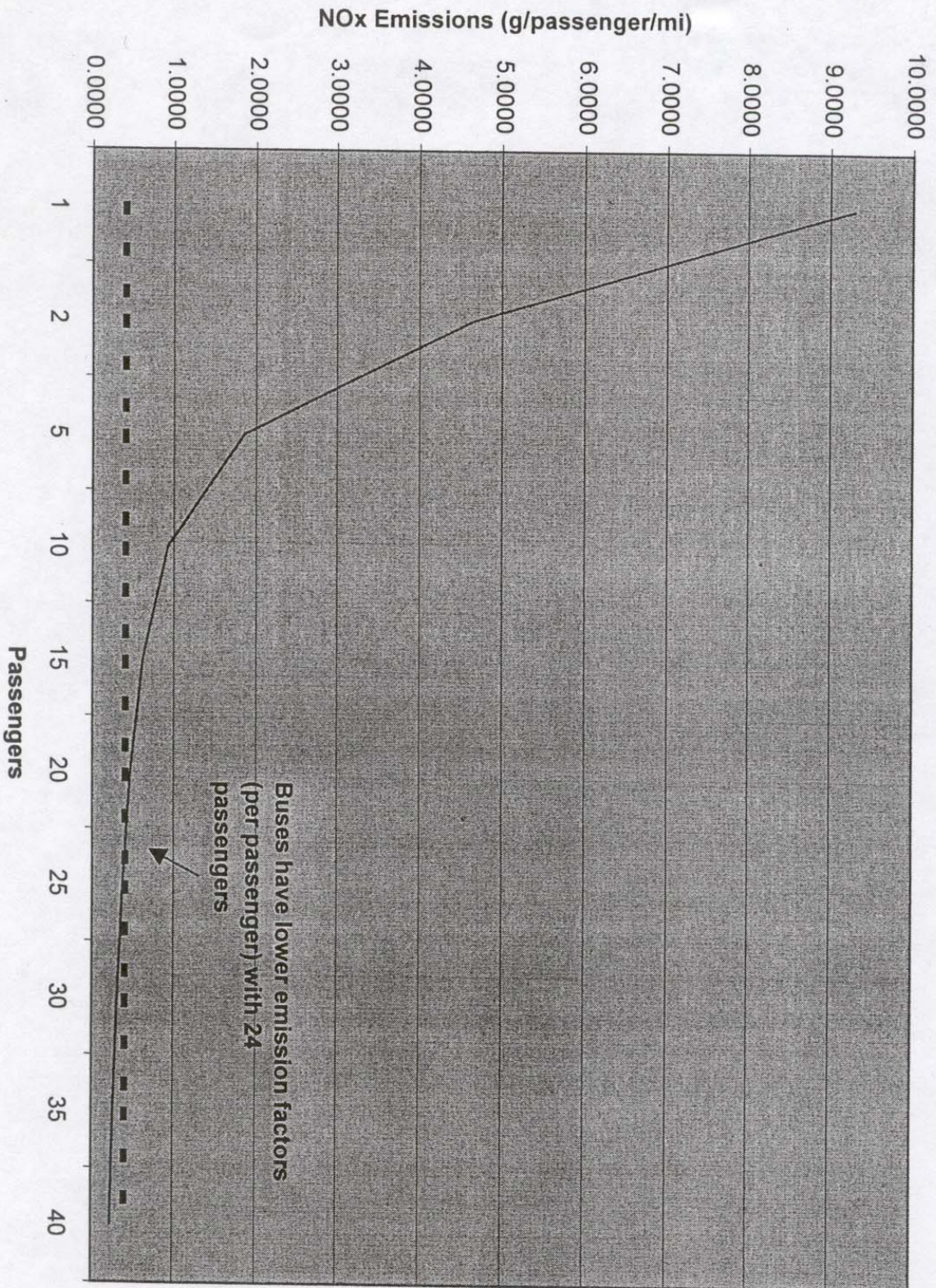
	NOx (tons/day)	VMT	NOx (g/mi)
Cars	8.97	10,163,000	0.8024
Trucks	10.03	6,748,000	1.3512
Motorcycles	0.09	57,000	1.4354
Total LDV	19.09	16,968,000	1.0228
Buses	1.05	75,000	12.7273

Passengers	Buses	Light-Duty Vehicles
1	12.7273	1.0228
2	6.3636	1.0228
5	2.5455	1.0228
10	1.2727	1.0228
15	0.8485	1.0228
20	0.6364	1.0228
25	0.5091	1.0228
30	0.4242	1.0228
35	0.3636	1.0228
40	0.3182	1.0228



# EMFAC Emission Factors -- Bus and Light-Duty Vehicles

## 2010 Annual Ozone for Fresno County



— Buses  
 - - - Light-Duty Vehicles

**EMFAC 2002 Emission Factors -- Buses and Light-Duty Vehicles**  
 Fresno County 2010 Annual Ozone Emissions

	<b>NOx (tons/day)</b>	<b>VMT</b>	<b>NOx (g/mi)</b>
Cars	4.00	12,635,000	0.2878
Trucks	5.16	8,279,000	0.5666
Motorcycles	0.13	85,000	1.3904
Total LDV	9.29	20,999,000	0.4022
Buses	0.95	93,000	9.2864

<b>Passengers</b>	<b>Buses</b>	<b>Light-Duty Vehicles</b>
1	9.2864	0.4022
2	4.6432	0.4022
5	1.8573	0.4022
10	0.9286	0.4022
15	0.6191	0.4022
20	0.4643	0.4022
25	0.3715	0.4022
30	0.3095	0.4022
35	0.2653	0.4022
40	0.2322	0.4022

## MEMORANDUM

TO: Barbara Goodwin, Executive Director  
Mike Bitner, Senior Planner  
FROM: Jason Paukovits, Planning Coordinator  
DATE: September 23, 2003  
RE: Bus and Light-Duty Vehicle Emissions...Part II

On August 26, 2003, I provided a memo and charts that were an overview of bus and light-duty vehicle emissions. This information has since been circulated to Fresno Area Express (FAX), Earth Matters, and other individuals for review. Based on comments received at the September 10, 2003, Transportation Technical Committee (TTC), I have conducted additional calculations and reviewed other available data. This memo provides a more detailed description of the topic, confirming previous statements and enhancing the emission factor calculations.

### **Background on the Previous (August 26th) Memo**

Information contained in attachments to the previous memo is still accurate. Additional time has allowed for a more comprehensive review of the issue, as well as the incorporation of recent comments. The primary concern noted at the TTC meeting was the focus of the calculations on Nitrogen Oxide (NOx) emissions. Ozone is formed by a reaction of sunlight, NOx, and Reactive Organic Gases (ROG). Buses typically have lower ROG emissions, which would lower the number of passengers necessary to see an emissions benefit.

However, NOx emissions were used for several reasons:

1. Due to the cursory review of the topic last month, it was more efficient to focus on one pollutant. Pollutant interactions make the analysis more complex with a greater time requirement.
2. Most of the recommended calculations and funding programs for bus and heavy-duty diesel engines, including Carl Moyer and the Congestion Mitigation and Air Quality (CMAQ) program, focus primarily on NOx and Particulate Matter (PM10) emissions. Emission factors for ROG are not usually provided.
3. NOx is considered by the San Joaquin Valley Air District to be a "keystone pollutant". While ROG is primarily a concern with ozone in the summer months, NOx is a significant precursor to ozone in the summer and particulate matter (PM10 and PM2.5) during the fall and winter. Therefore, equal weighting of both pollutants does not take into account the unequal contribution to annual air pollution.
4. Direct comparisons of PM10 emissions may not represent the true health risk and contributions to air quality. Higher health risks are associated with diesel PM10. ARB has listed Diesel Exhaust PM10 as a toxic air contaminant; in fact, Diesel Exhaust PM10 is believed to represent over 70% of the ambient airborne toxics cancer risk in the state.

Due to these considerations, NOx was the primary pollutant of concern and considered most relevant for the comparison. However, this first review also had a more limited scope, and, as a result, may be open to additional comments and criticism.

### **Other Research**

Not much in use data available, but some studies show higher PM emissions in use compared to estimates

## Modeling Results

### ARB Methodology

These estimates are based on emission factors from ARB's "Methods to Find the Cost-Effectiveness of Funding Air Quality Projects," which is often used for calculation of emission reductions and cost-effectiveness for programs such as the CMAQ program and the San Joaquin Valley Air District REMOVE program.

Using these emission factors, I again compared a standard Diesel Bus (1998 standards), CNG Bus (2.0 g/bhp-hr NO<sub>x</sub> certification), and Light-Duty Vehicles (1995 to 2003). Estimates of the number of passengers necessary to achieve a lower emission factor (g/passenger/mi) are summarized in Table 1.

Table 1. ARB Calculation Methodology Emission Factors (g/mi) and Passenger Offsets

	NO <sub>x</sub>		ROG		Total Ozone		PM10	
	Emission Factor	Number of Passengers	Emission Factor	Number of Passengers	Emission Factor	Number of Passengers	Emission Factor	Number of Passengers
Diesel Bus	20.4	*	1.17	13	21.57	*	0.58	*
CNG Bus	8.60	25	0.65	7	9.25	21	0.025	3
Light-Duty Vehicle	0.35	N/A	0.1	N/A	0.45	N/A	0.01	N/A

\* Indicates that bus emissions exceed light-duty vehicle emissions (per passenger) at full capacity (i.e., 40 passengers on the bus).

### EMFAC Modeling for Fresno County

EMFAC (Emission FACTors model) is the Air Resources Board model for local, regional, and state emission calculations. Using vehicle miles traveled from the Fresno COG model, emission estimates were calculated for Fresno County in 2002 and 2010. Recognizing the requirements for conformity and our standard modeling procedures, the summer season was modeled for ozone, and annual emissions were estimated for PM10. Previously, I had used annual for both calculations; however, a comparison of the break-even point for number of passengers indicates little difference between summer and annual ozone calculations.

Tables 2 and 3 show the calculations for 2002 and 2010, respectively. Please note that these are specific to Fresno County only and may not be representative of the San Joaquin Valley.

Table 2. 2002 EMFAC Summer Ozone/Annual PM10 Emission Factors (g/mi) and Passenger Offsets

	NO <sub>x</sub>		ROG		Total Ozone		PM10	
	Emission Factor	Number of Passengers	Emission Factor	Number of Passengers	Emission Factor	Number of Passengers	Emission Factor	Number of Passengers
Transit Buses	11.88	14	3.52	4	15.39	9	0.24	7
Light-Duty Vehicles	0.9	N/A	1	N/A	1.91	N/A	0.04	N/A

Note that the number of passengers necessary to show an emissions benefit increases over time. Reduction in emissions from the light-duty vehicle fleet will exceed those reductions expected by transit buses. The only exception to this rule is directly-emitted PM10; as transit buses continue to see improvement to direct emissions, through control devices and upcoming emission standards, fewer passengers are necessary to offset the emissions.

Table 3. 2010 EMFAC Summer Ozone/Annual PM10 Emission Factors (g/mi) and Passenger Offsets

	NOx		ROG		Total Ozone		PM10	
	Emission Factor	Number of Passengers	Emission Factor	Number of Passengers	Emission Factor	Number of Passengers	Emission Factor	Number of Passengers
Transit Buses	8.7	25	2.44	6	11.14	14	0.2	6
Light-Duty Vehicles	0.36	N/A	0.45	N/A	0.81	N/A	0.04	N/A

**Summary of Results**

The use of different emission factors continues to make bus and light-duty vehicle emission comparisons difficult. As noted in this review, the results can vary based on the methodology. However, the primary assertions of the previous memo are still valid. To reiterate, those points are that (1) older, diesel buses do not seem to provide an emissions benefit; (2) with improved technology in future years, buses need to carry MORE passengers to offset the improvements in passenger vehicle emissions, and (3) *these passengers must NOT be transit dependent to achieve an emissions benefit.*

Transit serves an essential social need and is necessary for many transit-dependent residents. As Fresno Area Express (FAX) and other transit agencies work to convert their diesel fleet to compressed natural gas (CNG), we will definitely see an improvement over current air quality emissions. Current CNG standards and emissions, including in-use testing, show emission benefits over diesel engines. However, justifying bus transit versus light-duty vehicles as "key" to solving our air quality problems is somewhat difficult to justify, given the average number of non-transit dependent passengers that would need to be on each bus. Nonetheless it is one of the pieces of the clean-air puzzle we will pursue, with sufficient and appropriate ridership to be sought.

If there is substantial interest and additional questions, I can provide a more substantial report and updates in the future.



**FRESNO COUNTY RURAL TRANSIT AGENCY**

2100 Tulare Street, Suite 619 Fresno, CA 93721

Phone: 559 - 233 - 6789 Fax: 559 - 233 - 9645

Webpage: [www.ruraltransit.org](http://www.ruraltransit.org) Email: [jwebster@ruraltransit.org](mailto:jwebster@ruraltransit.org)

September 26, 2003

Fresno County Administrative Office  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, CA 93721  
Attention: Vicki Samarin

Dear Presiding Judge of the Fresno County Court:

Attached is the Fresno County Rural Transit Agency's (FCRTA) Response Report to the 2002-2003 Grant Jury Report regarding "Transit Consolidation" (pages 67-69).

This Report was publically reviewed last night, during the FCRTA Board of Director's regularly scheduled monthly meeting. The rural incorporated City Mayors and the Chairman of the Fresno County Board of Supervisor conducted a lively discussion of the Grand Jury's Report and the Board of Director's Formal Response Report. Following an expressed opportunity for public comment, the Board of Directors formally approved the document for transmittal to you.

Should you have any further comments or questions, please contact me.

Sincerely,

Jeffrey D. Webster  
General Manager  
Fresno County Rural Transit Agency

**RECEIVED**

SEP 26 2003

ADMINISTRATIVE OFFICE

Attachment

Responses Approved by the  
Fresno County Rural Transit Agency's Board of Directors,  
Following an Expressed Opportunity for Public Comment  
During their Regularly Scheduled September 25, 2003 Meeting

**Fresno County Rural Transit Agency's  
Responses to the 2002-2003 Grand Jury Report  
Regarding  
"Transit Consolidation"  
(Pages 67-69)**

This Report contains an excerpted section on Transit Consolidation (*italics*) from the 2002-2003 Grand Jury Report, with appropriate responses shown. For the benefit of those reading these responses, please note that existing law requires we form our responses on the following premises:

- 1 For each Grand Jury finding, the response should either:
  - A. Agree with the finding, or
  - B. Disagree wholly or partially with the finding, specifying the portion of the finding that is disputed, and including an explanation of the reasons for the dispute.
2. For each Grand Jury recommendation, the response should report one of the following actions:
  - A. The recommendation has been implemented, with a summary regarding the implemented action.
  - B. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
  - C. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion. This timeframe shall not exceed six months from the date of publication of the grand jury report.
  - D. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation provided.

## **TRANSIT CONSOLIDATION**

### **Introduction**

*The 2002-2003 Fresno County Grand Jury considered the proposals made by several sources to examine ways to consolidate the various transit systems in Fresno County, including school busses. In this connection, the Grant Jury met with the Executive Director (Barbara Goodwin) of the Council of Fresno County Governments (COG), the Transit General Manager (Bruce Rudd) of Fresno Area Express (FAX) and the General Manager (Jeffrey D. Webster) of Fresno County Rural Transit Agency (FCRTA), who individually responded to formal subpoena and questioning by members of the Fresno County Grand Jury's "Transportation Committee", by privately expressing their professional views and concerns regarding the topic of "transit consolidation".*

### **Findings**

- A. *Three main separate systems provide public transportation services within Fresno County, which are FAX, FCRTA, and Clovis Stagelines. In addition, school districts within the County provide school bus service.*

Agree, with clarification.

The three (3) "general public" transit "operators" in Fresno County are:

1. The City of Fresno's "Fresno Area Express (FAX)" which includes their fixed route service and their paratransit Handy Ride service for the disabled;
2. The "Fresno County Rural Transit Agency (FCRTA)" as a Joint Powers Agency composed of: the City of Coalinga; the City of Firebaugh; the City of Fowler; the City of Huron; the City of Kerman; the City of Kingsburg; the City of Mendota; the City of Orange Cove; the City of Parlier; the City of Reedley; the City of Sanger; the City of San Joaquin; the City of Selma; and the County of Fresno. In 2002-2003 the FCRTA provided general public services as: Auberry Transit; Coalinga Transit; Firebaugh Transit; Fowler Transit; Huron Transit; Kerman Transit; Kingsburg Transit; Laton Transit; Mendota Transit; Orange Cove Transit; Parlier Transit; Reedley Transit; Sanger Transit; San Joaquin Transit; Selma Transit; Southeast Transit; South Sierra Transit; and Westside Transit; and
3. The City of Clovis' "Clovis Transit" which is composed of Stagelines and Round-Up.

- B. *The public transit systems are operated by independent boards of directors which purchase busses, fix fares, and establish policies within each district. Accordingly, each district operates with different equipment, fares, and general policy.*

Agree, with clarification.



The "independent boards of directors" are locally elected officials.

The City of Fresno's Fresno Area Express is actually governed by the Mayor of Fresno and the seven (7) member Fresno City Council.

The Fresno County Rural Transit Agency is directly governed by the Mayors, or City Council members, of the thirteen (13) Cities of: Coalinga; Firebaugh; Fowler; Huron; Kerman; Kingsburg; Mendota; Orange Cove; Parlier; Reedley; Sanger; San Joaquin; Selma; and the Chairman or another designated Board of Supervisor from the County of Fresno. Specific transit matters are reviewed publically by each jurisdictions entire five (5) member City Council and five (5) member Board of Supervisors. A total of seventy (70) locally elected officials.

The City of Clovis' Clovis Transit is actually governed by the five (5) member Clovis City Council.

This Grand Jury "Finding Statement" incorrectly references the term "district" twice. We would suggest the replacement word "jurisdiction" be used instead.

- C. *School busses and drivers are subject to different regulations than other types of transit; however, school children may be and are bussed in public transit busses.*

Agree, with clarification

Yes, the State of California has established different training and performance standards for vehicle operators. There are several different categories for van (paratransit), public transit bus operators, and school bus operators.

Scheduled fixed route general public buses may operated to school locations, if expressly permitted by the local School Board and District and transport "youth passengers" and/or "pupils".

Demand responsive van services may transport "youth passengers" to school locations, if expressly permitted by the local School Board and District and agreed to by the local jurisdictions City Council.

Parents of school children have the opportunity to deal directly with their respective locally elected school board members in establishing and reviewing the policies, budgets, and school bus transportation services in their respective communities.

- D. *Bus fares pay approximately 20% of public transportation costs; the balance is paid by government subsidies. It is in the public interest to maintain public transportation systems, as they provide a means for low-density housing residents to travel within the community at reasonable cost with the smallest amount of pollution.*

Agree, with clarification.

A point of clarification, under the California Transportation Development Act (TDA) of 1971, urban transit operators such as the City of Fresno's Fresno Area Express and the City of Clovis' Clovis Transit's Stagelines they are mandated to maintain a minimum twenty percent (20%) farebox recovery against their total operating expenditures. For urban area elderly and disabled services such as the City of Fresno's Handy Ride and the City of Clovis' Round-Up, they are mandated to maintain a minimum ten percent (10%) farebox recovery. Rural operators, such as the Fresno County Rural Transit Agency, are mandated to maintain a minimum ten percent (10%) farebox recovery.

The phrase "low-density housing residents" seems to be inconsistent in this context. We would suggest that it be replaced by an inclusive phrase such as "general public including elderly, disabled, low-income, and youth passengers".

- E. *At certain times of the day, FAX busses run either empty or with only a few passengers.*

No response, we are not responsible for FAX operations.

- F. *The Economic Opportunities Commission provides transportation for some social service programs.*

Agree.

Yes, the Council of Fresno County Governments (COFCG) responded to California State Legislation in 1979 with the passage of the Social Service Transportation Improvement Act to inventory and prepare an Action Plan to specifically address the transit needs of over one hundred (100+) Fresno County social service agencies and their various programs at that time. The six (6) stipulated objectives in the law were:

1. Centralized administration to eliminate duplicative Administrative requirements.
2. Identify and consolidate all sources of funding to provide more efficient and cost-efficient services.
3. Centralized dispatching for more efficient vehicle use.
4. Centralized maintenance for adequate, regular and more cost-effective vehicle maintenance.
5. Implement an exemplary driver training program for safer vehicle operations and lower insurance costs.
6. Combined purchasing and pricing bids / quotes for more effective cost savings.

The resultant Action Plan designated three (3) Consolidated Transportation Service (CTSA) in Fresno County. For political accountability purposes, the COFCG co-designate: the City of Fresno and the Fresno County Economic Opportunities Commission (FCEOC) as the Urban Area CTSA; the FCRTA and the FCEOC as the Rural CTSA; and the City of Clovis and the Clovis CTSA.

The resultant Urban and Rural CTSA have been exemplary for the entire State of California, and have also received National recognition for its successful coordination efforts and achievement of all six (6) program objectives. The FCEOC operates 127 vehicles, including 38 Head Start School Buses, in support of fifty-six (56) programs for twenty-seven (27) agencies. They provide nearly 1, 350,000 trips annually.

It should be also noted that the three (3) designated CTSA receive over \$1 million annually in Transportation Development Act - Local Transportation Fund, Article 4.5 funds to be matched with existing social service agency programs funds. In the specific case of the Urban and Rural CTSA's, the Fresno County Economic Opportunities Commission leverages approximately \$925,000 into nearly a \$6 million for the social service transit program.

- G. *Applications receiving favorable consideration for grants from state and federal governments usually show far-reaching program proposals and useful concepts providing maximum coverage and benefit.*

Agree.

Yes, the City of Fresno, the Fresno County Rural Transit Agency, and the Fresno County Economic Opportunities Commissions have each been successful in submitting State and Federal Grant Applications to augment local financial resources for both Capital and Operating Assistance for numerous innovative proposals to benefit local area residents.

- H. *COG and related transportation entities have had preliminary meetings in which they explored the means and benefits of consolidation of the transit systems. At the meetings, the concept of consolidation was favorably received. The parties examined the system adopted in Merced County, where a Joint Powers Authority (JPA) was adopted, and Kern County, where a countywide district was chosen. Both counties have benefitted from consolidation. However, consolidation into one district provides more centralized management and decision making ability.*

Agree.

Yes, the Council of Fresno County Governments held a Transportation Forum to publically discuss the attributes of consolidating existing transit services by forming a Metropolitan Area or Countywide Joint Powers Agency or Transit District. A wide range of comments were expressed.

- I. *It is likely that an election would be required to establish a countywide transit district.*

Agree.

It is our understand that a local election would indeed be necessary. The passage of such might require a simple majority or two-thirds (2/3) voter approval. It should be mentioned that most transit districts are established with their own independent and locally elected Board of Directors. They also seek local "taxing authority" to augment existing revenue sources and support their ongoing transit programs. All previously competitive State and Federal grant programs, with a recognized option for transit could be diverted to the transit district and away from other local and regional priority projects. A transit district could be the means to expand existing bus services to include true mass transit alternatives such as ground level, below ground level, and/or above ground level light rail or monorail systems.

- J. *While some workers are union members, others are not; this will cause some problems with consolidation. However, it is generally believed that the problem can be overcome with special qualifications for different types of equipment and uniformity in wage scales.*

Agree.

There would be significant financial implications to each jurisdiction that is not currently unionized. With consolidation, the resultant employee workforce of previous non-unionized employees would naturally seek the greater salary and benefit packages realized by their unionized peers. Certainly, its a matter of collective bargaining and negotiations. Even with compromise and recognition towards a possible tier-stepped job responsibility classifications, the net result will be much higher expenditures for employee costs. Such cost increased would compete for the limited existing and projected financial resources, offsetting the perceived opportunity for maximizing transit service improvements and enhancements usually promised through transit consolidation.

### Conclusions

- A. *Consolidation of the transit systems, including school busses, in Fresno County would be of benefit to the general public, in that it would result in substantial cost savings in uniformity of service, single management, and reduced pollution.*

Agree or Disagree. It sounds great! Everything we do should "be of benefit the general public". We are not sure "substantial cost saving" would actually be realized. "Uniform service" has a tendency to be reduced to the lowest common denominator to ensure equality. "Single management" could actually result in higher direct administrative costs reflective the new consolidated organization and its new overall responsibilities. If existing and replacement vehicles were converted to alternative fuels, and vehicle miles traveled (VMT) by drivers in

conventional single occupancy vehicles were to become passengers on public transit, then "reduced pollution" may be realized.

The Fresno County Rural Transit Agency has been committed to alternative fuels since 1992, when we purchased twenty-one (21) propane powered vehicles. In 1997, we purchased twenty-three (23) compressed natural gas (CNG) powered vehicles, and two (2) electric battery powered vehicles. We currently have fourteen (14) additional CNG vehicles on order for service introduction in early 2004. While our objective has been to "reduce pollution for cleaner air", we have not realized any net "cost savings" from our actual experiences with alternative fuels.

We understand our existing individual general public and social service transit operations, their respective budgets, and the rules and regulations pertaining to them.

We are not really familiar with any of the school bus operations provided by the thirty-three (33) school district and their service contractors throughout Fresno County. Their combined budgets may exceed \$50 million. We understand that they are currently seriously underfunded for both ongoing capital and operating expenditures. We appreciate that some consolidation efforts have successfully occurred, a case in point is the Southwest Transportation Agency. To date, their Joint Powers Authority has combined fourteen (14) school district transportation programs.

Annually, under the Federal Transit Administration's Section 5311 program we are required to certify that we are not dealing with any schools or providing contract school bus services. If we were, we would be ineligible to receive federal funding through the State Department of Transportation.

- B. A substantial benefit of consolidation would be the ability to focus grant applications on a much broader scale.*

Agree.

If transit grant application competition at a Countywide level were a problem, transit consolidation would certainly eliminate it. A consolidated staff of grant writers could streamline the process.

- C. Consolidation would result in better planning for expense and fare management as well as scheduling to increase ridership.*

Disagree.

Under the current arrangements, the Council of Fresno County Governments is the federally recognized and designated Regional Transportation Planning Agency by the State of California.

The Fresno County Rural Transit Agency's Board of Directors is pleased

with the current arrangements afforded to their respective constituents through its existing Joint Powers Agency. Since 1979, the arrangement has proven to be cost effective, and responsive to the ever changing needs of the rural Fresno County residents. The expenditures have been reasonable. The respective services remarkable and responsive. The fares have been among the lowest in the State.

Our Board has been concerned that transit consolidation could result in a shifting of resources to the metropolitan area to the detriment of the rural areas. Resultant expenditure increases would shift funds from existing option alternatives (under the existing Transportation Development Act, rural counties such as jurisdictions in Fresno County are currently responsible for reasonably meeting transit needs, afterwards any remaining difference in funding may be used for local street and road projects). Fares would increase significantly, as a direct result of the overall higher operating costs, and the need to maintain minimum farebox recovery requirements.

We are also concerned about added infrastructure costs. Our County is 6,005 square miles. Our existing rural operations are not conducive to a single centralized location. Travel mileages and times, vehicle ranges with alternative fuels are very limiting. Traditional sub-station locations would prove to be expensive to build and operate.

- D. Concentration on promotion of transit services within the community will be enhanced by centralized management.*

Agree.

Management of a single purpose operation should result in "seamless travel" for the entire County transit dependent population. The arrangement may also appeal to potential new transit riders who have the "choice" to travel in their own vehicle.

- E. While a JPA arrangement could be initiated to provide substantially the same services, formation of a transit district from the beginning would best serve the needs of the public.*

Disagree.

The Fresno County Rural Transit Agency has experienced the ongoing benefits of being a Joint Powers Agency.

The Council of Fresno County Governments is preparing to investigate the full potential of forming a Countywide Transit District. We are willing to participate in the collective effort to determine the actual feasibility and public support through an election process.

## Recommendations

*The 2002-2003 Fresno County Grand Jury recommends that:*

96. *The Council of Fresno County Governments and affiliated agencies continue their discussions directed toward consolidation of the transit services in the county, and that those discussions specifically include school busses.*

Agree, to participate, during the 2003-2004 Fiscal Year, with the Council of Fresno County Governments and the other affiliated agencies, including school districts, in discussions directed towards further transit consolidation.

Seek legislative changes, during the 2003-2004 Fiscal Year, at the State and Federal levels to allow and facilitate coordination and consolidation of general public, social service, and school bus services.

97. *A transit district, rather than a Joint Powers Authority, be formed in the interests of efficiency in management, cost effectiveness, and to better serve the environmental needs of the valley in the future.*

Agree, to participate in discussions, during the 2003-2004 Fiscal Year, towards the consideration of forming a transit district. The actual implementation time table could take several years to complete if the general public agrees.

98. *The transit district include areas outside the County, such as portions of Madera County.*

Disagree, while we appreciate the recommendation from a regional perspective, it will be hard enough to present the transit district concept to Fresno County residents in a successful initiative process to realize implementation in the foreseeable future.

Other counties have the prerogative to form their own respective transit districts.

99. *The Board of Directors of the Council of Fresno County Governments appoint a transportation expert to organize and promote a new countywide transit district.*

Agree, that the Council of Fresno County Governments should seek the expertise of an experienced and qualified consulting firm, during the 2003-2004 Fiscal Year, to prepare a comprehensive study towards the formation, election, and implementation of a transit district. Again, the actual implementation timetable could take several years before and several years after, to complete, if the general public agrees.

**SECTION VII**

**APPENDIX A**





## **APPENDIX A**

### THE 2002-2003 FRESNO COUNTY GRAND JURY RECOMMENDATIONS TO THE 2003-04 GRAND JURY

The 2002-2003 Grand Jury made four recommendations to the 2003-2004 Grand Jury:

**Recommendation #57:** The 2003/2004 Fresno County Grand Jury continue to monitor the progress of the implementation of security improvements throughout the County of Fresno.

**Recommendation #60:** The 2003/2004 Fresno County Grand Jury continue to monitor the progress of the consolidation of school transportation.

**Recommendation #66:** Future Grand Juries continue to investigate the Department of Children and Family Services Foster Care System.

**Recommendation #72:** Future Grand Juries visit and review the property room.