FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

DEC 13 2016

BY _____
Deputy Clerk

Approved: Laura Bellinger
Superior Court Judge

Date: 12-12-16

Review of Responses to 2015/16 Civil Grand Jury Report

SUMMARY

The 2016-2017 Civil Grand Jury has reviewed the responses to the investigations and recommendations made by the 2015-2016 Civil Grand Jury. The 2015-2016 Civil Grand Jury issued seven investigative reports. Although respondents did not adopt all recommendations their responses complied with the requirements of the Penal Code.

BACKGROUND

The Civil Grand Jury system in California exists to promote effective and efficient local government. The Civil Grand Jury is empowered by the Penal Code with broad investigative powers to provide oversight to county, city government and special districts within Sonoma County, bringing positive change in the best interest of all residents. These investigations result in a published report to the residents of the county. These published reports contain facts and findings that lead to recommendations for improvement. Governing bodies are required to respond to the findings and recommendations in a form and within time limits that are set out in the Penal Code.

Succeeding grand juries review those responses and determine if they meet the requirements of the Penal Code. Continuity is established from one Civil Grand Jury to the next by this review. The seated Civil Grand Jury may evaluate responses for adequacy and determine if appropriate steps have been taken to implement recommendations or if further investigative action is required.

METHODOLOGY

The Civil Grand Jury reviewed the responses and evaluated them for compliance with the governing sections of the Penal Code.

DISCUSSION

According to the Penal Code, agencies and government entities are required to respond to findings in grand jury reports and the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.
(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

According to the Penal Code, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.
(2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

The summary of responses to the 2015-2016 Grand Jury recommendations is set out in the table in Appendix A. In some cases, the respondent indicated that "Recommendation has or will be partially implemented". The Civil Grand Jury concluded that these responses were in compliance even though they did not strictly conform to the penal code.

FINDINGS

F1. The 2015/16 Sonoma County Civil Grand Jury issued 28 recommendations requiring responses from 11 different County agencies or governing boards.

F2. All the responses received were in compliance with the requirements of the Penal Code.

F3. In some cases the Grand Jury recommendations were overly broad or not specific enough to permit actionable and measurable responses.

RECOMMENDATIONS

NONE.

REQUIRED RESPONSES

NONE.

GLOSSARY OF ACRONYMS

ACTTC: Auditor Comptroller Treasurer Tax Collectors Office
BOS: Sonoma County Board of Supervisors
EIFD: Enhanced Infrastructure Financing District
JJC: Juvenile Justice Center
LAFCO: Local Area Formation Commission
MADF: Main Adult Detention Facility
NCDF: North County Detention Facility
NHTF: National Housing Trust Fund
OPEB: "other post-employment benefits" usually refers to both current and retired employee health benefits and compensated absences.
PRMD: Sonoma County Permit and Resource Management Department
SCCDC: Sonoma County Community Development Commission
SRHA: Santa Rosa Housing Authority

BIBLIOGRAPHY

- California Penal Code 933.05
- Complete Responses are available on line at http://sonoma.courts.ca.gov/

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

The following table summarizes the responses received:

2015/16 CIVIL GRAND JURY RESPONSE SUMMARY CHART

RECOMMENDATIONS FROM 2015/16 CIVIL GRAND JURY	COUNTY RESPONDENT	PENAL CODE COMPLIANT	COUNTY RESPONSES	2016/17 GRAND JURY OBSERVATIONS
SPECIAL DISTRICTS				
R1. The Sonoma County Auditor-Controller-Treasurer-Tax Collector, LAFCO and the Sonoma County's Clerk-Recorder-Assessor cooperate to create and publish a listing of Sonoma County special districts on the County website. The list should include existing websites, names and terms of office of board members and special district contact information.	Clerk Recorder Assessor - William Rousseau	YES	Recommendation has been partially implemented.	No comment.
R2. The County Auditor track, monitor and review the audit reports of independent special districts. Non-submissions, late reports and audit report findings should be highlighted in a report to the Board of Supervisors.	Assistant Auditor-Controller-Treasurer-Tax Collector - Erick Roeser	YES	This recommendation will not be implemented.	No comment.
R3. The County Auditor provide information to all special districts regarding the options and procedures for obtaining approval for either a multilayer audit or a financial review in lieu of an actual audit.	Assistant Auditor-Controller-Treasurer-Tax Collector - Erick Roeser	YES	This recommendation will be implemented.	Information on audits and procedures mailed September, 2016.
R4. The County Auditor comply with Government Code Section 26909 requiring that her office audit, or contract for outside audits, of any special district failing to submit the same.	Assistant Auditor-Controller-Treasurer-Tax Collector - Erick Roeser	YES	This recommendation will be implemented.	ACTTC Website updated to reflect audit status www.sonomacounty.ca.gov/acttc/special-district0information/

2015/16 CIVIL GRAND JURY RESPONSE SUMMARY CHART

RECOMMENDATIONS FROM 2015/16 CIVIL GRAND JURY	COUNTY RESPONDENT	PENAL CODE COMPLIANT	COUNTY RESPONSES	2016/17 GRAND JURY OBSERVATIONS
R5. The Local Agency Formation Commission complete Municipal Service and Sphere of Influence Reviews for special districts every five years as required by state law.	Sonoma Local Agency Formation Commission Chairperson - Efron Carrillo	YES	This recommendation will not be implemented.	GJ interpretation of law incorrect.

DETENTION FACILITIES INSPECTION

R1. The Sheriff's department develop and prioritize a plan to accommodate female residents at the NCDF.	Sheriff Steve Freitas	YES	This recommendation will not be implemented.	GJ recommendation too broad. Female programs available at MADF.
R2. The probation Department develop and prioritize a plan to provide vocational opportunities and family oriented rehabilitation programs for girls at the JJC.	Chief Probation Officer - David Koch	YES	This recommendation will not be implemented.	GJ recommendation too broad.

2015/16 CIVIL GRAND JURY RESPONSE SUMMARY CHART

RECOMMENDATIONS FROM 2015/16 CIVIL GRAND JURY	COUNTY RESPONDENT	PENAL CODE COMPLIANT	COUNTY RESPONSES	2016/17 GRAND JURY OBSERVATIONS
FUNDING FOR COUNTY ROADS				
R1. The Board of Supervisors direct the County Administrator's Office to present the budget in a form which makes it easy to understand what funding is truly discretionary and what reserves currently exist.	Sonoma County Board of Supervisors	YES	This recommendation has been partially implemented and will continue to be implemented in the future.	GJ notes SoCo Budget web app allows detailed budget research.
R2. The Board of Supervisors set budget priorities such that annual General Fund allocations to the Roads Division meet or exceed $20 million, the minimum amount necessary to stop the decline in the condition of county roads.	Sonoma County Board of Supervisors	YES	This recommendation has been partially implemented and will continue to be implemented during the annual prioritization process.	GJ notes that BOS did not commit to $20 million but will continue to prioritize allocation of funds to road repairs.
R3. The Board of Supervisors explore all reasonable avenues to increase funding for paving county roads including a Special Tax measure.	Sonoma County Board of Supervisors	YES	This recommendation has been partially implemented and will continue to be implemented in the future.	No comment.