City of Sonora
"Queen of the Southern Mines"
94 North Washington Street
Sonora, California 95370

City Hall
Administration 532-4541
Community Development . 532-3508
Finance 532-4541
Human Resources..... 588-8946
Opera Hall 532-7725
Special Programs 532-7725
Fire..... 532-7432
Police..... 532-8143
Public Works..... 532-2922
Cemetery..... 532-4492

Area Code 209
www.sonoraca.com

MEMORANDUM

DATE: August 6, 2018

TO: Honorable Mayor, City Council members

FROM: Timothy A. Miller, City Administrator

SUBJECT: 2017-2018 Tuolumne County Grand Jury Report Recommendations

DISCUSSION:
Attached are two excerpts from the 2017-2018 Tuolumne County Grand Jury Report (Report) concerning the County's deteriorating roads and the Tuolumne County Economic Development Authority (TCEDA). The Grand Jury (Jury) reached various findings and recommendations for each of these investigations which are contained in their Report.

As a public agency with road maintenance responsibilities, the Jury has requested a response from the City of Sonora as to recommendation R2 that the City and County conduct a public discussion regarding a sales tax increment for Minor Collector and Local Roads (see pages 148 and 149).

As a member of the TCEDA Joint Powers Authority, the Jury has requested a response from the City of Sonora as to recommendation R2 that the County Auditor retain an independent firm to perform a Management Audit of TCEDA operating policies and practices to be funded by the City and County (see pages 172 and 173).

The Council needs to determine whether they agree with these recommendations, or would suggest an alternative; how the audit, if performed, would be funded; and, a time frame for implementation. Based on Council direction, City staff will work with the City Attorney to prepare a response, as appropriate, for the Council to review at your next Council meeting.

FILED
JUN 2 5 2018
Superior Court of California
County of Tuolumne
By: Diana Neeley Clerk

2017-2018 Tuolumne County Grand Jury Report

Tuolumne County
Grand Jury

41 W. Yaney St.
Sonora, CA 95370
(209) 533-5568
http://tuolumnecounty.ca.gov/?NID=386

Table of Contents

Table of Contents 7
Members of the 2017-2018 Grand Jury 9
Acknowledgement 9
Introduction 10
Grand Jury Responses 11

Review of Responses to the Tuolumne County 2016-2017 Civil Grand Jury Report **15**
Summary 15
Review of Responses to the Report on Sierra Conservation Center and Baseline Conservation Camp 19
Review of Responses to the Report on the Tuolumne County Jail 21
Review of Responses to the Report on the Tuolumne County Board of Supervisors 25
Review of Responses to the Report on the Groveland Community Services District 30
Review of Responses to the Report on Sonora's Tuolumne County Library 33
Review of Responses to the Report on the Fire Department and Dispatch 43
Review of Responses to the Report on the Information Technology Department 50
Review of Responses to the Report on the Motherlode Regional Juvenile Detention Center 82

Sierra Conservation Center **85**

Tuolumne County Jail **99**

Mother Lode Regional Juvenile Detention Center **109**

Groveland Community Services District **115**

Tuolumne County's Deteriorating Roads **131**

Tuolumne County Economic Development Authority **151**

Submission of Complaints **183**

Pavement Condition Index process if there are any remaining funds.

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

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

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

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

Recommendations

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

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

Request For Responses

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

The Tuolumne County Board of Supervisors are requested to respond to recommendations: R1, R2.

The Sonora City Council is requested to respond to recommendations: R2.

Reports issued by the 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 Grand Jury.

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

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

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

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

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

R6. TCEDA Board develop, describe and approve a formal policy specifically defining "Clients" and acceptable entertainment of Clients, as well as defining a policy of acceptable entertaining

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

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

Responses

Pursuant to Penal Code §914.1, the following response is *required* within 60 days:

- The Tuolumne County Auditor: **R2**
- The City Council of Sonora: **R2**
- The Tuolumne County Board of Supervisors: **R2**

Pursuant to Penal Code §933c, the following response is *required* within 90 days:

- TCEDA Governing Board: **R1, R3, R4, R5, R6, R7**
- Tuolumne County Counsel: **R5**

Responses are to be submitted to the Presiding Judge of the Tuolumne County Superior Court in accordance with the provisions of Penal Code §933c.

Reports issued by the grand jury do not identify the individuals who have been 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 grand jury

California Penal Code Sec. 933

(a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section agency includes a department.