

**REVIEW OF PAST GRAND JURY REPORTS  
AND  
BOARD OF SUPERVISORS RESPONSE  
GJ 04-040**

**Reason for the Report**

The 2004-2005 Grand Jury reviewed the last four years of Grand Jury Final Reports and the Board of Supervisors Responses. Our investigation revealed that many issues addressed in these four reports still exist. Recommendations were made by past Grand Juries. The county agreed with some of the recommendations, stating they would be implemented, but never did so. Each year significant operational deficiencies of several departments continue to appear before the Grand Jury, thus causing time and monies to be spent due to lack of timely implementation of actions that would have remedied the problems.

**Background**

The Grand Jury's primary function is to serve the public by overseeing county and local government and is an impaneled investigative body mandated to inform the citizens of El Dorado County to better the function of its government. The Grand Jury Final Report is published at the end of its term in June with findings and recommendations, is the product of the investigations that were completed during that year, and is mandated by Penal Code Section 933 (a), of the State of California. The Grand Jury has a duty to review all responses to prior years' final reports to insure that responses are correctly addressed and initiated as stated.

**Findings/Recommendations**

**1a. Finding:** Final Grand Jury reports from the last four years have addressed several problems in various departments. Responses to these problems made by the affected departments indicated acknowledgement of these problems and acceptance of the Grand Jury's recommendations. The responses to the reports were ***"We agree that the problem exists and that action will be taken in the near future."*** But the problems still exist in many departments today. The department managers and directors are not implementing the necessary actions required to correct the recurring situations. The Grand Jury finds that the Board of Supervisors is ultimately responsible, but has not acted to assure corrective action.

***Response to Finding 1a: The respondent disagrees partially with the finding.*** While there may have been recurrences of specific problems which have been the subject of past Grand Jury reports, this finding fails to identify specific problems that have yet to be resolved. Without being given a specific issue or problem to address, the respondent can only express strong disagreement that "The department managers and directors are not implementing the necessary actions required to correct the recurring situations" and that the Board of Supervisors "has not acted to assure corrective action". These statements imply that the affected department heads and managers and the Board of Supervisors do not take seriously deficiencies in departmental

operations and public service delivery. The Board of Supervisors, in conjunction with the CAO and department heads, is continually working to ensure efficiency in county operations and quality public service. The CAO meets monthly with all department heads, and communicates regularly with departments, both personally and through her staff. Every effort is made to resolve issues expeditiously.

The fact that certain Grand Jury recommendations may not have been implemented does not indicate a lack of effort, or lack of resolution to a problem. As departments work through issues, it is often the case that previously identified courses of action, including Grand Jury recommendations, that once seemed feasible are no longer feasible. The complex nature of the issue and often competing priorities require flexibility and creativity. To avoid future confusion between following Grand Jury recommendations and resolving issues, the CAO will provide the Board of Supervisors with a follow-up report which provides the status of implementation of recommendations for each Grand Jury report, including reasons why a recommendation that had been previously accepted may not have been implemented.

**1b. Recommendation:** The Grand Jury recommends that a monitoring program be implemented to assure that acknowledged deficiencies are corrected. The Board of Supervisors is to be advised by the CAO as to the current progress in complying with the response to the Grand Jury's report. The progress report is to be printed in the board's agenda minutes at the first board meeting of each month.

***Response to Recommendation 1b: The recommendation will not be implemented because it is not warranted.*** Board of Supervisors Policy A-11 "Responding to Grand Jury Reports" includes a requirement for the Chief Administrative Office to coordinate pending items and to "report back to the Board regarding completion status of implementation plans and analysis results and recommendations for Board review". CAO staff have participated in monitoring of these items in past years, though regular reporting to the Board of Supervisors has not occurred. As mentioned in the response to Finding 1a above, the CAO has committed to better comply with the reporting requirement of the policy and anticipates the first such status report, in response to the 2004-2005 Mid-Session Report, in the early Fall of 2005.

**2a. Finding:** Several responses to recommendations in the 2003-4 Grand Jury Report stated that the recommendation has yet to be implemented, but will be in the future. Example: Child Protective Services response #2; County Government response #5; Trust Funds response #4; South Lake Tahoe Public Utility District response. These responses are not in compliance with Penal Code Section 933.05(b)(2) and (3) which requires the respondent give a time frame for implementation of the recommended actions.

***Response to Finding 2a: The respondent agrees with the finding.***

**2b. Recommendation:** The Board of Supervisors when responding to Grand Jury recommendations must follow Penal Code Section 933.05 (b) (2) and (3) and **set specific time frames for accomplishing recommendations which are acknowledged.**

***Response to Recommendation 2b: The recommendation has been implemented.*** Beginning with the response to the 2004-2005 Grand Mid-Session Report, all responses to recommendations have included specific time frames for implementation.