



EL DORADO COUNTY GRAND JURY 2009-2010

SPECIAL DISTRICT WEBSITES

Case No. GJ 09-032

REASON FOR REPORT

Although special districts constitute the greatest number of government entities in El Dorado County, very little is known about who runs them, what they do, how much they cost, and how they impact our lives. In the belief that an informed citizenry is the best defense against a government that may serve its citizens poorly, the Grand Jury investigated the availability of key information about the governance and operations of special districts. The focus of this investigation was the accessibility and adequacy of basic information provided and its availability on Internet websites.

BACKGROUND

Special districts are a unique form of local government. They are often described as independent authorities. According to the Local Agency Formation Commission of El Dorado County (LAFCO), there are 54 special districts operating within the County.

The grand total of all special district budgets operating in El Dorado County is approximately \$145,000,000. This is more than 80 percent of the entire General Fund budget of roughly \$180,000,000 for El Dorado County.

Special districts were typically created to serve a specific function or to provide a narrow range of services. They include community services, irrigation and water, fire protection, public utility, cemetery, resource conservation, improvement, service area, and airport districts.

It has often been stated that our democracy works best when people are informed about the governments that have been created to serve them. The citizens of El Dorado County, every one of whom lives in and is a member of a special district, even though they may not realize it, fund district operations through various fees, levies, assessments, and tax dollars.

All too often the day-to-day business of special districts is conducted far from the limelight, participation or scrutiny of the very people who pay for their functions. Special districts are often the subject of Grand Jury investigations, and are sometimes the subject of controversial reports.

Some of the key principles designed to help assure an adequate level of governance include making sure that governmental actions are transparent, and that citizens enjoy reasonable access to basic kinds of information about what their government is doing and how it is doing it, and that government officials are thereby held accountable.

Prior to the end of the 20th century people, were primarily informed about their government through paper publications. In the 21st century, one of the most available and easily accessible methods for citizens to learn about their government is through increasing use of Internet websites. We live in an age where almost every entity and interest in our lives; every business, even individuals, have their own website.

Broadband infrastructure is being expanded to provide Internet access throughout the country. Major federal and state initiatives and stimulus funds are being used to expand and improve the availability of Internet access. The California Broadband Task Force was commissioned to, among other charges, “remove barriers to broadband access..., and to pay particular attention to how broadband can be used to substantially benefit educational and healthcare institutions, community based organizations, and governmental institutions.” Its final report, issued in January 2008, provided important guidance for directing stimulus dollars and projects, especially to underserved and more rural areas of California. Among the major reasons cited for improving high-speed connectivity to the Internet were:

- Raising the levels of civic engagement and governmental transparency;
- Building economic capital;
- Strengthening public safety resources;
- Improving living standards; and
- Fostering a greater civic discourse.

METHODOLOGY

The Grand Jury interviewed various El Dorado County officials, reviewed documentation, and conducted an extensive survey of special district, LAFCO, city and county websites to compile this report.

Interviews conducted:

- County Administrative Officer and staff
- Director and Interim Director, Department of Information Technologies
- Executive Officer, Local Agency Formation Commission (LAFCO)
- Surveyor’s Office staff

Documentation reviewed:

- California Broadband Task Force Report, “The State of Connectivity” (January 2008)
- Fiscal Year 2009-2010 El Dorado County Mid-year Budget Status Report (02/24/10)
- Special District websites linked to the LAFCO website (for all 54 special districts in El Dorado County)
- “What’s So Special About Special Districts? A Citizen’s Guide to Special Districts in California” Third Edition; Kimia Mizany and April Manatt (February 2002)

Websites referenced:

- El Dorado County website www.co.el-dorado.ca.us (01/31/10)
- Local Agency Formation Commission (LAFCO) website www.lafco.ca.us (01/31/10)
- Placerville and City of South Lake Tahoe websites www.placerville.ca.us (01/31/10), and www.cityofslt.us (01/31/10)

FINDINGS

The Grand Jury initially investigated the advisability of suggesting that all special districts be required to establish and maintain websites containing key information about their governance and operations. It became clear, however, that many of the citizens of El Dorado County do not have good access to the Internet. Though access is expected to continue to significantly improve, and most of the County’s citizens enjoy such access and use, a requirement for all special districts to establish and maintain websites is impractical at this time.

- Over 96 percent of California residences have access to broadband;
- Over 1.4 million Californians lack access to broadband Internet at any speed;
- Over 52 percent of the households in El Dorado County have good to excellent Internet access;
- Approximately 39 percent of El Dorado County households have fair to good Internet access;
- About 5 percent of El Dorado County households have poor to fair Internet access;
- About 4 percent of El Dorado County households have no access to the Internet.

The Grand Jury conducted a survey to establish a baseline for what percentages of special districts above a certain population and budget size in the County had websites, and the extent to which those websites contained basic information about district governance and operations. The LAFCO website contains a tab called "Directory" which, when accessed, provides a listing of all the special districts in El Dorado County.

During this survey it also became apparent there is a wide variance in district populations and budgets, perhaps the two most critical measures. For the purpose of the survey, a minimum population of 2,500 people and budget of at least \$250,000 were established as thresholds above which a special district was included.

In accordance with the California Penal Code §933 and §933.05, each numbered finding and recommendation will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court.

The 2009-2010 El Dorado County Grand Jury has arrived at the following findings:

1. An initial survey of websites established ten categories of information that were especially important to reveal critical data concerning governance and operations. These categories of information include:
 - The purpose or mission of the district
 - Location and address
 - Geographic boundaries of the district
 - Contact person and means to contact them
 - Board members and how to contact them
 - Board member terms of office
 - District budget
 - Meeting dates
 - Meeting agendas, and
 - Minutes of the meeting.

2. Results of a survey conducted in mid-February 2010 revealed the following information about the special districts above the established minimum population and budgetary thresholds:
 - 34 percent of these special districts had no website;
 - 34 percent did not publish any usable information about meeting dates;
 - 57 percent did not publish a meeting agenda;
 - 71 percent did not publish the minutes of any meeting;
 - 48 percent published no meaningful information about the budget for the district;

- 43 percent did not publish any information about individual board member terms of office.
3. There is currently no law requiring special districts to establish or maintain websites containing minimal types of information about the district, even in areas where Internet access is not an issue. Investigation revealed there would need to be a state law to require any level of published data on the Internet by special districts.
 4. LAFCO in El Dorado County is not required to annually survey and publish what information it voluntarily provides through its own website. Interviews with LAFCO revealed dissatisfaction with the level and currency of information provided by some special districts through the voluntary process now in place. During our investigation it was suggested that special districts should publish where information is posted in local communities and when and where meetings are held. It became clear that websites also have more “ownership” for the provider, causing them to be more concerned about the accuracy and currency of published information.
 5. This investigation conclusively revealed that the Department of Information Technologies of El Dorado County has assisted various special districts to establish and maintain their websites. More recent examples of such special districts include: LAFCO, the El Dorado Irrigation District, and the local Transportation Commission. Even the County Chamber of Commerce has utilized the services provided by the El Dorado County Department of Information Technologies. Services are initiated through a contractual agreement or memorandum of understanding. The minimal cost of such services is billed to the client.
 6. It is estimated that eight to sixteen hours is needed to develop and publish a website containing the minimum types of information in this survey, in addition to further types of information the special district may choose to publish. This equates to an approximate cost of \$1,000.
 7. The Grand Jury considered objections to any requirement being imposed on special districts to publish key information about governance and operations on the Internet. Those objections were lack of time, budget, cost of establishing and maintaining a website, and the alleged lack of citizen use.

Every citizen should have the means to access information about their government and hold public officials accountable.

RECOMMENDATIONS

In accordance with the California Penal Code §933 and §933.05, each numbered recommendation will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court.

The 2009-2010 El Dorado County Grand Jury has arrived at the following recommendations:

1. Each special district should carefully consider creating and maintaining a website for the benefit of their constituents, especially those districts like those surveyed with populations of 2,500 or more and annual budget of at least \$250,000.

Websites would be a considerably more accessible and useful tool for the average citizen than the “summary sheets” for special districts currently posted on the LAFCO website and partially updated on an annual basis. Websites also have more “ownership” for the provider, causing them to be more concerned about the accuracy and currency of published information.

2. Special districts should include the categories of information referenced in Finding number one and surveyed in this report on their websites.
3. The El Dorado County Director of Information Technologies should actively encourage the development and improvement of Internet access throughout the County, especially to areas where such access is poor or non-existent.
4. Special districts and the County should establish links on the El Dorado County website and/or on other websites more commonly known to and accessed by citizens of the County.

RESPONSES

Responses to both Findings and Recommendations in this report are required in accordance with California Penal Code §933 and §933.05. Address responses to: The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

The following entities must respond to the Findings and Recommendations in this report:

- Each special district operating in El Dorado County as shown on the LAFCO website directory as of February 2010, with a population of 2,500 or more, and an annual budget of at least \$250,000;
- The Local Agency Formation Commission (LAFCO) for El Dorado County; and
- The Director of the El Dorado County Department of Information Technologies
- All Special Districts in El Dorado County are invited to respond to the findings and recommendations contained in this report. Some basic information about certain Special Districts, such as population and annual budget size, are unreported or unknown. Only those Special Districts above a known population and annual budget are required to respond. According to the most recent information posted on the Directory for Special Districts on the LAFCO website, the following districts in El Dorado County have a population of at least 2,500 and a budget of at least \$250,000 and therefore are expected to respond to the findings and recommendations contained in this report:

Cemetery Districts

- Happy Homestead Cemetery District

County Service Areas

- County Service Area No. 7
- County Service Area No. 10

Community Service Districts

- Cameron Park
- El Dorado Hills

Fire Protection Districts

- Diamond Springs/El Dorado
- El Dorado County
- El Dorado Hills County Water
- Garden Valley
- Georgetown
- Lake Valley
- Meeks Bay
- Mosquito
- Pioneer
- Rescue

Irrigation District

- El Dorado Irrigation (EID)

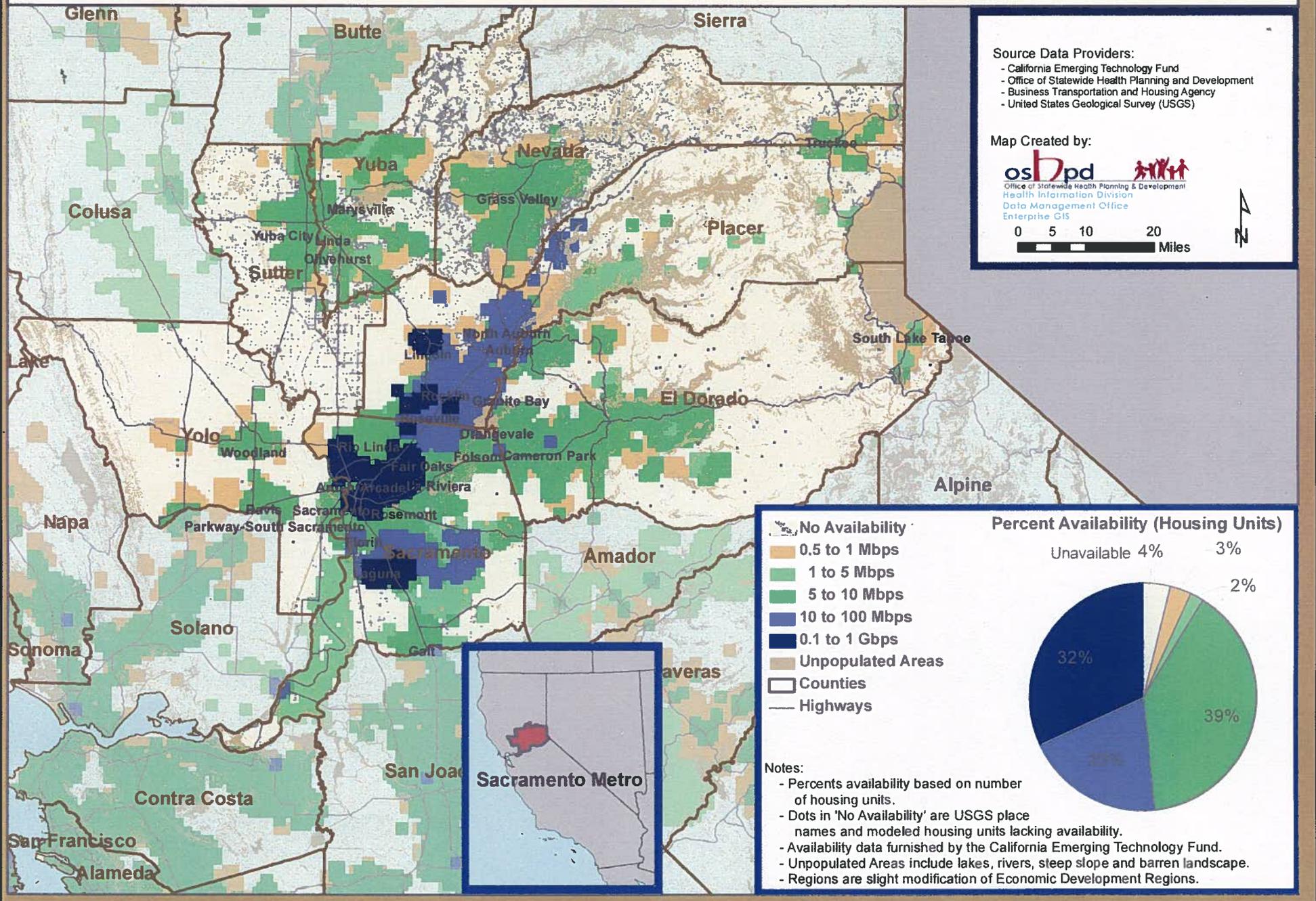
Public Utility District

- Georgetown Divide
- Kirkwood Meadows (Under Alpine County jurisdiction)
- South Tahoe PUD
- Tahoe City (Under Placer County jurisdiction)

Resource Conservation District

- El Dorado County
- Tahoe

Wireline Broadband Availability - Sacramento Metropolitan



Source Data Providers:

- California Emerging Technology Fund
- Office of Statewide Health Planning and Development
- Business Transportation and Housing Agency
- United States Geological Survey (USGS)

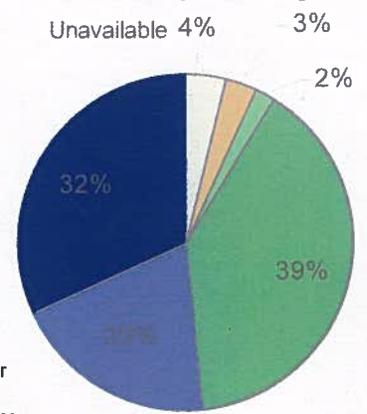
Map Created by:

osbpd
 Office of Statewide Health Planning & Development
 Health Information Division
 Data Management Office
 Enterprise GIS

0 5 10 20 Miles

- No Availability
- 0.5 to 1 Mbps
- 1 to 5 Mbps
- 5 to 10 Mbps
- 10 to 100 Mbps
- 0.1 to 1 Gbps
- Unpopulated Areas
- Counties
- Highways

Percent Availability (Housing Units)



Notes:

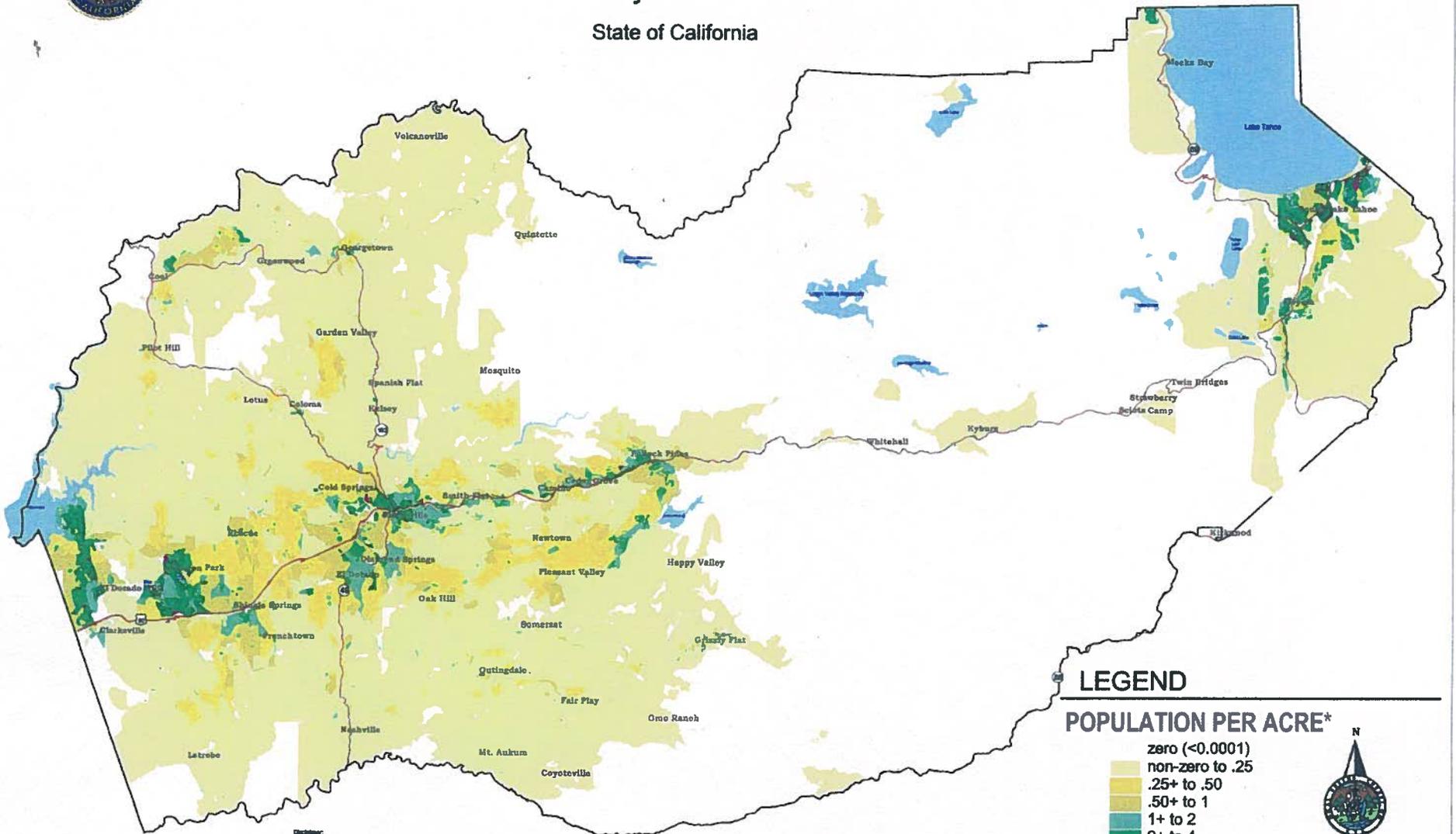
- Percents availability based on number of housing units.
- Dots in 'No Availability' are USGS place names and modeled housing units lacking availability.
- Availability data furnished by the California Emerging Technology Fund.
- Unpopulated Areas include lakes, rivers, steep slope and barren landscape.
- Regions are slight modification of Economic Development Regions.



POPULATION DENSITIES

County of El Dorado

State of California



Disclaimer:
 This map was compiled from certified public and private sources and is descriptive only. No responsibility is made as to the accuracy of that information and users may be advised. Therefore users make use of that information at their own risk.

Note:
 Layer information may cover additional areas outside of the displayed area.
 All layers based on information available on Sept. 03, 2002. (subject to future revision)
 Map prepared at the request of Chief Acre Office for County GIS/IS, Date: Sept. 03, 2002
 Map prepared by: _____ Date: Sept. 13, 2002

GIS Project ID: 1886. Planned report no.
 © El Dorado County Bureau/GIS Division
 Phone: 925-437-4511 Fax: 925-438-4321 email: curren@el-dorado.ca.gov

LEGEND

POPULATION PER ACRE*

- zero (<0.0001)
- non-zero to .25
- .25+ to .50
- .50+ to 1
- 1+ to 2
- 2+ to 4
- 4+ to 8
- 8+ to 16
- 16+ to 32
- 32+



HIGHWAY Lakes

*computed densities based on census block data
U.S. Census Bureau 2000

