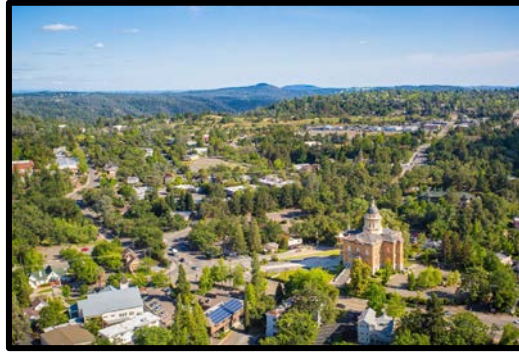


PLACER COUNTY GRAND JURY

2020-2021 FINAL REPORT



STATE OF
CALIFORNIA
June 16, 2021



Cover Photos

(Clockwise from top left)

Gold Rush Museum, Auburn, CA (Photo by Erik Bergen)

Historic Courthouse, Auburn, CA (Photo by Erik Bergen)

Squaw Valley, Squaw Valley, CA (Photo by Jim Ferguson)

DeWitt Farmer's Market, Auburn, CA (Photo by Erik Bergen)

Roseville Train Yard, Roseville, CA (Photo by Erik Bergen)

Yankee Jim Bridge, Colfax, CA (Photo by Erik Bergen)

Vina Castellano, Auburn, CA (Photo by Erik Bergen)

Lake Tahoe Dam, Tahoe City, CA (Photo by Erik Bergen)

Clementine Dam, Auburn, CA (Photo by Erik Bergen)



PLACER COUNTY GRAND JURY

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The Honorable Alan V. Pineschi
Presiding Judge
Superior Court County of Placer
P.O. Box 619072
Roseville, CA 95661

The Honorable Suzanne Gazzaniga
Advising Judge
Superior Court County of Placer
P.O. Box 619072
Roseville, CA 95661

and Citizens of Placer County

Subject: 2020–2021 Grand Jury Final Report

Dear Judge Pineschi, Judge Gazzaniga, and Citizens of Placer County:

In July of 2020, nineteen Placer County residents were sworn in to serve as the 2020-2021 Placer County Grand Jury. Once impaneled, we had to adapt quickly due to the coronavirus pandemic and all the restrictions and requirements placed on large group meetings. By utilizing the technology provided, we were able to safely and securely conduct our meetings. Given the limitations, our smaller committees were able to meet in person, and we were able to complete our investigations and produce this final report.

I am, therefore, proud to present the Final Report of the 2020-2021 Placer County Grand Jury. On behalf of the jurors, I would like to acknowledge the guidance provided by our Advising Judge, the Honorable Suzanne Gazzaniga, and our Presiding Judge, the Honorable Alan V. Pineschi. We also appreciate the assistance of the County Counsel's Office, specifically, Renju Jacob, Senior Deputy County Counsel and Emily Taylor, Deputy County Counsel. We would also like to extend our sincere thanks to the Grand Jury Coordinator, Rosalinda Cruz, for her assistance throughout the year and our Office Manager, Shane Campbell-Kaslin, for all the support she provides to keep the office functioning effectively.

It has been my honor to serve with this outstanding group of citizens who contributed their time, talents, and experience in carrying out our oversight of city and county governments, schools, libraries, and special districts.

The 2020-2021 Final Report chronicles those investigations required by law, some requested by citizens, and those internally generated by the Placer County Grand Jury.

Finally, these investigations began as early as July 2020, and we recognize that some concerns addressed may have been resolved by the time of publication.

Sincerely,

A handwritten signature in cursive script that reads "Walter Moore". The signature is written in black ink and is positioned above a faint horizontal line.

Walter Moore, Foreperson
2020–2021 Placer County Grand Jury

MEMBERS OF THE 2020-2021 GRAND JURY

May 13, 2021

The first and only time the entire grand jury was able to meet in person.



Thank you, citizens of Placer County for granting us the privilege to serve on the 2020-2021 Placer County Grand Jury.

Walter Moore – Foreperson

Rocklin

Mark Brown Roseville	Barbara Ferguson Roseville	Marti Fischer Auburn
Craig Hollyfield Newcastle	Scott Johnson Granite Bay	Sue Kukrall Newcastle
Philip McAvoy Roseville	Dane Medina Granite Bay	Skip Michael Auburn
Chuck Rose Auburn	Lorena Sims Auburn	Suezy Tucker Auburn
Charles Vega Granite Bay	James Viele Rocklin	Jill Voorhies Rocklin
Sharon Watson-Hamilton Auburn	Andrew Waldrop Roseville	Norma Worley Gold Run



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Introduction to the Grand Jury

What is the Grand Jury?

The grand jury is an investigatory body with the authority to act as a watchdog over local government, to investigate citizen complaints, and to assist in criminal matters at the request of the district attorney.

The grand jury is part of the county judicial system as authorized by the California State Constitution. It is advised by the Placer County Superior Court and is not accountable to elected officials or government employees. Its findings and recommendations are unbiased and impartial. Grand jurors are sworn to secrecy and, other than final reports, their work is kept strictly confidential.

History

The jury system is rooted in English common law and dates from the eleventh century. In 1215, the Magna Carta stated that “No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgement of his equals or by the law of the land.”

In 1635, the Massachusetts Bay Colony impaneled the first grand jury in North America to consider cases of murder, robbery and wife beating. The U.S. Constitution's Fifth Amendment and the California Constitution Article 1 call for grand juries. Grand juries were established throughout California during the early years of statehood. As constituted today, criminal and civil grand juries are a part of the judicial branch of government and function as arms of the court system.

Investigations

The grand jury is an investigatory body created for the protection of society and the enforcement of the law. The grand jury in California is unusual because its duties include investigation of local and county governments as provided by statutes passed in 1880.

The primary duty of the grand jury is to evaluate local government entities through a systematic fact-finding process. The objective of the investigations is to produce beneficial reports that persuade local officials to run agencies more effectively and efficiently. The final report is the result of investigative efforts and is the only public record of that endeavor.

Anyone may ask a grand jury to investigate a civil issue that falls within the grand jury's jurisdiction. Whether it chooses to investigate such a complaint is entirely in the jury's discretion and may be affected by workload, resource limitations, or jurisdictional issues.

By law, all proceedings of a grand jury are confidential. Findings and recommendations are published in its final report. After a final report is published, the official or governing body of an agency covered in the report must respond to the grand jury within a given period of time as prescribed by California law. Elected officers or agency heads must respond within 60 days. Governing bodies of public agencies must respond within 90 days. The following year's grand jury publishes the responses to the final report.

Upon occasion, the district attorney asks a grand jury to hold hearings in criminal investigations to determine whether evidence presented by the district attorney is sufficient to indict an individual, who would then stand trial in court. A minimum of twelve grand jurors must vote for an indictment in any criminal proceeding.

Placer County Grand Jury Committees

The 2020-2021 Placer County Grand Jury served a one-year term from July 1, 2020 through June 29, 2021. In performing its duties, it examined county government, special districts, school districts, and city governments and inspected jails and holding facilities.

Most grand jury work is done by committee. A typical juror serves on three committees and may be an officer on two of those committees. Committees usually meet at least twice each month.

Audit and Finance

This committee may audit county government offices, departments, agencies, and districts as needed and as mandated by law. It also reviews monthly grand jury expenses against the budget.

Cities

This committee may investigate incorporated cities and towns within Placer County. The committee looks into the operations or functions of one or more city departments or functions. The six cities and towns are Auburn, Colfax, Lincoln, Loomis, Rocklin, and Roseville.

Continuity and Editorial

This committee is responsible for ensuring that the written reports of the grand jury are factual, clear, concise, and readable. Editing includes proper punctuation, spelling, grammar, and formatting. This committee also leads the ongoing task of updating the Placer County Grand Jury Handbook so that subsequent grand juries may make a smooth transition into a new term.

County Administration

The scope of this committee is all Placer County government not specifically assigned to another committee. This includes investigations of appointed boards and commissions, the Board of Supervisors, Assessor, County Executive Office, and others.

Criminal Justice

This committee is mandated to inspect jails and holding facilities in Placer County each year. It also may investigate matters concerning criminal justice. This committee also considers all matters concerning law enforcement and public safety.

Health and Welfare

This committee investigates issues related to the social services of Placer County. In addition, it has oversight responsibility for the Juvenile Detention Facility inspection.

Schools and Libraries

This committee investigates public educational institutions and public libraries. It has no jurisdiction over school policies or personnel.

Special Districts

This committee investigates special districts, agencies, boards, commissions, and joint powers agencies serving Placer County. Examples of these special districts include water agencies, cemetery districts, fire districts, and hospitals. A nonprofit corporation established by or operated on behalf of any public entity over which the grand jury has jurisdiction may also be investigated.

Jurisdiction

The areas within the investigatory jurisdiction of the Placer County Grand Jury include:

- persons imprisoned in the county jail on a criminal charge and not indicted;
- the condition and management of the public jails within the county;
- willful or corrupt misconduct in office of public officers of every description within the county;
- county government, city government, special districts, school districts, agencies, and authorities;
- criminal hearings upon request of the district attorney.

The areas which are not within Placer County Grand Jury jurisdiction include:

- Federal agencies;
- State agencies;
- Superior court system;
- School district personnel records, curriculum, and policy.

Grand Juror Qualifications

Prospective grand jurors must possess the following qualifications per California Penal Code § 893:

- applicant is a citizen of the United States, 18 years or older, who has been a resident of Placer County for one year immediately before being selected and sworn in;
- applicant is in possession of his or her natural faculties, of ordinary intelligence, of sound judgment, and of fair character;
- applicant is possessed of sufficient knowledge of the English language.

A person is not allowed to serve as a grand juror if:

- serving as a trial juror in any California court;
- convicted of a felony;
- discharged as a grand juror in any court of this state within one year;
- convicted of malfeasance in office or any felony or other high crime; or
- serving as an elected public officer.

Desirable qualifications for a grand juror include:

- computer and Internet communication skills;
- good health;
- open-minded with concern for the views of others;
- ability to work with others;
- genuine interest in community affairs; and
- investigative skills and an ability to write reports.

Juror Selection

In the spring of each year, the Presiding Judge of the Placer County Superior Court solicits applications from citizens of the county. Applicants should expect that a criminal records check will be conducted. Applications are reviewed and an interview is scheduled with the presiding and supervising judges as well as the foreperson of the outgoing grand jury.

After the interview process, prospective applicants are required to appear for the final selection which is held in a Placer County Superior Court courtroom. With outgoing grand jurors in attendance, the court clerk draws nineteen names at random. A minimum of ten names are drawn to form a list of alternate jurors.

The presiding judge then swears in the new nineteen grand jury members and gives them a description of their duties and responsibilities. The jurors begin a one-year term on July 1.

Commitment

Persons selected for grand jury service can expect to serve forty or more hours per month for a period of one year from July 1 through June 30. Jurors may opt to serve a second consecutive year, if approved by the court.

Remuneration

Grand jurors receive a nominal payment for meetings they attend and are reimbursed for mileage to attend meetings and training.

Orientation

New jurors are encouraged to attend an orientation program about grand jury functions and receive information about county, city, and special district governments.

Why Become a Grand Juror?

Those who volunteer and are accepted for grand jury service should feel privileged to be selected. They enter this service with interest and curiosity to learn more about the administration and operation of Placer County government. Serving as a grand juror requires many hours and serious effort and reflects a generous commitment to public service.

How to Apply to Serve as a Grand Juror

Download a Prospective County Grand Jury Application, available at <http://www.PlacerGrandJury.org>. Fill it out and follow the directions at the end of the application.

Grand Jury Reports

The Placer County Superior Court maintains web pages for the grand jury on its website. Past and present final reports, and responses to those final reports, may be found at <http://www.PlacerGrandJury.org>.

How to Submit a Confidential Citizen Complaint

All complaints must be submitted in writing. A confidential citizen complaint form is available online at <http://www.PlacerGrandJury.org> and may be submitted electronically. The form may also be mailed, faxed, or hand-delivered to the grand jury office at the address below. The citizen will receive a letter acknowledging receipt of the complaint.

All grand jury documents, including citizen complaints, are secret and cannot be subpoenaed in court or revealed to the public. Complainants' names are held in strictest confidence.

How to Contact the Grand Jury

By Mail: Placer County Grand Jury
11532 B Avenue
Auburn, CA 95603

In Person: Materials can be placed in a drop box located by the entrance door to the above address.

Online: <http://www.placergrandjury.org>

By Phone: (530) 886-5200

By Fax: (530) 886-5201

INSTRUCTIONS FOR RESPONDENTS

The legal requirements affecting respondents and responses to Grand Jury findings and recommendations are contained in California Penal Code § 933.05. The full text of the law is provided at the end of this document.

Two different time periods for responses, and to whom you must respond is defined in California Penal Code § 933(c). They are as follows:

Type of Agency	Time Frame	To Whom
Government Boards	Ninety (90) Days	<ul style="list-style-type: none"> • Presiding Judge of the Superior Court
Elective Office or Agency Head	Sixty (60) Days	<ul style="list-style-type: none"> • Presiding Judge of the Superior Court • Information copy to Board of Supervisors

An original signed copy of the response must be provided to both of the following:

1. Presiding Judge of the Placer County Superior Court at the address listed below:

The Honorable Alan V. Pineschi
 Presiding Judge of the Superior Court
 County of Placer
 P.O. Box 619072
 Roseville, CA 95661

2. Placer County Grand Jury at the address listed below:

Placer County Grand Jury
 11532 B Avenue
 Auburn, CA 95603

When responding to more than one report, respondents must respond to each report separately.

You are encouraged to use the Response to Grand Jury Report Form, attached, to help format and organize your response. An electronic version of the form is available upon request from the Grand Jury.

RESPONSE TO GRAND JURY REPORT FORM

Report Title: _____

Report Date: _____

Response By: _____ Title: _____

FINDINGS

- I (we) agree with the findings, numbered: _____.
- I (we) disagree wholly or partially with the findings, numbered: _____.

(Describe here or attach a statement specifying any portions of the findings that are disputed or not applicable; include an explanation of the reasons therefore.)

RECOMMENDATIONS

- Recommendations numbered _____ *have been implemented.*
(Describe here or attach a summary statement regarding the implemented actions.)
- Recommendations numbered _____ *have not yet been implemented but will be implemented in the future.*

(Per Penal Code § 933.05(b)(2), a time frame for implementation must be included. Describe here or in an attachment.)

- Recommendations numbered _____ *require further analysis.*
(Describe here or attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six (6) months from the date of publication of the grand jury report.)

- Recommendations numbered _____ *will not be implemented because they are not warranted or are not reasonable.*

(Describe here or attach an explanation.)

Date: _____ Signed: _____

Number of pages attached _____

CALIFORNIA PENAL CODE § 933.05

(emphasis added)

- (a) For purposes of subdivision (b) of Penal Code § 933, as to each grand jury finding, 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 therefore.**
- (b) For purposes of subdivision (b) of Penal Code § 933, 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 timeframe for implementation.**
 - (3) 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 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 timeframe 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, therefore.**
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.



Final Report Summaries

Independent Special Districts and the Local Agency Formation Commission

California enacted Assembly Bill 2257, codified in California Government Code § 54954.2, requiring all legislative bodies, such as city councils, special districts, school districts, and boards of supervisors, to have a prominent direct link to their agenda on their website's homepage. Included in the bill were other specific requirements which became mandatory after January 1, 2019.

In September 2018, California Senate Bill 929 was passed. This bill also updated some requirements for special districts and took effect on January 1, 2020. This law requires that absent a resolution declaring hardship every independent special district "shall maintain an Internet Web site" that "shall clearly list contact information for the independent special district."

The grand jury investigated the special districts within the county for compliance with these laws. This report excludes any joint power authority located in, or associated with, Placer County as well as dependent special districts, non-profit, or County Service Area districts. For this report, the grand jury investigated only the thirty-eight independent special districts.

The grand jury found three districts did not have a website and one non-active district also did not have a website. California SB 929 went into effect on January 1, 2020 requiring each special district to have a website. Of the remaining thirty-four, only fourteen (41%) of the special districts were fully compliant as of March 2021. The grand jury recommends the non-compliant special districts update their websites to be in compliance with the law.

Lack of Communication and Transparency in Housing the Homeless of Placer County

Homelessness in California, as well as Placer County, is no longer confined to the big cities. It is in both urban and rural communities across the state which impacts local resources.

Homelessness is closely connected to declines in physical and mental health; homeless persons experience high rates of health problems. Health problems among homeless persons result from various factors, such as lack of access to adequate food and protection, and limited resources and social services.

The grand jury recognizes there are many types of housing and programs used by county, state, and federal governments to house the homeless. However, this report focuses only on the Placer County Whole Person Care Pilot program. Some Placer County citizens have been critical and outspoken regarding a lack of communication and transparency by the Placer County Board of Supervisors regarding the Placer County Whole Person Care Pilot program. A perceived lack of oversight provided by Placer County Health and Human Services of the Placer County Whole Person Care Pilot program was also a concern raised

by citizens. In addition to communication and transparency, there have been questions and concerns that reference the perceived improper use and efficacy of funds awarded to nonprofit organizations selected to provide housing for the Placer County homeless and mentally ill.

Lincoln Regional Airport

Over the last twenty years, the Lincoln Regional Airport (LRA) has struggled financially under city ownership and the current operating model. Following the audit by the State of California Joint Legislative Audit Committee, the City of Lincoln acknowledged the airport's annual deficit. To correct this deficit, the city agreed to fund the airport with a formal interfund loan. In the future, the LRA must substantially increase the earnings of the two primary revenue streams, hangar rentals and fuel sales.

The grand jury determined that no one in LRA operations, management, or city leadership has a background in airport management nor experience in aviation, marketing, sales, or airport business development. City management has been reluctant to address this lack of expertise because of the potential cost. As a result of not addressing this critical need, the airport operates at a substantial annual deficit, financially and structurally.

An airport master plan represents a blueprint of an airport's current, intermediate, and long-term infrastructure development. Perhaps the most serious oversight of Lincoln's approach to the management of the LRA is having no current master plan documents since the 2007 Lincoln Regional Airport Master Plan.

The grand jury interviewed other regional aviation managers to determine if it is typical for an airport to be in debt to a city or county's general fund. Typically, indebtedness is periodic and short-term in nature, such as capital payments due before receiving grant funds from other government entities. However, LRA's indebtedness to the general fund is structural and long term and is outside standard fiduciary practices.

Public Libraries of Placer County: A Resource for All

Throughout history, libraries and their accumulated knowledge have improved our communities, strengthened literacy, and even helped shape our civilization. Over 2000 years ago, the Great Library of Alexandria, Egypt, collected and held the bulk of the knowledge of the known world. Libraries have propelled intellectual growth, broadened shared understanding, and encouraged new discovery. This is still true of libraries today. In 1995, Walter Cronkite said, "Whatever the cost of our libraries, the price is cheap compared to that of an ignorant nation."

The 2020-2021 Placer County Grand Jury agreed with this sentiment and sought to understand the current status of the various library systems located within the county. There are fourteen public libraries located in Placer County. The county operates its own public library system, consisting of nine branches. Additionally, there are municipally operated libraries in Loomis, Lincoln, and Roseville, which has three branches.

While each library has its own issues and concerns, a common denominator this year was the coronavirus pandemic (COVID-19). The COVID-19 restrictions on the function and operation of each library were frustrating to both the public and the library staff. In a

typical year, however, funding is the most pressing need for each system. With sufficient funding, budget concerns such as adequate staffing and public outreach could be addressed.

The grand jury is impressed by the state of the libraries in Placer County. The libraries are staffed by knowledgeable, dedicated, and passionate employees. Although there are areas for improvement, all the libraries in Placer County fulfill their intended purpose. They provide both learning opportunities and personal enrichment to their patrons and up-to-date services via user friendly and accessible technology.

Placer County Juvenile Detention Facility Annual Inspection Report 2020-2021

The Placer County Grand Jury is responsible for inquiring into the conditions of all public detention facilities, as authorized by California Penal Code § 919(b). The grand jury completed an inspection of the Placer County Juvenile Detention Facility (PCJDF) on December 1, 2020, with coronavirus pandemic (COVID-19) restrictions in place. The grand jury found the PCJDF to be secure and well-maintained, with dedicated, knowledgeable, and helpful staff.

Placer County Jails and Holding Facilities Inspection Report 2020-2021

This report summarizes the Placer County Grand Jury inspections of four holding facilities and three Placer County jails.

The grand jury investigated the booking and jail services contract between Nevada and Placer Counties for the Placer County Sheriff's Tahoe Substation.

The grand jury found the inspected jails and holding facilities to be secure, orderly, and well-run.

Preparedness of Placer County for the November 2020 General Election (Original Publication Date: September 30, 2020)

In these unprecedented times of COVID-19, the State of California took steps to ensure every citizen could safely vote in the November 2020 general election. The passing of Assembly Bill 860 and Senate Bill 423 made California a vote-by-mail state for the upcoming election. The grand jury investigated the Placer County Elections Office and their readiness to conduct a vote-by-mail election and report the changes being made to ensure a successful election.

Continuity and Accountability

Review of Placer County Grand Jury Reports for 2019-2020

The primary duty of the Placer County Grand Jury is to investigate the functions of city and county government, schools, and special districts. Each year in June, the grand jury issues its final report which includes reports on inspections and investigations done during the term.

The report provides findings and recommendations for each investigation and inspection. Traditionally, a Response Report is issued in the November timeframe by the grand jury containing the responses from the investigated entities to their respective recommendations.

The 2020-2021 grand jury believes it is important to verify that the responses were compliant with Penal Code § 933.05, which outlines what each response is to include. The intent of this report is to confirm that entities comply with the penal code. The Placer County Grand Jury has not produced a continuity report in the past.

**Independent Special Districts
and the
Local Agency Formation
Commission**



Independent Special Districts and the Local Agency Formation Commission

Summary

California enacted Assembly Bill 2257 (AB 2257), codified in California Government Code § 54954.2, requiring all legislative bodies, such as city councils, special districts, school districts, and boards of supervisors, to have a prominent direct link to their agenda on their website's homepage. Included in the bill were other specific requirements which became mandatory after January 1, 2019.

In September 2018, California Senate Bill 929 (SB 929) was passed. This bill also updated some requirements for special districts and took effect on January 1, 2020. This law requires that absent a resolution declaring hardship every independent special district "shall maintain an Internet Web site" that "shall clearly list contact information for the independent special district."

The grand jury investigated the special districts within the county for compliance with these laws. This report excludes any joint power authority (JPA) located in, or associated with, Placer County as well as dependent special districts, non-profit, or County Service Area (CSA) districts. For this report, the grand jury investigated only the thirty-eight independent special districts.

The grand jury found three districts did not have a website and one non-active district also did not have a website. California SB 929 went into effect on January 1, 2020 requiring each special district to have a website. Of the remaining thirty-four, only fourteen (41%) of the special districts were fully compliant as of March 2021. The grand jury recommends the non-compliant special districts update their websites to be in compliance with the law.

Background

What is a Special District?

Special districts are local governments created by the citizens of an area or community which provide important services to those individuals. Special districts are formed and authorized through California's statutes. Government Code § 16271 (d) states a special district is "any agency of the state for the local performance of governmental or proprietary functions within limited boundaries." California's special districts are a political subdivision and provide vital services like fire protection, treatment of wastewater, water and energy, public safety, and garbage removal. According to the California State Controller's Office (CSCO), as of January 10, 2019, there were 5,316 special districts in California.

Each special district is directly accountable to their voters and ratepayers. Each independent district must have a board which is elected by the citizens living within the district. The board is required to follow the Brown Act with regard to their meetings. (See Gov. Code §§ 53087.8(a); 54951; 71 Ops.Cal.Atty.Gen.96 (finding special districts are subject to Brown Act).

Special district board members are required to attend ethics training every two years. The California Government Code § 53235 states in part:

(b) Each local agency official shall receive at least two hours of training in general ethics principles and ethics laws relevant to his or her public service every two years.

(d) A local agency or an association of local agencies may offer one or more training courses, or sets of self-study materials with tests, to meet the requirements of this section. These courses may be taken at home, in-person, or online.

(e) All providers of training courses to meet the requirements of this article shall provide participants with proof of participation to meet the requirements of Section 53235.2.

(f) A local agency shall provide information on training available to meet the requirements of this article to its local officials at least once annually.

Local agencies are defined to include special districts. (Gov. Code § 53234(b).) The California Special Districts Association (CSDA) provides training on ethics and the Brown Act. It is the responsibility of each district to keep records of the completed training for five years.

Special districts are required to submit yearly financial audits which are conducted by either a certified public accountant or the county auditor. The results of these audits are sent to the California State Controller Office (CSCO). In addition, on a yearly basis, each special district is to submit to the state and the county elections office a Statement of Facts Roster of Public Agencies Filing form SF-405. This form lists a variety of information including the date, time, and place of meetings, the district's contact phone number, and mailing address. Additionally, a list of board members and their contact information is required.

Types of Special Districts

There are three main types of special districts in Placer County.

A dependent special district is governed by other governmental entities. For example, members of city councils or county boards of supervisors would serve on the board of a dependent special district. Another way to view a dependent district is they are components of other government bodies. According to the CSCO, there were thirteen dependent special districts in Placer County when this report was written.

An independent special district is independent from other government bodies. It is important to note independent special districts are not part of state or county governments. They are only directly accountable to the people residing within the districts' boundaries. They are governed by an elected board which oversees the functions and finances of the district. There are currently thirty-eight independent special districts in the county according to the CSCO.

The third type of special district is a joint powers authority, commonly referred to as a JPA. Joint powers authorities are permitted under California Government Code § 6502. The code allows two or more public authorities, such as utility or transport districts, to jointly

exercise any power common to all of them even though they reside in different counties. While each public authority involved has its own governing board, the JPA also has a board of directors. According to the CSCCO, there are twenty-two JPAs associated with Placer County.

The grand jury also found the county has three districts listed as non-profit and there is also a CSA district. This is a district which supplies numerous services to their customer base, not just a single service, such as water. This report does not cover these districts, nor dependent districts.

Local Agency Formation Commission (LAFCo)

After World War II, California experienced tremendous growth in population which in turn resulted in sporadic formation of cities and special service districts. Because of unplanned and premature development, the systems to deliver public services became inefficient and expensive. In response, Governor Edmond Brown, Sr. created the Commission on Metropolitan Area Problems. The commission's charge was to study the misuse of land resources and make recommendations. In 1963, the Knox-Nisbit Act included the commission's recommendations and resulted in the creation of Local Agency Formation Commission(LAFCo).

The role of the county's LAFCo is:

- To oversee growth and development.
- To balance competing interests (i.e. monitoring suburban sprawl, preserving open space, and prime agricultural land).
- To make provision of efficient community/government services.
- To review changes of jurisdictional boundaries and spheres of influence.

The Placer County LAFCo has administrative oversight of the independent special districts in the county. There is an executive officer and clerk staffing the office who are county employees. Legal assistance is available from the county, if needed. The LAFCo is comprised of seven members. Two representatives come from city councils, two from the county's board of supervisors, two are special district board members, and one person from the general public.

On a yearly basis, the county's LAFCo determines which districts will be reviewed. This is called a Municipal Service Review (MSR). According to the California LAFCo website:

Municipal Service Reviews (MSR) were added to LAFCo's mandate with the passage of the CKH Act in 2000.¹ A service review is a comprehensive study designed to better inform LAFCo, local agencies, and the community about the provision of municipal services. Service reviews attempt to capture and analyze information about the governance structures and efficiencies of service providers, and to identify opportunities for greater coordination and cooperation between providers. The service review is a prerequisite to a sphere of influence determination and may also lead a LAFCo to take other actions under its authority.

Often the Placer County LAFCo chooses to review districts providing the same type of service, such as water, recreation, or fire. For example, the 2020 reviews were conducted on the fire districts for the western slope of the county. A special district can expect to be reviewed by LAFCo about every five years. An MSR is a comprehensive review of the existing and future public service conditions for the district. It also includes an evaluation of the organization, future growth, and making sure critical services are efficient as well as cost-effective.

Funding for the county's LAFCo comes from three sources. The county, cities, and special districts each fund 1/3 of the costs. The cities and districts are billed their portion by the county auditor's office based on the revenues published by the CSCO. Any carryover of funds from the previous year are deducted from the needed funding for the following year.

New districts can be formed, some may merge for better efficiency, and others may be dissolved. However, it is not common for any of these actions to take place in Placer County. Currently, there is one parks and recreation district scheduled to be approved in June 2021. In the past ten years, Loomis Fire Protection was dissolved and merged with South Placer Fire Protection while Newcastle Sanitation was also dissolved and merged with South Placer Municipal Utility. Two other districts were dissolved completely, Rocklin Fire Protection and Consolidated Fire Protection. LAFCo manages all of these actions.

¹ Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000

How are Special Districts Formed?

There is a five-step process for creating a new special district. All special districts are reviewed and approved by LAFCo.

1. An application is submitted to LAFCo by the registered voters inside the proposed district.
2. A review of the application is done by the LAFCo staff. LAFCo can approve or deny the proposal. If approved, LAFCo schedules a public hearing.
3. A protest hearing is held by LAFCo to measure protests of the formation among voters. If a majority protest, the proposal is stopped.
4. An election is held with only the voters inside the proposed district's boundaries allowed to vote. The vote requires a majority vote (51percent). If a special tax is involved with the proposal, then a 2/3 voter approval is required.
5. If approved by voters, the formal filing of documents is begun to form the district.

How are Special Districts Financed?

Special districts generate revenue from several sources. Some collect fees to fund their services, while others rely more heavily on property tax revenues. District funding is referred to as enterprise or non-enterprise funds. Special districts can request a special tax be assessed beyond property taxes. These taxes are sometimes referred to as parcel taxes and are a fixed amount per property.

Enterprise revenues are fees charged for services, such as water, sewer, or electricity. In this case the resident is charged a fee for receiving the service. While revenue from property taxes is important, this type of district relies less on property tax revenue and more on the fees collected.

Non-enterprise funding comes primarily from property taxes and assessments. These districts provide a service to all residents and the service benefits the entire district. Examples of non-enterprise funded districts would be a fire protection or a parks and recreation district.

Methodology

The grand jury used data from Placer County, LAFCo, CSDA, and CSCO websites to gather information. Documents were collected from the county's elections office. Interviews were conducted with LAFCo, Placer County Clerk-Recorder-Registrar of Voters, and CSDA personnel. Every independent special district was contacted for additional information. Finally, the website of each special district was viewed by the grand jury numerous times over a three-month period to verify and validate their findings.

Discussion

In 1953, the California State Legislature passed the Ralph M. Brown Act (California Government Code § 54950). It was originally passed because of a growing concern by the public that meetings were being held by elected officials without public knowledge. The Brown Act applies to the legislative bodies of local agencies in California, including city and county government agencies, school districts, and special districts. Assembly Bill AB 2257 states in part:

The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act further requires the legislative body of a local agency to post, at least 72 hours before the meeting, an agenda containing a brief general description of each item of business to be transacted or discussed at a regular meeting, in a location that is freely accessible to members of the public and to provide a notice containing similar information with respect to a special meeting at least 24 hours prior to the special meeting. The act requires that the agenda or notice be freely accessible to members of the public and be posted on the local agency's Internet Web site, if the local agency has one.

Assembly Bill 2257 (California Government Code § 54954) was passed in 2016 by the California State Legislature (Appendix 3). The law updated the Brown Act with new requirements for posting meeting agendas on the local agency's website. Those new requirements included that the agenda be retrievable, downloadable, searchable, and indexable. There are additional requirements governing the location, platform, and methods by which an agenda must be accessible. There are two options for complying with the law.

The first option of Government Code § 54954.2.(a)(2) states in part:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

Some agencies may choose to use an “integrated agenda management platform” (IAMP), which is the second option for compliance. Government Code § 54954.2.(a)(2)(C)(i) requires a direct link to the IAMP list of agendas from the home page and not within a contextual menu. The IAMP must be dedicated to providing agenda information.

The grand jury interprets the language of AB 2257 to mean the following:

- *Prominent Direct Link*: With one click from the agency’s homepage the current agenda opens up. That one click does not take the individual to another page which would require the user to perform an additional action to reveal the agenda link.
- *Downloadable*: the agenda can be downloaded and saved to a computer.
- *Searchable*: the agenda document can be searched for specific terms using the search-on-the-page function provided in browsers.
- *Indexable*: commonly used search engines will respond to a search with the agenda for that legislative body.

California Senate Bill 929 (Appendix 4) was passed in September 2018. This bill updated some requirements for special districts and took effect on January 1, 2020. The law makes the special districts that currently do not have a website to be non-compliant with both AB 2257 and SB 929. The law requires every independent special district maintain an internet website which “clearly lists contact information for the special district.”

The grand jury interprets the language of SB 929 to mean the following:

- *Contact Information*: The district’s address, phone number, email address, and board of directors are listed on the website.

Independent Districts

There are thirty-eight independent special districts located in Placer County. The grand jury discovered Heather Glen Community Services and Tahoe City Cemetery Districts do not have websites. Tahoe Forest Hospital District’s board information is on a subpage of the Tahoe Forest Health System website. As a result, the citizens of those special districts do not have knowledge of the actions of the board. Citizens will not know when or where a board meeting was being held or where to find the agenda. Contacting someone either by phone or email is also difficult because they lack a website. A fourth district, Suburban Pines Community Services, was found to be a non-active district and was not included in the calculation for compliance.

The grand jury found six of the districts use an IAMP. The other twenty-eight districts host their own website using a variety of different applications. The research found the following fourteen special districts websites were fully compliant with AB 2257:

Alpine Spring County Water	Auburn Cemetery	Auburn Valley Community Services	Christian Valley Park Community Services	Donner Summit Public Utility	Foresthill Fire Protection	McKinney Water
Newcastle-Rocklin-Gold Hill Cemetery	North Tahoe Fire Protection	North Tahoe Public Municipal Utility	Olympic Park Public Service	Roseville Cemetery	South Placer Public Utility	Tahoe Resource Conservation

The grand jury found the websites of twenty-one special districts did not comply with AB 2257 for various reasons. The most common non-compliance issue was the lack of a prominent, direct link to the agenda on the home page (Appendix 1).

Non-Compliant Districts

There are three districts in the county that do not meet the criteria for their websites to be compliant with AB 2257. They do not have a prominent direct link; agendas are not searchable, or downloadable. Those districts are Colfax Cemetery, Penryn Fire Protection, and Talmont Resort Improvement Districts (Appendix 1).

Agenda Listing Order

There are six districts using the IAMP software Streamline. This web design company specializes in websites specifically for special districts. When using an IAMP, the agendas must be listed with the most current first. All six districts met this criteria.

Prominent Direct Link

In reviewing the thirty-four special districts with websites, the grand jury found the home pages for twenty-one districts do not contain a prominent, direct link to the current agenda or an agenda list. These districts were found to be non-compliant. The following districts had the agenda link under a contextual menu, which is not compliant with the law (Appendix 1):

Alta Fire Protection	Auburn Area Recreation & Park	Colfax Cemetery
Foresthill Public Utility	Lincoln Cemetery	Meadow Vista County Water
Midway Heights County Water	Newcastle Fire Protection	Northstar Community Services
Penryn Fire Protection	Placer County Resource Conservation	Placer County Water Agency
Placer Hills Fire Protection	Placer Mosquito & Vector Control	Sierra Lakes County Water
South Placer Fire Protection	Tahoe City Public Utility	Tahoe Forest Hospital
Tahoe-Truckee Airport	Tahoe-Truckee Sanitation Agency	Talmont Resort Improvement

Searchability

The grand jury found the agenda posted on the websites for Colfax Cemetery, Penryn Fire Protection, and Talmont Resort Improvement Districts do not comply with the section of AB 2257 which requires the agenda be electronically searchable. The agendas for these agencies are a document type that is not searchable for specific terms using the search-on-the-page function provided in all browsers.

Downloadable

The grand jury found the agenda posted on the websites for Colfax Cemetery, Penryn Fire Protection, and Talmont Resort Improvement Districts do not comply with the section of AB 2257 which requires the agenda be downloadable.

Indexability

The Brown Act requires the agenda be available at least 72 hours prior to a meeting. This might not allow sufficient time for search engines to index an agenda. A longer lead time is needed for an agenda with a specific date to be indexed and found by commonly used search engines such as Google or DuckDuckGo.

The grand jury searched for an agenda of a specific date but could not find the specific agenda. This confirmed the grand jury's understanding of the limits of search engines being able to index the document within the 72-hour posting requirement. Based on these results, the grand jury excluded the necessity of indexing when determining if the website met this requirement of AB 2257.

Suburban Pines Community Services District

The grand jury discovered Suburban Pines Community Services District (SPCSD) appears on a number of different lists of special districts. It is listed as active on the CSDA and CSCO websites and non-active on Placer County LAFCo website. The purpose of the district was the management of six fire hydrants. In doing research to determine why the SPCSD did not have a website, the grand jury was told the SPCSD board members in the early 2000's worked with LAFCo to file papers with the county to dissolve SPCSD. At the time, the SPCSD board believed all the necessary paperwork was filed appropriately with the county to dissolve the district. The SPCSD board has not met for years, but occasionally receives mail addressed to the district. The grand jury is concerned steps were taken to dissolve the district yet CSDA and the CSCO still include SPCSD on their lists of active special districts. Because of the research completed by the grand jury, this district is not included in our determination of compliance with the law.

LAFCo

While investigating the independent districts the grand jury discovered a number of troubling issues with the Placer County LAFCo. For one, their online listing of the districts in the county is out-of-date. Some of the documents have not been updated since 2018.

The LAFCo website is imbedded within the county's website and is not independent. The website is difficult to find. One link available on a web search doesn't link to the actual LAFCo website. Once at the LAFCo website, many of the links to MSRs are not active links. The grand jury believes this is a disservice to the citizens of Placer County and the special districts which LAFCo supports.

Placer County LAFCo is required to conduct yearly MSRs on some of their districts. The LAFCo website sporadically lists yearly reviews. The grand jury could not locate any MSR that was conducted since 2016. Most of the ones listed on the website are from 2006-2014. In addition, the majority are in draft form. Some of the links to the MSRs are not active. The website contains no previous or future schedule for MSRs. Therefore, it is not possible to know if the MSRs are being done as required by the CKH Act of 2000.

Senate Bill 929

In reviewing this law and the websites of the independent districts in Placer County, the grand jury found three districts were not compliant with this new law (Appendix 2). Colfax Cemetery District does not list an address, phone number, or email address which would enable citizens to contact the district. South Placer Fire Protection is also not in compliance as their website does not list any email addresses. Board members for the Tahoe Resource Conservation District are not listed on their website, therefore making them non-compliant with SB 929.

Conclusion

The grand jury found it extremely difficult to obtain a complete, accurate, and up-to-date listing of the independent districts, dependent districts, and JPAs located in or associated with Placer County.

The grand jury found fourteen districts are compliant with the Brown Act AB 2257 requirements which took effect on January 1, 2019. The grand jury acknowledges and commends these districts for their efforts to stay updated with the current law.

The grand jury found three districts do not have a website, one district is inactive and twenty-one are not in compliance with AB 2257. Having no prominent, direct link to the current agenda on the home page is the most common reason for non-compliance. Three districts are also not compliant with SB 929.

The grand jury found there to be a wide variety of layouts of the independent districts' websites. Locating specific items such as agenda links, board members, or contact information was difficult.

While technically compliant with the law, the agenda links for some districts are not prominent on their website home page. The grand jury believes this makes it difficult for citizens to locate the agenda.

The grand jury found Placer County LAFCo does not keep ethics training records for any of the independent districts, the MSR information on the website is not up-to-date, and the listing of independent special districts is not current.

Findings

The grand jury found:

- F1: Alpine Spring County Water, Auburn Cemetery, Auburn Valley Community Services, Christian Valley Park Community District Services, Donner Summit Public Utility, Foresthill Fire Protection, McKinney Water, Newcastle-Rocklin-Gold Hill Cemetery, North Tahoe Fire Protection, North Tahoe Public Utility, Olympic Valley Public Service, Roseville Cemetery, South Placer Municipal Utility, and Tahoe Resource Conservation Districts are in full compliance with AB 2257 and SB 929.
- F2: Heather Glen Community Services, Tahoe Forest Hospital, and Tahoe City Cemetery Districts do not have websites. They are non-compliant with both AB 2257 and SB 929.
- F3: Three districts, Colfax Cemetery, Penryn Fire Protection, and Talmont Resort Improvement Districts are non-compliant with AB 2257. They do not have a prominent, direct link to their current agenda; agendas are not searchable or downloadable.
- F4: Alta Fire Protection, Auburn Area Recreation & Park, Foresthill Public Utility, Lincoln Cemetery #1, Meadow Vista County Water, Midway Heights County Water, Newcastle Fire Protection, Northstar Community Services, Penryn Fire Protection, Placer County Resource Conservation, Placer County Water Agency, Placer Hills Fire Protection, Placer Mosquito & Vector Control, Sierra Lakes County Water, South Placer Fire Protection, Suburban Pines Community Services, Tahoe City Public Utility, Tahoe-Truckee Airport, Tahoe-Truckee Sanitation, and Talmont Resort Improvement Districts do not have a prominent, direct link to the current agenda on the home page of their website.
- F5: The LAFCo website, which is hosted by Placer County, is difficult to locate. Placer County LAFCo does not have an independent website.
- F6: A lack of consistency in independent special district websites makes locating similar information difficult and time consuming for the user.
- F7: Placer County LAFCo does not have an up-to-date listing of the independent special districts with contact information.
- F8: Suburban Pines Community Services District is a non-active district.
- F9: Placer County LAFCo does not keep records of the ethics training, completed by board members of the districts they oversee.
- F10: Colfax Cemetery, South Placer Fire Protection, and Tahoe Resource Conservation District websites do not comply with SB 929.

Recommendations

The grand jury recommends:

- R1: By September 1, 2021, Heather Glen Community Services, Tahoe Forest Hospital, and Tahoe City Cemetery Districts create websites to be compliant with AB 2257 and SB 929.
- R2: By September 1, 2021, Colfax Cemetery, Penryn Fire Protection, and Talmont Resort Improvement Districts update their website so they have a prominent, direct link to the current agenda and the agenda is searchable and downloadable to be compliant with AB 2257.
- R3: By September 1, 2021, Alta Fire Protection, Auburn Area Recreation & Park, Foresthill Public Utility, Lincoln Cemetery #1, Meadow Vista County Water, Midway Heights County Water, Newcastle Fire Protection, Northstar Community Services, Placer County Resource Conservation, Placer County Water Agency, Placer Hills Fire Protection, Placer Mosquito & Vector Control, Sierra Lakes County Water, South Placer Fire Protection, Tahoe City Public Utility, Tahoe-Truckee Airport, and Tahoe-Truckee Sanitation Districts create a prominent, direct link from their home page to their current agenda as required by AB 2257.
- R4: By September 1, 2021, Placer County LAFCo will establish and manage their own up-to-date website.
- R5: By September 1, 2021, Placer County LAFCo will establish and manage their own up-to-date website.
- R6: By September 1, 2021, Placer County LAFCo will establish a plan for each independent special district to update their contact and board information on a yearly basis each January, beginning in January 2022. The document with the information will be placed on the LAFCo website.
- R7: By September 1, 2021, Placer County LAFCo will take the necessary steps to dissolve Suburban Pines Community Services District and incorporate the maintenance of the six fire hydrants to another entity.
- R8: By September 1, 2021, Placer County LAFCo will establish and maintain a list of the ethics training completed by each independent special district board member.
- R9: By September 1, 2021, Colfax Cemetery District will add contact information to its website to be compliant with SB 929.
- R10: By September 1, 2021, South Placer Fire Protection District will add a contact email address to its website to be compliant with SB 929.
- R11: By September 1, 2021, Tahoe Resource Conservation District will list their board members on its website.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Ed Snider Chairperson Alta Fire Protection District P.O. Box 847 Alta, CA 95701	R3	September 1, 2021
Gordon Ainsleigh Chairperson Auburn Area Recreation & Park District 471 Maidu Dr #200 Auburn, CA 95603	R3	September 1, 2021
Nancy Hagman President Colfax Cemetery District P.O. Box 231 Colfax, CA 95713	R2, R9	September 1, 2021
Mark Bell President Foresthill Public Utility District P.O. Box 266 Foresthill, CA 95631	R3	September 1, 2021
Max Bailey President Heather Glen Community Services District P.O. Box 715 Applegate, CA 95703	R1	September 1, 2021
Shirley Gibbs President Lincoln Cemetery #1 District P.O. Box 546 Lincoln, CA 95648	R3	September 1, 2021
Robert Weygandt Chairperson Placer County LAFCo 110 Maple St Auburn, CA 95603	R4, R5, R6, R7, R8	September 1, 2021

<p>Derek D'Amour Chairperson Meadow Vista County Water District P.O. Box 278 Meadow Vista, CA 95722</p>	R3	September 1, 2021
<p>David Wiltsee President Midway Heights County Water District P.O. Box 596 Meadow Vista, CA 95722</p>	R3	September 1, 2021
<p>William Kahrl Chairperson Newcastle Fire Protection District P.O. Box 262 Newcastle, CA 95658</p>	R3	September 1, 2021
<p>Warren Brown President Northstar Community Services District 15615 Kent Dr Truckee, CA 96161</p>	R3	September 1, 2021
<p>Cheryl Hotaling Chairperson Penryn Fire Protection District 7206 Church St Penryn, CA 95663</p>	R2	September 1, 2021
<p>Claudia Smith Chairperson Placer County Resource Conservation District 281 Nevada St Auburn, CA 95603</p>	R3	September 1, 2021
<p>Joshua Alpine Chairperson Placer County Water Agency P.O. Box 6570 Auburn, CA 95603</p>	R3	September 1, 2021
<p>Peter Hills President Placer Hills Fire Protection District P.O. Box 350 Meadow Vista, CA 95722</p>	R3	September 1, 2021

Peter Gilbert President Placer Mosquito & Vector Control District 2021 Opportunity Dr Roseville, CA 95678	R3	September 1, 2021
Dan Stockton President Sierra Lakes County Water District P.O. Box 1039 Soda Springs, CA 95728	R3	September 1, 2021
Gary Grenfell President South Placer Fire Protection District 6900 Eureka Rd Granite Bay, CA 95746	R3, R10	September 1, 2021
Gail Scoville President Tahoe City Public Utility District P.O. Box 5249 Tahoe City, CA 96145	R3	September 1, 2021
Meredith Rosenberg Chairperson Tahoe City Cemetery District P.O. Box 1528 Tahoe City, CA 96145	R1	September 1, 2021
Alyce Wong Chairperson Tahoe Forest Hospital District 1012 Pine Ave Truckee, CA 96160	R1	September 1, 2021
Teresa O'Dette President Tahoe-Truckee Airport District 10356 Truckee Airport Rd Truckee, CA 96161	R3	September 1, 2021
Carl Ribaud President Tahoe Resource Conservation District 870 Emerald Bay Rd Suite 108 South Lake Tahoe, CA 96150	R11	September 1, 2021

Dale Cox **R3** **September 1, 2021**
President
Tahoe-Truckee Sanitation Agency
13720 Butterfield Dr
Truckee, CA 96161

Jim Henderson **R2** **September 1, 2021**
President
Talmont Resort Improvement District
P.O. Box 1294
Tahoe City, CA 96145

Copies Sent to:
Robert Weygandt
Chairperson
Placer County Board of Supervisors
175 Fulweiler Ave
Auburn, CA 95603

Janet Grant
President
Alpine Spring County Water District
270 Alpine Meadows Rd
Meadow Vista, CA 96146

Earl Wilson
President
Auburn Cemetery District
1040 Collins Dr
Auburn, CA 95603

Jim Leidigh
President
Auburn Valley Community Services District
P.O. Box 8138
Auburn, CA 95603

Kathleen Daugherty
President
Christian Valley Park Community Services District
P.O. Box 6857
Auburn, CA 95603

Cathy Preis
President
Donner Summit Public Utility District
P.O. Box 610
Soda Springs, CA 95728

John Michelini

President

Foresthill Fire Protection District
P.O. Box 1099
Foresthill, CA 95631

Jerry Swartfager

President

McKinney Water District
103 Simmons Way
Folsom, CA 95630

Leonard Orsolini

Chairperson

Newcastle-Rocklin-Gold Hill Cemetery District
850 Taylor Rd
Newcastle, CA 95658

Mike Baffone

President

North Tahoe Fire Protection District
P.O. Box 5879
Tahoe City, CA 96145

Sarah Coolidge

President

North Tahoe Public Utility District
P.O. Box 139
Tahoe Vista, CA 96148

Dale Cox

Chairperson

Olympic Valley Public Service District
P.O. Box 2026
Olympic Valley, CA 96146

Kris Berry

Executive Officer

Placer County LAFCo
110 Maple St
Auburn, CA 95603

Steven Howe

Chairperson

Roseville Cemetery District
421 Berry St
Roseville, CA 95678

Junie Pitz

Former Secretary

Suburban Pines Community Services District

P.O. Box 576

Colfax, CA 95713

William Dickinson

President

South Placer Municipal Utility District

5807 Springview Dr

Rocklin, CA 95677

Appendix 1 – AB 2257 Compliance Chart

Note: If a district is not using an IAMP, then the order of the agenda listing is not a factor in determining compliance. Suburban Pines Community Services District is not included in this listing.

	District	Prominent Direct Link	Downloadable	Searchable	Using an IAMP	Latest Agenda First	Compliant
1	Alpine Spring County Water	Y	Y	Y	N	-	Y
2	Alta Fire Protection	N	Y	Y	N	-	N
3	Auburn Cemetery	Y	Y	Y	Y	Y	Y
4	Auburn Area Recreation & Park	N	Y	Y	N	-	N
5	Auburn Valley Community Services	Y	Y	Y	Y	Y	Y
6	Christian Valley Park Community District Services	Y	Y	Y	Y	Y	Y
7	Colfax Cemetery	N	N	N	N	-	N
8	Donner Summit Public Utility	Y	Y	Y	N	-	Y
9	Foresthill Fire Protection	Y	Y	Y	N	-	Y
10	Foresthill Public Utility	N	Y	Y	N	-	N
11	Heather Glen Community Services	NO WEBSITE					
12	Lincoln Cemetery	N	Y	Y	N	-	N
13	McKinney Water	Y	Y	Y	Y	Y	Y
14	Meadow Vista County Water	N	Y	Y	N	-	N
15	Midway Heights County Water	N	Y	Y	N	-	N
16	Newcastle Fire Protection	N	Y	Y	N	-	N
17	Newcastle-Rocklin-Gold Hill Cemetery	Y	Y	Y	Y	Y	Y
18	North Tahoe Fire Protection	Y	Y	Y	N	-	Y
19	North Tahoe Public Utility	Y	Y	Y	N	-	Y
20	Northstar Community Services	N	Y	Y	N	-	N
21	Olympic Valley Public Service	Y	Y	Y	N	-	Y
22	Penryn Fire Protection	N	N	N	N	-	N

	District	Prominent Direct Link	Downloadable	Searchable	Using an IAMP	Latest Agenda First	Compliant
23	Placer County Resource Conservation	N	Y	Y	N	-	N
24	Placer County Water Agency	N	Y	Y	N	-	N
25	Placer Hills Fire Protection	N	Y	Y	N	-	N
26	Placer Mosquito & Vector Control	N	Y	Y	N	-	N
27	Roseville Cemetery	Y	Y	Y	N	-	Y
28	Sierra Lakes County Water	N	Y	Y	N	-	N
29	South Placer Fire Protection	N	Y	Y	N	-	N
30	South Placer Municipal Utility	Y	Y	Y	Y	Y	Y
31	Tahoe City Cemetery	NO WEBSITE					
32	Tahoe City Public Utility	N	Y	Y	N	-	N
33	Tahoe Forest Hospital	NO WEBSITE OF THEIR OWN					
34	Tahoe Resource Conservation	Y	Y	Y	N	-	Y
35	Tahoe-Truckee Airport	N	Y	Y	N	-	N
36	Tahoe-Truckee Sanitation Agency	N	Y	Y	N	-	N
37	Talmon Resort Improvement	N	N	N	N	-	N

Appendix 2 – SB 929 Compliance Chart

Note: Heather Glen and Tahoe Cemetery districts do not have websites and are not included in this listing. Suburban Pines Community Services District is also not included in this listing.

	District	Address	Phone Number	Email Address	Board Members	Compliant
1	Alpine Spring County Water	Y	Y	Y	Y	Y
2	Alta Fire Protection	Y	Y	Y	Y	Y
3	Auburn Cemetery	Y	Y	Y	Y	Y
4	Auburn Area Recreation & Park	Y	Y	Y	Y	Y
5	Auburn Valley Community Services	Y	Y	Y	Y	Y
6	Christian Valley Park Community Services	Y	Y	Y	Y	Y
7	Colfax Cemetery	N	N	N	Y	N
8	Donner Summit Public Utility	Y	Y	Y	Y	Y
9	Foresthill Fire Protection	Y	Y	Y	Y	Y
10	Foresthill Public Utility	Y	Y	Y	Y	Y
11	Lincoln Cemetery	Y	Y	Y	Y	Y
12	McKinney Water	Y	Y	Y	Y	Y
13	Meadow Vista County Water	Y	Y	Y	Y	Y
14	Midway Heights County Water	Y	Y	Y	Y	Y
15	Newcastle Fire Protection	Y	Y	Y	Y	Y
16	Newcastle-Rocklin-Gold Hill Cemetery	Y	Y	Y	Y	Y
17	North Tahoe Fire Protection	Y	Y	Y	Y	Y
18	North Tahoe Public Utility	Y	Y	Y	Y	Y
19	Northstar Community Services	Y	Y	Y	Y	Y
20	Olympic Valley Public Service	Y	Y	Y	Y	Y
21	Penryn Fire Protection	Y	Y	Y	Y	Y
22	Placer County Resource Conservation	Y	Y	Y	Y	Y
23	Placer County Water Agency	Y	Y	Y	Y	Y
24	Placer Hills Fire Protection	Y	Y	Y	Y	Y
25	Placer Mosquito & Vector Control	Y	Y	Y	Y	Y
26	Roseville Cemetery District	Y	Y	Y	Y	Y
27	Sierra Lakes County Water	Y	Y	Y	Y	Y
28	South Placer Fire Protection	Y	Y	N	Y	N
29	South Placer Municipal Utility	Y	Y	Y	Y	Y
30	Tahoe City Public Utility District	Y	Y	Y	Y	Y
31	Tahoe Forest Hospital District	Y	Y	Y	Y	Y
32	Tahoe Resource Conservation	Y	Y	Y	N	N
33	Tahoe-Truckee Airport	Y	Y	Y	Y	Y
34	Tahoe-Truckee Sanitation Agency	Y	Y	Y	Y	Y
35	Talmon Resort Improvement	Y	Y	Y	Y	Y

Appendix 3 – Assembly Bill No. 2257

Assembly Bill No. 2257 CHAPTER 265

An act to amend Section 54954.2 of the Government Code, relating to local government.

[Approved by Governor September 09, 2016. Filed with Secretary of
State September 09, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2257, Maienschein. Local agency meetings: agenda: online posting.

(1) The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act further requires the legislative body of a local agency to post, at least 72 hours before the meeting, an agenda containing a brief general description of each item of business to be transacted or discussed at a regular meeting, in a location that is freely accessible to members of the public and to provide a notice containing similar information with respect to a special meeting at least 24 hours prior to the special meeting. The act requires that the agenda or notice be freely accessible to members of the public and be posted on the local agency's Internet Web site, if the local agency has one.

This bill would require an online posting of an agenda for a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site to be posted on the local agency's primary Internet Web site homepage accessible through a prominent, direct link, as specified. The bill would exempt a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site from this requirement if it has an integrated agenda management platform that meets specified requirements, including, among others, that the current agenda is the first agenda available at the top of the integrated agenda management platform. The bill would authorize an integrated agenda management platform to include prior meeting agendas, as specified. The bill would require any agenda posted pursuant to these provisions to be in an open format that meets specified requirements, including, among others, that the agenda is platform independent and machine readable. The bill would also define terms for these purposes.

(2) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 54954.2 of the Government Code is amended to read:

54954.2.

(a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state. **The direct link to the integrated agenda management platform shall not be in a contextual menu.** When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an Internet Web site with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an Internet Web site of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

SEC. 2.

The Legislature finds and declares that Section 1 of this act, which amends Section 54954.2 of the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

It is in the public interest to ensure that members of the public can easily and quickly find and access meeting agendas of legislative bodies of specific local agencies on the Internet homepage of those certain local agencies.

SEC. 3.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

Appendix 4 – Senate Bill 929

Senate Bill No. 929

CHAPTER 408

An act to add Sections 6270.6 and 53087.8 to the Government Code, relating to special districts.

[Approved by Governor September 14, 2018. Filed with Secretary of State
September 14, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 929, McGuire. Special districts: Internet Web sites.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for special districts, as specified. The California Public Records Act requires a local agency to make public records available for inspection and allows a local agency to comply by posting the record on its Internet Web site and directing a member of the public to the Internet Web site, as specified.

This bill would, beginning on January 1, 2020, require every independent special district to maintain an Internet Web site that clearly lists contact information for the special district, except as provided. Because this bill would require local agencies to provide a new service, the bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Bill Text

The people of the State of California do enact as follows:

SECTION 1.

The Legislature finds and declares all of the following:

- (a) Special districts are local government agencies that provide essential services to millions of Californians.
- (b) As of January 2018, there are 2,085 independent special districts in California.
- (c) Each special district focuses on a specific set of services, including, but not limited to, water, utilities, and parks.
- (d) Throughout California's history, special districts have empowered residents to find local solutions to fit the unique needs of their communities.
- (e) It is this local approach that continues to make special districts a popular method for delivering essential public services and infrastructure in communities throughout the state.
- (f) In order to further public access to information related to these essential services, it is the intent of the Legislature that each independent special district provide easily accessible and accurate information on an Internet Web site.

SEC. 2.

Section 6270.6 is added to the Government Code, to read: 6270.6.

In implementing this chapter, each independent special district shall maintain an Internet Web site in accordance with Section 53087.8.

SEC. 3.

Section 53087.8 is added to the Government Code, to read: 53087.8.

(a) (1) Except as provided in subdivision (b), beginning on January 1, 2020, every independent special district, as defined in Section 56044, shall maintain an Internet Web site.

(2) The Internet Web site required by paragraph (1) shall conform to any other provisions of law applicable to the Internet Web site of the district, including, but not limited to, Sections 6270.5, 53893, 53908, and 54954.2 of this code, and Section 32139 of the Health and Safety Code.

(3) The Internet Web site required by paragraph (1) shall clearly list contact information for the independent special district.

(b) (1) An independent special district shall be exempt from subdivision (a) if, pursuant to a majority vote of its governing body at a regular meeting, the district adopts a resolution declaring its determination that a hardship exists that prevents the district from establishing or maintaining an Internet Web site.

(2) A resolution adopted pursuant to this subdivision shall include detailed findings, based upon evidence set forth in the minutes of the meeting, supporting the board's determination that a hardship prevents the district from establishing or maintaining an Internet Web site. The findings may include, but shall not be limited to, inadequate access to broadband communications network facilities that enable high-speed Internet access, significantly limited financial resources, or insufficient staff resources.

(3) A resolution adopted pursuant to this subdivision shall be valid for one year. In order to continue to be exempt from subdivision (a), the governing body of an independent special district shall adopt a resolution pursuant to this subdivision annually so long as the hardship exists.

SEC. 4.

The Legislature finds and declares that Section 2 of this act, which adds Section 6270.6 to the Government Code, and Section 3 of this act, which adds Section 53087.8 to the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings: By requiring independent special districts to maintain an Internet Web site, this act increases public access to public records and thereby furthers the purposes of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

SEC. 5.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

However, if the Commission on State Mandates determines that the act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Appendix 5 – AB 1234

Assembly Bill No. 1234 CHAPTER 700

An act to amend Sections 25008 and 36514.5 of, and to add Article 2.3 (commencing with Section 53232) and Article 2.4 (commencing with Section 53234) to Chapter 2 of Part 1 of Division 2 of Title 5 of, the Government Code, to amend Sections 6060 and 7047 of the Harbors and Navigation Code, to amend Sections 2030, 2851, 4733, 4733.5, 6489, 9031, 13857, 13866, and 32103 of the Health and Safety Code, to amend Section 1197 of the Military and Veterans Code, to amend Sections 5536, 5536.5, 5784.15, and 9303 of the Public Resources Code, to amend Sections 11908, 11908.1, 11908.2, 16002, and 22407 of the Public Utilities Code, and to amend Sections 20201, 21166, 30507, 30507.1, 34741, 40355, 50605, 55305, 56031, 60143, 70078, 71255, and 74208 of, and to add Section 20201.5 to, the Water Code, relating to local agencies.

[Approved by Governor October 07, 2005. Filed with Secretary of State October 07, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1234, Salinas. Local agencies: compensation and ethics.

SEC. 4.

Article 2.4 (commencing with Section 53234) is added to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, to read:

Article 2.4. Ethics Training 53234.

For the purposes of this article, the following terms have the following meanings:

- (a) "Legislative body" has the same meaning as specified in Section 54952.
- (b) "Local agency" means a city, county, city and county, charter city, charter county, charter city and county, or special district.
- (c) "Local agency official" means the following:
 - (1) Any member of a local agency legislative body or any elected local agency official who receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties.
 - (2) Any employee designated by a local agency legislative body to receive the training specified under this article.
- (d) "Ethics laws" include, but are not limited to, the following:
 - (1) Laws relating to personal financial gain by public servants, including, but not limited to, laws prohibiting bribery and conflict-of-interest laws.
 - (2) Laws relating to claiming prerequisites of office, including, but not limited to, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies.
 - (3) Government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws.
 - (4) Laws relating to fair processes, including, but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members.

53235.

(a) If a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in

the performance of official duties, then all local agency officials shall receive training in ethics pursuant to this article.

(b) Each local agency official shall receive at least two hours of training in general ethics principles and ethics laws relevant to his or her public service every two years.

(c) If any entity develops curricula to satisfy the requirements of this section, then the Fair Political Practices Commission and the Attorney General shall be consulted regarding the sufficiency and accuracy of any proposed course content. When reviewing any proposed course content the Fair Political Practices Commission and the Attorney General shall not preclude an entity from also including local ethics policies in the curricula.

(d) A local agency or an association of local agencies may offer one or more training courses, or sets of self-study materials with tests, to meet the requirements of this section. These courses may be taken at home, in-person, or online.

(e) All providers of training courses to meet the requirements of this article shall provide participants with proof of participation to meet the requirements of Section 53235.2.

(f) A local agency shall provide information on training available to meet the requirements of this article to its local officials at least once annually.

53235.1.

(a) Each local agency official in local agency service as of January 1, 2006, except for officials whose term of office ends before January 1, 2007, shall receive the training required by subdivision (a) of Section 53235 before January 1, 2007. Thereafter, each local agency official shall receive the training required by subdivision (a) of Section 53235 at least once every two years.

(b) Each local agency official who commences service with a local agency on or after January 1, 2006, shall receive the training required by subdivision (a) of Section 53235 no later than one year from the first day of service with the local agency. Thereafter, each local agency official shall receive the training required by subdivision (a) of Section 53235 at least once every two years.

(c) A local agency official who serves more than one local agency shall satisfy the requirements of this article once every two years without regard to the number of local agencies with which he or she serves.

53235.2.

(a) A local agency that requires its local agency officials to complete the ethical training prescribed by this article shall maintain records indicating both of the following:

(1) The dates that local officials satisfied the requirements of this article.

(2) The entity that provided the training.

(b) Notwithstanding any other provision of law, a local agency shall maintain these records for at least five years after local officials receive the training. These records are public records subject to disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

Appendix 6– Websites

District	Website
Alpine Spring County Water	https://alpinesprings.org/home
Alta Fire Protection	https://altavolunteerfirefighters.org/
Auburn Cemetery	https://www.auburncemetery.com/
Auburn Area Recreation & Park	http://www.auburnrec.com/
Auburn Valley Community Services	https://auburnvalleycsd.specialdistrict.org/
Christian Valley Park Community Services	http://christianvalley.org
Colfax Cemetery	https://www.placer.ca.gov/2321/Colfax-Cemetery-District
Donner Summit Public Utility	https://dspud.com/
Foresthill Fire Protection	https://www.foresthillfire.org
Foresthill Public Utility	http://foresthillpud.com/
Heather Glen Community Services	NO WEBSITE
Lincoln Cemetery #1	http://www.placercountycemeteries.com/
McKinney Water	https://www.mckinneywaterdistrict.com/
Meadow Vista County Water	https://mvcwd.com/contact-us/
Midway Heights County Water	http://www.mhcwd.org/
Newcastle Fire Protection	http://newcastlefire.org/
Newcastle-Rocklin-Gold Hill Cemetery	https://www.nrgcemetery.com/
North Tahoe Fire Protection	https://www.ntfire.net/
North Tahoe Public Utility	https://ntpud.org/
Northstar Community Services	https://www.northstarcsd.org/
Olympic Valley Public Service	https://www.svpsd.org/
Penryn Fire Protection	https://penrynfire.ca.gov/
Placer County Resource Conservation	http://www.placercountyrcd.org/
Placer County Water Agency	https://www.pcwa.net/
Placer Hills Fire Protection	http://placerhillfire.org/
Placer Mosquito & Vector Control	http://www.placermosquito.org/
Roseville Cemetery	https://rosevillecemetery.com/
Sierra Lakes County Water	https://slcwa.org/
South Placer Fire Protection	http://www.southplacerfire.org/
South Placer Municipal Utility	https://spmud.ca.gov/
Suburban Pines Community Services	https://cpcsd.specialdistrict.org
Tahoe City Cemetery	NO WEBSITE
Tahoe City Public Utility	https://www.tcpud.org/
Tahoe Forest Hospital	https://www.tfhd.com/ - NOT THEIR OWN WEBSITE
Tahoe Resource Conservation	https://tahoercd.org/
Tahoe-Truckee Airport	https://truckeetahoeairport.com/
Tahoe-Truckee Sanitation Agency	https://www.ttsa.net/
Talmon Resort Improvement	https://talmonrid.org/

Lack of Communication and Transparency in Housing the Homeless of Placer County



Photo by Norma Worley



Lack of Communication and Transparency in Housing the Homeless of Placer County

Summary

Homelessness in California, as well as Placer County, is no longer confined to the big cities. It is in both urban and rural communities across the state which impacts local resources.

Homelessness is closely connected to declines in physical and mental health; homeless persons experience high rates of health problems. Health problems among homeless persons result from various factors, such as lack of access to adequate food and protection, and limited resources and social services.¹

The grand jury recognizes there are many types of housing and programs used by county, state, and federal governments to house the homeless. However, this report focuses only on the Placer County Whole Person Care Pilot program (PC WPCPp) (Appendix 1). Some Placer County citizens have been critical and outspoken regarding a lack of communication and transparency by the Placer County Board of Supervisors (BOS) regarding the PC WPCPp. A perceived lack of oversight provided by Placer County Health and Human Services (PC HHS) of the PC WPCPp was also a concern raised by citizens. In addition to communication and transparency, there have been questions and concerns that reference the perceived improper use and efficacy of funds awarded to nonprofit organizations selected to provide housing for the Placer County homeless and mentally ill.

Background

In 2016, the State of California Whole Person Care Pilot program (CA WPCPp) provided grants and loans for various programs to build or purchase affordable housing for low-income households. This included supportive housing for our most vulnerable populations, the homeless and mentally ill individuals who are also homeless. Many of these programs serve individuals experiencing homelessness, at risk of homelessness, or with demonstrated medical need for housing and/or supportive services.

In 2019, the BOS approved and accepted a contribution from Sutter Health Valley Area (SHVA) to benefit the PC WPCPp. This was the second such investment made by SHVA to purchase permanent supportive housing units and provide rental subsidies for participants in the PC WPCPp.

Placer County also received funds through the California Supportive Care Program (SCP), the CA WPCPp, the Mental Health Act, and other revenue sources from the federal government. Some of these funds were used specifically for the purchase of homes to house mentally ill and homeless individuals. The residences are scattered throughout Placer County with the majority in the Roseville, Auburn, and Rocklin areas.

¹ CDC – Centers for Disease Control & Prevention, March 2, 2017

On October 8, 2019, the BOS announced the approval of two contracts with local nonprofit organizations to provide supportive care housing for people experiencing homelessness or those with mental illness. The Gathering Inn (TGI) and Advocates for Mentally Ill Housing, Inc. (AMIH) were each awarded \$2,845,462 by PC WPCPp with \$2 million earmarked for the purchase of single-family homes for permanent supportive housing. The balance is to be used to support the program and the upkeep costs for the homes during the remaining three years of the contract.

Methodology

The grand jury interviewed Placer County citizens, a member of the Placer County Board of Supervisors, staff from Placer County Health and Human Services, The Gathering Inn, and Advocates for Mentally Ill Housing, Inc. The grand jury requested and reviewed the organizational chart, department budget, and strategic plan for PC HHS. Also reviewed was the County Request For Proposal (RFP) #100121 and the awarded contracts to TGI and AMIH. The grand jury also collected information from the Placer County website, reviewed articles from the Auburn Journal and the Sacramento Bee, and viewed other publicly available sources (Appendix 2).

Discussion

A chronically homeless person costs the taxpayer a national average of \$35,000 per year. Costs on average are reduced by almost 50 percent when they are placed in supportive housing. This 50 percent reduced cost minus the supportive housing costs, average \$12,800, which makes the net savings on average \$4,700 per person per year².

The 2020 Point-in-Time Count, a survey counting the number of homeless individuals, produced by the County of Placer and the Homeless Resource Council of the Sierras, shows the county having 744 homeless individuals. This is a 20.6 percent increase from the 617 reported homeless individuals residing in Placer County in 2019.

The 2019 Placer County Homeless Strategy, developed for Placer County by Thurmond Consulting, LLC and the Homeless Resource Council of the Sierras, identified the most pressing issues as affordable housing, homelessness, mental health, substance abuse, and trauma. This same strategic plan, in part, stressed communication with the neighborhoods.

“Building a Healthier Community Together 2019-2021 Strategic Plan” was written by PC HHS staff with the advice and counsel of Pacific Health Consulting Group. Like the 2019 Placer County Homeless Strategy above, the most pressing issues found were affordable housing, homelessness, mental illness, substance abuse, and trauma.

² National Alliance to End Homelessness, February 17, 2017

Funding History

In 2016, CA WPCPp awarded Placer County a grant of \$20,126,390 to participate in the program to create the PC WPCPp. Sutter Health Valley Area (SHVA) made two \$1 million donations to this program. The grand jury commends SHVA for their contributions to the PC WPCPp.

These funds from the CA WPCPp and SHVA were specifically to assist the PC WPCPp with the purchase of permanent supportive housing units and rental subsidies. Hospitals in Placer County have a vested interest in reducing homelessness because most homeless people lack health insurance; almost 33 percent of all visits to the emergency department are made by chronically homeless people. As many as 80 percent of emergency department visits made by people struggling with homelessness are for illnesses that could have been addressed through preventive care.³ In 2019, the State of California awarded PC WPCPp an additional \$1,325,475 to support their homeless programs. Unfortunately, the PC WPCPp relies on most of their funding from the CA WPCPp and it is unknown if and when there will be a sunset date for this state program. Currently state funding is still available, and the BOS recently voted to continue the program in cooperation with the state until June 30, 2022.

The grand jury found there were no Placer County general funds used, nor was the county required to match the funds received from the state for the PC WPCPp. The grand jury also found that Placer County general funds have not been used for ongoing costs related to the PC WPCPp.

Placer County Housing Solutions Request For Proposal #100121

The grand jury reviewed the RFP for Placer County Housing Solutions issued on January 8, 2019, to purchase and operate homes as part of the PC WPCPp. The RFP required that the homes purchased would accommodate at least six people that meet the target population of having a serious mental illness, a disability, and/or a history of homelessness. The RFP also stated that the contractors would make efforts to encourage and maintain positive community relationships with surrounding neighbors, associations, law enforcement, and other community partnerships. On October 3, 2019, identical contracts for services between Placer County and AMIH and Placer County and TGI were signed. These contracts awarded each nonprofit \$2,845,462.

³ Green Doors, *The Cost of Homelessness Facts*, www.greendoors.org/facts/cost/php January 5, 2011

With the awarded funds, TGI purchased the following residences:

1. March 25, 2020 - a seven-bedroom home in Lincoln, listed at \$600,000 and purchased for \$595,000.
2. September 9, 2020 - a five-bedroom home in Roseville, listed at \$589,900 and purchased for \$587,000.
3. January 24, 2021 - a six-bedroom home in Rocklin, listed at \$599,949 and purchased for \$585,000.

The purchase of these properties totaled \$1,767,000 and provides seventeen tenants with housing.

Advocates for Mentally Ill Housing, Inc. likewise purchased the following:

1. December 19, 2019 - a seven-bedroom home in Auburn, listed at \$580,000 and purchased for \$565,000.
2. December 27, 2019 - a six-bedroom home in Rocklin, listed at \$617,000 and purchased for \$605,000.
3. November 9, 2020 - a six-bedroom home in Roseville, listed at \$650,000 and purchased for \$700,000.

The purchase of these properties totaled \$1,870,000 and provides eighteen tenants with housing.

The grand jury asked AMIH staff why the purchase price of one house was \$50,000 above the asking price. Staff replied that the house met the unique needs of the program and they had been searching over a year for a one-story six-bedroom residence.

Advocates for Mentally Ill Housing, Inc. staff also stated the following about their homes:

The above three homes are all co-ed. Participants are selected from the Placer County 'By Names List' which we pull from the 'Homeless Management Information System (HMIS).' Once selected they are interviewed, and the top candidate will be placed in the vacant room. Clients must pay 30% (sometimes 40%) of their total current income for the rent of their room. Usually that is from SSI, SSDI, Employment, retirement, or other income sources the client may receive. There is no timeline for how long residents can stay. But they can move along if they are able to find housing elsewhere with a long-term housing voucher attached or in very low-income apartment complexes. Usually the residents only move along if they want to live in their own units or want to live somewhere else. Once the tenant does move along, we would go back to the Placer County 'By Names' list to find another resident. Some tenants stay for a few months, but many will stay for years.

Advocates for Mentally Ill Housing, Inc. staff also reported they have "3 homes with six people each for a total of 18 residents. They are all full at this time."

The Gathering Inn staff also responded to the grand jury inquiries about their homes and informed the grand jury that:

TGI receives referrals from the PC WPCPP, they then interview the candidates and select those by the highest need first based on the vulnerability index. TGI will rule out those who demonstrate behaviors that are not compatible with community-based living.

All three homes are co-ed, right now all residents in one of the homes are male but that is not a requirement. Per the contract the amount a tenant will pay is 30% for the Roseville home; 40% for Rocklin/Lincoln homes. Tenants receive mixed income that can come from the following services: work, retirement, VA pension, SSI disability, WPC funding for select individuals. Tenant rent is capped at \$550 a month.

TGI provides daily, M-F case management support as well as 7 days a week staff that are in the homes supporting the tenants. TGI also provides 24/7 emergency support if needed through on call staff. TGI's goal is for the tenants to live in the most community-based setting that they can be successful in. Some tenants will need to stay longer than others because they need the supportive environment that TGI supplies. Others can be transitioned into a more independent tenant/landlord setting, i.e. rental on their own. Currently, the Lincoln home has capacity of 6; current tenants 6. The Rocklin home capacity of 6; current tenants 6. The Roseville home capacity of 5; current tenants 5.

The Gathering Inn staff also provided the grand jury with a copy of their “Tenant Rules and Regulations” which includes twenty-one house rules. Each tenant is required to review the rules with a staff person and initial each section and sign/date the agreement. Once a tenant signs the rules, the tenant is expected to adhere to them for the duration of their tenancy.

Transparency and Communication

The grand jury learned during this investigation that PC HHS, TGI, and AMIH did not communicate with neighbors, neighborhood and community associations, or the city councils of Auburn, Lincoln, Roseville, or Rocklin before AMIH and TGI purchased homes as part of the PC WPCPP.

As part of the research the grand jury found two recent newspaper articles; part of the Sacramento Bee article below quotes Mr. Keith Diederich, CEO of TGI who clearly stated that Placer County staff made the decision not to notify Rocklin’s city council prior to the move-in of the permanent supportive housing PSH home.

The Sacramento Bee news article, dated September 16, 2020, states in part:

It's part of a network of houses for the homeless and mentally ill funded by millions of dollars from Placer County and run by two non-profit organizations, The Gathering Inn and Advocates for Mentally Ill Housing (AMIH).

As cities around the country struggle with a growing homeless population and few solutions beyond temporary homeless shelters or single-occupancy hotels, Placer County has been placing some of its homeless population on quiet suburban streets....

As for whether Placer County officials gave adequate notice to the residents, Diederich, said, "I think that is a great question for Placer County, as it relates to the expectations of the program when we were setting up and how that communication either flowed or didn't flow, and I'll leave it at that."

The Gold County Media news article, dated November 12, 2020, states in part:

At issue for Rocklin City Council meeting members is that they were not officially notified of the home.

"Relative to the purchase of the property, there was no communication," Councilman Ken Broadway said.

TGI CEO Diederich explained that Placer County made that decision. "When the program initially rolled out, two homes were purchased, one in Rocklin and one in Lincoln," he said. "Under that rollout, conditions were such that county staff thought it wasn't in the best interest to communicate this as a PSH home prior to us moving in."

The lack of communication about the home has been a source of frustration in the community, Rocklin Vice-Mayor Jill Gayaldo said.

The article continued with Placer County Supervisor Jim Holmes assuring the council that he has discussed the issue of communication with Placer County Health and Human Services director Dr. Rob Oldham:

"We're going to put something in place that if this happens again, we're going to have either him or our planning director contact your planning director or your planning staff to let you know what is going on, ... Holmes said. "We're going to have more information. And I think having more information about what the program does would be very valuable as well, more than one meeting, maybe several meetings to explain what that issue is."

Communication by TGI

Through additional interviews and email communications, the grand jury asked the TGI staff why they did not communicate with the neighbors while in the process of purchasing homes. In summary, the TGI staff responded they do not interact with the neighbors when they are in the process of purchasing homes for fear that the sales will fall through. Staff also said because of the coronavirus pandemic they did not interact with the neighborhoods even after purchasing the houses as part of the PC WPCPp. The contract #SCN102104 signed and dated October 4, 2019, by TGI staff includes in part:

Scope of Services #17. Participate in neighborhood and community associations and will inform COUNTY of community concerns.

There were alternative methods, such as direct mail or social media, available to TGI to communicate with the neighborhood residents which might have reduced neighborhood concerns.

Communication by AMIH

The grand jury asked AMIH staff the same questions that they asked TGI. They stated because of “escrow confidentiality” they don’t give notice to the neighborhood before the purchase of the property. In a follow-up email AMIH staff stated, “We do attend HOA meetings for some of our properties, but not all...and we will attend HOA meetings for the (redacted) property. However, during COVID those meetings were not happening. Once the meetings start again, then we will have staff attend...”

On October 3, 2019, AMIH staff signed contract #SCN102143, which includes in part:

Scope of Services #17. Participate in neighborhood and community associations and will inform COUNTY of community concerns.

There were alternative methods, such as direct mail or social media, available to AMIH to communicate with the neighborhood residents which might have reduced neighborhood concerns.

Communication by PC HHS and the BOS

Currently, the PC HHS has six divisions and is the largest department in the county. Four divisions of PC HHS oversee many programs to assist the homeless. The PC WPCPp is overseen by the Public Health division while the mentally ill homeless are overseen by the Adult Service of Care division. After reviewing the department’s organizational chart, the grand jury learned there is no single PC HHS division overseeing all homeless programs in Placer County. The grand jury questions the efficiency of having no single division overseeing all programs which makes communications fragmented if not impossible involving the homeless and the funds associated with those programs. Placer County Health and Human Services’ “Building a Healthier Community Together 2019-2021 Strategic Plan” provides in relevant part as follows: The most pressing issues are housing and homelessness; mental health; substance use and trauma; and access and navigation of resources. Also documented in the strategic plan is that Placer County’s homeless rate, 1.73 per 1,000 residents, is low relative to surrounding areas such as 3.24 for El Dorado County and 3.75 for Nevada County. Nevertheless, the county has prioritized homelessness as a top-tier policy issue due to local impacts. It further states that PC HHS will provide leadership on key issues affecting the community. It also lists under “Markers of Success” that “Placer County’s system of services and supports is more responsive and in tune with key community issues.”

In addition, the 2019 Placer County Homeless Strategy states in part:

STRATEGY 3: Communicate Consistently with General Public About Homelessness.

Often, the concerns of the public regarding homelessness are based on incomplete or inaccurate information. Keeping the public informed regarding the homeless population and the efforts being undertaken by agencies both public and private to address the problem is vital as well as updating the public regarding the extensive efforts of law enforcement and the challenges they face. In addition to keeping the public informed on agency and law enforcement efforts, it is important to have a campaign that is targeted at humanizing individuals who are experiencing homelessness. Any new projects or initiatives should be presented to the public during initial conceptualization—well before implementation or proposed construction. This strategy can be carried out via frequent community meetings, social media, radio, podcast, etc.

The grand jury asked PC HHS staff why neighbors, residential neighborhoods, community associations, and city councils of Auburn, Lincoln, Rocklin, and Roseville were not informed or consulted before AMIH and TGI purchased homes as part of the PC WPCPP. Placer County Health and Human Service staff indicated that they didn't want to deal with issues that arise with these purchases. The grand jury found this to be a lack of transparency.

The grand jury asked a member of the BOS the same questions they asked PC HHS staff. The BOS member indicated that if PC HHS staff told the neighbors before the purchase that supportive homes were moving in, they would not be able to buy any houses. Again, this points to a lack of transparency.

Additional Communication and Information

Because of the lack of communication, the public turned to social media and rumors for information. This resulted in a perception that the number of calls local law enforcement received concerning permanent supportive homes was very high. After reviewing police records, the grand jury found the actual number of complaints was much lower than posted on social media.

Neighborhood residents have asked questions and raised concerns about noise, traffic, crime, safety, and the possible decline in property values when a supportive care home has been established. According to interviews with county staff and a BOS member, they have been inundated with questions, complaints, and arguments that no supportive housing homes should be allowed in a single-family zoned area. However, California Health & Safety Code § 1566.3 (Appendix 4) is very clear that transitional housing and supportive housing with six or less residents is permitted in all residential use zones.

Conclusion

Due to the various circumstances affecting the homeless population, there is no simple solution to meet all needs and concerns within Placer County. Placer County citizens expect nonprofits, the Placer County Board of Supervisors, and Placer County Health and Human Services Division to properly communicate and be transparent on all levels.

It is unlikely that any decision related to the location of permanent supportive housing for the homeless will satisfy all concerned. The need for all parties to be open and honest with each other will go a long way to creating a successful pathway for the Placer County Whole Person Care Pilot program.



Photo by Norma Worley

Findings

The grand jury found that:

- F1: Placer County Health and Human Services is not adhering to their own “Building a Healthier Community Together 2019-2021 Strategic Plan” regarding communication and transparency.
- F2: Placer County Health and Human Services does not have a policy to ensure that strategic plans involving housing the homeless population, communication, and transparencies are reviewed annually for compliance by all divisions and departments.
- F3: No Placer County general funds were used to purchase any permanent supportive housing homes documented in this report.
- F4: Placer County Health and Human Services has no single division or department charged with overseeing all county homeless programs.
- F5: The agencies, both public and nonprofit, elected not to disclose home purchases until after client move-in to exclude community input.
- F6: The Gathering Inn and Advocates for Mentally Ill Housing, Inc. did not openly communicate with the neighborhood residents prior to the purchase of the homes pursuant to contracts SCN102104 and SCN102143.
- F7: The county did not effectively communicate that permanent supportive housing for six or fewer residents is permitted in all zones allowing residential use.
- F8: The number of calls to law enforcement about Placer County Whole Person Care Pilot program houses were much lower than perceived by the public.
- F9: The funding received for the housing program provided homes to thirty-five county citizens.

Recommendations

The grand jury recommends:

- R1: By October 1, 2021, Placer County Health and Human Services will review their own “Building a Healthier Community Together 2019-2021 Strategic Plan” for compliance in all aspects of transparency and communication with the public.
- R2: By October 1, 2021, Placer County Health and Human Services will create a written policy to ensure that all future programs involving housing the homeless population include a required annual review for compliance with communication and transparency.
- R3: By January 1, 2022, Placer County Health and Human Services will take steps to add a division or reorganize the department, to create a single designated division to manage all homeless programs in the county.
- R4: By October 1, 2021, Placer County Health and Human Services will verify that The Gathering Inn and Advocates for Mentally Ill Housing, Inc. have initiated open communication with neighbors surrounding all permanent supportive homes, as required by their contracts.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
<p>Dr. Robert Oldham Director Placer County Health and Human Services 3091 County Center Dr #290 Auburn, CA 95603</p>	<p>R1, R2, R3, R4</p>	<p>October 1, 2021</p>

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Appendix 1: Glossary

AMIH – Advocates for Mentally Ill Housing, Inc.

ASOC – Adult System of Care

CA WPCPp – California Whole Person Care Pilot program

County – Placer County

Contractor – The Gathering Inn or the Advocates for Mentally Ill Housing, Inc.

HOA – Homeowners Association

Housing vouchers programs – Provides rental assistance to low-income persons.

“No Place Like Home” – A State of California program to invest in the development of permanent supportive housing for persons who need mental health services and are experiencing homelessness, chronic homelessness, or who are at risk of chronic homelessness.

PC HHS – Placer County Health and Human Services

PC WPCPp – Placer County Whole Person Care Pilot program

“Permanent Support Housing” (PSH) - provides longer-term rental assistance, case management and supportive services to the most vulnerable chronically homeless individuals and families in the community

SSDI- The Social Security Disability Insurance (SSDI) program pays benefits to persons if they are disabled and is based on work credits.

SSI - The Supplemental Security Income (SSI) program provides monthly payments to adults and children with a disability or blindness and who have income and resources below specified amounts.

TGI – The Gathering Inn

Appendix 2: References

1. Placer County Request for Proposal (RFP) 100121
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3. Response from AMIH reference RFP 100121
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5. Placer County Contract SCN102143A
6. Placer County Contract SCN102104
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8. HHS Housing Resources in Placer County (2019) Updated October 11, 2019
<https://www.placer.ca.gov/DocumentCenter/View/7210/Housing-Resource-Guide-PDF>
9. "Homelessness in California" (2021) Auditor of the State of California
<https://www.auditor.ca.gov/reports/2020-112/index.html>
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12. CA Executive Order N-23-20 January 8, 2020 by Governor Newsom
<https://www.gov.ca.gov/wp-content/uploads/2020/01/EO-N-23-20-Homelessness-Crisis-01.08.2020.pdf>
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18. "One-Time Housing Funds for Whole Person Care Pilots," Department of Health Care Services, August 9, 2019, <https://www.dhcs.ca.gov/services/Pages/WholePersonCarePilots.aspx>
19. "Sutter Health Valley Area Renews Commitment to Placer County Homeless," January 8, 2019, <https://www.placer.ca.gov/5483/Sutter-Health-Valley-Area-contribution>
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21. Lucy Pagel, Tanya Schwartz, and Jennifer Ryan, "The California Whole Person Care Pilot Program: County Partnerships to Improve the Health of Medi-Cal Beneficiaries," *Aurrera Health*, February 2017, <https://www.aurrerahealth.com/publications/californias-whole-person-care-pilot-program-county-partnerships-to-improve-the-health-of-medi-cal-beneficiaries/>
22. Thurmond Consulting LLC, "Placer County Homeless Strategy 2019," Homeless Resource Council of the Sierras, February 25, 2019, <https://www.placer.ca.gov/DocumentCenter/View/37019/Placer-County-Homeless-Strategy?bidId=>
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Appendix 3: Placer County Health and Human Services Divisions and Programs Dealing with the Homeless

Adult System of Care: Primarily focused on housing veterans and individuals with a severe mental health diagnosis. Some smaller programs outside of that focus are:

- Shelter programs
- Permanent Supportive Housing
- Transitional Housing Programs for those with severe mental illness
- Full-Service Partnerships (mental health support to those in housing)
- Shelter Plus Care
- Home Safe (grant for Adult Protective Services contracts)

Public Health: Whole Person Care Pilot program – This program primarily focuses on people with physical health challenges in addition to homelessness - but may have other challenges outside of that focus area. This division has some permanent supportive housing, sheltering, programs and the housing disability advocacy program.

Human Services: This is the “eligibility” and “social services” division. They qualify low income individuals receiving benefits and manage the voucher programs. A voucher is “rental-assistance” for those who qualify. These vouchers fund all or part of the rent for the individual. Those programs are: Housing Choice Vouchers, Mainstream Vouchers, VASH Vouchers (veterans), and Mercy Project Vouchers (20) CalWORKs. Those who qualify are offered housing support or temporary housing support, along with other supportive services aimed at helping promote employability.

Children System of Care: Youth and Family support mainly for those involved in our Child Welfare System, Juvenile Justice System, or Mental Health System. Examples are the Foster Youth Housing, Sierra College Housing, Bringing Families Home, and other assistance for those in the Child Welfare System or Mental Health System.

Appendix 4: Health and Safety Code

HEALTH AND SAFETY CODE – HSC

DIVISION 2. LICENSING PROVISIONS [1200 – 1796.70]

(Division 2 enacted by Stats 1939, Ch.60)

CHAPTER 3. California Community Care Facilities Act [1500 – 1567.94]

(Chapter 3 repealed and added by Stats. 1973, Ch. 1203)

ARTICLE 7. Local Regulation [1566 – 1566.8]

(Article 7 added by Stats. 1978, Ch. 891)

Section 1566.3

- (a) Whether or not unrelated persons are living together, a residential facility that serves six or fewer persons shall be considered a residential use of property for the purposes of this article. In addition, the residents and operators of such facility shall be considered a family for the purposes of any law or zoning ordinance that relates to the residential use of property pursuant to this article.
- (b) For the purpose of all ordinances, a residential facility that serves six or fewer persons shall not be included within the definition of a boarding house, rooming house, institution, or home for the care of minors, the aged, or persons with mental disorders, foster care home, guest home, rest home, community residence, or other similar term that implies that the residential facility is a business run for profit or differs in any other way from a family dwelling.
- (c) This section shall not be construed to prohibit a city, county, or other local public entity from placing restrictions on building heights, setback, lot dimensions, or placement of signs of a residential facility that serves six or fewer persons as long as those restrictions are identical to those applied to other family dwellings of the same type in the same zone.
- (d) This section shall not be construed to prohibit the application to a residential care facility of any local ordinance that deals with health and safety, building standards, environmental impact standards, or any other matter within the jurisdiction of a local public entity if the ordinance does not distinguish residential care facilities from persons who reside in other family dwellings of the same type in the same zone. Nothing in this section shall be construed to limit the ability of a local public entity to fully enforce a local ordinance, including, but not limited to, the imposition of fines and other penalties associated with the violations of local ordinances covered by this section.
- (e) No conditional use permit, zoning variance, or other zoning clearance shall be required of a residential facility that serves six or fewer persons that is not required of a family dwelling of the same type in the same zone.

- (f) Use of a family dwelling for purposes of a residential facility serving six or fewer persons shall not constitute a change of occupancy for purposes of Part 1.5 (commencing with Section 17910) of Division 13 or local building codes. However, nothing in this section is intended to supersede Section 13143 or 1314.6 to the extent such sections are applicable to residential facilities providing care for six or fewer residents.
- (g) For the purposes of this section, "family dwelling," includes, but is not limited to, single-family dwellings, units in multifamily dwellings, including units in duplexes and units in apartment dwellings, mobile homes, including mobile homes located in mobile home parks, units in cooperatives, units in condominiums, units in townhouses, and units planned unit developments.

(Amended by Stats. 2014, Ch. 144, Sec. 32. (AB 1847) Effective January 1, 2015)

Lincoln Regional Airport



Photo by Erik Bergen



Lincoln Regional Airport

Summary

Over the last twenty years, the Lincoln Regional Airport (LRA) has struggled financially under city ownership and the current operating model. Following the California State Auditor's report¹, the City of Lincoln acknowledged the airport's annual deficit. To correct this deficit, the city agreed to fund the airport with a formal interfund loan. In the future, the LRA must substantially increase the earnings of the two primary revenue streams, hangar rentals and fuel sales.

The grand jury determined that no one in LRA operations, management, or city leadership has a background in airport management nor experience in aviation, marketing, sales, or airport business development. City management has been reluctant to address this lack of expertise because of the potential cost. As a result of not addressing this critical need, the airport operates at a substantial annual deficit, financially and structurally.

An airport master plan represents a blueprint of an airport's current, intermediate, and long-term infrastructure development. Perhaps the most serious oversight of Lincoln's approach to the management of the LRA is having no current master plan documents since the 2007 Lincoln Regional Airport Master Plan².

The grand jury interviewed other regional aviation managers to determine if it is typical for an airport to be in debt to a city or county's general fund. Typically, indebtedness is periodic and short-term in nature, such as capital payments due before receiving grant funds from other government entities. However, LRA's indebtedness to the general fund is structural and long term and is outside standard fiduciary practices.

Background

Lincoln Regional Airport is a regional general aviation (GA) airport owned and operated by the City of Lincoln. Lincoln Auxiliary Field – Mather Flying School was constructed in 1942 by the U.S. Army Corps of Engineers as a training base for B-25 and other military aircraft during World War II. On July 30, 1946, the War Assets Administration granted a revocable permit to the City of Lincoln to operate the Lincoln Regional Airport on the site.

In April of 2018, then-State Senator Ted Gaines requested the California State Auditor investigate the City of Lincoln's accounting practices in response to constituents' complaints regarding the city's water rates. The audit revealed the city made questionable loans, transfers, and allocations to various city funds, including the LRA. The California State Auditor's Report 2018-110 states in part:

Nevertheless, we believe that by presenting the funds that received the transfers as having positive fund balances, the city misled the public regarding its financial stability and presented an artificially high general fund balance.

¹<https://www.auditor.ca.gov/reports/2018-110/index.html>

² <http://www.lincolnca.gov/home/showdocument?id=3548>

The audit reported the LRA operated with an ongoing structural deficit, which means that no matter what the economy does, at present income and expense levels, the LRA will not become profitable. Since the financial stability of several funds, including the airport, was in question, the grand jury determined that it would be appropriate to investigate the City of Lincoln's airport management and financial practices.

Methodology

The focus of this report was LRA's operational and financial condition. The grand jury gathered information concerning general airport operations, revenue sources, staffing, and safety. The grand jury acquired and reviewed documents, records, and policies provided by the City of Lincoln, the State of California, the Federal Aviation Administration (FAA), and comparable regional general aviation airports. The findings of prior investigations by public agencies were reviewed and financial information was obtained from Lincoln's Comprehensive Annual Financial Reports (CAFR).

The grand jury interviewed the City of Lincoln's city manager, public works director, environmental services manager, airport employees, elected officials, airport committee³ members, and community leaders. Other interviews included airport management professionals from similar operations throughout the region.

Discussion

The Lincoln Regional Airport has a single 6,001-foot runway, a helipad, 207 hangars, approximately 20 acres of ramp space for aircraft tie-downs, 341 acres of land available for development, and is home to several aviation-focused businesses. Services include fueling, aircraft maintenance, aviation rentals, and flight lessons. Users of the airport are a mix of local GA pilots and transient aircraft.

Although revenues have increased since 2015, historically the LRA has operated in a deficit since 2002. Despite its financial difficulty, the airport is one of the most active GA airports in the region. Lincoln Regional Airport generates revenues from fuel sales, hangar rentals, ground leases, and aircraft tie-downs. Additional funding comes from FAA financial grants for capital improvements.

Lincoln Regional Airport completed a new aviation low lead 100 (LL100) fuel island and two above-ground 10,000-gallon fuel storage tanks in the summer of 2020. A runway rebuild is planned to begin later in 2021. Federal Aviation Administration grants provide 90 percent of the funding for this capital improvement project. The State of California Department of Transportation (Caltrans) provides 5 percent, and the city funds the remaining 5 percent.

³ City ordinance authorizes the airport committee (AC) as an advisory body for the city council and reports to the city council on matters related to the airport. The AC includes local pilots, interested citizens, and two Lincoln City Council members.

The investigation discovered airport ground equipment is aging with no apparent plans for replacement, for example a 40-year-old fuel truck. Hangar rentals have 100 percent occupancy with a multi-year waiting list with no active plan to build additional hangars. When interviewed, the City of Lincoln's leadership did not have an accurate perception of hangar turnover at the airport, stating from 10 to 20 hangars per year become available, versus an actual vacancy rate of 1 to 2 per year.

Management

Lincoln Regional Airport does not have on-site management. An environmental services manager (ESM), who is a civil engineer with the City of Lincoln Public Works Department, is assigned to oversee the airport. The ESM manages approximately twenty-two city employees within public works, including the airport staff. The ESM's tasks related to managing the airport include budget planning, review of invoices for supplies and services, and staffing. The ESM meets with airport staff remotely approximately once per week even though his office is adjacent to the airport property.

When city management was asked about airport operations, staffing requirements, financial performance, or how the airport's operations compare to others in the region, a basic knowledge of running an airport was not evident. Neither the ESM nor the public works director have any prior aviation management training or experience. City of Lincoln employees interviewed made no mention of common industry associations and professional development programs. Active participation by airport staff and management in organizations such as the Association of California Airports or American Association of Airport Executives (AAAE), while not required by statute, is considered best practice, beneficial, and is common among other airport managers.

Some interviewees cited the lack of a professional airport manager as the most prominent problem for the airport. Other airports have a dedicated general aviation manager who focuses on running the facility and is responsible for creating and executing a business development plan focusing on revenue as the market dictates.

Currently, the LRA is staffed by one airport maintenance worker and a senior airport maintenance worker (who retired in 2019) who is on-call. Historically, at the LRA, there have been two full-time employees. The retired worker covers the airport maintenance worker's sick leave, vacations, and other absences. Occasionally, the retired worker will also assist with activities considered unsafe for a single individual to perform.

Of interest, the FAA lists the airport maintenance worker as the LRA airport manager on officially published documents and his name is displayed as the airport manager on aircraft navigation systems and websites. However, there is no official professional airport manager for the city.

Since the senior airport maintenance worker's retirement, the airport maintenance worker performs the duties and responsibilities of two individuals and is often the only city representative on-site. The job description for the airport maintenance worker position has not been updated for at least ten years. The city manager indicated that city staff is currently revising job descriptions. The airport maintenance worker currently must

perform many duties outside of his job description. Several of these tasks are performed without backup or assistance, because of the city's failure to hire an airport manager. Due to the nature of airport operations, there is potential for a serious accident at the airport. With only one person on-site, that potential is increased by lack of backup support.

As part of the duties, the airport maintenance worker interfaces with pilots, supervises airport bulk fuel deliveries, conducts daily testing of the fuel, and provides truck-based fuel services for jet aircraft. Additionally, the worker performs stormwater sample collection, interfaces with hangar tenants, and performs standard equipment and facilities maintenance. A primary area of responsibility is that of fueling services. This employee is on-site daily from 5:30 a.m. to 2:30 p.m. Monday through Friday. The employee is paid regular hourly wages, on-call differential pay, and overtime for responding to calls for fuel truck service. The airport maintenance worker is on-call for emergencies. Requests for jet aircraft fuel service when the employee is not on-site must be responded to within two hours. General aviation aircraft pilots can self-serve at the fuel island and do not require assistance.

During their course of employment at the airport, neither the senior airport maintenance worker nor the airport maintenance worker reported being provided any airport safety or emergency preparedness training. Interviews revealed LRA has no airport emergency plan, safety training program, or first responder emergency training exercises. California Code of Regulations, Title 8, Section 3220 regarding emergency action plans provides requirements that the City of Lincoln should be following. There was no indication during the interviews that the city currently has an Emergency Action Plan (Appendix 1).

In 2016, an environmental incident resulted in a written notice from the California State Water Resources Control Board, addressed directly to the airport maintenance worker, to correct several fuel valve leaks. The repairs were made in one afternoon by the airport maintenance worker to the satisfaction of the California State Water Resources Control Board. During interviews, no one in Lincoln city management had any recollection of the incident. Managers of other regional airports indicated any written notice from a state or federal authority would be provided to the governing body of the airport and would be of the highest importance and handled by senior airport management, no matter how minor the infraction.

Finance

An audit was conducted by JLAC in 2018 after which the City of Lincoln acknowledged the airport's annual deficit. To correct this deficit, the city agreed to fund the airport with a formal interfund loan. This transaction was from the City of Lincoln's General Fund (budget line item 100) to the Airport Fund (budget line item 750) for \$4.95 million, with a repayment term of sixty years (Appendix 2). The loan was signed in June 2019 by Lincoln's mayor and city clerk. This duration far exceeds the physical, functional, and economic obsolescence of airport infrastructure and equipment. In contrast, Caltrans airport loans have a term of seventeen years unless a shorter term is requested.

The grand jury's investigation uncovered several other factors contributing to the LRA's budget deficit. These factors included services that are priced under market and staffing that relies on overtime. Profitability improves when revenues are increased, and expenses are reduced. Lincoln Regional Airport's cost of operation often exceeded revenues. Fuel, debt service, and staffing are large expenditures for the airport. During the investigation, the grand jury found no evidence of the city performing either a regular evaluation of the fuel sales contract or analysis of their current or future staffing needs.



Photo by Erik Bergen

Lincoln Regional Airport operation is recorded as an enterprise fund⁴, a self-supporting government fund, in the city's annual CAFR. In actuality, the LRA is not operating as an enterprise fund, since many of the financial elements of the airport operations are blended financial transactions and balances of other city funds. Lincoln Regional Airport staff, including management, were not aware of any city financial reconciliation or audit procedures for the airport. The city's finance director did not attend a scheduled interview or respond to subsequent multiple calls and emails. Therefore, the grand jury was unable to get further explanation of information they received when interviewing others or analyzing documents.

The airport dispenses approximately 10,000 to 12,000 gallons of each fuel type per month (LL100 and Jet-A). Fuel prices were updated on the City of Lincoln's website during the grand jury's investigation. When the investigation began, prices had not been adjusted for approximately six months. On the day researched, the average price of Jet-A fuel in California was \$5.22 for full-service, while LRA's website listed full-service at \$4.95. At the time this report was written, the fuel prices had not been updated since April 10, 2021, a period of over four weeks. Other aviation managers interviewed indicated they adjust fuel prices daily or weekly.

⁴ An enterprise fund is a separate accounting and financial reporting mechanism for which revenues and expenditures are segregated into a fund with financial statements separate from all other governmental activities.

Although hangar rents adjust annually with a contractual 3 percent inflationary increase, rents appear to be priced under market, resulting in a low hangar vacancy rate. A higher turnover rate would provide more opportunity to step up the base rent for the next offer to a prospective tenant and maintain revenues in line with increasing salaries, asset depreciation, and other operational expenses. As an example, for 200 hangars, every \$10 per month of increased rent per unit would generate \$2,000 per month or \$24,000 per year. Other area GA airports have a tenant turnover of 10 to 15 percent annually. In the last ten years, LRA has a tenant turnover of less than 1 percent annually. The LRA has approximately eighty individuals on the waiting list indicating the need for additional hangars. Additional hangars would bring higher rental rates and increase the revenue for the airport.

Master Plan

Central to Lincoln's struggle to achieve profitability and assured solvency for the airport is the lack of a current Lincoln Regional Airport Master Plan. On the LRA website, the 2007 Lincoln Regional Airport Master Plan is available for public view. The grand jury was told that this plan is in the process of revision and updating. This document is an important ingredient in the overall process of taking the airport to a state of profitability. The FAA guidelines for airport master plans include the following:

An airport master plan represents the airport's blueprint for long-term development. A few of the goals of a master plan are:

- *To provide a graphic representation of existing airport features, future airport development and anticipated land use.*
- *To establish a realistic schedule for implementation of the proposed development.*
- *To identify a realistic financial plan to support the development.*
- *To validate the plan technically and procedurally through investigation of concepts and alternatives on technical, economic and environmental grounds.*
- *To prepare and present a plan to the public that adequately addresses all relevant issues and satisfies local, state and federal regulations.*
- *To establish a framework for a continuous planning process.*

Not having a current master plan can be a significant impediment to a successful airport operation. Additionally, the Lincoln Regional Airport Master Plan from 2007 does not include financial planning measures that would create revenue streams appropriate for current and future development and operations.

Airport Operations

The grand jury interviewed several local aviation managers to compare and contrast the LRA's success level in the marketplace (Appendix 3). The models identified were both Fixed Base Operators⁵ (FBO) and owner-managed airports. Fuel FBOs typically own the fuel concession and then contract with the airport owner to pay a share of their revenue for the fuel sold. An example agreement provided to the grand jury showed an \$0.08 per gallon fuel flowage fee⁶ paid to the airport owner for 250,000 gallons sold annually; this would equal a net \$20,000 fee. The fee is a small amount compared to the fuel service revenue, but the owner of an FBO airport does not have to employ any fuel service staff, provide benefits, or have any retirement cost overhead. The airport manager can then focus on economic growth, airport business development, and leasing revenue. Owner-managed airports also achieve similar financial performance but require an adequately staffed operation to be successful.

General aviation airports have finite sources of income available, primarily hangar rentals, ground leases, and fuel sales. Some GA airports may have other sources, such as revenue shares from tenant concessions or fuel flowage fees from privately-owned fuel service operators.



Photo by Erik Bergen

⁵ A fixed-base operator (FBO) is an organization granted the right by an airport to operate at the airport and provide aeronautical services such as fueling, hangars, tie-down and parking, aircraft rental, aircraft maintenance, flight instruction, and similar services.

⁶ A fuel flowage fee is a tax assessed on the user, which is paid at the pump. Fuel flowage fee revenues are sent to the airport governing body, usually the board or authority.

The grand jury interviewed other area aviation managers regarding the keys to successful airport growth. Predominantly, revenue growth comes from more users to the airport. Attracting significant new commercial operations is also an ongoing effort by other airports. The Auburn Municipal Airport (AMA), that employs a fuel FBO, is similarly sized to the owner-managed LRA and with similar daily aircraft operations. However, the AMA is more profitable than LRA. The net cash position as of June 2019, for AMA was \$11,670,168, while LRA was negative \$462,239.

Revenue or Expense	Auburn (AMA)⁷	Lincoln (LRA)⁸
Gross Services Revenue	\$677,557	\$1,578,138
Other Revenues		\$7,678
Non Operating Revenues	\$427,998	
Operating Expenses		
Salaries and Benefits	\$129,135	\$257,567
Services and Supplies	\$140,019	\$868,044
Support Services	\$94,325	\$138,252
Depreciation	\$611,272	\$271,683
Operating Income or Loss	\$130,824	\$50,270
Total Transfers and Contributions		\$38,954
Net Change in Cash	\$130,824	\$11,316

Table 1 - 2019 City of Lincoln and City of Auburn CAFR Reporting of Airport Enterprise Funds

⁷ 2019 City of Auburn Comprehensive Annual Financial Report

⁸ 2019 City of Lincoln Comprehensive Annual Financial Report

Conclusion

To resolve the revenue and expense imbalance, the LRA must improve its two primary revenue sources: hangar rentals and fuel sales. Revenues can improve by increasing traffic through the airport, more closely monitoring fuel prices and inventory, increasing hangar revenue by charging market-rate rent, and considering the construction of additional hangars to meet customer demand.

Central to Lincoln's struggle to achieve positive earnings and assured solvency for the airport, is the lack of a current Lincoln Regional Airport Master Plan. Although the grand jury was told the Lincoln Regional Airport Master Plan of 2007 was in the process of being updated, these updates are long overdue.

City management disclosed they considered hiring a professional airport manager, but this was not considered feasible. As a result, the airport is currently understaffed and managed by city employees with no experience in airport management. This puts the on-site airport employee and the airport at risk for safety violations or accidents. Elected city leadership has failed to act in hiring a professional airport manager and replacing the retired maintenance worker with a full-time employee.

Lincoln city management is not involved in day-to-day operations, safety reviews, revenue enhancement, or expense analysis. Annual emergency response exercises, such as those conducted by other area GA airports, are not performed. The City of Lincoln's leadership did not demonstrate a clear understanding of airport finances, staffing requirements, aviation safety, and emergency preparedness.

Findings

The grand jury found:

- F1: The Lincoln Regional Airport does not have a general aviation manager nor does any city management professional responsible for the airport have an aviation management background.
- F2: The Lincoln Regional Airport does not have ongoing efforts to evaluate the airport's competitiveness in the marketplace and maximize revenue opportunities, such as fuel pricing and development of vacant airport land.
- F3: The Lincoln Regional Airport does not have a separate audited annual financial report for the airport operation as an Enterprise Fund requires.
- F4: An updated version of the Lincoln Regional Airport Master Plan of 2007 has not been published.
- F5: The Lincoln Regional Airport fuel prices are not regularly adjusted to market prices.
- F6: The Lincoln Regional Airport loan agreement of \$4.95 million from the City of Lincoln General Fund formalizes repayment of past operating deficits with a sixty-year repayment schedule.
- F7: The City of Lincoln does not perform a regular evaluation of the airport's fuel sales contract.
- F8: The Lincoln Regional Airport management staff have no relationships with airport related industry associations or professional development organizations that provide updates to industry best practices.
- F9: The Lincoln Regional Airport has no airport emergency plan, safety program, or first responder emergency training exercises.

Recommendations

The grand jury recommends:

- R1: By October 1, 2021, the City of Lincoln will complete and adopt a feasibility study to evaluate hiring a general aviation manager with aviation management experience and/or American Association of Airport Executives certification.
- R2: By October 1, 2021, the City of Lincoln will review current airport leases for opportunities to increase rents to the maximum amount allowable by the terms of the contracts until rentals reflect market value.
- R3: By October 1, 2021, the City of Lincoln will produce a separate audited annual financial report for the airport operation as an Enterprise Fund requires.
- R4: By October 1, 2021, the City of Lincoln will publish an updated Lincoln Regional Airport Master Plan to include a blueprint of the airport's current, intermediate, and long-term infrastructure development, as well as a financial plan supporting a sustainable revenue stream commensurate with the capital expenditures necessary for planned airport evolution.
- R5: By October 1, 2021, the City of Lincoln will implement weekly fuel price adjustments reflecting current market rates.
- R6: By October 1, 2021, the City of Lincoln will evaluate and restructure the Lincoln Regional Airport's 60-year loan amortization to align with the physical, functional, and economic obsolescence of airport infrastructure and equipment.
- R7: By October 1, 2021, the City of Lincoln will solicit competitive bids for airport fuels, contracts, and services.
- R8: By October 1, 2021, the City of Lincoln will identify common airport related industry associations and professional development programs to expand and enhance vendor relationships, recruitment, and develop industry best practices.
- R9: By October 1, 2021, the City of Lincoln shall implement plans and policies for safety and emergency response training drills at the Lincoln Regional Airport.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Jennifer Hanson City Manager City of Lincoln 600 6 th St Lincoln, CA 95648	R1, R2, R3, R4, R5, R6, R7, R8, R9	October 1, 2021

Copy Sent to:

Alyssa Silhi
Mayor
City of Lincoln
600 6th St
Lincoln, CA 95648

Appendix 1

§3220. EMERGENCY ACTION PLAN.

(a) Scope and Application. This section applies to all emergency action plans. The emergency action plan shall be in writing, except as provided in the last sentence of subsection (e)(3) of this section and shall cover those designated actions employers and employees must take to ensure employee safety from fire and other emergencies.

(b) Elements. The following elements, at a minimum, shall be included in the plan:

- (1) Procedures for emergency evacuation, including type of evacuation and exit route assignments;
- (2) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;
- (3) Procedures to account for all employees after emergency evacuation has been completed;
- (4) Procedures to be followed by employees performing rescue or medical duties;
- (5) The preferred means of reporting fires and other emergencies; and
- (6) Names or regular job titles of persons or departments who can be contacted for further information or explanation of duties under the plan.

(c) Alarm System.

- (1) The employer shall establish an employee alarm system which complies with Article 165.
- (2) If the employee alarm system is used for alerting fire brigade members, or for other purposes, a distinctive signal for each purpose shall be used.

(d) Evacuation. The employer shall establish in the emergency action plan the types of evacuation to be used in emergency circumstances.

(e) Training.

(1) Before implementing the emergency action plan, the employer shall designate and train a sufficient number of persons to assist in the safe and orderly emergency evacuation of employees.

(2) The employer shall advise each employee of his/her responsibility under the plan at the following times:

- (A) Initially when the plan is developed,
- (B) Whenever the employee's responsibilities or designated actions under the plan change, and
- (C) Whenever the plan is changed.

(3) The employer shall review with each employee upon initial assignment those parts of the plan which the employee must know to protect the employee in the event of an emergency. The written plan shall be kept at the workplace and made available for employee review. For those employers with 10 or fewer employees the plan may be communicated orally to employees and the employer need not maintain a written plan.

Note: Authority and reference cited: Section 142.3, Labor Code.

HISTORY

1. New section filed 9-8-81; effective thirtieth day thereafter (Register 81, No. 37).
2. Amendment of subsections (b)(1) and (b)(4) filed 6-5-2017; operative 6-5-2017. Submitted to OAL for printing only pursuant to Labor Code section 142.3(a)(3) (Register 2017, No. 23).

Appendix 2



10B

CITY COUNCIL REPORT



SUBJECT: Airport Interfund Loan

SUBMITTED BY: Jennifer Hanson, City Manager

DEPARTMENT: City Manager

DATE: June 4, 2019

STRATEGIC RELEVANCE: Sustainable Fiscal Health

STAFF RECOMMENDATION(S):

Staff recommends that City Council adopt a resolution authorizing the City Manager to execute an interfund loan agreement between the General Fund 100 (Lender) and the Airport Fund 750 (borrower) in the amount of \$4,950,000, for a 60-year term that will mature on June 30, 2049 to be paid per the amortization schedule attached to the loan agreement.

BACKGROUND / INTRODUCTION:

As previously discussed at the City Council Workshop on June 4, 2019, the Airport Fund 750 experiences a long-standing negative fund balance. This deficit associated with the Airport has traditionally been addressed at the fiscal year-end as a Due To/Due From transaction, which is a transaction between funds to account for short-term receivables and payables. Accounting for long-term debt in this manner is not consistent with sound accounting practices, and therefore a long-term interfund loan needs to be adopted to address the debt prior to the close of the 2018/2019 Fiscal Year.

Interfund loans involve the lending of cash from one City fund to another for a specific purpose with a requirement for repayment. The practice of interfund loans is a recognized and necessary aspect of municipal finance. Such loans are typically short-term in nature, and constitute the allocation of resources between individual funds for working capital purposes. There are numerous issues related to interfund loans, and prospective loans that should be fully vetted to determine the viability of making the loan. However, in the case of the Airport Fund, the reality is that the fund is already using cash from the pool, and therefore it is necessary that a Fund must be identified as the lending Fund.

In 2013, City Council adopted Resolution 2013-030, that approved an Interfund and Inter-Agency Fund Advance and Loan Policy. The policy requires the following:

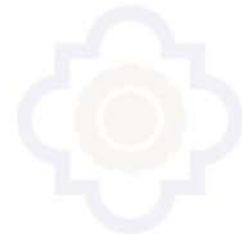


- Short-Term (Due To/Due From) loans need to be repaid within 90 days of the close of the fiscal year.
- Advances or Loans between funds which will not be paid within 90 days need to be approved by the City Council.
- Each loan is required to be documented in writing and must include the following information:
 - The purpose for which the loan is being made
 - The identification of the borrowing and lending fund
 - The dollar amount of the loan
 - The identification of the interest rate
 - The terms for repayment, including installments and maturity date
 - The source from which the borrowing fund is expected to repay the loan
 - The demonstrated ability to repay the loan in a time period that does not cause a negative impact to the borrowing or lending fund

Due to the fact that the airport debt that is \$4,950,000, it would be difficult to substantiate identifying a borrowing fund except for the General Fund. Revenue within the General Fund has the least amount of legal restrictions related to the revenue expenditures and thus the General Fund is the only fund that could support a long-term loan maturity term. If the loan maturity term was 10 years or less the City would not be able to demonstrate that the Airport Fund has an ability to repay without causing a greater deficit fund balance for the Airport Fund. As the General Fund revenues are unrestricted, the City Council could determine that it was in the best interest of the City to simply use General Fund revenues to pay the debt entirely, without requiring repayment. Staff does not recommend this action at this time because it is believed that the Airport will be able to repay some or all of the loan at some point in the future. Without a loan agreement, the Airport would not be able to repay the General Fund because it would have no legal obligation to do so.

The proposed terms of the loan are as follows:

	Enter values
Loan amount	\$ 4,950,000.00
Annual interest rate	1.97%
Loan period in years	60
Start date of loan	6/30/2019
Monthly payment	\$ 11,723.58
Number of payments	720
Total interest	\$ 3,490,979.92
Total cost of loan	\$ 8,440,979.92



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at year-end with a short-term Due To/Due From Loan. The Due To/Due From Loan on a long term basis is an interfund loan except for the fact that the loan is made from the City's pooled cash without an agreement and therefore, the impacted funds do not have investment revenue replaced by the payment of interest on the loan. Due to these reasons and the fact that accounting for the deficit is also a violation of the City's Inter-Fund and Inter-Agency Fund Advance and Loan Policy, staff recommends that the City Council authorize the execution of the proposed loan agreement between the General Fund 100 (lending fund) and the Airport Fund 750 (borrowing fund) in the amount of \$4,950,000 for a term of 60 years (to be paid per the attached Interfund Loan Agreement).

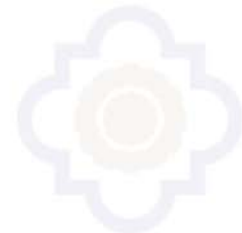
ALTERNATIVES

1. The City Council could determine to not authorize the proposed interfund loan and instead simply pay off the deficit with General Fund money. Staff does not recommend this alternative at this time due to the fact that without an executed loan document, the Airport (as an enterprise fund) would not have a legal obligation to repay the General Fund and therefore, even if the Airport were able to pay all or some of the debt, the Airport would not be able to do so.
2. The City Council could also not execute the proposed interfund loan and continue to address the deficit through a Due To/Due From Loan. Staff does not recommend this course of action because it would likely result in continued findings on the City's annual financial audit and would not satisfactorily address the recommendation included in the State Audit Report. Additionally, this method of handling the debt is contrary to sound accounting practices.

FISCAL IMPACT

The proposed interfund loan between the Fund 750 and Fund 100 will severely impact the General Fund's reserves and will require the City Council to make findings that it is in the best interest to adopt the interfund loan agreement even though the action will not be consistent with the City's General Fund Reserve Policy that was adopted by Resolution 2018-139. Staff previously provided a presentation to City Council on April 15, 2019 that provided an overview of each General Fund Reserve and a cash flow analysis that identified the minimum reserve amount that should be maintained to provide to maintain adequate cash flow throughout the fiscal year. This analysis indicated that the City should maintain a reserve equal to the 27% of the annual general fund outflows.

The table below identified the projected impacts to the General Fund Reserves if a formal loan were established between the Fund 750 and the General Fund.





	Projected Beginning Balance as of July 1, 2019	Total Inflows	Total Outflows	Projected Ending Balance as of June 30, 2020
Undesignated	1,914,287	20,065,024	(20,485,259)*	1,494,052
Operating	4,674,039			4,674,039
Catastrophic	2,000,000		(2,000,000)*	0
Economic Development	2,356,063		(2,356,063)*	0
Capital Replacement	351,150		(24,000)	327,150
OPEB	2,094,818			2,094,818
PERS UAL	678,711			678,711
Designated	383,785			393,785

*Includes increase in outflow to accommodate loan.

As shown above, the proposed interfund loan would reduce the catastrophic and economic development reserves to zero, and would decrease the undesignated fund balance to \$1,494,052. The OPEB, PERS UAL, and Designated reserve categories are not spendable and therefore, the General Fund would be left with \$6,495,241 in spendable reserves.

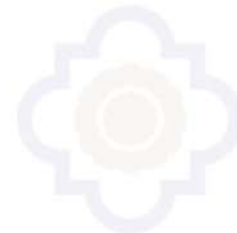
REPORT ACCOUNTABILITY:

This Staff Report has been reviewed by the City Attorney for legal sufficiency and by the City Manager for content.

The Finance Department has reviewed this staff report and certifies budgeted funds are available, unless a budget amendment is being requested as part of this action item.

ATTACHMENTS:

1. Resolution
2. Interfund Loan Agreement



RESOLUTION NO. 2019 - 145

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN
AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT BETWEEN
THE GENERAL FUND 100 AND THE AIRPORT FUND 750
IN THE AMOUNT OF \$4,950,000 FOR A SIXTY YEAR TERM

WHEREAS, the Airport Fund 750 has a long-standing negative fund balance,
and

WHEREAS, This deficit associated with the Airport has traditionally been
addressed at the fiscal year-end as a Due To/Due From transaction, which is a
transaction between funds to account for short-term receivables and payables, and

WHEREAS, accounting for long-term debt as a Due To/Due From transaction is
not consistent with sound accounting practices and therefore a long-term interfund loan
needs to be adopted to address the debt prior to the close of the 2018/2019 Fiscal Year
to address ongoing deficiencies noted in the City's annual financial audits and to
address recommendation included in the State Audit Report issued by the State Auditor
on March 21, 2019; and

WHEREAS, the City Council finds the Interfund Loan Agreement Between the
General Fund 100 and the Airport Fund 750 in compliance with the Interfund and Inter-
Agency Fund Advance and Loan Policy; and

WHEREAS, the City Council finds that it is in the best interest of the City to
execute the Interfund Loan Agreement Between the General Fund 100 and the Airport
Fund 750 even though the execution of the agreement will cause the General Fund
reserve to not be in compliance with the General Fund Reserve Policy Adopted in 2018;
and

WHEREAS, the City finds it necessary to record the liabilities as long-term debt,
executing a Loan Agreement, and

WHEREAS, the City has determined that the General Fund 100 is the best
alternative to fund the long-term loan to the Airport Fund 750.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LINCOLN DOES
HEREBY RESOLVE AS FOLLOWS:**

1. The City Manager is authorized to execute the Loan Agreement from the General
Fund 100 to the Airport Fund 750 in the amount of \$4,950,000 for a period of
sixty years.

**CITY OF LINCOLN
Interfund Loan Agreement**

This Loan Agreement (Agreement) is executed as of June 11, 2019 by and between the **General Fund 100** (Lender) and the **Airport Fund 750** (Borrower). The total loan amount shall not exceed **FOUR MILLION, NINE HUNDRED FIFTY THOUSAND DOLLARS and ZERO cents (\$4,950,000.00)** with the following terms and conditions:

- 1. Purpose of the Loan: This loan will address the existing airport deficit by properly classifying it as a long-term loan rather than a short-term loan (Due To/Due From) from the City's pooled cash. This is intended to address the annual financial audit findings and recommendations included in the March 21, 2019 Audit Report.
- 2. Terms of the Loan: The term of this loan shall begin on June 12, 2019 and continue until June 30, 2079.
- 3. Interest: Interest shall accrue on the unpaid principal amounts from the date such payments are actually paid to the Borrower at the rate of LAIF interest credit rate computed on the basis of a 360 day year until paid. Outstanding interest for each fiscal year shall be added to the outstanding Principal balance on the last day of June.
- 4. Funding Source: The Borrower shall apply revenue generator from the sale of assets, fuel, and from rents and lease payments received at the airport.
- 5. Payment Schedule: Payments shall be applied first to accrued but unpaid interest, if any, and then to principal. Prepayment of the principal may be made without penalties. Payment shall be consistent with the attached amortization schedule. FY 18/19 Financials demonstrate ability to repay the loan.
- 6. General Provisions:
 - a. This agreement constitutes the full Agreement by and between the parties and no other representations have been made regarding the contents of this agreement.
 - b. This agreement shall not be amended, modified, or altered in any respect unless such amendment, modification or alteration has been reduced to writing and executed by the City Council.

Lender: General Fund 100
City of Lincoln
600 Sixth Street
Lincoln, CA 95648

Borrower: Airport Fund 750
City of Lincoln
600 Sixth Street
Lincoln, CA 95648

By: 
Jennifer Hanson, City Manager

By: 
Jennifer Hanson, City Manager

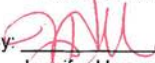
**CITY OF LINCOLN
Interfund Loan Agreement**

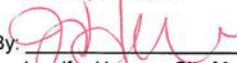
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 - a. This agreement constitutes the full Agreement by and between the parties and no other representations have been made regarding the contents of this agreement.
 - b. This agreement shall not be amended, modified, or altered in any respect unless such amendment, modification or alteration has been reduced to writing and executed by the City Council.

Lender: General Fund 100
City of Lincoln
600 Sixth Street
Lincoln, CA 95648

Borrower: Airport Fund 750
City of Lincoln
600 Sixth Street
Lincoln, CA 95648

By: 
Jennifer Hanson, City Manager

By: 
Jennifer Hanson, City Manager

Appendix 3

Airport	Lincoln	Auburn	Yolo County	McClellan⁹	Sacramento Executive	Nut Tree
Average Flight Operations Per Day	204	206	165	101	304	278
Staff	1	FBO	FBO	FBO	FBO	3
FBO	No	Yes	Yes	Yes	Yes	No
Professional Manager	No	No ¹⁰	Yes	Yes	Yes	Yes
Airport Associations	No	Yes	Yes	No	Yes	Yes
Civil Air Patrol	No	Yes	Yes	No	Yes	No

Table 2 - Regional General Aviation Airport Statistical Comparison¹¹

⁹ McClellan is privately-owned.

¹⁰ Auburn's airport manager is the City's Fire Chief, with prior emergency management experience for a commercial passenger airport. The FBO manages its own staff with on-site supervision.

¹¹ Reference: FAA and AirNav public records



Public Libraries of Placer County: A Resource for All



Photo by Norma Worley



Public Libraries of Placer County: A Resource for All

Summary

Throughout history, libraries and their accumulated knowledge have improved our communities, strengthened literacy, and even helped shape our civilization. Over 2000 years ago, the Great Library of Alexandria, Egypt, collected and held the bulk of the knowledge of the known world. Libraries have propelled intellectual growth, broadened shared understanding, and encouraged new discovery. This is still true of libraries today. In 1995, Walter Cronkite said, “Whatever the cost of our libraries, the price is cheap compared to that of an ignorant nation.”

The 2020-2021 Placer County Grand Jury agreed with this sentiment and sought to understand the current status of the various library systems located within the county. There are fourteen public libraries located in Placer County. The county operates its own public library system, consisting of nine branches. Additionally, there are municipally operated libraries in Loomis, Lincoln, and Roseville, which has three branches.

While each library has its own issues and concerns, a common denominator this year was the coronavirus pandemic (COVID-19). The COVID-19 restrictions on the function and operation of each library were frustrating to both the public and the library staff. In a typical year, however, funding is the most pressing need for each system. With sufficient funding, budget concerns such as adequate staffing and public outreach could be addressed.

The grand jury is impressed by the state of the libraries in Placer County. The libraries are staffed by knowledgeable, dedicated, and passionate employees. Although there are areas for improvement, all the libraries in Placer County fulfill their intended purpose. They provide both learning opportunities and personal enrichment to their patrons and up-to-date services via user friendly and accessible technology.

Background

Placer County contains four unique and distinct library systems. These are the Placer County Library (PCL), Roseville Public Library (RPL), Lincoln Public Library (LPL), and Loomis Library and Community Learning Center (LLCLC). Together, these libraries have fourteen branch locations and serve communities large and small throughout Placer County. They offer services such as lending of books (both hardcopy and e-books), videos and games, internet access, educational and recreational programming, and reference services.

According to the United States Census Bureau, as of 2019 Placer County's population consisted of 398,329 residents. Of those, 48 percent of the residents are served by either Roseville, Lincoln, or Loomis libraries. Placer County Library system serves the remaining 52 percent of the population. The library systems which serve these populations reflect each community and their priorities. Although there are differences in the way each library system is funded and subsequently operated, there is a common passion for serving the community throughout each library's staff and management. The grand jury explored the successes and challenges of each library system and evaluated their status.

Methodology

During the investigation, the grand jury reviewed budgets, strategic plans, and websites of each library system within the county. Interviews were conducted with the Placer County Director of Library Services, Placer County Library Administrative and Fiscal Officer, Roseville Parks, Recreation and Libraries Manager, Roseville Parks and Recreation Manager, Lincoln Director of Library Services, Loomis Finance Director, and the Loomis Community Engagement Librarian.

Discussion

History

During the early 1900s, Placer County residents were served by three independent city libraries located in Auburn, Lincoln, and Roseville. All of these library facilities were built with funds from the Andrew Carnegie Foundation¹, which supported the construction of many public libraries in California and throughout the nation. In 1909, California passed the County Free Library Law and ushered in an exciting era in the development of free library services throughout the state.

In 1937, the Placer County Board of Supervisors approved the establishment of a county library system. Over the years, the PCL expanded by means of merging with other already existing libraries, including Loomis, Applegate, Colfax, Foresthill, Kings Beach, Penryn, Rocklin, and Tahoe City. According to the Placer County website, "In 1967, the Auburn Public Library and the Placer County Library were consolidated to create the Auburn-Placer County Library. This merger made possible a new library building supported by federal library construction grant funds." This merger created the Placer County Library system as we know it today. Ground was broken for the new Auburn location in 1971. The Granite Bay location was opened in 1991 and the Meadow Vista branch was opened in 2001. No new library branches have been added since that time.

By 1979, the City of Roseville library had outgrown its original Carnegie building and relocated to a new building in downtown Roseville. Eleven years later, they expanded again and opened the Maidu branch in the Maidu Regional Park in east Roseville. In 2008, they opened the Martha Riley branch in west Roseville at Mahany Park, completing their current library facilities.

¹ carnegiefoundation.org/about-us/foundation-history/

The City of Lincoln library continued to operate out of their Carnegie building. In 2007, a new facility was built on Twelve Bridges Drive. These libraries operated concurrently until 2011, when the Carnegie building was closed as a library.

In 2016, the Placer County Board of Supervisors voted to approve the closure of two library locations in Meadow Vista and Loomis. The Town of Loomis, initially led by a small group of dedicated and concerned citizens, banded together to pass a funding measure to reopen a library in their town. They subsequently reopened as a municipal library in 2017, operating in the same building, which is now in the process of being purchased from Placer County.

Today, much as in the past, these public libraries function as a fee-free service provided to the residents of a community, much like Public Works or Parks and Recreation. A library's main purpose is to provide a place for patrons to read and check-out books, do research, gather, learn, and improve their skills. Libraries are equalizers, providing internet access, job search help, and literacy classes to those in need. Although each library provides service differently, the essential functions remain the same. Any resident of the state of California may apply to become a member of any library system in Placer County, regardless of their place of residence, financial situation, or educational background.

Moving Forward

As society progresses, libraries should innovate technologically to remain relevant for patrons. Online library services range from providing eBooks and digital media for check out to providing online reference services. As public use of online social media services grows, the libraries should also utilize platforms such as Facebook, Twitter, or Instagram to promote services and activities to reach a larger audience.

The ability of a patron to access all of these online services requires a library to maintain a good, up-to-date website. The website could be considered an electronic branch of the library and should make a good first impression with patrons. Although each user may have preferences about what makes a good library website, all users expect security, modern website design, accessibility, ability to contact the library, and unique features such as voter registration or social media links².

Data presented in this report, including the Appendix, was verified and accurate as of April 2021. The grand jury realizes that budgets, number of cardholders, and staffing may have changed by the time this report is published.

²Unrein, Sabrina. (2019). "What Makes a Good Library Website?" Syracuse, NY: iSchool Public Libraries Initiative at Syracuse University. https://ischool.syr.edu/wp-content/uploads/2020/06/2019_What_Makes_a_Good_Library_Website.pdf

Placer County Library

The Placer County Library is the largest of the four library systems, serving a population of 202,343 individuals at nine branches. These branches are located in Granite Bay, Rocklin, Auburn, Foresthill, Colfax, Applegate, Tahoe City, Penryn, and Kings Beach. In the 2020-2021 Placer County Budget, they were allocated \$8,179,332, a decrease of 8.39 percent from the 2019-2020 budget. The funds are allocated by the county through a portion of property taxes from a 1976 ballot measure, as well as the general fund. These funds provide for forty-nine staff members. Currently, the PCL is staffed by thirty-eight full-time and eight part-time employees, for a total of forty-six staff. They also have one part-time “extra help” employee.

Due to COVID-19, the library’s branches are currently closed to the public, so the PCL offers online hold/pick-up services. These services are not available for the Applegate or Penryn branches, which are temporarily closed. No browsing,



Photo by Erik Bergen

children’s services such as story time, or adult programming is occurring inside the buildings, although they offer online programming including a virtual book club for adults and a “S.T.A.R. Challenge” for children. The S.T.A.R. Challenge is hosted online and features a Story, Tip, Activity, and Rhyme each week. Besides the nine physical branches, PCL also owns and operates a bookmobile, although this service has been suspended due to COVID-19. The PCL does not manage their own website nor have their own standalone website address. The current website is operated as a subsection of

the Placer County website and is not intuitive to navigate. Placer County Library maintains and regularly updates their Facebook, Instagram, and Twitter accounts.

The Placer County Library does not send electronically, or publish online, a newsletter for patron outreach. The grand jury’s review of the county’s library budget noted that no money was set aside for advertising or marketing. Despite a line item in the budget for this activity, the allocated funds under this line item are \$0. Additional marketing efforts would potentially re-engage current patrons and could reach residents who may not know about the library’s services, available programs, and materials.

The library has in its collection a total of 206,769 physical items, including books, media such as CDs and DVDs, newspapers, and magazines. These items are available to only PCL system cardholders for check out. The PCL is also a member of a library consortium called NorthNet which offers 34,315 owned digital items. There are additional pay-per-use digital items available through a service called Hoopla. For each item a patron checks out from Hoopla, there is a fee charged to the library which is not passed on to the patron.



Penryn Library
Photo by Lorena Sims

Due to an incident at the Auburn Library in 2019, safety concerns for library staff and patrons increased. Since that time, the PCL has taken steps to increase security and safety. The library rules of conduct for patrons have been strengthened, posted visibly, and enforced. Library staff has undergone more incident training. Security measures are consistently reviewed by all library staff and include panic buttons at all locations and panic rooms at some locations. Pushing the panic button notifies the police that an incident is occurring. It is now policy

that a minimum of two library staff members are present in each branch at all times. These actions are aimed at improving staff confidence in their own safety and that of their patrons.

Based on grand jury interviews with PCL management, staffing is one of the major issues the library is facing. The requirement for a two-person presence in each branch has strained library staffing needs. With nine branches located throughout the county, some in more rural areas, and three large branches that require a significant number of employees, the staff is over extended. While two staff members per branch may be sufficient to staff the small libraries such as Applegate, at the large branches in Auburn, Rocklin, and Granite Bay, a much higher staffing number is required in order to assist patrons with research, locating and checking out materials, and accessing provided technology. Additionally, since the PCL's branches extend from Granite Bay to Kings Beach, any employee who provides coverage for staff absences may have to drive over an hour to reach a specific location.

Placer County has allocated forty-nine full-time and part-time staff and one extra-help staff member to the library, and at present three of those positions are open. When fully staffed, PCL has twelve administrative and support personnel, which includes human resources, information technology, budget, and material processing staff. This leaves only thirty-eight traditional library staff members (including the extra-help employee) to cover all nine branches during open hours, or an average of only 4.2 staff per branch. This appears to be an insufficient number of staff to provide adequate service to the public considering the county's size and shape, the number of branches of the PCL, and the number of patrons served.



Colfax Library
Photo by Norma Worley

Although PCL membership is open to anyone living in California, they specifically serve 202,343 residents, 52 percent of Placer County, who are not residents of Roseville, Lincoln, or Loomis. They have a total of 99,578 cardholders and an annual circulation of 1,350,500 physical and digital items, meaning each cardholder checks out an average of 13.6 items per year.

Roseville Public Library

The Roseville Public Library serves a population of 145,460 individuals at three branches: Downtown, Maidu, and Martha Riley. In the 2020-2021 City of Roseville Budget, they were allocated \$5,498,342, an increase of 3.1 percent from the 2019-2020 budget. A portion of the funds are provided through the passage of Measure B in 2019, which is a 0.5 percent sales tax within the city, as well as the City of Roseville general fund. The budget provides for forty-seven staff members, thirty-five full-time and twelve part-time.



Downtown Roseville Library
Photo by Norma Worley

Administrative support functions, such as human resources, information technology, etc. are provided by city departments. The RPL is incorporated within the Parks & Recreation Department which consolidates the management and budget of the library.

Due to COVID-19, the RPL offers restricted hours and limited in-person services including browsing, checking out materials, and one hour of computer use per day. They also offer sidewalk pickup for holds placed online. However, toys and furniture were removed and meeting/study rooms are closed. Children's story time restarted as of March 10, 2021, with the Downtown branch offering indoor story time and the Martha Riley branch offering outdoor programming, all with registration required and limited attendance. However, no adult enrichment or book club has restarted.

Roseville Public Library's website is operated as a subsection of the City of Roseville website and does not feature a standalone web address. As a result, it is not intuitive to navigate. Roseville Public Library maintains and regularly updates their Facebook, Instagram, and Twitter accounts. The Roseville Public Library communicates monthly with its patrons via a digital newsletter sent to those who choose to receive it. The city also mails out to its residents an activity guide, which includes library programs, entitled "Experience PRL."

The library has in its collection a total of 168,347 physical items, including books, digital media such as CDs and DVDs, newspapers, and magazines. These items are available only to RPL cardholders for check out. They also feature a variety of online lending resources, including 25,438 owned titles and an additional 24,032 items available through a service called Kanopy, which is a fee-based pay-per-use streaming service for videos. For each item streamed from Kanopy, there is a fee charged to the library which is not passed on to the patron.



Maidu Library
Photo by Barbara Ferguson

Roseville Public Library currently has an average of 15.7 staff per branch and reports that all staff members work with patrons and none are limited to back office or administrative work only. Although RPL membership is open to anyone residing in California, they specifically serve the City of Roseville, accounting for 36 percent of Placer County, or approximately 145,460 residents. They have a total of 104,327 cardholders and an annual circulation of 1,134,785 physical and digital items, meaning each cardholder checks out an average of 10.9 items per year.

Lincoln Public Library

The Lincoln Public Library serves a population of 49,317 individuals at one branch, located on Twelve Bridges Drive. In the 2020-2021 City of Lincoln Budget, they were allocated \$808,829, an increase of 6.8 percent from the 2019-2020 budget. The funds are provided by the city through the general fund, as well as additional funding from the Western Placer Unified School District and Sierra College. These funds provide for eight staff members, five full-time and three part-time. Administrative support functions, such as human resources, information technology, etc. are provided by city departments.



Lincoln Public Library
Photo by Norma Worley

The LPL offers restricted hours and limited in-person services including browsing, checking out materials, and computer use due to COVID-19. They also offer curbside pickup for holds placed online. However, usage of meeting rooms and all in-person programming has been suspended. Instead, the library is offering online and virtual programming such as story times for children and book clubs for adults.

Lincoln Public Library's website is operated as a subsection of the City of Lincoln website and has a standalone web address at libraryatlincoln.org. This website address is helpful; however, it simply redirects to the website operated by the City of Lincoln, which is not formatted for easy use and navigation. Lincoln Public Library maintains and regularly updates their Facebook, Instagram, and Twitter accounts. Although the library does not produce its own newsletter, it cooperates with the Lincoln Friends of the Library group, a nonprofit organization which sends a newsletter to all library members.

The library has in its collection a total of 120,542 physical items, including books, digital media such as CDs and DVDs, newspapers, and magazines. These items are available only to LPL patrons for check out. They also feature a variety of online lending resources through both Hoopla and a library consortium. The online resources number 54,532 owned items. There are also an additional 885,428 pay-per-use items available through Hoopla. For each item requested from Hoopla, there is a fee charged to the library, which is not passed on to the patron.



Lincoln Library
Photo by Norma Worley

The Lincoln Public Library is co-located with the new Twelve Bridges High School which is part of Western Placer Unified School District. This school will be opening in Fall 2021 and the library will be utilized as the student library for the high school. As it will also remain open to the public, the library will serve a unique cross-section of the Lincoln population. However, it is located on the far south side of Lincoln, and as the city grows, another location may be necessary to provide the growing population with service.

Lincoln Public Library currently has eight staff members, all of whom work regularly in public-facing roles, providing services to patrons. Although LPL membership is open to anyone residing in California, they specifically serve the City of Lincoln, accounting for 12 percent of Placer County, or approximately 49,317 residents. They have a total of 13,512 cardholders and an annual circulation of 326,675 physical and digital items, meaning each cardholder checks out an average of 24.2 items per year.

Loomis Library and Community Learning Center

The Loomis Library and Community Learning Center is the newest and smallest of the four library systems, serving a population of 7,500 in one branch. In the 2020-2021 Town of Loomis Budget, they were allocated \$386,720, an increase of 2.2 percent from the 2019-2020 budget. The funds are provided by the town through the general fund and two sales tax measures (Measures F and G), passed by residents in November 2016. These funds provide for four staff members, three full-time and one part-time.



Loomis Library
Photo by Norma Worley

Administrative support functions, such as human resources, information technology, etc. are provided by city departments.

The Loomis Library and Community Learning Center reopened as an independent municipal library in 2017 following the Placer County Board of Supervisors' decision to close the Loomis branch of the PCL. The town has recently approved the purchase of their building from Placer County and once ownership has been finalized, they plan to remodel and update the building. This project will allow more access for citizens with disabilities and better serve the Town of Loomis. As it stands now, the building is small, and the interior layout is awkward.

The LLCLC offers restricted hours and limited in-person services including browsing, checking out materials, and computer use due to COVID-19. They offer curbside pickup for holds placed online. However, use of meeting rooms and all in-person programming has been suspended. Instead, the library is offering online virtual programming such as story times for children and classes for adults. In addition, they offer a take-home craft activity that allows patrons to pick up a packet at the library to enjoy at home.

Loomis Library and Community Learning Center's website is operated as a standalone website at loomislibrary.org. This allows easy navigation and access by patrons. Loomis Library and Community Learning Center maintains and regularly updates their Facebook, Instagram, and Twitter accounts. The library also produces an interesting and informative newsletter which is opted-in at time of membership or can be signed up online without membership.

The LLCLC has in its collection a total of 15,164 physical items, including books, digital media such as CDs and DVDs, newspapers, and magazines. These items are available only to LLCLC patrons for check out. They also feature online lending resources through Hoopla, which contains 901,209 pay-per-use items. The LLCLC does not own rights to any digital titles. For each item a patron checks out from Hoopla, there is a fee charged to the library, which is not passed on to the patron.

The LLCLC includes a variety of other community functions beyond simply lending books. The facility, prior to COVID-19 restrictions, featured a 'makerspace,' which is a child's craft area within the library, a genealogy area, and a seed library. The seed library functions by offering free seed packets (up to ten), on the condition that one plant grown is allowed to go to seed and the seeds are returned to the library for future use.

Loomis Library and Community Learning Center currently has four staff members, all of whom work in a customer-facing position, providing services to the public regularly. Although LLCLC membership is open to anyone residing in California, they specifically serve the Town of Loomis, accounting for 2 percent of Placer County, or approximately 7,500 residents. They have a total of 2,141 cardholders and an annual circulation of 31,365 physical and digital items, meaning each cardholder checks out an average of 14.6 items per year.

Conclusion

The libraries in Placer County are unique and provide a variety of programs and opportunities for their patrons. Although each library has its own challenges, COVID-19 and the restrictions imposed on service this year have been a unifying concern throughout Placer County's various library systems. Overall, the libraries have faced this challenge head-on and although each has responded uniquely to the restrictions, all have responded admirably to support their patrons.

Funding, staffing, and security remain significant concerns for the libraries in Placer County. This is particularly true for the Placer County Library system, which sees the largest circulation numbers in the county yet has a minimal number of non-administrative staff members when compared to the municipal libraries of the county. The staff of each library system are dedicated and committed to providing excellent service.

Beyond just books, these facilities are invaluable to their patrons and function as community centers, offering a place to gather, learn, and share ideas. Libraries are a public service provided by the county and/or municipalities and should be supported as such. With appropriate ongoing financial support, staffing, and marketing, the libraries will continue to serve the residents of Placer County well into the future.

Findings

The grand jury found:

- F1: All the libraries in Placer County provide similar basic services to their patrons, including resource lending, computer use, and programming for children and adults.
- F2: The Placer County Library system would benefit from increased promotion and community outreach to increase both membership and public awareness of library services.
- F3: A citizen of Placer County who wishes to borrow across all county library systems must have four separate library cards.
- F4: The Placer County Library, Roseville Public Library, and Lincoln Public Library have websites that are incorporated into their respective county/city websites.
- F5: The Placer County Library and Roseville Public Library do not own their own web domains separate from their county/city-managed website.
- F6: The Placer County Library system's nine branches serve approximately half of the population of Placer County and over 95 percent of the county's total territory, resulting in branches over ninety-five miles apart, which strains the library's current staffing resources.
- F7: Placer County Library system faces greater staffing challenges compared to the other library systems, especially considering the number of branches, territory covered, and that 25 percent of their allocated headcount is used for administrative support.
- F8: Placer County Library system does not produce a newsletter or utilize other means of regular communication with its patrons.
- F9: Roseville Public Library system is consolidated within the Parks & Recreation Department.
- F10: In the fall of 2021, Lincoln Public Library will be operating as the school library for Twelve Bridges High School as well as the public library.
- F11: Loomis Library and Community Learning Center provides innovative services to their patrons including a seed library and makerspace for children.
- F12: Due to the incident in 2019, the Placer County Library system has recently taken a more complete and up-to-date approach to handling security at all locations.

Recommendations

The grand jury recommends:

- R1: By January 1, 2022, Placer County Library will develop a promotion and outreach plan to increase membership and circulation.
- R2: By January 1, 2022, Placer County Library, Roseville Public Library, Lincoln Public Library, and Loomis Library and Community Learning Center will work together to develop a single county-wide library card.
- R3: By November 1, 2021, Placer County Library, Roseville Public Library, and Lincoln Public Library will each develop and manage their own independent website.
- R4: By October 1, 2021, Placer County Library will conduct an internal review to determine appropriate staffing levels, present a report on their findings to the Placer County Board of Supervisors, and post the report on the Placer County Library website.
- R5: By January 1, 2022, the Placer County Board of Supervisors will review the Placer County Library staffing report and take appropriate action.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Robert Weygandt Chairperson Placer County Board of Supervisors 175 Fulweiler Ave Auburn, CA 95603	R4, R5	September 1, 2021
Mary George Director of Library Services Placer County 145 Fulweiler Ave, Suite 150 Auburn, CA 95603	R1, R2, R3, R4	October 1, 2021
Kathy Barsotti Manager Parks, Recreation & Libraries City of Roseville 316 Vernon St Roseville, CA 95678	R2, R3	October 1, 2021

Sarah Comstock
Library Director
Loomis Library and Community Learning Center
6050 Library Dr
Loomis, CA 95650

R2

October 1, 2021

Kathryn Hunt
Director of Library Services
Lincoln Public Library
485 Twelve Bridges Dr
Lincoln, CA 95648

R2, R3

October 1, 2021

Copies Sent to:

Kelly Heikila
Library Administrative and Fiscal Officer
Placer County
145 Fulweiler Ave, Suite 150
Auburn, CA 95603

Roger Carroll
Finance Director
Town of Loomis
3665 Taylor Rd
Loomis, CA 95650

Natasha Martin
Manager
Parks, Recreation & Libraries
City of Roseville
316 Vernon St
Roseville, CA 95678

Appendix 1: Library Data Comparison Chart

The below data was supplied to the grand jury by the staff of each respective library. Circulation and online visit numbers were from the 2019-2020 fiscal year.

	Placer County	Roseville	Lincoln	Loomis
Number of Branches	9	3	1	1
Service Area Square Miles	1,427	44	23.5	7.3
Service Area Population³	202,343	145,460	49,317	7,500
Total Cardholders	99,578	104,327	13,512	2,141
Child Cardholders	10,453	26,371	2,810	503
Adult & Teen Cardholders	87,394	77,956	10,702	1,638
Daily Visits	2,074	1,051	839	85
Daily Online Visits	412	2,776	N/A	20
Total Annual Circulation	1,350,500	1,134,785	326,675	31,365
Daily Circulation	3,337	2,659	768	83
Daily Online Circulation	363	450	127	3
Total Physical Items	206,769	168,347	120,542	15,164
Total Owned Digital Items	34,315	25,438	54,532	0
2020-2021 Budget	\$8,179,332	\$5,498,342	\$808,829	\$386,720
Current Staff	46	47	8	4
Current Full Time Staff	38	35	5	3
Current Part Time Staff	8	12	3	1

³ As each library has their own criteria for this statistic, there may be some overlap in this value (i.e. a resident of Rocklin, served by Placer County, may also have been counted by Loomis due to proximity.)

Placer County Juvenile Detention Facility

**Annual Inspection Report
2020-2021**



Placer County Juvenile Detention Facility Annual Inspection Report 2020-2021

Summary

The Placer County Grand Jury is responsible for inquiring into the conditions of all public detention facilities, as authorized by California Penal Code § 919(b). The grand jury completed an inspection of the Placer County Juvenile Detention Facility (PCJDF) on December 1, 2020, with coronavirus pandemic (COVID-19) restrictions in place. The grand jury found the PCJDF to be secure and well-maintained, with dedicated, knowledgeable, and helpful staff.

Background

Section 919(b) of the California Penal Code states, “The grand jury shall inquire into the condition and management of public prisons within the county.” This includes the inspection of juvenile detention facilities. The PCJDF is operated by the Placer County Probation Department, pursuant to Title 15, Division 4, of the California Code of Regulations, and Chapter 2 of the Welfare and Institutions Code, specifically §§ 636.2 and 852.

Methodology

On September 16, 2020, the grand jury conducted an interview with the program director for the PCJDF. The grand jury also reviewed the most current inspections including the Board of State and Community Corrections (BSCC) report dated November 12, 2019, and the Placer County Juvenile Justice Delinquency Prevention Commission (PCJJDPC) Annual Inspection Report dated May 12, 2019. On December 1, 2020, the grand jury completed a tour of the facility. The tour included a visual inspection of the interior and exterior, safety practices, food services, health services, educational programs, and recreation/support programs. Given COVID-19 restrictions, inspectors were not permitted to interview youths at the facility.

Discussion

The PCJDF has a rated capacity of fifty-eight. According to § 1302 Title 15, “‘Rated capacity’ means the number of beds approved by the Board that can be utilized by a Juvenile Facility based on the design requirements of Title 24, Part 1, Article 2, Section 13-201(c)6, of the California Code of Regulations.”

At the time of the inspection, the co-ed facility was housing twelve juveniles. The median age is sixteen, although the facility can house individuals from ages 12 to 21. Youth are given three meals per day plus snacks. If they have not graduated high school, educational opportunities are provided. They can also participate in exercise, recreational programs, vocational training, health care, and counseling.

The PCJDF employs twenty-eight full-time staff members, including four supervisors and four senior staff members. The staff to youth ratio is 1:10 during the day and 1:15 at night, which is compliant with Title 15, § 1321, which states in part:

(A) during the hours that youth are awake, one wide-awake youth supervision staff member on duty for each 10 youth in detention;

(B) during the hours that youth are confined to their room for the purpose of sleeping, one wide-awake youth supervision staff member on duty for each 30 youth in detention;

(C) at least two wide-awake youth supervision staff members on duty at all times, regardless of the number of youth in detention, unless an arrangement has been made for backup support services which allow for immediate response to emergencies; and,

(D) at least one youth supervision staff member on duty who is the same gender as youth housed in the facility.

In order to facilitate possible fluctuations of the population, the facility also maintains an on-call extra-help list to increase staffing as needed. The staff undergo eighty hours of training upon hire. Every year thereafter, staff are required to attend twenty-four hours of training and supervisors are required to attend forty hours of training. There are also updates throughout the year on mental health, management of assaultive behavior, and other subjects taught by the department.

The year 2020 has been a challenge for the facility because of the onset of COVID-19 and related restrictions. Beginning in March, the facility was placed on strict COVID-19 lockdown. Youths who are new to the facility are quarantined individually in a separate wing for fourteen-days prior to being integrated into the rest of the population. Service providers, such as the chaplain and teacher, were no longer able to visit in person. As of the writing of this report, religious programs are provided by the chaplain either by correspondence or virtually. Education is provided by Placer County Office of Education through online learning. Family members are able to visit virtually or by phone.

The inspection reports from BSCC and PCJJDPC noted complaints that the provided food is bland and there is no policy to accommodate minors with faith-based dietary restrictions. The program director stated condiments and spices are now available for the food. Accommodations have been made for youths with faith-based dietary restrictions. Due to COVID-19 restrictions, the grand jury was unable to verify these facts by interviewing the youths directly.

A pilot program, Placer Youth Center (PYC), is currently on hold because of the pandemic restrictions. Funding for the PYC was approved and provided through the 2020-2021 Placer County Budget as part of the funding for Juvenile Probation Detention and Treatment Services. It is an individualized comprehensive 30 to 180-day program designed to give the youth in the PCJDF tools for success including counseling, behavioral programs, educational opportunities, and vocational programming. It is designed to facilitate independent living and family reunification as well as prevent recidivism.

Placer Youth Center is designed as a 4-phase program that youths will proceed through in a self-directed manner. In order to proceed to the next phase, they need to complete all the requirements of their individualized program. They then present an essay and their accomplishments to a panel of staff. Each phase of the program has unique requirements and provides an increasing amount of freedom and responsibility. After completion, there is a 60-day period of probation-like community release where the youth continues to receive program services. If the youth completes all requirements successfully, they will be considered a graduate of the program; however, a violation of probation or law would result in suspension from the PYC program pending a judicial review.

Once the program starts, PYC will begin gathering data to determine the success of the program. Metrics on disciplinary actions, incident reports, positive reinforcement, participation in school and programming, violations of probation, and fresh arrests will be collected. In addition, program staff will be looking at the number of students that do not complete the program and those who are successful.

Conclusion

The Placer County Juvenile Detention Facility is run by employees who are experienced and professional. They are also passionate about improving the lives and futures of the youths who are incarcerated and reducing their chances of recidivism. COVID-19 has significantly impacted the programming at the facility. Staff is adapting to these challenges by providing alternative delivery methods of impacted programs. The grand jury commends the Placer County Juvenile Detention Facility staff for their dedication and flexibility in these difficult times.

Findings

The grand jury found:

- F1: The Placer County Juvenile Detention Facility is appropriately staffed with knowledgeable and well-trained personnel.
- F2: The youths at the facility are provided appropriate programs and educational opportunities, despite COVID-19 restrictions.
- F3: The implementation of the Placer Youth Center pilot program has been placed on hold due to the pandemic and is expected to be beneficial when COVID-19 restrictions are lifted.
- F4: While initial funding was provided for the Placer Youth Center program, ongoing funding is necessary for its success.

Recommendations

The grand jury recommends:

R1: By September 1, 2021, the Placer County Board of Supervisors commit to funding the Placer Youth Center in future budgets.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following:

	Recommendations Requiring Response	Response Due Date
Robert Weygandt Chairperson Placer County Board of Supervisors 175 Fulweiler Ave Auburn, CA 95603	R1	September 1, 2021

Copies Sent to:

Marshall Hopper
Chief Probation Officer
 Placer County Probation Department
 2929 Richardson Dr, Suite B
 Auburn, CA 95603

Joseph Netemeyer
Assistant Chief Probation Officer
 Placer County Probation Department
 2929 Richardson Dr, Suite B
 Auburn, CA 95603

Melanie Esque
Program Manager
 Placer County Juvenile Detention Facility
 11260 B Ave
 Auburn, CA 95603

**Placer County Jails
and
Holding Facilities**

**Annual Inspection Report
2020-2021**



Placer County Jails and Holding Facilities Annual Inspection Report 2020-2021

Summary

This report summarizes the Placer County Grand Jury inspections of four holding facilities and three Placer County jails.

The grand jury investigated the booking and jail services contract between Nevada and Placer Counties for the Placer County Sheriff's Tahoe Substation.

The grand jury found the inspected jails and holding facilities to be secure, orderly, and well-run.

Glossary

Bill Santucci Justice Center: Includes the South Placer Adult Correction Facility, Placer County Superior Court, Placer County Probation Department, and Placer County Coroner's Office.

Detainee: Any person detained in a lockup, regardless of adjudication status.¹

Holding Facility: A place, institution, building, set of buildings, structure, or area that is used by an agency for the confinement of individuals.

Inmate: A person confined to an institution such as a prison or hospital.

Jail: A confinement facility of a Federal, State or local law enforcement agency whose primary use is to hold persons pending adjudication of criminal charges, persons committed to confinement after adjudication of criminal charges for sentences of one year or less, or persons adjudicated guilty who are awaiting transfer to a correctional facility.²

Sally Port: A secure, controlled entry way to an enclosure.

South Placer Adult Correction Facility (SPACF): Includes South Placer Jail and South Placer Minimum Security Jail.

Background

Section 919 (b) of the California Penal Code mandates: "The Grand Jury shall inquire into the condition and management of public prisons within the county." The state defines public prisons as jails, holding facilities, and detention centers for temporary, medium, or long-term confinement.

¹ Placer County Sheriff's Office Corrections Division Policy Manual, Page 3

² Placer County Sheriff's Office Corrections Division Policy Manual, Page 4

Methodology

The grand jury visited each facility. County staff and contracted service vendors were interviewed while inmates were not because of current COVID-19 restrictions. The inmate housing, recreation, and work areas were included in the inspections.

Placer County Sheriff's Office (PCSO) provided staff to facilitate the inspections of the following locations:

Jails

1. Auburn Jail, Auburn
2. South Placer Jail, Roseville
3. South Placer Minimum Security Jail, Roseville

Holding Facilities

1. Auburn Historic Courthouse, Auburn
2. Placer County Sheriff's Tahoe Substation, Tahoe City
3. Rocklin Police Holding Facility, Rocklin
4. Bill Santucci Justice Center, Roseville

Discussion

- Due to the COVID-19 pandemic, all persons arrested and detained must wear facial masks. The detainees' temperatures are measured, and the staff conducts an interview using a script of questions concerning symptoms of COVID-19. If any indication of infection is found, the detainee is taken to a medical facility for testing.
- The Placer County Sheriff's Office adheres to the county's policy on detection and segregation of in-custody inmates infected with COVID-19.
- Inmates are transported to detention facilities where they enter via secure sally ports.
- Every detainee brought in is categorized and isolated when necessary.
- All facilities' booking security screening equipment appeared to be in good working order.
- Inmates placed on a health or safety watch protocol are checked at fifteen-minute intervals (e.g., suicide watch).
- Each facility has safety equipment available (e.g., a fire extinguisher, first aid kit, a defibrillator).
- Each facility has protocols and procedures for dealing with escape and attempted escape.

Jails

Auburn Jail

Initially built in 1985, the Auburn Jail has been expanded and modernized over the years. The most recent additions are nearly complete and expected to be certified by the state and utilized soon.

The facility houses several types of inmates. Inmates are assessed based on gender, classification of past criminal convictions, current or repeated assaults, behavior problems, psychological problems, protective custody, escape risk, and prison history. The assessment results determine where the inmate will be housed. There are control stations located in facility housing to monitor all inmates.



Photo by Skip Michael

The Auburn Jail staff were actively working to reduce recidivism within the jail population before the outbreak of COVID-19. Because of COVID-19 protocols only virtual correspondence coursework has been allowed. Once the virus concern has passed and additional housing facilities are completed, classes will resume. Up to fifty inmates will be able to participate in programs crafted to reduce recidivism.

Some inmates will be housed in the new dormitory section with rehabilitation as the primary goal. Programs offered will be oriented toward inmates being able to re-enter society more easily with skills allowing for self-sufficiency. Guidelines for these programs are currently being developed.

Wellpath, a contractor, provides medical treatment for inmates. A medical doctor visits the jail on a twice-a-week schedule. A mental health specialist visits Auburn Jail sixteen hours per week for mental health evaluations. Additional medical personnel support the facility on a daily basis including:

- Registered Nurse
- Licensed Vocational Nurse
- Physician Assistant
- Dentist
- Dental Hygienist
- Mental Health Analysts

There is a complaint process for the inmates to file should they feel they are not receiving the proper medical treatment. The complaint is reviewed by the on-duty nurse and, if not resolved, is reviewed by a Wellpath health administrator for further investigation. If a person, outside of the facility, makes a complaint concerning medical treatment of an inmate, the complaint is sent to the Wellpath health administrator for review and mitigation.

Food service is provided by the kitchen staff at the South Placer Jail. The kitchen at the Auburn Jail re-heats the meals and provides final preparation before serving.

Observations

- The facilities at the Auburn Jail are well-maintained and staffed by trained and committed personnel.
- The Auburn Jail, with its current operational capabilities, meets the needs of the community it serves.
- Operations at the Auburn Jail include programs to reduce recidivism.

South Placer Jail & South Placer Minimum Security Jail



Photos by Mark Brown

The South Placer Jail and the South Placer Minimum Security Jail, which are part of the South Placer Adult Correctional Facility (SPACF), are located at the Bill Santucci Justice Center. Although separate buildings, they operate in a cooperative relationship. The grand jury inspected the facilities, which included the laundry room, recreation rooms, and rehabilitation program rooms. The South Placer Jail also has a large kitchen used for meal preparation for all county jails and holding facilities, as well as meals for other county programs. The residential district manager administering the kitchen is commended for exceptional management and dedication to excellence in service.

The South Placer Adult Correctional Facility is managed by the PCSO. The staff is dedicated and perform their duties efficiently and effectively. COVID-19 has caused the state mandated plans to reduce recidivism to be altered. In-person classes have been replaced by online courses. They have devised a system to determine whether a cell has been sanitized. They adhere to the Center for Disease Control (CDC) guidelines to prevent the spread of COVID-19.

As with the Auburn Jail, these facilities house several types of inmates. Inmates are assessed based on gender, classification of past criminal convictions, current or repeated assaults, behavior problems, psychological problems, protective custody, escape risk, and prison history. The assessment results determine where the inmate will be housed. There are control stations located in facility housing to monitor all inmates.

The mental health section of the SPACF is in the process of being expanded but construction has been delayed due to COVID-19. Wellpath, a contractor, provides medical treatment for inmates. A mental health specialist visits SPACF sixteen hours per week for mental health evaluations. A medical doctor visits the SPACF on a twice-a-week schedule. Additional medical personnel support the facility on a daily basis including:

- Registered Nurse
- Licensed Vocational Nurse
- Physician Assistant
- Dentist
- Dental Hygienist
- Mental Health Analysts

There is a complaint process for the inmates to file should they feel they are not receiving the proper medical treatment. The complaint is reviewed by the on-duty nurse and, if not resolved, is reviewed by a Wellpath health administrator for further investigation. If a person, outside of the facility, makes a complaint concerning medical treatment of an inmate, the complaint is sent to the Wellpath health administrator for review and mitigation.

Holding Facilities

Auburn Historic Courthouse

The Auburn Historic Courthouse is divided into two basic areas. The first area is for public tours of the historic building which was completed in 1898. In the second area there are several functioning courtrooms dealing with arraignments or trials. Security is provided by Placer County Sheriff's deputies for the main entrance, courts, holding cells, and the sally port when in use. The holding cells are primarily used for holding individuals for court appearances. They are not used for overnight confinement.



Photo by Erik Bergen

The grand jury commends the facility's sergeant-in-charge for a simple and practical innovation for ensuring the sanitation of holding cells. Each cell is marked with a large red or green colored magnet denoting green for "cleaned" or red for "not cleaned." The holding facility adheres to the CDC guidelines for COVID-19.

Observations

Both this grand jury and previous grand juries have observed that the current security camera system is obsolete, inadequate, and fails in the following:

- The cameras do not cover the critical areas of the court parking lot and cannot capture license plate numbers.

- The cameras do not cover critical areas of the building entrances where an armed person(s) could approach and surprise the on-duty deputies.
- The resolution of the video is poor, making it impossible to identify any person(s) in the parking lot or capture unlawful acts that may occur there.

Placer County Sheriff's Tahoe Substation

The grand jury performed its annual inspection of the Placer County Sheriff's Tahoe Substation and investigated their booking and jail services contract.

The facility's original purpose was for use as a temporary sheriff's substation during the 1960 Winter Olympics. Several prior grand juries and the Placer County Board of Supervisors acknowledge it has outlived its usefulness. Resources were allocated by the Board of Supervisors in 2019 to modernize the station, which is a project currently referred to as the Tahoe Justice Center (TJC).

At present, the substation only operates as a holding facility and not as a jail. To operate as a jail would require staffing of four or five deputies for around-the-clock operations, medical personnel, food service, technology upgrades, and maintenance, which would be prohibitively expensive. The cells do not meet state standards for incarceration, but they are adequate for temporary custody and emergency holding. The building does not meet the accessibility requirements of the Americans with Disabilities Act (ADA) and the cost to upgrade the building would be prohibitive.



Tahoe Substation
Photo by Jim Ferguson

Since 2001, PCSO has had a contract with Nevada County Sheriff's Office for booking and jail services. The contract states in part:

Under the contract, all arrests made by the Placer County Sheriff's Office in and around the North Tahoe area after normal business hours, or on holidays and weekends, are booked into the Nevada County Sheriff's Truckee Jail.

This contract applies to persons arrested in Placer County by other agencies (e.g., California Highway Patrol, probation, state parks). The contract enables access to the Truckee Jail for an annual fee of \$459,996 with an increase of 3 percent every fiscal year (July 1, 2019, to June 30, 2020). When the new TJC is completed, targeted for 2025, jail housing for arrestees at the Truckee Jail should be reduced. Environmental and budgetary concerns are factors affecting progress of the TJC.

The Nevada County Truckee Jail can refuse to take the arrestee for various reasons, for example facility capacity or medical issues. Arrestees who cannot be released or make bail are subsequently transported to the Placer County jail system for housing. The Placer County Sheriff's Office is responsible for transporting the arrestees from the Nevada

County Truckee Jail to the Auburn or South Placer Jail. On occasions when Interstate 80 is impassable, the arrestee may remain at the Tahoe substation holding cell pending roads reopening or vacancy at the Nevada County Jail in Truckee.

In the fiscal year of July 1, 2019, to June 30, 2020, there were 136 arrestees booked into the Nevada County Truckee Jail, and 49 arrestees were refused and transported for booking at the Auburn or South Placer Jail. None were detained at Tahoe Substation.

Rocklin Police Holding Facility

Rocklin Police Department's jail is used as a holding facility because they rarely use the facility for overnight incarceration. Arrested persons instead are taken directly to South Placer Jail. On rare occasions, a detainee will be held in the jail facility to be interviewed by Rocklin detective. The jail was last used in May 2020, and before that in November of 2019. The City of Rocklin decided it is more cost-effective for their officers to book arrestees directly into the South Placer Jail instead of maintaining a full-service jail. Booking at South Placer Jail allows Rocklin officers to return to patrol duties quickly. The facility is clean and professionally managed with an up-to-date booking and security screening system.



Photo by Barbara Ferguson

Bill Santucci Justice Center

The Bill Santucci Justice Center complex contains two separate holding facilities and are managed by the PCSO. The largest holding facility, located in the courthouse basement, is connected to the jail by an underground tunnel. Inmates are taken from their jail cell to the basement holding cell when they are scheduled for a court appearance. There are holding cells in the basement. Upstairs, there are additional holding cells adjacent to the courtrooms.

The facilities are secure, well-maintained, and clean. The on-site staff are professional and take pride in their duties. In addition, CDC guidelines and recommendations regarding COVID-19 are being followed.

Conclusion

The security camera system at the Auburn Historic Courthouse is inadequate and needs to be replaced. The Placer County Sheriff's Tahoe Substation is out-of-date and not ADA compliant. All facilities inspected were found to be secure, clean, well-maintained, and professionally staffed.

Each facility adheres to the CDC guidelines to prevent the spread of COVID-19. Although delayed by COVID-19, both the Auburn Jail and SPACF have a plan to reduce recidivism. They also utilize a detailed decision tree to categorize each person into the system to minimize conflict among inmates.

Findings

The grand jury found:

- F1: The Placer County Sheriff's Office has mitigated the overnight detention issue at the Tahoe Substation through their contract with Nevada County.
- F2: The cost to use the Tahoe Substation for overnight holdings would exceed the current contract for jail services provided by Nevada County.
- F3: The average booking fee at the Nevada County Truckee Jail for the 2019-2020 fiscal year was \$3,382.32 per arrestee.
- F4: Placer County Sheriff's Tahoe Substation is a dilapidated building that cannot be improved economically for service as a certified jail.
- F5: In 2019, the Placer County Board of Supervisors allocated funds for the proposed Tahoe Justice Center, with construction starting in 2024/2025.
- F6: Environmental and budgetary concerns are factors affecting construction progress of the Tahoe Justice Center.
- F7: The security camera system at the Auburn Historic Courthouse facility is inadequate.

Recommendations

The grand jury recommends:

- R1: By September 1, 2021, the court administrative officer and county executive officer will complete an evaluation of the security camera system at the Auburn Historic Courthouse.
- R2: By October 1, 2021, the court administrative officer and county executive officer will present to the Board of Supervisors a request for funding to replace poorly functioning security cameras and add cameras in key locations at the Auburn Historic Courthouse.
- R3: By March 1, 2022, the court administrative officer and county executive officer will oversee the new security camera system installation at the Auburn Historic Courthouse.
- R4: The Board of Supervisors will commit to following the timeline for the completion of the Tahoe Justice Center by 2024/2025.

Request for Responses

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests responses from the following:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Jake Chatters Court Administrative Officer Placer County Superior Court P.O. Box 619072 Roseville, CA 95661	R1, R2, R3	October 1, 2021
Todd Leopold County Executive Officer 175 Fulweiler Ave Auburn, CA 95603	R1, R2, R3	October 1, 2021
Robert Weygandt Chairperson Placer County Board of Supervisors 175 Fulweiler Ave Auburn, CA 95603	R2, R4	September 1, 2021

Copies Sent to:

Devon Bell

Sheriff

Placer County Sheriff's Office

2929 Richardson Dr

Auburn, CA 95603

Mark Siemens

Chief

Rocklin Police Department

4080 Rocklin Rd

Rocklin, CA 95677

**Preparedness of Placer County
for the
November 2020 General Election**

Originally Published

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Preparedness of Placer County for the November 2020 General Election

Summary

In these unprecedented times of COVID-19, the State of California took steps to ensure every citizen could safely vote in the November 2020 general election. The passing of Assembly Bill 860 and Senate Bill 423 made California a vote-by-mail state for the upcoming election. The grand jury investigated the Placer County Elections Office and their readiness to conduct a vote-by-mail election and report the changes being made to ensure a successful election.

Glossary

Assembly Bill 860 (AB 860): Bill passed in June 2020, outlining changes for the November 2020 election. (Reference 7)

California Association of Clerks and Elections Officials (CACEO): The Association was created to foster uniformity of practices and procedures in the elections community while maintaining a high standard of professionalism. CACEO is committed to promote public confidence in the administration of elections and to support and facilitate in a nonpartisan manner, legislation to further these objectives.

HAVA: Help America Vote Act passed in 2002.

Personal Protective Equipment (PPE): Equipment such as masks, gloves, and face shields.

Placer County Elections Office: Responsible for conducting all federal, state, judicial, county, city, special district and school district elections in Placer County.

Senate Bill 423 (SB 423): Bill passed in August 2020 authorizing California to be a vote-by-mail state for the November 2020 general election. (Reference 6)

Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA): Citizens who are members of the Uniformed Services, Merchant Marine, commissioned corps of the Public Health Service, the National Oceanic and Atmospheric Administration, the family members of the above, and overseas citizens to register and vote in elections for federal offices. Uniformed Services are defined as the U.S. Armed Forces (Navy, Army, Air Force, Marine Corps, and Coast Guard), Merchant Marine, commissioned corps of the Public Health Service, the National Oceanic and Atmospheric Administration, and family members of all of the above. Overseas citizens are defined as citizens who reside outside of the United States.

Vote-by-Mail: Each registered voter is mailed a ballot that they return either by mail or drop it off at a drop box or voter service center.

Voter Service Center (VSC)/Voter Service Centers (VSCs): In Placer County, large voting centers being used for the November 2020 general election instead of local neighborhood precincts. Referred to as Vote Center in SB 423.

Optical Character Recognition: The electronic or mechanical conversion of images of typed, handwritten, or printed text into machine-encoded text, whether from a scanned document, a photo of a document, a scene-photo, or from subtitle text superimposed on an image.

Background

The Placer Grand Jury investigated different aspects of the Placer County Elections Office in 2011 and 2017. The impact of the current pandemic on the November 2020 general election is unknown. Therefore, the current grand jury investigated the Placer County Elections Office and its readiness to conduct the election and report on the changes being made to ensure a successful election.

Methodology

For this investigation the grand jury interviewed staff within the Placer County Clerk-Recorder/Registrar of Voters Office. Included in the interviews were the county's Clerk-Recorder/Registrar of Voters, the Assistant Recorder/Registrar, and the Elections Manager. The grand jury toured the Elections Office, watched master ballots being verified, reviewed county organizational charts, and budgets. A variety of news articles were read and websites visited to gather information for this report. The postmaster from the Auburn Post Office was interviewed.

Budget information was verified by the Placer County Controller and the Administrative & Fiscal Officer for the Clerk-Recorder-Elections department.

Two members of the grand jury recused themselves to avoid any conflict of interest and the appearance of bias.

Discussion

The nation, state, and county are in uncharted territory with COVID-19. Senate Bill 423 was passed in August to ensure all citizens in the state will be able to vote safely in November. SB 423 authorizes that vote-by-mail is used statewide and provides updated election guidelines to counties. The law does have an impact on the county budget and staffing for the election.

Senate Bill 423

On May 8, 2020, the governor signed Executive Order N-64-20 declaring California to be a vote-by-mail state. The state legislature passed Senate Bill 423 and it was signed into law on August 6, 2020. This law lists the requirements a county must follow for an all-mail ballot election. The Placer County Registrar of Voters is the co-chair of the California Association of Clerks and Elections Officials Legislative Committee. This participation provided the county with advanced notice of impending legislative changes and enabled

them to make plans. The bill requires counties to establish Voting Service Centers (VSCs) to replace small neighborhood polling precincts. Senate Bill 423 also requires ballot drop-off locations throughout the county. Voting centers must be open at least three days prior to election day.

The law changed aspects of previous election processes and presented a challenge for Placer County, and the other fifty-seven counties in the state. First, every registered voter must receive their ballot by mail. Placer County will be mailing registered voters their ballots on October 5, 2020. Voters can fill out their ballot within the comfort of their home and then mail or drop off their ballot. Ballots can be dropped off at any Voting Service Center (VSC) location or drop box located throughout the state. Citizens may also vote in person if they prefer by going to any VSC location within the state.

Senate Bill 423 requires the county to have drop boxes available for voters to drop off their ballots. The number of drop boxes required is determined by population. Counties must provide at least one drop box for every 15,000 registered voters. In previous years the county had only two drop box locations. For the upcoming election, there will be twenty-seven drop boxes scattered throughout the county plus drop boxes at all twenty-eight VSCs, exceeding the requirements of the law.

Technology and the Election

The March 2020 primaries were a foreshadowing of what is to come for the November general election. Placer County did not experience problems with their equipment. Just prior to March 2020 they had purchased state-of-the-art equipment. While they did not encounter any equipment problems, staffing shortages presented significant challenges for the county. As a result of the pandemic, the county lost poll workers who were worried about their health and did not want to risk infection.

Newly purchased voting equipment at the Elections Office will open and extract each ballot from its envelope. This task was previously performed manually. This automation speeds up the process and requires fewer people. The other equipment to be used at the VSCs will include touch screen voting machines that will print the voted ballots. Voting equipment used at the Elections Office and at the VSCs goes through a pre logic and accuracy test prior to each election.

For the upcoming election voters going into a VSC will check in at a computer centrally connected to the Elections Office's voter registration database. VSC staff will confirm that a voter has not returned their vote-by-mail ballot, void their vote-by-mail ballot if it has not been returned, and issue a new one. The voter will then vote on a touch screen and confirm their selections on the screen. After confirming their choices, they will push a button, which will instantly print out a ballot. Voters will place their ballot in a vote-by-mail envelope, sign the envelope, and drop it into the ballot box. In November, every voter in Placer County will cast a paper ballot.

Touch screen machines with printers connected were used in the March 2020 primary election and one special election in 2019. The live real-time connection between the VSC locations and the voter registration database has not been previously used.

Senate Bill 423 set the stage to shift the state to vote-by-mail. Funding was allocated to implement the law. Voter integrity will be assured by a machine capable of Optical Character Recognition, comparing the signatures on the envelope to a state maintained database of registered voters, validating the ballot.

The Placer County Elections Office has its own internal Information Technology (IT) team. The IT staff is trained on the equipment used by the county and the equipment to be used at the VSCs. If there is an issue in the field, the IT staff can be deployed to resolve the issue. This also means that the security of the equipment is held within the department and not at the county IT level.

Validation

The county will be producing 108 different ballots for the November election. Each of these ballots go through extensive proof reading and verification. Each ballot is reviewed twice by staff members, in teams of two, who read the ballot out loud, letter by letter. Secondly, each ballot is then checked twice again being read by different teams, word by word. The approved order of how candidate names are listed on the ballot is also checked.

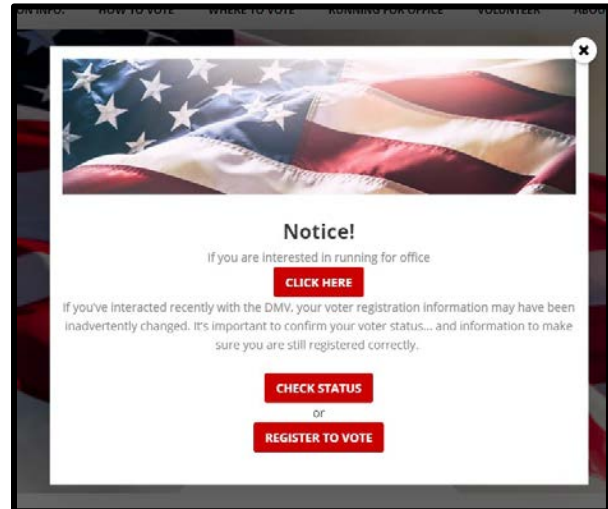
Facsimile copies of the ballot can be provided to voters in four different languages other than English (Spanish, Korean, Punjabi, or Tagalog) upon voter request. Each VSC will have a computer capable of printing the facsimile. The languages the county must provide assistance for are determined by the California Secretary of State, according to the California Elections Code § 14201.

As a result of the Help America Vote Act (HAVA), passed in 2002, much of the voting process has gone through updates. California updated its system in 2010. HAVA mandates that all states and localities upgrade aspects of their election procedures, including voting machines, registration processes, and poll worker training. Because of this act, states now maintain a statewide voter database. HAVA requires states to develop a single uniform statewide voter registration list. The list is maintained and administered at the state level. HAVA also requires the statewide list be matched with other agency databases within the state. It additionally requires regular maintenance of the statewide list in accordance with the National Voter Registration Act of 1993.

In conjunction with these state actions, in March 2020, Placer County Elections Office conducted a validation check of its registered voter database. This took the form of a postcard sent to each registered voter on their rolls requesting updates to the following voter data elements: Name, California Driver License number, Social Security Number, and Date of Birth.

The Placer County database is also updated daily. The Elections Office receives information from the California Department of Motor Vehicles, county and state Departments of Vital Statistics notices, and the United States Postal Service. The seven special elections conducted within the county in 2019 also helped clean up the county's database. Individuals can also check their voter status from the Placer County Elections Office's website.

By December 1, 2020, twenty-eight days following the general election, the registrar of voters must send to the Secretary of State a complete copy of the returns for presidential electors. By December 3, 2020, thirty days following the election, the department must complete the count, certify the results, and submit them to the Placer County Board of Supervisors.



<https://www.placerelections.com/>

Voter Fraud

The Placer County Elections Office staff takes every possible precaution to avoid voter fraud. In the past twenty years there have been no identified cases of voter fraud within Placer County. If a case had occurred, the information would have been forwarded to the district attorney. The signature validation process is primarily responsible for this success.

Below is the process that will be followed in the upcoming election for ballot verification.

1. The system will scan an image of the signature on the incoming envelope.
2. The scanned image will be compared to the signature on file.
3. Ballots with valid signatures will be counted.
4. Ballots with questionable signatures will be sorted and reviewed by staff.
5. First level of review will be done by an election staff worker.
6. The second level of review will be done by one of the three department managers.
7. Final review will be done by the county's registrar of voters.
8. If a signature is still in doubt, the department will reach out to the voter for validation by phone, email, or letter.

There have been about 10,000 letters sent out in the past few years. Common reasons for signatures not matching include predominant arm broken or injured or other medical reasons, such as a stroke.

In the 2020 primary election there were 114,434 envelopes returned. (Reference 1) Of those, 97% (111,003) were classified as “Good” and the ballot was counted. Three percent were challenged for a number of reasons. There were 2,139 (two percent) envelopes that were “cured,” meaning the issue with the envelope was resolved and the ballot was counted. Of the 1,292 envelopes (one percent) not counted in the final tally, 89% were due to the fact there was no ballot in the envelope or there was no signature. (Reference 2)

This year there will be touch screen voting machines at all VSC locations. When a voter has completed their ballot a paper copy of the ballot will be printed. At that time, the voter will be able to review their ballot and verify that the machine recorded their vote accurately. If incorrect, a poll worker will be able to assist them in getting a new ballot filled out. If correct, the ballot will be inserted into an envelope, the envelope signed, and deposited into the voting box. This is new, in the past there was no way to validate signatures at the polls. This year ballots filled out at the VSC will have the voter's signature verified once received at the Auburn Elections Office.

An additional service available to voters is the ballot tracking system. This system allows a voter to request tracking of their ballot throughout the election process. Accessing the Placer County Elections Office website, voters can sign up and request either an email or text message be sent to them. Once set up in the system an email confirmation is sent to the voter. (Exhibit 2) The voter can opt-out of the system at any time. Tracking is another way a voter can be assured their ballot has been received and counted or notified if someone else is trying to use their ballot.

The voter tracking information will be updated every weekday morning. Citizens can go to the Placer County Elections website to check the status of their ballot at any time. There are five different categories under which a voter's ballot could fall.

GOOD	Your ballot has been received, accepted and will be processed for counting.
CHALLENGED	Your ballot has been received but requires additional research. If you have not been contacted by our office, please telephone us to help us clear the challenged status of your ballot.
VOID	This ballot cannot be counted for the current election. If you believe that we have come to this decision in error, please contact our office. Please note if you have had a replacement ballot issued to you, the void is reflecting the first ballot issued.
BALLOT NOT RETURNED	Based on the search information you submitted, we did not find a returned ballot for you. Please try again later or telephone our office.
NO RECORD FOUND	The information you entered did not match our records. Please try again. Be sure to enter your birth date in the first box and your driver's license or the last four digits of your social security number in the second box. Please note that your ballot may not have been issued as of this date.

United States Postal Service

Placer County Elections Office staff works with the Auburn United States Post Office and the postmasters throughout the county. The bulk mail supervisor, located in West Sacramento, has been in place for years and knows the election process. This is beneficial to the county as mail-in ballots are sent to West Sacramento for processing before being returned to Auburn.

Ballots for Lake Tahoe area residents go to the Reno Post Office before being sent to West Sacramento for processing. This routing could result in a delay in the delivery of ballots to the Elections Office coming from the Lake Tahoe area of up to seven days. The West Sacramento facility processes mail-in ballots, and the county is charged accordingly. The county pays a first-class bulk postage rate for ballots returned by mail. Voters who place a stamp on the envelope could have their ballot slightly delayed getting to the Elections Office. If a ballot envelope has a stamp, the county's prepaid postage has to be voided, the number of envelopes counted, and a credit given back to the county.

Even before the governor's Executive Order N-64-20 in May 2020, declaring California a vote-by-mail state, 78% of Placer County registered voters had signed up for permanent vote-by-mail. The department estimates that 85% of the county will vote by mail in November, while the other 15% will vote at one of the VSCs. If the estimation is correct, the post office will see an increase of about 10% more ballots processed through their system for Placer County.

The county deals with approximately 1,000 military or overseas voters scattered across the globe. These individuals can vote based on the Uniformed and Overseas Citizens Absentee Voting Act. Ballots are sent to these individuals between forty-five and sixty days prior to election day to give them enough time to return their ballots. The department is notified weekly of any countries not accepting mail from the United States. If a registered voter is in one of those countries, or the voter has requested email delivery of their materials, an email is sent to that voter. Within the email is a secure link to an online ballot that the voter can use to complete their vote. For these individuals, Placer County contact information can also be found at the nonpartisan Overseas Vote Foundation website. This website features a complete election official directory for all fifty states and US territories. More information can be found on their website: www.fvap.gov. The Elections Office also has a military and overseas voting program page on their website, <https://www.placerelections.com/military-and-overseas-voting-program>, as well as a portal for these voters to download their voting materials at <https://sites.omniballot.us/06061/app/home>.

Postmarks are vital to the elections process. Ballots will remain uncounted if the Elections Office receives a ballot postmarked after the election day. Assembly Bill 860 requires ballots be postmarked by election day and must be received by the Elections Office within seventeen days of the election. Ballots not meeting these criteria will not be counted.

In past years, Placer County Elections Office sent staff out on election day to the mail processing centers in West Sacramento and Reno plus every post office in Placer County to collect ballots. This year collection has been extended by seventeen days allowing the

election staff to collect ballots until November 20, 2020. The staff will visit the Auburn Post Office daily starting October 5 through November 20. In addition, on November 20, they will visit every post office in the Placer County, and the mail processing centers in Reno and West Sacramento to collect ballots. Ballots can be counted until the last day that the election is certified, as long as the ballot is postmarked by November 3. Before this year, receipt of ballots was required within three days following election day.

Election Costs

The Clerk-Recorder/Registrar of Voters department has an annual budget of approximately \$11 million. The annual budget cost allocated for elections varies and is based on the number of elections there are in the fiscal year, the types of election, postage costs, and projected voter participation.

In the past, the cost of a general election was approximately \$1 million. Placer County Elections Office staff has estimated this election may cost taxpayers between one and two million additional dollars to handle the COVID-19 concerns, purchase of additional equipment and supplies, and changes in employment law. The Placer County Elections Office is estimating an increase of 20% in postage costs alone. Since the 2016 election approximately 30,000 additional voters have registered. Due to the upcoming election, those numbers are growing by about 1,200 each week. (Chart 2)

The state has earmarked over \$900,000 for the county for the upcoming election to offset some of the additional expenses. Of this money, \$120,000 must be spent on communication. That amount has already been spent, even though the state has not released the money to the county as of the writing of this report.

Staffing

The Placer County Clerk-Recorder-Registrar department has fifty-two permanent fulltime employees as of August 2020. Of those individuals, fifteen are assigned to the elections side of the department. Most employees are cross trained and can assist elections staff as necessary. Typically, from two months prior to one month after the election, the department increases its headcount to seventy employees to handle the additional work related to the election.

The department hired approximately 2,000 poll workers for a general election in the past. By the time the VSCs open on October 31, there will be as few as 500 individuals working at the VSC locations.

In the past, poll workers were required to attend four hours of training, work one day, and received a tax-free stipend. To comply with some of SB 423 requirements, the way the county compensates poll workers will change with the November election. The county has depended on community volunteers and service organizations to provide staffing for local precincts in the past. The county then paid a stipend to the service organization or individual poll workers. With the new law, and the VSCs required to be open for three days prior to election day, stipends are no longer feasible. Poll workers will now be paid an hourly wage.

Moving away from a stipend to hourly pay, more training days, and longer workdays is a significant change resulting in a budget increase to the department. Since SB 423 requires that that VSC locations be open for four days, this change would have required the county to increase the stipend paid considerably. According to IRS regulations as the county understands them, they must consider the paid volunteers “independent contractors” when the following four conditions apply:

- The county makes the payment to someone who is not a county employee;
- The county makes the payment for services in the course of doing business;
- The county makes the payment to an individual, partnership, estate, or in some cases, a corporation; and
- The county makes payments to the payee of at least \$600 during the year.

When paid volunteers fall into the status of independent contractors, their wages are considered taxable income. Since many of the county’s regular poll workers had already received between \$100 to \$250 for their service in March, there was not much margin there for keeping wages under \$600. Therefore, the county decided to switch to paying everyone hourly. The county is using a temporary employment agency to assist in obtaining qualified workers for election day. The Elections Office is working with the League of Women Voters during this election to figure out how service organizations can assist again in the future.

Under the current rules, there will be two types of workers hired for each VSC location. The first will be supervisors. The elections team needs to place a minimum of two supervisors at each VSC to cover for breaks, lunches, sickness, and other possible coverage issues. The mandatory training, which is still in development, will range between forty to sixty hours.

The second group to be hired are VSC workers, who will support the supervisor in running the VSC. They will assist voters as they arrive, clean booths and screens, register new voters, etc. They will also be paid hourly and work all four days. The mandatory training, which is also in development, will range from one half day to a week.

When planning for the upcoming elections, the department will have additional staff in the call center to assist VSC supervisors. Department staff will be trained so they can assist the VSCs if necessary.

Voting Options

Voters will be able to vote as soon as they receive their ballot in the mail. They will be able to mail it, drop it into a drop box, drop it off at either the Auburn or Rocklin Elections Offices, or drop it off at a VSC when the VSCs open on October 31.

Those individuals wanting to vote in person can do so starting October 5 at either the Auburn or Rocklin Elections Offices. These offices will be open from 8:00 a.m. until 5:00 p.m. Monday through Friday. The last two weekends prior to election day, (October 24/25 and October 31/November 1), the facilities will also be open for voters from 9:00 a.m. until 4:00 p.m. Starting October 31 through election day, voters can vote in person at any of the VSC locations.

Post Office

Individuals can drop their ballots at any US Post Office.

Drop Boxes

In previous years, the county had two drop boxes for voters to use. To comply with both SB 423 and AB 860, the county has added more drop boxes this year. There will now be twenty-seven drop boxes scattered throughout the county. (Reference 3) Elections staff will collect ballots daily from all drop box locations and will either retrieve or close and seal all of the drop boxes at 8:00 p.m. on November 3. The Auburn Elections Office will also retrieve sealed ballots from each of the twenty-eight VSCs during the four days they are open.

Ballots deposited into a drop box will not have a postmark. However, the drop boxes will be sealed closed at 8:00 p.m. on election day.

Voting Service Centers

Some California voters will still need access to in-person voting opportunities. This includes individuals with disabilities, those who speak languages other than English, individuals experiencing homelessness, a voter who never received their vote-by-mail ballot, may have lost or damaged their ballot, or an individual who needs to register to vote.

Placer County, in the past, has had between 215-230 polling locations depending on the type of election. With the new requirements, there will now be twenty-eight VSCs. This November, VSC locations will be open three days before and on election day. The location of these VSCs is determined by population, compliance with the Americans with Disabilities Act, minimum of 1,000 square feet, easily accessible to the public, adequate traffic flow, parking, and building availability. This is a challenge with the VSC locations this year because the facility must be available from October 31 through November 3, versus only one day in past elections. There is some concern that October 31 could be a problematic voting day because of Halloween. The second trimester for many of the school districts across the county is Monday, November 2, 2020. If students are back on campus it could result in lower voting on that day.

These VSCs will be much larger than the neighborhood polling places of the past. This enables the county to maintain the safety measures required for COVID-19 and social distancing. The Placer County Elections staff hopes that voters will take advantage of the three days of early voting at the VSC locations and not wait until November 3 to vote.

Locations of drop boxes and VSCs are provided in the reference section of this report. (Reference 3 and Reference 5). Online access to an interactive tool for drop box locations can be found at <https://www.placerelections.com/drop-box-locations/>.

COVID-19

Placer County Elections staff have taken measures to ensure the health and safety of voters and poll workers during the upcoming election. The office was closed for several weeks beginning in March because of the COVID-19 mandated shutdown. When they reopened on June 8, 2020, they began acquiring Personal Protective Equipment (PPE) for employees and poll workers. For the ballots mailed to registered voters, the county has replaced the “lick and stick” envelopes used in prior elections with “peel and seal” envelopes.

Placer County Elections staff have procured and will provide PPE (such as masks, gloves, and shields) and hand sanitizer to all poll workers in the VSCs. Poll workers will sanitize each voting booth prior to each usage. Additionally, voters will be asked to wear masks and each VSC will have a supply of masks on hand for voters who do not bring them. Voters will not be prevented from voting if they refuse to wear masks. However, those individuals will be directed to a designated voting booth to reduce potential exposure.

Social distancing will be enforced when voters queue up to enter the VSCs as well as within the centers. The voting booths themselves will be spaced at an adequate distance apart, again, to ensure social distancing.

As of the writing of this report, there are no plans to take voter temperatures before they enter the VSCs, but this could change if the State of California provides thermometers to the counties.

Placer County Elections staff have purchased pens for use in the VSCs. Rather than attempting to sanitize and reuse pens after each usage, the county has purchased disposable pens that can either be thrown out or taken home by the voters.

Conclusion

The grand jury found that the Placer Elections Office management and staff are doing an outstanding job planning and preparing for the upcoming general election. While there are unique challenges for the upcoming election, the department is very proactive and working hard to foresee any issues that could arise.

Findings

The grand jury found that:

- F1: Placer County Elections staff are committed to ensuring that registered voters have the opportunity to vote and all ballots are properly collected, counted, and secured.
- F2: Placer County Elections Office is complying with the requirements of SB 423 and AB 860.
- F3: Placer County Elections Office staff works with other public agencies to support the election.
- F4: Placer County Elections staff have planned, developed processes, and invested in supplies to safeguard the health and safety of both voters and poll workers.
- F5: There has been an expansion from 3 days to seventeen days for the collection, verifying, and counting ballots.
- F6: Ballots are collected, verified, and counted beginning October 5, 2020, but are not tabulated until November 3 after 8:00 p.m.
- F7: If voting in person, individuals will have four days to vote at a Voter Service Center, instead of just one day at a precinct.
- F8: Lake Tahoe voters using the US Postal Service could have their ballots delayed getting to the Auburn Elections Office.
- F9: Voters placing a stamp on their return ballot envelope could have their ballots delayed getting to the Auburn Elections Office.
- F10: There will be additional drop box locations for the public to return their vote-by-mail ballots if they choose not to use the US Postal Service.
- F11: The live real-time connection between the VSC locations and the voter registration database has not been previously used.
- F12: The full cost for the November 2020 election is unknown.
- F13: As a result of SB 423 and AB 860, Placer County Elections Office has developed many new processes. The efficacy of these processes will not be known fully until after the November 2020 election.

Recommendations

The grand jury recommends that:

- R1: Placer County Elections staff should develop additional processes for maintaining the accuracy of the voter rolls.
- R2: By March 1, 2021, the Placer County Registrar of Voters will provide to the 2020-2021 Placer County Grand Jury a written summary that documents all costs associated with the November 2020 general election.
- R3: By March 1, 2021, the Placer County Registrar of Voters will provide the 2020-2021 Placer County Grand Jury a written debrief of issues/problems encountered during the November 2020 general election as well as what the department did to resolve the issues/problems and what the department has learned from this experience, both positive and negative.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Ryan Ronco Placer County Clerk-Recorder- Registrar of Voters 2956 Richardson Dr Auburn, CA 95603	R1, R2, R3	December 29, 2020

Copies Sent to:

Bonnie Gore, Chairperson
Placer County Board of Supervisors
 175 Fulweiler Ave
 Auburn, CA 95603

Todd Leopold
Placer County Executive Officer
 175 Fulweiler Ave
 Auburn, CA 95603

Appendixes

Charts

- 1 Voter Statistics for Placer County
- 2 Number of Registered Voters

Exhibits

- 1 Voter Information Sent August 2020
- 2 Sample Email Confirmation for Ballot Tracking
- 3 Signature Verification Statement
- 4 Unsigned Ballot Statement
- 5 Voter Action Request Form

References

- 1 Ballot Data from 2020 Primary Election
- 2 Challenged Ballots from 2020 Primary Election
- 3 Drop Box Locations
- 4 Drop Box Images
- 5 Voter Service Center Locations
- 6 Senate Bill 423
- 7 Assembly Bill 860

Chart 1: Voter Statistics for Placer County



[Placer County Elections](#) » Registration Statistics

Registration Statistics

Recent Trends and Registered Voter Counts in Placer County

	April 2011	Feb 2013	May 2014	Nov 2015	June 2017	April 2018	May 2019
Democratic	57,172	58,313	55,367	54,814	63,061	63,136	67,093
Republican	95,590	97,913	93,354	91,588	97,906	96,226	98,176
American Independent	4,258	4,725	4,605	5,135	6,099	6,377	7,636
Libertarian	1,281	2,256	2,613	2,995	3,310	3,541	3,958
Green	1,791	1,117	1,063	996	896	890	894
Peace & Freedom	331	358	1,063	456	435	443	482
Other	293	417	338	817	671	1,291	1,873
No Party Preference	38,087	43,088	42,778	44,258	47,841	48,914	58,501
TOTAL	198,784	208,187	205,591	201,059	220,219	220,818	238,615

<https://www.placerelections.com/registration-statistics/>


Chart 2: Number of Registered Voters


General Election Year	Number of Registered Voters
2000	145,509
2004	183,202
2008	199,087
2012	208,598
2016	226,454
As of September 15, 2020	225,860


Exhibit 1: Voter Information Sent in August 2020


PLACER COUNTY ELECTIONS OFFICE
2956 Richardson Drive, Auburn, CA 95603


IMPORTANT CHANGES TO THE NOVEMBER ELECTION


 **A ballot for the November 3, 2020 General Election will be mailed to all registered voters beginning October 5, 2020. No request is necessary.**


 **No postage is necessary to return your ballot. You may also return your ballot to any of our secure Ballot Drop Boxes. These locations will be included on placerelections.com and in the Voter Information Guide mailed to you beginning September 24, 2020.**

 **Please check your registration information at VoterStatus.sos.ca.gov to confirm that you are registered and that your ballot will arrive to your correct address.**

 **Sign up at WheresMyBallot.sos.ca.gov to track your ballot and receive notifications on the mailing and counting of your ballot through automatic email, text, or voice call notifications.**

 **Our Remote Accessible Vote by Mail (RAVBM) system provides an accessible option for voters to receive their ballots digitally at home and mark them independently and privately before sending them back to us. Visit placerelections.com or call us for more information. For the November 3, 2020 Election, all registered voters may use the RAVBM option.**

 **Some voters live in voting precincts designated by the Secretary of State as requiring translated facsimile ballots. Those facsimile ballots that voters can use as a reference when voting may be available in Korean, Punjabi, Spanish or Tagalog depending on where you are registered. To find out if your voting precinct will have them, or to request to have one sent to you, please contact our office.**

 **While you will not have your neighborhood polling place, we will staff 28 Voter Service Centers from Saturday, October 31 to Tuesday, November 3 throughout the County. The hours and addresses of these locations will be included on placerelections.com, in the Voter Information Guide and with the ballot mailed to you.**

DID YOUR ADDRESS CHANGE? If you've interacted with the DMV since April of 2018, your voter registration information may have been inadvertently changed. It's important to confirm your voter status, political party affiliation, vote by mail status, and information to make sure you are still registered correctly. Please check your registration at VoterStatus.sos.ca.gov and if necessary update your information **at least 15 days prior to the next election** or you may be required to vote using a provisional ballot.





 1-800-824-8683 or 530-886-5650
  www.placerelections.com
  election@placer.ca.gov

Exhibit 2 : Sample Email Confirmation for Ballot Tracking

California BallotTrax Inbox - Comcast Yesterday at 6:28 PM 

Welcome to BallotTrax

To: [REDACTED]

Reply-To: Placer County

Welcome, [REDACTED]

Thank you for registering for BallotTrax. The BallotTrax system tracks the status of your mail ballot and sends a series of proactive alerts notifying you where your ballot is in the election process, from printed to accepted! This message is to confirm that you have selected to receive e-mail notifications. If this is incorrect or you would like to change your preferences, there are options below to unsubscribe or manage your contact preferences. If you have any additional questions regarding the system, please contact your County Election Official or Clerk & Recorder.

[Manage Contact Preferences](#) | [Unsubscribe](#)

You are receiving this email because [REDACTED] was used to sign up for Placer Ballot Delivery Notifications at <https://placer.ballottrax.net> To keep our e-mails out of your spam/junk mail folder, please add us to your address book.

Delivered by BallotTrax
9501 E Northfield Blvd
Denver CO 80238

Exhibit 3: Signature Verification Statement

RYAN RONCO
COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS

LISA CRAMER
ASSISTANT COUNTY CLERK

STEPHEN AYE
ASSISTANT RECORDER-REGISTRAR



2956 RICHARDSON DRIVE
AUBURN, CA 95603

MAILING ADDRESS:
P.O. Box 7043
AUBURN, CA 95604

ELECTIONS OFFICE

530-886-5650 • Toll Free 800-824-8683 • Fax 530-886-5688
www.placerelections.com • vote@placer.ca.gov

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE STATEMENT.

FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. We have determined that the signature you provided on your vote-by-mail ballot envelope does not match the signature(s) on file in your voter record. In order to ensure that your vote by mail ballot will be counted, the Signature Verification Statement must be completed and returned as soon as possible.
2. The Signature Verification Statement must be received by the elections official of the county where you are registered to vote no later than 5 p.m. two days prior to the certification of the election.
3. You must sign your name below where specified on the Signature Verification Statement (Voter's Signature) and include your address.
4. Place the Signature Verification Statement into a mailing envelope addressed to your local elections official. Mail, deliver, or have the completed Signature Verification Statement delivered to the elections official. Be sure there is sufficient postage if mailed and that the address of the elections official is correct.
5. If you do not wish to send the Signature Verification Statement by mail or have it delivered, you may submit your completed Signature Verification Statement by email or facsimile transmission to your local elections official using the information provided.

SIGNATURE VERIFICATION STATEMENT

I, _____, am a registered voter of
Placer County, State of California.

I declare under penalty of perjury that I requested and returned a vote-by-mail ballot. I am a resident of the precinct in which I have voted, and I am the person whose name appears on the vote-by-mail ballot envelope.

I understand that if I commit or attempt any fraud in connection with voting, or if I aid or abet fraud or attempt to aid or abet fraud in connection with voting, I may be convicted of a felony punishable by imprisonment for 16 months or two or three years.

I understand that my failure to sign this statement means that my vote-by-mail ballot will be invalidated.

Voter's Signature

Printed Name

Address

Date of Birth

Signature Verification Statement

Exhibit 4: Unsigned Ballot Statement

RYAN RONCO
COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS

LISA CRAMER
ASSISTANT COUNTY CLERK

STEPHEN AYE
ASSISTANT RECORDER-REGISTRAR



2956 RICHARDSON DRIVE
AUBURN, CA 95603

MAILING ADDRESS:
P.O. Box 7043
AUBURN, CA 95604

ELECTIONS OFFICE

530-886-5650 • Toll Free 800-824-8683 • Fax 530-886-5688
www.placerelections.com • vote@placer.ca.gov

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE STATEMENT.

FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. You did not sign your vote-by-mail ballot identification envelope. In order to ensure that your vote-by-mail ballot will be counted, your Unsigned Ballot Statement should be completed and returned as soon as possible so that it can reach the elections official of the county in which your precinct is located no later than 5 p.m. two days prior to the certification of the election.
2. You must sign your name below where specified on the Unsigned Ballot Statement (Voter's Signature) and include your address.
3. Place the Unsigned Ballot Statement into a mailing envelope addressed to your local elections official. Mail, deliver, or have the completed Unsigned Ballot Statement delivered to the elections official. Be sure there is sufficient postage if mailed and that the address of the elections official is correct.
4. If you do not wish to send the Unsigned Ballot Statement by mail or have it delivered, you may submit your completed Unsigned Ballot Statement by email or facsimile transmission to your local elections official, or submit your completed statement to a polling place within the county or a ballot drop-off box before the close of the polls on Election Day.

UNSIGNED BALLOT STATEMENT

I, _____, am a registered voter of
Placer County, State of California.

I declare under penalty of perjury that I requested and returned a vote-by-mail ballot and that I have not and will not vote more than one ballot in this election. I am a resident of the precinct in which I have voted, and I am the person whose name appears on the vote-by-mail ballot envelope.

I understand that if I commit or attempt any fraud in connection with voting, or if I aid or abet fraud or attempt to aid or abet fraud in connection with voting, I may be convicted of a felony punishable by imprisonment for 16 months or two or three years.

I understand that my failure to sign this statement means that my vote-by-mail ballot will be invalidated.

Voter's Signature


Printed Name

Address

Date of Birth

Unsigned Ballot Statement

Exhibit 5: Voter Action Request Form

<p>RYAN RONCO COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS</p> <p>LISA CRAMER ASSISTANT COUNTY CLERK</p> <p>STEPHEN AYE ASSISTANT COUNTY RECORDER-REGISTRAR</p>		<p>2956 RICHARDSON DRIVE AUBURN, CA 95603</p> <p><u>MAILING ADDRESS:</u> P.O. Box 5278 AUBURN, CA 95604</p>
<p>PLACER COUNTY ELECTIONS OFFICE 530-886-5650 • Toll Free 800-824-8683 • Fax 530-886-5688 www.placerelections.com • election@placer.ca.gov</p> <p>VOTER ACTION REQUEST FORM</p>		
<p>Instructions to the Voter:</p> <ol style="list-style-type: none"> 1. You must be a registered voter in Placer County to use this form. Please print clearly. 2. If requesting a name or party change, you must re-register. To re-register, go to registertovote.ca.gov 3. A name change, other than to correct a misspelling, requires a new registration to be completed. 4. If requesting an action for a deceased voter provide their information in the VOTER INFORMATION box. 		
<p>VOTER INFORMATION – All information must be provided to complete your request.</p>		
Name:		Birth Date: __/__/____
Registered Address:		
Signature:		Date:
<p>County Voter Information Guide Delivery Preference Request Form:</p> <p><input type="checkbox"/> I want to receive my County Voter Information Guide electronically. I no longer want to receive it by mail.</p> <p><input type="checkbox"/> Email: _____</p> <p><input type="checkbox"/> I want my County Voter Information Guide by mail. Cancel my previous request to opt out of receiving it by mail.</p>		
<p>Correct or update voter registration:</p> <p><input type="checkbox"/> My name is <u>misspelled</u>. The correct spelling is in the VOTER INFORMATION box above. The incorrect spelling is: _____</p> <p><input type="checkbox"/> I moved to a new residence address within Placer County (street address and/or city): _____</p> <p><input type="checkbox"/> <i>My residence is the same, but my mail goes to a different address. My MAILING address is:</i> _____</p> <p><input type="checkbox"/> Remove the following mailing address: _____</p> <p><input type="checkbox"/> Remove any phone number on file <input type="checkbox"/> Remove any email address on file</p>		
<p>Permanent Vote by Mail:</p> <p><input type="checkbox"/> I want to be a Permanent Vote by Mail Voter.</p> <p><input type="checkbox"/> I do not want to be a Permanent Vote by Mail Voter.</p>		
<p>Cancel voter registration:</p> <p><input type="checkbox"/> Please cancel my registration. Reason _____</p> <p><input type="checkbox"/> Voter named above is deceased. (Information may be provided by family or caretaker.)</p> <p>Name of person reporting death _____ Phone _____</p> <p>Signature of person reporting death _____ Relationship to Voter _____</p>		

Reference 1: Ballot Data from 2020 Primary Election

	<p>Returned Ballot Statistics by Return Date/Method showing Challenges for 2020 Presidential Primary Election on March 3, 2020 Ballots Returned from 2/3/2020 to 4/3/2020</p>
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Return Date	Method	Ballots Returned	Good	Subtotal Challenged	= Challenged	+ Cured
3/13/2020	Fax	1	0	1	1	0
	Mail	7	0	7	7	0
	Daily Total:	8	0	8	8	0
3/14/2020	Mail	7	0	7	7	0
	Daily Total:	7	0	7	7	0
3/16/2020	Mail	24	0	24	24	0
	Daily Total:	24	0	24	24	0
3/18/2020	Mail	2	0	2	2	0
	Daily Total:	2	0	2	2	0
3/19/2020	Mail	7	0	7	7	0
	Daily Total:	7	0	7	7	0
3/23/2020	Mail	2	1	1	1	0
	Daily Total:	2	1	1	1	0
3/24/2020	Mail	6	0	6	6	0
	Daily Total:	6	0	6	6	0
3/30/2020	Mail	9	0	9	9	0
	Daily Total:	9	0	9	9	0
4/1/2020	Mail	3	0	3	3	0
	Daily Total:	3	0	3	3	0
Date Range Total:		114,434	111,003	3,431	1,292	2,139

Reference 2: Challenged Ballots



Cumulative Challenged Returns by Return Date
2020 Presidential Primary Election - 3/3/2020

	Ballot missing	Ballot was not received	Multiple ballots	No voter signature	Non-matching signature	Sig Swap	Voter deceased	Total
3/3/2020	4	3	0	17	52	12	0	88
3/4/2020	0	514	0	0	0	0	0	514
3/5/2020	1	1	0	8	35	2	0	47
3/6/2020	1	0	0	18	91	3	0	113
3/9/2020	0	207	0	0	0	0	0	207
3/10/2020	0	13	0	0	0	0	0	13
3/11/2020	0	15	0	0	0	0	0	15
3/12/2020	0	5	0	0	0	0	0	5
3/13/2020	0	7	0	1	0	0	0	8
3/14/2020	0	7	0	0	0	0	0	7
3/16/2020	0	24	0	0	0	0	0	24
3/18/2020	0	2	0	0	0	0	0	2
3/19/2020	0	7	0	0	0	0	0	7
3/23/2020	0	1	0	0	0	0	0	1
3/24/2020	0	6	0	0	0	0	0	6
3/30/2020	0	9	0	0	0	0	0	9
4/1/2020	0	3	0	0	0	0	0	3
Total	10	829	1	95	319	33	5	1292

AVMR131 - Cumulative Challenged Returns by Return Date
Printed: 8/29/2020 3:01:37PM

Reference 3: Drop Box Locations

LOCATION	ADDRESS	CITY
Auburn City Clerk	1225 Lincoln Way, Room 9	Auburn
Elections Office	2956 Richardson Dr	Auburn
Colfax City Clerk	33 S. Main St	Colfax
Granite Bay Library	6475 Douglas Blvd	Granite Bay
Raley's	6845 Douglas Blvd.	Granite Bay
Kings Beach Library	301 Secline St	Kings Beach
Lincoln City Clerk	600 6th St	Lincoln
Sun City Lincoln Hill Comm. Assoc.	965 Orchard Creek Ln	Lincoln
Raley's	39 Lincoln Blvd	Lincoln
Loomis Town Clerk	3665 Taylor Rd	Loomis
Raley's	6119 Horseshoe Bar Rd	Loomis
Squaw Valley PUD	305 Squaw Valley Rd	Olympic Valley
Elections Warehouse	3715 Atherton Rd	Rocklin
Rocklin City Clerk	3970 Rocklin Rd	Rocklin
Rocklin Library	4890 Granite Dr	Rocklin
The Ranch House Community Center	851 Old Ranch House Rd	Rocklin
Veterans Services	1000 Sunset Blvd	Rocklin
Bel Air	2341 Sunset Blvd	Rocklin
Maidu Library	1530 Maidu Dr	Roseville
Martha Riley Library	1501 Pleasant Grove Blvd	Roseville
Roseville City Clerk	311 Vernon St	Roseville
Roseville Downtown Library	225 Taylor St	Roseville
Santucci Justice Center	10810 Justice Center Dr	Roseville
Raley's	4008 Foothills Blvd	Roseville
Raley's	1915 Douglas Blvd	Roseville
Tahoe Administrative Center	775 N Lake Blvd	Tahoe City
Raley's O-N-E Market	10001 Soaring Way	Truckee

Please visit: <https://www.placerelections.com/drop-box-locations/>

For the latest information for locations and hours for each drop box location.

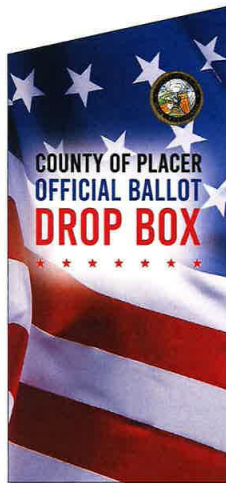
Reference 4: Drop Box Images



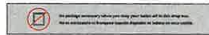
Top
15.92" x 4"



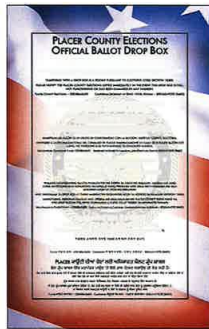
15.92" x 4"



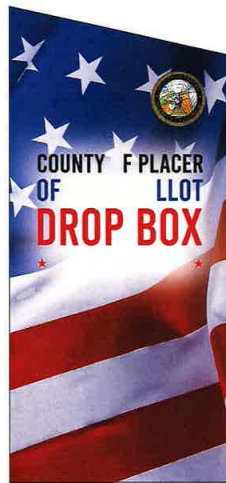
23" x 49.53"



21" x 3.13"



21" x 32.8"



23" x 49.53"



21" x 44.47"

Reference 5: Voter Service Center Locations

LOCATION	ADDRESS	CITY
Alta Community Center	33950 Alta Bonnybrook Rd	Alta
Elections Office	2956 Richardson Dr	Auburn
Gold Country Fairgrounds	1273 High St	Auburn
Sierra Vista Community Center	55 School St	Colfax
Forest Hill High School	23319 Foresthill Rd	Foresthill
Granite Bay High School	1 Grizzly Way	Granite Bay
Granite Bay Library	6475 Douglas Blvd	Granite Bay
North Tahoe Event Center	8318 N Lake Blvd	Kings Beach
Lincoln Crossing Lodge	830 Groveland Ln	Lincoln
Lincoln Public Library	485 Twelve Bridges Dr	Lincoln
Lincoln Veterans Hall	541 5 th St	Lincoln
Sun City Lincoln Hills (Kilaga)	1167 Sun City Blvd	Lincoln
Loomis Veterans Hall	5945 Horseshoe Bar Rd	Loomis
Elections Warehouse	3715 Atherton Rd	Rocklin
Rocklin High School	5301 Victory Ln	Rocklin
Sierra College	5100 Sierra College Blvd	Rocklin
Spring View Middle School	5040 5 th St	Rocklin
Whitney High School	701 Wildcat Blvd	Rocklin
At The Grounds	700 Event Center Dr	Roseville
Buljan Middle School	100 Hallissy Dr	Roseville
Chilton Middle School	4501 Bob Doyle Dr	Roseville
Maidu Community Center	1550 Maidu Dr	Roseville

Mike Shellito Indoor Pool	10210 Fairway Dr	Roseville
Robert C. Cooley Middle School	9300 Prairie Woods Way	Roseville
Roseville Church of Christ	1799 Cirby Way	Roseville
Roseville Sports Center	1545 Pleasant Grove Blvd	Roseville
Roseville Veterans Hall	110 Park Dr	Roseville
The Old Fire House	300 N Lake Blvd	Tahoe City

<https://www.placerelections.com/vote-service-center-locator/>

Please visit <https://www.placerelections.com/vote-service-center-locator/> for the latest information for VSC locations. Each VSC will be open October 31, 8 a.m.-4 p.m., November 1 and 2, 8 a.m.-5 p.m.; and on election day from 7 a.m.-8 p.m.

Reference 6: Senate Bill 423**Senate Bill No. 423**

CHAPTER 31

An act to add and repeal Chapter 7 (commencing with Section 1600) of Division 1 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 06, 2020. Filed with Secretary of State August 06, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

SB 423, Umberg. November 3, 2020, statewide general election.

Existing law authorizes counties, on or after specified dates, to conduct any election as an all-mailed ballot election if, among other conditions, the county elections official provides for ballot drop-off locations and vote centers meeting minimum requirements. Vote centers are required to be open from the 10th day before the election until election day, as specified.

This bill would authorize a county for the November 3, 2020, statewide general election to not have its vote centers open before the 3rd day prior to the election.

In counties without all-mailed ballot procedures, existing law requires the elections official to divide the jurisdiction into precincts meeting certain requirements and to designate a polling place for each precinct.

This bill would provide an alternative procedure for the November 3, 2020, statewide general election authorizing the elections official to establish consolidated precinct boards, located within the same physical polling place, serving the voters residing in multiple adjacent precincts, as provided.

For the November 3, 2020, statewide general election, the bill would also (1) require elections officials to conduct a voter education and outreach campaign, (2) urge counties to provide drive-through ballot drop-off or voting locations, (3) authorize elections officials to establish vote centers, polling places, or consolidated polling places in locations whose primary purpose is the sale and dispensation of alcoholic beverages, (4) require the Secretary of State to establish a process to consider requests from counties to adjust or partially waive the minimally required number, location, or operational duration, of vote centers, consolidated polling places, or ballot drop-off locations, (5) require the Secretary of State to conduct a statewide voter education and outreach campaign regarding new procedures in place for the election, and (6) require the Secretary of State to establish a strike team to assist counties as needed to acquire suitable locations for vote centers, polling places, and consolidated polling places as well as other assets necessary for the safe and successful conduct of the election.

By imposing new requirements on counties, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would declare that it is to take effect immediately as an urgency statute.

DIGEST KEY

Vote: 2/3 Appropriation: NO Fiscal Committee: YES Local Program: YES

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

(a) The Legislature finds and declares all of the following:

(1) To maintain a healthy democracy in California, it is important to encourage eligible voters to vote and to ensure that residents of the state have the tools needed to participate in every election.

(2) When California conducts the November 3, 2020, statewide general election, it is unknown to what degree the COVID-19 pandemic will still pose a threat to public health. The state and its counties need to begin taking action now to procure supplies and equipment, secure voting locations, enlist volunteers, and draw up plans, among other steps, to ensure that the November 3, 2020, statewide general election is held in a manner that is accessible, secure, and safe.

(3) To preserve public health in the face of the threat of COVID-19, and to ensure that the November election is accessible, secure, and safe, all Californians will be empowered to vote by mail, from the safety of their own homes, pursuant to Governor Newsom's Executive Order N-64-20, issued on May 8, 2020, and as proposed by Assembly Bill 860 of the 2019-20 Regular Session.

(4) However, many Californians will still need access to in-person voting opportunities, including, but not limited to, individuals with disabilities, individuals who speak languages other than English, individuals experiencing homelessness, individuals who never received their vote-by-mail ballot, lost or damaged their ballot, or need to register to vote, as well as others who may find vote-by-mail less accessible than in-person voting. We owe these Californians safe in-person voting opportunities this November.

(b) It is the intent of the Legislature in enacting this act to do all of the following:

(1) To ensure that the November 3, 2020, statewide general election is conducted in a manner that protects and strengthens access for low-propensity voters and voters who have no history of voting by mail, first-time voters such as young voters and newly naturalized voters, housing insecure voters, and other voters who may be disproportionately impacted by the changes to election procedures that were necessitated by the COVID-19 pandemic.

(2) To ensure that safe, in-person voting opportunities are available this November in a manner that is consistent with public health guidance and requirements.

(3) To provide flexibility to counties in conducting the election in recognition of the challenges to election administration posed by the COVID-19 pandemic, while limiting changes to in-person voting opportunities to the minimum changes necessary to ensure that the election can be conducted in a manner consistent with public health requirements.

(4) To redirect any money that is saved from a reduction of in-person voting locations into voter education and outreach for the November 3, 2020, statewide general election.

SEC. 2.

Chapter 7 (commencing with Section 1600) is added to Division 1 of the Elections Code, to read:

CHAPTER 7. November 3, 2020, Statewide General Election

1600.

This chapter applies only to the November 3, 2020, statewide general election.

1601.

Notwithstanding Sections 4005 and 4007, a county that conducts the November 3, 2020, statewide general election pursuant to either of those sections is not required to have its vote centers open before the third day prior to the election.

1602.

(a) A county that does not conduct the November 3, 2020, statewide general election pursuant to either Section 4005 or 4007 may choose to follow the procedures described in this section as an alternative to procedures that would otherwise be applicable in that county.

(b) (1) While maintaining separate geographical precincts under the existing limits on number of voters provided in Section 12223, the elections official may establish consolidated precinct boards, located within the same physical polling place, serving the voters residing in multiple adjacent precincts established pursuant to Section 12223 at a maximum ratio of one consolidated precinct board location for every 10,000 registered voters. These consolidated polling locations shall be open from Saturday, October 31, 2020, through Monday, November 2, 2020, for at least eight hours each day at regular hours convenient for members of the public. On the day of the election, the consolidated polling location shall be open from 7 a.m. to 8 p.m.

(2) In establishing the consolidated polling places, the elections official shall take into consideration the boundaries of state legislative, congressional, county supervisorial, and any other affected local legislative districts.

(3) The elections official shall ensure that the consolidated polling places are equitably distributed across the county to afford maximally convenient options for all voters and are established at accessible locations as near as possible to established public transportation routes. A consolidated polling place shall be located within the boundary of one of the precincts it serves.

(4) (A) The consolidated polling places shall be equipped with voting units or systems that are accessible to individuals with disabilities and provide the same opportunity for access and participation as is provided to voters who are not disabled, including the ability to vote privately and independently, in accordance with Sections 12280 and 19240. Each consolidated polling place shall have at least three voting machines that are accessible to voters with disabilities.

(B) The consolidated polling places shall comply with the accessibility requirements described in Article 5 (commencing with Section 12280) of Chapter 3 of Division 12, the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(5) The elections official shall provide each consolidated polling place with enough ballots, provisional ballots, and provisional ballot envelopes to ensure every voter can be accommodated, as necessary.

(c) (1) In a county with consolidated polling places as described in this section, the elections official shall provide at least two ballot drop-off locations within the county or at least one ballot drop-off location for every 15,000 registered voters, whichever results in more ballot drop-off locations. For purposes of this paragraph, a consolidated polling place that includes an exterior ballot drop box counts only as a single ballot drop-off location.

(2) A ballot drop-off location provided for under this subdivision consists of a secure, accessible, and locked ballot box located as near as possible to established public transportation routes and that is able to receive

voted ballots. All ballot drop-off locations shall be open at least during regular business hours beginning not less than 28 days before the day of the election, and on the day of the election.

(3) At least one ballot drop-off location shall be an exterior drop box that is available for a minimum of 12 hours per day. Because health directives to prevent the spread of COVID-19 may result in reduced access to some buildings, counties are encouraged to maximize the number of ballot drop-off locations that are exterior drop boxes or that are located in buildings, such as supermarkets or drugstores, that are likely to be considered essential businesses that will remain open to the public notwithstanding any physical distancing measures that are in place during the period beginning 28 days before the date of the election and ending on election day.

(4) For the purposes of this section, “ballot drop-off location” has the same meaning as in Section 3025.

(d) (1) In a county with consolidated polling places as described in this section, the elections official shall provide at least one location, open at least during regular business hours beginning 28 days before the day of the election, at which a voter may do any of the following:

(A) Return, or vote and return, the voter’s vote by mail ballot.

(B) Register to vote, update the voter’s voter registration, and vote pursuant to Section 2170.

(C) Receive and vote a provisional ballot pursuant to Section 3016 or Article 5 (commencing with Section 14310) of Chapter 3 of Division 14.

(D) Receive a replacement ballot upon verification that a ballot for the same election has not been received from the voter by the county elections official. If the county elections official is unable to determine if a ballot for the same election has been received from the voter, the county elections official may issue a provisional ballot.

(E) Vote a regular, provisional, or replacement ballot using accessible voting equipment that provides for a private and independent voting experience.

(2) The elections official is urged to offer voters the ability to schedule an appointment to visit a location established pursuant to this subdivision.

(e) In determining the locations of consolidated polling places and ballot drop-off locations pursuant to this section, the county shall consider vote center and ballot drop-off location proximity to communities with historically low vote by mail usage. Counties shall also consider other criteria described in subparagraph (B) of paragraph (10) of subdivision (a) of Section 4005, to the extent data is readily available.

(f) Prior to finalizing the locations of consolidated polling places and ballot drop-off locations, the county elections official shall publicly notice in all legally required languages for that county the proposed consolidated polling place locations and ballot drop-off locations, shall post a copy of those locations on the elections official’s internet website, and shall accept public comments on the proposed locations for at least 10 days after publicly noticing the proposed locations. Following the 10-day public comment period, the elections official shall consider any comments the official receives from the public, and shall adjust consolidated polling place and ballot drop-off locations in response to the public comments to the extent the official deems appropriate before finalizing the locations to be used as consolidated polling places and ballot drop-off locations.

1603.

(a) Each county shall conduct a voter education and outreach campaign in all legally required languages for that county notifying voters about mail ballots, early voting opportunities, accessible voting options, and where and how to remedy any voting related problem.

(b) Each county is urged to provide drive-through ballot drop-off or voting locations. If a voter is waiting in a vehicle, the voter is considered “in line” for the purposes of keeping the polls open a sufficient time to enable them to vote pursuant to Section 14401.

(c) Notwithstanding Section 12288, an elections official may establish a vote center, polling place, or consolidated polling place in a location whose primary purpose is the sale and dispensation of alcoholic beverages.

1604.

(a) (1) The Secretary of State shall establish a process to consider requests from counties to adjust or partially waive the minimally required number, location, or operational duration, of vote centers, consolidated polling places, or ballot drop-off locations described in Section 1602 or Sections 4005 and 4007. The process shall include, but not be limited to, review and modification, denial, or granting of a county’s request in a timeframe to be determined by the Secretary of State. The Secretary of State shall not grant a county a complete waiver of the minimally required number, location, or operational duration, of vote centers, consolidated polling places, or ballot drop-off locations described in Section 1602 or Sections 4005 and 4007.

(2) (A) Prior to requesting a modification or partial waiver pursuant to paragraph (1), a county shall develop a draft plan that includes, but is not limited to, a written analysis of in-person voting needs in that county. The written analysis shall identify how the county’s proposed levels of in-person voting are designed to safely accommodate the anticipated demand for voting services at those locations, including in-person voting, ballot replacement, ballot drop-off, conditional voter registration, language assistance, and voting assistance, shall report on efforts made to secure the otherwise required number of vote centers, consolidated polling places, and election personnel, and shall include a discussion of how the elections official will ensure that there will not be a disparate impact on any protected class of voters with regard to availability of voting machines and voting locations. In determining in-person voting locations that will be made available pursuant to the plan, the county shall consider the needs of individuals who do not have a history of voting by mail and other criteria described in subparagraph (B) of paragraph (10) of subdivision (a) of Section 4005, to the extent data is readily available.

(B) The county elections official shall publicly notice in all legally required languages for that county the draft plan required by subparagraph (A), shall post a copy of the draft plan in all legally required languages for that county on the elections official’s internet website, and shall accept public comments on the draft plan for at least 10 days after publicly noticing the draft plan.

(C) Following the 10-day review period required by subparagraph (B), the elections official shall consider any public comments the official receives from the public, shall amend the draft plan in response to the public comments to the extent the official deems appropriate, and may adopt a final plan and submit that plan to the Secretary of State along with the request for a modification or partial waiver pursuant to paragraph (1). The elections official shall post the county’s request for a modification or partial waiver on the elections official’s internet website, and the Secretary of State shall post a copy of the secretary’s response on the secretary’s internet website.

(3) A partial waiver or modification shall not be granted to a county unless the elections official in that county can demonstrate all of the following:

(A) The official made best efforts to secure the required in-person voting locations.

(B) The plan will not have a negative disparate impact on disabled voters or any protected class of voters.

(C) The plan will not reduce in-person voting locations below a number of locations necessary to safely and efficiently accommodate the anticipated demand for in-person voting services.

(4) For the purposes of this subdivision, “protected class” means a class of voters who are members of a race, color, or language minority group, as this class is referenced and defined in the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.).

(b) The Secretary of State shall conduct a statewide voter education and outreach campaign regarding new procedures in place for the November 3, 2020, statewide general election, including, but not limited to, procedures relating to voting by mail, newly consolidated polling places and services provided therein, available language assistance, voter registration, conditional voter registration and voting, and accessible vote by mail voting.

(c) The Secretary of State shall establish a strike team to assist counties as needed to acquire suitable locations for vote centers, polling places, and consolidated polling places as well as other assets necessary for the safe and successful conduct of the November 3, 2020, statewide general election. The strike team shall include members of the Secretary of State’s legal and investigative divisions as well as Deputy Attorneys General provided for this purpose by the Department of Justice. The strike team shall assist with the enforcement of this code, including, but not limited to, Article 5 (commencing with Section 12280) of Chapter 3 of Division 12 and Chapter 1 (commencing with Section 18000) of Division 18. In undertaking its responsibilities, the strike team shall seek to ensure that the November 3, 2020, statewide general election is conducted in a manner that is as consistent as possible with state and federal voting rights laws.

(d) The Secretary of State is encouraged to work with health officials, elections officials, and other stakeholders to establish guidelines for the use of personal protective equipment by individuals at in-person voting locations, including election workers, precinct board members, and voters. These guidelines may include, but are not limited to, requiring that individuals who are physically present at voting locations wear personal protective equipment when they are required by state or local health guidelines, ensuring that elections officials have sufficient personal protective equipment for use at in-person voting locations by election workers, precinct board members, and voters, and procedures to ensure that voters are not turned away from using in-person voting locations due to a lack of access to the necessary personal protective equipment.

1605.

Notwithstanding any other law, a county may only hold the November 3, 2020, statewide general election in the manner provided for in this chapter if each registered voter is also mailed a vote by mail ballot.

1606.

This chapter shall remain in effect only until January 1, 2021, and as of that date is repealed.

SEC. 3.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 4.

This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure the November 3, 2020, statewide general election can be conducted safely and successfully, it is necessary for this act to take effect immediately.

Reference 7: Assembly Bill 860**Assembly Bill No. 860**

CHAPTER 4

An act to amend Sections 3019.7, 3020, and 15101 of, and to add Sections 3000.5 and 3016.7 to, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 18, 2020. Filed with Secretary of State June 18, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

AB 860, Berman. Elections: vote by mail ballots.

Under existing law, a registered voter may vote by mail by requesting a vote by mail ballot for a specific election or by becoming a permanent vote by mail voter. County elections officials must begin mailing ballots and other required materials to these voters no later than 29 days before the day of the election. Existing law, the California Voter's Choice Act, authorizes any county to conduct any election occurring on or after January 1, 2020, as an all-mailed ballot election if specified conditions are met. In an all-mailed ballot election held under the act, the county elections official must mail a ballot to every registered voter, regardless of whether the voter requested a vote by mail ballot or is a permanent vote by mail voter.

This bill would require county elections officials to mail a ballot to every registered voter for the November 3, 2020, statewide general election.

Existing law requires county elections officials to permit voters with a disability, and military or overseas voters, to cast a ballot using a certified remote accessible vote by mail system.

This bill would require county elections officials to permit any voter to cast a ballot using a certified remote accessible vote by mail system for the November 3, 2020, statewide general election.

Existing law requires the Secretary of State to establish, by January 1, 2020, a system that a county elections official may use to allow a voter to track the voter's vote by mail ballot through the mail system and processing by the county elections official. County elections officials are not required to use the system, however.

This bill would require county elections officials to use the Secretary of State's system, or a system that meets the same specifications, for the November 3, 2020, statewide general election.

Under existing law, a vote by mail ballot is timely cast if it is voted on or before election day and, if returned by mail, received by the voter's elections official via the United States Postal Service, or a bona fide private mail delivery company, no later than 3 days after election day.

This bill would, for the November 3, 2020, statewide general election, extend the deadline by which vote by mail ballots must be received by the county elections official to the 17th day after election day.

Under existing law, any jurisdiction having the necessary computer capability may start to process vote by mail ballots on the 10th business day before the election. This processing includes opening vote by mail ballot return envelopes, removing ballots, duplicating any damaged ballots, and preparing the ballots to be machine

read, or machine reading them, including processing write-in votes so that they can be tallied by the machine, but under no circumstances may a vote count be accessed or released until 8 p.m. on the day of the election.

This bill would authorize these jurisdictions, for the November 3, 2020, statewide general election, to begin processing vote by mail ballots on the 29th day before the election.

By requiring county elections officials to mail a ballot to every registered voter, and to take other actions expanding vote by mail voting, including making remote accessible voting available to all voters, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would declare that it is to take effect immediately as an urgency statute.

DIGEST KEY

Vote: 2/3 Appropriation: NO Fiscal Committee: YES Local Program: YES

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

The Legislature finds and declares all of the following:

- (a) To maintain a healthy democracy in California, it is important to encourage eligible voters to vote and to ensure that residents of the state have the tools needed to participate in every election.
- (b) Vote by mail voting has become the means by which most Californians exercise their right to vote. In the most recent statewide general election, held in November 2018, 65.31 percent of voters used a vote by mail ballot. Just 10 years ago, in the November 2010 statewide general election, only 48.44 percent of voters used a vote by mail ballot.
- (c) Preliminary data indicates that for the March 2020 statewide primary election, approximately 78 percent of registered voters received a ballot in the mail.
- (d) Shortly after the March 2020 statewide primary election, the Governor and local governments declared states of emergency and took steps to reduce the spread of COVID-19. One of the early steps taken by the Governor was to order that three pending special elections be conducted as all-mailed ballot elections. This order was issued based on concerns that widespread in-person voting would conflict with public health officials' guidance on COVID-19.
- (e) Since California held its statewide primary election in March 2020, at least 16 states have either postponed their scheduled primary elections, or switched them to vote by mail elections, due to concerns that

conducting in-person voting during the spread of COVID-19 would threaten the health and safety of voters, election workers, and the general public.

(f) In Wisconsin's statewide primary election conducted on April 7, 2020, during which millions of voters had no choice but to vote in person, elections officials were forced to significantly reduce the number of polling locations because of COVID-19. In Milwaukee, the number of polling locations open on election day was reduced by more than 97 percent.

(g) A statewide general election will be held in California on November 3, 2020, and it is uncertain whether by that date the COVID-19 pandemic will have subsided and what social distancing guidelines will remain in place. Even if the pandemic has subsided by the time of the election, many voters may nonetheless be uncomfortable with in-person voting because of health concerns.

(h) Broadening the ability of California residents to engage in the democratic process will yield more representative election results and will ensure that the voices of more California residents are heard.

(i) Mailing every voter a ballot for the November 2020 statewide general election is an important step in promoting resilience in the state's elections and ensuring that every California voter will have the opportunity to fill out their ballot in a safe manner.

(j) Consistent with paragraph (2) of subdivision (a) of Section 2226 of the Elections Code, and with the longstanding interpretation by state and local elections officials of Sections 4000 to 4108, inclusive, of the Elections Code governing the conduct of all-mailed ballot elections and of Section 3005 of the Elections Code governing mailed ballot precincts, nothing in this act is intended, and shall not be construed, to mean that a voter with an inactive voter registration status shall receive a vote by mail ballot for the November 3, 2020, statewide general election.

SEC. 2.

Section 3000.5 is added to the Elections Code, to read:

3000.5.

(a) Notwithstanding any other law, for the statewide general election to be held on November 3, 2020, the county elections official shall, no later than 29 days before the day of the election, begin mailing the materials specified in Section 3010 to every registered voter in the county. The county elections official shall have five days to mail a ballot to each person who is registered to vote on the 29th day before the day of the election and five days to mail a ballot to each person who is subsequently registered to vote. The county elections official shall not discriminate against any region or precinct in the county in choosing which ballots to mail first within the prescribed five-day mailing period.

(b) The distribution of vote by mail ballots to all registered voters does not prevent a voter from voting in person at a polling place, vote center, or other authorized location.

SEC. 3.

Section 3016.7 is added to the Elections Code, to read:

3016.7.

For the statewide general election to be held on November 3, 2020, the county elections official shall permit any voter to cast a ballot using a certified remote accessible vote by mail system, regardless of whether the voter is a voter with disabilities or a military or overseas voter.

SEC. 4.

Section 3019.7 of the Elections Code is amended to read:

3019.7.

(a) Not later than January 1, 2020, the Secretary of State shall establish a system that a county elections official may use to allow a vote by mail voter to track the voter's vote by mail ballot through the mail system and as the vote by mail ballot is processed by the county elections official. The system established pursuant to this section shall, at a minimum, allow a voter to register to receive information via email or text message from the county elections official about the status of the voter's vote by mail ballot, including all of the following information:

(1) A notification when the ballot has been delivered by the county elections official to the United States Postal Service.

(2) A notification of the date, based on information from the United States Postal Service, that the voter's ballot is expected to be delivered to the voter.

(3) A notification if the voter's ballot is returned as undeliverable to the county elections official by the United States Postal Service.

(4) A notification when the voter's completed ballot has been received by the county elections official.

(5) A notification that the voter's completed ballot has been counted, or, if the ballot cannot be counted, a notification of the reason why the ballot could not be counted and instructions of any steps that the voter can take in order to have the ballot counted.

(6) A reminder of the deadline for the voter to return the voter's ballot if the county elections official has not received a voter's completed ballot by specified dates as determined by the county elections official.

(b) The Secretary of State shall make the system established pursuant to subdivision (a) available for use by each county. A county elections official may use the system for the purpose of complying with Section 3019.5.

(c) The Secretary of State shall use funds provided to the state pursuant to the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.) to develop the system described in this section. The Secretary of State shall implement this section only to the extent that these funds are available.

(d) For the statewide general election to be held on November 3, 2020, the county elections official shall use the system established by the Secretary of State pursuant to subdivision (a), unless the county makes available to voters a different vote by mail ballot tracking system that meets or exceeds the level of service provided by the Secretary of State's system.

SEC. 5.

Section 3020 of the Elections Code is amended to read:

3020.

(a) All vote by mail ballots cast under this division shall be received by the elections official from whom they were obtained or by the precinct board no later than the close of the polls on election day.

(b) Notwithstanding subdivision (a), any vote by mail ballot cast under this division shall be timely cast if it is received by the voter's elections official via the United States Postal Service or a bona fide private mail delivery company no later than three days after election day and either of the following is satisfied:

(1) The ballot is postmarked on or before election day or is time stamped or date stamped by a bona fide private mail delivery company on or before election day.

(2) If the ballot has no postmark, a postmark with no date, or an illegible postmark, the vote by mail ballot identification envelope is date stamped by the elections official upon receipt of the vote by mail ballot from the United States Postal Service or a bona fide private mail delivery company, and is signed and dated pursuant to Section 3011 on or before election day.

(c) For purposes of this section, "bona fide private mail delivery company" means a courier service that is in the regular business of accepting a mail item, package, or parcel for the purpose of delivery to a person or entity whose address is specified on the item.

(d) Notwithstanding subdivisions (a) and (b), for the statewide general election to be held on November 3, 2020, any vote by mail ballot cast under this division shall be timely cast if it is received by the voter's elections official via the United States Postal Service or a bona fide private mail delivery company by the 17th day after election day and either of the following is satisfied:

(1) The ballot is postmarked on or before election day, is time stamped or date stamped by a bona fide private mail delivery company on or before election day, or it is otherwise indicated by the United States Postal Service or a bona fide private mail delivery company that the ballot was mailed on or before election day.

(2) If the ballot has no postmark, a postmark with no date, or an illegible postmark, and no other information is available from the United States Postal Service or the bona fide private mail delivery company to indicate the date on which the ballot was mailed, the vote by mail ballot identification envelope is date stamped by the elections official upon receipt of the vote by mail ballot from the United States Postal Service or a bona fide private mail delivery company, and is signed and dated pursuant to Section 3011 on or before election day.

SEC. 6.

Section 15101 of the Elections Code is amended to read:

15101.

(a) Any jurisdiction in which vote by mail ballots are cast may begin to process vote by mail ballot return envelopes beginning 29 days before the election. Processing vote by mail ballot return envelopes may include verifying the voter's signature on the vote by mail ballot return envelope pursuant to Section 3019 and updating voter history records.

(b) (1) Any jurisdiction having the necessary computer capability may start to process vote by mail ballots on the 10th business day before the election. Processing vote by mail ballots includes opening vote by mail ballot return envelopes, removing ballots, duplicating any damaged ballots, and preparing the ballots to be machine read, or machine reading them, including processing write-in votes so that they can be tallied by the machine, but under no circumstances may a vote count be accessed or released until 8 p.m. on the day of the election. All other jurisdictions shall start to process vote by mail ballots at 5 p.m. on the day before the election.

(2) For the statewide general election to be held on November 3, 2020, any jurisdiction having the necessary computer capability may start to process vote by mail ballots on the 29th day before the election. Processing vote by mail ballots includes opening vote by mail ballot return envelopes, removing ballots, duplicating any damaged ballots, and preparing the ballots to be machine read, or machine reading them, including processing write-in votes so that they can be tallied by the machine, but under no circumstances may a vote count be accessed or released until 8 p.m. on the day of the election. All other jurisdictions shall start to process vote by mail ballots at 5 p.m. on the day before the election.

(c) Results of any vote by mail ballot tabulation or count shall not be released before the close of the polls on the day of the election.

SEC. 7.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 8.

This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

To ensure that county elections officials have sufficient time to prepare and mail a ballot to every registered voter in advance of the November 3, 2020, statewide general election, it is necessary for this act to take effect immediately.



Continuity and Accountability

**Review of Placer County Grand Jury
Reports from 2019-2020**



Continuity and Accountability Review of Placer County Grand Jury Reports for 2019-2020

Summary

The primary duty of the Placer County Grand Jury is to investigate the functions of city and county government, schools, and special districts. Each year in June, the grand jury issues its final report which includes reports on inspections and investigations done during the term.

The report provides findings and recommendations for each investigation and inspection. Traditionally, a Response Report is issued in the November timeframe by the grand jury containing the responses from the investigated entities to their respective recommendations.

The 2020-2021 grand jury believes it is important to verify that the responses were compliant with Penal Code § 933.05, which outlines what each response is to include. The intent of this report is to confirm that entities comply with the Penal Code. The Placer County Grand Jury has not produced a continuity report in the past.

Background

A continuity report is not required by the Penal Code. The grand jury reviews the responses and compiles the Response Report for publication. In a review of past Placer County Grand Jury final reports, it has been identified that a number of responses have not complied with Penal Code § 933.05. Since there has been no follow up to the responses, there has been no accountability for responding entities to comply with the Penal Code.

In past years the task of following up on responses that did not comply with the Penal Code has been taken on by the Placer County Grand Jurors' Association (PCGJA). This association is comprised of former grand jurors. Although the PCGJA assumed this task, it was not their primary function. This resulted in many non-responsive recommendations not being addressed.

Methodology

The grand jury reviewed all of the reports and responses to the 2019-2020 Placer County Grand Jury Final Report, which was published on June 30, 2020. The final report contained seven individual reports, with thirty-six findings and twenty-eight recommendations. The 2020-2021 did not review nor had access to the prior grand jury's evidence of work, which is confidential. In addition, the grand jury researched continuity reports from several different counties.

California Penal Code § 933.05

(emphasis added)

- (a) For purposes of subdivision (b) of Penal Code § 933, as to each grand jury finding, 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, therefore.**
- (b) For purposes of subdivision (b) of Penal Code § 933, 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 timeframe for implementation.**
 - (3) 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 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 timeframe 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**, therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

Discussion

After research on a topic has been completed, the grand jury determines what facts of the investigation or inspection have been discovered. What is a fact? Facts are:

- objective (neutral, unbiased, and not judgmental),
- not subject to interpretation,
- precise and accurate – numbers, dates, amounts, etc., and
- verified – not raw evidence, such as hearsay.

Once the grand jury has determined the facts they have discovered, findings are developed. The grand jury's findings are listed in each report and may or may not lead to a recommendation. What is a finding? Findings:

- contain a conclusion or value judgement,
- express approval or disapproval,
- show the need for action, and
- are clear and contain one main idea.

From the findings, recommendations are written, which are actions the grand jury concludes the investigated/inspected entities should implement. Recommendations should be SMART, meaning they must be **s**pecific, **m**easurable, **a**ctionable, **r**easonable, and **t**ime-framed.

When the entities respond, they must follow Penal Code § 933.05, which specifically states what responses must include. The grand jury discovered that some of the respondents did not agree with several of the findings but did implement the recommendation the grand jury published.

The following charts provide the findings, recommendations, and responses to five reports published by the Placer County Grand Jury in June 2020. Two reports did not contain recommendations and therefore required no responses. Following each response in the charts is the 2020-2021 grand jury's evaluation of the response and its compliance with Penal Code § 933.05.

ACCESS TO AGENDAS

Summary

California enacted Assembly Bill 2257, codified in California Government Code 54954.2 requiring all legislative bodies, such as city councils and boards of supervisors, to have a prominent, direct to their agenda on their website's homepage and other specific requirements related to the listing of that agenda after January 1, 2019. The Placer County Grand Jury investigated compliance with this legislation for the Placer County Board of Supervisors, the City Councils of Auburn, Colfax, Lincoln, Roseville, and Rocklin and the Town Council of Loomis. We found that only the City of Colfax was fully compliant as of February 2020. The grand jury recommends that the non-compliant legislative bodies update their websites to comply with the current requirements.

Finding					Recommendation									Response	
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement			
F1: The City of Colfax complies with AB 2257 and offers the convenience of an agenda subscription service.					There was no recommendation associated with this Finding.										

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
<p>F2: The Placer County website provides a prominent, direct link to the current Board of Supervisors meeting agenda. The listing of the Board Supervisors meeting agendas is not sorted in reverse chronological order; therefore, it does not comply with AB 2257.</p>	X				<p>R1: Placer County update its website to ensure that the Board of Supervisors agenda webpage lists the most recent agenda first by October 1, 2020.</p>	X	X						<p>Bonnie Gore, Chair of the Placer County Board of Supervisors: This recommendation has been implemented.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05</i></p> <p><i>The website was viewed, and it was confirmed the website is compliant.</i></p>

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
<p>F3: The City of Auburn website does not provide a prominent, direct link to the current City Council meeting agenda, nor does it provide a direct link to an agenda management platform listing of City Council meeting agendas; therefore, it does not comply with AB 2257.</p>			X		<p>R2: The City of Auburn update its website by incorporating a prominent, direct link to the current City Council meeting agenda or listing of city council agendas by October 1, 2020. If the link is to a list of agendas, they must list the most recent agenda first.</p>		X				X		<p>Daniel Berlant, Mayor for the City of Auburn: The recommendation has been implemented. Despite the City's response to the finding, the City has incorporated a direct link to the agenda of its upcoming City Council meeting on the homepage of its website.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p> <p><i>The website was viewed, and it was confirmed the website is compliant.</i></p>

Finding					Recommendation								Response	
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement		
F4: The City of Lincoln website does not provide a prominent link to the current City Council meeting agenda; therefore, it does not comply with AB 2257.		X			R3: The City of Lincoln update its website by making the direct link to the current City Council meeting agenda prominent by October 1, 2020.		X					X		<p>Dan Karleskint, Mayor for the City of Lincoln: The City has added an additional link in the center of the home page making it more prominent by highlighting in blue.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p> <p><i>The website was viewed, and it was confirmed the website is compliant.</i></p>

Finding					Recommendation								Response	
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement		
F5: The City of Roseville website does not provide a prominent, direct link to the current City Council meeting agenda, nor does it provide a direct link to an agenda management platform listing of the City Council meeting agendas; therefore, it does not comply with AB 2257.	X				R4: The City of Roseville update its website by incorporating a prominent, direct link to the current City Council meeting agenda or list of city council agendas by October 1, 2020. If the link is to a list of agendas, they must list the most recent agenda first.	X	X							John B. Allard II, Mayor for the City of Roseville: The City of Roseville has placed a prominent, direct link to the current City Council meeting agenda on the City's homepage, which lists the most recent agenda first. <i>The grand jury found this response to be compliant with Penal Code § 933.05.</i> <i>The website was viewed, and it was confirmed the website is compliant.</i>
F6: The City of Rocklin website does not provide a prominent, direct link to the current City Council meeting agenda, nor does it provide a direct link to an agenda management platform listing of the City Council meeting agendas; therefore, it does not comply with AB 2257.		X			R5: The City of Rocklin update its website by incorporating a prominent, direct link to the current City Council meeting agenda or list of city council agendas by October 1, 2020. If the link is to a list of agendas, they must list the most recent agenda first.	X	X							Greg Janda, Mayor for the City of Rocklin: The city did not leave any comments. <i>The grand jury found this response to be compliant with the Penal Code § 933.05.</i> <i>The website was viewed, and it was confirmed the website is compliant.</i>

Finding	Agree with Finding				Recommendation	Agree with Recommendation								Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement		
F7: The Town of Loomis website does not provide a prominent, direct link to the current City Council meeting agenda, nor does it provide a direct link to an agenda management platform listing of the City Council meeting agendas. The agenda for the Town of Loomis is not searchable for specific terms. Therefore, it does not comply with AB 2257.	X				R6: The Town of Loomis update its website by incorporating a prominent, direct link to the current City Council meeting agenda or list of city council agendas and ensure that the posted agenda is searchable by October 1, 2020. If the link is to a list of agendas, they must list the most recent agenda first.	X	X							Jan Clark-Crets, Mayor for the Town of Loomis: It should be noted that the Town website used by the Grand Jury has been completely updated. The new website, which launched June 25, 2020, now complies with AB 2257. Therefore, the Town of Loomis agrees with Recommendation R6. <i>The grand jury found this response to be compliant with Penal Code § 933.05.</i> <i>The website was viewed, and it was confirmed the website is compliant.</i>

PIONEER COMMUNITY ENERGY

Summary

Pioneer Community Energy is a Community Choice Aggregator, operating as a Joint Powers Authority to purchase wholesale electrical power to be delivered and billed to customers by PG&E.

Pioneer's Executive Director serves simultaneously as Pioneer Governing Board Secretary and as the elected Treasurer-Tax Collector of Placer County. Pioneer is understaffed with most work done by the Treasurer-Tax Collector Office employees or outside consultants. Delays in decision-making by the Governing Board have impacted financial performance and organizational effectiveness.

The grand jury recommends that Pioneer's Governing Board hire a qualified permanent Executive Director who is not an elected public official. Together, the Board and Executive Director should identify critical resources and create a staffing plan to reduce dependence on Placer County personnel and outside consultants. The Board should create a comprehensive strategic plan to guide its decision for establishing stable finances and meeting existing and future challenges.

As the grand jury concludes this investigation, the consequences of the COVID-19 pandemic are unknown but could include revenue losses due to reductions in power usage, customers unable to make timely payments, and increases in uncollectable accounts.

Finding					Recommendation								Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F1: After nine months, the Governing Board has not yet replaced the interim Executive Director, who resigned July 30, 2019.		X			R1: The Pioneer Governing Board identify a new, full time, Executive Director by October 1, 2020.	X	X						Greg Janda, Pioneer Community Energy Board Chair: A new, full-time Executive Director commenced duties July 13, 2020. <i>The grand jury found this response to be compliant with Penal Code § 933.05.</i>
F2: The Governing Board's active involvement is largely rate setting and meeting attendance.		X			There was no recommendation associated with this Finding.								
F3: The Governing Board's delay in making strategic decisions has resulted in a loss of revenue.		X			R2: By October 1, 2020, the Board direct the Executive Director to create a plan for educating new board members on Pioneer's basic finances and operations to improve their ability to provide effective oversight of the CCA.			X					Greg Janda, Pioneer Community Energy Board Chair: This will be implemented by February 2021. The Executive Director has developed a plan to provide an educational presentation to the Board as part of regular Board meetings. The Executive Director presented the first installment of the educational series at the August 20, 2020 Board meeting. That presentation included an overview

Finding					Recommendation								Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F3 Continued: The Governing Board's delay in making strategic decisions has resulted in a loss of revenue.		X			R2 Continued: By October 1, 2019, the Board direct the Executive Director to create a plan for educating new board members on Pioneer's basic finances and operations to improve their ability to provide effective oversight of the CCA.			X					of the CCA business and a review of the business model. Future installments of educational presentations at Board meetings are anticipated to include energy procurement, utility finances, rate setting, power charge indifference adjustment, regulatory environment, electric grid and local energy resources. <i>The grand jury found this response to be compliant with Penal Code § 933.05.</i>
F4: A comprehensive strategic plan has been neither developed nor approved by the Governing Board.		X			R3: By October 1, 2020, the Executive Director prepare a plan and timeline for developing a comprehensive strategic plan.			X					Greg Janda, Pioneer Community Energy Board Chair: This will be implemented by December 2020. The Governing Board and Executive Director believe strategic planning is critical to the long-term success of Pioneer. A strategic plan serves to guide staff in developing work plans, budgets and allocating resources.

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
<p>F4 Continued: A comprehensive strategic plan has been neither developed nor approved by the Governing Board.</p>		X			<p>R3 Continued: By October 1, 2020, the Executive Director prepare a plan and timeline for developing a comprehensive strategic plan.</p>			X					<p>The Governing Board’s responsibilities include approving policy guidance including a strategic plan. It is anticipated the strategic plan, once established, will be reviewed annually by the Board.</p> <p>In preparing the strategic plan, the Executive Director will be soliciting feedback from the Governing Board to ensure the plan is compatible with Pioneer’s mission, vision, and values. Final approval of the strategic plan is expected to be presented to the Board at the December 2020 Board meeting.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05 .</i></p>

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F5: The Governing Board has taken no steps to solicit community involvement beyond the public comment periods during its meetings.		X			R5: The Board establish a Citizen Advisory Committee to enhance community relations and local control by October 1, 2020.				X				<p>Greg Janda, Pioneer Community Energy Board Chair: The formation of a Citizen Advisory Committee was discussed by the Governing Board earlier this year. The Executive Director anticipates presenting this topic to the Board by February 2021 for the Board's consideration.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p>

Finding	Agree with Finding				Recommendation	Response							
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F6: The elected Treasurer-Tax Collector of Placer County serves simultaneously as interim Executive Director, Treasurer, and Board Secretary for Pioneer Community Energy.		X			R4: By October 1, 2020, the roles of Pioneer Executive Director and Board Secretary be performed by separate individuals.						X	X	Greg Janda, Pioneer Community Energy Board Chair: The direction for the Executive Director to serve as Board Secretary is provided in Section 2.5 of the Pioneer Bylaws (adopted July 26, 2016), which states as follows: <i>Secretary:</i> The Secretary shall be the Executive Director. The Secretary shall keep the minutes of the Authority and record all votes, and shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purpose, and shall perform all incidents to the office. After discussion with Pioneer General Counsel the duties assigned to the Secretary are not in conflict with the duties assigned to the Executive Director. At the time of this response, the Executive Director is actively recruiting for a Board Clerk/Executive Assistant position.

Finding	Agree with Finding				Recommendation	Response							
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F6 Continued: The elected Treasurer-Tax Collector of Placer County serves simultaneously as interim Executive Director, Treasurer, and Board Secretary for Pioneer Community Energy.		X			R4 Continued: By October 1, 2019, the roles of Pioneer Executive Director and Board Secretary be performed by separate individuals.						X	X	The Executive Director anticipates the Board Clerk/Executive Assistant will be delegated those duties assigned to the Board Secretary, including preparation of the minutes and record keeping. However, the Executive Director will remain responsible for compliance requirements of the role of Board Secretary. <i>The grand jury found this response to be compliant with Penal Code § 933.05.</i>

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F7: Pioneer is understaffed and leverages heavily from internal resources in the Office of the Treasurer-Tax Collector to conduct operations.	X				R6: The Executive Director prepare a staffing plan by October 1, 2020, to build in-house expertise and reduce dependence on both personnel borrowed from the Office of the Treasure-Tax Collector and contracted outside consultants.	X	X						Greg Janda, Pioneer Community Energy Board Chair: The Governing Board adopted Pioneer's Operating Budget at the June 18, 2020 Board meeting. The budget includes funding fourteen full-time employees with six positions filled as of August 31, 2020. As of the date of this response, the Executive Director has begun the recruitment process for four positions currently staffed by the Office of the Treasurer-Tax Collector, with further recruitments planned later in the year. The personnel budget is based on a staffing plan that will build in-house expertise and reduce dependence on both personnel borrowed from the Office of the Treasurer-Tax Collector and contracted outside consultants.

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F7 Continued: Pioneer is understaffed and leverages heavily from internal resources in the Office of the Treasurer-Tax Collector to conduct operations.	X				R6 Continued: The Executive Director prepare a staffing plan by October 1, 2020, to build in-house expertise and reduce dependence on both personnel borrowed from the Office of the Treasure-Tax Collector and contracted outside consultants.	X	X						<p>However, the use of outside consultants will continue to be in Pioneer’s future. There are various duties and functions where it is more cost effective to leverage consultants rather than hire full-time employees.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p>

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F8: Pioneer’s website has broken or missing links and incomplete and often outdated information.		X			R7: By October 1, 2020, the Executive Director assign responsibility for website improvement and maintenance, including fixing broken or missing links and timely reporting.	X	X						<p>Greg Janda, Pioneer Community Energy Board Chair: Staff have reviewed and repaired all identified broken and missing links. Further, staff has updated the website with currently information, and procedures have been put into place for timely updates such as the posting of agenda minutes. Moreover, The Executive Director has assigned website responsibilities to the Program Specialist II.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p>

**PLACER COUNTY INFORMATION TECHNOLOGY:
FISCAL TRANSPARENCY AND GOVERNANCE**

Summary

Information technology, hereafter referred to as IT, is integral to Placer County's delivery of services to its citizens and for its internal operations. Many offices and departments contain IT resources which are outside the view of the centralized Department of Information Technology. Because of this, it is not possible to understand what Placer County spends on IT.

Proper governance of IT would ensure full transparency of costs and effective use of taxpayer funds. Regular audits and updated processes and procedures will safeguard both the information and resources that the county needs to provide services to its citizens.

The Placer County Grand Jury recommends that Placer County implement processes to achieve complete transparency of IT costs and strengthen governance so that its citizens have greater confidence in the use of taxpayer funds for IT.

Finding					Recommendation								Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F1: Placer County's total cost for providing IT services cannot be determined from current financial reports. This defeats the county's goal for transparency of costs and operations.	X				R1: The Auditor-Controller prepare and present to the Board of Supervisors by October 1, 2020, a report of the total countywide IT costs for the 2019-2020 fiscal year, and annually thereafter, so that the total cost of IT is fully transparent.							X	Andrew Sisk, Placer County Auditor-Controller: It is not the responsibility of the Auditor-Controller to provide this information to the Board of Supervisors. This information can readily be obtained from the Workday application. Furthermore, this type of financial information is better suited

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	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement		
<p>F1 Continued: Placer County's total cost for providing IT services cannot be determined from current financial reports. This defeats the county's goal for transparency of costs and operations.</p>	X				<p>R1 Continued: The Auditor-Controller prepare and present to the Board of Supervisors by October 1, 2020, a report of the total countywide IT costs for the 2019-2020 fiscal year, and annually thereafter, so that the total cost of IT is fully transparent.</p>								X	<p>coming from the County Executive Office since they have knowledge on how County Departments budget for the IT needs. This was mentioned to the county grand jury during the interview process. The cost of doing business in all areas of county government is included in the county's adopted budget as well as the county's CAFR. In addition, there is already an existing process in place where members of the public can obtain this information through the Public Records Act.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p>

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F2: Numerous IT policies and procedures, including, among others, "Data Network Standards Policy" (2013) and "Employee Technology Use Policy" (2017), appear to be out-of-date and do not reflect current technology.	X				R2: The CIO prepare a plan by October 1, 2020, to update IT procedures to align with current technology and business practices.	X	X						Jarrett Thiessen, Chief Information Officer: The Placer County IT Department maintains all procedures using the IT Information Library (ITIL) best practice of continual process improvement. As part of this overall program, all countywide IT policies are reviewed annually for accuracy and currency. Under the direction of the CIO, each member of the IT management team is assigned primary ownership over policies that reside in their respective areas of responsibility. As part of this process, a revision history sheet is included with all county policy documents to annotate the interval at which the policy was reviewed and or updated. If no changes were required at the annual review, the review is noted in the revision history. During county fiscal year 19/20, all IT policies and procedures underwent review. All policies proposed for update or revision were submitted to the

Finding					Recommendation								Response	
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement		
F2 Continued: Numerous IT policies and procedures, including, among others, "Data Network Standards Policy" (2013) and "Employee Technology Use Policy" (2017), appear to be out-of-date and do not reflect current technology.	X				R2 Continued: The CIO prepare a plan by October 1, 2020, to update IT procedures to align with current technology and business practices.	X	X							Placer Administrative Manual (PAM) committee in June 2020. The PAM committee is the formal county body responsible for review and approval of countywide policies for all departments. <i>The grand jury found this response to be compliant with Penal Code § 933.05.</i>
F3: Placer County does not have a complete view of system security, backup, and recovery because of the fragmented responsibility for these services.	X				R3: The CIO prepare a plan by October 1, 2020, for periodic and unannounced testing at least annually. This should include penetration tests and security validations at a minimum, for organizations that maintain a network outside of the DIT.			X						Jarrett Thiessen, Chief Information Officer: The Placer County Information Technology Department maintains the security administration and policies for the Placer County Data Network. The IT department recently completed a comprehensive penetration test of the county's network that serves all but two county departments. Additionally, the IT department's Information Security Team perform periodic vulnerability scans of computer and server assets connected to the county's network. In fiscal year 20/21, the Information Security Team will implement a vulnerability management

Finding					Recommendation								Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F3 Continued: Placer County does not have a complete view of system security, backup, and recovery because of the fragmented responsibility for these services.	X				R3 Continued: The CIO prepare a plan by October 1, 2020, for periodic and unannounced testing at least annually. This should include penetration tests and security validations at a minimum, for organizations that maintain a network outside of the DIT.			X					platform to enhance our vulnerability scanning process providing advanced analytics, customizable dashboards and reports, and workflows to identify weaknesses on network connected devices. Vulnerability scans of computer and server assets can then be automated and performed on a regular schedule to identify vulnerabilities, misconfigurations, and malware. The IT Department will work with the two departments that utilize network services external to the Placer County Data Network to provide annual penetration testing and vulnerability scanning of network assets.

Finding					Recommendation						Response	
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed		Do Not Agree
F3 Continued: Placer County does not have a complete view of system security, backup, and recovery because of the fragmented responsibility for these services.	X				R3 Continued: The CIO prepare a plan by October 1, 2020, for periodic and unannounced testing at least annually. This should include penetration tests and security validations at a minimum, for organizations that maintain a network outside of the DIT.			X				<p>We will work with those departments to identify, rank and remediate risks identified by the security validation performed. Additionally, we will include department assets that are maintained outside of the IT Department but are connected to the county's data network in the vulnerability management platform in order to perform regularly schedule vulnerability scan to maintain an acceptable level of security for those assets.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p>

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
<p>F4: The Department of Information Technology has limited arrangements for cross-training or vacation coverage with offices, departments, or agencies that maintain their own in-house IT operations.</p>	<p>X</p>				<p>R4: The CIO develop a cross-training plan by October 1, 2020, for the most critical IT functions in other offices and departments to ensure their continuity of operations.</p>	<p>X</p>		<p>X</p>					<p>Jarrett Theissen, Chief Information Officer: The department acknowledges a plan for the most critical IT functions for departmental operations continuity is necessary. Prior to recent catastrophic events impacting the county, Public Service Power Shutdown events and COVID-19 pandemic, the department realized its business continuity plan was outdated. The department recognized the importance of developing a plan that maintained operations during disruptive events whether from a loss of people, facilities, technology, and/or a vendor. As a result, the department contracted a respected vendor, Agility Recovery, to engage in the development of a new business continuity plan. The department anticipates a fully developed and tested plan will be delivered by the end of the 2020 calendar year. Through this process, the department will be able to identify the most critical functions in other</p>

Finding	Agree with Finding				Recommendation	Response							
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F4 Continued: The Department of Information Technology has limited arrangements for cross-training or vacation coverage with offices, departments, or agencies that maintain their own in-house IT operations.	X				R4 Continued: The CIO develop a cross-training plan by October 1, 2020, for the most critical IT functions in other offices and departments to ensure their continuity of operations.	X		X					offices/departments and establish procedures to ensure continuity of operations during a disruption. The grand jury found this response to be compliant with Penal Code § 933.05.
F5: No audits of security, segregation of duties, or system controls were conducted to verify proper performance of the Workday Enterprise Resource Planning system after its implementation.			X		R5: The Auditor-Controller include ERP system testing in Placer's FY 2020-2021 audit plan by October 1, 2020.	X	X						Andrew Sisk, Placer County Auditor-Controller: The county has new external auditors and they have already commenced testing of Workday system controls and segregation of duties over our three primary financial transaction cycles: cash disbursements, cash receipts, and payroll. In addition, during the first year of engaging new auditors, we ask the external auditors to evaluate the IT security controls in the general ledger (Workday). They are currently in the process of conducting interviews with the ERP manager and Chief Information Officer and if they have any observations/findings, they will be presented to the

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
<p>F5 Continued: No audits of security, segregation of duties, or system controls were conducted to verify proper performance of the Workday Enterprise Resource Planning system after its implementation.</p>			X		<p>R5 Continued: The Auditor-Controller include ERP system testing in Placer's FY 2020-2021 audit plan by October 1, 2020.</p>	X	X						<p>Auditor-Controller and the Audit Committee at the conclusion of the financial audit, if not sooner. In addition, the Internal Audit Division of the Auditor-Controller's Office has already developed an Internal Audit Plan for FY2020-2021 that always includes a review and testing of the Workday application, especially when we conduct departmental audit engagements.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p>

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
<p>F6: The failure to complete the knowledge transfer plan for the new ERP system required the county to fund the extension of a consulting contract.</p>			X		<p>R6: The Auditor-Controller complete the ERP knowledge transfer by June 30, 2020, to avoid further consulting contract extensions and costs.</p>	X	X						<p>Andrew Sisk, Placer County Auditor-Controller: The ERP knowledge transfer was completed prior to the expiration of the consulting contract with Leckey Consulting on June 20, 2020. It should also be noted this extension proved invaluable to the county as Leckey Consulting assisted us through COVID-19 and the county's workforce transitioning to a telework environment, all of which directly impacted the Workday application and the Workday Support Organization.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p>

SCHOOL BOARD AGENDAS

Summary

California enacted Assembly Bill 2257, codified in California Government Code § 54954.2 requiring all legislative bodies to have a prominent, direct link to their agenda on their website's homepage after January 1, 2019. The Placer County Grand Jury investigated compliance with this legislation for the Placer County Office of Education and sixteen school districts in Placer County. We found twelve districts and the Office of Education are compliant; four were not as of March 2020. The grand jury recommends that the non-compliant legislative bodies update their websites the current requirements.

Finding					Recommendation									Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement		
F1: Auburn Union, Bowman Charter, Dry Creek Joint Elementary, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, Roseville City, Roseville Joint Union High, Tahoe-Truckee, and Western Placer schools districts are compliant with AB 2257.					There was no recommendation associated with this Finding.									No response required.

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F2: While technically compliant, Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee should make their agenda link more prominent on their home page.	X				R5: Bowman Charter , Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee change their agenda link to be more prominent on their home page by September 1, 2020.	X	X						Rob Kanngiesser, Bowman Charter Board President: The district did not leave any comment. <i>The grand jury found this response to be compliant with Penal Code § 933.05.</i> <i>The website was viewed, and as of March 2021, the website is not compliant with AB 2257.</i>
F2 Continued: While technically compliant, Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee should make their agenda link more prominent on their home page.	X				R5 Continued: Bowman Charter, Foresthill Union , Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee change their agenda link to be more prominent on their home page by September 1, 2020.	X	X						Casey Peoples, Foresthill Union District Board President: We redesigned our website, which went live July 2020. Per the Grand Jury's recommendation R5 we have moved All board related items, zoom link, agenda link, and board meeting dates as the first items listed only below the Upcoming events banner. When meetings are approaching, these will also rotate into the upcoming events banner. We hope that these items meet and exceed the

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
<p>F2 Continued: While technically compliant, Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee should make their agenda link more prominent on their home page.</p>	X				<p>R5 Continued: Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee change their agenda link to be more prominent on their home page by September 1, 2020.</p>	X	X						<p>R5 recommendations, if or any reason the Grand Jury is not satisfied please let us know so that we can make the changes accordingly.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p> <p><i>The website was viewed, and it was confirmed the website is compliant.</i></p>
<p>F2 Continued: While technically compliant, Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee should make their agenda link more prominent on their home page.</p>	X				<p>R5 Continued: Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee change their agenda link to be more prominent on their home page by September 1, 2020.</p>	X	X						<p>Jim Foster, Loomis Union District Board President: Agenda link has been moved to a more prominent location on the home page of the district website.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p> <p><i>The website was viewed, and it was confirmed website is compliant.</i></p>

Finding					Recommendation								Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
<p>F2 Continued: While technically compliant, Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee should make their agenda link more prominent on their home page.</p>	X				<p>R5 Continued: Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee change their agenda link to be more prominent on their home page by September 1, 2020.</p>	X	X						<p>Glenn Pierce, Placer Hills Union District Board President: In response to the Grand Jury report, Placer Hills Union School District has implemented the recommendation numbered R5. Recommendation R5 has been updated on Placer Hills Union School District's website (www.phusd.org). The District added verbiage underneath the Agenda Online link, to make it more prominent and by helping new and current families and community members know that the link will take them to current and past Board Agendas in one click.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p> <p><i>The website was viewed, and it was confirmed website is compliant.</i></p>

Finding	Agree with Finding				Recommendation	Agree with Recommendation							Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
<p>F2 Continued: While technically compliant, Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee should make their agenda link more prominent on their home page.</p>	X				<p>R5 Continued: Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee change their agenda link to be more prominent on their home page by September 1, 2020.</p>	X	X						<p>George S. Sziraki, Jr. Placer Union High District Superintendent</p> <p>Placer Union High School District has added an additional link titled Board Agendas/Minutes Link on the home page of our website for further clarity. We still have a link at the top of the page titled Board of Trustees that also has a link to the board agenda and minutes page.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p> <p><i>The website was viewed, and it was confirmed website is compliant.</i></p>

Finding	Finding Status				Recommendation	Recommendation Status							Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F2 Continued: While technically compliant, Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee should make their agenda link more prominent on their home page.	X				R5 Continued: Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified , and Tahoe-Truckee change their agenda link to be more prominent on their home page by September 1, 2020.				X				<p>Rick Miller, Rocklin Unified Board President: We appreciate your input and always serve to be open and accessible to the public. In addition to the current School Board agenda links, which are in compliance with the law, we will take your recommendation in R5 into consideration.</p> <p><i>The grand jury found this response to be non-compliant with Penal Code § 933.05 (b) (3).</i></p> <p><i>The website was viewed and a more prominent direct link is now on the homepage.</i></p>
F2 Continued: While technically compliant, Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee should make their agenda link more prominent on their home page.				X	R5 Continued: Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee change their agenda link to be more prominent on their home page by September 1, 2020.								<p>No response was received from this district.</p> <p><i>The grand jury found the lack of response to not be in compliance with the Penal Code § 933.05.</i></p> <p><i>The website was viewed and is compliant.</i></p>

Finding					Recommendation								Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F3: Alta Dutch Flats Elementary, Colfax Elementary, Eureka Union, and Newcastle Elementary school districts are not in compliance with AB 2257.	X				R1: Alta Dutch Flat Elementary School District update its website to include a prominent direct link to the board agenda by September 1, 2020.	X	X						<p>Michael Wells, Alta-Dutch Flat Union School District Superintendent: The school district has made the upgrades to our school website and created a visible and easy access point to board documents. The Grand Jury report brings insight and reasonable suggestions that have been implemented.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p> <p><i>The website was viewed, and as of March 2021, the website is not compliant with AB 2257.</i></p>

Finding	Response to Finding				Recommendation	Response to Recommendation							Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F3 Continued: Alta Dutch Flats Elementary, Colfax Elementary, Eureka Union, and Newcastle Elementary school districts are not in compliance with AB 2257.	X				R2: Colfax Union School District update its website to include a prominent direct link to the board agenda by September 1, 2020.	X	X						John Baggett, Colfax Elementary School District Superintendent: The district did not leave any comment. <i>The grand jury found this response to be compliant with Penal Code § 933.05.</i> <i>The website was viewed, and it was confirmed website is compliant.</i>
F3 Continued: Alta Dutch Flats Elementary, Colfax Elementary, Eureka Union, and Newcastle Elementary school districts are not in compliance with AB 2257.		X			R3: Eureka Union School District update its website to include a prominent direct link to the board agenda by September 1, 2020.	X	X						Renee Nash, Eureka Board President: The Board is committed to abiding by the requirements set forth in the Brown Act. As the District placed the direct link to the Board agenda on the website's homepage on February 17, 2020. The District is compliant with California Assembly Bill 2257. <i>The grand jury found this response to be compliant with the Penal Code § 933.05.</i> <i>The website was viewed, and it was confirmed website is compliant.</i>

Finding					Recommendation									Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement		
F3 Continued: Alta Dutch Flats Elementary, Colfax Elementary, Eureka Union, and Newcastle Elementary school districts are not in compliance with AB 2257.	X				R4: Newcastle Elementary School District update its website to include a prominent direct link to the board agenda by September 1, 2020.	X	X							Denny Rush, Newcastle Elementary Board President: The Newcastle Elementary School District has updated its website, effective July 7, 2020, to include a direct link to the board agenda. Although we thought we were in compliance by having a link to the Board Agenda on the homepage, it required 2 clicks rather than 1 to reach the actual agenda. This issue has been corrected. <i>The grand jury found this response to be compliant with the Penal Code § 933.05.</i> <i>The website was viewed, and it was confirmed website is compliant.</i>

**PLACER COUNTY JAILS AND HOLDING FACILITIES:
A Consolidated Report of Annual Inspections**

Summary

This report summarizes the Placer County Grand Jury inspections conducted at the six Placer County jails and holding facilities during the months of October and November 2019.

Overall the grand jury found these facilities to be secure, orderly and well-run.

Finding	Agree with Finding				Recommendation	Agree with Recommendation							Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F1: The three jail facilities and three holding facilities are clean, well-managed, and well-maintained.	X				There was no recommendation associated with this Finding.								

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F2: The inmates respond favorably to work opportunities offered at the Minimum-Security facility. Inmate workers manifest a markedly positive attitude.	X				R1: By October 1, 2020, develop a plan and cost analysis of expanding successful work programs for inmates at the minimum-security jail.			X					<p>Sheriff Devon Bell: The Placer County Sheriff's Office, Corrections Division, offered a variety of work programs through the Minimum Security facilities that had to be placed on hold during the COVID-19 pandemic. The programs below are, or will be, coordinated from within the Placer School for Adults out of the South Placer Jail. Costs for inmate programs are funded through the Inmate Welfare Fund.</p> <p>-In the short term, the following programs are ready to be started again with minimal cost as soon as the pandemic resolves: CalTrans Work Crew, CalFire Chipper Crew, Sewing, Embroidery, PCSO Fleet Vehicle Maintenance, Placer County Small Engine Repair.</p> <p>-In the near term, the following programs were nearing implementation, but again were put on hold because of the pandemic: Culinary Training, California ServSafe Certification, Forklift Operator Certification, Placer County Landscaping, Media Design/Printing.</p>

Finding					Recommendation						Response	
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed		Do Not Agree
<p>F2 Continued: The inmates respond favorably to work opportunities offered at the Minimum-Security facility. Inmate workers manifest a markedly positive attitude.</p>	X				<p>R1 Continued: By October 1, 2020, develop a plan and cost analysis of expanding successful work programs for inmates at the minimum-security jail.</p>				X			<p>Each of the programs will be implemented with minimal cost, as they involve contracts already in place in the Corrections Division, and/or equipment previously purchased and re-tasked within the Sheriff's Office. -Within 2-3 years, The Corrections Division will begin construction on a \$30 Million vocational training center to be located on the South Placer Jail campus. The training programs will be based around partnerships with local businesses and could include options in construction, automotive repair and bodywork/painting, cosmetology, etc. The training center is being funded through state grants and as the program moves closer to implementation, costs of the training itself will be determined based on the courses offered and community involvement.</p> <p><i>The grand jury found this response to be non-compliant with Penal Code § 933.05 (b) (2), because the timeframes provided are not specific.</i></p>

Finding	Agree with Finding				Recommendation	Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F3: The sewing program at the Minimum-Security facility is an exceptional example of a work opportunity with the potential to transform the inmates' lives while increasing their motivation and self-esteem.	X				There was no recommendation associated with this Finding.							
F4: The tunnel between the South Placer Adult Jail and the Santucci Courthouse makes the transfer of inmates more safe, efficient, and secure.					There was no recommendation associated with this Finding.							

Finding					Recommendation						Response	
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed		Do Not Agree
F5: Operation by key of the gate to the secure sally port at the Historic Courthouse is laborious and outdated.	X				R2: By October 1, 2020, replace the keyed gate to the sally port at the Historic Courthouse with a magnetic fob, to allow for easier operation of the gate.				X			<p>Sheriff Devon Bell: While replacing the keypad with a magnetic fob may provide easier access, the keypad is currently operational and not posing any notable significant safety concern. This will be reviewed over the next six months to determine the frequency of safety issues as they arise.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p> <p><i>The grand jury has not received an update on this recommendation.</i></p>

Finding	Agree with Finding				Recommendation	Agree with Recommendation				Response		
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed		Funding Needed	Do Not Agree
F6: Most security cameras at the Historic Courthouse offer images of very poor quality. Certain key locations have no security surveillance at all.	X				R3: By October 1, 2020, evaluate the surveillance cameras at the Historic Courthouse. Replace poorly functioning security cameras and add cameras in a few key areas. Install new cameras and surveillance improvements within 180 days of the evaluation.			X				<p>Sheriff Devon Bell: The Sheriff's Office agrees the security cameras at the Historic Courthouse are in the need of upgrades but defers to the Administrative Office of the Courts for further analysis on this issue, as they are responsible for the Auburn Historic Courthouse. This request has been made through the Judicial Council, and Sheriff's Court Security staff will work with the Court and Judicial Council on implementation efforts once funding is approved. Unfortunately, due to a statewide Trial Court budget reduction of \$168 million, there are no allocated funds or time-frame available for the video system upgrade.</p> <p><i>The grand jury found this response to be non-compliant with Penal Code § 933.05 (b) (2) because the response aligns with § 933.05 (b) (4).</i></p>

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
<p>F7: The Burton Creek facility should be replaced. Although a plan exists to replace the facility in FY 2024-2025, the need is more immediate. The Tahoe City area requires a modernized and expanded facility that will allow inmates held in Tahoe City to be kept in-county.</p>	X				<p>R4: By October 1, 2020, evaluate the possibility of expediting the planning and construction of the new Tahoe Justice Center ahead of schedule.</p>							X	<p>Sheriff Devon Bell: We met with the county's Capital Improvement team last year on several occasions and within different formats to discuss the overall project. While I can't speak for the persons pushing the project forward and the specific obstacles they must evaluate, we do recognize the county is bound by legal processes, procedural guidelines, necessary impact studies, and community input. The location within the Tahoe Basin adds to that complexity with additional environmental and building code regulations. We intend to stay engaged with the county stakeholders during this process and will continue to push for time efficiencies where applicable. At the present time, the county has contracted for the site assessment and soil tests, and Tahoe Regional Planning Agency has been on-sight evaluating the extend of coverage available for actual use.</p>

Finding	Agree with Finding			Recommendation	Agree with Recommendation			Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding		Implemented Recommendation	Will be Implemented with Date	Will be Implemented with Date					
<p>F7 Continued: The Burton Creek facility should be replaced. Although a plan exists to replace the facility in FY 2024-2025, the need is more immediate. The Tahoe City area requires a modernized and expanded facility that will allow inmates held in Tahoe City to be keep in-county.</p>	X			<p>R4 Continued: By October 1, 2020, evaluate the possibility of expediting the planning and construction of the new Tahoe Justice Center ahead of schedule.</p>							X	<p>Sheriff Devon Bell: The project may not be moving forward at a pace that would put a new facility ahead of the current timeline, nonetheless, the project is moving forward, and this is due, in very large part to the attention of successive grand juries.</p> <p><i>The grand jury found this response to be compliant with Penal Code § 933.05.</i></p>

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
<p>F7 Continued: The Burton Creek facility should be replaced. Although a plan exists to replace the facility in FY 2024-2025, the need is more immediate. The Tahoe City area requires a modernized and expanded facility that will allow inmates held in Tahoe City to be kept in-county.</p>	X				<p>R4 Continued: By October 1, 2020, evaluate the possibility of expediting the planning and construction of the new Tahoe Justice Center ahead of schedule.</p>				X	X			<p>Bonnie Gore, Placer County Board of Supervisors Chair: The Board of Supervisors recognize the importance of a new Tahoe Justice Center and have prioritized its construction. Starting in fall 2019, the County has hired a number of experts to determine if constructing a replacement facility on the existing site is technically feasible. First, the County engaged a consultant to complete a soils and land capability analysis and draft a Stream Environment Zone report. This information accompanied a Land Capability Verification application submitted to the Tahoe Regional Planning Agency (TRPA) in late 2019 and the County received initial feedback in February 2020. The County then engaged a surveyor to map current site coverage and an engineer to conduct a geotech and hydrological study. The survey and geotech/hydrology study will be submitted to TRPA along with a Land Coverage Verification application in fall 2020. Based on this information,</p>

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
<p>F7 Continued: The Burton Creek facility should be replaced. Although a plan exists to replace the facility in FY 2024-2025, the need is more immediate. The Tahoe City area requires a modernized and expanded facility that will allow inmates held in Tahoe City to be kept in-county.</p>	X				<p>R4 Continued: By October 1, 2020, evaluate the possibility of expediting the planning and construction of the new Tahoe Justice Center ahead of schedule.</p>				X	X			<p>TRPA will make the determination regarding the site's capability which is key for proceeding with project planning and the County's applications for environmental reviews and land use approvals needed for construction of the Justice Center at this site. In late 2019, the County was informed that the Tahoe Court project (a large portion of the Tahoe Justice Center) was ranked in the highest need category, "immediate need", by the Courthouse Facility Advisory Committee to the California Courts Judicial Council. Funding for this project was included in the State's draft budget in early 2020. However, due to the on-going COVID-19 pandemic and related uncertainty around State revenues and expenses, the State paused court construction funding, and funding for this project was removed from its 2020-21 budget.</p>

Finding					Recommendation								Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
<p>F7 Continued: The Burton Creek facility should be replaced. Although a plan exists to replace the facility in FY 2024-2025, the need is more immediate. The Tahoe City area requires a modernized and expanded facility that will allow inmates held in Tahoe City to be keep in-county.</p>	X				<p>R4 Continued: By October 1, 2020, evaluate the possibility of expediting the planning and construction of the new Tahoe Justice Center ahead of schedule.</p>				X	X			<p>Without more certainty around State funding, it is difficult to evaluate the possibility to further expedite the Tahoe Justice Center. Placer County hopes to have a clearer financial picture in the up-coming year which will allow the County to evaluate all current capital projects.</p> <p><i>The grand jury found this response to be non-compliant with Penal Code § 933.05 (b) (3) because a timeframe within six months was not provided.</i></p> <p><i>Although the response is not compliant with the penal code, the grand jury understands the inability to respond with a timeline due to circumstances out of the Board of Supervisors' control.</i></p>

Conclusion

In past years, the Placer County Grand Jurors' Association provided support in following up on responses. The Placer County Grand Jury has not produced a continuity report in the past. We believe it is important to verify that respondents were compliant with Penal Code § 933.05 and conclude that this work is too important to not be a requirement of each grand jury going forward.

Findings

The grand jury found:

- F1: Placer County Grand Jury has not written a continuity report in previous years.
- F2: Five responses were not compliant with Penal Code § 933.05.
- F3: Alta-Dutch Flat School District website is not currently compliant with AB 2257.
- F4: Bowman Charter School District website is not currently compliant with AB 2257.
- F5: Tahoe-Truckee School District did not respond to the grand jury.

Recommendations

The grand jury recommends:

- R1: Future Placer County Grand Juries shall continue to produce a continuity report each year.
- R2: Future Placer County Grand Juries should follow up with any response that is not compliant with Penal Code § 933.05 as soon as it is received.
- R3: Future Placer County Grand Juries should require respondents whose response is found to be non-compliant with Penal Code § 933.05 to provide the grand jury with an updated response that is compliant.
- R4: By September 1, 2021, Rocklin School District will respond to the recommendation from the 2019-2020 report with a response that is compliant with Penal Code 933.05.
- R5: By September 1, 2021, Placer County Sheriff will respond to the two recommendations from the 2019-2020 report with responses that are compliant with Penal Code § 933.05.
- R6: Placer County Board of Supervisors will provide an updated timeline for the Tahoe Justice Center construction by September 1, 2021.
- R7: Alta-Dutch Flat School District will update their website to be compliant with AB 2257 by September 1, 2021.
- R8: Bowman Charter School District will update their website to be compliant with AB 2257 by September 1, 2021.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Dereck Counter Board President Rocklin Unified School District 2615 Sierra Meadows Dr Rocklin, CA 95677	R4	September 1, 2021
Sheriff Devon Bell Placer County Sheriff's Office 2929 Richardson Dr Auburn, CA 95603	R5	September 1, 2021
Robert Weygandt Chairperson Placer County Board of Supervisors 175 Fulweiler Ave Auburn, CA 95603	R6	September 1, 2021
Rochelle Baiocchi Board President Alta-Dutch School District 34050 Alta Bonnynook Rd Alta, CA 95701	R7	September 1, 2021
Robert Kanngiesser Board President Bowman Charter School District 13777 Bowman Rd Auburn, CA 95603	R8	September 1, 2021

Appendix 1 – Assembly Bill No. 2257

Assembly Bill No. 2257 CHAPTER 265

An act to amend Section 54954.2 of the Government Code, relating to local government.

[Approved by Governor September 09, 2016. Filed with Secretary of
State September 09, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2257, Maienschein. Local agency meetings: agenda: online posting.

(1) The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act further requires the legislative body of a local agency to post, at least 72 hours before the meeting, an agenda containing a brief general description of each item of business to be transacted or discussed at a regular meeting, in a location that is freely accessible to members of the public and to provide a notice containing similar information with respect to a special meeting at least 24 hours prior to the special meeting. The act requires that the agenda or notice be freely accessible to members of the public and be posted on the local agency's Internet Web site, if the local agency has one.

This bill would require an online posting of an agenda for a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site to be posted on the local agency's primary Internet Web site homepage accessible through a prominent, direct link, as specified. The bill would exempt a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site from this requirement if it has an integrated agenda management platform that meets specified requirements, including, among others, that the current agenda is the first agenda available at the top of the integrated agenda management platform. The bill would authorize an integrated agenda management platform to include prior meeting agendas, as specified. The bill would require any agenda posted pursuant to these provisions to be in an open format that meets specified requirements, including, among others, that the agenda is platform independent and machine readable. The bill would also define terms for these purposes.

(2) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 54954.2 of the Government Code is amended to read:

54954.2.

(a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state. **The direct link to the integrated agenda management platform shall not be in a contextual menu.** When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an Internet Web site with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an Internet Web site of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

SEC. 2.

The Legislature finds and declares that Section 1 of this act, which amends Section 54954.2 of the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

It is in the public interest to ensure that members of the public can easily and quickly find and access meeting agendas of legislative bodies of specific local agencies on the Internet homepage of those certain local agencies.

SEC. 3.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

Response to

Preparedness of Placer County

for the

November 2020 General Election



RYAN RONCO
COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS
LISA CRAMER
ASSISTANT COUNTY CLERK
STEPHEN AYE
ASSISTANT REGISTRAR-RECORDER



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PLACER COUNTY CLERK-RECORDER-ELECTIONS

December 29, 2020

The Honorable Alan V. Pineschi
Presiding Judge, Placer County Superior Court
PO Box 619072
Roseville CA 95661

RECEIVED

DEC 31 2020

Re: Response to the 2020-2021 Grand Jury Report

PLACER COUNTY
GRAND JURY

Dear Judge Pineschi:

Please accept my most sincere apologies for the tardy delivery of this response to the 2020-2021 Placer County Grand Jury Supplemental Report entitled "Preparedness of Placer County for the November 2020 General Election."

It was my mistaken belief that I had ninety days to respond to the findings and recommendations, when I now see that I had sixty days. If it is any consolation, the extra thirty days did allow me to present a more thorough answer to the report.

Thank you for your understanding. If you have any questions regarding this error, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan Ronco".

Ryan Ronco
Placer County Clerk-Recorder-Registrar of Voters

Copy: Foreman Walter Moore, Placer County Grand Jury
Chair Bonnie Gore, Placer County Board of Supervisors
Todd Leopold, Placer County Executive Officer

Administrative Division: (530) 886-5690 • FAX (530) 886-5689

JIM MCCAULEY
 COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS
RYAN RONCO
 ASSISTANT RECORDER-REGISTRAR
LISA CRAMER
 ASSISTANT COUNTY CLERK



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PLACER COUNTY CLERK-RECORDER-ELECTIONS

December 29, 2020

The Honorable Alan V. Pineschi
 Presiding Judge, Placer County Superior Court
 PO Box 619072
 Roseville CA 95661

Re: Response to the 2020-2021 Grand Jury Report

Dear Judge Pineschi:

After careful review of the findings and recommendations contained in the 2020-2021 Placer County Grand Jury Supplemental Report entitled "Preparedness of Placer County for the November 2020 General Election," the following is my response:

FINDINGS OF THE GRAND JURY

- I agree with the findings, numbered F1 through F13.

RECOMMENDATIONS OF THE GRAND JURY

- **R1.** *Placer County Elections staff should develop additional processes for maintaining the accuracy of the voter rolls.*

Response: Recommendation R1 has been implemented and will continue to be an area where further improvements will be made. While the statewide voter registration database (VoteCal) conducts routine and thorough duplicate voter registration searches, our office would agree that there are additional matching criteria searches that must be performed at the local level in order to have the most accurate voter rolls possible. For example, during the March primary election cycle we found out about one month before Election Day that VoteCal missed over one hundred duplicate records where California driver's license numbers and social security numbers were excluded from the matching criteria sets. For the November general election and in response to the Grand Jury's recommendation, we were able to institute a weekly check of Placer County voters outside of the VoteCal database for this specific issue and were able to eliminate those duplicate records when appropriate. Likewise, we will continue to find ways to maintain our active and inactive voter data so that we may legally and appropriately delete voters from those lists at the earliest possible moment.

Placer County Grand Jury
Response to the Supplemental Report of the
2020-2021 Placer County Grand Jury

December 29, 2020

Page 2

- **R2.** *By March 1, 2021, the Placer County Registrar of Voters will provide to the 2020-2021 Placer County Grand Jury a written summary that documents all costs associated with the November 2020 general election.*

Response: Recommendation R2 has not yet been implemented but will be implemented in the future. I am glad to report that vendors have submitted reasonably timely receipts and as of last week the Elections Office sent invoices to all local school districts, special districts and cities that requested elections services for the November 2020 general election. Therefore, I will be able to present this written summary of costs by your Jury's requested deadline.

- **R3.** *By March 1, 2021, the Placer County Registrar of Voters will provide the 2020-2021 Placer County Grand Jury a written debrief of issues/problems encountered during the November 2020 general election as well as what the department did to resolve the issues/problems and what the department has learned from this experience, both positive and negative.*

Response: Recommendation R3 has not yet been implemented but will be implemented in the future. As of yet, we have not had time to fully examine all of the challenges that arose during the November 2020 general election. However, I will be able to present this review by your Jury's requested deadline.

I value the Grand Jury's deliberative findings and recommendations, I appreciate the time and care they spent with my office to understand the myriad facets of putting an election together, and I thank them for all their hard work over the past year.

Sincerely,



Ryan Ronco
Placer County Clerk-Recorder-Registrar of Voters

CC: Foreman Walter Moore, Placer County Grand Jury
Chair Bonnie Gore, Placer County Board of Supervisors
Todd Leopold, Placer County Executive Officer

RYAN RONCO
 COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS
LISA CRAMER
 ASSISTANT COUNTY CLERK
STEPHEN AYE
 ASSISTANT REGISTRAR-RECORDER



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 GRAND JURY FAX: 530-886-5683

PLACER COUNTY CLERK-RECORDER-ELECTIONS

April 14, 2021

The Honorable Alan V. Pineschi
 Presiding Judge, Placer County Superior Court
 PO Box 619072
 Roseville CA 95661

Re: Additional requested responses to the 2020-2021 Grand Jury Supplemental Report

Dear Judge Pineschi:

As a follow up to my December 29, 2020 response, please find my attached additional requested responses to 2020-2021 Placer County Grand Jury Supplemental Report entitled "Preparedness of Placer County for the November 2020 General Election."

In my December 29, 2020 communication, I agreed with Findings F1 through F13 and reported that Recommendation R1 had been implemented, leaving answers for Recommendation 2 and Recommendation 3. Those may be found below.

RECOMMENDATIONS OF THE GRAND JURY

R2. *By March 1, 2021, the Placer County Registrar of Voters will provide to the 2020-2021 Placer County Grand Jury a written summary that documents all costs associated with the November 2020 general election.*

Response: Recommendation R2 has been implemented. While the numbers in the following spreadsheet tell a significant story on their own, I wanted to highlight the stories behind the costs in some of these categories, especially since this was Placer County's first foray into conducting something akin to a Voters Choice Act (VCA) election (also known as a "VCA-like" election).

In a traditional polling place election, there are typically 230 polling locations open for one day – specifically Election Day. To staff those facilities, we hire nearly 1,200 workers for the day and provide a four-hour training. For the November 2020 General Election, there were 25 voting locations that required remote connectivity (our Auburn office and Rocklin warehouse were already connected) and there were 400 workers hired to run those facilities, called voter service centers (VSCs), for four days. In order to be fully trained, workers received anywhere from four hours to one week worth of training.

To facilitate the change to a VCA-like election in November, Placer County Elections required remote connectivity from each VSC back to the main election office. To establish this connectivity, we were required to purchase 26 Cradlepoint 2020 routers

and lease 52 laptops. The cost to purchase the Cradlepoint routers was approximately \$35,000 and the cost to lease the laptops was roughly \$12,000. Each Cradlepoint had two cellular connections to ensure adequate connectivity requirements and failover redundancy utilizing both the AT&T cellular network as well as the Verizon cellular network. The cost associated with the cellular connections was just over \$10,000. In addition to all the hardware costs, there were significant costs associated with the configuring and testing of all these interconnected devices.

In a traditional polling place election, all poll workers are paid a stipend for working one day in a polling place. Depending on the task, individuals are paid \$100.00 to \$200.00, plus mileage for certain positions. However, given that we were required to have VCAs open for a minimum of four days at every location and we would need to provide a higher level of training due to the complexities of conducting a VCA-like election, there was a concern that many of our workers would incur a tax liability by being paid over \$600 in a calendar year (especially when one considers that many of these workers also served in March of 2020). After looking at how to best solve this dilemma, it quickly became apparent we would need to switch from stipend volunteers to Elections Aides. Elections Aides are county employees, so they go through a Live Scan (fingerprinting) process and full background check, and, if hired, are paid hourly with taxes withheld. In November 2020, the salary cost of Elections Aides was \$162,546. In contrast, the payroll cost of all volunteer poll workers who received a stipend was \$33,940. Additionally, for the March 2020 Election, Placer County spent \$33,940 to train poll workers. For the November 2020 Election, Placer County spent \$47,141 to train Elections Aides.

There was a significant increase in the expense to lease facilities since VSCs were required to be open for four days, unlike the traditional polling place election where polls are open for one day. Not only did the increase of days cause a larger expenditure, but we were also required to pay full site rental fees instead of a single day stipend as allowed by election code. As an example, renting one location in Roseville cost \$7,500 for that one facility as compared to \$3,510 for the cost of procuring all polling places in March 2020. The total cost of renting all locations for the November 2020 election was \$17,548, a \$14,000 increase for renting facilities only.

The costs associated with printing Placer County voter information guides, vote-by-mail ballots, vote-by-mail envelopes, voter alert postcards, and all other printing-related expenses came to nearly \$707,000. The cost associated with translation services required to render candidate statement of qualifications into Spanish, facsimile ballots into Spanish, Tagalog, Korean and Punjabi, and signage needed for ballot drop boxes was \$20,533.

The cost of this election was greatly offset by the availability of grants not otherwise available to our office. This year we had CARES Act funding available from the county, CARES Act funding allocated to elections offices through the Secretary of State's Office, and grant funding from the Center for Tech and Civic Life. We returned our full county CARES Act allocation because the other two grants fully funded any grant-fundable expenses, thus providing more funding for struggling Placer County

businesses and families. With \$654,293 picked up by grants, \$1,215,259 billed to jurisdictions for their cost of election services, and \$74,575 charged to candidates for their candidate statement fees, that left \$336,202 paid by the county general fund for November 2020 election services.

Below is a brief description for the spreadsheet categories:

Salaries and Wages – Cost of the combined salaries for all permanent employees doing work specifically on this election.

Overtime and Call Back – Cost of all overtime worked by permanent employees.

Cafeteria Plans (Non-PERS) – Costs associated with health care and dependent care tax benefits.

Retirement – Cost of pension benefits paid by the county for permanent employees.

Payroll tax – Cost of FICA for permanent employees.

Other Postemployment Benefits (OPEB) – Cost of retirement benefits other than pension.

Employee Group Insurance – Cost of insurance for permanent employees paid by the County.

Workers Comp Insurance – Cost of workers compensation paid for by the County.

Communication Services Expense – Cost of providing cell phones at each Voter Service Center and for setting up the county phone bank, among other expenses.

Parts – Costs to purchase Cradlepoint units to facilitate connectivity at VSCs and other incidental costs.

Printing – This is not the cost of printing ballots, voter information guides or voter postcards. Instead, these are the costs incurred with the County Print Shop for printing such things as COVID-19 signage for the VSCs.

Other Supplies – Cost of items such as face shields, gloves, face coverings, hand sanitizer, and disinfecting wipes.

Postage – Cost to mail voter information guides, informational postcards, and other official mailings, plus the cost to mail and return official vote-by-mail ballots.

Professional and Special Services – Cost of hiring temporary workers as well as purchasing translation services required for the voter information guide and the translated official ballot for specific precincts.

Rents and Leases – Buildings and Improvements – Cost of facility rentals for VSCs.

PC Acquisition – Cost of laptop rentals utilized at the VSCs.

Advertising – Cost of specific notices placed in newspapers as mandated by law and for regional advertising promoting registration and participation.

Special Department Expense – Cost of printing official ballots, voter information guides and voter postcards. Also cost of special services like COVID-19 deep cleaning at VSCs.

Transportation and Travel – Cost of travelling to and from official ballot drop box locations and to and from poll worker training.

Intrafund Transfers/Services Out – Cost to have Sheriff's deputies stationed at the Rocklin and Auburn election offices.

On the following page is the above-referenced spreadsheet listing the cost for each category.

Presidential General Election - November 3, 2020 Expenses

Row Labels	TOTAL
51010:Salaries and Wages	523,143.09
51040:Overtime and Call Back	90,796.61
51090:Cafeteria Plans (Non-PERS)	16,897.21
51210:Retirement	114,261.14
51220:Payroll Tax	43,191.09
51240:Other Postemployment Benefits (OPEB)	33,813.66
51310:Employee Group Insurance	79,314.83
51360:Workers Comp Insurance	961.28
52040:Communication Services Expense	19,562.20
52140:Parts	38,460.24
52320:Printing	6,462.14
52330:Other Supplies	24,467.45
52340:Postage	175,993.02
52360:Professional and Special Services - General	301,611.01
52450:Rents and Leases - Buildings & Improvements	17,548.25
52480:PC Acquisition	12,302.36
52570:Advertising	17,433.60
52580:Special Department Expense	758,103.23
52790:Transportation and Travel	1,985.43
55561:Intrafund Transfers / Services Out	4,021.50
59998:Labor Hours Debit (PAS: 9111)	
59999:Labor Hours Credit (PAS: 9101)	
(blank)	
Grand Total	2,280,329.34
CANDIDATE STATEMENT REVENUE	74,575.00
AMOUNT BILLED TO JURISDICTIONS	1,215,259.30
AMOUNT BILLED TO THE SECRETARY OF STATE GRANT	464,295.33
AMOUNT BILLED TO THE SECRETARY OF STATE GRANT	123,375.26
AMOUNT BILLED TO THE CENTER FOR TECH & CIVIC LIFE (CTCL) GRANT	66,622.47
NET COUNTY COST IF GRANT CLAIMS ARE APPROVED	336,201.98

R3. *By March 1, 2021, the Placer County Registrar of Voters will provide the 2020-2021 Placer County Grand Jury a written debrief of issues/problems encountered during the November 2020 general election as well as what the department did to resolve the issues/problems and what the department has learned from this experience, both positive and negative.*

Response: Recommendation R3 has been implemented. To compensate for low polling place availability (a fact determined by contacting every location in our database) and expected poll worker shortages (speculation based on an April 2020 survey completed by 70% of our poll workers) due to COVID-19, Placer County Elections was forced to make the temporary transition from traditional polling places to voter service centers (or VSCs) for the November 2020 General Election. By transitioning to VSCs, the Elections Office would only need 28 voting locations (instead of roughly 230 polling places) and about 400 Elections Aides (instead of nearly 1,200 poll workers). However, changing to VSCs would also necessitate changes to hiring, training, equipment drayage, and more that would have to be solved quickly. Additionally, the state mandated changes late in the election that also required nimble implementation. Like every election, there were plenty of issues and problems that were encountered during the November 2020 Presidential Election. These issues and problems included several identified by your Grand Jury and were solved to varying degrees of success with many lessons learned.

Voter Service Center Staffing

Staffing our voting locations utilizing a completely differing staffing model, payment structure and multiple new position classifications was a necessity brought on by our need to transition from a traditional polling place model to a voter service center model. These changes required hiring all our poll workers as county employees rather than our traditional recruitment of polling place volunteers. While over 55% of our poll workers had worked previously, virtually none of them had done so in a vote center environment, which required utilizing new technology and working for several days. By hiring poll workers (called by their classification of "Elections Aide," which is discussed more fully later in this response) through Placer County Human Resources at an hourly rate, these workers were Live Scanned, run through a full background screening, and had taxes withheld from their paychecks to avoid any tax liability they might have encountered through multiple stipend payments. Notably, more than 95% of the Elections Aides who worked the November election indicated they would be interested in serving again. This should be considered a tremendous positive outcome for the Elections Office and get us closer to our desire to have a repetitive, committed, and well-trained staff of volunteers.

Part of this transition from poll workers to Elections Aides necessitated the rewrite of position classifications with Placer County Human Resources for the hiring of VSC staff. Because we did not have enough time to draw up new classifications and take them before the Placer County Civil Service Commission for approval before we needed to begin hiring these individuals, we were forced to use an existing classification of Elections Aide. Elections Aide and Elections Aide-Senior classifications were already fully vetted and could somewhat approximate the traditional polling place setup of

Inspector, Judge and Clerk positions. Each location utilized seven to fifteen Election Aides who would handle the responsibilities of line management, site cleaning, vote-by-mail ballot collection and other tasks. These Election Aides were complemented by two to three Election Aide-Seniors who had higher security classifications due to their access to voter registration records and who were the lead workers at the site. Having more than one Senior at each location gave us redundancy over the four days of voting in case any staff came down with COVID-19 or did not show up for one or more of the four days. Each location in essence had two to three leads, all equal in responsibility. However, just like with Inspectors in a traditional polling place arrangement, the permanent staffers of the Placer County Elections Office were constantly available during VSC operational hours through a dedicated help line to answer any questions or concerns. There were some issues encountered with not having a singular "lead" Elections Aide to oversee each specific VSC, such as power struggles between two Seniors at the same location or an unwillingness by Seniors to fully embrace all tasks under their charge. While the vast majority of Seniors worked collaboratively to run the VSCs, one overall lead would be the desire to eliminate these types of issues if and when the state mandates VSCs or the county transitions to permanent VSCs.

Some concerns were raised about the lack of access to VSCs before opening. In a traditional polling place election, poll workers do have access to the room where voting will occur the day before Election Day. This allows staff to ensure the facility is set up properly and gain some comfort with their surroundings if the location and/or the worker is new. However, even in a traditional polling place election, we often have hurdles such as a lack of keys or staff to allow entry, an inability for the staff of the facility and the schedule of the workers to align correctly, or an unforeseen problem such as illness. This year, in addition to the normal issues, COVID-19 created some uncertainty for us in trying to minimize the number of days workers would need to be out of their homes. Based on the advice of those counties who had conducted Voters Choice Act elections, the first day of voting offered sufficient time for all opening procedures to be performed before droves of voters arrived. However, that fact provided little comfort to some of our poll workers, so Placer County Elections will work to gain access to VSC locations the night before they open should we utilize this model in future elections.

Finally, because of the transition to VSCs and the subsequent changes in how voters were serviced, a significant expansion to poll worker training was undertaken, moving us from our legacy training of an hour or two to a multiple day training program for each poll worker. However, this undertaking was not perfect. To train this workforce of new staff for multiple days, training had to be spread out and occur nearly every day of the week for over one month. This approach, coupled with many late mandated changes from the state, meant we were still adapting our manuals, procedures and training as changes were needed. Some of these problems would be solved over time as workers become accustomed to new procedures and processes. Naturally, we also learned that certain tasks (such as equipment set up) could be learned in a much shorter period of time than was allotted, thus giving us more time for hands-on computer training for our Seniors. If and when the county moves to full-time VSC implementation, we can expect corresponding changes to training time allotments.

Voter Service Center Training

While there were concerns about some of our Elections Aide-Senior staffers having a lack of elections experience, that is not always a negative outcome. Unfortunately recruiting lead Elections Aides or any poll worker positions can be difficult during the best of times. During the height of the pandemic, many of our long-time poll workers did not want to work as they were in the age group that was more at risk. Election volunteers are by and larger retired citizens with a civic minded desire to help their community. However, new individuals are more likely to ask questions, make suggestions, and find improvements. While we would have preferred all of our lead staffers to be well-trained and well-experienced and we will work hard to recruit and retain our existing talent pool, we also welcome those newer to the process to enhance our program.

While most Elections Aides felt their training met or exceeded their expectations, there were some who wished for more training. There is, simply put, a lot to learn to effectively conduct an election at a polling place or VSC. Placer County Elections is perpetually working to improve our poll worker training program as well as our poll worker manual. Due to ever changing laws, rules, and regulations, there is a steady stream of updates that are required before each election. The November election was different in that the laws, rules and regulations, which usually stop changing about six months before an election, were changing all the way up until nearly when voting began. We are constantly learning new ways to edit, produce and improve the quality of our procedure manual. The additional measures required by COVID-19 to address processing voters, cleaning the facility, ensuring social distancing, and providing adequate space to vote were all new additions to the manual and training for this election. Anticipating a large number of voters dropping of their vote by mail ballots was another issue that created the need for additional training and the creation of new written procedures. To improve on this subject area, we hope to develop training videos to place on our website so poll workers can easily review training materials on demand.

Voter Service Center COVID-19 Protections

The Office does understand concerns surrounding the sanitation procedures utilized at each VSC and that it was observed that on occasion not all voting booths were sanitized after a voter had completed voting. It was the intent that each surface would be cleaned after use and that was the training provided to Elections Aides. Apparently when the polls were busy, the Elections Aides assigned to cleaning missed or lost track of booths to clean, which is unfortunate. It should be noted that the Placer County Elections Office is not aware of any COVID-19 transmissions from surface contact at our VSCs, which is good to know given what was observed. Additionally, we would like to thank the California Secretary of State's Office, the Placer County Procurement Division, and the California Office of Emergency Services, for these organizations moved mountains to make sure our office was put in the position where cleaning surfaces after each use was even a possibility. These agencies were able to source and deploy tremendous amounts of personal protective equipment and sanitizing supplies to our office at a time when finding a cannister of disinfecting wipes at the local

convenience store was nearly impossible. We were able to send to each VSC the following: 1000 face masks, approximately 40 face shields, boxes of non-latex gloves, voting machine sanitizer wipes specifically approved to the standards allowed for our voting equipment, surface sanitizer wipes in sufficient quantities for the expected voters at that location, plenty of bottles of hand sanitizer that could be deployed in multiple locations around the VSC, finger covers for use with the voting equipment, thousands of single use pens, one non-contact digital thermometer (which came too late for us to implement temperature screening procedures for the public, but were available for VSC workers), thousands of newly-developed self-sealing envelopes, exterior COVID-19 specific polling place signage, and a roll of COVID-19 specific social distancing floor tape. Our training team utilized a PowerPoint presentation and materials developed by the California Department of Public Health and the California Secretary of State regarding COVID-19, specifically designed to stress staff and voter safety. Despite our desire to maintain a higher level of cleanliness, those materials stated that we should train and engage in "routine cleaning of equipment and materials." Additionally, Placer County adhered to a local health order developed in conjunction with our County Health Officer and Health and Human Services, which stated:

In order to protect themselves and the Placer community from coronavirus, election workers and voters at these locations are advised to adhere to the following COVID-19 prevention practices:

- *Physical distancing to the maximum extent possible;*
- *Use of face coverings by all participants in the election process (with signage at each Voter Service Center as a reminder);*
- *Use of PPE (face shields, face masks, gloves) by staff at Voter Service Centers;*
- *Frequent hand-washing;*
- *Regular cleaning and disinfection of high-contact surfaces;*
- *Training of workers on the use of PPE; and*
- *Refraining from going to work or voting in-person when ill.*

What we have learned since the election is that while COVID-19 transmission through contact with contaminated surfaces or objects is possible, the Centers for Disease Control has determined the risk is considered to be very low. Therefore, we will likely transition surface cleaning from the poll workers to the voters, making hand sanitizer and disinfecting wipes available to use at the voter's discretion at each booth, thus freeing our staff to perform thorough cleaning at regular intervals and allowing them to concentrate on other election-related tasks.

An additional related issue was reported to us that isolated booths were not utilized in each VSC for voters who may have refused to wear face coverings. This was a difficult tightrope for our office to walk. We needed to be mindful of voters' rights while also managing workflow and attempting to reduce excessive queuing of lines, a public health concern. Direction from the California Secretary of State's Office via their publication "Election Administration Guidance under COVID-19" issued July 21 was that "face coverings and physical distancing are overlapping and to some degree duplicative

protective measures” and that we should utilize “a plan that: 1. Attempts to keep all involved calm and limits potential escalation; 2. Doesn't unduly delay a voter without a face covering; 3. Communicates effectively with the voter; 4. Maintains physical distancing for workers and other voters; and 5. Provides a course of action if a situation escalates.” As a response, part of the Placer County training read:

“Election Officers should communicate to other Election Officers that a voter without a face covering will be checking in, and it is recommended that another Election Officer is present when communicating with a voter without a face covering. Election Officers should send the voter to a check-in station that has the most distance between it and other stations. If that station is not available, the Election Officer should ask the voter to stand to the side while it becomes free. It is important to have as little interaction with the voter during this time as possible. After checking in, the voter can be sent to an ICX Touchscreen at an appropriate distance from other booths.”

I believe our workers at the VSCs did an incredible job of assisting those voters who could not wear or refused to wear a mask when voting in person; likewise, I would like to commend our maskless voters who in nearly every instance patiently waited for an isolated booth, understanding that our dedicated VSC staff were working as hard as possible to allow them to exercise their right to vote. Our office will revisit these procedures based on the latest guidance at the next election to ensure we are still respecting individuals constitutional rights while also addressing the concerns expressed.

Voter Education and Communication

Because we were going to employ regional VSCs instead of neighborhood polling places and because the way people would vote at those regional centers would be different than previous elections, the Placer County Elections Office conducted a comprehensive outreach and voter education effort to our voters. We were able to mail multiple pieces of educational material to Placer County voters, participate in a regional advertising effort through our involvement in the newly formed Northern California Coalition of Elections Officials, conduct Placer County's first ever online elections town hall, and participate in both social media and news campaigns. Our Elections Office delivered several pieces of full color printed material into every registered voter's mailbox. These mailings were delivered at specific intervals to maximize their effectiveness. About six weeks before the mailing of official ballots and voter information guides, we mailed every active registered voter in Placer County a postcard advising them that all voters would be receiving a ballot in the mail as required by law for this election, that no postage was required to return those ballots, and where and how to check their voter registration status online. Approximately one week after vote-by-mail ballots were mailed out, a second postcard was sent to all Placer County active voters advising them where to find drop box locations, how to track their ballots and locations and hours of in-person voting locations. Soon after the mailing of the second postcard, a third postcard was sent to all active voters who were traditional polling place voters. It included information that was incorporated in the previous two postcards such as ballot

drop box locations, that return ballot postage was paid by the county, and the location and hours of VSCs. In every vote-by-mail ballot envelope, Placer County Elections inserted an additional information sheet that provided all the information in the previous postcards, such as return postage paid information, ballot drop box locations, and VSC locations and hours. Finally, the above information was included and expanded upon in our county voter information guides mailed to every registered voter. While we would love to communicate even more often with our constituents, we did not hear any negative feedback from our voters regarding too few attempts to inform the electorate. In fact, with a turnout exceeding 88% and as one of the highest turnouts in California, I believe that is evidence to suggest voters were aware of their voting options, locations, and procedures.

Of particular concern to an office that prides itself on transparency, one issue that arose this election was the level of questioning, distrust and false assertions being spread in social and traditional media. Having earned a high level of trust from our voters by deploying numerous safeguards and being open and accommodating with visitors, we were inoculated from much of this bitterness from those who had familiarity with our processes. However, the convergence of requirements from the legislature to mail all voters ballots (requested or not), the lack of ballot on demand printers that would enable us to print all ballot styles in all locations, the continuance of same day voter registration, the new feature of in-person voting for multiple days and the extremely high turnout enjoyed in Placer County, created a situation where we were forced to check in and count all our ballots in a centralized manner. This was concerning to some voters who were required to place their voted VSC ballots into envelopes and drop their ballots in a ballot box rather than utilize the traditional Placer County method of feeding their ballots into a precinct scanner. The optics of this were unfortunate given that many voters were coming into our locations already unhappy with the mandated changes. Going forward, we will endeavor to bring precinct scanners back to all locations, regardless of the voting method utilized. Additionally, the requirement to mail ballots to all voters meant that in good conscience we needed to check all voters' registration records as they came into a VSC to ensure they had not already voted prior to voting in person. Without that examination, the possibility of double voting increases. If cost and technological challenges make that pre-election inspection impossible to implement for future elections, we will solve this problem by performing post-election voter participation jobs before processing late-arriving vote-by-mail ballots, thus giving ourselves that ability to keep rare double votes from counting.

The distrust among portions of the electorate were unfortunately exacerbated by a ballot tracking service which large percentages of our voters had never seen and over which our office had little control. California law passed in the summer of 2020 required all counties to implement a ballot tracking service. While a very small number of counties found their own solutions through private contracts or homegrown systems, most counties used a vendor hosted on the Secretary of State website. The purpose of this law was to allow voters to easily track the status of their vote-by-mail ballots. Text, email, or voice messages would be sent to voters who signed up allowing them to know when ballots were on the way and when they were received. One of the primary

messages seen or heard by voters was, “*Your ballot for the November 3, 2020 General Election was received and will be counted.*” This vague message led many voters to ask the obvious questions of both “When will my ballot be counted?” and “Was my ballot counted?” For legal and procedural reasons, which protect voters from having their ballots linked to specific individuals, we are unable to notify a voter of when a particular ballot has been counted. Once a ballot is separated from its envelope, it becomes completely anonymous and non-trackable. In fact, if identifying marks such as signatures, initials, or even doodles appear on ballots, we are required by law to duplicate those ballots to keep the identifying marks from being seen during counting or any subsequent recount. Given the number of telephone calls, emails, and in-person visits regarding these questions, this issue was easily the most unexpected time-consuming task of the election. Through our connections at the state level, Placer County was able to work with the Secretary of State to get this message changed across California to, “Your ballot has been accepted. Your ballot was received by your county elections office and counted. Thanks for voting!” However, this messaging had already consumed weeks of staff time, not just for us but for nearly every elections office in the state. The Secretary of State has committed to working with a group of election officials to improve messaging and Placer County will be part of this group.

Post-Election Hand Recount

One of the many lessons learned this cycle occurred during our post-election canvass activities. State law requires a hand recount each election of at least one precinct from every contest appearing on our ballots in order to verify the voting machines counted the cast ballots correctly. With some exceptions, precincts are limited by state law to 1,000 registered voters or fewer. The precincts to be recounted are chosen randomly using a number generator and we further randomize the selection by rolling dice to determine which of six precinct groupings will be recounted. Unrelated to this law, legislation for this election cycle allowed counties using VSCs a consolidation of up to 10,000 voters into each voting precinct instead of the normal maximum of 1,000 voters for traditional polling places. We followed the allocations prescribed in the legislation for calculating VSCs and then added an extra buffer to ensure compliance should registration growth outpace our assumptions. As fate would have it, the county experienced its largest percentage of voter turnout in a major election. That record turnout combined with up to 10,000 ballots to hand recount for each precinct cascaded into a tremendous workload. The final number of ballots hand recounted for the manual tally this election totaled 64,142. That represented 26.8% of all ballots cast. Normally we recount closer to 10% of all ballots cast. Statistically, the extra ballots we were required to count did not provide any discernable benefit to election security, but failure to recount all ballots would have resulted in an incomplete test of the system. The extra ballots required an estimated additional seven or eight days of added work and diverted extra help and permanent staff from other important post-election tasks. Should VSCs be utilized again, smaller consolidations will be employed.

Assistance from Other County Departments/Offices

While an election is never performed in a vacuum, the November 2020 General Election was unique in that nearly every county department or office assisted in some way.

While mentioning specific departments is always tricky because invariably someone(s) will be left out, I hope to point out most of, if not all of, the county's involvement to highlight a true positive outcome of this election.

Configuring and securing stable encrypted tunnels between each location to our firewalls, configuring laptops to be secure and functional, developing Cradlepoint configurations, completing effective site testing, and the like took hundreds of hours of work by the Placer County Department of Information Technology security staff and the Placer County Telecommunications staff in conjunction with my internal IT staff.

The Placer County Procurement Division worked hard and quickly to procure the technology and the personal protective equipment we needed to conduct this VCA-like election.

The Placer County Human Resources Department was indispensable in recruiting and processing over 400 Elections Aides in short order.

The Placer County Auditor-Controller's Office stepped up to physically stuff and mail our payroll checks to Elections Aides because the temporary nature of the Elections Aides' employment required the county to process physical checks and the Workday payroll system is normally set up to direct deposit money into employee accounts. Because the Elections Office staff were busy counting ballots and performing other functions, the Auditor-Controller and his staff took it upon themselves to solve this problem by stuffing and mailing these payroll checks, thus allowing our workers to receive their pay as quickly as possible.

The Placer County Facilities Department graciously helped to locate and prepare as many county-owned locations as possible and were particularly helpful in securing the use of @ The Grounds in Roseville, which as a landmark location with plenty of parking was an important site necessary to ensure the success of the election.

The Placer County Sheriff and his team worked with us from Day One to ensure this election would be safe, not just at the VSCs but also from the threats to our main office and our warehouse.

The Placer County libraries allowed us without question to plant official ballot drop boxes at any of the facilities we deemed appropriate and, despite being closed for COVID-19 protocols, offered to open any facilities we needed for VSCs or receiving centers.

The Communication and Public Affairs team is always ready to help us get our message out, but this election they assisted us like never before and helped us to launch our first ever social media live question and answer session.

The Health and Human Services Department provided valuable advice on COVID-19 protocols and assured certain VSC locations that opening as a VSC would not cause them any trouble with violating state lockdown rules.

The Office of Emergency Services took it upon themselves to procure generators for any VSCs considered to be in potential public safety power shutoff (PSPS) areas and delivered those generators to the sites without us having to divert precious resources.

The County Executive Officer and his staff, County Counsel and her staff, and several other departments constantly checked in with our office to ask if we needed assistance and were invaluable in helping us navigate the legal changes and last-minute changes.

The Placer County Board of Supervisors for helping to spread the message that voting would be safe, secure, transparent, and accessible in November.

While the following are not county offices, kudos also need to go out to the city clerks of Placer County's six cities for their vital assistance in locating VSCs, opening closed facilities, providing official ballot drop box locations, and lending support throughout the whole process; the Placer County Superior Court for being open to hearing court-ordered voter registration petitions; many of the local school districts and places of worship who either hosted or were ready to host VSC locations; and our local Raley's and Bel Air grocery stores who, at the last minute, made themselves available as official ballot drop box locations when our office realized most of our locations could close if we were faced with a lockdown (but, as essential services, those stores would be open to receive ballots).

The collaboration of these offices (and those I may have forgotten) were crucial to ensuring the election did not fail. Placer County residents should be proud of the way these agencies stepped up to help in this endeavor.

While by no means exhaustive, this overview of the problems encountered, the resolutions employed, and the lessons learned for the November 2020 General Election should provide you with a good cross section of what we encountered in this unique and historic election.

I would like to thank the 2020-2021 Placer County Grand Jury for granting my request to extend the deadline to respond to Recommendation 2 and Recommendation 3 from March 1, 2021 to April 15, 2021. I would also like to thank them for their hard work and purposeful approach in tackling the subject of the November 2020 general election.

Sincerely,



Ryan Ronco
Placer County Clerk-Recorder-Registrar of Voters

CC: Foreman Walter Moore, Placer County Grand Jury
Chair Robert Weygandt, Placer County Board of Supervisors
Todd Leopold, Placer County Executive Officer

