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GRAND JURY



Photo by Jon Mason

COMPREHENSIVE FINAL REPORT 2006-2007

Inside Cover page



PLACER COUNTY GRAND JURY

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11 June 2007

The Honorable Larry Gaddis
Jr.
Presiding Judge, Superior Court
County of Placer
Department 2
101 Maple Street
Auburn, CA 95603

The Honorable Eugene S. Gini,
Judge of the Superior Court and
Advising Grand Jury Judge
Department 12
11270 B Avenue
Auburn, CA 95603

Subject: 2006-2007 Placer County Grand Jury Reports

Dear Judge Gaddis and Judge Gini,

The 2006-2007 Placer County Grand Jury is pleased to present this final report to the Presiding Judge and the Advising Judge of the Superior Court of Placer County.

The members of the Placer Grand Jury dedicated countless hours of hard work to bring this Final Report to you both and the citizens of Placer County. In July of last year, 19 Placer County citizens volunteered to serve on the Grand Jury. After being selected and sworn in, they gathered as the newly impaneled 2006-2007 Grand Jury to begin the task of producing a series of Final Reports on the status of our county. In a very short time these strangers became a working team creating the Final Report submitted herein. Along the way, we met many times in committees and in plenary sessions to consider, contemplate, plan, interview, write, rewrite, edit and rewrite again. The members often vigorously debated many points of view on topics we thought important and critical to the process. We are no longer strangers.

Of special interest to this Grand Jury, in the months of August and September a lengthy criminal indictment hearing was conducted at the request of the Placer County District Attorney's Office. In November the Grand Jury was once again requested to hold a criminal hearing of a much shorter duration. One additional criminal indictment hearing was held in 2007. All three criminal hearings resulted in True Bills being issued by the Grand Jury. The last time the Grand Jury was impaneled to conduct criminal hearings was in 2002.

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The second notable effort involved the updating of the Grand Jury Handbook. This was accomplished over several months and involved gathering information from the California State Grand Jury Association. In addition to this activity, work was completed on updating the State of California Archives with all available copies of prior Grand Jury Final Reports.

We are also pleased to report after ten years of reporting on the need to update or replace the aging Sheriff's Substation at North Lake Tahoe (commonly referred to as the Burton Creek facility), the County Executive Officer has agreed to schedule the replacement of the facility on the existing site in the 2008 construction schedule.

We would like to take this opportunity to express our thanks and gratitude to the court staff and elected officials who every year face yet another new group of Grand Jury members. They patiently answered our questions and counseled us in the ways of county government leaving us feeling as if our concerns and queries were new and unique. We would like to thank the many public employees who so graciously took the time to explain and assist us in our daily efforts to function as a Grand Jury. We would also like to thank the staff of the Placer County District Attorney's Office, for allowing us to be of service to the citizens of Placer County.

The Jury believes we have accomplished our required tasks and reported on issues of substance affecting citizens of Placer County. We also believe the enclosed Final Report will provide greater knowledge and insight into the functions of our county government. We strongly encourage every citizen to look at the Grand Jury's findings, recommendations and responses from their public officials.

The 2006-2007 Placer County Grand Jury thanks you for your support and counsel during the past year and for the opportunity to serve the citizens of Placer County. It has been an education, a privilege and an honor.

Sincerely,

John Wallauch

John Wallauch
Foreman
2006-2007 Placer County Grand Jury

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**PLACER COUNTY
GRAND JURORS 2006 – 2007**

Foreman: John Wallauch Granite Bay

Pro-tem: Frances Tally Hale Auburn

| | |
|------------------------|-------------|
| Gordon (Pete) Blakeman | Roseville |
| Ruth Braun | Lincoln |
| Linda Fazo | Auburn |
| Judy Green | Lincoln |
| Mary Grivna | Rocklin |
| James Hare, Jr. | Auburn |
| Jonathan S. Mason | Auburn |
| Shari O’Dette | Auburn |
| Bethany Overhoff | Newcastle |
| Tina Payne | Lincoln |
| Nick Rohrer | Colfax |
| Delta Wilson-Ricky | Auburn |
| Robert Smith | Roseville |
| Jon Skinner | Roseville |
| Randi Swisley | Auburn |
| Robert Zimmerman | Granite Bay |

Retiring Grand Jury Members

Herb Boyer
Craig Furman
Eric Hill
Robert Mock

Placer County Grand Jury 2007



From left to right, back row: Jon Mason, Randi Swisley, Pete Blakeman, Ruth Braun, Bethany Overhoff, Frances Hale, Bob Zimmerman, and Nick Rohrer; from left to right, front row: Delta Ricky, Shari O'Dette, Linda Fazo, Judy Green, Tina Payne, Mary Grivna, Loren King, and James Hare; not pictured are Jon Skinner, John Wallauch, and Bob Smith.

Abstracts

Lincoln Water District

The Placer County Grand Jury investigated two complaints into water and wastewater rate increases by the City of Lincoln to determine if the increases were in violation of Proposition 218. The Grand Jury reviewed both Proposition 218 and documentation provided by the City of Lincoln in support of its rate increases. Proposition 218 specifically excluded fees for water, sewer and refuse collection services from the voter approval requirement of Proposition 218. For four years the City of Lincoln elected not to pass on rate increases by Placer County Water Agency resulting in a shock to the community when the cumulative 70% increase in water rates was imposed. Wastewater rate increases are attributable to improvements to the existing wastewater treatment plant and operating costs of a new wastewater treatment and reclamation facility. Even though the cost of construction was borne by developers, the new facility has generated increases in operating costs. It appears that revenue generated as a result of increases in wastewater rates will be allocated exclusively to the operation of the wastewater treatment and reclamation facility. The Grand Jury concluded that water and wastewater rate increases by the City of Lincoln were adopted in compliance with Proposition 218 and no vote of the public was required.

Roseville Transit

The Grand Jury conducted an investigation into the operation of Roseville Transit as part of its overall responsibility to confirm that taxpayers are receiving the maximum value for tax revenues spent to support the public transportation system. The Grand Jury found there is a large disconnect between the size of the buses in use and the actual number of riders aboard them.

The Grand Jury also concludes and recommends that agencies and local governments responsible for oversight of Roseville Transit should require increases in average fare box recovery rates for the fixed routes within the systems. Currently, Roseville Transit relies upon a disproportionate amount of the total average fare box recovery from the commuter bus routes which potentially can be impacted and displaced by the expansion of light rail.

Auburn Police Department

The Grand Jury conducted its annual inspection of the Auburn Police Department. The Department is in compliance with California Penal Code Section 919(b). A commendation letter to the Chief of Police was sent following the on-site inspection.

Burton Creek Substation

The Grand Jury conducted its annual inspection of the Placer County Sheriff's Burton Creek Substation. This facility has been recognized to be inadequate for more than ten years. With the existing facility there is inadequate space to house all the essential functions of the Sheriff's administration, jail/booking facility, investigations, records and dispatch offices. Burton Creek has found it necessary to expand the facility to keep up with the growth of its department and anticipates a move to a new location in the near future. Given the condition of the facility, the Grand Jury was