

MONTEREY COUNTY



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March 28, 2000

The Honorable John M. Phillips
Presiding Judge
Coordinated Trial Courts
County of Monterey
240 Church Street
Salinas, California 93901

Dear Judge Phillips:

The Monterey County Board of Supervisors approved their response to the Final Report of the 1999 Monterey County Civil Grand Jury at its meeting on March 28, 2000. The Board's response is respectfully submitted herewith, in accordance with California Penal Code Section 933(c).

On behalf of the Board of Supervisors, I would like to thank the 1999 Civil Grand Jury for its efforts. We welcome this opportunity to review and provide comment on issues of concern to the citizens of Monterey County.

Sincerely,

Louis R. Calcagno
Chair, Monterey County Board of Supervisors

Attachment

CASTROVILLE SEAWATER INTRUSION PROJECT

FINDINGS

1. Sixty-five percent of the growers responding to the survey indicated dissatisfaction with the quality of water received. Eighty-two percent either believed or were uncertain whether or not long-term use of the water would have a detrimental effect on the productivity of the land. Fifty-four percent were dissatisfied with the Agency's responsiveness to issues raised by the growers in the CSIP area. Comments were also received regarding the need for better cost controls over operations and variations in water quality based on the amount of blending with well water. Blending with well water reduces the constituents of concern to the growers.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. Water quality and customer service have been priorities of the MCWRA from the onset of the Castroville Seawater Intrusion Project (CSIP). The MCWRA recognizes that high quality customer service requires communication and responsiveness. Both are vital elements in the success of new and innovative projects. The development of relationships with the agricultural community began in the 1970's and 1980's during the Monterey Wastewater Reclamation Study for Agriculture (MWRSA) and continues today through the interactions of the Water Quality and Operations Committee and outreach efforts conducted by the MCWRA. Agency customer service and outreach efforts include:

- Grower information meetings (held monthly for the first full year of operations and continue semi-annually; meeting attendance dropped over the first year from approximately 50 per meeting to less than ten per meeting).
- A public outreach and education program developed by Ketchum Inc. is in position with a comprehensive response package developed for CSIP area grower/shippers.
- Water Quality and Operations Committee (monthly meetings are held to discuss operations issues and customer concerns and provide a forum for direct input regarding the CSIP operation to the MCWRA Board of Directors).
- Commitment of a full time staff member as an on-site grower liaison.

Through the available forums, the MCWRA provides regular opportunity for grower input and proposed operational changes. Additionally, the grower liaison provides a direct on-site contact for CSIP growers. When water quality and operational changes have been requested by CSIP growers, the MCWRA has provided the water quality needed by each grower through this unique on-site liaison relationship.

In addition to the outreach and customer service efforts, the MCWRA and the Monterey Regional Water Pollution Control Agency (MRWPCA) have established a track record of commitment to quality control and quality assurance of recycled water delivered by the CSIP. Prior to the CSIP start-up in 1998, the MCWRA and MRWPCA conducted an extensive testing of the CSIP water quality for public health assurance that was well above and beyond the testing required by the California Department of Health Services. The public health testing and monitoring program continues today with the County's Environmental Health Officer conducting independent testing and monitoring in addition to the monitoring conducted by the MRWPCA. Such efforts lead to

the discovery of seawater discharges into the MRWPCA collection system from the Monterey Bay Aquarium in 1998, and with the cooperation of the Aquarium, elimination of these discharges in 1999. Both organizations continue to work towards producing higher quality water for the CSIP growers.

The MCWRA acknowledges the growers concerns expressed in the Grand Jury Report, and will continue to implement improvements and programs aimed at enhancing the water quality for the CSIP. The MCWRA also notes in the letter written by Edward Boutonnet, General Manager of Ocean Mist Farms, to *The Californian* on January 18, 2000, that the results presented in the Grand Jury Report may not represent the impressions of the majority of the CSIP growers. Nevertheless, the MCWRA and the MRWPCA will develop and implement programs and projects, like the SMP, to produce water of a quality needed by the growers in the CSIP project area.

2. The Monterey Wastewater Reclamation Study for Agriculture Final Report, the pilot program for CSIP, did not adequately address the long-term effects of use of reclaimed water on agricultural lands.

RESPONSE:

The Board of Supervisors wholly disagrees with this finding. The Monterey Wastewater Reclamation Study for Agriculture (MWRSA) evaluated agronomic impact on soils in the CSIP area for five consecutive years and found no adverse impacts.

3. Based on a preliminary assessment by a Plant-Water Relations Specialist, the salinity of the CSIP water could be detrimental to certain crops grown in the project area.

RESPONSE:

The Board of Supervisors disagrees with this finding. In 1998 and 1999, crop yields in the CSIP area were not adversely impacted by the use of recycled water. No reports were received indicating the salinity of the water delivered by the CSIP had detrimental impacts on the crops grown. Further, while the original MWRSA study did not evaluate the impact of recycled water on strawberries; there is no conclusive evidence that the water delivered by the CSIP would be detrimental to strawberries.

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. The Agency, in conjunction with the Water Quality and Operations Committee, seek an independent, authoritative determination as to the agricultural suitability of the CSIP water and the long-term effect of use of this water on agricultural land.

RESPONSE:

The recommendation will not be implemented because it is not warranted. The MWRSA study broke new ground in the area of recycled water research. It was the first comprehensive evaluation of agronomic use of recycled water in California, and is still cited as a reference in the development of recycled water projects. The study monitored and evaluated impacts on soil over

a five-year period and found no adverse impacts from recycled water use on the MWRSA study area soils, nor were any indicators of adverse conditions identified.

While the MWRSA study developed new information never before compiled and established a new standard for recycled water research, it was never intended to be the end of the monitoring and data development for the CSIP. The MCWRA and the MRWPCA have continued to monitor, study and evaluate the short and long-term impacts of the CSIP on the soils and crops grown in the project area. Laboratory monitoring budgets for the first two years of operation have exceeded \$35,000 and the proposed SMP will provide additional data to build upon the work conducted under the MWRSA study. Both MCWRA and MRWPCA continue to be fully committed to evaluate and improve CSIP water quality.

2. The Agency increase blending of the CSIP water with well water until such time as the salinity of the effluent leaving the plant can be reduced to levels that do not impact crop yields.

RESPONSE:

The recommendation will not be implemented because it is not warranted. Blending of well water with recycled water is designed into the project through the operation of the 21 supplemental CSIP wells. Perhaps the single most important area for improved CSIP water quality is the agronomic issue of salt (or sodium) reduction. The MCWRA and MWRPCA have adopted a progressive and proactive approach to salt reduction leading to the MRWPCA Salt Reduction Program (Attachment 1) and the Salt Management Plan (SMP) (Attachment 2). Through these programs the MCWRA and MRWPCA have implemented programs to improve water quality and promote long-term satisfaction of the CSIP growers. The project was not designed to meet all irrigation demands through the use of recycled water. For instance, water delivered in 1998 and 1999 was one-third well water and two-thirds recycled water, yielding a Sodium Absorption Ratio (a measure of agronomic water quality and sodium impact to the soil) of less than four (4). The MCWRA and MRWPCA are also developing CSIP operational protocols to better control the equity of blended water throughout the CSIP delivery area. When growers have identified the need to use well water in lieu of project water, the MCWRA has accommodated them by operating project wells and providing the growers well water. The MCWRA grower liaison provides day-to-day contact and field support for the CSIP growers.

3. The Agency conduct a survey of the different soil characteristics in the CSIP service area to determine if some land should be excluded from irrigating with CSIP water based on the nature of the soil and its ability to tolerate this water.

RESPONSE:

The recommendation will not be implemented because it is not warranted. As stated in the response to Recommendation #1, above, the MCWRA and the MRWPCA have continued to monitor, study and evaluate the short and long-term impacts of the CSIP on the soils and crops grown in the project area. The MCWRA grower liaison works closely with all area growers, and monitors the production of a variety of crops in the CSIP area. With the SMP, soil conditions and crop yield will continue to be monitored to evaluate current practices and agronomic economics relative to the water supplied. Ultimately, the MCWRA's goal is to identify and implement CSIP water quality improvements to meet the needs of the project area growers. Without successfully maintaining the high yields in the CSIP area and moving crops to market, the CSIP has not

accomplished the project objectives. When growers have identified the need to use well water in lieu of project water, the MCWRA has accommodated them by operating project wells and providing the growers well water. The MCWRA grower liaison provides day-to-day contact and field support for the CSIP growers.

Finally, it should be noted, the Castroville Seawater Intrusion Project (CSIP) is the first large-scale project using recycled water as a source of water supply augmentation, and represents a departure from most if not all existing recycled water projects in California. Most present day recycled water projects have been driven by the need to manage the discharge of treated waters. The recycled water delivered by the project is key to the long-term reduction of seawater intrusion, and essential in the Monterey County Water Resources Agency's (MCWRA) effort to preserve prime agricultural lands and the quality of life in the Salinas Valley.

COURTHOUSE SECURITY

FINDINGS

1. At least one appellate court has ruled that counties may be held responsible to individuals for damages incurred as a result of acts of violence committed against those individuals while in a county building.

RESPONSE:

The Board of Supervisors agrees with this finding and is committed to working together with the Sheriff and Courts to continue to address security concerns.

2. The lack of problem solving has resulted in the continuance of the threat associated with unsecured public places. County and Court staff, visitors to the Courthouse, and inmates who are arraigned continue to be exposed to the possibility of a violent act.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. Staff continues to work together to find a reasonable approach to improve issues of security in the Courthouse. The addition of a two-person roving patrol, security awareness training, and the relocation of inmate holding cells are some of the measures being taken to reduce such threats. Through the assistance of the Sheriff, the duties of the bailiffs were examined and expanded to increase their presence in the courthouse when court is not in session. It is necessary to recognize that as long as the current "mixed use" of Courthouse facilities exists, it will be difficult to find a mutually agreeable, practical method to control access and further reduce potential for a violent incident. Efforts for development of a master plan that addresses these issues, and questions of related funding, have been a top priority for the County and Courts alike, and will continue until reasonable remedies are in place. It should also be noted that the state is currently involved in a statewide survey of all court facilities. It is anticipated that survey results, due January, 2001, will assist in developing remedies, setting priorities, and addressing issues of funding responsibility and sources to adequately address the statewide concern of courthouse security.

3. Videotaping arraignments could significantly improve security at the Courthouse for County and Court staff, visitors to the Courthouse, and inmates, as well as reduce the need for use of the existing holding cells.

RESPONSE:

The Board of Supervisors agrees with this finding.

4. Establishment of a Courtroom or Courtrooms at the Adult Detention Facility, for the purpose of reducing the number of inmates transported and held in the existing holding cells, could significantly improve security at the Courthouse for County and Court staff and visitors to the Courthouse and reduce the need for use of the existing holding cells.

RESPONSE:

The Board of Supervisors agrees with this finding. It should be noted, however, that issues such as limited space within the current Adult Detention Facility, and providing for right to public access to such proceedings could create some of the same concerns that presently exist within the Courthouse.

5. Inmates are escorted to Courtrooms and holding cells using an elevator which is utilized at the same time by County and Court staff and Courthouse visitors.

RESPONSE:

The Board of Supervisors agrees with this finding.

6. Metal detectors are used only at the entrance to some of the Courtrooms during trials.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. Information received from the County Sheriff states that metal detectors are present in all courtrooms, with the exception of Marina. Metal detectors are on whenever court is in session, and if activated, a bailiff responds. A bailiff remains stationed at the metal detector during high profile cases and cases that may pose a potential security threat.

7. Some County offices have the capability to sound an alarm in the event of a violent act occurring in the Courthouse.

RESPONSE:

The Board of Supervisors agrees with this finding.

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. The BOS, CAO, and County Sheriff immediately take reasonable steps to secure the Courthouse better to prevent the possibility of an act of violence.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has been implemented and, working cooperatively, the Board of Supervisors, Courts, and the Sheriff continue to make every effort to reduce threats of potential violence within the Courthouse. Steps taken include the addition of a two-person roving patrol, security awareness training, and efforts toward relocation of inmate holding cells. Through the assistance of the Sheriff, the duties of the bailiffs were examined and expanded to increase their presence in the courthouse when court is not in session. These steps provide immediate assistance in improving security at the Courthouse.

The Courts and the Board of Supervisors are exploring options for establishing a “courts only” facility. The ability to locate all of the Salinas courts in a single facility will eliminate many of the inconveniences and obstacles that presently exist in attempting to control access to a mixed-use facility.

2. The County acquire metal detectors and video surveillance equipment to monitor activities in the Courthouse.

RESPONSE:

The recommendation has been implemented. Presently, each courtroom is furnished with a metal detector, which is utilized as outlined in response to Finding #6, above.

3. The North Wing west elevator be secured and used solely for the purpose of transporting inmates when they come to the Courthouse for trial.

RESPONSE:

The Board of Supervisors agrees with this recommendation. Discussions will be held within the next 90 days with staff of the Sheriff, Courts, and Facilities to determine the feasibility of implementing this recommendation.

4. The BOS, CAO, and County Sheriff approach the Court concerning implementing video conferencing between the County Jail and Courthouse for arraignment proceedings.

RESPONSE:

The Board of Supervisors agrees with the recommendation. Expanded use of video arraignments would reduce potential threat and the need for inmate holding within the courthouse. Further analysis is needed before this recommendation can be implemented. Expansion of this program is dependent on the Court’s ability to integrate video technology with court procedures and calendaring. Discussions will be held within the next 90 days with staff of the Courts, Sheriff, and CAO’s Office to further explore implementation of video arraignments.

5. The BOS, CAO, and County Sheriff approach the Court concerning establishing a Courtroom or Courtrooms at the Adult Detention Facility.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation requires further analysis before it can be implemented. Implementation of a Courtroom at the Adult

Detention Facility is partially dependent on the Court's ability to integrate such a courtroom with court procedures and calendaring. Discussions will be held within the next three to six months with staff of the Courts, Sheriff, and CAO's Office to further explore implementation of video arraignments. The Sheriff has indicated willingness to discuss this recommendation, but has expressed concerns that the current Adult Detention Facility lacks the space that would be required to establish an onsite courtroom, and providing for right to public access for courtroom proceedings could compromise facility security.

6. Alarm or "panic" buttons be installed in all non-secured Courthouse complex offices.

RESPONSE:

The recommendation requires further analysis before it can be implemented. Discussions will be held within the next three to six months between staff of the CAO's Office and the Sheriff to determine where the installation of panic buttons might be warranted. Addition of panic buttons will be considered in conjunction with Courthouse remodel projects. The Sheriff has indicated willingness to act in an advisory capacity with regard to installation of panic buttons and in determining who would receive and respond to such alarms.

EMERGENCY MEDICAL SERVICES

FINDINGS

1. Sixty to seventy percent of fire alarms are medical emergencies.

RESPONSE:

The Board of Supervisors agrees with this finding. An increasing proportion of fire agency workload involves medical emergencies. At least 33 fire agencies in Monterey County serve as "First Responders," including city departments, rural fire districts, airport fire departments, and others. Some of the non-fire agencies that respond to medical emergencies include police or public safety departments, parks departments, and various state and federal agencies.

2. Ninety percent of medical responses require only Basic Life Support.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. The Monterey County Health Department responds that most medically trained experts would not agree with this generalization, and would suggest that a much larger proportion of patients benefit from Advanced Life Support (ALS) services. The Monterey County EMS system was designed as an "all-ALS" system, which means that every ambulance in the 911 system is staffed with paramedics and is specially equipped for providing Advanced Life Support level of care. Several factors led to the decision to create an all-ALS ambulance system, including geographic size of the County, low population densities, the relatively low call volumes, the wide diversity of first responder agencies, concern for quality of patient care, need for back-up in multi-casualty situations, and the relative costs and benefits of ALS. In this environment, the benefits of having patients monitored with ALS skills may be just as important as having ALS interventions available. Considering the remoteness of

many Monterey County communities, the possibility of long transport times to specialty hospital care, and the nature of emergencies experienced, ALS services have many advantages.

3. Police or fire personnel are usually first on the scene for medical emergencies.

RESPONSE:

The Board of Supervisors agrees with this finding. The Monterey County EMS Agency requires ambulance providers to keep a record of each patient encounter, known as a Pre-Hospital Care Record. In 1996-97 these records show that, for patients transported to the hospital, overall 49.6% of patients had received some care from a fire agency prior to the arrival of the ambulance.

4. Urban fire stations are generally situated to provide a four-minute response time.

RESPONSE:

The Board of Supervisors agrees with this finding, based on information from local fire agencies. Fire agencies respond from fixed locations at fire stations, and there are a large number of such stations throughout the County. They are located to provide for the best response to fires. Ambulances are required to use a 'systems status management' approach, which involves studying the location of emergency medical calls by hour of the day and day of the week, and then deploying and moving ambulance resources so as to have the shortest possible response time to every medical call. The mean response time for ambulances countywide is five minutes, 22 seconds.

5. The urban areas of Monterey County could reduce charges to ambulance users by approximately 50% of the present cost and form one or more JPA's to:
 - a. take over ambulance service using private operators to provide Basic Life Support ambulances; and
 - b. place Paramedics on first-response engines of fire departments within JPA areas.

RESPONSE:

The Board of Supervisors disagrees with this finding, based on past experience. When the Countywide ambulance franchise was put to bid in 1995, one proposal was received from a fire agency JPA. That proposal did not offer rates that were lower than the existing private ambulance companies and it was not ranked competitively with the bid from the private company. Future bids will continue to be open to all proposals and alternatives.

6. Service with uniform four-minute response would be better than is now provided. The Paramedic can accompany the patient to the hospital in the 7% of fire calls where it might be necessary. Most lives are saved in the first five to ten minutes after arrival on the scene by the first-responder.

RESPONSE:

The Board of Supervisors disagrees with this finding. The Monterey County EMS system is based on the 'tiered response' model, in which a first responder is expected to arrive at the scene of an accident or injury within the first four minutes, and to provide assessment, stabilization and first aid prior to the arrival of an ambulance. While the first responder agencies do not have contractual requirements to arrive in any specified time, the ambulance is subject to contractual

performance standards. As indicated above, the average actual response time for ambulance calls is just over five minutes Countywide. As long as first responder agencies are able to reach the scene first, the five-minute response by paramedics offers excellent patient care. This “partnership” assures the best possible uniform response time and appropriate medical intervention that would not be possible through a fire agency only response system.

7. The salary paid to Fire Paramedics is 7.5% more than the salary paid to fire crews, all of whom are trained as EMT-I’s.

RESPONSE:

The Board of Supervisors agrees with this finding. Fire Paramedics trained as EMT-I’s generally receive a higher salary than other fire crew members. Each of the 33 fire agencies in the County has its own governing board, personnel practices, and salary ranges. California law requires firefighters to have at least fifteen hours of first aid training. In Monterey County most fire first responders are certified by the County’s 56-hour First Responder training program. The County EMS Agency has surveyed fire agencies and finds that 40% of local firefighters have achieved the 112-hour EMT-I level of training.

8. Per capita staffing of Monterey County’s EMS is much higher than other Counties surveyed.

RESPONSE:

The Board of Supervisors agrees with this finding. Monterey County’s EMS Agency has a higher per-capita staffing than most urban counties to which it is compared in the report. Monterey County, with 3,300 square miles, is geographically larger than any of the Bay Area counties, with a wide diversity of land-use and terrain. Monterey County has a more fragmented first-responder system and a large number of agencies that must be included in system planning. The EMS agency has been staffed to achieve the goals set for it by the community, including implementing a paramedic ambulance system, operating a First Responder Training Program, establishing an Automatic Defibrillator program, and coordinating the work of over 100 organizations involved in pre-hospital care.

9. It has been reported that EMS has not cooperated with fire departments in equipment planning and supply, or in training.

RESPONSE:

The Board of Supervisors agrees with this finding. Communication between agencies has needed improvement. Staff of EMS and fire agencies now meet together on a regular basis to communicate potential issues and needs. Through collaborative efforts, representatives from the Monterey County Fire Chiefs Association and EMS have recently developed and agreed upon a simplified process for distributing EMS equipment funds to first responder agencies to ensure that such funds are spent appropriately. Participation in the simplified equipment funding program will be contingent upon the execution of a Memorandum of Understanding (MOU) between each agency and the EMS agency specifying conditions of participation. All eligible first responder agencies have been invited to participate; participation is entirely voluntary for each first responder agency. As of this writing, signed MOU’s have been received from at least 30 first responder agencies. The MOU is expressly contingent upon the availability of funds collected

through EMS County Service Area 74. A representative of the Fire Chiefs Association has clarified that training has not been an issue, and that the fire departments have been very satisfied with respect to training.

10. No attempt is now made to collect from citizens for frivolous calls or for false alarms.

RESPONSE:

The Board of Supervisors agrees with this finding. State law does not currently permit collection of fines for frivolous 911 calls, whether for police, fire or ambulance services. The emergency medical services community and other groups statewide have discussed this issue, but to date there is no consensus on what constitutes a "frivolous" 911 call, or how a 911 center would enforce collection of fines.

11. EMS reports that AMR collects only 60% of its charges, while Carmel, with its own service, reports collecting 80% of its charges.

RESPONSE:

The Board of Supervisors agrees with this finding. Past experience indicates a wide variation in collection rates for ambulance services, based largely on level of income in a community, the proportion of the population in a given area who are covered through health insurance, and other factors.

12. Substantial funds for health services may become available from the recent tobacco settlement and/or from Proposition 99's proposed "Added Tax" on cigarettes.

RESPONSE:

The Board of Supervisors agrees with this finding. Local governments are free to determine how such funds are to be used. We are not aware of a Proposition 99 proposed "added tax."

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. The urban areas of Monterey County establish one or more JPA's to provide medical transport at the Basic Life Support level.

RESPONSE:

The recommendation will not be implemented because it is not warranted. Citizens of Monterey County have agreed to continue support of a countywide emergency medical response system, as indicated in the results of the March 7, 2000 ballot Measure A. The Board of Supervisors will consider alternatives to best meet the future needs of the citizens of Monterey County, working with all interested parties to define the most responsive emergency medical system program.

2. A plan be implemented to provide funding to local fire companies for training a qualified Paramedic on each first response engine with defibrillator equipment and lifesaving drugs.

RESPONSE:

The recommendation will not be implemented because it is not warranted. The cost of placing paramedics on the more than 30 fire company engines in the County would be prohibitive, far in excess of the cost of the current system, without demonstrable benefit to patient care.

3. The California Department of Forestry and South County Fire Departments adopt a similar plan with subsidies from tobacco settlement funds.

RESPONSE:

The recommendation will not be implemented because it is not warranted. As stated in response to Recommendation #2, placing paramedics on all fire response engines would be cost prohibitive, particularly when considering the many all-volunteer fire agencies throughout the subject area. The Board of Supervisors will consider alternatives to best meet the future needs of the citizens of Monterey County, working with all interested parties to define the most responsive emergency medical system program.

4. Eliminate plans for the Countywide \$12.00 per parcel tax.

RESPONSE:

The recommendation will not be implemented because it is not warranted. The \$12 per parcel tax provides a revenue source to maintain the EMS program. Through Measure A on the March 7, 2000 ballot, voters countywide elected to continue support of a countywide emergency medical response system and approved maintaining the \$12.00 per parcel tax.

5. Support all Cities and Districts in elections to continue the current \$4.00 to \$5.00 assessment as a tax and assist areas not now paying this assessment to adopt this tax.

RESPONSE:

The Board of Supervisors agrees with this recommendation, and it has been implemented. The County created the referenced sub-zones for cities and special districts when it implemented Measure A in 1989, and continues to support them as a local option.

6. Eliminate EMS. If required by law, retain one person as a coordinator to be compensated from the County's Health Department budget.

RESPONSE:

The recommendation will not be implemented because it is not warranted. Under State law, paramedic services cannot be offered in a County without a County-approved EMS Agency, and without medical supervision of paramedics by emergency room physicians in licensed hospitals. A paramedic pre-hospital ambulance system involves the practice of medicine by a physician extender in the field, and is subject to the laws and regulations governing the practice of medicine. An EMS Agency at the county level is required to have adequate, qualified staff to oversee the paramedic program.

ESTABLISHMENT OF AN AUDIT COMMITTEE

FINDINGS

1. As of September 1999, the primary responsibility for administering the proposal process and managing the County's external audit lies with the County Administrative Office. A three-member audit team, comprised of the Assistant Auditor-Controller, the County Treasurer, and the Chief Analyst from the County Administrative Office, prepares the Request for Proposal packets and reviews the responses. Their recommendation is made to the Chief Assistant County Administrative Officer and presented to the Finance and Capital Improvements Committee of the BOS. After the Finance and Capital Improvements Committee has reviewed and accepted the recommendation, the contract must be approved by the BOS.

RESPONSE:

The Board of Supervisors agrees with this finding. Procedures for the management of the external audit were adopted on January 30, 1990. Since the adoption of these procedures, the County Administrative Office has taken the lead to develop and process the request for proposal for the external audit.

2. The Government Finance Officers Association establishes recommended practices for state and local governments which state that the primary responsibility for selecting an auditing firm should be from outside the management and finance function of the governing body. The auditor should be independent in both fact and appearance; substantial involvement by management impairs this independence. This same concept applies in the private sector where it is customary for an Audit Committee to report to the Board of Directors and facilitate selection, communication, and evaluation of the audit process.

RESPONSE:

The Board of Supervisors agrees with this finding. The County's request for proposal document was developed using the guidelines in the "Audit Management Handbook," published by the Government Finance Officers Association.

3. A review of the Financial Report for the County of Monterey for Fiscal Year Ended June 30, 1998, revealed discrepancies and inconsistencies in presentation of prior year fund balances and inadequate disclosure of an accounting change due to the adoption of Governmental Accounting Standards Board Pronouncement 31 which relates to reporting of investments. Although the presentation errors noted were clerical in nature and caused no misstatement of the County's current year financial position, these types of errors do not elicit public confidence.

RESPONSE:

The Board of Supervisors agrees with this finding. The Financial Report noted immaterial discrepancies pointed out by the Grand Jury Audit Committee. The external auditor did not disclose these discrepancies. The issues have been corrected and County is working with the current external auditor to assure that such discrepancies do not occur in the future.

4. An important aspect of the audit process is the exit conference held at the conclusion of the engagement to review the financial statements and any findings and recommendations made by

the auditors. Exit conferences are required to be held at the end of the engagement with the Auditor-Controller, the County Administrative Office, the Finance and Capital Improvements Committee of the BOS and, if requested, the Audit/Finance Committee of the Monterey County Civil Grand Jury.

RESPONSE:

The Board of Supervisors agrees with this finding.

5. A survey of other California counties was conducted to identify how external auditors are selected in other areas. Forty-three of the 58 counties responded. Eighteen of the counties include the Grand Jury in the selection process.

RESPONSE:

The Board of Supervisors agrees with this finding inasmuch as the Grand Jury makes the statement, and without benefit of conducting such a survey or having specific information that agrees or disagrees.

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. The BOS establish an Audit committee whose primary responsibility would be to oversee the independent audit of the County's financial statements, from the selection of the independent auditor to the resolution of any audit findings. The members of the Audit Committee should collectively possess expertise and experience in accounting, auditing, and financial reporting needed to understand and resolve issues raised by the independent auditors. A majority of the members of the Audit Committee should be selected from outside the administrative and financial departments of the County; however, the Audit Committee should include at least one representative from each of those departments. As a general rule, an Audit Committee should be composed of no less than five and no more than seven members and be formally established by resolution or other appropriate legal means.

RESPONSE:

The recommendation will not be implemented because it is not warranted. The Board of Supervisors disagrees with the recommendation to establish an Audit Committee, but agrees that the existing Grand Jury Audit/Finance Committee should be kept better informed regarding the external audit process.

Established procedures and practices assure a quality Single Audit and general purpose management audit. These procedures provide for:

- The issuance of a request for proposal, the annual audit schedule, periodic progress reports, and the disposition of the audit report and management letter.
- Monitoring of the audit process by the Board's Finance and Capital Improvements Committee.

- Review of recommendations and reports by County Administrative staff, the Auditor-Controller, the Board of Supervisors' Finance and Capital Improvements Subcommittee and the Board of Supervisors.

The County will make every effort to inform the Grand Jury's Audit/Finance Committee regarding the selection of the external auditor and update the Committee regarding the development and completion of the County's external audit.

2. The BOS notify the Chair of the Audit/Finance Committee of the Monterey County Civil Grand Jury when the audit is complete so that an exit conference can be arranged.

RESPONSE:

The Board of Supervisors agrees with this recommendation, and will take steps to include this option in the Audit process.

INCLUSIONARY HOUSING FOR LOW AND MODERATE INCOME INDIVIDUALS

FINDINGS

1. Although a Monterey County Consolidated Affordable Housing Plan has recently been established, it is too soon to evaluate its progress.

RESPONSE:

The Board of Supervisors agrees with this finding. Aggressive efforts are currently in process to implement a number of items included in the Monterey County Consolidated Affordable Housing Plan.

- a. The Housing and Redevelopment Section has been created within the Environmental Resource Policy Division of the County Administrative Office to enhance program coordination and project implementation. Staff is in the process of reviewing existing program procedures and developing internal administration capacity to implement existing programs.
- b. The Board of Supervisors recently directed staff to explore redevelopment potential of three unincorporated areas. As part of this process, infill affordable housing development opportunities for Chualar, Moss Landing/Prunedale and Fort Ord will be evaluated in partnership with local community members.
- c. As part of the County General Plan Update, basic information on existing housing conditions has been collected. This information will be presented to the Housing Advisory Committee for consideration in developing recommended countywide funding priorities.
- d. County staff is in the process of implementing a housing rehabilitation program in Boronda and Prunedale. Staff is currently exploring ways to enhance program effectiveness and expand the existing target areas.
- e. Staff is in the process of finalizing recommendations related to an "Over the Counter Grant Program." The program will provide grants up to \$25,000 to non-profit organizations and private market developers under a streamlined application and review procedure. Grant funds

will be available to build organizational capacity of existing or newly created non-profit organizations, develop innovative housing programs, evaluate housing sites, option land, conduct market studies, and finance predevelopment activities.

2. Developers advertise that units are available, and credit-qualified prospective buyers may place their names on a list.

RESPONSE:

The Board of Supervisors agrees with this finding.

3. The Housing Authority of the County of Monterey verifies the eligibility of prospective buyers.

RESPONSE:

The Board of Supervisors agrees with this finding. Staff has developed draft revisions to the existing procedures for marketing and selecting prospective buyers of inclusionary housing units. The draft revisions were received by the Housing Advisory Committee on February 16, 2000 and transmitted to non-profit housing providers for review and comment shortly thereafter. The draft revisions focus on increasing outreach efforts and accountability in the selection of prospective homebuyers.

4. Proposals for use of "in-lieu" funds collected from developers who do not build on-site are reviewed by the County Housing Advisory Committee and distributed through semi-annual selection process. The County Housing Advisory Committee's Annual Report, received for the Fiscal Year ended June 30, 1999, was not prepared using Governmental Accounting Standards.

RESPONSE:

The Board of Supervisors disagrees with this finding. The Housing Advisory Committee is composed of private citizens who serve in an advisory capacity to the Board of Supervisors. There is no statutory requirement that the Committee issue an annual financial statement; reports are provided to the Committee for information purposes only.

5. The County Housing Advisory Committee has had difficulty forming a quorum for meetings from September 1998 through April 1999 to discuss disbursement of funds.

RESPONSE:

The Board of Supervisors agrees with this finding. The Housing Advisory Committee last met on February 16, 2000 and considered a number of recommended activities to ensure a quorum for meetings. The Committee may modify the meeting time to make it easier for members to attend. Amendment of the Committee By-Laws to provide that a quorum shall consist of a majority of Committee members actually appointed will also be considered.

6. The comparison to budget included in the Housing Advisory Committee Inclusionary Housing Financial Statement for the year ended June 30, 1999, does not properly reflect actual expenses of operating inclusionary housing.

RESPONSE:

The Board of Supervisors agrees with this finding. Informational budget reports provided to the Housing Advisory Committee have been revised to more accurately reflect the costs of administering the County Inclusionary Housing program.

7. The Monterey County Board of Supervisors (BOS) has approved the Consolidated Affordable Housing Plan as of April 1999 to be included in its 1999-2000 budget; funding for creation of the plan will come partially from the Inclusionary Housing fund.

RESPONSE:

The Board of Supervisors agrees with this finding. The Inclusionary Housing Fund is an implementation resource along with other sources of funding to accomplish the affordable housing and community improvement goals and objectives listed in the Plan.

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. The BOS instruct the County Housing Advisory Committee to keep current records of all funds received and disbursed.

RESPONSE:

The recommendation will not be implemented because it is not warranted. The Housing Advisory Committee is not charged with and has no capacity to keep records of Inclusionary Funds. The County is specifically charged with this duty through administrative staff and through the Auditor-Controller's Office. Records of the funds received and disbursed currently maintained by County staff will be provided to the Housing Advisory Committee on a quarterly basis.

2. The BOS require developers to keep accurate records and present a numbered receipt to prospective purchasers of Low and Moderate Income Inclusionary Housing. This would assure each applicant's position on a developer's list for purchase.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has not yet been implemented, but will be implemented in the future. Staff has prepared draft revisions to existing marketing and selection procedures for inclusionary housing units. The Housing Advisory Committee and non-profit housing providers are scheduled to review the recommended revisions prior to Board of Supervisors consideration in March 2000. The draft revisions would require developers to provide evidence that they have complied with required marketing efforts. In those cases where more qualified applicants are received than available units, the developer would also be required to select buyers using a lottery system.

3. The Housing Authority of the County of Monterey receive a copy of the list of eligible purchasers placed on developers' lists.

RESPONSE:

The recommendation has not yet been implemented, but steps toward implementation have been drafted. The Board of Supervisors agrees with this recommendation, as discussed in response to Recommendation #2, above.

4. Each Supervisor on the BOS appoint the required two members to the County Housing Advisory Committee to ensure quorum attendance at meetings.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has not yet been implemented, but efforts have been initiated to fill existing vacancies on the Housing Advisory Committee.

5. The BOS use funds saved from the offices which were consolidated to form the Division of Environmental Resources Policy rather than reduce funds from the Inclusionary Housing account.

RESPONSE:

The recommendation will not be implemented because it is not warranted. Consolidation of the Housing and Redevelopment Sections was initiated to increase organizational effectiveness of the County's Affordable Housing program. Efforts have been initiated to leverage Inclusionary, Redevelopment Housing Set Aside, County General Funds, and Grant revenue to finance the operation of the Section. Recommendations related to the financing of the Affordable Housing Section will be presented for consideration as part of the Board of Supervisors' budget process.

METHAMPHETAMINE

FINDINGS

Monterey County is confronted with a meth problem considered by law enforcement to be epidemic in proportions. That problem comprises several distinct areas:

1. A significant danger from waste by-products, related to both the manufacture and usage of methamphetamine, places the population-at-large in an at-risk situation. Major meth-makers frequently change the locations of their manufacturing operations making their discovery difficult for law enforcement.

RESPONSE:

The Board of Supervisors agrees with this finding. Information provided by the Monterey County Sheriff further magnifies this issue, citing that five pounds of waste product are generated for every pound of methamphetamine manufactured. Meth makers will often dispose of byproducts in abandoned wells, on roadsides, and in drainage systems. Such byproducts are easily discharged into the air, soil, and water. Many of the chemicals involved are carcinogenic and some of them react violently when mixed with other agents. The Monterey County Director of Environmental Health reports that clean-up of methamphetamine drug lab waste has become the number two job for California's hazardous materials response teams, outranked only by spills of fuel and other

petroleum products. California spends \$6.8 million annually to decontaminate areas polluted by methamphetamine drug labs.

The Sheriff confirms that major meth manufacturers tend to be mobile in their trade. Law enforcement agencies recognize the necessity to interface and share intelligence and expertise in drug trade issues. The investigation of methamphetamine must be multi-facet. Sources for chemical products, locations of laboratories and distribution points must all be investigated in the efforts to stop the production process. Seizure and forfeiture laws must be utilized to reduce and stop meth-related profiteering. The meth trade poses a danger to public safety in numerous ways, making it imperative for law enforcement to work together to detect and respond to known meth labs as soon as possible.

2. Monterey County is the unwitting host to large numbers of individuals involved in the clandestine manufacturing of meth. The profit incentive encourages many individuals to engage in the criminal practice of making of meth.

RESPONSE:

The Board of Supervisors agrees with this finding. Information provided by the County Sheriff states that the Drug Enforcement Administration (DEA) identifies California as a “source country” for methamphetamine. The Environmental Health Director cites that an estimated ten percent of illegal methamphetamine drug labs in California are housed in Monterey County. The Sheriff points out that Methamphetamine has been traditionally cheaper than cocaine, and its effects last much longer. In an effort to reduce profit incentive, seizure and forfeiture laws must be utilized whenever practical. It is an alarming fact that the State of California and Monterey County are not alone in dealing with these major concerns. Illegal methamphetamine drug laboratories have become a significant public health and environmental health issue throughout the country.

3. The prevalence of meth-related criminal activities places the population-at-large at increased risk of such crimes as burglary, robbery, and assault.

RESPONSE:

The Board of Supervisors agrees with this finding. The Monterey County Sheriff states that methamphetamine is a powerful central nervous system stimulant with psychoactive effects similar to cocaine, and generally longer lasting. Well-documented effects include violence and paranoia. Given the fact that, if necessary, a typical drug addict will resort to many illegal activities to obtain a daily amount of dosage, the propensity for violence becomes higher with psychoactive drugs such as methamphetamine.

4. Monterey County is experiencing an increasing incidence of meth-usage and addiction among the population-at-large, especially among youths. Meth manufacturers have developed a multi-level (pyramid) sales scheme.

RESPONSE:

The Board of Supervisors agrees with this finding. As stated in response to Finding #2, above, the DEA has identified California as a “source country” for methamphetamine. The Sheriff agrees

that methamphetamine is the “drug of the nineties” and is becoming the “drug of choice” for the Western United States and much of the country. As with other illegal drugs, there are always various levels of sellers, including manufacturers, wholesalers, retailers, and street dealers. Due to the large number of potential customers, schools are always a target of drug dealers. Because this places youths at particularly high risk, it is important for school districts to enforce a strong anti-drug policy, along with a comprehensive educational component on the dangers of drugs.

5. The seizure of assets, including real property of individuals involved in meth-making, is often not being exercised by Monterey County law enforcement.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. The Monterey County Sheriff’s Department follows up on all drug-related cases and utilizes seizure and forfeiture laws as appropriate. Standard policy provides that the Sheriff will assist other agencies with seizure and forfeiture cases relating to drug investigations. When actual land is involved, the first priority is to ensure there is a process in place to assess and deal with any hazardous waste.

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. Law enforcement agencies approach the methamphetamine problem as a distinct entity not related to other drug enforcement activities.

RESPONSE:

The recommendation will not be implemented because it is not warranted. Based on information from the Monterey County Sheriff, it is imperative that all narcotic officers receive the training and freedom to investigate all types of illegal drugs. This approach better utilizes assigned personnel while providing the most effective and efficient narcotics enforcement. Many drug traffickers tend to deal in more than just one type of illegal contraband. A narcotics officer must be capable of responding to all types of drug-related threats, whether it is investigating a methamphetamine laboratory, a cocaine conversion operation, or a major heroin distribution organization. Though methamphetamine investigations are a high priority in Monterey County, other deadly and dangerous illegal drug activity must also be aggressively investigated.

2. Law enforcement agencies be required to submit information concerning all arrests relating to methamphetamine to the press in the form of press releases rather than simply indicating such incidents in the daily activities logs.

RESPONSE:

The recommendation will not be implemented because it is not warranted. The Sheriff’s daily activity log is accessible to all media. Due to age restrictions and other confidentiality issues of some cases, it is not feasible to release the identifications of all persons arrested on methamphetamine charges. We are assured that the Sheriff’s Department will continue to list such incidences in the daily log, and issue press releases as appropriate.

3. Law enforcement agencies develop a coordinated communications plan so that methamphetamine information can be effectively shared by all agencies.

RESPONSE:

The Board of Supervisors agrees with this recommendation, and it has been implemented. The Sheriff has stated that all police agencies in Monterey County share information relating to illegal drug cases, including methamphetamine. Additionally, trained personnel have provided presentations specifically relating to methamphetamine to law enforcement agencies throughout Monterey County. The Sheriff's Narcotic Division is a member of the South Bay Regional Methamphetamine Task Force. The Sheriff's Department has an investigator assigned to the DEA Task Force that investigates narcotic traffickers, including those dealing in Methamphetamine. The Sheriff's department has made efforts to recruit peace officers of other Monterey County Police agencies to work full time with the Sheriff's narcotic team in an effort to combat all illegal drugs. The Sheriff intends to develop a Narcotic Intelligence meeting that will be open to all law enforcement agencies. This meeting will be an organized and routine event and will center on sharing meth-related topics. We are assured that the Sheriff will continue to work closely and share information with all agencies, particularly in the area of drug enforcement.

4. The Monterey County Board of Supervisors (BOS) seek the means for funding special methamphetamine-abatement personnel and programs.

RESPONSE:

The recommendation will not be implemented because it is not warranted. Currently, the Narcotic Enforcement Unit-County of Monterey (NEUCOM) addresses investigations, which involve the possession, possession for sale, sales, and manufacturing of methamphetamine. NEUCOM provides outreach to the public and private sectors of Monterey County on education of the hazards of methamphetamine activities. The Sheriff will continue this practice. If the Board determines to pursue additional activity, the Sheriff has indicated willingness to assist and work with staff to identify additional potential special abatement programs.

5. The BOS seek the means of funding environmental cleanup of legally seized, methamphetamine-related properties, and execute the resale of such properties as a means of funding increased anti-methamphetamine activities.

RESPONSE:

The recommendation will not be implemented because it is not warranted. According to the Monterey County Director of Environmental Health, related cleanup is ultimately the responsibility of the property owner where illegal methamphetamine drug labs are located. This can create a significant financial hardship for an unsuspecting property owner. Cleanup of such sites can range in cost from \$10,000 to more than \$100,000, depending upon the degree of contamination of buildings, soils, ground and surface waters. The Environmental Health Director states that the California Environmental Protection Agency Department of Toxic Substance Control provides funding for removal and cleanup activities of drug lab sites in certain situations. These include cleanup on properties for which the responsible party has not been identified, or when the property owner has no contractual relationship, verbal or written, with the operator of the illegal drug lab and has had neither concurrent knowledge of nor financial interest in the operation

of the illegal lab. A property owner who rents or leases to individuals involved in the manufacture of illegal drugs on that property may not be eligible for State funding of related cleanup. In such cases, because the property owner has a contractual agreement with the drug lab operator, the property owner can be deemed responsible even in cases where they have no knowledge of the illegal activity.

The Sheriff has stated that in cases of property seizure, the Environmental Protection Agency (EPA) has declared law enforcement the "generator" of hazardous waste material at clandestine laboratories once the property has been seized. When a drug lab site has been identified, law enforcement notifies the Department of Justice, which responds to dispose of waste material. Since clean up cost is generally the responsibility of the landowner, careful consideration must be given to whether or not a property should be seized. Such seizure of real property pursuant to State and Federal Asset Forfeiture laws is evaluated on a case-by-case basis. As the proliferation of meth labs began spreading throughout California in the early 1990's, the state DOJ Bureau of Narcotic Enforcement began seizing involved real property. The legislative intent of the asset forfeiture laws was to remove the profit incentive from drug trafficking, and to provide additional funding for the cost of drug enforcement. It soon became clear that in many cases, seizure of real property was cost prohibitive as cleanup costs far exceeded the equity value of the property. Additionally, real estate disclosure laws require that potential real property buyers be informed of past existence of toxic chemicals, thus further decreasing the value of such properties. Given such circumstances, seizure of real property involved in methamphetamine activity is not necessarily the most prudent course of action. Real property should only be seized when it is clear that the funding to be gained from resale will exceed cleanup costs.

The Monterey County Division of Environmental Health has worked closely with law enforcement agencies in Monterey County to respond to illegal drug lab sites and has taken the lead to assure abatement of all environmental contamination. In most cases in Monterey County, the property owners have cleaned up the identified illegal methamphetamine drug lab sites. Costs for cleanup are sometimes covered through the property owner's insurance policy. Current pending State legislation would require a portion of the forfeitures from seizure of methamphetamine drug labs be set aside for environmental cleanup of the property. Should this legislation be adopted, it could benefit those unsuspecting property owners who suddenly find themselves responsible for cleanup of their property due to a methamphetamine drug lab, and otherwise have no financial means to do so.

6. The BOS and City Councils provide funding for the purchase of a meth-trained canine.

RESPONSE:

The recommendation has been implemented. Currently NEUCOM has a full-time canine that is methamphetamine trained. The Sheriff's Department also has a meth-trained canine assigned to the patrol division. There is no immediate demand for another meth-trained canine. The Sheriff will ensure resources are available to obtain a trained narcotic canine when necessary.

7. The BOS and City Councils provide funding for the training and placement of more meth-qualified Deputies in the field.

RESPONSE:

The recommendation has been implemented. The Board of Supervisors agrees with this recommendation. It is always beneficial to train Deputies for meth-related situations. All Deputies should have the basic knowledge regarding the dangers and identification of methamphetamine. However, a certified meth entry team is highly specialized and requires very specific training and equipment to enter a lab site. Most chemicals involved in meth manufacture are carcinogenic, and injury to anyone on site, including manufacturers, associates, children, and responding safety personnel, can be chronic and life threatening. The Sheriff's Department is currently in the process of training four additional narcotic investigators. Other investigators possess such training, though they have since been rotated out of the Narcotic Division. The Sheriff's Narcotic Task Force works in conjunction with the Department of Justice Methamphetamine Lab Unit. Training and recertification is ongoing, and there is currently a sufficient number of trained personnel to meet meth-related threat in Monterey County. Additionally, training will be ongoing to keep Deputies aware of the various aspects of methamphetamine and appropriate action.

MONTEREY COUNTY PARKS DEPARTMENT

FINDINGS

1. Litigation with the County resulted in settling with five female employees for a total of \$167,500.

RESPONSE:

The Board of Supervisors agrees with this finding.

2. The problem regarding one Supervising Park Ranger had apparently been called to the attention of Park management on a number of occasions.

RESPONSE:

The Board of Supervisors agrees with this finding. Complaints were brought to the attention of the Parks Director in June of 1996. In immediate response, the Director advised the Affirmative Action Office (now Equal Opportunity Office) that complaints of possible sexual harassment and/or gender discrimination had been received. The Affirmative Action Office (EOO) subsequently conducted an investigation and rendered a "For Cause" Finding in December, 1996. The Parks Director is not aware of reports of any incidents of this nature being brought to the attention of Parks Management prior to June, 1996.

3. A complaint regarding this same problem was also brought to the attention of the Affirmative Action Office, now called the Equal Opportunity Office, which was slow to respond.

RESPONSE:

The Board of Supervisors disagrees with this finding. The record indicates a time period of just over four months to complete the investigation and subsequent report, which is reasonable given the complexity of the case.

4. A Supervising Park Ranger involved in this incident was reassigned and demoted to a lesser position; however, he was allowed to retain the same salary range. No annual salary increases have been granted until his salary becomes commensurate with his present position.

RESPONSE:

The Board of Supervisors agrees with this finding.

5. Other employees who were involved were transferred to other facilities but not demoted.

RESPONSE:

The Board of Supervisors agrees with this finding.

6. There is still a problem of low morale and tension between some staff and certain management.

RESPONSE:

The Board of Supervisors disagrees with this finding. The Parks Director has stated that, to the best of his knowledge, this Finding does not reflect the current workplace at Lake San Antonio. As set forth in the Values adopted by the Monterey County Board of Supervisors, Parks Department management is committed to ensuring that all of its employees, customers, and residents are consistently treated with respect and courtesy at all times. In July 1999, the department completed a 2½-day Professional Development Training for all staff. The training focused on improving communications, conflict resolution, problem solving, and team building. This and other training and team-building efforts are helpful in continuously moving the Parks Department in a positive direction.

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. In the future, a County employee who is accused of sexual, gender, or general harassment which results in Monterey County paying to settle such a case be afforded an administrative hearing to determine whether to impose demotion or termination of employment of the accused employee.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has already been implemented. Discipline is handled on a case-by-case basis within a framework set forth in the County's collective bargaining agreements with its various bargaining units. Established disciplinary action policies and procedures provide that in all cases, a pre-disciplinary meeting must be held between the appointing authority and the employee, as well as a post-disciplinary appeal by the employee. The County of Monterey Discrimination Complaint Ordinance also establishes disciplinary procedures in such situations. The County is committed to a zero-tolerance policy that provides for disciplinary action up to, and including termination.

2. Every County employee be advised in writing of such a policy and sign a statement acknowledging this policy.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has already been implemented. County procedures provide for all new employees to receive a copy of the "Discrimination Complaint Ordinance" and sign such acknowledgement at the time of their departmental orientation process. In addition, all employees are required to attend discrimination complaint training at least once every two years in an effort to assure their understanding of related policy and law and to outline procedures for making discrimination complaints.

3. County employees transferred to another facility as a result of an investigation not be returned to the facility where the previous action occurred.

RESPONSE:

The Board of Supervisors disagrees with this recommendation. The recommendation will not be implemented because it is not warranted. Monterey County has a long-established policy of zero tolerance for all discrimination in the workplace. The County Discrimination Complaint Ordinance states that each department head shall establish appropriate policies, procedures and maintain a work environment within the department which discourages and eliminates discrimination in all of its forms, including harassment, sexual harassment, and retaliation. Section 15(A) of the Ordinance states, "In order to maintain a discrimination-free work environment, immediate corrective action shall be taken by each official, manager and supervisor as soon as he/she has knowledge that anyone within her/his jurisdiction is subject to discrimination. The corrective action taken (including any subsequent disciplinary action) must be sufficient to protect the victim, prevent all further acts of discrimination or retaliation, and deter any further discriminatory events or behavior in the workplace." The Department Head has responsibility to work within the provisions of the Discrimination Complaint Ordinance when determining work locations of employees. With this in mind, work locations of employees should be based on departmental need and "best interest" of the County.

4. Complaints be investigated in a timely manner.

RESPONSE:

The Board of Supervisors wholly agrees with this recommendation. The recommendation has already been implemented. The County Discrimination Complaint Ordinance outlines procedures for investigation of complaints, including providing a timeline of 40 working days for the Equal Opportunity Office to respond, investigate, and report on formally filed complaints. If circumstances require a period longer than 40 working days, the Equal Opportunity Officer must keep the parties informed of the need for more time and why it is necessary.

5. Informational sessions on harassment and acceptable workplace behavior be provided annually at the beginning of the Park season.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has already been implemented. The County Discrimination Complaint Ordinance requires that all employees receive workplace harassment and discrimination training no less than once every two years. The Parks Department is in compliance with this policy. In addition, the Parks Department Strategic

Plan provides for quarterly meetings to be held with each Park Unit to review performance of the prior quarter and to plan for the upcoming quarter. Harassment and discrimination training will be included at these quarterly meetings.

6. The Monterey County Administrative Officer consider providing office space in King City, as often as may be required, for a representative of the Equal Opportunity Office to use to provide easier access for complaints by County employees in the southern part of the County.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has already been implemented. The Equal Opportunity Office will provide office hours in King City on a pilot program basis, commencing in March 2000. This effort will continue until such time as it is determined whether a south county Equal Opportunity Office presence is necessary on a permanent basis.

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

The Monterey Peninsula Water Management District is an independent agency. The Board of Supervisors considers itself a secondary responder on this item.

FINDINGS

1. MPWMD income has totaled \$34,065,000 for the last ten years.

RESPONSE:

The Board of Supervisors agrees with this finding.

2. MPWMD income has collected the following fees, connection charges, and property taxes in the last ten years:

Property Taxes	\$ 6,050,000
Connection Fees.....	\$10,020,000
User Fees (Water)	\$12,221,000
Miscellaneous Fees	\$ 5,774,000

RESPONSE:

The Board of Supervisors agrees with this finding.

3. MPWMD has spent the following in the last ten years:

Studies, Services, and Supplies	\$15,084,000
Personnel (Regulations/Planning).....	\$14,272,000
Related Projects.....	\$ 1,636,000

RESPONSE:

The Board of Supervisors agrees with this finding.

4. MPWMD staff has grown to 25 people.

RESPONSE:

The Board of Supervisors agrees with this finding.

5. Through recent legislation involving MPWMD, its water users are about to pay for a new study, costing up to \$700,000, reviewing all previous studies. Additionally, there are costs associated with involving the staffs of MPWMD, PUC, and State Water Resources Control Board.

RESPONSE:

The Board of Supervisors agrees with this finding.

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. In conjunction with the Monterey County Local Agency Formation Commission, the Board of Supervisors (BOS) initiate efforts to:
 - a. comply with the requirements of State of California Government Code Section 56000-56780 (Cortese-Knox Act of 1985);
 - b. seek consensus of Cities within the boundary of MPWMD;
 - c. encourage repeal of MPWMD enabling legislation by the California Legislature, if deemed necessary; and
 - d. take steps necessary to dissolve and liquidate MPWMD.

RESPONSE:

The Board of Supervisors partially disagrees with this recommendation. The recommendation requires further analysis, which will be conducted through meetings between the MPWMD, Local Agency Formation Commission (LAFCO), and the Cities within the District boundaries. Discussions will focus on water management issues as they relate to the County's General Plan update. Meetings with the Cities have been initiated to discuss general growth and development issues. A more focused discussion on the role of the MPWMD will be scheduled prior to July 1, 2000.

2. Upon dissolution of MPWMD, the BOS turn over the responsibilities to the Monterey County Water Resources Agency.

RESPONSE:

The Board of Supervisors partially disagrees with this recommendation. The recommendation requires further analysis to determine what agency would be the appropriate successor if the MPWMD were dissolved. This recommendation will not be implemented within the next six months.

3. Upon dissolution of MPWMD, the BOS designate the County Planning and Building Inspection Department, and the respective Cities designate their City Building Departments, to enforce necessary water management regulations.

RESPONSE:

The Board of Supervisors partially disagrees with this recommendation. The recommendation requires further analysis to determine what agency would be the appropriate successor if the MPWMD were dissolved. This recommendation will not be implemented within the next six months.

4. Consider the possibility of buying water from the State Water Project at San Luis Reservoir and pumping to the Monterey Peninsula.

RESPONSE:

The Board of Supervisors partially disagrees with this recommendation. The recommendation requires further analysis, and will be implemented as all options for addressing water issues in Monterey County will be fully explored and considered.

OFFICE OF EMERGENCY SERVICES

FINDINGS

1. According to FEMA guidelines, OES is understaffed by seven emergency planners. As of August 16, 1999, using FEMA guidelines, there were 20 such vacancies.

RESPONSE:

The Board of Supervisors disagrees with this finding. The Office of Emergency Services (OES) is currently staffed with three professional emergency services personnel, and a Senior Secretary provides clerical support. The OES staffing was augmented by one position in the current fiscal year and is appropriately staffed based on overall County priorities and resources.

2. Tabletop Exercises do not utilize current technological tools, such as disaster scenario computer software.

RESPONSE:

The Board of Supervisors agrees with this finding. Tabletop exercises are structured discussions of locally unique scenarios. Most technological tools have limited applicability in these exercises, but are employed when appropriate.

3. Multi-hazard disaster plans and other disaster plans as outlined by the OES would be ineffective when traditional means of communication, including cellular telephones, fail.

RESPONSE:

The Board of Supervisors agrees with this finding. The OES uses a five-tiered disaster communications system, which includes the County radio system, telephones, cellular telephones, OASIS, and amateur radio auxiliary services. The multiple systems are intended to provide both unique capabilities and a measure of functional redundancy. It is conceivable that operations could be adversely affected by the failure of any of these systems, however, all plans specify the use of backup systems as required, and are designed to retain their functionality and effectiveness in the event of partial communications disruption.

4. Monterey County does not have up-to-date lists maintained on a regular basis of County, city, and civilian disaster relief equipment.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. The Office of Emergency Services and County Purchasing office work cooperatively to maintain an Emergency Resource Guide, which includes a list of commercial vendors who can respond in an emergency and provide specific equipment and resources. As the area fire coordinator, the Ranger Unit Chief, California Department of Forestry and Fire Protection (CDF), maintains a similar list for fire resources.

5. Monterey County needs a new 911 Communications Center site.

RESPONSE:

The Board of Supervisors agrees with this finding. The need for a new Communications Center that consolidates both the current Salinas and Monterey based 911 operations as well as the Office of Emergency Services has been a topic of study for several years. Discussions regarding how to address all user agency needs, building sites, design and related financing have been ongoing with both the Users Group and the Emergency Communications Policy Committee. In response to recommendations of these groups and County staff, on January 25, 2000 the Monterey County Board of Supervisors approved a building site, and retained an architect to review demolition of an existing building and develop a design for a new consolidated center.

6. Monterey County needs a new OES site.

RESPONSE:

The Board of Supervisors agrees with this finding. A site has been identified and initial replacement steps have been taken, as discussed in response number 5, above.

7. Monterey County's 911 Communications is understaffed and unable to fill budgeted positions.

RESPONSE:

The Board of Supervisors agrees with this finding. These positions are difficult to fill with qualified individuals who can pass through the initial screening, background and psychological checks, and successfully complete specialized training requirements. The Emergency Communications Department has been working with its Users Group in identifying all recruitment resources. Staff has also been involved in discussions and review of job requirements and is examining alternative methods of meeting required testing and training. The Department has recently hired a full-time Personnel Analyst dedicated to 911 dispatcher recruitment, testing, and hiring. Recruitment efforts are continuous, with test dates projected at least quarterly throughout the year.

8. A volunteer is the unofficial director of the HAM operator group.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. A volunteer is officially designated and assigned as the Auxiliary Communications Support Officer (ACSO). In this capacity, he coordinates all ARES/RACES (Amateur Radio Emergency Service/Radio Amateur Civil Emergency Service) functions and all amateur radio personnel within the communications class, functioning under the Volunteer Disaster Service Workers Program.

9. OES jurisdictional boundaries for City and County properties require clarification in order to alleviate duplicate efforts.

RESPONSE:

The Board of Supervisors disagrees with this finding. The Office of Emergency Services is unaware of any OES jurisdictional boundaries that have resulted in duplicate efforts, or that require clarification. Additional information would be required to fully address this Finding.

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. The BOS direct the OES to hire emergency planners to bring total planning staff to an acceptable level.

RESPONSE:

The recommendation will not be implemented because it is not warranted. The Board of Supervisors disagrees with this recommendation. An additional Emergency Planner was added to the budget in the current fiscal year. The need for future staff will be reviewed as resources and necessity are identified.

2. The BOS purchase disaster scenario computer software for interactive training purposes.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The Office of Emergency Services employs various levels of functional training to meet its operational readiness requirements. The recommendation has not yet been implemented, but the use of disaster scenario computer software will be investigated to determine whether it would compliment present ongoing training efforts.

3. The BOS direct the OES to study the possibility of satellite communication technology.

RESPONSE:

The recommendation will not be implemented because it is not warranted. OES is presently exploring expanded use of an existing assigned radio frequency to provide a dedicated EOC-to-EOC link. Should this option prove feasible, it will be accomplished at a significantly lower cost than employing a satellite system.

4. The BOS direct the OES to regularly maintain up-to-date County, city, and civilian disaster relief equipment lists.

RESPONSE:

The recommendation has been implemented. The Board of Supervisors agrees with this recommendation. The referenced lists are currently maintained and shared with the County by agencies working cooperatively with the OES.

5. The BOS direct the OES to hire additional 911 Communications Center staff.

RESPONSE:

The recommendation has been implemented. The Board of Supervisors partially disagrees with this recommendation. The OES division and 911 Communications Department are two separate offices. OES hires emergency planners and disaster-related staff. The Emergency Communications Department staffs the 911 operations. Currently, there are no vacant positions in the OES. The Emergency Communications Department attempting to fill vacancies. The department is conducting continuous recruitment efforts to fill its 911 dispatcher vacancies, and has established quarterly testing dates. The department has recently hired a full time Personnel Analyst dedicated to addressing the specialized needs of the Emergency Communications functions.

6. The BOS direct the OES to create a structured HAM operator organization.

RESPONSE:

The recommendation has been implemented. A structured ARES/RACES organization currently exists under the Auxiliary Communications Support Officer. This program is consistent with existing emergency management guidelines, and is considered a model organization by the Governor's Office of Emergency Services.

7. The BOS adopt a Memorandum of Understanding with Cities outlining responsibilities during times of emergency or disaster.

RESPONSE:

The recommendation has been implemented. All but two cities in Monterey County, and most special districts are members of the Monterey County Operational Area Authority. As such, they participate in a Memorandum of Understanding (MOU) stipulating the use of the Standardized Emergency Management System (SEMS) for emergency management within the operational area. The roles and responsibilities of the lead agency of the operational area (County) and the local level (Cities and Special Districts) are clearly delineated in the SEMS, and reflected in the MOU. The effectiveness of SEMS as an integrated emergency management tool has been demonstrated since its inception in 1997, and it continues to be employed.

PLANNING AND GROWTH

FINDINGS

1. The primary purpose of the Planning and Building Inspection Department (PBID) is regulatory. The function of strategic future planning was discontinued by the Department in 1988.

RESPONSE:

The Board of Supervisors disagrees with this finding. While the primary purpose of the Planning and Building Inspection Department is regulatory, the Department is also responsible for long range planning relative to growth, development and land use issues.

2. The current General Plan, developed in 1968, was updated in 1982 utilizing data accumulated in the 1970's. The plan data have been amended 78 times since 1982. There are no specific long-range plans that provide directional goals and objectives.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. There have been 77 amendments to the General Plan land use maps and an undetermined number of amendments to the policy language. The County is currently working on developing more specific long-range plans through the Monterey County 21st Century General Plan update.

3. Approximately 50 years ago, seawater intrusion, overdrafting, nitrate contamination, and delivery system problems were known issues, yet no solutions were forthcoming from the numerous studies that were funded over the ensuing period. A plan to address water delivery for the Salinas Valley has been proposed but not implemented. Nitrate contamination continues, and the Peninsula has water availability restrictions. In the North County area, the influx of people from the Silicon Valley, and the housing buildup has resulted in serious overdrafting without a defined solution.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. While over-pumping issues in North County are significant, the County does not yet have reliable data to quantify the impacts that have been caused by growth from the Silicon Valley. The County is working with the City of Salinas and other groups to better define the magnitude of the growth pressures being generated from Santa Clara County.

4. Due to increased usage and inadequate maintenance, many roadways have deteriorated to a dangerous level.

RESPONSE:

The Board of Supervisors agrees with the finding. There is general acknowledgement that to date inadequate resources have been available to fully fund an appropriate level of pavement preventive maintenance for the County Road system. A Pavement Management System analysis completed by the County in June 1999 evaluated the needs of every roadway segment on the County's road system. The evaluation identified a backlog of approximately \$220 million in roadway rehabilitation and preventive maintenance costs. At present, the County's Fiscal Year 1999-00 Budget includes an annual \$500,000 roadway "chip-seal" preventative maintenance program. Toward increasing funds for roadway maintenance the County has initiated lobbying efforts at Federal and State levels to supplement highway funding for preventive maintenance, and is working in cooperation with the Transportation Agency of Monterey County to develop and enhance local funding opportunities.

5. There is insufficient affordable housing available in Monterey County. The average cost of a single-family residence is approximately \$239,750, a price level that is prohibitive for a Median Income family.

RESPONSE:

The Board of Supervisors agrees with this finding.

6. Since 1995, Monterey County has had a population growth rate of 8.3% compared to the State growth rate of 5.8%. The Silicon Valley Manufacturing Group (SVMG) has declared that Monterey County is one of 16 counties that belong to a "super region." The intent of the SVMG is to push the improvement of transportation from the Bay Area into Monterey County. Ideas include train service to Salinas and the Peninsula with a cost yet to be determined, installing the Highway 101 Prunedale Bypass, and making improvements from Highway 1 to Carmel Valley Village.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. The County is not aware of any efforts by the SVMG directed towards completing transportation improvements along Carmel Valley Road.

7. Population growth affects education, public safety, water, roads, transportation systems, solid waste management, electrical and gas services, recreation area services, and sewage treatment. In addition to the installation expense, questions regarding maintenance costs, infrastructure expansion costs, and government services costs must be answered. Revenue generated to support government infrastructure and service requirements has been proven, over time, not to be offset by single-family homes. Both the Association of Monterey Bay Area Governments (AMBAG) and the Tellus/Diganos population projections show a marked increase in population in the next two decades. Any significant growth in systems and services could require a major increase in taxes.

RESPONSE:

The Board of Supervisors agrees with this finding.

8. Since the passage of Proposition 13, funding for government has focused on attracting large retail developments which generate sales tax to augment the revenue base. The need to supplement the essentially flat property tax base sometimes outweighs good planning decisions. If Monterey County wishes to protect its agricultural land and maintain open space in the unincorporated areas, revenue sharing agreements with cities that have growth potential could relieve some of the fiscal pressure that drives development in these valuable areas.

RESPONSE:

The Board of Supervisors agrees with this finding.

9. A review of past Grand Jury Reports and the review of the Board of Supervisors (BOS) meeting agendas indicates the lack of long-range planning.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. Last year, the Board of Supervisors approved creation of the Environmental Resource Policy division within the County Administrative Office to address long-range planning issues.

10. Studies and reports by commissions and staff are often overruled only to have those decisions reversed at a later time.

RESPONSE:

The Board of Supervisors wholly disagrees with this finding. The Board of Supervisors considers the input and recommendations of County staff and commissions, affected agencies and organizations, and individual citizens. Very few of these decisions are reversed at a later time.

11. Citizen groups have repeatedly turned to initiatives, referenda, and the Courts to force changes in policy decisions.

RESPONSE:

The Board of Supervisors agrees with this finding.

12. The interaction between cities and the County is essential to effective measured growth that will assure that all government infrastructure and service requirements are adequately met.

RESPONSE:

The Board of Supervisors agrees with this finding.

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. The BOS reinstate the strategic planning function in the County.

RESPONSE:

The recommendation has been implemented. Planning and Building Inspection has always had responsibility for the County land use strategic planning function until the Environmental Resource Policy (ERP) division of the County Administrative Office was created in February of 1999. Since that time, ERP has been responsible for this strategic planning effort, which is referred to as the Monterey County 21st Century General Plan Update.

2. The BOS consider utilizing a private sector planning organization during the revision of the General Plan.

RESPONSE:

The recommendation has been implemented. The Board of Supervisors agrees with this recommendation. Several consulting firms have already been utilized in updating the Monterey County 21st Century General Plan Update.

3. The BOS take action to curb the water overdrafting situation in North County.

RESPONSE:

The Board of Supervisors agrees with this recommendation, which will be implemented with the adoption of an interim action plan for the North County area, as recommended by the North Monterey County Water Advisory Committee.

4. The BOS pursue Federal and State grants to upgrade the roadways.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has been implemented. It is important to note that the Transportation Agency of Monterey County (TAMC), the County, and the cities within the County have been jointly and separately pursuing grant funding for highways and roads within the county area.

5. The BOS issue bonds to finance road improvements.

RESPONSE:

The Board of Supervisors partially disagrees with this recommendation. The recommendation requires further project specific analysis before it is deemed an appropriate mechanism for cost effectively financing highway improvements. In order for an agency to issue transportation bonds, it must have a dedicated revenue stream with which to repay them. General obligation transportation bonds resulting from a local mandate or initiative must be passed by a two-thirds majority vote. In the past ten years, Monterey County voters represented their support of two ½ cent sales tax initiatives for transportation by a simple (>50%) majority. However, the measures could not be passed and implemented, as state law requires a two-thirds super-majority vote of the general electorate for approval.

Bonding for transportation projects as a financing mechanism must be carefully evaluated as bonding can result in up to 50% project cost increases by the time the bond debt is retired. Bonding, if approved by the voters, can be advantageous for some short-term projects such as pavement rehabilitation because facilities lost through lack of maintenance can cost up to three to five times more to rebuild. Major long-term projects are often suited more to “pay as you go” because of the long period of time it takes to get the project ready for construction. In any case, general obligation bonds require a super-majority approval of the general electorate and a commitment of a dedicated revenue stream for debt service retirement.

The Transportation Agency for Monterey County (TAMC) is currently supporting the implementation of Senate Constitutional Amendment 3 (SCA 3). SCA 3 would allow a one time statewide vote for a ½ cent sales tax for transportation to pass by a simple majority. Approval of a ½ cent sales tax in Monterey County would generate \$600 million over the 20-year life of the tax. In order for the tax to take effect in Monterey County, all of the following actions are required:

1. SCA 3 must be passed by two-thirds majority of both houses of the state legislature (the governor’s signature would not be needed in this case).
2. The ½ cent sales tax must be passed by a simple majority of the California voters.

3. The ½ cent sales tax must also be approved by a simple majority of the voters in Monterey County.

In anticipation of approval of this important constitutional amendment, TAMC has begun preparation of an expenditure plan for the measure, which must be approved by the cities and the County. The expenditure plan will identify regional transportation improvements and dedicated pavement rehabilitation expenditures identified by the cities and the County. In the event that SCA 3 is passed and is successful in Monterey County, the sales tax revenue stream would be available for either bonding or pay as you go financing of transportation improvements.

6. The BOS establish the most appropriate growth areas and then enter into tax transfer agreements for sales and/or occupancy tax with those cities that have growth potential.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation requires further analysis, which is being conducted through the Monterey County 21st Century General Plan Update, to identify the most appropriate growth areas and to determine whether the affected cities are willing to enter into tax sharing agreements. The County currently has a tax sharing agreement with the City of Del Rey Oaks and is negotiating similar agreements with the Cities of Greenfield and Salinas.

7. The BOS take steps to establish a public/private sector partnership with the hospitality and agricultural communities to create affordable housing and the placement thereof.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation requires further analysis, which is being conducted through the Monterey County 21st Century program. Creative solutions involving major employers, including the County of Monterey, will be necessary to provide sufficient housing for workers within the County.

8. The BOS take the initiative to adequately address the economic growth direction of the County. Population growth as a “bedroom community” for the Silicon Valley must be balanced against infrastructure costs, the possible effect on the agricultural industry, the impact on the environment, and quality of life considerations.

RESPONSE:

The Board of Supervisors agrees with this recommendation, which has been implemented with the commencement of the Monterey County 21st Century General Plan Update.

SALINAS VALLEY SOLID WASTE AUTHORITY

The Salinas Valley Solid Waste Authority is an independent agency. The Board of Supervisors considers itself a secondary respondent on this item.

FINDINGS

1. Member Cities will not meet the recycling goals established by AB939 by the end of the Year 2000 using 1990 unless immediate steps are taken.

RESPONSE:

The Board of Supervisors agrees with this finding. The County is currently recruiting for two recycling positions to assist with waste audits for commercial and industrial businesses and other large waste generators. The Salinas Valley Solid Waste Authority (SVSWA) will be assisting the County in the unincorporated area that falls within their jurisdiction. They will perform waste audits, enhanced diversion programs at the landfill, household hazardous waste diversion programs, and public education.

2. SVSWA is not responsible for waste reduction but, if requested, will assist the Member Cities in recycling.

RESPONSE:

The Board of Supervisors agrees with this finding. Monterey County will be conducting a waste generation study for the unincorporated County area. This study will provide up-to-date and accurate numbers for the County.

3. Citizens, businesses, and growers within SVSWA need incentives to reduce solid waste.

RESPONSE:

The Board of Supervisors agrees with this finding. Monterey County will be working with its franchise haulers to develop disposal incentives for citizens, businesses, and growers throughout the unincorporated county area to reduce solid waste coming to the landfills.

4. Agricultural industrial waste has increased. Wax-covered cardboard, field plastic, and plastic packaging are difficult to recycle and typically remain in landfills.

RESPONSE:

The Board of Supervisors agrees with this finding. The SVSWA, as part of enhancing diversion programs at the landfills, will be developing programs to divert agricultural industrial waste.

5. As of October 1, 1999, there is no incentive for growers to separate unusable waste from green waste.

RESPONSE:

The Board of Supervisors agrees with this finding. The SVSWA is developing variable tipping fees at the landfills that would provide an economic incentive for growers and other businesses to separate green waste from other waste material prior to disposal.

6. In 1998, the amount of disposable waste generated by residents of Member Cities of SVSWA averaged 0.8 tons per person.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. Information provided by the Monterey County Environmental Health Director indicates that within the unincorporated area of Monterey County, the amount of disposable waste generated by residents averages 0.40 tons per person and the amount of disposal waste generated for commercial and industrial businesses averages 0.92 tons per business per year.

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. Member Cities arrange with their respective waste collectors for weekly collection of green waste.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has not yet been implemented, but will be implemented in the future. Monterey County is working with its franchise haulers to arrange for the weekly collection of green waste in areas of the County not presently being serviced. The only areas of the unincorporated County that do not have weekly yard waste collection are the Pine Canyon area outside of King City and the North Monterey County Area including Prunedale, Las Lomas and Aromas.

2. Member Cities initiate plans with SVSWA to increase the type and amount of materials recycled.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has not yet been implemented, but will be implemented in the future. The County will be initiating a plan with the SVSWA to increase the type and amount of materials recycled at the landfills by businesses and residents.

3. SVSWA contract with a private sector company to analyze randomly the contents of waste collection trucks at the landfills to determine the amount of recyclable goods.

RESPONSE:

The Board of Supervisors partially disagrees with this recommendation. The recommendation will not be implemented because it is not warranted. Monterey County will be conducting a waste generation study for the unincorporated County area. This study will produce accurate diversion numbers that will increase the present County diversion numbers by approximately ten percent.

4. SVSWA contract with a private sector company to produce saleable compost.

RESPONSE:

The Board of Supervisors agrees with this recommendation. Monterey County Environmental Health, as the Local Enforcement Agency (LEA) for the California Integrated Waste Management Board, has permitted nine commercial compost operations throughout the County. These compost operators are producing sellable compost that is purchased by agricultural growers and other businesses, such as landscapers.

5. SVSWA contract with a private sector company to utilize discarded concrete, asphalt, and base rock.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has not yet been implemented, but will be implemented in the future. As part of the enhanced diversion programs at the landfills, the SVSWA will be developing programs for the diversion and reuse of concrete, asphalt, and base rock. These programs will have the direct effect of increasing the diversion rate for all of the member agencies of the SVSWA, including the County.

6. SVSWA create incentives for the public, businesses, and growers to reduce landfill waste by increasing or decreasing fees, depending upon the material being discarded.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has not yet been implemented, but will be implemented in the future. Variable tipping fees and other incentives will be developed at the landfills and through the garbage collection rates to reduce landfill waste by increasing or decreasing fees depending on the material being disposed or diverted.

7. Member Cities implement and initiate procedures for sale of recyclable items similar to the Environmental Park at the Marina Landfill, including the distribution, at no charge, of discarded paint and household cleaning products.

RESPONSE:

The Board of Supervisors agrees with this recommendation. Currently, the SVSWA operates a permanent Household Hazardous Waste Collection Facility for the collection of all types of household hazardous waste and small business hazardous waste. The SVSWA has also established collection facilities at the landfills and the transfer stations for the collection of batteries, oil and paint. For future consideration, the SVSWA may want to review potential for implementation of programs similar to the Monterey Regional Waste Management District "Last Chance Mercantile," a shop for the sale of reusable items, and Drop and Swap program, which provides for discarded paint and other household products to be distributed for reuse at no charge.

TRANSPORTATION SYSTEM

The Transportation Agency for Monterey County (TAMC) and Monterey-Salinas Transit (MST) have provided responses on this item. The Board of Supervisors considers itself a secondary respondent.

FINDINGS

1. With the exception of the general aviation segment, air transport is efficient but isolated to the Monterey Peninsula.

RESPONSE:

The Board of Supervisors agrees with this finding. The Regional Airport System Plan, prepared by the Association of Monterey Bay Area Governments (AMBAG) in August, 1995, states that there are “public airports serving each major sub-area of the AMBAG Region” and that only one-third of the available airport capacity is expected to be used through the year 2015. The report concludes that no new airports, new runways, or major land acquisitions are expected to occur during that time period. Salinas Airport has recently completed a runway extension that will allow that airport to serve turbine aircraft. The Master Plan for the Marina Municipal Airport also calls for expansion to allow turbine service, but this has not yet occurred.

2. The subsidized Monterey-Salinas Transit bus system is underutilized.

RESPONSE:

The Board of Supervisors agrees with this finding. Monterey-Salinas Transit (MST) has also provided a letter to TAMC in response to this finding, attached as Exhibit A.

3. Since 1995, Monterey County has had a population growth rate of 8.3% compared to the State growth rate of 5.8%. The County growth rate is expected to increase as a result of future plans in Santa Clara County.

RESPONSE:

The Board of Supervisors agrees with this finding.

4. Funds designated for the Hatton Canyon Freeway have been redesignated to the planned Prunedale Bypass Project.

RESPONSE:

The Board of Supervisors agrees with this finding.

5. The lack of effective, forward strategic planning has limited improvements in the quality of roadways to meet the ever-expanding needs of residents, visitors, and those traversing the County.

RESPONSE:

The Board of Supervisors wholly disagrees with this finding. The limitation to the current level of improvements on roadways is not a result of lack of planning but one of insufficient funding. The Transportation Agency for Monterey County (TAMC) maintains a twenty-year Regional Transportation Plan (RTP) containing a prioritized list of projects, which can be funded from identified sources. The RTP also contains a “wish list” of projects that are needed but for which funding is not expected to come from the current revenue stream. To complicate matters, some funding sources have historically been designated for particular uses under state law thereby limiting the range of projects for which the funds can be designated.

6. The Board of Supervisors (BOS) has the ultimate responsibility for improvements in ground transportation in the County.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. The Board of Supervisors is responsible through its County Public Works Department for maintaining the streets and roads in the unincorporated area of the county. Caltrans is the owner-operator of the state highway system and is responsible for expansion of the interregional state highway system outside of the urban areas. The cities are responsible for maintaining streets within the incorporated areas. The Transportation Agency for Monterey County (TAMC) allocates funding (not including subventions, which flow directly from the state to the cities and the county) from various federal and state programs to the cities, the county, transit providers and other agencies. TAMC also is responsible for ranking, programming, and allocating funding for state highway projects and other projects and programs from the State Transportation Improvement Program (STIP). The State allocates TAMC about \$8 million per year for this purpose.

7. The Transportation Agency for Monterey County has the responsibility for reviewing transportation needs in the County and recommending action to the BOS and CALTRANS.

RESPONSE:

The Board of Supervisors partially disagrees with this finding. TAMC is responsible for preparing the Regional Transportation Improvement Program (RTIP) and recommending to the California Transportation Commission (CTC) that they incorporate the RTIP projects into the State Transportation Improvement Program (STIP). Planning and engineering staff from the County and the incorporated cities within the County, which TAMC represents, work closely with TAMC staff in identifying and recommending projects for incorporation into the RTIP. In doing this, TAMC must limit the RTIP project amounts to its available allocations.

8. Vehicular accidents, injuries, and fatalities on Highways 1 and 68 are equal to, or exceed, those on Highway 101 and must be accorded equal attention.

RESPONSE:

The Board of Supervisors partially disagrees with the finding. Information provided by TAMC notes that accident statistics supplied by the CHP to the Grand Jury are in the form of accidents per million vehicles. Caltrans and TAMC use data that express accident rates per million vehicle miles traveled in analyzing accident data. This method is preferred by TAMC as it divides the number of accidents per million vehicles by the length of roadway traveled thereby normalizing the data. This allows an "apples to apples" comparison of roadway segments on a "mile to mile" basis. The format in which the accident data is expressed can significantly change the accident ranking depending upon roadway length and daily traffic volume. In addition, TAMC evaluates other factors when analyzing a route such as congestion, level of service, and the future traffic conditions (forecasts). The Route 101 Freeway project has been under development since the late 1980s, during which time it remained the TAMC number one underfunded project. In 1998 a combination of federal, state Interregional, and TAMC Regional funds were accumulated, in a partnership with Caltrans, and the project was placed on the STIP by the CTC. The project is currently estimated at a cost of \$245 million. Less than half of these funds are controlled by TAMC. If the project were eliminated or scaled down, Monterey County could potentially lose matching funds for this project approximating \$145 million that could be diverted by the State to other counties.

9. The Regional CALTRANS office in San Luis Obispo has supplied information on planned highway construction on the main highway arterials of Highways 1, 68, and 101.

RESPONSE:

The Board of Supervisors agrees with this finding, based on the Grand Jury statement that this information was supplied from CalTrans.

10. The corridors between Salinas and the Monterey Peninsula, and Highways 101, 1, and 68 need extensive upgrading.

RESPONSE:

The Board of Supervisors wholly agrees with this finding.

RECOMMENDATIONS

The 1999 Monterey County Civil Grand Jury recommends:

1. The BOS require that a cost benefit analysis be completed on Highways 101, 1, and 68 prior to establishing priorities for the upgrade of each.

RESPONSE:

The Board of Supervisors disagrees with this recommendation. The decision on the Highway 101 Prunedale Bypass has already been made. In 1998 a combination of federal, state interregional, and TAMC Regional funds were accumulated, in partnership with Caltrans, and the project was placed on the State Transportation Improvement Program (STIP) by the California Transportation Commission (CTC). To recommend a cost benefit analysis could raise questions with regard to the community's commitment to this project, and potentially jeopardize matching funds.

It is important to note that TAMC is the responsible agency for preparation of the Regional Transportation Improvement Program (RTIP) every two years, rather than the Board of Supervisors. This recommendation will be implemented by TAMC in accordance with the STIP Guidelines adopted by the CTC in September 1999 requiring that in the 2002 STIP cycle each RTIP submitted to the CTC will be accompanied by a report on its performance and cost-effectiveness. The result is an effective cost-benefit analysis of recommended projects on the local and state highway system within the county.

2. The BOS pursue Federal and State grants to upgrade highways and roads.

RESPONSE:

The Board of Supervisors agrees with this recommendation. The recommendation has been implemented. It is important to note that TAMC, the County, and the cities within the County have been jointly and separately pursuing grant funding for highways and roads within the county area.

TAMC annually pursues federal and state grants for transportation. TAMC also assists the cities and the County with their grant applications. As an example regional effort, TAMC was successful in obtaining over \$15 million in federal demonstration and high priority federal grants

for the Route 101 Prunedale Freeway. As an example of local effort, the County of Monterey has obtained approximately \$36 million dollars in grant financing for seismic rehabilitation of 21 bridges and reconstruction of six bridges under federal highway bridge rehabilitation and replacement and state seismic programs.

TAMC and the local agencies will continue to be aggressive in pursuit of Federal and State grants in the future. TAMC also administers about \$6 million per year in federal transportation dollars that are distributed to local agencies in Monterey County from a number of federal programs. It should be noted that Congress has different modal priorities in different years, changing focus from program areas such as transit and Transportation Demand Management, to rehabilitation, to regional capacity improvements. TAMC and the local agencies must accordingly change their grant application tactics to meet the evolving funding criteria.

3. The BOS issue bonds to finance highway and road improvements.

RESPONSE:

The Board of Supervisors partially disagrees with this recommendation. The recommendation requires further project specific analysis before it is deemed an appropriate mechanism for cost effectively financing highway improvements. In order for an agency to issue transportation bonds, it must have a dedicated revenue stream with which to repay them. General obligation transportation bonds resulting from a local mandate or initiative must be passed by a two-thirds majority vote. In the past ten years, Monterey County voters represented their support of two ½ cent sales tax initiatives for transportation by a simple (>50%) majority. However, the measures could not be passed and implemented, as state law requires a two-thirds super-majority vote of the general electorate for approval.

Bonding for transportation projects as a financing mechanism must be carefully evaluated as bonding can result in up to 50% project cost increases by the time the bond debt is retired. Bonding, if approved by the voter, can be advantageous for some short-term projects such as pavement rehabilitation because facilities lost through lack of maintenance can cost up to three to five times more to rebuild. Major long-term projects are often suited more to “pay as you go” because of the long period of time it takes to get the project ready for construction. In any case, general obligation bonds require a super-majority approval of the general electorate and a commitment of a dedicated revenue stream for debt service retirement.

TAMC is currently supporting the implementation of Senate Constitutional Amendment 3 (SCA 3). SCA 3 would allow a one time statewide vote for a ½ cent sales tax for transportation to pass by a simple majority. Approval of a ½ cent sales tax in Monterey County would generate \$600 million over the 20-year life of the tax. In order for the tax to take effect in Monterey County, all of the following actions are required:

1. SCA 3 must be passed by a two-thirds majority of both houses of the state legislature (the governor’s signature would not be needed in this case).
2. The ½ cent sales tax must be passed by a simple majority of the California voters.

3. The ½ cent sales tax must also be approved by a simple majority of the voters in Monterey County.

In anticipation of approval of this important constitutional amendment, TAMC has begun preparation of an expenditure plan for the measure, which must be approved by the cities and the County. The expenditure plan will identify regional transportation improvements and dedicated pavement rehabilitation expenditures identified by the cities and the County. In the event that SCA 3 is passed and is successful in Monterey County, the sales tax revenue stream would be available for either bonding or pay as you go financing of transportation improvements.

REGIONAL SALT REDUCTION PROGRAM

PHASE I – SHORT TERM (UP TO 12 MONTHS)

PROGRAM ELEMENTS	DESIRED OUTCOME	EASE /COST OF IMPLEMENTATION	EST. COMP. DATE
EDUCATION:			
<ul style="list-style-type: none"> Water Softener Facts Sheet – MRWPCA Billing Insert 	<p>Educate residential & commercial users on the impact of water softener salts on Agriculture and other recycle water users; present alternatives and promote ion exchange cartridge water service; and provide interested parties with points of contact.</p>	Easy	Completed
<ul style="list-style-type: none"> Water Softener Facts News Release – Public Service Announcement: Monterey County Herald, Salinas Californian, Coast Weekly, etc. 	<p>Additional public outreach aimed at educating the public at large on the effects of salt on Agriculture and other recycle water uses and what can be done to improve recycle water quality. If desirable, TV and radio spots could be used</p>	Easy – May require funding if display ad is required.	Feb/March 2000
<ul style="list-style-type: none"> Formation of a cross-sectional delegation/panel to speak to the hospitality industry, hospitals, dialysis centers, water softener businesses, food processors, etc. on water softener facts. Delegation to be comprised of representatives from MRWPCA, MCWRA, MCEHD, agriculture, industry, and elected officials. 	<p>Provide water softening fact information and promote a spirit of mutual cooperation among affected parties towards improving recycle water quality by pursuing alternative water softening methods.</p>	Moderate	Jan 2000

PROGRAM ELEMENTS	DESIRED OUTCOME	EASE /COST OF IMPLEMENTATION	EST. COMP. DATE
LEGISLATIVE CHANGES			
<ul style="list-style-type: none"> Senate Bill SB 1006 (Costa) 	Allows for local regulation of water softeners, will require improved efficiency of 4,000 grains of hardness removed per pound of salt from the current efficiency of 2,850 grains.	Moderate. Actively being fought by water softening industry	Passed Nov 1999
<ul style="list-style-type: none"> Local Ordinance(s) regulating water softeners & commercial brine dischargers. 	Allow for implementation of residential salt reduction programs.	Moderate/Difficult – anticipate resistance from water softening industry.	Apr/May 2000
SPECIFIC SALT REDUCTION PROGRAMS:			
<ul style="list-style-type: none"> Short Term Program Elements – Salt Reduction Programs that are industry specific and have a significant effect on reducing recycle water salt concentrations 	Improve recycle water quality by reducing the sodium concentration from 180 ppm to 150 ppm; the chloride concentration from 274 ppm to 200 ppm; and lower the SAR from 5.0 units to 4.0 units.	Easy – Difficult	N/A
<ul style="list-style-type: none"> Monterey Bay Aquarium: removal of seawater sources to sewer system 	Seawater sources removed. Overall recycle water salt concentration reduced by 15%	Easy	Completed May 1999
<ul style="list-style-type: none"> Culligan: remove water softener brine recharge wastes from sewage system 	Brine to be hauled to Watsonville for ocean outfall disposal	Moderate/Difficult. May require grower reimbursement to implement.	Feb/Mar 2000
<ul style="list-style-type: none"> Hospitals, Dialysis Centers, Out-Patient Clinics, etc: switch water softener brine recharge from “Timer” to “Demand” systems. 	More efficient water softening process; cuts sodium and chloride by 20-30%	Easy/Moderate – will require meetings with water softener delegation.	Start implementation by Jan/Feb 2000
<ul style="list-style-type: none"> Water purveyors & industries to switch from sodium containing water treatment chemicals to potassium, or other equivalent non-sodium calcium, containing chemicals. 	Potential for a significant reduction in sodium concentration.	Moderate/Difficult. May require grower/MCWRA reimbursement to implement.	To be determined.

PROGRAM ELEMENTS	DESIRED OUTCOME	EASE /COST OF IMPLEMENTATION	EST. COMP. DATE
<ul style="list-style-type: none"> MRWPCA to switch from ferric chloride to ferric sulfate or equivalent non-chloride water treatment/corrosion chemicals. 	Potential to reduce overall chloride concentration by at least 25 ppm.	Moderate/Difficult. May require reimbursement to implement.	To be determined.

PHASE II – LONG TERM (2 – 5 YEARS)

PROGRAM ELEMENTS	DESIRED OUTCOME	EASE OF IMPLEMENTATION	WHEN
SPECIFIC SALT REDUCTION PROGRAMS:			
<p>Long Term Program Elements – Salt Reduction Programs which may require legislation, extensive education, and/or significant outside reimbursement to implement:</p> <ul style="list-style-type: none"> • <u>Industrial/Commercial</u> – (low salt dischargers): Require switch to “Demand” water softener units. Implement incentive program for switch to ion exchange cartridge water service, reverse osmosis, or potassium chloride water softener. 	<p>Reduce recycle water sodium concentration from 150 ppm to <130 ppm; chloride to <170 ppm; and lower the SAR from 4.0 units to <3.5 units.</p>	<p>Easy to Difficult</p>	<p>N/A</p>
<ul style="list-style-type: none"> • <u>Residential</u>: Require new construction to use ion exchange service, reverse osmosis or potassium chloride water softener; implement incentive program for existing residences to switch to ion exchange service, reverse osmosis or potassium chloride water softener. 	<p>Moderate reduction in sodium and chloride: Target car washes, industries, smaller hotels and motels, etc.</p>	<p>Moderate/Difficult -- may require passage of state legislature, incentive programs, funding sources and/or local water softener ordinance for implementation.</p>	<p>Year 2 & 3</p>
<ul style="list-style-type: none"> • <u>Residential & Commercial</u>: Implement incentive program for all existing businesses and residences to switch to ion exchange service, R/O or potassium chloride water softener. 	<p>Small to moderate reduction in salt, depending on level of growth in the sewerage service area.</p>	<p>Easy/Moderate – may require state legislative changes and local water softener ordinance for implementation.</p>	<p>Year 2 & 3</p>
<ul style="list-style-type: none"> • <u>Residential & Commercial</u>: Implement incentive program for all existing businesses and residences to switch to ion exchange service, R/O or potassium chloride water softener. 	<p>Moderate to significant reduction in salt.</p>	<p>Difficult – will require extensive funding for incentive programs, state legislature, and local ordinance for implementation</p>	<p>Year 2 & 3</p>

PROGRAM ELEMENTS	DESIRED OUTCOME	EASE OF IMPLEMENTATION	WHEN
<ul style="list-style-type: none"> Industrial – Large Salt users: Require switch to Potassium chloride for all water softening. 	Significant salt reduction	Difficult – will require development of market and supply of potassium chloride, state legislature, local ordinances, and funding sources.	Year 2 & 3
FINANCING:			
<ul style="list-style-type: none"> Develop/Implement incentive programs similar to “Low Flush Toilet Program” for existing businesses and residences to switch from sodium chloride water softeners to an ion exchange service, RO, or potassium chloride water softener. Develop market/supply for potassium chloride 	<p>Develop funding sources necessary to underwrite some of the costs associated with the switch to an ion exchange service, reverse osmosis or potassium chloride water softener.</p> <p>Make it cost effective to switch from sodium chloride to potassium chloride</p>	Difficult	Year 2
PARTNERING			
<ul style="list-style-type: none"> Partner with MCWRA, MRWPCA, Agriculture, NOA, Watsonville, MCEHD, and the water softening industry. 	Alignment of affected parties in the achievement of shared goals and the success of the regional salt reduction program. Development of incentive programs and funding sources; continued exploration into long term brine disposal options and possible brine reuse potentials.	Difficult – will require marketing research and coordination with affected parties.	Years 2 - 3
Summary Row			
		Moderate/Difficult	Years 2 - 5

SALT MANAGEMENT AND MONITORING PLAN

for the Monterey County Water Recycling Projects

INTRODUCTION

The Monterey Regional Water Pollution Control Agency (MRWPCA) produces and supplies tertiary recycled water to the Monterey County Water Recycling Projects. This project started irrigation with recycled water in 1998 supplying approximately half of the project area the first year, and gradually increasing the number of fields receiving recycled water so that 90 percent of the project area received recycled water in 1999.

Along with widespread use, there has been some concern among a few of the growers that concentrations of some salts in recycled water may be marginally too high for use with some of the heavier soils found in the service area of Monterey County Water Recycling Projects (MCWRP). The prime constituents of concern are sodium, chloride, bicarbonate, and related indicators in the irrigation water. Concern has been voiced, also, about the possible injurious impact of chlorides and sodium on the plant tissues (leaf tip burn.)

The possibility of short-term or long-term deterioration of soil physical and chemical properties is a concern for Monterey Regional Water Pollution Control Agency, the producer of recycled water and the Monterey County Water Resources Agency, the organization responsible for water resource management in the project area. A significant amount of time and energy has been spent by growers and the involved agencies addressing this issue.

THEORY

Soil permeability is an important characteristic from the point-of-view of agronomic productivity of the land. It is difficult to measure soil permeability in the field or in the laboratory, without disturbing the *in-situ* character of the sample, rendering any result unrepresentative. To overcome this difficulty, indirect measures and indices have been developed, which quantify the factors that impact soil permeability through chemical and electrical interactions within the soil solution in the proximity of clay platelets^a.

^a Clay particles have relatively large "plate-shaped" surfaces with negative charges, attracting and bonding with cations found in the soil solution. If the majority of adsorbed cations are divalent (calcium and magnesium), flocculation of clay particles results, giving rise to a well-structured soil with adequate permeability. If, on the other hand, the majority of adsorbed cations are monovalent (sodium), then the clay particles will repel one another resulting in deflocculation of soil flocs and disappearance of voids that would otherwise channel the flow of water through the soil.

Indices used for measuring the extent of the potential permeability problem are sodium adsorption ratio (SAR)^b and exchangeable sodium percentage (ESP) in the soil solution in equilibrium with the irrigation water. It is established in the soil science literature that as soil solution equilibrium ESP increases, soil permeability decreases due to the disaggregation of soil flocs, leading to a more "massive" soil structure. This impact is far less pronounced in light (sandy) soils than in heavy (clayey) soils. The impact of high ESP on water flow rate in the soil profile is further compounded by the total salinity (often measured as electrical conductivity or EC) of the irrigation water. As EC increases, the effect of ESP on flow rate decreases appreciably. In lighter soils irrigated with high-EC irrigation waters an ESP of 20 (or even higher) may be acceptable, whereas in heavier soils irrigated with low-EC waters, an ESP of 8 (or lower) may be considered marginal. These complex relationships are explored and discussed in detail by Oster et al. (1984)¹, Henderson (1958)², and Richards (1954)³. Salinity and drainage relationships are thoroughly discussed in a monograph by Hanson *et al*⁴.

The theoretical basis for prediction of the behavior of soil permeability under irrigation with recycled water is further complicated by cultural practices, climatic conditions (particularly rainfall), and the actual blend of water from different sources. Therefore, laboratory simulations and calculations based on theory must be tested in the field, under actual agronomic conditions. A monitoring program, tracking relevant parameters and reliable indicators could provide continuous assurance that the soils are not being adversely impacted in the near and distant future.

The chemical and electrical reactions occurring between soil particles and the chemical constituents in irrigation water and resulting in changes in soil properties are entirely reversible. These relationships can be directed and managed with amendments, treatment, and alternative irrigation or blending with another source of water, irrigation scheduling, and cultural practices.

BACKGROUND

Irrigation of farm fields with recycled water in the Castroville service area of the Monterey County Water Recycling Projects began on April 15, 1998. Annual average percentage of recycled water used system-wide was 62 percent in 1998 and 66 percent in 1999. The monthly blend ratio ranged from 12 percent to 83 percent in 1999. The remainder of the irrigation water demand was supplied from pumps tapping supplemental wells. The MRWPCA water recycling facilities can provide a relatively constant flow (around 20 million gallons per day) of recycled water. This rate of daily supply is inadequate to serve the MCWRP service area at peak demand periods during the hottest portion of the growing season. Therefore, supplemental wells in the area are used to augment the recycled water supply, as necessary.

^b Normally, an "adjusted" sodium adsorption ratio (aSAR), taking account of the impact of bicarbonate concentration in the irrigation water, is used to judge the potential for sodium hazard.

During the periods when recycled water must be supplemented, blending of recycled water with well water takes place within the pressurized distribution system. The blend ratio of the two waters can vary widely from moment to moment, and from one location to another. There has been no need (hence no attempt) in the past to make the blend uniform either over time or throughout the service area of the project. The hydraulic characteristics of the distribution system and the sources of water supply are designed for maximum reliability of service in meeting irrigation demands of multiple irrigators at peak demand periods. These design objectives are not conducive to uniform blending of recycled water with well water at all times and in all locations. Neither is it necessarily desirable or preferable to strive for uniformity of the blend—at all times and in all locations—unless it is actually shown, by the data generated from the proposed study, that blending is necessary to reduce the concentration of certain constituents.

Calculated SAR of the average monthly blend of delivered irrigation water had a flow-weighted overall average of 4.4 in 1998 and 3.9 in 1999. By agronomic standards, this average SAR, in combination with an EC of around 1.5, would be quite safe for long-term irrigation^c. However, some recent ESP^d values—computed based on irrigation water SAR—have apparently indicated increases in soil exchangeable sodium percentage^e. While the SAR and ESP values are within acceptable ranges, it is feared by some that if the trends are indeed indicative of a long-range movement—rather than an established equilibrium—and if they can be conclusively related to use of recycled water, there may be cause for concern, and a need for some changes in management practices. That is why the plan outlined below is designed to provide the convincing data needed for proper diagnosis and corrective recommendations. Because of the reversible nature of the reactions involved, and the high solubility of the salts of concern, corrective actions (if needed) are relatively simple, quick and highly effective.

PRECAUTIONARY SALT MANAGEMENT PLAN

Based on the theoretical and observed conditions discussed above, it is considered prudent that the following precautionary steps be taken toward maximum protection of the soils (and their permeability and productivity) in the MCWRP service area.

^c See Hanson et al., page 29, Figure 2, Relative rate of water infiltration as affected by salinity and sodium adsorption ratio. This graphic depiction shows that, for example, at a SAR of 5 and EC of 1.5, “no reduction in infiltration” is expected.

^d ESP stands for “Exchangeable Sodium Percentage”, an index of the proportion of the soil exchange sites occupied by sodium, under equilibrium with the irrigation water in use. Obviously, it is desirable to have as low an ESP value as possible. Since it is difficult to obtain actual *in situ* ESP values, the quoted values were calculated by the laboratory from the irrigation water SAR, using an empirical formula that relies only on SAR of the irrigation water:

$$ESP = [100 * ((0.01475 * SAR) - 0.0126)] / [1 + ((0.01475 * SAR) - 0.0126)].$$

^e “Analysis of Soil Salinity on Dole Properties Utilizing CSIP Water”, data sheets prepared by BEP, 12/8/99. These data sheets do not indicate soil type, soil profile characteristics, or drainage conditions on the fields sampled. These data calculate increases of up to 259 percent from the 1996/1997 season to the 1998/1999 season, with a maximum ESP of 5.5 on one field (designated “Freeway”).

1. Implement the source control measures outlined in the regional salt reduction program, including:
 - a. Support of SB 1006^f
 - b. Removal of Aquarium salt discharges^g
 - c. Removal of Culligan water softener brine discharges
 - d. Changeover of hospitals, dialysis centers, out-patient clinics to DAR^h
 - e. Changeover of water treatment chemicals from sodium-based to calcium-based compounds.
 - f. Changeover of MRWPCA corrosion control chemicals (e.g., from ferric chloride to ferric sulfate or equivalent non-chloride chemicals).
2. Prepare for potential chemical amendment of recycled water, dilution with well water and other blending options as conditions and monitoring data indicate.

SALT MONITORING PLAN

Simultaneous with the salt management plan outlined above, a comprehensive and objective monitoring program will be initiated to track any potential changes and trends in soil characteristics that may be attributable to use of recycled water. The monitoring program outlined below will be initiated in the near future, with the following steps, described in further detail in the following paragraphs.

- Task 1. Select MCWRP monitoring sites and controls, using soil maps, ownership boundaries, tile drain conditions, soil stratification information, and site history
- Task 2. Perform monthly field observations, and sampling of soils, water
- Task 3. Analyze samples at approved laboratory, with quality assurance and controls at one or more additional laboratories
- Task 4. Interpret field observations and laboratory data and diagnose any problems
- Task 5. Recommend and implement management changes and remediation efforts as necessary

This effort would continue for at least one year, and possibly extend to five or more years. The results obtained and the remediation efforts undertaken would determine if there is a need for additional data gathering. Thus, early termination or extension of the

^f Senate Bill 1006 was enacted into law in 1999, and comes into effect in three years, among other things enabling local agencies to pass requirements for water softener types installed in their jurisdiction, upon performance of certain other control measures and showing necessity.

^g Successful discussions were held with operators of the Monterey Aquarium for expeditious removal of salty discharges from Otter ponds and other sources.

^h DAR = Demand-Initiated Regeneration, a method of water softener operation whereby regenerant (sodium chloride) is added as necessary. The current practice is to add salt at regular intervals using a timer, irrespective of need for regeneration.

monitoring program would depend upon (1) the nature of diagnoses from the monitoring data obtained, (2) further changes in management practices, (3) results from those changes, and (4) other input in consultation with all the stakeholders in the MCWRP.

Key fields and turnouts in the system will be selected for intensive monitoring. The selection of fields will be based on soil characteristics within the service area to ascertain inclusion of the most clayey soils in the area, the sandiest soils in the area, and some intermediate soil types. Soil maps of the service area will be consulted to delineate major soils found in the area so that none will be left out. It is extremely important to obtain and record the nature and history of the drainage system (if any) and land grading and leveling on the selected fields. It is also important to note and record the previous source of irrigation water and its characteristics. To the extent information is available about soil stratification in the soil maps and from the UC Cooperative Extension Service, typical profiles will be included in the monitoring program. Data available from the Monterey County Water Resources Agency will be utilized to further characterize the candidate sites. On most farms in the MCWRP service area, land grading and laser leveling have been performed. On some, the natural layering of the indigenous soils has been drastically changed. For example, certain farms now have a clayey topsoil underlain with sand, with a sharp interface. Therefore, such non-homogeneous soil profiles will also be included in the monitoring program.

In addition, several fields will also be selected to serve as controls. Ideally, these fields would be within the MCWRP service area, from the ranches not using recycled water. It may be necessary to choose some of these fields from outside the service area. The control sites will be selected carefully to assure as much similarity as possible to corresponding sites selected to represent the variety of soils within the service area. It is expected that about ten sites from within the service area and another five control sites will be selected.

At all the selected sites, the sampling and observation program tabulated below will be conducted. Parameters will be assayed directly if possible, and indirectly, where necessary.

	Frequency	Sites	Parameters*	By
Blend Ratio	Monthly	10 MCWRP	Flow Meter readings	Agency Field Personnel
Irrigation Water Blend	Monthly	10 MCWRP	EC, Cl, SAR, ESP	Analytical Laboratory
Soil Root-Zone Saturation Extract	Monthly	10 MCWRP + 5 Control	EC,Cl, SAR, ESP	Analytical Laboratory
Drainage Water	Quarterly	10 MCWRP + 5 Control	EC, Cl, SAR, ESP	Analytical Laboratory
Soil Profile	Monthly	10 MCWRP + 5 Control	Soil Moisture by Soil Tube	Agency Field Personnel

* Parameters such as SAR are calculated from other analytes (sodium, calcium, magnesium, bicarbonates). ESP will be determined from analysis of the soil saturation extract and empirical formula calculation.

INTEGRATION OF MANAGEMENT EFFORTS WITH MONITORING DATA

The plan outlined above is intended to be completely interactive, so that the salt management component is informed by the monitoring data and the monitoring program is revised as new management elements are introduced, as necessary. For example, if the monitoring data indicate the need for a change in salt management practices, the program will be flexible enough to respond rapidly to the need. Conversely, with each change in the management plan, a review of the monitoring program will be undertaken to assure its continued relevance and practicality.

SOIL AND WATER SAMPLING, ANALYSES, RERPORTING

It is envisioned that the technical staff of MRWPCA will conduct the sampling activities, in accordance with established agronomic standard practices. The samples will be properly packaged and shipped to a reputable and objective laboratory, to be determined in consultation with the University of California Cooperative Extension Service agronomists, soil scientists and vegetable crop specialists in Salinas and Davis. The results will be collated and displayed graphically and reported in a monthly report with commentary interpreting the data and recommending any possible future management actions necessary in response.

ESTIMATED COSTS, FINANCING

The cost of conducting the program described above is estimated in three components: (1) Agency personnel time and materials for sampling, preservation, and shipping (2) laboratory costs for analysis of samples, and (3) consultant costs for data interpretation, recommendations for salt management strategies, and reporting.

Agency Personnel

Sampling efforts by Agency personnel are calculated on the basis of the following assumptions:

- (1) All field observations and sample collection, preservation, labeling, packaging, and shipping will be the responsibility of agency personnel, who will receive thorough initial training in standard procedures, quality control techniques, and chain-of-custody protocols.
- (2) Sampling and observation efforts will take about four hours per month.
- (3) At an hourly cost of \$20.20 and an overhead rate of 35 percent, the Agency costs are estimated to be \$1,300 for the first year.

Laboratory Costs

Laboratory costs are estimated, based on the assumption that a commercial Analytical Laboratory will perform the necessary analyses on samples shipped by agency personnel. Quality assurance analysis of duplicate samples will be conducted on 20 percent of the

samples by the University of California Davis Division of Agricultural and Natural Resources Analytical Laboratories.

Sample	Frequency	Number	Unit Cost	Annual cost
Soil	Monthly	180	\$100	\$18,000
Duplicates	Monthly	36	\$50	\$1,800
Drainage Water	Quarterly	60	\$100	\$6,000
Duplicates	Quarterly	12	\$50	\$600
Total				\$26,400

Consultant Costs

Consultant efforts will be limited to the following activities:

- o Work plan preparation and site selection
- o Liaison between agency, laboratory, University, and selected and control sites.
- o Draft report preparation

The one-time work plan and site selection tasks will be conducted as part of an existing agreement. The remaining, recurring tasks are estimated to require approximately 8 hours per month, on the average.

Total Estimated Costs

Project estimated costs are summarized below:

Agency personnel costs	1,300
Laboratory costs	26,400
Consultant Costs	10,000
Total	37,700/year

Financing

One or more of the following potential sources of funding, in combination, may finance the proposed project:

- o Monterey Regional Water Pollution Control Agency
- o Monterey County Water Resources Agency
- o United States Bureau of Reclamation
- o WateReuse Foundation

The primary sponsors of the MCWRP have the greatest stake in the outcome of this monitoring effort and would normally be in the best position to finance the effort. However, recent voter initiatives have restricted the ability of local agencies to raise funds and finance any but the most essential services. Fortunately, the United States Bureau of Reclamation has a congressional mandate to encourage water reclamation and reuse.

Support of local applied research in water reuse issues, and facilitation of use of recycled water are thus essential parts of the Bureau's mission. In addition, WaterReuse Association has historically supported strong salinity management initiatives and is potentially in a position to participate in financing the proposed study. Preliminary discussions with these entities should begin at an early date to establish the process and prerequisites for obtaining funding assistance.

¹ Oster, J. D., G. J. Hoffman, and F. E. Robinson., 1984, Management Alternatives: "Crop, Water, and Soil", *California Agriculture*, 38:29-32.

² Henderson, D. D., 1958, "influence on Soil Permeability of Total Concentration and Sodium in Irrigation Water", Water Resources Center, University of California Contribution Number 14: 153-157.

³ Richards, L. A., Ed., "Diagnosis and Improvement of Saline and Alkali Soils", Agricultural Handbook No. 60, United States Salinity Laboratory Staff, February 1954.

⁴ Hanson, B., Grattan, S. R., Fulton, A., "Agricultural Salinity and Drainage", University of California Irrigation Program, University of California, Davis, 1993.

ATTACHMENT A

January 19, 2000

DeEtta Nicely
Acting Executive Director
TAMC
312 East Alisal Street
Salinas, CA 93901

Re: 1999 Grand Jury Report

Dear DeEtta:

Attached are the comments you requested regarding the findings of the 1999 Grand Jury that "The subsidized Monterey-Salinas Transit bus system is underutilized."

If you have questions or need more information, please let me know.

Yours truly,

Frank J. Lichtanski
General Manager

Response to 1999 Grand Jury Report

Finding #2

The 1999 Grand Jury Report offers the finding that the MST bus system is underutilized. The factual basis for this finding is not provided in the report.

MST fixed-route buses have over 4 million boardings annually. Ridership continues on an upward trend for both fixed-route bus service and ADA paratransit service for the disabled. Transit usage in Monterey County and elsewhere is affected by these factors: land use; accessibility; funding; service quality; and, service frequency.

The primary factor affecting transit usage is land use. Transit can only be effective in capturing a larger share of local travel when land use patterns are transit- and pedestrian friendly. Sprawl and disjointed land use that encourages the use of private autos are major obstacles that affect access and service quality. The Grand Jury report does not address this major issue of urban sprawl and the resultant imbalance of housing and jobs.

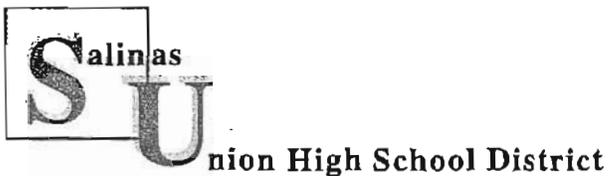
MST has no control over land use and can only make comments and recommendations advocating transit-friendly development. While MST may offer geographic coverage to an area, without safe and convenient bus stops and adequate pedestrian access transit will continue to be underutilized. The cities and county must partner with MST in making land use decisions that allow and encourage transit as a viable and convenient alternative to the auto. This partnering can take the form coordinating general plans, development plans, and specific site plan layouts; integrating transit stops; and developing and implementing parking management strategies and policies.

With regard to funding, MST has limited ability to generate revenues to acquire equipment and facilities and to deliver service. Further, fares are necessarily set to meet or exceed the state-mandated cost recovery ratio. While this results in financial productivity, higher fares are a deterrent to increased ridership.

MST does have control over service quality and service frequency. As testimony to MST's commitment to continuous improvement, in 1999 MST was recognized with the California Governor's Quality Award. MST is the first transit system in the state to receive this award. Also, in July 1999 the amount of MST service was increased nearly 20 percent. New routes were added and frequency of service improved on many routes. This came about after two years study and public review. The result is a transit network that offers more frequent, more direct, and more reliable service. Ridership is already up nearly 10 percent over last year and continues to rise, even during the traditionally shower months of the year. System productivity of 23 passengers per hour of is running ahead of the 22 passengers per hour target after six months.

The MST mission is to lead, advocate, and deliver service that encourages maximizes use, improves mobility, and enhances the quality of life in our community. Just like other modes of transportation, there are peak hours of use or major travel corridors when service operates at or above capacity (e.g. Fremont Street, Alisal Street, The WAVE, First Night, etc.) Conversely, just as some streets have fewer cars at off-peak times, that same is true for ridership on bus routes. Further, MST is sensitive to the need to operate "life line" services which may be lightly used, but provide essential basic mobility for those who ride.

The Grand Jury report promotes more traffic generating road improvements without expanding alternative transportation methods (e.g. more transit, adding HOV lanes, car/vanpooling, etc.) New local funding for transportation funding could allow the county to become a "Self-Help" county (via a new taxing structure) and therefore make the county eligible for more state and federal money for both highway and transit projects.



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nando R. Elizondo, Ed.D.
Superintendent

March 21, 2000

Mr. Joe C. Tacker, Foreman
1999 Monterey County Civil Grand Jury
P.O. Box 414
Salinas, CA 93902

Dear Foreman Tacker:

This is the Salinas Union High School District's response to the final report of the 1999 Monterey County Civil Grand Jury Report that was submitted to presiding Judge of the Coordinated Trial Courts of Monterey County. The four recommendations outlined in the report are as follows:

- 1) School Board members and Superintendents use STAR results to evaluate assignment of personnel;
- 2) Hiring practices ensure that certified certificated teachers are placed in the classroom while it is recognized not every excellent teacher is fully certificated. It is counter productive to have a high percentage not fully certified;
- 3) School Board members search their collective conscious to determine if school funds should be better spent on students rather than on individuals performing what is a public service;
- 4) Each school district ensure that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law.

Recommendation:

- 1) **School Board members and Superintendent use STAR results to evaluate assignment of personnel.**

Salinas Union High School District does not nor can it use STAR results to evaluate assignment of personnel. The California Education Code specifically delineates the parameters that can be utilized in evaluating certificated personnel.

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The provisions under the California Education Code translated into our own district Board Policies and Administrative Regulations are what are utilized for assignment of personnel. I have included for the Grand Jury's review copies of our district's agreement between Salinas Valley Federation of Teachers, Article 14, Evaluation Procedures.

- 2) **Hiring practices ensure that certificated teachers are placed in the classroom while it is recognized not every excellent teacher is fully certificated, it is counter productive to have a high percentage not fully certificated.**

All teachers in the Salinas Union High School District are certificated at one level or another. The district agrees with the Grand Jury report that not every excellent teacher is fully certificated and our district makes our every effort to find fully credentialed certificated teachers. The California Education Code and the Commission on Teacher Preparation which certifies teachers allows districts various levels of certification to teach in California public schools.

The Grand Jury report is correct as its findings collaborate that there is a lack of fully credentialed certificated teachers in the State. The problem of full certification is amplified through certain subject areas at the secondary level. Those subject areas are inclusive of Mathematics, Science, Special Education and bilingual certificated teachers. Our district during the 1999-2000 school year is participating with CSUMB on the Las Alianzas Project. This project provides funds in identifying potential teachers within our present student population. This is completed through the creation of teacher clubs on our high school campuses. These clubs are comprised of youngsters that have made an initial commitment to enter into a teaching career. The project supports these youngsters in post-secondary education whether it be community college or other institutions with scholarship stipends. The stipends in part help support the students in completing their education and entering into the teaching profession.

We also work closely with CSUMB in recruiting student and placing student teachers in the Salinas Union High School District. Lastly, we work closely within the Bi-National Program, which we employ teachers from Mexico to teach in our schools for a minimum of one year. This program has been ongoing for several years and helps meet the need for bilingual teachers.

Our recruiting efforts last year, as well as this year, have incorporated 39 recruiting fairs where principals and Human Resources personnel actively participate and recruit teachers. We also have a Web page where on-line

applications and inquiries can be viewed regarding employment opportunities in our district. That Website is www.salinas.k12.ca.us.

Recommendation #3:

School Board members search their collective conscience to determine if school funds should be better spent on students rather than on individuals performing what is a public service.

The Salinas Union High School Board of Trustees received a stipend as per allowed by Ed. Code for scheduled Board meetings. The benefit cost to those monthly stipends are required and subject to Social Security and Workman's Compensation charges. Also, as per Board Policy, Trustees receive Health and Welfare benefits, as do retired Trustees as per Board Policy through the age of 65. The Board also, through Board Policy, has allocated in the 1999-2000 school year \$15,000 which is less than 1% of the district's overall budget to attend workshops and seminars through the California Association of School Boards. The participation in these workshops is critical as the 1999-2000 school year has three new Board members to the district's Governing Board. It is critical that these Board members receive appropriate training through their state-wide association as to make them effective Board members. As Board members overseeing and responsible for a \$75 million dollar district budget, it is critical that they are kept in tune with the various factors that effect not only the district's fiscal solvency but also state-wide curriculum and accountability measures. Governing Board members who do not participate and remain current in these training activities will curtail their full potential as knowledgeable Governing Board members.

The Grand Jury Report outlined an expenditure for the school district of \$104,378 and identified the district's average daily attendance as 11,778 for a cost per pupil of \$8.86. In reviewing our closing budget the cost should be amended as follows: school board costs for salaries, benefits, supplies and services is \$106,982.26. The average daily attendance should be corrected as per the official second period attendance report for 1998-1999 of 13,658. That then results of a cost per student of \$7.83, which is below the Grand Jury figure of \$8.86 or a 11.6 percent decrease.

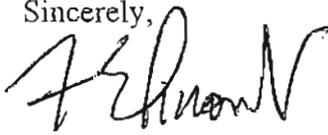
- 3) **Each school district insures that there are programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law.**

Mr. Joe C. Tacker, Foreman – 1999 Monterey County Civil Grand Jury
March 21, 2000
Page 4

The Salinas Union High School District has a very strong program at both the District and Site levels. When youngsters are found to have caused vandalism they are asked to pay retribution. Case in point is the young man who broke into Salinas High School several years ago. The Board directed me as Superintendent to monitor his court case and to provide the court a Victim's Statement. This Victim's Statement was received positively and was utilized in the final sentencing of the youngster which included retribution as well as community service.

Our District has also embarked in a unique program where School Resource Officer and a full-time Probation Officer are placed on our high school campuses. This has assisted our campus security as well as assisted the Salinas Police Department in possible identification of other crimes in the community.

Sincerely,

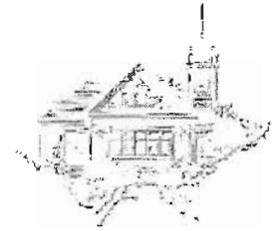
A handwritten signature in black ink, appearing to read "F. Elizondo". The signature is written in a cursive, somewhat stylized font.

Fernando R. Elizondo
Superintendent

FRE:pvc

Santa Rita School District

*"Improving the World with
Every Student"*



MEMORANDUM

January 10, 2000

TO: Honorable John M. Phillips, Presiding Judge of the Coordinated Trial Courts
C/O Mr. Joe Tacker, 1999 Civil Grand Jury Foreman
P.O. Box 414
Salinas, CA 93902

FROM: Dr. Bob McLaughlin, Superintendent 

SUBJECT: **Response to the 1999 Monterey County Civil Grand Jury Report**

The 1999 Monterey County Civil Grand Jury conducted a comparison study of school districts within the County. It produced findings regarding (1) the STAR results, (2) percentages of teachers not fully certificated, (3) compensation to School Boards, and (4) the number and costs of criminal acts on school grounds.

It is a credit to the Grand Jury that it was concerned with education in Monterey County. However, the Jury's choice of topics, the data sources, and/or its analysis of that data show a lack of depth of understanding of issues regarding education. As a result the findings are particularly helpful. My concerns follow.

1. Student learning is a current popular and political topic of discussion, but it is always a topic of improvement in every school. As a result there has been real improvement in schooling in California and Monterey County over the years despite what politicians and the press would have you believe. The high school graduation rate, for example, in Monterey County has improved from only 50% in the mid-1950s to about 90% now. The number of students considering college, as evidenced by the increase in the number taking the college entrance exam (the SAT), and by the actual increase in those going to college has at least quadrupled in the same time. Only the fact that so many more are taking the SAT in California has actually reduced the state's average score. The SAT scores have actually increased for *every* ethnic and social group taking the test. Furthermore, according to the company which makes the test, the SAT is harder than it used to be.

Another measure showing the effectiveness of schools over time is rise in Intelligence Quotient (IQ) scores. Current measurements of the IQ of today's students show an increase of 10 points over those scores for their grandparents. Contrary to the public hype, the public schools in California are performing well and are constantly trying to be even better.

Therefore, the Grand Jury's use of the STAR results (a norm referenced test) alone to evaluate our schools is inappropriate. The test is considered inadequate for comprehensive evaluation of schools by every educational authority and testing expert. The current test was a political compromise, not an educationally rationale choice. The test is a norm-referenced, and the nation-wide norming group had only 3% limited English proficient (LEP) students. Monterey County, by comparison, has over ten times the percentage of LEP students as the norming sample. We have almost two times more than the state rate of LEP students. Because all but first year LEP students had to take the test in English, this single fact explains the relatively low scores for the county compared to the state. Furthermore, the test is not aligned with the state curricular standards. This lack of alignment

means that a mixed message has been sent to the schools: meet the curricular standards which are listed by the state for you, but pass a test on something else. Since the standards make sense to learning and the test does not, which would the Grand Jury recommend we emphasize?

But even the STAR results really shows that the county schools are quite effective. Given that about the percentage of students at or above grade level is about the same from year to year, the conclusion is that on average the students are actually growing a whole academic year for each year in school. Remember, the test covers one year's worth of curriculum, i.e. the test gets harder each year, so maintaining the same score really shows a year's growth. The conclusion is that Monterey schools are doing a good job evidenced by the growth each year. This is particularly impressive in Monterey County since many of the students are also learning a new language at the same time.

2. Teachers with interim credentials have always been a part of the system. It has gotten to crisis proportions nationally in recent years and particularly in California because of (1) the Class Size Reduction program in grades K through 3 which began in 1997, (2) the increase of retiring teachers as "baby boom" teachers grow older, and (3) the loss of new teachers in the first few years of teaching. The Grand Jury's "investigation" of this issue can be of no value except to alert the public, which has already been done.

Schools are all doing what they can both temporarily and permanently to certify their teachers. Colleges are creating programs to produce a greater number of teachers. The state has increased incentives to keep current teachers on the job past normal retirement until new teachers can replace them. Many of the new teacher candidates are interns working and going to school at the same time. The County Office of Education, districts and colleges now provide a wealth of support programs. Teachers who do well as interns will eventually be stronger because their training applies directly to their every day work.

The overall issue of lack of teachers is a problem of demographics, and is a national problem: increasing numbers of students and the retirement of a large cadre of older teachers. The problem will not go away soon. School districts, government, and colleges have created a number of programs which will eventually help.

3. Compensation to school boards is limited by law, and no district has violated the law. The Grand Jury's implication that there is something wrong because there were "disproportionate costs comparisons" is misleading. All districts had no less than five nor more than seven board members whether the district had 100 or 10,000 student. No matter the size of the district, the job of board member is the same. Therefore, a comparison of the cost of Board compensation (if any) per student (ADA) will naturally result in higher per-student-costs in smaller districts. Of course, Boards can refuse any or all aspects of compensation, but the work done by the board is of such great value to the public and school community that it is entirely justified if taken.

4. For the second year, the Grand Jury's "investigation" of the School Crime Report is less than helpful due to reliance on only the state report. The statistics produced by the state School Crime Report are subject to *significant* incorrect interpretations. Even with annual training that many of the county's districts take, I believe there is still a wide range of reporting practices. Also, the classification of districts into only elementary or secondary causes inappropriate comparisons. Specifically, Santa Rita Union School District (serving grades K through 8) is compared to elementary districts (serving only grades K - 6). The comparison of middle school students to primary and elementary students is entirely inappropriate. Most suspensions and all expulsions are at the middle or high school levels. Furthermore, the number of "crimes" reported actually indicates the number of crimes solved and is testimony to the diligence and talent of the disciplinary staff and teachers. The cost of crimes (usually vandalism) can easily be inflated by a single costly incident in a smaller district like Santa Rita. In our case the most vandalism was caused by adults stealing equipment from the schools which does not really relate to student safety on campus. In conclusion, the Crime Report is not a valid and reliable source for the Grand Jury's consideration and should not be used to compare one district to another.

SANTA RITA SCHOOL DISTRICT'S RESPONSE TO THE 1999 GRAND JURY RECOMMENDATIONS:

Recommendation 1: "School Board Members and Superintendents [should] use STAR results to evaluate assignment of personnel."

RESPONSE: Santa Rita disagrees in part with this recommendation. The STAR program can only be a part of a comprehensive evaluation of personnel. Far too many intervening variables are factors in a student's achievement to blame or credit it all to a teacher or principal. Furthermore, state law and teacher contracts limit the use of norm reference testing in an evaluation.

ACTION: The recommendation will not be implemented as stated because it is not reasonable. To the degree that useful procedures, state law, and the teacher contract will allow, STAR results will be considered as one of many indicators of employee performance.

Recommendation 2: "Hiring practices [should] ensure that certificated teachers are placed in the classroom. While it is recognized not every excellent teacher is fully certificated, it is counterproductive to have a high percentage not fully certificated."

RESPONSE: Santa Rita disagrees in part with this recommendation. Current law and regulations allow temporary certification while teachers work to finish their credential work. In Santa Rita all teachers are, therefore, legally certificated with some teachers in the process of completing their work. Given the lack of fully credentialed teachers in the job market nation-wide, this is the only way classroom teaching positions will be filled in the next few years.

ACTION: The recommendation has been implemented.

Recommendation 3: "School Board Members search their collective conscience to determine if school funds could be better spent on students rather than on individuals performing what is a public service."

RESPONSE: Santa Rita disagrees in part with this recommendation. That someone would do the work of a school board member totally without compensation is commendable. However, the job is too important not to begrudge the legal compensation for the literally thousands of hours of work and study, the wise guidance toward a vision of excellence, and the tough decisions to maintain fiscal accountability which the job requires. If a relatively small amount of money will encourage talented board members to maintain their dedication at the loss of family time and some personal costs, then it is in the public's interest to pay up to what the law allows if the district can afford it within its budget process.

ACTION: The recommendation will not be implemented because it is not reasonable. However, periodically, the Board has and will again review it's policy on Board compensation. In 1993 compensation was suspended during a period of fiscal concerns. The Board will reserve the right to reconsider its own compensation at its own discretion.

Recommendation 4: "Each school district ensure that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law."

RESPONSE: Santa Rita agrees with this recommendation. However, please note that districts which implement this recommendation rigorously will actually increase the crime statistics, not reduce them.

ACTION: The recommendation has been implemented.



San Lucas

Union School District

P.O. Box 310 • 53675 San Benito Street • San Lucas, CA 93954

(831) 382-4426 Fax (831) 382-4088

April 24, 2000

Grand Jury
County of Monterey
P.O. Box 414
Salinas, CA 93902

RE: Required Response to the 1999 Monterey County Civil Grand Jury Report

Dear Michelle Maitre, Chair, and Susan V. Balesteri, Foreman,

Greetings! With regard to your four recommendations:

Finding Number 1

- (1) The San Lucas Union School District Board of Trustees disagrees partially with the finding.
- (2) No single test is precise enough to make projections in absolute terms. The validity of an achievement test, such as the STAR, is the extent to which the content of the test represents a balanced and adequate sampling of the outcomes of the instruction it is intended to cover. This is best evidenced by a comparison of the test content with instructional materials, instructional goals, and critical analysis of the processes required in responding. Because the test is of questionable validity in what it assesses, it would not be good practice to use it as an instrument to guide personnel decisions by.

Finding Number 2

- (1) The San Lucas Union School District Board of Trustees agrees with the finding.
- (2) The recommendation has been implemented as of 1994. Fully certificated/credentialed eligible candidates are given first priority for hiring.

Finding Number 3

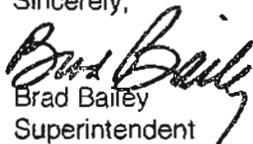
- (1) The San Lucas Union School District Board of Trustees agree with the findings.
- (2) The recommendations have been implemented. Each member of the Board of Trustees receives \$100.00 per meeting attended.

Finding Number 4

- (1) The San Lucas Union School District Board of Trustees agrees with the finding.
- (2) The recommendation has been implemented as per the Board adopted School Safety Plan of April 1998.

Thank you for your interest in public education. We appreciate your support and efforts to improve our schools. If I can be of any further assistance, please do not hesitate to contact me at 831-382-4426

Sincerely,


Brad Bailey
Superintendent

San Ardo Union Elementary School District



March 8, 2000

Grand Jury
P.O. Box 414
Salinas, CA 93902

Re: Response to findings and recommendations of the 1999 Grand Jury Comparison Study of School Districts

Gentlemen:

Following is our reply:

Finding and Recommendation #1

The STAR test is important, but it is only one piece of our assessment system. The San Ardo School District has a multiple measure system and does not rely on one set of tests results. Staff is evaluated on classroom management and control, classroom environment, professional relations and extra program participation, as well as instructional program. This is done in accordance with California State Education Code.

Finding and Recommendation #2

The San Ardo School District has never employed teachers that were not credentialed by the California Teacher Credentialing Office. Last year we had 6 classroom teachers. Four had general and standard credentials, one had a university internship credential and another had a preliminary credential.

As it is against California Education Code and not beneficial to the instructional program, the San Ardo School District would never consider hiring a non-credentialed teacher.

Finding and Recommendation #3

The San Ardo Board of Trustees receives no compensation but we understand that California Education Code allows it. There are compensation limits set by law.

Finding and Recommendation #4

We agree with the Grand Jury recommendation that district have crime prevention programs in place. San Ardo School District has a detailed safety plan and had no reported crimes during the 1998-99 school year.

Sincerely,

A handwritten signature in cursive script that reads "Jeane Errea".

Jeane Errea
Board President

San Antonio Union School District

67550 Lockwood/Jolon Rd.
P. Box 5000
Lockwood, CA 93932-5000

Administration
John W. Wight
Superintendent/Chief Business Officer

Office: (831) 385-305
FAX: (831) 385-424

Board of Trustees

Donna Booker
Ned T. Bowler
Michel L. Hardoy
David A. Mirko
Anissa Schatz

School Operations Staff

Lona Christensen
Confidential Office Specialist
Marcie Roth
Accounts Clerk
Cathy Hormann
Student Services Director
Faye Wells
Confidential Secretary

RESPONSE TO THE MONTEREY COUNTY CIVIL GRAND JURY REPORT OF JAN. 2000

Required response to recommendations one through four on page 9.

1. School Board Members and Superintendents use STAR results to evaluate assignment of personnel.

RESPONSE:

Current legislative Educational Codes in California do not allow a school district to evaluate teachers on the results of student standardized tests. The current labor contract with the teachers does not allow for this, i.e., based on STAR student performance, however, we do assign instructional aides using the aforementioned as one of the criteria.

2. Hiring practices ensure that certificated teachers are placed in the classroom. While it is recognized not every excellent teacher is fully certificated, it is counterproductive to have a high percentage not fully certificated.

RESPONSE:

It has always been the goal of the San Antonio Union Elementary School District to employ certificated teachers as possible, who fit into the design of our school system. We have averaged about only one emergency permit out of twelve certificated positions. This is far less than the state average, which is 19%, according to the 1998 status of the teaching profession summary report of California.

3. School Board Members search their collective conscience to determine if school funds could be better spent on students rather than on individuals performing what is a public service.

RESPONSE:

It has always been in the forefront of the San Antonio School Board of Trustees that they are in the service of the students and the educational needs. Each School Board Member is paid a small amount of money monthly, which each Board Member then donates their entire salary into a student scholarship fund.

4. Each school district ensure that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law.

RESPONSE:

The school does do an active part in education against crime activities. There are very few cases each year. However, the school district has no control over crimes being prosecuted to the full extent of the law; this is the responsibility of the District Attorney's Office.

Mission Statement:

We are committed to provide quality, active education, focusing on life skills for the whole child, recognizing and appreciating cultural diversity and preparing them for the transition into high school and a life of success and contribution in the world.



March 8, 2000

The Honorable John M. Phillips
Presiding Judge of the Coordinated Trial Courts Monterey County
Post Office Box 414
Salinas, California 93902

Re: Response to the 1999 Monterey County Grand Jury Final Report

Dear Judge Phillips:

This letter is in response to the 1999 Monterey County Grand Jury Final Report concerning Salinas Valley Solid Waste Authority and the landfill facilities. There are a few facts cited in the report that are in need of correction and these clarifications are included in the responses to the findings or recommendations.

As you may be aware, the SVSWA was formed in January 1997 as a Joint Powers Authority among the cities of Salinas, Gonzales, Soledad, Greenfield, King City as well as Monterey County. This JPA was formed to maximize the efficiency in managing the regional landfills in the Salinas Valley area and to ensure long term landfill capacity for the region in a cost effective and environmentally sensitive manner. In December 1999, the SVSWA expanded its scope to provide assistance to all requesting member agencies in meeting their AB939 recycling goals and has continued to make positive changes in the infrastructure and operations of its landfills and diversion activities.

Outlined below are the responses to the findings and recommendations of the Grand Jury.

- ***Findings***

Finding 1. The Member Cities will not meet the recycling goals established by AB 939 by the end of the year 2000 unless immediate steps are taken.

The City of Soledad concurs with this finding in general. However as you can see from the table below, the City of Soledad is working hard to assure that our AB 939 goals are met. I believe that we are doing very well in this effort. The SVSWA has calculated to diversion rates as follows:



Finding 1. The Member Cities will not meet the recycling goals established by AB 939 by the end of the year 2000 unless immediate steps are taken...cont'd

<u>Jurisdiction</u>	<u>2000 "Goal"</u>	<u>1998 "Actual"</u>
Greenfield	32.9%	11%
Gonzales	32.1%	-81%
King City	31.4%	-4%
Salinas	50%	15%
<u>Soledad</u>	<u>50%</u>	<u>49%</u>
Unincorporated County	50%	25%

Finding 2. SVSWA is not responsible for waste reduction but, if requested, will assist the Member Cites in recycling.

The City of Soledad agrees with this finding and in fact has contacted the SVSWA to assist us in our efforts.

Finding 3. Citizens, businesses and growers within the SVSWA need incentives to reduce solid waste.

The City of Soledad agrees with this finding. There are many incentives that could be explored including educational efforts, support of new infrastructure and development of countywide outlets for commercial/industrial/retail recycling materials. Also, local ordinances and county ordinances could be enacted that mandate the recycling which we believe is necessary to foster waste reduction among residents, businesses, and growers.

Finding 4. Agricultural industry waste has increased. Wax-covered cardboard, field plastic and plastic packaging is difficult to recycle and typically remains in landfills.

The City of Soledad agrees with this finding. Agricultural waste continues to be a problem on streets, public right of ways, and the state highways.

Finding 5. As of October 1, 1999 there is no incentive for growers to separate usable waste from green waste.

See next page for response.

Finding 5. As of October 1, 1999 there is no incentive for growers to separate usable waste from green waste...cont'd

While this may be true, the City of Soledad would like to note that there are currently no reduced rates at the SVSWA landfills for growers to separate the waste materials. A reduced rate may encourage growers to separate materials before hauling to the landfill. However, the business incentives (cost savings) of diverting separated materials from the waste stream may prove costly and would need further study.

Finding 6. In 1998, the amount of disposable waste generated by residents of tire member cities of the SVSWA averaged 0.8 tons per person.

The City of Soledad disagrees partially with this finding. We are uncertain how the Grand Jury arrived at this figure and would have to verify through the SVSWA.

- ***Recommendations***

Recommendation 1. Member Cities arrange with their respective waste collectors for weekly collection of green waste.

Waste Management, Inc. currently provides weekly collection of residential green waste in King City and biweekly collection in Salinas. The cities of Soledad, Gonzales, Greenfield and King City have weekly drop-off for green waste. The SVSWA has been empowered by the member cities to review our current service agreements and assess the efficiency of this effort and to determine the feasibility of expanding certain services including the collection of green waste at the curb.

Recommendation 2. Member cities initiate plans with SVSWA to increase the type and amount of materials recycled.

The City of Soledad has done a great job at recycling. Our residents are very diligent in their efforts and neatly place their filled recycling containers at the curb for pick up each week. The City of Soledad has requested that the VSWA develop a new program which includes the following services:

- Reporting Efforts

Development of new base years and more accurate diversion figures, submittal of AB 939 Annual Reports, Modification of the Source Reduction and Recycling Element (SRRE), and Semi-annual reports.

- Commercial and Industrial Diversion

See next page for response.

- Commercial and Industrial Diversion...cont'd

Our efforts through SVSWA will be to conduct on-site waste assessments at selected businesses and development of programs to increase diversion for businesses, Also included is the development of markets for the difficult materials to resale.

- Public Education

The SVSWA will be assisting the City of Soledad with developing/expanding in-house recycling programs. Included is the development of a broad-based public education program and programs geared at schools and educational activities.

- Household Hazardous Waste Program

Our current effort includes operation of household hazardous waste sites, used oil collection points and conducting rural one-day collection events.

- Increased Diversion at the landfills

Some of the items that the City of Soledad will be working with the SVSWA includes the development of landfill rate incentives to encourage delivery of targeted materials in a source separated manner and the determining the feasibility of accepting source-separated household recyclable for diversion. Also included is the development of materials recovery programs at selected landfills in order to recover construction and demolition waste, green waste cardboard and other materials from uncompacted waste loads

- Review and Enforce Franchise Agreements

The City of Soledad through the SVSWA will make every effort to evaluate existing franchise agreements to determine what areas can be improved upon and will conduct performance audits of the hauling franchisee and their current level of service.

Recommendation 3. SVSWA contract with a private sector company to analyze randomly the contents of waste collection trucks at the landfills to determine the amount of recyclable goods.

This recommendation has been implemented. A waste composition study targeting uncompacted waste delivered at SVSWA facilities was completed in October 1999. I believe that the SVSWA has included a copy of this report with their response.

Recommendation 4. SVSWA contract with a private sector company to produce saleable compost.

This recommendation is in process of implementation. The green waste produced by Waste Management in Salinas and hauled to Crazy Horse landfill serves the beneficial use of alternative daily cover. The material at Johnson Canyon Road Landfill and Jolon Road Landfill is intended

Recommendation 4. SVSWA contract with a private sector company to produce saleable Compost...cont'd

to be processed and marketed to a vendor who specializes in composting or used on -site for erosion control.

Recommendation 5. SVSWA contract with a private sector company to utilize discarded concrete asphalt and base rock.

This issue is currently being addressed through the SVSWA. The SVSWA is discussing and may have reached a resolution on a contract with a local contractor to process accumulated construction and demolition material at Crazy Horse landfill. A similar program is being planned for Johnson Canyon Road Landfill.

Recommendation 6. SVSWA create incentives for the public businesses, and growers to reduce landfill waste by increasing or decreasing fees, depending upon the material being discarded.

The City of Soledad through the SVSWA has initiated a program to analyze the cost of processing and marketing recyclable material (such as wood waste, green waste, appliances and metals) and expects to adjust tipping fees in late spring or early summer of 2000.

Recommendation 7. Member Cities implement and initiate procedures for sale of recyclable items similar to the Environmental Park at the Marina Landfill, including the distribution, at no charge, of discarded paint and household cleaning products.

The City of Soledad through the SVSWA has initiated a program for no-cost redistribution of paint and household cleaning products at its household hazardous materials facility. The SVSWA preferred approach is the diversion of recyclable materials before they reach the solid waste facilities rather than at a resale activity. As a result, the focus is at the source of waste generation, e.g., businesses, schools and residences.

In conclusion and on behalf of the entire City Council and the City of Soledad, I would like to express our appreciation for the efforts undertaken by the Grand Jury on these very timely issues in our county. Should you have any questions regarding our response please do not hesitate to call our City Manager Belinda Espinosa or myself at 678-3963.

Sincerely,



Gary Gerbrandt
Mayor

C City Council
City Attorney



February 17, 2000

The Honorable John M. Phillips
Presiding Judge of the Coordinated Trial Courts
Monterey County
Post Office Box 414
Salinas, California 93902

Subject: Response to the 1999 Grand Jury Final Report

Dear Judge Phillips:

This letter is in response to the 1999 Grand Jury Investigation concerning Salinas Valley landfill facilities. We appreciate the Grand Jury process and the role it plays in providing the Salinas Valley Solid Waste Authority (SVSWA) with an outside viewpoint of its operations. There are a few facts cited in the report that are in need of correction and these clarifications are included in the responses to the findings or recommendations.

BACKGROUND

The SVSWA was formed in January 1997 as a Joint Powers Authority among the Cities of Salinas, Gonzales, Soledad, Greenfield, King City and Monterey County to efficiently manage the landfills in the Salinas Valley area and ensure long term landfill capacity for the region in a cost effective and environmentally sensitive manner. In December 1999, the SVSWA expanded its scope to provide assistance to all requesting member agencies in meeting the recycling goals of AB939. The Board of Directors for the SVSWA is composed of representatives from Monterey County and each of the member cities. In keeping with its mission and since its formation, the SVSWA has continued to make positive changes in the infrastructure and operations of its landfills and diversion activities.

FINDINGS

Finding 1. The Member Cities will not meet the recycling goals established by AB 939 by the end of the year 2000 unless immediate steps are taken.

The SVSWA agrees with this finding. The legislation AB 939 requires all cities and counties to meet the goal of 25% diversion by the end of 1995 and 50% by the end of 2000. The goals for the rural cities in South County have been adjusted to reflect the following:

	<u>2000 Goal</u>	<u>1998 "Actual"</u>
Greenfield	32.9%	11%
Gonzales	32.1%	-81%
King City	31.4%	-4%
Salinas	50%	15%
Soledad	50%	49%
Unincorporated County	50%	25%

The Authority knows the 1998 "actual" diversion figures to be incorrect due to inaccuracies in the CIWMB waste diversion calculation formula. In September 1999, the CIWMB concurred with this finding for Gonzales, Greenfield and King City.

Finding 2. SVSWA is not responsible for waste reduction but, if requested, will assist the Member Cities in recycling.

The SVSWA agrees with this finding.

Finding 3. Citizens, businesses and growers within the SVSWA need incentives to reduce solid waste.

The SVSWA partially agrees with this finding. SVSWA staff believes that incentives are one of several elements (e.g., education, supporting infrastructure, and materials outlets) necessary to foster waste reduction among residents, businesses, and growers.

Finding 4. Agricultural industrial waste has increased. Wax-covered cardboard, field plastic and plastic packaging are difficult to recycle and typically remain in landfills.

The SVSWA agrees with this finding.

Finding 5. As of October 1, 1999 there is no incentive for growers to separate usable waste from green waste.

The SVSWA disagrees partially with this finding. There are currently no reduced rates at the SVSWA landfills to encourage growers to separate materials before hauling to the landfill. However, the business incentives (cost savings) of diverting separated materials from the waste stream are present but not always easily recognized.

Finding 6. In 1998 the amount of disposable waste generated by residents of the member cities of the SVSWA averaged 0.8 tons per person.

The SVSWA disagrees partially with this finding. The SVSWA is uncertain how the Grand Jury arrived at this figure; however, the figure appears reasonable.

RECOMMENDATIONS

Recommendation 1. Member Cities arrange with their respective waste collectors for weekly collection of green waste.

Waste Management, Inc. currently provides weekly collection of residential green waste in King City and biweekly collection in Salinas. Gonzales, Greenfield and King City have weekly drop-off of green waste. The SVSWA has been empowered by the member cities to review their current service agreements and assess the efficacy and feasibility of expanding certain services including weekly, or other periodic, green waste collection at the curb.

Recommendation 2. Member cites initiate plans with SVSWA to increase the type and amount of materials recycled.

The SVSWA has developed a program called AB939 Enhanced Services, which includes the following services to its member agencies:

1. Reporting
 - Development of new base years and more accurate diversion figures.
 - Submittal of AB 939 Annual Reports for each city
 - Modification of the Source Reduction and Recycling Element (SRRE)
 - Semi-annual reports to the member agencies
2. Commercial and Industrial Diversion
 - On-site waste assessments at selected businesses and development of programs to increase diversion for businesses
 - Markets development for difficult materials such as field plastic and wax cardboard
3. Public Education
 - Assist cities in developing or expanding in-house recycling programs
 - Develop broad-based public education program
 - Develop schools recycling programs and educational activities
4. Household Hazardous Waste Program
 - Operate four household hazardous waste sites
 - Operate two used oil collection points
 - Conduct rural one-day collection events
5. Increased Diversion at the Landfills
 - Develop landfill rate incentives to encourage delivery of targeted materials in a source-separated manner
 - Accept source-separated household recyclable for diversion

 - Develop materials recovery programs at selected landfills to recovery construction and demolition waste, green waste cardboard and other materials from uncompacted waste loads

6. Review and Enforce Franchise Agreements

- Evaluate existing franchise agreements to determine what areas can be improved upon
- Conduct performance audits of haulers' current services

Recommendation 3. SVSWA contract with a private sector company to analyze randomly the contents of waste collection trucks at the landfills to determine the amount of recyclable goods.

This recommendation has been implemented. A waste composition study targeting uncompacted waste delivered at SVSWA facilities was completed in October 1999 and is attached to this response.

Recommendation 4. SVSWA contract with a private sector company to produce saleable compost

This recommendation is in process of implementation. The green waste produced by Waste Management in Salinas and hauled to Crazy Horse landfill serves the beneficial use of alternative daily cover. The material at Johnson Canyon Road Landfill and Jolon Road Landfill is intended to be processed and marketed to a composter or used on -site for erosion control.

Recommendation 5. SVSWA contract with a private sector company to utilize discarded concrete asphalt and base rock.

The SVSWA will submit to its Board in February 2000 a contract with a local contractor to process accumulated Construction and Demolition material at Crazy Horse landfill. The processed material will then be sold for road base and the residual utilized at the landfill for road construction. A similar program is being planned for Johnson Canyon Road Landfill.

Recommendation 6. SVSWA create incentives for the public, businesses, and growers to reduce landfill waste by increasing or decreasing fees, depending upon the material being discarded

The SVSWA has initiated a program to analyze the cost of processing and marketing recyclable material (such as wood waste, green waste, appliances and metals) and expects to adjust tipping fees in late spring or early summer of 2000.

Recommendation 7. Member Cities implement and initiate procedures for sale of recyclable items similar to the Environmental Park at the Marina Landfill, including the distribution, at no charge, of discarded paint and household cleaning products

The SVSWA has initiated at its household hazardous materials facility a program for no-cost redistribution of paint and household cleaning products. The SVSWA preferred approach is the diversion of recyclable materials before they reach the solid waste facilities rather than at a resale activity. As a result, the focus is at the source of waste generation, e.g., businesses, schools and residences.

The Board of Directors hopes that these responses provide clarification to the facts pertaining to the 1999 Grand Jury Final Report. We appreciate this opportunity to comment on the report and its findings. Should you have any questions regarding our response please call Stephen Johnson, Operations Manager for the Authority.

Sincerely,

A handwritten signature in black ink, appearing to read "Simon Salinas". The signature is fluid and cursive, with the first name "Simon" written in a larger, more prominent script than the last name "Salinas".

Simon Salinas
President of the Board
Salinas Valley Solid Waste Authority

Attachment: Waste Characterization Study, November 1999



March 6, 2000

The Honorable John M. Phillips
Presiding Judge of the Coordinated Trial Courts
Monterey County
Post Office Box 414
Salinas, California 93902

Subject: Response to the 1999 Grand Jury Final Report

Dear Judge Phillips:

This letter is in response to the 1999 Grand Jury Investigation concerning recycling and methamphetamine issues on behalf of King City.

AB 939 REQUIREMENTS

In responding to the matters regarding the Salinas Valley Solid Waste Authority, and the need to address AB 939 requirements, please note that we concur with the February 17, 2000 response of the Authority with respect to their conclusions, statements, and observations. Because of our working relationship and agreement for the Authority to provide enhanced AB 939 services for our community, we join with their submission of information as follows:

FINDINGS

Finding 1. The Member Cities will not meet the recycling goals established by AB 939 by the end of the year 2000 unless immediate steps are taken.

The SVSWA agrees with this finding. The legislation AB 939 requires all cities and counties to meet the goal of 25% diversion by the end of 1995 and 50% by the end of 2000. The goals for the rural cities in South County have been adjusted to reflect the following:

	<u>2000 Goal</u>	<u>1998 "Actual"</u>
Greenfield	32.9%	11%
Gonzales	32.1%	-81%
King City	31.4%	-4%

Salinas	50%	15%
Soledad	50%	49%
Unincorporated County	50%	25%

The Authority knows the 1998 “actual” diversion figures to be incorrect due to inaccuracies in the CIWMB waste diversion calculation formula. In September 1999, the CIWMB concurred with this finding for Gonzales, Greenfield and King City.

Finding 2. SVSWA is not responsible for waste reduction but, if requested, will assist the Member Cities in recycling.

The SVSWA agrees with this finding. (In addition, SVSWA is actively assisting member cities through a recent agreement to provide enhanced AB 939 assistance.

Finding 3. Citizens, businesses and growers within the SVSWA need incentives to reduce solid waste.

The SVSWA partially agrees with this finding. SVSWA staff believes that incentives are one of several elements (e.g., education, supporting infrastructure, and materials outlets) necessary to foster waste reduction among residents, businesses, and growers.

Finding 4. Agricultural industrial waste has increased. Wax-covered cardboard, field plastic and plastic packaging are difficult to recycle and typically remain in landfills.

The SVSWA agrees with this finding.

Finding 5. As of October 1, 1999 there is no incentive for growers to separate usable waste from green waste.

The SVSWA disagrees partially with this finding. There are currently no reduced rates at the SVSWA landfills to encourage growers to separate materials before hauling to the landfill. However, the business incentives (cost savings) of diverting separated materials from the waste stream are present but not always easily recognized.

Finding 6. In 1998 the amount of disposable waste generated by residents of the member cities of the SVSWA averaged 0.8 tons per person.

The SVSWA disagrees partially with this finding. The SVSWA is uncertain how the Grand Jury arrived at this figure; however, the figure appears reasonable.

RECOMMENDATIONS

Recommendation 1. Member Cities arrange with their respective waste collectors for weekly collection of green waste.

Waste Management, Inc. currently provides weekly collection of residential green waste in King City and biweekly collection in Salinas. Gonzales, Greenfield and King City have weekly drop-off of green waste. The SVSWA has been empowered by the member cities to review their current service agreements and assess the efficacy and feasibility of expanding certain services including weekly, or other periodic, green waste collection at the curb.

Recommendation 2. Member cities initiate plans with SVSWA to increase the type and amount of materials recycled.

The SVSWA has developed a program called AB939 Enhanced Services, which includes the following services to its member agencies:

1. Reporting
 - Development of new base years and more accurate diversion figures.
 - Submittal of AB 939 Annual Reports for each city
 - Modification of the Source Reduction and Recycling Element (SRRE)
 - Semi-annual reports to the member agencies
2. Commercial and Industrial Diversion
 - On-site waste assessments at selected businesses and development of programs to increase diversion for businesses
 - Markets development for difficult materials such as field plastic and wax cardboard
3. Public Education
 - Assist cities in developing or expanding in-house recycling programs
 - Develop broad-based public education program
 - Develop schools recycling programs and educational activities
4. Household Hazardous Waste Program
 - Operate four household hazardous waste sites
 - Operate two used oil collection points
 - Conduct rural one-day collection events
5. Increased Diversion at the Landfills
 - Develop landfill rate incentives to encourage delivery of targeted materials in a

- source- separated manner
 - Accept source-separated household recyclable for diversion
 - Develop materials recovery programs at selected landfills to recovery construction and demolition waste, green waste cardboard and other materials from uncompacted waste loads
6. Review and Enforce Franchise Agreements
- Evaluate existing franchise agreements to determine what areas can be improved upon
 - Conduct performance audits of haulers' current services

Recommendation 3. SVSWA contract with a private sector company to analyze randomly the contents of waste collection trucks at the landfills to determine the amount of recyclable goods.

This recommendation has been implemented. A waste composition study targeting uncompacted waste delivered at SVSWA facilities was completed in October 1999.

Recommendation 4. SVSWA contract with a private sector company to produce saleable compost

This recommendation is in process of implementation. The green waste produced by Waste Management in Salinas and hauled to Crazy Horse landfill serves the beneficial use of alternative daily cover. The material at Johnson Canyon Road Landfill and Jolon Road Landfill is intended to be processed and marketed to a composter or used on -site for erosion control.

Recommendation 5. SVSWA contract with a private sector company to utilize discarded concrete asphalt and base rock.

The SVSWA will submit to its Board in February 2000 a contract with a local contractor to process accumulated Construction and Demolition material at Crazy Horse landfill. The processed material will then be sold for road base and the residual utilized at the landfill for road construction. A similar program is being planned for Johnson Canyon Road Landfill.

Recommendation 6. SVSWA create incentives for the public, businesses, and growers to reduce landfill waste by increasing or decreasing fees, depending upon the material being discarded

The SVSWA has initiated a program to analyze the cost of processing and marketing

recyclable material (such as wood waste, green waste, appliances and metals) and expects to adjust tipping fees in late spring or early summer of 2000.

Recommendation 7. Member Cities implement and initiate procedures for sale of recyclable items similar to the Environmental Park at the Marina Landfill, including the distribution, at no charge, of discarded paint and household cleaning products

The SVSWA has initiated at its household hazardous materials facility a program for no-cost redistribution of paint and household cleaning products. The SVSWA preferred approach is the diversion of recyclable materials before they reach the solid waste facilities rather than at a resale activity. As a result, the focus is at the source of waste generation, e.g., businesses, schools and residences.

METHAMPHETAMINE ISSUES

The following response was prepared by Richard Metcalf, Chief of Police for the City of King.

1. *Law enforcement agencies approach the methamphetamine problem, as a distinct entity not related to other drug enforcement activities.*

The addiction to illegal substances is a major problem for all California communities. It has been my experience as a narcotic investigator that the popularity of drugs changes from time to time. In Monterey County I have seen the choice of drugs change from heroin in the 1970's, cocaine in the 1980's and now meth in the 1990's. All of these drugs result in the destruction of families, crime, violence and impact the entire justice system. We will strive for prevention, education and enforcement for all drug and narcotic categories.

2. *Law enforcement agencies be required to submit information concerning all arrests relating to methamphetamine to the press in the form of press releases rather than simply indicating such in the daily activity logs.*

Currently our local paper and radio station have access to our pressboard, which provides more information than the typical police log. We have personal daily contact with our local press and make every effort to provide information regarding arrests for drugs, gang violence and other newsworthy law enforcement activities. It is common practice for this department to provide the local media with a press release on any significant event that occurs within the city limits.

3. *Law enforcement agencies develop a coordinated communications plan so that methamphetamine information can be effectively shared by all agencies.*

Monterey County law enforcement agencies can more effectively coordinate this information via the county wide CLETS system and the TRACK computers. We will make every effort to utilize existing communication networks to pass on information.

4. *The Monterey County Board of Supervisors (BOS) seek the means for funding special methamphetamine- abatement personnel and programs.*
5. *The BOS seek the means of funding environmental clean up of legally seized, methamphetamines-related properties, and execute the resale of such properties as a means of funding increased anti-methamphetamine activities.*

The city would support the BOS if funding is available to the county for abatement personnel/programs and environmental clean up of methamphetamine contaminated property.

- 6 *The BOS and City Councils provide funding for the purchase of a meth-trained canine.*

The city acknowledges the usefulness of a meth-trained canine, however, recent fair labor standards lawsuits involving canine handlers in the state have made the purchase and implementation of canine programs in small agencies cost prohibitive. We will pursue technology being developed which can detect the odor of methamphetamine.

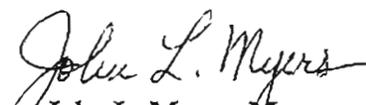
7. *The BOS and City Councils provide funding for the training and placement of more meth-qualified deputies in the field*

The POST Basic Academy requires training in the identification, use and manufacture of methamphetamines. In addition, POST has available excellent advanced officer training tapes on methamphetamines. Our department will continue to provide updated training in the area of meth recognition, use and manufacture.

Richard A. Metcalf
Chief of Police

The City of King hopes that these responses provide assistance to the Grand Jury. Please contact us with any questions regarding our response. Thank you

Sincerely,


John L. Myers, Mayor



City of Gonzales

PHONE (408) 675-5000
FAX (408) 675-2644

P.O. BOX 647

147 FOURTH ST.

GONZALES, CALIFORNIA 93926

March 14, 2000

The Honorable John M. Phillips
Presiding Judge of the Coordinated Trial Courts Monterey County
P.O. Box 414
Salinas, CA 93902

RE: Response to the 1999 Monterey County Grand Jury Final Report

Dear Judge Phillips:

This letter is in response to the 1999 Monterey County Grand Jury Final Report concerning Salinas Valley Solid Waste Authority and the landfill facilities. There are a few facts cited in the report that are in need of correction and these clarifications are included in the responses to the findings or recommendations.

As you may be aware, the SVSWA was formed in January 1997 as a Joint Powers Authority among the Cities of Salinas, Gonzales, Soledad, Greenfield, King City as well as Monterey County. This JPA was formed to maximize the efficiency in managing the regional landfills in the Salinas Valley area and to ensure long term landfill capacity for the region in a cost effective and environmentally sensitive manner. In December 1999, the SVSWA expanded its scope to provide assistance to all requesting member agencies in meeting their AB939 recycling goals and has continued to make positive changes in the infrastructure and operations of its landfills and diversion activities.

Outlined below are the responses to the findings and recommendations of the Grand Jury.

FINDINGS

Finding 1. The Member Cities will not meet the recycling goals established by AB939 by the end of the year 2000 unless immediate steps are taken.

The City of Gonzales concurs with this finding. The legislation AB939 requires all cities and

counties to meet the goal of 25% diversion by the end of 1995 and 50% by the end of 2000. The goal for the City of Gonzales has been adjusted to reflect the following:

<u>2000 Goal</u>	<u>1998 "Actual"</u>
32.1%	-81%

The City knows the 1998 "actual" diversion figures to be incorrect due to inaccuracies in the CIWMB waste diversion calculation formula. In September 1999, the CIWMB concurred with this finding for Gonzales.

Finding 2. SVSWA is not responsible for waste reduction but, if requested, will assist the Member Cities in recycling.

The City of Gonzales agrees with this finding.

Figure 3. Citizens, businesses and growers withing the SVSWA need incentives to reduce solid waste.

The City of Gonzales agrees with this finding. There are many incentives that could be explored including educational efforts, support of new infrastructure and development of countywide outlets for commercial/industrial/retail recycling materials. Also, local ordinances and county ordinances could be enacted that mandate the recycling which we believe is necessary to foster waste reduction among residents, businesses, and growers.

Finding 4. Agricultural industry waste has increased. Wax-covered cardboard, filed plastic and plastic packaging is difficult to recycle and typically remains in landfills.

The City of Gonzales agrees with this finding. Agricultural waste continues to be a problem on streets, public right of ways, and the state highways.

Finding 5. As of October 1, 1999 there is not incentive for growers to separate usable waste from green waste.

While this may be true, the City of Gonzales would like to note tat there are currently no reduced rates at the SVSWA landfills for growers to separate the waste materials. A reduced rate may encourage growers to separate materials before hauling to the landfill. However, the business incentives (cost savings) of diverting separated materials from the waste stream may prove costly and need further study.

Finding 6. In 1998, the amount of disposable waste generated by residents of tire member cities of the SVSWA averaged 0.8 tons per person.

The City of Gonzales disagrees partially with this finding. We are uncertain how the Grand Jury arrived at this figure and would have to verify through the SVSWA.

RECOMMENDATIONS

Recommendation 1. Member cities arrange with their respective waster collectors for weekly collection of green waste.

Waste Management, Inc. currently provides weekly collection of residential green waste in King City and biweekly collection in Salinas. The cities of Gonzales, Soledad, Greenfield and King City have weekly drop-off for green waste. The SVSWA has been empowered by the member cities to review our current service agreements and assess the efficiency of this effort and to determine the feasibility of expanding certain services including the collection of green waste at the curb.

Recommendation 2. Member cities initiate plans with the SVSWA to increase the type and amount of materials recycled.

The City of Gonzales has done a great job at recycling. Our residents are very diligent in their efforts and neatly place their filled recycling containers at the curb for pick up each week. The City of Gonzales has requested that the SVSWA develop a new program which includes the following services:

- Reporting Efforts

Development of new base years and more accurate diversion figures, submittal of AB939 Annual Reports, Modification of the Source Reduction and Recycling Element (SRRE), and Semi-annual reports.

- Commercial and Industrial Diversion

Our efforts through SVSWA will be to conduct on-site waste assessments at selected businesses and development of programs to increase diversion for businesses. Also included is the development of markets for the difficult materials to resale.

- Public Education

The SVSWA will be assisting the City of Gonzales with developing/expanding in-house recycling programs. Included is the development of a broad-based public education program and programs geared at schools and educational activities.

- Household Hazardous Waste Program

Our current effort includes operation of household hazardous waste sites, used oil collection points and conducting rural one-day collection events.

- Increased Diversion at the landfills

Some of the items that the City of Gonzales will be working with the SVSWA includes the development of landfill rate incentives to encourage delivery of targeted materials in a source separated manner and the determining the feasibility of accepting source-separated household recyclable for diversion. Also included is the development of materials recovery programs at selected landfills in order to recover construction and demolition waste, green waste cardboard and other materials from uncompacted waste loads.

- Review and Enforce franchise Agreements

The City of Gonzales through the SVSWA will make every effort to evaluate existing franchise agreements to determine what areas can be improved upon and will conduct performance audits of the hauling franchisee and their current level of service.

Recommendation 3. SVSWA contract with a private sector company to analyze randomly the contents of waste collection trucks at the landfills to determine the amount of recyclable goods.

This recommendation has been implemented. A waste composition study targeting uncompacted waste delivered at SVSWA facilities was completed in October 1999. I believe that the SVSWA has included a copy of this report with their response.

Recommendation 4. SVSWA contract with a private sector company to produce saleable compost.

This recommendation is in process of implementation. The green waste produced by Waste Management in Salinas and hauled to Crazy Horse Landfill serves the beneficial use of alternative daily cover. The material at Johnson Canyon Road Landfill and Jolon Road Landfill is intended to be processed and marketed to a vendor who specializes in composting or used on-site for erosion control.

Recommendation 5. SVSWA contract with a private sector company to utilize discarded concrete asphalt and base rock.

This issue is currently being addressed through the SVSWA. The SVSWA is discussing and may have reached a resolution on a contract with a local contractor to process accumulated construction and demolition material at Crazy Horse Landfill. A similar program is being planned for Johnson Canyon Road Landfill.

Recommendation 6. SVSWA create incentives for the public businesses, and growers to reduce landfill waste by increasing or decreasing fees, depending upon the material being discarded.

The City of Gonzales through the SVSWA has initiated a program to analyze the cost of

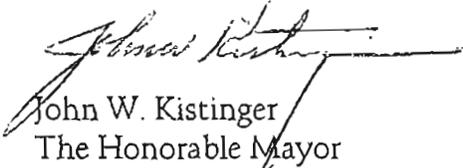
processing and marketing recyclable material (such as wood waste, green waste, appliances and metals) and expects to adjust tipping fees in late spring or early summer of 2000.

Recommendation 7. Member cities implement and initiate procedures for sale of recyclable items similar to the Environmental Park at the Marina Landfill, including the distribution, at no charge, of discarded paint and household cleaning products.

The City of Gonzales through the SVSWA has initiated a program for no-cost redistribution of paint and household cleaning products at its household hazardous materials facility. The SVSWA preferred approach is the diversion of recyclable materials before they reach the solid waste facilities rather than at a resale activity. As a result, the focus is a they source of waste generation, e.g. businesses, schools and residences.

In conclusion and on behalf of the entire City Council and the City of Gonzales, I would like to express our appreciation for the efforts undertaken by the Grand Jury on these very timely issues in our county. Should you have any questions regarding our response, please contact our City Manager Henry G. Hesling Sr. or myself at 675-5000.

Sincerely,



John W. Kistinger
The Honorable Mayor

cc: City Council
City Attorney



Harold Kahn, Ed.D., Superintendent

Spreckels Union School District

P.O. Box 7308
Spreckels, California 93962
Tel: (831) 455-1831
Fax: (831) 455-1871
E-mail: hkahn@monterey.k12.ca.us

Monterey County Civil Grand Jury
P.O. Box 414
Salinas, CA 93902

Gentlepersons:

The Spreckels Union School District is in receipt of the 1999 Monterey County Civil Grand Jury Report and is pleased to make the following response to the recommendations reached by the Grand Jury:

1 – School Board Members and Superintendents use STAR results to evaluate assignment of personnel.

Teachers are assigned to teach at various grade levels and/or particular disciplines based on a number of factors, including the type of credential held, experience, interest and expertise in a field of study, qualifications and skills with a grade level or age group. It is the administration's intent to assign staff in such a manner that academic achievement will be maximized.

It is noted that both District Schools did quite well (API rank of 7 and 8) suggesting that the District's practice regarding teacher assignment is working well.

2 – Hiring practices ensure that certificated teachers are placed in the classroom. While it is recognized not every excellent teacher is fully certificated, it is counterproductive to have a high percentage not fully certificated.

All classroom teachers are certificated... not all are fully credentialed. However, all Spreckels teachers have a legal credential or permit which allows them to fill a teaching position. The Spreckels Union School District looks forward to the day when the applicant pool will provide highly qualified people, all of whom possess a clear credential. In recent years that hasn't been the case. Therefore, the District has selected the best candidates and worked with them as they complete course work and meet other requirements necessary to be "fully credentialed."

- 3 – School Board Members search their collective conscience to determine if school funds could be better spent on students rather than on individuals performing what is a public service.

The Board recognizes this is a debatable topic with good arguments both for and against. The matter has been considered previously and will be discussed again.

- 4 – Each school district ensure that programs are in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law.

There were only three (3) reportable incidents of crime or vandalism during 1998/99. Only one incident involved a financial loss and remuneration was pursued.

On behalf of the Spreckels Union School District, I want to take this opportunity to thank the Grand Jury for your time and efforts devoted to this report.

Sincerely,

A handwritten signature in black ink, appearing to read "Harold Kahn", written in a cursive style.

Harold Kahn
Spreckels Union School District

cc: Board of Trustees



City of Salinas

OFFICE OF THE MAYOR • 200 Lincoln Avenue • Salinas, California 93901 • (831) 758-7201 • Fax (831) 758-7368

April 20, 2000

Honorable John M. Phillips, Presiding Judge
Coordinated Trial Courts, Monterey County
240 Church Street
Salinas, California 93901

SUBJECT: 1999 Monterey County Civil Grand Jury Final Report –
Salinas Valley Solid Waste Authority

Dear Judge Phillips:

The City of Salinas is responding to the findings and recommendations of the Monterey County Grand Jury 1999 Final Report. The City's initial response was incorporated as part of the Salinas Valley Solid Waste Authority's response to the Civil Grand Jury. I am happy to share with you what actions the City is undertaking to come into compliance with the mandates outlined in AB 939.

The City of Salinas, in January 1997, partnered with the cities of Gonzales, Soledad, Greenfield, King City and Monterey County to form a Joint Powers Authority named the Salinas Valley Solid Waste Authority (SVSWA). The mission of the SVSWA at that time was to efficiently manage the landfills in the Salinas Valley area and ensure long-term landfill capacity for the region in a cost effective and environmentally sensitive manner. In December 1999, the SVSWA expanded its scope to provide assistance to all requesting member agencies in meeting the recycling goals of AB 939.

The City of Salinas' efforts to meet the recycling goals of AB 939 go beyond its participation as a member of the SVSWA. The City is currently negotiating a new solid waste franchise agreement. City Council on April 11, 2000 agreed to direct staff to negotiate directly with Browning Ferris Incorporated (BFI) to finalize the terms and agreements of a new franchise agreement. The City is confident if negotiations are successful that the new franchisee will partner with our community to assist in meeting the mandates for recycling as outlined in AB 939.

FINDINGS

Finding 1. The Member Cities will not meet the recycling goals established by AB 939 by the end of the year 2000 unless immediate steps are taken.

The City of Salinas as well as the Salinas Valley Solid Waste Authority agree with Finding 1 outlined in the grand jury report. The City is currently negotiating with a

potential new franchisee for City-wide solid waste services in an effort to meet the mandates of AB 939.

Finding 2. SVSWA is not responsible for waste reduction but, if requested, will assist the Member Cities in recycling.

The SVSWA will serve as a key resource in Salinas' efforts to meet the mandates of AB 939. The SVSWA has already stated in its response that it will assist in this area.

Finding 3. Citizens, businesses and growers within the SVSWA need incentives to reduce solid waste.

The City concurs with SVSWA in its partial agreement with this finding. SVSWA staff believes that incentives are one of several elements (e.g., education, supporting infrastructure, and materials outlets) necessary to foster waste reduction among residents, businesses, and growers.

Finding 4. Agricultural industrial waste has increased. Wax-covered cardboard, field plastic and plastic packaging are difficult to recycle and typically remain in landfills.

The City concurs with SVSWA in its agreement with this finding.

Finding 5. As of October 1, 1999 there is no incentive for growers to separate usable waste from green waste.

The City concurs with SVSWA in its partial disagreement with this finding. There are currently no reduced rates at the SVSWA landfills to encourage growers to separate materials before hauling to the landfill. However, the business incentives (cost savings) of diverting separated materials from the waste stream are present but not always easily recognized.

Finding 6. In 1998 the amount of disposable waste generated by residents of the member cities of the SVSWA averaged 0.8 tons per person.

The City concurs with SVSWA in its partial disagreement with this finding. The SVSWA is uncertain how the Grand Jury arrived at this figure; however, the figure appears reasonable.

RECOMMENDATIONS

In addition to the findings, the City is providing a response to the seven-(7) recommendations outlined by the Civil Grand Jury.

Recommendation 1. Member Cities arrange with their respective waste collectors for weekly collection of green waste.

The Waste Management, Incorporated current franchise contracts with the City provides biweekly collection of residential green waste in Salinas. The City proposed new solid waste franchise includes a provision for weekly collection of green waste.

Recommendation 2. Member cities initiate plans with SVSWA to increase the type and amount of materials recycled.

The SVSWA has developed a program called AB 939 Enhanced Services, which includes the following services to its member agencies:

1. Reporting
 - Development of new base years and more accurate diversion figures
 - Submittal of AB 939 Annual Reports for each city
 - Modification of the Source Reduction and Recycling Element (SRRE)
 - Semi-annual reports to the member agencies
2. Commercial and Industrial Diversion
 - On-site waste assessments at selected businesses and development of programs to increase diversion for businesses
 - Markets development for difficult materials such as field plastic and wax cardboard
3. Public Education
 - Assist cities in developing or expanding in-house recycling programs
 - Develop broad-based public education program
 - Develop school recycling programs and educational activities
4. Household Hazardous Waste Program
 - Operate four household hazardous waste sites
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5. Increased Diversion at the Landfills
 - Develop landfill rate incentives to encourage delivery of targeted materials in a source-separated manner
 - Accept source-separated household recyclable for diversion
 - Develop materials recovery programs at selected landfills to recovery construction and demolition waste, green waste cardboard and other materials from uncompacted waste loads
6. Review and Enforce Franchise Agreements
 - Evaluate existing franchise agreements to determine what areas can be improved

- Conduct performance audits of haulers' current services

Recommendation 3. SVSWA contract with a private sector company to analyze randomly the contents of waste collection trucks at the landfills to determine the amount of recyclable goods.

This recommendation has been implemented. SVSWA completed a waste composition study targeting uncompacted waste delivered at SVSWA facilities.

Recommendation 4. SVSWA contract with a private sector company to produce saleable compost

This recommendation is in process of implementation. The green waste produced by Waste Management in Salinas and hauled to Crazy Horse landfill serves the beneficial use of alternative daily cover. The material at Johnson Canyon Road Landfill and Jolon Road Landfill is intended to be processed and marketed to a composter or used on-site for erosion control.

Recommendation 5. SVSWA contract with a private sector company to utilize discarded concrete asphalt and base rock.

The SVSWA has submitted to their board a contract with a local contractor to process accumulated Construction and Demolition material at Crazy Horse landfill. The processed material will then be sold for road base and the residual utilized at the landfill for road construction. A similar program is being planned for Johnson Canyon Road Landfill.

Recommendation 6. SVSWA create incentives for the public, businesses, and growers to reduce landfill waste by increasing or decreasing fees, depending upon the material being discarded

The SVSWA has initiated a program to analyze the cost of processing and marketing recyclable material (such as wood waste, green waste, appliances and metals) and expects to adjust tipping fees in late spring or early summer of 2000.

Recommendation 7. Member Cities implement and initiate procedures for sale of recyclable items similar to the Environmental Park at the Marina Landfill, including the distribution, at no charge, of discarded paint and household cleaning products

The SVSWA has initiated at its household hazardous materials facility a program for no-cost redistribution of paint and household cleaning products. The SVSWA preferred approach is the diversion of recyclable materials before they reach the solid waste facilities rather than at a resale activity. As a result, the focus is at the source of waste generation, e.g., businesses, schools and residences.

CONCLUSION

Finally, I would like to thank all the members of the Civil Grand Jury for encouraging our review of recycling efforts in Salinas, specifically as they apply to AB 939. If you need clarification or desire additional information on the City's responses, please contact Dave Mora, City Manager of the Salinas at 758-7201.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Anna M. Caballero", with a long horizontal flourish extending to the right.

ANNA M. CABALLERO
Mayor

ADS/WG

cc: City Council
City Clerk



City of Greenfield

CITY HALL: P.O. Box 127 / Greenfield, California 93927 / (831) 674-5591 FAX (831) 674-3149
CORPORATION YARD: (831) 674-2635 FAX (831) 674-3259

March 8, 2000

The Honorable John M. Phillips
Presiding Judge of the Coordinated Trial Courts
Monterey County
P. O. Box 414
Salinas, California 93902

Dear Judge Phillips:

This letter is in response to the 1999 Grand Jury Investigation concerning the Salinas Valley landfill facilities. The City of Greenfield appreciates the Grand Jury process and the role it plays in providing the members of the Salinas Valley Solid Waste Authority (SVSWA) with an outside viewpoint of its operations. There are a few facts cited in the report that are in need of correction and these clarifications are included in the responses to the recommendations.

BACKGROUND

The City of Greenfield joined the SVSWA when it was formed in January 1997, as a Joint Powers Authority, along with the Cities of Salinas, Gonzales, Soledad, King City and Monterey County. The purpose of the JPA was to efficiently manage the landfills in the Salinas Valley area and ensure long term landfill capacity for the region in a cost effective and environmentally sensitive manner. In December 1999, the SVSWA expanded its scope to provide assistance to all requesting member agencies in meeting the recycling goals of AB 939. The Board of Directors for the SVSWA is composed of representatives from Monterey County and each of the member cities. In keeping with its mission and since its formation, the SVSWA has continued to make positive changes in the infrastructure and operation of its landfills and diversion activities.

FINDINGS

Finding 1. Member cities will not meet the recycling goals established by AB 939 by the end of the year 2000 unless immediate steps are taken.

The City of Greenfield agrees with this finding. The legislation of AB 939 requires all cities and counties to meet the goal of 25% diversion by the end of

1995 and 50% by the end of 2000. The goal for the City of Greenfield has been adjusted to reflect the following:

<u>2000 Goal</u>	<u>1998 "Actual"</u>
32.9%	11%

The City acknowledges that the 1998 "actual" diversion figure to be incorrect due to inaccuracies in the CIWMB waste diversion calculation formula. In September 1999, the CIWMB concurred with this finding for Greenfield.

Finding 2. SVSWA is not responsible for waste reduction but, if requested, will assist the Member Cities in recycling.

The City of Greenfield agrees with this finding. The City of Greenfield presently has curbside recycling in place as well as weekly green waste recycling. The City of Greenfield implements this program through its contract franchise hauler Tri-Cities Disposal.

Finding 3. Citizens, businesses and growers within the SVSWA need incentives to reduce solid waste.

The City of Greenfield partially agrees with this finding. The SVSWA staff and the City of Greenfield staff believe that incentives are one of several elements (e.g., education, supporting infrastructure, and materials outlets) necessary to foster waste reduction among residents, businesses, and growers.

Finding 4. Agricultural industrial waste has increased. Wax-covered cardboard, field plastic and plastic packaging are difficult to recycle and typically remain in landfills.

The City of Greenfield agrees with this finding.

Finding 5. As of October 1, 1999 there is no incentive for growers to separate usable waste from green waste.

The City of Greenfield and the SVSWA disagrees partially with this finding. There are currently no reduced rates at the SVSWA landfills to encourage growers to separate materials before hauling to the landfill. However, the business incentives (cost savings) of diverting separated materials from the waste stream are present but not always easily recognized.

Finding 6. In 1998 the amount of disposable waste generated by residents of the member cities of the SVSWA averaged 0.8 tons per person.

The City of Greenfield does not have enough information to either agree or disagree with this finding.

RECOMMENDATIONS

Recommendation 1. Member cities arrange with their respective waste collectors for weekly collection of green waste.

Within the City of Greenfield we offer weekly drop-off of green waste. The City Council and staff review and assess the current Franchise Agreement, as well as the effectiveness and feasibility of existing services, including green waste collection. The green waste program in Greenfield is staffed by local non-profit organizations, working in concert with Tri-Cities Disposal. Tri-Cities Disposal pays the non-profit organization for their operation of the green waste collection service. Hence, since this is rotated among the various non-profit organizations, this is in a sense an effective fundraiser for the group, but is free to the residents participating.

Recommendation 2. Member cities initiate plans with SVSWA to increase the type and amount of materials recycled.

The SVSWA has developed a program called AB 939 Enhanced Services, which includes the following services to the City of Greenfield:

1. Reporting
 - Development of new base years and more accurate diversion figures.
 - Submittal of AB 939 Annual Reports for each city.
 - Modification of the Source Reduction and Recycling Element (SRRE).
 - Semi-annual reports made to member agencies.
2. Commercial and Industrial Diversion
 - On-site waste assessments at selected businesses and development of programs to increase diversion for businesses.
 - Markets development for difficult materials such as field plastic and wax cardboard.
3. Public Education
 - Assist Greenfield in developing or expanding our in-house recycling programs.
 - Develop broad-based public education programs.
 - Develop schools recycling programs and educational activities.
4. Household Hazardous Waste Program
 - Operates four household hazardous waste sites.

- Operates two used oil collection points.
- Conducts rural one-day collection events.

5. Increased Diversion at the Landfills

- Develop landfill rate incentives to encourage delivery of targeted materials in a source-separated manner.
- Accepts source-separated household recyclable for diversion.
- Develops materials recovery programs at selected landfills to recover construction and demolition waste, green waste cardboard and other materials from uncompacted waste loads.

6. Review and Enforce Franchise Agreements

- Evaluates our existing franchise agreement to determine what areas can be improved upon.
- Conducts performance audits of haulers' current services.

Recommendation 3. The SVSWA contract with a private sector company to analyze randomly the contents of waste collection trucks at the landfills to determine the amount of recyclable goods.

This recommendation has been implemented. A waste composition study targeting uncompacted waste delivered at SVSWA facilities was completed in October 1999.

Recommendation 4. The SVSWA contract with a private sector company to produce saleable compost.

This recommendation is in the process of being implemented. The green waste hauled to Crazy Horse Landfill serves the beneficial use of alternative daily cover. The material at Johnson Canyon Road landfill and Jolon Road Landfill is intended to be processed and marketed to a composter or used on-site for erosion control.

Recommendation 5. The SVSWA contract with a private sector company to utilize discarded concrete asphalt and base rock.

The City of Greenfield understands that the SVSWA will in fact be contracting with a local contractor to process accumulated Construction and Demolition material at the Crazy Horse Landfill. The processed material will then be sold for road base and the residual utilized at the landfill for road construction. Similar program is being planned for Johnson Canyon Road Landfill.

Recommendation 6. The SVSWA create incentives for the public, businesses, and growers to reduce landfill waste by increasing or decreasing fees, depending upon the material being discarded.

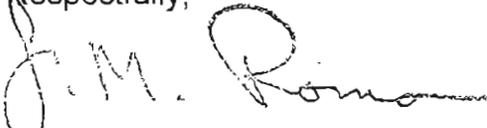
The SVSWA has initiated such a program to analyze the cost of processing and marketing recyclable material (such as wood waste, green waste, appliances and metals) and expects to adjust tipping fees in late spring or early summer of 2000.

Recommendation 7. Member Cities implement and initiate procedures for sale of recyclable items similar to the Environmental Park at the Marina Landfill, including the distribution, at no charge, of discarded paint and household cleaning products.

The SVSWA has initiated at its household hazardous materials facility a program for no-cost redistribution of paint and household cleaning products. The SVSWA 's preferred approach is the diversion of recyclable materials before they reach the solid waste facilities rather than at a resale activity. As a result, the focus is at the source of waste generation, e.g., businesses, schools and residences.

On behalf of the City of Greenfield, I hope that these responses provide clarification to the facts pertaining to the 1999 Grand Jury Final Report. The City of Greenfield appreciates the opportunity to comment on the report and its findings. Should you have any questions regarding our response please call Randy Anstine, City Manager for the City of Greenfield.

Respectfully,

A handwritten signature in black ink that reads "J. Mike Romo". The signature is written in a cursive style with a large, stylized initial "J" and "M".

J. Mike Romo
Mayor

BRADLEY UNION SCHOOL DISTRICT

224 Dixie Street • P.O. Box 60 • Bradley, CA 93426 • (805) 472-2310

5/9/2000

TO: 1999 Monterey County Civil Grand Jury
P.O. Box 414
Salinas, CA 93902

FROM: Charles Collins, Superintendent

Please find below our response to the 1999 Monterey County Grand Jury Report, Comparison Study of School Districts.

- Finding 1:** STAR Results:
1a. In the areas of Reading, Mathematics, Language, and Spelling for grades 2 through 8, Monterey County's averages for students were 19% lower than California Statewide Averages [Exhibit A].
1b. For students in grades 9 through 11, Monterey County's averages were 20% lower than Statewide Averages [Exhibit B] in Mathematics and Reading
- Recommendation 1a/1b:** School Board Members and Superintendents use STAR results to evaluate assignment of personnel.
- Response to 1:** Bradley is a K-8 school with a student population of 35. There is no level that has 10 or more students. Because of the small number tested, many of the statistical treatments applied to data cannot be done. Currently 60% of the students performed at or above grade level in Reading and 58% in math. There are only two teachers in the district and both have multi-graded classes. Thus, there is little or no opportunity to use STAR results as a way of evaluating assignment of personnel.
- Finding 2:** Percentages of Teachers Not Fully Certificated:
During the 1998-99 school year in Monterey County's 24 school districts, there were eight districts that had a teaching staff with over 30% of teachers not fully certificated [Alisal, Gonzales, Greenfield, Pacific Union, Salinas High, San Ardo, San Lucas and Santa Rita]

In three other districts the percentage was over 40% of non-certificated teachers [Carmel, Chualar, and Spreckels]. Chualar with the highest percentage [58%] of teachers not fully certificated, had the lowest scores in the County in grade 3 and among the lowest in grades 6 and 8 in the STAR results for Reading, Mathematics, and Language.
- Recommendation 2:** Hiring practices ensure that certificated teachers are placed in the classroom. While it is recognized not every excellent teacher is fully certificated, it is counter productive to have a high percentage not fully certificated.
- Response to #2:** Historically the Bradley School District has not made it a practice to hire less than fully certificated teachers. Currently all staff are fully credential
- Finding 3:** While nothing illegal was found in compensation costs to School Board Members [which may include stipends, retreats, mileage, individual or family medical insurance, life insurance, and conferences], some costs are excessive and disproportionate.
- Recommendation 3:** School Board Members search their collective conscience to determine if school funds could be better spent on students rather than on individuals performing what is a public service.
- Response to 3:** Historically and currently members of the Bradley School Board are not compensated for service. Workshops and seminars are chosen carefully; members are reimbursed for mileage and workshop expenses. Members who choose may participate in medical insurance program by paying their own premiums.
- Finding 4:** Number and Costs of Criminal Acts on School Grounds:
Monterey County fell within the range of other counties in California

Included in this category were drug and alcohol offenses, weapon possession, and crimes against persons or property. The individual district averages were compared with the County averages.
- Recommendation 4:** Each school district ensures that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law.
- Response to 4:** The Bradley Union School District has had very little vandalism or crime. Programs in place are monitored and the district cooperates fully with all law enforcement agencies.

Charles Collins

Chualar Union Elementary School District

Post Office Box 188 • Chualar, California 93925-0188
District Office (831) 679-2504 • School (831) 679-2313
Fax (831) 679-2071

Marco A. Sigala • Superintendent/Principal
e-mail: msigala@monterey.k12.ca.us
Pager: (831) 598-1181

May 18, 2000

1999 Monterey County Civil Grand Jury
P. O. Box 414
Salinas, CA 93902

RE: Required Response to *Final Report*

Dear Grand Jury:

Please find below the Chualar Union Elementary School District's response to each of the four remarks from the 1999 Monterey County Civil Grand Jury's "Comparison Study of School Districts" as found in their *Final Report*.

#1: Results of the County school districts' scores in Statewide Testing and Reporting (STAR) program. The District agrees Monterey County STAR scores are low in comparison to statewide scores.

Response to Recommendation: The Grand Jury's recommendation does not appear to be educationally sound. The District is, however, committed to use professional expertise in meeting the needs of its students and to achieve higher scores each year.

#2: High percentage of teachers not fully certificated employed in the County school district. The District agrees this is common as a result of the statewide teacher shortage. This district in particular experiences extreme shortages due to competition with larger, richer, districts of close proximity.

Response to Recommendation: The Chualar Union Elementary School District actively seeks fully credentialed teachers for vacant positions. In addition and to cope with reality, the District has a partnership with CSUMB for placing intern teachers. These interns, though not fully credentialed, are fully trained and capable of filling the State-created shortfall until they become fully credentialed. The District participates heavily in staff development for all its teachers.

#3: Compensation to School Board Members. The District has no compensation for its school board members. The District does provide health insurance for its board members.

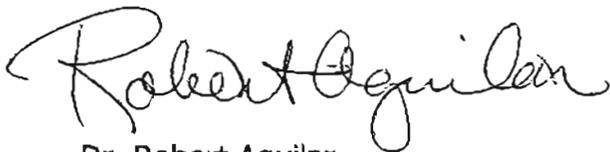
Response to Recommendation: The District takes exception to comparing cost per student with disproportionately sized school districts. State governance requirements for small districts is the same as for large. However, the District will encourage the Board to search its collective conscience.

#4: Number of, and school districts' costs associated with, criminal acts committed on school grounds. Chualar Union Elementary School District has been the victim of property crime and vandalism. We request a permanently manned substation be established immediately.

Response to Recommendation: The District takes exception to comparing cost per student with disproportionately sized school districts. The District agrees measures must be in place to minimize both property and violent crimes. The District participates aggressively with other school and State agencies in programs to reduce crime and protect people and property.

The Chualar Union Elementary School District would like to take this opportunity to thank the Grand Jury for its interest in public schools and efforts in their behalf.

Respectfully,

A handwritten signature in cursive script that reads "Robert Aguilar". The signature is written in black ink and is positioned above the printed name and title.

Dr. Robert Aguilar
Interim Superintendent



Soledad Unified School District

Gene Martin, District Superintendent

335 Market Street • P.O. Box 186 • Soledad, CA 93960 • (831) 678-3987 • FAX (831) 678-2866

"Education for Life"

March 9, 2000

Mr. Joe C. Tacker, Foreman
1999 Monterey County Grand Jury
P.O. Box 414
Salinas, CA 93902

Dear Foreman Tacker:

Re: 1999 GRAND JURY RESPONSE

This is the Soledad Unified School District's response to the final report of the 1999 Monterey County Civil Grand Jury Report. The four recommendations outlined in the report are as follows:

1. School Board members and Superintendents use STAR results to evaluate assignment of personnel;
2. Hiring practices ensure that certified certificated teachers are placed in the classroom while it is recognized that not every excellent teacher is fully certified. It is counterproductive to have a high percentage not fully certified;
3. School Board members search their collective conscious to determine if school funds should be better spent on students rather than on individuals performing what is a public service.
4. Each school district ensures that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crime be prosecuted to the full extent of the law.

Responses to the recommendations

1. We agree with the factual statement that test scores are low in Monterey County. Our district has 63% English Language Learners whose primary language is Spanish, yet were required to be tested in English. In spite of the English only SAT9 tests, we are making every effort to increase our test scores.

With respect to the recommendation that districts use standardized tests to rate and place teachers, while we may agree with that statement, we are unable to comply with the recommendation because California State Education Code 4462(e), prohibits districts from using publisher's norms established for standardized tests, in the evaluation and assessment of certificated employees.

Soledad High School
425 Gabilan Drive
Soledad, CA 93960
(831) 678-6400

Community Education Center
690 Main Street
Soledad, CA 93960
(831) 678-1279

Main Street Middle School
441 Main Street
Soledad, CA 93960
(831) 678-3923

Gabilan School
330 North Walker Dr.
Soledad, CA 93960
(831) 678-0604

San Vicente School
1300 Metz Road
Soledad, CA 93960
(831) 678-3914

2. We agree with the findings that there are not a sufficient number of certificated teachers in Monterey County, or for a fact in California

With respect to the recommendation, our district already makes every attempt to hire fully credentialed teachers by running ads in numerous newspapers, attending university job fairs, posting positions on the Internet, etc. When Class Size Reduction was implemented several years past, that created a teacher shortage in California. To overcome that shortage, the CSU and UC systems have implemented intern programs. All teachers in our district have, as a minimum, a Bachelor's Degree. Nearly all of our teachers who are not fully credentialed are in either an intern or pre-internship program.

3. We have no comment to the findings on compensation to certain school boards, as our district was not named.

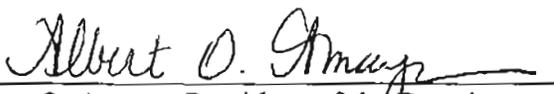
We disagree with your recommendation, because State Education Code allows school boards to accept limited stipends. In our district, school board members receive up to \$100.00 per month; however, none of the money is retained by any school board member. Instead, their entire stipend goes toward scholarships for high school graduates through a specific 501.3 (c) non-profit corporation.

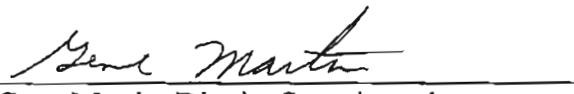
4. We have no comment to the findings on costs and criminal acts on schools, as our district was not named.

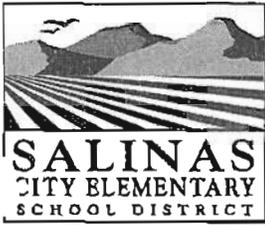
We agree with the recommendation, as our district has a zero tolerance for any school violence. Our district already prosecutes guilty parties to the full extent of the law.

If you need any additional information, contact Gene Martin, District Superintendent at 678-3987.

Sincerely,


Albert O. Amaya, President of the Board


Gene Martin, District Superintendent



Salinas City Elementary School District

431 West Alisal Street Salinas, CA 93901

Phone: (831) 753-5600 FAX: (831) 753-5610

ADMINISTRATION

ROBERT SLABY, Ed.D.
Superintendent

RAY ARCINAS
Asst. Supt., Fiscal Svcs.

JUVENAL LUZA, Ph.D.
Dir., Bilingual Svcs.

SHARON LOUCKS
Dir., Curriculum & Staff Dev.

E. LEON MATTINGLEY
Dir., Personnel Svcs.

RANDALL SCHWARTZ, Ph.D.
Dir., Pupil Personnel Svcs.

BOARD OF EDUCATION

HARRY GAMOTAN

DEBBIE RIANDA

MICHAEL SEMBNIUK

STEPHEN MALVINI

BYRON SKIP LATHAM

March 3, 2000

Monterey County Civil Grand Jury
P.O. Box 414
Salinas, CA 93902

This letter responds to the findings and recommendations of the 1999 Monterey County Civil Grand Jury. The four recommendations outlined in the report as follows:

1. School Board members and Superintendent use STAR results to evaluate assignment of personnel.

State law prohibits the use of the results of any standardized test in the evaluation of teachers. The California Education Code outlines the criteria on which certificated personnel may be evaluated.

The STAR results serve as a basis for review of the progress of our academic program. The STAR results as implemented through our curricular program is the focus of our staff development program.

2. Hiring practices ensure that certificated teachers are placed in the classroom while it is recognized not every excellent teacher is fully certificated. It is counter productive to have a high percentage not fully certified.

During the 1998-1999 school year the Salinas City Elementary School District records indicate that 92% of the district's teaching staff were properly certified to teach in their assignment.

3. School Board member search their collective conscience to determine if school funds should be better spent on students rather than on individuals performing what is a public service.

Education Code Section 35120 specifically allows school board members to receive compensation for services. In the Salinas City Elementary School District the board president receives \$150 per month while each individual member receives \$100 per month. This compensation is less than one half of the total that is legally allowed.

Board members make many sacrifices to serve on the board, the most of important of which is time away from their families. This small token is a way of the district showing their appreciation and compensation for the hours and excellent work they devote to the children they serve.

The cost of conferences is a small price to pay for educated leaders. The complexities of education are changing daily. A well-informed school board best serves the needs of the children and the district employees.

4. **Each school district ensure that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes to prosecuted to the full extent of the law.**

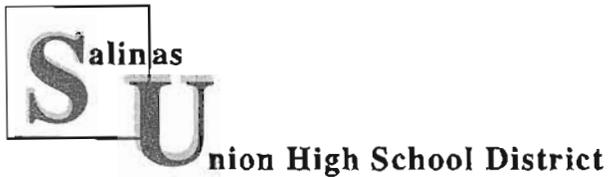
The Salinas City Elementary District has already taken several steps to address this recommendation:

- The district has continued to develop an expanding relationship with the Salinas Police Department. We have agreed to financially support the presence of School Resource Officers to service our schools. See attached list of assigned School Resource Officers to our elementary schools.
- In March 1999, we revised and updated our suspension form. Our new form allows for cross checking of required CSSA (California Safe Schools Assessment) Crime Data Reports and Police Reports. See boxed cross check tracking area on page two of our Notice of Suspension Form (upper right hand corner). This allows monitoring of the response to violations that occur on school sites. We can tell if the offense resulted in a police citation or if CSSA crime report was filed.
- Our district began operation of a Community Day School this school year. This is the first elementary level Community Day School in Monterey County. We currently have 27 students enrolled. This school is located away from any regular school campus and has a very low adult to student ratio. We have assigned two teachers and four instructional aides to these students. The state is only providing enough reimbursement to cover the costs of the teaching staff. Our district is committing funds for the building lease, furniture, supplies, transportation, field trips, training, administrative oversight and other personnel costs (Instructional Aides). Having a Community Day School has allowed us to isolate those students, who have been suspended for serious offenses, expelled or are at risk of being subject to expulsion. This program allows us to intervene with the student and the family. We utilized Healthy Start advocates to work with families of the Community Day School students and the teachers are providing a pro-social skill development program. We hope that by providing this intervention program we will reduce crime and violence throughout our district.

Sincerely,



Rob Slaby, Ed.D.
Superintendent



431 West Alisal Street
Salinas, CA 93901-1699
P.O. Box 80900, Salinas, CA 93912
(831) 796-7010
felizondo@salinas.k12.ca.us

ernando R. Elizondo, Ed.D.
Superintendent

March 21, 2000

Mr. Joe C. Tacker, Foreman
1999 Monterey County Civil Grand Jury
P.O. Box 414
Salinas, CA 93902

Dear Foreman Tacker:

This is the Salinas Union High School District's response to the final report of the 1999 Monterey County Civil Grand Jury Report that was submitted to presiding Judge of the Coordinated Trial Courts of Monterey County. The four recommendations outlined in the report are as follows:

- 1) School Board members and Superintendents use STAR results to evaluate assignment of personnel;
- 2) Hiring practices ensure that certified certificated teachers are placed in the classroom while it is recognized not every excellent teacher is fully certificated. It is counter productive to have a high percentage not fully certified;
- 3) School Board members search their collective conscious to determine if school funds should be better spent on students rather than on individuals performing what is a public service;
- 4) Each school district ensure that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law.

Recommendation:

- 1) **School Board members and Superintendent use STAR results to evaluate assignment of personnel.**

Salinas Union High School District does not nor can it use STAR results to evaluate assignment of personnel. The California Education Code specifically delineates the parameters that can be utilized in evaluating certificated personnel.

Roger C. Anton, Jr.
Associate Superintendent
Instructional Services
(831) 796-7027
ranton@salinas.k12.ca.us

James A. Earhart
Assistant Superintendent
Business Services
(831) 796-7013
jearhart@salinas.k12.ca.us

Linda C. Harris
Assistant Superintendent
Human Resources
(831) 796-7037
lharris@salinas.k12.ca.us



April 24, 2000

Grand Jury
County of Monterey
P.O. Box 414
Salinas, CA 93902

RE: Required Response to the 1999 Monterey County Civil Grand Jury Report

Dear Michelle Maitre, Chair, and Susan V. Balesteri, Foreman,

Greetings! With regard to four recommendations:

Finding number 1

- (1) The Pacific Unified School District Board of Trustees disagrees partially with the finding.
- (2) No single test is precise enough to make projections in absolute terms. The validity of an achievement test, such as the STAR, is the extent to which the content of the test represents a balanced and adequate sampling of the outcomes of the instruction it is intended to cover. This is best evidenced by a comparison of the test content with instructional materials, instructional goals, and critical analysis of the processes required in responding. Because the test is of questionable validity in what it assesses, it would not be good practice to use it as an instrument to guide personnel decisions by.

Finding Number 2

- (1) The Pacific Unified School District Board of Trustees agrees with the finding
- (2) The recommendation has been implemented as of 1994. Fully certificated/credentialed eligible candidates are given first priority for hiring

Finding Number 3

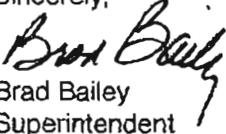
- (1) The Pacific Unified School District Board of Trustees agree with the findings
- (2) The recommendations have been implemented. The Board of Trustees has never received any form of compensation or benefit for their service, with the exception of five gallons of gasoline each time they attend a meeting.

Finding Number 4

- (1) The Pacific Unified School District Board of Trustees agrees with the finding.
- (2) The recommendation has been implemented as per the Board adopted School Safety Plan of April 1998.

Thank you for your interest in public education. We appreciate your support and efforts to improve our schools. If I can be of any further assistance, please do not hesitate to contact me at 805-927-4507

Sincerely,


Brad Bailey
Superintendent



www.pgusd.org

PACIFIC GROVE UNIFIED SCHOOL DISTRICT

555 Sinex Avenue Pacific Grove, California 93950

Jack Marchi, Ph.D.
Superintendent
(831) 646-6520
Fax (831) 646-6500
jmarchi@pgusd.org

Robin T. Blakley
Assistant Superintendent
Business Services
(831) 646-6509
rblakley@pgusd.org

February 23, 2000

Honorable John M. Phillips,
Presiding Judge of the Coordinated Trial Court
P.O. Box 414
Salinas, CA 93902

Dear Judge Phillips:

Below please find the responses to the 1999 Monterey County Civic Grand Jury recommendations found in the, "Comparison of School District" section.

1. School Board Members and Superintendent use STAR results to evaluate assignment of personnel.

The purpose of STAR testing is not to evaluate and/or assign personnel. Certainly STAR results are important, but they show only how well students performed on one test, on one particular day in the school year. Many variable must be taken into account before staff is evaluated and assigned, including our negotiated contract with staff which includes a process for evaluation and assignment.

2. Hiring practices ensure that certificated teachers are placed in the classroom. While it is recognized that not every excellent teacher is fully certificated, it is counterproductive to have a high percentage not fully certificated.

We are fortunate in Pacific Grove that all but five of our teachers are fully certificated. That is approximately 3.8% of our staff.

3. School Board Members search their collective conscience to determine if school funds could better be spent on students rather than on individuals performing what is public service.

Members of the Pacific Grove Unified School District Board of Education receive no compensation. As part of our budgeting process, certain expenses are prorated and assigned to specific categories which are the responsibilities of the Board of Education. The attached memorandum to me from Robin Blakley, Assistant Superintendent, identifies those costs.

Honorable John M. Phillips

February 23, 2000

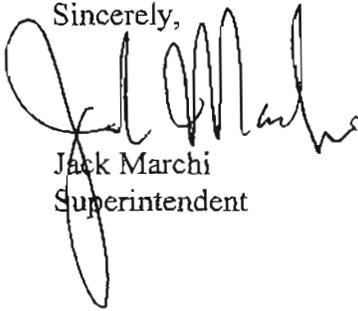
Page 2

A concern I would like to express is that the Grand Jury did not request additional information and/or clarification regarding compensation to our Board. Unfortunately, some false assumptions and generalizations have been made regarding Board of Education Members based on the printed report.

4. Each school district ensure that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law.

The Pacific Grove Unified School District has a very strong program at each site to prevent crime and vandalism. We have a very close working relationship with the Pacific Grove Police Department who has assigned a School Resource Officer to work with our schools. In addition, our community is very supportive and those property owners whose homes are close to our schools are very watchful and help in reporting suspected crime and vandalism.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Marchi". The signature is written in a cursive style with a large initial "J" and "M".

Jack Marchi
Superintendent

MEMORANDUM

DATE: January 6, 2000
TO: Jack Marchi
FROM: Robin Blakley
RE: Grand Jury Report-Board Compensation

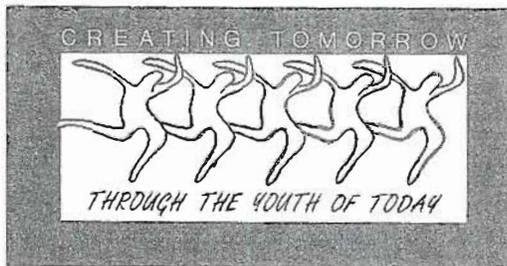
Apparently the Grand jury was looking at expenses in Budget Program 7500-6100, titled "District Administration-Board". This program includes funding for the following major items: (numbers from 1997/98 Budget-apparently used by Grand Jury):

1. Clerical (salary and benefit) expense for having the Superintendent's secretary at Board meetings. (approx.) \$5,700
2. Materials and supplies for printing Board agendas and reports \$500
3. Travel and conference budget to pay for costs of Board members attending conferences. \$1,600
4. Dues and Membership budget to pay for District belonging to organizations such as California School Boards Association \$6,200
5. District Audit expense \$14,500
6. School Board election expenses \$16,000
7. Publication/advertising expense-to cover costs of printing agendas, notices, reports in local press. \$4,600

(In some years the cost of Board studies, such as the recent Reconfiguration Feasibility Study, is also included in this Budget Program)

There is no funding allocated or spent on compensation to Board members in this year or any prior or subsequent year.

ref: gndjry



NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

DISTRICT OFFICE • 8142 MOSS LANDING ROAD • P.O. BOX 49 • MOSS LANDING, CALIFORNIA 95039-0049

January 3, 2000

Monterey County Civil Grand Jury
P.O. Box 414
Salinas, CA 93902

Gentlepersons:

This letter responds to the findings and recommendations of the 1998 Monterey County Civil Grand Jury.

Response to Findings:

Finding number 1: It is true that STAR test results in Monterey County are low. The County's school districts have accepted this as a major challenge and are working diligently to bring about improvements.

Finding number 2: It would be undeniably beneficial to have fully certified teachers in every classroom. However, this will be next to impossible to accomplish. The implementation of class size reduction in grades K-3 required approximately 22,000 new teachers, a number that far exceeded the pool of qualified and available applicants. The public schools were thus placed in a "deficit mode" with respect to the pool of qualified applicants that hasn't substantially improved. Exacerbating the problem is the fact that school enrollments are increasing statewide, requiring more teachers each year. In addition, a significant number of teachers are at or approaching retirement age. In fact, it is estimated that California will face a teacher shortage of 200,000+ over the next decade.

Finding number 3: At first glance, it would appear that some school boards spend more than is reasonable. However, straight dollar comparisons are difficult to defend. For instance, Chualar Elementary School District and North Monterey County Unified School District each have five Board members. If each district chooses to pay its members' medical benefits and provide minimal training for its members, the costs would be expected to be nearly identical.

Finding number 4: It appears that some school districts incur high costs for crimes. Again, however, straight dollar comparisons are risky to make. Last year's statistics, for

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example, showed the North Monterey County Unified School District had an extremely high cost per crime. However, one of the crimes was an arson that cost almost \$1 million and inflated the cost ratio significantly. Thefts, burglaries and arsons are not easily controlled or prevented, even though all districts try.

Response to Recommendations:

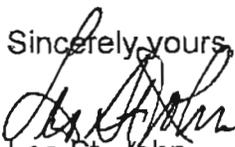
Recommendation number 1 will not be implemented. It appears to be illegal under Education Code Section 44662 (d). It would be certain to cause controversy and strained employer/employee relations under collective bargaining and, in addition, may be prohibited by existing bargained agreements. Finally, not all teachers are qualified to teach all subjects at all levels, further complicating the issue.

Recommendation number 2 will not be implemented. The District will continue to aggressively pursue qualified candidates. In addition to the issue of credentials, we are equally concerned with the statewide statistics that show new teachers leaving the profession within their first five years. We are striving to provide a high level of support for all our new teachers through the UCSC New Teacher Project, the Monterey County Office of Education BTSA Program and the CSU-MB Intern Program.

The School Board will consider Recommendation number 3. However, I do not believe that NMCUSD's costs are excessive or unreasonable and I will not recommend changes.

Recommendation number 4 will be implemented.

The Civil Grand Jury plays an important governmental oversight role in California. The school districts of Monterey County are all committed to improving student outcomes and the cost-benefits derived from the public's investments in education. Your hard work is appreciated and your suggestions are given serious consideration.

Sincerely yours,

Leo St. John
Superintendent

cc: Board of Trustees

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KING CITY
UNION SCHOOL
DISTRICT

STEPHEN H. YOUNG
SUPERINTENDENT
DISTRICT OFFICE
800 Broadway
King City, CA 93930
(831) 385-1144
FAX (831) 385-3828

KING CITY UNION SCHOOL DISTRICT

REQUIRED RESPONSE TO GRAND JURY REPORT of December 1999

STAR RESULTS

RESPONSE TO FINDINGS

We agree with the findings as statements of fact.

RESPONSE TO RECOMMENDATIONS

The recommendation has nothing to do with the findings. Nothing in the findings reflects the requirements placed upon teacher instruction, the manner in which students are assigned to teachers, and the degree to which there is any relationship between STAR results and the assignment of teachers. Further, Education Code § 44662(e) reads "the evaluation and assessment of certificated employee performance pursuant to this section shall not include the use of publisher's norms established for standardized tests" thereby specifically prohibiting the Grand Jury's recommendation.

PERCENTAGES OF TEACHERS NOT FULLY CERTIFICATED

RESPONSE TO FINDINGS:

We cannot agree or disagree with the findings in that they appear to be conceptually flawed. The Grand Jury did not discriminate between teachers without certification (emergency, intern, ONRY) and teachers with certificates but teaching out of their credentialed area of expertise. There is a vast difference between the two and they should not be commingled. And if Carmel and Spreckles have high levels of not fully certificated teachers, is that not evidence that these types of teachers are better at getting higher test results?

RESPONSE TO RECOMMENDATIONS

We agree with the recommendation and do everything we can do to recruit outstanding teachers with appropriate credentials. We do, on occasion, hire outstanding teachers who have not yet received their certification and pass over poor teachers who have their certification.

COMPENSATION OF SCHOOL BOARD MEMBERS

RESPONSE TO FINDINGS

We find that the findings are not supported by the reported documentation. First, no effort has been made to determine exactly what kinds of expenses were incurred by which districts. There is a big difference between medical benefits and California School Boards Association training, ~~between scholarships and meals etc.~~ Second, calculating the cost by the number of board members might be a better method of discriminating relative costs. King City Union has the same board member needs as does a much larger district. Obviously, large districts can distribute Board member costs further, thereby diluting the cost per student. Third, the needs of Board members vary from year to year. A longitudinal study would have been more meaningful and accurate. And lastly, if an occasional expenditure makes for a better Board member, then cost should be considered at that time, not in a gross comparison that does nothing to reflect the needs of the moment.

RESPONSE TO RECOMMENDATIONS

We agree with the recommendation and reflect each and every time the Board makes a significant expenditure on a member or members.

SANTA LUCIA SCHOOL
DEL REY SCHOOL
SAN LORENZO SCHOOL

NUMBER AND COSTS OF CRIMINAL ACTS OF SCHOOL GROUNDS
RESPONSE TO FINDINGS

We believe that the findings are not supported by the reported documentation. The statistical methodology used is flawed and makes the findings largely irrelevant; specifically, small number of cases cannot be used for comparative purposes, therefore the results from Lagunita and Spreckles should not be included. Additionally, crime statistics from districts in high crime areas should reflect their unique needs and conditions; Alisal is doing a great job reducing crime on its campuses using the Grand Jury's logic. Third, the cost per crime is misleading at best. Cost per crime by type would be a much better method of discriminating differences between districts.

RESPONSE TO RECOMMENDATIONS

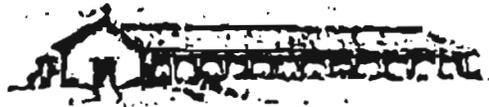
We agree with the recommendation and have in place many excellent programs to fight crime. Further, anytime the perpetrators are identified and convicted, restitution is required.

Prepared by: Dr. Stephen H Young
Superintendent

A handwritten signature in black ink that reads "Stephen H Young". The signature is written in a cursive style with a large, prominent "S" and "Y".

36825 FOOTHILL ROAD

Mission Union School



Soledad, California 93960

DONNA ALONZO, Superintendent/Principal

Telephone
(831) 678-3524
Fax
(831) 678-0491

To: Monterey County Grand Jury Members
From: Mission Union Board of Trustees
Re: Response to findings and recommendations of the 1999 Comparison Study of
School District section of the Grand Jury Report
Date: January 12, 2000

With regard to all four recommendations:

1. (1) The Mission Union Elementary School District Board of Trustees disagree partially with the finding.
(2) No single test is precise enough to make projections in absolute terms. The validity of an achievement test, such as the STAR, is the extent to which the content of the test represents a balanced and adequate sampling of the outcomes of the instructional program it is intended to cover. This is best evidenced by a comparison of the test content with instructional materials, instructional goals, and critical analysis of the processes required in responding. Therefore, to use as a criteria, an instrument which is questionable in its current validity to make any personnel decisions would not be judicious.
2. (1) The Mission Union Elementary School District Board of Trustees agree with the finding.
(2) The recommendation has been implemented as of 1992. Fully certificated/credential eligible candidates are given first priority for hiring.
3. (1) The Mission Union Elementary School District Board of Trustees agree with the finding.
(2) The recommendation has always been implemented. The Board of Trustees have never received any form of compensation or benefit for their service.
4. (1) The Mission Union Elementary School District Board of Trustees agree with the finding.
(2) The recommendation has been implemented as per the Board adopted School Safety Plan of March 1997.

Again, we support your efforts to improve our schools. Please let us know if we can be of any further assistance.

Tom Vaughan
President

Allen Duckworth
Vice-President

JoAnn Moline
Clerk

Mike Gonzalez
Member

Noel Vosti
Member

Donna Alonzo, Superintendent
Secretary to the Board



KING CITY JOINT UNION HIGH SCHOOL DISTRICT

March 1, 2000

This letter represents King City Joint Union High School District's formal response to the December 1999 Monterey County Grand Jury Final Report, "Comparison Study of School Districts".

Findings and Responses

1. The King City Joint Union High School District agrees with findings.
2. The King City Joint Union High School District agrees with findings.
3. The King City Joint Union High School District agrees with findings.
4. The King City Joint Union High School District agrees with findings.

Recommendations and Responses

1. School Board Members and Superintendents use Star results to evaluate assignment of personnel.

Response: Analysis of the findings was difficult. The connection between the Star results and teacher assignment includes far too many additional variables. The School Board Members and Superintendent will attempt to use the Star results to help evaluate the *assignment* of personnel. Obviously, this information will not be used in the evaluation of personnel.

2. Hiring practices ensure that certificated teachers are placed in the classroom. While it is recognized not every excellent teacher is fully certificated, it is counterproductive to have a high percentage not fully certificated.

Response: We agree with the recommendations and do everything we can to recruit outstanding teachers with appropriate credentials.

District Office
800 Broadway
King City, CA 93930
(408) 385-0606
FAX # (408) 385-0695

King City High School
720 Broadway
King City, CA 93930
(408) 385-5461
FAX # (408) 385-0901

Los Padres High School
506 N. Third Street
King City, CA 93930
(408) 385-4661



KING CITY JOINT UNION HIGH SCHOOL DISTRICT

3. School Board Members search their collective conscience to determine if school funds could be better spent on students rather than on individuals performing what is a public service.

Response: We agree with the recommendation and will continue to focus on how all expenditures can be in the best interests of our students.

4. Each school district ensures that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law.

Response: We agree with the recommendations and have in place many excellent programs to fight crime as well as procedures for monitoring effectiveness. Reports are made to the Board regularly.

We have attempted to follow the guidelines and requirements as indicated in Section 933.05 of the Penal Code. If we have missed anything, let us know.

Sincerely,

Wayne Brown, Superintendent

District Office
800 Broadway
King City, CA 93930
(408) 385-0606
FAX # (408) 385-0695

King City High School
720 Broadway
King City, CA 93930
(408) 385-5461
FAX # (408) 385-0901

Los Padres High School
506 N. Third Street
King City, CA 93930
(408) 385-4661



LAGUNITA SCHOOL

975 San Juan Grade Rd.
Salinas, California 93907
Phone (831) 449-2800
Fax (831) 449-9671

Established 1897

Joe C. Tacker
1999 Civil Grand Jury Foreman
Grand Jury
P. O. Box 414
Salinas, CA 93902

RE: Response to 1999 Monterey County Grand Jury Final Report

Dear Mr. Tacker,

The Lagunita School Board wishes to respond to Recommendations #1-4 as follows:

1. The Lagunita School Board used STAR results to evaluate assignments of personnel.
2. The School Board does not spend school funds on what could be considered public services.
3. The School Board ensures that only certificated teachers are placed in the classroom.
4. The School District has a safety plan in place. This plan includes the following:
 - rules for student behavior
 - disciplinary action for the commitment of a school crime
 - reports are prepared by incident, maintained in the district office and reported semi-annually to Butte County Office of Education as part of the California Safe Schools Assessment.

If you would like further information or clarification, please feel free to call.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Don Chapin", written over a circular stamp or seal.

Don Chapin
Lagunita School Board President

SAS



Superintendent
Edward Agundez

Greenfield Union School District

493 El Camino Real
Greenfield, Ca 93927
Telephone (831)674-2840 FAX (831)674-3712

March 21, 2000

Honorable John M. Phillips
Presiding Judge of the Coordinated
Trial Court
P.O. Box 414
Salinas, CA 93902

Dear Judge Phillips:

Below please find the responses to the 1999 Monterey County Civic Grand Jury recommendations found in the "Comparison of School District" section.

STAR RESULTS

RESPONSE TO FINDINGS:

We agree with the findings as statements of fact.

RESPONSE TO RECOMMENDATIONS:

We have accepted this as a major challenge and are working diligently to bring about improvements. Nothing in the findings reflects the requirements placed upon teacher instruction, the manner in which students are assigned to teachers, and the degree to which there is any relationship between STAR results and the assignment of teachers. Further, Education Code §44662(e) reads "the evaluation and assessment of certificated employee performance pursuant to this section shall not include the use of publisher's norms established for standardized tests" thereby specifically prohibiting the Grand Jury's recommendation.

PERCENTAGES OF TEACHERS NOT FULLY CERTIFICATED

RESPONSE TO FINDINGS:

We cannot agree or disagree with the findings in that they appear to be conceptually flawed. The Grand Jury did not differentiate between teachers without certification (emergency, intern, ONRY) and teachers with certification but teaching out of their credentialed area of expertise. There is a vast difference between the two.

RESPONSE TO RECOMMENDATIONS:

We agree with the recommendation and do everything we can to recruit outstanding teachers with appropriate credentials. Fully certificated credential eligible candidates are given first priority for hiring here at Greenfield Union School District.

COMPENSATION OF SCHOOL BOARD MEMBERS

RESPONSE TO FINDINGS:

We are not sure what your findings mean which makes responding tough.

RESPONSE TO RECOMMENDATIONS:

We agree with the recommendation and reflect each and every time the Board makes a significant expenditure on a member or members.

Governing Board of Trustees

Steve Garcia Raymond Diaz Chris Magallon Lourdes Villarreal Robert White

NUMBER AND COSTS OF CRIMINAL ACTS ON SCHOOL GROUNDS

RESPONSE TO FINDINGS:

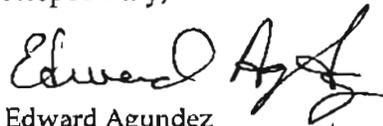
The District insures that programs are in place to help prevent school vandalism and crime. Law enforcement is called to assist whenever necessary.

RESPONSE TO RECOMMENDATIONS:

We agree with the recommendation and continue to provide resources and programs to combat school crime. We have a school law enforcement officer on campus.

If I can be of further assistance, please call.

Respectfully,

A handwritten signature in black ink, appearing to read "Edward Agundez". The signature is written in a cursive style with a large initial "E" and "A".

Edward Agundez
Superintendent

EA:ja

THE GRAVES SCHOOL

McFadden Road and Castroville Highway
P.O. Box 885
Salinas, California 93902
(408) 422-6392

February 8, 2000

Elaine Osborn
Principal

TO: The Honorable John M. Phillips, Presiding Judge
Coordinated Trial Courts, Monterey County
240 Church Street
Salinas, CA 93901

FROM: Graves School District

RE: Grand Jury Response

Following are responses to your December 21, 1999 letter:

1. School Board Members and Superintendents use STAR results to evaluate assignment of personnel.

RESPONSE: Board members and Administration review STAR results – since we have only 35 students we monitor the assignment of personnel on a regular basis.

2. Hiring practices ensure that certificated teachers are placed in the classroom. While it is recognized not every excellent teacher is fully certificated; it is counterproductive to have a high percentage not fully certificated.

RESPONSE: Graves has two fully certificated teachers on staff. This equates to 100% of the staff being properly credentialed.

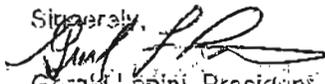
3. School Board Members search their collective conscience to determine if school funds could be better spent on student rather than on individuals performing what is a public service.

RESPONSE: The Graves School District Board of Trustees receive no compensation whatsoever – no stipend, no health care benefits and no other type of compensation.

4. Each school district ensure that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law.

RESPONSE: Programs are monitored and in place in the Graves District – our crime rate and vandalism occurrence are very low, if not zero.

Sincerely,


Gerald Lanini, President
Board of Trustees



GONZALES UNIFIED SCHOOL DISTRICT

Gonzales High School
501 Fifth Street
Gonzales, California 93926
(831) 675-2495



Fairview Middle School
401 Fourth Street
Gonzales, California 93926
(831) 675-3704



La Gloria Elementary School
220 Elko Street
Gonzales, California 93926
(831) 675-3663

30 December 1999

Governing Board of Trustees:

Alonzo Gonzalez
President



Rick Rubbo
Clerk



Sherry Richardson
Board Member



Lucy Basaldua
Board Member



David Little
Board Member



Richard Averett, Ph.D.
*Superintendent/
Secretary to the
Board of Trustees*

School Services Building
20 Elko Street
Drawer G
Gonzales, California 93926

Telephone: (831) 675-0100
Facsimile: (831) 675-1172

Dear Members of the 1999 Civil Grand Jury,

Having read your report, we would like to address those concerns listed that pertain to school districts.

"1. Results of the County school districts' scores in the Statewide Testing and Reporting (STAR) program."

Attached you will find a grid that lists the material provided you by Nancy Kotowski, Ph.D. of the Monterey County Office of Education, together with the test results of this district for the past two years. Please note the dramatically improved scores at the elementary level. The High School has begun planning changes in their curriculum and methodologies using the grant from the under-performing high schools. Changes should be expected soon.

"2. High percentage of teachers not fully certificated employed in the County school districts."

Attached you will find the audit finding from the Monterey County Office of Education that states 1998-1999 assignments shows that all positions in the district are filled by properly credentialed or legally authorized staff with the exception of twelve staff members, which amount to approximately seven percent (7%) of our credentialed staff – not thirty percent (30%) as previously reported.

"3. Compensation to School Board Members."

The board members of Gonzales Unified School District voted to receive a \$50 stipend each month regardless of the number of meetings held. This month is then put into a fund for scholarships for students. Of the \$3,000 per year made available last year student scholars have already collected \$2,280.21 by submitting their registration materials to our office.

"4. Number of, and school districts' costs associated with, criminal acts committed on school grounds."

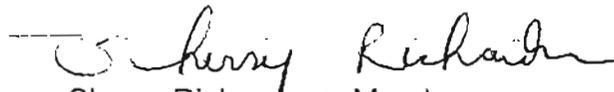
The majority of the expense in this category was caused by three students who broke into three schools and vandalized several rooms. We have since "alarmed" more rooms.

Respectfully submitted,

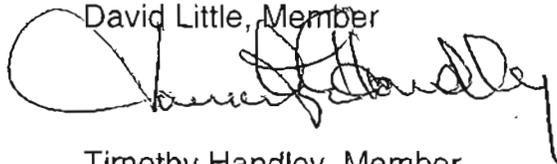
**GONZALES UNIFIED SCHOOL DISTRICT
GOVERNING BOARD OF TRUSTEES**

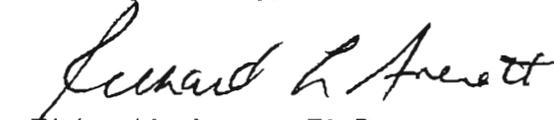

Alonzo Gonzalez, President


Lucy Basaldua, Clerk

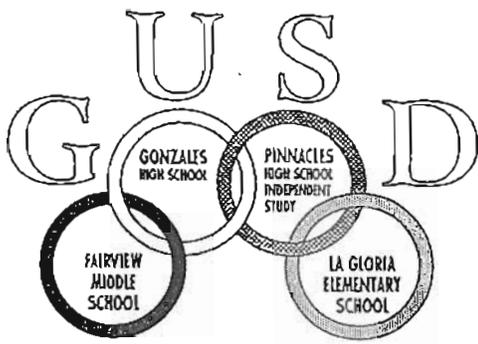

Sherry Richardson, Member


David Little, Member


Timothy Handley, Member


Richard L. Averett, Ph.D.
Superintendent /
Secretary to the Board

Subject/Grade	2	3	4	5	6	7	8	Totals	Growth
Reading State	39	36	40	40	43	41	44		from
Reading Monterey County	34	29	33	33	35	33	35		1998 to 1999
Gonzales 1999	38	23	28	23	24	25	28	189	28
Gonzales 1998	24	20	21	22	23	24	27	161	Reading
Math State	43	42	39	41	48	45	45		
Math Monterey County	33	30	29	32	40	36	35		
Gonzales 1999	37	40	35	44	38	38	41	273	59
Gonzales 1998	26	27	30	29	27	38	37	214	Math
Language State	40	39	44	44	47	49	47		
Language Monterey Co.	33	31	37	36	39	40	39		
Gonzales 1999	32	31	33	30	32	42	35	235	28
Gonzales 1998	19	24	29	28	28	42	37	207	Language
Spelling State	38	38	36	38	40	42	36		
Spelling Monterey Co.	29	27	27	29	31	33	29		
Gonzales 1999	35	29	25	32	31	37	25	214	24
Gonzales 1998	22	26	21	24	29	35	33	190	Spelling
Subject/Grade	9	10	11						
Reading State	34	32	37						
Reading Monterey Co.	26	26	33						
Gonzales 1999	17	16	20					53	1
Gonzales 1998	18	16	18					52	Reading
Math State	50	43	46						
Math Monterey Co.	39	34	36						
Gonzales 1999	31	25	24					80	6
Gonzales 1998	30	24	20					74	Math
Language State	47	36	43						
Language Monterey Co.	37	30	37						
Gonzales 1999	34	21	28					83	8
Gonzales 1998	31	20	24					75	Language
Science State	43	44	44						
Science Monterey Co.	36	39	39						
Gonzales 1999	29	27	24					80	6
Gonzales 1998	27	26	21					74	Science
Soc Stu State	42	38	54						
Soc Stu Monterey Co.	37	35	52						
Gonzales 1999	27	22	48					95	10
Gonzales 1998	29	21	35					85	Soc Studies



GONZALES UNIFIED SCHOOL DISTRICT

Richard Averett, Ph.D. Superintendent

600 Elko St., P.O. Drawer G, Gonzales, CA 93926

Phone: (831) 675-0100 Fax: 675-1172

...SEEING EYE TO EYE

June 28, 1999

Salvatore Bozzo, Ed.D.
Director II, Personnel
Monterey County Office of Education
P. O. Box 80851
Salinas, CA 93912-80851

Dear Dr. Bozzo:

The following is the District's response to your recent Assignment Monitoring Review identifying action being taken for each teacher affected:

Grady, Daniel	LH Teacher	to enroll in Assessor's Panel
Harp, Esther	RS Teacher	Certificate on file at MCOE
Jones, David	RS Teacher	to enroll in Assessor's Panel
Sloan, Morgan	RS Teacher	to enroll in Assessor's Panel
Sutherland, Robert	RS Teacher	completed Assessor's Panel, to apply for credential
Shaw, Judith	Sp. Ed. Teacher	no longer with our District
Halprin, Elaine	Hist. Teacher	apply for Emerg. Single Subject Soc Sci Permit
Mahony, John	Am Govt Teacher	no longer with our District
Purnsley, Julius	Life Sci Teacher	Board Resolution
Thompson, Ricky	Sci Teacher	no longer with District
Washburn, John	Sci Teacher	Board Resolution
Maturino, Frank	Vice/Principal	Reassigned to a teaching position

Thank you for your assistance and your cooperation during this process.

Sincerely,

Richard Averett, Ph.D.
Superintendent

cc: Gordon Piffero
Connie Nunez



Monterey County Office of Education

Dr. William D. Barr
Monterey County
Superintendent of Schools

901 Blanco Circle.

Post Office Box 80851

Salinas, California 93912-0851

Salinas (831) 755-0300

Monterey (831) 373-2955

Facsimile (831) 753-7888

www.monterey.k12.ca.us

June 1, 1999

Dr. Richard L. Averett
Gonzales Unified School District
P.O. Drawer G
Gonzales, CA 93926

Dear Dr. Averett:

Thank you for your detailed preparation for and cooperation during your recent Assignment Monitoring Review. We would particularly like to thank Gordon Piffero, John Ward, John Asenjo, and Connie Nuñez for their willingness to spend the time necessary to complete the on-site review process.

We would like to congratulate your district on having employed a full-time district librarian and an itinerant district music teacher. These two accomplishments plus the maintenance of your buildings and grounds in these times of tight school budgets are real achievements. We also find your district's partnership with Apple Computer to begin a computer program at the high school level exciting. And your district's use of the SB 1969 ESL/SDAIE training option to meet the needs of the district's LEP students is promising.

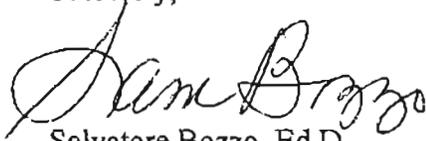
We are waiting for your District Assignment Monitoring Report as soon as the statistics are complete on the Limited English Proficient Instruction Information section.

A comparison of credentials held by your certificated staff and their 1998-1999 assignments shows that all positions in your district are filled by properly credentialed or legally authorized staff with the exception of the persons listed on the attached report.

Education Code §44258.9(g)(3) provides a 30-day time line for your response to us detailing the steps you intend to take to clear up the assignment problems indicated. If we can be of help, please let us know.

We have enjoyed this opportunity to work with you and your staff and want to thank you again for your cooperation

Sincerely,

A handwritten signature in black ink, appearing to read "Salvatore Bozzo". The signature is fluid and cursive, with the first name "Salvatore" written in a larger, more prominent script than the last name "Bozzo".

Salvatore Bozzo, Ed.D.
Director II, Personnel

cc: Gordon Piffero
John Ward
John Asenjo
Connie Nuñez

Gonzales Unified School District

Teacher	Misassignment	Suggested Solutions
Grady, Daniel <i>enroll in Assessor Panel</i>	Learning Handicapped Teacher	Complete correction of Emergency Specialist Learning Handicapped from 1997-98 school year and apply for renewal of Emergency Specialist Learning Handicapped for 1998-99 school year.
Harp, Esther <i>on file at MCOE</i>	Resource Specialist	Apply for Emergency Resource Specialist Permit and work toward clear Resource Specialist Certificate of Competence through SELPA Assessor Panel (as suggested by Gordon Piffero), or through college coursework.
Jones, David <i>will enroll in A Panel</i>	Resource Specialist	Apply for Emergency Resource specialist Permit and work toward clear Resource Specialist Certificate of Competence through SELPA Assessor Panel (as suggested by Gordon Piffero, or complete Education Specialist Mild/Moderate Disabilities (which includes Resource Specialist authorization).
Sloan, Morgan <i>will enroll</i>	Resource Specialist	Apply for Emergency Resource specialist Permit and work toward clear Resource Specialist Certificate of Competence through SELPA Assessor Panel (as suggested by Gordon Piffero, or complete Education Specialist Mild/Moderate Disabilities (which includes Resource Specialist authorization).
Sutherland, Robert <i>off sector panel</i> <i>will enroll</i> <i>on child</i>	Resource Specialist	Needs to record Resource Specialist Certificate of Competence.

Shaw, Judith <i>No longer w/Dist.</i>	Special Education Teacher	Renew Emergency Education Specialist Mild/Moderate Disabilities Permit which expired 03/01/99.
Halprin, Elaine	History Teacher	Reassign teacher or apply for Limited Assignment Emergency Single Subject Social Sciences Permit and work toward sufficient units to use EC 44256(b) or to add a Supplementary Authorization.
Mahony, John <i>Dist.</i>	American Government Teacher	Reassign teacher or apply for Limited Assignment Emergency Single Subject Social Sciences Permit and work toward sufficient units to use EC 44256(b) or to add a Supplementary Authorization.
Purnsley, Julius <i>So. Production</i>	Life Science Teacher	Reassign teacher or apply for Limited Assignment Emergency Single Subject Science: Biological Sciences Permit and work toward sufficient units to use EC 44256(b) or to add a Supplementary Authorization.
Thompson, Ricky <i>left district</i>	Science Teacher	District needs to request a Variable Term Waiver for Science.
Washburn, John <i>Reassignment</i>	Science Teacher	Reassign teacher or apply for Limited Assignment Emergency Single Subject Science Permit and work toward sufficient units to use EC 44256(b) or to add a Supplementary Authorization.
Maturino, Frank <i>re-assigned to tchg position</i>	Vice-Principal	Reassign to teaching position or enter Administrative Services Internship program at university and apply for Internship Credential through the university.

Table 1: Grounds for Recommendations to Expel and Expulsion Orders

Instructions: For the period July 1, 1997, through June 30, 1998, under each Education Code section, please enter the total number of recommendations for expulsion and the total number of expulsions ordered.

- The number of expulsions ordered includes all expulsion orders approved by the governing board, including "suspended expulsions."
- If a single recommendation or order of expulsion was for more than one reason—for example, if a student was charged with both brandishing a knife [EC 48915(C)(2)] and possession of drug paraphernalia [EC 48900(j)] — include the recommended expulsion or expulsion order under each of those Education Code sections.
- If a student was recommended for expulsion or expelled more than once during the period July 1, 1997, through June 30, 1998, please include each recommendation and/or expulsion that occurred.

NOTE: This table is not intended to be a record of how many students were recommended for expulsion or ordered expelled. (That data is provided in Table 2) Table 1 is intended to be a record of how many times a violation of each Education Code section has been cited as grounds for a recommendation for and/or an order of expulsion.

Education Code Section	Grounds for Expulsions Recommended and/or Ordered	Recommended Expulsions	Expulsions Ordered
48915 (c)(1)	Possessing, selling or furnishing a firearm		
48915 (c)(2)	Brandishing a knife at another person		
48915 (c)(3)	Unlawfully selling a controlled substance		
48915 (c)(4) or 48900 (n)	Committing or attempting to commit sexual assault or battery		
48915 (a) (1)	Caused serious physical injury to another person		
48915 (a)(2)	Possession of knife, explosive or other dangerous object III	3	3
48915 (a)(3)	Unlawful possession of any controlled substance III	3	3
48915 (a)(4) or 48900 (e)	Robbery or extortion		
48915 (a)(5)	Assault or battery upon any school employee		
48900 (a)(1)	Caused, attempted to cause, or threatened serious physical injury to another person III III III I	16	16
48900 (a)(2)	Willfully used force or violence on another person I I	1	1
48900 (b)	Possessed, sold or furnished firearm, knife, explosive or other dangerous object I	1	1
48900 (c)	Unlawfully possessed, used, sold, furnished or been under the influence of any controlled substance, alcoholic beverage, or intoxicant IIII	4	4
48900 (d)	Selling or delivering material represented to be a controlled substance I	1	1
48900 (f)	Caused or attempted to cause damage to school or private property		
48900 (g)	Stole or attempted to steal school property or private property		
48900 (h)	Possessed or used tobacco or nicotine products		
48900 (i)	Committed an obscene act or engaged in habitual profanity or vulgarity		
48900 (j)	Unlawfully possessed, or unlawfully offered or arranged to sell, drug paraphernalia		
48900 (k)	Disruption of school activities or willfully defying the authority of school personnel		
48900 (l)	Knowingly received stolen school property or private property		
48900 (m)	Possession of an imitation firearm		
48900 (o)	Harassed, threatened, or intimidated a pupil who is a witness		
48900.2	Engaged in sexual harassment I	1	1
48900.3	Attempted to cause, threatened to cause, or participated in an act of hate violence		
48900.4	Engaged in harassment, threats or intimidation against a pupil or group of pupils III	3	3
48900.7	Made terrorist threats against school officials or school property		

Table 2: Recommendations, Expulsions, and Suspended Expulsions – Number of Students

Instructions: In contrast to Table 1, the requested figures below count students, not grounds or acts. As indicated below, for the period July 1, 1997, through June 30, 1998, please enter the total number of students.		Number of Students
Number of <u>students</u> for whom an expulsion was recommended		33
Number of <u>students</u> who were ordered expelled (whether or not the order was suspended)		32
Number of <u>students</u> expelled whose <u>orders of expulsion</u> were subsequently <u>suspended</u> .		2
Additional Comments (Optional):		

Table 3: Types of Educational Referrals Made During the Period of Expulsion

Instructions: For students who were expelled during the period July 1, 1997, through June 30, 1998, please indicate the type(s) of educational placement(s) made during the periods students were expelled or had suspended expulsions. If a student received more than one referral, please indicate all placements below.		Number of Placements
Elementary school in this district		
Junior high, middle, or intermediate school in this district		
High school in this district		
Continuation class or school in this district		
Opportunity class or school in this district		
District community day school in this district		
Adult education in this district		
Independent study in this district		1
County court/community school		
Outplacement in another district		
Left district/ moved		
Dropped out/ placement unknown		
Other placements	11/11/98	25
Total Placements		26
Additional Comments (Optional):		

Table 4: Educational Placement of Students Following Their Expulsion Periods

Instructions: For students whose expulsion periods ended between July 1, 1997, and June 30, 1998, please indicate the type(s) of educational placement(s) following the end of their expulsion periods.		Number of Placements
Elementary school in this district	1	
Junior high, middle or intermediate school in this district	17N 111	47
High school in this district	11N 11N 11N 11N 11N	15
Continuation class or school in this district		
Opportunity class or school in this district		
District community day school in this district		
Adult education in this district		
Independent study in this district	1	
County court/community school		
Outplacement in other district		
Graduated		
Left district/ moved	11	2
Dropped out/ placement unknown	11H	5
Other		
Total Placements		27

Questions Concerning District Community Day Schools:

	Please Indicate Below
Does your district <i>currently operate</i> a district community day school?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, how many? _____
Does your district <i>participate</i> in a district community day school consortium?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If YES, what is the name of the district which heads the consortium?	
If NOT currently operating a program, is your district <i>planning to implement</i> a community day school program in the future?	<input type="checkbox"/> Yes - Next year <input checked="" type="checkbox"/> Yes - In future years <input type="checkbox"/> Considered but rejected <input type="checkbox"/> No plans
If YES, what kind of community day school program is being planned?	<input checked="" type="checkbox"/> Program operated by our district <input type="checkbox"/> Part of a planned consortium
Whether or not you have a community day school program, what are the major REASONS FOR ESTABLISHING a community day school within your district? (Please check all that apply)	<input checked="" type="checkbox"/> Additional funding <input type="checkbox"/> Lack of available alternative programs <input checked="" type="checkbox"/> Concern and interest by teaching and/or counseling staff <input type="checkbox"/> Parental interest or pressure for new program <input type="checkbox"/> School board interest or pressure for new program <input type="checkbox"/> Community interest or pressure for new program
What are the GREATEST DIFFICULTIES in operating a community day school within your district? (Please check all that apply)	<input type="checkbox"/> Lack of sufficient funding/ reimbursement insufficient <input type="checkbox"/> Insufficient student need to justify cost and effort <input checked="" type="checkbox"/> Difficulties in recruitment of staff and/or issues with teachers organizations <input checked="" type="checkbox"/> Difficulties complying with requirements of separate site

Additional Comments (Optional):



CALIFORNIA **S**AFE **S**CHOOLS **A**SSASSINATIONS
School Crime Reporting Summary

District: GONZALES Unified
 27-75473

CRIMES	ALCOHOL/DRUGS		VICTIM				SUSPECT				TOTAL COST TO DISTRICT		
	Were alcohol/drugs involved?		Gender	Classification		Suspect Unknown	Gender		Classification				
	Yes	No		Male	Female		Student at this school	Certificated employee	Classified employee	Other		Male	Female
Use of Alcohol/Drugs	8	0						0	11	4	12	3	
Possession of Alcohol	0	0						0	0	0	0	0	
Possession of Drugs	4	0						0	3	1	3	1	
Possession of Paraphernalia	0	1						0	1	0	1	0	
Possession of Alcohol/Drugs for Sale	0	0						0	0	0	0	0	
Sale and/or Furnishing of Alcohol/Drugs	0	0						0	0	0	0	0	
Assault with a Deadly Weapon	0	0	0	0	0	0	0	0	0	0	0	0	
Battery	0	5	9	1	10	0	0	0	20	1	21	0	
Homicide	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery/Extortion	0	1	1	0	1	0	0	0	1	0	1	0	
Sex Offense(s)	0	0	0	0	0	0	0	0	0	0	0	0	
Arson	0	0						0	0	0	0	0	\$0
Burglary	0	7						7	0	0	0	0	\$7,700
Graffiti	0	3						3	0	0	0	0	\$7,385
Theft	0	3						3	0	0	0	0	\$1,230
Vandalism	0	3						3	0	0	0	0	\$5,415
Bomb Threat	0	0						0	0	0	0	0	
Destructive/Explosive Devices	0	0						0	0	0	0	0	
Loitering/Trespassing	0	3						0	4	0	2	2	
Possession of Weapon(s)	0	2						0	1	2	2	1	
TOTAL	12	28	10	1	11	0	0	16	41	8	42	7	\$21,730

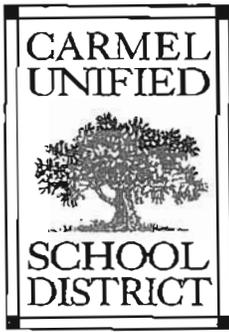
July 1, 1997 -- June 30, 1998
 Revised 10/08/98

I certify that the information contained in this report is true and correct to the best of my knowledge.

()
 Telephone Number (including area code)

COE/District Superintendent or Designee -- Printed Name

Signature _____ Date _____



March 9, 2000

Honorable John M. Phillips
Presiding Judge
Monterey County Superior Court
P.O. Box 1819
Salinas, CA 93902

BOARD OF EDUCATION
Patricia Condren
Howard Given
Dan Hightower
Ernie Lstrom
Annette Yee Steck

SUPERINTENDENT
Dr. Joseph Jaconette

RE: Response to the Education Section of the
1999 Monterey County Grand Jury Report

Dear Judge Phillips:

Below please find the responses to the 1999 Grand Jury
recommendations:

RECOMMENDATION #1:

School Board Members and Superintendents use STAR results to evaluate
assignment of personnel.

Response:

We disagree in part with the recommendation.

Action:

The recommendation will not be implemented because it is not reasonable
and is in conflict with current laws and regulations. We are required to
follow the Education Code and our collective bargaining agreement.
"STAR" results must be considered in light of these legal restrictions.

RECOMMENDATION #2:

Hiring practices ensure that certificated teachers are placed in the
classroom. While it is recognized not every excellent teacher is fully
certificated, it is counterproductive to have a high percentage not fully
certificated.

Response:

We agree with the recommendation.

P.O. Box 222700
Carmel, CA 93922
TEL: (831) 624-1546
FAX: (831) 626-4052

LOCATION:
4380 Carmel Valley Road

Action:

The recommendation has been implemented. Most of our teachers are certificated. Only a very small percentage are the exception.

RECOMMENDATION #3:

School Board Members search their collective conscience to determine if school funds could be better spent on students rather than on individuals performing what is a public service.

Response:

We agree with the recommendation.

Action:

The recommendation has been implemented. Carmel Unified School District Board Members do not receive compensation. They are reimbursed for expenses associated with travel, conferences, and fax communication.

RECOMMENDATION #4:

Each school district ensure that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law.

Response:

We agree with the recommendation.

Action:

The recommendation has been implemented. We have programs in place. We work Cooperatively with the Sheriff's Office and D.A.R.E.. They provide our school district with a School Resource Officer.

Please do not hesitate to contact me if you have further questions.

Sincerely,



Dr. Joe Jaconette
Superintendent

County of Monterey

Sheriff-Marshall-Coroner
Public Administrator's Department

MEMORANDUM

Date: January 28, 2000
To: Honorable John M. Phillips, Presiding Judge
Monterey County Superior Court
From: Sheriff Gordon Sonné *GS*
Subject: RESPONSE TO 1999 GRAND JURY FINAL REPORT



METHAMPHETAMINE

FINDINGS (1 through 5)

The Monterey County 1999 Civil Grand Jury finds that:

1. A significant danger from waste by-products related to both the manufacture and usage of methamphetamine places the population-at-large in an at-risk situation. Major meth-makers frequently change the locations of their manufacturing operations making their discovery difficult for law enforcement.
2. Monterey County is the unwitting host to large numbers of individuals involved in the clandestine manufacturing of meth. The profit incentive encourages many individuals to engage in the criminal practice of making of meth.
3. The prevalence of meth-related criminal activities places the population-at-large at increased risk of such crimes as burglary, robbery, and assault.
4. Monterey County is experiencing an increasing incidence of meth-usage and addiction among the population-at-large, especially among youths. Meth manufacturers have developed a multi-level (pyramid) sales scheme.
5. The seizure of assets, including real property of individuals involved in meth-making, is often not being exercised by Monterey County law enforcement.

MONTEREY COUNTY SHERIFF/CORONER RESPONSE TO FINDINGS:

1. For every pound of methamphetamine manufactured, five pounds of methamphetamine waste products are generated. The waste material contaminates our environment in the

air, land, and water. Most chemicals involved are carcinogenic and some of them react violently with other chemicals when mixed. Since major meth-makers are mobile in their trade, it is necessary for law enforcement to interface with each other to share intelligence and expertise of the drug trade. Because of the danger to public safety, it is imperative to detect and respond to known meth-labs as soon as possible.

2. The investigation of methamphetamine must be multi-facet. Sources for chemical products, locations of clandestine laboratories, and distribution points, must all be investigated to stop the production process. Seizure and forfeiture laws must be utilized to reduce and stop the profiteering of the product.
3. Methamphetamine is a powerful central nervous system stimulant with psychoactive affects similar to cocaine. Methamphetamine has been traditionally cheaper than cocaine and its affect lasts much longer. The violence and paranoia caused by methamphetamine is notorious. A typical addict of a drug will resort to many illegal actions to obtain his/her daily amount of dosage. The propensity for violence becomes higher with psychoactive drugs such as methamphetamine. Law enforcement officers must be trained as to the danger of all illegal drugs to better protect themselves and the public.
4. Methamphetamine is the drug of the nineties and is becoming the drug of choice for the Western United States and much of the country. The Drug Enforcement Administration has identified California as a "source country" for methamphetamine. As with other illegal drugs, there are always various levels of sellers. There are manufactures, wholesalers, retailers, and street dealers. Due to the large number of potential customers, schools have always been a target of drug dealers. It is important for all school districts to have in place a strong drug policy along with a compressive educational curriculum regarding dangerous drugs.
5. The Monterey County Sheriff's department follows up on all drug-related cases and utilizes the seizure and forfeitures laws, as appropriate. The Sheriff's Department has a standard policy that it will assist other agencies with seizure and forfeiture cases relating to drug investigations. When actual land is involved, the first priority is to ensure there is a process in place that deals with any hazardous waste.

RECOMMENDATIONS (1 through 7)

The 1999 Monterey County Civil Grand Jury recommends:

1. Law Enforcement agencies approach the methamphetamine problem as a distinct entity not related to other drug enforcement activities.
2. Law Enforcement agencies be required to submit information concerning all arrests relating to methamphetamine to the press in the form of press releases rather than simply indicating such incidents in the daily activities log.

3. Law Enforcement agencies develop a coordinated communications plan so that methamphetamine information can be effectively shared by all agencies.
4. The Monterey County Board of Supervisors (BOS) seek the means for funding special methamphetamine-abatement personnel and programs.
5. The BOS seek the means of funding environmental clean up of legally seized, methamphetamine-related properties, and execute the resale of such properties as a means of funding increased anti-methamphetamine activities.
6. The BOS and City Council provide funding for the purchase of a meth-trained canine.
7. The BOS and City Council provide funding for the training and placement of more meth-qualified Deputies in the field.

MONTEREY COUNTY SHERIFF/CORONER RESPONSE TO RECOMMENDATIONS:

1. To better utilize assigned personnel, and make them an effective and efficient narcotic officer that can provide the citizens of Monterey County with adequate narcotic enforcement, it is imperative that all narcotic officers have the training and freedom to investigate all types of illegal drugs. The most effective use of a narcotic officer is to insure that the officer is capable of meeting all types of drug threats whether it is investigating a methamphetamine laboratory, a cocaine conversion operation, or a major heroin distribution organization. Many drug traffickers tend to deal in more than just one type of illegal contraband. Although methamphetamine investigations are a priority in Monterey County, other deadly and dangerous drugs must be aggressively investigated.
2. Currently the Sheriff's daily activity log is accessible to all the media. Due to age restrictions and the confidentiality of some cases, it is not feasible to release the names of all persons arrested on methamphetamine charges. The Sheriff's department will continue to issue press releases, as appropriate, and will continue to list such incidences in the Sheriff's daily log.
3. All police agencies in Monterey County share information relating to, not only methamphetamine cases, but also other illegal drugs. Trained personnel have given presentations to law enforcement agencies throughout Monterey County, specifically relating to methamphetamine. The Sheriff's department has tried to recruit peace officers of other Monterey County Police Agencies to work full time with the Sheriff's Narcotic team in an effort to combat all illegal drugs. The Sheriff's Narcotic Division is a member of the South Bay Regional Methamphetamine Taskforce. The Sheriff's Department has an investigator assigned to the Drug Enforcement Administration Taskforce that investigates narcotic traffickers to include traffickers of methamphetamine.

The Sheriff will continue to work closely with all agencies in the sharing of information. The Sheriff's Department will develop a Narcotic Intelligence meeting that will be open to all law enforcement agencies. This meeting will be an organized and routine event and will center on sharing meth-related topics.

4. Currently the Narcotic Enforcement Unit County of Monterey (NEUCOM) addresses investigations, which involve the possession, possession for sale, sales, and manufacturing of methamphetamine. In addition, NEUCOM reaches out to the public and private sectors of Monterey County to educate persons in the hazards of methamphetamine activities. The Sheriff's department will continue this practice. The Sheriff's Department will assist and work with the Board of Supervisor on seeking special abatement programs.
5. The Environmental Protection Agency (EPA) has declared law enforcement the "generator" of hazardous waste material at Clandestine laboratories once we seize it. The Department of Justice is notified and responds to all lab sites to dispose of the waste material. The cleanup cost is the responsibility of the landowner. To fund a clean-up program with taxpayer dollars may be a very expensive undertaking.

The seizure of real property pursuant to State and Federal Asset Forfeiture laws is evaluated on a case by case basis. Early in the 1990's, as the proliferation of meth labs began spreading throughout the State of California, the California Department of Justice, Bureau of Narcotic Enforcement, began seizing real property after methamphetamine labs were seized. The legislative intent of the asset forfeiture laws was to remove the profit incentive from drug trafficking by seizing and forfeiting anything of value used to facilitate drug trafficking or purchased with drug proceeds. DOJ immediately came to the realization that the seizure of real property was cost prohibitive as the unknown cleanup costs far exceeded the equity value of the real property in most if not all cases. Additionally, the real estate disclosure laws markedly decreased the value of the real property when potential buyers were informed of the past existence of toxic chemicals. Government cannot afford to take on the liability of cleaning up a piece of real property without substantial equity in the property to recoup their costs. Today, there remains the possibility of seizing real property after the discovery of a clandestine laboratory only when it is clear that the equity in the real property would unquestionably exceed the cleanup costs.

6. Currently NEUCOM has a fulltime canine available, which is methamphetamine trained. In addition, the Sheriff's department has a canine assigned to the patrol division, which is methamphetamine trained. There is no immediate demand for another meth-trained canine, however, the Sheriff's department will ensure that it always has the resources to obtain a trained narcotic canine.
7. It is always beneficial to train more meth-qualified deputies in the field. It is the level of training that must be monitored. All deputies should have the basic knowledge regarding

the identification and dangers of methamphetamine. However, a certified meth entry team is highly specialized and requires very specific training and equipment to enter a lab site. This type of meth team must remain organized and focused. Most chemicals involved in a meth lab are carcinogenic. Injury to manufacturers, associates, children, and responding safety personnel, can be chronic and/or deadly. As of this date, five of the investigators assigned to the Sheriff Narcotic Team are laboratory certified. The Sheriff is in the process of training four additional narcotic investigators. There are other investigators trained, however they have been rotated out of the Narcotic Division. In addition, the Sheriff's Narcotic Taskforce works in conjunction with the Department of Justice Methamphetamine Lab Unit. Although training and recertification is on going, there is currently a sufficient amount of trained personnel to meet the threat in Monterey County.

Training will be on-going to all deputies so they will be aware of the various aspects of methamphetamine and take appropriate action.

COURTHOUSE SECURITY

FINDINGS (1 through 7)

1. At least one appellate court has ruled that counties may be held responsible to individuals for damages incurred as a result of acts of violence committed against those individuals while in a county building.
2. The lack of problem solving has resulted in the continuance of the threat associated with unsecured public areas. County and Court staff, visitors to the Courthouse, and inmates who are arraigned continue to be exposed to the possibility of a violent act.
3. Videotaping arraignments could significantly improve security at the Courthouse for County and Court staff, visitors to the Courthouse, and inmates, as well as reduce the need for use of the existing holding cells.
4. Establishment of a Courtroom or Courtrooms at the Adult Detention Facility for the purpose of reducing the number of inmates transported and held in the existing holding cells, could significantly improve security at the Courthouse for County and Court staff and visitors to the Courthouse and reduce the need for existing holding cells.
5. Inmates are escorted to Courtrooms and holding cells using an elevator which is utilized at the same time by County and Court staff and Courthouse visitors.
6. Metal detectors are used only at the entrance to some of the Courtrooms during trials.
7. Some County offices have the capability to sound an alarm in the event of a violent act occurring in the Courthouse.

MONTEREY COUNTY SHERIFF/CORONER RESPONSE TO FINDINGS:

1. The Sheriff's Department agrees with this finding and is committed to working with the Courts and Board of Supervisors to address security concerns.
2. The Sheriff's Department agrees that the issue of Courthouse security must continue to be addressed. In cooperation with the Courts and CAO, security was increased in the Salinas Courthouse by creating a two person roving patrol. In addition, the duties of the bailiffs were examined and expanded to increase their presence in the Courthouse when court is not in session. The Sheriff's Department is committed to assisting the Courts and CAO in finding a solution to this issue.
3. The Sheriff's Department agrees that video conferencing of arraignments would improve security by the reduction of inmate movement and public access to inmates during the arraignment process. The Corrections Bureau and the King City Court currently use such a system for arraignments. The Sheriff's Department is agreeable to exploring this possibility with the Court.

On the negative side, increased use of video arraignment at the jail would require additional manpower to move inmates from their housing and provide supervision during the arraignment process.

4. The Sheriff's Department could agree with the findings of item 4, however there is no space available at the jail to create a Courtroom or Courtrooms. Limited space is available to handle video arraignments, but not court trials or hearings.

Because the public has the right of access to these proceedings, establishment of a courtroom within the facility would create additional security issues and costs for the jail and would merely shift them from one area to another.

Construction of a Court facility in the immediate proximity of the jail would benefit the Courts and Corrections Bureau in addressing security issues related to inmate movement. Exterior and interior security of the facility could be addressed by construction design.

5. The Sheriff's Department agrees with the findings of item 5. The Sheriff's Department is open to discussions with the Court and CAO to restrict use of the elevator to law enforcement only.

The Board of Supervisors has approved the planning and construction of holding cells in the basement of the North wing Courthouse. As part of the new construction, the elevator will be capable of locking out use by persons other than deputies. Completion of this construction project is scheduled for the year 2001.

6. The Sheriff's Department disagrees with this finding. Metal detectors are present in all courtrooms with the exception of the Marina Courtroom. They are "on" whenever the court is in session. If activated, the bailiff responds. The metal detectors are manned by a deputy during high profile cases which pose a potential security threat; Dept. 3, divorce court; Dept. 5 and 7, Family Court.
7. The Sheriff's Department agrees with this finding and is willing to provide consultation services to County officials concerning the type, location and use of such alarms.

RECOMMENDATIONS:

1. The BOS, CAO, and the County Sheriff immediately take reasonable steps to secure the Courthouse better to prevent the possibility of an act of violence.
2. The County acquire metal detectors and video surveillance equipment to monitor activities in the Courthouse.
3. The North Wing west elevator be secured and used solely for the purpose of transporting inmates when they come to the Courthouse for trial.
4. The BOS, CAO and County Sheriff approach the Court concerning implementing video conferencing between the County Jail and Courthouse for arraignment proceedings.
5. The BOS, CAO, and County Sheriff approach the Court concerning establishing a Courtroom or Courtrooms at the Adult Detention Facility.
6. Alarm or "panic" buttons be installed in all non-secured Courthouse complex offices.

MONTEREY COUNTY SHERIFF/CORONER RESPONSE TO RECOMMENDATIONS:

1. As stated above, the BOS, CAO, Courts and Sheriff's Department have taken steps to increase security by providing a two man roving patrol of the buildings. The Sheriff's Department has modified the duties of court bailiffs to increase their presence in the building when court is not in session. The Sheriff's Department remains committed to assisting the BOS, CAO and Courts in providing input and services they agree upon. This is of course contingent upon our current budget or new funding.
2. Metal detectors are in use in all Courtrooms except one. Should the County establish a single point access to the Courthouse one or more of the metal detectors could be used at the access point. The Sheriff's Department would recommend a more sophisticated system which allows viewing of package or briefcase contents such as airports use. As a double check system, existing metal detectors could remain in place at courtroom entrances.

The Sheriff's Department also agrees that use of video surveillance equipment be explored as an option.

Both proposals would require personnel to man the metal detectors and monitor the video equipment. Should the County and Courts seek this option, a determination of who should man this position should be made, i.e. would it require a Deputy Sheriff or would a civilian security person be more cost effective?

3. The Sheriff's Department agrees with this recommendation.
4. The Sheriff's Department is amenable to this recommendation, provided funding is made available for equipment and personnel to move inmates from their housing unit to the video conferencing room.
5. The Sheriff's Department is not opposed to discussions concerning this recommendation. The difficulty is the lack of facilities for a courtroom or courtrooms. It must also be remembered that the court process is a public process. Because of this, no courtrooms allowing public access could be created within the facility, they would have to be constructed separately so that security of the facility could be maintained.
6. The Sheriff's Department has no objection to this recommendation and would be willing to act in an advisory capacity to those agencies seeking to install such devices. Details such as who would receive and respond to the "panic" calls would need to be determined before the Sheriff's Department could commit further.



OFFICE OF THE MAYOR

440 Harcourt Avenue
Seaside, CA 93955

Telephone (831) 899-6200
FAX (831) 899-6227
TDD (831) 899-6207

March 7, 2000

Monterey County Grand Jury
P.O. Box 414
Salinas, CA 93902

RE: Methamphetamine Response

The City of Seaside is in agreement with the findings of the Grand Jury that there is a problem in Monterey County with methamphetamine and other illegal amphetamine derivatives.

Even though it appears that those who manufacture this dangerous drug, choose remote areas of our county, we in the municipal areas are aware that we, on a smaller scale, are affected in the same way.

Recommendation:

1. Law enforcement agencies approach the methamphetamine problem as a distinct entity not related to other drug enforcement activities.
2. Law enforcement agencies be required to submit information concerning all arrests relating to methamphetamine to the press in the form of press release rather than simply indicating such incidents in the daily activities logs.
3. Law enforcement agencies develop a coordinated communications plan so that methamphetamine information can be effectively shared by all agencies.

Response:

The City of Seaside will support the coordination and communication with other law enforcement agencies to accomplish the above recommendations.

4. The Monterey County Board of Supervisors (BOS) seek the means for funding special methamphetamine abatement personnel and programs.

5. The BOS seek the means of funding environmental clean-up of legally seized, methamphetamine-related properties, and execute the resale of such properties as a means of funding increased anti-methamphetamine activities.
6. The BOS and City Councils provide funding for the purchase of meth-trained canine.
7. The BOS and City Councils provide funding for the training and placement of more meth-qualified Deputies in the field.

Response:

The City of Seaside supports and encourages the County to pursue funding for additional Sheriff's Office personnel or canine support until the costs and scope of those programs are developed and discussed.

Sincerely,


Jerry C. Smith
Mayor

JS:jmh



Dr. Alfonso R. Anaya
Superintendent of Schools

Board of Trustees

Juan V. Flores
Amado González
Francisca S. González
Gary Karnes
Jesus R. Velásquez

May 4, 2000

Grand Jury
County of Monterey
P. O. Box 414
Salinas, CA 93902

Attention: Susan V. Balesteri, Foreman

Subject: Ref. Grand Jury Report, January 3, 2000 – Comparison Study of School Districts, page 7

Dear Ms. Balesteri:

Please find our response summarized in the proper format as requested:

Finding #1.a. Star Results

The respondent agrees with the findings. The district has been aware of lower average scores for many years. Improvements have been made and the gap compared to the state average has been closing due to the large immigrant population, migrant workers and low socio-economic status of over 30% of our students. This has been contributed to the lower scores on English tests. We are working very hard in adopting educational strategies to improve the student performance and the delivery of the instructional services. We expect continued improvement. However, we do not believe that this test is a true reflection of our student academic ability and or performance.

Finding #2 Percentages of teachers not certified

The respondent disagrees with the findings! The Alisal Union School District had only 18.2% of its total staff with less than a full credential. In 1998-99:

Total Number of Teachers on Staff	358
Number of University Interns	6
Number of District Pre-Interns	20
Number of Emergency Permit Holders	35
Number of Teachers on Waivers	4
Percentage of Total Staff on Less than a Full Credential	18.2%

We hope this will correct your information. The Alisal Union School District is certainly not immune to this statewide and Nationwide shortage of fully qualified teachers. It is clear that with the continued growth of our community as well as continued emphasis for additional class size reduction, the shortage of teachers will not be eliminated any time soon.

Ideally the district seeks to employ fully credentialed teachers, yet understands that the number of new teachers being hired greatly exceeds the number of teachers coming out of preparation programs. The Alisal Union School District has been extremely pro-active in anticipating the need to hire teachers who fall at various levels in the teacher preparation continuum.

Teacher Recruiting: Alisal Union School District has made great strides in recruiting experienced teachers. The Certificated Salary schedule is very attractive to teachers considering a change in districts. We have eliminated the cap on experience and teachers can transfer all prior-earned service credit. We continually recruit statewide and out-of state teachers and have offered moving allowances to teachers coming from outside of the area.

Pre-Intern: In 1998-99 school year Alisal Union School District was selected by the Commission on Teacher Credentialing to develop a Pre-Intern Program and was one of only 15 programs state-wide to be provided state grant money. Alisal was the smallest district to be awarded grant funding, and worked very closely at the state level with very large districts (LA Unified, San Diego City Schools, San Francisco Unified) and County Offices of Education (Ventura COE, Monterey COE, San Joaquin COE, Alameda COE) to develop a brand new program.

Internship: Alisal Union School District has made great strides to develop strong relationships with California State University at Monterey Bay. CSUMB is the cornerstone to provide local, well-trained teaching staff. The district has representation on the Advisory number of Teacher Interns employed within this program.

Emergency: Some institutions have not been state accredited for internship programs but provide credential programs for full-time teachers (ie: Chapman, National Hispanic). There is no joint mechanism in place to support these Teachers except for the Supervising Teacher relationship. These folks work under a Long Term Emergency Permit.

By providing these in-district programs, our teachers are ensured that multiple levels of support available to them. In return, our teachers are coming to the classroom better prepared and better able to handle the challenges that face any first or second year teacher- let alone one whom hasn't yet met the requirements of becoming fully credentialed.

Finding #3 Compensation to School Boards

The respondent disagrees with the findings that the school board costs of \$96,195 were costs to school board members individually. Although our budget program entitled "School Board" had a total of \$96,195 in expenditures for 1997-98, only \$50,976 was for individual Board Member compensation. The balance of expenditures \$45,219 was for supplies at Board meetings, consultants for overall district functions, Superintendent search, election costs district advertising. Also costs of Board Travel to conferences and professional organizations is included. These expenses are not compensations to Board Members, but only a reimbursement for actual costs paid by the Board in accord with the reimbursement limitations in the district policies.

Recommendation #1 The district has been and is implementing this recommendation.

Recommendation #2 The district is doing all it can to achieve the highest percentage of certificated teachers possible.

Recommendation #3 The district only spends what it is required to obtain, train and educate an effective Board Member to serve the district.

Recommendation #4 This recommendation is being implemented.

I hope that this response summary is acceptable. Please let us know if we can be of further assistance.

Sincerely,



Alfonso Anaya, Ed.D.
Superintendent

ARA:cgt

C: R. James Michael, Assistant Superintendent/Business & Operations

TAMC • TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Regional Transportation Planning Agency • Congestion Management Agency • Local Transportation Commission
Monterey County Service Authority for Freeways & Expressways • E-Mail: info@tamcmonterey.org
312 East Alisal Street, Salinas, California 93901-4371 • (831) 755-4812 / 647-7777 / FAX (831) 755-4957

March 22, 2000

Joe C. Tacker
1999 Civil Grand Jury Foreman
Grand Jury
County of Monterey
P.O. Box 414
Salinas, CA 93902

SUBJECT: TAMC RESPONSE TO 1999 GRAND JURY REPORT

Dear Mr. Tacker:

The Transportation Agency for Monterey County (TAMC) Board approved the attached response to the 1999 Grand Jury Report that identified 10 findings and 3 recommendations regarding transportation issues that required a written response. Thank you for the opportunity to participate in the Grand Jury process to elicit solutions to transportation problems facing Monterey County.

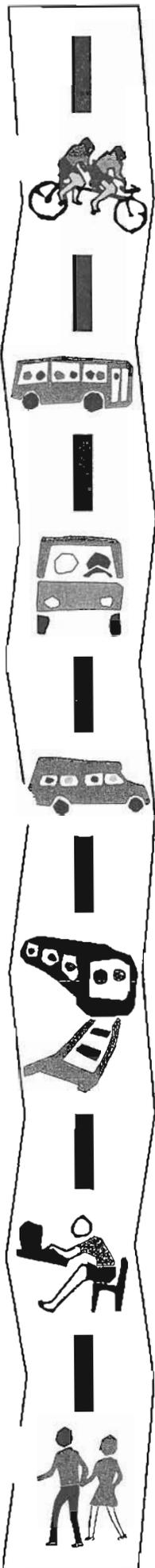
If you have any further questions, please do not hesitate to contact the Acting TAMC Executive Director DeEtta G. Nicely at 831-755-4849.

Sincerely,


Judy Pennycook
Chair TAMC Board

Encl.: Response to Grand Jury 1999 Report Findings and Recommendations

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TAMC RESPONSE TO 1999 GRAND JURY REPORT

FINDINGS

Finding Number 1:

“With the exception of the general aviation segment, air transport is efficient but isolated to the Monterey Peninsula”

Response to Finding Number 1:

The Regional Airport System Plan was prepared by the Association of Monterey Bay Area Governments (AMBAG) in August 1995. The plan states that there are “public airports serving each major sub-area of the AMBAG Region” and that only one-third of the available airport capacity is expected to be used through the year 2015. The report concludes that no new airports, new runways, or major land acquisitions are expected to occur during that period.

It should be noted that the Salinas Airport has recently completed a runway extension that will allow that airport to serve turbine aircraft. The Master Plan for the Marina Municipal Airport also calls for expansion to allow turbine service, but this has not yet occurred.

Finding Number 2:

“The subsidized Monterey-Salinas Transit bus system is underutilized.”

Response to Finding Number 2:

The 1999 Grand Jury Report offers the finding that the MST bus system is underutilized. The factual basis for this finding is not provided in the report.

MST fixed-route buses have over 4 million boardings annually. Ridership continues on an upward trend for both fixed-route bus service and ADA paratransit service for the disabled. Transit usage in Monterey County and elsewhere is affected by these factors: land use; accessibility; funding; service quality; and, service frequency.

The primary factor affecting transit usage is land use. Transit can only be effective in capturing a larger share of local travel when land use patterns are transit- and pedestrian friendly. Sprawl and disjointed land use that encourages the use of private autos are major obstacles that affect access and service quality. The Grand Jury report does not address this major issue of urban sprawl and the resultant imbalance of housing and jobs.

MST has no control over land use and can only make comments and recommendations advocating transit-friendly development. While MST may offer geographic coverage to an area, without safe and convenient bus stops and adequate pedestrian access transit will continue to be underutilized. The cities and county must collaborate with MST in making land use decisions that allow and encourage transit as a viable and convenient alternative to the auto. This partnering can take the form coordinating general plans, development plans, and specific site plan layouts; integrating transit stops; and developing and implementing parking management strategies and policies.

Concerning funding, MST has limited ability to generate revenues to acquire equipment and facilities and to deliver service. Further, fares are necessarily set to meet or exceed the state-mandated cost recovery ratio. While this results in financial productivity, higher fares are a deterrent to increased ridership.

MST does have control over service quality and service frequency. As testimony to MST's commitment to continuous improvement, in 1999 MST was recognized with the California Governor's Quality Award. MST is the first transit system in the state to receive this award. In addition, in July 1999 the amount of MST service was increased nearly 20 percent. New routes were added and frequency of service improved on many routes. This came about after two years study and public review. The result is a transit network that offers more frequent, more direct, and more reliable service. Ridership is already up nearly 10 percent over last year and continues to rise, even during the traditionally shower months of the year. System productivity of 23 passengers per hour of is running ahead of the 22 passengers per hour target after six months.

The MST mission is to lead, advocate, and deliver service that encourages maximizes use, improves mobility, and enhances the quality of life in our community. Just like other modes of transportation, there are peak hours of use or major travel corridors when service operates at or above capacity (e.g. Fremont Street, Alisal Street, The WAVE, First Night, etc.) Conversely, just as some streets have fewer cars at off-peak times, the same is true for ridership on bus routes. Further, MST is sensitive to the need to operate "life line" services which may be lightly used, but provide essential basic mobility for those who ride.

The Grand Jury report promotes more traffic generating road improvements without expanding alternative transportation methods (e.g. more transit, adding HOV lanes, car/vanpooling, etc.) New local funding for transportation funding could allow the county to become a "Self-Help" county (via a new taxing structure) and therefore make the county eligible for more state and federal money for both highway and transit projects.

Finding Number 3:

"Since 1995, Monterey County has had a population growth rate of 8.3% compared to the State growth rate of 5.8%. The County growth rate is expected to increase as a result of future plans in Santa Clara County.

Response to Finding Number 3:

Respondent agrees with the finding.

Finding Number 4:

"Funds for the Hatton Canyon Freeway have been redesignated to the planned Prunedale Bypass Project."

Response to Finding Number 4:

The respondent agrees with the finding.

Finding Number 5:

“The lack of effective, forward strategic planning has limited improvements in the quality of roadways to meet the ever-expanding needs of residents, visitor, and those traversing the county.”

Response To Finding Number 5:

The respondent wholly disagrees with the finding. The limitation to the current level of improvements on roadways is not a result of lack of planning but one of insufficient funding. The Transportation Agency for Monterey County (TAMC) maintains a twenty-year Regional Transportation Plan (RTP) containing a prioritized list of projects which can be funded from identified sources. The RTP also contains a “wish list” of projects that are needed but for which funding is not expected to come from the current revenue stream. To complicate matters, some funding sources have historically been designated for particular uses under state law thereby limiting the range of projects for which the funds can be designated.

Finding Number 6:

“The Board of Supervisors (BOS) has the ultimate responsibility for improvements in ground transportation in the County.”

Response to Finding Number 6:

The respondent partially disagrees with the finding. The BOS is responsible through its County Public Works department for maintaining the streets and roads in the unincorporated area of the county. Caltrans is the owner-operator of the state highway system and is responsible for expansion of the interregional state highway system outside of the urban areas. The cities are responsible for maintaining streets within the incorporated areas. The Transportation Agency for Monterey County (TAMC) allocates funding (not including subventions which flow directly from the state to the cities and the county) from various federal and state programs to the cities, the county, transit providers and other agencies. TAMC also is responsible for ranking, programming, and allocating funding for state highway projects and other projects and programs from the State Transportation Improvement Program (STIP). The State allocates TAMC about \$8 million per year for this purpose.

Finding Number 7:

“The Transportation Agency for Monterey County has the responsibility for reviewing transportation needs in the County and recommending action to the Board of Supervisors (BOS) and Caltrans.”

Response to Finding Number 7:

The respondent partially disagrees with the finding. TAMC is responsible for preparing the Regional Transportation Improvement Program (RTIP) and recommending to the California Transportation Commission (CTC) that they incorporate the RTIP projects into the STIP. Planning and engineering staff from the County and the incorporated cities within the County, of which TAMC represents, work closely with TAMC staff in identifying and recommending projects for incorporation into the RTIP. In doing this, TAMC must limit the RTIP project amounts to its available allocations.

Finding Number 8:

“Vehicular accidents, injuries and fatalities on Highway 1 and 68 are equal to or exceed, those on Highway 101 and must be accorded equal attention.”

Response to Finding Number 8:

The respondent partially disagrees with the finding. We note that the accident statistics supplied by the CHP to the Grand Jury are in the form of accidents per million vehicles. However, Caltrans and TAMC in analyzing accident data, use data that express accident rates per million vehicle miles traveled. This method is preferred by TAMC as it divides the number of accidents per million vehicles by the length of roadway traveled thereby normalizing the data. This allows an “apples to apples” comparison of roadway segments on a “mile to mile” basis. The format in which the accident data is expressed can significantly change the accident ranking depending upon roadway length and daily traffic volume. In addition, TAMC evaluates other factors when analyzing a route such as congestion, level of service, and the future traffic conditions (forecasts). The Route 101 Freeway project has been under development since the late 1980s, during which time it remained the TAMC number one underfunded project. In 1998 a combination of federal, state Interregional, and TAMC Regional funds were accumulated, in a partnership with Caltrans and the project was placed on the STIP by the CTC. The project is currently estimated at a cost of \$245 million. Less than half of these funds are controlled by TAMC. If the project were eliminated or scaled down, Monterey County could potentially lose matching funds for this project approximating \$145 million that could be diverted by the State to other counties.

Finding Number 9:

“The Regional CALTRANS office in San Luis Obispo has supplied information on planned highway construction on the main highway arterials of Highways 1, 68, and 101 (Exhibit B).”

Response to Finding Number 9:

The respondent agrees with the finding.

Finding Number 10:

“The corridors between Salinas and the Monterey Peninsula, and Highways 101, 1 and 68 need extensive upgrading.”

Response to Finding Number 10:

The respondent agrees with the finding.

RECOMMENDATIONS

Recommendation Number 1:

“The Board of Supervisors (BOS) require that a cost benefit analysis be completed on Highways 101, 1, and 68 prior to establishing priorities for the upgrade of each.”

Response to Recommendation Number 1:

The recommendation has not yet been implemented, but will be implemented in the future. It is important to note that TAMC is the responsible agency for preparation of the RTIP every two years, rather than the BOS. This recommendation will be implemented by TAMC in accordance with the STIP Guidelines adopted by the CTC in September 1999 requiring that in the 2002 STIP cycle that each RTIP submitted to the CTC will be accompanied by a report on its performance and cost-effectiveness. The result is an effective cost-benefit analysis of recommended on projects on the local and state highway system within the county.

Recommendation Number 2:

“The Board of Supervisors (BOS) pursue Federal and State grants to upgrade highways and roads.”

Response to Recommendation Number 2:

The recommendation has been implemented. It is important to note that the Transportation Agency of Monterey County (TAMC), the County, and the cities within the County have been jointly and separately pursuing grant funding for highways and roads within the county area.

TAMC annually pursues federal and state grants for transportation. TAMC also assists the cities and the County with their grant applications. As an example of regional effort, TAMC was successful in obtaining over \$15 million in federal demonstration and high priority federal grants for the Route 101 Prunedale Freeway. As an example of local effort, the County of Monterey has obtained approximately \$36 million dollars in grant financing for seismic rehabilitation of 21 bridges and reconstruction of six bridges under federal highway bridge rehabilitation and replacement and state seismic programs.

TAMC and the local agencies will continue to be aggressive in pursuit of Federal and State grants in the future. TAMC also administers about \$6 million per year in federal transportation dollars that are distributed to local agencies in Monterey County from a number of federal programs. It should be noted that Congress has different modal priorities in different years, changing focus from program areas such as transit and Transportation Demand Management, to rehabilitation, to regional capacity improvements. TAMC and the local agencies must accordingly change their grant application tactics to meet the evolving funding criteria.

Recommendation Number 3:

“The Board of Supervisors (BOS) issue bonds to finance highway and road improvements.”

Response to Recommendation Number 3:

This recommendation requires further project specific analysis before it is deemed an appropriate mechanism for cost effectively financing highway improvements. In order for an agency to issue transportation bonds, it must have a dedicated revenue stream with which to repay them. General obligation transportation bonds resulting from a local mandate or initiative must be passed by a two-thirds majority vote. In the past ten years, Monterey County voters represented their support of two ½ cent sales tax initiatives for transportation by a simple (>50%) majority. However, the measures could not be passed and implemented, as state law requires a 2/3 super-majority vote of the general electorate for approval.

Bonding for transportation projects as a financing mechanism must be carefully evaluated as bonding can result in up to 50% project cost increases by the time the bond debt is retired. Bonding, if approved by the voter, can be advantageous for some short-term projects such as pavement rehabilitation because facilities lost through lack of maintenance can cost up to three to five times more to rebuild. Major long-term projects are often suited more to “pay as you go” because of the long period of time it takes to get the project ready for construction. In any case, general obligation bonds require a super-majority approval of the general electorate and a commitment of a dedicated revenue stream for debt service retirement.

TAMC is currently supporting the implementation of Senate Constitutional Amendment 3 (SCA 3). SCA 3 would allow a one time statewide vote for a ½ cent sales tax for transportation to pass by a simple majority. Approval of a ½ cent sales tax in Monterey County would generate \$600 million over the 20-year life of the tax. In order for the tax to take effect in Monterey County, all of the following actions are required:

1. SCA 3 must be passed by 2/3 majority of both houses of the state legislature (the governor’s signature would not be needed in this case).
2. The ½ cent sales tax must be passed by a simple majority of the California voters.
3. The ½ cent sales tax must also be approved by a simple majority of the voters in Monterey County.

In anticipation of approval of this important constitutional amendment, TAMC has begun preparation of an expenditure plan for the measure, which must be approved by the cities and the County. The expenditure plan will identify regional transportation improvements and dedicated pavement rehabilitation expenditures identified by the cities and the County. In the event that SCA 3 is passed and is successful in Monterey County, the sales tax revenue stream would be available for either bonding or pay as you go financing of transportation improvements.



March 8, 2000

Honorable John M. Phillips
Presiding Judge, Coordinated Trial Courts
Post Office Box 1819
Salinas, California 93902

RE: **1999 Grand Jury Response**

Dear Judge Phillips:

Please accept this response to the findings and recommendations regarding the Methamphetamine and other illegal drug problem in Monterey County.

1. **Law enforcement agencies approach the methamphetamine problem, as a distinct entity not related to other drug enforcement activities.**

The addiction to illegal substances is a major problem for all California communities. It's been my experience as a police officer that the popularity of drugs changes from time to time. In Monterey County, I have seen the choice of drugs change from marijuana to heroin in the 1970's, heroin to cocaine to PCP in the 1980's and now methamphetamine in the 1990's. All of these drugs result in the destruction of families, crime, violence and impact the entire justice system. We will strive for prevention, through education like the DARE and GREAT Programs, public awareness presentations and enforcement for all drug narcotic categories.

2. **Law enforcement agencies be required to submit information concerning all arrests relating to methamphetamine to the press in the form of press releases rather than simply indicating such in the daily activity log.**

Currently our local paper has access to our public information log, which provides more information than the typical police log. We have personal daily contact with our local press and make every effort to provide information regarding arrests for drugs, gang violence and other newsworthy law enforcement activities. It is common practice for this department to provide the local media with a press release on any significant event that occurs within the city limits.



Honorable John H. Phillips
March 8, 2000
Page 2

- 3. Law enforcement agencies develop a coordinated communications plan so that methamphetamine information can be effectively shared by all agencies.**

Monterey County law enforcement agencies can more effectively coordinate this information via the county wide CLETS system and the TRAK computers. We will make every effort to utilize existing communications networks to pass on information.

- 4. The Monterey Board of Supervisors (BOS) seek the means for funding special methamphetamine-abatement personnel and programs.**
- 5. The BOS seek the means of funding environmental clean up of legally seized methamphetamine-related properties, and execute the resale of such properties as a means of funding increased anti-methamphetamine activities.**

The City would support the BOS if funding is available to the county for abatement personnel/programs and environmental clean up of methamphetamine contaminated property.

- 6. The BOS and City Councils provide funding for the purchase of a meth-trained canine.**

The city acknowledges the usefulness of a meth-trained canine, however, recent fair labor standards lawsuits involving canine handlers in the state have made the purchase and implementation of canine programs in small agencies cost prohibitive. We will pursue technology being developed which can detect the odor of methamphetamine.

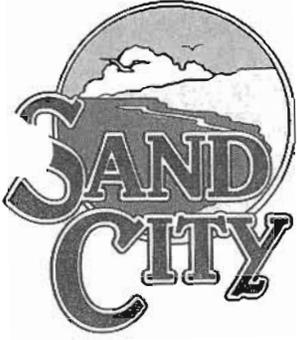
- 7. The BOS and City Councils provide funding for the training and placement of more meth-qualified deputies in the field.**

The POST Basic Academy requires training in the identification, use and manufacture of methamphetamine. In addition, POST has excellent advanced officer training tapes available on methamphetamine. Our department will continue to provide updated training in the area of methamphetamine recognition, use and manufacture.



Alfred Perez, Lieutenant
Soledad Police Department

c: Mayor and Council
City Attorney



February 2, 2000

The Honorable John M. Phillips, Presiding Judge
Coordinated Trial Courts, Monterey County
240 Church Street
Salinas, CA 93901

Dear Judge Phillips,

The City Council of the City of Sand City has reviewed the 1999 Monterey County Grand Jury Report at their meeting on February 1, 2000. The City Council was directed to respond to the section of the Grand Jury Report dealing with the issue of methamphetamine in Monterey County. The Sand City Police Chief was directed to prepare a response for the Sand City Council regarding the issues raised in the 1999 Grand Jury Report dealing with the methamphetamine problem in Monterey County. After reviewing this letter the City Council agreed to submit this response.

FINDINGS:

The City of Sand City agrees with all the findings except #5, which states that Monterey County law enforcement agencies do not conduct enough seizures of assets of those arrested. The City of Sand City is not in a position to agree or disagree regarding other agencies, but for Sand City, all situations that involve a lawful seizure of assets is exercised through the Monterey County District Attorney's office.

RECOMMENDATIONS:

1. *That law enforcement agencies approach the methamphetamine problem, as a distinct problem not related to other drug enforcement activities:*
Sand City disagrees, investigating other criminal activities may bring about the identification of manufacturing sites and the people dealing/possessing methamphetamine. Most criminal activity is interrelated and needs to be approached in an inclusive rather than an exclusive manner.
2. *That all law enforcement agencies be required to submit information concerning all methamphetamine arrests in the form of a press release:*
All arrests are always subject to the scrutiny of the press. To be required to submit a separate press release might be a bureaucratic burden/added workload. For the City of Sand City, this would not cause an undue burden.

City Hall
1 Sylvan Park,
Sand City, CA
93955

Administration
(831) 394-3054

Planning
(831) 394-6700

FAX
(831) 394-2472

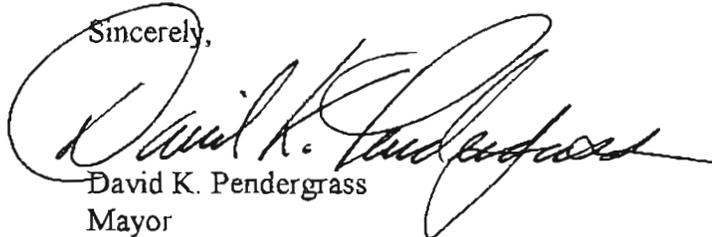
Police
(831) 394-1451

FAX
(831) 394-1038

Incorporated
May 31, 1960

3. *That there exists a coordinated communications plan between all jurisdictions to share information regarding methamphetamine manufacturing, distribution, and possession:* For that matter, this type of inter-jurisdictional sharing of information should be in place on all criminal activity since the criminals do not recognize jurisdictional boundaries.
4. *That the Monterey County Board of Supervisors (BOS) seek the funding means for a special methamphetamine abatement program:* Sand City agrees.
5. *That the BOS seek funding for environmental cleanup of methamphetamine-related property cleanup and that the resale of the property fund such cleanup:* Sand City agrees.
6. *That the BOS and the City Councils provide funding for a methamphetamine-trained canine:* Sand City disagrees. It is inappropriate for cities to be responsible for the direct funding of equipment for the Sheriff's Department. There are other ways to assist without the cities being the direct funding source, such as the formation of a multi-jurisdictional task force.
7. *That the BOS and City Council provide funding for staff dealing with methamphetamine-related problems:* Sand City disagrees that the City Councils should provide funding for Sheriff Departments. There are other ways to share in our mutual staffing and resources as it pertains to the methamphetamine problem in Monterey County, such as the formation of a multi-jurisdictional task force.

Sincerely,



David K. Pendergrass
Mayor



City of Salinas

OFFICE OF THE MAYOR • 200 Lincoln Avenue • Salinas, California 93901 • (831) 758-7201 • Fax (831) 758-7368

March 28, 2000

Honorable John M. Phillips, Presiding Judge
Coordinated Trial Courts, Monterey County
240 Church Street
Salinas, California 93901

SUBJECT: 1999 Monterey County Civil Grand Jury Final Report – Efforts to Address
Methamphetamine Use and Distribution in Salinas

Dear Judge Phillips:

The City of Salinas is responding to the findings and recommendations of the Monterey County Grand Jury 1999 Final Report. However, we must first express our appreciation and offer thanks to each participating member of the Civil Grand Jury for giving of their time to assist us in improving our community's quality of life.

The City agrees with the findings outlined in the grand jury report. Monterey County has become the unwitting host to large numbers of individuals involved in the clandestine manufacturing of Methamphetamine. The County's vast rural and generally isolated expanses have attracted large numbers of people to engage in the criminal practice of making Methamphetamine. The Methamphetamine manufacturing cost is negligible compared to the profit returned from its sales. For instance, our Police Department has encountered clandestine manufacturing labs that may only have the capability to produce small quantities of Methamphetamine, but nonetheless have generated sizable profit for the producers.

Methamphetamine production and use has and will continue to be a priority of the Salinas Police Department's (SPD) Narcotic Enforcement Unit. The six-person Narcotic Enforcement Unit investigates substance abuse, illicit sales and illegal manufacture of drugs, including Methamphetamine. The City agrees that the prevalence of Methamphetamine-related criminal activities places the population-at-large at increased risk of such crimes as burglary, robbery, and assault. Furthermore, we agree that continued usage of Methamphetamine results in psychological dependence and strong physical addiction. Tolerance does develop with continued usage, which requires the user to spend more money to buy more Methamphetamine to achieve the desired results. This need for additional spending does increase the risk of property related crimes such as thefts and burglary. Additionally, addicted users become easily agitated and are prone to committing acts of violence, such as assaults.

I am happy to report that the SPD currently enjoys a positive relationship with the Sheriff's Narcotic Unit and information regarding Methamphetamine, as well as many other drugs, is openly shared. Additionally, while I can't comment on what seizures are, or are not, contemplated by allied Law Enforcement within Monterey County, I can say that the SPD actively investigates all asset seizure possibilities. However, any possible asset seizure requires consideration of the following: ownership of property, liens against property, and cost of clean up. In some instances those considerations may preclude an active seizure.

In addition to the findings, the City is providing a response to the recommendations outlined by the Civil Grand Jury. The responses follow the recommendations made by the Civil Grand Jury:

Recommendation #1

Law Enforcement agencies approach the Methamphetamine problem as a distinct entity not related to other drug enforcement activities.

Response #1

While the City acknowledges the problems associated with the manufacture, sale and use of Methamphetamine in our community, the recommendation by the Civil Grand Jury to have Law Enforcement agencies approach the Methamphetamine problem as a distinct entity not related to other drug enforcement activities is not feasible. SPD along with the Monterey County Sheriff's Department staff, are the only two full-time narcotic enforcement units within the county. There are currently several multi-agency narcotic task forces in existence within Monterey County that are supervised by the Sheriff's Department. In a perfect world this would have great merit – However, community priorities and the allocation of limited resources prevent us from addressing Methamphetamine as an isolated community problem.

Recommendation #2

Law Enforcement agencies be required to submit information concerning all arrests relating to Methamphetamine to the press in the form of press releases rather than simply indicating such incidents in the daily activities log.

Response #2

While the intent of this recommendation is understood, the wording "required" could have negative fallout to the intent. Often times law enforcement utilizes recently arrested individuals to further narcotic related investigations. The ability to continue in that manner may be jeopardized if law enforcement is mandated to report the details of all arrests relating to Methamphetamine. Our practice is to treat the police report consistent with the California Public Records Act and only exempt information as expressly allowed under the Act. An example of when such information may be kept confidential is when a police arrest is part of an ongoing criminal investigation and one of the arrestee's is an informant.

Recommendation #3

Law enforcement agencies develop a coordinated communications plan so that Methamphetamine information can be effectively shared by all agencies.

Response to #3

The SPD, along with the Monterey County Sheriff's Department staff, are the only two full-time narcotic enforcement units within the county. There are several multi-agency narcotic task forces in existence within Monterey County that are supervised by the Sheriff's Department.

We currently enjoy a very positive relationship with the Sheriff's Narcotic Unit and information regarding Methamphetamine, as well as many other drugs, is openly shared between these work forces. The City will work to strengthen this relationship with the County as well as other municipalities in Monterey County.

Recommendation #4

The Monterey County Board of Supervisors (BOS) seek the means for funding special Methamphetamine-abatement personnel and programs.

Response to #4

The Salinas City Council does not have direct input into the allocation of resources at the County level.

Recommendation #5

The BOS seek the means of funding environmental clean up of legally seized, Methamphetamine-related properties, and execute the re-sale of such properties as a means of funding increased anti-Methamphetamine activities.

Response to #5

The Salinas City Council does not have direct input into the allocation of resources at the County level.

Recommendation #6

The BOS and City Councils provide funding for the purchase of a Methamphetamine-trained canine.

Response to #6

Having a dedicated "drug" dog could provide a benefit to addressing the Methamphetamine issue in the County. However, we do not believe the dog should be limited to only one drug. The City currently has a good working relationship with the Monterey County Probation Department. The Probation Department has a dog trained specifically for drug related activities. This resource is shared with Salinas as well as other jurisdictions.

Recommendation #7

The BOS and City Councils provide funding for the training and placement of more Methamphetamine-qualified deputies in the field.

Response to #7

The City deploys its resources based on community priorities and need. The current Police Department's organizational structure has been developed to provide the most efficient and effective services to our residents. We do not believe that this recommendation would provide our residents with the added benefits as proposed by the recommendation.

Finally, I once again thank you for encouraging our review of the Methamphetamine issue in Salinas. If you need clarification or desire additional information on the City's responses, please contact Lt. Steve Perryman of the Salinas Police Department at 758-7350.

Respectfully Submitted,



ANNA M. CABALLERO
Mayor

ADS/WG



SCOTT MILLER
CHIEF OF POLICE

(831) 648-3143
FAX (831) 373-4060

PACIFIC GROVE POLICE DEPARTMENT

580 PINE AVENUE
PACIFIC GROVE, CALIFORNIA 93950

Chairperson
Monterey County Grand Jury
P.O. Box 1819
Salinas, CA
93902

March 14, 2000

Dear Sir,

This is the required response to the section of the 1999 Monterey County Grand Jury Report entitled "Methamphetamine." As the Chief of Police in Pacific Grove, I was asked to prepare this response on behalf of the City of Pacific Grove. We are required to respond to Findings 1 through 5, and Recommendations 1 through 7. Here is my response.

Finding 1, "A significant danger from waste by-products, related to both the manufacture and usage of methamphetamine, places the population-at-large in an at-risk situation. Major meth-makers frequently change the locations of their manufacturing operations making their discovery difficult for law enforcement." Response: Waste by-products created by methamphetamine production can be hazardous, particularly in close proximity to the location where the by-products are dumped. Detection can be difficult.

Finding 2, "Monterey County is the unwitting host to large numbers of individuals involved in the clandestine manufacturing of meth. The profit incentive encourages many individuals to engage in the criminal practice of making meth." Response: There may be large numbers of people making methamphetamine in Monterey County. The exact number is largely unknown. The profit factor is generally the most significant in any illicit drug production and sales operation.

Finding 3, "The prevalence of meth-related criminal activities places the population-at-large at increased risk of such crimes as burglary, robbery, and assault." Response: All drug-related criminal activity has the potential to increase the criminal risk to the public at large. I am not familiar with any Monterey County studies or data that suggests the current correlation between methamphetamine and crime in this county.

Finding 4, "Monterey County is experiencing an increasing incidence of meth-usage and addiction among the population-at-large, especially among youths. Meth manufacturers have developed a multi-level (pyramid) sales scheme." Response: To the best of my knowledge, methamphetamine usage appears to be on the rise among all user groups. Different manufacturers have been known to employ various sales schemes.

Finding 5, “The seizure of assets, including real property of individuals involved in meth-making, is often not being exercised by Monterey County law enforcement.” Response: If real property involved in meth making is not being seized, I surmise this is possibly because much of such manufacturing is done without the knowledge of the property owner, or because tainted property due to toxic dumping has left the property’s value in question. I don’t believe apathy is the key factor as to why real property is not being seized by Monterey County law enforcement, if this is the inference of this finding.

Recommendation 1, “Law enforcement agencies approach the methamphetamine problem as a distinct entity not related to other drug enforcement activities.” Response: I don’t believe this is a sound recommendation. Drug enforcement efforts are best handled as coordinated activities, so as to prevent unnecessary duplication of effort and potential conflicts between disparate law enforcement groups. Some such confusion already exists due to overlapping jurisdictional boundaries between state, local, and federal agencies. This problem would certainly be exacerbated if the thrust of this recommendation were to create a “stand alone” law enforcement process for addressing methamphetamine issues independently. This is a bad idea.

Recommendation 2, “Law enforcement agencies be required to submit information concerning all arrests relating to methamphetamine to the press in the form of press releases rather than simply indicating such incidents in the daily activities logs.” Response: I am not aware that this is a problem. We currently have a policy that requires separate news releases on all felony arrests, which would include methamphetamine-related arrests. I believe most law enforcement agencies have similar policies regarding felonies. Instead of blanket mandates to all law enforcement agencies on an issue of narrow applicability, I suggest the news agencies making this request work the issue out with the particular agency in question. Frankly, I fail to see the importance of this recommendation in the battle against methamphetamine usage in this county. The information sought currently exists, whether on a daily log or an official press release. Efficient reporters generally check both.

Recommendation 3, “Law enforcement agencies develop a coordinated communications plan so that methamphetamine information can be effectively shared by all agencies.” This seems a duplication of existing information and networking resources already present within the County of Monterey. Perhaps we need to examine whether or not our current methods of information sharing need improving before creating new methods. We certainly don’t need a separate “stand alone” information database dealing solely with methamphetamine issues.

Recommendation 4, “The Monterey County Board of Supervisors seek the means for funding special methamphetamine-abatement personnel and programs.” Response: If the Board of Supervisors sees the need to do this, they should do this. Methamphetamine abatement is of little direct concern to the City of Pacific Grove at the present time. Obviously, this could change over time.

Recommendation 5, “The Board of Supervisors seek the means of funding environmental clean-up of legally seized, methamphetamine-related properties, and execute the resale of such properties as a means of funding increased anti-methamphetamine activities.”

Response: Whenever legal, logical, and cost-effective, this should occur. Does anyone disagree with this position? Is this not currently occurring?

Recommendation 6, “The Board of Supervisors and City Councils provide funding for the purchase of a meth-trained canine.” Response: I would recommend to my City Council that they not participate financially in such an action, as this is primarily a County concern. Other cities could certainly participate in such a program if they so desired. I’m sure this would be a city by city determination as to participation.

Recommendation 7, “The Board of Supervisors and City Councils provide funding for the training and placement of more meth-qualified deputies in the field.” Response: I would like clarification as to what “meth-qualified deputies” means. If this means deputies qualified to handle and dismantle meth labs, I believe existing resources are sufficient to handle those tasks. If this means training deputies to detect meth labs, meth users, or meth distributors, this might not be a significant training expense. If this means cities should pay for additional deputies to work meth lab issues, I would recommend against such financing to my City Council. Financing deputy positions has always been, and should remain, a County expense.

The vast majority of meth lab incidents occur in the County jurisdiction, particularly in the more rural areas. Obviously, some activity takes place in regular homes in cities, hotel bathrooms, and the trunks of vehicles, so cities cannot ignore this issue, and I don’t believe they have.

Summary: It seems the thrust of these recommendations is to encourage County cities to pay for what should be County personnel, programs, and canines. I would submit that the County already has the wherewithal to pay for such personnel and resources if they choose to do so. The Monterey County Sheriff’s Department will receive over ten million dollars this year alone from their distribution of Proposition 172 funds. This amounts to over ten times the Proposition 172 funds distributed this year to all the other local police agencies in Monterey County **combined**. If the Sheriff and his bosses, the Board of Supervisors, feel methamphetamine activity in this county constitute an out of control epidemic, they should redistribute their allocation of Proposition 172 money to finance the war on methamphetamine.

I have other suggestions regarding the information contained in the Grand Jury report on methamphetamine. Feel free to contact me if you would like to hear those comments.

Sincerely,



Scott Miller
Chief of Police
Pacific Grove Police Department



City of Gonzales

PHONE (408) 675-5000
FAX (408) 675-2644

P.O. BOX 647

147 FOURTH ST.

GONZALES, CALIFORNIA 93926

Honorable John M. Phillips
Presiding Judge, Coordinated Trial Courts
Post Office Box 1819
Salinas, California 93902

March 13, 2000

RE: 1999 Grand Jury Response

Dear Judge Phillips:

Please accept this response to the findings and recommendations regarding the methamphetamine and other illegal drugs in Monterey County.

1. Law enforcement agencies approach the methamphetamine problem as a distinct entity not related to other drug enforcement activities.

For my more than twenty year law enforcement career in Monterey County, narcotics and other illegal substances have been an issue of concern to all of us. Today, it is Methamphetamine. Yesterday it was cocaine. Before that, heroin and marijuana. As trends go, so do the popularized "drug of the day". While it is important to address the methamphetamine concern of today by recognizing its ill effects on society and the volatile nature of it's processing, I do not necessarily agree that it should be considered a "distinct entity not related to other drug enforcement activities". All of the aforementioned drugs result in the destruction of families and effect society in the form of increases in crime and violence.

2. Law enforcement agencies be required to submit information concerning all arrests relating to methamphetamine to the press in the form of press releases rather than simply indicating such in the daily activity log.

The Gonzales Police Department provides access to the local press on all of our activities including narcotic related offenses. In many cases when additional information is necessary, the reporters questions are answered in depth by the investigating officer or a supervisor. If a press release is necessary it is common practice to provide the local media with information on any significant event that occurs within the city limits of Gonzales.

3. Law enforcement agencies develop a coordinated communication plan so that methamphetamine information can be effectively shared by all agencies.

Each agency in Monterey County has access to the TRAK system that would be ideal for this recommendation. In addition, we have a county-wide CLETS system that could be utilized.

4. The Board of Supervisors seek the means for funding special methamphetamine abatement personnel and programs.
5. The Board of Supervisors seek the means of funding environmental clean up of legally seized methamphetamine related properties, and execute the resale of such properties as a means of funding increased methamphetamine activities.

Should the Board of Supervisors address these recommendations, the City of Gonzales would support their efforts if funding is made available.

6. The Board of Supervisors and City Councils provide funding for the purchase of a meth-trained canine.
7. The Board of Supervisors and City Councils provide funding for the training and placement of more meth-qualified deputies in the field.

I believe the addition of a meth-trained canine could have it's benefits. A canine trained to detect narcotics certainly has proved its usefulness throughout the country. I am at somewhat of a loss however that the recommendations include the City Councils along with the Board of Supervisors provide the funding. I believe most "meth-labs" are found in the unincorporated areas of this county. While some select cities may experience a meth-lab here and there, they exist predominately in the unincorporated areas of the county. If the Board of Supervisors and City Councils agree to fund this joint venture, I would hope the incorporated cities in the county would share the benefit of the meth-trained deputies without additional cost to the citizens in the event a meth-lab be located within a city limits.



R. Green
Chief of Police
City of Gonzales

CITY HALL
BOX CC
CARMEL-BY-THE-SEA, CALIFORNIA 93921

RECEIVED
FEB - 8 2000
SHERRI L. PEDERSEN
CLERK OF THE SUPERIOR COURT
DEPUTY

February 3, 2000

The Honorable John M. Phillips
Presiding Judge
Monterey County Superior Court
240 Church Street
Salinas, CA 93901

RE: 1999 Monterey County Grand Jury Final Report

Dear Judge Phillips:

Enclosed is the required response to the following section of the referenced Monterey County Grand Jury Report:

Methamphetamine

Prepared by Police Chief Donald P. Fuselier under the date of
3 January 2000.

The response was approved by the City County at the 1 February 2000 meeting. We trust that the material will satisfy the response requirements as set forth in State law.

Very truly yours,



Ken White
Mayor

DPF:dy

c: Members of the City Council
City Administrator
Assistant City Administrator
Chief of Police

CITY OF CARMEL-BY-THE-SEA RESPONSE TO THE 1999 MONTEREY
COUNTY GRAND JURY FINAL REPORT (DECEMBER 31, 1999)

METHAMPHETAMINE

FINDINGS

1. *A significant danger from waste by-products, related to both the manufacture and usage of methamphetamine, places the population-at-large in an at-risk situation. Major meth-makers frequently change the locations of their manufacturing operations making their discovery difficult for law enforcement.*

Response: The City of Carmel-by-the-Sea agrees with the finding.

2. *Monterey County is the unwitting host to large numbers of individuals involved in the clandestine manufacturing of meth. The profit incentive encourages many individuals to engage in the criminal practice of making of meth.*

Response: The City of Carmel-by-the-Sea agrees with the finding.

3. *The prevalence of meth-related criminal activities places the population-at-large at increased risk of such crimes as burglary, robbery, and assault.*

Response: The City of Carmel-by-the-Sea agrees with the finding.

4. *Monterey County is experiencing an increasing incidence of meth-usage and addiction among the population-at-large, especially among youths. Meth manufacturers have developed a multi-level (pyramid) sales scheme.*

Response: The City of Carmel-by-the-Sea agrees with the finding.

5. *The seizure of assets, including real property of individuals involved in meth-making, is often not being exercised by Monterey County law enforcement.*

Response: The City of Carmel-by-the-Sea has insufficient data to formulate a knowledgeable response to this statement.

Grand Jury
City Responses
1 February 2000
Page 2

RECOMMENDATIONS

1. *Law enforcement agencies approach the methamphetamine problem as a distinct entity not related to other drug enforcement activities.*

2. *Law enforcement agencies be required to submit information concerning all arrests relating to methamphetamine to the press in the form of press releases rather than simply indicating such incidents in the daily activities logs.*

3. *Law enforcement agencies develop a coordinated communications plan so that methamphetamine information can be effectively shared by all agencies.*

Response: The recommendations have not yet been implemented, but will be implemented in the future. The time frame for implementation is dependent on the coordinating efforts of all Monterey County law enforcement agencies. The City of Carmel-by-the-Sea will support all efforts to accomplish these recommendations.

4. *The Monterey County Board of Supervisors (BOS) seek the means for funding special methamphetamine-abatement personnel and programs.*

5. *The BOS seek the means of funding environmental clean-up of legally seized, methamphetamine-related properties, and execute the resale of such properties as a means of funding increased anti-methamphetamine activities.*

6. *The BOS and City Councils provide funding for the purchase of a meth-trained canine.*

7. *The BOS and City Councils provide funding for the training and placement of more meth-qualified Deputies in the field.*

Response: The recommendations require further analysis as they are dependent on County funding. The City of Carmel-by-the-Sea cannot comment on any City funding of additional Sheriff's Office personnel or canine support until the costs and scope of those programs are developed and discussed. It is unclear whether the recommended programs can be fully developed within the six-month period specified in the Penal Code.

City of Marina

DEPARTMENT OF PUBLIC SAFETY

211 HILLCREST AVENUE
MARINA, CA 93933
TELEPHONE (831) 384-5225



March 8, 2000

The Honorable John M. Phillips, Presiding Judge
Coordinated Trial Courts, Monterey County
240 Church Street
Salinas, Ca. 93901

Dear Judge Phillips:

Following is the response of the Marina City Council to the findings and recommendations of the 1999 Monterey County Grand Jury regarding methamphetamine production in Monterey County.

FINDINGS:

1. A significant danger from waste by-products, related to both the manufacture and usage of methamphetamine, places the population-at-large in an at-risk situation. Major meth-makers frequently change the locations of their manufacturing operations making their discovery difficult for law enforcement.

Response: We agree with this finding.

2. Monterey County is the unwitting host to large numbers of individuals involved in the clandestine manufacturing of meth. The profit incentive encourages many individuals to engage in the criminal practice of making of meth.

Response: Illicit manufacturing of methamphetamine is not peculiar to Monterey County. This is a significant problem throughout the State of California and the nation.

3. The prevalence of meth-related criminal activities places the population-at-large at increased risk of such crimes as burglary, robbery, and assault.

Response: Although the logic of this may be correct, there is no statistical data to support this finding.

4. Monterey County is experiencing an increasing incidence of meth-usage and addiction among the population-at-large, especially among youths. Meth manufacturers have developed a multi-level (pyramid) sales scheme.

Response: We agree there is an increasing problem with meth usage in Monterey County.

5. The seizure of assets, including real property of individuals involved in meth making, is often not being exercised by Monterey County law enforcement.

Response: Asset seizure is a tool used by law enforcement to take some of the profit out of the manufacture and sales of illegal drugs. The asset seizure law in California was modified several years ago making such seizures much more difficult. As a consequence, many California law enforcement agencies now use the more liberal federal laws for seizure of assets. One of the primary purposes of the Narcotics Enforcement Unit County of Monterey (NEUCOM) is asset seizure.

RECOMMENDATIONS:

1. Law enforcement agencies approach the methamphetamine problem as a distinct entity not related to other drug enforcement activities.

Response: It is not necessary to form a special group, unit or task force to combat the methamphetamine problem in Monterey County.

2. Law enforcement agencies be required to submit information concerning all arrests relating to methamphetamine to the press in the form of press releases rather than simply indicating such incidents in the daily activities logs.

Response: Significant drug arrests are reported to the press. Because of the covert nature of many drug enforcement investigations, releases of information to the media should be at the discretion of the law enforcement agency involved.

3. Law enforcement agencies develop a coordinated communications plan so that methamphetamine information can be effectively shared by all agencies.

Response: The Monterey County Chief Law Enforcement Officers Association have established protocols for communication and coordination of activities between local law enforcement agencies. These protocols are subject to regular update and will be reviewed with this recommendation in mind.

4. The Monterey County Board of Supervisors (BOS) seek the means for funding special methamphetamine-abatement personnel and programs.

Response: This would be a positive move by the Board of Supervisors.

5. The BOS seek the means of funding environmental clean-up of legally seized, methamphetamine-related properties, and execute the resale of such properties as a means of funding increased anti-methamphetamine activities.

Response: This would seem to be an appropriate method for raising funds.

6. The BOS and City Councils provide funding for the purchase of a meth-trained canine.

Response: The City of Marina has a meth-trained canine available to other law enforcement agencies upon request.

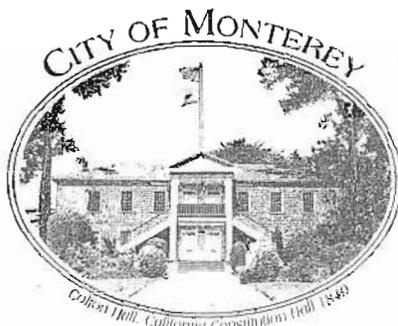
7. The BOS and City Councils provide funding for the training and placement of more meth-qualified Deputies in the field.

Response: The City of Marina provides drug enforcement training to all Public Safety Officers and will continue to support drug enforcement efforts in Marina and throughout Monterey County.

Sincerely,

A handwritten signature in black ink, appearing to read "James Perrine", with a long horizontal flourish extending to the right.

James Perrine
Mayor
City of Marina



March 24, 2000

Mayor:
DAN ALBERT

Councilmembers:
THERESA CANEPA
DON EDGREN
CLYDE ROBERSON
RUTH VREELAND

City Manager:
FRED MEURER

Hon. John M. Phillips
Presiding Judge of the
Coordinated Trial Courts
Monterey County
P.O. Box 414
Salinas, CA93902

Re: Final Report of the 1999 M

1 July

Dear Judge Phillips:

Pursuant to Penal Code Section 933(b), the following responses are respectfully submitted:

RESPONSE TO FINDINGS

Finding #1:

"A significant danger from waste by-products, related to both the manufacture and usage of methamphetamine, places the population-at-large in an at-risk situation. Major meth-makers frequently change the locations of their manufacturing operations making their discovery difficult for law enforcement."

Response:

The respondent agrees with the finding.

Finding #2:

"Monterey County is the unwitting host to large numbers of individuals involved in the clandestine manufacturing of meth. The profit incentive encourages many individuals to engage in the criminal practice of making of meth."

Response:

Based on information from the Monterey County Sheriff's Department via our police department, the respondent agrees with the finding.

Finding #3:

"The prevalence of meth-related criminal activities places the population-at-large at increased risk of such crimes as burglary, robbery, and assault."

Response:

The respondent agrees with the finding.

Finding #4:

"Monterey County is experiencing an increasing incidence of meth-usage and addiction among the population-at-large, especially among youths. Meth manufacturers have developed a multi-level (pyramid) sales scheme."

Response:

The respondent agrees with the finding.

Finding #5:

"The seizure of assets, including real property of individuals involved in meth-making, is often not being exercised by Monterey County law enforcement."

Response:

The respondent cannot speak to this finding as it relates to other jurisdictions. Keeping in mind that the District Attorney's office makes the determination as to whether asset seizure is appropriate and should be pursued, the City of Monterey works to pursue asset seizures when appropriate and within the law.

RESPONSE TO RECOMMENDATIONS

Recommendation #1

"Law enforcement agencies approach the methamphetamine problem as a distinct entity not related to other drug enforcement activities."

Response:

The recommendation will not be implemented because it is not warranted or is not reasonable. It is our belief that this course of action is not reasonable for the City of Monterey. Drug dealing and drug using are all interconnected. Dealers sell more than one type of drug and users use more than one type of drug. It may well be that the Monterey County Sheriff's Department, who

deals with methamphetamine labs in the typically rural areas, would wish to do this.

Recommendation #2:

"Law enforcement agencies be required to submit information concerning all arrests relating to methamphetamine to the press in the form of press releases rather than simply indicating such incidents in the daily activities logs."

Response:

The recommendation will not be implemented because it is not warranted or is not reasonable. As a blanket policy, this could actually jeopardize ongoing investigations and in extreme cases, could be a danger to the informants and officers as well. It should be noted that the media is under no obligation to publish or otherwise utilize information provided to them.

Recommendation #3:

"Law enforcement agencies develop a coordinated communications plan so that methamphetamine information can be effectively shared by all agencies."

Response:

The recommendation has been implemented. Once again, respondent cannot speak to other jurisdictions operational issues. Our officers currently have ongoing communications with allied agencies. Furthermore, existing protocols are already in place through Western States Information Network (WSIN) as well as the Narcotic Enforcement Unit County of Monterey (NEUCOM).

Recommendation #4:

"The Monterey County Board of Supervisors (BOS) seek the means for funding special methamphetamine-abatement personnel and programs."

Response:

While respondent does not disagree with the recommendation, it does not appear to apply to the City of Monterey.

Recommendation #5:

"The BOS seek the means of funding environmental clean-up of legally seized, methamphetamine-related properties, and execute the resale of such properties as a means of funding increased anti-methamphetamine activities."

Response:

Once again, while respondent does not disagree with the recommendation, it, like #4, is a county specific issue.

Recommendation #6:

"The BOS and City Councils provide funding for the purchase of a meth-trained canine."

Response:

The recommendation will not be implemented because it is not warranted or is not reasonable. The Sheriff's Department and NEUCOM currently have dogs trained to sniff out narcotics. Due to the dangerous chemicals typically found in and around methamphetamine labs, our police department believes it would be ill advised to utilize a narcotic sniffing dog in the vicinity of a suspected lab.

Recommendation #7:

"The BOS and City Councils provide funding for the training and placement of more meth-qualified Deputies in the field."

Response:

The recommendation will not be implemented because it is not warranted or is not reasonable. Though, as stated above, we recognize the problems surrounding the use and manufacturing of methamphetamine and can appreciate the desire for more "meth-qualified Deputies in the field", we also must consider all public safety/quality of life issues for our citizens and the limited resources available to meet those needs. As such, we would not be in a position to help fund the Monterey County Sheriff's Department.

Sincerely,



Clyde Roberson
Vice-Mayor

c: City Council
Police Chief
City Clerk

Greenfield Police Department

215 El Camino Real • P.O. Box 306 • Greenfield, CA 93927
(831) 674-5118 • FAX (831) 674-3747



April 17, 2000

Susan V. Balesteri, Foreman
Grand Jury
County of Monterey
P.O. Box 414
Salinas, CA 93902

RE: Responses to 1999 Monterey County Civil Grand Jury Final Report

Dear Foreman Balesteri,

The city of Greenfield Police Department responds to the 1999 Monterey County Civil Grand Jury final report entitled "Methamphetamine" as follows:

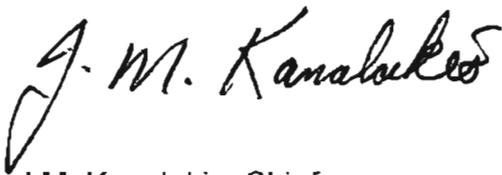
Findings

1. Greenfield concurs with this finding.
2. Greenfield concurs with this finding.
3. Greenfield concurs with this finding
4. Greenfield concurs with this finding.
5. Greenfield is unaware of any incident in the city where asset seizure laws were not exercised in connection with methamphetamine manufacturing.

RECOMMENDATIONS

1. The city of Greenfield, through it's Police Department and affiliation with the Monterey County Sheriff's Department Narcotics Task Force is keenly aware of the Methamphetamine problem in Monterey County. Accordingly, it is recognized that this is a specific and unique narcotic problem that affects our quality of life.

2. The new media policy within the police department directs police staff to fully disclose any arrests connected to methamphetamine in the form of a press release.
3. The Greenfield Police Department is working closely in joint cooperation with the Monterey County Joint Narcotic task Force to aggressively investigate any reported or suspected methamphetamine users, dealers and labs.
4. The city of Greenfield supports this recommendation. Additional funding for personnel to address abatement and other related programs would benefit all of Monterey County. However, other priorities within the city make this a difficult challenge for Greenfield to assist in any kind of funding at this time. Alternative means of funding, such as grants should be explored.
5. The city of Greenfield supports this recommendation.
6. The city of Greenfield supports this recommendation. The city of Greenfield supports the concept of joint funding towards the purchase of a meth-trained canine. However, it is recommended that alternative means of funding for such a project be explored through available grants. The costs associated with funding a canine unit of this type can be staggering.
7. The city of Greenfield supports this recommendation. However, as mentioned in # 4 above, Greenfield is unable to commit directly.



J.M. Kanalakos, Chief
Greenfield Police Department



CITY OF DEL REY OAKS POLICE DEPARTMENT

650 CANYON DEL REY ROAD ♦ DEL REY OAKS, CALIFORNIA 93940

OFFICE OF THE CHIEF OF POLICE
RONALD J. LANGFORD
CHIEF

EMERGENCY 911
NON EMERGENCY (831) 375-8525
BUSINESS (831) 394-9333
FAX (831) 394-6421

The Honorable John M. Phillips
Presiding Judge of the Coordinated Trial Courts of Monterey County
P.O. Box 414
Salinas, California 93902

Dear Judge Philips:

The City of Del Rey Oaks is pleased to have been allowed to comment on the findings and recommendations of the 1999 Monterey County Civil Grand Jury as they related to the manufacture and abuse of METHAMPHETAMINE (meth).

FINDINGS:

1. A significant danger from waste by-products, related to both the manufacture and usage of METHAMPHETAMINE, places the population-at-large in an at risk situation. Major meth-makers frequently change the locations of their manufacturing operations making their discovery difficult for law enforcement.

The City of Del Rey Oaks Agrees.

2. Monterey County is the unwitting host to large numbers of individuals involved in the clandestine manufacturing of meth. The profit incentive encourages many individuals to engage in the criminal practice of making of meth.

The City of Del Rey Oaks Agrees.

3. The prevalence of meth-related criminal activities places the population-at-large at increased risk of such crimes as burglary, robbery, and assault.

The City of Del Rey Oaks Agrees.

4. Monterey County is experiencing an increasing incidence of meth-usage and addiction among the population-at-large, especially among youths. Meth manufacturers have developed a multi-level (pyramid) sales scheme.

City of Del Rey Oaks Agrees

5. The seizure of assets, including real property of individuals involved in meth making, is often not being exercised by Monterey County law enforcement.

City of Del Rey Oaks Agrees.

RECOMMENDATIONS:

1. Law enforcement agencies approach the METHAMPHETAMINE problem, as a distinct entity not related to other drug enforcement activities.

The City of Del Rey Oaks believes that narcotics enforcement officers/teams should be trained and equipped to deal with all types of illegal drugs. This should include the investigation and enforcement of Marijuana grows and distribution, Cocaine trafficking, and the manufacture and sale of Methamphetamine. A team for the sole purpose of Meth enforcement would not benefit the general public.

On going training for the Patrol Officer, Investigator, and Supervisors, along with state of the art equipment is the key to successful narcotics enforcement.

2. Law enforcement agencies are required to submit information concerning all arrests relating to METHAMPHETAMINE to the press in the form of press releases rather than simply indicating such incidents in the daily activity log.

The Del Rey Oaks Police Department log is available to all of the media. The Police Department conforms to all of the requirements of the California Public Records Act. The Del Rey Oaks Police Department will issue press releases on an individual basis when a case is determined to be of a significant public interest.

3. Law enforcement agencies develop a coordinated communications plan so that METHAMPHETAMINE information can be effectively shared by all agencies.

Police agencies throughout Monterey County routinely share information on narcotics traffickers, dealers etc. Training is hosted by a number of agencies including the Department of Justice and the California Commission on Peace Officer Standards and Training.

4. The Monterey County Board of Supervisors (BOS) seeks the means for funding special METHAMPHETAMINE-abatement personnel and programs.

Monterey County has a Narcotics Task Force that is fully capable to investigate METHAMPHETAMINE cases. Additional resources from the California Department of Justice Bureau of Narcotics Enforcement and U.S. Drug Enforcement Administration are available to assist in these cases.

5. The BOS seek the means of funding environmental clean up of legally seized METHAMPHETAMINE-related properties, and execute the resale of such properties as a means of funding increased anti-METHAMPHETAMINE activities.

This is an extremely complicated issue. Each seizure case must be evaluated to determine if the cost of cleanup exceeds the value of the real property. The EPA and DTSC have jurisdiction over what is clean! Additionally, the usual condition of real property as a result of the life style of meth users and dealers is extremely poor.

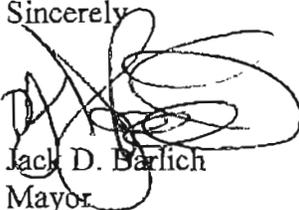
6. The BOS and City Councils provide funding for the purchase of a meth-trained canine.

The Monterey County Narcotic Enforcement unit has a canine that is meth certified.

7. The BOS and City Councils provide funding for the training and placement of more meth-qualified deputies in the field.

All Del Rey Oaks Police Officers are certified in Narcotics Enforcement. The California Department of Justice Commission on Peace Officer Standards and Training conducts Narcotics training through out the State of California which is reimbursed to the individual agency. Our Community Colleges also sponsor this POST Certified training.

Sincerely


Jack D. Barlich

Mayor

3/9/00

For information!

WUSD

WASHINGTON UNION SCHOOL DISTRICT

Catherine Gallegos
District Superintendent

43 San Benancio Road
Salinas, California
93908

(831) 484-2166
(831) 484-2828 - FAX

March 27, 2000

Board of Trustees
Karen Boothroyd
Hetty Eddy
Kent Fowler
Thomas Howde
Joe I. Mitchell

Honorable John M. Phillips
Presiding Judge of the Coordinated Trial Courts
Monterey County
P.O. Box 414
Salinas, CA. 93902

San Benancio Middle School
484-1172

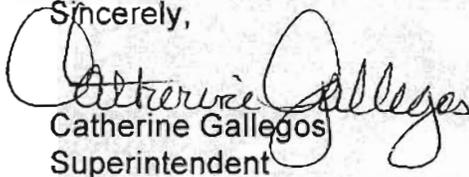
Washington Union School
484-1331

Toro Park School
484-9691

Dear Judge Phillips,
Enclosed is Washington Union School District's response to the recommendations in the 1999 Grand Jury Final Report pertaining to public school districts in the County.

Should you need any further information, please call me.

Sincerely,


Catherine Gallegos
Superintendent

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WASHINGTON UNION SCHOOL DISTRICT
Response to 1999 Grand Jury Final Report Recommendations

Comparison Study of School Districts

Recommendations

- 1. School Board Members and Superintendents use STAR results to evaluate assignment of personnel.**

The Grand Jury Report cited low SAT-9 scores as part of the background information leading to the recommendation for using STAR results to evaluate assignment of personnel. In the 1998/99 school year, Washington Union School District's SAT-9 scores for students in every grade level far exceeded the county and state averages.

The District makes personnel decisions consistent with state credentialing laws and good personnel practices. Teachers are assigned to classrooms based on their credentials, experience, grade-level preference, and site administrator determination. Site administrators assign teachers to classrooms using the above criteria as well as their knowledge of the teacher's strengths and background knowledge in a particular subject area or grade level.

- 2. Hiring practices ensure that certificated teachers are placed in the classroom. While it is recognized not every excellent teacher is fully certificated, it is counterproductive to have a high percentage not fully certificated.**

All teachers in the Washington Union School District in the 1998/99 school year were fully credentialed.

- 3. School Board Members search their collective conscience to determine if school funds could be better spent on students rather than on individuals performing what is a public service.**

School Board members in the Washington Union School District receive no stipend for serving on the Board. As of August, 1999, School Board Members receive health and welfare benefits for themselves only. Prior to August, 1999, Board Members received health and welfare benefits for themselves and one dependent. The Board took action to reduce the level of benefits at the August, 1999 Board meeting. The current cost to the district is approximately \$12,000 per year.

Board members in every public school district assume a tremendous level of responsibility when they take office. Providing them with single health and welfare coverage is very small compensation for the level of responsibility they voluntarily assume when they take office.

4. **Each school district ensure that programs in place to help prevent school crime and vandalism are monitored. Those found guilty of crimes be prosecuted to the full extent of the law.**

Washington Union School District experiences a very low rate of violence and crime on its campuses. In the 1998/99 school year, the district's three schools had two reportable offenses, as recorded in the California Safe Schools Assessment Report for 1998/99. The school reported a total cost of \$773 due to vandalism in 1998/99.

Students who violate school rules face consequences that align with the school's discipline programs. When appropriate, student offenses are reported to the Monterey County Sheriff's Office.



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

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April 3, 2000

The Honorable John M. Phillips
Presiding Judge of the Coordinated Trial Courts
Monterey County
240 Church Street
Salinas, California 93901

Subject: Response to 1999 Monterey County Civil Grand Jury Final Report

Dear Judge Phillips:

The Monterey Peninsula Water Management District (MPWMD or District) is pleased to have the opportunity to respond to the analysis of the District's performance in the 1999 Monterey County Grand Jury Final Report. We would like to clarify some facts and technical information provided in the report. For example, the report states that "MPWMD has imposed stringent regulations and rationing requirements on citizens; however, there is little reduction in water use". The fact is that the District's water conservation program has been effective, with water use per connection 35% lower in 1999 than it was in 1989. This water conservation program, which is coordinated with similar efforts by the California-American Water Company (Cal-Am), has been successful in keeping the community's use within the limits set by the State Water Resources Control Board (SWRCB) in Water Years 1996, 1998, and 1999. While average use per connection is lower, there are now more connections to Cal-Am's main water distribution system. Specifically, the number of connections in Cal-Am's main water distribution system has increased from 35,848 connections in 1989 to 37,534 connections in 1999. Please note that the District does not have direct control over land-use decisions that result in additional connections.

It is unfortunate that the Grand Jurors who investigated the District's performance did not discuss their concerns with the District Board or its leadership, as has been done in the past. In this regard, the District requests that for any future investigation by the Grand Jury, the Jurors confer with the full Board and its leadership (i.e., Chair, Vice Chair, and General Manager). The District welcomes the opportunity to explain the purpose and status of its policies and programs.

As requested, we offer the following comments on the 1999 Monterey County Grand Jury's findings and recommendations in the section regarding the District. The Grand Jury's findings and recommendations are shown in *italics*. The comments are formatted in accordance with the mandatory response requirements provided by the Grand Jury and required by California law.

FINDINGS:

1. *MPWMD income has totaled \$34,065,000 for the last ten years.*

The District agrees with this finding and offers the following clarification. Based on a thorough review of annual audit reports for the District for Fiscal Years 1989 through 1999, District revenue has totaled \$35,065,566. This total is similar but greater than the sum shown in the Grand Jury report. A detailed comparison of audited revenue values and values reported by the Grand Jury is included as **Enclosure 1**.

2. *MPWMD has collected the following fees, connection charges, and property taxes in the last ten years:*

<i>Property Taxes</i>	-	<i>\$ 6,050,000</i>
<i>Connection Fees</i>	-	<i>\$10,020,000</i>
<i>User Fees (Water)</i>	-	<i>\$12,221,000</i>
<i>Miscellaneous Fees</i>	-	<i>\$ 5,774,000</i>

The District agrees with this finding and offers the following clarification. As discussed above and shown in **Enclosure 1**, total District revenues for Fiscal Years 1989 through 1999 shown in the Grand Jury report were underestimated by \$1,000,566 or 2.85%. A detailed comparison of the differences between the audited revenue values and those reported by the Grand Jury by revenue source is shown in **Enclosure 1**. The differences are largely attributable to connection and miscellaneous fees.

3. *MPWMD has spent the following in the last ten years:*

<i>Studies, Services, and Supplies</i>	-	<i>\$15,084,000</i>
<i>Personnel(Regulations/Planning)</i>	-	<i>\$14,272,000</i>
<i>Related Projects</i>	-	<i>\$ 1,636,000</i>

The District agrees with this finding in part. Based on audited values for Fiscal Years 1989 through 1999 and as shown in **Enclosure 1**, District expenditures have totaled \$31,884,629. Similar to revenues, the audited total is similar but greater than the sum shown in the Grand Jury report. More importantly, the distribution of expenditures between the audited and reported values differ significantly. As shown in **Enclosure 1**, audited expenses for "Services & Supplies & Capital Outlay" for Fiscal Years 1989 through 1999 totaled \$8,898,515, as compared to \$15,084,000 reported by the Grand Jury. Similarly, audited expenses for "Project Costs" totaled \$8,728,122, as compared to \$1,636,000 reported by the Grand Jury. The differences in the reported expenditure values, i.e., over-estimate for supplies and services and under-estimate for project costs, offset each other so that the total is essentially correct.

In the District's annual reports and audits, expenditures are shown by fund or program. For example, in Fiscal Year 1999, \$1,456,683 was expended for Carmel River mitigation, \$1,409,189 was expended for water augmentation efforts, and \$350,948 was expended for water conservation measures.

4. *MPWMD staff has grown to 25 people.*

The District agrees with this finding in part. It is correct that the District currently employs 25 full time employees and that the staff has numbered 23-25 employees since 1993. The largest number of full-time District staff occurred in 1991 when the District was responsible for administering a mandatory water rationing program. At that time, the District employed 37 full-time employees.

5. *Through recent legislation involving MPWMD, its water users are about to pay for a new study, costing up to \$700,000, reviewing all previous studies. Additionally, there are costs associated with involving the staffs of MPWMD, PUC, and State Water Resources Control Board.*

The District disagrees with the finding. The District Board went on record supporting the CPUC Plan B study included in AB 1182 (Keeley) based on the condition that funds would be provided by the State. State funding did not materialize and the CPUC chose to require local ratepayers to pay for the full cost of the Plan B endeavor. The Plan B study will not be a rehash of "all previous studies". It is intended to provide an independent consideration of water supply alternatives to the proposed Carmel River Dam and Reservoir Project, using current information.

RECOMMENDATIONS:

1. *In conjunction with the Monterey County Local Agency Formation Commission, the Board of Supervisors (BOS) initiate efforts to:*
 - a. *comply with requirements of State of California Government Code Section 56000-56780 (Cortese-Knox Act of 1985);*
 - b. *seek consensus of Cities within the boundary of MPWMD;*
 - c. *encourage repeal of MPWMD enabling legislation by the California Legislature, if deemed necessary; and*
 - d. *take steps necessary to dissolve and liquidate MPWMD.*

This recommendation will not be implemented because it is not warranted. These recommendations are inconsistent with the November 1999 election in which three new directors were elected to the District Board. This vote provides opportunities for the District to move in new directions. Accordingly, the District Board should be given

reasonable time to implement the District's mandate.

Funds used by the District do provide "fair value" to taxpayers. Indeed, the District provides a broad scope of services, ranging from water supply planning to environmental protection. The District is proud that its monitoring and management efforts have prevented seawater intrusion in the Seaside Coastal groundwater basin and Carmel Valley. The District is recognized as a leader in water conservation and river restoration.

A similar proposal sponsored by state senator Henry Mello in 1996 met considerable opposition from a broad spectrum of the local community. Voters in the Monterey Peninsula area desire local control via a locally elected water board. We recognize that the District's existence is a controversial issue. Over the past years, the District has reflected the community's ambivalence over a water supply solution, especially in light of growth pressures and State water right decisions such as SWRCB Order No. WR 95-10. A vital role of the District is to facilitate a long-term water supply solution given a limited, critical natural resource.

2. *Upon dissolution of MPWMD, the BOS turn over the responsibilities to the Monterey County Water Resources Agency.*

This recommendation will not be implemented because it is not warranted. Please see above. Monterey County Water Resources Agency's authority is more limited than MPWMD's for key programs, and its funding is strictly limited. Proposition 218 restrictions already hamper the Water Resources Agency's ability to address severe water problems in Salinas Valley. The District welcomes the opportunity to enhance our cooperative relationship with the Water Resources Agency and is actively pursuing ways to improve coordination with the Water Resources Agency as well as the Monterey County Planning and Building Inspection Department and Monterey County Health Department.

3. *Upon dissolution of MPWMD, the BOS designate the County Planning and Building Inspection Department, and the respective Cities designate their City Building Departments to enforce necessary water management regulations.*

This recommendation will not be implemented because it is not warranted. The wisdom of a regional water resource agency to administer "necessary water management regulations" was recognized in 1978 when the District was formed and ratified by the voters. This need has not lessened, and is even greater given the limitations on water supply that were imposed by the State Water Resources Control Board in Order No. WR 95-10 in July 1995.

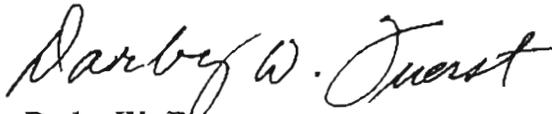
Honorable Judge John M. Phillips
April 3, 2000
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4. *Consider the possibility of buying water from the State Water Project at San Luis Reservoir and pumping to the Monterey Peninsula.*

This recommendation has been implemented. The District has evaluated use of water from San Luis Reservoir since the late 1980s. Updated information in the November 1998 SEIR for the Cal-Am reservoir project indicates the San Luis Reservoir option is not cost effective. Relevant excerpts from the 1998 SEIR are enclosed for your review and records (**Enclosure 2**).

Lastly, we have enclosed a copy of the draft 1999 Monterey Peninsula Water Management District Annual Report for your review and records (**Enclosure 3**). Thank you for the opportunity to comment on the 1999 Monterey County Grand Jury Report. If you or members of the Grand Jury have any questions about our responses or require additional information, please let me know.

Sincerely,



Darby W. Fierst
General Manager

Enclosures

cc: MPWMD Board of Directors
David C. Laredo, District Counsel
Monterey County Water Resources Agency
Monterey County Planning and Building Inspection Department
Monterey County Health Department
Monterey County Herald
Monterey County Post
Coast Weekly
Pacific Grove Beacon
Carmel Pine Cone

Comparison between Grand Jury Findings and MPWMD Audited Revenues and Expenses for Fiscal Years 1989-1999

Enclosure 1

	MPWMD Audit Values	Grand Jury Report	Variance	
Revenue				
Property Taxes	5,965,746	6,050,000	84,254	
Connection Fees	10,346,758	10,020,000	(326,758)	
User Fees	12,301,519	12,221,000	(80,519)	
Misc Fees	<u>6,451,543</u>	<u>5,774,000</u>	(677,543)	
Total	35,065,566	34,065,000	(1,000,566)	-2.85%
Expense				
Services & Supplies & Capital Outlay	8,898,515	15,084,000	6,185,485	
Personnel	14,257,992	14,272,000	14,008	
Project Costs	<u>8,728,122</u>	<u>1,636,000</u>	(7,092,122)	
Total	31,884,629	30,992,000	(892,629)	-2.80%

Notes:

- "Miscellaneous fees" include investment earnings, project reimbursements, grants, miscellaneous fees and reclamation project investment income.
- On SEP 10, 1999 MPWMD provided extracts from annual audit reports for FY's 89-99 as requested by the Grand Jurors.
- All values noted as "Grand Jury Report" were obtained from page 36 of the current report. No other supporting data were used.
- Most values ignore data pertaining to the Enterprise Fund (Reclamation Project).
- The Governmental Accounting Standards Board does not call out "project costs" as a single line in the format for the Combined Statement of Revenues, Expenditures and Changes in Fund Balances (included in the data provided to the Grand Jurors), thus totals for Services and Supplies, Capital Outlay, and Project Costs should be summed when comparing Grand Jury numbers to Audited MPWMD figures. When this is done, the variance for these lines is \$906,637.

MPWMD, other public agencies, Cal-Am, and private entities have evaluated the feasibility and cost-effectiveness of various water importation and marketing projects. Earlier analyses are summarized in the 1994 NLP EIR (MPWMD 1994a); MPWMD worksheets prepared for the February 8, 1996 Alternatives Workshop; and a draft matrix of alternatives prepared for the September 8, 1997 CPUC workshop. Table A-12 provides a summary of information obtained from these and more recent studies.

A.3.6.1 Water Importation and Marketing Concepts

Water sources for importation and marketing that have been explored previously or are suggested for consideration include the following:

- San Felipe Project (San Luis Reservoir) and other federal and state contractors,
- Salinas River Basin (including Arroyo Seco River),
- Big Sur and Little Sur Rivers,
- Carmel Valley watershed (within and outside the Carmel Valley alluvial aquifer),
- FORA, and
- Washington state ("water bags" concept).

The following paragraphs briefly describe each concept and evaluate whether each is a reasonably foreseeable, feasible source of additional lawful water yield for the Cal-Am system. Following this, a more detailed discussion is provided of those concepts considered to be feasible.

San Felipe Project and Other Federal and State Contractors. The San Felipe Project diverts water from the west side of San Luis Reservoir, which stores Northern California water delivered through the federal Central Valley Project (CVP). Presently, the Santa Clara Conduit and Hollister Conduit convey CVP water to the Santa Clara Valley Water District (SCVWD) and San Benito County, respectively. The Pajaro Valley Water Management Agency (PVWMA) has provisional rights to 19,900 af/yr from the CVP but has yet to enter into a formal contract for this water (Yost 1994). Since the passage of the Central Valley Project Improvement Act (CVPIA) in 1992, deliveries of CVP water to contractors south of the Sacramento-San Joaquin River Delta (Delta) have been less than historical deliveries because of increased restrictions on Delta pumping and export to protect fisheries and water quality. Thus, less than 16,000 af/yr of the 19,900-af/yr entitlement would be expected to be received in most years.

Coordination with PVWMA Project. Previous evaluations of the concept of coordinating with PVWMA assumed that water could be purchased during off-peak periods (October–May) and that PVWMA would extend existing pipelines to a terminus in Watsonville. Thus, previous cost estimates addressed only a generic 30- to 40-mile-long pipeline from Watsonville to the Monterey Peninsula (Figure A-5) and a 5,000- to 10,000-af storage reservoir for the off-peak water; pipeline alignments and the reservoir location were not specified. A preliminary estimate of capital costs for the pipeline and reservoir totaled about \$94 million in 1988 dollars, which is equivalent to about \$130 million in 1998 (escalated at 3% per year). Annual O&M costs were not known.

This alternative was deemed infeasible by MPWMD in its 1988 alternatives evaluation, based on lack of available water and excessive cost. Specifically, a contract for water between MPWMD and the CVP was not possible because all water had been previously contracted for by other agencies in the 1970s, and these agencies (SCVWD and San Benito County) had the right of first refusal for any excess water available from other contractors. In response to inquiries by MPWMD about possible water availability, SCVWD and SBC responded in 1988 that no excess water was available. Even if water were available, the high costs of constructing 30–40 miles of pipeline and build a reservoir to store off-peak water were deemed excessive at that time. Options other than surface storage were not pursued because tests performed in the early 1980s indicated that injecting water into the Seaside Basin was not a viable alternative to a reservoir. As noted previously and discussed below, injection and recovery in the Seaside Coastal Subareas is now considered a potentially viable water storage option, although storage capacity is limited. The complexity of the federal/state permit process involved with the CVP; obtaining rights-of-way outside MPWMD boundaries; and protecting environmental resources that could be affected by the pipeline, conveyance facilities, and reservoir were also identified as concerns.

New information has emerged since MPWMD's last review in February 1996. The PVWMA completed a comprehensive Basin Management Plan in 1993 (Montgomery Watson 1993), which identified importation of water from the CVP as an integral component. Additional engineering studies completed in 1996 refined the PVWMA base project to include a 60-inch, 23-mile-long pipeline from the Santa Clara Conduit, near Gilroy, to Highway 1, south of Watsonville, with an estimated capital cost of \$54.4 million and annual O&M cost of \$46,000 per year for the pipeline alone. Also, important new restrictions that affect the reliability of federal water stem from the 1997 Draft Programmatic IS on the CVPIA (cited in Montgomery Watson 1998). Current estimates of the average annual entitlement range from 60% to 75% of the full 19,900-af/yr entitlement, or about 12,000–14,900 af/yr (Montgomery Watson 1998).

In June 1998, voters in the PVWMA passed Measure D, which obligates PVWMA to look for local (in-basin) solutions to the water supply shortage first and cease work on the proposed pipeline for at least 10 years. Thus, a decision by PVWMA on this issue cannot occur until at least 2008. Another consideration is the potential for SCVWD and San Benito County to take delivery of PVWMA's 19,900-af/yr entitlement if PVWMA fails to act on its contracting opportunity within a reasonable time because these entities have the contractual right of first refusal. Should this occur, capacity for PVWMA or any other user would not be available in the San Felipe Project pipeline because of physical limitations of the pipe itself, and another import supply and conduit would need to be found (or constructed). Given the extremely rapid growth taking place in Silicon Valley and western San Benito County, it is reasonable to assume that these agencies will take delivery of PVWMA's share if it becomes available within the next 10 years. For these reasons, reliance on imported water from PVWMA is not considered a reasonably foreseeable, feasible alternative that would yield new, lawful supply for the Cal-Am system.

Other Contractors. Based on research conducted by PVWMA (Montgomery Watson 1998, Yost 1994), other CVP contractors could conduct water transfers if capacity were available in the San Felipe Project pipeline. As noted above, capacity would only be available if SCVWD and San Benito County did not take the full 19,900-af/yr entitlement presently slated for PVWMA. Possible water

sources investigated by PVWMA include CVP contractors in northern California, in the eastern San Joaquin Valley, and along the Delta Mendota Canal and State Water Project (SWP) contractors such as those in Kern County. Water from any of these sources must be conveyed through federal facilities governed by the restrictions inherent in the CVPIA. As of May 1998, the PVWMA was investigating an option to purchase a CVP contract from the Mercy Springs Water District. With the passage of Measure D in June 1998, however, PVWMA is prohibited from entering into such a contract for 10 years.

Any water transfer scenario involves a complex, multiyear process involving water purchase options, required cofunding of CVP facility operations, water rights issues, environmental concerns, competition with larger agencies such as Metropolitan Water District in southern California, required approval by other water contractors that have rights of first refusal, substantial limitations on water availability imposed by the CVPIA in certain types of water years, and limitations inherent in the physical capacity of the state and federal systems. Experts retained by PVWMA in 1994 estimated that the process to obtain a water contract with the U.S. Bureau of Reclamation would take 8–12 years to complete (Yost 1994).

Potential Costs. If water could be obtained from a source outside MPWMD boundaries, a variety of capital and operating costs would be associated with the process:

- water purchase (sale price),
- conveyance through CVP/San Felipe Project pipeline,
- construction of conveyance facilities to Monterey Peninsula,
- construction and operation of water storage facilities, and
- construction and operation of water treatment and distribution facilities (the Cal-Am system).

The price of water would vary based on the delivery option selected. Options include permanent annual purchase of firm supply, as defined by CVPIA restrictions; nominal annual reservation fee, with actual water purchase taking place only during droughts; and water purchase only in normal or wet years, with a means to store water for local use during dry periods. Capitalized water prices in 1994 were \$375–1,200 per af (equivalent to \$30–200 per af per year). Variations on these three options are possible, including purchase only during off-peak periods (October–May).

Any CVP water user receiving water through San Felipe Project facilities would be assessed a “cost of conveyance” fee, to help pay for construction and operation of the original CVP, and a surcharge to cover construction and operation of the San Felipe Project. For PVWMA, these costs were estimated to be about \$124–141/af in 1992 dollars. In addition, an estimated one-time cost of \$500,000 would also be required from PVWMA to repay SCVWD and San Benito County a portion of the O&M costs incurred since the project was constructed in 1986. (Yost 1994.)

Major conveyance facilities, such as large pipelines and pump stations, must be built and operated if water is to be conveyed from the Gilroy area to the Monterey Peninsula. As noted above, PVWMA estimated the capital cost of the 23-mile-long Gilroy-to-Watsonville pipeline at \$44–54 million (in 1996 dollars), depending on its diameter (48–60 inches); costs would be similar if another alignment were chosen. Another 30–40 miles of pipeline, at an approximate cost of \$64 million in 1988 dollars (equivalent to \$86 million in 1998 dollars, escalated at 3% per year), would be needed to bring water to the Monterey Peninsula, based on earlier investigations by MPWMD.

Because the least expensive and most viable purchase agreements entail off-peak (winter and spring) delivery of water, some method would be needed to store the water for use during summer and fall or an extended drought. Surface reservoirs, percolation ponds, tanks, or groundwater injection (or some combination of these) would be required to store the water. These facilities are assumed to be located in the Seaside Basin/Fort Ord area or along the Highway 68 corridor to reduce pipeline and pumping costs. In 1988, MPWMD estimated the cost of a 5,000- to 10,000-af surface reservoir at an unspecified location to be \$30 million (equivalent to \$40 million in 1998, escalated at 3% per year). Injection of imported water into the Seaside Coastal Subareas may be possible, although existing studies indicate that total available storage is limited to about 7,000 af (as discussed in Section A.3.4.2). Identifying a large enough site or sites for storage would be a critical task.

It is important to note that the CVP water considered here is suitable for agricultural use but not for use as drinking water. Construction of fairly large treatment plants would be needed to treat the water sufficiently to meet drinking water standards. As explained in Section A.3.2, major expansion of the Cal-Am distribution system in the Seaside area would be needed to enable Cal-Am to accept substantial quantities of water from the north. Hydraulic studies by Cal-Am indicate that a project that delivers 9,400 af/year (14 MGD) would entail \$10–13 million in capital costs for new and upgraded system facilities.

Assuming that purchase of 10,000 af of off-peak water from CVP contractors is feasible, total capital costs (in 1998 dollars) for a pipeline extension from the Gilroy area to the Monterey Peninsula, a storage reservoir, and Cal-Am system improvements would be approximately \$180–200 million. Substantial additional costs would also be required to improve the water to drinking water standards. Total annual costs, including purchase of the water, CVP fees, and O&M costs for the project facilities, have not been estimated. This information is summarized in Table A-13.

Entities other than MPWMD and Cal-Am, such as FORA, MCWD, and MCWRA, could share the costs of constructing and operating conveyance facilities (e.g., pipeline and pump stations) based on the proportional share of water received by each. Each of these agencies has a need for water and has developed a variety of plans to obtain it. No discussions have occurred to date among these agencies regarding cost sharing, but circumstances do not preclude such a discussion in the future. Evaluating the myriad combinations and permutations of cofunding arrangements that could be arranged is beyond the scope of this analysis.

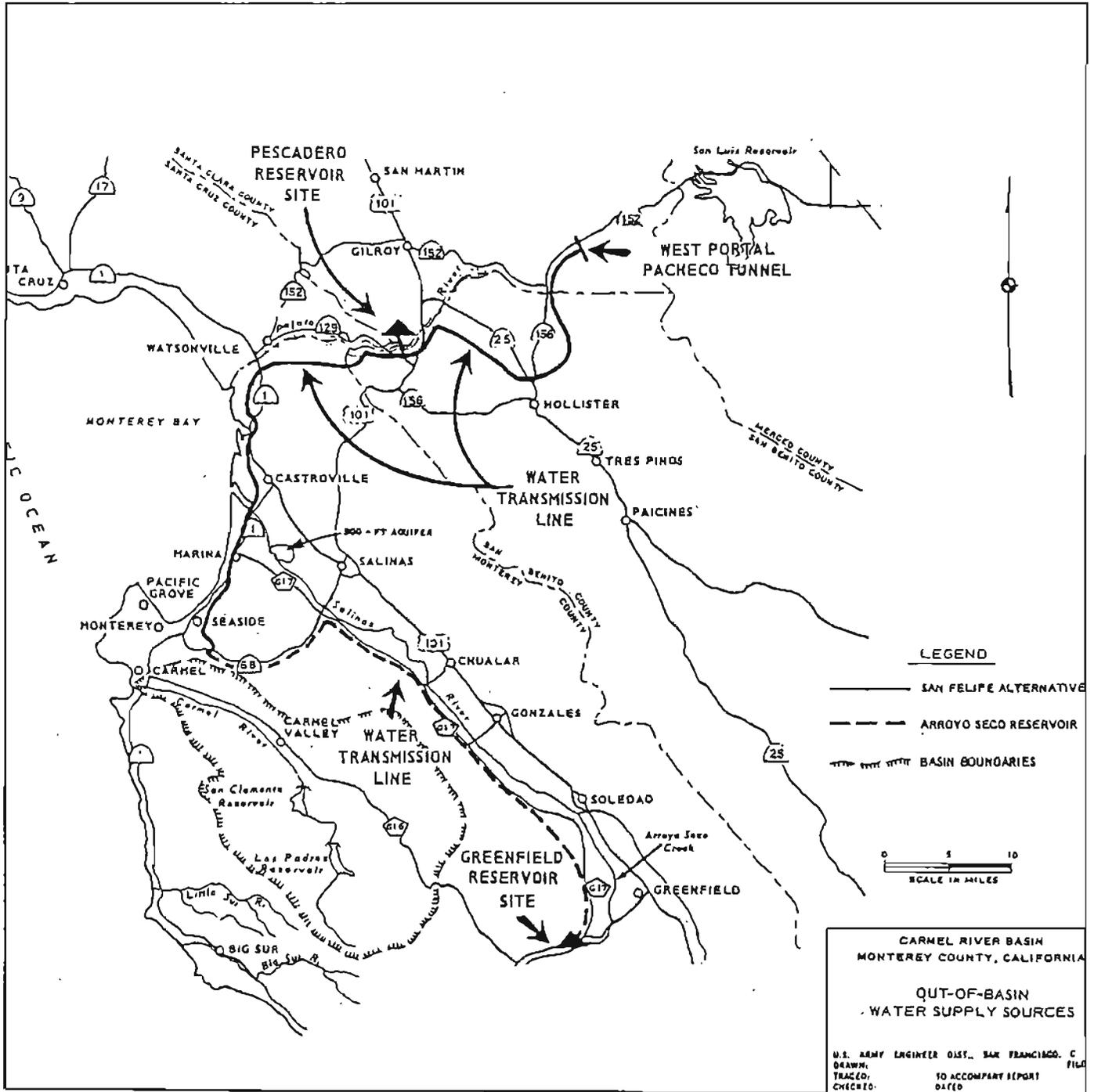
In summary, the ability to purchase water from CVP contractors depends greatly on future actions by PVWMA, SCVWD, and San Benito County. If the latter two agencies contract for PVWMA's entitlement as a result of restrictions imposed on PVWMA under Measure D, no physical capacity

would be available in existing conduits to serve new users. Given the high costs of building a new conduit from Pacheco Pass and the conveyance, storage, treatment, and distribution facilities described above, importing and marketing water from the CVP would not be considered a reasonably foreseeable, feasible project. Even if SCVWD and San Benito County did not take PVWMA's entitlement, the 8- to 12-year process required to obtain a CVP contract and the extremely high capital costs involved render the feasibility of this alternative questionable. Cost sharing by cooperating agencies is one means to address the cost concern but would reduce the portion of the overall yield available to water users in the Monterey Peninsula. Discussions on cost sharing for imported water have not been initiated by any party, and no plans are under way to initiate such discussions in the foreseeable future. Thus, even if water were available in theory, the viability of this alternative is questionable.

Salinas River Basin. A more locally based importation concept involves the Salinas River and its tributaries, particularly the Arroyo Seco River (Figure A-5). Use of the Salinas River directly would entail water releases from Nacimiento and San Antonio Dams, which would travel to wellfields near either Spreckles or Chualar, where groundwater would be pumped and conveyed to the Monterey Peninsula by pipeline. This alternative was dismissed by MPWMD in 1988 because a similar project was proposed by Monterey County to address its chronic seawater intrusion problem. Notably, Monterey County policy prohibits out-of-basin transfers, especially in light of the significant water quality and quantity issues facing the Salinas Basin.

In recent years, lawsuits have been filed by parties in southern Monterey County and San Luis Obispo County regarding rights to water from the two existing dams. Since 1992, the MCWRA has evaluated and pursued several projects under its Basin Management Plan (BMP). The MCWRA, in conjunction with the MRWPCA, constructed a large wastewater reclamation project to provide recycled wastewater for agricultural irrigation in coastal areas near Castroville. This project, known as the Monterey County Water Recycling Projects (MCWRP), began water deliveries in April 1998. Several of the projects evaluated under the BMP are included in the Salinas Valley Water Project (SVWP). A Draft Master EIR on the SVWP was released in October 1998 (EDAW 1998). Components of the SVWP include "reoperation" of Nacimiento and San Antonio Reservoirs to increase the amount of water available for groundwater recharge and diversion downstream; additional diversion, storage, and reuse of Salinas River water; and storage of recycled water from the MCWRP during low-demand periods for use during the irrigation season. None of the projects currently being evaluated would provide water service to the Monterey Peninsula.

Monterey County has considered construction of a new dam and reservoir on the Arroyo Seco River, a tributary to the Salinas River, since the early 1980s. Preliminary designs included a 100,000-af dam and a 56-mile lined canal to convey water to the Salinas area, at which point pipelines could emanate to convey water to areas such as the Monterey Peninsula, Fort Ord, and Marina. Capital costs were estimated to be \$79.5 million (1988 dollars) for the dam and lined canal, which is equivalent to about \$107 million in 1998 dollars (escalated at 3% per year). Costs of an approximately 15-mile pipeline from Salinas to the Monterey Peninsula (which were not developed in 1988) would be about \$20 million, based on recent cost estimates for the PVWMA importation project pipeline. Significant additional costs would be required to treat water to a level that would meet drinking water standards and for integration into the Cal-Am distribution system.



Source: U.S. Army Corps of Engineers 1981.



Jones & Stokes Associates, Inc.

**Figure A-5
Importation Options**

Table A-12. Summary of Water Importation and Marketing Alternatives

Project Description	Water Yield	Cost Parameters (1998 dollars)	Project Timing and Life	Environmental Issues	Conclusions and Other Comments *
Federal Central Valley Project (CVP) via San Luis Reservoir (pipelines and terminal storage; treatment and use by Cal-Am	Unknown. Depends on actions of other agencies who have right of first refusal. Cost estimates based on 10,000 af.	Capital costs about \$190 million. O&M costs roughly \$1-2 million per year at minimum (see Table A-13).	8-12 years to obtain CVP contract; no action by PVWMA allowed until 2007. 3-7 years assumed for pipeline and reservoir storage.	Reduced impacts of Carmel River diversions. Pipeline impacts; possible impacts to Delta fisheries if CVP project component.	Not reasonably foreseeable due to PVWMA prohibitions, right of first refusal by other water agencies.
Water from Salinas Basin: Arroyo Seco concept includes 100,000-af dam, 56-mile lined canal and 15-mile pipeline to the Monterey Peninsula	Unknown. Original concept included cost-sharing among agencies.	Capital cost of \$107 million for dam and canal; \$20 million for pipeline. Costs considered low as no mitigation measures or Cal-Am facilities included.	Unknown. Dismissed by County in 1983 and 1991.	Inundation and streamflow impacts of dam; canal and pipeline impacts. Would remove water from-Salinas basin, which already has a serious seawater intrusion problem.	Not reasonably foreseeable due to County policy prohibiting out-of-basin water transfers, and existing seawater intrusion and nitrate problems in the Salinas Basin.
Big Sur/Little Sur Rivers: Dam/reservoir and pipeline to the Monterey Peninsula	Unknown	Unknown but expected to be very expensive due to rugged terrain.	Unknown; 5-15 years for approval based on other dams	Dam/reservoir and pipeline impacts to wilderness area and protected wild rivers.	Not reasonably foreseeable due to protected river status, prohibition against out-of-basin transfer.
Carmel Valley watershed (focus on Rancho San Carlos)	400 af/yr demonstrated by past studies; maximum of 3,100 af/yr as recharge. No yield expected as water is not for sale.	Minimum of \$15,000 per acre-foot based on well costs alone. \$93 million estimated for 3,100-af amount, if available. Must add purchase price of water, if offered.	Unknown. Water is not for sale according to Ranch officials, who are pursuing approved development plans.	For 3,100-af amount, impact of drilling 900+ wells and extensive pipeline, power and road structure to support water system. Possible impact on Carmel River surface flows.	Not reasonably foreseeable due to unwilling seller, unproven supply over 400-af and questionable viability of water distribution system.

DRAFT



1999 Annual Report
Monterey Peninsula
Water Management District

Draft
1999 Annual Report
Monterey Peninsula Water Management District

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OVERVIEW

In 1999, the greatest factor controlling the water supply on the Monterey Peninsula was not rainfall or water storage, it was Order 95-10 that mandates significant reductions in pumping from the District's primary water source, the Carmel River. The order was handed down in 1995 by the State Water Resources Control Board (SWRCB), and it requires California-American Water Company (Cal-Am) to cut back its historical water production from the Carmel River by 20 percent in the near term and possibly 75 percent in the long term.

Since Cal-Am serves 95 percent of the residents within the District boundaries, the Monterey Peninsula Water Management District has focused its efforts on improving water conservation programs to assist the community in meeting the requirements of Order 95-10. At the same time, the District continues to work on development of water supply augmentation proposals that the community will support.

The District boundaries encompass the cities of Carmel, Del Rey Oaks, Monterey, Pacific Grove, Sand City, Seaside and some unincorporated areas of Monterey County. The Carmel River supplies nearly 70 percent of the water used within the District. The remaining 30 percent is pumped from the Seaside basin and other areas within the District.

It is important to note that the Carmel River is home to the steelhead fish and the California red-legged frog, both listed as threatened under the federal Endangered Species Act. A comprehensive fishery mitigation program is managed by the District to ensure steelhead survival, and governmental regulations aimed at protecting the red-legged frog are followed.

In order to protect the valuable Carmel River habitat, the District monitors streamflow and its effects on streambank stability, plants, fish and other wildlife. Groundwater levels in the Seaside and Carmel River basins are also measured regularly. The District's monitoring programs, fishery and erosion protection activities protect against environmental degradation and provide information used to assess the possible effects of proposed water augmentation projects.

District Awaits a Decision on Legal Challenge to Order 95-10

When the SWRCB issued Order 95-10, it reasoned that the cutbacks were necessary because Cal-Am did not have a legal right to over 75 percent of its historical water production from the Carmel River system and was harming the river environment. For years, Cal-Am had been pumping water from wells in the Carmel River basin under the assumption that the water was

WATER SUPPLY PROJECTS

Quantify Future Water Needs

In order to plan for the future water needs of communities within the District, studies have been undertaken to determine how much water will be needed to meet the water demand associated with remodel projects and new residential and commercial development.

The first report, released in 1998, estimated that within the Cal-Am service area, 923 acre-feet of water will be needed for new buildings on existing, buildable legal lots of record on vacant parcels (as of 1/1/97) and remodels through the year 2006. A follow-up study begun in 1999 will estimate the additional water needed to meet the needs of vacant lots on improved parcels. This report should be completed by June 2000.

In 1999, jurisdictions within the District developed their own estimates of future water needs through the year 2020, at the request of the Board of Directors. Submissions from all eight jurisdictions totaled 3,480 acre-feet of water. The District considers these to be preliminary estimates which will not be used to establish future water allocations.

Expanded the Scope of EIR on Cal-Am Reservoir Proposal

The District is the lead agency for preparation of the Environmental Impact Report (EIR) on a dam project which is proposed by the California-American Water Company. The purposes of the project, as defined by Cal-Am, are to provide a new source of water that would make up for the 10,370 acre-foot shortfall identified by Order 95-10; provide adequate drought protection for existing customers and maintain the environmental health of the Carmel River. Cal-Am intends that no water from the project be set aside for new construction or remodel projects.

In response to public comment received on the 1998 Draft Supplemental EIR on the Carmel River Dam Project, the scope of the report was expanded in 1999 to include an analysis of whether dam and non-dam alternatives could provide additional water to meet future water needs within the Cal-Am service area. An evaluation of whether “flushing flows” are needed to maintain a healthy river environment was also added at the request of the SWRCB. The expanded study, known as the DSEIR-2, will also analyze the environmental effects of not building a water supply project.

The various alternatives studied in the DSEIR-2 must meet state and federal requirements for protection of steelhead fish and the red-legged frog, which are both listed as threatened species under the Endangered Species Act. District staff worked throughout the year to assess how each alternative would affect plants, fish and wildlife on the Carmel River. Plans are being developed to mitigate for any adverse environmental effects of the proposed alternatives.

A final report summarizing the findings of the injection/recovery test was completed in October 1999. In response to recommendations outlined in the report, the District prepared for full-scale testing to be carried out in the year 2000. A permit was obtained from the SWRCB authorizing the withdrawal of water from the Carmel River for the 2000 test period. The District also applied for a permit from the City of Seaside to construct a new full-scale injection well on the former Fort Ord military base. In addition, plans were prepared to refurbish an existing well in preparation for full-scale testing, in case permits to construct a new well are not granted.

In the near term, this project could enable injection of additional water into the Seaside basin while allowing Cal-Am to remain within State Order 95-10 production limits on withdrawals from the Carmel River basin. If a new dam or large seawater desalination plant were constructed, production from a full-scale injection/recovery project could provide additional water for new construction and remodel projects.

The injection/recovery concept is well suited to the Monterey Peninsula area. Water storage in the Carmel River basin is severely limited, so during the winter months excess water from the Carmel River flows to the ocean. Through injection/recovery, some of this previously “unused” water could be stored in the Seaside groundwater basin and utilized for the benefit of the community. The District is allowed to divert the excess Carmel River flows from December through May under a temporary water rights permit from the SWRCB. These diversions are not counted against Cal-Am’s yearly production limit.

Wastewater Reclamation To Be Expanded

The largest wastewater reclamation project within the MPWMD is planned to be expanded as a result of negotiations this agency was engaged in throughout 1999. The Pebble Beach wastewater reclamation project was designed to provide 800 acre-feet of reclaimed water to golf courses and open space in the Del Monte Forest. Improvements could boost the project yield to over 1,000 acre-feet per year by utilizing the 425 acre-foot Forest Lake Reservoir for reclaimed water storage, and construction of new water treatment facilities to enhance water quality.

The District has been working with representatives from agencies involved with the wastewater reclamation project to develop plans for enhanced water treatment facilities and to explore funding options for project improvements.

The reclamation project was constructed in 1994 with bonds issued by the MPWMD. Wastewater is processed at the Carmel Area Wastewater District plant, and the reclaimed water is distributed to benefitted properties by the Pebble Beach Community Services District. The Pebble Beach Company, which owns most of the properties that benefit from the project, contracted to pay any costs for the original project not recovered through sale of the reclaimed water.

WATER PRODUCTION REPORT FOR 1999

Slight Reduction in Total District Water Production

The District's water supply is derived solely from local sources. Water is diverted from the San Clemente Reservoir on the Carmel River and pumped from wells throughout the District. All well owners within the District must report annual water production to the District. Water production within the District was approximately 17,762 acre-feet during the July 1998 through June 1999 reporting period. This represents a three percent reduction from 1997-1998 production.

Monterey Peninsula Water Resources System

Over 93 percent of the District's water is derived from a network of water sources collectively known as the Monterey Peninsula Water Resources System (MPWRS), which includes the Carmel River, the Carmel Valley Alluvial Aquifer, and the Seaside Coastal Ground Water basin. Production within the MPWRS is limited by the District's Water Allocation Program to 20,687 acre-feet per year. During the 1998-1999 reporting year, production totaled 16,537 acre-feet. Production from wells and water distribution systems outside of the MPWRS was approximately 1,224 acre-feet of water.

California-American Water Company

California-American Water Company (Cal-Am) is the largest of 14 water distribution systems within the MPWRS. District law limits production by Cal-Am to 17,641 acre-feet of water per year. During the reporting year, Cal-Am produced 14,164 acre-feet of water within the MPWRS. Production from Cal-Am's facilities outside the MPWRS totaled 331 acre-feet.

State Order 95-10 limits Cal-Am yearly withdrawals from the Carmel River basin between October 1 and September 30 to 11,285 acre-feet per year. Between October 1, 1998 and September 30, 1999, Cal-Am production from the Carmel River basin totaled 10,384 acre-feet. This is 901 acre-feet below the limit set by Order 95-10.

Other Wells and Water Distribution Systems within the MPWRS

Water production is limited to 3,046 acre-feet for all other wells and water distribution systems within the MPWRS. In reporting year 1999, approximately 2,374 acre-feet of water were produced by these facilities. Production from wells located outside the MPWRS totaled approximately 894 acre-feet.

WATER CONSERVATION – ONE PART OF THE SOLUTION

Community Subject to Stage I of Conservation Plan

In March 1999, Stage 1 of an innovative new water conservation plan was implemented within the District. The Expanded Water Conservation and Standby Rationing Plan adopted by the Board in 1998, is outlined in District Ordinance No. 92. This comprehensive plan is designed to: (a) keep Cal-Am water production within limits set by State Order 95-10; (b) establish mandatory water reductions for all water users when a physical water shortage such as a drought occurs; and (c) mandate procedures to be followed in the event of a water supply emergency caused by a natural disaster or breakdown in the water distribution system.

Stages 1 through 3 of the program affect only Cal-Am customers within the Monterey Peninsula Water Resources System, since they receive water from the Carmel River Basin that is subject to Order 95-10 water use reductions. If an actual physical water shortage such as a drought occurs, all non Cal-Am water users within the Monterey Peninsula Water Resources System will also be subject to the program.

Under Stage 1 of the program, water customers must adhere to rules that govern outdoor watering practices and discourage water waste. The conservation plan established year-to-date water production at month-end targets for Cal-Am. If water production exceeds the target in any one month, Stage 2 rules will be enforced that require large landscape irrigators to comply with water budgets established under Stage 1.

One important component of the conservation plan is implementation of a new conservation rate schedule proposed by Cal-Am. The rate schedule establishes a base water allowance for each Cal-Am household and business. During Stage 3 of the program, if a water customer exceeds its water budget by 150 percent, water rates increase. Cal-Am applied to the PUC for approval of the census-based tariff rate design in February 1999. The PUC should consider the request in March 2000.

The water allowances will be based on a formula developed by Cal-Am which considers the number of full and part-time residents in a house and the lot size. An appropriate formula is also used for multifamily residences and businesses. Each water customer will complete a survey form that provides Cal-Am with the information necessary to determine base water usage. The first survey forms were mailed to Cal-Am customers within the Monterey Peninsula Water Resources System in April 7, 1999. Completed survey forms are the property of Cal-Am and all information provided remains confidential.

Total water use in the October 1 through November 30, 1999 period was below the year-to-date target, but November water use did exceed the monthly target. In December, the District warned the community that if water use did exceed the year-to-date at month-end targets in any one month, Stage 2 water conservation rules would be implemented. Cal-Am also sent a letter to its

toilet replaced with an ultra low-flow model in a residential or commercial building. Commercial projects can receive the refund for up to 20 toilets per property.

- *Toilets Must be Retrofitted Upon Resale of Property*
When a property is sold within the District, staff inspect the building to make sure that inefficient plumbing fixtures have been replaced with ultra low-flow models. In 1999, approximately 2,095 properties transferred title within the District and staff inspected over 1,336 of them for compliance with retrofit rules. The District estimates that approximately 63 acre-feet of water were saved through the replacement of about 2,740 toilets under this program in 1999.
- *Visitor Serving Business Must Replace Inefficient Toilets*
District rules require that all visitor serving facilities such as hotels, motels, restaurants, convention centers, meeting facilities and service stations replace inefficient toilets with ultra low-flush models by December 31, 2000. In 1999, 142 toilets were replaced in visitor service facilities. The District estimates that the potential water savings is approximately 3.2 acre-feet.

Study Underway to Determine Actual Savings Achieved by Toilet Retrofits

The District estimates that each toilet replaced by an ultra-low flow model saves 0.023 acre-feet of water each year. This factor has been questioned by members of the District's Board and the public. In January 1999, the Board of Directors commissioned a study that will utilize water use records of local Cal-Am customers that have retrofitted to determine if water savings are achieved through retrofitting toilets. The study should be completed by June 2000.

Water Credit Transfer Rules May Be Modified

District rules allow the transfer of water credit from one commercial building site to another. Water credit from a commercial site can also be transferred directly into a jurisdiction's allocation, where it can be applied to any use the jurisdiction deems appropriate. In 1999, the District contracted with a local firm to determine what level of environmental review would be required to assess the effects of a new program that would address reuse of commercial and residential water credits and reclaimed waste water.

The consultant's preliminary study concluded that more information is needed to prepare a complete initial study on a new water credit transfer ordinance. The Board decided to defer preparation of the initial study until the following questions were answered: (1) Will the SWRCB allow the transfer of water credits while Order 95-10 is in affect? (2) What quantity of water is saved when a toilet is retrofitted? (3) How much water has actually been saved within the

ENVIRONMENTAL PROTECTION -- A PRIORITY

Overview

Approximately one-half of the District's expenditures fund programs to meet federal and state regulations for the protection of threatened species such as the Carmel River steelhead and California red-legged frog; to protect Carmel River banks against erosion; and to monitor ground and surface water levels throughout the District. These activities are outlined in detail in the District's Mitigation Program, developed to ensure that environmental damage caused by water extractions is corrected. All these programs are funded from a user fee paid by customers in the Cal-Am and Seaside Municipal water distribution service areas.

Protection of the Carmel River Steelhead

The Carmel River steelhead population has increased over the past 10 years. In spite of progress made on the Carmel River, steelhead are listed as a threatened species under the federal Endangered Species Act in many areas of California, including the Carmel River.

Fishery programs focus on maintaining a healthy environment for steelhead spawning and rearing as they migrate up the Carmel River and back down to the ocean. District staff coordinate with Cal-Am and the California Department of Fish and Game to control the amount of water released from reservoirs and pumped from wells so that adequate river flow is maintained for fish throughout most of the year.

- *Steelhead Rescue Operations Continue*
Between July and August 1999, District staff conducted 23 rescue operations, capturing a total of 12,169 steelhead from drying reaches of the lower Carmel River. Staff transported 12,043 of the rescued fish to the Sleepy Hollow Steelhead Rearing Facility, 69 were released into the Carmel River Lagoon, and 57 fish died during transport.

The District has applied for a federal permit to continue steelhead rescue operations. One possibility under consideration by the National Marine Fisheries Service, is to designate the District as its agent on the Carmel River responsible for "salvage" operations such as fish rescues.

- *Steelhead Count Lower than in 1998*
The District's automatic fish counter, located at the fish ladder at San Clemente Dam, recorded 405 fish passing over the dam between December 1998 and May 1999. This is the fourth highest count since 1987; however, it is 47 percent lower than the 1998 adult steelhead count. The decline could be attributed to warm ocean waters caused by El Nino, and the March 1995 Carmel River floods that destroyed steelhead nests thereby reducing the survival rate of young fish. In October 1999, District staff conducted a survey of juvenile steelhead below Los Padres Dam. In general, the juvenile steelhead population has increased over the

Protecting the California Red-Legged Frog

In January 1999, the District contacted well owners that pump a significant amount of water from the Carmel River basin each year and asked them to co-fund and participate in development of a Habitat Conservation Plan (HCP). The U.S. Fish and Wildlife Service recommended that the District, Cal-Am, the SWRCB, the County of Monterey and other entities co-sponsor development of the plan to identify how water production practices are impacting the red-legged frog and other species, and changes that could be made to alleviate or reduce impacts.

The District took a leadership role by providing \$10,000 in seed money to facilitate preparation of the HCP. By May 1999, 13 participants had formed an independent group to fully fund the plan and hire a consultant to prepare the HCP. The District is providing technical assistance through preparation of habitat maps that rank habitat values for red-legged frogs and steelhead in the HCP project area.

Riverbank Restoration and Revegetation Projects

District staff serve as stewards of the Carmel River, working to establish a stable river channel flanked by lush vegetation that will provide protective habitat for wildlife and a barrier against erosion. In 1999, staff focused on working with private property owners to repair streambanks damaged by high flows that occurred in 1998. In addition, improvements were made at District restoration sites.

- *All Saints Restoration Project Completed*

In December 1999, the first phase of the All Saints Restoration Project was completed. This project encompassed 2,000 lineal feet of the Carmel River channel along 15 privately owned properties and included grading the channel bottom, installing granite rip-rap to guard against erosion and constructing log/rock deflectors at critical bends in the river channel. Staff also began to revegetate the streambanks and floodplain areas with native riparian species.

The All Saints Restoration Project has presented the District with a unique opportunity to involve eighth grade students at the All Saints Day School in the plan to revegetate and irrigate a section of the restoration project area that is owned by the school.

- *Assisted Property Owners with Riverbank Repairs*

District staff provided inspection, oversight, and technical assistance at repair sites along Rancho Cañada Golf Course and Rancho San Carlos property. In addition, staff reviewed completed projects for compliance with permit conditions. The District also supplied approximately 1,300 willow pole cuttings to property owners for use in their stream bank revegetation efforts.

- *Avian Monitoring Program*
In July 1999, the District retained the Ventana Wilderness Society to implement the District's avian monitoring program on the Carmel River. The degree to which bird species utilize streamside vegetation provides an excellent indicator of wildlife habitat value and demonstrates how wildlife is benefitting from the District's restoration projects.

Water Levels and Water Quality Monitored Regularly

- *Maintained Eleven Streamflow Monitoring Sites*
District staff maintained three streamflow monitoring stations along the Carmel River and nine stations on the major tributary streams that flow into it. Data collected are analyzed for use in water supply planning, fishery, riparian and erosion control programs. Several of the streamflow measuring stations are connected to the National Weather Service's ALERT system. Rainfall and streamflow data collected are transmitted to a computer station at the District office, so that staff can quickly access the data and ascertain conditions on the river.
- *Monitored Carmel River Lagoon*
The District has monitored surface water levels in the Carmel River Lagoon since 1987. In addition, water quality at the Lagoon is assessed twice a month.
- *Measured Water Storage in Carmel Valley Aquifer*
During 1999, monitoring data indicated that storage in the Carmel Valley aquifer remained relatively full for most of the year. The District's monitor well network in the aquifer includes 50 wells. They are measured once a month, with more frequent monitoring of selected wells during winter storms to determine how quickly the aquifer recharges.
- *Monitored Wells in Seaside Basin*
The District's monitoring well network in the Seaside Basin was increased to 30 wells in 1999, with the addition of the Ord Terrace monitor well. These wells provide monthly and quarterly readings of water levels. Data collected by Cal-Am at their production wells in the Seaside Basin supplements the District's information. The Ord Terrace monitor well will provide additional information on how the District's injection/recovery project will affect the Seaside basin.
- *Ground Water Quality Monitored in Carmel Valley Aquifer*
The District has maintained a Carmel Valley Aquifer water quality monitoring program since 1981. Results from the 1999 samplings indicated that water quality in the aquifer continues to be well within the State drinking water standard for nitrate. No indications of seawater intrusion were found at the District's coastal monitor well network near the mouth of the Carmel River.

FINANCIAL REPORT FOR FISCAL YEAR 1998 – 1999

REVENUES	\$3,338,618
User Fees	\$1,484,826
Connection Charges	\$226,347
Property Taxes	\$657,582
Other Fees/Reimbursements	\$557,007
Investments	\$363,437
Grants	\$49,419

User Fees – Paid by California-American and Seaside Municipal water system customers. Appears on water bills as "MPWMD Fee." Currently, 7.125% of the water bill.

Connection Charge– A capacity charge paid when a water permit is obtained. Current rate is approximately \$15,960 per acre-foot of water.

Property Taxes – A portion of the "\$1.00 County Wide Property Tax Rate." The District receives 0.023926% of the \$1.00 parcel tax assessed to support special districts.

Other Fees/Reimbursements – Includes water and well permit processing charges, fees for staff research and photocopying, reimbursements for Carmel River Dam Project Supplemental Environmental Impact Report and the Toilet Replacement Refund Program.

Investments – Earnings on District assets paid by banks and investment firms.

Grants – Received from Federal Emergency Management Agency and others to reimburse the District for repairs to the Carmel River banks that were damaged by the 1998 floods.

EXPENDITURES	\$3,216,820
Carmel River Mitigations	\$1,456,683
Water Augmentation	\$1,409,189
Water Conservation	\$350,948

Carmel River Mitigations – Fishery, vegetative, erosion control, water resources monitoring and other projects to offset damage resulting from water extractions along the Carmel River.

Water Augmentation – Includes research, environmental studies and other expenses related to development of water augmentation projects.

Water Conservation – Supports conservation education, toilet retrofit program and water permit compliance activities.

The Final report will include a chart illustrating the distribution of expenses and a graph showing revenue and expense trends of the Capital Projects Fund between 1989 and 1999.

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Monterey Peninsula Unified School District

700 Pacific Street P.O. Box 1031 Monterey, CA 93942-1031

March 30, 2000

Joe C. Tacker, Foreman
1999 Monterey County Grand Jury
P.O. Box 414
Salinas, CA 93902

Dear Foreman Tacker:

The following is in response to the final report of the 1999 Monterey County Grand Jury Report:

Recommendation #1:

Superintendent's Response

As a point of information, the Education Code specifies the parameters that school districts can evaluate certificated personnel. Therefore, the Monterey Peninsula Unified School District does not use STAR results to evaluate assignment of staff. Attached is an excerpt from our Certificated Master Contract that deals with evaluation.

Board's Response

Using STAR results to evaluate assignment of personnel is a bad idea now and perhaps even in the future. The state standards are not aligned with the test and the test is not testing what is in the curriculum. Until this is corrected, we would not be evaluating people fairly. Also, California is the only state that is testing English Language Learners with STAR and including their scores with other students. This is wrong. The Grand Jury should also know that the STAR test is normed on a population of students that does not match the student population in California. The question the Grand Jury asks only further exasperates the problem.

Recommendation #2

Superintendent's Response

The Monterey Peninsula Unified School District makes every effort to hire fully credentialed certificated teachers through a variety of ways, including but not limited to recruiting locally, state-wide and nationally. We also work collaboratively with CSUMB and other colleges and universities in an attempt to increase the job pool of teachers. Our student teacher program is excellent and has been quite successful for a number of years. It should be noted that there is a shortage of qualified teachers throughout the state and nationwide. This shortage is not unique to Monterey County. I believe the cost of living in our area and low average teacher's salary contributes to our difficulty in hiring teachers, particularly in certain subject areas such as bilingual, special education, math and science. Attached is a breakdown of the staffing procedure currently used to fill certificated vacancies, including the total number by credential category.

Recommendation #3

Superintendent's Response

As part of its 2000/01 budget reductions, the Board of Education voted unanimously to forego their stipends and fringe benefits program.

Board's Response

Firstly, no one seeks office on a school board because of benefits. No one knows there are some benefits until after they are in office. The benefit which the Grand Jury is concerned about is very small in comparison to the time, burden and responsibility board members have to carry in making decisions. Board members are pulled away from their jobs and families to carry out their duties for the district. This is done sometimes at financial sacrifice for some board members. In a two-year period of time, one board president lost an estimated \$30,000 of income from his business because of time spent on school district business.

Secondly, the Grand Jury is implying through its question that it does not favor a democracy in which everyone may have an opportunity to serve. The benefits provided could defray costs for someone who would otherwise find it a great financial burden to serve on the board. Is the Grand Jury suggesting that only individuals with financial means serve on school boards? Should only retired persons serve on school boards? What group of people does the Grand Jury want to eliminate? Perhaps others should search their collective conscience.

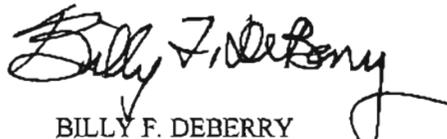
Thirdly, almost every other board and commission in the state, counties and cities provide some sort of compensation to its members. City councils also receive benefits. The Planning Commission for the City of Monterey receives a benefit as does junior college trustees and county school board members. Why are these benefits provided? Because all these bodies recognize the time commitment involved in giving public service. It is not an easy job. They all recognize that the benefit is small in comparison to the time and responsibility involved.

Recommendation #4**Superintendent's Response**

The Monterey Peninsula Unified School District has a very strong program at each site to prevent crime and vandalism. We use the California Safe Schools Assessment reporting procedure to document and monitor school crime and incidents of vandalism by students and non-students. The data is incorporated into school site safety plans designed with the assistance of local law enforcement to decrease school crime and vandalism. We have an exemplary School Resource Officer Program with the cities of Marina, Monterey and Seaside and a partnership with the Monterey County Probation Department to provide on-campus probation officers to assist in student-discipline issues. In addition, we have policies and procedures which support our efforts in the areas of crime and vandalism prevention. Attached for your information is a copy of our emergency procedures bulletin that I thought you might find quite informative.

I sincerely hope you find the above information helpful. If I can provide further assistance, please let me know.

Sincerely,



BILLY F. DEBERRY
Superintendent

BFD/es
Attachments

MASTER CONTRACT

MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT

MONTEREY BAY TEACHERS ASSOCIATION

1995-98



1 E. No action shall be taken by teachers or by the Association on enrollments prior to the
2 end of the second school week for elementary and middle school teachers and the end of the first
3 school month for senior high teachers in order to allow sufficient time for management to make
4 enrollment adjustments and hire additional personnel.

5 F. Student-teacher ratio computation shall include only regular classroom teachers.

6 G. For the purpose of implementation, these ratios shall not include movement of
7 students from school to school.

8 H. Class size Reduction. The District shall participate in the statutory ninth grade
9 language arts class size reduction program. It is the District's intent to participate in the statutory
10 primary grades (K-3) 1:20 ratio class size reduction program.

11 IX. EVALUATION

12 A. Employees shall be evaluated in accordance with a plan that is continuous and
13 comprehensive throughout the year and based upon objectives that lead to District goals and an
14 appropriate job description (see Exhibit D).

15 B. Responsibility for Evaluation. The evaluatee shall have the opportunity to
16 participate in the setting of learning objectives which become standards of performance by which
17 he/she shall be assessed. The final decision on required objectives and standards shall remain
18 with the Board of Education or its duly authorized representatives.

19 C. Certificated Evaluation Schedule and Procedures.

20 1. Basis for Evaluation. No later than the last full school day of the first quarter
21 of the year in which evaluation is to take place, the evaluator and the evaluatee shall meet and
22 mutually agree to the components upon which evaluation is to be based. The certificated
23 employees' job description and the following areas shall be considered during the establishment of
24 the components for evaluation:

25 a. Each employee shall be responsible for the implementation of the District-
26 approved curriculum and the establishment of standards of expected student progress in relation to
27 said curriculum, District goals, objectives, and priorities.

28 b. Each employee shall regularly assess progress relative to the standards set,
29 and use these data for making any necessary adjustments. Written evaluations of the employee
30

1 shall reflect both the results and the way in which the employee used the results for making any
2 necessary adjustments.

3 c. Each employee shall use appropriate instructional techniques and strategies.

4 d. Each employee shall perform reasonable adjunct duties. Adjunct duties shall
5 be defined as non-instructional duties and responsibilities, including supervisory and advisory
6 duties. A standing committee concerned with adjunct duties shall be established in each school.

7 This committee shall be composed of a representative group of certificated employees. If possible, it
8 shall meet prior to the end of the school year or at the beginning of the subsequent school year. Its
9 charge is to fully review and interact with the administration regarding the establishment of an
10 adjunct duty plan. The reasonableness of duties, the equitability in assignment, the development
11 of new proposals, discussion of problems and concerns, shall be appropriate subject matter for the
12 committee's deliberations. Where the committee and the administration cannot reach a mutually
13 satisfactory agreement, a member of the committee and his/her representative shall meet with
14 the Superintendent to attempt to resolve the issues. The decision of the Superintendent shall be
15 final. Adjunct duties shall be given secondary emphasis in the evaluation process.

16 e. Each employee shall be responsible for maintaining control and a productive
17 environment in the area under his/her jurisdiction.

18 f. Each employee shall maintain appropriate and effective professional
19 relations with staff, students, parents, and the community. (Code of Ethics of the Teaching
20 Profession and California Administrative Code, Title V.).

21 D. Process of Evaluation

22 1. Frequency of Evaluation. Evaluation summaries shall be written at least every
23 other year for permanent employees and for categorical employees after five (5) years of service in
24 the same position. A year shall not be omitted, however, if:

25 a. A written prescription has been attached to the employee's previous year's
26 evaluation summary.

27 b. The employee has moved into a substantially different assignment on the off
28 year. Evaluation summaries shall be written twice during the year for all temporary,
29 probationary, and permanent employees with prescriptions in effect from previous evaluations, or
30 when the evaluator feels additional documentation is necessary.

1 2. Observations and Visitations. There shall be a minimum of two (2) classroom
2 observations made prior to the writing of an evaluation summary. The observation shall occur
3 during instruction rather than testing or study. One of the two required observations shall be
4 announced in advance. If either the evaluatee or evaluator wishes prior discussion or written
5 information regarding the components of the evaluation, either person may request it. Each of the
6 two required classroom observations shall be a minimum of 25 minutes except when circumstances
7 would not permit.

8 3. Evaluation Conference and Summaries. The evaluator shall prepare a written
9 observation report within ten (10) school days of the observation. This observation report shall
10 not be based on any information which was not collected through the direct observation of the
11 employee. A copy of the observation report shall be submitted to the employee. Either the
12 evaluator or the employee may request a conference to discuss the observation or observation
13 report. When both observations have been made, a Summary Evaluation shall be written. This
14 summary shall consider information listed under the basis for evaluation section of this article as
15 a basis for making judgments. At least three (3) observations and an informal conference shall
16 take place prior to any negative comments or judgments being included in the summary evaluation.
17 A copy of the summary evaluation shall be submitted to the Director of Human Resources and the
18 employee. A meeting shall be held between the evaluatee and evaluator before the end of the
19 school year to discuss the evaluation.

20 E. Forms. The forms to be used for the Summary Evaluation shall be those in use in
21 1975-76, unless they are revised by mutual agreement of the Board of Education and the
22 Association.

23 F. Problem Cases

24 1. As long as no major problems exist and minor ones are being handled effectively, a
25 satisfactory rating shall be given on the Summary Evaluation with accompanying descriptions.

26 2. When informal methods fail to promote improvement in problem situations, more
27 formal procedures shall be initiated. This should include complete documentation of all steps
28 taken in all affected areas of evaluation. When an evaluatee is then marked unsatisfactory in an
29 area on the Summary Evaluation, a written prescription shall be attached indicating the specific
30

1 improvements to be made. Efforts to assist the evaluatee shall also be described and a reasonable
2 date established for verifying the results.

3 3. If this more formal documented approach fails to promote improvement in a
4 serious problem area resulting in an unsatisfactory evaluation, a Contingency Prescription (notice
5 of incompetency) shall be written and attached to a Summary Evaluation describing the conditions
6 leading to that action. A Contingency Prescription states that the evaluator's recommendation
7 for rehiring shall be based upon the accomplishment of the prescribed improvements within a
8 stated period of time. A permanent employee shall be given at least ninety (90) days to fulfill a
9 Contingency Prescription. The evaluator shall personally notify the Director of Human Resources
10 when a Contingency Prescription is being considered. If a Contingency Prescription is not fulfilled,
11 the District may initiate dismissal procedures according to the law. No employee shall have a
12 Contingency Prescription written for him/her while placed in an assignment that has been
13 designated as temporary (one year or less).

14 G. Resolving Disagreement. In cases where the evaluatee takes issue with an
15 Evaluation Summary a conference shall be held between the evaluatee and his/her evaluator
16 upon the written request of the evaluatee. Any written reaction submitted by the evaluatee
17 within ten (10) working days, shall be attached to the Evaluation Summary as part of the official
18 record.

19 H. Calendar

20 1. At Any Time. Prescriptions for improvement may be written for teachers as
21 described in IX., F., 2, at any time except for the first twenty (20) days of the school term.

22 2. By Last Day Before Winter Recess.

23 a. At least two (2) observations/conferences have been held with:

- 24 1) all temporary and probationary teachers
25 2) those permanent teachers with prescriptions

26 b. Evaluation Summaries have been submitted for:

- 27 1) all temporary and probationary teachers
28 2) those permanent teachers with prescriptions

29 3. By Last Friday in February. At least two (2) additional observations/conferences
30 have been held with all teachers with prescriptions (temporary, probationary, or permanent).

1 Second Evaluation Summaries have been submitted for any teacher being recommended for
2 termination.

3 4. Thirty Days Prior to the Last Instructional Day. At least one (1) additional
4 observation/conference has been held with all temporary and probationary teachers (those with
5 and without prescriptions). All permanent employees without prescriptions shall have had at
6 least two (2) observations/conferences in the year they are scheduled to receive a summary
7 evaluation.

8 5. By the end of the School Year. A Summary Evaluation shall be completed for
9 each employee under prescription.

10 6. Any personnel evaluation must be completed prior to the end of the school term.
11 Any Contingency Prescription may be carried over into the following school term.

12 7. All deadlines included within this evaluation provision except legal deadlines,
13 may be extended by mutual agreement.

14 8. Failure to meet timelines and other evaluation requirements for temporary
15 employees does not grant additional rights beyond the Education Code regarding expectancy of
16 reemployment.

17 X. WORKDAY

18 A. Except for Children's Center and Preschool teachers, the workday for full-time
19 employees shall be for a period of seven and one-half (7 1/2) hours and shall include the Board's
20 approved instructional time, teacher duty-free lunch, and the appropriate recess periods
21 prescribed by law. The workday at each school shall begin and end at the same time for all
22 employees assigned to that school. Exceptions may be based upon the following:

23 1. Educational program needs as determined by the principal with the advice of
24 those staff members affected.

25 2. Optional Period Day - Teacher Assignment.

26 a. Within the 7 1/2 hour workday, a high school teacher's assignment may
27 begin with an O period assignment or end with a 7th period assignment. In either case the
28 assigned periods shall be consecutive.

29 b. Prior to assigning a teacher to either assignment, qualified volunteers shall
30 be sought.



Monterey Peninsula Unified School District

700 Pacific Street P.O. Box 1031 Monterey, CA 93942-1031

Human Resources Department

March 9, 2000

The Monterey Peninsula Unified School District has approximately 800 contract certificated staff members. The staffing procedure currently used to fill a certificated vacancy is as follows.

The interview process is completed and the recommendation to hire the most qualified credential applicant follows this order:

1. Appropriate credential program fully completed including BCLAD.
2. Appropriate credential program fully completed including CLAD.
3. Appropriate credential program fully completed with commitment to enter the Plan to Remedy Program leading to a BCLAD.
4. Appropriate credential program fully completed with commitment to enter the Plan to Remedy Program leading to a CLAD.
5. Elementary or Secondary program fully completed that does not match the assignment with eligibility for an emergency credential in the appropriate credential program. The number of staff members in this category are indicated.

Elementary	0	Secondary	19	Special Services	11	TOTAL	30
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6. Eligibility for a pre-intern/intern certificate in the appropriate credential program (minimum qualification is a bachelor's degree and a passing score on CBEST). The number of staff members in this category are indicated.

Elementary	3	Secondary	0	Special Services	0	TOTAL	3
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7. Eligibility for an emergency credential in the appropriate credential program (minimum qualification is a bachelor's degree and a passing score on CBEST). The number of staff members in this category are indicated.

Elementary	14	Secondary	24	Special Services	9	TOTAL	47
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8. Eligibility for a waiver certificate in the areas of reading specialist, library media, and special education services only (minimum qualification is eligibility for an emergency credential in the appropriate credential program). The number of staff members in this category are indicated.

Elementary	4	Secondary	0	Special Services	11	TOTAL	15
Reading							
Library							

TOTAL	Elementary	21	Secondary	43	Special Services	31	TOTAL	95
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5/11/00

Since this response from Soledad was not required, I did not include it in responses sent to internet; however, I am filing for information purposes on

March 16, 2000

EW

Honorable John M. Phillips
Presiding Judge of the Coordinated
County of Monterey
Post Office Box 414
Salinas, California 93902

RE: RESPONSE TO 1999 GRAND JURY REPORT

Honorable Judge Phillips:

On behalf of the City Council of the City of Soledad, I am writing to provide a response to the Final Report of the 1999 Monterey County Grand Jury. Specifically, the issues regarding planning and growth in Monterey County. As you know, Soledad is one of the fastest growing cities in the County and we are very focused on good solid planning for our future and to maintain a well-balanced community.

- **Planning and Growth**

The City concurs with the Findings concerning planning and growth. In particular, we want to emphasize the importance of Finding #8 on Page 42, that stresses the need for the County to protect agricultural land and maintain open space by directing growth to the cities. In fact, our City Manager as well as myself as Mayor and several of our Councilmembers (current and past) have been actively involved in the development of the City Centered Growth Task Force to address this issue. As a result, four growth principles were developed and endorsed by all jurisdictions and yet we continue to debate this issue.

After at least seven years of meetings, there has been little action on actually putting the principles into policy and action. The most significant issue is that of revenue from the tax base that would be created from future commercial, industrial and retail projects. The City of Soledad understands clearly why the County would like to open discussions regarding any revenue sharing agreements with the cities.

Review of Recommendation #6 continues this theme. As outlined above, the County must recognize and actively support granting the cities adequate land area for urban expansion if in fact future development is to take place in the cities.



Honorable John M. Phillips
March 16, 2000
Page 2

This development is vital to the overall economic viability and health of our communities. In this regard, we are concerned that the LAFCo staffing structure, which is not independent, but currently functions as an arm of the County organization, advances County land use policy of encouraging development in the unincorporated area. This current staffing arrangement can lead to LAFCo recommendations which may limit good growth and may force the smaller cities to miss out on development opportunities. This is an immediate and pressing need for the City of Soledad.

The City of Soledad wholeheartedly supports Recommendation #7, which addresses the need for affordable housing and support for such housing by the hospitality and agricultural communities. The City of Soledad has always and continues to be one of the few communities in the County that embraces affordable housing. A thought, which needs further exploration, is the extreme difficulty to provide adequate services to these new residents and maintain a community that we can all be proud of.

As you are aware, the industries that are generating so much of the housing needs are contributing nothing at the local municipal levels to the costs of the housing and the services to support it. The City of Soledad looks forward to working with the County, other cities and the agricultural and hospitality industries to devise specific cost sharing measures that will channel housing related funds or impact fees to communities, such as Soledad, that are willing to provide such housing.

Recommendation #8 is also a timely issue. Our response to this recommendation is similar to #7 above. If the City of Soledad and other communities in the County are expected to construct housing for workers in Santa Clara County and on the Peninsula through the focus on tourism and golf courses, then we need direct support from that County and the industries providing the jobs to our costs of infrastructure and the long term maintenance of services.

If further information is required, please do not hesitate to call our City Manager Belinda Espinosa, or myself at 678-3963 Extension 110 and we will be happy to speak with you or any representatives of the Grand Jury.

Sincerely,



GARY GERBRANDT
Mayor

c: City Council
City Attorney