

RESPONSE TO THE 2000 MONTEREY COUNTY GRAND JURY FINAL REPORT

Response to Findings 1 –7 and Recommendations 1 – 7

Response to Finding # 1 (Hiring and Promotions): The District Attorney partially disagrees with this finding.

To the extent that there is any inference that the Family Support Division has hired or promoted an individual not following the rules of the County or not in a fair and objective basis is unfounded and, accordingly, the District Attorney disagrees. The District Attorney does agree that when hiring or promoting that all attributes should be considered, including work experience, attitude, adaptability, teamwork, mastery of technical skills, and seniority. The Division strictly adheres to the County rules regarding the competitive recruitment, examination, and promotion process. The County and the Division are interested in hiring and promoting the most qualified candidates, whether they are selected from within current County ranks or from the outside job market. Internal hiring and promotion is done fairly and on a non-biased basis, without exception. The Division does not promote on seniority exclusively. Promotions are based upon successfully passing a competency test and favorable evaluations by the employees' immediate supervisor.

The decision by the County Administrative Office to decentralize County employment services by dedicating a full time personnel analyst to the Division has helped to expedite and improve the hiring process. The Division is proud of having one of the highest promotional rates in the County. Since January 1999, approximately 50 percent of all positions filled within the Division were by promotion from within the Division.

Response to Recommendation # 1 (Hiring and Promotions): This recommendation was implemented prior to the Grand Jury's inquiry and will continue to be fully implemented.

For promotions to all positions including management or supervisory positions, attitude, adaptability, and teamwork are considered critical attributes. Emphasis is also placed on customer service qualities and working with others harmoniously. Employees who do not demonstrate those attributes receive the proper counseling and coaching to assist them in reaching their full potential.

The Division has expanded its training program to capitalize on the expertise of the assigned human resources personnel, including a full-time personnel technician to assist and support the personnel analyst. This will allow the personnel analyst to provide extensive, ongoing advice and expertise to supervisors and managers.

Response to Findings # 2 (Job Performance Evaluations): The District Attorney agrees with this finding.

The Division has instituted a performance management system that includes adherence to the annual written employee performance review process. Management acknowledges that supervising personnel have been remiss in providing timely evaluations to staff; however, no employee has been denied a step increase or a promotion due to a supervisor or manager not providing a timely annual evaluation.

The Division has implemented frequent employee assessment reviews to help determine individual staff needs. These more frequent reviews will also help the supervisor and employee develop cooperative employee development plans.

Response to Recommendation # 2 (Job Performance Evaluations): This recommendation has been fully implemented.

An improved performance assessment system has been implemented which will help employees and supervisors identify ongoing training needs as well as creating a forum for positive communication between the employee and the supervisor. It will provide an opportunity for positive feedback to staff on a more frequent basis, and will ensure that expectations are clearly understood. The performance evaluation, including identification and implementation of required employee goals and objectives, will be monitored carefully by senior management to ensure evaluations are objective and adequate recognition of employee strengths and weaknesses are fully documented.

For the past several years, the Division has provided specialized training to managers and supervisors in the preparation of objective constructive performance evaluations. The Division's performance evaluation form mirrors the County's model, which is designed to ensure constructive comments. It should be noted that the Division was a forerunner in the County in creating a performance evaluation form several years ago that included goals and objectives for the employee.

The Division has developed a new and improved performance evaluation-tracking log that will ensure staff performance evaluations and reviews are current.

Response to Findings # 3 (Internal and External Training): The District Attorney partially disagrees with this finding.

The District Attorney has aggressively provided technical training for all employees for the last decade, thus, disagreeing with the Grand Jury's finding that the Division may have been deficient in providing adequate training in past years.

The District Attorney has recognized the need to provide additional training for supervisory staff and, accordingly, agrees with the Grand Jury's finding in that respect. Steps taken to address the area of training, to include all employees, are as follows.

- Internal training of all staff has been an ongoing process for more than ten years.

- The Division has developed excellent training staff that provides ongoing specialized training, and will continue to focus on ensuring that all employees are receiving the necessary training to optimize their effectiveness.
- Refresher courses and technical training courses are provided to staff on a frequent basis.
- The training staff is very aware of procedural changes made at the State and Federal level and is proactive in providing the necessary training to staff.
- With the implementation of a new state mandated computer system, internal staff training has been extensive and lengthy.
- The State of California has been selected to pilot a federal program to develop a model training program for child support staff, which includes exploring the establishment of a professional certification program, which will add additional value to the knowledge and skills required of child support professionals.
- Internal training is mandated for managers and supervisors in specialized areas, e.g., sexual harassment; discrimination; violence in the workplace; attention deficit disorder; etc.
- All Division managers were among the first class to graduate from the sixteen-week course offered by the Monterey County Leadership Institute.
- All Division supervisors have attended courses sponsored by the Institute to enhance supervisorial skills.
- All Division managers have completed County sponsored Zenger Miller training.

Response to Recommendation # 3 (Internal and External Training): The recommendation has been previously implemented and will continue to be refined in future implementation.

Records of internal and external training have been maintained for several years and will continue to be maintained by a staff training team. A course evaluation process used by all managers and supervisors ensures that training is effective as well as determines how individuals plan to implement any learned skills/knowledge. Supplemental training is provided when appropriate and necessary to optimize the effectiveness of individual staff member.

Schedules for personnel to attend training seminars and conferences have been designed to ensure that all appropriate classifications of employees have the opportunity to attend outside training which is deemed necessary for staff development purposes and or organizational needs. During the last decade, over eighty percent of the Family Support Officers, Investigators, and Accounting Staff, and one hundred percent of the Division's Attorneys, Supervisors, and Managers have participated in external training out of Monterey County. Most of the training is highly specialized and provided by the California District Attorney's Association, the California Family Support Council, and the National Child Support Enforcement Association. Debriefing and the dissemination of information obtained from outside training conferences and seminars have been and will remain a current requirement. Support staff, unless they are performing a highly specialized duty, generally do not attend external training. Any inference that favoritism is used to select attendees is erroneous.

It should be noted that the Division could not maintain its high level of performance if comprehensive training were not made available to staff.

Response to Finding # 4 (Caseload): The District Attorney agrees with the finding.

The recommendation that caseloads be distributed fairly among all family support officers has always been the approach used by the Division. The Grand Jury recognizes that different cases require different levels of attention and handling. The Division will continue to assign cases that require special handling and are more complex to resolve to a special resolution team. This current team consists of two family support officers and one supervising family support officer. They interface directly with the staff of the Board of Supervisors, as well as with State and Congressional staff, to resolve issues of dispute as quickly as possible. The State of California recognizes the importance of such specialized casework and has recommended all counties structure their operations to include staff that can quickly resolve matters of dispute. The State is providing additional funding for this endeavor.

Response to Recommendation # 4 (Caseload): The recommendation has been implemented.

For the past several years, this recommendation has been in place. Caseloads will continue to be assigned to family support officers depending on complexity and, as a result, will always result in varying numbers of cases assigned to each family support officer. The Grand Jury has recognized this as an acceptable business practice Statewide in child support enforcement divisions.

Response to Finding # 5 (Morale): The District Attorney agrees with this finding.

As stated in the Grand Jury report: “The nature of the work performed by FSD staff is difficult. Staff members at all levels, but particularly Family Support Officers (FSOs), are on the front line dealing with custodial and non-custodial parents in adversarial positions. As a result, staff members are often caught in the middle of parental conflicts and may be subjected to a variety of abuses. Conflicting client demands coupled with ongoing change is certain to be stressful.”

The work of the Division is highly regulated by both federal and state laws and regulations, which in many cases are designed to remove discretion from family support officers. This poses a unique challenge to family support officers, as well as to managers and supervisors because of the need to provide good, friendly customer service to the residents of this County. We agree with the Grand Jury’s finding that, “The District Attorney’s Office and FSD management have endeavored to create programs and opportunities to foster a positive and supportive environment”. The Grand Jury’s statement that a core group of employees “...may hold a dark view of morale” is of concern, but we are also pleased that the findings of the independent interviewing of staff conducted by the Service Employees International Union Local 817 found that the, “...condition of negative morale had been overstated.”

The vast majority of individuals adjust to changes in a very positive manner, whereas others may have a more difficult time adjusting to changes. We will continue to work with all

employees to accept and adapt to mandated changes.

Response to Recommendation #5 (Morale): This recommendation has been implemented for the past several years and will continue to be implemented.

The Division fosters morale through its Shining Star Program, which has been recognized Statewide and praised at the County level, is a program wherein line staff select their peers for employee of the quarter and of the year; Division newsletter; suggestion program; picnics; team sports; holiday and other “theme” potlucks, all of which contribute heavily to maintaining morale in spite of the difficult and challenging nature of the work. Additional coaching and career counseling will be provided to any individual who is showing discontent in their current job assignment or career choice. The Grand Jury suggests and we agree, “...that it may be necessary for some employees to consider their discontent and determine if they are really in the right place for their own needs and well-being”. In appropriate situations, a supervisor may recommend that the employee seek help from the County’s Employee Assistance Program. Reassignments within the Division and or outside the Division, wherever possible, will always be considered to help the individual obtain career satisfaction.

Response to Finding # 6 (Supervisory/Managerial Methods): The District Attorney partially disagrees with this finding.

It should be made clear that no individual has been promoted into a supervisory or managerial role because they “...are unwilling or perhaps unable to conduct their duties in a fair, respectful, non-threatening and non-judgmental...” If or when supervisors act as described, appropriate steps are taken to change their behavior, including counseling and, if necessary, disciplinary action. Additionally, all supervisors and managers have been provided the tools and training to help them be proficient as supervisors or managers.

Response to Recommendation #6 (Supervisory/Managerial Methods): The District Attorney agrees with the recommendation.

All supervisors and managers of the Division attend the Leadership Institute’s ongoing training for supervisors and managers and, additionally, external courses focusing on skills and solutions to promote a supportive environment for all employees. Required routine coaching sessions will help recognize verifiable goals and objectives and will provide a forum for constructive feedback. Additionally, the case manager supervisors have developed a quarterly “Supervisor Assessment” survey document that will be provided to individual team staff members to help assess the effectiveness of individual supervisors and to provide constructive feedback on how to improve in specific areas of supervision, coaching, or mentoring. The management team of the Division will continue to promote attendance in courses that provide proper and positive coaching techniques; effective communication; interpersonal skill development; and effective performance management tools for staff responsible for the performance of others.

Response to Finding # 7 (A Changing Work Place): The District Attorney agrees with this finding.

The Division is a fluid, changing environment and faces challenges daily regarding procedural and process changes. The Division prides itself in providing information to all staff on a timely basis regarding pending changes as well as providing positive reinforcement as to why the changes are necessary. Team meetings and suggestions and ideas are solicited from team participants. Management believes strongly and encourages all middle management and supervisors to capture ideas and suggestions from those who are involved with the specific business process at hand. New automated systems, new organizational changes that are dictated from the federal or state level become "...non-negotiable mandates..." which we are responsible to follow. It is agreed that, "...each individual is ultimately responsible for how they will react and respond to this changing environment".

Response to Recommendation #7 (A Changing Workplace): The recommendation has been fully implemented.

Business process change is an ongoing process that is not only a result of changing laws and regulations, but also is a dynamic process that must be in place so that suggestions and ideas on how to improve any business process can be implemented quickly and successfully. The Division is proud of developing programs that recognizes individuals for the submission of new ideas and suggestions. The Division also conducts weekly meetings with representatives from all functional areas and proactively seeks out ideas and suggestions from within regarding on-going improvements of current processes and procedures. All meeting minutes are available to interested staff and input is encouraged from all staff members.

What should not be lost in the evaluation of this organization is the hard work and dedication of all staff and individuals, which is manifested in the Division and individual staff receiving national and statewide awards for outstanding performance. The record-breaking collection increases are a strong indicator of a well-managed organization. The Family Support Division will continue to strive for excellence in the delivery of service to all, but most importantly to the children who are in need of child support paternity establishment and child support enforcement services.

City of Marina

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RECEIVED

MAY - 8 2001

SHERRI L. PEDERSEN
CLERK OF THE SUPERIOR COURT
DEPUTY



OFFICE OF THE MAYOR

April 26, 2001

The Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
P.O. Box 1819
Salinas, CA 93902

Dear Judge O'Farrell:

Following is the response of the Marina City Council to the findings and recommendations of the 2000 Monterey County Grand Jury regarding domestic violence.

FINDINGS:

1. All 12 police stations, as well as the Sheriff's Department, were in general compliance with the 1996 Grand Jury recommendation that domestic violence information be readily available. However, the type of materials offered varied widely at each location, as did the level of accessibility visitors had to the information.

Response: We agree with this finding.

2. Based on data gathered by the 2000 Grand Jury, a relatively small number of citizens picked up domestic violence materials at police stations. Walking into a police station may be intimidating to many individuals who are in need of information. The Grand Jurors were further informed by most jurisdictions that officers responding to a domestic violence call always carry written information about a victim's legal rights and available resources for assistance. Unfortunately, by the time an officer responds to a domestic violence call, the brochure provided at the incident is after the fact.

Response: We agree with this finding.

3. Some smaller community police stations and the Sheriff's sub-stations do not have seven-day-a-week, 24-hour-a-day access to provide availability of materials. One small Monterey Peninsula police station provided 24-hour-a-day access to domestic violence materials through a covered receptacle located outside the station. Civilian staff at the station reported this receptacle is replenished more frequently than the one inside.

Response: We agree in part but cannot answer for other agencies operations.

4. Not all law enforcement agencies claimed to have a special unit or a specific officer in charge of domestic violence, but each indicated that most officers were trained in domestic violence issues.

Response: We agree with this finding.

5. Children of all ages from all socio-economic and cultural backgrounds may routinely witness domestic violence in their homes. The California Attorney General's Office publication, "Domestic Violence Handbook - A Survivor's Guide" (p. 7), reports that, "While domestic violence is not hereditary, it has been shown to be learned behavior and is often handed down from one generation to the next." Physical assault within the family can become accepted as a normal part of life and may not even be recognized as a crime by some men and women. Children from these homes need help in developing life management skills that may prevent them from becoming abusers or the abused in their teen or adult life.

Response: We agree with this finding.

6. Section 1 of the Monterey County Domestic Violence Coordinating Council Resolution No. 96-357 establishes a membership requirement of 17 members. The committee is composed of members representing the legal and law enforcement communities, social services and related not-for-profit resource agencies, the medical community, and five Monterey County Board of Supervisors' at-large appointees. There was no specific education community component in the mix.

Response: No response required.

7. The Correctional Training Facility at Soledad donated the first printing of the domestic violence information brochure created by the Council. At that time, the brochures were distributed in quantity to law enforcement agencies and related non-profit service providers. In addition to an initial stock of brochures, each agency was to be provided a camera-ready master to be used to replenish the supply as needed within each individual organization. The Coordinating Council is a non-funded agency and, as such, has no budget for printing and distributing brochures on a regular basis. Therefore, it becomes the responsibility of each distributing agency to provide copies of the brochure.

Response: We agree with this finding.

RECOMMENDATIONS

1. Each police station and the Sheriff's Department review its policies and procedures to ensure the availability of, and easy access to, domestic violence information for the general public. Further efforts be made to standardize the compliance criteria among all law enforcement departments to meet the requirements of the Penal Code to a far greater extent.

Response: We agree with this recommendation.

2. Law enforcement agencies, domestic violence resource agencies, and the Board of Supervisors through the Domestic Violence Coordinating Council of Monterey County; look at additional sites to distribute domestic violence information. To the degree possible, considering resources available, the 2000 Grand Jury supports increased effort in making information available at locations such as walk-in clinics, drug store pharmacy counters, post offices, libraries, and other suitable venues visited by local citizens on a regular basis. Such availability could increase the probability of getting information into the right hands before serious domestic violence problems develop or escalate.

Response: We agree with this recommendation. The Marina Department of Public Safety will make available to the public, domestic violence information beyond what we currently provide, as recommended by the Grand Jury by July 31, 2001.

3. Police stations that do not have 24-hour inside access to available materials provide an outside receptacle such as a metal box or protected display rack clearly marked to contain domestic violence information. As some may feel too intimidated to enter the police station to request information, an outside container may provide increased access to all segments of society.

Response: We disagree with this recommendation in that such a receptacle would be subject to theft and vandalism. The area in front of the public safety station after normal business hours has minimal pedestrian traffic. We feel the public would be better served by making this information available in other areas of the city.

4. While not all police stations are large enough to have a specific unit dedicated to domestic violence, one officer be designated and trained as the expert on domestic violence. Such an expert could oversee ongoing training of the police force and offer detailed attention to the important issue of domestic violence.

Response: We agree with this recommendation. The Department of Public Safety has a dedicated Community Services Specialist who is the point of contact for domestic violence victims and follow up. The public safety officers have received and continue to receive extensive training on domestic violence. Domestic violence training for all employees is scheduled by the department's training coordinator on an annual basis.

5. Existing programs that educate children about domestic violence be emphasized and expanded to protect and reach more of them at an earlier age to help break the cycle of violence. Programs that focus on strengthening interpersonal relationships and developing a capacity for tolerance and respect for self and others are needed at every grade level within our community schools. The 2000 Grand Jury further recommends law enforcement officers use their interactions with school-age children as opportunities to include advice and counsel on the subject of domestic violence.

Response: The City of Marina agrees with this recommendation and interacts with school age children through the Public Safety DARE program and School Resource Officer.

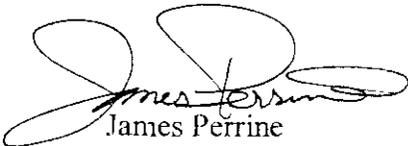
6. The Domestic Violence Coordinating Council Resolution be amended to add a representative from the education community.

Response: No response required.

7. Each police station, Sheriff's Department and sub-stations, and all other agencies providing the Council's domestic violence brochure as a resource verify the availability of an adequate supply. In addition, each site should determine that a master copy was, in fact, received, is available, and if not, contact the Council to obtain a new master to ensure a future supply of brochures.

Response: We agree with this recommendation. The Public Safety Department will maintain a master copy on file and has an adequate supply of brochures.

Sincerely,

A handwritten signature in black ink, appearing to read "James Perrine". The signature is stylized with large loops and a long horizontal stroke at the end.

James Perrine
Mayor
City of Marina

Cc: City Council
City Manager
Public Safety Director
FILE: 2000 Monterey County Grand Jury – Domestic Violence

KING CITY POLICE DEPARTMENT

Richard A. Metcalf
Chief of Police

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

April 24, 2001

Monterey County 2000 Grand Jury:

On March 13, 2001, the City Council unanimously approved the following responses to the *recommendations* of the Monterey County 2000 Grand Jury.

1. Response to Findings: Respondent agrees with the finding.
The recommendation has been implemented as noted.

The King City Police Department has reviewed its policies and procedures to ensure the availability and easy access to domestic violence information for the public. The Department provides domestic violence information to officers for use in the field as well as displaying the information in our lobby. The information is clearly visible in the lobby and is printed in both English and Spanish. Our bilingual front office staff is trained in the importance of ensuring that domestic violence incidents are reported. The Department tracks all domestic incident reports, whether an arrest is made or not.

The law enforcement agencies within Monterey County actively coordinate information sharing and training through the Monterey County Police Chief's Association, (MCPCA). Domestic violence issues are often reviewed and recommendation made on compliance with the appropriate Penal Code sections. The MCPCA has established a Local Assistance Protocol and an Emergency Protective Order Protocol to implement an efficient and trustworthy system to deal with emergency protective orders and assistance with investigations when local resources are not available. Domestic violence training is available on a countywide basis for all participating law enforcement agencies. POST training is required for all police personnel in the State and is standardized for all agencies.

2. Response to Findings: Respondent agrees with the finding.
The recommendation has been implemented as noted.

The King City Police Department will make a reasonable effort to distribute domestic violence information at the local medical facility, pharmacy, library and post office. We will seek assistance from those locations in keeping the materials in stock.

KING CITY POLICE DEPARTMENT

Richard A. Metcalf
Chief of Police

3. Response to Findings: Respondent agrees with the finding.
The recommendation will not be implemented because it is not warranted or is not reasonable as noted.

The King City Police Department is not open on a 24-hour basis; however, a direct telephone is located on the outside of the facility for direct access to County communications. Citizens may request the assistance of a police officer in English or Spanish. Although the idea of providing domestic violence information in an accessible box on the outside of our facility has merit, the probability of vandalism and destruction of the materials does not make it feasible. The Department will focus on breaking down barriers that may make people feel intimidated to enter the police department. The following strategies will be implemented to eliminate the feeling of intimidation:

- Open House tours of the police department for the public
- Police Department public information TV shown on local cable access channel
- Presentation of Domestic violence information at Neighborhood Watch Programs
- Placing of information on the Department web-site
- Public Information on radio and the local newspaper.

4. Response to Findings: Respondent agrees with the finding.
The recommendation has been implemented as noted.

The King City Police Department has a Training Sergeant assigned as the expert on domestic violence. In addition, all personnel receive training on the importance of investigation, documenting, making referrals and arresting in domestic violence situations.

5. Response to Findings: Respondent agrees with the finding.
The recommendation has been implemented as noted.

The King City Police Department in conjunction with the local school districts will include a segment on Domestic violence within the DARE Program. This will introduce children to the subject and provide valuable information on how to avoid, recognize and report violence within the home.

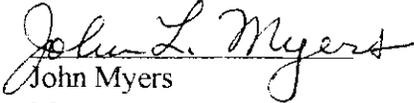
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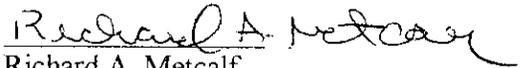
The Department currently has an adequate supply of domestic violence brochures for citizens and police officers in English and Spanish. The information is clearly marked and available in the lobby of our facility. A master copy of the brochure is available to copy. We have recently installed a document rack to display a variety of informational brochures in the Department lobby. Each document pouch will be clearly marked for easy access to the residents.

KING CITY POLICE DEPARTMENT

Richard A. Metcalf
Chief of Police

Respectfully submitted:


John Myers
Mayor


Richard A. Metcalf
Chief of Police

KING CITY POLICE DEPARTMENT

Richard A. Metcalf
Chief of Police

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

April 24, 2001

Monterey County 2000 Grand Jury:

On March 13, 2001, the City Council unanimously approved the following responses to the finding of the Monterey County 2000 Grand Jury.

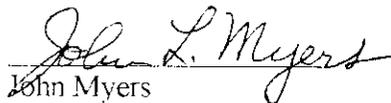
1. The King City Police Department has reviewed its policies and procedures to ensure the availability and easy access to domestic violence information for the public. The Department provides domestic violence information to officers for use in the field as well as displaying the information in our lobby. The information is clearly visible in the lobby and is printed in both English and Spanish. Our bilingual front office staff is trained in the importance of ensuring that domestic violence incidents are reported. The Department tracks all domestic incident reports, whether an arrest is made or not. The law enforcement agencies within Monterey County actively coordinate information sharing and training through the Monterey County Police Chief's Association, (MCPCA). Domestic violence issues are often reviewed and recommendation made on compliance with the appropriate Penal Code sections. The MCPCA has established a Local Assistance Protocol and an Emergency Protective Order Protocol to implement an efficient and trustworthy system to deal with emergency protective orders and assistance with investigations when local resources are not available. Domestic violence training is available on a countywide basis for all participating law enforcement agencies. POST training is required for all police personnel in the State and is standardized for all agencies.
2. The King City Police Department will make a reasonable effort to distribute domestic violence information at the local medical facility, pharmacy, library and post office. We will seek assistance from those locations in keeping the materials in stock.
3. The King City Police Department is not open on a 24-hour basis; however, a direct telephone is located on the outside of the facility for direct access to County communications. Citizens may request the assistance of a police officer in English or Spanish. Although the idea of providing domestic violence information in an accessible box on the outside of our facility has merit, the probability of vandalism and destruction of the materials does not make it feasible. The Department will focus on breaking down barriers that may make people feel intimidated to enter the police department. The following strategies will be implemented to eliminate the feeling of intimidation:

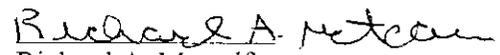
KING CITY POLICE DEPARTMENT

Richard A. Metcalf
Chief of Police

- Open House tours of the police department for the public
 - Police Department public information TV shown on local cable access channel
 - Presentation of Domestic violence information at Neighborhood Watch Programs
 - Placing of information on the Department web-site
 - Public Information on radio and the local newspaper.
4. The King City Police Department has a Training Sergeant assigned as the expert on domestic violence. In addition, all personnel receive training on the importance of investigation, documenting, making referrals and arresting in domestic violence situations.
 5. The King City Police Department in conjunction with the local school districts will include a segment on Domestic violence within the DARE Program. This will introduce children to the subject and provide valuable information on how to avoid, recognize and report violence within the home.
 7. The Department currently has an adequate supply of domestic violence brochures for citizens and police officers in English and Spanish. The information is clearly marked and available in the lobby of our facility. A master copy of the brochure is available to copy. We have recently installed a document rack to display a variety of informational brochures in the Department lobby. Each document pouch will be clearly marked for easy access to the residents.

Respectfully submitted:


John Myers
Mayor


Richard A. Metcalf
Chief of Police



City of Greenfield

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February 22, 2001

Honorable Robert O'Farrell
Presiding Judge of Superior Court
Monterey County
PO Box 1819
Salinas Ca 93902

Your Honor:

AS required by Penal Code Section 933(b), please find the City of Greenfield official response to the final report of the year 2000 Monterey County Civil Grand Jury.

DOMESTIC VIOLENCE

Findings #1 through 5,7
Recommendations # 1 through 5,7

FINDINGS

1. The Greenfield Police Department is in compliance. Domestic violence material is available in the police department lobby in both English and Spanish languages.
2. Domestic Violence material is available in the police station lobby. Written Domestic Violence material is carried by all police officers and distributed at domestic violence calls. We believe that this type of information distribution may help prevent other occurrences. The domestic violence material is checked and replaced as needed. The suggestion that some people may be intimidated when entering the police department to pick up the material, may be relieved by the City providing literature at the City office, post office and local library.
3. The police department lobby is not open to the public 24- hrs- a- day therefore domestic violence material may not be available for walk in service. This material will be made available at the City Hall, Post Office and local Library.
4. All officers with the Greenfield Police Department received domestic violence training while attending the basic academy and all officers that have not received an up date domestic violence training in the past (3) years will be assigned this training as scheduling will allow. One officer will be trained as an expert in domestic violence.
5. The City of Greenfield concurs with this finding.
7. The City of Greenfield has re-printed and replaced domestic violence materials at the City's expense.

RECOMMENDATIONS

1. The City of Greenfield agrees with this recommendation and will continue to meet the requirements.
2. This recommendation has been implemented.
3. The police department will look for a container that will meet the needs of the people who desire the use of an outside container for domestic violence material.
4. Recommendation # 4 will be implemented as soon as possible.
5. The police department recently assigned a School Resource Officer primarily for high school and middle school, however an effort will be made to educate the lower grades also in the consequences of domestic violence in the home.
7. Has been implemented.



City of Gonzales

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Matt Gourley
Mayor

February 6, 2001

Lou Garcia
Mayor Pro-Tem

The Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
PO Box 1819
Salinas, Ca 93902

John W. Kistinger, D.D.S.
Councilmember

The Honorable Robert O'Farrell:

As required by Penal Code Section 933(b), please find the City of Gonzales' official response to the Final Report of the 2000 Monterey County Civil Grand Jury.

George A. Worthy
Councilmember

DOMESTIC VIOLENCE

Findings #1 through 5,7
Recommendations #1 through 5, 7

Henry G. Hesling Sr.
City Manager

FINDINGS

1. The Gonzales Police Department is in compliance. Domestic Violence material is available in the police department lobby in both English and Spanish languages.
2. Domestic Violence material is available in the police station's lobby. Written domestic violence material is carried by all police officers responding to calls of *domestic violence. While it may be concluded this material is often provided "after the fact" to those in need, it is our hope this information will prevent a second occurrence. The domestic violence material is replenished on a fairly regular basis inside the Station's lobby. In order to address the "suggested" intimidation factor of entering the police department's lobby to pick up the material, the City will also provide this literature to the local branch of the public library and post office.
3. While the police department does not provide general seven-day-a-week 24-hour-a-day access to those who want walk in services to the materials contained inside the lobby, domestic violence materials will be made available to the public at the local library branch and post office.
4. All officers employed by the City Of Gonzales have received P.O.S.T certified Training in domestic violence issues. In addition, one officer has attended the Robert Presley Institute of Criminal Investigation foundation class on domestic violence.
5. The City Of Gonzales concurs with this finding.
6. The City Of Gonzales has re-printed and replenished domestic violence materials at City's expense.

RECOMMENDATIONS

1. The City Of Gonzales concurs with this recommendation and will continue to remain current.
2. As mentioned in the findings section, this recommendation has already been implemented.
3. The police department will take this recommendation seriously and strive to locate a suitable outside container for the dissemination of the domestic violence materials.
4. Recommendation #4 has already been implemented.
5. With the addition of a School Resource Officer assigned primarily to the lower and middle grades, emphasis will be placed on the education, cause, prevention and consequences of domestic violence in the home.
6. Already implemented.

Respectfully,

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

Matt Gourley
The Honorable Mayor



CITY OF DEL REY OAKS

650 CANYON DEL REY ROAD ♦ DEL REY OAKS, CALIFORNIA 93940

OFFICE OF

TELEPHONE (831) 394-8511

**City of Del Rey Oaks
Findings / Responses
2001 Monterey County Grand Jury
Monterey Bay Contamination / Storm Water Run-off Permit Requirements**

Findings:

1. *While Agencies may find it easy to write the plan; implementation of the six items on the list will require extensive research and planning. In some instances, Agencies may be forced to uncover new funding sources to meet some of the permit requirements. For example, surveys may be needed to determine which run-off areas require preventative action, and additional Agency funds may be required to purchase equipment or hire contractors to develop or implement plans.*

To implement this action, we will find it necessary to uncover new funding sources, and use our consultant engineer, and planners. We would be willing to participate in a regional approach to the methodology.

2. *Of all the Agencies surveyed, only the City of Monterey has a fully developed plan to meet the Phase II NPDES requirement. In 1993, the city approved a storm-drain utility fee to fund the development and implementation of the permit requirements. The city has since developed a comprehensive plan that addresses all the minimum measures outlined by the U.S. EPA. Monterey has also been a leader, along with the state Regional Water Quality Control Board, the Monterey Bay National Marine Sanctuary, the City of Santa Cruz, the Coastal Commission, and the Association of Monterey Bay Area Governments in creating the Model Urban Run-off Program guide, which assists other cities in creating permit plans.*

No response is required.

3. *Local Agencies have joined together under the recently formed Storm Water Subcommittee to explore a possible partnership for meeting the NPDES requirements. The objective of the subcommittee, formed by the Monterey Regional Water Pollution Control Agency, is to explore the advantages, disadvantages, and feasibility of having a regional permit, rather than individual permits for each entity.*

The City of Del Rey Oaks fully recognizes the need to participate in the regional phase II permit process. City staff is involved in the TAC Committee and plan to work with MRWPCA and the other cities involved

with the subcommittee in completing the permit application for submission to the Central Coast Regional Water Quality Control Board for issuance of the Regional Permit.

4. *With the exception of the City of Monterey, responses to the Grand Jury letter suggested that Agencies might not be fully aware of the scope of their responsibility under provisions of the NPDES permit requirements.*

Del Rey Oaks is fully aware of the Phase II NPDES permit requirements and has been involved in Storm Water TAC meetings. The Del Rey Oaks staff, consultants, and contract engineer are working towards compliance with Phase II by March 2003.

5. *Noncompliance with the NPDES permit requirements by March 10, 2003, leaves agencies vulnerable to lawsuits from citizens, as well as sanctions for violations of the Clean Water Act. Those sanctions can include monetary penalties.*

Del Rey Oaks is working toward compliance with the NPDES phase II permit process. City Staff and consultants are completely aware of potential penalties.

Response to Recommendations:

1. *Agencies requiring an NPDES Phase II permit immediately begin all necessary preparations for meeting the federal requirement. Full engagement on this issue, including developing auxiliary funding sources if they are necessary, must begin now to ensure the best chance of meeting the requirements by March 10, 2003.*

Del Rey Oaks has been involved in the Storm Water TAC through our contract Engineer. City Staff, contract staff, and consultant planners are preparing our timeline to complete the implementation and management plan.

2. *Local agencies use the City of Monterey as a resource in meeting Phase II requirements. The Model Urban run-off Program guide can be utilized by all Agencies in meeting the federal mandate.*

The City of Del Rey Oaks staff and Contract City Engineer is using the City of Monterey Model Urban Runoff Program Manual as a working document to prepare our management plan.

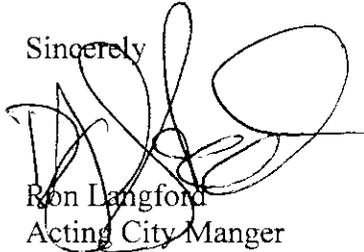
3. *Agencies work with the Storm Water Subcommittee to develop a regional plan to meet the permit requirements. Such a plan could allow Agencies to realize certain economy of scale savings and more successful implementation of NPDES.*

The Del Rey Oaks City Council in the next few months will discuss the Phase II Program. At that time, staff will ask the City Council to authorize our participation in the Regional Phase II permit process.

4. *Agencies study Phase II requirements carefully to ensure they are will prepared to meet any necessary requirements. With the exception of Monterey, all agencies cited in the response section must demonstrate a formal plan for meeting the six minimum requirements outlined in the report.*

The City of Del Rey Oaks are aware of the Phase II NPDES requirements and are working on completing preparation of a program that will meet the Phase II requirements. The City will develop a program specific to the needs of the City of Del Rey Oaks, and continue to participate in the Phase II regional permit process.

Sincerely

A handwritten signature in black ink, appearing to read 'Ron Langford', written over a horizontal line.

Ron Langford
Acting City Manger
03/20/01



CITY OF DEL REY OAKS

650 CANYON DEL REY ROAD ♦ DEL REY OAKS, CALIFORNIA 93940

OFFICE OF

TELEPHONE (831) 394-8511

**City of Del Rey Oaks
Responses & Findings
To the 2000 Monterey County Civil Grand Jury Report
*Domestic Violence Report***

Findings:

1. *All 12 police stations as well as the Sheriffs Department, were in general compliance with the 1996 Grand Jury Recommendation that domestic violence information be readily available. However, the type of materials offered varied widely at each location, as did the level of accessibility visitors had to the information.*

Information is available to the general public at the Del Rey Oaks City Hall during business hours. This information is updated and enhanced as new information becomes available from a variety of sources. Domestic violence information is clearly marked and available in many languages.

2. *Based on data gathered by the 2000 Grand Jury, a relatively small number of citizens picked up domestic violence materials at police stations. Walking into police stations may be intimidating to many individuals who are in need of information. The Grand Jurors were further informed by most jurisdictions that officers responding to a domestic violence call always carry written information about a victim's legal rights and available resources for assistance. Unfortunately, by the time officer responds to a domestic violence call, the brochure provided at the incident is after the fact.*

We agree that a very small number of citizens walk into the police departments and obtain domestic violence information. We also agree that many times officers are called to the scene of domestic violence incidents, and information is provided after the fact, but we believe law enforcement is doing everything it can to disseminate the information.

Domestic Violence information should be available at every public building, including State and Federal office building. As an example, DMV and U.S. Post Offices probably have the largest number of daily visitors in California. Leaflets could also be placed in mailings that are routinely sent out by government agencies.

3. *Some smaller community police stations and the Sheriffs sub-stations do not have Seven-day-a-week, 24-hour-a-day access to provide availability of materials. One small Monterey Peninsula police station provided 24-hour-a-day access to domestic violence materials through a covered receptacle located outside the station. Civilian staff at the station reported this receptacle is replenished more frequently than the one inside.*

We have studied this issue, and at this time have no plans to place an outside receptacle at City Hall for Domestic Violence information.

4. *Not all law enforcement agencies claimed to have a special unit or specific officer in charge of domestic violence, but each indicated that most officers were trained in domestic violence issues.*

All members of the Del Rey Oaks Police Department have received POST certified training of Domestic Violence Response and Investigation, as well as training from the Monterey County District Attorney's Office and the Rape Crisis Center.

5. *Children of all ages from all socio-economic and cultural backgrounds may routinely witness domestic violence in their homes. The California Attorney General's Office publication, "Domestic Violence Handbook – A Survivor's Guide" (p. 7), reports that, "While domestic violence is not hereditary, it has been shown to be learned behavior and is often handed down from one generation to the next." Physical assault within the family can become accepted as a normal part of life and may not even be recognized as a crime by some men and women. Children from these homes need help in developing life management skills that may prevent them from becoming abusers or the abused in their teen or adult life.*

We agree that education and the development of life skills is the "key" to not being a victim or abuser. We should encourage our schools to assist us in this type of education and development for our youth.

6. *The Correctional Training Facility at Soledad donated the first printing of the domestic violence information brochure created by the Council. At that time, the brochures were distributed in quantity to law enforcement agencies and related non-profit service providers. In addition to an initial stock of brochures, each agency was to be provided a camera-ready master to be used to replenish the supply as needed within each individual organization. The Coordinating Council is a non-funded agency and, as such, has no budget for printing and distributing brochures on a regular basis. Therefore, it becomes the responsibility of each distributing agency to provide copies of the brochure.*

We still have a large supply of the original brochure, and will provide a camera-ready master when re-printing is required.

Recommendations:

1. *Each police station and the Sheriff's Department review its policies and procedures to ensure the availability of, and easy access to, domestic violence information for the general public. Further efforts be made to standardize the compliance criteria among law enforcement departments to meet the requirements of the Penal Code to a far greater extent.*

We agree.

2. *Law enforcement agencies, domestic violence resource agencies, and the Board of Supervisors through the Domestic Violence Coordinating Council of Monterey County; look for additional sites to distribute domestic violence information. To the degree possible, considering resources available, the 2000 Grand Jury supports increased effort in making information available at locations such as walk-in clinics, drug store*

pharmacy counters, post offices, libraries, and other suitable venues visited by local citizens on a regular basis. Such availability could increase the probability of getting information into the right hands before serious domestic violence problems develop or escalate.

We agree.

- 3. Police stations that do not have 24-hour inside access to available materials provide an outside receptacle such as a metal box protected display rack clearly marked to contain domestic violence information. As some may feel too intimidated to enter the police station to request information, an outside container may provide increased access to all segments of society.*

We some what agree, but believe that the individual agency should access the need, and determine the feasibility of such a container.

- 4. While not all police stations are large enough to have a specific unit dedicated to domestic violence, one officer be designated and trained as the expert on domestic violence. Such an expert could oversee ongoing training of the police force and offer detailed attention to the important issue of domestic violence.*

We agree.

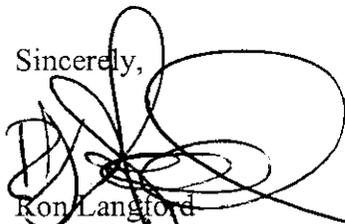
- 5. Existing programs that educate children about domestic violence be emphasized and expanded to protect and reach more of them at an earlier age to help break the cycle of violence. Programs that focus on strengthening interpersonal relationships and developing a capacity for tolerance and respect for self and others are needed at every grade level within our community schools. The 2000 Grand Jury further recommends law enforcement officers use their interactions with school-age children as opportunities to include advice and counsel on the subject of domestic violence.*

We strongly agree.

- 6. Each police station, Sheriff's Department and sub-stations, and all other agencies providing the Council's domestic violence brochure as a resource verify the availability of an adequate supply. In addition, each site should determine that a master copy was, in fact, received, is available, and is not, contact the Council to obtain a new master to ensure a future supply of brochures.*

We agree.

Sincerely,



Ron Langford
Acting City Manager / Chief of Police
3/19/01

County of Monterey

Sheriff-Marshal-Coroner
Public Administrator's Department

MEMORANDUM

Date: February 2, 2001
To: Honorable John M. Phillips, Presiding Judge
Monterey County Superior Court
From: Sheriff Gordon Sonné
Subject: Response to 2000 Final Grand Jury Report



Findings #1 through #5 & 7

1. All 12 police stations, as well as the Sheriff's Department, were in general compliance with the 1996 Grand Jury recommendation that domestic violence information be readily available. However, the type of materials offered varied widely at each location, as did the level of accessibility visitors had to the information.
2. Based on data gathered by the 2000 Grand Jury, a relatively small number of citizens picked up domestic violence materials at police stations. Walking into the police station may be intimidating to many individuals who are in need of information. The Grand Jurors were further informed by most jurisdictions that officers responding to a domestic violence call always carry written information about a victim's legal rights and available resources for assistance. Unfortunately, by the time an officer responds to a domestic violence call, the brochure provided at the incident is after the fact.
3. Some smaller community police stations and the Sheriff's sub-stations do not have seven-day-a-week, 24-hour-a-day access to provide availability of materials. One small Monterey Peninsula police station provided 24-hour-a-day access to domestic violence materials through a covered receptacle located outside the station. Civilian staff at the station reported this receptacle is replenished more frequently than the one inside.
4. Not all law enforcement agencies claimed to have a special unit or a specific officer in charge of domestic violence, but each indicated that most officers were trained in domestic violence issues.
5. Children of all ages from all socio-economic and cultural backgrounds may routinely witness domestic violence in their homes. The California Attorney General's Office publication, "Domestic Violence Handbook - A Survivor's Guide" (p. 7) reports that, "While domestic violence is not hereditary, it has been shown to be learned behavior and is often handed down from one generation to the next." Physical assault within the family can become accepted as a normal part of life and may not even be recognized as a crime by some men and women. Children from these homes need help in developing life management skills that may prevent them from becoming abusers or

the abused in their teen or adult life.

- 7. The Correctional Training Facility at Soledad donated the first printing of the domestic violence information brochure created by the council. At that time, the brochures were distributed in quantity to law enforcement agencies and related non-profit service providers. In addition to an initial stock of brochures, each agency was to be provided a camera-ready master to be used to replenish the supply as needed within each individual organization. The Coordinating Council is a non-funded agency and, as such, has no budget for printing and distributing brochures on a regular basis. Therefore, it becomes the responsibility of each distributing agency to provide copies of the brochure.*

Recommendations #1 through 5, 7

Sheriff's Department Response to 2000 Monterey County Civil Grand Jury Recommendations on Domestic Violence

- 1. Because the Sheriff's Department is a grantee for federal funds specifically targeting Domestic Violence issues (see #4 below), department policies and procedures regarding domestic violence are regularly reviewed, pursuant to requirements of the grant and to insure compliance with the California Penal Code. Also pursuant to grant requirements, the Domestic Violence Investigator provides ongoing training to the Patrol Division regarding appropriate response to domestic violence incidents, victim notification, resource referral, etc. Deputies are reminded during such training of the requirement to furnish the DVCC pamphlet to victims of domestic violence. In addition, the pamphlets are made available at each of the three main Sheriff's stations, as well as at its Community Field Offices.*
- 2. As noted in the Grand Jury report, printing costs for the DVCC pamphlet are born by individual agencies/departments. The extent to which this information can be distributed is therefore constrained by the availability of resources (e.g. funds for printing, personnel to check/restock distribution sites, etc.). The Sheriff's Department agrees that making information available at other "suitable venues" could increase the degree to which such information reaches its intended target. To address this recommendation, the Domestic Violence Investigator will coordinate with the Patrol Division in an effort to determine specific sites which could be of particular value in expanding the availability of this information. The most desirable sites would be those visited by a broad spectrum of socioeconomic classes. Stores and other retail establishments appear to be the most likely candidates in this regard. When sites have been identified, the Domestic Violence Investigator will be assigned to contact owners/proprietors and to introduce the information.*
- 3. The Sheriff's Department agrees that making domestic violence information available outside the confines of official facilities could help to expand public access to such information. To further this goal, the Department will purchase and install the recommended receptacles at each of its 3 main stations and, with permission of the*

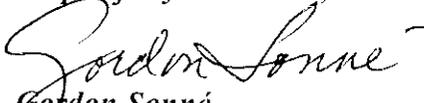
property owner, at the Community Field Offices. Crime Prevention Specialists will be responsible for maintaining the supply.

- 4. As noted in #1 above, the Sheriff's Department currently has a Detective who is specifically trained in domestic violence issues, who is assigned to work full-time on cases involving domestic violence/violence against women, and who provides continuing training to members of this department. The Detective also sits on a subcommittee of the DVCC, and was instrumental in developing a "user satisfaction survey" to help the Council assess the effectiveness of countywide efforts to address domestic violence. In fact, the Sheriff's Department has maintained such a position, providing specific and detailed attention to domestic violence issues, for nearly 3 years. It should also be noted that, with regard to availability of domestic violence information, the Detective attempts personal contact with every victim in a Sheriff's Department domestic violence case, to insure that they receive appropriate referral and required information.*
- 5. The countywide response to domestic violence has given rise to some duplication of effort. It is not unusual for a domestic violence victim, for example, to receive duplicate information from 2 or 3 sources. While, on the one hand, such duplication may insure that something gets done, it is not necessarily the best use of resources. With regard to educating children about domestic violence, both the Women's Crisis Center and the YWCA currently provide education and awareness to children in grades K-5, utilizing programs such as "Sticks and Stones", and targeting children from families that have experienced domestic violence. We understand that similar training regarding choices and dating violence is also provided to students in middle and high schools, and that training for teachers is also provided, to include learning to identify students who may be involved in dating/domestic violence.*

Sheriff's Department School Resource Officers will be encouraged to coordinate with the above services to maximize the opportunities for such training. Further, the above-noted Detective will insure that future in-house training stresses the value of reaching younger children as that may relate to interrupting the "cycle of violence". Lastly, the Sheriff will issue a department-wide memo encouraging employees at all levels to approach any interaction with school-age children as an opportunity to address issues of domestic violence.

- 7. Maintaining the supply of the DVCC brochure at the Sheriff's facilities noted above is the responsibility of the department's Crime Prevention Specialists. An adequate supply of the brochures has been verified, as has the existence of a "master copy". The master copy is retained by County Graphics, as they are the source for additional printings required by the Sheriff's Department.*

Respectfully Submitted,


Gordon Sonné
Sheriff

CITY OF CARMEL-BY-THE-SEA RESPONSES TO THE 2000 MONTEREY
COUNTY GRAND JURY FINAL REPORT (JANUARY 2, 2001)

STORM WATER RUNOFF PERMIT REQUIREMENTS

INTRODUCTION:

The City of Carmel-by-the-Sea has been actively involved with storm water runoff issues and the NPDES requirements for over 10 years. The EPA Permit Application Regulations were signed on October 31, 1990. As early as December 1990, the City requested (and received) from Congressman Farr's office a copy of the pertinent EPA regulations, 40 CFR Parts 12, 123, and 124.

The City Public Works Director has participated actively as a member of the AMBAG sponsored Storm Water/Urban Runoff Management Water Quality Project Technical Advisory Committee since 1991. The Committee was reorganized as the Monterey Bay Regional Storm Water Management Task Force in February 1994 and the City of Carmel-by-the-Sea was a charter member. Later that year, the Task Force concluded that the NPDES Phase II requirements could best be satisfied in the Monterey Bay area by a regional approach. Accordingly, in July 1995, the Carmel-by-the-Sea Public Works Director voted in favor of a Technical Advisory Committee Resolution supporting the City of Monterey grant application under the Clean Water Act Section 319(h) which led to the development of the "Model Urban Runoff Program" (MURP) cited in the Grand Jury Report. The resolution of support specifically states that the "... programs, practices, and methodologies would be transferred to other Monterey Bay area cities and towns...", including Carmel-by-the-Sea. Thus, the model program is as much a Carmel MURP as a Monterey MURP. Note that the acknowledgments section in the MURP includes, the Carmel-by-the-Sea Public Works Director for contributing to the development of the project.

The City of Carmel-by-the-Sea staff has considered a Storm Water Utility, as well as other funding and management options, since 1994. However, it was decided to await EPA's final rule on the Phase II program before pursuing a funding option. Unfortunately, the EPA regulations, due out in 1997, were not finalized until October 1999.

In 1999, the City awarded a contract to Harris and Associates, at a cost of \$20,000, to prepare a Preliminary Study for Storm Water Drainage Utilities Rates. The study, along with Monterey's experience with the MURP, was considered by the City Council on March 23, 2000.

A second \$20,000 contract was awarded in June 2000 to Harris and Associates to prepare the Ordinances forming a Storm Water Utility and mandating Best Management Practices (BMP's) based on Carmel's current procedures for managing urban runoff. In addition, Harris and Associates prepared a draft Administrative Procedure Manual for the Proposed Utility.

In 2000, the City applied for and received a \$105,000 grant from the State to install pollution separators on three of its storm drains. These will reduce contamination entering the Carmel River and Carmel Bay, a project consistent with out proposed BMP's. This project is under design and expected to be completed this year.

At its meeting of 6 March 2001, the City Council conducted its first reading of Ordinance 2001-02 forming a Storm Water Utility.

FINDINGS

1. *While agencies may find it easy to write the plan, implementation of the six items on the list will require extensive research and planning. In some instances, agencies may be forced to uncover new funding sources to meet some of the permit requirements. For example, surveys may be needed to determine which run-off areas require preventative action, and additional agency funds may be required to purchase equipment or hire contractors to develop or implement plans.*

Response: The City of Carmel-by-the-Sea agrees with this finding. The ordinance specifying what BMP's will be adopted will be considered by the City Council later this year. If the Council decides to pay for the BMP's by a fee assessed through the Storm Water Utility, it will be based upon an Equivalent Median Residential Unit (EMRU), as is done in the City of Monterey. However, the Carmel may wish to utilize other funding sources and the funding decision has yet to be made.

2. *Of all the Agencies surveyed, only the City of Monterey has a fully developed plan to meet the Phase II NPDES requirement. In 1993, the city approved a storm-drain utility fee to fund the development and implementation of the permit requirements. The city has since developed a comprehensive plan that addresses all the minimum measures outlined by the U.S. EPA. Monterey has also been a leader, along with the state Regional Water Quality Control Board, the Monterey Bay National Marine Sanctuary, the City of Santa Cruz, the Coastal Commission, and the Association of Monterey Bay Area Governments in creating the Model Urban Run-off Program guide, which assists other cities in creating permit plans.*

Response: N/A.

3. *Local agencies have joined together under the recently formed Storm Water Subcommittee to explore a possible partnership for meeting the NPDES requirements. The objective of the subcommittee, formed by the Monterey Regional Water Pollution Control Agency, is to explore the advantages, disadvantages, and feasibility of having a regional permit, rather than individual permits for each entity.*

Response: The City of Carmel-by-the-Sea agrees with this finding. At its meeting of 6 February 2001, the City of Carmel-by-the-Sea authorized a letter of interest in having MRWPCA include Carmel in a Regional NPDES permit and in having MRWPCA to serve as its administrative agent.

4. *With the exception of the City of Monterey, responses to the Grand Jury letter suggested that agencies may not be fully aware of the scope of their responsibility under provisions of the NPDES permit requirements.*

Response: The City of Carmel-by-the-Sea does not concur with this finding. Please see the discussion under "introduction" above.

5. *Noncompliance with the NPDES permit requirements by March 10, 2003, leaves agencies vulnerable to lawsuits from citizens, as well as sanctions for violations of the Clean Water Act. Those sanctions can include monetary penalties.*

Response: The City of Carmel-by-the-Sea agrees with this finding. However, the City has in place a process to meet the NPDES requirement by March 10, 2003, as discussed in response to finding #3 above, and as outlined in the City's "Preliminary Study for Storm Water Drainage Utility Rates".

RECOMMENDATIONS

1. *Agencies requiring an NPDES Phase II permit immediately begin all necessary preparations for meeting the federal requirement. Full engagement on this issue, including developing auxiliary funding sources if they are necessary, must begin now to ensure the best chance of meeting the requirements by March 10, 2003.*

Response: The recommendation has been implemented.

2. *Local agencies use the City of Monterey as a resource in meeting Phase II requirements. The Model Urban Runoff Program guide can be utilized by all agencies in meeting the federal mandate.*

Response: The recommendation has been implemented.

3. *Agencies work with the Storm Water Subcommittee to develop a regional plan to meet the permit requirements. Such a plan could allow agencies to realize certain economy of scale savings and a more successful implementation of NPDES.*

Response: The recommendation has been implemented. Letter of Interest was approved by the City of Carmel-by-the-Sea City Council on 6 February 2001.

4. *Agencies study Phase II requirements carefully to ensure they are well prepared to meet any necessary requirements. With the exception of Monterey, all agencies cited in the response sections must demonstrate a formal plan for meeting the six minimum requirements outlined in the report.*

Response: The recommendation has not fully been implemented. The Storm Water Utility was formed by the City Council by Ordinance 2001-02. The Implementing Ordinance for the Urban Runoff Program and Best Management Practices are under development and expected to be adopted before the end of the year. The implementing ordinance has already been prepared in draft, along with the associated Administrative Procedures Manual, by the City's consultant.

CITY OF CARMEL-BY-THE-SEA RESPONSES TO THE 2000 MONTEREY
COUNTY GRAND JURY FINAL REPORT (JANUARY 2, 2001)

DOMESTIC VIOLENCE INFORMATION

The 2000 Grand Jury's goal was to determine the current status of compliance with domestic violence information availability. The City of Carmel-by-the-Sea generally agrees with the factual FINDINGS of the 2000 Grand Jury, however take no position on the editorial commentary contained within many of those findings that is not supported by empirical data.

FINDINGS

1. All 12 police stations, as well as the Sheriff's Department, were in general compliance with the 1996 Grand Jury recommendations that domestic violence information be readily available. However, the type of materials offered varied widely at each location, as did the level of accessibility visitors had to the information.

Response: The City of Carmel-by-the-Sea agrees with this finding. This agreement refers only to Carmel-by-the-Sea efforts in this regard and makes no comment on other agencies. We note here that our information is available to the public 24 hours a day. We offer the California Attorney General's "Domestic Violence Handbook" (quoted in the 2000 Grand Jury report) printed in both English and Spanish. Additionally, the Domestic Violence pamphlet produced by the Domestic Violence Coordinating Council of Monterey County is also readily available in both English and Spanish.

2. Based on the data gathered by the 2000 Grand Jury, a relatively small number of citizens picked up domestic violence materials at police stations. Walking into a police station may be intimidating to many individuals who are in need of information. The Grand Jurors were further informed by most jurisdictions that officers responding to a domestic violence call always carry written information about a victim's legal rights and available resources for assistance. Unfortunately, by the time an officer responds to a domestic violence call, the brochure provided at the incident is after the fact.

Response: The City of Carmel-by-the-Sea agrees with this finding.

3. Some smaller community police stations and the Sheriff's sub-stations, do not have seven-day-a-week, 24 hour-a-day access to provide availability of materials. One small Monterey Peninsula police station provided 24 hour-a-day access to domestic violence materials through a covered receptacle located outside the station. Civilian staff at the station reported this receptacle is replenished more frequently than the one inside.

Response: The City of Carmel-by-the-Sea agrees with this finding. In agreeing, we note that access to the information is available 24 hours-a-day, 7 days-a-week at the Carmel-by-the-Sea Police Department.

*4. Not all law enforcement agencies claimed to have a special unit of a specific officer in charge of domestic violence. But each indicated that **MOST** (emphasis added) officers were trained in domestic violence issues.*

Response: The City of Carmel-by-the-Sea partially disagrees with this finding Penal Code section 13519 requires **ALL** peace officers to be trained in domestic violence issues. The Carmel-by-the-Sea Police Department is in compliance with the law.

5. Children of all ages from all socio-economic and cultural backgrounds may routinely witness domestic violence in their homes. The California Attorney General's Office publication, "Domestic Violence Handbook - A Survivor's Guide (p. 7), reports that, "While domestic violence is not hereditary, it has been shown to be learned behavior and is often handed down from one generation to the next". Physical assault within the family can become accepted as a normal part of life and may not even be recognized as a crime by some men and women. Children from these homes need help in developing life management skills that may prevent them from becoming abusers or the abused in their teen or adult life.

Response: The City of Carmel-by-the-Sea agrees with this finding.

7. The Correctional Training Facility at Soledad donated the first printing of the domestic violence information brochure created by the Coordinating Council. At that time, the brochures were distributed in quantity to law enforcement agencies and related non-profit service providers. In addition to an initial stock of brochures, each agency was provided a camera-ready master to be used to replenish the supply as needed within each individual organization. The Coordinating Council is a non-funded agency and, as such, has no budget for printing and distributing brochures on a regular basis. Therefore, it becomes the responsibility of each distributing agency to provide copies of the brochure.

Response: The City of Carmel-by-the-Sea agrees with this finding.

RECOMMENDATIONS

1. Each police station and the Sheriff's Department review its policies and procedures to ensure the availability of, and easy access to, domestic violence information for the general public. Further, efforts be made to standardize the compliance criteria among all law enforcement departments to meet the requirements of the Penal Code to a far greater extent.

Response: The City of Carmel-by-the-Sea has implemented the first part of this recommendation but will not implement the second part because it is not reasonable for the City of Carmel-by-the-Sea to do so. We have reviewed the policies, availability, and ease of access to domestic violence information and find we are satisfied with our effort.

The "further effort" to "standardize the compliance criteria among all law enforcement departments..." is beyond the authority of the City of Carmel-by-the-Sea. However, we will ask our Police Chief to bring this matter before the Monterey County Chief Law Enforcement Officer's Association for further discussion.

2. Law Enforcement agencies, domestic violence resource agencies, and the Board of Supervisors through the domestic Violence Coordinating Council of Monterey County, look at additional sites to distribute domestic violence information. To the degree possible, considering resources available, the 2000 Grand Jury supports increased effort in making information available at locations such as walk-in clinics, drug stores pharmacy counters, post offices, libraries, and other suitable venues visited by local citizens on a regular basis. Such availability could increase the probability of getting information into the right hands before serious domestic violence problems develop or escalate.

Response: The recommendation requires further analysis. The City of Carmel-by-the-Sea will review this recommendation with the Police Chief and ask the Chief to suggest places within our City that may be willing to distribute domestic violence information. Once the Chief has completed the review and reported findings to the City Council, we will provide direction as appropriate. We believe this can be accomplished within six months.

3. Police stations that do not have 24-hour inside access to available materials provide an outside receptacle such as a metal box or protected display rack clearly marked to contain domestic violence information. As some may feel too intimidated to enter the police station to request information, an outside container may provide increased access to all segments of society.

Response: The recommendation has been implemented. The Police Department of the City of Carmel-by-the-Sea provides 24 hour lobby access to its citizens therefore are not covered by this recommendation.

4. While not all police stations are large enough to have a specific unit dedicated to domestic violence, one officer be designated and trained as the expert on domestic violence. Such an expert could oversee ongoing training of the police force and offer detailed attention to the important issues of domestic violence.

Response: The recommendation has been implemented. The Police Lieutenant in the Carmel-by-the-Sea has the special training to be considered our expert.

5. Existing programs that educate children about domestic violence be emphasized and expanded to protect and reach more of them at an earlier age to help break the cycle of violence. Programs that focus on strengthening interpersonal relationships and developing a capacity for tolerance and respect for self and others are needed at every grade level within our community schools. The 2000 Grand Jury further recommends law enforcement use their interactions with school age children as opportunities to include advice and counsel on the subject of domestic violence.

Response: The recommendation has been implemented. Each year, the Carmel-by-the-Sea Police Department conducts a 17 week educational program in our school. This program includes, among other subjects, the importance of reporting violent acts wherever they occur. The program incorporates four weeks of child safety classes presented to students from kindergarten through fourth grade. Violence avoidance techniques are stressed during class presentations.

7. Each police station, Sheriff's Department substations, and all other agencies providing the Council's domestic violence brochure as a resource verify the advisability of an adequate supply. In addition, each site should determine that a master copy was, in fact, received, is available, and if not, contact the Council to obtain a new master to insure a future supply of brochures.

Response: The recommendation has been implemented. The City of Carmel-by-the-Sea has verified an adequate supply of the brochure. There is a master copy in the files at the Police Department that can be used to make additional brochures as needed.

MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT**RESPONSES TO THE
2000 MONTEREY COUNTY CIVIL GRAND JURY REPORT****FINDINGS**

1. *A long period of economic independence for MPUSD encouraged an attitude of self-sufficiency. This resistance to accepting outside advice and new ideas resulted in missed opportunities for the District and its students.*

Response: We would agree with this finding.

2. *MPUSD's administration and Board were reluctant to face the District's new financial realities, yielding instead to public pressure to retain all popular classes, services, and activities. One-time funds were used to pay for ongoing programs, obscuring the need for budget cutbacks.*

Response: This finding is broad in its conclusions. There was some evidence that this occurred. The respondent would agree that public pressure influenced decisions.

3. *MPUSD did not make use of state and federal funds available for new construction and renovation of school buildings. Aging physical plants present safety hazards and other impediments to the teaching and learning environment.*

Response: The respondent could find some evidence that this was true. However, in 1999, the District received funding from the state in the amount of \$6.818 million to plan for major modernization and rehabilitation.

4. *The key financial planning responsibility of the District Superintendent, and the importance of a strong support staff to assist in making informed decisions, were not recognized.*

Response: We would agree with this finding. Processes have been put in place to prevent this from happening again.

5. *Board members did not receive adequate orientation and training as to their duties and responsibilities, particularly in the areas of budget preparation, monitoring, and long-range planning.*

Response: There were some efforts to orient Board members as to their roles in finance and planning. The efforts were insufficient. Processes are in place to keep Board members informed and involved in the total operation of the District.

6. *Morale among MPUSD teachers was allowed to deteriorate. Concerns of the teachers included low compensation, job insecurity, and lack of support from the District administration and Board.*

Response: This is true to a degree. The attitude of staff and the influence of employee organizations also contributed to this.

7. *Clear goals and objectives for the District were lacking, due in part to weak lines of communication between the District Superintendent's Office and the Board.*

Response: The respondent would tend to agree with this finding.

RECOMMENDATIONS

1. *Monterey Peninsula Unified School District (MPUSD) continue to modify its tradition of independent action in order to take full advantage of programs and services available through the Monterey County Office of Education (MCOE), state and federal agencies, and private organizations. This will expand and enrich the scope of options available to personnel and students in all of the District's schools.*

Response: The Monterey Peninsula Unified School District is now on-line with MCOE's Business Services software package, providing us with a more sophisticated financial system as well as a monitoring system. Communication is ongoing between the Superintendent and Chief Business Officer of MPUSD, MCOE's business office personnel, and Superintendent.

MPUSD is also utilizing services of graduate students from the Naval Postgraduate School who are participating in research related to enrollment, projections and the upcoming bond issue.

MPUSD has entered into discussions involving the exploration of grants and the development of a long-term strategic plan with the Monterey Community Foundation.

2. *MPUSD brings to completion its current software conversion program to allow full transition to MCOE's financial system and closer monitoring of budget compliance, student enrollment, and position control data. With more accurate data, the Budget Advisory Committee can continue to serve as an important link in the District's financial planning process, with representatives from the Board, teaching and classified staff, and administration participating.*

Response: The Monterey Peninsula Unified School District is in the process of converting to MCOE's new financial package, Standardized Account Code Structure (SACS). In addition, to ensure the accuracy of student data, the K-12 school sites are in the process of converting to SchoolMax, a newly purchased Student Information Management System. These new systems are expected to be fully functional by June 2001. MCOE is currently transitioning to the Tulare system, a human resource package; and as a result, it is probable that MPUSD will follow suit.

This position control software ties in nicely with MCOE's SACS package and should further allow MPUSD to draw on the expertise of MCOE's staff.

The Budget Advisory Committee, consisting of representatives from the Board, teaching and classified staff, and administrative personnel, will be collaborating with staff and advising in the development of the 2001-2002 budget.

3. *The role of the 7-11 District Advisory Committee be expanded to include assisting MPUSD administration in planning for school renovation projects and new construction. This additional function would include investigation of possible financial assistance sources, such as state or federal matching funds, as well as establishment of priorities.*

Response: Because of the decline in enrollment and because there is no indication of an increase in projections, it is not feasible to plan for additional facilities. However, the State Department has allocated planning funds for a modernization plan. Staff members, architects, and designers are currently devising this plan for the district. In addition, the Board of Education is in the process of planning a bond measure which, if passed, will raise the matching funds needed to complete the modernization.

Some members of the 7-11 committee will be invited to participate on the modernization committee to assist in the passage of the bond issue.

4. *The role of the District Superintendent be more clearly defined, and that he/she be supported in the discharge of financial planning responsibilities by creating a new post of Chief Deputy Administrator for data processing, risk management, and position control.*

Response: The Monterey Peninsula Unified School District has hired a new Chief Business Officer whose responsibilities include working with both the Office of Human Resources regarding position control and Maintenance Department related to risk management. MPUSD is in the process of merging the Data Processing Department into the Office of Technology. This merge should be completed by June 2001. The position of Director of Technology and Information Services is in the process of being created to oversee this department. The Chief Business Officer will coordinate with all departments listed above.

The role of Superintendent is being defined and refined as a result of the constant interaction between the Board and himself. The Superintendent is committed to a "hands on" approach and will provide leadership pertaining to the development of the district budget, site budgets, and collective bargaining.

5. *The orientation and training of Board members be carefully structured, with particular emphasis on budget preparation, monitoring budget compliance, and interpreting financial and management audit findings. Testing for comprehension and periodic review of key issues might be part of any training program.*

Response: The Board has directed the Superintendent and Chief Business Officer to present them with monthly updates regarding the status of the budget. In addition, each Board member has met with the Chief Business Officer and reviewed audits in depth. The Board will be participating in workshops with trainers from the California School Boards Association related to the roles and responsibilities of the School Board. The Chief Business Officer will provide on-going training related to budget development and audit processes.

6. *Representatives from the teaching staff be included in any review of MPUSD's goal and objectives, budget priorities, and curriculum decisions, with a careful analysis of all personnel requirements and salary schedules.*

Response: Collective bargaining guarantees the involvement of employee organizations in the matters of personnel and salary issues. In addition, the leadership of each employee organization participated in goal setting workshops earlier in the year. Our objective is that they will be involved in the aforementioned planning process which will give them an opportunity in establishing long- and short-term goals and objectives as well as becoming involved with curriculum and instruction. To insure involvement regarding curriculum decisions, the Associate Superintendent and Director of Special Programs assign specific curriculum-based tasks to all instructional personnel.

7. *Lines of communication be strengthened and carefully observed, with full involvement of all elements of the MPUSD community, from the District Superintendent's office to the Board to administrative, classified, and certificated staff representatives from each school in the District. This will allow for a unified approach and cooperation in achieving MPUSD's goals and objectives.*

Response: The Superintendent has begun strategies aimed to increase and enhance communication. The Cabinet, previously consisting of five staff members, has been expanded to include all directors and coordinators of each department. Furthermore, planning meetings with all administrators are conducted at least twice a month for the purpose of dealing with employee curriculum and budget issues. The Superintendent and his staff meet periodically with the leadership of each employee organization. In addition, the Board and Superintendent maintain a constant communication link including regular and special board meetings as well as personal one-to-one conferences.

The Monterey Peninsula Unified School District recently met with a public relations consultant who will perform a communications audit and will also provide recommendations, based on that audit, to the District.

3/5/01

MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT

RESPONSES TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY RECOMMENDATIONS

1. *Monterey Peninsula Unified School District (MPUSD) continue to modify its tradition of independent action in order to take full advantage of programs and services available through the Monterey County Office of Education (MCOE), state and federal agencies, and private organizations. This will expand and enrich the scope of options available to personnel and students in all of the District's schools.*

Response: The Monterey Peninsula Unified School District is now on-line with MCOE's Business Services software package, providing us with a more sophisticated financial system as well as a monitoring system. Communication is ongoing between the Superintendent and Chief Business Officer of MPUSD, MCOE's business office personnel, and Superintendent.

MPUSD is also utilizing services of graduate students from the Naval Postgraduate School who are participating in research related to enrollment, projections and the upcoming bond issue.

MPUSD has entered into discussions involving the exploration of grants and the development of a long-term strategic plan with the Monterey Community Foundation.

2. *MPUSD brings to completion its current software conversion program to allow full transition to MCOE's financial system and closer monitoring of budget compliance, student enrollment, and position control data. With more accurate data, the Budget Advisory Committee can continue to serve as an important link in the District's financial planning process, with representatives from the Board, teaching and classified staff, and administration participating.*

Response: The Monterey Peninsula Unified School District is in the process of converting to MCOE's new financial package, Standardized Account Code Structure (SACS). In addition, to ensure the accuracy of student data, the K-12 school sites are in the process of converting to SchoolMax, a newly purchased Student Information Management System. These new systems are expected to be fully functional by June 2001. MCOE is currently transitioning to the Tulare system, a human resource package; and as a result, it is probable that MPUSD will follow suit. This position control software ties in nicely with MCOE's SACS package and should further allow MPUSD to draw on the expertise of MCOE's staff.

The Budget Advisory Committee, consisting of representatives from the Board, teaching and classified staff, and administrative personnel, will be collaborating with staff and advising in the development of the 2001-2002 budget.

- The role of the 7-11 District Advisory Committee be expanded to include assisting MPUSD administration in planning for school renovation projects and new construction. This additional function would include investigation of possible financial assistance sources, such as state or federal matching funds, as well as establishment of priorities.*

Response: Because of the decline in enrollment and because there is no indication of an increase in projections, it is not feasible to plan for additional facilities. However, the State Department has allocated planning funds for a modernization plan. Staff members, architects, and designers are currently devising this plan for the district. In addition, the Board of Education is in the process of planning a bond measure which, if passed, will raise the matching funds needed to complete the modernization.

Some members of the 7-11 committee will be invited to participate on the modernization committee to assist in the passage of the bond issue.

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Response: The Monterey Peninsula Unified School District has hired a new Chief Business Officer whose responsibilities include working with both the Office of Human Resources regarding position control and Maintenance Department related to risk management. MPUSD is in the process of merging the Data Processing Department into the Office of Technology. This merge should be completed by June 2001. The position of Director of Technology and Information Services is in the process of being created to oversee this department. The Chief Business Officer will coordinate with all departments listed above.

The role of Superintendent is being defined and refined as a result of the constant interaction between the Board and himself. The Superintendent is committed to a "hands on" approach and will provide leadership pertaining to the development of the district budget, site budgets, and collective bargaining.

- The orientation and training of Board members be carefully structured, with particular emphasis on budget preparation, monitoring budget compliance, and interpreting financial and management audit findings. Testing for comprehension and periodic review of key issues might be part of any training program.*

Response: The Board has directed the Superintendent and Chief Business Officer to present them with monthly updates regarding the status of the budget. In addition, each Board member has met with the Chief Business Officer and reviewed audits in depth. The Board will be participating in workshops with trainers from the California School Boards Association related to the roles and responsibilities of the School Board. The Chief Business Officer will provide on-going training related to budget development and audit processes.

6. *Representatives from the teaching staff be included in any review of MPUSD's goal and objectives, budget priorities, and curriculum decisions, with a careful analysis of all personnel requirements and salary schedules.*

Response: Collective bargaining guarantees the involvement of employee organizations in the matters of personnel and salary issues. In addition, the leadership of each employee organization participated in goal setting workshops earlier in the year. Our objective is that they will be involved in the aforementioned planning process which will give them an opportunity in establishing long- and short-term goals and objectives as well as becoming involved with curriculum and instruction. To insure involvement regarding curriculum decisions, the Associate Superintendent and Director of Special Programs assign specific curriculum-based tasks to all instructional personnel.

7. *Lines of communication be strengthened and carefully observed, with full involvement of all elements of the MPUSD community, from the District Superintendent's office to the Board to administrative, classified, and certificated staff representatives from each school in the District. This will allow for a unified approach and cooperation in achieving MPUSD's goals and objectives.*

Response: The Superintendent has begun strategies aimed to increase and enhance communication. The Cabinet, previously consisting of five staff members, has been expanded to include all directors and coordinators of each department. Furthermore, planning meetings with all administrators are conducted at least twice a month for the purpose of dealing with employee curriculum and budget issues. The Superintendent and his staff meet periodically with the leadership of each employee organization. In addition, the Board and Superintendent maintain a constant communication link including regular and special board meetings as well as personal one-to-one conferences.

The Monterey Peninsula Unified School District recently met with a public relations consultant who will perform a communications audit and will also provide recommendations, based on that audit, to the District.

3/5/01

Chualar Union Elementary School District
Grand Jury Responses

Grand Jury Recommendation	Board and Superintendent Responses
<p>1. Board Members, School administrative officials, teachers, and staff participate in programs to heighten awareness of broader issues affecting Chualar and the educational system. These programs could take the form of weekend retreats or evening seminars with background information furnishing to participants to assist in understanding of existing problems and how to diminish their impact on the school.</p>	<p>We agree that the Board Members had not been participating in programs to heighten awareness of broader issues affecting Chualar and the education system, but since August 2000, they have been attending conferences and seminars. We partially disagree on the participation of programs for the administrative officials, teachers and staff since several of them have been participating in various staff development activities in forms of weekend retreats, seminars and conferences.</p>
<p>2. Participation in Title I's, Even Start, and Title II programs, as well as the adult programs for English language learners, be continued, with special attention given to instruction in kinder through second graders.</p>	<p>We agree for the district to continue with the current participation in, Title I, CBET and the 21st Century Programs.</p> <p>Each of the programs listed above focuses on instructional services including academic adult programs for English language learners with special attention given to instruction in kinder through second grade.</p> <p>During the Fall 2000, the district submitted a Voluntary Integration Grant and request for state funding for services to English Language Learners. If funded these programs would enable the district to improve on instructional services for grades kinder through eight.</p> <p>We partially disagree for the district to continue participation in the Even Start Grant. The Title VII funding ended on June 30, 2000, and the Even Start program services will end on June 30, 2001. The district is not eligible to reapply for Title VII funds until the 2002-2003 school year. In addition, in order to re-apply for the Even Start Grant the district needs to provide matching funds that are currently unavailable.</p>

Grand Jury Recommendation	Board and Superintendent Responses
<p>3. Parents and Community members be encouraged to attend board meetings and participate as volunteers in School activities and on School committees with appropriate recognition given for services rendered.</p>	<p>We agree for the Parents and Community members be encouraged to attend board meetings, participate as volunteers in School activities and on School Committees with appropriate recognition given for services rendered. The district encourages their participation through the weekly school newsletter (Chualar Breezes), invitations at regularly scheduled school meetings and training sessions, one-on-one and staff personal invitations. The school currently has nineteen individuals who volunteer on a regular basis in classrooms, after-school programs, the Accelerated Reading Program, and Library program.</p> <p>School Committees – At October 2000 meetings, both the Migrant and School Site Council elected their officers according to required guidelines for state consolidated programs.</p> <p>The Parent Teacher Club held elections and elected their officers on December 2000.</p> <p>In June 2001, the district plans to recognize parent volunteers for their contributions and hours of dedication and service.</p>
<p>4. Reasons for Chualar students transferring to attend other schools be identified, parental concerns as to school safety and curriculum quality be addressed and appreciation for multicultural diversity in the community be encouraged.</p>	<p>We agree to identify the reasons for Chualar students transferring to attend other schools. During the month of April 2001, we surveyed the interdistrict requests as they arrived. The district asked parents to elaborate on reasons why they chose to have their children attend other districts. Based on the 2000-2001 and 2001-2002 requests, the primary reason indicated on interdistrict transfer requests related to the need for childcare and extended day program services. The district will also inform parents of the current 21st Century After School Program Services available to all students at the school.</p> <p>If the district receives the extended funding for the VIP, then there will continue to be activities planned to address appreciation for multicultural diversity in the community.</p>
<p>5. Participation of Board members in training programs be facilitated in every way possible, including payments of all expenses and arrangements with employees to allow time away from jobs.</p>	<p>We agree for the Board members participation in training programs, and since August 2000, Board Members have participated in various staff development activities. In all cases the district has covered lodging, food and travel expenses. Board members have taken time off from work or their family to participate in training programs.</p>

Grand Jury Recommendation	Board and Superintendent Responses
<p>6. Lines of communication be clearly established between Board members and the District Superintendent/Principal to deal with daily concerns, special problems, and long term planning.</p>	<p>We agree to have lines of communication between Board members and the District Superintendent/Principal to deal with daily concerns, special problems, and long term planning. The following measures of communication have been established:</p> <ol style="list-style-type: none"> 1. Weekly written communications that include: <ul style="list-style-type: none"> • A calendar of activities for the next four weeks. • Information on incidents that occurred during the week. • Summary of meeting attended • Information on upcoming events or planned activities. 2. Ongoing individual meetings and phone calls with the board members on an as needed basis. Contacts have been made at the Superintendent's office and during non-office hours. 3. Availability of the superintendent at work or at home in the evenings or weekends. 4. The board approved a written school plan on March 8, 2001, for the next three years. Certificated, classified and parents were involved in the planning process, both the School Site Council and the School Board approved the plan. The Board plans to update its mission and goals during the fall 2001.
<p>7. Additional microphones be purchased, one for each Board member as well as speakers from the audience, and the best translation system consistent with CUESD's budget constrains be acquired.</p>	<p>We partially disagree to purchase microphones for each Board member as well as speakers from the audience since currently, the board have four microphones and the speakers are functioning well. Therefore, the board is not considering purchasing additional microphones until the 2001-2002 school year.</p> <p>We agree that the districted needed to purchase the best translation system consistent with CEUSD's budget. Therefore, in February 2001, the district secured the translation system from Brahler ICS USA in Redwood City, California. At each board meeting the Financial, Administrative, Secretarial and Translator Services (F.A.S.T. Services) provide translation services for board members and individuals present at the meeting.</p>

Grand Jury Recommendation	Board and Superintendent Responses
<p>8. Meeting agendas provided for the public contain sufficient detail on the subjects to be discussed and be written in easy-to-understand language to allow for pertinent, constructive participation by members of the audience.</p>	<p>We agree that the meeting agendas provided for the public contain sufficient detail on the subjects to be discussed and be written in easy-to-understand language to allow for pertinent, constructive participation by members of the audience. For that reason, since November 9, 2000, Board meeting, the district modified its format of the board agenda to include additional details on each subject. In addition, at board meetings backup information is available for each topic presented on the board agenda. The packet is available to board members and representatives of each school committee.</p>
<p>9. While CUESD present needs to continue building confidence and cooperation within the district, the possibility for future consolidation with another district be explored.</p>	<p>We agree to explore the topic of the possibility for future consolidation with another district, and this was discussed at a special board meeting on Wednesday, February 21, 2001. Nevertheless, both the Board and the Community showed no interest in exploring the possibility for future consolidated. The board prefers to maintain local control in decision making of education for kinder to eight grade students.</p>

Moss Landing Harbor District

7881 Sandholdt Road
Moss Landing, CA 95039-0010
(831) 633-2461, Fax (831) 633-4537

Board of Harbor Commissioners
Jack Compton ~ Dennis Garmany
Russ Jeffries ~ Peggy Shirrel ~ Tom Villa

General Manager
Jim Stilwell

April 4, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
P.O. Box 1819
Salinas, CA 93902

Dear Judge O'Farrell :

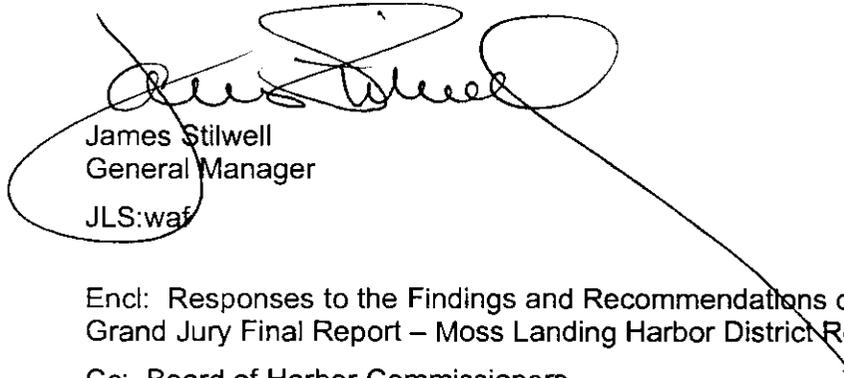
RE: Responses to the Findings and Recommendations of the 2000 Monterey County Civil Grand Jury Final Report – Moss Landing Harbor District Renovation Financing.

On behalf of the Board of Harbor Commissioners of the Moss Landing Harbor District I am pleased to submit the Boards responses to the above captioned Findings and Recommendations.

Should you have additional questions, or require additional information, please don't hesitate to contact the District.

Sincerely,

MOSS LANDING HARBOR DISTRICT



James Stilwell
General Manager

JLS:waf

Encl: Responses to the Findings and Recommendations of the 2000 Monterey County Civil Grand Jury Final Report – Moss Landing Harbor District Renovation Financing

Cc: Board of Harbor Commissioners

SERVING THE FISHING INDUSTRY SINCE 1947

Responses to the Findings and Recommendations
of the
2000 Monterey County Civil Grand Jury Final Report
Moss Landing Harbor District Renovation Financing.

FINDINGS

1. ***The price tag for the District's planned projects is estimated at approximately \$16.2 million. At this writing, the District has secured roughly \$12.2 million in grant money to cover the cost of many of the projects (see Exhibit 2). The remaining cost is expected to be paid by a \$4.5 million loan from California Infrastructure Economic Development Bank. Developers will finance other projects. District officials have stressed projects will not be initiated if a funding mechanism has not been secured beforehand.***

District officials agree with the finding

2. ***Harbor officials are optimistic the renovation projects will bring revenue into District coffers. A Five-Year Projected Profit and Loss Statement prepared by District officials anticipates total revenues of \$2.7 million by the end of the Fiscal Year 2004-2005. The sum represents a 44% increase over projected revenues for the Fiscal Year 2000-2001.***

Harbor officials view the renovation of the Cannery Building as a cornerstone of rejuvenation efforts. The \$4.2 million renovation, of which \$2.6 million has already been secured through grants, is anticipated to bring an estimated \$20,459 per month into District coffers in the first year alone. The building will be rented to a number of local fishing companies. By the fifth year, the building and its renters will bring an estimated \$265,746 into the District each year. Harbor officials say they already have tentative rental agreements with four tenants. Each vendor has signed a 30-year lease on space in the Cannery Building, which is expected to be ready for occupancy in January, 2001.

District officials generally agree with the finding, however, in the interests of full and accurate disclosure, Harbor officials now state that one original "vendor" or prospective lessee has since withdrawn its interest in the site. That prospective lessee has been replaced with four other prospective lessees.

3. ***An independent District audit conducted February 15, 2000, by Hutchinson and Bloodgood, an accounting firm based in Watsonville, did not find any instances of non-compliance with accepted budgeting procedures.***

District officials agree with the finding.

4. ***The debt incurred from the District's proposed capital improvements are covered by projected revenues. The budget for Fiscal Year 2000-2001 anticipates a net income of \$196,852.***

District officials agree with the finding.

- 5. The District's loan capacity is within the standards of the amount the Board projects. As of June 30, 2000, the District carried a debt of \$1.5 million and contained an equity of \$6.2 million. Thus, the District's debt-to-equity ratio is 25%. The District has assets valued at more than four times the amount necessary to pay its outstanding debts.***

District officials agree with the finding.

- 6. To help enhance revenues, Commissioners recently increased some fees. For instance, the price of a combined launch ramp and parking permit was raised to \$6.00, a \$1.00 increase, and berthing fees were increased by 50-cents per foot per month for assigned berth holders. Despite the increase, the District's berthing fee of \$4.50 per foot per month is still below the market rate. For comparison, the Santa Cruz Harbor charges from \$6.90 to \$7.10 per month, while Monterey Municipal Marina charges \$5.50 per foot per month. The District plans to raise berthing fees by 50-cents every year until market price is reached.***

District officials generally agree with the finding. The FY2001 Adopted Budget states, in part ... "\$0.50 per foot increase in the berthing rate for assigned berth holders, with the plan to increase the rate by this amount for each of the next five years until market rate is achieved, thence by CPI-U afterwards. Of course, future year increases are subject to the annual budget process."

- 7. The large dredging project completed in June must be repeated periodically since nearby waterways continually dump soil and sludge, some of it containing traces of pesticides used in agriculture, into the Harbor. The District owns dredging machinery to perform the work. Still, the cost of dredging is impacted by state and federal laws that prohibit the District from dumping soil that contains high concentrations of pesticides back into the ocean. The District must therefore find alternate means of disposing of the soil. District officials, for the first time this year, created an accrual fund that can be used to pay for future dredging. The 2000-2001 budget includes \$170,000 that has been placed in this new reserve fund.***

District officials generally agree with the finding. Although the budget includes \$170,000 to be accrued for future dredging, this amount is dependent upon overall budget performance. The District will not limit its contribution to the dredging fund at \$170,000 should additional money become available.

RECOMMENDATIONS

- 1. District officials continue to aggressively pursue grant funding to finance planned projects.***

The recommendation has been implemented. District officials will continue to pursue grant funding opportunities. The District employs a part-time grants specialist whose primary duty is to investigate and pursue grant funding opportunities available to the District

2. ***Whenever possible, officials pursue additional means of revenue, such as the renovation and/or lease of appropriate buildings. Such projects allow the District to recoup any out-of-pocket expenses and create additional revenue streams.***

The recommendation has been implemented. District officials will continue to develop District properties to the highest and best use, consistent with its enabling legislation and covenants governing land-use in the Moss Landing community and environs.

3. ***The District continue to undergo annual audits to ensure a healthy budget is maintained.***

The recommendation has been implemented. An annual audit of the District's books is required by Section 6062 of the Harbors and Navigation Code.

4. ***Officials carefully monitor District revenues, reserves, and expenses to keep spending at appropriate levels.***

The recommendation has been implemented. District officials are presented with monthly financial statements. In addition, the District's treasurer, a member of the Board of Harbor Commissioners, reviews the District's accounts on an irregular and frequent basis.

The District's budget process is an open and public process controlled by an ad hoc committee consisting of District officials and members of the general public.

5. ***Commissioners scrutinize the debt-to-equity ratio carefully when embarking on new financing methods in order to ensure expenses don't exceed the District's ability to pay.***

The recommendation has been implemented. District officials carefully scrutinize debt-to-equity ratios, in addition to performing other accounting tests, prior to undertaking any financing method.

6. ***The District continue to raise berthing fees until they are in keeping with the market rate. Caution should be exercised, however, to ensure the cost does not exceed what the Moss Landing market can bear.***

The recommendation has been implemented for the fiscal year ending June 30, 2001. District officials will continue to raise berthing fees until market rate is achieved. Caution will be exercised to assure that unique aspects of Moss Landing are considered when ascertaining local market rates.

7. ***The District continue to fund the dredging reserve fund to the full extent the budget allows. While the \$170,000 put into this fund is an admirable beginning, it is not nearly enough to cover the cost of future dredging. More money must be place in this account so the District will not experience a financial setback when future Harbor clearance is required.***

The recommendation has been implemented although \$170,000 may not be fully available during this fiscal year. District officials will continue to fund dredging reserves to the maximum extent permitted by its financial condition. The District recently lobbied

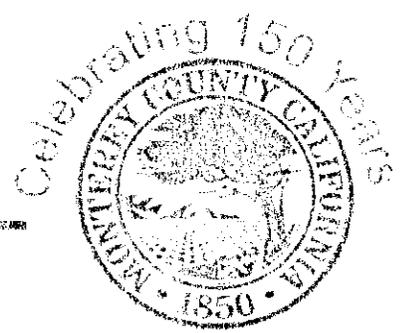
for, and was successful in receiving a congressional add in the amount of \$750,000 to the U.S. Army Corps of Engineers budget for funding of Dredged Materials Management Plan for Moss Landing Harbor. An ecological risk assessment is a key component of this plan, which when completed, may provide long-term solutions for dredging problems at Moss Landing Harbor.

MONTEREY COUNTY

LOCAL AGENCY FORMATION COMMISSION

(831) 755-5065 P.O. BOX 180, SALINAS, CALIFORNIA 93902

NICHOLAS E. CHIULOS
EXECUTIVE OFFICER



March 7, 2001

The Honorable Robert O'Farrell
Presiding Judge of the Superior Courts
Monterey County
North Wing, Room 320, 240 Church St.
Salinas, CA 93901

Subject: Monterey County Local Agency Formation Commission Response to the 2000
Final Report of the Monterey County Civil Grand Jury

Dear Judge O'Farrell:

In responding to the 2000 Final Report of the Monterey County Civil Grand Jury, we would like to furnish the background information and responses provided below.

The Monterey County Local Agency Formation Commission (LAFCO) is one of 58 LAFCOs authorized by the Cortese-Knox-Hertzberg Act of 2000. Each County in California has a LAFCO.

The legislative intent of the Act is to encourage orderly growth and development to ensure the social, fiscal and economic well-being of the State. The Legislature recognizes that the logical formation of local agency boundaries is important in achieving that policy. LAFCOs review proposals for the formation of new local governmental agencies and changes of organization in existing agencies. The objectives of LAFCO are to encourage the orderly formation of local agencies, preserve agricultural land resources and discourage urban sprawl.

Response to Finding No. 1, Purpose and Authority

LAFCOs have the legislative authority to review, approve, approve with conditions, or disapprove proposals for the formation or modification of local agency boundaries. LAFCOs must balance development with the preservation of agricultural land and open space, discourage urban sprawl, and efficiently extend governmental services.

LAFCOs are required to have policies and procedures to guide their decisions. Monterey County LAFCO has had policies in place for almost twenty years, with revisions made from time to time. These policies provide a process for making boundary changes and creating new agencies, reviewing logical service areas, and providing for the protection of agricultural land.

LAFCO's most significant role in assuring logical growth and development is to review and consider the spheres of influence of local agencies. A sphere means the probable physical boundaries and service area of an agency. With this instrument, near term and long term growth boundaries are established. With passage of the Cortese-Knox-Hertzberg Act of 2000, LAFCO is required to review these spheres every five years. Monterey County is currently embarking upon a program to accomplish this, and will have an opportunity to improve service areas and coordinate with those agencies undergoing general plan revisions.

Response to Finding No. 2, Mission and Process

Since 1964 when Monterey County LAFCO began operating, hundreds of proposals have been approved. These have ranged from the creation of new cities and districts to minor boundary changes to include a small parcel in a district's service area. LAFCO is required to notify all affected agencies of potential changes. With the current law, LAFCO now notifies property owners and registered voters within 300 feet of the proposal.

The County currently has 12 cities and about 100 special districts. Each of these entities has a sphere of influence that was approved by LAFCO to delineate their likely service area. As each agency expanded into their designated sphere, the boundary changes were approved by LAFCO. LAFCO has reviewed boundary proposals to assure that there is a logical extension of service, that there is no duplication of service, that service capacity is available, that growth requests meet anticipated needs, that agricultural impacts are considered, and that the proposal is economically sound.

LAFCO has cooperated with adjoining counties in those cases where special districts overlap county boundary lines. Five special districts that serve portions of Monterey County are shared by Santa Cruz, San Benito and San Luis Obispo. Based on provisions in the law, some of these districts are under the authority of other LAFCOs. Duplication of effort between LAFCOs has been avoided.

Response to Finding No. 3, Impact of Cisco Systems Development

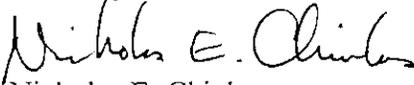
Any growth or development in cities or districts in Monterey County resulting from the Cisco Systems project may be subject to review by LAFCO. If any district or city chooses to expand to accommodate growth, those boundary changes will be subject to approval by LAFCO. If LAFCO sees a need to provide better governmental services, it has the authority to initiate certain proposals for consolidations, mergers or dissolutions. If LAFCO were to limit the sphere of influence of any district because it lacks capacity or financing to provide service, that decision may significantly affect any potential expansion of service areas.

Response to Recommendation No. 2, Cooperation

LAFCO and AMBAG have cooperated in the past and will continue to do so in the future. AMBAG has been a helpful resource for LAFCO, has conducted various conferences that LAFCO has participated in and attended, and has been a catalyst in providing coordination among multiple governmental agencies. LAFCO notifies AMBAG regularly of its actions by way of its agenda and web site.

Thank you for this opportunity to respond to the Grand Jury's comments. Should you need any additional information, please do not hesitate to call me at 755-5065. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Nicholas E. Chiulos". The signature is written in a cursive style with a large initial "N".

Nicholas E. Chiulos
Executive Officer



March 27, 2001

Honorable Robert O'Farrel
Presiding Judge of the Superior Court
Monterey County
P.O. Box 1819
Salinas, CA 93902

Re: ***Community Housing Improvement Systems and Planning Association (CHISPA) and Its Role in Vista De La Terraza Cooperative (Cooperative).***

Dear Judge Robert O'Farrel:

The following is CHISPA's response to the above referenced matter pursuant to Penal Code Section 933(c) and 933.05(a) and (b).

Finding No. 1

CHISPA agrees with the Civil Grand Jury's finding.

Finding No. 2

CHISPA agrees with the finding that the buildings are due for maintenance, which is normal for a 15-year old multi-family complex. Recent improvements include replacement of certain kitchen counter tops, new appliances, patio repairs and roof repairs. During 1999-2000, \$126,580 was expended from the replacement reserve account for sidewalk repairs and improvements to the ground water drainage system. All of these improvements were approved by the regulatory agency that provides oversight of the housing development, the State Department of Housing and Community Development (HCD).

As of September 30, 2000, the balance in the replacement reserve account was \$21,637. This amount is barely sufficient for minor repairs anticipated during the fiscal year given the age of the buildings. Major maintenance expenses would have to be covered through other sources that may not be readily available.

The property management company, CHISPA Housing Management, Inc. (CHMI), is in the process of developing a projected replacement schedule for the complex. Preliminary estimates indicated that structural repairs to the balconies of the buildings would be around \$500,000. Other items of concern include roof replacement, termite control and painting. The costs for these additional items are estimated to be \$300,000 - \$375,000. As a result of these added costs, the Cooperative would incur additional costs, above and beyond the purchase price. Therefore, these additional maintenance and replacement costs may have an impact on the buyout of the property.

Finding No. 3

CHISPA agrees with the Civil Grand Jury's finding.

Finding No. 4

CHISPA agrees with the Civil Grand Jury's finding.

Recommendation No. 1

This recommendation requires further analysis. The Civil Grand Jury is correct in its statement that CHISPA has fulfilled its legal responsibilities to the Cooperative. CHISPA's only contractual relationship with the Cooperative is through CHISPA's property management company, CHISPA Housing Management, Inc. (CHMI). CHMI only provides property management services. The Cooperative, which has a leasehold interest in the property, has full responsibility for the property. Therefore, CHISPA does not have a legal obligation to provide funding for maintenance and repairs to the housing complex.

In March 1996, CHMI Staff, in consultation with its legal counsel, worked with the Vista De La Terraza Cooperative's Board and members in the analysis of exercising the option to purchase the property. After presenting the options available to the members, a majority of the members of the Cooperative voted not to pursue the purchase of the property. At this time, CHISPA has not received any strong indication from the Board Members or members of the Cooperative that they wish to reconsider this issue.

Last year, CHMI Staff was successful in securing a bilingual staff member from the Community Foundation of Monterey County to provide board training for the Board Members of the Cooperative. In addition to the board training, CHMI had hoped to obtain funding from the Community Foundation for the purpose of hiring a grant writer. Unfortunately, after the initial presentation by the Community Foundation's staff, the Board Members of the Cooperative did not want to receive additional training. The primary reason for this response was that the Board Members thought that CHISPA/CHMI should take responsibility for the Cooperative. We explained to the Board Members that the responsibility of the housing complex lies with the Board and Members of the Cooperative. We also explained that CHISPA does not have a contractual relationship with the Cooperative and that CHMI merely provides property management services. We believe that, prior to obtaining additional funding for the Cooperative, it is important that the Board Members of the Cooperative have a full understanding of their roles and responsibilities as board members. This is also true with respect to addressing some of the other recommendations that were made by the Civil Grand Jury.

Recommendation No. 2

This recommendation requires further analysis and a determination from the members of the Cooperative of their desire to pursue the purchase of the property. Assuming that the Cooperative elects to exercise its option to purchase, a considerable amount of staff time will have to be allocated to write grants for additional funding. Unfortunately, Monterey County is currently facing a severe housing crisis and CHISPA does not have the staff resources to assist the Cooperative in writing grants. The Cooperative does have other resources available. For example, the Community Foundation of Monterey County provides neighborhood groups such as the Cooperative with small planning grants that can be used to hire a grant writer.

Recommendation No. 3

This recommendation has not been implemented yet. Neither CHISPA nor CHMI is in the position of providing legal advice to the Cooperative. However, CHMI will ask the Board Members of the Cooperative if they wish to hire an attorney to provide them with legal advice regarding the legal requirements of a buyout. Also, the property management staff will establish and present a schedule of long-term property maintenance needs for the buildings to the Board Members of the Cooperative.

Honorable Robert O'Farrel
March 27, 2001
Page Four

Recommendation No. 4

This recommendation will not be implemented because it is not warranted. Since the mid-1980's, CHISPA has not constructed additional cooperative housing complexes. CHISPA has already examined and looked at the strategic direction of the organization and has focused its efforts in providing home ownership opportunities through its mutual self-help (sweat equity) program. In summary, CHISPA agrees with the Civil Grand Jury's recommendation and will continue to expand its successful mutual self-help program as a means of achieving home ownership.

We hope that the above responses satisfactorily address the concerns that were raised by the Civil Grand Jury. If you should have any questions or need additional information, please contact Alfred Diaz-Infante, Pres./CEO, at (831) 757-6251, ext. 130

Sincerely,

COMMUNITY HOUSING IMPROVEMENT SYSTEMS
AND PLANNING ASSOCIATION, INC.

A handwritten signature in cursive script that reads "Kristine Edmunds". The signature is written in black ink and is positioned above the typed name.

Kristine Edmunds, Board Chair

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING:	May 22, 2001 – Consent.	AGENDA NO.:
SUBJECT:	Approve Recommended Supplemental Response (Attachment A) to the 2000 Monterey County Grand Jury Final Report (filed January 3, 2001) and Authorize staff of the County Administrative Office to File Approved Supplemental Response with the Presiding Judge of the Consolidated Trial Courts	
DEPARTMENT:	County Administrative Office	

RECOMMENDATION

It is recommended that the Board of Supervisors approve the recommended supplemental response (Attachment A) to the 2000 Monterey County Grand Jury Final Report and authorize staff of the County Administrative Office to file the approved supplemental response with the Presiding Judge of the Consolidated Trial Courts.

SUMMARY

On April 20, 2001, the Board of Supervisors received notice from the Grand Jury that additional information was required to complete the response to the 2000 Monterey County Grand Jury Report. Specifically, a response to the section entitled, "An Overview of the Association of Monterey Bay Area Governments (AMBAG)," page 28-34 was inadvertently omitted from the response submitted to the Grand Jury on March 21, 2001.

DISCUSSION

The County Administrative Office regrets the oversight and submits for consideration the information omitted from the report approved by the Board of Supervisors on March 13, 2001.

The County Administrative Office and the relevant county staff contributed to the preparation of this supplemental response. This supplemental response requires adoption by the Board of Supervisors.

OTHER AGENCY INVOLVEMENT

The County Administrative Office drafted the supplemental response with input and review from affected departments.

FINANCING

Acceptance of the recommended Board response will have no direct financial impact on the General Fund.


Sally R. Reed
County Administrative Officer
05/09/01

Attachment

Prepared by Keith Honda, Principal Analyst

Before the Board of Supervisors in and for the
County of Monterey, State of California

Approves Supplemental Response)
(Attachment A) to the 2000 Monterey)
County Grand Jury Final Report, Filed)
January 3, 2001, and Authorize Staff to)
File Approved Final Response With the)
Presiding Judge of the Coordinated Trial)
Courts

Upon motion of Supervisor Calcagno, seconded by Supervisor
Potter, and carried by those members present, the Board hereby approves the
supplemental response (Attachment A) to the 2000 Monterey County Grand Jury Final Report
and authorizes staff of the County Administrative Office to file the approved response with the
Presiding Judge of the Coordinated Trial Courts.

PASSED AND ADOPTED on this 22nd day of May, 2001, by the following vote, to-wit:

AYES: Supervisors Armenta, Pennycook, Calcagno, Johnsen, Potter

NOES: None

ABSENT: None

I, Sally R. Reed, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an
original order of said Board Supervisors duly made and entered in the minutes thereof at page of Minute Book 70, on 5/22/01.

SALLY R. REED, Clerk of the Board of Supervisors
County of Monterey, State of California.

Dated: May 22, 2001

By Carrie Wilkinson
Carrie Wilkinson Deputy

cc: Al; Keith Honda- Admin.

**AN OVERVIEW OF THE ASSOCIATION OF MONTEREY
BAY AREA GOVERNMENTS (AMBAG)**

FINDINGS

1. AMBAG has no power or authority to mandate changes to policies or procedures. Its influence lies only in the combined voice of its member agencies and its expertise as a planning and research organization. County officials interviewed said that AMBAG may be a non-essential entity, but it fulfills important functions. Its role as mediator, coordinator, and planner is vital for insuring close communication. AMBAG's views and recommendations represent the communal voice of local representatives.

RESPONSE

The Board of Supervisors agrees with this finding.

2. AMBAG and LAFCO have separate and non-duplicative missions. Each of California's 58 counties contains a LAFCO, as prescribed by state statute. LAFCO is charged with maintaining orderly growth within the county and ensuring that government services are provided in any new jurisdiction. Any development, program, or project that can impact more than one agency within the county must be reviewed by LAFCO to ensure that these charges have been met. While the agency does not grant permits, it does have a role in the permit process because it can deny projects if the conditions are not met. LAFCO works with the entities involved to come to a suitable accommodation where possible.

AMBAG, on the other hand, studies projects and proposals that transcend county lines and makes recommendations where necessary. AMBAG and LAFCO have collaborated in the past, however, and have shared statistics and other information that have been helpful in fulfilling their respective missions.

RESPONSE

The Board of Supervisors agrees with this finding.

3. The tri-county area AMBAG represents will be impacted by the Cisco Systems Research Park, a 20,000-employee campus and business development slated for construction in the area of southern San Jose called Coyote Valley. It is expected that many of the Cisco System's employees and their families will search for housing in Monterey, Santa Cruz, and San Benito counties, further impacting local resources such as water, roads, and housing. The City of Salinas has made some effort to address this issue. However, until Fall 2000, no unified voice representing the County had come forward to begin discussions with Cisco Systems or San Jose officials on means to mitigate the effects on Monterey County. The Grand Jury was encouraged to see that AMBAG has begun to bring a unified voice to the issue.

RESPONSE

The Board of Supervisors agrees with this finding.

An Overview of the AMBAG

RECOMMENDATIONS

The 2000 Monterey County Civil Grand Jury recommends that:

1. AMBAG continue to provide a forum for regional topics to be addressed.

RESPONSE

The recommendation has been implemented. The Board of Supervisors recognizes and supports AMBAG's leadership on regional issues. Current topics which include housing, traffic congestion, air quality, and economic development only underline the importance of a forum for planning, discussion and study of regional problems of mutual interest and concern.

2. AMBAG and LAFCO continue to work together to share information and highlight problem areas, as well as suggest mitigating solutions.

RESPONSE

The recommendation has been implemented. The Board of Supervisors is fully committed to resolving problems through cooperation with other agencies. A recent change in state law will result in LAFCO separating from the County as an independent agency. However, the Board of Supervisors will continue to encourage a collaborative relationship between LAFCO and AMBAG, as well as other agencies.

3. AMBAG use its role as coordinator to unify the member agencies to promote Monterey County's interests in continued discussions with the City of San Jose - Cisco Systems, and the developers of the Cisco Systems Research Park. AMBAG's beginning efforts are to be commended, but further discussion must include specific information on the lack of available resources and Monterey County's limited ability to house, serve, or transport the probable volume of new residents the campus will attract.

RESPONSE

The recommendation has been implemented. The Board of Supervisors is fully invested in AMBAG's leadership on the San Jose – Cisco issue. Highly qualified members of the Monterey County CAO's office have been actively involved in developing responses to the project.



ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

March 16, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
P.O. Box 1819 N. Wing Room 320
Salinas, CA 93901

Dear Honorable Judge O'Farrell:

On March 14, 2001 the Board of Directors of the Association of Monterey Bay Area Governments approved this response to the Monterey County Grand Jury Report 2000.

Findings

1. The respondent agrees with the finding.
2. The respondent agrees with the finding.
3. The respondent agrees with the finding.

Furthermore, we would like to inform the Grand Jury, that following the City of San Jose's certification of the EIR of the North Coyote Valley Research Park Project (CISCO Project) in October, 2000, the Association of Monterey Bay Area Governments filed lawsuit challenging the Environmental Impact Report as legally deficient, having failed to adequately address transportation, housing, and air quality impacts on the proposed project on the Monterey Bay region.

Recommendation

1. The recommendation has been implemented.
2. The recommendation has not yet been implemented, but will be implemented in the future, as needed or required.
3. The recommendation has been implemented. The Board of Directors of the Association of Monterey Bay Area Governments has initiated a dialogue with Silicon Valley elected officials through an inter-regional partnership forum, to analyze jobs/housing imbalances and to develop plans and strategies to reduce or mitigate such imbalances.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicolas Papadakis", is written over a horizontal line. The signature is fluid and cursive.

Nicolas Papadakis
Executive Director



Catherine Gallegos
District Superintendent

43 San Benancio Road
Salinas, California
93908

(831) 484-2166
(831) 484-2828 - FAX

July 24, 2001

Roy D. Lorenz, Foreman
2001 Monterey County Grand Jury
P.O. Box 414
Salinas, CA 93902

Board of Trustees
Karen Boothroyd
Hatty Eddy
Kent Fowler
Thomas Hovde
Joe I. Mitchell

Dear Mr. Lorenz,

**RE: RESPONSE TO THE MONTEREY COUNTY GRAND JURY REQUEST
FOR REPLY TO FINDINGS IN THE 2001 GRAND JURY REPORT**

San Benancio Middle School
484-1172

Washington Union School
484-1331

Toro Park School
484-9691

The purpose of this letter is to respond to the letter requesting our district to supply you with a response to the Findings portion of the 2001 Grand Jury Report.

Finding #1:

Sixteen of the 19 responding school districts and one community college responding to the Grand Jury's survey spend lottery funds on employee salaries.

District's Response:

As stated in the district's letter of March 28, 2000, the district uses a portion of its lottery funds on employee salaries.

Finding #2:

At the time of the Grand Jury's survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

District's Response:

It is correct that the Washington Union School District does not use any lottery education revenues for prohibited purposes.

Finding #3:

Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does not comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.

Grand Jury Response
Page 2

District Response:

Washington Union School District tracks its lottery moneys through a special fund, Sub Fund 20.

Finding #4:

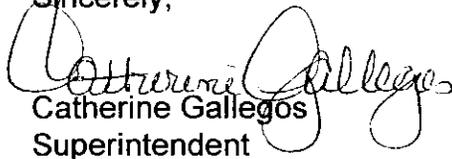
Fifteen of the 19 responding school districts, both community colleges, and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

District Response:

The Washington Union School District uses accounting procedures that track the expenditures pursuant to the Cardenas Textbook Act. The district records and reports these expenditures each year to stay in compliance with the law.

I trust that this response satisfies the Grand Jury's requirements. If you need further information, you may contact me at 484 2166.

Sincerely,


Catherine Gallegos
Superintendent

cc: Marilyn A. Maxner, Edit and Response Committee
Bill Barr, County Superintendent
Board of Trustees, Washington Union School District



Catherine Gallegos
District Superintendent

43 San Benancio Road
Salinas, California
93908

(831) 484-2166
(831) 484-2828 - FAX

Board of Trustees
Karen Boothroyd
Hetty Eddy
Kent Fowler
Thomas Hovde
Joe I. Mitchell

San Benancio Middle School
484-1172

Washington Union School
484-1331

Toro Park School
484-9691

March 1, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court - 2001
Grand Jury - County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

The purpose of this letter is to respond to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

As noted in the background section of the report on page 23 it states, "...Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purposes." While the California Department of Education "recommends" that lottery funds be used for non-recurring expenses, the actual use is left up to the local administrators and elected school boards, since each district may have different needs.

Proposition 20, which became law on March 7, 2000, did state that 50% of any increase above the 1997-98 level of lottery funding should be spent on instructional materials.

The Grand Jury report also states on page 24 that, "at the time of the Grand Jury's survey there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County."

To comply with Penal Code Section 933.05, our official response to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

Recommendation #1: The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the

California Government Code.

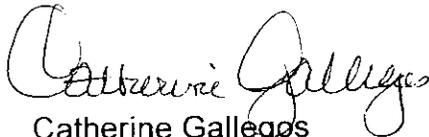
District's Response: Our district has implemented this recommendation since 1996, and has been certified each year by our independent CPA audit.

Recommendation #2: The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response: This recommendation was implemented July 1, 2000, prior to the Grand Jury's Report. The Cardenas Textbook Act of March, 2000 requires that 50% of new lottery revenue be used for textbooks and instructional materials. Our district is complying with this legislation and is tracking expenditures for this purpose through our financial internal control structure.

We trust that this response satisfies the Grand Jury's requirements. If you need further information, you may contact me at 484-2166.

Sincerely,



Catherine Gallegos
Superintendent

C: Susan Balesteri - Foreman 2000
Dr. Bill Barr, County Superintendent of Schools
Board of Trustees - Washington Union School District

Salinas Union High School District

431 West Alisal Street
Salinas, CA 93901-1699
P.O. Box 80900, Salinas, CA 93912
(831) 796-7010

Fernando R. Elizondo, Ed.D.
Superintendent of Schools
felizondo@salinas.k12.ca.us

August 1, 2001

CERTIFIED/RETURN RECEIPT
REQUESTED

Marilyn Maxner, Chair
Roy D. Lorenz, Foreman
Grand Jury County of Monterey
P.O. Box 414
Salinas, CA 93902

Dear Ms. Maxner and Mr. Lorenz:

This is in response to your July 19, 2001 letter regarding the four findings found in the 2000 Grand Jury Report, "Use of California State Lottery Funds in Monterey County."

1. Sixteen of the 19 responding school districts and one community college responding to the Grand Jury's survey spend lottery funds on employee salaries.

Response: The Salinas Union High School District does utilize lottery funds for employee salaries.

2. At the time of the Grand Jury's survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

Response: The Salinas Union High School District does not utilize any lottery funds that are not within the parameters of the legislation.

3. Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does not comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.

Response: The Salinas Union High School District does utilize a portion of its lottery funds for the Cardenas Textbook Act of 2000. We do establish a separate account for the receipt and expenditure of these funds. The Salinas Union High School District placed \$105,802 of lottery funds into instructional materials.

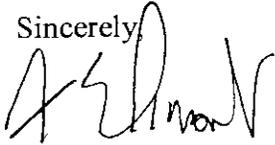
Letter to the Grand Jury
August 1, 2001
Page 2

4. Fifteen of the 19 responding school districts, both community colleges, and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

Response: The Salinas Union High School District does provide a tracking system for both the expenditure of lottery funds and the tracking and compliance with funds as provided through the Cardenas Textbook Act of 2000.

I hope my responses to these findings fulfill your requirements as set forth by your July 19 letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Fernando R. Elizondo". The signature is stylized and cursive.

Fernando R. Elizondo
Superintendent

FRE:pvc



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

Fernando R. Elizondo, Ed.D.
Superintendent

February 15, 2001

CERTIFIED RETURN RECEIPT
REQUESTED

The Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury -- County of Monterey
Salinas, CA 93902

RE: Response to the Monterey County Civil Grand Jury

Dear Honorable Judge O'Farrell:

This response is in regards to the use of California State Lottery Funds in Monterey County as specified in the 2000 Final Report of the Monterey County Civil Grand Jury.

Recommendation 1 Response:

The Salinas Union High School District has established a separate account for the receipt and expenditure of these funds.

Recommendation 2 Response:

The Salinas Union High School District does comply with Proposition 20, the Cardenas Textbook Act of 2000 and has placed \$105,802 as drawn from the State Lottery into instructional materials.

I hope that these responses fulfill the requirements as set forth by the Grand Jury.

Sincerely,

A handwritten signature in black ink, appearing to read 'F. Elizondo'.

Fernando R. Elizondo
Superintendent

FRE:pvc

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



Harold Kahn, Ed.D., Superintendent

Spreckels Union School District

P.O. Box 7308
Spreckels, California 93962
Tel: (831) 455-2550
Fax: (831) 455-1871

E-mail: hkahn@monterey.k12.ca.us

August 15, 2001

Roy D. Lorenz, Foreman
2001 Monterey County Grand Jury
P. O. Box 414
Salinas, CA 93902

Dear Mr. Lorenz:

RE: RESPONSE TO THE MONTEREY COUNTY GRAND JURY REQUEST FOR REPLY TO FINDINGS

The purpose of this letter is to respond to the letter requesting our district supply you with a response to the Findings portion of the 2000 Grand Jury Final Report:

Finding #1

Sixteen of the 19 responding school districts and one community college responding to the Grand Jury's survey spend lottery funds on employee salaries.

District's Response

Spreckels Union School District used a portion of its lottery funds on employee salaries in 2000-2001. Currently the 2001-2002 budget does not include expenditure of lottery funds for this purpose.

Finding #2

At the time of the Grand Jury's survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes.

District's Response

We are in agreement with this finding. Spreckels Union School District does not use any lottery education revenues for prohibited purposes.

Finding #3

Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does not comply with the California Government Code, Section 880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.

- **Spreckels School** • P.O. Box 7308 • Spreckels, CA 93962 • Tel: (831) 455-2550 • Fax: (831) 455-1871
- **Buena Vista Middle School** • 18250 Tara Drive • Salinas, CA 93908 • Tel: (831) 455-8936 • Fax: (831) 455-8832

District's Response

Spreckels Union School District tracks its lottery funds through a special fund, Sub Fund 20 and another special fund, Sub Fund 14 for lottery funds restricted to purchase of instructional materials.

Finding #4

Fifteen of the 19 responding school districts, both community colleges, and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

District's Response

The Spreckels Union School District uses accounting procedures that track the expenditures pursuant to the Cardenas Textbook Act. The District records are in compliance with the law.

We trust that these responses satisfy the Grand Jury's requirements; however, feel free to contact me at 455-2550 ext. 16, if additional information is needed.

Sincerely,



Harold Kahn, Ed.D.
Superintendent

SAS

cc: Marilyn A. Maxner, Edit and Response Committee
Dr. Bill Barr, County Superintendent of Schools
Board of Trustees – Spreckels Union School District



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

March 28, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

I am writing in response to the Final Report of the 2000 Monterey county Civil Grand Jury, regarding the use of California State Lottery funds in Monterey County.

As noted in the background section of the report on page 23 it states, "...Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purposes. While the California Department of Education "recommends" that lottery funds be used for non-recurring expenses, the actual use is left up to the local administrators and elected school boards, since each district may have different needs.

Proposition 10, which became law on March 7, 2000, did state that 50% any increase above the 1997-98 level of lottery funding be spent on instructional materials.

The Grand Jury report also states on page 24 that, "at the time of the Grand Jury's survey, there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County.

To comply with Penal Code Section 933.5, our official response to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

Recommendation #1:

The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

□ **Spreckels School** • P.O. Box 7308 • Spreckels, CA 93962 • Tel: (831) 455-1831 • Fax: (831) 455-1871

□ **Buena Vista Middle School** • 18250 Tara Drive • Salinas, CA 93908 • Tel: (831) 455-8936 • Fax: (831) 455-8832

District's Response:

This recommendation has been implemented since 1984, and has been certified each year by our independent CPA audit.

Recommendation #2:

The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response:

The recommendation was implemented immediately upon the passage of Proposition 20 including funds received during the 1999-2000 school year identified and separated from General Funds and other Lottery Funds by the use of sub-fund accounting. All restricted lottery funds are used for Instructional Materials.

We trust that his response satisfies the Grand Jury's requirements; however, feel free to contact me at 455-2550 ext. 16, if additional information is needed.

Sincerely,



Harold Kahn, Ed.D.
Superintendent

SAS

cc: Susan Balesteri – Foreman 2000
Dr. Bill Barr, County Superintendent of Schools
Board of Trustees – Spreckels Union School District



"Education for Life"

Soledad Unified School District

Gene Martin, District Superintendent

1261 Metz Road • P.O. Box 186 • Soledad, CA 93960 • (831) 678-3987 • FAX (831) 678-2866

July 24, 2001

Marilyn A. Maxner, Chair
Ray Lorenz, Foreman
Grand Jury
County of Monterey
P.O. Box 414
Salinas, CA 93902

RE: ADDENDUM TO THE RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

Per your letter dated July 19, 2001, which we received July 23, 2001, the following represents an addendum to our response of January 24, 2001. The January 24th letter responded to the recommendations and this response is to the findings:

Finding #1 For the past two years, our district does not use any lottery funds for salaries. It is our intent not to use lottery money for salaries, provided that the state legislators properly funds school needs through other funding sources.

By the Grand Jury stating that 16 of the 19 school districts used lottery funds for salaries, they presume that something is illegal in using lottery money for salaries. While the California Department of Education "recommends" that lottery funds be used for non-recurring expenses, the actual use is left up to the local administration and elected school boards, since each district may have different needs.

Finding #2 Even the Grand Jury's survey stated that there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County. This finding alone should have rendered a positive report from the Grand Jury with respect to school's use of lottery money.

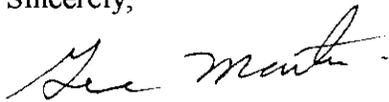
Finding #3 Our district tracks lottery money in a separate sub fund, which is approved and monitored by the Monterey County Office of Education and audited annually by our independent CPA's. We were not one of the 4 districts that place lottery money in their general fund without further tracking.

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
---	--	---	---	---

Finding #4 As noted in our response of January 24th.

“While the Cardenas Textbook Act of March 2000 only requires that 50% of new lottery revenue be used for textbooks, our district is now using 50% of all lottery funds for textbooks, since the state’s Instructional Materials allotment has not kept pace with the increasing costs of textbooks and supplemental instructional materials. By using 50% of “all” lottery money and the state’s meager allowance for Instructional Materials, we have developed a 10-year Master Plan to fully fund the state textbook adoptions as they occur.”

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene Martin".

Gene Martin
District Superintendent

GM:if

C: Dr Bill Barr, County Superintendent of Schools
Board of Trustees – Soledad Unified School District



"Education for Life"

Soledad Unified School District

Gene Martin, District Superintendent

1261 Metz Road • P.O. Box 186 • Soledad, CA 93960 • (831) 678-3987 • FAX (831) 678-2866

January 24, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

I am writing in response to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

As noted in the background section of the report on page 23 it states, "... Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purposes." While the California Department of Education "recommends" that lottery funds be used for non-recurring expenses, the actual use is left up to the local administrators and elected school boards, since each district may have different needs.

Proposition 20, which became law on March 7, 2000, did state that any increase above the 1997-98 level of lottery funding that 50% of the increase be spent on instructional materials.

The Grand Jury report also states on page 24 that, "at the time of the Grand Jury's survey, there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County.

To comply with Penal Code Section 933.05, our official response to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

Recommendation #1: The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

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

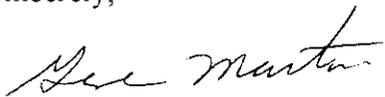
District's Response: This recommendation has been implemented since 1984, and has been certified each year by our independent CPA audit.

Recommendation #2: The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response: This recommendation was implemented July 1, 2000, prior to the Grand Jury's Report. While the Cardenas Textbook Act of March 2000 only requires that 50% of new lottery revenue be used for textbooks, our district is now using 50% of all lottery funds for textbooks, since the state's Instructional Materials allotment has not kept pace with the increasing costs of textbooks and supplemental instructional materials. By using 50% of all lottery money and the state's meager allowance for Instructional Materials, we have developed a 10-year master plan to fully fund the state textbook adoptions as they occur. It should also be noted that our district no longer uses lottery money to fund salaries.

We trust that his response satisfies the Grand Jury's requirements; however, feel free to contact me at 678-3987, if additional information is needed.

Sincerely,



Gene Martin
District Superintendent

GM:if

C: Susan Balesteri – Foreman 2000
Dr. Bill Barr, County Superintendent of Schools
Board of Trustees – Soledad Unified School District



Salinas City Elementary School District

840 South Main Street Salinas, CA 93901

Phone: (831) 753-5600 FAX: (831) 753-4374

August 3, 2001

ADMINISTRATION

ROBERT SLABY, Ed.D.
Superintendent

RAY ARCINAS
Asst. Supt., Fiscal Svcs.

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

SHARON LOUCKS, Ed. D.
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 SEMENIUK

STEPHEN MALVINI

BYRON SKIP LATHAM

Honorable Robert O'Farrell
Presiding Judge of the Superior Court - 2001
Grand Jury - County of Monterey
Salinas, CA. 93902

RE: Response To The 2000 Monterey County Civil Grand Jury Findings

Dear Judge O'Farrell:

As requested, the response to the findings to the Final Report of the 2000 Monterey County Civil Grand Jury, the following district response is as follows:

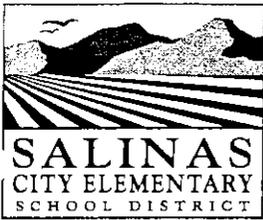
Findings:

1. The district is one of the sixteen district expending lottery funds on employee salaries.
2. The district does not spend lottery funds for prohibited purposes.
3. The district does place the lottery funds in the general fund and further identifies the expenditures of such funds for salaries. In addition, the amount determined by the state to comply with the Cardenas Textbook Act of 2000 is identified for instructional material expenditure.
4. The district is one of the fifteen school districts that have special tracking accounts for lottery funds. See previous answer, which address the compliance with the Cardenas Textbook Act of 2000.

We trust that this response along with the earlier response dated February 13, 2001 satisfies the Grand Jury's requirements.

Sincerely,

Robert Slaby
Superintendent



Salinas City Elementary School District

431 West Alisal Street Salinas, CA 93901

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

February 13, 2001

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 SEMENIUK

STEPHEN MALVINI

BYRON SKIP LATHAM

Honorable Robert O'Farrell
Presiding Judge of the Superior Court - 2001
Grand Jury - County of Monterey
Salinas, Ca. 93902

RE: Response To The 2000 Monterey County Civil Grand Jury

Dear Judge O'Farrell:

In response to the Final Report of the 2000 Monterey County Civil Grand Jury, the following district response to the recommendations are noted below.

To comply with Penal Code Section 933.05, our official response to the recommendations on page 25 of the report are as follows:

Recommendation #1: The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

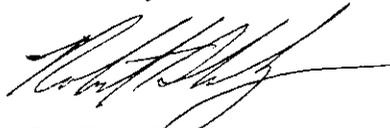
District Response: This recommendation has been implemented since lottery funds have been available and has been certified each year by our independent auditors.

Recommendation #2: The County Superintendent and all Monterey County School districts review their accounting practices to facilitate tracking and compliance with the new requirement of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District Response: This recommendation was implemented in fiscal year 1999-2000. The amount under the Cardenas Textbook Act is determined by the state and is restricted for Instructional Materials expenditure.

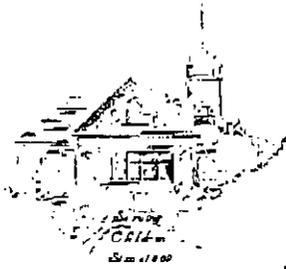
We trust that this response satisfies the Grand Jury's requirements.
However feel free to call me at 784-2231.

Sincerely,

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

Dr. Rob Slaby
District Superintendent

CC: Susan Balesteri - Foreman 2000
Dr. Bill Barr, County Superintendent of Schools
Board of Trustees - Salinas City Elementary School District



Santa Rita

Union School District

"Improving the World with Every Student"

57 Russell Road
Salinas, CA 93906-4325
(831) 443-7200
F a x 442-1729
www.santaritaschools.org

*District
Superintendent:*

Dr. Bob McLaughlin
bmcLaugh@monterey.k12.ca.us

*Assistant
Superintendent:*

Mr. Jim Fontana
jfontana@monterey.k12.ca.us

*Director of
General Services:*

Mrs. Pat Alexander
palcxnd@monterey.k12.ca.us

*Director of
Student Services:*

Mr. Tom Guajardo
tguajard@monterey.k12.ca.us

Board of Trustees:

Mrs. Sue Daly
Mrs. Nita McMurry
Mr. Michael Roebuck
Mr. Tom Spencer
Mr. Perry Vargas

Schools:

Guivila View Middle
La Joya Elementary
Santa Rita Elementary

February 22, 2001
Revised September 18, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court - 2001
Grand Jury - County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

**RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND
JURY**

I am writing in response to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

As noted in the background section of the report on page 23 it states, "...Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purposes." While the California Department of Education "recommends" that lottery funds be used for non-recurring expenses, the actual use is left up to the local administrators and elected school boards, since each district may have different needs.

Proposition 20, which became law on March 7, 2000, did state that any increase above the 1997-98 level of lottery funding that 50% of the increase be spent on instructional materials.

The Grand Jury report also states on page 24 that, "at the time of the Grand Jury's survey, there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County.

To comply with Penal Code Section 933.05, our official response to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

Finding #1: Lottery funds are spent on employee salaries.
District Response: Correct. Some of the funds provide music and counseling personnel.

Finding #2: No evidence that Lottery funds are spent for prohibited purposes.

District Response: Correct.

Finding #3: Lottery funds in some districts placed into general fund without further tracking.

District Response: Does not apply to Santa Rita since we track Lottery Funds as required by law.

Finding #4: Lottery funds in some districts is properly tracked but without enough detail to comply with the Cardenas Textbook Act of 2000.

District Response: Santa Rita properly tracks general Lottery funds in subfund 20 and tracks Cardenas Textbook Lottery funds in subfund 14.

Recommendation #1: The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

District's Response: This recommendation has been implemented since 1984, and has been certified each year by our independent CPA audit.

Recommendation #2: The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response: This recommendation was implemented July 1, 2000, prior to the Grand Jury's Report.

I trust that his response satisfies the Grand Jury's requirements; however, feel free to contact me if additional information is needed.

Sincerely,



Dr. Robert McLaughlin
District Superintendent

C: Dr. Bill Barr, County Superintendent of Schools
Board of Trustees – Santa Rita Union School District

Santa Rita

Union School District

Enriching Lives Through Education

February 22, 2001

57 Russell Road
Salinas, CA 93906-4325
(831) 443-7200
Fax 442-1729
www.monterey.k12.ca.us/~sntarido

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

I am writing in response to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

As noted in the background section of the report on page 23 it states, "...Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purposes." While the California Department of Education "recommends" that lottery funds be used for non-recurring expenses, the actual use is left up to the local administrators and elected school boards, since each district may have different needs.

Proposition 20, which became law on March 7, 2000, did state that any increase above the 1997-98 level of lottery funding that 50% of the increase be spent on instructional materials.

The Grand Jury report also states on page 24 that, "at the time of the Grand Jury's survey, there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County.

To comply with Penal Code Section 933.05, our official response to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

Recommendation #1:

The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

District
Superintendent:

Dr. Robert McLaughlin

Assistant
Superintendent:

Mr. James Fontana

Director of
Fiscal Services:

Mrs. Pat Alexander

Coordinator of
Student Services:

Mr. Tom Guajardo

Board of District:

Mrs. Sue Duly

Mrs. Nita McMurtry

Mr. Michael Roebuck

Mr. Tom Spencer

Mr. Perry Vargas

Schools:

Gavilan View Middle

La Jova Elementary

Santa Rita Elementary

2000 Grand Jury Response
February 22, 2001
Page 2

District's Response: This recommendation has been implemented since 1984, and has been certified each year by our independent CPA audit.

Recommendation #2: The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response: This recommendation was implemented July 1, 2000, prior to the Grand Jury's Report.

We trust that his response satisfies the Grand Jury's requirements; however, feel free to contact me if additional information is needed.

Sincerely,



Dr. Robert McLaughlin
District Superintendent

RM:jv

C: Dr. Bill Barr, County Superintendent of Schools
Board of Trustees - Santa Rita Union School District



San Lucas

Union School District

P.O. Box 310 • 53675 San Benito Street • San Lucas, CA 93954
(831) 382-4426 • Fax (831) 382-4088

August 13, 2001

Marilyn A. Maxner, Chair
Ray Lorenz, Foreman
Grand Jury
County of Monterey
P.O. Box 414
Salinas, CA 93902

RE: ADDENDUM TO THE RESPONSE TO THE 2000 MONTEREY COUNTY
CIVIL GRAND JURY

Per your letter dated July 19, 2001, which we received July 23, 2001, the following represents an addendum to our response of February 6, 2001. The February 6th letter responded to the recommendations and this response is to the findings.

Finding #1 San Lucas Union Elementary School District has used some lottery funds for salaries. It is our intent not to use lottery money for salaries, provided that the state legislators properly fund school needs through other funding sources.

The California Department of Education recommends that lottery funds be used for non-recurring expenses, the actual use is left up to the local administration and elected school boards, since each district may have different needs.

Finding #2 The Grand Jury's finding that there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County, is a positive report.

Finding #3 Our district tracks lottery money in a separate sub fund, which is approved and monitored by the Monterey County Office of Education and audited annually by our independent CPA's.

Finding #4 The Cardenas Textbook Act of March 2000 only requires that 50% of new lottery revenue be used for textbooks, our district is now using 50% of all lottery funds for textbooks, since the state's Instructional Materials allotment has not kept pace with the increasing costs of textbooks and supplemental instructional materials. By using 50% of all lottery money and the state's small allowance for Instructional Materials, our district is determined to fully fund the state textbook adoptions as they occur.

Sincerely,


Brad Bailey
Superintendent

C. Dr Bill Barr, County Superintendent of Schools
Board of Trustees – San Lucas Union Elementary School District



San Lucas

Union School District

P.O. Box 310 • 53675 San Benito Street • San Lucas, CA 93954
(831) 382-4426 • Fax (831) 382-4088

February 20, 2000

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

I am writing in response to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

As noted in the background section of the report on page 23 it states, "...Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spend for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purposes." While the California Department of Education "recommends" that lottery funds be used for non-recurring expenses, the actual use is left up to the local administrators and elected school boards, since each district may have different needs.

Proposition 20, which became law on March 7, 2000, did state that any increase above the 1997-98 level of lottery funding that 50% of the increase be spent on instructional materials.

The Grand Jury report also states on page 24 that, "at the time of the Grand Jury's survey, there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County.

To comply with Penal Code Section 933.05, our official response to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

Recommendation #1: The San Lucas Union Elementary School District verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 if the California Government Code.

District's Response: This recommendation has been implemented since 1984, and has been certified each year by our independent CPA audit.

Recommendation #2 The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response: This recommendation was implemented July 1, 2000, prior to the Grand Jury's Report. While the Cardenas Textbook Act of March 2000 only requires that 50% of new lottery revenue be used for textbooks, since the state's Instructional Materials allotment has not kept pace with the increasing costs of textbooks and supplemental instructional materials. By using 50% of all lottery money and the state's meager allowance for Instructional Materials, we have developed a 5-year master plan to fully fund the state textbook adoptions as they occur.

We trust that his response satisfies the Grand Jury's requirements; however, feel free to contact me 382-4426, if additional information is needed.

Sincerely,



Brad Bailey
District Superintendent

BB:if

- C. Susan Balesteri – Foreman 2000
Dr. Bill Barr, County superintendent of Schools
Board of Trustees – San Lucas Union School District

San Ardo Union Elementary School District



August 8, 2001

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

Re: Response to findings of the 2000 Grand Jury Final Report

Gentlemen:

Following is our reply:

Finding #1

The California State Lottery Act of 1984 does not prohibit school districts from spending lottery funds on salaries.

Finding #2

We are pleased that the lottery funds in Monterey County Schools are not spent for prohibited purposes.

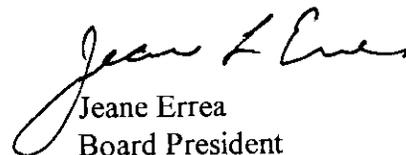
Finding #3

San Ardo School District has not acquired new real property, constructed new facilities, nor commissioned any research, so there is no concern that lottery money is not spent properly. Our 50% increase of the lottery funding is in a separate restricted account and is used for textbook and instructional material purchases.

Finding and Recommendation #4

The Cardenas Textbook Act of 2000 accounts for 50% of the increase in lottery funding. This money is separated from the rest of the lottery income and placed in a restricted account. Expenditures of these funds is subject to yearly audit.

Sincerely,


Jeane Errea
Board President

San Ardo Union Elementary School District



March 14, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County Grand Jury
P.O. Box 1819
Salinas, CA 93902

Dear Judge O'Farrell:

Re: Response to 2000 Monterey County Civil Grand Jury

Response to Recommendation #1

San Ardo School District is in compliance with California Government Code Section 8880.5. In the history of the District, there has never been a finding related to lottery money expenditures.

Response to Recommendation #2

The San Ardo School District maintains a separate program account for the income and expenditures of Cardenas Textbook Act funds. These funds represent 50% of new lottery funds. These funds are spent on textbooks.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathryn E. Fox".

Kathryn E. Fox
Superintendent

San Antonio Union School District

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

Administration
Susan L. Gerard
Superintendent/Principal

Office: (831) 385-3051
FAX: (831) 385-4240

Board of Trustees

Donna Booker
Ned T. Bowler
Michel L. Hardoy
Chris Heinsen

School Operations Staff

Mary Hickerson
Office Clerk

Carol Mahon
Confidential Office Specialist

Faye Wells
Confidential Secretary

August 13, 2001

Roy D. Lorenz, Foreman
2001 Monterey County Grand Jury
P.O. Box 414
Salinas, CA 93902

RE: 2000 Grand Jury Final Report—Response to Findings
Title of Report: “Use of California State Lottery Funds in Monterey County”

Dear Forman Lorenz:

I am writing in response to your July 19, 2001 letter indicating my omission of “Response to the Findings”.

Findings #1

Sixteen of the 19 responding school districts and one community college responding to the Grand Jury’s survey spent lottery funds on employee salaries.

District’s Response:

San Antonio School District did not use Lottery funds for employee salaries during the 2000-2001 school year and does not plan to use any portion of Lottery funds for salaries in the future. As indicated in the April 30, 2001 response to Recommendation #2, our district will be allocating the majority of Lottery funds for the purpose of instructional materials especially textbooks.

Finding #2

At the time of the Grand Jury’s survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

District’s Response:

In reviewing the District’s audits there was no evidence that San Antonio School District spent Lottery revenues for prohibited purposes.

Finding #3

Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does not comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.

District's Response:

In reviewing the District's budgets prior to July 1, 2001, Lottery revenues were tracked by program numbers with each allocation assigned a number. Expenditures were tracked using these same numbers. Beginning July 1, 2001, with the new state accounting system, Lottery revenues will be tracked by resource number. During the spring 2001, all prior textbook expenditures were checked for Cardenas compliance.

Finding #4

Fifteen of the 19 responding school districts, both community colleges, and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

After reviewing the District's budgets for 1999-2000 and 2000-2001 and reviewing the textbook expenditures for 2000-2001 for Cardenas compliance, the District's July 1, 2001 budget has designated accounts that are detailed enough to allow verification of compliance with the Cardenas Textbook Act of 2000.

If you have any questions, please feel free to contact me at (831) 385-3051.

Sincerely,

A handwritten signature in cursive script that reads "Susan L. Gerard".

Susan L. Gerard
Superintendent/Principal

San Antonio Union School District

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

Administration
Susan L. Gerard
Superintendent/Principal

Office: (831) 385-3051
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Donna Booker
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Chris Heinsen
Anissa Schatz

School Operations Staff

Mary Hickerson
Office Clerk
Marcie Roth
Accounts Clerk
Carol Mahon
Confidential Office Specialist
Faye Wells
Confidential Secretary

April 30, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court—2001
Grand Jury—County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

I am writing in response to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

As noted in the background section on page 23 the report, section 8880.5 of the California Government Code requires that each district and county superintendent of schools establish "a separate account for the receipt and expenditure of those moneys, which account for the receipt and expenditure of those moneys, which account shall be clearly identified as a lottery education account." Beyond stating that funds are to be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purpose. The California Department of Education recommends that lottery funds be used for non-recurring rather than continuing expenses the final decision has been left to local administrators and elected school boards.

Proposition 20 (the Cardenas Textbook Act of 2000) passed on March 7, 2000, placed new restrictions on local school authorities. The Legislative Initiative Amendment to the California State Lottery Act requires that 50% of any increase in lottery education funds (above the 1997-98 level) be spent on instructional materials (textbooks and other reading materials, computer software, arts and crafts supplies and maps). The "base" lottery revenues and the other half of any growth moneys are still left to the discretion of local school authorities.

The report further states on page 24 of the report under Findings, #2, At the time of the Grand Jury's survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

To comply with Penal Code Section 933.05, the official response to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

Recommendation # 1:

The County Superintendent and all Monterey County school district receiving revenue from the California Lottery verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

District's Response:

This recommendation has been implemented since 1984, and has been certified each year by our independent CPA audit.

Recommendation # 2:

The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response:

This recommendation was implemented July 1, 2000, prior to the Grand Jury's Report. The Cardenas Textbook Act of March 2000 only requires that 50% of new lottery revenue to be used for textbooks, our district will be allocating the majority of the lottery funds for this year towards purchase of new mathematics textbooks. The District will be conducting a "in-house" curriculum audit to identify textbook needs and that the District has an on going plan to fully fund the state textbook adoptions as they occur.

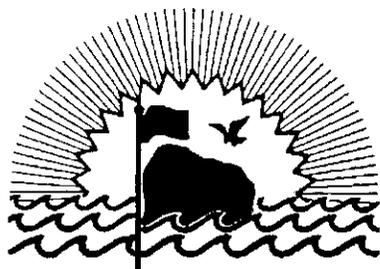
If you have any questions, please feel free to contact me at (831)385-3051.

Sincerely,



Susan L. Gerard
Superintendent/Principal

C: Roy D. Lorenz, Foreman 2001
Dr. William D. Barr, County Superintendent of Schools
Board of Trustees, San Antonio USD



*Pacific Unified
School District*

August 13, 2001

Marilyn A. Maxner, Chair
Ray Lorenz, Foreman
Grand Jury
County of Monterey
P.O. Box 414
Salinas, CA 93902

RE: ADDENDUM TO THE RESPONSE TO THE 2000 MONTEREY COUNTY
CIVIL GRAND JURY

Per your letter dated July 19, 2001, which we received July 23, 2001, the following represents an addendum to our response of February 6, 2001. The February 6th letter responded to the recommendations and this response is to the findings.

Finding #1 Pacific Unified School District has not used lottery funds for salaries. It is our intent not to use lottery money for salaries, provided that the state legislators properly fund school needs through other funding sources.

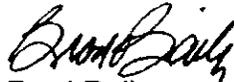
The California Department of Education recommends that lottery funds be used for non-recurring expenses, the actual use is left up to the local administration and elected school boards, since each district may have different needs.

Finding #2 The Grand Jury's finding that there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County, is a positive report.

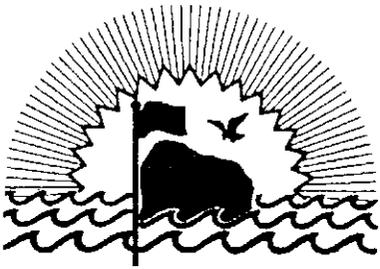
Finding #3 Our district tracks lottery money in a separate sub fund, which is approved and monitored by the Monterey County Office of Education and audited annually by our independent CPA's.

Finding #4 The Cardenas Textbook Act of March 2000 only requires that 50% of new lottery revenue be used for textbooks, our district is now using 50% of all lottery funds for textbooks, since the state's Instructional Materials allotment has not kept pace with the increasing costs of textbooks and supplemental instructional materials. By using 50% of all lottery money and the state's small allowance for Instructional Materials, our district is determined to fully fund the state textbook adoptions as they occur.

Sincerely,


Brad Bailey
Superintendent

C. Dr Bill Barr, County Superintendent of Schools
Board of Trustees – Pacific Unified School District



*Pacific Unified
School District*

February 26, 20001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

I am writing in response to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

As noted in the background section of the report on page 23 it states, "... Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purposes." While the California Department of Education "recommends" that lottery funds be used for non-recurring expenses, the actual use is left up to the local administrators and elected school boards, since each district may have different needs.

Proposition 20, which became law on March 7, 2000, did state that any increase above the 1997-98 level of lottery funding that 50% of the increase be spent on instructional materials.

The Grand Jury report also states on page 24 that, "at the time of the Grand Jury's survey, there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County.

To comply with Penal Code Section 933.05, our official response to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

Recommendation #1: The Pacific Unified School District verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 if the California Government Code.

District's Response: This recommendation has been implemented since 1984, and has been certified each year by our independent CPA audit.

Recommendation #2 The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response: This recommendation was implemented July 1, 2000, prior to the Grand Jury's Report. While the Cardenas Textbook Act of March 2000 only requires that 50% of new lottery revenue be used for textbooks, since the state's Instructional Materials allotment has not kept pace with the increasing costs of textbooks and supplemental instructional materials. By using 50% of all lottery money and the state's meager allowance for Instructional Materials, we have developed a plan to fund the state textbook adoptions as they occur.

We trust that this response satisfies the Grand Jury's requirements; however, feel free to contact me 805-927-4507, if additional information is needed.

Sincerely,



Brad Bailey
District Superintendent

BB:bb

- C. Susan Balesteri – Foreman 2000
Dr. Bill Barr, County superintendent of Schools
Board of Trustees – Pacific Unified School District



www.pgusd.org

PACIFIC GROVE UNIFIED SCHOOL DISTRICT
555 Sinex Avenue Pacific Grove, California 93950

Patrick Perry
Superintendent

(831) 646-6520
Fax (831) 646-6500
pperry@pgusd.org

Robin T. Blakley
Assistant Superintendent

Business Services
(831) 646-6509
rblakley@pgusd.org

August 15, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
P O Box 1819
Salinas CA 93902

RE: Response to Grand Jury Report – 2000
Use of California State Lottery Funds

1. Pacific Grove Unified School District agrees with the finding of the Monterey County Grand Jury.
2. Pacific Grove Unified School District has implemented a review of our accounting practices to facilitate tracking and compliance with the new requirements of California Cardenas Textbook Act of 2000 as defined in Sec. 8880.4 of the California Government Code.

Sincerely,

Patrick Perry
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

January, 29, 2001

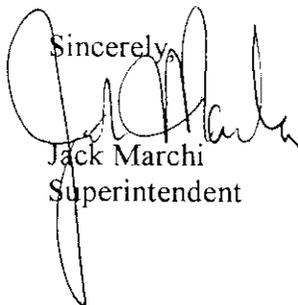
Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
P. O. Box 1819
Salinas, CA 93902

Re: Response to Grand Jury Report – 2000
Use of California State lottery Funds

1. I hereby verify that the Pacific Grove Unified School District has established and is maintaining separate accounts for the receipt and expenditure of Lottery funds as required by Sec. 8880.5 of the California Government Code.
2. I hereby attest that the Pacific Grove Unified School District has conducted a review of our accounting practices to facilitate tracking and compliance with the new requirements of California Cardenas Textbook Act of 2000 as defined in Sec. 8880.4 of the California Government Code.

If there are any question concerning these responses, please contact me or Robin Blakley, Assistant Superintendent, at your convenience.

Sincerely,



Jack Marchi
Superintendent

JM:rf

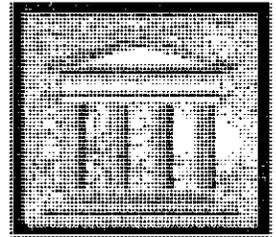
Ref: Grand Jury Report 2000 - Response

Grand Jury

County of Monterey

P.O. Box 414
Salinas, CA 93902
(831) 755-5020

September 4, 2001



Superintendent Leo St. John
North Monterey County Unified School District
8142 Moss Landing Road
Moss Landing, CA 95039

Dear Superintendent St. John:

Thank you for your letter of July 27, 2001, responding to our request for clarification of your responses to the Findings in the 2000 Grand Jury Final Report. Unfortunately, your response was too general.

We realize these Findings were difficult to respond to with "agree" or "disagree." Please use this letter to respond specifically to each Finding.

"1. Sixteen of the 19 responding school districts and one community college responding to the Grand Jury's survey spend lottery funds on employee salaries."

NMCUSD spends lottery funds on employee salaries.

NMCUSD does not spend lottery funds on employee salaries.

"2. At the time of the Grand Jury's survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County."

NMCUSD does not spend lottery funds for prohibited purposes.

NMCUSD spends lottery funds for prohibited purposes.
(Please elaborate if this is your answer.)

"3. Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does not comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000."

NMCUSD places lottery funds in our general fund without further tracking.

Superintendent Leo St. John
September 4, 2001
Page Two

NMCUSD does not place lottery funds in our general fund without further tracking.

“4. Fifteen of the 19 responding school districts, both community colleges, and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.”

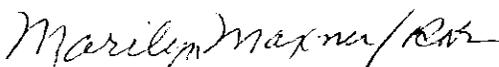
NMCUSD has a special tracking account.

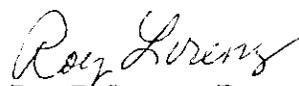
NMCUSD does not have a special tracking account.
(Please explain if this is your answer.)

If you have further questions, please call Eileen Wright, Court Administrative Aide to the Grand Jury, at 755-5020. The Grand Jury Office is open only on Tuesdays and Thursdays; however, a voicemail is available at any time.

Thank you for your prompt response.

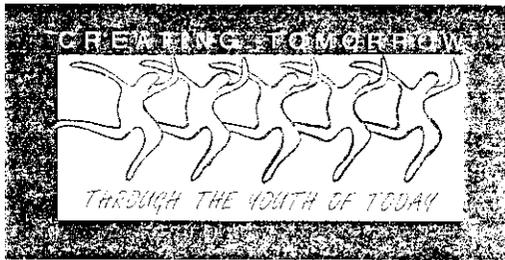
Sincerely,


Marilyn A. Maxner, Chair
Edit/Response Committee


Roy D. Lorenz, Foreman
2001 Monterey County Grand Jury

MAM:RDL:elw

Copy: The Honorable Robert O'Farrell
Presiding Judge, Superior Court
County of Monterey



NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

DISTRICT OFFICE • 8142 MOSS LANDING ROAD • MOSS LANDING, CALIFORNIA 95039-9617 • (831) 633-3343

July 27, 2001

The Honorable Robert O'Farrell
Monterey County Superior Court
Salinas, CA 93902

Dear Judge O'Farrell:

This letter represents the North Monterey County Unified School District's response to Findings contained the 2000 Monterey County Civil Grand Jury report, as requested in the Grand Jury's letter dated 19 July.

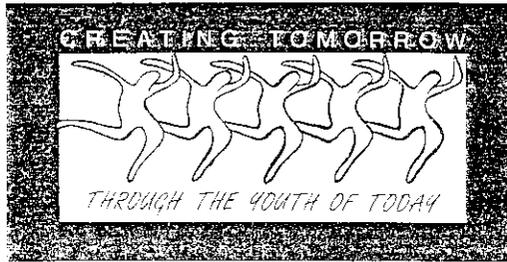
The Report does not include findings of lottery fund expenditures for any prohibited purpose, however, it does point out shortcomings in accounting practices employed by some school districts. While the findings highlight minor defects, they appear to be warranted.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Leo St. John".

Leo St. John
Superintendent

Cc: County Superintendent of Schools
Board of Trustees



NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

DISTRICT OFFICE • 8142 MOSS LANDING ROAD • MOSS LANDING, CALIFORNIA 95039-9617 • (831) 633-3343

February 12, 2001

The Honorable Robert O'Farrell
Monterey County Superior Court
Salinas, CA 93902

Dear Judge O'Farrell:

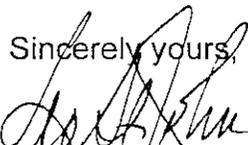
This letter represents the North Monterey County Unified School District's response to the 2000 Monterey County Civil Grand Jury report.

It should be noted that the Grand Jury Report does not include a finding that lottery funds are being spent for any prohibited purposes. With some exceptions, the use of these funds is left to local school board discretion, as school districts have unique and differing needs. Proposition 20 does stipulate that half of any increases in lottery funds above the 1997-98 allocations must be spent for instructional materials.

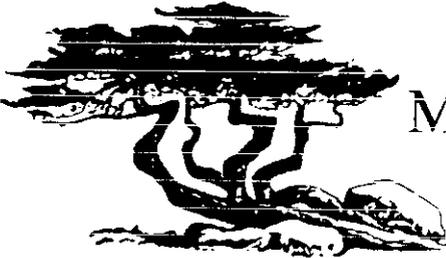
The District's official response to the recommendations contained on Page 25 of the Grand Jury Report is:

- Recommendation #1 has been implemented since 1984, and is certified yearly by independent audit, as required by the State.
- Recommendation #2 was implemented on 1 July 2000, prior to the Grand Jury's Report.

Like most districts, we use a large portion of all lottery revenues to buy instructional materials because the State's Instructional Materials allotment is not adequate.

Sincerely yours,

Leo St. John
Superintendent

Cc: County Superintendent of Schools
Board of Trustees



Monterey Peninsula Unified School District

700 Pacific Street P.O. Box 1031 Monterey, CA 93942-1031
October 1, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

This is in response the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

Page 23 of the report states “ Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purposes.” Although The California Department of Education “recommends” that lottery funds be used for non-recurring expenses, it is left up to the local administrators and elected school boards to determine the actual use of these funds, since each district may have varying needs.

When Proposition 20 became law on March 7, 2000, it stated that 50% of any increase above the 1997-98 level of lottery funding be spent on instructional materials.

Page 24 of the Grand Jury report also states, “at the time of the Grand Jury’s survey, there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County.”

Our official response to comply with Penal Code Section 933.05, to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

- Finding #1:** The district disagrees partially the finding. Monterey Peninsula Unified School District did not spend any lottery funds on salaries.
- Finding #2:** The district agrees with the finding.
- Finding #3:** The district agrees with the finding.
- Finding #4:** The district agrees with the finding.

Recommendation #1:

The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

District's Response:

The district has not historically separated Lottery Funds from the district's general fund but will begin doing so in the 2000-2001 fiscal year to comply with California Government Code 8880.5.

Recommendation #2:

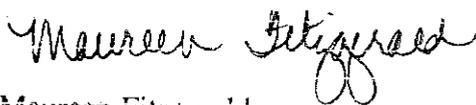
The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response:

The district has developed and is implementing accounting practices to track the spending of lottery revenues. Beginning July 1, 2000, the district is compliant with the California Cardenas Textbook Act of 2000 and Section 8880.4 of the California Government Code.

We trust that these responses satisfy the Grand Jury's requirements. Please feel free to contact me at 649-1592, if you need additional information.

Sincerely,



Maureen Fitzgerald
Chief Business Officer

MF:bh

Cc: Dr. Infelise, Superintendent - MPUSD
Susan Balsteri – Foremen 2000
Dr. Bill Barr, County Superintendent of Schools
Board of Trustees – Monterey Peninsula Unified School District



Monterey Peninsula Unified School District

700 Pacific Street P.O. Box 1031 Monterey, CA 93942-1031

April 16, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

This is in response the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

Page 23 of the report states “ Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purposes.” Although The California Department of Education “recommends” that lottery funds be used for non-recurring expenses, it is left up to the local administrators and elected school boards to determine the actual use of these funds, since each district may have varying needs.

When Proposition 20 became law on March 7, 2000, it stated that 50% of any increase above the 1997-98 level of lottery funding be spent on instructional materials.

Page 24 of the Grand Jury report also states, “at the time of the Grand Jury’s survey, there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County.”

Our official response to comply with Penal Code Section 933.05, to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

Recommendation #1:

The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

District's Response:

The district has not historically separated Lottery Funds from the district's general fund but will begin doing so in the 2000-2001 fiscal year to comply with California Government Code 8880.5.

Recommendation #2:

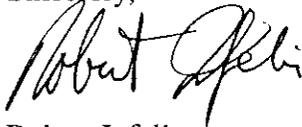
The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response:

The district has developed and is implementing accounting practices to track the spending of lottery revenues. Beginning July 1, 2000, the district is compliant with the California Cardenas Textbook Act of 2000 and Section 8880.4 of the California Government Code.

We trust that these responses satisfy the Grand Jury's requirements. Please feel free to contact me at 649-1592, if you need additional information.

Sincerely,



Robert Infelise
Superintendent

RI/MF:bh

Cc: Susan Balesteri – Foremen 2000
Dr. Bill Barr, County Superintendent of Schools
Board of Trustees – Monterey Peninsula Unified School District

MONTEREY PENINSULA COLLEGE

RESPONSE TO 2000 MONTEREY COUNTY CIVIL GRAND JURY REPORT

USE OF CALIFORNIA STATE LOTTERY FUNDS

Grand Jury Findings

1. Sixteen of the 19 responding school districts and one community college responding to the Grand Jury's survey spend lottery funds on employee salaries.

MPC Response: The respondent agrees with the finding where it is consistent with information submitted by Monterey Peninsula College. The respondent has no knowledge of the information submitted by the 19 responding school districts, the other community college, or the County Superintendent.

2. At the time of the Grand Jury's survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

MPC Response: The respondent agrees with finding.

3. Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does not comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.

MPC Response: The respondent agrees with the finding where it is consistent with information submitted by Monterey Peninsula College. The respondent has no knowledge of the information submitted by the 19 responding school districts, the other community college, or the County Superintendent.

4. Fifteen of the 19 responding school districts, both community colleges, and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

MPC Response: The respondent agrees with the finding where it is consistent with information submitted by Monterey Peninsula College. The respondent has no knowledge of the information submitted by the 19 responding school districts, the other community college, or the County Superintendent.

Grand Jury Recommendations

1. The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

MPC Response: The recommendation has not yet been implemented, but will be implemented at the beginning of the next fiscal year. The College does separately account for lottery revenues and has expended these funds as unrestricted General Fund revenues exclusively for the education of pupils and students in compliance with the account reporting requirements presented in the California Community Colleges Budget and Accounting Manual.

2. The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000 as defined in Section 8880.4 of the California Government Code.

MPC Response: The recommendation has not yet been implemented, but will be implemented at the beginning of the next fiscal year. The District will comply with the new requirements of the Cardenas Textbook Act of 2000 in its reporting of lottery expenditures on the Annual Financial and Budget Report (Form 311) required by the California Community Colleges Chancellor's Office, for the fiscal year ended June 30, 2000.

MONTEREY PENINSULA COLLEGE

RESPONSE TO 2000 MONTEREY COUNTY CIVIL GRAND JURY REPORT

Grand Jury Findings

1. The contracts between MPC and the sports clubs do not specify that briefing or materials be given to enrollees of PFIT 421 informing them of the attendance requirements and procedures.

MPC Response: The respondent disagrees partially with the finding. The contracts between MPC and the fitness centers do not mention briefings or materials; however, Title 5 regulations do not require community college instructional contracts to provide that briefing or materials be given to students informing them of attendance requirements and procedures. The contracts between the college and the fitness centers do state, "that the Agency (fitness center) shall administer the course ... in compliance with college policies and procedures." These policies and procedures include adherence to the course outline, which describes the content of the course, including information to be given to students. The course outline for PFIT 421 is given and explained to each fitness center staff member involved with this course.

2. The contracts between MPC and the sports clubs require no specific on-site monitoring or verification of student participation in the PFIT 421 course.

MPC Response: The respondent disagrees partially with finding. While the contracts between MPC and the fitness centers require no specific on-site monitoring, the contracts do require the fitness centers to maintain accurate student and class records. These records are to be submitted to MPC in compliance with college policies and procedures. Furthermore, in accordance with California Community College regulations, MPC also requires that instructor minimum qualifications be met by fitness center personnel who provide the instructional offerings and on-site assistance to students.

3. A review of the attendance records revealed that at one sports club some students signed in multiple times within a few minutes. This resulted in an overstatement of student training hours. Some of the redundant hours were discovered during the records review by the MPC registrar's staff and were not credited. In other cases, however, the redundant hours were not discovered, and this resulted in over payments to the sports club by MPC and to MPC by the state. Due to the volume of attendance records, the Grand Jury was unable to determine the exact number of redundant hours not disallowed, as well as the exact amount overpaid.

MPC Response: The respondent agrees with the finding; however, some inaccuracy in recordkeeping is typical and to be expected when an enormous volume of records are involved. The respondent estimates that the number of hours in question (as well as any overpayments) was insignificant, constituting a few hundred hours. This inaccuracy

would represent less than three hundredths of a percent (.03%) of the total training hours generated by the fitness centers and less than one hundredth of a percent (.01%) of the enrollment reported by the college to the state. In addition, some of these training hours would have been offset by students who failed to sign in each and every time they attended. For these reasons, the inaccuracy is minor and does not constitute a material error.

4. Course attendance is recorded on different forms and in different formats, which makes program auditing more difficult.

MPC Response: The respondent agrees with the finding; however, as the fitness centers are independently owned and operated, they each employ different software programs to record attendance.

5. No evidence was found that any local sports club was being excluded from the program. Any sports club can participate as long as it meets the program requirements.

MPC Response: The respondent agrees with the finding.

Grand Jury Recommendations

1. All contracts between MPC and participating sports clubs be modified to include a requirement that a briefing be given to each enrollee of PFIT 421 regarding his or her status as an MPC student, as well as an explanation that stresses that the attendance roster is to be signed only once per instruction session.

MPC Response: The recommendation has not yet been implemented, but will be implemented in part when contract renewal is due. Contracts will be renewed for the Fall 2001 through Summer 2002 term before the conclusion of the Summer 2001 term and will include a provision that each enrollee receives additional information regarding his/her status as an MPC student. As mentioned in response to Grand Jury Finding #1, the college is not required under Title V regulations to include in its instructional contracts a requirement that briefing or materials be given to students informing them of attendance sign-in procedures.

2. MPC establish means to monitor the conduct of the off-campus PFIT 421 course and insure student participation.

MPC Response: The recommendation has not yet been implemented, but will be implemented beginning with the commencement of the Fall 2001 term.

3. A more comprehensive review be performed by the MPC registrar staff on attendance rosters to eliminate overpayments due to multiple sign-ins.

MPC Response: The recommendation has been implemented. To reiterate the college's response to Grand Jury Finding #3, the number of hours in question (as well as any overpayments) was insignificant, constituting a few hundred hours. This inaccuracy would represent less than three hundredths of a percent (.03%) of the total training hours generated by the fitness centers and less than one hundredth of a percent (.01%) of the enrollment reported by the college to the state. However, to address this minor inaccuracy, both fitness center and MPC staff now examine all source documents, which record the dates and times of students' participation, for erroneous or multiple visitations (sign-ins).

4. Attendance records be standardized to facilitate auditing.

MPC Response: The recommendation cannot be implemented due to the hardship that would be imposed on the fitness centers. Each fitness center is unique, varying in size, operational origins and ownership, and in its economic means to realize and support such standardization. However, each of the fitness centers *is* required to submit the same information, which is a record of each student's visitation times and dates.

36825 FOOTHILL ROAD



Telephone
(831) 678-3524
Fax
(831) 678-0491

August 1, 2001

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

Attention: Roy D. Lorenz, Foreman

Re: Response to Findings
"Use of California State Lottery Funds in Monterey County"

Dear Mr. Lorenz and Members of the Grand Jury:

Mission Union District's response to finding reports - findings are as follows:

Finding 1 - Agree - Mission Union does not nor has never used Lottery Funds for salaries.

Finding 2 - Agree

Finding 3 - Agree

Finding 4 - Agree

Mission Union has implemented a plan to better comply with sufficient detail with the Cardenas Textbook Act.

I apologize for any inconvenience and trust this satisfies the Grand Jury requirements.

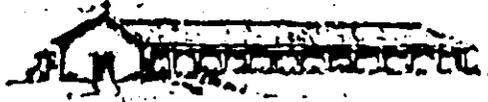
Sincerely,



Donna Alonzo Vaughan
Superintendent

DAV/j

Mission Union School



Soledad, California 93960

DONNA ALONZO, Superintendent/Principal

36825 FOOTHILL ROAD

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 2000 Grand Jury Report
regarding the Use of California State Lottery Funds
Date: February 14, 2001

Recommendation #1

This recommendation is fully implemented and can be verified by our independent audit.

Recommendation #2

This recommendation is grudgingly complied with because our small size does not necessitate additional textbook funds. All Lottery Funds could best be spent on other instructional needs of our students.

Additionally, please note that Mission School is proud of its record for legal compliance and has never used Lottery Funds for salaries. It is a Board Approved Policy that Lottery Funds be spent in direct student services.

We support your efforts to improve our schools. Please let us know if we can be of any further assistance.

JoAnn Moline
President

Allen Duckworth
Vice President

Noel Vosti
Clerk

Tom Vaughan
Member

Mike Gonzalez
Member

Donna Alonzo Vaughan
Superintendent/Principal



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

Hon. Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
P. O. Box 1819
Salinas, CA 93902

Subject: Response to Findings and Recommendations of the 2000 Monterey
County Grand Jury as required by California Penal Code 933(b).

Dear Judge O'Farrell:

Thank you for this opportunity to respond to the Final Report of the year 2000 Monterey County Grand Jury. Regarding the Civil Grand Jury's report on "Use of California State Lottery Funds in Monterey County", I respectfully submit the following responses:

FINDINGS

1. Sixteen of the 19 responding school districts and one community college responding to the Grand Jury's survey spend lottery funds on employee salaries.

Response: The Monterey County Superintendent of Schools does not dispute this finding.

2. At the time of the Grand Jury's survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

Response: The Monterey County Superintendent of Schools does not dispute this finding.

3. Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does not comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.

Response: The Monterey County Superintendent of Schools does not dispute this finding. The Monterey County Office of Education is assisting these districts in establishing systems by which tracking of lottery funds may be achieved.

- more -

4. Fifteen of the 19 responding school districts, both community colleges, and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

Response: The Monterey County Superintendent of Schools does not dispute this finding. The Monterey County Office of Education is assisting these school districts, community colleges and the schools and classes of the Monterey County Superintendent of Schools is establishing systems by which tracking for compliance with the Cardenas Textbook Act of 2000 may be achieved.

RECOMMENDATIONS

The 2000 Monterey County Civil Grand Jury recommends that:

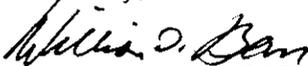
1. The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

Response: Such tracking systems are currently in place for tracking lottery funds in the Office of the Monterey County Superintendent of Schools.

2. The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000 as defined in Section 8880.4 of the California Government Code.

Response: Such tracking systems are currently in place for tracking lottery funds in the Office of the Monterey County Superintendent of Schools and the Office is in full compliance with Government Code Section 8880.4.

Sincerely,



William D. Barr, Ed.D.
Monterey County
Superintendent of Schools



Lagunita School

975 San Juan Grade Rd.
Salinas, California 93907
Phone (831) 449-2800
Fax (831) 449-9671

Established 1897

Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County Civil Grand Jury
P. O. Box 1819
Salinas, CA 93902

January 29, 2001

Honorable Robert O'Farrell,

We are responding to the Grand Jury request noted in the January 02, 2001 Final Report based on the findings noted on page 24 that,

1. All schools including Lagunita were requested to verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.
2. All schools including Lagunita review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000 as defined in Section 8880.4 of the California Government Code.

In response to this recommendation we agree with the findings. Further, the recommendations have been implemented.

- We
1. Isolated the Lottery Funds.
 2. Posted them in a separate account # 01-20-00-0000-0000-8560-01-0000
 3. Continue to maintain an itemized accounting of said funds.

If you would like further information or clarification, please feel free to call.

Sincerely yours,

TiAnne Rios
Lagunita School Principal



KING CITY JOINT UNION HIGH SCHOOL DISTRICT

August 14, 2001

Marilyn A. Maxner, Chair
Edit and Response Committee
2000 Grand Jury Final Report
County of Monterey
P.O. Box 414
Salinas, CA 93902

Roy D. Lorenz, Foreman
2001 Monterey County Grand Jury

Re: 2000 Grand Jury Final Report – Response to Findings
Title of Report: “Use of California State Lottery Funds in Monterey County

Dear Ms. Maxner and Mr. Lorenz:

In order to meet the requirements listed in Penal Code Section 993(c), 993.05(a) and (b) the King City Joint Union High School District (“KCJUHS”) responds to the 2000 Grand Jury Final Report – Findings as follows:

Finding #1: Sixteen of the 19 responding school districts and one community college responding to the Grand Jury’s survey spend lottery funds on employee salaries.

District’s Response: KCJUHS has never expended lottery funds for employee compensation and/or benefits.

Finding #2: At the time of the Grand Jury’s survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

District’s Response: No response required.

Finding #3: Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.

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

District’s Response: KCJUHS places annual lottery moneys into their general fund. In compliance with California Government Code,

Section 8880.5, KCJUHSD does maintain further tracking (through an accounting method of account code structures) of annual lottery moneys receipts and expenditures to ensure compliance with the Cardenas Textbook Act of 2000. This accounting process has been certified for compliance with the Cardenas Textbook Act of 2000 each year by KCJUHSD's independent CPA audit.

Finding #4:

Fifteen of the 19 responding school districts, both community colleges, and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

District's Response:

KCJUHSD maintains an accounting method of account code structures of annual lottery moneys receipts and expenditures to ensure compliance with the Cardenas Textbook Act of 2000. (See District Response to Finding #3.) This accounting process allows for detailed line-item verification of each expenditure to the lottery program to ensure KCJUHSD compliance with the Cardenas Textbook Act of 2000.

I trust that this response satisfies the Grand Jury's requirements for "Response to Findings; however, feel free to contact me at 385-1144, extension 4306, if additional information is needed.

Sincerely,



Leslie Wayne Brown
Superintendent
King City Joint Union High School District

cc: Dr. Bill Barr, County Superintendent of Schools
Board of Trustees – King City Joint Union High School District



KING CITY JOINT UNION HIGH SCHOOL DISTRICT

February 22, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
Salinas, CA 93901

Re: Response to the 2000 Monterey County Civil Grand Jury

Dear Judge O'Farrell:

I am writing in response to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

As noted in the background section of the report on page 23, "Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purpose." While the California Department of Education "recommends" that lottery funds be used for non-recurring expenses, the actual use is left up to the local administrators and elected school boards, since each district may have different needs.

Proposition 20, which became law on March 7, 2000, did state that any increase above the 1997/98 level of lottery funding that 50% of the increase be spent on instructional materials.

The Grand Jury report also states on page 24 that, "At the time of the Grand Jury's survey, there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County."

To comply with Penal Code Section 933.05, our official District responses to the recommendations on page 25 of the 2000 Monterey County Grand Jury Report are:

District Office
800 Broadway
King City, CA 93930
(408) 385-0606
FAX # (408) 385-0695

Recommendation #1:

The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

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

District's Response: This recommendation has been implemented since 1984, and has been certified each year by our District's independent CPA audit.

Recommendation #2: The County Superintendents and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response: This recommendation was implemented in our District during the 1999/2000 fiscal year, prior to the Grand Jury's Report. While the Cardenas Textbook Act of March 2000 only requires that 50% of new lottery revenue (above the 1997/98 level of funding) be used for instructional materials and supplies, our District uses 100% of all lottery funds for these purposes. As the State's Instructional Materials' allocation has not kept pace with the increasing costs of needed textbooks and supplemental instructional materials, all available resources are used to fill this void. It should also be noted that our District has never used lottery money to fund salaries.

I trust that this response satisfies the Grand Jury's requirements; however, feel free to contact me at 385-1144, extension 4306, if additional information is needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Superintendent", followed by a long horizontal line extending to the right.

Wayne Superintendent
Superintendent
King City Joint Union High School District

cc: Susan Balesteri – Foreman 2000 Grand Jury
Dr. Bill Barr, County Superintendent of Schools
Board of Trustees – King City Joint Union High School District



KING CITY
UNION SCHOOL
DISTRICT

STEPHEN H. YOUNG
SUPERINTENDENT
DISTRICT OFFICE
800 Broadway
King City, CA 95036
(831) 385-1144
FAX (831) 385-3828

August 14, 2001

Marilyn A. Maxner, Chair
Edit and Response Committee
2000 Grand Jury Final Report
County of Monterey
P.O. Box 414
Salinas, CA 93902

Roy D. Lorenz, Foreman
2001 Monterey County Grand Jury

Re: 2000 Grand Jury Final Report – Response to Findings
Title of Report: “Use of California State Lottery Funds in Monterey County

Dear Ms. Maxner and Mr. Lorenz:

In order to meet the requirements listed in Penal Code Section 993(c), 993.05(a) and (b) the King City Union School District (“KCUSD”) responds to the 2000 Grand Jury Final Report – Findings as follows:

Finding #1: Sixteen of the 19 responding school districts and one community college responding to the Grand Jury’s survey spend lottery funds on employee salaries.

District’s Response: KCUSD has never expended lottery funds for employee compensation and/or benefits.

Finding #2: At the time of the Grand Jury’s survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

District’s Response: No response required.

Finding #3: Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.

District’s Response: KCUSD places annual lottery moneys into their general fund. In compliance with California Government Code,

Section 8880.5, KCUSD does maintain further tracking (through an accounting method of account code structures) of annual lottery moneys receipts and expenditures to ensure compliance with the Cardenas Textbook Act of 2000. This accounting process has been certified for compliance with the Cardenas Textbook Act of 2000 each year by KCUSD's independent CPA audit.

Finding #4:

Fifteen of the 19 responding school districts, both community colleges, and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

District's Response:

KCUSD maintains an accounting method of account code structures of annual lottery moneys receipts and expenditures to ensure compliance with the Cardenas Textbook Act of 2000. (See District Response to Finding #3.) This accounting process allows for detailed line-item verification of each expenditure to the lottery program to ensure KCUSD compliance with the Cardenas Textbook Act of 2000.

I trust that this response satisfies the Grand Jury's requirements for "Response to Findings; however, feel free to contact me at 385-1144, extension 4311, if additional information is needed.

Sincerely,



Stephen H. Young, Ed.D.
Superintendent
King City Union School District

cc: Dr. Bill Barr, County Superintendent of Schools
Board of Trustees – King City Union School District



KING CITY
UNION SCHOOL
DISTRICT

STEPHEN H. YOUNG
SUPERINTENDENT
DISTRICT OFFICE
800 Broadway
King City, CA 95030
(408) 385-1144
FAX (408) 385-3828

February 22, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
Salinas, CA 93901

Re: Response to the 2000 Monterey County Civil Grand Jury

Dear Judge O'Farrell:

I am writing in response to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

As noted in the background section of the report on page 23, "Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purpose." While the California Department of Education "recommends" that lottery funds be used for non-recurring expenses, the actual use is left up to the local administrators and elected school boards, since each district may have different needs.

Proposition 20, which became law on March 7, 2000, did state that any increase above the 1997/98 level of lottery funding that 50% of the increase be spent on instructional materials.

The Grand Jury report also states on page 24 that, "At the time of the Grand Jury's survey, there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County."

To comply with Penal Code Section 933.05, our official District responses to the recommendations on page 25 of the 2000 Monterey County Grand Jury Report are:

Recommendation #1: The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

SANTA LUCIA SCHOOL
DEI REY SCHOOL
SAN LORENZO SCHOOL

District's Response: This recommendation has been implemented since 1984, and has been certified each year by our District's independent CPA audit.

Recommendation #2: The County Superintendents and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District's Response: This recommendation was implemented in our District during the 1999/2000 fiscal year, prior to the Grand Jury's Report. While the Cardenas Textbook Act of March 2000 only requires that 50% of new lottery revenue (above the 1997/98 level of funding) be used for instructional materials and supplies, our District uses 100% of all lottery funds for these purposes. As the State's Instructional Materials' allocation has not kept pace with the increasing costs of needed textbooks and supplemental instructional materials, all available resources are used to fill this void. It should also be noted that our District has never used lottery money to fund salaries.

I trust that this response satisfies the Grand Jury's requirements; however, feel free to contact me at 385-1144, extension 4311, if additional information is needed.

Sincerely,



Stephen H. Young
Superintendent
King City Union School District

cc: Susan Balesteri – Foreman 2000 Grand Jury
Dr. Bill Barr, County Superintendent of Schools
Board of Trustees – King City Union School District

HARTNELL COLLEGE



OFFICE OF ADMINISTRATIVE SERVICES

March 14, 2001

Honorable Robert O'Farrell, Presiding Judge
Superior Court of Monterey County
PO Box 1819
Salinas, Ca 93902

Dear Judge O'Farrell:

The 2000 Monterey County Civil Grand Jury issued findings and recommendations relating to the "Use of California State Lottery Funds in Monterey County" together with a request that the District respond to their findings and recommendations by April 2, 2001.

Following your inquiry into our accounting for Lottery funds, we thoroughly researched the codes and regulations as well as our procedures to assure that our Lottery usage and accounting are in compliance. We are satisfied that we have followed proper procedure in the past. We are also satisfied that we are in compliance with the new Cardenas Textbook Act of 2000 retroactively applied to the first year (which is 1998-99). Accordingly, the responses to your findings and recommendations are based upon the results of our extensive review.

The District's response to the four findings and two recommendations follows:

FINDING NO. 1. Sixteen of the 19 responding school districts and one community college responding to the Grand Jury's survey spend Lottery funds on employee salaries.

RESPONSE: As reported to the Grand Jury in our letter dated March 13, 2000, the District has never funded employee salaries from Lottery proceeds.

FINDING NO. 2. At the time of the Grand Jury's survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

RESPONSE: We agree with the Grand Jury finding as it pertains to the Hartnell Community College District.

FINDING NO. 3. *Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does not comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.*

RESPONSE: This finding pertains only to responding school districts. Hartnell Community College District responded as a Community College. The District has always accounted for Lottery funds in accordance with the appropriate California Codes and Regulations.

FINDING NO. 4. *Fifteen of the 19 responding school districts both community college, and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.*

RESPONSE: This finding does not apply to Hartnell Community College District as the District does account for the use of Lottery funds in sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

RECOMMENDATION NO. 1. *The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.*

RESPONSE: Hartnell Community College District verifies that separate accountings have been established and are maintained to account for receipts and expenditure of Lottery funds in accordance with California Government Code Section 8880.5.

RECOMMENDATION NO. 2. *The County superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000 as defined in Section 8880.4 of the California Government Code.*

RESPONSE: Hartnell Community College District's review of its accounting practices indicates that the accounting is sufficient to facilitate tracking and compliance with the requirements of California's Cardenas Textbook Act of 2000 pursuant to California Government Code Section 8880.4.

The District has always complied with the codes and regulations pertaining to the receipt and use of Lottery funds. This compliance continues with the changes described by the Proposition 20 Cardenas Textbook Act of 2000.

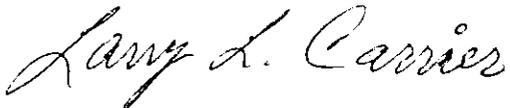
March 14, 2001
Honorable Robert O'Farrell, Presiding Judge
Superior Court of Monterey County

Page 3

The District significantly exceeded the Proposition 20 requirements for purchases of instructional materials in the first two years of 1998-1999 and 1999-2000.

If there are any questions or concerns, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Larry L. Carrier". The signature is written in black ink and is positioned above the typed name.

Larry L. Carrier
Vice President, Administrative Services

LLC:dlb



Superintendent
Edward Agundez

Greenfield Union School District

493 El Camino Real
Greenfield, Ca 93927
Telephone (831)674-2840 FAX (831)674-3712

July 26, 2001

Marilyn A. Maxner, Chair
Edit and Response Committee
Grand Jury
County of Monterey
P.O. Box 414
Salinas, CA 93902

RE: 2000 Grand Jury Final Report - Response to Findings

Dear Ms. Maxner:

Response to Findings:

1. I don't know what this data is trying to get at, but I feel that it is incomplete. The finding does not provide enough detail i.e. % used of total?, what kinds of positions is the money used for?, and finally is this issue non-compliant with California Government Code. I don't believe so.
2. This is great news! Thank you.
3. This finding does not apply to my district. We are able to verify compliance with the Cardenas Textbook Act.
4. This finding also does not apply to my district. We can produce backup to prove that we are compliant with the Cardenas Textbook Act.

Respectfully yours,

Edward Agundez
Superintendent

EA:ja

Governing Board of Trustees

Steve Garcia Raymond Diaz Chris Magallon Lourdes Villarreal Robert White



*Superintendent
Edward Agundez*

Greenfield Union School District

493 El Camino Real
Greenfield, Ca 93927
Telephone (831)674-2840 FAX (831)674-3712

March 8, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court - 2001
Grand Jury - County of Monterey
Salinas, CA 93902

Dear Sir:

RE: Response To The 2000 Monterey County Civil Grand Jury

I am writing in response to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

As noted in the background section of the report on page 23 it states, "... Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for acquisition of real property, construction of facilities, financing of research, or any other non-instructional purposes." While the California Department of Education "recommends" that lottery funds be used for non-recurring expenses, the actual use is left up to the local administrators and elected school boards, since each district may have different needs.

Proposition 20, which became law on March 7, 2000, did state that any increase above the 1997-98 level of lottery funding that 50% of the increase be spent on instructional materials.

The Grand Jury report also states on page 24 that, "at the time of the Grand Jury's survey, there was no evidence that any lottery education reserves were being spent for prohibited purposes in Monterey County".

To comply with Penal Code Section 933.05, our official response to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

Recommendation #1: The County Superintendent of Schools and all Monterey County School Districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

District's Response: This recommendation has been implemented since 1984, and has been certified each year by our independent CPA audit.

Recommendation #2: The County Superintendent of Schools and all Monterey County School Districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

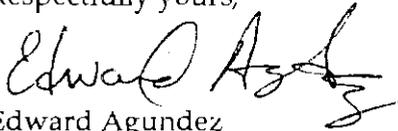
Governing Board of Trustees

Steve Garcia Raymond Diaz Chris Magallon Lourdes Villarreal Robert White

District's Response: This recommendation was implemented July 1, 2000, prior to the Grand Jury's Report.

We hope that this response satisfies the Grand Jury's requirements; however, feel free to contact me at 674-2840, extension 17, if additional information is needed.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Edward Agundez". The signature is fluid and cursive, with a prominent initial "E" and a long, sweeping tail.

Edward Agundez
Superintendent

EA:ja

cc: Susan Balesteri, Foreman 2000
Dr. William Barr, County Superintendent of Schools
Board of Education, Greenfield Union School District

THE GRAVES SCHOOL DISTRICT

McFadden Road and Castroville Highway

P.O. Box 885

Salinas, California 93902

(831) 422-6392 Fax (831) 422-3211

February 13, 2001

Elatne Osborn

Principal

TO: The Honorable Robert O'Farrell
Presiding Judge of the Superior Court
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 31, 2000 report:

FINDINGS

1. Sixteen of the 19 responding school districts and one community college responding to the Grand Jury's survey spend lottery funds on employee salaries.

RESPONSE: There are no employee salaries paid out of lottery funds.

2. At the time of the Grand Jury's survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

RESPONSE: Graves does not spend lottery revenues in prohibited expenditures.

3. Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does not comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Act of 2000.

RESPONSE: The Graves School District sub funds the lottery expenditures in the general fund and therefore tracks their revenues and expenditures.

4. Fifteen of the 19 responding school districts, both community colleges and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

RESPONSE: The Graves School District will continue tracking of the lottery funds and will detail each expenditure.

THE GRAVES SCHOOL DISTRICT

McFadden Road and Castroville Highway

P.O. Box 885

Salinas, California 93902

(831) 422-6392 Fax (831) 422-3211

Elaine Osborn
Principal

RECOMMENDATIONS

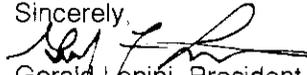
1. The County Superintendent and all Monterey County school districts receiving revenue from the California lottery verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

RESPONSE: The Graves School District is maintaining separate accounting for the lottery funds.

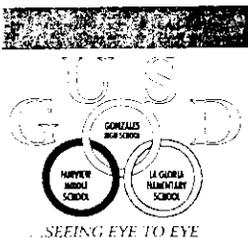
5. The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000 as defined in Section 8880.5 of the California Government Code.

RESPONSE: Graves is reviewing their accounting procedures at this time to comply with the California Cardenas Textbook Act of 2000.

Sincerely,



Gerald Lanini, President
Board of Trustees



GONZALES UNIFIED SCHOOL DISTRICT

August 7, 2001

Board of Education

Lucy Basaldua
Alonzo Gonzalez
Timothy Handley
David Little
Eva Rios

Superintendent &
Secretary to the board
Richard Averett, Ph.D.

Marilyn A. Maxner, Chair
Edit and Response Committee
Grand Jury
County of Monterey
P.O. Box 414
Salinas, CA 93902

Dear Ms. Maxner;

I apologize for the confusion and incompleteness of our response to the Grand Jury Report. In regards to a response to the findings, the following is provided:



1. Lottery funds in 16 of 19 responding districts spent lottery money on employee salaries.
We fund library aides at our sites with these funds, pay for athletic costs with lottery and generally use these funds in these two areas.
2. No evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.
We acknowledge that we do not use lottery funds in any prohibited manner.
3. Four of nineteen districts place lottery funds in their general funds.
This district has a negotiated committee that yearly reviews the use of lottery funds.
4. Fifteen of the nineteen responding school districts do have special tracking accounts but many do not have sufficient detail to verify compliance.
I have not heard that our system is inappropriate by the Grand Jury nor by our independent auditors and will therefore assume no problem exists in this area for this district. In light of the new accounting software system and practices required by the state effective July 1, 2001 I expect all districts will be properly tracked.

If additional information is needed please do not hesitate to contact me.

Sincerely,

Richard L. Averett
Superintendent

Gonzales Unified
School District
School Services
600 Elko Street
P.O. Drawer G
Gonzales, CA 93926

Telephone: (831) 675-0100
Facsimile: (831) 675-1172
Email: gusd@montereybay.com
www.geocities.com/gogusd

Gonzales High School

501 Fifth Street
Gonzales, California 93926
Telephone: (831) 675-2495
Facsimile: (831) 675-8054
www.geocities.com/ghs93926

Fairview Middle School

401 Fourth Street
Gonzales, California 93926
Telephone: (831) 675-3704
Facsimile: (831) 675-3274
www.geocities.com/fairview93926

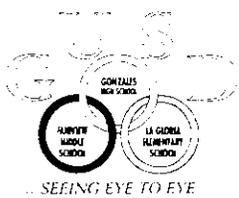
La Gloria Elementary School

220 Elko Street
Gonzales, California 93926
Telephone: (831) 675-3663
Facsimile: (831) 675-3260
www.geocities.com/lagloria93926

Special Services

300 Elko Street
Gonzales, CA 93926
Telephone: (831) 675-2727
Facsimile: (831) 675-0514

GONZALES UNIFIED SCHOOL DISTRICT



Board of Education

Lucy Basaldua
Alonzo Gonzalez
Timothy Handley
David Little

Superintendent &
Secretary to the board
Richard Averett, Ph.D.



Gonzales Unified School District School Services

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Telephone: (831) 675-2727
Facsimile: (831) 675-0514

Marilyn A. Maxner, Chair
Roy D. Lorenz, Forman
Edit and Response Committee
P.O. Box 414
Salinas, CA 93902

July 30, 2001

RE: Edit and Response Committee – 2000 Grand Jury Final Response

Dear Ms Maxner, Chair and Mr. Lorenz, Foreman:

We trust that the response listed below will satisfy the Grand Jury's requirement of further information; however, feel free to contact me at 675-0100, if additional facts are needed.

To comply with Penal Code Section 933.05, our official response to the recommendations on page 25 of the 2000 Monterey County Grand Jury is:

Recommendation #1: The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

District's Response: This recommendation has been implemented since 1984, and has been certified each year by the District's independent auditor.

Recommendation #2: The County Superintendent and all Monterey County School districts review their accounting practices to facilitate tracking and compliance with new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

District Response: This recommendation was implemented July 1, 2000, prior to the Grand Jury Report. The Cardenas Textbook Act of March 2000 requires that 50% of new lottery revenue be used for textbooks, our district is now using 100% of the Cardenas Textbook Act funding on Textbooks.

Respectfully yours,
Richard L. Averett, Ph.D., Superintendent

GONZALES UNIFIED SCHOOL DISTRICT



January 12, 2001

Board of Education

Lucy Basaldua
Alonzo Gonzalez
Timothy Handley
David Little

Grand Jury, County of Monterey
The Honorable Robert O'Farrell
P.O. Box 414
Salinas CA 93902

**Superintendent &
Secretary to the board**
Richard Averett, Ph.D.

RE: Response to the 2000 Monterey County Civil Grand Jury

Dear Honorable Robert O'Farrell:

The Gonzales Unified School District has always tracked lottery revenue and expenses.

The Gonzales Unified School District maintains two (2) separate sub-funds to record the revenue and expense of both restricted and unrestricted lottery funds.

Sub Fund 20 - Unrestricted Lottery funding

Sub Fund 14 - Restricted Lottery funding has been implemented to record and comply with the California's Cardena's Textbook Act of 2000.

Each fiscal year, at random, the State selects districts that must file a A J200L Supplementary Lottery Report. The Gonzales Unified School District provides the J-200L Supplementary Report each fiscal year as part of the year-end budget package to the board and public.

Please do not hesitate to call if you should need further information regarding this matter.

Sincerely,

Carol Powell
Comptroller

Gonzales Unified School District School Services

600 Elko Street
P.O. Drawer G
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Telephone: (831) 675-0100
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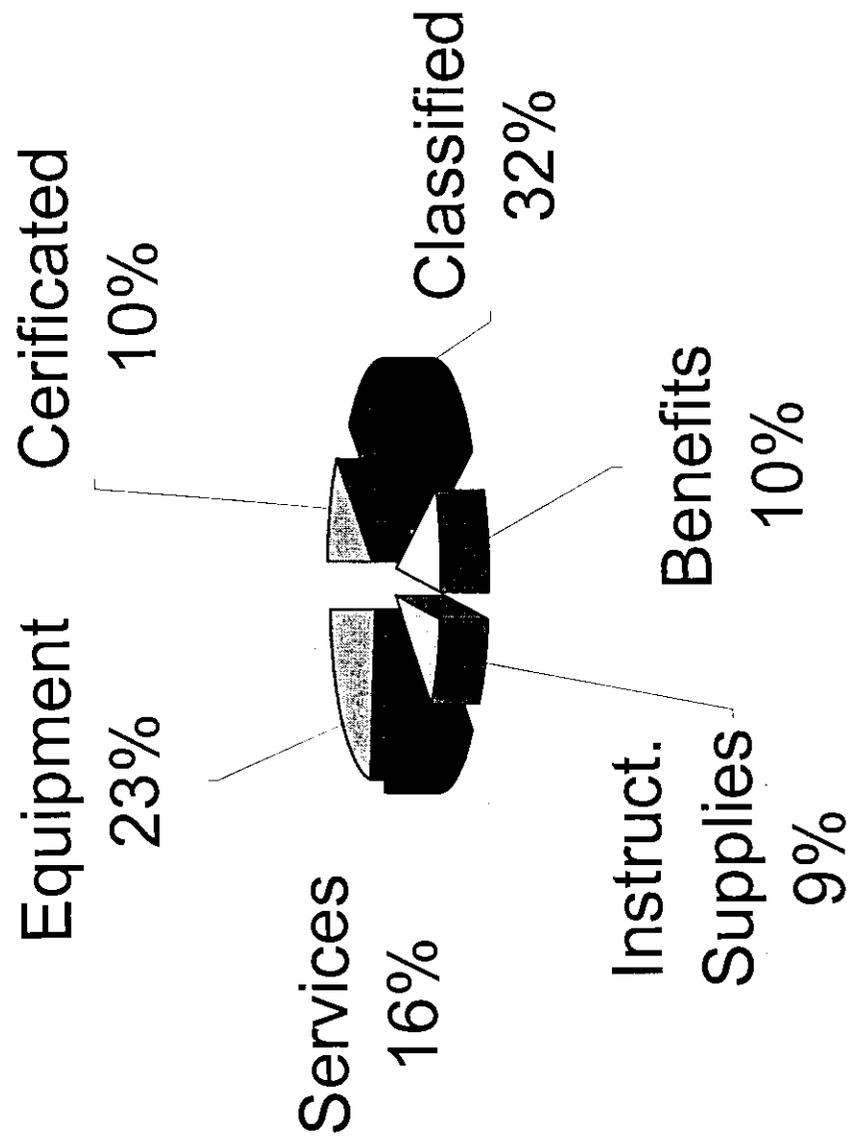
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Facsimile: (831) 675-0514

1999/2000 LOTTERY EXPENSES



- Cerificated
- Classified
- Benefits
- Instruct. Supplies
- Services
- Equipment

CALIFORNIA CODES
GOVERNMENT CODE
SECTION 8880-8880.14

8880. Citation of Chapter

This Chapter shall be known and may be cited as the California State Lottery Act of 1984.

8880.1. Purpose and Intent

The People of the State of California declare that the purpose of this Act is support for preservation of the rights, liberties and welfare of the people by providing additional monies to benefit education without the imposition of additional or increased taxes.

The People of the State of California further declare that it is their intent that the net revenues of the California State Lottery shall not be used as substitute funds but rather shall supplement the total amount of money allocated for public education in California.

8880.2. Activities Not Affected

Except for the state-operated lottery established by this Chapter, nothing in this Chapter shall be construed to repeal or modify existing State law with respect to the prohibition of casino gambling, punch boards, slot machines, dog racing, video poker or blackjack machines paying prizes, or any other forms of gambling.

8880.3. Prohibition on Use of State Funds

No appropriations, loans, or other transfer of State funds shall be made to the California State Lottery Commission except for a temporary line of credit for initial start-up costs as provided in this Act.

8880.4. Revenues of the state lottery shall be allocated as follows:

(a) Not less than 84 percent of the total annual revenues from the sale of state lottery tickets or shares shall be returned to the public in the form of prizes and net revenues to benefit public education.

(1) Fifty percent of the total annual revenues shall be returned to the public in the form of prizes as described in this chapter.

(2) At least 34 percent of the total annual revenues shall be allocated to the benefit of public education, as specified in Section

8880.5. However, for the 1998-99 fiscal year and each fiscal year thereafter, 50 percent of any increase in the amount calculated pursuant to this paragraph from the amount calculated in the 1997-98 fiscal year shall be allocated to school districts and community college districts for the purchase of instructional materials, on the basis of an equal amount per unit of average daily attendance, as defined by law, and through a fair and equitable distribution system across grade levels.

(3) All unclaimed prize money shall revert to the benefit of public education, as provided for in subdivision (e) of Section **8880.32.**

(4) All of the interest earned upon funds held in the State

Lottery Fund shall be allocated to the benefit of public education, as specified in Section 8880.5. This interest is in addition to, and shall not be considered as any part of, the 34 percent of the total annual revenues that is required to be allocated for the benefit of public education as specified in paragraph (2).

(5) No more than 16 percent of the total annual revenues shall be allocated for payment of expenses of the lottery as described in this chapter. To the extent that expenses of the lottery are less than 16 percent of the total annual revenues, any surplus funds also shall be allocated to the benefit of public education, as specified in this section or in Section 8880.5.

(b) Funds allocated for the benefit of public education pursuant to subdivision (a) are in addition to other funds appropriated or required under existing constitutional reservations for educational purposes. No program shall have the amount appropriated to support that program reduced as a result of funds allocated pursuant to subdivision (a). Funds allocated for the benefit of public education pursuant to subdivision (a) shall not supplant funds committed for child development programs.

(c) None of the following shall be considered revenues for the purposes of this section:

(1) Revenues recorded as a result of a nonmonetary exchange. "Nonmonetary exchange" means a reciprocal transfer, in compliance with generally accepted accounting principles, between the lottery and another entity that results in the lottery acquiring assets or services and the lottery providing assets or services.

(2) Reimbursements received by the lottery for the cost of goods or services provided by the lottery that are less than or equal to the cost of the same goods or services provided by the lottery.

(d) Reimbursements received in excess of the cost of the same goods and services provided by the lottery, as specified in paragraph (2) of subdivision (c), are not a part of the 34 percent of total annual revenues required to be allocated for the benefit of public education, as specified in paragraph (2) of subdivision (a). However, this amount shall be allocated for the benefit of public education as specified in Section 8880.5.

8880.5. Allocations for education:

The California State Lottery Education Fund is created within the State Treasury, and is continuously appropriated for carrying out the purposes of this chapter. The Controller shall draw warrants on this fund and distribute them quarterly in the following manner, provided that the payments specified in subdivisions (a) to (h), inclusive, shall be equal per capita amounts.

(a) Payments shall be made directly to public school districts, including county superintendents of schools, serving kindergarten and grades 1 to 12, inclusive, or any part thereof, on the basis of an equal amount for each unit of average daily attendance, as defined by law and adjusted pursuant to subdivision (m).

(b) Payments shall also be made directly to public school districts serving community colleges, on the basis of an equal amount for each unit of average daily attendance, as defined by law.

(c) Payments shall also be made directly to the Board of Trustees of the California State University on the basis of an amount for each unit of equivalent full-time enrollment. Funds received by the trustees shall be deposited in and expended from the California State University Lottery Education Fund which is hereby created.

(d) Payments shall also be made directly to the Regents of the University of California on the basis of an amount for each unit of equivalent full-time enrollment.

(e) Payments shall also be made directly to the Board of Directors of the Hastings College of the Law on the basis of an amount for each unit of equivalent full-time enrollment.

(f) Payments shall also be made directly to the California Maritime Academy Board of Governors on the basis of an amount for each unit of equivalent full-time enrollment.

(g) Payments shall also be made directly to the Department of the Youth Authority for educational programs serving kindergarten and grades 1 to 12, inclusive, or any part thereof, on the basis of an equal amount for each unit of average daily attendance, as defined by law.

(h) Payments shall also be made directly to the two California Schools for the Deaf, the California School for the Blind, and the three Diagnostic Schools for Neurologically Handicapped Children, on the basis of an amount for each unit of equivalent full-time enrollment.

(i) Payments shall also be made directly to the State Department of Developmental Services and the State Department of Mental Health for clients with developmental or mental disabilities who are enrolled in state hospital education programs, including developmental centers, on the basis of an equal amount for each unit of average daily attendance, as defined by law.

(j) No Budget Act or other statutory provision shall direct that payments for public education made pursuant to this chapter be used for purposes and programs (including workload adjustments and maintenance of the level of service) authorized by Chapters 498, 565, and 1302 of the Statutes of 1983, Chapter 97 or 258 of the Statutes of 1984, or Chapter 1 of the Statutes of the 1983-84, Second Extraordinary Session.

(k) School districts and other agencies receiving funds distributed pursuant to this chapter may at their option utilize funds allocated by this chapter to provide additional funds for those purposes and programs prescribed by subdivision (j) for the purpose of enrichment or expansion.

(l) As a condition of receiving any moneys pursuant to subdivision (a) or (b), each district and county superintendent of schools shall establish a separate account for the receipt and expenditure of those moneys, which account shall be clearly identified as a lottery education account.

(m) Commencing with the 1998-99 fiscal year, and each year thereafter, for the purposes of subdivision (a), average daily attendance shall be increased by the statewide average rate of excused absences for the 1996-97 fiscal year as determined pursuant to the provisions of Chapter 855 of the Statutes of 1997. The statewide average excused absence rate, and the corresponding adjustment factor required for the operation of this subdivision, shall be certified to the State Controller by the Superintendent of Public Instruction.

(n) It is the intent of this chapter that all funds allocated from the California State Lottery Education Fund shall be used exclusively for the education of pupils and students and no funds shall be spent for acquisition of real property, construction of facilities, financing of research, or any other noninstructional purpose.

8880.6. Other Statutory Provisions

Sections 320, 321, 322, 323, 324, 325, 326, and 328 of the Penal Code do not apply to the California State Lottery or its operations. This exemption applies only to the operators of the Lottery and shall not be construed to change existing law relating to lotteries operated by persons or entities other than the Lottery.

8880.7. Governing Definitions

The definitions contained in this Chapter shall govern the construction of this Chapter unless the context requires otherwise.

8880.8. "Lottery" or "California State Lottery"

"Lottery" or "California State Lottery" means the California State Lottery created and operated pursuant to this Chapter.

8880.9. "Commissioner"

"Commissioner" means one of the members of the Lottery Commission appointed by the Governor pursuant to this Chapter to oversee the California State Lottery.

8880.10. "Director"

"Director" means the Director of the California State Lottery appointed by the Governor pursuant to this Chapter as the chief administrator of the California State Lottery.

8880.11. "Lottery Commission" or "Commission"

"Lottery Commission" or "Commission" means the five members appointed by the Governor pursuant to this Chapter to oversee the Lottery and the Director.

8880.12. "Lottery Game"

"Lottery Game" means any procedure authorized by the commission whereby prizes are distributed among persons who have paid, or who have unconditionally agreed to pay, for tickets or shares which provide the opportunity to win those prizes.

8880.13. "Lottery Game Retailer"

"Lottery Game Retailer" means a person or organization with whom the Lottery Commission may contract for the purpose of selling tickets or shares in Lottery Games to the public.

8880.14. "Lottery Contractor"

"Lottery Contractor" means a person or organization with whom the Lottery has contracted for the purpose of providing goods and services required by the Lottery.

Chualar Union Elementary School District

Grand Jury Reponses to the Nine Findings of their Final Report

Please find below the Chualar Union Elementary School District's response to each of the nine findings from the 2000 Monterey County Civil Grand Jury's as found in their Final Report.

FINDINGS-RESPONSES

- #1: The educational concerns of the School cannot be considered in a vacuum, as issues relating to cultural values, housing, health care, and municipal services in Chualar impact the School and its mission.

Response to finding #1

The School has implemented a concerted effort to factor all relevant, economic, local, county, regional, and statewide elements in the planning, development, evaluation, and progress improvement of our education instruction services. We not only look at the child, we consider the environment from which they come to us-we strive to mitigate as many of the negative factors that may limit our students opportunities for a long, healthy, successful, and productive life.

- #2: Conducting public school instruction in English has been the law since California voters passed Proposition 227 in 1998 allowing for only one year of English immersion instruction. The law does allow some flexibility, however, in cases of special needs. Students in Chualar have benefited from programs available for English learners through Title I's Even Start and Title V11. Additional programs for adult English language learners, notable Even Start Family Literacy and Community-Based English Tutoring (CBE), have been started in Chualar with good response.

Response to Finding #2

In the effort to ensure that "no child is left behind" requires the development of a Childs guardian's ability to become an integral part of their child's education-including English Language acquisition. Acquiring resources to service the "whole child" will be a sustained effort at Chualar Elementary School.

- #3: Parents and community members need to be more involved in decisions relating to the School's curriculum and policies. Encouraging attendance at Board meetings and participation in School activities and on School committees will increase understanding and support for the School's educational goals.

Response to Finding #3

Several internal initiatives have been implemented to change the cultural of Chualar Elementary School - to view parents as the School's and a Teacher's partner in facilitating the academic success of our students. Board, Teacher, and support staff training in school and Parent relationships have been implemented and/or scheduled. Several events have instituted training opportunities to develop parent's ability to understand educational issues and assist in the planning and development of Chualar continued success.

- #4: The exodus of many Chualar students to other school districts (more than 10% of the student body in the Spring of 2000) diminishes the financial and educational resources available in Chualar. It

also reduces the opportunities for teaching children the value of tolerance and appreciation for all cultures.

Response to finding #4

Chualar has implemented a number of in-school and after-school programs that will assist in the retention of the District's students. A number of organizational, human resource, and curriculum elements at Chualar have been revamped an/or improved to ensure our program's relevance to our communities youth and their parents.

- #5: Board members, particularly at the beginning of their terms, need structured training programs to insure understanding of the opportunities and restrictions that come with their positions. The Small School Districts' Association has a workshop specifically targeted to the needs of small district trustees, and the California School Boards Association offers training tailored to the needs of individual districts. Local support is available through the Monterey County Office of Education.

Response to finding #5

The Chualar Board of Education has completed a number of capacity and awareness development training events. These efforts will continue, as the board will sustain a continued process and capacity development program.

- #6: An atmosphere of trust and mutual respect has been missing at times between the Board and certain District staff, but is essential if their shared goal of providing the best possible education for Chualar's children is to be attained.

Response to finding #6

All human sectors of Chualar have participated in development training that will develop and sustain an environment of mutual collaboration and community asset synergy that will support and sustain academic achievement

- #7: In addition to observing the basic structure provided by Robert's Rules of Order, the smooth, expeditious conduct of Board meetings would benefit from better sound and translation equipment.

Response to finding #7

The instituted process, policies, and supporting equipment utilized and applied in the conduction of Chualar's Board of Education meetings have been refined to increase understanding and participation of all relevant parties.

- #8: Agendas provided for the public are difficult to follow and not sufficiently descriptive of the subjects to be discussed. Therefore, the public comment periods permitted by the Board are not conducive to audience participation.

Response to finding #8

The instituted process, policies, and supporting equipment utilized and applied in the conduction of Chualar's Board of Education meetings have been refined to increase understanding and participation of all relevant parties.

#9: Consolidation with another school district would have a number of financial and educational benefits for CUESD. Students would have access to greater resources and broader learning experiences. Economies could be realized by such means as group purchasing and reduced administrative costs.

Response to finding #9

Utilizing a strictly fiscal analysis-the consolidation of Chualar Elementary into a neighboring District may seem reasonable and the fiscal responsible thing to do. However, research will not support that consolidation will have a positive outcome for our students and their families. The Chualar Elementary is a major community asset, a source of pride and identification-locally controlled for the benefit of the community's children.

Chualar Union Elementary School District

Grand Jury Response

California State Lottery Funds

Grand Jury Recommendation	District Responses
<p>1. The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.</p>	<p>Our school district has established and is maintaining separate accounts for the receipt and expenditures of funds received from the California Lottery as required by Section 8880.5 of the California Government Code.</p>
<p>2. The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.</p>	<p>The Monterey County Office of Education receives the California Lottery funds from the California Department of Education with explicit instructions on what funds are Prop 20 and what funds are regular lottery funds. The County Office then transfers the funds to the appropriate sub-fund at each school district. This practice facilitates the tracking and compliance with the new requirements of the California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code</p>

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

June 21, 2001

Honorable John M. Phillips
Presiding Judge of the Superior Court - 2001
Grand Jury – County of Monterey
Salinas, CA 93901

Dear Judge Phillips:

In response to the 2000 Final Report of the Monterey County Civil Grand Jury, regarding the Chualar Union Elementary School District Response to the four findings regarding the use of California State Lottery Funds in Monterey County, please see attached document.

We trust that this response satisfies the Grand Jury's requirements: nevertheless, feel free to contact me at 679-2504, if additional information is needed.

Respectfully,



Dr. Robert Aguilar
Interim Superintendent

Chualar Union Elementary School District

Grand Jury Responses to the Four Finding of their Final Report

Please find below the Chualar Union Elementary School District's response to each of the four findings from the 2000 Monterey County Civil Grand Jury's "Comparison Study of School Districts" as found in their Final Report.

#1: Sixteen of the 19 responding school district and one community college responding to the Grand Jury's survey spend lottery fund on employee salaries.

Response to finding #1

Chualar Union Elementary School District has not spent any Lottery Funds on employee's salaries.

#2: At the time of the Grand Jury's survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in the Monterey County.

Response to finding #2

Chualar School District agrees with this finding, our school district has not spent any Lottery education revenues for prohibited purposes.

#3: Four of the 19 responding school district place lottery money in their general funds without further tracking. This does not comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.

Response to finding #3

Our school district places lottery funds in sub-funds, which allow us to track this funding and places us in compliance with the Cardenas Textbook Act of 2000.

#4: Fifteen of the 19 responding school districts, both community colleges, and the County Superintendent do have special tracking accounts. However, for many of the reporting district, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

Response to finding #4

District expenditures are in compliance with the Cardenas Textbook Act of 2000, our district has sufficient detail in our designated account.



August 31, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
P.O. Box 414
Salinas, CA 93902

Dear Judge O'Farrell,

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

I am writing in response to the letter of July 19, 2001, from Marilyn A. Maxner, Chair, Edit and Response Committee, and Roy D. Lorenz, Foreman, 2001 Monterey County Grand Jury, requiring additional response specific to the Findings from the 2000 Monterey County Civil Grand Jury that generated the recommendations that were addressed in the Carmel Unified School District's response letter of March 18, 2001.

The Carmel Unified School District's response to this request is as follows:

Finding #1: That sixteen of nineteen responding school districts and one community college spend lottery funds on employee salaries.

District's Response: The Carmel Unified School District does not spend lottery funds on employee salaries.

Finding #2: That there is no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

District's Response: As noted at all districts throughout Monterey County, the Carmel Unified School District does not spend lottery education revenues for prohibited purposes.

Finding #3: That four of the nineteen responding school districts place lottery moneys in their general funds without further tracking and further that these districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.

District's Response: The Carmel Unified School District transfers a portion of its unrestricted lottery funding to its general fund for expenditure on general purpose instructional materials; however, the restricted revenues associated with the Cardenas Textbook Act of 2000 are maintained in a separate sub-fund to account separately for these funds.

BOARD OF EDUCATION

Amy Funt
Howard Given
Dan Hightower
Ernie Lstrom
Annette Yee Steck

SUPERINTENDENT

Marvin Biasotti

P.O. Box 222700
Carmel, CA 93922
TEL: (831) 624-1546
FAX: (831) 626-4052

LOCATION:
4380 Carmel Valley Road

Finding #4: That fifteen of the nineteen responding school districts do have special tracking accounts; yet, many do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

District's Response: As noted in the response to Finding #3, above, the Carmel Unified School District maintains its restricted lottery revenues in a separate sub-fund established by the Monterey County Office of Education solely for the purpose of accounting separately and specifically for the expenditure of this funding associated with the Cardenas Textbook Act of 2000.

We trust that this response satisfies the Grand Jury's requirement. Please feel free, however, to contact me at 624-1546, if additional information is needed.

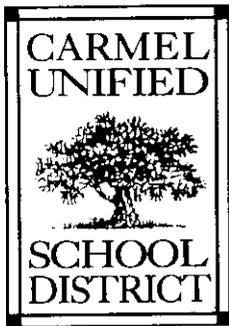
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marvin Biasotti". The signature is fluid and cursive, with a large initial "M" and a long, sweeping tail.

Marvin Biasotti
Superintendent

MB:ksw

cc: Roy D. Lorenz – Foreman, 2001
Dr. Bill Barr, County Superintendent of Schools
Board of Education – Carmel Unified School District



March 30, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

BOARD OF EDUCATION
Amy Funt
Howard Given
Dan Hightower
Ernie Lostrom
Annette Yee Steck

SUPERINTENDENT
Marvin Biasotti

I am writing in response to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

As noted in the background section of the Grand Jury's report (page 23), the original law specified only that funds were not to be spent on acquisition of real property, construction of facilities, the financing of research, or other non-instructional purposes. Moreover, although it is recommended that lottery funds be used for non-recurring expenditures, the actual use is discretionary at the local level provided that the previously stated prohibitions are honored.

More recently, Proposition 20 was enacted into law in March 2000, requiring that half of any increase above the 1997-98 level of lottery disbursements be spent on instructional materials.

The Grand Jury's report further stated that no evidence was found that any lottery education reserves were being spent for prohibited purposes in Monterey County.

Our official response, as required by Penal Code Section 933.05, to the recommendations on page 25 of the 2000 Monterey County Civil Grand Jury report is as follows:

Recommendation #1: The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

District's Response: This recommendation has been implemented since 1984, and has been certified each year by our independent CPA audit.

Recommendation #2: The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000, as defined in Section 8880.4 of the California Government Code.

P.O. Box 222700
Carmel, CA 93922
TEL: (831) 624-1546
FAX: (831) 626-4052

LOCATION:
4380 Carmel Valley Road

District's Response: This recommendation was implemented July 1, 2000, prior to the 2000 Monterey County Civil Grand Jury Report. The County Superintendent of Schools established a separate sub-fund to separately account for the required set-aside from each school district's lottery apportionment. Our district therefore routinely treats this set-aside as restricted funding that is used to supplement the existing limited textbook funding provided by the state.

We trust that this response satisfies the Grand Jury's requirement. Please feel free, however, to contact me at 624-1546, if additional information is needed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marvin Biasotti". The signature is fluid and cursive, with a long horizontal stroke at the end.

Marvin Biasotti
Superintendent

MB:ksw

cc: Susan Balesteri – Foreman 2000
Dr. Bill Barr, County Superintendent of Schools
Board of Education - Carmel Unified School District

BRADLEY UNION SCHOOL DISTRICT

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

May 29, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court – 2001
Grand Jury – County of Monterey
Salinas, CA 93902

Dear Judge O'Farrell:

RE: RESPONSE TO THE 2000 MONTEREY COUNTY CIVIL GRAND JURY

The following letter is in response to the Final Report of the 2000 Monterey County Civil Grand Jury, regarding the use of California State Lottery Funds in Monterey County.

The background section of the report states "...Beyond stating that funds be used exclusively for education, the 1984 law only specifies that no moneys should be spent for the acquisition of real property, construction of facilities, financing of research or any other non-instructional purposes." It is true that the California Department of Education recommends that lottery funds be used for non-recurring expenses, the actual use is left up to the local administrators and elected school boards, in light of the fact that there are different needs for different school districts.

It is true Proposition 20 states that any increase above the 1997-98 level of lottery funding 50% of the increase be spent on instructional materials. The new law had little effect on the Bradley District because historically a much higher percent of lottery funding has been spent on instructional materials

Finding #1: Sixteen of the 19 responding school districts and one community college responding to the Grand Jury's survey spend lottery funds on employees salaries.

Response to Finding #1: The Bradley Union School District has not spent any lottery revenue for employee salaries after the 1995-96 School year.

Finding #2: At the time of the Grand Jury's survey, there was no evidence that any lottery education revenues were being spent for prohibited purposes in Monterey County.

Response to Finding #2: The Bradley Union School District is reflective of this finding.

Finding #3 Four of the 19 responding school districts place lottery moneys in their general funds without further tracking. This does not comply with the California Government Code, Section 8880.5. In addition, these school districts will be unable to verify compliance with the Cardenas Textbook Act of 2000.

Response to Finding #3: Accounting for lottery funds at Bradley Union School District consists of a sub-fund within the General Education Program. We are able to track lottery monies. It is our understanding that the new accounting system SACS will make this even easier to do.

Finding #4: Fifteen of the 19 responding school districts, both community colleges, and the County Superintendent do have special tracking accounts. However, for many of the reporting districts, these designated accounts do not contain sufficient detail to verify compliance with the Cardenas Textbook Act of 2000.

Response to Finding #4: The tracking for Bradley Union School District lottery funds is done both at the Monterey County Office of Education and here at Bradley School with sub funds within the General Education Program. We have not had a problem in tracking lottery expenditures. It is our understanding that the new accounting system SACS will make this even easier to do.

Recommendation #1: The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery, verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

Response: While the lottery revenue received by the district is part of the general fund, it does have its own sub account at the county office with its own identification code. When monies are expended from this account, the district secretary assigns the expenditure with the appropriate code on the invoice that is sent to the county office. The county office takes the monies from the sub account and issues a warrant. The monies taken from lottery sub account will then show up on the monthly print out that is sent from the County Office of Education.

RECOMMENDATION #2: The County Superintendent and all Monterey County School districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000 as defined in Section 8880.4 of the California Government Code.

RESPONSE: The accounting practice that Bradley Union School District has in place allows for a monthly tracking of the expenditures of all funds. The district looks at all print outs of the month expenditures that are sent from the county office. The district secretary keeps a running account of the current balance in the lottery fund. Historically, the Bradley Union School District has never used lottery money for any other purpose other than direct student instruction and/or instructional materials.

Sincerely,



Charles Collins
Principal/Superintendent



Dr. Alfonso R. Anaya
Superintendent of Schools

Board of Trustees

Meg Aliano
Juan V. Flores
Francisca S. González
Gary Karnes
Jesus R. Velásquez

August 1, 2001

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

Attention: Marilyn A. Maxner, Chair
Edit and Response Committee

Dear Ms. Maxner:

Re: 2000 Grand Jury Final Report-Response to Findings-
Title of Report: "Use of California State Lottery Funds in Monterey County"

On January 23, 2001 the district responded to the only two recommendations relevant to the Alisal School District. On July 19th, Dr. Alfonso Anaya, Superintendent, received a letter from the chair of the edit and response committee asking for a response to the findings.

This is unusual since the findings are about various districts and the Alisal district has no knowledge of what those districts do. As a general procedure school districts respond to the recommendations of the finding authority. Nevertheless, I will comment upon the four findings on page 24 of the 2000 report.

Finding One

The Alisal school district did spend some lottery money on employee salaries.

Finding Two

The Alisal school district did not spend any lottery monies for prohibited purposes.

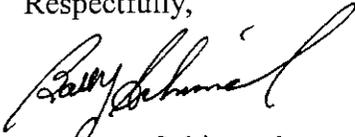
Finding Three

The Alisal school district does track lottery funds. The monies are put in two separate accounts.

Finding Four

Compliance with the Cardenas Textbook Act is easily verified by the separate sub-account, account #14. This account is used only for textbook purchases in compliance with the act. Account #20 is used for other approved lottery fund purchases.

Respectfully,

A handwritten signature in black ink, appearing to read "Barry Schimmel". The signature is fluid and cursive, with a large initial "B" and "S".

Dr. Barry Schimmel
Assistant Superintendent
Business and Operations

BS:cgt

cc: Alisal Union School District Board of Trustees
Dr. Alfonso Anaya, Superintendent



Dr. Alfonso R. Anaya
Superintendent of Schools

Board of Trustees

Juan V. Flores
Arnado González
Francisca S. González
Gary Karnes
Jesus R. Velásquez

January 23, 2001

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

Attention: Susan V. Balesteri, Foreman

Dear Ms. Balesteri:

Subject: Response to the 2000 Grand Jury Report

As requested in the Monterey County Civil Grand Jury Report of 2000, the Alisal Union School District is providing the following information in response to the two recommendations noted on page 25 of the report entitled "Use of California State Lottery Funds in Monterey County."

Recommendation 1

The County Superintendent and all Monterey County school districts receiving revenue from the California Lottery verify that they have established and are maintaining separate accounts for the receipt and expenditure of these funds as required by Section 8880.5 of the California Government Code.

Response

The Alisal Union School District has always maintained this revenue and relevant expenditures in a completely separate sub-fund, Sub-Fund 21, Lottery.

Recommendation 2

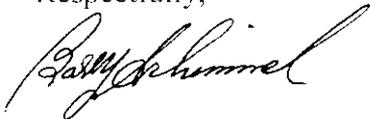
The County Superintendent and all Monterey County school districts review their accounting practices to facilitate tracking and compliance with the new requirements of California's Cardenas Textbook Act of 2000 as defined in Section 8880.4 of the California Government Code.

Grand Jury- Balesteri
January 23, 2001
Page 2

Response

The Monterey County Office of Education has set up a completely separate sub-fund, Sub-Fund 14, Restricted Lottery, to comply with this law. The Alisal Union School District is utilizing this new sub-fund for that purpose.

Respectfully,

A handwritten signature in black ink, appearing to read "Barry Schimmel". The signature is written in a cursive style with a large initial "B".

Barry Schimmel, Ed.D.
Assistant Superintendent
Business and Operations

BS:cgt

cc: Alisal Union School District Board of Trustees
Alfonso Anaya, Ed.D., Superintendent



August 6, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court of Monterey County
1200 Aguajito Road
Monterey, CA 93940

Dear Judge O'Farrell,

The Edit and Response Committee of the 2001 Monterey County Grand Jury reviewed the written response to the 2000 Monterey County Grand Jury Final Report that the City of Soledad submitted dated April 26, 2001. That letter did not specifically separate the City's responses to the Findings and Recommendations of the Grand Jury, in accordance with Sections 933 (c) and 933.05 of the California Penal Code. As such, the City of Soledad is re-submitting its written response to comply with the detailed response requirements.

Regarding the Findings of the 2000 Monterey County Grand Jury, the City of Soledad concurs with all those findings. To reiterate, the City of Soledad is responding to Recommendations #1 through #5 and #7 as outlined below:

1. The Police Department has placed domestic violence prevention and assistance written material in a prominent display case in the police station lobby. The information is available in both English and Spanish. The supplies of the material are continually monitored and replaced when necessary. Bilingual posters on the same subject are clearly visible in the police station lobby. The Chief of Police distributed a memorandum to all personnel in the Police Department to ensure stricter compliance with the requirements of the California Penal Code regarding domestic violence reporting and distribution of prevention and assistance material.
2. The Police Department has provided domestic violence prevention and assistance bilingual written material to the United States Post Office and the local library to increase the availability of the information outside the confines of the police station. Officers are now required to include in their reports a statement that the information was provided to the victim.



3. The Police Department admittedly does not provide direct, unassisted 24-hour access to the domestic violence material maintained in the police station lobby. However, the Police Department does provide such material to the United States Post Office and the local library. It is the Police Department's belief that those individuals who might feel too intimidated to enter a police station would likewise feel too intimidated to access domestic violence information from an outside container placed in close proximity to the police station. For this reason, the Police Department has deliberately opted to place the domestic violence prevention and assistance material in a location **removed** from the police station, e.g., the post office and local library.
4. All the officers of the Police Department have received California Peace Officer Standards and Training Commission-approved training in domestic violence issues. In addition, a female police officer has been designated as the Police Department's "expert" on domestic violence issues. As such, she will receive priority assignments to training seminars on the issue with the requirement that she return to the Police Department and disseminate the information gathered at the training seminars.
5. With the deployment of a School Resource Officer and a DARE officer at Soledad High School, the Main Street Middle School, and elementary schools, the Police Department has entered into a partnership with the Soledad Unified School District in educating children in developing tolerance and respect for self and others. Officers of the Police Department, including the Chief of Police, regularly participate in the Safe Schools Committee monthly meetings organized by the Soledad Unified School District to address issues that include diversity, tolerance and respect for others.
7. The Police Department received a large supply of domestic violence prevention and assistance bilingual informational flyers from the Domestic Violence Coordinating Council of Monterey County. Those flyers are placed in the police station lobby and distributed as appropriate by officers in response to domestic violence calls.

I apologize for the lengthy delay in submitting this response in the proper format. If you have any questions or need additional information, please contact Chief of Police John W. Hough directly at 831/678-1332 extension 142.

Sincerely,



RICHARD V. ORTIZ
Mayor



April 26, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court of Monterey County
1200 Aguajito Road
Monterey, CA 93940

Dear Judge O'Farrell,

In accordance with Sections 933(c) and 933.05 of the California Penal Code, the City of Soledad is responding to the relevant findings and recommendations #1 through #5 and #7 offered by the Monterey County Civil Grand Jury. The responses are outlined below:

1. The Police Department has placed domestic violence prevention and assistance written material in a prominent display case in the police station lobby. The information is available in both English and Spanish. The supplies of the material are continually monitored and replaced when necessary. Bilingual posters on the same subject are clearly visible in the police station lobby. The Chief of Police has distributed a memorandum to all personnel in the Police Department to ensure stricter compliance with the requirements of the California Penal Code regarding domestic violence reporting and distribution of prevention and assistance materials.
2. The Police Department has provided domestic violence prevention and assistance bilingual written material to the United States Post Office and the local library to increase the availability of the information outside the confines of the police station. Officers are now required to include in their reports a statement that the recommended domestic violence information was provided to the victim.
3. The Police Department admittedly does not provide direct, unrestricted 24-hour access to the domestic violence material maintained in the police station lobby. However, the Police Department does provide such material to the United States Post Office and the local library. It is the Police Department's belief that those individuals who might feel too intimidated to enter a police station would likewise feel too intimidated to access domestic violence information from an outside container placed in close proximity to the police station. For this reason, the Police Department has deliberately opted to place the domestic violence prevention and assistance information in a location *removed* from the police station, e.g. the Post Office and local library.

Soledad Police Department

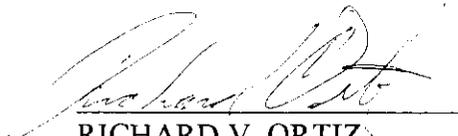
Post Office Box 606 ♦ Soledad, California 93960 ♦ Phone (831) 678-1332 ♦ Fax (831) 678-3575



4. All the officers of the Police Department have received California Peace Officer Standards and Training Commission approved training in domestic violence issues. In addition, a female police officer has been designated as the Police Department's "expert" on domestic violence issues. As such she will receive priority assignments to training seminars on the issue with the requirement that she return to the Police Department and disseminate the information gathered at the training seminars.
5. With the deployment of a School Resource Officer and a DARE officer at Soledad High School, the Main Street Middle School, and elementary schools, the Police Department has entered into a partnership with the Soledad Unified School District to educate children in developing tolerance and respect for self and others. Officers of the Police Department, including the Chief of Police, regularly participate in the Safe Schools Committee monthly meetings organized by the Soledad Unified School District to address issues that include diversity, tolerance, and respect for others.
7. The Police Department received a large supply of domestic violence prevention and assistance bilingual informational flyers from the Domestic Violence Coordinating Council of Monterey County. Those flyers are placed in the police station lobby and distributed as appropriate by officers in response to domestic violence calls.

I apologize for the delay in submitting this response in a timely manner. If you have any questions or need additional information, please contact Chief of Police John W. Hough directly at 831/678-1332 extension 142.

Sincerely,



RICHARD V. ORTIZ
Mayor



OFFICE OF THE MAYOR

440 Harcourt Avenue
Seaside, CA 93955

Telephone (831) 899-6200
FAX (831) 899-6227
TDD (831) 899-6207

March 15, 2001

Hon. Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
P.O. Box 1819
Salinas, CA 93902

Re: Response to Monterey County Civil Grand Jury

Dear Honorable Judge O'Farrell:

We respectfully submit the City of Seaside's response to the Monterey County Civil Grand Jury Final report on Monterey Bay Contamination, Part 2: Storm Water Run-Off Permit Requirements.

FINDINGS:

1. While Agencies may find it easy to write the plan, implementation of the six items on the list will require extensive research and planning. In some instances, Agencies may be forced to uncover new funding sources to meet some of the permit requirements. For example, surveys may be needed to determine which run-off areas require preventative action, and additional Agency funds may be required to purchase equipment or hire contractors to develop or implement plans.

RESPONSE: The respondent agrees with the finding.

3. Local Agencies have joined together under the recently formed Storm Water Subcommittee to explore a possible partnership for meeting the NPDES requirements. The objective of the subcommittee, formed by the Monterey Regional Water Pollution Control Agency, is to explore the advantages, disadvantages, and feasibility of having a regional permit, rather than individual permits for each entity.

RESPONSE: The respondent agrees with the finding.

4. With the exception of the City of Monterey, responses to the Grand Jury letter suggested that Agencies may not be fully aware of the scope of their responsibility under provision of the NPDES permit requirements

RESPONSE: The respondent agrees with the finding.

Re: Response to Monterey County Civil Grand Jury

5. Noncompliance with the NPDES permit requirements by March 10, 2003, leaves agencies vulnerable to lawsuits from citizens, as well as sanctions for violations of the Clean Water Act. Those sanctions can include monetary penalties.

RESPONSE: The respondent agrees with the finding.

RECOMMENDATIONS:

1. Agencies requiring an NPDES Phase II permit immediately begin all necessary preparations for meeting the federal requirement. Full engagement on this issue, including developing auxiliary funding sources if they are necessary, must begin now to ensure the best chance of meeting the requirements by March 10, 2003.

RESPONSE: The recommendation has been implemented. City staff have attended all necessary workshops to educate themselves with the NPDES Phase II permit requirements. The City Council has authorized staff to work with the Monterey Regional Water Pollution Control Agency (MRWPCA) to create a regional plan. MRWPCA has agreed to be the lead agency in obtaining the permit for the cities within the Monterey Peninsula. City Staff is in the process of writing a request for proposal for a consultant to develop a program to meet the six minimum requirements of the permit and to assist in the creation of a storm drain fee to fund the program.

2. Local agencies use the City of Monterey as a resource in meeting Phase II requirements. The Model Urban Run-off Program guide can be utilized by all Agencies in meeting the federal mandate.

RESPONSE: The recommendation has been implemented. City staff have been using the Model Urban Run-off Program guide and have attended three workshop sessions (June 22, September 13, and Nov 16, 2000) regarding implementation of the guidelines. The Model Urban Run-off program guide is the basic tool for the city in meeting the federal mandate.

3. Agencies work with the Storm Water Subcommittee to develop a regional plan to meet the permit requirements. Such a plan could allow Agencies to realize certain economy of scale savings and a more successful implementation of NPDES.

RESPONSE: The recommendation has been implemented. The City Council approved the city's participation in a regional NPDES phase 2 Storm Water Management Permit with Monterey Regional Pollution Control Agency (MRWPCA) as the Administrative Agent for the regional permit at their December 14, 2000 meeting. City Staff has been assigned to the Storm Water Subcommittee.

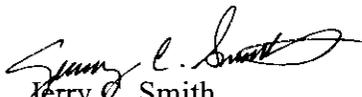
Hon. Robert O'Farrell
March 15, 2001
Page Three

Re: Response to Monterey County Civil Grand Jury

4. Agencies study Phase II requirements carefully to ensure they are well prepared to meet any necessary requirements. With the exception of Monterey, all agencies cited in the response section must demonstrate a formal plan for meeting the six minimum requirement outlined in the report.

RESPONSE: The recommendation has not yet been implemented, but will be implemented in the future. City Staff is in the process of writing a request for proposal (RFP) for a consultant to develop a program to meet the six minimum requirements of the permit and to assist in the creation of a storm drain fee to fund the program. The RFP is anticipated to be completed by June and will be budgeted for award in fiscal year 2001-2002.

Sincerely,


Jerry C. Smith
Mayor, City of Seaside



OFFICE OF THE MAYOR

440 Harcourt Avenue
Seaside, CA 93955

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TDD (831) 899-6207

April 26, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
Post Office Box 1819
Salinas, CA 93902

RE: Civil Grant Jury 2000
Domestic Violence Response

Dear Judge O'Farrell:

It is my pleasure to respond to the Monterey County Civil Grand Jury 2000 Final Report for the City Council. I apologize for our oversight in that the findings and recommendations concerning domestic violence were not addressed in my prior response.

In determining the current status of compliance with domestic violence information availability, the Grand Jury found:

1. All 12 police stations, as well as the Sheriff's Department, were in general compliance with the 1996 Grand Jury recommendation that domestic violence information be readily available. However, the type of materials offered varied widely at each location, as did the level of accessibility visitors had to the information.

The respondent agrees with the finding.

2. Based on data gathered by the 2000 Grand Jury, a relatively small number of citizens picked up domestic violence materials at police stations. Walking into a police station may be intimidating to many individuals who are in need of information. The Grand Jurors were further informed by most jurisdictions that officers responding to a domestic violence call always carry written information about a victim's legal rights and available resources for assistance. Unfortunately, by the time an officer responds to a domestic violence call, the brochure provided at the incident is after the fact.

The respondent agrees with the finding.

3. Some smaller community police stations and the Sheriff's sub-stations do not have seven-day-a-week, 24-hour-a-day access to provide availability of materials. One small Monterey Peninsula police station provided 24-hour-a-day access to domestic violence materials through a covered receptacle located outside the station. Civilian staff at the station reported this receptacle is replenished more frequently than the one inside.

The respondent agrees with the finding.

4. Not all law enforcement agencies claimed to have a special unit or a specific officer in charge of domestic violence, but each indicated that most officers were trained in domestic violence issues.

The respondent agrees with the finding.

5. Children of all ages from all socio-economic and cultural backgrounds may routinely witness domestic violence in their homes. The California Attorney General's Office publication, "Domestic Violence Handbook - A Survivor's Guide" (p. 7), reports that, "While domestic violence is not hereditary, it has been shown to be learned behavior and is often handed down from one generation to the next." Physical assault within the family can become accepted as a normal part of life and may not even be recognized as a crime by some men and women. Children from these homes need help in developing life management skills that may prevent them from becoming abusers or the abused in their teen or adult life.

The respondent agrees with the finding.

7. The Correctional Training Facility at Soledad donated the first printing of the domestic violence information brochure created by the Council. At that time, the brochures were distributed in quantity to law enforcement agencies and related non-profit service providers. In addition to an initial stock of brochures, each agency was to be provided a camera-ready master to be used to replenish the supply as needed within each individual organization. The Coordinating Council is a non-funded agency and, as such, has no budget for printing and distributing brochures on a regular basis. Therefore, it becomes the responsibility of each distributing agency to provide copies of the brochure.

The respondent agrees with the finding.

The Grand Jury recommended:

1. Each police station and the Sheriff's Department review its policies and procedures to ensure the availability of, and easy access to, domestic violence information for the general public. Further efforts be made to standardize the compliance criteria among all law enforcement departments to meet the requirements of the Penal Code to a far greater extent.

The recommendation has not yet been implemented, but will be implemented in the future. Implementation will be completed within 120 days.

2. Law enforcement agencies, domestic violence resource agencies, and the Board of Supervisors through the Domestic Violence Coordinating Council of Monterey County, look at additional sites to distribute domestic violence information. To the degree possible, considering resources available, the 2000 Grand Jury supports increased effort in making information available at locations such as walk-in clinics, drug store pharmacy counters, post offices, libraries, and other suitable venues visited by local citizens on a regular basis. Such availability could increase the probability of getting information into the right hands before serious domestic violence problems develop or escalate.

The recommendation has not yet been implemented, but will be implemented in the future. Implementation will be completed within 120 days.

3. Police stations that do not have 24-hour inside access to available materials provide an outside receptacle such as a metal box or protected display rack clearly marked to contain domestic violence information. As some may feel too intimidated to enter the police station to request information, an outside container may provide increased access to all segments of society.

The recommendation has been implemented. The police department has 24-hour inside access.

4. While not all police stations are large enough to have a specific unit dedicated to domestic violence, one officer be designated and trained as the expert on domestic violence. Such an expert could oversee ongoing training of the police force and offer detailed attention to the important issue of domestic violence.

The recommendation has been implemented. An officer has been designated and trained.

5. Existing programs that educate children about domestic violence be emphasized and expanded to protect and reach more of them at an earlier age to help break the cycle of violence. Programs that focus on strengthening interpersonal relationships and developing a capacity for tolerance and respect for self and others are needed at every grade level within our community schools. The 2000 Grand Jury further recommends

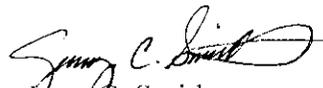
law enforcement officers use their interactions with school-age children as opportunities to include advice and counsel on the subject of domestic violence.

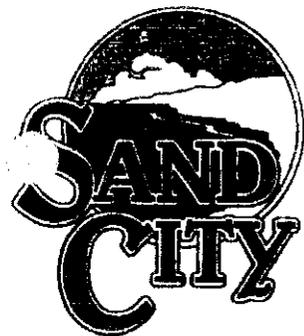
The recommendation has not yet been implemented, but will be implemented in the future. Implementation will be completed within 120 days.

7. Each police station, Sheriff's Department and sub-stations, and all other agencies providing the Council's domestic violence brochure as a resource verify the availability of an adequate supply. In addition, each site should determine that a master copy was, in fact, received, is available, and if not, contact the Council to obtain a new master to ensure a future supply of brochures.

The recommendation has been implemented. A current supply is available and a master copy is on file to ensure a future supply of brochures.

Sincerely,


Jerry C. Smith
Mayor



March 7, 2001

The Honorable Robert O'Farrell
Presiding Judge of the Superior Court - 2001
Grand Jury County of Monterey
P.O. Box 414
Salinas, CA 93902

Dear Judge O'Farrell,

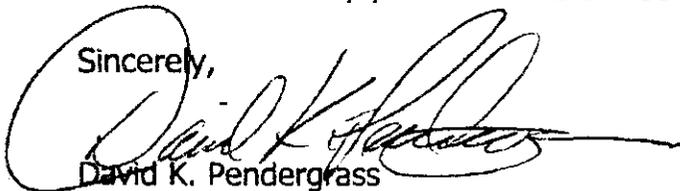
I am hereby transmitting to you Sand City's response to the Final Report of the 2000 Monterey County Civil Grand Jury. The City of Sand City was requested to respond by April 2, 2001 to two issues being raised in the 2000 Final Report of the Grand Jury as follows:

1. Domestic Violence
2. **Monterey Bay Contamination, Part 2: Storm Water Runoff Permit Requirements**

To prepare a response to this request on the above issues, the Sand City Administrator sent out a memo to the appropriate Sand City department heads on January 23, 2001 requesting Chief Michael Klein to provide the primary draft response to the domestic violence issue and Public Works Director Stan Kulakow to prepare the preliminary response to the storm water runoff permit issue for review by the City Council. Apparently the Grand Jury was seeking a more definitive response to these issues than we provided to their original inquiry last year.

The enclosed responses were prepared by Chief Klein's staff and Mr. Kulakow. These responses were reviewed and endorsed by the Sand City Council at their meeting on March 6, 2001. I am pleased to forward Sand City's responses on domestic violence and storm water runoff requirements for consideration by you and the Grand Jury.

Sincerely,



David K. Pendergrass
Mayor

Enc: Sand City Responses

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Police
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FAX
(831) 394-1038

Incorporated
May 31, 1960

February 27, 2001

SAND CITY STAFF REPORT

TO: City Council Members
City Administrator

FROM: Stan Kulakow, City Engineer

SUBJECT: Response to Grand Jury Letter of December 19, 2000 regarding the
Phase II -- NPDES Storm Water Runoff Permit Requirements

Background:

The EPA has issued Phase II -- NPDES Storm Water Runoff requirements which all of the Monterey Peninsula cities, including Sand City, are required to comply with before March 10, 2003. Sand City staff has been participating in a Storm Drainage TAC for the past several years with the objective of developing a plan for complying with the Phase II requirements. On January 10, 2001, a staff report was submitted and discussed at the January 16, 2001 Council Meeting (Exhibit B). At that meeting the City Council authorized the City Administrator to submit a letter to the MRWPCA the City Council's interest in participating in Regional Phase II Permit Application (Exhibit C).

The 2000 Grand Jury, by letter dated April 25, 2000, had requested information from Sand City regarding "Mandated Reduction of Contaminants flowing into Monterey Bay from Storm Drainage". A letter was submitted on May 17, 2000 responding to that request. (Exhibit A). Subsequently, on December 19, 2000 The 2000 Grand Jury requested additional information (Exhibit D). The attached cover letter to be signed by Mayor Pendergrass and the response to the Grand Jury Report was prepared for your information and approval.

Recommendations:

1. Review the response to the Grand Jury Report.
2. Consider changes to the response and direct those changes to be made, if necessary.
3. Authorize Mayor Pendergrass to transmit the attached response prepared by the City Engineer with any modifications directed by the City Council.

SK/tj

CITY OF SAND CITY
RESPONSE TO 2000 GRAND JURY REPORT
AND
QUESTIONS REGARDING THE EPA PHASE II NPDES PERMIT

The City of Sand City submitted a response to the Year 2000 Grand Jury on May 19, 2000 to questions regarding the City's preparation for the EPA Phase II permit requirements. That response, attached as Exhibit A, described Sand City's unique storm drainage system with over 65 acres served by percolation systems in the area of the Edgewater and Sand Dollar Centers, that do not discharge to Monterey Bay and are not subject to the Phase II NPDES permit requirements. 60 acres of the City is collected in storm drain inlets which drain to the City of Seaside's 90-inch storm drain, which outlets to Monterey Bay adjacent to Bay Street. As development proceeds in the East Dunes Area, which is 25 acres, storm water runoff will be handled in a series of percolation systems and there will be no discharge to Monterey Bay. The remaining coastal area (200 acres) including the Route 1 Freeway, park land, and undeveloped parcels where the storm water percolates directly into the coastal sand dunes. There is no direct storm water runoff from the Freeway to Monterey Bay in Sand City and there will be no direct storm water runoff to Monterey Bay from the other coastal lands.

During the Year 2000, Sand City continued to work with the Storm Water Technical Advisory Committee (TAC) representing the cities of Sand City, Seaside, Pacific Grove, Monterey, Carmel, Marina, the County of Monterey, and the Monterey Regional Water Pollution Control Agency (MRWPCA). The TAC has concluded that a Regional Phase II permit would be the most functional approach to accomplishing the objectives of the Phase II permit; however, each City would be responsible for the physical work within that City's jurisdiction.

On January 16, 2001 the City Council of Sand City received and considered a staff report (Exhibit B) to update the Council on the Phase II permit requirements with a recommendation to participate in the Regional Permit with the MRWPCA as the coordinating agency. The City Council, by a consensus vote, authorized the City Administrator to respond to the MRWPCA of Sand City's interest in participation in the Regional Phase II permit application (Exhibit C).

Following is Sand City's response to the six requirements of the Phase II NPDES permit requirements on page 82 of the 2000 Grand Jury Report (Exhibit D):

1. *Implementation of an education plan to inform the public of the importance of reducing pollutant run-off into storm drains:*

This will be done in cooperation with the Regional Permit group. Sand City will participate in funding educational announcements and preparing mailers to residents and businesses in Sand City. Storm drain inlets which were labeled "Flows to the Bay" will be repainted and where new inlets were installed they will be so labeled.

2. *A plan to foster active public involvement and participation in minimizing storm drain run-off:*

The Sand City staff, in cooperation with the Regional Permit Group, will develop a plan for public involvement in reducing contaminants entering the storm drainage system. This plan will be organized to involve both residents and businesses in Sand City.

3. *A way to detect and eliminate instances of illegal dumping:*

The Sand City Police Department and Public Works staff continuously monitor any drainage flows to the gutters and drain inlets and can trace the origin of any illicit dumping of the pollutants. The City will utilize the MRWPCA laboratory to test any questionable flows with samples provided by the City. The source of any illegal dumping will be determined, where possible, and the problem will be corrected to eliminate future illegal dumping of pollutants.

4. *A plan to control construction site runoff:*

The City, in the past, has controlled construction storm water runoff as a condition of approval for each development project. In most cases within Sand City, development is on relatively small parcels and construction site runoff has not been a problem; however, on larger projects storm water runoff has been addressed as a condition of approval. Sand City staff will be preparing an ordinance to implement specific Best Management Practices related to construction site runoff and implementing on-site drainage requirements. This will be presented to the City Council for approval as part of the Storm Water Implementation and Management Plan which will be completed before the end of this year.

5. *A management plan for post-construction storm water runoff:*

This management plan will be addressed as part of the Storm Water Implementation and Management Plan with an enabling ordinance described in item 4 above. The City has had a management plan in place and in operation for at least four years for the Sand Dollar Center and Edgewater Center which involves maintaining the storm water interceptor tanks and percolation system which handles all of the storm water runoff from both commercial centers as well as street drainage from Playa Avenue, California Avenue, and Tioga Avenue.

As part of a plan for intercepting pollutants from entering the storm drain system which serves the other parts of the City, sediment and oil interceptor inserts will be installed in each of the street drain inlets. These inserts will be monitored periodically to assure they are functioning properly and the contaminants removed for disposal in accordance with EPA requirements.

Individual development projects will be required to handle the storm drainage on-site to the extent it is feasible. These systems will require semi-annual maintenance with reports submitted to the City following each maintenance period. This procedure has been in place for the Sand Dollar and Edgewater Centers and has been functionally successfully.

6. *A plan within each city to foster pollution prevention and "good housekeeping" techniques:*

This plan was described in answer to item no. 5. This detailed plan can be submitted to the Grand Jury if so requested, after it is approved by the City Council. It is anticipated this plan will be completed before the end of this year and will be submitted to the Regional Water Quality Control Board as part of the Regional Phase II Permit as Sand City's participation in the Regional Permit.

RESPONSE TO FINDINGS

(Refer to Page 83 of the 2000 Grand Jury Report for the text of each finding)

1. Sand City's approach to the six items is described in the previous discussion. As part of implementing this action, it may be appropriate to form a Storm Water Utility within the City with the capability of collecting storm water fees similar to sanitary sewer fees. The need for a storm water fee will be determined in conjunction with preparation of the management plan described in items 5 and 6.
2. A response is not required.
3. As previously discussed, Sand City is actively participating in the Regional Phase II Permit process. City staff has been actively involved in the TAC Committee and plan to continue to work with the MRWPCA and the other cities involved with the subcommittee in completing the permit application for submission to the Central Coast Regional Water Quality Control Board for issuance of the Regional Permit and approval of the Sand City Storm Water Implementation and Management Plan.
4. Sand City is fully aware of the Phase II NPDES permit requirements and has been actively involved in the Storm Water TAC. The Sand City staff will have an implementation and management plan ready for City Council approval before the end of this year. This is more than sufficient time to implement the plan and have the permit issued before the March 10, 2003 deadline.
5. Sand City is working toward compliance with the NPDES Phase II Permit March 10, 2003 date. City staff is completely aware of potential monetary penalties.

RESPONSE TO RECOMMENDATIONS

(Refer to page 84 of the Grand Jury Report for the text of each recommendation)

1. As described in the foregoing discussion, Sand City has been involved in the Storm Water TAC for the past several years and City staff have a schedule to complete the implementation and management plan for the permit application and before the end of this year.
2. The Model Urban Runoff Program Manual prepared by the City of Monterey is being used by the Sand City – City Engineer and staff as a guide in preparing Sand City’s Phase II Program. The City Engineer has copies of the Model Urban Runoff Program and is familiar with the contents of the Manual.
3. Sand City has been participating in the Storm Water Subcommittee for several years. At the January 16, 2001 Council Meeting, the Phase II Program was discussed and the City Administrator was authorized to submit a letter to the MRWPCA (Exhibit C) indicating the City’s interest in participating on the Regional Phase II Permit Program.
4. As indicated in this response, the Sand City Council and staff are aware of the Phase II NPDES requirements and are working on completing preparation of a program that will meet the Phase II requirements. The City will continue its participation in the Phase II Regional Permit and will also develop a program specific to the needs of the City of Sand City. The report to be presented to the City Council will include an appropriate storm water ordinance to implement the report and, if necessary, will implement a storm water fee to provide funding for the program.

A copy of the Sand City Phase II NPDES Program, enabling ordinance, and other actions by the City Council and staff will be made available to the Grand Jury if requested.



May 17, 2000

199701.54

Mr. Robert M. Bramman, Chair
Health/Social Services Committee

Ms. Susan V. Balesteri, Foreman
2000 Monterey County Grand Jury
County of Monterey
PO Box 414
Salinas, CA 93902

This letter is in response to your letter of April 25, 2000 regarding "Mandated Reduction of Contaminants Flowing into Monterey Bay from Storm Drainage." Before responding to the five questions for which you requested a specific response, we will briefly describe the City's storm drainage system.

Existing Storm Drainage System

Sand City is in a unique situation with permeable sand sediments underlying the 350 acres (0.55 square miles) of the land area of Sand City. Where possible, we have taken advantage of this situation by providing for the percolation of storm water runoff, especially in the newer developed part of Sand City, i.e. Sand Dollar and Edgewater Centers. Attached is a copy of the City map for use in relating to the segments described.

The storm water system is divided into several segments with the following components:

1. Sand Dollar Center and tributary area along Tioga and California Avenues

Storm water from this area is percolated into the ground through 2400 feet of 48" diameter perforated pipe located on Playa Avenue. Prior to entering the percolation system, the storm water enters 2 sets of interceptor tanks (2 sets of 70,000 gallon and 53,000 gallon tanks each). These tanks are designed to collect sediments and roadway oils. The oils are intercepted by the use of absorbent pillows and the sediments are collected into the interceptor tanks. These tanks are maintained twice a year when the pillows are replaced and the sediment removed periodically as needed. This type of drainage system does not allow any pollutants to reach Monterey Bay.

2. Edgewater Center

Storm water runoff is also collected and percolated through five similar interceptor tank and percolation systems. These smaller systems have been designed to accommodate topographic variation within the Edgewater Center. Each of the systems is serviced twice a year. It is the Edgewater Center's responsibility for maintenance of the systems with compliance reports submitted to the City's Public Works Department.

There are no pollutants that reach Monterey Bay through the Edgewater Center's system.

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Incorporated
May 31, 1960

3. East Dunes Residential Development Area

As development proceeds in this portion of the City, individual or community percolation systems will be used, taking advantage of the percolation capacity of the sandy soils. Similar to the other areas, there is no direct runoff to Monterey Bay.

4. Old Town Area generally between California Avenue and the Union Pacific Right of Way and westerly of Contra Costa Street

This section of the City drains to the 90-inch storm drain pipe constructed by the City of Seaside in 1965. This pipe drains about 1000 acres in Seaside and 60 acres in Sand City. The storm drain outlets to Monterey Bay at Bay Street.

5. Development parcels north of Tioga Avenue and west of Route 1

The coastal area north of Tioga is undeveloped at present. Two development envelopes are designated in this area for future coastal resort projects.

As these resort projects are developed, provisions will be made so that there is little or no direct runoff to Monterey. These projects will be required to provide individual percolation systems. This will be a condition of each development.

There will be no direct runoff to Monterey Bay and no pollutants discharging from each site.

6. Remainder of Sand City

A significant part of Sand City south of Tioga Avenue and west of Sand Dunes Drive and Route 1 will remain undeveloped and is primarily owned by the California Department of Parks and Recreation and the Monterey Peninsula Regional Park District. These sandy soils allow direct percolation of storm water. There will be little or no runoff of storm water or pollutants to Monterey Bay.

As for any other Sand City activities for the Old Town Area:

- Regular street sweeping
- Gateway litter cleanup program
- Notice on all storm drain catch basins: "Flows to Monterey Bay"
- Police Department Emergency Containment Kits.

Grand Jury Questions and Answers:

With the foregoing description of Sand City's drainage facilities, the five questions within the Grand Jury letter are answered.

Question 1. What do you understand the legal requirement to be? Is it State, Federal, or Local?

The primary legal requirement related to storm water discharge is the USEPA Phase II NPDES (National Pollution Discharger Elimination System) permit requirements. The Phase I requirements applied to cities with a population of 100,000 or more. The Phase II program, which is the same as Phase I, applies to all cities less than a population of 100,000. EPA requires the permit regulations to be complied with prior to March 8, 2003.

The Clean Water Act NPDES regulations are administered by the Central Coast Regional Water Quality Control Board, who will issue said permits. The National Marine Sanctuary has review responsibilities related to the water quality of Monterey Bay.

Sand City has been participating in the Regional Storm Water Committee for the past several years and is a member of the Storm Water Technical Advisory Committee sponsored by the MRWPCA with the objective of possibly obtaining a Phase II - Regional Storm Water Permit, thereby coordinating the efforts of the Monterey Peninsula Cities.

Question 2. Describe your program; include date started, or anticipated implementation.

Sand City has positive storm water percolation systems and maintenance programs as described in the foregoing section. This system has successfully been in use since 1997. The City plans to install sediment and oil absorption inserts in the catch basins within the public right of way over the next two years. This primarily applies to the area that drains to the 90" storm drain that outlets to Monterey Bay as previously described. All of the existing catch basins have been painted with the label "Flows to Monterey Bay". These labels will be repainted during this next year.

The City, as part of its participation in the Phase II permit process, will be implementing the following programs over the next several years and prior to the 2003 compliance date:

1. Public involvement/participation;
2. Public education;
3. Outreach to assist private property owners;
4. Illicit discharge connection and discharge, detection and elimination;
5. Municipal operations control and maintenance;
6. Construction site discharge control; and
7. New development/redevelopment regulations and implementation standards.

We anticipate accomplishing these programs in cooperation with the other Monterey Peninsula cities through the Regional Storm Water Task Force previously described.

Question 3. What are the costs associated with the plan?

Over the past several years Sand City has budgeted and expended \$15,000-\$20,000 per year for maintenance of the storm water percolation system. The City also has a program of street sweeping which costs about \$16,000 per year and a litter collection program with Gateway Industries that costs about \$60,000 per year. In addition, the owners of the Edgewater and Sand Dollar Centers routinely sweep their parking areas with private sweeping contractors.

We anticipate these costs will continue into the future. Budgets for the other portions of the Phase II program have not been clearly identified; however, we anticipate budgeting at least \$20,000 per year over the next several years to implement the program as described in the previous question.

Question 4. How do you measure effectiveness?

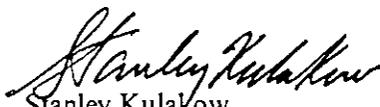
Measuring the effectiveness of storm water systems is difficult and subjective. The storm water discharge from the City's interceptor tanks was tested several years ago and found to have removed the oils and other pollutants from the discharge water that is percolated. Effectiveness can be measured through our monitoring programs. Sand City will be working on extending its monitoring program to other parts of the City and will be working with the local businesses to eliminate discharges of pollutants to the storm water system.

Question 5. How would you rate the overall effectiveness of your program?

The storm water percolation systems that serve the two shopping centers and adjacent tributary areas has been very effective. The street sweeping program has been positive and effective. Sand City has a program through Gateway Industries to collect litter throughout the City on a routine basis. The City's Public Works Maintenance Department monitors the City's streets and storm water collection system continuously and corrects any problem situations immediately. The Police Department carries emergency pollutant containment kits in each car that can be used when needed to prevent the spread of pollutants. Each of these individual programs and in combination provides Sand City with an effective overall program for the elimination of pollutants from the storm water whether it is percolated or flows directly to Monterey Bay.

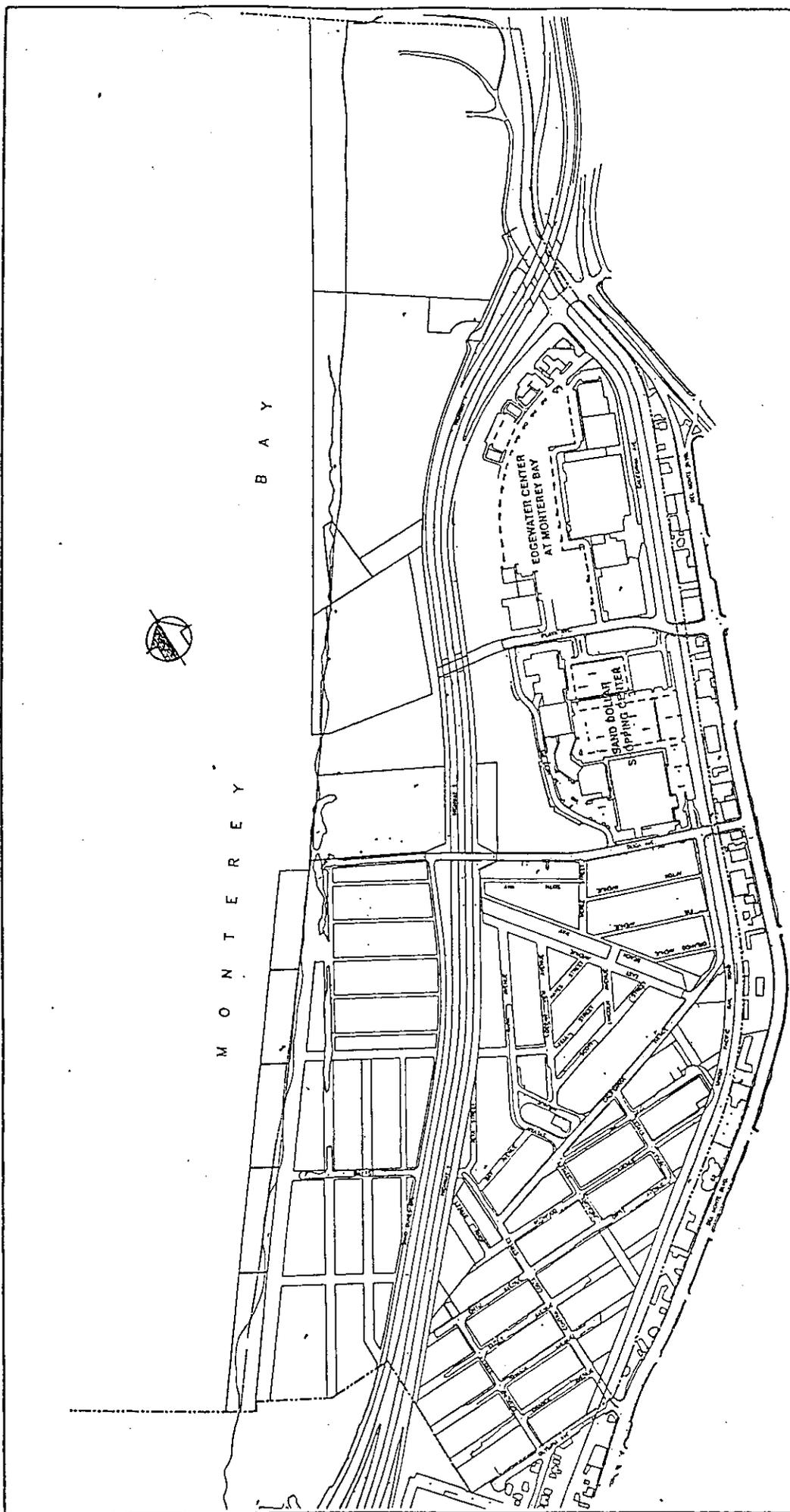
If there are any follow up questions, please contact Stanley Kulakow at 373-1333.

Very truly yours,


Stanley Kulakow
City Engineer

Attachment: City Map

cc: Kelly Morgan, City Administrator
City Council
Central Coast Regional Water Quality Control Board



M O N T E R E Y

B A Y

MAP OF
CITY OF SAND CITY
 MONTEREY BAY, CALIFORNIA



CRREGAN + D'ANGELO
Consulting Civil and Structural Engineers
 SAN JOSE, FAIRFIELD, MONTEREY, PLEASANTON, CALIFORNIA
 225 CANNERY ROW, SUITE 14, MONTEREY, CALIFORNIA 93940 (408) 373-1333
 A U G U S T 1 9 9 7

CITY OF SAND CITY - CALIFORNIA
PUBLIC WORKS DEPARTMENT

DAVID PENDERGRASS - MAYOR

January 10, 2001

SAND CITY STAFF REPORT

TO: City Council Members
Kelly Morgan, City Administrator

FROM: Stanley Kulakow, City Engineer *SK*

SUBJECT: EPA Phase II Storm Water NPDES Permit

Background:

In 1990 the EPA, as part of the National Pollutant Discharge Elimination System (NPDES), implemented the Storm Water Phase I rules to satisfy water quality requirements of the Clean Water Act. Previously, the EPA had established requirements for wastewater treatment disposal and reuse. The Phase I program required the participation of cities with a population of 100,000 and greater. Subsequently, in 1997 EPA initiated the Phase II Program which includes all urbanized areas. Final Phase II Rules were issued in January 2000 which require implementation in 2003.

Regional Permit:

To address the requirements of the Phase II Rules, the cities and public agencies on the Monterey Peninsula have formed a Technical Advisory Committee to address storm water regulations and the pending Phase II storm water NPDES permit. A result of the TAC was a proposal to organize the Monterey Peninsula cities along with Marina and Monterey County to apply for a regional permit. The MRWPCA has authorized its staff to work with Storm Water TAC in pursuing a regional permit. On November 2, 2000 the MRWPCA submitted to each of the cities a letter outlining this approach along with background information on the Phase II Storm Water Program. This letter with attachments is included with this staff report and requested a letter of interest from each city.

Sand City's Storm Water System:

Sand City has a rather unique storm drain system. The northern part of the City including the Edgewater Center, Sand Dollar Center, Tioga Avenue, and California Avenue to about East Avenue drains to the percolation system in Playa Avenue and within the Edgewater Center. This eliminates the Phase II requirements. The other part of the City drains to the 90-inch storm drain that outlets at Bay Street which was constructed by the City of Seaside. Only several local storm drains and numerous catch basins within the City are subject to the Phase II Program which is to reduce the discharge of pollutants. This can be accomplished relatively easily.

Phase II Rules:

The Phase II storm water management program has six elements:

- Public Education and Outreach
- Public Participation/Involvement
- Illicit Discharge Detection and Elimination
- Construction Site Runoff Control
- Post-Construction Runoff Control
- Pollution Prevention/Good Housekeeping

The objective is to reduce pollutants discharging into receiving water bodies, i.e. Monterey Bay.

Participation in the Phase II Regional Permit:

Sand City’s involvement in the Phase II NPDES Permit process has the potential to be minimized by participating in the Regional Permit. Attachment 3 (Executive Summary) addresses considerations involved in the Regional Permit process. Two of these items: “liability” and “cost” need to be addressed. This is discussed in Issue 5. Liability is a concern of all cities and will be resolved before filing of the regional permit. Sand City should have a minimum cost because of the on-site disposal systems and the low population amounts. This is addressed in Attachment 3, Issue 6. Sand City’s financial involvement should be relatively small because of miles of storm drain piping and residential population as described in the following table contained in Issue 6 of Attachment 3.

This is subject to agreement by all of the participating cities and other agencies.

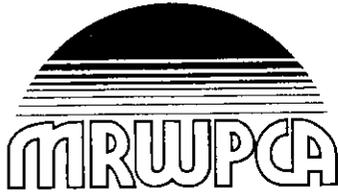
Potential cost sharing methods are illustrated in the table below, which lists some of the types of costs that could be shared.

COST CATEGORY	POTENTIAL COST-SHARING METHOD
General administration including such activities as arranging and conducting meetings, regional coordination, preparing reports, communications with RWQCB and other agencies, etc.	Miles of Storm Water Conveyance System and Number of Appurtenances
Consultant services to develop a financing program	Miles of Storm Water Conveyance System and Number of Appurtenances
Inspection services provided by a public agency, such as MRWPCA	User Category
Inspection of construction sites for permit compliance	Individual Request by Entity
Disposal of liquid materials from storm drain cleaning	Individual Request by Entity
Development and distribution of public education materials	Residential Population
Laboratory services provided by MRWPCA or private lab	Miles of Storm Water Conveyance System and Number of Appurtenances, or User Category

Conclusion and Recommendation:

Based on the progress made by the Storm Water TAC and the letter with attachments from the MRWPCA, it is concluded that Sand City continue to cooperate with the effort to pursue the Regional Phase II Storm Water NPDES Permit. It is also recommended that the attached letter be sent to the MRWPCA indicating Sand City's interest in the Regional Permit. It is further recommended the City continue participating on the TAC committee with the objective of meeting the EPA's Phase II Permit requirements by cooperating with the other Monterey Peninsula cities and agencies in organizing the Regional Permit.

SK/tj



Monterey Regional Water Pollution Control Agency

"Dedicated to meeting the wastewater and recycled water needs of our member agencies, while protecting the environment."

Administration Office:

5 Harris Court, Bldg. D, Monterey, CA 93940-5756
(831) 372-3367 or 422-1001, FAX: (831) 372-6178

Website: www.mrwPCA.com

November 2, 2000

Kelly Morgan
City of Sand City
One Sylvan Park
Sand City, CA 93955

SUBJECT: Participation in Regional Phase 2 Storm Water NPDES Permit

Dear Kelly:

In March 2000 the Monterey Regional Water Pollution Control Agency's Technical Advisory Committee (TAC) met to discuss the concept of having a regional permit to comply with U.S. Environmental Protection Agency Phase 2 Storm Water Regulations. The TAC formed a Storm Water Subcommittee, which studied a number of issues pertaining to the regional permitting approach. On August 23, 2000 the Storm Water Subcommittee received a report by a working group, comprised of several of the Committee's members, with findings and recommendations on each of these issues. Support was expressed by the representatives of a number of cities and other entities, in and around the Monterey Peninsula area, for participation in a regional storm water permit.

At the August 23 meeting, it was agreed that at this point it would be appropriate for the policymakers of each entity to be briefed on the regional permitting approach, to determine whether the policymakers support moving ahead with development of a regional permit.

At its September board meeting, the MRWPCA Board authorized its staff to continue working in its role of assisting local entities in pursuing the regional permit approach, if the regional approach was supported by the entities themselves.

In order to formalize each entity's desire to either be included, or excluded, from a regional permit, a statement of your entity's interest is now being requested. Attached is a suggested standardized statement-of-interest letter for your use in responding to this request.

Joint Powers Authority Member Entities:

Boronda County Sanitation District, Castroville Service Area 14, County of Monterey, Del Rey Oaks, Marina Coast Water District, Monterey, Moss Landing County Sanitation District, Pacific Grove, Salinas, Sand City, Seaside, and U.S. Army (Ex-officio)

Participation in Regional Phase 2 Storm Water NPDES Permit
November 2, 2000
Page 2

To assist you in briefing your governing body, I have also attached:

- Background information on EPA's Phase 2 Storm Water Regulations
- The findings and recommendations of the Storm Water Subcommittee
- Cost information pertaining to individual storm water permits versus a regional permit

I would appreciate your bringing this matter before your entity's governing body at the earliest opportunity, so we can determine whether or not to continue pursuing the regional permitting approach. If we do find support for continuing the regional approach, we would be able to focus our efforts on formulating a regional permit that would include those entities with an expressed interest in being included in the permit.

If you like, I would be glad to appear at your governing body's meeting when you brief them, in order to answer any questions they may have regarding MRWPCA's role in the regional permitting concept. In the meantime, if you have any questions, or if I can provide further information to assist you in presenting this to your governing body, please feel free to contact me at your convenience.

Sincerely,



Robert S. Jaques
Director of Engineering Planning and Technology

Attachments:

1. Suggested Statement-of-Interest Letter
2. Background Information on EPA's Phase 2 Storm Water Regulations
3. Storm Water Subcommittee's Findings and Recommendations on Issues Pertaining to a Regional Storm Water Permit
4. Cost Information Pertaining to Individual Storm Water Permits Versus a Regional Permit



January 17, 2001

Mr. Robert S. Jaques
Monterey Regional Water Pollution Control Agency
5 Harris Court, Building D
Monterey, CA 93940

Subject: Statement of Interest in Being Included in a Regional Phase II
Storm Water Permit

Dear Mr. Jaques:

The City of Sand City City Council was briefed by its staff on January 16, 2001 regarding the U.S. Environmental Protection Agency's Phase II storm water NPDES permit regulations and potential of a Regional Phase II permit.

Based on the preliminary information that has been developed thus far, the City Council of Sand City concluded that the City of Sand City is interested in being a participant in a regional storm water permit, and to have the MRWPCA serve as the Administrative Agent for the permit.

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Incorporated
May 31, 1960

Sincerely,

Kelly Morgan
City Administrator

KM/SK/tj



March 7, 2001

The Honorable Robert O'Farrell
Presiding Judge of the Superior Court - 2001
Grand Jury County of Monterey
P.O. Box 414
Salinas, CA 93902

Dear Judge O'Farrell,

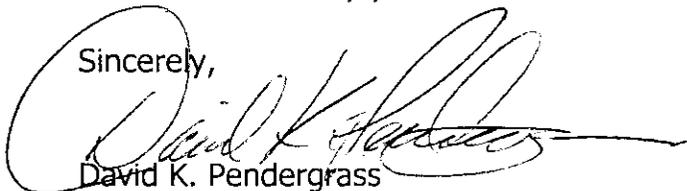
I am hereby transmitting to you Sand City's response to the Final Report of the 2000 Monterey County Civil Grand Jury. The City of Sand City was requested to respond by April 2, 2001 to two issues being raised in the 2000 Final Report of the Grand Jury as follows:

1. **Domestic Violence**
2. **Monterey Bay Contamination, Part 2: Storm Water Runoff Permit Requirements**

To prepare a response to this request on the above issues, the Sand City Administrator sent out a memo to the appropriate Sand City department heads on January 23, 2001 requesting Chief Michael Klein to provide the primary draft response to the domestic violence issue and Public Works Director Stan Kulakow to prepare the preliminary response to the storm water runoff permit issue for review by the City Council. Apparently the Grand Jury was seeking a more definitive response to these issues than we provided to their original inquiry last year.

The enclosed responses were prepared by Chief Klein's staff and Mr. Kulakow. These responses were reviewed and endorsed by the Sand City Council at their meeting on March 6, 2001. I am pleased to forward Sand City's responses on domestic violence and storm water runoff requirements for consideration by you and the Grand Jury.

Sincerely,



David K. Pendergrass
Mayor

Enc: Sand City Responses

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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

SAND CITY POLICE DEPARTMENT

1 SYLVAN PARK, SAND CITY, CA 93955

VOICE: 831/394-1451 FAX: 831/394-1038

MEMORANDUM

DATE: 2-22-01

TO: Chief J.M. Klcin

FROM: Corporal Dale Allen- Domestic violence Officer

SUBJECT: Grand Jury Recommendations

Per your request, the following are responses to the Grand Jury recommendations and findings with respect to Domestic Violence.

Response to Recommendations:

- 1- Access of Domestic Violence Material – The Sand City Police Department is the only department, to my knowledge, that has domestic violence material available to the public both in the lobby of the station, as well as outside the station in an outside receptacle for 24-hour pickup. Some of this material is unique to this department and is not standardized throughout Monterey County.
- 2- Distribution Centers for Domestic Violence Resource Material Outside of the Police Department - The Sand City Police Department currently distributes domestic violence resource material outside of the station via the use of an outside receptacle, which is located to the right of the front door. The city does not currently have libraries, clinics or a post office. As required by law, all police officers at the Sand City Police Department distribute domestic violence resource materials to victims of domestic violence. Officers at the Sand City Police Department carry these materials with them in a specially prepared binder.
- 3- Twenty Four Hour Access to Domestic Violence Materials - The Sand City Police Department is the department listed on page 68 of the Grand Jury Report, item #3, that currently has domestic violence resource material available to the public on a 24 hour a day, seven day a week basis, in a covered receptacle outside of the main entrance to the station.
- 4- Designated Domestic Violence Officer- The Sand City Police department currently has one fully trained Domestic Violence Officer who's responsibility is to supply, display and disseminate Domestic Violence Information as well as to train personnel within the department on the proper procedures to follow when handling a domestic violence case. A second officer within the Sand City Police Department is currently being scheduled for a forty-hour training course in Domestic Violence.
- 5- Formalized Educational Programs for Children- Officers of the Sand City Police Department interact with the school children who live in Sand City on a daily basis. There are no schools in Sand City and currently no formal programs, which educate children about domestic violence.

SAND CITY POLICE DEPARTMENT

1 SYLVAN PARK, SAND CITY, CA 93955
VOICE: 831/394-1451 FAX: 831/394-1038

MEMORANDUM

7- The Sand City Police Department currently has five domestic violence related pamphlets/resource guides available to the public as well as a twenty-eight page Monterey and San Benito County Resource Guide. This resource guide lists twenty-two types of available resources available to the public and includes eight domestic violence resources. Backup copies are kept at the department and the current stock is replenished as needed.

DOMESTIC VIOLENCE

It is a crime for any person to beat or assault another person! Has a spouse or partner (current or former) done any of these things to you?

- Hit you
- Threatened to hurt you
- Locked you up or held you against your will
- Raped or forced you to have sex
- Damaged your property
- Broken into your home
- Stalked you

IF YOU ARE IN DANGER CALL 911:

A police officer will respond to your call and conduct an investigation of the abuse.

- Try to be calm. Tell the police about the incident in detail.
- Tell them if there are witnesses to the abuse.
- Show them injuries, bruises, and damaged property.
- Show them court documents such as a "No Contact Order," Restraining Order, or Emergency Protective Order.

- Ask the police to take pictures. If the police do not take pictures, it is very important to take pictures yourself; bruises may appear several days later. If you are in immediate danger, ask the police to issue an "Emergency Protective Order" to keep the abuser away.

DESPITE ARREST, THE ABUSER MAY BE RELEASED AT ANY TIME.

Above all, make sure that you and your children will be safe. Seek medical attention. Consider staying with friends or relatives for a few days. You can also contact a local shelter for temporary housing at a secret location, or for help in finding somewhere else to live.

ASK FOR HELP!

- Ask the police to stand by at your home while you get your things. (*See safety plan for list*).
- If you have no money, apply for public assistance right away. You may be eligible for welfare, food stamps, and Medi-Cal.

RESTRAINING ORDERS:

The Women's Crisis Center, YWCA, and Legal Aid of the Central Coast can help you prepare and file restraining order papers to remove the abuser from your home, to keep the abuser away from you, or calling you, your family, work, children's school, and child care.

IF THE DISTRICT ATTORNEY BECOMES INVOLVED:

If the accused pays bail to get out of jail, you may need to obtain a restraining order. Contact the Women's Crisis Center or the YWCA. Once charges have been filed, only the District Attorney can "drop" them. If the accused is let out on bail, the District Attorney will request a court order keeping the accused from contacting you in any manner. This order will remain effective only as long as the case is pending. If you wish to offer information about the custody status of the accused, or request a "No Contact Order," you should contact the Witness/Victim Assistance Program in the District Attorney's Office.

VICTIM/WITNESS PROGRAM

If you contact the Victim/Witness Assistance Program, they may be able to provide:

- Support and guidance through the court process.
- Help with your immediate needs after the crime.
- Referrals to local resources and services.
- Assistance with recovery of your "out of pocket" expenses, such as medical, mental health and wage loss.

BATTERED WOMAN'S SAFETY PLAN:

It is likely that you will be battered again in the near future. Having an escape plan can help you avoid such tragedy. If you find that you or your children are in danger from your partner, you must leave home and work out a plan which should include:

- Access to a hidden set of car keys.
- A hidden emergency fund, even if it is only one or two dollars stashed per week.
- A suitcase with a couple of changes of clothes for yourself and your children. Leave it with a trusted friend or hide it where your partner won't look. Include the following items:

IDENTIFICATION SUCH AS :

- Drivers License
- Birth Certificates (*yours and children's*)
- Green Card and / or Work Permit
- Welfare Identification
- Social Security Card and Passports

DOCUMENTS:

- Medical and vaccination records
- School records
- Insurance papers
- Bank or checkbook

OTHER ITEMS:

- Medications, credit cards, address book, jewelry, pictures.

RESOURCES

Shelters

YWCA 372-6300

or
1-800-YWCA-151
24 hr. Crisis Line

Shelter Plus 422-2201

Counseling, Information, Referral & Temporary Restraining Orders:

Women's Crisis Center

757-1002 Business

24 hr. Crisis Line

1-888-757-1001 South County

YWCA

649-0834 Business

372-6300 24 hr. Crisis Line

1-888-YWCA-151 24 hr. Crisis Line Statewide

Legal Aid of the Central Coast

375-0505 Monterey Peninsula

District Attorney's Victim/Witness Program

755-5072 Salinas

647-7772 Monterey

385-8325 South County

Probation Family Violence Unit

772-8070 Salinas

Monterey County Social Services

755-4850 Aid & Food Stamps

757-7652 WIC

755-4475 Family & Children's Services

Produced by: The Domestic Violence Coordinating Council of Monterey County

Printed by: Monterey County Graphics



City of Salinas

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

May 8, 2001

The Honorable Robert O'Farrell
Presiding Judge
Monterey County
240 Church Street
Salinas, CA 93901

Dear Judge O'Farrell:

My staff and I have reviewed the Grand Jury 2000 report on domestic violence and have the following comments. First, let me begin by commending the Grand Jury for looking into the issue of domestic violence and particularly local law enforcement's approach to this serious problem. As you well know, domestic violence is detrimental to the health and safety of individuals, families, and the community in general. In response to the Grand Jury's findings, it was gratifying to read that significant progress has been made since the 1996 Grand Jury report on this topic was made available.

Response to findings 1 through 5, and 7:

1. The City of Salinas agrees with the finding.
2. The City partially agrees with the finding. The police department has informed me that some people may indeed be too intimidated to report domestic violence or seek information at the police department, but those individuals will often anonymously call the department and obtain information about ways they can seek help.
3. The City partially agrees with this finding. The front office at the Salinas Police Department is staffed 24 hours a day and domestic violence pamphlets are located at the front counter, very accessible to the public. Even if the front door is locked late at night, people are allowed into the department via an intercom system. For that reason, the City does not see a need to install a receptacle outside the station at this time.
4. The City agrees with the finding.
5. The City agrees with the finding.
7. The City agrees with the finding.

Response to recommendations 1 through 5, and 7:

1. The recommendation has been implemented, although the review process will not be completed until June 30. The Salinas Police Department is committed to routinely reviewing its policies and procedures on domestic violence to ensure the availability and easy access to domestic violence information for the public. I would also like to mention the police department does routinely review new information on this topic. For example, the Police Department's Personnel and Training Unit often receives training information that is routinely passed on to other members of the department. Some of this training information relates to domestic violence.
2. The recommendation has not yet been implemented, but will be implemented in the near future. The City of Salinas supports the concept of making domestic violence information available at other public locations in our community. I have asked Chief Daniel Ortega to have members of our Police/Community Services Unit to take the lead on this recommendation by periodically contacting various public agencies that may be in support of displaying domestic violence brochures. Also, the police department will continue to use their weekly "Police Line" television show as a means to educate the community on domestic violence. In addition to the above, I have directed City Staff to explore the option of displaying domestic violence information at city facilities that are frequented by the public (Libraries, City Hall, Community Center, etc.). A decision on this will be made by June 30.
3. The recommendation will not be implemented because it is not warranted at this time. As previously mentioned, the front office at the police department is staffed around the clock. It is the police department's belief that if someone is too intimidated to enter the police department, that person would most likely not even show up at the front doors to retrieve information on this topic. There are a number of other ways the information can be passed on (mail, anonymous phone calls, referrals, etc.).
4. The recommendation has not yet been implemented, but it will be implemented by June 30. Additionally, the police department currently has detectives that are responsible for the investigation of domestic violence cases. These officers serve as our in-house experts and are in an ideal position to oversee ongoing training regarding domestic violence. Nonetheless, one officer will be designated as the department's domestic violence coordinator to ensure that our efforts are truly focused.
5. This recommendation is already in place. As previously mentioned, our police department has been very aggressive in its efforts to work with children. In addition to having 10 full-time School Resource Officers stationed at every middle and high school in Salinas, we have very active Police Activities League and Police Explorer Programs. In each of these programs, especially the School

Resource Officer Program, our officers interact with children and educate them on a variety of topics, to include domestic violence. We will continue to improve our efforts in this important area.

7. The recommendation has been implemented. The police department has an adequate supply of the domestic violence brochures and the Police Administration Division will be responsible for ensuring that a master copy is kept on file.

Again, I would like to personally thank the Grand Jury for examining the difficult issue of domestic violence. On behalf of the City Council, Chief Ortega, and all of the hard working men and women at the Salinas Police Department, I pledge our support to work with anyone interested in reducing domestic violence in our community.

Sincerely,



ANNA M. CABALLERO
Mayor

cc: City Council

CITY COUNCIL
SANDRA L. (SANDY) KOFFMAN
MAYOR

ROBERT HUITT
STEVE HONEGGER
JAMES W. (JIM) COSTELLO
MORRIS G. FISHER
DANIEL DAVIS
DON GASPERSON



ROSS G. HUBBARD
CITY MANAGER

PETER WOODRUFF
ADMIN. SERVICES DIRECTOR
CITY CLERK AND TREASURER

DAVID M. FLEISHMAN
CITY ATTORNEY

CITY OF PACIFIC GROVE

300 FOREST AVENUE
PACIFIC GROVE, CA 93950
TELEPHONE (831) 648-3100
FAX (831) 657-9361

March 22, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
P. O. Box 1819
Salinas, CA 93902

REF: Grand Jury 2000 Final Report, January 2, 2001

Dear Judge O'Farrell:

Thank you for this opportunity to respond to findings and recommendations of the 2000 Grand Jury Report section on "Monterey Bay Contamination, Part 2, Storm Water Run-Off Permit Requirements." Please accept the following as the response of the City of Pacific Grove to those findings and recommendations.

- Finding 1: The City of Pacific Grove agrees with this finding.
- Finding 2: The City of Pacific Grove agrees with this finding.
- Finding 3: The City of Pacific Grove agrees with this finding.

Finding 4: The City of Pacific Grove does not fully agree with this finding. The City of Pacific Grove has taken steps to determine our full responsibilities and necessary actions to comply with Storm Water Runoff standards and believe that we understand our role in meeting NPDES permit requirements. We have joined with the Monterey Regional Water Pollution Control District in encouraging a joint permit of the agencies on the Peninsula. We have recently (September 2000) completed and accepted a capital improvement program guide detailing the needs of our storm water system and are implementing the changes outlined in the guide.

Finding 5: The City of Pacific Grove agrees with this finding.

Recommendation 1: We have begun work on NPDES permit requirements and have joined with MRWPCA in efforts to seek a joint permit for jurisdictions on the Monterey Peninsula.

*Honorable Robert O'Farrell
Presiding Judge of the Superior Court
March 22, 2001
Page 2 of 2*

Recommendation 2: The City of Monterey has made a presentation to our City Council concerning their Model Run-Off program. We will use their work to complete our program.

Recommendation 3: The City of Pacific Grove is working with the Storm Water Subcommittee to develop a regional plan to meet permit requirements.

Recommendation 4: The City of Pacific Grove, as a member of the Storm Water Subcommittee, has studied the six minimum requirement of Phase II NPDES permit and will continue to participate in regional storm water runoff planning activities.

We hope this information is helpful in explaining our activities in preparation for Phase II NPDES permit.

Sincerely,

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

Sandra L. Koffman
Mayor

CITY COUNCIL
SANDRA L. (SANDY) KOFFMAN
MAYOR

ROBERT HUITT
STEVE HONEGGER
JAMES W. (JIM) COSTELLO
MORRIS G. FISHER
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March 22, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
P. O. Box 1819
Salinas, CA 93902

REF: Grand Jury 2000 Final Report, January 2, 2001

Dear Judge O'Farrell:

Thank you for this opportunity to respond to findings and recommendations of the 2000 Grand Jury Report section on "Monterey Bay Contamination, Part 1, Beach Closures and Sewage Spills." Please accept the following as the response of the City of Pacific Grove to those findings and recommendations.

Finding Number 1 (page 78): While we agree with the tenor of this paragraph, the finding is not totally accurate. Not all areas in the County transport sewage water to the Monterey Regional Water Pollution Control Agency (MRWPCA). Pacific Grove does collect sewage for transport to the Marina facility. We believe the general statement that "some coastal cities' storm drain systems empty directly into Monterey Bay" is overly simplistic and does not account for any of the variations of topography, density of development, location of collection facilities, ability to place retention basins or facilities within drainage areas, or the fact that drainage basins do not recognize city boundaries thereby allowing for storm water from various jurisdictions to flow into a single city and then into the Bay.

Finding Number 2 (page 78): Once again, we agree with some of the generalized statements of this paragraph of the finding but find that the statement is not totally accurate. We also are discouraged that, although mentioned in the background section, there is no review of the causes of beach closures of Monterey, Carmel, and Pebble Beach.

It is true that the City's sewage collection system has many sections that were built in the late 1800 and early 1900s, but there is no analysis of whether such pipes are the cause of Bay contamination. We are unaware of any Grand Jury review of the October report of Parson' Engineering Science, Inc. that details the

collection system age and suspected quality and would hope that reports of the media were not the basis of these findings. Media reports concerning this subject during the last six months of the year 2000 were highly inaccurate and misinformed.

Finding Number 3 (page 78-79). We agree with this finding and point to the following information concerning the City's efforts to eliminate grease from the sewage collection system.

RESPONSE TO GRAND JURY RECOMMENDATIONS:

Recommendation Number 1 and 2:

This is a review of the changes in the sewage collection system operation, maintenance, and capital improvement program that was presented to the City Council at their meeting of February 21, 2001.

Basically there are five components to Pacific Grove's modified sewer maintenance program. They are:

1. New Cleaning Schedule
2. Rapid Response to Sewer Upset
3. Grease Trap/Interceptor Program
4. Public Information Program (commercial/residential)
5. Increase Available Funding for Sewer maintenance and capital needs.

New Cleaning Schedule:

Beginning in June 2000, our sewer cleaning crew was ordered to exclusively clean lines with our hydro-jet trucks on a full time basis. When minor construction work is required, the Street crew does this work so that the sewer crew can continue the cleaning process uninterrupted. This work has put a strain on the equipment used by the crew; therefore, part of the capital program outlined is to purchase a new truck for cleaning operations during the next fiscal year. Additionally during the year 2000, the City completed smoke testing of 75% of the City collection system to detect and repair cross connections between storm drain and sewage collection system. All known cross connections between the City's two systems have been repaired. The final 25% of the system will be completed this year.

Rapid Response to Sewer Upset:

We have developed an emergency response protocol for all potential sewer blockages and potential spills in which the Pacific Grove Fire Department is the first responder to all such calls. The Fire Department treats these calls as hazardous materials responses and immediately establishes an emergency incident command center with a goal to:

Safeguard and protect the health and safety of the public and emergency response personnel; Conduct emergency response to mitigate hazards and life safety risks; and, isolate, confine, neutralize, and remove all contaminants.

Grease Trap/Interceptor Program:

At their meeting of January 17, 2001 the Council approved a proposal to assist the food service establishments in meeting the current oil/grease reduction regulations.

A. Priority listing is based on probability of grease pollution

A priority listing was developed which classifies food service establishments by the probability of allowing grease into the sewer system. In conjunction with MRWPCA we have divided establishments into four categories:

Priority 1	Very high grease impact potential
Priority 2	Moderately high grease impact potential
Priority 3	Moderate-low grease impact potential
Priority 4	Minimal-no grease impact potential

Each of the priority categories has a different schedule of making changes to their grease removal equipment, including the possibility of no change if there is no potential for grease to enter the system.

B. Time to comply with requested changes

Businesses are given four months to install grease traps, and eight months to install interceptors, from the date of notification by the City. During our review it was clear that some installations will receive a significantly longer period of time to make changes, based on a low possibility to add grease to the system.

Letters have been sent to all Priority One establishments informing them of their responsibility to install grease removal systems. Letters to Priority Two and Three will be completed by the end of March. Penalties for non-compliance include the requirement to install a grease interceptor in order to stay in business.

C. Cost of new installations or upgrades

Council also approved a program of low interest loans with payments up to five years for the installation of new grease traps or interceptors. The proposed program would be as follows:

1. For Grease Interceptor only: Maximum \$20,000.
2. For Grease Traps: Maximum \$7,500.

Loans up to \$2,000 would be repaid in one year at 3% interest, from \$2,001 to \$7,500 in three years at 5% interest, and from \$7,501 to \$20,000 in five years at 5% interest. Loans would be for actual cost of installation of new equipment according to recommendations of MRWPCA. The City has arranged with a local bank to work with business owners to provide funds for installation. The City and MRWPCA are discussing a regional program with Agency funds.

D. Replacement of newer equipment installations (grandfather clause)

This is a question of fairness. Several business owners have indicated that they have recently replaced or installed grease reduction equipment on the advice of the City and MRWPCA. Typical equipment is installed with a life expectancy of 3-5 years. Additionally, in 1995 and 1996 all businesses were inspected and many were asked to make upgrades at that time.

Therefore, Council approved a plan that for any installations made after 1997, owners be given at least five years from the date of installation prior to requiring any changes in equipment. This assumes that the equipment is still functional and the owner is following an accepted maintenance and reporting program. Once the five-year period has elapsed owners will be required to upgrade to equipment that meets the current Best Practices as determined by the MRWPCA.

E. Reuse and Recycling existing equipment

Some businesses have existing equipment that needs to be replaced but is still functional. The MRWPCA will ensure that such equipment is functional once it is removed from the system and the City will provide a

place to store these used pieces of equipment. This equipment will then become available to other businesses that have a lower capacity need at a lower cost or no cost depending on the giving business owner's wishes.

Hopefully we could recycle into use any working piece of equipment that is replaced.

F. Education program by City and MRWPCA

Materials are being developed at this time to provide educational materials to food service establishments and others interested in the oil/grease reduction program.

Public Information Program:

At their meeting of March 7th, 2001, the City Council approved a residential public information program designed to inform citizens on methods to reduce grease that enters the City's collection system. The program envisions direct mailings, visits to local schoolrooms, school contests, local media advertisements including both print and radio spots, and special events booths. The first year program costs are estimated to be \$24,500, which was approved by the Council. Additionally, some information has already been included in the *Pacific Grove Review*, February 2001 edition, and a significant amount of information has been distributed to business contacts made during the Grease Removal inspections.

Increase Available Funding for Sewer maintenance and capital needs:

At their meeting of February 21, 2001, the City Council approved an increase of the sewer surcharge over a period of three years from the current rate of 50% of the Monterey Regional Water Pollution Control Agency's (MRWPCA) sewer service charge to 100% of the MRWPCA surcharge. The action by the Council followed a discussion of the following information.

I. Background

Since the early 1970's, the City has had the responsibility to maintain a waste water collection system composed of approximately 58 miles of pipe, 823 manholes, and a series of pump stations which carry all of the waste water to the regional waste water treatment plant in Marina. Prior to that time, the City also processed wastewater at a plant on Sunset Drive near the Pacific Grove Municipal Golf Links.

The method of financing maintenance and improvements to the waste water collection system since the change to the regional system has been through revenues collected as a surcharge charge on Monterey Regional Water Pollution Control Agency's (MRWPCA) sewer service charges. A copy of the current MRWPCA monthly rate schedule is attached (Exhibit 1).

A surcharge of 50% of the MRWPCA rate has been in effect since 1992. Previously the surcharge was:

Current Surcharge Rate	=	50%
Rate from 1989 to 1992	=	35%
Rate Prior to 1989	=	25%

The MRWPCA monthly rate schedule has not changed since 1991.

The City has established a specific fund to account for City sewer program finances, the Sewer Enterprise Fund. All spending for sewer activities and all revenues received for sewer programs are part of this Fund. The Fund works as an enterprise fund, or a separate company operating within the City. Therefore, the Sewer Enterprise Fund must balance revenue and expenditures each year.

The history of the Sewer Enterprise receipts is shown below:

<u>Fiscal Year</u>	<u>Amount Received</u>
1999-2000	\$559,520
1998-1999	587,572
1997-1998	598,975
1996-1997	582,493
1995-1996	599,458

The amounts received are very stable, although some minor fluctuations have occurred over the years.

II. The Current Situation

In October 2000, the Council accepted a report from Parsons' Engineering Science, Inc. of Monterey, entitled *Summary Report on Capital Improvement Program for the Waste Water Collection System*. Within the report was a recommendation on which capital improvements should be made to the city's system over the next twenty years. The report also included a list of immediate actions that should be taken in order to repair parts of the system deemed critical. A list of those repairs is attached (Exhibit 2), showing a total cost of \$1,064,000.

The report indicated that future repairs to the City's aging system would proceed at a rate of about \$2.5 million per year.

However, the engineering report failed to take into account the City's ability to generate revenues in the amounts suggested in the report. Therefore, the City has taken action to implement an on-going capital improvement program that will make improvements at a constant, although slower, pace through the coming years. This program will allow the City to plan for both the immediate capital needs and an annual capital improvement from known revenues, while searching for extraordinary revenues such as grants and other outside revenues that are available from time-to-time.

III. Possible Funding Methods

There are several methods of financing major capital improvements. These include grant funding, debt issuance, redirection of current operating (general fund) funds, and generation of new funds from increased service charges.

- A. Grant Funds – Occasionally grants from state and federal agencies become available for maintenance and capital costs of city services. Currently, funding is available on a limited basis from recent statewide initiatives and possibly federal EPA grants. The staff is developing applications from a couple of sources, although we do not feel that these sources are viable long-term solutions to our capital improvement needs.
- B. Debt Issuance – Using debt issuance is a traditional method of financing long-term improvements. In all cases, sufficient revenues are required in order to pledge enough funds to make timely payments on the debt. Debt issuance can be either through bonds or long-term loans. There are some low cost loan programs available to cities that are designed for infrastructure improvements. Debt issuance is only practical when improvements are costly, are of one-time nature, and have a long useful life.
- C. Redirection of Current Sewer Operating Funds – This is the simplest method of financing capital improvements, assuming that there are monies available. In fact, the City has been financing capital improvements using this method for many years. These improvements include pump stations, line replacements, and other major improvements to the Sewer system. Unfortunately, increased improvements as called for in the engineer's report would require a significant increase in revenues. The City has not regularly transferred General Fund money into the Sewer Enterprise Fund to make these types of improvements.
- D. Generation Of New Money From Increase In Sewer Charges – This is a normal method of financing all operations in the sewer and

other enterprise departments. However, no changes in revenues have been made since the surcharge was last changed in 1992. This is the proposal staff would recommend as the basis for making improvements to the sewer system and increasing maintenance activities.

IV. City Council's Action to Raise Funds

The City Council chose to attack the issue of undertaking major capital improvements for the wastewater collection system in two phases. First, complete the critical repair items on Exhibit 1 as soon as possible; and second, plan for on-going capital improvements at a higher rate than past years while continuing a higher level of maintenance activities.

Initially the Council raised the sewer surcharge fee from 50% to 70% in the first year. In subsequent years it will be raised additionally so that by July 1, 2003, the rate would be 100% of the MRWPCA sewer charges.

Changes to the surcharge will raise revenues as shown below:

<u>Surcharge Rate</u>	<u>Approximate Dollar Raised</u>
Current 50%	\$560,000
70%	784,000
85%	952,000
100%	1,120,000

As stated above, a raise from 50% to 70% effective July 1, 2001, will raise an additional \$224,000 each year, and a raise from 70% to 85% effective July 1, 2002, will raise an additional \$392,000 a year over current revenues, and from 85% to 100% effective July 1, 2003, will raise an additional \$560,000.

Residential rates would change as shown on the chart below.

Surcharge %	MRWPCA Rate	City Surcharge	Total Monthly Rate	Total Annual Increased Cost
50%	\$9.30	\$4.65	\$13.95	
70%	\$9.30	\$6.51	\$15.81	22.32
85%	\$9.30	\$7.90	\$17.20	39.00
100%	\$9.30	\$9.30	\$18.60	55.80

Commercial rates are varied but would increase accordingly.

V. Proposed Use of Additional Funds

As mentioned above, funds from additional revenues will be used in two areas. The first would be to finance the Critical Repair Capital Improvement Program during the first year of the new fees.

The City will issue bonds in the amount of \$1.5 million to pay for the Critical Repair Capital Improvements at an annual cost between \$102,000 to \$107,000 per year. The bond issue would provide funds for all of the first phase of the Capital Improvement Program. Depending on the actual cost of the program, the bond would be adjusted as needed.

A second major component of the capital and maintenance program will be the purchase of a new sewer maintenance truck. Estimated cost of this truck is \$150,000.

Therefore, first year revenue would go to financing the Critical Repair Program and purchase the new truck.

Second year revenues will be used to increase the maintenance efforts by adding additional cleaning activities in critical areas, probably through contract with an outside agency, and beginning additional capital improvements as proposed in the engineering report while continuing debt service payments. Each additional year will show an increased amount of funds available for capital improvements of about \$400,000, after the initial bond debt service is paid.

Although this method of financing would not complete the proposed improvements in the Parsons' report, it would double the city's sewer revenues and allow the City to spend nearly \$500,000 annually on capital improvement funding.

VI. Summary

Recommendation Number 1: The City Council and the community are aware that there is a need to increase funds to be spent on the wastewater collection system. There is a direct relationship between sewer surcharge fees and sewer maintenance and capital improvement costs. Fees generated by a surcharge on the MRWPCA sewer rate have traditionally paid for sewer expenses. An increase in the rate is both an effective and efficient method of generating more funds for sewer maintenance and capital expenditures.

Engineering reports on the City's collection system have been completed and accepted by the City Council. A Capital Improvement Program is being put into

*Honorable Robert O'Farrell
Presiding Judge of the Superior Court
March 22, 2001
Page 10 of 10*

place to correct the critical areas of the system. Smoke testing of the system has nearly been completed and known cross connections have been eliminated between the city's two systems.

Action in Recommendation #1 has been taken.

Recommendation 2: The City has embarked on a program of grease removal from both commercial and residential users. Pacific Grove's program of grease trap and interceptor installation is more stringent than any other jurisdiction on the Monterey Peninsula. Our program will accomplish the goal of requiring every food service establishment to install grease traps or interceptors within the next two years. Other jurisdictions do not require these types of changes unless a business changes ownership or makes major renovations. The City's residential grease removal information program, developed with the assistance of MRWPCA staff, will provide vital information to residents and visitors on methods to reduce grease in the collection system.

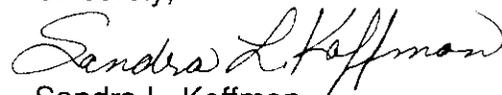
Action in Recommendation # 2 has been taken

Recommendation Number 3 (page 79). This recommendation is under the jurisdiction of the County Health Department. Testing will continue, as Health Department regulations require.

The action in Recommendation # 3 is outside the jurisdiction of the City, therefore no action will be taken by the City of Pacific Grove

We hope this information is helpful in explaining the sewage collection system enhancement program that has been adopted by the City of Pacific Grove.

Sincerely,



Sandra L. Koffman
Mayor

Attachments

CITY COUNCIL
SANDRA L. (SANDY) KOFFMAN
MAYOR

ROBERT HUITT
STEVE HÖNEGGER
JAMES W. (JIM) COSTELLO
MORRIS G. FISHER
DANIEL DAVIS
DON GASPERSON



CITY OF PACIFIC GROVE

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ROSS G. HUBBARD
CITY MANAGER

PETER WOODRUFF
ADMIN. SERVICES DIRECTOR
CITY CLERK AND TREASURER

DAVID M. FLEISHMAN
CITY ATTORNEY

April 25, 2001

Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
P. O. Box 1819
Salinas, CA 93902

REF: Grand Jury 2000 Final Report, January 2, 2001

Dear Judge O'Farrell:

On behalf of the Pacific Grove City Council, thank you for this opportunity to respond to findings and recommendations of the 2000 Grand Jury Report section on "Domestic Violence." Please accept the following as the response of the City of Pacific Grove to those findings and recommendations. I would also like to take this time to apologize for the tardiness of this response. In reviewing the full Grand Jury report, I inadvertently overlooked the responses to this section of the report while preparing our responses to other sections of the report.

The responses required by the Pacific Grove City Council on the issue of Domestic Violence deal with Findings 1-5 and 7, and Recommendations 1-5 and 7. Here is our response:

Finding 1: Domestic Violence materials are readily available to anyone entering the Police Department building, within five feet of the front door and clearly marked as such. There are a wide variety of materials available, including information on domestic violence, child abuse, spousal rape, and where suitable service alternatives can be found. The information is available 24 hours a day, seven days a week.

Finding 2: Our officers provide information to victims and contacts in the field, as well as the information that is provided at the station. In an attempt to reach out to potential and unreported victims prior to occurrences of Domestic Violence, we routinely participate in awareness efforts at the regional and local level. Our police personnel undergo annual training on Domestic Violence updates through the District Attorney's Office. This year our Department will go through additional training through the Training Sector of the Domestic Violence Coordinating Council. Our Chief of Police, Scott Miller, is a member of the Monterey County Domestic Violence Coordinating Council.

Finding 3: Our materials are constantly replenished and available.

Continued . . .

Finding 4: All of our police officers have received ongoing advanced officer training on Domestic Violence. Several have received specialized training, including through the MCDVCC and through classes on photographing injuries of Domestic Violence victims through the Polaroid Company.

Finding 5: Agreed.

Finding 7: We believe this is true.

RECOMMENDATIONS:

Recommendation 1: We constantly monitor our information to insure the most updated and cogent materials are available. We believe we are currently meeting Penal Code requirements adequately. Through active membership on the MCDVCC, our Chief of Police works toward standardization of compliance criteria to meet the requirements of the Penal Code throughout the County.

Recommendation 2: The Chief of Police, as an active member of the MCDVCC, advises that MCDVCC has established increased outreach to potential victims as a goal for year 2001. This goal specifically hopes to increase DVCC membership to a broader community base, including the business and faith communities and others. Additional resources allocated by the County to the MCDVCC would help them achieve this goal.

Recommendation 3: We believe our Police Department building is "user friendly" within our community. We often hold community meetings in the building, have 24 hour a day access, and have recently made modifications to the building entrance that includes ADA access. Placing boxes or containers outside the building seems unnecessary at the present time, but we will remain sensitive to this recommendation.

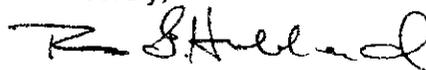
Recommendation 4: Our Police Department places a top priority on training all employees to respond adequately to all cases of suspected Domestic Violence. Specialists will be developed and trained to the degree feasible. Currently all domestic violence cases are funneled through one detective.

Recommendation 5: We agree with this philosophy, however, feel that having "law enforcement officers use their interactions with school-age children as opportunities to include advice and counsel on the subject of domestic violence" is a topic which is as of yet undeveloped for such inclusion in daily interactions with school children. We would be open to hearing from the Grand Jury as to how they foresee this goal being accomplished.

Recommendation 7: We have an adequate supply of brochures and will maintain same.

We hope this information is helpful in explaining our activities in the area of Domestic Violence information dissemination.

Sincerely,



Ross G. Hubbard
City Manager

cc: Mayor and City Council
Marilyn Maxner
Roy D. Lorenz

**Natividad Medical Center
RESPONSE TO MONTEREY COUNTY FROM THE NMC
BOARD OF TRUSTEES
CIVIL GRAND JURY 2000 FINAL REPORT**

FINDINGS

1. *Natividad provides essential services to a large population of low income and indigent Monterey County residents.*

Response: The Boards of Trustees agree with this finding.

2. *Natividad lacks a comprehensive long-term plan expanding its revenue base and moving toward financial independence.*

The Boards of Trustees disagrees partially with this finding.

Response: NMC has had a strategic plan in place approved by both the Board of Trustees and Supervisors since the early 1990's. The plan is reviewed every 18-24 months, revised as necessary, approved by both Boards, and forms the basis of marketing strategies and annual enterprise fund operating budgets.

The Strategic Plans have consistently contained strategies which translate into work plans to expand revenue base and move toward financial independence (Natividad Medical Center, Strategic Direction FY 1999-2001.) Twenty-five percent of NMC revenue is primarily dependent on state and federal block grants subject to legislative and regulatory approval. This situation is common throughout the nation and California among public, university and children's hospitals. In spite of fiscal uncertainty, NMC has stabilized the County's general fund contributions to less than 3% of net revenue since 1995. This performance has enabled NMC to absorb virtually all health care inflation and rank among the highest performing public hospitals in the state based on the least amount of county contribution.

The Boards of Trustees agree with the 2000 Grand Jury that every public and private funding source needs to be pursued on a continuous basis to assure the long-term survival of NMC as a Monterey County-owned and operated facility that assures access to health care for all Monterey County residents.

RECOMMENDATIONS

1. *In view of the essential nature of the services provided by Natividad Medial Center, the Board of Supervisors and the Natividad Board of Trustees and Administration take all necessary steps to insure the hospital's long-term survival as a Monterey County-owned and operated facility.*

The Boards of Trustees agree with this recommendation.

2. *Health care planners at Natividad review present and future prospects for financial support and develop a coordinated strategic plan.*

The Boards of Trustees disagrees partially with this finding.

Response: The Boards have and will continue to have a coordinated Strategic Plan. During the spring of 2001, County and Natividad Medical Center Administration, medical staff, and employees will develop an update of the current Strategic Plan. The Board of Trustees will approve the results and recommend approval of the revised plan to the Board of Supervisors by fall of 2001.

Prior year updates have followed the same process so that there has been a continuing focus on collaboration on the work strategies to accomplish the goals of the plan. Flexibility is built into the plan so business cases can be made for opportunities that occur during a fiscal year and new programs developed for improved services and revenue enhancement.



March 21, 2001

MAYOR
IAN ALBERT

COUNCILMEMBERS:
TERESA CANEPA
DON EDGREN
CLYDE ROBERSON
RUTH VARELA AND

CITY MANAGER
FRED MUELLER

Honorable Robert O'Farrell
Presiding Judge of the Superior Court
Monterey County
P.O. Box 1819
Salinas, CA 93902

Re: Final Report of the 2000 Monterey County Civil Grand Jury

Dear Judge O'Farrell:

Pursuant to Penal Code Section 933(b), the following responses are respectfully submitted:

**MONTEREY BAY CONTAMINATION, PART 2: STORM WATER RUN-OFF
PERMIT REQUIREMENTS**

FINDINGS:

Finding #2: "Of all the Agencies surveyed, only the City of Monterey has a fully developed plan to meet the Phase II NPDES requirement. In 1993, the City approved a storm-drain utility fee to fund the development and implementation of the permit requirements. The City has since developed a comprehensive plan that addresses all the minimum measures outlined by the U.S.EPA. Monterey has also been a leader, along with the state Regional Water Quality Control Board, the Monterey Bay National Marine Sanctuary, the City of Santa Cruz, the Coastal Commission, and the Association of Monterey Bay Area Governments in creating the Model Urban Run-off Program guide, which assists other cities in creating permit plans."

Respondent agrees with the finding.

The City of Monterey continues to take a leadership role in the NPDES Phase II Program on a local, state, and national basis. The City of Monterey is well prepared to meet the Phase II requirements and has a funding mechanism in place to fund development and implementation. The City of Monterey continues to expand our existing program to include additional components. The City is currently working on a project to inventory, evaluate, and map all storm drain system components. The City also continues in developing

additional storm drain education tools including Public Service Announcements, radio advertisements, and educational videos.

RECOMMENDATIONS:

Recommendation #1: "Agencies requiring an NPDES Phase II permit immediately begin all necessary preparations for meeting the federal requirement. Full engagement on this issue, including developing auxiliary funding sources if they are necessary, must begin now to ensure the best chance of meeting the requirements by March 10, 2003.

The recommendation has been implemented.

The City of Monterey began preparations for meeting the NPDES Phase II permit requirements in 1995, prior to the promulgation of the Rule. Funding is in place to meet the requirements of the rule. The City currently has 5.5 Full Time Equivalent positions dedicated to the storm water program. The City has worked with the Monterey Regional Water Pollution Control Agency and the Central Coast Regional Water Quality Control Board, which is the local NPDES Permitting Authority, to develop the framework for implementing a regional NPDES permit on the Monterey Peninsula.

Recommendation #2: "Local agencies use the City of Monterey as a resource in meeting Phase II requirements. The Model Urban Run-off Program guide can be utilized by all Agencies in meeting the federal mandate."

The recommendation has been implemented.

The City of Monterey has been a resource for other local agencies to use for many years. In 1997 City of Monterey staff and others involved in the Model Urban Runoff Program development gave two workshops to staff from local agencies throughout the Monterey Bay region. City of Monterey staff have been the liaison between local agencies and the California Storm Water Quality Task Force by attending bi-monthly meetings of the Task Force and bringing pertinent information back to the local community. City of Monterey staff have chaired the Phase II Working Group of the California Storm Water Quality Task Force since 1997. Locally, City of Monterey staff have chaired the AMBAG Storm Water Quality Task Force, an information exchange of local agency staff, since its creation.

In 1999, City of Monterey staff was asked by the Water Quality Protection Program of the Monterey Bay National Marine Sanctuary to lead in efforts to ensure that other local agencies are implementing the Model Urban Runoff Program. City staff made presentations to the City Councils of the City of Pacific Grove and the City of Carmel-by-the-Sea at their request in 2000. An open offer to other local agencies has been extended for the same presentation.

The City of Monterey regularly receives requests for copies of the Model Urban Runoff Program from across the country. The City is happy to direct requests to the proper channels for ordering or downloading copies of the Model Urban Runoff Program from the Internet.

<http://www.swrcb.ca.gov/~rwqcb3/Downloads/downloads.html>

Recommendation #3: “Agencies work with the Storm Water Subcommittee to develop a regional plan to meet the permit requirements. Such a plan could allow Agencies to realize certain economy of scale savings and a more successful implementation of NPDES.”

The recommendation has been implemented.

City of Monterey staff continues to work with the Storm Water Subcommittee of the Monterey Regional Water Pollution Control Agency. Monterey’s City Council authorized staff to send the attached statement of interest letter to the Monterey Regional Water Pollution Control Agency to officially indicate our interest in pursuing a regional permit for the Monterey Peninsula at their meeting of January 2, 2001. Several City staff members have been part of the Monterey Regional Water Pollution Control Agency Working Group to develop recommendations for a regional permit since work began in February 2000.

Additional Comments:

Finding #3: “Local Agencies have joined together under the recently formed Storm Water Subcommittee to explore a possible partnership for meeting the NPDES requirements. The objective of the subcommittee, formed by the Monterey Regional Water Pollution Control Agency, is to explore the advantages, disadvantages, and feasibility of having a regional permit, rather than individual permits for each entity.”

The respondent disagrees partially with the finding.

The Storm Water Subcommittee of the Monterey Regional Water Pollution Control Agency was formed in early 2000 to explore options for implementing a regional permit. That permit would encompass the Cities of Marina, Seaside, Sand City, Del Rey Oaks, Monterey, Pacific Grove, Carmel, and the contiguous areas of Monterey County that must be permitted. Other cities in Monterey County were not included in discussions of the Subcommittee, and the permit boundary has been chosen to encompass the watershed surrounding the above named cities. It is expected that the Monterey County Water Resources Agency will undertake the MRWPCA role for the Salinas Valley watershed.

The County of Monterey has been involved in the discussion of logical permit boundaries, and will consider whether to discuss another regional permit for southern Monterey County. Having a permit including numerous unincorporated areas as well as urbanized and incorporated areas would make it difficult to manage and administer a regional permit. It would also be difficult to administer and manage a permit covering a very large geographic area. The benefits of having a regional permit are best achieved by including jurisdictions and entities in close proximity to each other, and located in common watersheds.

DOMESTIC VIOLENCE

FINDINGS:

Finding #1: "All 12 police stations, as well as the Sheriff's Department, were in general compliance with the 1996 Grand Jury recommendation that domestic violence information be readily available. However, the type of materials offered varied widely at each location, as did the level of accessibility visitors had to the information".

Response: The respondent agrees with the finding. The respondent has no information regarding the type and accessibility of Domestic Violence material in other police agencies in Monterey County. The Monterey Police Department (MPD) has relevant, up to date material that is readily accessible to the public 24-hours a day.

Finding#2: "Based on data gathered by the 2000 Grand Jury, a relatively small number of citizens picked up domestic violence materials at police stations. Walking into a police station may be intimidating to many individuals who are in need of information. The grand Jurors were further informed by most jurisdictions that officers responding to a domestic violence call always carry written information about a victim's legal rights and available resources for assistance. Unfortunately, by the time an officer responds to a domestic violence call, the brochure provided at the incident is after the fact."

Response: The respondent agrees with the finding.

Finding #3: "Some smaller community police stations and the Sheriff's sub-stations do not have seven-day-a-week, 24-hour-a-day access to provide availability of materials. One small Monterey Peninsula police station provided 24-hour-a-day access to domestic violence materials through a covered receptacle located outside the station. Civilian staff at the station reported this receptacle is replenished more frequently than the one inside".

Response: The respondent partially agrees with this finding. As previously stated in Finding #1, the Monterey Police Department provides relevant domestic violence material in an easily accessible location 24-hours a day.

Monterey Police Department has not conducted a survey of procedures of other agencies and as such has no knowledge of how they provide this service.

Finding #4: “Not all law enforcement agencies claimed to have a special unit or a specific officer in charge of domestic violence, but each indicated that most officers were trained in domestic violence issues”.

Response: The respondent agrees with this finding. Monterey Police Department has a designated full-time Domestic Violence Detective, specifically trained to investigate cases of this nature. In addition, all sworn police officers in the agency receive domestic violence training in the academy, as well as, periodic update training.

Finding #5: “Children of all ages from all socio-economic and cultural backgrounds may routinely witness domestic violence in their homes. The California Attorney General’s Office publication, *Domestic Violence Handbook – A Survivor’s Guide* (p.7), reports that, ‘While domestic violence is not hereditary, it has been shown to be learned behavior and is often handed down from one generation to the next.’ Physical assault within the family can become accepted as a normal part of life and may not even be recognized as a crime by some men and women. Children from these homes need help in developing life management skills that may prevent them from becoming abusers or the abused in their teen or adult life.”

Response: The respondent agrees with this finding.

Finding #7: “The Correctional Training Facility at Soledad donated the first printing of the domestic violence information brochure created by the Council. At that time, the brochures were distributed in quantity to law enforcement agencies and related non-profit service providers. In addition to an initial stock of brochures, each agency was to be provided a camera-ready master to be used to replenish the supply as needed within each individual organization. The Coordinating Council is a non-funded agency and, as such, has no budget for printing and distributing brochures on a regular basis. Therefore, it becomes the responsibility of each distributing agency to provide copies of the brochure.”

Response: The respondent agrees with this finding. Monterey Police Department’s Domestic Violence Detective is charged with ensuring proper supplies of ALL relevant materials, including the information brochure mentioned in this finding, are replenished as needed.

RECOMMENDATIONS:

Recommendation #1: “Each police station and the Sheriff’s Department review its policies and procedures to ensure the availability of, and easy access to, domestic violence information for the general public. Further efforts be made to standardize

the compliance criteria among all law enforcement departments to meet the requirements of the Penal Code to a far greater extent.”

Response: The respondent partially agrees with this recommendation. The respondent’s policy and operational criteria for all domestic violence situations is to provide all relevant material to victims in a timely manner. Budgets and service levels vary among police agencies, therefore, the probability of mandating compliance standards would prove difficult.

Recommendation #2: “Law enforcement agencies, domestic violence resource agencies, and the Board of Supervisors through the Domestic Violence Coordinating Council of Monterey County, look at additional sites to distribute domestic violence information. To the degree possible, considering resources available, the 2000 Grand Jury supports increased effort in making information available at locations such as walk-in clinics, drug store pharmacy counters, post offices, libraries, and other suitable venues visited by local citizens on a regular basis. Such availability could increase the probability of getting information into the right hand before serious domestic violence problems develop or escalate.”

Response: The respondent does not disagree with the recommendation, however, funding is an issue as well as diverting the Domestic Violence Officer’s (DMO) time to locate sites and continually supply informational material is not the most effective use of the DMO’s time.

Recommendation #3: “Police stations that do not have 24-hour inside access to available materials provide an outside receptacle such as a metal box or protected display rack clearly marked to contain domestic violence information. As some may feel too intimidated to enter the police station to request information, an outside container may provide increased access to all segments of society.”

Response: The recommendation has been partially implemented. The respondent feels the location of the material, at present, is appropriate for our agency. 24-hour access is provided and acquiring the information does not require contacting police employees. Pamphlets are printed in English and Spanish as well. No outside receptacle is needed.

Recommendation #4: “While not all police stations are large enough to have a specific unit dedicated to domestic violence, one officer be designated and trained as the expert on domestic violence. Such an expert could oversee ongoing training of the police force and offer detailed attention to the important issue of domestic violence.”

Response: The recommendation has previously been implemented. The City of Monterey does employ a full-time Domestic Violence Officer, who is specifically trained in all domestic violence issues. Training of the agency’s officers is a component of the Domestic Violence Officer’s responsibilities.

Recommendation #5: “Existing programs that educate children about domestic violence be emphasized and expanded to protect and reach more of them at an earlier age to help break the cycle of violence. Programs that focus on strengthening interpersonal relationships and developing a capacity for tolerance and respect for self and others are needed at every grade level within our community schools. The 2000 Grand Jury further recommends law enforcement officers use their interactions with school-age children as opportunities to include advice and counsel on the subject of domestic violence.”

Response: The recommendation has been implemented. The City of Monterey employs three (3) School Resource Officers (SRO’s). Part of their duties is to address the issues of tolerance, respect, and awareness of the rights of others in the student’s day to day interaction with friends, family, etc. The SRO’s visit each elementary and middle school in the City of Monterey jurisdiction and conduct a 17-week program that addresses the issues in this recommendation.

Recommendation #7: “Each police station, Sheriff’s Department and sub-stations, and all other agencies providing the Council’s domestic violence brochure as a resource verify the availability of an adequate supply. In addition, each site should determine that a master copy was, in fact, received and is available, and if not, contact the Council to obtain a new master to ensure a future supply of brochures.”

Response: The City of Monterey is in compliance with this recommendation. The Domestic Violence Officer is tasked with maintaining adequate supplies of brochures in both English and Spanish.

Sincerely,



Dan Albert
Mayor

c: City Council



DEPARTMENT OF PUBLIC WORKS

January 4, 2001

Mr. Robert S. Jaques
Monterey Regional Water Pollution Control Agency
5 Harris Court, Building D
Monterey, CA 93940

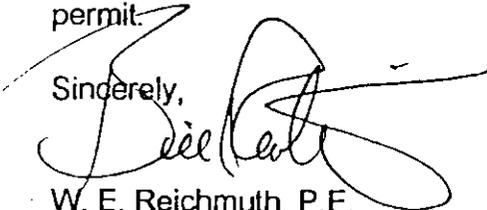
Subject: Statement of Interest in Being Included in a Regional Phase II Storm Water Permit

Dear Mr. Jaques,

In response to your letter of November 2, 2000, this is to advise you that the Council of the City of Monterey received a report from staff on January 2, 2001 regarding the continuing work that your agency is doing to put together a Regional Phase II NPDES Storm Water Permit.

Based on the preliminary information that has been developed thus far, the City Council determined that the City is interested in being a participant in a regional storm water permit, and would like to have the MRWPCA serve as the Administrative Agent for the permit.

Sincerely,


W. E. Reichmuth, P.E.
Director of Public Works

C: City Manager
City Engineer

City of Marina

211 HILLCREST AVENUE
MARINA, CA 93933
TELEPHONE (831) 384-3715
FAX (831) 384-9148



OFFICE OF THE MAYOR

March 8, 2001

Monterey County Civil Grand Jury
240 Church Street
Salinas, CA 93901

Re: NPDES Compliance

Members of the Grand Jury:

On behalf of the City of Marina, I am hereby submitting this letter for the Grand Jury's Consideration. It is intended to be a complete response to the Jury's stated concerns relative to our City's plan of action towards compliance with the U.S. Environmental Protection Agency's mandate to obtain a National Pollutant Discharge Elimination System (NPDES) permit by March 10, 2003.

The basic content of the letter has been prepared by our City staff and has been reviewed by the City Council as part of its March 6, 2001 agenda. Please be assured that the City has every intention of complying with the Phase II NPDES requirements in advance of the March 10, 2003 deadline.

We first want to briefly provide the Grand Jury with an explanation as to how the City of Marina has historically and currently handled storm water. Due to the City's unique position of being completely supported by highly porous ocean dune sand, all storm water is either immediately absorbed into the soil (sand) or directed to a number of publicly and privately maintained percolation ponds, pits, underground absorption systems and vernal ponds. In excess of 90% of all drainage is percolated into the soil and the balance into a total of approximately seven vernal ponds that slowly percolate or evaporate any accumulated water. There are no storm water conduits within the jurisdiction and control of the City of Marina that lead to the Pacific Ocean at this time. In fact, it is entirely likely that the existing former Fort Ord storm drainage outlets will be diverted to on-land percolation systems prior to land being turned over to the control of non-federal agencies.

The following comments are the City's responses to findings #1, #3, #4 and #5.

Response to Finding #1: It is anticipated that the City's FY 2001/2002 Budget will include

sufficient funding to either hire a consultant to develop an initial program of public awareness campaigns and preliminary NPDES Permit application materials or participate with a joint powers authority.

Response to Finding #3: Our City staff is currently fully cooperating with the other Monterey Peninsula Cities in attempting to jointly support either the creation of a joint powers agency or for an existing related agency to assume such a function for all of the Monterey Peninsula Cities.

Response to Finding #4: Our staff has been participating for more than a year in numerous State Water Quality Control Board and League of California Cities-sponsored workshops and seminars on the NPDES requirements and is fully cooperating with the other Peninsula Cities in reviewing avenues to develop a unified cooperative effort in this matter.

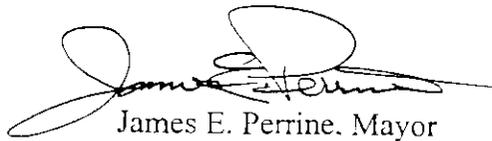
Response to Finding #5: The City is fully aware of the legal and punitive implications that are inherent in non-compliance with the NPDES requirements. Once the decision is made as to how a joint effort may be developed, it is very likely that major steps forward will be achieved very shortly thereafter.

Our response to recommendations #1 through #4 is as follows:

The City of Marina has previously initiated efforts and is fully engaged in activities on the issue. The City of Monterey, the Storm Water Subcommittee and the resources of other agencies are being utilized or studied to ensure that the City of Marina is prepared to meet any necessary and applicable NPDES Phase II requirements.

I would be pleased to receive any further questions or requests for clarification that the Grand Jury may have. I have requested that Mr. Charles Johnson, our Director of Public Works, make himself available for any matters that the Grand Jury may wish to direct to his attention. He may be reached by calling (831) 884-1218 or correspondence may be e-mailed to cjohnson@ci.marina.ca.us.

Sincerely,



James E. Perrine, Mayor

xc: Councilmembers
City Manager
Director of Public Works