

# City of Marina

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March 27, 2002

Honorable Robert O'Farrell  
Presiding Judge of the Superior Court  
Monterey County  
Post Office Box 1819  
Salinas, California 93902

RE: 2001 Grand Jury Report – Animal Services

Dear Judge O'Farrell,

Thank you for forwarding the Monterey County Grand Jury Report addressing animal services. The Marina City Council has supported animal welfare for over a decade and continues to voluntarily provide animal control and shelter services to county residents. We are proud of our efforts to provide pet adoption as an alternative to euthanasia. We believe Marina to have one of the highest adoption rates per capita of any regional shelter.

As the above report accurately states, all shelters within the county experience over-crowding and are challenged with limited resources. As you are aware, only the County and cities of Salinas and Marina provide public animal shelters. Many unwanted pets from other jurisdictions end up in the above shelters, thus contributing to the over crowding and increased demand for spay and neuter services.

The Marina City Council approved \$100,000 this fiscal year for shelter expansion/improvements. The Department of Public Safety is currently conducting cost analysis and exploring additional options and appropriations as the above amount was not sufficient to meet our current shelter needs, not to mention future projected demands for animal welfare.

Current appropriations for animal services in the city of Marina total \$140,374 in actual operating costs, not including the above expansion monies. This is already a significant cost per resident and I'm informed additional funding requests will be presented in next year's budget proposal to meet increased demands for animal services in this community.

Sincerely,

A handwritten signature in black ink, appearing to read "James E. Perrine". The signature is fluid and cursive, with a large loop at the end.

James E. Perrine, Mayor

# MONTEREY COUNTY



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August 30, 2002

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

Honorable Robert O'Farrell:

The following information is provided in response to a request by the Grand Jury in a letter dated July 18, 2002:

### INCLUSIONARY HOUSING IN MONTEREY COUNTY

**RECOMMENDATION #1:** The Board of Supervisors revise the Inclusionary Housing Ordinance, program, and procedures to better reflect the needs of County residents.

**STATUS:** The March 12, 2002 Response to the 2001 Grand Jury Report indicated that these actions should be completed by June of 2002.

On April 9, 2002 the Board of Supervisors adopted the recommendations included in the Inclusionary Housing Evaluation Report with the revisions recommended by the Housing Advisory Committee and the Planning Commission. The Board also directed staff to prepare the draft Inclusionary Ordinance, procedural manual, and supporting documents to implement the recommendations.

Immediately following the April 9, 2002 Board of Supervisors action, the Housing Division retained the services of Melanie Shaffer-Fricas, housing consultant, and Goldfarb Lipman, special housing legal counsel, to assist staff in the preparation of the required documents.

The implementing actions were delayed due to the necessity to coordinate revisions with the preparation of the draft General Plan and Housing Element. The required implementing actions should be completed by November 15, 2002.

**RECOMMENDATION #2:** The Board of Supervisors annually reviews the Inclusionary Housing Program for updating and compliance.

**STATUS:** The March 12, 2002 Response to the 2001 Grand Jury Report indicated that "The recommendation will be implemented. A status report... will be presented... on March 13, 2002."

An annual review of the Inclusionary Housing Program will be included in the Annual Housing Report, which is submitted to the Board of Supervisors each year in January. Housing staff has been providing the Housing Advisory Committee with monthly status reports on the inclusionary housing monitoring program since March of 2002.

**RECOMMENDATION #4:** Applicants be chosen by a lottery conducted by the Redevelopment and Housing Division.

**STATUS:** The March 12, 2002 Response to the 2001 Grand Jury Report indicated that the lottery process should be in place by June of 2002.

The Inclusionary Housing Program Procedural Manual, which is currently being prepared in conjunction with the Inclusionary Housing Ordinance, will contain the lottery process for selection of inclusionary buyers and renters. The implementing actions were delayed due to the necessity to coordinate revisions with the preparation of the draft General Plan and Housing Element. The required implementing actions should be completed by January 1, 2003.

## **MONTEREY COUNTY WORKFORCE HIRING/RETENTION**

**RECOMMENDATION #1:** The Board of Supervisors direct that a plan with specific solutions to prioritize and address those high impact problem positions be developed and implemented.

**STATUS:** The March 12, 2002 Response to the 2001 Grand Jury Report indicated that these actions should be completed by June 30, 2002.

The implementation is complete. Efforts to address high impact problem positions will continue to be a high priority within affected departments and countywide. It is important to maintain ongoing efforts and vigilance relative to individual department needs and circumstances. Hard to fill positions will vary to some degree based on fluctuating economic and business conditions and other local and social dynamics. Methods for seeking solutions and consistently attracting and retaining qualified employees must include consideration of these issues as a component in the continuous review and revision of policies and procedures that address hard to fill vacancies.

Departmental Personnel Analysts have been working with their individual department heads and departmental staff to develop action plans to specifically address high impact problem positions unique to their departments. For example, to address issues related to law enforcement and public safety departments' difficult to fill positions and recruitment and retention concerns, a committee was formed of representatives from those departments. The committee collaborated to share experience, identify

common problems and goals, and to review alternatives and best practices. It is agreed that development of action plans must include utilization of Board approved policies such as the hiring bonus, relocation/moving allowance, employee referral bonus program, flexibility options in hiring step placement, and enhanced tuition assistance, as appropriate to the individual recruitment and as determined by the recruiting department.

Additionally, the County Administrative Office has been meeting with the decentralized analysts to review countywide clerical positions and related ongoing efforts to continuously attract and maintain a qualified applicant pool. The Board of Supervisors is scheduled to act on a recommendation to retitle countywide clerical positions at its September 10, 2002 meeting as a next step in bringing recruitment efforts up-to-date for these classifications.

It is intended that high impact problem positions will be identified and addressed on a continuous basis within affected departments and countywide in a manner consistent with county policies, procedures and values and through utilization of Board approved programs and policies.

**RECOMMENDATION #2:** The Board of Supervisors direct Human Resources to work toward standardizing the County policies, procedures, and practices.

**STATUS:** The March 12, 2002 Response to the 2001 Grand Jury Report indicated that "...standardization is an on-going process; As opportunities present themselves, further standardization will occur."

The implementation is in progress and ongoing. Policies and practices will be under continuous review to assure efforts reflect current circumstances and needs in the somewhat cyclical and highly competitive hiring environment. Currently, departmental Personnel Analysts have been working together to review and update policies and procedures detailed in the Personnel Services Manual (PSM). This is the guiding resource developed to provide direction and countywide consistency in recruitment, classification, and related Personnel Analyst job duties. One goal in the ongoing review of this document is to revise and/or eliminate unnecessary policies and procedures and to streamline and simplify processes to every extent possible, while still maintaining countywide consistency and integrity in recruitment, hiring, and job classification practices.

**RECOMMENDATION #4:** The Board of Supervisors direct Human Resources to develop and provide to each employee an annual personalized employee benefit report, which spells out the value of each benefit as well as total compensation value.

**STATUS:** The Grand Jury Response indicated that the "recommendation will be implemented/could be implemented in conjunction with the County's new payroll system."

This information was provided in a general, generic format in the August 2002 Benefits Newsletter. Specific annual personalized reports are not feasible until systems are developed and implemented to facilitate gathering, sorting and compiling required information in an individualized format through the County's proposed new payroll system. Requirements for a new payroll system are currently under review under direction of the County Auditor-Controller's office. A Request for Proposals (RFP) for such a system was issued on August 23, 2002, with a potential implementation date of January 2004. Development and implementation are the responsibility of the Auditor-Controller's Office.

**RECOMMENDATION #5:** The Board of Supervisors direct Human Resources to streamline and/or eliminate policies and procedures which are obstacles in the hiring process.

**STATUS:** The March 12, 2002 Response to the 2001 Grand Jury Report indicated that the "recommendation will be implemented...a review will be conducted by 6/30/02."

The implementation is in progress and ongoing. The County Administrative Office has contracted the services of Cooperative Personnel Services to review the Human Resources Decentralization process. It is anticipated that this project will be completed by September 30, 2002 and identify opportunities to streamline existing policies, procedures and practices.

**RECOMMENDATION #6:** The Board of Supervisors direct Human Resources to develop a review procedure to monitor and assure compliance with standardized policies, procedures, and practices.

**STATUS:** The March 12, 2002 Response to the 2001 Grand Jury stated the "recommendation ...will be developed by the summer of '02."

The implementation is in progress and ongoing. Based on the outcome of the review conducted by Cooperative Personnel Services recommendations will be implemented. Systems will be developed for establishing effective auditing procedures to assure compliance with policies, procedures, and practices.

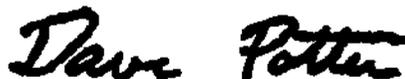
**RECOMMENDATION #7:** The Board of Supervisors continue strong budgetary support of the Monterey County Leadership Institute.

**STATUS:** The March 12, 2002 Response to the 2001 Grand Jury stated "This recommendation will be implemented."

The implementation is in progress and ongoing. The Board of Supervisors approved Monterey County's budget on June 25, 2002. Part of the approved budget included strong budgetary support of the Leadership Institute.

If additional information is required, please do not hesitate to contact me.

Sincerely,



Dave Potter, Chair  
Monterey County Board of Supervisors

Attachments regarding Inclusionary Housing in Monterey County:

1. Inclusionary Housing Evaluation Report
2. Board Order adopting recommendations

Attachments regarding Monterey County Workforce Hiring/Retention:

1. Board approved policies

cc: Dan Reith, Foreman, 2002 Grand Jury  
Ed Kramer, Chairman Response Committee, 2002 Grand Jury  
Supervisors Fernando Armenta, Judy Pennycook, Louis R. Calcagno, and Edith Johnsen

HOW DID WE DO?  
AN EVALUATION OF THE INCLUSIONARY HOUSING  
PROGRAM

**County of Monterey**

**March, 2002**

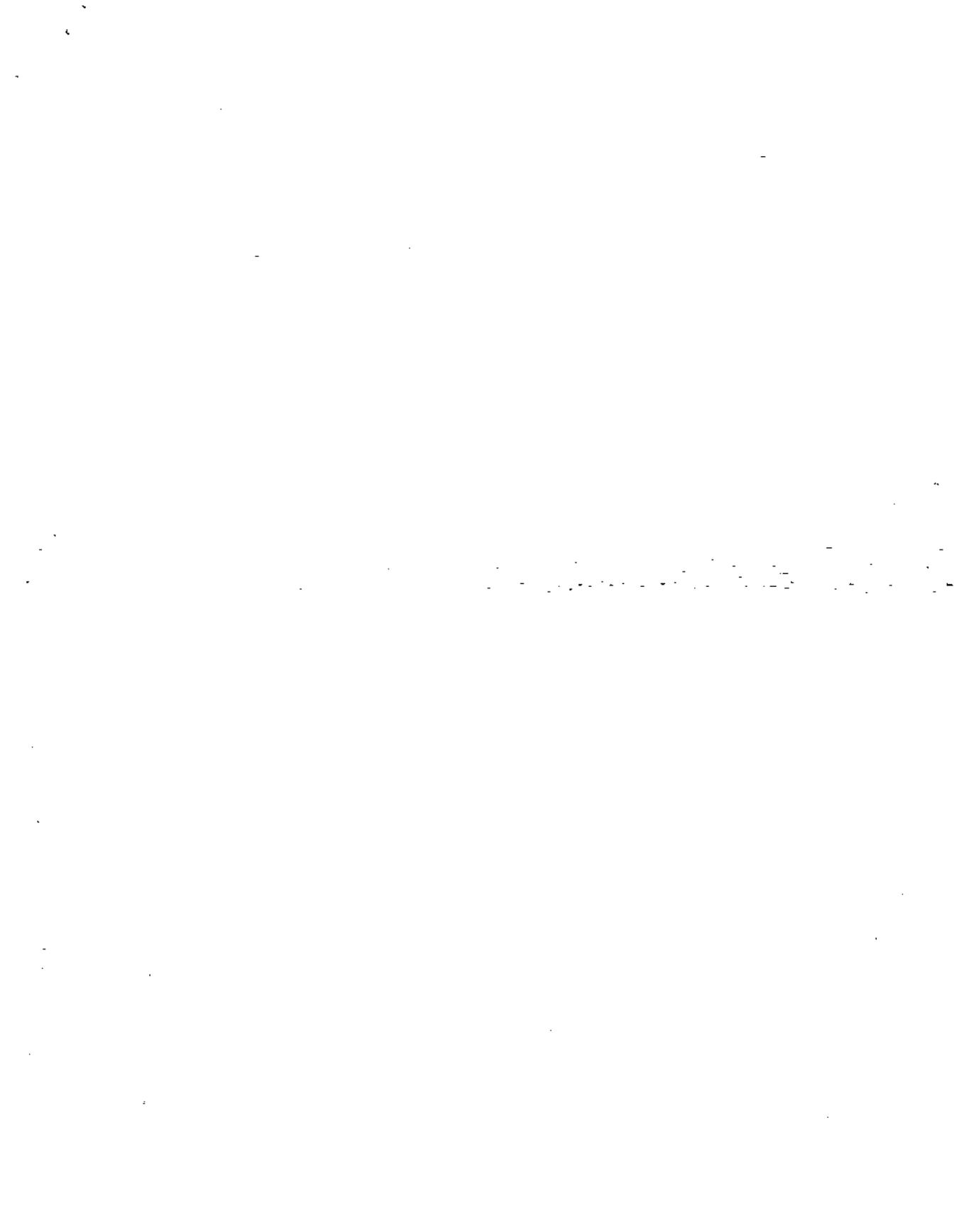
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## EXECUTIVE SUMMARY

Since 1980, the County's Inclusionary Housing Ordinance has required that at least 15% of all new residential development comply with the Ordinance's provisions. This has resulted in a commitment to provide 525 housing units and the generation of approximately \$5.3 million in in-lieu fees. Of those 525 units, 317 units are in the County's inventory and have either been built or have commitments to build. The remaining 208 units were committed during the Housing Authority's administration of the program (1980-85). In-lieu fees have helped with financial or development assistance costs for 940 units, which are currently being monitored for their affordability status. Additionally, the Special Handling Program, which implements incentive provisions of the Inclusionary Ordinance, has resulted in 270 units. Therefore, a total of 1,735 units were provided either directly or indirectly as a result of the Inclusionary Housing Ordinance.

An evaluation of the Inclusionary Housing Ordinance and program was conducted during 2001. A significant effort was expended by staff from the Housing and Redevelopment Office to identify major issues and inventory the units produced. There were 18 major issues identified during the evaluation process. These issues are discussed beginning on page 16 of this report and summarized in the table on page 36. Recommendations have been developed to address these issues. Some of the more significant recommendations included in this report include:

- Inclusionary Housing shall be provided according to the following priorities:
  1. Provision of Inclusionary units on-site.
  2. Provision of Inclusionary units off-site, however only new units can be constructed and there must be a demonstration of a "greater contribution" with the off-site units.
  3. Payment of in-lieu fee for developments of 6 or less units. Payment of an in-lieu fee for developments of 7 or more units is only allowed where on or off site development would be infeasible due to specific property constraints.
- Revised and improved procedures will be implemented to assure better monitoring of Inclusionary units and ensure compliance with requirements.
- Marketing and selection procedures will be revised to include a lottery system with priority to households who live and or work in Monterey County.
- Homeowner Inclusionary Units will be allowed an increased value for home improvements and bedroom additions. Further, changes will be made to allow for increased flexibility in refinancing or obtaining second deed of trusts.

Monterey  
County's  
Inclusionary  
Housing  
Program for over  
20 years. The  
objective of  
the program has  
been to provide  
long-term,  
affordable  
housing units  
for households  
who live and/or  
work in Monterey  
County.

 To assist the reader, those issues that generated the most significant discussion during the public comment period are identified by this graphic in the side margin.

# INCLUSIONARY HOUSING IN CALIFORNIA

## **A. OVERVIEW OF INCLUSIONARY HOUSING**

Inclusionary Housing programs have been in existence in California for more than 25 years. In fact, Monterey County's Inclusionary Program was first adopted in 1980, over 21 years ago.

Inclusionary Housing is defined as a citywide or countywide mandatory requirement or voluntary objective that assigns a percentage of housing units in all new residential developments with more than a specified minimum number of units, to be sold or rented to lower- or moderate-income households at affordable rates. It is important to note that Inclusionary Housing is not mandated or required by any State law. Rather, in California, it is at the discretion of individual communities as to whether they want to adopt an Inclusionary Housing Program. In 1996, it was estimated that there were 75 communities with Inclusionary Housing Programs in California. Most of these programs are found primarily in jurisdictions clustered around San Francisco and in Southern California coastal communities. ("Inclusionary Housing in California", *Journal of the American Planning Association*, Spring, 1998)

The major objective for most communities in establishing an Inclusionary Housing Program is to ensure that housing affordable to lower- and moderate-income households will be constructed. Because there are no State-mandated guidelines for Inclusionary Housing Programs, each community's program can be designed to respond to their own needs. Most programs, however, include guidelines that address the following components:

- Assistance to Lower- and Moderate-Income Households.
- Long-Term Affordability.
- Flexibility in Selecting Options To Meet Inclusionary Requirements (On-site, Off-site, In-Lieu Fees).

## **B. GROWTH MANAGEMENT AND LEGAL CHALLENGES**

In the late 1970s and into the 1980s, many California communities experienced a rapid increase in growth. As a response, communities began to implement growth-control measures. The earliest Inclusionary programs in California were a response to the first generation of growth management efforts. These programs were concentrated in Northern California, especially the San Francisco Bay Area.

Inclusionary programs were often created in response to legal challenges to a community's growth management program. Very simply, an Inclusionary program could demonstrate that a community was not excluding lower- and moderate- income households while controlling the number of building permits that a community would allow. In fact, Monterey County's program was established in 1980, one year after the County adopted a Growth Management Amendment to the General Plan.

Although there have been some legal challenges to Inclusionary Housing Ordinances (most recently in Napa in 2000-2001), these challenges have generally not been upheld by the courts.

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## INCLUSIONARY HOUSING IN MONTEREY COUNTY

### **A. OVERVIEW**

The County of Monterey's Inclusionary Housing Program was established on October 28, 1980 with the adoption of Ordinance #2673 by the Board of Supervisors. The program was established following the adoption of a Growth Management Amendment to the General Plan in 1979. From the beginning, there was considerable discussion and tension regarding the program. In fact, in March of 1981 (less than one year after its adoption), the Board of Supervisors was considering the repeal of the Ordinance. However, the State Office of Planning and Research had granted the County a temporary immunity from lawsuits to the General Plan based on the existence of the Inclusionary Housing Ordinance. The General Plan was being challenged because of the growth management amendment and the lack of an updated Housing Element. The Board subsequently decided not to repeal the Ordinance in order to protect the County's General Plan from being challenged legally.

Throughout the two decades since the adoption of Ordinance #2673, the Inclusionary Housing Program has experienced fluctuations in production, variations in administrative procedures and a variety of agencies or departments responsible for its implementation. The following sections of this report attempt to describe the history of the program from 1980 to 2001.

1980: Ordinance  
Establishing  
Inclusionary  
Housing Program  
Is Adopted

## B. ESTABLISHMENT OF PROGRAM AND HOUSING AUTHORITY ROLE

After the adoption of Ordinance #2673, the responsibility for day-to-day administration of the Inclusionary Program was established with the Housing Authority of the County of Monterey. The Ordinance (Section 4.8) designated that *"all units, land and monies contributed pursuant to the provisions of this ordinance shall be contributed to the Housing Authority and shall thereafter be administered and disposed of by the Housing Authority."* In return, the Ordinance specifies that the Housing Authority is to develop eligibility standards, qualify applicants, assist developers in fulfilling their obligations and maintain information regarding land and money availability and identified needs for low and moderate income housing within the County. However, it appears that the Housing Authority and Planning Department were jointly responsible for tracking and recording Inclusionary agreements during this time period. It is important to note that, due to the joint responsibility, there were files and information transferred between the two agencies, which have made it difficult for the Housing Authority to track data now almost 15-20 years after the fact. The Housing Authority is currently utilizing all available staff resources to identify as much information as possible.

Some of the key features of the Inclusionary Program during this time include:

- 15% Inclusionary Requirement (requirement was based on 15% of the number of all units in the proposed development).
- Developments of 5 or more units could choose to provide:
  - a. 15% on-site
  - b. 15% off-site
  - c. 15% of lots transferred to Housing Authority
  - d. payment of in-lieu fee (approximately \$1000 per unit/lot).
- Developments of less than 5 units would pay an in-lieu fee that was based on a proportion of the \$1000 fee figure, depending on the actual number of units.
- Priority for occupancy of Inclusionary Units was to be given to residents of Monterey County and those employed in Monterey County.
- For Sale Inclusionary units had restrictions which controlled resale for 59 years.
- Inclusionary Units could be sold at market value but a certain percentage of the seller's profit was to be repaid to the Housing Authority.

During the 1980-85 time period, it is estimated that the following units/ lots were committed in the Inclusionary Program:

TYPE OF INCLUSIONARY CONTRIBUTION	TOTAL ESTIMATED INCLUSIONARY UNITS PRODUCED BETWEEN 1980-85	NUMBER OF TOTAL UNITS STILL ESTIMATED TO BE IN INCLUSIONARY STOCK
For Rent Units	150 Units	90 Units: Verified 60 Units: In Process of Being Determined
For Sale Units	58 Units/Lots	In Process of Being Determined
TOTAL	208 Units/Lots	In Process of Being Determined

Source: Housing and Redevelopment Office, County of Monterey 2001

The 150 for-rent units include 50 units at Lakeview Towers, which the Housing Authority is managing and 40 units at Vista De la Terraza which is managed by CHISPA. Other than these 90 units, the affordability status of the 60 remaining units is still unclear. In preparation for this 2001 report, the Housing Authority staff reviewed program files and existing deeds and reported that, as of March 2002, they are still trying to verify occupancy and affordability of the remaining 60 rental units. At least 12 of those units are in question and may actually be "duplicate" units. In many instances, there are incomplete or missing legal documents which has made verification difficult. The Housing Authority is also verifying the current affordability status of the 58 ownership units. (See page 16 for more information regarding the ownership units.)

*In-Lieu Fees Collected*

In regard to in-lieu fees, approximately \$1.2 million dollars was collected by the Housing Authority as a result of activities during the 1980-85 time period. According to Housing Authority records, the majority of those funds were used for the following activities:

Pacific Meadows (Carmel Valley Overview)	\$183,450 (200 Units)
Plaza Hotel (Salinas)	\$674,249 (27 Units)
Purchase of 2 Houses in Moss Landing	\$135,000 (2 Units)
Pajaro-earthquake rehabilitation	\$100,000
Homeownership Counseling Program	\$ 70,000
Administrative Costs	<u>\$ 55,000</u>
TOTAL	\$1,217,699.00

1980-85:  
Approximately  
\$1.2 million in  
in-lieu fees  
collected.

The Housing Authority reports that there are no funds remaining in the in-lieu fee account.

1985-86  
Inclusionary  
Program  
Management  
Transferred to  
Planning  
Department

### C. PROGRAM TRANSFERRED TO PLANNING DEPARTMENT

During 1985-86, the day-to-day management of the Inclusionary Housing Program was transferred from the Housing Authority to the Planning Department at the County of Monterey. The Housing Authority staff, however, continued to participate in the program's administration. The Housing Authority was still under contract to determine the eligibility of Inclusionary housing recipients and to monitor Inclusionary units.

During this same time period of 1985-86, the County established a Housing Advisory Committee. The purpose of the Committee was to advise the Board of Supervisors and the Planning Commission on policies for the Housing Element and the Inclusionary Housing program.

In 1985, there were several significant changes made to the Inclusionary Program. Specifically, Ordinance #3093 was adopted by the Board of Supervisors and included in the Ordinance were the following provisions:

- The threshold was changed from 5 units to 7 units,
- Method for calculating in-lieu fees was described,
- All fees were to be paid to the County of Monterey instead of the Housing Authority, and
- Continued to specify that the sale of for-sale units required a payback of a percentage of the seller's profit.

Four years later, in 1989, the program was again revised through the adoption of Ordinance #3419. There were two changes to the program as a result of this Ordinance. The first change was that the administrative costs paid to the Housing Authority for determining eligibility were to be funded through the transaction costs of selling or reselling an Inclusionary unit. The second, and more significant change, was that the for-sale Inclusionary units were now required to be resold to another low or moderate income buyer at a sales price determined according to the change in median income. Further, resale restrictions were to be in effect for 30 year periods and renewed for the same time period each time the property was sold.

In 1991, other minor changes were made to the program through Board Resolution #91-017. However, it was in 1994 that the program was re-evaluated and again some major changes were made to the program. In the spring of 1994, the Board of Supervisors held several public hearings on the Inclusionary Housing Program. There was considerable public discussion about the program and its future direction. The Board at that time also expressed a desire to provide more options to the development community. On June 7, 1994, the Board of Supervisors adopted Ordinance #3419 (the Ordinance number duplicates the 1989 Ordinance number). Off-site development of Inclusionary units was expanded to allow

In 1989, the program was revised so that for-sale inclusionary units had to be sold to another low or moderate income household at a restricted sale price.

off-site units either within a 10 mile radius of the market rate units or in the same unincorporated planning area as the market rate units, subject to certain conditions. Off-site units were also allowed in the Redevelopment Area nearest to the market-rate project, again subject to certain conditions. Off-site units were only to be allowed when the developer could demonstrate a "greater contribution" than providing units on-site.

Another significant change made by the Ordinance was the calculation of the in-lieu fee. The fee was based on 15% of the median sales price of a single-family home in the unincorporated area of the Planning Area in which the market rate units were being built, and then adjusted by a price differential between the lowest sales price and the median sales price. It is a complicated formula made even more difficult by an additional percentage calculation for developments of 6 units or less.

In 1996 and 1997, there were two additional Ordinance amendments which made minor changes to the program. However, for day-to-day management of the program, the 1994 Ordinance is still considered the basic guideline for program administration.

#### **D. HOUSING AND REDEVELOPMENT OFFICE ASSUMES RESPONSIBILITY FOR INCLUSIONARY PROGRAM**

In late 1999, the responsibility for managing the Inclusionary Program was transferred from the Planning Department to Housing and Redevelopment in the County Administrative Office. The Housing Authority continues to determine eligibility of prospective applicants for the Inclusionary Program.

After assuming responsibility for the program, it became apparent to the Housing and Redevelopment staff that there were some significant issues that needed to be addressed. Some of the more significant issues included on-going monitoring of the program, provision of off-site units, marketing of Inclusionary units, calculation of in-lieu fees and the need for more specific written guidelines and procedures. In addition, existing Inclusionary homeowners were identifying concerns that they had with the program. Some of their concerns included calculation of resale price, property improvements, title changes, resale restrictions and inheritance of property. In order to more thoroughly address all of these issues, a complete evaluation of the Inclusionary Program was undertaken. This report is the result of that evaluation process. The next section of this report (pages 10-15) describes the County's current Inclusionary Housing Program and summarizes the program's historical accomplishments.

Housing and  
Redevelopment  
Office established  
and, in 1999,  
assumes  
responsibility for  
Inclusionary  
Program



### ***Inclusionary Homes in the Oak Tree Views Development***

Following that section, the next chapter of this report (beginning on page 16) identifies the significant issues identified during this evaluation process and also describes recommended actions.

It is important to note that, in addition to the preparation of this report, the following administrative actions were undertaken in spring/summer 2001 as a result of the evaluation process:

In 2001, an Evaluation of the Inclusionary Housing Program was completed.

1. Inventory and review of all available Inclusionary housing agreements,
2. Computerized data collection of all Inclusionary units and recipients,
3. Development and implementation of written procedures for processing of Inclusionary developments,
4. Development and implementation of written procedures for monitoring Inclusionary units, and
5. Review and revision of income and asset criteria for eligibility of Inclusionary applicants.

Further, considerable public review and discussion of the Inclusionary Housing Program was undertaken during the spring and summer of 2001. This review process is described in more detail on the following page.

## E. PUBLIC REVIEW PROCESS

The Housing Advisory Committee and the Planning Commission conducted public meetings and work sessions on the Inclusionary Housing Program. There was considerable public discussion prior to this report being finalized. Listed below is a summary of the public meetings held prior to the preparation of this report.

May 27, 2001	Public Forum (Housing Advisory Committee)
June 13, 2001	Workshop (Housing Advisory Committee)
June 27, 2001	Study Session (Planning Commission)
July 11, 2001	Study Session (Housing Advisory Committee)
August 8, 2001	Study Session (Planning Commission)
September 12, 2001	Study Session (Planning Commission)
January 30, 2002	Public Hearing (Planning Commission)
February 27, 2002	Public Hearing (Planning Commission)

There was significant public review and comment on the Inclusionary Housing Program during 2001.

In addition, the County also sent out a questionnaire and survey to 35 California communities with Inclusionary programs in order to determine the current "state of the art" for Inclusionary housing programs. All of this information and public comment was reviewed and considered as this report was prepared.

### *Summary of Public Comments*

It is difficult to adequately summarize all of the comments received during the public review process. However, a common theme throughout all of the comments received was that the Inclusionary Housing Ordinance and program definitely needed to be revised.

Comments were received from individuals, non-profit groups and representatives of the development community. Examples of groups that submitted both written and oral comments included the League of Women Voters, Coalition of Homeless Service Providers, Coalition of Minority Organizations, Housing Advocacy Council, CHISPA, Landwatch, Prunedale Neighbors, Common Ground and Salinas Valley Builders Exchange. Private citizens as well as current and potential Inclusionary homeowners also commented on the Ordinance.

Overwhelmingly, there was agreement that the marketing and selection procedure for Inclusionary units needed to be revised. Most comments supported the establishment of a lottery system with priority to households who live and/or work in Monterey County. There was also agreement in the public comments that the Ordinance should continue to provide affordable units. However, there were differing opinions in regard to the percentage of affordable units, the household income level of the affordable units (very low, low or moderate) and the term of affordability restrictions.

Objective of  
Inclusionary Housing  
Ordinance has  
always been to  
provide long-term  
and affordable  
housing units.

Existing Inclusionary homeowners were most concerned about issues such as calculation of resale value, transfer of property upon death to children and the calculation of value of improvements to the property.

All of these comments were taken into consideration by the public bodies and staff and are reflected in the recommendations included in this report (beginning on page 16).

## **F. GOALS/PHILOSOPHY OF PROGRAM**

From the beginning of the program in 1980, the Board of Supervisors has stated that "... the provision of housing affordable to low and moderate income households is a countywide responsibility." (Ordinance #2673, October, 1980) The Inclusionary Housing Ordinance and program is a manifestation of that responsibility. From 1980 to the present, the original Inclusionary Housing Ordinance and subsequent revisions have included several key common components; these include:

1. Inclusionary units should be affordable to low and moderate income households,
2. resale controls are necessary for Inclusionary homeowner units so that long-term affordability is preserved, and
3. provisions should be made for Inclusionary units to be available to households who live and work in Monterey County.

The Inclusionary Housing Ordinance was never intended to be a short-term response to housing conditions. Rather, it is obvious that the objective has always been to provide a long-term source of affordable units in Monterey County.

## **G. DESCRIPTION OF CURRENT INCLUSIONARY PROGRAM**

### *Overview*

Monterey County's Inclusionary Housing Program requires that all new residential development contribute to providing affordable housing. Some developments are exempt from this provision such as individual single-family owner-occupied units, senior citizen or caretaker units, etc. In total, however, most new residential development is required to meet the Inclusionary requirement. Since the Program was first adopted, the specific objective was that 15% of approved residential development be provided as Inclusionary (affordable) housing. This requirement can be accomplished in one of three options:

1. provision of Inclusionary housing units on-site  
(in the same development as the market rate units),
2. provision of Inclusionary housing units off-site, and/or
3. payment of an in-lieu fee.

Developments of 7 units or more can choose which of the three options listed above are most appropriate for them to use to meet their Inclusionary requirement. Developments of 6 units or less utilize option #3, payment of an in-lieu fee.

#### Requirement of Inclusionary Options

The Inclusionary Housing requirement applies to new residential development, both for-sale units and rental units. There are three options available to meet the Inclusionary requirement.

#### 1. Provision of Inclusionary Units On-Site

This option allows a developer to provide the required Inclusionary units in the same development as the market rate units. For example, a 60 unit development would trigger an Inclusionary requirement of 9 Inclusionary units (15% of all units). If the on-site option was chosen, the developer would then build 51 market rate units and 9 Inclusionary units on the project site.

#### 2. Provision of Inclusionary Units Off-Site

The off-site option has been used frequently in Monterey County. This option allows developer to build or provide Inclusionary units at a location other than the market rate units. These units can be provided within a 10 mile radius of the market rate units, in the same planning area as the market rate units or in the Redevelopment area nearest the market rate units.

In recent years, the off-site option has been interpreted to allow existing units to be substituted as Inclusionary units. For example, developers have been allowed to use existing, rental units as their Inclusionary contribution. In return, the developer agrees to rent the units to very low and low income households at affordable rents "in perpetuity." This agreement is considered a "greater contribution" and has therefore been allowed in the past.

The concept of "greater contribution" has been part of the off-site option for many years. However, the exact definition of what constitutes a "greater contribution" has never formally been addressed. Typically, "greater contribution" has been interpreted as providing more Inclusionary units than required or providing affordable units to very low or low income (rather than moderate income) households.

#### 3. In-Lieu Fees

Instead of providing an actual housing unit, the third option allows a developer to pay a fee. This fee is collected by the County of Monterey and deposited in the County's Affordable Housing Fund.

Three Options  
Have Been  
Available to Meet  
Inclusionary  
Requirements

When the Inclusionary Housing Program was first adopted in 1980, the fee was \$1000 per Inclusionary unit required. The fee was revised in 1985 so that it was calculated at 15% of the median price of a home sold in the planning area of the market rate development. So, in 1985 if the median sales price in a planning area was \$100,000, then the Inclusionary fee would be \$15,000. In 1994, the fee calculation was revised to the method that is currently used. The fee is still based on 15% of the median sales price but is increased by the percentage difference between the lowest unincorporated planning area median single family home price and the medium single family home price in the unincorporated portion of the planning area in which the development is located. Developments of 6 units or less pay a proportion of this fee.

Listed below are examples of the current fee (Summer 2001) in two planning areas of the County.

<u>Planning Area</u>	<u>Median Sales Price</u>	<u>Inclusionary Fee for 7 unit subdivision</u>
Greater Salinas	\$219,000	\$ 47,021
Toro	\$404,750	\$160,610

As the examples above demonstrate, the Inclusionary fee will vary depending on which planning area that the market rate units are located. Developments of 7 or more units can choose to pay the fee or provide units on or off-site. Developments of 6 or less units typically pay a proportion of the fee, depending on the total number of units in their development.

*Other Inclusionary Housing Component: Special Handling*

In 1992, the Board of Supervisors approved the establishment of a procedure which would create incentives for developments that included at least 25% affordable units. This procedure was subsequently established as "Special Handling" and involves the provision of incentives such as financial assistance, fee waivers/reductions and density bonuses for affordable housing developments. The affordable units created under this procedure must comply with the affordability requirements of the Inclusionary Housing Ordinance and must be affordable to low or very low income households. Because these units are similar to Inclusionary units, they are considered to be a component of the Inclusionary Housing Program.

## H. SUMMARY OF IN-LIEU FEES COLLECTED AND INCLUSIONARY UNITS PRODUCED: 1980-2001

In-Lieu Fees Collected 1980-2001

From 1980 to June 30, 2001, over \$5.3 million dollars has been collected in the Inclusionary Housing In-Lieu Fee Fund. This amount consists primarily of in-lieu fees paid with a small additional amount due to interest paid on loans and/or funds on deposit. From 1986 (when the County assumed management of the program from the Housing Authority), the average annual in-lieu fees collected has been approximately \$233,000 per year.

Summary of In-Lieu Fees Collected, 1980-2001

Responsible Party	Time Period	In-Lieu Fees Collected
Housing Authority of the County of Monterey	1980-85	\$1,209,684
Planning and Building/Housing and Redevelopment Office	1986- June 30,2001	\$4,111,092
	<b>TOTAL</b>	<b>\$5,320,776</b>

Source: Housing and Redevelopment Office, County of Monterey 2001

Over the years, the In-Lieu fees have been allocated to affordable housing programs and developments throughout the County. Examples of affordable housing developments assisted through In-Lieu fees include group homes for special need households, transitional housing, emergency housing, farmworker housing and, permanent affordable units. Housing programs that have been assisted with In-Lieu fee funds include housing rehabilitation, first time homebuyers assistance, studies on homeless and on farmworkers and security deposit programs. It is estimated that from 1980-2001, approximately 940 units have been financially assisted with In-Lieu fee funds. It is important to note, however, that the majority of these units also received funding from other sources and the In-lieu fee assistance was just one source of funding assistance. Further, there has been no long-term monitoring of these units to determine whether they continue to be affordable. It is assumed that affordable developments assisted with other State or federal funds that were also assisted by the In-Lieu fee fund probably continue to be affordable. Examples of developments in this category would include El Estero Senior Housing in Monterey and Villa San Miguel in King City.

As of June 30, 2001, there was \$1,300,000 in the In-Lieu fee fund. These monies are combined with other housing funds (Redevelopment housing

Over \$5.3 million in fees have been collected since the adoption of the Inclusionary Housing Ordinance in 1980.

set-aside funds, federal and state grants) into the Affordable Housing Fund. Monies are allocated from this fund in a coordinated procedure according to policies established by the Board of Supervisors and described further in the County's "Housing Policy and Allocation Procedures Manual," December, 2000. In 2001, there was a total of approximately \$3 million in the Affordable Housing Fund from all funding sources for potential housing assistance to programs and affordable housing developments.

**Table 2: Inclusionary Units Developed/Approved, 1980-2001**

The total number of Inclusionary units approved from 1980-2001 is 525 units. This figure includes 69 units approved but not yet constructed as of December, 2001. Of the 525 total units, approximately 208 units are considered "Housing Authority" units in that they either were approved from 1980-85 or were developed by the Housing Authority during the 1980-2001 time period.

**Inclusionary Units Developed/Approved, 1980-2001**

	<b>Very Low Income</b>	<b>Low Income</b>	<b>Moderate Income</b>	<b>TOTAL UNITS</b>
<b>Homeowner Units</b>	1	70	225	296
<b>Rental Units</b>	57	107	65	229
<b>TOTAL</b>	58	177	290	525

Source: Housing and Redevelopment Office, County of Monterey 2002

The majority of the total 65 moderate income rental units are located in the Pacific Meadows development. Rental units developed after 1985 are all affordable only to very low and low income households and the affordability agreements are "in perpetuity."

As the table above illustrates, 56% of the Inclusionary Units (296 units) are homeowner units and the remaining 44% are rental units. In addition to the 525 units, there were 265 units approved/constructed in the Moro Cojo development in Castroville that qualified as "Special Handling." The 265 units include 90 rental units affordable to very low income households and 175 self-help homeowner units affordable to low-income households. There were also 5 homeowner units in the Chapman Subdivision (Chualar) that qualified as "Special Handling" units. If the 270 "Special Handling"



**Single-Family Homeowner Units in Moro Cojo Development**

units are added to the totals above, the total number of homeowner units produced would be 476 units (296 units + 180 units = 476 units) and rental units would account for 319 units (229 units + 90 units = 319 units), adding to a total of 795 units for Inclusionary units and Special Handling units.

Using data from the State of California, Department of Finance, there were 7,840 dwelling units added to the housing stock of unincorporated Monterey County between 1980-2000. The 795 total units of Inclusionary and Special Handling units represents approximately 10% of the total number of units added to the housing stock. If the units produced due to funding assistance from the In-Lieu Fee fund are included (940), then the percentage would increase to 22.1%.

**Inclusionary/Affordable Units as a Percentage of All New Units**

Type of Units	Total Number of Units	Percentage of New Housing Units, 1980-2000
<b>Inclusionary Unit</b>	525	6.7%
<b>Special Handling</b>	270	3.4%
<b>Units Receiving Financial Assistance from In-Lieu Fees</b>	940	12%
<b>TOTAL</b>	1,735	22.1%

Source: Housing and Redevelopment Office, County of Monterey 2002

## INCLUSIONARY HOUSING:

### ISSUES AND RECOMMENDATIONS

#### **A. HOMEOWNER COMPONENT**

The County's Inclusionary Housing Program has produced 296 homeowner units scattered throughout the County and 180 homeowner units generated through the "Special Handling" program. In addition to scattered-site units, there are some developments where there are substantial numbers of Inclusionary homeowner units including Oak Tree Views (42 units), Pasadera (26 homeowner units), Las Palmas (66 units) and Moro Cojo (175 units).

Current restrictions regarding homeowner units include:

1. Majority of homeowner units are restricted to households of moderate income-- incomes of 120% or less of median income.
2. Resale controls currently are for 30 year periods--renewed each time the house is sold for another 30 year period.
3. Resale price of the unit is controlled and increases in price are tied to the changes in median income.

#### *Compliance Status of Homeowner Units*

One of the more significant issues in recent years is the lack of adequate monitoring of homeowner units. There have been instances where Inclusionary homeowner units have sold and the resale restrictions were not complied with, due to various reasons. In some instances, the resale restriction was not identified by the title company or real estate agent. In other cases, it is not clear whether a resale restriction was adequately recorded.

As part of the 2001 evaluation process, the County initiated a monitoring process in order to update the data base. Of the 296 Inclusionary Homeowner units, 58 units were developed during 1980-85. The Housing Authority of Monterey County has reported that they cannot locate legal recorded documents for those properties. At the time that this report was being written, the Housing Authority was trying to verify how many of the 58 units could still be considered "Inclusionary" units. Because the resale restrictions during 1980-85 only required sellers to repay funds (and not to sell it at an affordable price to another income-qualified household), it is very likely that a majority of the 58 units can no longer be considered "Inclusionary" units.

The staff of the County's Housing and Redevelopment Office have initiated contact with approximately 75% of the remaining homeownership units.

Listed below are issues and recommendations that were identified during the 2001 evaluation process of the Inclusionary Housing Ordinance and program. There was considerable public discussion during this process, as described earlier in this report (see Page 9). The issues and recommendations are divided into two groups: those issues/recommendations that had general consensus and those issues/recommendations that generated significant discussion and differing solutions.

#### 2.0.1.1.1. A. Significant Issues and Recommendations:

### 1. Calculation of Sales Price

In the past, the criteria used to determine original sales price has not been consistent and varied by market conditions at the time. The County has been using a housing cost ratio of 35% of 100% of median income for a household of 4 persons. PITI (principal, interest, taxes and insurance) is included in this calculation and, recently, homeowner association fees were also included. The 35% ratio is higher than other communities use for housing costs and, should probably be reduced down to 30% if it is to include only housing related costs. Also, the formula assumes a 10% down payment with a 6-7% loan interest rate. It is recommended that the formula be changed to a 5% down payment with a standard 8% interest rate. This change would allow for more fluctuations in the mortgage interest rate and would provide more flexibility for buyers who might find it difficult to accumulate 10% down payment. (Page 43 in the Appendix includes a chart demonstrating existing sales price calculations.)

Currently, the sales price is based on a 4-person median income household, regardless of size of unit. There was discussion on whether to "tie" the household size to the bedroom size of the unit. The recommended change is to calculate household income based on the bedroom size of the unit, using a formula of 1 person per bedroom plus 1 person. Staff early in the development process should prepare the calculation of sales prices. The developer should have no ability to change the sales price, without written prior authorization from the County.

Further, the affordability term of the resale restrictions should be changed from 30 years to "in perpetuity" for all new Inclusionary Units.

#### Recommendation for Sales Price Calculation/Affordability Term

### 1. Revise and consistently use the following calculation:

- a. Use 1 person per bedroom plus 1 person for household income
- b. Calculate sales price based on:
  1. Households Pay No More than 30% of Income for all Housing Costs (PITI and Homeowner Association Dues)
  2. Assume a 5% Downpayment
  3. Mortgage Terms assumed to be 8% Interest, 30 year Term
- c. Developer cannot change sales price without prior authorization from the County.

### 2. Revise affordability term of resale restrictions to "in perpetuity" for all new Inclusionary Units.

Issues With  
Consensus:  
1. Calculation of  
Sales Price and  
Affordability  
Term

## 2. Value of Home Improvements

Currently, a maximum of 5% of the original sales price can be credited for home improvements. There were several comments from existing Inclusionary homeowners regarding improvements to the property. First, the County needs to be certain that it doesn't create a "disincentive" for the property owner to improve or maintain their property by not considering improvements in calculation of resale value. However, if the value of all improvements was allowed to be added to the resale value, the home might no longer be affordable to a low-moderate income household. The type of improvements is also a consideration. Bedroom additions, for example, are often necessary as a family expands and the addition could definitely be considered a valuable improvement. The new resale value could then be based on number of bedrooms and, consequently, a larger household income. Other type of improvements (landscaping, hot tubs, upgrading of existing materials, etc.) are not of the same significance as bedroom additions.

It is recommended then that the County increase the percentage weight of improvement to 10% of original purchase price. The philosophy underlying this change is that it is generally accepted that, in maintaining a property, an owner will make certain improvements to it and that a 10% figure appears to be sufficient credit for those improvements. The County will no longer require proof of improvements – the nature and type of improvements will be left to the discretion of the homeowner. Instead, a "blanket" 10% credit will be provided if, at the time of the refinancing/resale, the unit meets a basic maintenance level.

In addition to the 10% credit for home improvements, it is recommended that bedroom addition costs also be included in the value of home improvements. The value of a bedroom addition will be based on the difference in household size allowed to occupy the unit with the bedroom addition. *(See Page 44 of the Appendix for an example of a calculation of a bedroom addition.)*

One additional item is the issue of housing units that are not maintained and are then resold with deficiencies. Several communities report that they inspect the unit prior to resale and actually deduct the costs of repair to the unit from the resale value. Monterey County has recently begun to implement this strategy and it is recommended that it continue to enforce this policy.

### Recommendation for Home Improvement Value

Revise home improvement value for refinancing/resale to include:

- a. Automatic 10% credit for home improvement.
- b. Deduction from 10% credit for any property deficiencies.
- c. Calculate value of bedroom additions using formula based on new number of bedrooms and revised household size income.
- d. Value of bedroom additions is in addition to 10% credit.



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### 3. Calculation of Resale Value

There was significant public comment, especially from existing Inclusionary homeowners, that the calculation of resale value should be changed. Specifically, many homeowners wanted to be able to sell their homes during the affordability period without resale price restrictions.

Monterey County calculates the resale value of an Inclusionary housing unit based on original sales price plus the percentage change in median income since the original sales date. The current method of calculating resale price by "pegging it" to the change in median income accurately reflects the intent of the program. In specific, as median income changes then the resale value changes in the same proportion so that the moderate-income household can still afford to purchase the unit. While some communities tie the resale value increase to the change in Consumer Price Index (CPI), there often are years when the CPI increases significantly but incomes do not. Therefore, the CPI indicator might inflate the resale value above the level that would still be affordable to moderate-income households. Another method used by some communities, allowing the property owners to resale the unit at market value, results in an affordable unit being lost permanently from the housing stock. Even if some of the "housing subsidy" is recaptured, it is usually not sufficient to replace the lost affordable unit.

It is very important to remember that the underlying basis for the Inclusionary Ordinance is that, because the cost of housing has become so prohibitive and expensive, low and moderate-income households are being precluded from becoming homeowners. In particular, these households often include valuable members of the community's work force: teachers, public safety employees, nurses and medical support staff, etc. The goal of the Inclusionary Ordinance is to provide long-term affordable units and homeownership benefits (mortgage tax interest write-off, manageable housing payments, pride of homeownership, etc.) to ensure that these households can stay in Monterey County. The goal of the program is not to provide equity build-up in such a manner that the unit will no longer be affordable on resale to another moderate-income household. In fact, the Inclusionary Ordinance specifically states that "resale control through deed restrictions...is a necessary consideration in order to prevent undermining of the credibility of the whole program, not so much because of the windfall to those who sell an Inclusionary unit, but because of the loss of the unit itself as an affordable unit." (18.40.020 E)

In any discussion of resale value, there is always the dilemma of recognizing the need to retain affordable units for the longest feasible time as compared to allowing build up of equity in the unit for the owner's use. It is recommended that Monterey County continue to recognize the impor-



***Inclusionary Homeowner Units in Pasadena Development***

tance of preserving the stock of affordable units and ensuring that they remain affordable for the longest feasible time.

Recommendation for Resale Value Calculation for Refinancing/Resale  
Retain the current calculation formula:

- a. Use original sales price as base
- b. Apply to base the percentage change in median income (as calculated by HUD for Monterey County households) from original sales date to refinancing/resale date, add this amount to original sales price base

*However, revise calculation to also include:*

- c. Value of Home Improvements/Bedroom Additions

*The resultant value can then be used as the resale value as long as the unit will still be affordable to a household with a household size appropriate for the unit.*

#### **4. Refinancing and Second Deed of Trusts**

After purchasing an Inclusionary unit, homeowners may want to either refinance their existing first mortgage or encumber a second mortgage on the property. The current Ordinance is interpreted to require that refinancing only will be allowed if:

- 1 The loan-to-resale value does not exceed 95%,
- 2 Improvements calculated in the resale value cannot exceed 5% of the original purchase price,
- 3 No cash out, and
- 4 County's lien remains in second position.

There has been concern raised by several Inclusionary owners that they feel constrained by the current interpretation of the Ordinance. They



Issues Generating  
Considerable  
Discussion  
- Refinancing and  
Second Deed of  
Trusts

indicated that they may want to refinance or encumber a second deed of trust in order to improve their property or utilize their equity in some other way.

It is recommended that the County revise the current interpretation to allow for cash to be taken out and to revise the loans-to-resale value to 100%.

Recommendation for Refinancing/Second Deed of Trusts  
Adopt policies to allow refinancing and/or second deed of trusts provided:

- ☐ The loans-to-resale value does not exceed 100%,
- ☐ Improvements calculated in the resale value cannot exceed 10% of the original purchase price if property has been maintained plus the value of bedroom additions,
- ☐ Allow cash out, and
- ☐ County's lien remains in no less than third position.

## 5. Title Changes

Currently, a variety of different types of households may be listed on the title of the Inclusionary unit. Examples of the variety in title are a married couple and a single, unmarried person or two single people. In those situations, what if one owner dies? What if a married couple divorces? What if a single person buys the unit and several years later marries and wants to add the new spouse to the title? What if the owner dies and wants to leave the house to their child or children?

Monterey's current agreement allows transfer of title (but still retaining all deed restrictions on the property) to surviving joint tenants upon death of one of the owners and, also, transfer to a spouse as a result of a divorce. In addition, it currently allows adding a new spouse on the title. Therefore, most of these situations are already addressed by the existing agreement. The one issue that remains, however, is the question of inheritance. This issue "sparked" considerable public discussion during the evaluation of the Inclusionary Housing Ordinance.

At the current time, if the sole or surviving owner of the property dies, the property must be resold to another income-eligible household. The heirs of the deceased must qualify as an income-eligible household if they want to continue to occupy the property. The issue is whether an Inclusionary unit should be allowed to be inherited, especially by a child or children of the original owner (s). One approach is to continue the existing policy that the heirs would have to be income-eligible and occupy the property as their primary residence. It is now considered as a sale of property and the 30-year affordability period begins again. A second approach is to allow the heirs (only if they are children or step-children of the original owner) to inherit the property, regardless of their income, but they must occupy it as

their primary residence. The deed restriction period would begin again as a new 30-year restricted period. In other words, if the heirs sell the property, they would have to sell it to an income-eligible household.

This issue has proven to be a very difficult and emotional issue for the public as well as the public bodies who discussed it (Housing Advisory Committee and Planning Commission). Staff's recommendation is that the program be revised to allow children or step-children to inherit the property, regardless of their income, but they must occupy it as their principal residence and a new 30 year resale period would begin. The Planning Commission indicated that it was important to remember that the primary purpose of the Inclusionary Ordinance is to provide homeownership units over a long-term period which are affordable to low and moderate income households. With that goal in mind, allowing non-income eligible children or step-children to inherit the property did not seem appropriate to some Planning Commission members. However, the Commission did acknowledge that there might be some transition time needed after the death of a parent and the sale of a property. Therefore, the Commission recommended that the Ordinance continue to require the sale of the property to an income-eligible household but that a 1 year "compassion" period be allowed between the settlement of the estate and the eventual sale of the property, if inherited by a non-income eligible child or step-child.

#### Change in Title

**Staff Recommendation:** Change existing policy to allow children or step-children to inherit property, regardless of income, with the conditions that they occupy property as their principal residence and that a new affordability period would begin. (For units with an original 30 year affordability period, the new affordability period would be 30 years. For units with an affordability period of "in perpetuity," the new affordability period would continue to be "in perpetuity.")

## 6. First Time Homebuyer Requirement

The Inclusionary Program currently does not restrict eligibility to First-Time Homebuyers. There have been instances where Monterey County Inclusionary applicants already owned a home, sold it (or rented it) and moved to an Inclusionary unit.

Most communities assume that, because of the income and asset limitations, the majority of Inclusionary applicants will probably be first-time homebuyers. In recent months, Monterey County has revised its asset limitations—it is expected that this policy revision will result in fewer instances of existing homeowners purchasing an Inclusionary unit. Further, the Housing Advisory Committee especially was concerned that, by requiring appli-



Issues Regarding  
Considerable  
The inclusionary  
6. First Time  
Homebuyer  
Requirement

cants to be first-time buyers, existing Inclusionary owners who wanted to buy a larger size unit would be prevented from doing so. Therefore, it is recommended that the County retain its currently policy and not require Inclusionary applicants for homeowner units to be First-time Buyers.

*Recommendation for First-Time Homebuyers*

Continue to implement existing policy and do not require applicants to be First-Time Homebuyer.

## **B. RENTAL UNIT COMPONENT**

Since 1980, there have been 319 rental units produced as a result of the Inclusionary Housing Ordinance or Special Handling procedures. This figure includes 229 Inclusionary units and 90 Special Handling units at the Moro Cojo development:

Current restrictions regarding Inclusionary rental units include:

1. Units must be affordable to either very low income (households at or below 50% of median income) or low income (households at or below 80% of median income)
2. Affordability is defined as rents that are at 30% of 50% of median income (units for very low income households) or 30% of 70% (units for low income households)
3. Rents are to be restricted to affordable rents and monitored as such "in perpetuity."

### *Compliance Status of Rental Units*

During the Housing Authority's administration of the program (1980-85), there were 150 rental units developed. Included in this total is the 50-unit Lakeview Tower development in Salinas. Lakeview Tower has been monitored by the Housing Authority and has been determined to be in compliance. One other large rental development that is included in the Inclusionary rental unit count is the 40-unit Vista de la Terraza, currently managed by CHISPA. The Housing Authority has verified with CHISPA that the units are all occupied by very low or low income households. The Housing Authority is still (March 2002) trying to determine the exact status of the remaining 60 rental units, although they estimate that several have been in the Section 8 program since they were produced and are, therefore, probably still affordable.

Staff at the Housing and Redevelopment Office have initiated monitoring efforts for the remaining rental units. There have been some issues that



**Example of Inclusionary Rental Units in Castroville**

have been identified as a result of this monitoring including:

- units rented to households who are not income-eligible,
- rental property has been sold and affordability restrictions were not re-recorded at new sale, and
- some rental units are occupied by households too large for the unit.

*RENTAL UNITS: Significant Issues and Recommendations:*

**7. Rental Unit Occupancy and Affordability Requirements**

As described above, there have been some issues that have been identified during the monitoring of Inclusionary rental units. In specific, there needs to be more detailed language and requirements for the occupancy of the rental units. Regulatory agreements need to contain specific language and be recorded against the property.

Further, the Inclusionary Ordinance needs to be revised in order to be more consistent. Specifically, the Ordinance restricts occupancy to very low and low income households and defines low income as households at or below 80% of median income. Yet, the Ordinance also defines affordable rents as affordable to low income households at 30% of 70% of median monthly income. The Ordinance needs to consistently define low income at 80% and to change the affordability definition to 30% of 80%, not 70%.

Issues With  
Consensus:  
Rental Unit  
Occupancy and  
Affordability

Recommendation for Rental Unit Occupancy Restrictions

Revise policies to include:

Revision of Regulatory Agreements to include:

- 1. specific language and enforcement procedures or sanctions for occupancy of rental units to very low and low income households,
- 2. specific language that households shall rent units that are appropriate for their household size,
- 3. require property owners to maintain property to meet basic health and safety and existing code standards, including Section 8 property standards, and
- 4. record Regulatory Agreement to be effective "in perpetuity" and to be binding on all subsequent purchasers.

### **8. Use of Existing Units to Satisfy Inclusionary Requirement**

Although not specifically stated, the Inclusionary Ordinance has been interpreted to allow developers to substitute existing units for their off-site contribution. Off-site units can be used to meet the Inclusionary requirement if "a greater contribution" can be demonstrated. Usually this means that the units, if rentals, will be affordable to households at or below 50-70% of median income. Further, the County requires that the rental units have affordability restrictions imposed "in perpetuity."

Several members of the public and representatives of groups commented on this aspect of the program. Proponents argued that the existing procedure encouraged the rehabilitation of existing units in the housing stock and provided rental units at greater affordability levels. However, other comments included the statement that existing units do not really meet the intent of the Inclusionary Housing Ordinance, which was to provide affordable units in conjunction with new construction. Further, there is concern regarding the long-term property condition of existing units, as compared to the life-cycle of a newly constructed unit.

It is recommended that the County no longer allow existing units to be substituted for off-site development of Inclusionary Housing requirements. There is no substantial community benefit to be derived from allowing existing units to be substituted.

Recommendation for Use of Existing Units

Discontinue practice of allowing existing units to be substituted for off-site development of Inclusionary Housing requirement.



Issue Generating  
Considerable  
Discussion:  
8. Use of Existing  
Units

## 10. Monitoring and Compliance Procedures

As part of the 2001 evaluation process, staff from the Housing and Redevelopment Office initiated a comprehensive monitoring process. The monitoring effort was a high priority item. An Administrative Analyst staff person was devoted full-time to the monitoring effort for a six month period in the spring and summer of 2001. A substantial effort was made in creating a data base of Inclusionary units and regular updating of their status. However, this is a very time-consuming effort and, at the time this report was prepared, staff was continuing to develop a current data base of all Inclusionary units.

The monitoring effort needs to be continued in the future. Inclusionary housing units are an extremely valuable component of Monterey County's affordable housing stock. These units must be consistently monitored in order to ensure that units are not "lost" and converted to market rate units inadvertently.

Further, there needs to be considerable involvement by County Counsel or other legal professionals to define legally-acceptable compliance methods. These methods need to be defined in legal agreements with owners of Inclusionary units and, when required, enforcement must occur.

**Recommendation for Monitoring and Compliance Procedures**  
Continue monitoring of Inclusionary Units and, with legal counsel, develop adequate compliance procedures.

## 11. Improve Implementation Tools

A review of current resale agreements and legal documents indicate that there needs to be some revision of the documents. In specific, the current resale agreement is very difficult to understand and needs to be re-written to make it more customer-friendly and readable. Further, it may be necessary to require additional legal documents to be recorded against a property to prevent properties from being re-sold without proper notice to the County. In specific, a "Notice of Default" and non-monetary "Deed of Trust" need to also be recorded.

Public comment on this issue included a recommendation that all documents be available in English and Spanish for potential applicants. Further, it was recommended that the County consider on-going education of Inclusionary recipients in regard to their responsibilities and maintenance of property standards.

**Recommendation for Implementation Tools**  
In coordination with legal counsel, revise Inclusionary agreements and documents to ensure that they are readable and "customer-friendly." Provide materials in both English and Spanish and consider providing on-going education to Inclusionary recipients.

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Proceedings

## 12. Marketing and Selection Procedures

A significant issue identified from both public comments and a review of existing procedures was the need to define marketing and selection procedures. There should be enhanced clarity in the marketing procedure and eventual selection of Inclusionary recipients. The new marketing/selection procedures should include:

1. County staff responsible for marketing of program, including advertising for availability of units.
2. County staff conducts lottery and establishes a priority list based on written criteria (i.e. households who live or work in Monterey County).
3. County staff maintains and updates list on a yearly basis. List is used for both new Inclusionary units as well as turn-over of existing homeowner and rental units.
4. Housing Authority will continue to qualify potential applicants for income eligibility.
5. County staff will refer eligible applicants to developer who will coordinate eventual transfer of ownership to qualified applicants.

In reviewing this issue, members of the Planning Commission supported the priority for households who live or work in Monterey County and, in addition, suggested that there also be consideration given to household who have jobs in close proximity to the proposed Inclusionary unit. One of the planning objectives for the County is to try to balance jobs and housing and it may be appropriate to give additional priority to households with jobs near the proposed unit. Further, the marketing plan should allow some flexibility for developers to propose alternative marketing strategies, especially in regard to employee housing.

Recommendation for Marketing/Selection Procedures  
Develop a written marketing and selection procedure for the Inclusionary Housing Program. Include policies that encourage job/housing balance and priority to households that live or work in Monterey County.

## 13. Special Handling Procedures

In 1992, the County initiated a "Special Handling" program for affordable units. Although not tied directly to the Inclusionary Housing Ordinance, this program compliments the Inclusionary Housing Ordinance by encouraging a higher percentage of affordable units. The program applies to developments of 7 or more units which provide 25% or more affordable units. Incentives included as part of the program include fee reductions/waivers, priority processing, financial assistance and density bonuses.

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***Special Handling Program was applied to Moro Cojo development, including 175 self-help homeownership units.***

The requirements for the affordable units are more stringent than the Inclusionary Ordinance in that "for-sale" units must be affordable to low income households and "rental units" must be affordable to very low income households. The procedures also state that all affordable units must be "...rendered permanently affordable by deed restriction in the manner prescribed to Inclusionary units by the Inclusionary Housing Ordinance." In total, there have been 8 developments processed under the Special Handling procedures.

In reviewing the Special Handling program, it has become evident that one of the goals of this program should be assistance in expediting applications and permits. Therefore, it is recommended that the Program be revised to "Entitlement and Permit Processing Coordination." Development applications that qualify for this program would be assigned to a specific staff member from the Housing and Redevelopment Office who would be responsible for monitoring and coordinating the development process as efficiently as possible. Further, there would be aggressive marketing of the program to the development community and County staff.

Recommendation for Entitlement and Permit Processing Coordination  
For development applications with at least 25% affordable housing, assign staff person from the Housing and Redevelopment Office to coordinate and expedite development processing.



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**Recommendation for Entitlement and Permit Processing Coordination:**  
For development applications with at least 25% affordable housing, assign staff person from the Housing and Redevelopment Office to coordinate and expedite development processing.

#### 14. Exemptions for Owner-Occupied Units/Lots

Currently, if a developer/owner indicates that they will be occupying one of the units in a proposed development as an owner-occupant, that unit is exempt from Inclusionary Housing requirements. There have been several instances of mis-use of this policy. For example, owners have claimed owner-occupied exemptions on more than one development during the same period of time. It is recommended that the County limit the number of owner-occupied exemptions to one per development and, further, one exemption per developer for every 10-year period. The Planning Commission further recommended that an owner-occupied exemption only be allowed for developments of 4 or less units.

##### Recommendation for Owner-Occupied Exemptions

Revise policies to allow owner-occupied exemption for developments of 4 units or less only. Allow only one owner-occupied unit exemption per development. Further, allow only one exemption per developer for every 10-year period.

#### 15. Timing and Design of Inclusionary Units

The County currently has no definitive written policies regarding the design of Inclusionary units. Specifically, there are no written policies regarding the exterior appearance of Inclusionary units. Further, there should be more specific policies in terms of when Inclusionary units are built in relation to the construction of the market rate unit. Examples of issues that should be addressed then are exterior appearance, size of units, clustering or scattering of units, timing of provision of Inclusionary units, etc.

The issue of clustering or scattering units is dependent on several variables. The first is the size of the project. A project requiring only two Inclusionary units is different than a project generating 10 Inclusionary units. The second variable is the type of project. Again, the type and actual costs of developing a large lot, single-family development are different than the costs and variables associated with a multi-family development of town homes or apartments. Therefore, it is recommended that the option of clustering or scattering be available and determined on a project-by-project basis.

It is recommended that the County include written guidelines in its administrative procedures that specify that the exterior appearance of the Inclusionary units shall be similar to the market rate units. Further, the Inclusionary units shall be similar in number of bedrooms to the market rate units although square footages can differ between the units.



Issues Generating  
Considerable  
Discussion:  
15. Timing and  
Design of  
Inclusionary Units

Regarding timing, the issue involves the stage of the development approval process at which time the developer commits to an Inclusionary requirement and option selection. Currently, the Inclusionary Requirement does not need to be identified until the Final Map stage. In order to provide full public disclosure of the Inclusionary requirement, it is recommended that a written agreement be developed at a much earlier stage, the Tentative Map stage. The written agreement should include the number of Inclusionary Units to be provided and the anticipated household income levels of affordability. Further, the agreement should contain the requirement that "Certificates of Occupancy" must be issued for the Inclusionary units before or concurrently with the market rate units. It was initially suggested during the public comments on this item that the agreement be a "condition of approval" at the Tentative Map stage. However, there was also some concern that, by requiring it as a condition of approval, there was little flexibility provided should there be major or unforeseen changes between the Tentative Map and Final Map stages. Therefore, it is recommended that the requirement be finalized as a written agreement at the Tentative Map stage, rather than as a "condition of approval."

Recommendation for Design and Timing of Inclusionary Units

Revise Ordinance to include:

1. Require written agreement at time of Tentative Map to include type and number of Inclusionary Units to be provided,
2. Inclusionary units must be produced either prior to development of market rate units or concurrent with market rate development,
3. Exterior appearance of on-site units shall be similar to other units in development,
4. Inclusionary units shall be similar in number of bedrooms as market rate units and square footage should be appropriate for bedroom size, and
5. Continue to allow flexibility in determining whether Inclusionary units should be clustered or scattered

### 16. Retain 3 Options to Fulfill Inclusionary Requirement

The Inclusionary Housing Ordinance has allowed developers to fulfill their Inclusionary Housing requirements by choosing one or a combination of 3 different options:

1. provision of Inclusionary units on-site,
2. provision of Inclusionary units off-site, and
3. payment of an in-lieu fee.

The availability of 3 options provides flexibility for both the County and the developer in delivering affordable units. Each development proposal is different and the opportunity to have a variety of different options available helps to ensure that the maximum benefit will be achieved.

However, there is also concern that payment of in-lieu fees does not necessarily generate a unit similar to an Inclusionary Housing unit. In-lieu fees



have been used to help with development and financing costs of affordable units in the County but there is not necessarily a one-to-one correlation between the amount of in-lieu fees paid and the development of a similar number of affordable units. Therefore, it is recommended that the payment of in-lieu fees for developments of 7 or more units only be allowed as a "last-resort," that is, if the developer demonstrates that provision of inclusionary units either on or off-site is infeasible. Payment of in-lieu fees would still be allowed for developments of 6 or less units.

There were several public comments in regard to the provision allowing off-site units. The real estate and development community generally favored allowing units off-site because it provided more flexibility. However, other commenters noted that off-site units were being developed in planning areas far from the market units. It could be construed, they argued, that the inclusionary units were being concentrated in areas that already had substantial numbers of low and moderate income households. Isn't the goal of an "Inclusionary Program," they argued, to "include" both affordable and market-rate units in the same development?

In order to more accurately reflect the objective of the Inclusionary Housing Ordinance, it is recommended that off-site units be allowed only if 1) the off-site units are located within a 10-mile radius of the market rate units, and 2) there is demonstration that a "greater contribution" is being produced by the off-site units. "Greater contribution" will include requirement that rental units must be affordable to very low-income households and ownership units affordable to low income households. Further, "greater contribution" shall also include that the number of units produced off-site will be greater than the number of units required on-site.

#### Recommendation for Retaining 3 Options

##### Revise Ordinance to include:

- ☐ On-site: Continue on-site option,
- ☐ Off-site: Allow off-site development of new units (no existing units allowed--see Issue #8) only if off-site units are located within a 10-mile radius and if there is a "greater contribution" of:
  1. rental units are affordable to very low income households and owner units are affordable to low income households, and
  2. more units are created off-site than would have been required for on-site development.
- ☐ In-Lieu Fees: Fees allowed for developments of 6 or less units. No in-lieu fees allowed for developments of 7 or more units unless developer can conclusively demonstrate that provision of units is infeasible because of specific characteristics of the property, including lack of infrastructure and limited access to services.

### 17: In-Lieu Fee Calculation

In-lieu fees have been allowed in Monterey County's Inclusionary Program since the inception of the program. In fact, in 1980, the in-lieu fee was only \$1,000 per unit. The Ordinance has been revised several times since then with the most recent revision in 2000. There is concern that the fees currently charged are not sufficient and should be increased.

Currently, the methodology used to determine the fee for projects of 7 or more units/lots is:

*"Fifteen percent (15%) of the median sales price of a single family home in the unincorporated portion of the Planning Area in which the new residential development is located increased by the percentage difference between the lowest unincorporated planning area median single family home sales price and the median single family home sales price in the unincorporated portion of the Planning Area in which the new residential development is located."* A proportional fraction of the in-lieu fee is charged for projects of 6 units/lots or less.

Below are examples of the current fees charged:

<u>Planning Area</u>	<u>Median Sales Price</u>	<u>In-lieu Fee (Fee in a project of 7 or more units/lots)</u>
Greater Salinas	\$ 219,000	\$47,021
Toro	\$ 404,750	\$160,610

Originally, the concept of the in-lieu fee was that, for every 7 units, the fee would equal the cost of providing an affordable unit similar to the market rate units/lots provided. However, as the examples above demonstrate, the fees currently paid are very low and do not reflect the actual subsidy cost of providing an affordable unit. The fee is based on 15% of the sales price of a home, adjusted slightly for difference between lowest and median priced homes. However, because the fee is based on only 15% of the price, rather than a 100% factor, the fee only reflects a portion of the actual cost of providing a housing unit. For example, in South County, because there is no differential between the lowest and median priced home, the \$22,950 fee is exactly 15% of the median sales price of \$153,000. The 15% figure is only representative of a fraction of the actual cost of producing a unit. The fee should be based on more realistic and higher percentage amounts. Further, the fee as currently calculated does not take into account cost of new construction (land costs, constructions costs, etc.) because it is based on median sales prices of homes already constructed (including existing units and new construction).

The fee should be based on the difference between the market cost of an average unit/lot in the development and the cost of providing a unit/lot affordable to a household earning 80% of median income (i.e. the subsidy

amount). There would then be no need to calculate fees by planning areas because the market cost of the average unit will reflect the market costs in that area. For projects of 6 or less units/lots, the fee would be calculated on a proportionate share of the in-lieu fee.

As an example of how this revised fee calculation would apply is as follows:

Assumptions:	\$400,000	Sales Price of Market-rate Unit
	<u>\$116,000</u>	House Price Affordable to a 4-person household at 80% of median income, 30 year term at 8% interest and limiting PITI to no more than 30% of household income
	\$284,000	In Lieu Fee for 7 unit/lot project

The \$400,000 sales price is based on the average sales price of a unit/lot in the market rate development that is triggering the Inclusionary Housing requirement. The in-lieu fee therefore will vary depending on the sale prices of the proposed development.

There has been some concern noted that, since a written agreement is recommended to be developed by the Tentative Map stage (see Issue #15), the estimated sales price at the Tentative Map stage might change by the time the development is actually built. Therefore, it is recommended that a policy be included with the revised in-lieu fee calculation that the in-lieu fee calculation at the time of the Tentative Map is an estimate only and is subject to revision and verification at the time of Final Map recordation.

One final issue regarding In-Lieu fees is whether the fee should be assessed on existing or remainder lots. For example, a developer applies to subdivide an existing lot into 3 lots and the question has been asked whether the in-lieu fee applies to 2 or 3 lots. Staff has interpreted the Ordinance in the past to require the fee to be assessed on all 3 lots. It is recommended that the County formalize this practice into a written policy that specifies that all lots in projects of 6 or less units shall be assessed an in-lieu fee.

#### Recommendation for In-Lieu Fee Calculation

Revise Ordinance to include:

1. Revised calculation of in-lieu fee using average sales price of market rate unit less price affordable to a 4-person household.  
(See example of calculation above).
2. For projects of 6 or less units, the fee would be assessed on all lots and would be based on a proportion of in-lieu fee. For example, a 3 unit development would be 42% of in-lieu fee (3/7 of the fee).
3. Include stipulation that fee required at Tentative Map stage is an estimate only and is subject to recalculation at time of Final Map recordation.

## 18. Case by Case Exceptions

Provide language in Inclusionary Housing Ordinance to allow case-by-case exceptions for developments with other governmental financing that may conflict with Inclusionary requirements.

### Summary Table of Recommendations

Listed below are the 18 issues and recommendations as discussed on the previous pages. Most of these recommendations need to be addressed through revisions to the existing Inclusionary Housing Ordinance. However, it is suggested that, in order to simplify the actual Ordinance as much as possible, that specific procedures or calculations do not have to be described in the Ordinance itself but rather can be included in detail in the Inclusionary Housing Manual.

Issue #	Recommendation(s)	Include in Revisions to Inclusionary Housing Ordinance?	Include in Inclusionary Housing Manual?
1	Revise sales price calculations and affordability term	Yes, but specific underwriting criteria only needs to be in Inclusionary Manual	Yes
2	Revise home improvement calculations	Yes, but specific criteria only needs to be in Manual	Yes
3	Retain current resale calculation but amend to include value of home improvements and bedroom additions	Yes	Yes
4	Allow second deeds of trust and refinancing	Yes	Yes
5	Title: Inheritance of Property	Yes	Yes
6	First Time Homebuyers: Continue existing policy	No	Yes
7	Rental Unit Occupancy and Affordability	Yes, but specific criteria only needs to be in Manual	Yes
8	Do not allow existing units to be used as off-site requirement	Yes	Yes
9	Develop Inclusionary Housing Manual	Yes, refer to Manual in Ordinance and specify that Manual contains all day-to-day procedures and can be revised if necessary	N.A.
10	Monitoring and Compliance	Yes, but specific monitoring procedures to be included in Manual	Yes
11	Improve Implementation Tools	No	Yes
12	Develop Marketing and Selection Procedures	Yes, but specific procedures to be included in Manual	Yes
13	Entitlement and Permit Processing Coordination	Yes	Yes
14	Revise owner-occupied exemptions	Yes	Yes
15	Timing and Design of Inclusionary Units	Yes, but specific procedures to be included in Manual	Yes
16	Prioritize 3 Inclusionary Options	Yes	Yes
17	Revise In-Lien Fees	Yes	Yes
18	Case-by-Case Exception to Ordinance	Yes	Yes

- 1. Reference Materials**
- 2. Income and Asset Definitions for Inclusionary Program**
- 3. Rent Level Determinations**
- 4. Sales Prices for Inclusionary Program (Current)**
- 5. Value of Bedroom Additions for Inclusionary Program  
(Including Refinancing/Resale Calculation)**
- 6. Summary of Inclusionary Housing Survey,  
Summer 2001**
- 7. Monitoring Procedures for Housing Programs as  
Implemented by Housing and Redevelopment  
Office**

## **I. REFERENCE MATERIALS**

"Creating Affordable Communities: Inclusionary Housing Programs in California" California Coalition for Rural Housing Project, November 1994

"Inclusionary Housing in California", *Journal of the American Planning Association*, Spring, 1998

County of Monterey, "Housing Policy and Allocation Procedures Manual," December 12, 2000

County of Monterey, "Housing Element Technical Document," Draft December 2001

## **2. INCOME AND ASSET DEFINITIONS**

### **COUNTY OF MONTEREY INCLUSIONARY HOUSING PROGRAM**

The following definitions shall be used in determining applicant eligibility for the County's Inclusionary Housing Program. To be eligible for the program, rental applicants must meet the income limitations and homeowner applicants must meet both the income and the asset limitations.

#### **INCOME (FOR ALL APPLICANTS)**

##### **A. Maximum Income Limitation**

Households occupying inclusionary units shall have incomes that are very low, lower and moderate-income, as specified by the contractual agreement for the residential development in which they are located. The definition of very low, lower and moderate-income shall be the same as provided by HUD and the State of California annually for the Monterey County area.

##### **B. Definition of Income**

The definition of income shall be the same as the federal definition found in 24 CFR Part 5 (commonly known as the "Section 8" definition). As specified in 24 CFR Part 5, the income derived from assets shall be included in the income calculation. *The only exception to this is when a homeowner applicant is using any of their assets to pay for down payment or closing costs to purchase the inclusionary unit. In that case, the potential "income" from those assets shall not be calculated.* The value of the asset itself, however, is still counted under the asset limitation test below.

#### **ASSETS (FOR HOMEOWNER APPLICANTS)**

##### **A. Maximum Asset Limitation**

The maximum asset limitation is the total of the following:

- a) 30% of the purchase price
- b) 25% of current median income
- c) 6 months of living expenses based on household size

## B. Definition of Assets

Assets used to determine the maximum asset limitation allowed are defined in the following table. Any asset disposed of within 12 months prior to applying for an inclusionary unit shall also be included in the calculation of maximum assets.

### ASSETS TO BE INCLUDED IN MAXIMUM ASSET LIMITATION

1. Cash, including cash held in savings accounts, checking accounts, safe deposit boxes, and escrow accounts. For savings accounts, use the current balance. For checking accounts, use the average 12 month balance.
2. Cash value of trusts available to the applicant.
3. Equity in real estate or other capital investments. Equity is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and all reasonable costs that would be incurred in selling the unit.
4. Cash value of stocks, bonds, Treasury bills, certificates of deposit and money market accounts.
5. Lump sum or one-time receipts, such as inheritances, gifts, lottery winnings, insurance settlements, etc.
6. Personal property held as an investment such as gems, jewelry, coin collections, etc.
7. Mortgages or deeds of trusts held by the applicant.

### ASSETS TO BE EXCLUDED IN MAXIMUM ASSET LIMITATION

1. Necessary personal property except as noted in #6 of the "included" assets.
2. The current value of individual retirement and Keogh accounts. (Any income currently being received from such accounts however shall be considered as "income" in the income calculations.)
3. Cash value of life insurance policies available to the individual before death.
4. Assets that are part of an active business. "Business" does not include rental property that is held as an investment and not a main occupation.

### 3. RENT LEVEL DETERMINATIONS

#### Inclusionary Rental Units:

The rent for Inclusionary Rental Units is specified through the Inclusionary Housing Ordinance. The Ordinance states that the rent shall be at levels affordable to very low or low-income households, as adjusted by household size. Therefore, the rents charged for an Inclusionary Rental Unit are:

Very Low Income: 30% of 50% of median income (either the Countywide median income or the Planning Area median income, whichever is less)

Low Income: 30% of 70% of median income (either the Countywide median income or the Planning Area median income, whichever is less)

Or

Section 8 rent, if the tenant has Section 8 rental assistance.

*Please note: Recommendation #7 of "How Did We Do? An Evaluation of the Inclusionary Housing Program" specifies that the low income affordability calculation be changed from 30% of 70% to 30% of 80% to make it consistent with other affordability policies.*

#### Inclusionary Homeowner Units that are Rented:

There is a provision in the Inclusionary Housing Program that allows homeowners to rent their housing units. This is allowed under hardship situations and with the County's prior approval. There have been no specific written guidelines in regard to the rent level charged for those units.

It is not the intent of the Inclusionary Housing Program to encourage rental of homeowner units. Therefore, it is recommended that the following guidelines be used:

1. Rental of a homeowner unit will only be approved by the County in cases of extreme hardship as documented in a written request by the homeowner.
2. The County will approve a rental of a homeowner unit for a maximum of one year, which can be renewed if the County determines that the hardship exists.
3. Upon approval by the County, the homeowner will agree to execute a 12-month lease with the selected tenant. The lease will specify that occupancy will only be for a 12-month period. In addition, the unit must pass a housing inspection, prior to conversion to a rental unit.
4. The unit must be rented to a low-income household. (As defined in the Inclusionary Housing Ordinance, a household with an income at or below 80% of Countywide median income or median income of the Planning Area,

whichever is less.) The prospective tenant must be income-qualified by the Housing Authority.

5. The tenant's household size must be appropriate for the size of the unit so that there is no overcrowding.
6. County staff will calculate the rent to be charged and will inform the homeowner of the maximum rent allowed. Rent will be calculated as follows:
  - a. The maximum rent allowed will be 30% of 70% of median income for a 4-person household, (using the Countywide median income or median income of the Planning Area, whichever is less.) *See comment above regarding change to 30% of 80%*

#### 4. SALES PRICE DETERMINATION

The current Inclusionary Housing Ordinance provides for a calculation of sales price based on planning areas and household median incomes. The 2001 evaluation of the Inclusionary Housing Program is proposing a change in the determination of sales price. However, until that proposed change is formally approved, the current method of developing sales prices is still being utilized. The current method is described below.

The calculation of sales price is based on the following factors:

1. planning area in which the Inclusionary Housing development application is located,
2. median income for that planning area (current median household income for Monterey County, adjusted for differences in income from 1990 U.S. Census),
3. housing costs not to exceed 30% of median income, with adjustments for property insurance, taxes and homeowners association dues, and
4. assumption that the household will have a 10% downpayment, with an 8% interest mortgage at a 30 year term.

The chart on the following page provides an example of the current calculations of sales price for the 9 planning areas.

	Gr. Salinas	Central Salinas Valley	South County	Toro	Cachagua	Gr. Monterey Peninsula	Coast	Redev. Area	No. County
Median Income	\$52,600	\$52,600	\$52,600	\$52,600	\$52,600	\$52,600	\$52,600	\$52,600	\$52,600
Income Adjust.	4.00%	14.00%	1.00%					26.00%	
	\$2,104	\$7,354	\$526					\$13,676	
Revised Income	\$50,496	\$45,236	\$52,074	\$52,600	\$52,600	\$52,600	\$52,600	\$38,924	\$52,600
30% of Income Monthly	\$1,262	\$1,131	\$1,302	\$1,315	\$1,315	\$1,315	\$1,315	\$973	\$1,315
Taxes / Insurance	\$190	\$185	\$200	\$200	\$200	\$200	\$200	\$150	\$200
Homeowner Dues									
Mortgage Payment	\$1,072	\$946	\$1,102	\$1,115	\$1,115	\$1,115	\$1,115	\$823	\$1,115
Loan Amount	\$146,104	\$128,869	\$150,116	\$151,907	\$151,907	\$151,907	\$151,907	\$112,139	\$151,907
10% Down Payment	\$16,234	\$14,319	\$16,680	\$16,879	\$16,879	\$16,879	\$16,879	\$12,460	\$16,879
Sales Price	\$162,337	\$143,188	\$166,795	\$168,786	\$168,786	\$168,786	\$168,786	\$124,599	\$168,786

## 5. VALUE OF BEDROOM ADDITION (INCLUDING REFINANCING/RESALE CALCULATION):

- a) Originally, unit was a 3 bedroom, 2 bath single family unit.
- b) Initial Sales Price was \$150,000 in 1995
- c) In 2001, a 4<sup>th</sup> bedroom was added
- d) Value of Bedroom Addition calculated as follows:

The change from a 3 bedroom to a 4 bedroom unit would result in a change in household income determination from a 4 person household to a 5 person household. (Using the standard household size formula of 1 person per bedroom plus 1 person.) The difference in median income in 2001 between a 4 person and a 5 person household is \$ 5,250.

An additional \$5,250 per year in income could support approximately \$17,000 in additional loan financing. (Assuming 30% of \$5,250 is used for additional housing loan cost at 8% interest, 30 year amortization). Therefore, \$17,000 additional could be added to refinancing/resale value for the extra bedroom addition. *Please note: this calculation was developed only to determine a value for purposes of the inclusionary program. The property owner would still need to secure their own refinancing or second deed of trust financing based on their income, credit history, equity in property, etc*

\$150,000	Initial Sales Price
+ 24,150	16.1% change in median income, 1995-2001
+ 15,000	10% of initial sales price "credit" for improvements and/or maintenance bedroom addition allow.
<u>+ 17,000</u>	
\$206,150	2001 Value

## 6. SUMMARY OF INCLUSIONARY HOUSING SURVEY (SUMMER, 2001)

### BACKGROUND:

*Monterey County adopted its Inclusionary Housing Program in 1980. During the past two decades, the program has been modified several times to respond to changing market conditions. Administration of the program was transferred from the Housing Authority of Monterey County to the County Planning Department and then, three years ago, to the Housing and Redevelopment Office. Due to all of these program changes and concerns raised by the public about the program's achievements, the County decided to undertake a comprehensive evaluation of the program. As part of that evaluation process, a survey was sent to approximately 40 communities who were believed to have an Inclusionary Housing program. Responses were received from 34 communities. The objective of the survey was to gather enough information in order to ascertain a general "state of the art" of inclusionary programs in California today. Attached to this narrative summary is a chart, which briefly describes the inclusionary program by community.*

It is important to note that this survey is not considered to be a comprehensive survey of all California Inclusionary Housing programs. A recent article in the *Journal of the American Planning Association* ("Inclusionary Housing in California," Summer, 1998) indicates that there are over 75 communities in California with inclusionary programs. Further, the survey form used was only 3 pages in length and did not go into extensive detail regarding a community's program. Due to time and budget constraints, we were unable to undertake any follow-up phone calls when answers in the survey were ambiguous – therefore, we made some assumptions as we summarized the survey results. However, in spite of these limitations, the survey does provide some interesting information about the range of inclusionary programs in the State. Listed below are some of the more interesting highlights of the survey and Monterey County's experience in administering an Inclusionary Housing program.

### Highlights of Survey

#### PROGRAM POLICIES

##### *Mandatory or Voluntary?*

The overwhelming majority of the responses indicated that their programs were mandatory. Only 2 communities indicated that the program was voluntary.

##### *Threshold of Units Triggering Inclusionary Requirement:*

This is one of the more important variables in designing an inclusionary program. Survey results indicated that there are several variations of this require-

ment, for example:

1. All new residential units are subject to inclusionary requirements. However, units in lower density developments are only subject to a fee and do not have to produce an actual inclusionary unit. For example, several communities have policies, which specify that developments of 5 or less units (or 7 or less units) will pay an inclusionary fee in lieu of developing a unit.
2. Another variation to #1 above is the same procedure but any individual single-family unit is exempt from the inclusionary requirement.
3. Some communities have policies in which the inclusionary requirement is not triggered unless it is a large development; for example, developments of 20 units or more.
4. Another variation is to only impose inclusionary requirements on multi-family developments.

#### *In-Lieu Fees*

In Monterey County, there has been considerable discussion regarding in-lieu fees. These fees have been included as an option in the program since its inception. In fact, over \$5 million in in-lieu fees have been collected during the past two decades. However, some of the concerns that have been noted are whether the amount of in-lieu fees collected is sufficient and whether the use of those fees have resulted in a proportionate number of affordable units.

Results from the 2001 survey indicated that there are many different responses to this issue. Several communities do not allow in-lieu fees at all while others only allow in-lieu fees for smaller developments. Other communities, including Monterey County, allow developers to choose either in-lieu fees or producing an inclusionary unit. However, in Monterey County, we are proposing to increase the in-lieu fee to an amount that would be more representative of the costs of providing an affordable unit.

#### *Inclusionary Units Developed On or Off-Site*

Monterey County was interested in how other communities are addressing this issue because it has been one of the more significant discussion items during the evaluation of the program. Monterey County developers are allowed to produce units off-site (on a site other than the market rate development which triggered the inclusionary requirement) if they can demonstrate a "greater contribution" to the community by doing so. Usually this "greater contribution" means an increased level of affordability or a reduction in household income level eligibility. In recent years, the County has also allowed developers to substitute existing units off-site to meet their inclusionary requirement. These existing units are typically multi-family rental units that the developer purchases and agrees to rent in perpetuity to very low and low-income households. The County is currently evaluating the procedure of allowing existing units to be substituted for new units – there is concern that this procedure does not fulfill the intent of the Inclusionary Program.

The survey results are mixed regarding this issue. Some communities do not allow off-site units at all. Others allow off-site but with certain conditions. Several communities, similar to Monterey County, allow existing units to be used to fulfill the inclusionary requirement but the units have to meet certain conditions.

### *Inclusionary Percentages and Affordability Periods*

In the 2001 survey, the percentage of units required to be affordable varied depending on factors such as the number of units in the development and the income levels of eligible households. The highest inclusionary percentage was 25% and the lowest was 3%. Affordability periods varied also – some communities have permanent affordability requirements (“in perpetuity”). Other communities vary their affordability requirements according to whether the unit is a homeownership unit or a rental unit.

### PROGRAM ADMINISTRATIVE PROCEDURES

#### *HOMEOWNERSHIP INCLUSIONARY UNITS:*

Monterey County was especially interested in responses to administration of the homeowner aspect of the program. Because Monterey County has over 20 years of experience and an inventory of homeowner units, there were several issues that have surfaced in recent years.

- o First-Time Homeowners: Monterey County is considering limiting the program to First Time Homebuyers. It is interesting to note that the majority of responses to the survey indicated that there was no limitation that a purchaser had to be a First-Time Homebuyer.
- o Income and Asset Limitations: Similar to other communities in the survey, Monterey County restricts eligibility in the ownership program to households whose incomes are at or below 120% of median income. Some communities establish an even lower income limitation – for example, 100% or 80% of median income. Monterey County was using the Section 8 definition for income and asset limitations. However, while the Section 8 definition is appropriate for definition of income, we found it to be a problem when using the asset definitions in the Section 8 program. Because the Section 8 program is designed to assist rental households, the asset definitions are not appropriate for homeownership eligibility. Monterey County has now developed a separate asset definition.
- o Resale Price Calculations and Restrictions: Like many other coastal California communities, Monterey County has experienced a dramatic increase in property values. Several inclusionary homeowners have expressed concern about the restricted value of their homes in comparison to the value of neighboring homes. In some cases the difference between the current market value of an existing inclusionary unit and the house next door to it is \$500,000 or more. (For example, the resale value of a restricted inclusionary unit is \$180,000 and the value of the unit next door is \$700,000 for a similar unit). In Monterey County, resale value is calculated based on the percentage increase in median income and a certain value for home improvements. Some of the issues that we

## **7. MONITORING PROCEDURES FOR HOUSING PROGRAMS AS IMPLEMENTED BY HOUSING AND REDEVELOPMENT OFFICE**

*The following pages include a description of the monitoring procedures currently being implemented by the Housing and Redevelopment Office.*

# INCLUSIONARY PROGRAM MONITORING PROCEDURES

## RENTAL PROPERTIES

### General Policies:

Rental projects developed under the INCLUSIONARY PROGRAM are monitored every two years to determine compliance with the terms of the Regulatory Agreement recorded against the property. The areas to be included in the monitoring process include tenant incomes and rents, payment of property taxes and hazard insurance.

An annual certification of ownership is required.

### Procedures:

1. In general, the monitoring process will begin in February each year.
2. All Inclusionary rental units are entered into the monitoring database and a tracking spreadsheet is generated. The spreadsheet includes fields for correspondence, follow up and data documents required. Copies of the current spreadsheet, forms and sample letters for the monitoring review are included in Appendix A.
3. A Monitoring Review Form is initiated for each project.
4. Initial letters are mailed to property owners requesting completion of certifications regarding non-discrimination policies, names of tenants, rents charged and ownership status. The owner is instructed to give the tenants a form entitled Tenant Income Verification for completion. These forms are to be returned along with documentation of payment of taxes and insurance along with copies of current leases. If the tenant fails to complete the form, a certified letter requesting the document will be issued by the Housing and Redevelopment Office.
5. Second Notices are sent by certified mail if the property owner does not respond within fourteen business days.
6. Correspondence will be sent by process server, delivery service or hand delivered to the address by a staff member if the property owner fails to respond to the second notice or if mail has been refused or returned as undeliverable.
7. Assessor's Office records will be reviewed to verify current ownership and mailing addresses where appropriate.

8. Failure to cooperate with the monitoring review process will be considered a breach of the Inclusionary Agreement. County Counsel will be notified of any such breach in order that legal remedies may be initiated.
9. The Housing Authority of Monterey County is responsible for certifying initial tenant income eligibility under the Inclusionary Housing Program. The income guidelines of the Section 8 Program are utilized by Housing and Redevelopment staff for the monitoring review. The guidelines are included in Appendix B.
10. Staff will review information provided by the owner and tenants to determine compliance with the Inclusionary Agreement as it pertains to allowable rents, number of restricted units, current income of tenants and any further restrictions on occupancy specified in the Agreement.
11. The review of rent affordability will include the standards set forth in the Inclusionary Agreement for each individual project. The staff will utilize the most recently published Fair Market Rents and Income Guidelines issued by the State Housing Office or HUD and adjust for the number of bedrooms or household size as appropriate.
12. Leases are reviewed to determine if non-discrimination policies and prohibitions against subletting are included.
13. If there are discrepancies between the statements of the owner and tenant, additional documentation will be requested.
14. Payment of hazard insurance and property taxes is verified as the inclusionary Agreement requires units to remain available for the life of the structure and any replacement.
15. A letter will be issued to the property owner addressing any compliance issues. The letter will specify a corrective action deadline. In general, a 30-day period will be adequate unless the tenants income exceeds the maximum allowable under the terms of the Agreement. In that circumstance, the owner will be allowed a 60-day period in order to provide adequate notice to the tenant. (This section subject to review and approval by County Counsel.)
16. A hardship waiver may be approved by the Housing Advisory Committee upon application by the property owner and/or tenant. Current rental vacancy rates, actual market rents for comparable rental units and any special circumstance shall be documented and presented to the Committee when the request is considered. Waivers will not be approved for household with incomes over 100% of median. (This section subject to review and approval by County Counsel.)

17. When a property has changed ownership without notice the County and

this information becomes known at the time of the Monitoring review, staff will schedule an appointment with the new owner to discuss the provisions of the Inclusionary Agreement. Current Fair Market Rent Schedules and Income Guidelines will be provided. All other steps in the Inclusionary Procedures will be followed.

18. The Monitoring Review Form will be completed and the tracking sheet will be updated as information is returned and the review proceeds. The Inclusionary Housing database is updated to reflect new information.
19. Other County offices may be alerted when the monitoring review reveals code violation or dangerous situations.
20. Every effort will be made to provide owners and tenants with the appropriate information to ensure a successful monitoring which will result in full compliance with the Inclusionary Housing Program. However, referrals will be made to County Counsel when there has been failure to cooperate or non-compliance issues are not corrected.

# INCLUSIONARY HOUSING PROGRAM MONITORING PROCEDURES

## OWNER-OCCUPANTS OF FOR SALE UNITS

### General Policies:

It is the policy of the County of Monterey to monitor compliance with the terms and conditions of the Inclusionary Housing Agreement recorded against for-sale units developed under the Inclusionary Housing Program.

Annual Monitoring will include a review of compliance with the owner occupancy requirement and prohibitions against sub-leases unless previously approved by the County. Hazard insurance policies are also reviewed.

### Procedures

1. In general, the monitoring process will begin in February each year.
2. All Inclusionary For-Sale units are entered into the monitoring database and a tracking spreadsheet is generated. The spreadsheet includes fields for correspondence, follow-up and data/documents required. Copies of the current spreadsheet, forms and sample letters are included in Appendix C.
3. Initial letters are mailed to the owners requesting completion of certifications regarding owner occupancy and documentation in the form of a recent utility bill with the owners' name and address listed. A copy of the hazard insurance policy is requested.
4. Second notices are sent by certified mail if the property owner does not respond within fourteen business days.
5. Correspondence will be sent by process server, delivery service or hand delivered to the address by a staff member if the owner fails to respond to the second notice or if mail has been refused or returned as undeliverable.
6. Assessor's Office records will be reviewed to verify current ownership, homeowners' exemption status and mailing addresses where appropriate.
7. Deficiencies in the Agreement are addressed during the monitoring, where necessary.
8. Failure to cooperate with the monitoring review will be considered a breach of the Inclusionary Agreement. County Counsel will be notified in order to take

legal action as provided under County Code.

10. If there are discrepancies, additional documentation will be requested.
11. The hazard insurance policy will be reviewed to ascertain whether the amount is sufficient to protect the County's interest and to verify that the County is named as an additional insured.
12. A letter will be issued to the owner addressing any compliance issues. The letter will set a corrective action deadline. In general, a 30-day period will be adequate
13. When a property has changed ownership without notice to the County and this information becomes known at the time of the monitoring review, staff will schedule an appointment with the new owner to discuss the terms of the Inclusionary Agreement. The income and other qualifying criteria for the buyer/transferee, sales price and any other pertinent information will be reviewed to determine eligibility under the Program. If the buyer/transferee is not eligible or if the purchase price exceeded program guidelines, the matter will be referred to County Counsel for action.
14. The monitoring spreadsheet is updated as information is received and reviews are completed. The Inclusionary Housing Database is updated to reflect new information.
15. Other County offices may be alerted when the monitoring review reveals code violations or dangerous situations.
16. Every effort will be made to provide owners with the appropriate information to ensure full compliance with the Agreement. However, referrals to County Counsel will be made when necessary to enforce the Agreement.

**BEFORE THE BOARD OF SUPERVISORS IN AND FOR THE  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

Recommendations Related to Evaluation )  
of the Inclusionary Housing Program, )  
Approved, as Amended; Direction )  
Provided to Staff . . . . . )

The Board is in receipt of a report and recommendations contained in the Inclusionary Housing Program Evaluation Report. Jim Cook, Program Manager, Housing and Redevelopment, stated that his department has conducted a detailed review of the Inclusionary Housing Program and has identified a number of recommendations for improving the effectiveness of the Program. Implementing the recommendations will require an amendment to the existing Inclusionary Housing Ordinance, preparation of a procedural manual, and revisions to standard Inclusionary Housing Agreements.

Melanie Shaffer Frietas, Consultant, stated that she prepared the report presented to the Board today. This report is the culmination of a year-long effort. She presented the Board with a brief summary of main issues included in the document.

Members of the public addressed the Board, and offered comments and suggestions concerning the County's Inclusionary Housing Program.

Under Board discussion, Supervisor Pennycook suggested, concerning Issue No. 18, that staff look, not limited to government financing, but any other means by which it can be narrowly and specifically identified by a residential developer that there would be greater affordable housing provided outside the scope of the ordinance than under the ordinance. Staff can certainly could work on broadening Issue No. 18. Supervisor Pennycook concurred with including the Planning Commission recommendation with respect to the inheritance clause. In response, Supervisor Johnsen stated that Issue No. 18 would allow for case-by-case exceptions, which provides for the language in the actual ordinance. This language is pretty broad, and can certainly be included in the Inclusionary Housing Ordinance, without the statement of an exemption.

After discussion, and upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and carried by those members present, the Board approved the recommendations contained in the Inclusionary Housing Program Evaluation Report. The motion included the recommendation from the Planning Commission contained in Issue No. 5, Title Changes, "Planning Commission recommendation from September 11, 2001 – To retain existing policy, but to allow a 1-year 'compassion' period for sale of property." Staff is directed to continue to work on developing appropriate language in the Inclusionary Housing Ordinance, to encompass the concept, perhaps in a different vernacular, in order that there wouldn't be any misleading of the development community relative to the financing of affordable housing. The language would provide for case-by-case exemptions to include incentives for developers to work at a higher rate as far as delivery of low income housing.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of April, 2002, by the following vote, to-wit:

**AYES:** Supervisors Armenta, Pennycook, Calcagno and Johnsen.

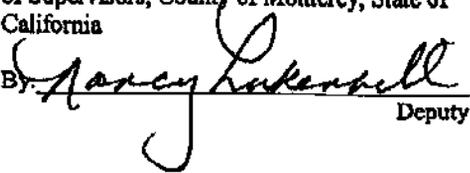
**NOES:** None.

**ABSENT:** Supervisor Potter.

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 of Supervisors duly made and entered in the minutes thereof at page -- of Minute Book 71, on April 9, 2002.

DATED: April 9, 2002

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

By:   
Deputy



# Human Resources and Employment Services

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## Labor Relations

### SERVICES MENU

- Home
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The list below contains a variety of documents used by County Personnel and Departmenta Staff. This page was constructed as a resource for County Staff to download and print curr County related procedures and practices. The public is welcome to view any or all of the information contained in these documents.

### Employee Relations Bulletin

- Bulletin No.1 - Interpreting Fair Labor Standards ACT (FLSA)
- Bulletin No.2 - Examining SB 402
- Bulletin No.3 - Administration of MMB Transered to PERB

### Memoranda of Understandings (MOU) by Bargaining Unit.\*

- Units A & B (Safety General & Supervisory Employees)
- Unit C (Sheriff's Association)
- Unit D (Public Defenders Association)
  - Unit D Side Letter Agreements & Amendments
- Unit E (Prosecutor's Association)
  - Unit E Side Letter Agreements & Amendments
- Unit F (Supervisory Employees)
  - Unit F Side Letter Agreements & Amendments
- Unit H (Health Care Employees)
  - Unit H Side Letter Agreements & Amendments
- Unit J (General Employees)
- Unit K (Social Services)
  - Unit K Side Letter Agreements & Amendments
- Units M & N (Probation Association)
- Unit R (Resident Physicians)

\*Not all MOU's are currently available. These Units are currently being reviewed and prepared for web posting.

### QUICK LINKS

- Current Jobs
- Download Employment Application
- Current Salary Schedule
- FAQ
- Location & Directions
- Site Map
- Departmental Personnel Analyst Phone List
- Occupational Safety and Health Program Web Page

### YEAR 2002 Holiday Schedule

Day	Date	Holiday	County	Courts
Tuesday	January 1	New Year's Day	Closed	Closed
Monday	January 21	M. L. King's Birthday	Closed	Closed
Tuesday	February 12	Lincoln's Birthday	Open	Closed
Monday	February 18	President's Day	Closed	Closed
Monday	May 27	Memorial Day	Closed	Closed
Thursday	July 4	Independence Day	Closed	Closed

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Monday	September 2	Labor Day	Closed	Closed
Monday	October 14	Columbus Day	Open	Closed
Monday	November 11	Veteran's Day	Closed	Closed
Thursday	November 28	Thanksgiving Day	Closed	Closed
Friday	November 29	Day After Thanksgiving	Closed	Closed
Tuesday	December 24	Christmas Eve	Closed	Open
Wednesday	December 25	Christmas Day	Closed	Closed

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**PROGRAM OVERVIEW****EMPLOYMENT AT STEP WITHIN SALARY RANGE**

Departments have the authority to appoint at any step in the salary range in accordance with the Monterey County Personnel Policies and Practices Resolution No. 98-384.

In determining the appropriate step placement for new employees, the following should be considered:

- Year for year credit for directly related, similar experience (use judgment in deciding applicability of the recency of the experience)
- Difficulty in recruiting qualified candidates
- Unusual qualifications of candidate
- Candidates who would take a pay cut to join County
- Step placement is a deciding factor for candidate accepting employment
- Anticipated difficulty in retaining employee
- Criteria should be applied fairly and equitably among employees
- Budget Implications: Short and Long Term

[For current regular County employees, see also MCPPP §A.5.1 – Salary on Change to a Higher Class for minimum step placement requirements]

**PROCEDURES**

1. Before formally offering advanced step placement to candidate, Hiring Authority completes “Request for Advanced Step Within Salary Range” form (form A.2.1).
  - Indicates reason for request
  - Gives narrative explanation of considerations
  - Completes “yes/no” questions regarding fair and equitable treatment of employees
  - Provides present County employment information
  - Attaches copy of employment application, resume or other applicable materials
2. “Request for Advanced Step Within Salary Range” form (form A.2.1) is submitted to Department Head or designee for review.
3. Department Head or designee reviews request, annotates with justification for approval/denial, and signs request.
4. “Request for Advanced Step Within Salary Range” form is returned to Hiring Authority who may offer such to candidate.
5. If Advanced Step Placement is approved, the signed “Request for Advanced Step Within Salary Range” form is submitted to Departmental Benefits Coordinator for preparation of Personnel Action Form.

## COMPENSATED VOLUNTARY TRAINING PROGRAMS

### PROGRAM OVERVIEW

Departments may provide compensation to employees for attendance at qualified voluntary training programs. Availability of this compensation is available to all County employees. Although it is not required that the County compensate employees for attending "voluntary training programs" on their own time, departments may, at their own discretion, approve compensation for employees' attendance at such training. This may include training which employees are ordinarily expected to attend on their own time (e.g. – continuing education credits.)

### QUALIFIED PROGRAMS

In order to be designated as a qualified voluntary training program, the following criteria must be met:

- The training program is truly voluntary and in no way required by the County.
- The training program is supported and approved by the Department Head.
- The training program is provided during the employee's non-working hours and in addition to his/her regular working hours.
- The content of the training program is not specific to nor exclusively applicable to the County.
- The training program is similar to training programs provided by other independent agencies or learning institutions.
- The training program is not compensable via any other County policy, departmental policy or MOU provision.

### CONSIDERATIONS FOR PROVIDING COMPENSATION

The following factors should be considered when evaluating the appropriateness of providing compensation for attendance at voluntary training programs during non-working hours:

- It is desirable for employee to receive training.
- The training is directly related to employee's current job.
- It is appropriate for the County to provide this training for employees.
- It is necessary and practical to hold the training program outside of regular work hours rather than during work hours.
- It is necessary or beneficial to provide an incentive for the employee to attend this training.

## COMPENSATION FOR QUALIFIED PROGRAMS

- Non-overtime exempt employees shall be compensated at their regular rate of pay on an hour-for-hour basis, however these hours shall not be treated as regular hours worked.
- Overtime exempt employees shall receive compensatory time off on an hour-for-hour basis.

## PROCEDURES

### REQUEST FOR COMPENSATED TRAINING

1. Employee desiring compensation for voluntary training completes and submits "Paid Voluntary Training Request" Form (Form A.48.1a) for Department Head or designee approval at least one pay period prior to the commencement of the training program, indicating:
  - Title and Location of Training Program.
  - Dates and hours of Training.
  - Total hours for which compensation is requested.
  - Brief description of the benefits of the training to the employee's current job.
2. Department Head or designee reviews "Paid Voluntary Training Request" Form and verifies that training meets criteria for designation as a qualified program.
3. Department Head or designee:
  - Determines if requested voluntary training will be compensated.
  - Determines if compensation will be withheld until successful completion of program.
  - Signs signifying approval/denial.
  - Returns form to employee.

### PROCESSING COMPENSATION

1. Employee completes time sheet for pay period in which training occurred (or the pay period in which training was completed, if applicable) and attaches to it a copy of approved "Paid Voluntary Training Request" form.
2. Employee submits the time sheet and attached approval form to the Department Payroll Coordinator.
3. Department Payroll Coordinator verifies that the paid voluntary training time has been approved (and completed if necessary) and records time as follows:
  - Overtime eligible employees: input "AT" for DOE code followed by the number of hours that the employee attended training into the Time and Attendance system.

- Overtime-exempt employees: record number of hours employee attended training which shall be provided to employee as time-off on an hour-for-hour basis. Such hours shall be recorded and tracked by the individual departments and shall not be recorded in to the Time and Attendance system.

## EMPLOYMENT BONUS

### PROGRAM OVERVIEW

The Employment Bonus Program authorizes the CAO or designee to designate certain positions as "difficult to fill" and to authorize payment of up to \$5000 to new, permanent employees hired into those positions. For purposes of this Program, a new employee is defined as a person who has not been employed in the same classification with the County of Monterey within the last year. The CAO may waive the time requirement for extenuating circumstances as requested by the Department Head. The Employment Bonus is treated as income according to the applicable rules of taxation and withholding deductions and is paid on the first pay period following completion of any required time served.

The Employment Bonus is paid in the employee's paycheck as follows:

- 20% upon hire (1st paycheck)
- 30% after the completion of 90 days of employment
- 50% at the completion of one calendar year of service

### DESIGNATION OF POSITIONS AS "DIFFICULT TO FILL"

The following factors are considered in recommending the designation of a position as "Difficult-To-Fill":

#### DEMOGRAPHIC:

- Candidates with the competencies needed for this position are typically difficult to find in the local recruitment area.
- Local educational institutions do not specialize in this particular profession or technical field; as so limit the number of qualified applicants.
- Other large employers in the geographical area are actively competing for similar, highly sought after competencies.

#### ECONOMIC:

- Candidates with the level of knowledge, skills and abilities required to fill the vacancy may be deterred by economic factors such as: housing prices, cost of goods and services, availability of those services, and current lifestyle affordability.

#### SOCIOLOGICAL:

- Candidates with the level of competencies and experience required for this position are reluctant to relocate due to their involvement and establishment in their communities or professional organizations.

**CONDITION OF CURRENT LABOR MARKET:**

- Due to various factors adversely affecting the current labor market, the particular skill required to fill the vacancy is scarce.

**POSITIONS THAT ARE DIFFICULT FOR THE COUNTY TO STAFF**

- Recruitments for classifications that have been repeated with no success, have a known history of being difficult to recruit for, or to which are difficult to attract qualified candidates.

**ESTABLISHING CRITERIA FOR VARIABLE BONUS AMOUNTS**

Once a class/position has been designated as "difficult to fill" and a maximum bonus amount authorized, the Department Head may choose to pay eligible candidates different bonus amounts (up to the authorized maximum amount) based on criteria such as experience, training required, special skills, etc. If a Department chooses to pay different bonus amounts, it is imperative that the Department Head, Department Personnel Analyst and Hiring Manager develop and document the criteria for the hiring bonus amounts to be paid.

**PROCEDURES****DESIGNATING A POSITION AS ELIGIBLE FOR THE PROGRAM**

1. Hiring Manager submits a completed "Recommendation for Employment Bonus" Form (form A. 49.1 a) to the Department Personnel Analyst indicating the following:
  - Title and class code of position requested for employment bonus
  - Particular position/assignment within the class (if request is restricted to certain positions/assignments within the class)
  - Requested maximum amount of Employment Bonus (up to \$5000)
  - Narrative explanation of factors used to justify recommendation to designate class/position as "Difficult to Fill".
2. Department Personnel Analyst reviews "Recommendation for Employment Bonus" Form, verifies class title and class code, signs acknowledging review, and submits to the Department Head or Designee.
3. Department Head or designee reviews "Recommendation for Employment Bonus" Form, signs acknowledging approval/denial of class and bonus amount, and returns form to Department Head or Designee to both the Department Personnel Analyst and the Hiring Manager.

**AWARDING THE EMPLOYMENT BONUS**

1. Before offering the Employment Bonus to a potential candidates, the Hiring Authority verifies that the candidate meets the following eligibility criteria:
  - is a new employee
  - has not been employed in the same classification with the with the County of Monterey within the last year
  - is being offered employment into a permanent position
2. Upon acceptance of the position by the candidate, the Hiring Authority submits a copy of the signed "Recommendation for Employment Bonus" form to the Department Payroll Coordinator for preparation of Personnel Action Form and an Employment Bonus Payment Worksheet (form A.49.1 b).
3. The Departmental Payroll Coordinator verifies that the new employee:
  - is a new employee
  - has not been employed in the same classification with the with the County of Monterey within the last year
  - has been hired into a permanent position
4. The Departmental Payroll Coordinator submits for processing:
  - a new employee Personnel Action Form with the following statement typed in the "Remarks" box:  
*"Include Employment Bonus payment of \$ \_\_\_\_\_ as indicated on attached Employment Bonus Payment Worksheet"*
  - a copy of the signed "Recommendation for Employment Bonus" form
  - an Employment Bonus Payment Worksheet requesting the initial payment
5. Once the subject employee completes 90 calendar days of employment, the Department Payroll Coordinator verifies that the employee is still employed in a permanent position with the County and submits the following for processing:
  - a Personnel Action Form with the following statement typed in the "Remarks" box:  
*"Include Employment Bonus payment of \$ \_\_\_\_\_ as indicated on attached Employment Bonus Payment Worksheet"*
  - an Employment Bonus Payment Worksheet requesting the second payment
6. Upon completion of one calendar year of employment, the Department Payroll Coordinator verifies that the employee is still employed in a permanent position with the County and submits the following for processing:
  - a Personnel Action Form with the following statement typed in the "Remarks" box:  
*"Include Employment Bonus payment of \$ \_\_\_\_\_ as indicated on attached Employment Bonus Payment Worksheet"*
  - an Employment Bonus Payment Worksheet requesting the final payment
7. The completed employment paperwork, a copy of the "Recommendation for Employment Bonus" form and copies of the Employment Bonus Payment Worksheet are placed in the employee's Departmental Personnel File.

**EMPLOYEE REFERRAL BONUS PROGRAM**

The Employee Referral Bonus Program authorizes the CAO or designee to authorize payment of up to \$2000 to current, regular County employees who refer a successful candidate hired into a 'difficult to fill' position. The Employee Referral Bonus Program is open to all eligible employees, and is applicable to any position deemed eligible for the Bonus Referral by the Department Head. The Referral Bonus is treated as income according to the applicable rules of taxation and withholding.

The Referral Bonus is paid in the referring employee's paycheck as follows:

50% after the referred successful candidate completes his/her first pay period

50% at the completion of the referred successful candidate's first calendar year of service

**ELIGIBLE EMPLOYEES**

- Any current permanent or seasonal employee is eligible to participate in the Employee Referral Bonus program, with the exception of the County Administrative Office staff, Departmental Human Resources staff, Department Heads, Hiring Managers, the Board of Supervisors, and any staff with direct involvement in the pre-employment exam and selection process for an eligible classification.
- For the purposes of this program, "referring employee" means a current permanent or seasonal employee with the County of Monterey.

**PAYMENT OF THE REFERRAL BONUS**

- For purposes of this program, a "referred successful candidate" is defined as a person hired as a full-time or part-time permanent or seasonal employee who has not been employed in the same classification with the County of Monterey within the last two years. (The CAO may waive this time limit for extenuating circumstances upon the request and justification of the Department Head.) The amount of the Referral Bonus will be up to a total of \$2000.00 as determined by the Department Head.
- When the referred successful candidate is hired, one-half of the bonus will be paid to the referring employee as taxable income. The remaining balance will be paid to the referring employee at the completion of the referred successful candidate's first year of service, providing that both the referring employee and the referred successful candidate are still active employees and the referred successful candidate has met satisfactory performance and attendance requirements.
- Referring employees shall be designated by the applicant by submitting a completed "Referral by County Employee" Form at the time of application.
- In the event that more than one County employee is designated as a referring employee and the referred successful candidate, the Referral Bonus will be equally apportioned among the employees making the referral.

**DESIGNATION OF POSITIONS AS "DIFFICULT TO FILL"**

The following factors are considered in recommending the designation of a position as "Difficult-To-Fill":

**DEMOGRAPHIC:**

- Candidates with the competencies needed for this position are typically difficult to find in the local recruitment area.
- Local educational institutions do not specialize in this particular profession or technical field; as so limit the number of qualified applicants.
- Other large employers in the geographical area are actively competing for similar, highly sought after competencies.

**ECONOMIC:**

- Candidates with the level of knowledge, skills and abilities required to fill the vacancy may be deterred by economic factors such as: housing prices, cost of goods and services, availability of those services, and current lifestyle affordability.

**SOCIOLOGICAL:**

- Candidates with the level of competencies and experience required for this position are reluctant to relocate due to their involvement and establishment in their communities or professional organizations.

**CONDITION OF CURRENT LABOR MARKET:**

- Due to various factors adversely affecting the current labor market, the particular skill required to fill the vacancy is scarce.

**POSITIONS THAT ARE DIFFICULT FOR THE COUNTY TO STAFF**

- Recruitments for classifications that have been repeated with no success, have a known history of being difficult to recruit for, or to which are difficult to attract qualified candidates.

**DESIGNATING POSITIONS AS ELIGIBLE FOR THE REFERRAL BONUS**

The Employee Referral Bonus is one tool that is used in conjunction with other recruitment sources to fill a job vacancy for positions that are designated by the department head as "Difficult to Fill". This guide is provided to assist Departments in deciding the feasibility of offering a Referral Bonus to eligible employees.

The hiring department should consider if the following factors exist:

- Participation of County employees in the recruitment process would enhance existing advertising and recruitment methods
- The Referral Bonus is a cost-effective way to expand the qualified applicant pool.
- There is a need to fill the vacancy expeditiously and assistance from County employees in identifying and encouraging applicants would help recruitment efforts.
- Employees would respond positively to the incentive offered and take an active role in assisting the referred successful candidate in assimilating into the organization.
- County employees would assist in identifying new qualified candidates to the County.

### ESTABLISHING A CRITERIA FOR VARIABLE REFERRAL BONUS AMOUNTS

Once a class/position has been designated as eligible for the Employee Referral Bonus Program and a maximum bonus amount authorized, the Department Head may choose to pay eligible County employees different referral amounts based on criteria including the potential increase in employee morale, difficulty in filling the position and how long the position has been vacant, and applicable experience level of the new employee. If a Department chooses to pay different bonus amounts, it is imperative that the Department Head, Department Personnel Analyst and Hiring Manager develop and document the criteria for the referral bonus amounts to be paid.

### PROCEDURES

#### DESIGNATING A CLASS/POSITION AS ELIGIBLE FOR THE REFERRAL BONUS

1. Hiring Manager submits a completed "Request to Participate in Employee Referral Bonus Program" Form (form A.49.2.a) to the Department Personnel Analyst indicating the following:
  - Class (and particular position/assignment, if request is restricted to certain positions/assignments within the class) requested for referral bonus
  - Indicates reasons the recruitment is eligible to participate in the Employee Referral Bonus Program.
  - Maximum amount of Referral bonus (up to \$2000).
  - Explanation of factors used to justify recommendation to designate class/position as "Difficult to Fill" and offer the bonus amount in the form of a brief narrative.
2. Department Personnel Analyst reviews "Request to Participate in Employee Referral Bonus Program" Form, verifies class title and, signs acknowledging review, and submits to the Department Head or designee.
3. Department Head or designee reviews "Request to Participate in Employee Referral Bonus Program" Form, signs acknowledging approval/denial of class/position and bonus amount,
4. Department Head routes "Request to Participate in Employee Referral Bonus Program" form to both the Department Personnel Analyst and the Hiring Manager.

5. Department Personnel Analyst includes information regarding "Referral by County Employee" Form (form A.49.2.b) in application materials and notifies County employees of Referral Bonus being offered.

#### AWARDING THE EMPLOYMENT REFERRAL BONUS

1. Upon the referred successful candidate completing his/her first pay period the Department Personnel Analyst submits the signed "Referral by County Employee" Form and a copy of the "Request to Participate in Employee Referral Bonus Program" form (with any changes, if a lesser bonus amount is applicable), to the Departmental Payroll Coordinator for preparation of a Employment Referral Bonus Worksheet.
2. The Departmental Payroll Coordinator verifies that:
  - The referring employee is a current permanent or seasonal employee with the County of Monterey and is an eligible employee for the Referral Bonus.
  - The referred successful candidate has not been employed in the same classification with the County of Monterey within the last two years.
3. The Departmental Payroll Coordinator completes a "Referral Bonus Payment Worksheet" (form A.49.2.b) authorizing payment of the first 50% of the referral bonus and submits it to the Auditor-Controller's Office for processing.
4. Upon completion of the first calendar year of employment of the referred successful candidate, the Departmental Payroll Coordinator verifies that:
  - The referring employee is a current permanent or seasonal employee with the County of Monterey and is an eligible employee for the Referral Bonus.
  - The referred successful candidate is still employed in a permanent position with the County
5. The Departmental Payroll Coordinator completes a "Referral Bonus Payment Worksheet" form authorizing payment of the final 50% of the referral bonus and submits it to the Auditor-Controller's Office for processing.

## **EDUCATIONAL ASSISTANCE PROGRAM**

### **PROGRAM OVERVIEW**

The County of Monterey Education Assistance Program provides non-taxable financial support to employees who pursue professional growth and development through higher education. This policy is intended to be a qualified educational assistance program pursuant to the Internal Revenue Code [26 USC 127] and Internal Revenue Service (“IRS”) Regulations [26 CFR 1.127-2]. This policy complies with existing IRS law and regulations and takes advantage of favorable changes in IRS Regulations effective January 01, 2002. These changes in IRS Regulations broaden the scope of tax-exempt educational assistance.

The IRS requires that the tax-exempt program be maintained separate from any other County of Monterey Educational Assistance Program. This Program replaces the program created by the Tuition Assistance – Professional Development Policy (and related sections of the Personnel Policies, and Practices Resolution) approved by the Board of Supervisors on July 31, 2001.

This program does not discriminate between employee classifications, favor higher compensated employees over other employees, or favor one type of qualified educational pursuit over another. The IRS recognizes that collective bargaining agreements may provide employees with different levels of educational benefits. The IRS Regulations exclude bargained educational benefits from the discrimination prohibition [26 CFR 1.127-2(e)].

### **ELIGIBLE EMPLOYEES**

- All County full-time permanent, seasonal and temporary employees are eligible for qualified assistance under this program.
- For the purposes of this program, “full-time” is defined as working 64 hours or greater per pay period.
- Spouses and dependents of employees who are not County employees are not eligible for assistance under this program.
- Employees participating in this program must maintain continuous County employment from the date of enrollment until the date the Educational Assistance Claim Form is submitted.

### **ELIGIBLE COURSES**

- Reimbursement under this plan shall be limited to educational assistance as defined by the IRS. The benefits provided under this program must consist solely of educational assistance as defined by IRS Code Section 1.127-2(c).
- For purposes of this Program, the term “education” is defined as any form of instruction or training that improves or develops the capability of an individual.

- Education paid for or provided under a qualified program may be furnished directly by the employer, either alone or in conjunction with other employers, or through a third party such as an educational institution. Education is not limited to courses that are job related or are part of a degree program. [26 CFR 1.127-2(c)(4)]
- Continuing education, licensing, certification, correspondence and on-line computer courses are eligible under this program.
- This program treats institutions located outside of Monterey County the same as institutions within Monterey County.

#### ELIGIBLE EDUCATIONAL EXPENSES

The following costs are eligible for reimbursement:

- Tuition Fees
- Registration Fees
- Student Identification Card Fees
- Required Lab Fees
- Required Textbooks
- Required supplies that are not retained after the course is completed.

The County will not reimburse or pay for the provision of:

- Tools or supplies (other than textbooks) that the employee may retain after completing a course of instruction
- Meals, lodging, transportation (including parking and mileage)
- Education involving sports, games, or hobbies, unless such education involves the business of the County of Monterey or is required as part of a degree program. The phrase "sports, games, or hobbies" does not include education that instructs employees how to maintain and improve health as long as such education does not involve the use of the athletic facilities or equipment and is not recreational in nature. [26 CFR 1.127-2(c)]

#### ANNUAL REIMBURSEMENT LIMIT

- Reimbursement under this program shall not exceed the calendar year limit established by the IRS.
- Effective January 01, 2002, the limit for Monterey County employees under this program shall not exceed \$2,500 annual reimbursement. However, where circumstances permit, departments may authorize the reimbursement limit to be increased to \$5,250.
- Future changes in the limit established by the IRS shall automatically be incorporated into this policy.

## EMPLOYEE OBLIGATIONS

### Grades:

- In order to qualify for reimbursement for educational expenses under this program, an employee must receive a passing grade of "C" or better (or the equivalent).
- If an "I" or "Incomplete" is given, the employee will have until the end of the following quarter/semester in which to complete the course in order to receive reimbursement.
- For courses, licensure, certification, or "specialized" training programs requiring a grade of "Pass/Fail", a grade of "Pass" must be awarded to secure reimbursement.
- Withdrawal from a course prior to completion will result in the denial of reimbursement.
- Educational Assistance funds may not be used for courses that are only audited by the employee (e.g., the employee does not receive a grade or units of credit).

### Reimbursement:

- Employees must comply with the Educational Assistance reimbursement procedures below.
- Employees must complete the required notification and claim forms, provide documentation regarding course completion and grades, as well as receipts, cancelled checks, or other substantiating documentation for other costs being claimed.

### Scheduling:

- Courses should normally be taken outside of scheduled working hours. However, if the course is not offered at that time and must be taken during working hours, the employee may only do so with the approval of his or her supervisor. The supervisor must verify that the employee's attendance at class(es) will not adversely affect department services.

### Noticing Requirement

- The County shall notify all employees of the terms and availability of this Program on a regular basis. [26 CFR 1.127-2(g)]
- Employees shall provide notice of intent to seek reimbursement and confirm understanding of the conditions of reimbursement prior to or at the time of enrollment in the course.

## PROCEDURES

### APPLYING FOR EDUCATIONAL ASSISTANCE

1. Eligible employee obtains "NOTICE OF INTENT TO CLAIM EDUCATIONAL ASSISTANCE" (form A.48.2 a) from Department Benefit Coordinator.

2. Eligible employee completes "NOTICE OF INTENT TO CLAIM EDUCATIONAL ASSISTANCE" (form A.48.2 a) and returns it to the Department Benefit Coordinator prior to or at the time of enrollment in the course.
3. Departmental Benefit Coordinator provides copy of completed "NOTICE OF INTENT TO CLAIM EDUCATIONAL ASSISTANCE" (form A.48.2 a) to Office of Employee Relations.

### PROCESSING A CLAIM FOR EDUCATIONAL ASSISTANCE

1. Eligible employee obtains "EDUCATION ASSISTANCE CLAIM" (form A.48.2 b) and "COUNTY OF MONTEREY CLAIM FOR PAYMENT" form from Department Benefit Coordinator.
2. Eligible employee returns completed "EDUCATION ASSISTANCE CLAIM" (form A.48.2 b) and "COUNTY OF MONTEREY CLAIM FOR PAYMENT" form to Department Benefit Coordinator within 30 days after the course is completed and the grade received with the following attachments:
  - Copy of official grade report or certificate of passing.
    - In order to qualify for reimbursement for educational expenses under this program, an employee must provide documentation that s/he received a passing grade of "C" or better (or the equivalent).
    - If an "I" or "Incomplete" is given, then the employee will have until the end of the following quarter/semester in which to complete the course in order to receive reimbursement.
    - For courses, licensure, certification, or "specialized" training programs requiring a grade of "Pass/Fail", a grade of "Pass" must be awarded to secure reimbursement.
  - Copies of all receipts associated with coursework (e.g., registration, tuition, textbooks, lab fees, etc.)
    - Reimbursement of claimed items shall be based upon the availability of associated receipts.
    - If receipt(s) are not included with claim form, item(s) being claimed will not be reimbursed.
4. Department Benefit Coordinator verifies that:
  - Course was completed with a grade of "C" or better or a grade of "Pass" for coursework, training, licensure, or certification programs conducted on a Pass/Fail basis.
  - Verifies that all receipts for expenses incurred are associated with reimbursement claim.
  - Verifies that "COUNTY OF MONTEREY CLAIM FOR PAYMENT" form includes the following information:

**Fund:** 0001

**Budget Unit:** 130

**Organization:** 1300

**Account:** 6342

5. Department Benefit Coordinator submits "EDUCATION ASSISTANCE CLAIM" (form A.48.2 b) and "COUNTY OF MONTEREY CLAIM FOR PAYMENT" form and attachments to Auditor's Office, Attention: ACCOUNTS PAYABLE DIVISION.
  
6. Accounts Payable Division approves/denies claim and returns "EDUCATION ASSISTANCE CLAIM" (form A.48.2 b) and "COUNTY OF MONTEREY CLAIM FOR PAYMENT" form as follows:
  - Copy to Office of Employment Relations
  - Copy to employee
  - Copy to Department Benefit Coordinator
  
7. Accounts Payable Division processes payment, if claim approved.

**GRAND JURY FINAL REPORT TITLED** MONTEREY BAY BEACHES  
**RESPONSE TO FINDINGS** by Health Department (Monterey County Board of Supervisors  
[as required by Section 933.05(a) California Penal Code] (Agency)

Find- ing #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding; see next column	<b><u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u></b>
1	X		
2	X		
3	X		
4	X		

**MONTEREY BAY BEACHES**

**FINDING #1:** In 2000 there were four Monterey County beaches closed due to sewage spills and 25 warning advisories of high bacterial content at local beaches. There were two additional sewage spills which did not result in the closure of the affected beaches.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #2:** Through September 2001 there had been one Monterey County beach closure due to a sewage spill and 11 warning advisories of high bacterial content at local beaches. There were three additional sewage spills in 2001 which did not result in closure of the affected beaches.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #3:** There is inadequate storm drain pipe maintenance in Monterey Peninsula cities.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #4:** Only one public information forum on how to keep beaches and coastal waters healthy was conducted in Monterey County during 2001. It was held in Monterey on February 28, 2001.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**GRAND JURY FINAL REPORT TITLED** MONTEREY BAY BEACHES  
**RESPONSE TO RECOMMENDATIONS by** Health Department (Monterey County Board of Supervisors)  
 (Agency)  
 [as required by Section 933.05(b) California Penal Code]

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b><u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u></b>
1 a., b., c., and d.		X			

## MONTEREY BAY BEACHES

**RECOMMENDATION #1:** The Board of Supervisors direct the Environmental Health Division of the Monterey County Health Department to share its expertise with Monterey Peninsula cities to determine what support they require to develop a community education program. The community education program that each Monterey Peninsula city develops should include, but not be limited to:

- a. Sources of run-off pollution into Bay waters;
- b. Monterey Bay bacterial pollution;
- c. Potential illnesses from polluted ocean water;
- d. Methods of prevention of pollution of Monterey Bay waters.

**RESPONSE:** Monterey County is committed to development of a model Non-Point Source (NPS) program that will be designed to address storm water runoff, sedimentation, and water quality concerns and issues. The County Administrative Office, Public Works, Health Department's Environmental Health Division, and the Water Resources Agency have formed a multi-discipline team that will develop a comprehensive and integrated approach to storm water management in Monterey County. The Water Resource Agency will be the lead organization in the County's team, and hence, will be responsible for developing a program. The proposed program will be designed to integrate with the efforts of existing peninsula city organizations, and is planned to expand that program into the entire County. Initial efforts will be focused addressing Phase II requirements of the National Pollution Elimination Discharge System (NPDES) for NPS. Additional elements of the program will be developed to address the impacts of total maximum daily loading (TMDL) concerns for the major water ways in the county.

The Monterey County Health Department's Environmental Health Division is prepared to assist the Monterey Peninsula cities in their community education programs relating to the sources, impact and prevention of run off pollution into the Monterey Bay. It will be the responsibility of the affected cities to develop and implement schedule and content for the programs.

**GRAND JURY FINAL REPORT TITLED** ANIMAL SERVICES IN MONTEREY COUNTY  
**RESPONSE TO FINDINGS** by Health Department (Monterey County Board of Supervisors)  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<b><u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u></b>
1	X		See Attached
2	X		See Attached

**ANIMAL SERVICES IN MONTEREY COUNTY**

**FINDING #1:** Financial costs vary from \$75 to \$100 to maintain an animal that will eventually be euthanized.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #2:** Since mid-2001, directors of animal shelters in Monterey County have held monthly collaborative meetings to discuss spay, neuter, and public awareness education program needs.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**GRAND JURY FINAL REPORT TITLED** ANIMAL SERVICES IN MONTEREY COUNTY  
**RESPONSE TO RECOMMENDATIONS** by Health Department (Monterey County Board of  
Supervisors) (Agency)

[as required by Section 933.05(b) California Penal Code]

Rec.#	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1) (4)	(2)	(3)		
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b><u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u></b>
1		X			See Attached

## ANIMAL SERVICES IN MONTEREY COUNTY

**RECOMMENDATION #1:** The Board of Supervisors, along with the cities of Salinas and Marina, allocate funds sufficient for a spay and neuter program (per AB 1856 and SB 1785), with the goal that by 2010, no adoptable animal is being euthanized in Monterey County.

**RESPONSE:** The recommendation will be implemented.

The issue of pet overpopulation leading to shelter over-crowding and the requirement that public animal shelters in Monterey County euthanize an estimated 10,000 animals annually is preventable. The solution is complex and not wholly under the control of the County, even with the support and cooperation of the Cities of Salinas and Marina. Yet, the County has taken a very significant step towards a solution in the approval of a new Animal Services Center. This new facility represents a cooperative venture between the County and several cities. The new facility will include an on-site spay neuter clinic. The Animal Services Center is scheduled to open in early 2003.

For the past several years, the Monterey County Board of Supervisors has allocated \$25,000 to stimulate public interest in spaying and neutering. These funds are used to encourage, sponsor, and subsidize pet owners to spay and neuter their animals.

Additionally, the County and local animal welfare supporters advocated and are in the process of creating a new foundation, Friends of the Animal Services Center of Monterey County. Among the primary objectives of the foundation will be to develop and implement a comprehensive strategy to address pet overpopulation in Monterey County. The foundation is currently in the process of submitting a grant request to a local foundation to fund a one-year project that will conduct an in-depth study to identify the causes of animal overpopulation in Monterey County and to develop a strategic plan (including goals, objectives and timeframes) to end the problem.

The County is currently working collaboratively with the City of Salinas, the SPCA, and other interested individuals and organizations to address the complex issues associated with pet overpopulation and animal welfare.

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

APPROVE REVISION TO THE )  
RECOMMENDED RESPONSE TO THE 2001 )  
MONTEREY COUNTY GRAND JURY FINAL )  
REPORT AND AUTHORIZE STAFF OF THE )  
COUNTY ADMINISTRATIVE OFFICE TO )  
FILE APPROVED REVISION TO THE FINAL )  
RESPONSE WITH THE PRESIDING JUDGE OF )  
THE SUPERIOR COURT OF CALIFORNIA, )  
COUNTY OF MONTEREY. )

Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and carried by those members present, the Board hereby approves the proposed revision to the Response to the 2001 Monterey County Grand Jury Final Report and authorizes staff of the County Administrative Office to file the approved revision to the Response with the Presiding Judge of the Superior Court of California.

PASSED AND ADOPTED on this 28th day of May, 2002, by the following vote, to-wit:

AYES: Supervisors Armenta, Pennycook, Calcagno, Johnsen, and 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 71, on May 28, 2002.

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

Dated: May 28, 2002

By Cynthia Juarez  
Cynthia Juarez Deputy

**GRAND JURY FINAL REPORT TITLED** Animal Services in Monterey County  
**RESPONSE TO RECOMMENDATIONS** by Board of Supervisors (Health Dept.)  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec.#	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u>
2.	X				See Attached

**ANIMAL SERVICES IN MONTEREY COUNTY**

**RECOMMENDATION #2:** The Board of Supervisors allocate funds sufficient for an education program aimed at increasing the public's awareness of animal care and responsibility.

**RESPONSE:** The recommendation has been implemented.

The Board of Supervisors currently appropriates sufficient funds to operate an educational campaign intended to increase the public's awareness of animal owners' responsibilities to provide proper care and responsibility. In addition to the activities of staff and volunteers associated with the Animal Services Division of the County Health Department, the County has taken a leadership position in creating a new foundation, Friends of the Animal Services Center of Monterey County, that will develop and implement a comprehensive strategy to address issues of pet owner responsibility, including pet overpopulation.



**OFFICE OF THE MAYOR**

440 Harcourt Avenue  
Seaside, CA 93955

Telephone (831) 899-6200  
FAX (831) 899-6227  
TDD (831) 899-6207

March 21, 2002

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 regarding Storm Water Management.

**FINDINGS:**

1. There is inadequate storm drain pipe maintenance in Monterey Peninsula Cities.

**RESPONSE:** The respondent agrees with the findings.

2. Only one public information forum on how to keep beaches and coastal water healthy was conducted in Monterey County during 2001. It was held in Monterey on February 28, 2001.

**RESPONSE:** The respondent agrees with the findings.

**RECOMMENDATIONS:**

1. The Board of Supervisors direct the Environmental Health Division of the Monterey County Health Department to share its expertise with Monterey Peninsula cities, working with the cities to determine what support they require to develop a community education program. The community education program that each Monterey Peninsula city develops should include, but not be limited to:
  - a. Sources of run-off pollution into Bay waters;
  - b. Monterey Bay bacterial pollution;
  - c. Potential illnesses from polluted ocean water;
  - d. Methods of prevention of pollution of Monterey Bay waters.

Hon. Robert O'Farrell  
March 5, 2002  
Page 2 of 2

**RESPONSE:** The recommendation has not yet been implemented, but will be implemented in the future. The City of Seaside cannot respond for the Monterey County Board of Supervisors. However, the City of Seaside would welcome the support of the Environmental Health Division of the Monterey County Health Department in developing a community education program as outlined in the recommendation.

The City of Seaside is already a member of the Monterey Regional Storm Water Participates Group which was established to obtain a regional National Pollutant Discharge Elimination System Phase II (NPDES Phase II) permit for Monterey Peninsula Cities. This permit will require cities to develop and implement "best management practices" for existing storm drains as well as "good housekeeping programs" to improve water quality. Public Education/Outreach and Public Participation/Involvement are two of the six (6) minimum control measures that will be implemented in the permit and corresponding Storm Water Management Program. We anticipate including a community education program as part of the permit.

Sincerely,



Jerry O. Smith  
Mayor, City of Seaside



March 7, 2002

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

Dear Judge O'Farrell,

At their meeting on March 5, 2002, the City Council of the City of Sand City considered the attached response, prepared by the Sand City Public Works Director, to the 2001 Monterey County Grand Jury Report. After careful review and discussion, the City Council approved the attached response to the Findings and Recommendations section of the 2001 Final Report on Monterey Bay beaches.

As required by Section 933 and 933.05 of the California Penal Code, Sand City is submitting the attached response to the 2001 Monterey County Grand Jury Report.

Sincerely,



David K. Pendergrass  
Mayor

City Hall  
1 Sylvan Park,  
Sand City, CA  
93955

Administration  
(831) 394-3054

Planning  
(831) 394-6700

FAX  
(831) 394-2472

Police  
(831) 394-1451

FAX  
(831) 394-1038

Incorporated  
May 31, 1960

Enc: Response to 2001 Grand Jury Report

cc: Monterey Peninsula Cities  
MRWPCA

GRAND JURY FINAL REPORT TITLED #7 Monterey Bay Beaches  
 RESPONSE TO FINDINGS by City of Sand City  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
#3	X		See response comments (attached).
#4	X		See response comments (attached).

**CITY OF SAND CITY**  
**RESPONSE TO 2001 MONTEREY COUNTY**  
**CIVIL GRAND JURY REPORT**  
**JANUARY 2, 2002**

**REPORT NO. 7 MONTEREY BAY BEACHES**

**Finding #3:** There is inadequate storm drain pipe maintenance in Monterey Peninsula cities.

**Response:** The City of Sand City agrees with the findings, with these additional comments.

**Comments:** Sand City's shoreline along Monterey Bay between Seaside and Fort Ord is 7500 feet long. There is only one storm water outlet to Monterey Bay along the entire shoreline. This is a 90" concrete pipe which drains 965 acres of the City of Seaside and 70 acres in Sand City with a coastal outfall located adjacent to Bay Avenue in Sand City. Based on a 1966 agreement between Seaside and Sand City, the City of Seaside has assumed responsibility for the proper maintenance, repair and legal obligation of the 90" storm drain line that discharges at the Bay Avenue coastal outfall in Sand City.

Only a portion of each city drains into the 90" storm drain line and the coastal outfall. The remaining drainage areas of the two cities are serviced by other drainage systems. For example, the two large shopping centers in Sand City have been developed with "state of the art" underground percolation systems for storm water runoff. In this area of Sand City, the rain water runoff is directed to large underground chambers that filter the water and then spread the water into long underground percolation pipes that allow the clean water to percolate back into the ground. This type of system does not allow debris and contaminants to reach the coast or Monterey Bay. These underground systems are serviced and maintained on a periodic basis by a private company that specializes in this type of service.

Because there are two drainage basins (965 acres in Seaside and 70 acres in Sand City) that feed into the 90" storm drain line, it requires each city to perform the maintenance and housekeeping activities within each drainage area to keep debris from entering the storm water catch basins and being discharged on to the beach. Periodic cleanup and pick up at the Bay Avenue coastal outfall are required to remove the debris that is discharged in this area.

However, each city is responsible for the storm water discharges entering the catch basins that lead into the 90" storm drain. For example, there are 307 drain inlets in Seaside and 20 within Sand City. This provides an order of magnitude of

the responsibilities for each city to maintain their facilities and to reduce and/or eliminate debris entering the collection system and being discharged onto the beach and Monterey Bay.

Sand City has a continuing program of street sweeping. The City contracts with the City of Monterey Public Works Department to sweep the city streets on a regular schedule. Major streets are swept weekly (52 times each year) and the minor streets are swept every other week. The major streets include Contra Costa Avenue, Catalina Avenue, Ortiz Avenue, California Avenue, Playa Avenue, Tioga Avenue, and Sand Dunes Drive. All other streets are in the minor category. Sand City also has a contract with Hope Rehabilitation Services (previously Gateway Industries) for general cleanup of the City. This includes removal of debris from the streets which reduces if not eliminates debris from entering the storm water catch basin. The City's current contract with the City of Monterey for street sweeping is \$16,813.68 and the contract with Hope Industries for general cleanup is \$74,000. Both contracts are for the 2001-2002 fiscal year. This is the fourth year for each contract. Copies of these contracts will be made available on request.

The Bay Avenue coastal outfall does need some study and review to evaluate if certain design changes could provide some possible improvements –

- appearance and public safety on the beach
- functional operation
- reduction or elimination of outfall clogging and preventing overflow or backup on to city streets

For the past several years, Sand City has been participating in the Storm Water Task Force with all of the other Monterey Peninsula cities which is being conducted by the MRWPCA. The objective of the group is to cooperatively fulfill the federal requirements to obtain the National Pollution Discharge Elimination System (NPDES) Phase II Permit by March 2003. Attached as Exhibit A is a draft copy of the Mutual Agreement for the cities to work together to fulfill the NPDES Phase II Permit and time schedule. It is anticipated Sand City will ratify this agreement within several months and will adopt a storm water utility ordinance before the end of this year.

As part of the Phase II NPDES permit activities, the two cities will work together to maintain the storm drainage facilities and work towards reducing the debris reaching the Monterey Bay shoreline.

**Finding #4.** Only one public information forum on how to keep beaches and coastal waters healthy was conducted in Monterey County during 2001. It was held in Monterey on February 28, 2001.

**Response:** Sand City agrees with this finding. Sand City Council members and staff have participated in community beach cleanup activities for many years.

One of the activities of the combined storm water Phase II permit activities is an educational program addressing storm water, water quality, eliminating debris, and the effects on Monterey Bay and the adjacent beaches. Sand City will be an active participant in supporting these educational activities.

**Recommendation #1:** The Board of Supervisors direct the Environmental Health Division of the Monterey County Health Department to share its expertise with Monterey Peninsula cities, working with the cities to determine what support they require to develop a community education program. The community education program that each Monterey Peninsula city develops should include, but not be limited to: a. Sources of run-off pollution into Bay waters; b. Monterey Bay bacterial pollution; c. Potential illnesses from polluted ocean water; d. Methods of prevention of pollution of Monterey Bay waters.

**Response:** The City of Sand City's health officer is the Monterey County Director of Environmental Health. Therefore, the Monterey County Health Department, Division of Environmental Health is available to Sand City on an as-needed basis to provide the services described in the recommendation.

**Comments:** The joint storm water task force as previously described has high on its agenda of activities an active educational program. The task force presently has a subcommittee working on developing a continuing educational program.

The task force holds monthly meetings the fourth Wednesday of each month at the office of the Monterey Regional Water Pollution Control Agency. These meetings are open to the public. Grand Jury members are invited to attend these meetings to observe, comment, or participate in the discussions.

# D-R-A-F-T

## MEMORANDUM OF AGREEMENT PROVIDING FOR IMPLEMENTATION OF THE MONTEREY REGIONAL STORM WATER POLLUTION PREVENTION PROGRAM

THIS AGREEMENT, is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2002, by and between the MONTEREY REGIONAL WATER POLLUTION CONTROL AGENCY (Agency), a local Joint Powers Authority (JPA) of the State of California; COUNTY OF MONTEREY, a political subdivision of the State of California; CITY OF \_\_\_\_\_, a municipal corporation of the State of California; CITY OF \_\_\_\_\_, a municipal corporation of the State of California; CITY OF \_\_\_\_\_, a municipal corporation of the State of California; CITY OF \_\_\_\_\_, a municipal corporation of the State of California. CITY OF \_\_\_\_\_, a municipal corporation of the State of California.

All of the above-mentioned entities are hereinafter collectively referred to as "PARTIES" or individually as "PARTY."

### RECITALS:

- A. In 1987, Congress added Section 402 (p) to the Federal Clean Water Act (CWA) 33 U.S.C. Section 1342 (p)), which requires certain municipalities and industrial facilities to obtain a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of storm water to navigable water. NPDES permits are also required under Section 402 (p) for any storm water discharge which the Federal Environmental Protection Agency (EPA) or a state has determined contributes to a violation of a water quality standard, or is a significant contributor of pollutants to surface waters.
- B. Section 402 (p) further required EPA to promulgate regulations for initial NPDES permit applications for storm water discharges. The EPA promulgated such regulations in November 1990
- C. The EPA has delegated authority to the California State Water Resources Control Board (SWRCB) to administer the NPDES permit process within California and, in turn, the SWRCB has delegated authority to the California Regional Quality Control Board – Central Coastal Basin (RWQCB-CCB) to administer the NPDES permit process within its region.

- D. Pursuant to Section 402 (p) of the CWA and EPA regulations, the RWQCB-CCB is expected to adopt orders further defining the program that the PARTIES are to develop and implement.
- E. In and for the mutual interest of the PARTIES, the PARTIES wish to develop and implement the Program by entering into this Agreement for the purpose of ensuring continued participation, in terms of cost and administrative responsibilities.
- F. AGENCY is a local public Joint Powers Agency (JPA) of the State of California, duly organized and existing within the County of Monterey. The County of Monterey is a political subdivision of the State of California. All other PARTIES are either municipal or private corporations, duly organized and existing under the laws of the State of California.

**NOW, THEREFORE, THE PARTIES HERETO FURTHER AGREE, AS FOLLOWS:**

Section 1. Monterey Regional Storm Water Pollution Prevention Program

- 1.01. The Monterey Regional Storm Water Pollution Prevention Program ("Program") is intended to fulfill the obligations of the PARTIES with regard to EPA's Phase 2 Storm Water NPDES requirements. These requirements are expected to be imposed upon the PARTIES by an NPDES permit that will be issued by the RWQCB-CCB at a future date
- 1.02. The Program is a collective effort and implementation of area-wide activities, designed to benefit all PARTIES.

Section 2. Management Committee

- 2.01. A Management Committee is hereby created to provide for overall Program coordination, review, and budget oversight, with respect to the NPDES Permit.
- 2.02. The Management Committee may, as necessary, adopt the Bylaws contained in Exhibit "A" for its governance. The Management Committee may from time to time revise these Bylaws by formal action of the Management Committee and review Bylaws for its governance.
- 2.03. The Management Committee is the official management and oversight body of the Program. The Management Committee shall direct and guide the Program and review and approve the Program Budget. The Management Committee shall consider permit compliance, including benefit to a majority of the PARTIES, as a primary objective in approving Program tasks and corresponding budgets.

- 2.04 The Management Committee may periodically re-evaluate and make recommendations to the PARTIES concerning reallocation of the proportion of the annual Program contribution that each PARTY shall pay.
- 2.05 The voting membership of the Management Committee shall consist of one designated voting representative from each PARTY. An alternative voting representative may be appointed by each PARTY.
- 2.06 A quorum of the Management Committee shall be achieved when voting representatives from at least five (5) of the PARTIES are present at any Management Committee meeting.
- 2.07 Meetings of the Management Committee, including any closed sessions with Program Legal Counsel, shall be conducted in accordance with the "Brown Act" (Government Code Section 54950 et seq.). It is recognized that the individual parties may have differing opinions on whether the Brown Act legally should be interpreted as applying to members of the Management Committee. In executing this Agreement, the parties do not waive their right to take the position that the Brown Act legally does not apply, but voluntarily agree to follow Brown Act procedures for Management Committee meetings. Except for official meetings of the Management Committee, nothing herein shall be interpreted to require meetings between staff members of the individual PARTIES (including designated representatives of the PARTIES) to be subject to the Brown Act, where the Brown Act would not otherwise apply. Each PARTY is individually responsible for ensuring that it complies with the Brown Act.
- 2.08 The affirmative vote of at least that number of the voting members of the Management Committee which collectively contribute at least fifty percent (50%) of the area-wide Program costs (a "Majority Vote"), is necessary to approve any measure brought before the Management Committee.
- 2.09 The Management Committee shall be responsible for selecting any consultant(s) or contractor(s) who are to be paid from Program funds ("Outside Contractors"), using a process approved by the Contracting Agent, and for reviewing and approving any contracts with Outside Contractors, including the scope(s) of work, schedules of performance, use of subcontractors, and compensation for such Outside Contractors.
- 2.10 The Management Committee may select an attorney (Program Attorney) or firm that is experienced with the Clean Water Act and Municipal Storm Water NPDES Permits to provide legal advice to the Management Committee on all matters involving administration of the Program's NPDES Permit and such other matters upon which the Management Committee may seek legal advice or request legal representation. Program Legal Counsel shall not be responsible for providing legal advice related to

- permit compliance to individual PARTIES, but may provide such services under separate contract with any PARTY or PARTIES. The Program Manager may assist in coordination of activities with the Program Attorney, but shall not give direction without prior authorization from the Management Committee.
- 2.11 The Management Committee shall establish timelines and budgets for completion of Program tasks.
- 2.12 The Management Committee, through its Bylaws, may establish procedures for tracking, accounting for, and auditing the Program Fund.

### Section 3. Program Budget

- 3.01 A collective budget for the Program (Program Budget) shall be based upon a projection of two (2) consecutive fiscal year cycles, however, the Budget shall be adopted for only one (1) fiscal year cycle. The Budget shall include a Contingency/Reserve Fund, which shall not exceed ten percent (10%) of the operating costs of the adopted Budget.
- 3.02 The PARTIES shall each pay a yearly assessment into a fund established for Program operations for their assigned portion of the Program Budget. The proportionate share of the Program Budget that each PARTY shall pay is shown in the schedule marked Exhibit BA hereto and incorporated by reference herein.
- 3.03 Except as provided in Section 6.03, the ending fund balance at the close of each fiscal year shall be disbursed annually to the PARTIES, or credited to the PARTIES' share of the next fiscal year's costs, in accordance with the PARTIES' defined participation rates, as requested by each PARTY.

### Section 4. Program Manager and Contracting/Fiscal Agent

- 4.01 The Management Committee shall select a PARTY or Outside Contractor to act as the Program Manager for the Program. The Management Committee shall also select a PARTY or Outside Contractor to act as the Contracting/Fiscal Agent for the Program.
- 4.02 The Program Manager shall be responsible for Program management and administration, Permit management, and technical program management all in accordance with the NPDES Permit, this Agreement, Program Bylaws, and as directed by the Management Committee in the best interest of the PARTIES as a whole and individually. The Program Manager shall be paid, from Program funds in accordance with the adopted Program budget, for providing the services described hereunder. The Program Manager shall not be responsible for providing program management

services related to individual PARTIES' permit program, but may provide such services under separate contract with any PARTY or PARTIES.

- 4.03 The Contracting/Fiscal Agent shall be the treasurer of the Program funds. The Contracting/Fiscal Agent, in accordance with generally-accepted accounting procedures, shall keep the Program funds segregated from any other funds administered by the Contracting/Fiscal Agent; shall credit the Program with appropriate interest income earned on Program funds in each fiscal year; and shall not expend any funds except in accordance with the annual budget approved by the Management Committee, or as otherwise directed by the Management Committee. The Contracting/Fiscal Agent shall act in a reasonable amount of time to execute contracts with Outside Contractors, including the Program Manager, which have been requested and approved by the Management Committee. The Contracting/Fiscal Agent shall provide a copy of any contract executed on behalf of the Program to any PARTY or person designated by any PARTY or the Management Committee upon request. The governing body of the Contracting/Fiscal Agent, at its discretion, may delegate authority to execute agreements and contracts approved by the Management Committee, to a designated employee. Notice of any such delegation of authority shall be provided to the Management Committee.
- 4.04 The Program Manager and the Contracting/Fiscal Agent may request, as part of the annual Program Budget, reimbursement for reasonable and customary costs incurred in providing the services described hereunder. Reimbursement to the Program Manager and the Contracting/Fiscal Agent shall be subject to Management Committee review and approval as part of the Program Budget.
- 4.05 AGENCY shall serve as the initial Program Manager and the initial Contracting/Fiscal Agent for the Program.
- 4.06 AGENCY may withdraw as either the Program Manager or the Contracting Fiscal Agent upon the provision of ninety days (90) days'-written notice to the Management Committee. The Management Committee may select a new Program Manager upon the provision of ninety days (90) written notice to AGENCY.
- 4.07 In the event that the Program Manager or the Contracting/Fiscal Agent withdraws from the Program or from providing Program Manager or Contracting/Fiscal Agent services to the Program, another PARTY may serve as a successor Contracting/Fiscal Agent. Any PARTY willing to serve as successor Program Manager or Contracting/Fiscal Agent may be nominated by another PARTY. Selection of a Program Manager or Contracting/Fiscal Agent must be by majority vote of the Management Committee.

## Section 5. Ancillary Rights and Duties of the PARTIES

- 5.01 In addition to the participation in the Management Committee, the PARTIES accept and agree to perform the following duties:
1. Each will comply with the NPDES Permit conditions set forth in its Community-Specific Plan;
  2. Each will participate in Management Committee meetings and other required meetings of the PARTIES;
  3. Each will implement its Community-Specific Program;
  4. Each will provide certain agreed upon reports to the Program for purposes of reporting, on a joint basis, compliance with applicable provisions of the NPDES Permit and the status of Program implementation; and,
  5. Each will individually address inter-agency issues, agreements or other cooperative efforts.
  6. Each will only be responsible for performing the duties listed above within the limits of its jurisdiction.

~~4.025.02~~ This Agreement does not restrict the PARTIES from the ability to individually (or collectively) request NPDES Permit modifications and/or initiate NPDES Permit appeals for permit provisions to the extent that a provision affects an individual party (or group of PARTIES); however, any such PARTY (or PARTIES) shall make reasonable efforts to provide advance notice of their action to the other PARTIES and allow them to comment upon or join in their action before proceeding.

## Section 6. Term of Agreement

- 6.01 The term of this Agreement shall commence on the date the last duly authorized representative of the PARTIES executes it.
- 6.02 This Agreement shall have a term of five (5) years.
- 6.03 Any PARTY may terminate its participation in this Agreement by giving the Chair of the Management Committee at least a thirty (30) day written notice. The terminating PARTY will bear the full responsibility for its compliance with the NPDES Permit commencing on the date it terminates its participation, including its compliance with both Community-Specific

and Program-wide responsibilities. Unless the termination is scheduled to be effective at the close of the fiscal year in which the notice is given, termination shall constitute forfeiture of all of the terminating PARTY's share of the Program Budget, for the fiscal year in which the termination occurred (both paid and obligated, but unpaid, amounts). In addition, unless notice of termination is provided at least ninety (90) days prior to the date established by the Management Committee for approval of the budget for the succeeding fiscal year, termination shall constitute forfeiture of all of the terminating PARTY's share of any unexpended, unencumbered funds remaining from all previous fiscal years. The cost allocations for the remaining PARTIES may be recalculated for the following fiscal year by the PARTIES without the withdrawing PARTY's participation.

### Section 7. General Legal Provisions

- 7.01 This Agreement supersedes any prior agreement among the PARTIES regarding the Program, but does not supersede any other agreements between any of the PARTIES.
- 7.02 This Agreement may be amended by unanimous written agreement of the PARTIES. All PARTIES agree to bring any proposed amendment to this Agreement to their Council or Board, as applicable, within two (2) months following acceptance by the Management Committee.
- 7.03 This Agreement may be executed and delivered in any number of copies ("counterpart") by the PARTIES, including by means of facsimile. When each PARTY has signed and delivered at least one (1) counterpart to the Program, each counterpart shall be deemed an original and, taken together, shall constitute one and the same Agreement, which shall be binding and effective as to the PARTIES hereto.
- 7.04 No PARTY shall, by entering into this Agreement, participating in the Management Committee, or agreeing to serve as Fiscal Agent, Contracting Agency, Program Manager, and/or Legal Counsel, assume or be deemed to assume responsibility for any other PARTY in complying with the requirements of the NPDES Permit. This Agreement is intended solely for the convenience and benefit of the PARTIES hereto and shall not be deemed to be for the benefit of any third party and may not be enforced by any third party, including, but not limited to, the EPA, the SWRCB, and the RWQCB-CCB, or any person acting on their behalf or in their stead.
- 7.05 In lieu of and notwithstanding the pro rata risk allocation which might otherwise be imposed between the PARTIES pursuant to Government Code Section 895.6, the PARTIES agree that all losses or liabilities incurred by a PARTY shall not be shared pro rata, but instead, the

PARTIES agree that pursuant to the Government Code Section 894.4, each of the PARTIES hereto shall fully defend, indemnify and hold harmless each of the other PARTIES from any claim, expense or cost, damage or liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of the negligent acts of omissions or willful misconduct of the indemnifying PARTY, its officers, agents, or employees, under or in connection with or arising from any work, authority or jurisdictions delegated to such PARTY under this Agreement, including but not limited to any non-compliance by a PARTY with its obligations under the Program NPDES Permit. No PARTY, nor any officer, Board member, employee or agent thereof shall be responsible for any damage or liability incurred by reason of the negligent acts or omissions or willful misconduct of the other parties hereto, their officers, Board members, employees or agents under or in connection with or arising from any work, authority or jurisdictions delegated to such PARTY under this Agreement, including but not limited to any non-compliance by a PARTY with its obligations under the Program NPDES Permit.

7.06 In the event that suit shall be brought by any party to this contract, the PARTIES agree that venue shall be exclusively vested in the state courts of the County of Monterey, or where otherwise appropriate, exclusively in the United States District Court, \_\_\_\_\_ District of California, \_\_\_\_\_, California

IN WITNESS WHEREOF, the PARTIES hereto have executed this Agreement as of the dates shown below

MONTEREY REGIONAL WATER POLLUTION CONTROL AGENCY, a Joint Powers Authority and public agency of the State of California

Date: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Chair, Board of Directors

By: \_\_\_\_\_  
Legal Counsel

By: \_\_\_\_\_  
General Manager

ATTEST:

Date: \_\_\_\_\_

By: \_\_\_\_\_

CITY OF \_\_\_\_\_, a public entity of the State of California

Date: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Name, Mayor

By: \_\_\_\_\_  
Name, City Manager

By: \_\_\_\_\_  
Legal Counsel

ATTEST:

Date: \_\_\_\_\_

By: \_\_\_\_\_

|

# REGIONAL STORM WATER PERMIT SCHEDULE

(Current as of 2-27-02)

ID	Task Name	2001												2002																					
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A						
1	Develop Interim Memorandum of Agreement																																		
2	Develop FY 01/02 Budget & Cost-Sharing																																		
3	Work with RWQCB to Develop Permit Language																																		
4	Develop Long-Term Memorandum of Agreement																																		
5	Define Permit Boundary																																		
6	Develop Utility Ordinances and Funding Mechanisms																																		
7	Develop Six Minimum Measures (with Measurable Goals and BMPs)																																		
8	Develop Standardized Storm Water Mapping																																		
9	Develop FY 02/03 Budget																																		
10	Prepare Permit Application																																		
11	Submit Permit Application																																		
12	Develop FY 03/04 Budget																																		

2/28 ◆

CITY COUNCIL  
SANDRA L. SANDY: KOFFMAN  
MAYOR

ROBERT HUITT  
STEVE HONEGGER  
JAMES W. (JIM) COSTELLO  
MORRIS G. FISHER  
DANIEL DAVIS  
DON GASPERSON



## CITY OF PACIFIC GROVE

300 FOREST AVENUE  
PACIFIC GROVE, CALIFORNIA 93950  
TELEPHONE (831) 648-3100  
FAX (831) 375-9863

ROSS G. HUBBARD  
CITY MANAGER

PETER WOODRUFF  
ADMIN. SERVICES DIRECTOR  
CITY CLERK AND TREASURER

DAVID M. FEISHMAN  
CITY ATTORNEY

March 25, 2002

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

Dear Judge O'Farrell:

Please find attached the response of the City Council of the City of Pacific Grove, to the findings and recommendations of the 2001 Grand Jury Report, dated January 2, 2002.

These responses were approved by the City Council at their meeting of March 20, 2002.

Sincerely,

Ross G. Hubbard  
City Manager

Attachments: Responses to Findings Form  
Responses to Findings and Recommendations

GRAND JURY FINAL REPORT TITLED Monterey Bay Beaches  
 RESPONSE TO FINDINGS by City of Pacific Grove  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	(1) The respondent agrees with the Findings	(2) The respondent disagrees wholly or partially with Finding; see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
	3	X	
4	X		See Attached

## Response to 2001 Grand Jury Report Monterey Bay Beaches

**Finding #3:** There is inadequate storm drainpipe maintenance in Monterey Peninsula cities.

**Response:** The City of Pacific Grove agrees with the finding, with the additional comments below.

**Comments:** As a result of the Federal Requirement of the Clean Water Act of 1972, all cities on the Monterey Peninsula will be required to obtain National Pollutant Discharge Elimination System Phase II (NPDES Phase II) permits in March 2003. Those permits will require each City to develop and implement "good housekeeping programs" for existing storm drains. The programs are to include system assessment, maintenance, and capital improvements; the program also must include storm drain system mapping and the development of best management practices to improve storm water runoff quality. Also required is the detection and elimination of illicit discharges into the storm water drainage system.

Although the NPDES Phase II are future requirements, the City of Pacific Grove has taken many activities in the past to improve water quality and make capital improvements to the storm water drainage system.

Pacific Grove has undertaken a smoke-testing program of our wastewater collection system to detect any failures that would allow sewage water to enter the storm drain system. Seventy-five (75%) of the City has been tested, bids were recently awarded for the final phase of the program.

We have funded the following education program for storm water quality developed in partnership between the City of Pacific Grove and the Monterey Bay National Marine Sanctuary that is distributed throughout the Monterey Peninsula. Volunteers under the direction of the City marked all storm drains with warning signs. We participate with Urban Watch who takes regular samples of Monterey Bay waters and reports pollutant types and levels. We annually fund BayNet, a group of volunteer docents to provide residents and visitors with information about shoreline issues including education about pollution prevention.

Pacific Grove is working with other Monterey Peninsula Cities and the Monterey Regional Water Pollution Control District (MRWPCA) to develop a joint NPDES permit for the Phase II requirements. Through these collaborative efforts, storm

waters, which do not respect cities boundaries, can be analyzed and improved on a regional basis. Included in these efforts will be the development of a sufficient and permanent funding source to continue to upgrade the City's storm drain system and best management practices.

We will encourage the joint efforts and seek all available information from the County of Monterey. We will also rely heavily on the efforts of the City of Monterey that has taken the lead in storm water management for the past 10 years.

As a final word on this issue, the City of Pacific Grove has secured a grant for the development of a pilot project to divert summer storm drain outflow into the sanitary sewer system. This \$500,000 grant envisions a system of new underground pipes that will take storm drain flow from the outfalls between Lover's Point and Hopkins Marine Station and divert this flow into the sewer system. The material will be pumped to the regional wastewater processing plant for processing. More than 20 storm drainpipes could be diverted as part of this project and a second grant that we are currently seeking. Approval of the MRWPCA Board of Directors has been secured and contracts with the State Department of Water Resources are being prepared for approval at this time.

**Finding #4:** Only one public information forum on how to keep beaches and coastal waters healthy was conducted in Monterey County during 2001. It was held in Monterey on February 28, 2001.

**Response:** The City of Pacific Grove agrees with this finding, but offers the following information for review.

**Comments:** The February 28, 2001 forum, repeated in Santa Cruz County on March 1, 2001, was initiated and developed through the offices of the Pacific Grove Mayor Sandra Koffman and Monterey County District 5 Supervisor Dave Potter. The forum began a dialogue between responsible agencies that continues today on methods to improve the quality of Bay waters.

The City has developed and funded the following educational efforts:

1. Reprinted and distributed copies of the urban runoff brochure "Monterey Bay is Closer Than You Think." The brochure contains specific tips for homeowners to reduce the impacts of urban runoff.
2. Reprinted and distributed copies of no-dumping storm drain poster.
3. Funded airtime for a "Dirty Word" campaign. The campaign was developed by the Sanctuary and educates local citizens about storm drains, urban runoff contamination, etc.
4. Reprinted and distribute copies of Best Management Practices (BMP) posters for restaurants and auto repair facilities and BMP videos for restaurants.

5. Conducted outreach to restaurants and auto repair facilities to educate about the impacts of detergents, grease, and oil on the natural marine environment and how these contaminants reach the Sanctuary through the storm drain system.
6. Expanded the Urban Watch monitoring program with the Sanctuary and Coast Watershed Council to sample additional selected storm water outfalls in the City during the dry weather season. Samples to be analyzed and documented in a region wide report for storm water monitoring in the Monterey Bay area. The Urban Watch monitoring program will also assist the City in developing an illicit discharge detection program.
7. Developed a "First Flush" monitoring program. The program sampled runoff at selected storm water outfalls in the City following the first major rain event of the season and assist in establishing first flush protocols and coordination throughout the Monterey Bay region.
8. Assisted with funding the Sanctuary Citizen Watershed Monitoring Network to continuously provide training, coordination, and data management of a regional network of citizen volunteers. The effort incorporated City volunteers into a broader regional network to ensure quality control, standardized data compilation procedures.

Through the City Sewer Enterprise Fund the city also began programs to clean the bay environment by the elimination of grease in the sewer lines from both residential and commercial uses.

A public information campaign including theater spots, radio advertisements, an information packet that was mailed to every postal address within the City, an in-school education and contest, and information booth at the city's annual Good Old Days celebration have all assisted in education of citizens and visitors to the Bay area about pollution prevention through grease reduction.

**Recommendation #1:** The Board of Supervisors direct the Environmental Health Division of the Monterey County Health Department to share its expertise with Monterey Peninsula cities, working with the cities to determine what support they require to develop a community education program. The community education program that each Monterey Peninsula city develops should include, but not be limited to:

- a. Sources of run-off pollution into Bay waters;
- b. Monterey Bay bacterial pollution;
- c. Potential illnesses from polluted ocean water;
- d. Method prevention of pollution of Monterey Bay waters.

**Response:** The City of Pacific Grove is receptive to any assistance that the County of Monterey Health Department can give us and other Monterey

Peninsula cities in the development of a public awareness of the effects of pollution and the methods to prevent pollution of Monterey Bay.

**Comments:** As stated earlier the city has been involved in a wide range of programs to educate our citizenry and visitors on Monterey Bay pollution prevention. With the development of a regional NPDES Permit, a regional education program will be easier to develop and complete.

Programs already in place include those listed above in comments to Finding #4. It is anticipated that each of those programs will be evaluated annually to determine the need to continue, modify, or develop replacement programs to ensure health of the waters of Monterey Bay.

The City of Pacific Grove continues to work with the other cities and the County to develop new methods to provide a clean environment for all those who live in or around the Monterey Bay.



February 20, 2002

ALBERT

Members:  
PENINSULA  
PROGRAM  
OF ROBERTSON  
CENTRE AND

ALBERT  
CALIFORNIA

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

Subject: Grand Jury 2001 Final Report: Monterey Bay Beaches

Dear Judge O'Farrell:

Attached are the responses of the City Council of the City of Monterey, as required by Sections 933 and 933.05 of the California Penal Code, to the **Findings** and **Recommendations** in the 2001 Monterey County Grand Jury Report dated January 2, 2002.

The responses were approved by the City Council, Monterey's governing body, on February 19, 2002.

Sincerely,

Dan Albert  
Mayor

Attachments: Response to Findings  
Response to Recommendations

c: City Manager  
City Attorney  
Public Works Director  
Community Development Director  
Monterey Peninsula Cities  
MRWPCA (Mr. Jaques)  
Monterey County Environmental Health (Mr. Jennings)

**GRAND JURY FINAL REPORT TITLED** MONTEREY BAY BEACHES  
**RESPONSE TO FINDINGS by** CITY OF MONTEREY  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Find- ing #	Check One		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
3	X		See Attached
4	X		See Attached

## **MONTEREY BAY BEACHES**

**FINDING #3:** There is inadequate storm drain pipe maintenance in Monterey Peninsula cities.

**RESPONSE:** The City of Monterey agrees with the finding, with the additional comments below.

**COMMENTS:** As a result of Federal Requirements under the Clean Water Act, all of the cities on the Monterey Peninsula will be required to obtain National Pollutant Discharge Elimination System Phase II (NPDES Phase II) permits in March 2003. Those permits will require each City to develop and implement "good housekeeping programs" for existing storm drains that include system assessment, maintenance, and capital improvements. The program also requires storm drain system mapping and "best management practices" to improve water quality. Another aspect of the NPDES Phase II program requires development and implementation of an illicit discharge detection and elimination program. This measure will ensure that all improper connections to the storm drain system are eliminated. Though these are future requirements, the City of Monterey and others on the Peninsula have been doing many of these things for years, and are now working together to do them as a group (see the response to Finding #4 below).

In 1993, the City of Monterey implemented a Storm Water Utility to fund water quality programs as well as capital improvements and maintenance to the system. Each year for the past five years, the City has increased the utility fee to pay for ever-increasing requirements for water quality improvements, public outreach and education, and maintenance. Though we had intended to fully fund capital improvements and system replacements with the utility by this year, those requirements have outpaced the generation of revenue. The City of Monterey spent \$709,000 on storm drain maintenance, improvements, and education programs in fiscal year 2001 and plans to spend \$760,000 by the end of fiscal year 2002. Approximately 80% of the stormwater budget is spent on maintenance activities. Though there will always be more to do, this level of maintenance and capital improvement is actually high for small municipalities in the United States.

**FINDING #4:** Only one public information forum on how to keep beaches and coastal waters healthy was conducted in Monterey County during 2001. It was held in Monterey on February 28, 2001.

**RESPONSE:** The City of Monterey agrees with the finding, but believes that the additional comments below need to be emphasized.

**Comments:** When taken at face value this statement is true; there was only one public education forum held in 2001 on this subject. The City of Monterey staff was a presenter at this forum. Unfortunately, this finding does not take into account any of the numerous public education measures that are implemented every day in other venues.

Since 1996 the City of Monterey has contracted with a water quality educator to provide materials and support for our stormwater program. These public education materials are distributed in numerous venues, including the Old Monterey Marketplace, KidFest, local shops, city offices, and visitor centers. Over the past two years media coverage of stormwater issues contracted by the City of Monterey has included Public Service Announcements and advertisements on radio and television, bus advertisements on Monterey Salinas Transit Buses, and movie slides shown in local theaters. All of these educational efforts were accomplished under the auspices of this City's stormwater program to educate the public about the connection

between what we do on land and how it affects our waterways and the Monterey Bay National Marine Sanctuary.

In 1998 the city began a program to educate restaurant owners, managers, and kitchen staff about their unique opportunities to protect the health of the Monterey Bay by visiting over 150 restaurants in the City of Monterey. In 2000 we developed an educational video which explains restaurant Best Management Practices, began distributing it, and continue to make educational presentations at local restaurants to date! We are currently in the process of continuing those visits and presentations, with a goal of 100% participation by restaurants within the city limits.

With regard to volunteer programs:

- 1) In the summer of 2001, the City of Monterey used seven summer interns to stencil or restencil every storm drain catch basin in the City, including the Presidio of Monterey and Naval Postgraduate School.
- 2) In October of 2001, we completed our fifth year of the Urban Watch Monitoring Program funded by the City and others which uses volunteers to collect and analyze water samples from storm drain outfalls. The data from this program has been used in the past to target public education programs such as the restaurant training program. Urban Watch is also conducted in the City of Pacific Grove.

In addition to the public outreach and education opportunities described above, the Cities of Marina, Seaside, Sand City, Del Rey Oaks, Monterey, Pacific Grove, Carmel, as well as the County of Monterey and Pebble Beach representatives, have been meeting since March 2000 to develop a regionwide NPDES Phase II stormwater permit. This permit and the corresponding Storm Water Management Program is being developed as a group so that items such as public education and outreach can be accomplished in a collaborative manner. These monthly meetings of the Monterey Regional Storm Water Permit Participants Group are open to the public on the third Wednesday of each month at 2:00 pm in the offices of the Monterey Regional Water Pollution Control Agency at Ryan Ranch.

All of the educational efforts described above contribute to keeping beaches and coastal waters healthy. These are ongoing efforts which will eventually be funded at a higher level in a collaborative effort by all the Monterey Peninsula cities.

**GRAND JURY FINAL REPORT TITLED** MONTEREY BAY BEACHES  
**RESPONSE TO RECOMMENDATIONS** by CITY OF MONTEREY  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b>CONTINUE ON ATTACHED SHEETS AS NECESSARY</b>
1			X		See Attached

## **MONTEREY BAY BEACHES**

**RECOMMENDATION #1:** The Board of Supervisors direct the Environmental Health Division of the Monterey County Health Department to share its expertise with Monterey Peninsula cities, working with the cities to determine what support they require to develop a community education program. The community education program that each Monterey Peninsula city develops should include, but not be limited to: a. Sources of run-off pollution into Bay waters; b. Monterey Bay bacterial pollution; c. Potential illnesses from polluted ocean water; d. Methods of prevention of pollution of Monterey Bay waters.

**RESPONSE:** The City of Monterey cannot respond for the County, so this recommendation requires further analysis in the next three months. As discussed below, we would welcome the collaboration of Monterey County Environmental Health Division

**COMMENTS:** The County of Monterey is already a member of the existing Monterey Regional Storm Water Permit Participants Group mentioned above. Though it is the County Water Resources Agency and local public works departments who have been involved in this process, the County Environmental Health Division would be welcome to join in the development of the final program. The City of Monterey already has a public education program in place that addresses: a.) General sources of run-off pollution into Bay waters, and d.) Methods of prevention of pollution of Monterey Bay waters. The remaining recommendations are easily addressed as a collaborative effort with information provided by Monterey County Environmental Health.

The City of Monterey recently partnered with the Monterey Bay National Marine Sanctuary Foundation to submit a grant concept pre-proposal application to the State Water Resources Control Board under Proposition 13. This grant would fund a RNA-rybotyping study which will help understand the sources of bacterial pollution at several beaches in the Marine Sanctuary including: a site in San Mateo County, San Carlos Beach in Monterey, and a site in Pacific Grove. Until we are able to pinpoint the sources of pollution, it will be impossible to provide public education that is effective and truthful. The City of Monterey has done several anecdotal follow-ups to beach postings that have occurred in the City, and have found that the most likely sources of bacterial pollution are from avian and mammal wildlife sources. We have not found evidence of sewer overflows or illicit connections that correlate with high bacterial levels. What we have found is that, when high bacterial levels occur, there has typically been uncommon water turbulence, resulting in the scouring of bird and sea mammal feces from adjacent rock areas.

Unfortunately this issue is not as simple as it seems. If there is a problem associated with wildlife and avian inhabitants of our cities marine environment, solutions will be problematic. Throughout our watersheds, raccoons are living in storm drains, Canadian geese are nesting on our lakes and creeks, and deer are inhabiting the upper reaches of our creekbeds. Therefore, water quality testing must be undertaken to understand the exact character of the problem; simply stated, current bacterial and enterococcus problems may well be natural background contamination from wildlife.

# City of Marina

211 HILLCREST AVENUE  
MARINA, CA 93933  
TELEPHONE (831) 884-1278  
FAX (831) 384-9148



February 21, 2002

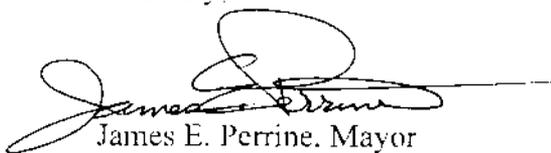
The Honorable Robert O' Farrell  
Presiding Judge of the Superior Court  
Monterey County  
P.O. Box 1819  
Salinas, CA 93902

Dear Judge O'Farrell:

Attached are the responses of our City Council as required by Section 933 and 933.05 of the California Penal Code, to the **Findings and Recommendations** in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were approved by Minute Action of the City of Marina City Council, on February 19, 2002.

Sincerely,

  
James E. Perrine, Mayor

Attachments: Response to Finding  
Response to Recommendations

**GRAND JURY FINAL REPORT TITLED** Monterey Bay Beaches  
**RESPONSE TO FINDINGS** by City of Marina  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
3		X	Since the City of Marina has no storm drainage conduits or water courses that empty into the Monterey Bay ocean waters, it is not appropriate for the 2001 Grand Jury Finding, that there is inadequate storm drain pipe maintenance in Monterey Peninsula Cities, including Marina.
4		X	The fact that the only portion of the City of Marina that fronts on the Pacific Ocean is owned and controlled by others (such as the State of California, a Park Department, the Marina Coast Water District, and a privately owned Resort), there is no city-owned or maintained public serving portion of ocean frontage for which the City should exercise oversight responsibilities. It is noted that the State-owned Parks Department parking lot, at the westerly terminus of Reservation Road, is kept in a sanitary condition at all times.

**GRAND JURY FINAL REPORT TITLED** Monterey Bay Beaches  
**RESPONSE TO RECOMMENDATIONS by** City of Marina  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b>CONTINUE ON ATTACHED SHEETS AS NECESSARY</b>
1			X		<p>Even though the 2001 Grand Jury Recommendation that the Board of Supervisors take a lead role in developing a Public Education Program relative to elimination of pollution, this matter is currently being comprehensively addressed by the recently formed Regional Storm Water Permit Participants Group. This group, which includes the County of Monterey, the U.S. Army, and all of the Monterey Peninsula cities, is actively formulating a program to prepare a Master NPDES Phase II Permit. A major portion of this permit will contain Best Management Procedures (BMPs), including an extensive Multi-Agency-formulated and funded Public Education Program.</p> <p>The administrative coordinator of this group is the staff of the Monterey Regional Water Pollution Control Agency (MRWPCA). It is the goal of the participating members of this group to have the Master Permit submitted to the State Regional Water Quality Control Board in advance of the March 2003 deadline. Furthermore, the implementation of some of the BMPs, will be initiated in advance of that date.</p>



# CITY OF DEL REY OAKS

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

OFFICE OF

TELEPHONE (831) 394-8511

March 26, 2002

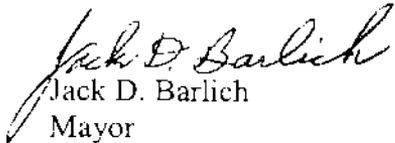
The Honorable Robert O'Farrell  
Presiding Judge of the Superior Court  
Monterey County  
P.O. Box 1819  
Salinas, California 93902

Dear Judge O'Farrell:

At the meeting on March 26, 2002, the City Council of the City of Del Rey Oaks considered the attached response, prepared by the staff of the City of Del Rey Oaks to the 2001 Monterey County Grand Jury Report. After careful review and discussion, the City Council approved the attached response to the Findings and Recommendations section of the 2001 Final Report on Monterey Bay Beaches.

As required by Section 933 and 933.05 of the California Penal Code, Del Rey Oaks is submitting the attached response to the 2001 Monterey County Grand Jury Report.

Sincerely,

  
Jack D. Barlich  
Mayor

Enc: Response to 2001 Grand Jury Report.

**CITY OF DEL REY OAKS**  
**RESPONSE TO 2001 MONTEREY COUNTY**  
**CIVIL GRAND JURY REPORT**  
**JANUARY 2, 2002**

**FINDING #3:**

**There is inadequate storm drain pipe maintenance in Monterey Peninsula Cities.**

**RESPONSE:**

The City of Del Rey Oaks agrees with the findings, with these comments.

**COMMENTS:**

The City of Del Rey Oaks is one of only two cities on the Monterey Peninsula that the Grand Jury has required to respond to their findings and recommendations that does not have beach front property, and as a result, we do not maintain a drain that directly discharges storm water into the bay. However we understand the need and importance of a well maintained storm drain system. To that end, the City has completed video taping of all the storm drains in the City, and made the two necessary repairs noted as a result of the taping. The City has also labeled all of the storm drains in the City indicating that only clear water is allowed to enter the system. We also plan to place public education material(s) in our City Hall, City Bulletin Boards and City news letter that educates our residents in reporting illegal dumping of material into the storm drain system. We will also make sure that the small light industrial businesses in the city are monitored for compliance.

For the past several years, Del Rey Oaks has participated in the Storm Water Task Force with all of the other Monterey Peninsula cities which is being conducted by the MRWPCA. The objective of this group is to cooperatively fulfill the federal requirements to obtain the National Pollution Discharge Elimination System (NPDES) Phase II permit by March 2003. This process was presented to the Del Rey Oaks City Council and approved in concept. It is anticipated that the city will ratify a draft copy of the Mutual Agreement for the cities to work together to fulfill the NPDES Phase II permit and time schedule within the next several months.

**FINDINGS #4**

**Only one public information forum on how to keep beaches and coastal waters healthy was conducted in Monterey County during 2001. It was held in Monterey on February 28, 2001.**

**RESPONSE:**

Del Rey Oaks agrees with this finding. We would like to participate in more regional education programs on the effects of pollutants in our storm drain systems. One of the activities of the combined storm water Phase II permit activities includes educational programs.

**RECOMMENDATION #1:**

**The Board of Supervisors direct the Environmental Health Division of the Monterey County Health Department to share its expertise with Monterey Peninsula cities, working with the cities to determine what support they require to develop community education program. The community education program that each Monterey Peninsula city develops should include, but not be limited to: (a) Sources of run-off pollution into Bay waters; (b) Monterey Bay bacterial pollution; (c) Potential illnesses from polluted ocean water; (d) Methods of prevention of pollution of Monterey Bay Waters.**

**RESPONSE:**

The Monterey County Director of Environmental Health is the City's health officer. As such he is available as a consultant to Del Rey Oaks staff on these matters. The Monterey County Health Department is notified twenty-four hours a day, when there is a concern that a pollutant may have entered the storm water system.

The joint storm water task force has an educational component and has formed a sub-committee to develop a model for continuing education.

CITY HALL  
BOX CC  
CARMEL-BY-THE-SEA, CALIFORNIA 93921

12 March 2002

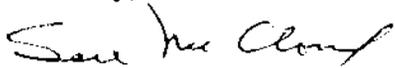
The Honorable Robert O'Farrell  
Presiding Judge of the Superior Court  
County of Monterey  
P O Box 1819  
Salinas, CA 93902

SUBJECT: GRAND JURY 2001 FINAL REPORT: MONTEREY BAY BEACHES

Dear Judge O'Farrell:

Enclosed are the responses of the City of Carmel-by-the-Sea, as required by Sections 933 and 933.05 of the California Penal Code, to the Findings and Recommendations in the 2001 Monterey County Grand Jury Report dated 2 January 2002.

Sincerely,



Sue McCloud  
Mayor

Enclosures: Response to Findings  
Response to Recommendations

CITY OF CARMEL-BY-THE-SEA RESPONSES TO THE 2001 MONTEREY  
COUNTY GRAND JURY FINAL REPORT (JANUARY 2002)

**MONTEREY BAY BEACHES**

**INTRODUCTION:**

The City of Carmel-by-the-Sea has been actively involved in controlling storm water runoff onto Carmel Beach for many years. Particular attention has been devoted to runoff pollution as the City prepared its Phase II NPDES permit.

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, Carmel-by-the-Sea supported 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 CY 2000 Grand Jury Report.

In June 2001, the City of Carmel-by-the-Sea joined the Regional Storm Water Permit Participants Group (City Council Resolution No. 2001-66), which is preparing a regional Phase II NPDES permit application.

In March 2001 (Ordinance 2001-02) the City formed a Storm Water Utility as a means to raise revenues for implementation of Best Management Practices (BMP's) to improve the quality of urban runoff in the storm drain system.

**FINDINGS**

1. *In 2000 there were four Monterey County beaches closed due to sewage spills and 25 warning advisories of high bacterial content at local beaches. There were two additional sewage spills which did not result in the closure of the affected beaches.*

**Response:** The Carmel Area Wastewater District is responsible for the collection system in Carmel-by-the-Sea.

2. *Through September 2001 there had been one Monterey County beach closure due to a sewage spill and 11 warning advisories of high bacterial content at local beaches. There were three additional sewage spills in 2001 which did not result in closure of the affected beaches.*

**Response:** The Carmel Area Wastewater District is responsible for the collection system in Carmel-by-the-Sea.

3. *There is inadequate storm drainpipe maintenance in Monterey Peninsula cities.*

**Response:** The City of Carmel-by-the-Sea partially concurs with this finding. The City of Carmel-by-the-Sea is in the process of preparing its URBAN RUNOFF PROGRAM and its Phase II National Pollution Discharge Elimination Program (NPDES) permit. Both of these are being developed on a regional basis in cooperation with other Monterey Peninsula cities through the Regional Storm Water Permit Participants Group. The Group is incorporating EPA approved Best management Practices (BMP's) into our general permit application. These include improved maintenance and gradual upgrade on our storm drain system. Short term, the maintenance is funded from the City's general fund. Long term, these will be funded through storm water fees collected by the City's Storm Water Utility. A consultant is currently preparing the initial fee for a vote this year.

4. *Only one public information forum on how to keep beaches and coastal waters healthy was conducted in Monterey County during 2001. It was held in Monterey on February 28, 2001.*

**Response:** The City of Carmel-by-the-Sea partially concurs with this finding. One of the mandated NPDES elements that is included in the City's urban runoff program and Phase II NPDES permit in Public Education and Outreach.

However, the cities in the Monterey Bay area have long ago agreed to employ media on a regional basis and utilize the expertise of the Monterey Bay Marine Sanctuary for outreach to schools and public groups. The Marine Sanctuary provides extensive classroom assistance to local schools and has advertised clean water tips at local movie theaters. Thus, education and outreach have, in fact, been quite successful in our region in 2001.

An initial study by Harris and Associates completed for Carmel in March 2000 recommends an additional annual expenditure of \$7,000 for this effort, in coordination with adjacent communities, once storm water fees have been initiated. The City Council contributed \$1,000 to the regional radio ad program "Dirty Words" in November 2001. The "Dirty Words" radio ads were developed by a Water Quality Education consultant funded by the Monterey Bay National Marine Sanctuary and the City of Monterey.

## RECOMMENDATIONS

The 2001 Grand Jury recommends that:

1. *The Board of Supervisors directs the Environmental Health Division of the Monterey County Health Department to share its expertise with Monterey Peninsula cities, working with the cities to determine what support they require to develop a community education program. The community education program that each Monterey Peninsula city develops should include, but not be limited to:*
  - a. *Sources of run-off pollution into Bay waters;*
  - b. *Monterey Bay bacterial pollution;*
  - c. *Potential illnesses from polluted ocean water;*
  - d. *Methods of prevention of pollution of Monterey Bay waters.*

**Response:** The recommendation is being implemented. The City of Carmel-by-the-Sea agrees that expertise from the County Environmental Health Division could prove helpful with the education program. However, in light of the Monterey Bay Marine Sanctuary's ongoing regional education and outreach program, the County should coordinate its efforts with the Sanctuary.

The program elements suggested by the 2001 Grand Jury will be included as part of the Regional Public Education and Outreach components of the NPDES permit. These are scheduled to be submitted to the EPA in February 2003. The City plans to be collecting storm water fees to augment the program in the near future.



# **The SPCA of Monterey County**

An Independent, donor supported humane society serving the community since 1905.

March 27, 2002

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

Dear Judge O'Farrell:

Attached are the responses of our governing body as required by Section 933 and 933.05 of the California Penal Code, to the **Findings and Recommendations** in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were approved by the Board of Directors of The SPCA, our governing body, on March 27, 2002.

Sincerely,

Barbara Baldock  
President of the Board of Directors

Attachments: Response to Finding  
Response to Recommendations

**GRAND JURY FINAL REPORT TITLE**

ANIMAL SERVICES IN MONTEREY COUNTY

**RESPONSE TO FINDINGS** by The SPCA of Monterey County – a non-governmental agency

[as required by Section 933.05(a) California Penal Code]

(Agency)

Finding #	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding; see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1	✓		
2	✓		

**GRAND JURY FINAL REPORT TITLED ANIMAL SERVICES IN MONTEREY COUNTY**  
**RESPONSE TO RECOMMENDATION** (The SPCA of Monterey County – a non-governmental agency  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b>CONTINUE ON ATTACHED SHEETS AS NECESSARY</b>
1				N/A	Since the early 1960's nearly 100,000 pets have been sterilized by The SPCA. The Respondent has allocated and continues to allocate a significant portion of its non-profit budget to operating a low cost veterinary sterilization clinic thereby preventing the births of hundreds of thousands of unwanted pets in our community. In addition to sterilizing the projected 2,500 animals it will adopt to our community this year, it also provides sterilization services at a reasonable cost to the public. Even lower costs are offered to governmental animal control shelters and animal protection organizations that qualify under IRC 501 (c)(3). The SPCA can expand sterilization services offered to Marina, Salinas, and Monterey County if these governmental entities will allocate funds sufficient to cover The SPCA's actual costs for providing this service. (The Respondent has indicated "not applicable" because it is not one of the governmental entities requested to implement the recommendation by the Grand Jury.)
2				N/A	The Respondent has been engaged in providing education programs to residents of Monterey County that increase the public's awareness of animal care and responsibility since 1905. In 1976, The SPCA constructed its Humane Education Center specifically dedicated to the delivery of animal care and awareness programs to the public with heavy emphasis on the prevention of pet overpopulation. It currently employs a full time Humane Educator who is a duly appointed Humane Investigator, companion animal trainer, and a former Animal Control Officer. The Respondent believes that the most effective use of any new funds that the Board of Supervisors may allocate to animal care and responsibility education will be most effectively spent in support of collaborative efforts between Monterey County and The SPCA to enhance The SPCA's long standing quality education program rather than funding a new program that would duplicate The SPCA's existing program. (Respondent has indicated "not applicable" because the Grand Jury recommendation is directed to the Board of Supervisors and not to the Respondent.)



# City of Salinas

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

March 19, 2002

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

SUBJECT: 2001 Monterey County Civil Grand Jury Final Report  
Animal Services in Monterey County

Dear Judge O'Farrell:

The City of Salinas is responding to the findings of the Monterey County Grand Jury 2001 Final Report - Animal Services in Monterey County. I would first like to take this opportunity to thank each member of the Civil Grand Jury for giving of their time to assist us in improving our community's quality of life.

The Salinas City Council is pleased with City Animal Shelter Services staff efforts over the last two years to improve adoption and return to owner rates. Since the Monterey County SPCA decided not to renew the City's animal sheltering services contract in 1999 along with other jurisdictions in Monterey County, the City of Salinas has aggressively worked to redesign its animal control and sheltering services. The City is currently working collaboratively with other jurisdictions in Monterey County, the Monterey County SPCA, local rescue groups, veterinarians and local feed stores to address issues of public education, abandonment, euthanasia, spay and neuter services.

The City, in addition to working collaboratively with others has made a significant financial investment in the long-term welfare of our residents by opening its own animal shelter in 2000. The cost of this facility, which was placed on land already owned by the City, exceeded \$1 million. The Salinas Animal Shelter has a General Fund annual operating budget of \$639,000 and debt service of \$88,000 for thirty years. The state of the art facility with 92 dog kennels, 100 cat kennels, an exercise yard and a get acquainted room was designed to address state unfunded mandates.

Unfortunately, these unfunded mandates have driven up the cost of operations. The City will continue to work with other organizations to increase return to owner and adoption rates. Specifically, the Salinas City Council has undertaken its own initiative directing the animal services program staff to develop alternatives regarding this issue. This report will use traditional and non-traditional methods to reduce the number of animals euthanized in Salinas as well as Monterey County. The report is scheduled for City Council review before the end of calendar year 2002.

The Civil Grand Jury also recommended that the Board of Supervisors allocate funds sufficient for an education program aimed at increasing the public's awareness of animal care and responsibility. We have taken on this effort working collaboratively with others, but unfortunately, education alone does not change social behavior. For example, the American Society for the Prevention of Cruelty to Animals has been dedicated to educating the public regarding animal issues for more than a century with only limited success. It is our sincere desire that the City can continue to make progress on this issue by working collaboratively with others to address a wide range of animal services issues in Monterey County.

Unfortunately, the City does not have financial resources to undertake this effort alone. The lack of funding at the state level has severely hampered efforts to begin moving toward the Civil Grand Jury's goal. In addition, it should be noted that the City is facing repeal of its Utility Users Tax in November 2002. Repeal of the Utility Users Tax will eliminate any consideration of proactive programming that addresses the concerns of the Civil Grand Jury. Repeal will also likely reduce current service levels provided by the City shelter.

Thank you for the opportunity to respond to the Civil Grand Jury's report. The City will forward a copy of the Animal Shelter Services report to your office upon completion. If you need clarification or desire additional information on the City's response, please contact Kathi Crain, Animal Services Manager at 758-7031.

Respectfully Submitted,



ANNA M. CABALLERO  
Mayor

AMC/wg



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

rc Park School  
34-9691

March 25, 2002

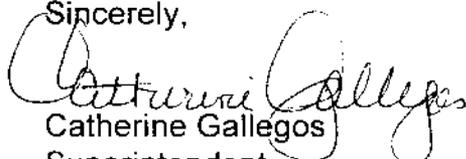
The Honorable Robert O'Farrell  
Presiding Judge of the Superior Court  
Monterey County  
P.O. Box 1819  
Salinas, CA 93902

Dear Judge O'Farrell,

Attached are the responses of the Washington Union School District, as required by Sections 933 and 933.05 of the California Penal Code, to the Findings and Recommendations in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were reviewed and approved by our Board President, Karen Boothroyd, and will be reviewed by the Governing Board at its meeting on April 17, 2002.

Sincerely,

  
Catherine Gallegos  
Superintendent

Attachments:      Response to Finding  
                              Response to Recommendations

F:\cgallegos\MyFiles\District\Correspondence\Grand Jury 2001.wpd

**GRAND JURY FINAL REPORT TITLED** School Board Training  
**RESPONSE TO FINDINGS** by Catherine Gallegos, Washington Union School District  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Find- ing #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding; see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1		X	Our district Governing Board members review available training, both locally and statewide, and determine their need to participate. District funding is available to allow participation in training.
2	X		

**GRAND JURY FINAL REPORT TITLED** School Board Training  
**RESPONSE TO RECOMMENDATIONS** by Washington Union School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b>CONTINUE ON ATTACHED SHEETS AS NECESSARY</b>
1	X				The district budgets for School Board training during the year.
2	X				The Board participates in training offered by the California School Boards Association (CSBA), MCOE, and the district, including an annual Board retreat. Board members also receive printed information from the superintendent on all of the areas listed in this Recommendation.
3	X				MCOE provides training for new Board members and annual training for all Board members.
4	X				(See response to Recommendation #2).



# SOLEDAD UNIFIED SCHOOL DISTRICT

Gene Martin, District Superintendent

## "Education for Life"

**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) 678-6460

## K-5 ELEMENTARY SCHOOLS

**Gabilan School**  
330 N. Walker Drive  
Soledad, CA 93960  
(831) 678-6440

**Rose Ferrero Elementary**  
400 Entrada Drive  
Soledad, CA 93960  
(831) 678-6480

**San Vicente School**  
1300 Metz Road  
Soledad, CA 93960  
(831) 678-6420

## DISTRICT OFFICE

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

February 14, 2002

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

Dear Judge O'Farrell:

Attached are the responses of the Soledad Unified School District, as required by Sections 933 and 933.05 of the California Penal Code, to the Findings and Recommendations in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were approved by the Soledad Unified School District Board, our governing body, on February 13, 2002.

Sincerely,

Cathy Cimaglia  
President of the Board

GM:if

C: Dr. Bill Barr, County Superintendent of Schools

Attachments: Response to Findings  
Response to Recommendations

**GRAND JURY FINAL REPORT TITLED:** School Board Training  
**RESPONSE TO FINDINGS by:** The Soledad Unified School District  
[as required by Section 933.05(a) California Penal Code] (agency)

Finding #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding; see next column	CONTINUE ON ATTACHED SHEETS AS NECESSARY
1.		X	There has been money provided in the budget of the Soledad Unified School District. While some of our trustees have attended training, others have been unable due to their employment.
2.	X		We agree that the school Board has the ultimate responsibility for school district resources and personnel including the respondent.

**GRAND JURY FINAL REPORT TITLED:** School Board Training  
**RESPONSE TO FINDINGS by:** The Soledad Unified School District  
[as required by Section 933.05(a) California Penal Code] (agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b>CONTINUE ON ATTACHED SHEET AS NECESSARY</b>
1.	X				The Soledad Unified School District has provided money in the budget for the past 10 years specifically designated for Board Training. The current budget provides \$5,000 for Board Training.
2.	X				Each Trustee is registered as a member of CSBA and receives all CSBA literature, including notices of training offered by CSBA.
3.		X			Implementation of this recommendation is contingent upon the County Superintendent coordinating the needs of all 24 school district in Monterey County. Therefore, the timeline must come from the County Superintendent.
4.		X			This recommendation will be implemented by each trustee as they deem necessary, as there is no current law mandating their attendance to CSBA workshops. As noted in items 1-3 above, money is in the budget and all trustees have access to CSBA training.

# 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

March 27, 2002

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

Dear Judge O'Farrell:

Attached are the responses of the Salinas Union High School District as required by Sections 933 and 933.05 of the California Penal Code, to the **Findings** and **Recommendations** in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were approved by our Board of Trustees on March 26, 2002.

Sincerely,



Arthur H. Gilbert  
Board President

AHG:pvc

Attachments: Response to Findings  
Response to Recommendations

Roger C. Anton, Jr.  
Associate Superintendent  
Instructional Services  
(831) 796-7028  
ranton@salinas.k12.ca.us

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

Alejandro E. Hogan  
Assistant Superintendent  
Human Resources  
(831) 796-7037  
ahogan@salinas.k12.ca.us

**GRAND JURY FINAL REPORT TITLED** School Board Meetings  
**RESPONSE TO RECOMMENDATIONS** by Salinas Union High School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc. See Attachment
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1	X				
2	X				
3		X			
4	X				

# 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

This is in response to the 2001 Monterey County Grand Jury Final Report on School Board Training.

## **FINDINGS:**

The Salinas Union High School District concurs with the two findings as outlined in the Report.

1. Not all school boards in Monterey County budget for or take advantage of available school board training.
2. School boards have ultimate responsibility for school district resources and personnel including the superintendent.

The Salinas Union High School District budgets \$15,000 per year for board members to participate in the California School Boards Association conferences and workshops. These workshops are specifically targeted for school board members in various areas. Two members of our Board as well as the Superintendent have completed the Masters in Governance yearlong program. I have attached a copy of the type of activities and the Board members that have attended these activities.

## **RECOMMENDATIONS:**

The recommendations are as follows:

1. Provide a budget for school board training.
2. Provide access to training, at a minimum, in the following areas:
  - a. Parliamentary procedure
  - b. Ralph M. Brown Act
  - c. Budget management
  - d. Team building
  - e. Cooperative boardsmanship
  - f. California Education Code and new legislation
3. Work with Monterey County Office of Education to develop school board training.

Roger C. Anton, Jr.  
Associate Superintendent  
Instructional Services  
(831) 796-7028  
ranton@salinas.k12.ca.us

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

Alejandro F. Hogan  
Assistant Superintendent  
Human Resources  
(831) 796-7037  
ahogan@salinas.k12.ca.us

4. Attend as many California School Board Association workshops as determined necessary.

The Salinas Union High School District has been implementing **Recommendations 1, 2, and 4**. Please see the attachment outlining the workshops and the budget for such trainings.

In response to **Recommendation 3**, the Salinas Union High School District does participate with the Monterey County Office of Education on board training sessions as provided through the County Office. To date, our District has not worked with MCOE in any school board training, but does participate with any such training that would be offered. The timeline for the development of school board training with the Monterey County Office of Education needs to be developed cooperatively between our district and MCOE.

Board of Trustees Travel and Conference Expenses  
June 30 through February 20, 2002

TRUSTEE	REASON	DATE	AMOUNT	BALANCE
	<b>BEGINNING BALANCE FOR 2001-2002</b>			<b>15,000</b>
<b>Tabera</b>	<b>Conference registration for CLSBMA in Del Mar</b>	10/5/2001	245.00	14,755
	Hotel reservations for CLSBMA		403.00	14,352
	Airline reservations for CLSBMA		156.00	14,196
	Reimbursement		185.00	14,011
<b>Gilbert</b>	<b>Registration for CSBA Conference in San Diego</b>	11/28-12/1	443.00	13,568
	Hotel reservations for CSBA		1084.00	12,484
	Reimbursement		22.00	12,462
<b>Brown</b>	<b>Registration for CSBA Conference in San Diego</b>	11/28-12/1	517.00	11,945
	Hotel reservations for CSBA		867.00	11,078
	Airline reservations for CSBA		102.00	10,976
	Reimbursement (Estimated)		195.00	10,781
<b>Tabera</b>	<b>Registration for CSBA Conference in San Diego</b>		383.00	10,398
	Hotel reservations for CSBA		584.00	9,814
	Airline reservations for CSBA		163.00	9,651
	Reimbursement		95.00	9,556
<b>Gilbert</b>	<b>Registration for CSBA Curriculum Institute</b>	7/13&14	290.00	9,266
<b>Brown</b>	<b>Registration for CSBA Curriculum Institute</b>	7/13&14	290.00	8,976
<b>Gilbert</b>	<b>Registration for CSBA Policy Leadership Institute</b>	20-Sep	95.00	8,881
<b>Tabera</b>	<b>Hotel reservations for CSBA Masters in Governance</b>	10/19&20	314.00	8,567
	Reimbursement (Estimated)		64.00	8,503
<b>Brown</b>	<b>Hotel reservations for CSBA Masters in Governance</b>	9/14&15	259.00	8,244
	Reimbursement		64.00	8,180
<b>Gilbert</b>	<b>Hotel reservations for CSBA Masters in Governance</b>	9/14&15	338.00	7,842
	Reimbursement		94.00	7,748
<b>Gilbert</b>	<b>Hotel reservations for CSBA Masters in Governance</b>	19-Oct	314.00	7,434
	Reimbursement		64.00	7,370
<b>Brown</b>	<b>Hotel reservations for CSBA Masters in Governance</b>	19-Oct	314.00	7,056
	Reimbursement		202.00	6,854
<b>Brown</b>	<b>Registration for CSBA Policy Leadership Institute</b>	20-Sep	95.00	6,759
<b>Styles</b>	<b>Registration for CSBA Conference in San Diego</b>	11/28-12/1	537.00	6,222
	Airline reservations for CSBA		120.00	6,102
	Hotel reservations for CSBA		1,189.00	4,913
	Reimbursement for CSBA		157.00	4,756
<b>Gilbert</b>	<b>Registration for CSBA Crisis Communications and the Media and Board Presidents' Workshops</b>	2/22-23/02	340.00	4,416
	Hotel for CSBA Crisis Communications and the Media and Board Presidents' Workshops		144.00	4,272
	Reimbursement (Estimated)		84.00	4,188
<b>Hammond</b>	<b>Hotel reservations needed to attend Special Board Meeting</b>	12/4/2001	62.95	4,125
<b>Muñoz</b>	<b>Registration for CSBA Institute for New and First-Term Board Members</b>	2/22-23/02	140	3,985
	Reimbursement for CSBA Institute for New and First-Term Board Members		166.9	3,818
<b>Gilbert</b>	<b>Registration for Chamber of Commerce Annual Awards Luncheon</b>	2/20/2002	24	3,794

Brown	Registration for Chamber of Commerce Annual Awards Luncheon	2/20/2002	24	3,770
				3,770
Brown	Registration for CSBA Essential Elements Workshop	3/15/2002	105	3,665
Gilbert	Registration for CSBA Essential Elements Workshop	3/15/2002	105	3,560
Munoz	Registration for CSBA Essential Elements Workshop	3/15/2002	105	3,455
Tabera	Hotel reservations for CSBA Masters in Governance	4/21/2002	123	3,332
Tabera	Hotel reservations for CSBA Masters in Governance	6/8/2002	135	3,197
Gilbert	Registration for CSBA Delegate Assembly and Legislative Action Conference (Estimate)	5/4-6/02	240	2,957
				2,957
	Hotel reservations		494	2,463
	Reimbursement (Estimated)		150	2,313
Brown	Registration for CSBA Legislative Action Conference (Estimate)		240	2,073
				2,073
	Hotel reservations		329	1,744
	Reimbursement (Estimated)		100	1,644
Gilbert	Registration for Celebrating Educational Opportunities for Hispanic Students	4/26-28/02	225	1,419
				1,419
	Hotel reservations for Celeb. Education Opp.		552	867
	Airfare for Celeb. Education Opp. (ESTIMATE)		200	667
	Reimbursement (ESTIMATE)		150	517
Tabera	Registration for Celebrating Educational Opportunities for Hispanic Students	4/26-28/02	225	292
				292
	Hotel reservations for Celeb. Education Opp.		552	-260
	Airfare for Celeb. Education Opp. (ESTIMATE)		200	-460
	Reimbursement (ESTIMATE)		150	-610
Tabera	Registration for NALEO Conference	6/27-29/02	250	-860
	Airfare		312	-1,172
	Hotel		500	-1,672
	Reimbursement (Estimated)		400	-2,072
Tabera	Hotel reservations for Masters in Governance -	4/18/2002	129	-2,201
	Airline reservations for Masters in Governance		179	-2,380
	Reimbursement (Estimated)		140	-2,520



# Santa Rita

Union School District

57 Russell Road  
Salinas, CA 93906-4325

[www.santaritaschools.org](http://www.santaritaschools.org)

(831) 443-7200  
F a x 442-1729

January 22, 2002

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

Dear Judge O'Farrell:

**RE: RESPONSE TO THE 2001 MONTEREY COUNTY CIVIL GRAND JURY**

I am writing in response to the Final Report of the 2001 Monterey County Civil Grand Jury regarding the training of school board members.

I must comment on the investigation procedures. As superintendent of one of the 24 school districts "investigated," neither I nor anyone in my district office recalls being asked questions by the grand jury regarding this topic. Since we fund and coordinate training for the board, it was a major oversight not to include us in the grand jury's investigation. If questionnaires were sent to board members, the failure to gather information from district staff invalidates some of the grand jury's findings as you will see in this response. Future "investigations" need to involve at least the superintendents who can gather information from appropriate people and give a comprehensive answer to questions.

**Finding #1:** "Not all school boards in Monterey County budget for or take advantage of available school board training."

District Response: The respondent disagrees wholly with the finding.

Although Santa Rita may not designate a specific amount in the budget under the exact topic of "Board Training," that is because (1) the amounts vary widely from year to year, and (2) it has sufficient funds set aside for training in other object codes to cover board training. Also, occasionally, Santa Rita and other districts may find themselves in a fiscal situation which limits training for everyone. This may indeed be the case for many next year if state funding is severely cut as predicted.

*Serving the students of Santa Rita --*

*Superintendent:*

Dr. Bob McLaughlin  
[bmclaugh@monterey.k12.ca.us](mailto:bmclaugh@monterey.k12.ca.us)

*Assistant Superintendent:*

Mr. Jim Fontana  
[jfontana@monterey.k12.ca.us](mailto:jfontana@monterey.k12.ca.us)

*Director of Fiscal Services:*

Ms. Janet Tucker  
[jtucker@monterey.k12.ca.us](mailto:jtucker@monterey.k12.ca.us)

*Director of Student Services:*

Mr. Tom Guajardo  
[tguajard@monterey.k12.ca.us](mailto:tguajard@monterey.k12.ca.us)

*Board of Trustees:*

Mrs. Elva Arellano  
Mrs. Sue Daly  
Mr. Jon Sanborn  
Mr. Tom Spencer  
Mr. Perry Vargas

*Schools:*

Gavitan View Middle  
La Joya Elementary  
Santa Rita Elementary

Since the average tenure of Santa Rita board members last year was about 10 years, the training needs are significantly different than new members. The board is constantly updated on current educational, legislative and legal topics in a variety of ways: periodicals from education associations such as CSBA, participation in board subcommittees, subscriptions to topical services such as Ed Source, updates from staff on current issues affecting our district and potential strategies of value to us, attendance by board members to events sponsored by educational organizations such the County School Board Association. True, there are events which members do not attend, but attending everything would be impossible for members who also have full-time occupations of their own. It is clear that training which is perceived to be important to the district is taken advantage of by board members. For example, when the district was investigating Interest Based Bargaining two years ago, board members joined staff in a conference in Sacramento and in a three day training in the district. The Board participates in a two-day Strategic Planning review each year and has a designated representative to the District Curriculum Council.

**Finding #2:** “School boards have ultimate responsibility for school district resources and personnel, including the superintendent.”

District Response: The respondent agrees with the finding.

**Recommendation #1:** “Provide a budget for school board training.”

District’s Response: The recommendation will not be implemented because it is not warranted or not reasonable.

Santa Rita School District will continue to provide funding for school board training at the direction of the board based upon their expressed needs and within the fiscal limitations of the district. Whether such funding is given a specific designated object code label of “Board Training” is not a significant issue. If a board training expense is expected to occur in the next budget year and is known at the time of the creation of the budget, then it may be designated as such in the budget. Otherwise, board training expenses will be part of broader budget categories for staff development. This in no way limits the board to participate in appropriate and needed training.

**Recommendation #2:** “Provide address to training, at a minimum in the following areas: parliamentary procedure, Ralph M Brown Act, budget management, team building, cooperative boardsmanship, California Education Code and new legislation.”

District’s Response: The recommendation has been implemented.

This recommendation is in the process of being implemented as part of the normal procedures of the district in both a formal and informal, group and individual manner to best meet the individual needs of members. Such training occurs over time as topics arise in the normal course of business. For example, training about the budget occurs formally as the budget is prepared and informally as a member has a question. The combination is the most effective since learning best occurs when it is practical and motivated.

**Recommendation #3:** “Work with Monterey County Office of Education to develop school board training.”

Since the average tenure of Santa Rita board members last year was about 10 years, the training needs are significantly different than new members. The board is constantly updated on current educational, legislative and legal topics in a variety of ways: periodicals from education associations such as CSBA, participation in board subcommittees, subscriptions to topical services such as Ed Source, updates from staff on current issues affecting our district and potential strategies of value to us, attendance by board members to events sponsored by educational organizations such the County School Board Association. True, there are events which members do not attend, but attending everything would be impossible for members who also have full-time occupations of their own. It is clear that training which is perceived to be important to the district is taken advantage of by board members. For example, when the district was investigating Interest Based Bargaining two years ago, board members joined staff in a conference in Sacramento and in a three day training in the district. The Board participates in a two-day Strategic Planning review each year and has a designated representative to the District Curriculum Council.

**Finding #2:** “School boards have ultimate responsibility for school district resources and personnel, including the superintendent.”

District Response: The respondent agrees with the finding.

**Recommendation #1:** “Provide a budget for school board training.”

District’s Response: The recommendation will not be implemented because it is not warranted or not reasonable.

Santa Rita School District will continue to provide funding for school board training at the direction of the board based upon their expressed needs and within the fiscal limitations of the district. Whether such funding is given a specific designated object code label of “Board Training” is not a significant issue. If a board training expense is expected to occur in the next budget year and is known at the time of the creation of the budget, then it may be designated as such in the budget. Otherwise, board training expenses will be part of broader budget categories for staff development. This in no way limits the board to participate in appropriate and needed training.

**Recommendation #2:** “Provide address to training, at a minimum in the following areas: parliamentary procedure, Ralph M Brown Act, budget management, team building, cooperative boardmanship, California Education Code and new legislation.”

District’s Response: The recommendation has been implemented.

This recommendation is in the process of being implemented as part of the normal procedures of the district in both a formal and informal, group and individual manner to best meet the individual needs of members. Such training occurs over time as topics arise in the normal course of business. For example, training about the budget occurs formally as the budget is prepared and informally as a member has a question. The combination is the most effective since learning best occurs when it is practical and motivated.

**Recommendation #3:** “Work with Monterey County Office of Education to develop school board training.”

District's Response: The recommendation has been implemented.

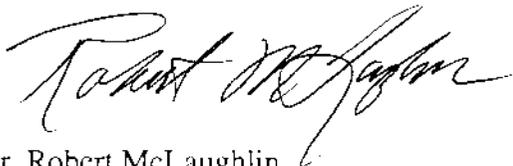
This recommendation is in the process of being implemented as part of the normal procedures of the district. For example, new board members attended the County's new board member training last December.

**Recommendation #4:** "Attend as many California School Board Association workshops as determined necessary."

District's Response: The recommendation will not be implemented as written because it is not reasonable to limit training to just CSBA nor require attendance at workshops when information can be gained elsewhere at less expense or with less effort.

This recommendation is in the process of being implemented using a wider variety of providers. The use of CSBA as the exclusive trainer is inappropriate. There are other organizations such as Small School District Association (SSDA), Association of California School Administrators (ACSA), Coalition for Adequate School Housing (CASH), and many others which provide important training which may be more appropriate for our district's needs. At this time the board has expressed interest in attending a SSDA Conference next March.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert McLaughlin". The signature is fluid and cursive, written over a light blue horizontal line.

Dr. Robert McLaughlin  
District Superintendent

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



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](mailto:hkahn@monterey.k12.ca.us)

March 18, 2002

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

Dear Judge O'Farrell:

Attached are the responses of Spreckels Union School District, as required by Sections 933 and 933.5 of the California Penal Code, to the Findings and Recommendations in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

Sincerely,

Harold Kahn, Ed.D.  
Superintendent

HK:ss

cc: Dr. Bill Barr, County Superintendent of Schools

Attachments: Response to Findings  
Response to Recommendations

**GRAND JURY FINAL REPORT TITLED** School Board Training  
**RESPONSE TO FINDINGS** by Spreckels Union School District  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding; see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1.		X	There has been money provided in the budget of the Spreckels Union School District for School Board training. While some of our trustees have attended training, others have been unable to.
2.	X		We agree the School Board has the ultimate responsibility for School District resources and personnel including the respondent.

**GRAND JURY FINAL REPORT TITLED** School Board Training  
**RESPONSE TO RECOMMENDATIONS by** Spreckels Union School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b>CONTINUE ON ATTACHED SHEETS AS NECESSARY</b>
1.	X				The Spreckels Union School District has provided money in the budget designated for Board training. The current budget provides \$750 for Board training.
2.	X				Spreckels Union School District is a member of CSBA. Trustees receive CSBA literature, including notices of training offered by CSBA.
3.		X			Implementation of this recommendation is contingent upon the County Superintendent coordinating the needs of all 24 school districts in Monterey County. Therefore, the timeline must come from the County Superintendent.
4.		X			This recommendation will be implemented by each trustee as they deem necessary, as there is no current law mandating their attendance to CSBA workshops. As noted in items 1 and 2 above, money is in the budget and all trustees have access to CSBA training.



# 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 16, 2002

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

Dear Sirs:

Please accept my apologies for the lateness of our response to your letter of July 18, 2002. Staff was away from our office for summer recess.

It is hoped that the following will serve to better clarify our plans and timelines for Recommendations as they were addressed in our previous correspondence of March 27, 2002, and May 13, 2002.

### Item #1 – Community Involvement

The various activities listed in this response will be scheduled for 2002/03 following assessment meetings with staff and parents. Various offerings such as Parent University, parent education classes, parenting classes, etc., will be offered each month throughout the year beginning in September 2002. Specific dates will be determined following the assessment process.

### Recommendation 2

We are currently in the initial phase of planning a Student Community Service/Involvement Program for the 2002/03 school year.

- 1) We met with Deputy Dave Hughes, Monterey County Sheriff's Department Campus Liason Officer, on August 12, to discuss ideas. Through him, we will attempt to generate ideas and coordinate programs and share ideas with neighboring small school districts.
- 2) Our Student Council will address this issue early in the year to generate ideas for both community service activities as well as student incentives.
- 3) Formal awards, elective and extra credit incentives and release time for Community projects such as elderly assistance, clean up/paint up days and various forms of volunteer community service are being discussed. Staff planning of specific 2002/03 dates will begin August 19, 2002.

Recommendation 3

The staff position of School/Community Liason has been filled. One of our classroom assistants has accepted the position. She will be given each afternoon, free from classroom responsibilities, to devote her efforts to meeting this objective.

Recommendation 4

These recognition activities will be conducted throughout the 2002/03 academic year. One main vehicle will be recognition of service both at monthly student body awards assemblies and at monthly School Board meetings held the first Wednesday of each month.

Recommendation 5

Completed.

Recommendation 6

The amount of \$2500.00 has been allocated for Board Training in our 2002/03 budget.

Recommendation 7

The Board at it's June and August meetings, generated a list of goals for the 2002/03 school year to use as guidelines for their decision making activities. Monthly updates and assessment will be included in Board meetings.

Item #2 -- School Board Training (Includes Recommendation #8 from Item 1)

In addition to #7 above, the following will be included in our Board Training Program for 2002/03:

Board members have committed to attend as many conferences and workshops as their individual calendars will allow. Specific conference participation will be generated based upon available opportunities and desired content.

One Board member has committed to attend the CSBA Back to School Conference, September 27, 2002 in San Jose.

At the Board meeting of April 2002, a Power Point presentation was made outlining the content of the Ralph M. Brown Act and what it means to each Board member.

A more user friendly monthly budget balance sheet has been initiated. This has led to better understanding and greater participation in budget planning and expenditures on the part of the current Board.

Sincerely;



Al Trescony  
San Lucas USD Board President

**GRAND JURY FINAL REPORT TITLED**

2001 FINAL REPORT

**RESPONSE TO FINDINGS by**

SAN LUCAS UNION SCHOOL DISTRICT

[as required by Section 933.05(a) California Penal Code]

(Agency)

Find- ing #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding; see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1	X		
2	X		

**GRAND JURY FINAL REPORT TITLED** 2001 FINAL REPORT  
**RESPONSE TO RECOMMENDATIONS by** SAN LUCAS UNION SCHOOL DISTRICT  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b>CONTINUE ON ATTACHED SHEETS AS NECESSARY</b>
1.	X				<p><b><u>Recommendations</u></b></p> <p>On April 17, 2002, the Board established a budget for the purpose of School Board training. This will enable us to 1) initiate various teaching sources 2) identify specific money amounts for specific training activities.</p>
2.	X				<p>Mr. Bill Barr, Monterey County Superintendent of Schools, has been contacted and an initial session of training and assessment is being calendared for this Spring. The services of the California School Boards Association are also being examined for inclusion in our training program. Consultants and experts in fields deemed necessary will be included in our training offerings. The Board has begun discussion of areas in which they see the need for training. Priority will be established and this program will begin this Spring, 2002. The CSBA conference May 17-19 will be our initial session attended by Board member(s). At the May 29, 2002, Board meeting, there will be a presentation on the Brown Act. We have revised our budget report to enable the Board to have a monthly update of revenue, expenditures and forecast for the fiscal year.</p>
3.	X				See # 2 above.
4.	X				See # 2 above.



# Salinas City Elementary School District

840 South Main Street • Salinas, CA 93901

Phone (831) 753-5600 • Fax (831) 753-4374

## ADMINISTRATION

Robert Slaby, Ed.D.  
Superintendent

Ray Arcinas,  
Asst. Supt., Fiscal Svcs.

Sharon Loucks, Ed. D.  
Dir., Curriculum & Staff Dev.

Juvenal Luza, Ph. D.  
Dir., Bilingual & Migrant Svcs.

E. Leon Mattingley  
Dir., Personnel Svcs.

Randall Schwartz, Ph. D.  
Dir., Pupil Personnel Svcs.

## BOARD OF EDUCATION

Byron Skip Latham

Robert Foster Hoffman

Debbie Rianda

Stephen Malvini

John Aaron

March 18, 2002

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

Dear Judge O'Farrell:

Attached are the responses of our governing body, as required by Sections 933 and 933.05 of the California Penal Code, to the **Findings and Recommendations** in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were approved by Salinas City Elementary School Board of Trustees, our governing body, on March 18, 2002.

Sincerely,

  
Byron Skip Latham  
Board President

Attachments:      Response to Findings  
                                 Response to Recommendations

*"Students are the focus  
of our work"*

GRAND JURY FINAL REPORT TITLED School Board Training  
 RESPONSE TO FINDINGS by the Governing Board of Salinas City Elementary SD  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding#	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: See next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1			We encourage our board members to attend school board trainings.
2	X		

GRAND JURY FINAL REPORT TITLED School Board Training  
 RESPONSE TO RECOMMENDATIONS by the Governing Board of Salinas City ESD  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc. ,
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1	X				Board members are encouraged to attend training. SCESD provides a budget for conference and travel for board training.
2	X				When a board member is first elected, they are encouraged to attend CSBA's Annual Conference and are given the opportunity to attend other workshops they deem valuable as a board member. Periodically, inservices are held both county and statewide to address the needs outlined. In addition, the district has hired the law firm of Lozano Smith to constantly update the district's policies regarding changes in the California Education Code.
3	X				The District has a positive working relationship with the Monterey County Office of Education and will be a willing partner in trainings. Currently many members of the board attend the annual county board dinner.
4	X				Board members have attended the annual CSBA Annual Conferences, Presidents' Workshops, and Legislative Action Day and any training(s) they believe is important to their position.

# 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  
Kathy Weatherwax  
Janeel Welburn

## **School Operations Staff**

Mary Hickerson  
*Office Clerk*

Carol Mahon  
*Confidential Office Specialist*

Faye Wells  
*Confidential Secretary*

March 7, 2002

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

Dear Judge O'Farrell:

### **RE: RESPONSE TO THE 2001 MONTEREY COUNTY CIVIL GRAND JURY**

I am writing in response to the Final Report of the 2001 Monterey County Civil Grand Jury regarding the training of school board members.

As superintendent of one of the 24 schools districts "investigated," neither I nor anyone in my district office recalls being asked questions by the grand jury regarding this topic. Since all training and staff development is coordinated through this office for all staff including the board, I am not sure your data is complete. With new board members elected in the fall and seated in December, those surveyed may or may not have knowledge of past or even present training.

**Finding #1:** "Not all school boards in Monterey County budget for or take advantage of available school board training."

District Response: The respondent disagrees with this finding.

San Antonio has not made a practice of allocating specific or an exact amount of funds in each year's budget for "Board Training". The district does allocate/budget sufficient funds each year for training in other object codes to cover training for the board, administration, teachers and other staff members. The amount of these funds varies from year to year depending on need and the fiscal situation of the district, which limits training for everyone. With the budget cuts already imposed so far this year and the proposed cuts for the 2002-2003 school year, training for next year may need to be severely cut.

Board members at San Antonio are consistently updated on current education , legislative and legal topics in a variety of ways: periodicals from educational associations such as CSBA, ACSA, Ed Source, School Services of California, subscriptions to newsletters, updates by staff on current issues affecting our district, attendance by board members to events sponsored by educational organizations and training put on for board members by the Monterey County Office Of Education. Board members are invited to attend training meetings with the superintendent on budget, personnel, special education and other relevant topics. Board members are not always available to attend events as they also have full-time occupations of their own.

**Finding #2:** “School board have ultimate responsibility for school district resources and personnel, including the superintendent.”

District Response: The respondent agrees with the finding.

**Recommendation #1:** “Provide a budget for school board training.”

District Response: This recommendation will not be implemented due to the size of the district.

To provide a budget for school board training exclusively is not warranted in a district with a total ADA of 200 students. San Antonio School District will continue to provide funding for school board training at the direction of the board based upon their expressed needs and within the fiscal limitations of the district. Whether such funding is given a specific designation object code label of “Board Training” is not a significant issue. If a board training expense is expected to occur in the next budget year and is known at the time of budget development and approval, then it may be designated as such in the budget. Otherwise, board-training expenses will be part of broader budget categories for staff development. This in no way limits the board to participate in appropriate and needed training.

**Recommendation #2:** “Provide address to training, at a minimum in the following areas: parliamentary procedure, Ralph M. Brown Act, budget management, team building, cooperative boardsmanship, California Education Code and new legislation.”

District Response: This recommendation has been implemented.

This recommendation is in the process of being implemented as part of the normal procedures of the district in both a formal and informal, group and individual manner to best meet the individual needs of members. Such training occurs over time as topics arise in the normal course of business. For example, training about the budget has been on going over the past few months as the governor has recommended legislation to make budget cuts within this school year. The board needs to know the day to day impacts for their already adopted budget and the impacts for the budget that they will be building for the next school year. This type of training is on going, practical and very productive.

**Recommendation #3** "Work with Monterey County Office of Education to develop school board training."

District Response: This recommendation has been implemented.

MCOE provided training for new board members in December 2002 which was attended by both our new board members and other board members as a refresher course. The County Superintendent Bill Barr will be providing training in "Brown Act" procedures for the San Antonio Board this year.

**Recommendation #4:** "Attend as many California School Board Association workshops as determined necessary."

District Response: This recommendation will not be implemented as written because it is not reasonable to limit training to just CSBA nor require attendance at workshops when information can be gained elsewhere at less expense and less effort. Other providers include Association of California School Administrators (ACSA) and the Small School District Association (SSDA) which has a conference each March and training during the year that specifically addresses small school districts.

Above are the responses of our governing board as required by Sections 933 and 933.05 of the California Penal Code, to the Findings and Recommendations in the 2001 Monterey County Grand Jury Report dated January 2, 2002.

The responses were approved by the San Antonio Union School District, our governing body, on March 7, 2002.

Sincerely,



Susan L. Gerard  
District Superintendent



Ned T. Bowler  
Board President  
San Antonio Union School District

C: Dr. Bill Barr, County Superintendent of Schools  
Board of Trustees for San Antonio Union School District

# San Ardo Union Elementary School District



March 20, 2002

Honorable Robert O'Farrell  
Presiding Judge of the Superior Court  
Grand Jury - County of Monterey

Dear Judge O'Farrell:

**RE: RESPONSE TO THE 2001 MONTEREY COUNTY CIVIL GRAND JURY**

The purpose of this letter is to respond to the Final Report of the 2001 Monterey County Civil Grand Jury regarding the training of school board members.

I have assumed my administrative responsibilities as superintendent of the San Ardo Union School District on December 10, 2001. I do not believe the grand jury has contacted the San Ardo Union School District to obtain information regarding the training of board members. There is, however, evidence that the San Ardo Union School District believes strongly in the training of board members. Moreover, the San Ardo Union School District funds and coordinates such trainings.

**Finding #1:** Not all school boards in Monterey County budget for or take advantage of available school board training.

District Response: This finding is not consistent with past practice of this district.

It is true that the district does not specifically budget money for board trainings, but the district does set funding aside for professional growth and development. This money is not only allocated for certificated and classified staff training, but has also been used to provide the board with training via outside consultants.

The San Ardo Union School District Board of Trustees is consistently provided information regarding current legislative and legal action. They also receive periodicals from the California School Board Association, updates from the staff and superintendent, attendance and participation in board committees, and trainings sponsored by educational consultants and organizations.

During my short time as superintendent, it is obvious that this board has taken advantage of and will continue to take advantage of trainings that support the educational philosophy and interest of the district and its constituents.

**Finding #2:** School boards have ultimate responsibility for school district resources and personnel, including the superintendent.

District's Response: The district agrees with this finding.

**Recommendation #1:** Provide a budget for school board training.

District's Response: The district will continue to budget for professional development, including the training required for board members.

The San Ardo Union School District will continue to make certain that funding is set aside for staff development. All board training expenses will fall under this category. This budget structure will enable board members to continue to receive training as needed.

**Recommendation #2:** Provide address to training, at a minimum in the following areas: parliamentary procedure, Ralph M. Brown Act, budget management, team building, cooperative boardmanship, California Education Code and new legislation.

District's Response: This recommendation has been implemented.

The board takes advantage of many opportunities that arise during normal procedures that occur at monthly board meetings. For example, I recently made available to the board a revised, second edition of the Brown Act Guide. This document, in matrix format, is designed to allow the Board, superintendent and staff to quickly reference material as it pertains to the Brown Act. The booklet is not a substitute for legal counsel, nor does it provide legal opinion. It is a simple but comprehensive translation of the Government Code sections pertaining to the Brown Act.

**Recommendation #3:** Work with Monterey County Office of Education to develop school board training.

District's response: This recommendation has been implemented.

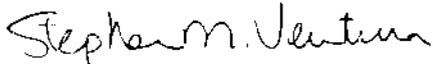
The Monterey County Office of Education provides opportunities for board members to receive training, and the San Ardo Union School District will continue to take advantage of these opportunities. New board members in particular attend the training services provided by the County.

**Recommendation #4:** Attend as many California School Board Association workshops as determined necessary.

District's Response: The district will continue to provide trainings to the board using several different opportunities.

The San Ardo Union School District Board of Trustees attend workshops provided by the CSBA, in addition to trainings provided by outside consultants, Small School District Association, and the Association of California School Administrators. It has been demonstrated that the board makes use of many training opportunities and expresses interest in attending conferences that best represent the learning community of San Ardo.

Very truly yours,



Stephen M. Ventura  
Superintendent

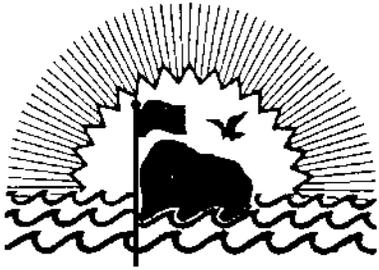
C: Dr.. William Barr, County Superintendent of Schools  
Board of Trustees for the San Ardo Union School District

**GRAND JURY FINAL REPORT TITLED** SCHOOL BOARD TRAINING  
**RESPONSE TO FINDINGS** by SAN ARDO UNION SCHOOL DISTRICT  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1		X	PLEASE SEE ATTACHED DOCUMENTATION
2	X		PLEASE SEE ATTACHED DOCUMENTATION

**GRAND JURY FINAL REPORT TITLED** SCHOOL BOARD TRAINING  
**RESPONSE TO RECOMMENDATIONS** by SAN ARDO UNION SCHOOL DISTRICT  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1				X	PLEASE SEE ATTACHED DOCUMENTATION
2	X				PLEASE SEE ATTACHED DOCUMENTATION
3	X				PLEASE SEE ATTACHED DOCUMENTATION
4	X				PLEASE SEE ATTACHED DOCUMENTATION



*Pacific Unified  
School District*

March 22, 2002

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

Dear Judge O'Farrell:

Attached are the responses of our governing board, as required by Sections 933 and 933.5 of the California Penal Code, to Finding and Recommendations in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were approved by the Pacific Unified School District Board of Trustees, our governing board, on April 10, 2002.

Sincerely,

A handwritten signature in cursive script that reads "John Smiley".

John Smiley, President  
Board of Trustees

Attachments: Response to Findings  
Response to Recommendations

GRAND JURY FINAL REPORT TITLED School Board Training  
 RESPONSE TO FINDINGS by Pacific Unified School District  
 [as required by Section 933.05(a) California Penal Code]

(Agency)

Finding # 1	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	CONTINUE ON ATTACHED SHEETS AS NECESSARY
✓	✓		

GRAND JURY FINAL REPORT TITLED School Board Training  
 RESPONSE TO FINDINGS by Pacific Unified School District  
 [as required by Section 933.05(a) California Penal Code]

(Agency)

Finding #	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report 2	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding. see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
✓	✓		

GRAND JURY FINAL REPORT TITLE School Board Training  
 RECOMMENDATIONS by Pacific Unified School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc	
	(1)	(2)	(3)	(4)		
1	From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	CONTINUE ON ATTACHED SHEETS AS NECESSARY
	✓		✓			Will be implemented as an expense item in the 2002/2003 budget. Training to include all board members attending CSBA Conference in December, 02, San Francisco.

GRAND JURY FINAL REPORT TITLE: School Board Training  
 RESPONSE TO RECOMMENDATIONS by Pacific Unified School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<p>CONTINUE ON ATTACHED SHEETS AS NECESSARY</p> <p>We have had some training thus far as indicated on the questionnaire.</p> <p>We will implement the recommendations by our attendance at the annual CSBA Conference and other available trainings provided by our legal counsel and Monterey County Office of Education.</p>
2	✓	✓			

GRAND JURY FINAL REPORT III.11 - School Board Training  
 REPLY TO RECOMMENDATIONS by Pacific Unified School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
3	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	CONTINUE ON ATTACHED SHEETS AS NECESSARY
✓		✓			We plan on attending available trainings provided by Monterey County Office of Education.

GRAND JURY FINAL REPORT: 2001-02 School Board Training  
 REPLY TO RECOMMENDATIONS by Pacific Unified School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
4					
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	CONTINUE ON ATTACHED SHEETS AS NECESSARY
✓	✓	✓			We have attended trainings provided by CSBA and we plan to attend the trainings at the December, 2002, conference.

QUESTIONNAIRE FOR SCHOOL BOARD PRESIDENTS  
WITHIN MONTEREY COUNTY

SCHOOL DISTRICT NAME: Pacific Unified

1. Has your School Board received any formal training in the last two years?

Yes  No  If yes, please answer # 2 below.

2. Please list the training indicating whether it was an individual or group training, the subject, where the training took place, who did the training, and the approximate cost.

<u>Individual/ Group</u>	<u>Subject</u>	<u>Where</u>	<u>When</u>	<u>By Whom</u>	<u>Approx. Cost</u>
<u>Group</u>	<u>Brown Act</u>	<u>Dist. Office</u>	<u>Nov, 01</u>	<u>Tom Griffin Dist. Counsel</u>	<u>\$ 250.00</u>
<u>Individual</u>	<u>CA Ed Code, Brown Act</u>	<u>CSDE Center</u>	<u>Dec, 01</u>	<u>CSBA</u>	<u>\$ 1200.00</u>
<u>Group</u>	<u>Curr &amp; Instruct</u>	<u>Boards Dinner</u>	<u>May 01</u>	<u>MCOE</u>	<u>\$ 200.00</u>
<u>Individual</u>	<u>New Board Mem. Training</u>	<u>MCOE</u>	<u>Dec, 01</u>	<u>MCOE</u>	<u>\$ 50.00</u>

(If additional space needed, please attach separate page.)

3. Are there additional training areas or subjects you would like to see your Board receive? If so, please list.

Brown Act  
Team Building  
Cooperative Boardmanship

4. Do you feel it is important for Board Members, particularly new Board Members, to receive specialized training? If so, list in order of importance the three or four most important areas:

CA Ed. Code & Legislation  
Brown Act  
Budget Mgt.  
Parliamentary Procedure

5. Is budget provided for training of Board Members?

Yes  No  If yes, how much is budgeted for 2001? No set amount, but as needs arose above

Signature: John Smiley  
Typed name: John Smiley - President



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

May 17, 2002

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

**Subject: REVISED 2001 Monterey County Grand Jury Final Report - School Board Training**

Dear Judge O'Farrell,

As President of Pacific Grove Unified School District Board of Education I have been requested by this body to respond to the Grand Jury Final Report for 2001.

The following is our District's Board of Education response to each of the findings and recommendations noted in this report.

**Findings:**

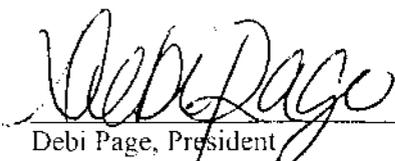
1. This finding does not apply to Pacific Grove Board of Education. The Board of Education does allocate money for Board professional development. This occurs on an annual basis and is used to pay for conferences, consultants and other related professional development.
2. The Board of Education agrees it has ultimate responsibility for the allocation of school district resources.

**Recommendations:**

<u>Number of Recommendation</u>	<u>Recommendation</u>	<u>Explanation</u>
	<u>Agree</u> <u>Disagree</u>	
1.	X	PGUSD agrees that the Board of Education should have a sufficient budget for school board training. The district has allocated \$7,700 for training in the 2001-2002 school year. A similar amount of money will be allocated and placed in the budget for next year's training.

<u>Number of Recommendation</u>	<u>Recommendation</u>		<u>Explanation</u>
	<u>Agree</u>	<u>Disagree</u>	
2.	X		Board of Education agrees that it is extremely important that the Board of Education receive training in each of the areas A-F. In March of 2001 the Board of Education attended a California School Board Association workshop on Governance Team Discussion and Understandings. During the 2001-2002 school year the Board of Education attended the California School Board Association conference and based on individual needs enrolled in various workshops on topics included in the A-F listing. In addition, materials have been distributed to the Board related to the Ralph M. Brown Act.
3.	X		We agree that the County Office of Education can assist our Board in various areas of professional growth and our Board has used their services in the past. Where appropriate the Board of Education in cooperation with our County Office of Education does schedule board trainings.
4.	X		This year all members of the Board of Education attended California School Board Association conference in San Diego. New board member, Richard Schramm, attended the new school board member pre-conference. All board members attended the complete CSBA conference. In addition, the Board attended a Board Training with the County Superintendent of Schools on February 21, 2002, and will again on June 27, 2002, along with future small school districts and school services workshops.

The above revised response reviewed and approved by the Board of Education at its May 16, 2002 Board Meeting. Board item and minutes indicating review and approval of the report for re-submission to the Grand Jury is attached.



Debi Page, President  
Pacific Grove Unified School District Board of Education



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

February 12, 2002

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

**Subject: 2001 Monterey County Grand Jury Final Report - School Board Training**

Dear Judge O'Farrell,

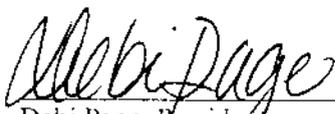
As President of Pacific Grove Unified School District Board of Education I have been requested by this body to respond to the Grand Jury Final Report for 2001.

The following is our District's Board of Education response to each of the findings noted in this report.

<u>Number of Recommendation</u>	<u>Recommendation</u>		<u>Explanation</u>
	<u>Agree</u>	<u>Disagree</u>	
1.	X		PGUSD agrees that the Board of Education should have a sufficient budget for school board training. The district has allocated \$7,700 for training in the 2001-2002 school year. A similar amount of money will be rolled forward and placed in the budget for next year's training.
2.	X		Board of Education agrees that it is extremely important that the Board of Education receive training in each of the areas A-F. In March of 2001 the Board of Education attended a California School Board Association workshop on Governance Team Discussion and Understandings. During the 2001-2002 school year the Board of Education attended the California School Board Association conference and based on individual needs enrolled in various workshops on topics included in the A-F listing. In addition, materials have been distributed to the Board related to the Ralph M. Brown Act.

<u>Number of Recommendation</u>	<u>Recommendation</u>		<u>Explanation</u>
	<u>Agree</u>	<u>Disagree</u>	
3.	X		We agree that the County Office of Education can assist our Board in various areas of professional growth and our Board has used their services in the past. Where appropriate the Board of Education in cooperation with our County Office of Education will schedule board trainings.
4.	X		This year all members of the Board of Education attended California School Board Association conference in San Diego. New board member, Richard Schramm, attended the new school board member pre-conference. All board members attended the complete CSBA conference. Board President, Debi Page, will be attending the CSBA President's workshop, which will be offered later this year. In addition, the Board will attend a Board Training with the County Superintendent of Schools on February 21, 2002, along with future small school districts and school services workshops.

The above response reviewed and approved by the Board of Education at its February 7, 2002 Board Meeting. Board item and minutes indicating review and approval of the report for submission to the Grand Jury is attached.



Debi Page, President  
Pacific Grove Unified School District Board of Education

PACIFIC GROVE UNIFIED SCHOOL DISTRICT

Consent Agenda  
 Information/Discussion  
 Action/Discussion  
 Public Hearing

**SUBJECT:** Monterey County Grand Jury Report 2001 – District Board of Education Repsonse

**DATE:** February 7, 2002

**PERSON (S) RESPONSIBLE:** Patrick Perry, Superintendent

---

**BACKGROUND:**

The Board of Education has been requested by the Grand Jury to respond to the 2001 Final Report, section School Board Training. The Grand Jury elected to initiate an investigation into public school board training.

**INFORMATION:**

Through a survey the Grand Jury asked 24 school district within the county about training for their school board members. As a result a series of recommendations were developed and the Grand Jury has requested that our Board of Education review the Grand Jury Report and respond to each recommendation.

A copy of the school board training Grand Jury Report has been forwarded to the Board of Education and is available to the public on request. The attached response to the Grand Jury is presented for the Board's review and approval.

**RECOMMENDATION:**

The Administration recommends that the Board of Education authorized Board President, Debi Page to sign and submit official district response to School Board Training Grand Jury investigation for 2001.

PACIFIC GROVE UNIFIED SCHOOL DISTRICT  
Minutes of the Meeting of February 7, 2002

APPROVED  
2.21.02

The Board of Education of the Pacific Grove Unified School District held a meeting on February 7, 2002 at Pacific Grove Middle School.

**I. OPENING BUSINESS**

A. Call to order: 6:00 pm

B. Roll Call:   Members Present:     Jessie Bray  
  Anne Hall  
  Debi Page  
  Richard Schramm  
  Beth Shammas  
  Student Rep: Lindsay Summers, arrived at 7pm

Administrators                   Patrick Perry, Superintendent  
Present:                         Robin Blakley, Assistant Superintendent

C. Identified Closed Session Topics

a. Liability Claim – Claimant: Chamberlain  
          Agency claim against: PGUSD

b. Conference with Labor Negotiators: Patrick Perry and Robin Blakley  
The employee organization: Pacific Grove Teachers Association  
The employee organization: California School Employee Association

D. Public Comment On Closed Session Items: None.

E. Adjourned to Closed Session: 6:05 pm

**II. RECONVENE IN OPEN SESSION – 7:00 pm**

A. Pledge of Allegiance: recited.

B. Adoption of Agenda: MOTION (Hall/Bray) to adopt amended agenda. *Change in date on Action Item VIII. G. Motion CARRIED 5 to 0.*

C. Report Action Taken in Closed Session: Board voted to reject Liability Claim – Claimant: Chamberlain.

**III. COMMUNICATONS:**

A. Written Communications: Letter from Jane Leatham was received by all Board Members and Superintendent regarding music program and assignments.

B. Superintendent Report: Last Friday hosted a Band Festival meeting at the District Office; have visited with High School Leadership Class to discuss a focus group of students to be included in the Long Range Planning Committee, the students took the opportunity to share their thoughts; will meet with Middle School Leadership Class soon. Had a great time attending the Mock Trial and appreciate the time put in by students, teachers, parents and volunteers. Mr. Perry shared the concept-photo of the Forest Hill

Manor addition; these plans were approved by the City 11 years ago and they now have funding to begin the project.

C. Board Comments: Summers (student) – Formal dance, Winter Ball, will be held this Saturday; rally on Friday. Bray – Had an opportunity to visit Robert Down's flooded classrooms, Sandy Jordan's class doing research on the computer and Jim Costello's Opportunity Class at the Middle School; the Joint City/District on the 24<sup>th</sup> was a valuable meeting; recognized the PGUSD teachers and students that received awards from the American Civil Liberties Union's Monterey County Chapter Annual Bill of Rights Essay and Art Contest. Hall – had an opportunity to attend the Mock Trial and thanked community volunteer Elaine McLeef for her help and the time she put in to the project. Shammass – supplied the date of the CSBA workshop in March 2001, was wondering if the District is participating in Caesar Chavez Day and commended the Superintendent for his response to student issues. Page – also attended the Mock Trial and appreciated the district and county support for our team; was honored to be a judge at the recent Spelling Bee.

IV. PUBLIC COMMENT: Barbara Batcher, teacher, spoke regarding the number of future teachers retiring and the current consideration for layoffs.

V. PUBLIC HEARING:

Sunshine California School Employee Association's Topics for Negotiations for 2002-2003 Contract  
*Topics had not been received by this date, will return at February 21, 2002 meeting.*

VI. CONSENT AGENDA: MOTION (Shammass/Hall) to approve consent agenda. Motion CARRIED 5 to 0.

VII. INFORMATION/DISCUSSION:

A. Sub Committee Reports:

Community Human Services (Walter Kraus): Alliance on Aging helps CHS by paying for volunteers; there has been a revision to the COLA, approved 5% has been adjusted to 3% due to fund availability, when more funds appear the 2% will be made up. Mr. Kraus shared information on the Fundraiser Golf Tournament. Genesis Residential House has received a clean bill of health – no problems what so ever. Genesis House Graduation planned for May 16. There is talk about unification with Family Service Agency. CHS is still serving our students.

City/District (Page): Nothing to report.

Negotiations (Bray): First meeting was January 23<sup>rd</sup>, looking forward to future meetings.

ROP (Schramm): Attended Executive Board Meeting in Soledad. Discussions included Governor's proposed budget cuts and the effect on the ROP program; JPA agreement needs to be renewed in April.

B. Pacific Grove Middle School Presentation: Sherry Boyle, Principal, Kelly Terry, Assistant Principal and Mary Masten, Counselor spoke to the Board. Ms. Boyle spoke about Transition from grade 5 to grade 6, Kids in the Middle and the AVID program at the Middle School; Mrs. Masten spoke about the Transition from grade 8 to grade 9 and Ms. Terry spoke about School-wide Programs to maintain a safe environment.

C. Revision of Board Regulation 1330: Regulation 1330 was reviewed by the Board of Education in July of 1998; the regulation overviews procedures for school facility use. In conversations with the Police Department earlier this year it became apparent that the District should post signs on its play fields, which would allow the Police Department to support the District making sure our facilities, are used appropriately. The proposed modification under Condition of Use Section will establish clarification and enable the District to post signs allowing the Police Department to assist us in the future if organized athletic activities are held on the sites without first obtaining District approval. This will return to the Consent Agenda for approval at the February 21<sup>st</sup> meeting.

D. Review of Board Mandated Policies 3311, 3551, 4040, 4143.1 & Regulations 3311, 3542, 3543, 4143.1: Mandated policies and regulations, as presented and include all updates through July 2001. New regulations reflect changes in practice. Questions from the Board were answered. Some policies will need more clarification and corrections. Will return to the Board for approval at the February 21<sup>st</sup> meeting.

E. 2002/2003 School Calendar: Each year the District works with the employee Associations and site administrators to develop a proposed calendar for the following school year. Adoption of calendar meets all State requirements for funding as students will be in class for 180 days as required and teachers will work 181 workdays except new teachers who work 182. Approval will be requested at the February 21<sup>st</sup> meeting.

F. Approval of Middle School API Site Bonus Award Expenditure Plan: Last year's State budget included an allocation to be paid to each school that met their goals for improvement under the API testing program. All four of our K-12 schools qualified for last year's funds. The funds can be used for "any educational purpose proposed by the School Site Council and approved by the School District Board". The funds are to be considered as a one-time fund. The Middle School Site Council has recommended that the funds available under the API Site Bonus Award in the amount of \$25,261 be allocated as outlined. Included in their recommendation is an amount to be divided equally among 1999-2000 employees at David Avenue and Community High. If for any reason, this item is not approved by the Board, the \$2300 will automatically be allocated to SIP technology. The recommendation is within the amount of API Site Bonus funds available to the site. Approval will be requested at the February 21<sup>st</sup> meeting.

G. Approval of Forest Grove School API Site Bonus Award Expenditure Plan: Last year's State budget included an allocation to be paid to each school that met their goals for improvement under the API testing program. All four of our K-12 schools qualified for last year's funds. The funds can be used for "any educational purpose proposed by the School Site Council and approved by the School District Board". The funds are to be considered as a one-time fund. The Forest Grove School Site Council has recommended that the funds available under the API Site Bonus Award in the amount of \$22,074 be allocated as outlined. Included in their recommendation is an amount to be divided equally among 1999-2000 employees at David Avenue and Community High. The recommendation is within the amount of API Site Bonus funds available to the site. Approval will be requested at the February 21<sup>st</sup> meeting.

H. Report to Board on Contents of 2002-03 Governor's Budget Relative to District Programs: On January 10, 2002 Governor Davis presented his budget proposal for the 2002/03 fiscal year. A basic premise underlying the proposed budget, is the projected funding gap that the State is anticipating of approximately \$12 billion resulting from the current recession. The purpose of the report noted here is to review what potential impact of the proposed budget would be on our district if left as proposed. Mr. Blakley reviewed the significant items that may impact our district. The development of the State budget will be closely monitored by the Business Office and try to identify specific impacts that result directly on our district. The Board will be informed of changes as they develop during the course of our own budget development process. Superintendent Perry noted that due to the downturn in the State's economy, State Budget approval is expected to be late and may not realize the 2.15% COLA and that along with changes in Federal Legislation regarding Title I, we may not fully know our District/School allocations until later this year. These two issues may cause Administration to request additional funds for intervention programs late in the budget development process.

**VIII. ACTION ITEMS:**

A. Approval of Resolution No. 691 Resolution to Teach: MOTION (Bray/Schramm) to approve Resolution No. 691, Resolution to Teach. Motion CARRIED 5 to 0.

B. Approval of Response to Monterey County Grand Jury Report 2001: MOTION (Shammas/Hall) to authorize Board President, Debi Page to sign and submit official response to School Board Grand Jury investigation for 2001. Motion CARRIED 5 to 0.

C. Approval of Temporary Title I Clerical Support Position: MOTION (Bray/Shammas) to approve creation of this temporary clerical position to support the Title I program and its related activities. Motion CARRIED 5 to 0.

D. Authorize Bidding of High School Phase II – Building Improvement Contract: MOTION (Shammas/Hall) to authorize the Administration and architect to proceed to solicit bids for the High School Modernization project Phase II – Building Improvements. Motion CARRIED 5 to 0.

E. Approval of Change Order #1 and Filing of Notice of Completion and Certificate of Substantial Completion for Forest Grove School Modernization: MOTION (Bray/Shammas) to approve the Change Order #1 and authorize the filing of the Certificate of Substantial Completion and Notice of Completion as recommended. Motion CARRIED 5 to 0.

F. 2001/02 Bond – Building Fund – Budget Revision #1: MOTION (Shammas/Hall) to approve proposed budget revision as presented. Motion CARRIED 5 to 0.

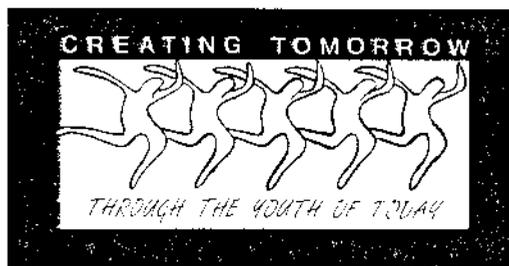
G. 2001/02 Special Reserve – Capital Projects Fund (19) – Budget Revision #1: MOTION (Bray/Shammas) to approve proposed budget revision as presented. Motion CARRIED 5 to 0.

H. Approval of Resolution #689 for Issuance of Series C General Obligation Bond: MOTION (Shammas/Bray) to approve Resolution #689 as proposed. Motion CARRIED 5 to 0.

IX. FUTURE MEETINGS: MOTION (Shammas/Hall) to approve additional Long Range Committee Meeting February 28, 2002 at the Pacific Grove High School. Motion CARRIED 5 to 0.

X. ADJOURNMENT: 9:30 pm

  
Patrick Perry  
Secretary, Board of Education



## NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

---

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

March 15, 2002

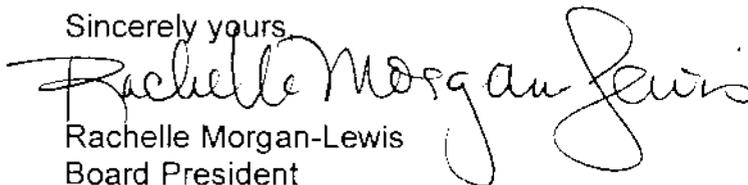
The Honorable Robert O'Farrell  
Presiding Judge of the Superior Court  
Monterey County  
P.O. Box 1819  
Salinas, CA 93902

Dear Judge O'Farrell:

Enclosed are the responses of the North Monterey County Unified School District Board of Trustees, as required by Sections 933 and 933.05 of the California Penal Code, to the findings and recommendations of the 2001 Monterey County Grand Jury Final Report dated 2 January 2002.

The Board approved the responses on 14 March 2002.

Sincerely yours,

A handwritten signature in black ink that reads "Rachelle Morgan-Lewis". The signature is written in a cursive style with a large, looping "L" at the end.

Rachelle Morgan-Lewis  
Board President

Enclosures

**GRAND JURY FINAL REPORT TITLED** 2001 Final Report  
**RESPONSE TO FINDINGS** by North Monterey County Unified School District  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding; see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1	X		
2	X		

GRAND JURY FINAL REPORT TITLED 2001 Final Report  
 RESPONSE TO RECOMMENDATIONS by North Monterey County Unified School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	CONTINUE ON ATTACHED SHEETS AS NECESSARY
1	X				1.1 A budget for Board training has been created. 1.2 The Board President has completed the CSBA Masters in Governance Program 1.3 Four members of the Board attended the annual CSBA Conference.
2	X				
3		X			3.1 We will work with the Monterey County Office of Education to develop school Board training.
4	X				4.1 See 1.1, 1.2, and 1.3 above



**Superintendent's Office**

**MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT**

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

(831) 645-1203  
(831) 649-4175 FAX  
[www.mpusd.k12.ca.us](http://www.mpusd.k12.ca.us)

Dr. Robert Infelise, Superintendent

[binfelis@monterey.k12.ca.us](mailto:binfelis@monterey.k12.ca.us)

April 2, 2002

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

Dear Judge O'Farrell:

Attached are the responses of our governing body as required by Sections 933 and 933.05 of the California Penal Code, to the Findings and Recommendations in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were approved by the Board of Education, our governing body, on February 11, 2002.

Sincerely,

Robert Infelise  
Superintendent

301:RI/jif

attachments: Response to Findings  
Response to Recommendations  
Questionnaire for School Board Presidents

**GRAND JURY FINAL REPORT TITLED** SCHOOL BOARD TRAINING  
**RESPONSE TO FINDINGS** by Monterey Peninsula Unified School District  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Find- ing #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding; see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1	X		
2	X		

**GRAND JURY FINAL REPORT TITLED** SCHOOL BOARD TRAINING  
**RESPONSE TO RECOMMENDATIONS by** Monterey Peninsula Unified School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1		X			2002/03 School Year
2	X				Ongoing
3	X				Working with County Superintendent Bill Barr
4		X			2002/03 School Year

QUESTIONNAIRE FOR SCHOOL BOARD PRESIDENTS  
WITHIN MONTEREY COUNTY

SCHOOL DISTRICT NAME: MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT

1. Has your School Board received any formal training in the last two years?

Yes X No        If yes, please answer #2 below.

2. Please list the training indicating whether it was an individual or group training, the subject, where the training took place, who did the training, and the approximately cost.

Individual/Group	Subject	Where	When	By Whom	Approx Cost
School Board	Board Retreat	Instructional Materials Center	January 19, 2002	County Supt Bill Barr	No Cost
Regena Lauterbach	CSBA Annual Conference	San Diego, CA	December, 2001	CSBA	Registration and lodging
Carlos Noriega	CSBA New Board Members Seminar	Sacramento, CA	January 12, 2002	CSBA	\$140 plus mileage/lodging
Shanda LaBoeuf	CSBA New Board Members' Workshop	Burlingame, CA	February 22, 2002	CSBA	\$140 plus mileage/lodging
Resa Foss Regena Lauterbach Shanda LaBoeuf Carlos Noriega	MCOE Board Orientation	MCOE	December 4, 2001	County Supt Bill Barr	No Cost
Robert Eggers	CSBA Board Presidents' Workshop	Burlingame, CA	February 23, 2002	CSBA	\$165 plus mileage/lodging

(If additional space needed, please attach separate page.)

3. Are there additional training areas or subjects you would like to see your Board receive?

• Developing policy especially handling complaints
• Brown Act
• Fiscal Oversight

4. Do you feel it is important for Board members, particularly new Board members, to receive specialized training? If so, list in order of importance the three or four most important areas:

• Role of individual Board members
• Budgeting
• Governance/Teambuilding
• Boardsmanship
• Board Relations with Staff
• Strategic Planning

5. Is budget provided for training of Board members?

Yes X No        If yes, how much is budgeted for 2001? \$1,750

Signature: \_\_\_\_\_

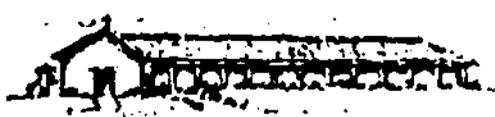
*Robert Infelise*

Typed Name: Robert Infelise, Superintendent

OR

RCV'D 5/4/02  
J

*Mission Union School*



*Soledad, California 93960*

DONNA ALONZO, Superintendent/Principal  
-VAUGHAN May 3, 2002

36825 FOOTHILL ROAD

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

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

**Attention: Daniel I. Reith, Foreman**

**Re: Response to Findings  
"School Board Training"**

**Dear Mr. Reith and Members of the Grand Jury:**

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

**Finding 1 – Agree**

**Finding 2 – Agree**

**Recommendation 1 – Implemented**

**Recommendation 2 – Implemented**

**Recommendation 3 - Implemented**

**Recommendation 4 – Will be implemented**

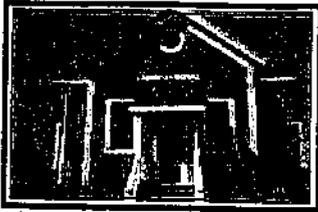
**To date, four of the five current board members attended a County Office of Education update.**

**I apologize for my tardiness in this response and trust this satisfies the Grand Jury requirements.**

**Sincerely,**

**Donna Alonzo Vaughan  
Superintendent**

**DAV/j**



## Lagunita School

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

Established 1897

February 27, 2002

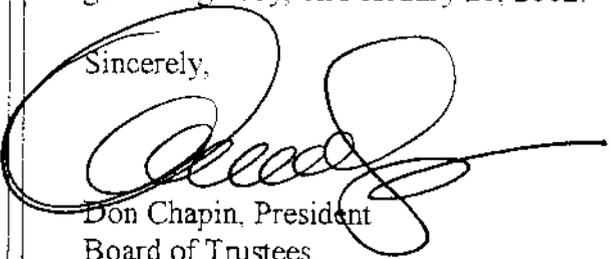
The Honorable Robert O'Farrell  
Presiding Judge of the Superior Court  
Monterey County  
P.O. Box 1819  
Salinas, CA 93902

Dear Judge O'Farrell:

Attached are the responses of our governing body as required by Sections 933 and 933.05 of the California Penal Code, to the **Findings** and **Recommendations** in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were approved by the Lagunita School District Board of Trustees, our governing body, on February 26, 2002.

Sincerely,



Don Chapin, President  
Board of Trustees  
Lagunita School District

Attachments: Response to Findings  
Response to Recommendations

**GRAND JURY FINAL REPORT TITLED SCHOOL BOARD TRAINING  
 RESPONSE TO FINDINGS by LAGUNITA ELEMENTARY SCHOOL DISTRICT  
 [as required by Section 933.05(a) California Penal Code]**

(Agency)

Finding #	Check One §933.05(a) (1) (2)	Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column
1		X
2	X	<p><i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i></p> <p>The Lagunita Elementary School District Board of Trustees is, and has been for many years, a three member elected board. The Board of Trustees regularly uses the Monterey County Office of Education as a resource for guidance and training. The district budget, under "Travel/Conference", allows for training of school board members. The Board is a member of the California School Board Association and has attended CSBA workshops in the past.</p>

**GRAND JURY FINAL REPORT TITLED** SCHOOL BOARD TRAINING  
**RESPONSE TO RECOMMENDATIONS** by LAGUNITA SCHOOL DISTRICT  
 [as required by Section 933.05(b) California Penal Code]

(Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1	X				Existing budget for "Travel/Conferences" allows for training of School Board members. We will continue to provide such funds in future budgets.
2	X				Board members will continue to receive timely notification of CSBA workshops.
3		X			Will develop training with MCOE for 2002 - 2003 school year.
4			X		Will determine before the end of the 2001 - 2002 school year how many workshops should be attended during a board member's term of office.



KING CITY  
UNION SCHOOL  
DISTRICT

March 7, 2002

STEPHEN H. YOUNG  
SUPERINTENDENT  
DISTRICT OFFICE  
50 Broadway  
King City, CA 95050  
(408) 385-1144  
FAX (408) 385-3828

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

Dear Judge O'Farrell:

Attached are the responses of our governing body, as required by Sections 933 and 933.05 of the California Penal Code, to the **Findings and Recommendations** in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

These responses were approved by the King City Union School District Governing Board of Trustees, our governing body, on March 6, 2002.

Sincerely,

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

**GRAND JURY FINAL REPORT TITLED** School Board Training  
**RESPONSE TO FINDINGS** by King City Union School District  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	(1)	Check One §933.05(a) (2)	Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
#1	X		
#2	X		

**GRAND JURY FINAL REPORT TITLED** School Board Training  
**RESPONSE TO RECOMMENDATIONS** by King City Union School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
#1		X			See attached sheet explanation of responses for recommendations
#2		X			
#3		X			
#4		X			

## RECOMMENDATIONS:

1. Currently, the KCUSD Board of Trustees has funds to support any training the trustees deem necessary. This has historically funded the various conferences board members attend annually and the training activities provided them at our planning retreats each year. In the future, we will create a separate line account for board member training funds. This will be done by April 2002.
2. Many of the recommended training topics for board members are covered in the conferences and trainings currently available to the board members. All conference and training opportunities that address these topics will be offered with to the board members and all of the topics included on the minimum list recommended by the Grand Jury will be specifically discussed throughout the year at selected board meetings. The list of topics recommended will be the core list for any collaborative efforts conducted with the Monterey County Office of Education (See explanation for Recommendation #3)
3. The Monterey County Office of Education (MCOE) has always been helpful in coordinating training opportunities and making training more accessible. This has been especially true for the many smaller districts that constitute most of the south county region of Monterey County. The KCUSD will work with MCOE to develop and refine school board training opportunities.
4. Board Members will be encouraged to attend as many workshops as needed. Board meeting discussions will help board members target their individual training needs and will include regular updates of training and workshop opportunities provided at CSBA conferences and coordinated with MCOE.

(a) For purposes of subdivision (c) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (c) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

- (1) The recommendation has been implemented, with a summary regarding the implemented action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county department headed by an elected officer, both the department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decisionmaking authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the supervising judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

Sec. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

### 933. Comments and Reports on Grand Jury Recommendations.

(a) No later than the end of each fiscal or calendar year of a county, each grand jury impaneled during that fiscal or calendar year shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters other than fiscal matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. One copy of each report found to be in compliance with this title shall be placed on file with the county clerk and remain on file in the office of the county clerk.

(b) No later than the end of each fiscal or calendar year, each grand jury impaneled during that fiscal or calendar year shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to fiscal matters of county government during the fiscal or calendar year of the county.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elective county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All such comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.



# KING CITY JOINT UNION HIGH SCHOOL DISTRICT

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March 15, 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:

Attached are the responses of our governing body, as required by Sections 933 and 933.05 of the California Penal Code, to the **Findings** and **Recommendations** in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

These responses were approved by the King City Joint Union High School District, Board of Trustees, on March 13, 2002.

Sincerely,

Wayne Brown  
Superintendent

Attachments: Response to Findings  
Response to Recommendations

**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

GRAND JURY FINAL REPORT TITLED School Board Training  
 RESPONSE TO FINDINGS by King City Joint Union High School District  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a) (1)                      (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
#1	X		
#2	X		

GRAND JURY FINAL REPORT TITLED School Board Training  
 RESPONSE TO RECOMMENDATIONS by King City Joint Union High School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	CONTINUE ON ATTACHED SHEETS AS NECESSARY
#1		X			See attached sheet explanation of responses for recommendations.
#2		X			
#3		X			
#4		X			

## Recommendations

1. Currently, the KCJUHSD Board of Trustees has staff development funds to support any school board training they deem necessary. This has historically funded the various conferences board members attend annually and the training activities provided them at our two full leadership team planning retreats each year. We have already created a separate line account for board member training funds (see Business Office document attached).
2. Many of the recommended training topics for board members are available or covered in the conferences and trainings currently made available to the KCJUHSD Board Members. The topics recommended for consideration are, however, important and of value even as review for board members. All conference and training opportunities that address these topics will continue to be shared with the KCJUHSD Board Members and all of the topics included on the minimum list recommended by the Grand Jury will be specifically discussed each year at our Spring Leadership Planning Retreat. The first discussion will take place at our next planning retreat on April 17, 2002. The minimum list of topics recommended will be the core list for any collaborative efforts conducted with the Monterey Office of Education (see explanation for Recommendation #3).
3. The Monterey County Office of Education (MCOE) has always been exceptionally helpful in coordinating training opportunities and making often very expensive training more accessible. This has been especially true for the many smaller districts that constitute most of the south county region of Monterey County. The KCJUHSD will initiate efforts immediately to work with MCOE to develop school board training opportunities.
4. KCJUHSD Board Members will be encouraged to attend as many workshops as needed. Discussions held at our annual planning retreats will help KCJUHSD Board Members target their individual training needs and will include regular updates of training and workshop opportunities provided at annual conferences and coordinated with the MCOE. Board members will conduct this first assessment of training needs at our next planning retreat on April 17, 2002.

# KING CITY PUBLIC SCHOOLS

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TO: Janice Elzey  
FROM: Jeanne Howland  
DATE: February 25, 2002  
RE: 2001 Monterey County Grand Jury Finding

As we have discussed, the 2001 Monterey County Grand Jury Finding relating to schools has to do with adequate Board Member training.

Both Districts have responded that a separate line item in the budget will be established for Board Member training. I would suggest that we start with \$3,000 per year for each District. This amount may need to be adjusted as actual expenditures are identified.

I will ask the Superintendents for some direction on the annual amount to budget for this line item.

Cc: Wayne Brown  
Steve Young



Superintendent  
Edward Agundez

## Greenfield Union School District

493 El Camino Real  
Greenfield, Ca 93927  
Telephone (831)674-2840 FAX (831)674-3712

March 20, 2002

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

Dear Judge O'Farrell:

Attached are the responses of our governing body/ my responses, as required by Sections 933 and 933.05 of the California Penal Code, to the *Findings and Recommendations* in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were approved by the Greenfield Union School District Board of Trustees, our governing body, on March 19, 2002.

Sincerely,

Jane Christine Magallon  
President  
Board of Trustees

JCM:ja

Attachments: Response to Findings  
Response to Recommendations

Governing Board of Trustees

Steve Garcia Raymond Diaz Chris Magallon Lourdes Villarreal Robert White

**GRAND JURY FINAL REPORT TITLED** School Board Training  
**RESPONSE TO FINDINGS** by Greenfield Union School District  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1) The respondent agrees with the Findings	(2) The respondent disagrees wholly or partially with Finding: see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1.	X		
2.	X		

**GRAND JURY FINAL REPORT TITLED** School Board Training  
**RESPONSE TO RECOMMENDATIONS by** Greenfield Union School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b>CONTINUE ON ATTACHED SHEETS AS NECESSARY</b>
1.	X				Our District has budgeted approximately \$10,882 for training for the last 5 years.
2.	X				<p>We have always not only provided access but in fact trained our Board members in all the areas recommended. In addition all Board members have attended new Board member orientations provided by:</p> <ul style="list-style-type: none"> <li>• California School Boards Association</li> <li>• Monterey County Office of Education</li> <li>• Local Consultant and Superintendent</li> </ul> <p>Ongoing we attend workshops presented by our attorneys, CSBA, CLSBA, private consultants on a wide range of subjects pertinent to the operations of an educational agency.</p>
3.	X				Our Board members participate fully in all training available locally as well as state wide. We support and are a partner with Monterey County Office of Education in Board training.
4.	X				As stated in recommendation #2 we are annually attending not only CSBA workshops and conferences, but CLSBA as well.

**Graves School District**

Jerry Tollefson, Principal

March 29, 2002

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

Dear Judge O'Farrell:

Attached are the responses of the Graves School District Board of Trustees, as required by Sections 933 and 933.05 of the California Penal Code to the Findings and Recommendations in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

These responses were approved by the Board of Trustees of the Graves School District, our governing body on February 19, 2002.

Sincerely,



Jerry Tollefson, Principal

Attachments: Response to Findings  
Response to Recommendations

GRAND JURY FINAL REPORT TITLED SCHOOL BOARD TRAINING  
 RESPONSE TO FINDINGS by GRAVES SCHOOL DISTRICT  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	CONTINUE ON ATTACHED SHEETS AS NECESSARY
1.	yes		DONT KNOW IF "ALL SCHOOL BOARDS" TAKE ADVANTAGE OF TRAINING - GRAVES DOES ...
2.	yes		

GRAND JURY FINAL REPORT TITLED SCHOOL BOARD TRAINING  
 RESPONSE TO RECOMMENDATIONS by GRAVES SCHOOL DISTRICT  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	CONTINUE ON ATTACHED SHEETS AS NECESSARY
1.	Yes				ONGOING FOR PAST 5 YEARS.
2A.	Yes				ONGOING - BOARD POLICIES, COUNTY COUNSEL
B.	Yes				ED CODE REFERENCES.
C.	Yes				MONTHLY w/ SUPERINTENDENT - SSDA CONFERENCES
D.	Yes				CONTINUED IN SERVICE - DISTRICT & MCOE
E.			Yes		WILL BE DISCUSSED AT MAY BOARD MEETING.
F.	Yes				SCHOOL SERVICES
3.	Yes				ATTENDANCE AT MCOE TRAININGS.
4.	Yes				WILL WORK WITH CSBA AND ATTEND WORKSHOPS.
*					<u>INVESTIGATIONS</u> : FOR THE GRAND JURY'S INFORMATION. ALL SCHOOL DISTRICTS <u>ARE NOT</u> GOVERNED BY FIVE OR SEVEN ELECTED BOARDS - <u>GRAVES HAS THREE BOARD MEMBERS.</u>

QUESTIONNAIRE FOR SCHOOL BOARD PRESIDENTS  
WITHIN MONTEREY COUNTY

SCHOOL DISTRICT NAME: GRAVES

1. Has your School Board received any formal training in the last two years?

Yes  No  If yes, please answer # 2 below.

2. Please list the training indicating whether it was an individual or group training, the subject, where the training took place, who did the training, and the approximate cost.

<u>Individual/ Group</u>	<u>Subject</u>	<u>Where</u>	<u>When</u>	<u>By Whom</u>	<u>Approx. Cost</u>
<u>GROUP</u>	<u>BUDGET</u>	<u>DISTRICT</u>	<u>6/2001</u>	<u>SUPERINTENDENT</u>	<u>SALARY</u>
<u>GROUP</u>	<u>BOARD POLICIES</u>	<u>DISTRICT</u>	<u>1/2002</u> <u>9/2001</u> <u>12/2001</u>	<u>CONSULTANT</u>	<u>\$1,500.00</u>

(If additional space needed, please attach separate page.)

3. Are there additional training areas or subjects you would like to see your Board receive? If so, please list.

GRANTS  
TECHNOLOGY

4. Do you feel it is important for Board Members, particularly new Board Members, to receive specialized training? If so, list in order of importance the three or four most important areas:

1. BUDGET  
2. BOARD POLICIES  
3. PERSONNEL

5. Is budget provided for training of Board Members?

Yes  No  If yes, how much is budgeted for 2001? \$ 1,000.00

Signature: [Signature]  
Typed name: GERALD LANINI



**GRAND JURY FINAL REPORT TITLED** SCHOOL BOARD TRAINING  
**RESPONSE TO FINDINGS** by GONZALES UNIFIED SCHOOL DISTRICT  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Find- ing #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding; see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1	X		
2	X		

**GRAND JURY FINAL REPORT TITLED** SCHOOL BOARD TRAINING  
**RESPONSE TO RECOMMENDATIONS by** GONZALES UNIFIED SCHOOL DISTRICT  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1, 2, 3, 4		X			2002-2003 School Year Gonzales Unified will provide a \$5,000 budget for school board training. The school board will attend at least one training per year.



# Chualar *Union Elementary school District*

"Home of the Chargers"

24285 Lincoln St.  
Chualar, CA 93925  
District (831) 679-2504  
School (831) 679-2313  
Fax # (831) 679-2071

ADMINISTRATION

**Superintendent:**  
Dr. Robert Aguilar

**Business Manager:**  
Mrs. Nancy Torres Pfeiffer

**Principal:**  
Mr. Edgar Lampkin

BOARD OF TRUSTEES

Mr. Roger Hatch  
President  
Mrs. Elizabeth F. Ochoa  
Clerk  
Mrs. Rosa Manriquez  
Member  
Don Guereque  
Member  
Ms. Elida Gonzales  
Member

March 17, 2002,

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

Dear Judge O'Farrell:

Attached are the responses of our governing body / my responses, as required by Sections 933 and 933.05 of the California Penal Code, to the Findings and Recommendations in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002

The responses were approved by the Chualar Union Elementary School District Board of Trustees, our governing body, on February 13, 2002.

Sincerely,

Dr. Robert Aguilar,  
Superintendent

cc: Roger F. Hatch, President  
Board of Trustees

Attachments: Response to Findings  
Response to Recommendations

GRAND JURY FINAL REPORT TITLED School Board Training  
 RESPONSE TO FINDINGS by Chualar Union School District  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1.	X		
2.	X		

GRAND JURY FINAL REPORT TITLED School Board Training  
 RESPONSE TO RECOMMENDATIONS by Chualar Union School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	CONTINUE ON ATTACHED SHEETS AS NECESSARY
1.	X				Our District has budgeted approximately \$20,000 for training for the last 3 years.
2.	X				<p>We have always not only provided access but in fact trained our Board members in all the areas recommended. In addition all Board members have attended new Board member orientations provided by:</p> <ul style="list-style-type: none"> <li>* California School Boards Association</li> <li>* National School Boards Association</li> <li>* Monterey County Office of Education</li> <li>* Local Consultant and Superintendent</li> </ul> <p>Ongoing we attend workshops presented by our attorneys, CSBA, CLSBA, private consultants on a wide range of subjects pertinent to the operations of an educational agency.</p>
3.	X				Our Board members participate fully in all training available locally as well as State wide. We support and are a partner with Monterey County Office of Education in Board training.
4.	X				As stated in recommendation #2 we are annually attending not only CSBA and National School Boards Association workshops and conferences, but CLSBA as well.



March 26, 2002

BOARD OF EDUCATION

Amy Funt  
Howard Given  
Dan Hightower  
Ernie Lostrom  
Annette Yee Steck

SUPERINTENDENT

Marvin Biasotti

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

Dear Judge O'Farrell:

Attached are the responses of our governing board, as required by Section 933 and 933.05 of the California Penal Code, to the Findings and Recommendations in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were approved by our governing body on March 25, 2002.

Sincerely,

Ernie Lostrom  
President

Attachments: Response to Findings  
Response to Recommendations

P.O. Box 222700  
Carmel, CA 93922  
TEL: (831) 624-1546  
FAX: (831) 626-4052

LOCATION:  
4380 Carmel Valley Road

**GRAND JURY FINAL REPORT TITLED** School Board Training

**RESPONSE TO FINDINGS** by Carmel Unified School District

[as required by Section 933.05(a) California Penal Code]

(Agency)

Finding #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1) The respondent agrees with the Findings	(2) The respondent disagrees wholly or partially with Finding; see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1.	x		
2.	x		

**GRAND JURY FINAL REPORT TITLED** School Board Training  
**RESPONSE TO RECOMMENDATIONS by** Carmel Unified School District  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1.					CUSD's adopted budget for 2001-02 includes \$8,000 for travel and expenses of Board Members in order to attend conferences and workshops relevant to their role within the District. In addition, we provide within District training on various issues via consultants. For example, in 2000-01 \$2,500 was spent for such services and the District has spent \$5,000 to date in 2001-02.
2.					The District concurs that the list provided, a-f, is an essential and minimum knowledge base for effective governance of a school district. All CUSD Board members have received training in all areas listed and mutually encourage one another to periodically update their skills. In addition, each CUSD Board member has background and experience via private responsibilities that require expertise in one or more of the areas enumerated.
3.					MCOE hosts an annual School Board evening that provides training and information on a number of topical issues. The CUSD Board was represented at the 2001-02 session and, in all likelihood, will be so at this years event scheduled for April 30, 2002.
4.					Please refer to the explanations for item 1. and 2. By way of example, 3 members of CUSD's 5 member Board attended the annual CSBA Conference this past December in San Diego.

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# BRADLEY UNION SCHOOL DISTRICT

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

**January 17, 2002**

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

**Dear Judge O'Farrell:**

**Attached are the responses of our Governing Board, as required by Sections 933 and 933.05 of the California Penal Code, to the Findings and Recommendations of the 2001 Monterey County Grand Jury Final Report, Titled: School Board Training, dated January 2, 2002.**

**Our School Board discussed and approved these responses at the School Board Meeting on Thursday, January 17, 2002.**

**Sincerely,**



**DeeDee Avila, President  
Bradley Union School District Governing Board**

**Attachments:      Response to Findings  
                         Response to Recommendations**

**GRAND JURY FINAL REPORT TITLED: SCHOOL BOARD TRAINING  
 RESPONSE TO FINDINGS by Bradley Union School District  
 [as required by Section 933.05(a) California Penal Code]**

Finding #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	[1]	[2]	CONTINUE ON ATTACHED SHEETS AS NECESSARY
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: See next column	
1	X		
2	X		

**GRAND JURY FINAL REPORT TITLED: SCHOOL BOARD TRAINING  
 RESPONSE TO RECOMMENDATIONS by Bradley Union School District  
 [as required by Section 933.05(a) California Penal Code)**

Rec.#	Check One §933.05(a)				Time frame, explanation, summary[attached], etc.
	[1]	[2]	[3]	[4]	
					<b>CONTINUE ON ATTACHED SHEETS AS NECESSARY</b>
<b>From Grand Jury Final Report</b>	<b>Has been implemented, include summary of action.</b>	<b>Will be implemented, include time frame.</b>	<b>Requires further analysis, include time frame.</b>	<b>Will not be implemented, include explanation.</b>	
1	X				Historically an amount has been budgeted for Board and Superintendent Workshops
2	X				Bradley Union School District has been working with MCOE personnel on this item and have had some Board Workshops for Bradley Union School District here at Bradley. As we now have new Board members some items need to be re-addressed.
3	X				See #2
4	X				Our Board does attend as many as funds and their time schedules allow [most CSBA workshops are real distant] Our Board also belongs to and attends as above workshops/meetings of SSDA



ADMINISTRATIVE OFFICES

1205 East Market Street • Salinas, CA 93905

(831) 753-5700 • FAX (831) 753-5709

Dr. Alfonso R. Anaya  
*Superintendent of Schools*

Board of Trustees

Juan V. Flores  
Francisca S. González  
Gary Karnes  
Albert Maldonado  
Jesus R. Velásquez

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

Subject: Response to Grand Jury Report on School Board Training

Attached is the Alisal Union School District response to the findings and recommendations in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002. This response will be presented to the Board for approval at its April 17 meeting. A copy of the Board approval will be provided after that meeting.

Respectfully,

A handwritten signature in black ink, appearing to read "Alfonso Anaya", is written over a printed name.

Dr Alfonso Anaya

te

c: Dr. Barry Schimmel  
Thad Evans

Attachment: 1

# AUSD Response to Grand Jury Report

## GRAND JURY FINAL REPORT TITLED SCHOOL BOARD TRAINING

Response to FINDINGS by Alisal Union School District Board of Trustees

### Finding #

1. Column 1. Finding #1. (Not all school boards in Monterey County budget for or take advantage of available school board training).

Column 2. Neither checked.

Column 3. (Explanation) The AUSD School Board has no way of independently determining whether or not all school boards in Monterey County budget or take advantage of available school board training. The AUSD does provide training for its school board members. Alisal Board members participate in training offered by the Monterey County Office of Education. The AUSD board is a member of the California School Boards Association. AUSD Board members attend its meetings and conferences, and the board hires CSBA consultants for on-site training (the latest was March 13, 2002, when a CSBA consultant provided on-site training on governance matters).

2. Column 1. Finding #2. School boards have ultimate responsibility for school district resources and personnel, including the superintendent.

Column 2. The respondent agrees with the findings.

# AUSD Response to Grand Jury Report

## GRAND JURY FINAL REPORT TITLED SCHOOL BOARD TRAINING Response to RECOMMENDATIONS by Alisal Union School District Board of Trustees

### Recommendation #

1. Column 1. Recommendation #1. (Provide a budget for school board training.)

Column 2. This recommendation has been implemented.

Column 3. (Explanation). The table below shows the amount the Alisal Union School District Board of Trustees spent in recent years for Travel and conferences and for Dues and Memberships.

	FY 97/98	FY 98/99	FY 99/00	FY 00/01	FY 01/02
Travel & Conferences	\$6,643	\$5,439	\$6,595	\$18,719	\$4,042
Dues & Memberships	\$5,393	\$5,653	\$5,572	\$9,336	\$5,791

The significant increase in FY 2000/01 expenditures was for Strategic Planning to develop guidelines to guide the district through the next five years. It included setting strategies and goals and budgeting to those goals and standards. Memberships in organizations provide educational and informative newsletters and magazines. FY 2001/02 figures are year-to-date as of April 2, 2002.

2. Column 1. Recommendation #2. (Provide access to training, at a minimum, in specified areas.)

Column 2. This recommendation has been implemented.

Column 3. (Explanation). The district belongs to the California School Boards Association which provides such training. For example, on March 13, 2002, the board hired a CSBA consultants for on-site training on governance matters.

3. Column 1. Recommendation #3. (Work with Monterey County Office of Education to develop school board training).

Column 2. Requires further analysis.

Column 3. The Alisal Union School District Board of Trustees concurs with this recommendation but believes that the MCOE must take the lead. However, the Board will direct the Superintendent to bring this subject up at the next monthly Superintendents' Council.

## **AUSD Response to Grand Jury Report**

4. Column 1. Attend as many California School Board Association workshops as determined necessary.

Column 2. This recommendation has been implemented.

Column 3. At least three board member attend the CSBA Conference yearly and reports to the rest of the board on the workshops at the Conference. This year four attended the conference. The board also belongs to the California Latino School Boards Association. At least two board members attend its annual conference each year.



# 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](http://www.monterey.k12.ca.us)

February 19, 2002

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

Dear Judge O'Farrell:

Attached are my responses, as required by Sections 933 and 933.05 of the California Penal Code, to the **Findings** and **Recommendations** in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

Sincerely,

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

Attachments: Response to Findings  
Response to Recommendations

**GRAND JURY FINAL REPORT TITLED** San Lucas Union School District  
**RESPONSE TO RECOMMENDATIONS by** Monterey County Superintendent of Schools  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. # 7	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b>CONTINUE ON ATTACHED SHEETS AS NECESSARY</b>
	X				<p>The Office of the Monterey County Superintendent of Schools has a long history of assisting and working with the individual and collective Boards of Trustees of the school districts of the County in their development and acquisition of leadership skills.</p> <p>Following each biannual election, the County Superintendent, his staff, and subject area experts offer training sessions to newly elected and reelected Board Members. Topics include: "Board Members Role", "Collective Bargaining/Personnel Issues", "School Finance and the Budget", "Curriculum and Instruction", "Appropriate Use of Closed Sessions and the New Brown Act", and "Making and Monitoring Board Decisions."</p> <p>On an on-going basis, "Law Consortiums" are offered to districts' Board Members, giving them an opportunity to learn of new legislation and court decisions and the potential impact upon the school districts.</p> <p>Specific to the San Lucas Union School District, the County Superintendent of Schools and Members of the Monterey County Board of Education have provided the District's Board with training, guidance in boardsmanship, and their insights and experience in board operations and relations. Both parties remain available to any district in the County to provide assistance and instruction.</p> <p>The Monterey County Superintendent of Schools remains available to assist any local school district board of trustees which may wish to take advantage of the opportunity.</p>



# San Lucas

## Union School District

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

March 27, 2002

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

Dear Judge O'Farrell:

Attached are the responses of the San Lucas Union School District Board of Trustees, as required by Sections 933 and 933.05 of the California Penal Code, to the **Findings** and **Recommendations** in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002.

The responses were approved by the San Lucas Union School District Board of Trustees on April 17, 2002.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Trescony". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Al Trescony  
Board President

Attachments: Response to Findings  
Response to Recommendations

GRAND JURY FINAL REPORT TITLED 2001 FINAL REPORT  
 RESPONSE TO FINDINGS by SAN LUCAS UNION SCHOOL DISTRICT  
 [as required by Section 933.05(a) California Penal Code] (Agency)

Finding #	Check One §933.05(a) (1)	(2)	Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
	1	X	
2	X		

GRAND JURY FINAL REPORT TITLED 2001 FINAL REPORT  
 RESPONSE TO RECOMMENDATIONS by SAN LUCAS UNION SCHOOL DISTRICT  
 [as required by Section 933.05(b) California Penal Code] (Agency)

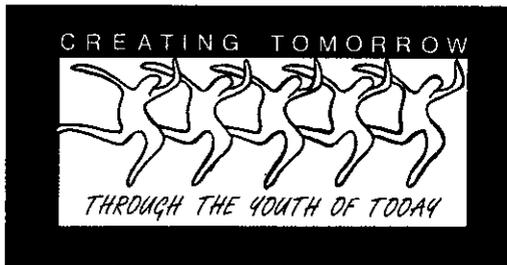
Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
1.	X				<p><b><u>Recommendations</u></b></p> <p>The San Lucas Union School District sees the need for and the importance of parent/community involvement in the processes of the educational program.</p> <p>The following have begun or are in the formulative stages of development.</p> <ul style="list-style-type: none"> <li>A. A twice monthly Parent Newsletter including school information, school programs and needs, student activities, etc., will be published beginning in April, 2002.</li> <li>B. The School Site Council will meet on a monthly basis during each school year for the purpose of directing the operation of and evaluation of categorically funded programs. They will meet next in April, 2002.</li> <li>C. Our Parent University, parent education and training programs, will be re-instituted. Topics included will be positive parenting ideas, computer education, assisting your child's educational development both at home and school, to name a few. This project will be included in our summer planning and be implemented in Fall of 2002/03.</li> <li>D. School Board meetings will be advertised in the Parent Newsletter, King City newspaper and through special notes, schedules and meeting content. Parent participation will be encouraged through these methods as well as #3 below.</li> </ul>
2.		X			<p>Staff discussion has begun regarding methods available to us to inact this recommendation. A detailed program will be developed and initiated during the 2002/02 school year.</p>
3.		X			<p>The assistance of parent volunteers is an essential ingredient in the improvement of a school's educational program. Parents/community must be involved. The coordination of such a program for the recruitment, training, and allocation of volunteers must be administered by someone given direct responsibility for</p>

GRAND JURY FINAL REPORT TITLED 2001 FINAL REPORT  
 RESPONSE TO RECOMMENDATIONS by SAN LUCAS UNION SCHOOL DISTRICT  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
4.		X			<p>such task. The position of School Volunteer Coordinator will be established.</p> <p>The Jury's recommendation implies that this role should be assumed and developed by a School Board Member. It is our opinion that this position needs to be filled by a staff member. An instructional aide (classified employee) who is involved daily with the happenings and needs of our program and who is a member of the community, is best suited to most effectively meet the needs of our program through a trained volunteer corps. We have a Board Member who has agreed to assist the coordinator.</p> <p>A volunteer section which will include needs, calendar, training session content and schedule will be included on a regular basis in our Parent/Community Newsletter. The planning for appointment and orientation of a coordinator is scheduled for spring/summer 2002 with implementation in September, 2002.</p> <p>A variety of methods of recognition will be instituted with the intent of both expressing appreciation and recruiting additional participants. Newspaper articles, Parent Newsletter articles, teas and assembly recognition are but a few of the methods that will be utilized.</p>
5.	X				<p>Interpreters for School Board meetings and Spanish translation of Board agendas was instituted beginning with the February 12, 2002, School Board meeting. Spanish translation of Board meeting minutes will be instituted in Spring, 2002.</p>
6.	X				<p>A budget for the purpose of School Board training has been established.          0100 00000 0 000000 711000 520000 000 0000 0000</p>
7.	X				<p>Mr. Bill Barr, Monterey County Superintendent of Schools, has been contacted and an initial session of training and assessment is being calendared for this Spring. The services of the California</p>

GRAND JURY FINAL REPORT TITLED 2001 FINAL REPORT  
 RESPONSE TO RECOMMENDATIONS by SAN LUCAS UNION SCHOOL DISTRICT  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached). etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
8.	X				<p>School Boards Association are also being examined for inclusion in our training program. Consultants and experts in fields deemed necessary will be included in our training offerings. The Board has begun discussion of areas in which they see the need for training. Priority will be established and this program will begin this Spring, 2002.</p> <p>The first step will be taken in April or May, 2002, with attendance at the CSBA's Masters in Governance conference.</p>



## NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

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

August 6, 2002

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

Attention: Grand Jury

Dear Judge O'Farrell:

This letter responds to Mr. Ed Kramer's request for specific information regarding training received by our school board during the 2001-02 school year.

Four of our members attended the annual California School Boards Association (CSBA) Conference in December. All of our members received training in the Win-Win bargaining model from Dr. Rob Germain. In addition, I completed the CSBA Masters in Governance course this past year. Documentation of this training is on file.

Sincerely yours,

  
Rachelle Morgan-Lewis  
Board President

GRAND JURY FINAL REPORT TITLED SCHOOL BOARD TRAINING  
 RESPONSE TO RECOMMENDATIONS by MISSION UNION ELEMENTARY SCHOOL DISTRICT  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	CONTINUE ON ATTACHED SHEETS AS NECESSARY
1	X				\$500 IS BUDGETED
2	X				<p>a. <u>4</u> of the five have received training in Preliminary Procedures.</p> <p>b. <u>2</u> of the five have received training on the Ralph M. Brown Act.</p> <p>c. <u>4</u> of the five have received Budget Management Training.</p> <p>d. <u>4</u> of the five have received Cooperative Boardmanship Training.</p> <p>e. <u>2</u> of the five have California Education Code and New Legislation Training.</p> <p>Prior to this inquiry, records have not been kept to substantiate Board member attendance at trainings. Records only indicate payments to Monterey County Office of Education in-service and training dinners for the last ten years and do not specify actual attendance.</p> <p>The above answers therefore are given on good faith.</p> <p>Future attendance by Trustees at trainings will be documented as to individuals attending and topics covered.</p>
3	X				Trustees attend most if not all local trainings held in the evenings.

GRAND JURY FINAL REPORT TITLED SCHOOL BOARD TRAINING  
 RESPONSE TO RECOMMENDATIONS by MISSION UNION ELEMENTARY SCHOOL DISTRICT  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<i>CONTINUE ON ATTACHED SHEETS AS NECESSARY</i>
4				X	Cost is prohibative. Trustee Allen Duckworth is a member of the California School Board Association Small School District Committee. He presents information from these meetings at our regularly scheduled board meetings.

# GONZALES UNIFIED SCHOOL DISTRICT



...SEEING EYE TO EYE

**Board of Education**  
Wendy Dodson  
Alonzo Gonzalez  
Timothy Handley  
Eva Rios

**Superintendent &  
Secretary to the board**  
Ernie Zermeno

**Gonzales Unified School District  
School Services**  
600 Elko Street  
P.O. Drawer G  
Gonzales, CA 93926  
Telephone: (831) 675-0100  
Facsimile: (831) 675-2763  
Business Office Fax: 675-1172  
www.gusd-district.org

**Gonzales High School**  
501 Fifth Street  
Gonzales, CA 93926  
Telephone: (831) 675-2495  
Facsimile: (831) 675-8054  
www.gusd-ghs.org

**Fairview Middle School**  
401 Fourth Street  
Gonzales, CA 93926  
Telephone: (831) 675-3704  
Facsimile: (831) 675-3274  
www.gusd-fairview.org

**La Gloria Elementary School**  
220 Elko Street  
Gonzales, CA 93926  
Telephone: (831) 675-3663  
Facsimile: (831) 675-3260  
www.gusd-lagloria.org

**Preschool**  
550 B Fifth Street  
Gonzales, CA 93926  
Telephone: (831) 675-2519  
Facsimile: (831) 675-2559

**Health Center**  
401 Fourth Street  
Gonzales, CA 93926  
Telephone: (831) 675-2616  
Facsimile: (831) 675-2634

**Maintenance, Operations &  
Transportation Division**  
600 Elko Street  
Gonzales, CA 93926  
Telephone: (831) 675-2568  
Facsimile: (831) 675-1461

October 28, 2002

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

Attn: Grand Jury

Dear Judge O'Farrell:

We apologize for the delayed response to your letter dated July 18, 2002. Our Board President, Lucy Basaldua, has resigned her position because of a move out of our district, which has delayed response to your letter. In addition, I am the new superintendent who assumed the position on September 1, 2002.

In reference to your letter from the Grand Jury requesting information regarding a response to the 2002 Grand Jury report in the matter of school board training we provided your office with information on March 26, 2002. We attached the responses of our governing board as was required and provided that information to the Monterey Grand Jury report dated July 2, 2002. As noted in our March 26<sup>th</sup> letter the responses to that Grand Jury report were approved by our governing board and they were as follows: 1) during the remainder of the 2002 and the start of the 2002-2003 school year the Gonzales Unified School District Board of Trustees would in fact in bark on a professional development training for all of its members 2) to attend as many California School Boards Association workshops as possible and 3) to work with the Monterey County Office of Education in school board training. As evidence by the invoices in the financial reports attached to this letter our board has in fact taken part in professional boardmanship training with the California School Boards Association, the Monterey County Office of Education and at the local site within the Gonzales Unified School District.

In addition to the above during the 2002-2003 school year the board has in barked on a vigorous course of staff development through the California School Boards Association where as you can see with attached information will be attending the California School Boards Association conference for training in a variety of boardmanship areas on December 4, 5, 6 2002. Members of the Gonzales Unified School District Board of Trustees will also attend a regional training program through California School Boards Association, the Tri-County Association of School Board, and the Monterey County Office of Education to

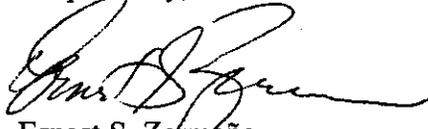
Honorable Robert O'Farrell  
October 28, 2002  
Page 2

participate in a Masters in Governance Program, which will take place over a two-year period beginning on November 16, 2002. Four of our board members will start the Masters in Governance Program this fall if not more board members throughout the school year will in bark upon this course of study. Our Board Members are also scheduled to meet on November 23, 2002 for a workshop to study the budget and establish goals, which will be facilitated by the Monterey County Office of Education.

We are serious about responding to the Grand Jury report and taking action to training board members to be better board members. I hope this answers your questions in reference to your July 18 letter. Please see attached registration package, invoices and documentation to substantiate Gonzales Unified School District Board of Trustees direction to training in boardsmanship as a response to the Grand Jury report of January 2002.

If I can be of further assistance please don't hesitate to contact me.

Respectfully,



Ernest S. Zermeno  
Superintendent

ESZ:la

Enclosures

Gonzales Unified  
 600 Elko Street  
 PO Drawer G  
 Gonzales CA 93926

(831) 675-0100

The number below MUST appear on all  
 Invoices, Packing Slips and Cases

**Purchase No.**  
**Order**

**31335**

PLEASE BILL IN TRIPLICATE  
 ATTN: ACCOUNTS PAYABLE

PH: (831) 675-0100  
 FX: (831) 675-1172

VE# 991060

CSBA  
 c/o WESTAMERICA BANK  
 P.O. BOX 1450  
 SUISUN CITY CA 94585

Order Date: 09 / 25 / 2002

Person Requesting:

ERNEST ZERMENO

Authorization Code:

EC

Ship Prepaid To:

GONZALES UNIFIED SCHOOL DISTRICT  
 600 ELKO STREET  
 GONZALES CA 93926-

Bill To

GONZALES UNIFIED SCHOOL DISTRICT  
 P.O. DRAWER G  
 GONZALES CA 93926-

Quantity	Unit	Description of Articles or Service	Unit Price	Discount	Total Cost
1	Each	REGISTRATION: ERNEST ZERMENO	\$315.00	\$0.00	\$315.00
1	Each	REGISTRATION: ALONZO GONZALEZ	\$315.00	\$0.00	\$315.00
1	Each	REGISTRATION: WENDY DODSON	\$315.00	\$0.00	\$315.00
1	Each	REGISTRATION: TIM HANDLEY	\$315.00	\$0.00	\$315.00
1	Each	REGISTRATION: EVA RIOS DATES: DECEMBER 5-7, 2002 PLACE: SAN FRANCISCO, CA WORKSHOP: CSBA ANNUAL EDUCATION CONFERENCE AND TRADE SHOW	\$315.00	\$0.00	\$315.00

Sub Total: \$1,575.00  
 Discount: \$0.00  
 Tax: \$0.00  
 P. O. Total: \$1,575.00

**FAXED**

SEP 26 2002

Hereby approve this order

\*

*Carol Powell*

FD---RE---Y-GO-----FN-----OB-----SI--L1-L2---L3---MA  
 0100-00000-0-000000-715000-520000-000-35-7510-0000-35 Amount  
 \$1,575.00

1. If the order cannot be filled as indicated in accordance with description, quantity, and price hereon notify immediately
2. Transportation charges must be prepaid unless otherwise specified on bid. Freight or express cannot be paid without original receipted bills. Ship by most economical way and goods subject to inspection on arrival.
3. Each shipment must be covered by a separate Invoice. Articles on this Purchase Order must not be billed with those on other Purchase Orders.
4. Sales tax must be shown separately.

# CONFERENCE REGISTRATION

**CSBA Annual Education Conference and Trade Show — December 5 - 7, San Francisco**

The deadline for processing pre-registrations at the reduced rate is November 13, 2002. After November 13, see registration instructions for on-site rates. This is necessary to ensure that your registration packet will be ready upon arrival at the conference.

If mailing in your registration, both (2) copies of the NCR form must be returned to CSBA. A confirmation letter will be sent to you prior to the conference. Requests for refunds of ANY fees (less a 25 percent service charge per registrant) can be honored ONLY if made in writing and received in the CSBA office no later than three (3) weeks prior to the conference, or postmarked no later than November 13, 2002. NO EXCEPTIONS WILL BE ALLOWED. NO REFUNDS OR CREDITS FOR NO-SHOWS.

A separate form is required for each individual registrant. This form will not be processed unless it is properly completed and has a check, purchase order or Visa/MasterCard/American Express number (one blanket purchase order or Visa/MasterCard/American Express can be used for multiple registrants) included for the total amount as indicated.

The registration fee includes all conference activities with the exception of meal functions and the mini-conferences.

## Pre-conference Activities

### Wednesday, December 4:

(Quantity)			
___	Orientation for New Trustees	@ \$145	(D160)
___	Pre-Conference Symposium Back From the Future	@ \$145	(D170)
___	The Loss of Local Control	@ \$145	(D171)
___	Delegate Assembly Luncheon	@ \$45	(D165)

## CONFERENCE REGISTRATION

(Quantity)			
1	CSBA Member	@ \$315	
___	Spouse/Partner <i>(School district personnel do not qualify for the spouse/partner rate.)</i>	@ Complimentary	
___	Student Board Member Package	@ \$315	
___	Past CSBA President	@ Complimentary	
___	*Other	@ \$375	

*(Describe: Title, Affiliation)*

*\*Individuals not affiliated with any school district.*

## CONFERENCE ACTIVITIES

### Thursday, December 5:

(Quantity)			
___	CA Assn. of Large Suburban School Districts (CALSSD) Luncheon	@ \$45	(D370)
___	Urban School Districts Luncheon Featured Speaker: Kevin Johnson	@ \$45	(D371)
___	Small School Districts Luncheon	@ \$45	(D395)
___	President's Reception Honoring CSBA's Business Affiliates	@ Complimentary	
___	Masters in Governance Reception	@ \$12	(E1200)

### Friday, December 6:

___	Asian/Pacific Islander School Board Members Association Breakfast	@ \$34	(D305)
___	California Coalition of Black School Board Members Breakfast	@ \$34	(D310)
___	California Latino School Board Members Association Breakfast	@ \$34	(D325)
___	County Assn. of School Trustees (CAST) Breakfast	@ \$34	(D315)
___	CCBE Breakfast/Membership Meeting	@ \$18	(D374)
___	California Council of School Attorneys Meeting (inc. lunch)		
___	O CCSA Members	@ \$105	(D400M)
___	O CCSA Non-members	@ \$130	(D400N)
___	California Council of School Attorneys Luncheon only	@ \$45	(D380)
___	ACS Superintendents' Luncheon	@ \$45	(D360)
___	Student Board Member Luncheon Featured Speaker: Jonathan Mooney	@ \$45	(D220)
___	CSBA Golden Bell Awards Luncheon	@ \$41	(E215)
___	Mini-Conference — Dr. David Berliner	@ \$55	(D205)

### Saturday, December 7:

___	CSBA Fellowship Breakfast Featured Speaker: Dr. Hanoch McCarthy	@ \$34	(D306)
___	Assn. of Low Wealth Schools Breakfast	@ \$34	(D365)
___	CSBA/CEWAER Women's Caucus Breakfast	@ \$34	(D335)
___	Schools for Sound Finance Breakfast	@ \$34	(D330)
___	CSBA Legislative Network Luncheon	@ \$45	(D390)
___	Mini-Conference — Dr. Pat Wolfe	@ \$55	(D210)

**TOTAL \$ 315.00**

Make a check, purchase order or Visa/MasterCard/American Express (one blanket purchase order or Visa/MasterCard/American Express can be used for multiple registrants) payable to CSBA, c/o Westamerica Bank, P.O. Box 1450, Suisun City, CA 94585-4450 prior to November 13, 2002. Direct all inquiries to CSBA, P.O. Box 1860, West Sacramento, CA, 95691-1860, (800) 266-3382, FAX (916) 371-3407, [www.csba.org/secure/aec02](http://www.csba.org/secure/aec02)

Director       Delegate

Ernest S. Zermeno

Superintendent

Gonzales Unified School District

TITLE

SCHOOL DISTRICT/COUNTY OFFICE/AGENCY  
P.O. Drawer G

ADDRESS

Gonzales

93926

(831) 675-0100

City  
ezermeno@monterey.k12.ca.us

ZIP

PHONE

EMAIL ADDRESS

RD./VISA/MASTERCARD/AMERICAN EXPRESS #

EXPIRATION DATE

SPOUSE/PARTNER REGISTRATION NAME

Please indicate in the space above the name of spouse/partner who is being registered at the complimentary spouse/partner fee. (Mini-conference and meal functions require additional purchased tickets.)

**For CSBA Office Use Only**

REGISTRATION NO.

BILLING NO.

CHECK NO.

RD. NO.

VISA/MASTERCARD/AMERICAN EXPRESS NO.

# CONFERENCE REGISTRATION

**CSBA Annual Education Conference and Trade Show — December 5 - 7, San Francisco**

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The registration fee includes all conference activities with the exception of meal functions and the mini-conferences.

## Pre-conference Activities

### Wednesday, December 4:

(Quantity)

- Orientation for New Trustees @ \$145 (D160)
- Pre-Conference Symposium @ \$145 (D170)
- Back From the Future
- The Loss of Local Control @ \$145 (D171)
- Delegate Assembly Luncheon @ \$45 (D165)

### Friday, December 6:

- Asian/Pacific Islander School Board Members Association Breakfast @ \$34 (D305)
- California Coalition of Black School Board Members Breakfast @ \$34 (D310)
- California Latino School Board Members Association Breakfast @ \$34 (D325)
- County Assn. of School Trustees (CAST) Breakfast @ \$34 (D315)
- CCBE Breakfast/Membership Meeting @ \$18 (D374)
- California Council of School Attorneys Meeting (Inc. lunch)
- CCSA Members @ \$105 (D400M)
- CCSA Non-members @ \$130 (D400N)
- California Council of School Attorneys Luncheon only @ \$45 (D380)
- ACSA Superintendents' Luncheon @ \$45 (D360)
- Student Board Member Luncheon @ \$45 (D220)
- Featured Speaker: Jonathan Mooney
- CSBA Golden Bell Awards Luncheon @ \$41 (E215)
- Mini-Conference — Dr. David Berliner @ \$55 (D205)

## CONFERENCE REGISTRATION

(Quantity)

- 1 CSBA Member @ \$315
- Spouse/Partner @ Complimentary
- (School district personnel do not qualify for the spouse/partner rate.)*
- Student Board Member Package @ \$315
- Past CSBA President @ Complimentary
- \*Other @ \$375

*(Describe: Title, Affiliation)*

*\*Individuals not affiliated with any school district.*

## CONFERENCE ACTIVITIES

### Thursday, December 5:

(Quantity)

- CA Assn. of Large Suburban School Districts (CALSSD) Luncheon @ \$45 (D370)
- Urban School Districts Luncheon @ \$45 (D371)
- Featured Speaker: Kevin Johnson
- Small School Districts Luncheon @ \$45 (D395)
- President's Reception Honoring CSBA's Business Affiliates @ Complimentary
- Masters in Governance Reception @ \$12 (E1200)

### Saturday, December 7:

- CSBA Fellowship Breakfast @ \$34 (D306)
- Featured Speaker: Dr. Hanoch McCarthy
- Assn. of Low Wealth Schools Breakfast @ \$34 (D365)
- CSBA/CEWAER Women's Caucus Breakfast @ \$34 (D335)
- Schools for Sound Finance Breakfast @ \$34 (D330)
- CSBA Legislative Network Luncheon @ \$45 (D390)
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**TOTAL \$ 315.00**

Make a check, purchase order or Visa/MasterCard/American Express (one blanket purchase order or Visa/MasterCard/American Express can be used for multiple registrants) payable to CSBA, c/o Westamerica Bank, P.O. Box 1450, Suisun City, CA 94585-4450 prior to November 13, 2002.

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Director       Delegate

Alonzo Gonzalez

Board Clerk

NAME

TITLE

Gonzales Unified School District

SCHOOL DISTRICT/COUNTY OFFICE/AGENCY

P.O. Drawer G

ADDRESS  
Gonzales

93926

(831) 675-0100

CITY  
Alonzo54@aol.com

ZIP

PHONE

EMAIL ADDRESS

CC/VISA/MASTERCARD/AMERICAN EXPRESS #

EXPIRATION DATE

SPOUSE/PARTNER REGISTRATION NAME

Please indicate in the space above the name of spouse/partner who is being registered at the complimentary spouse/partner fee. (Mini-conference and meal functions require additional purchased tickets.)

### For CSBA Office Use Only

REGISTRATION NO.

BILLING NO.

CHECK NO.

PG. NO.

VISA/MASTERCARD/AMERICAN EXPRESS NO.

# CONFERENCE REGISTRATION

**CSBA Annual Education Conference and Trade Show — December 5 - 7, San Francisco**

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## Pre-conference Activities

### Wednesday, December 4:

(Quantity)

- Orientation for New Trustees @ \$145 (D160)
- Pre-Conference Symposium @ \$145 (D170)  
Back From the Future
- The Loss of Local Control @ \$145 (D171)
- Delegate Assembly Luncheon @ \$45 (D165)

## CONFERENCE REGISTRATION

(Quantity)

- CSBA Member @ \$315
- Spouse/Partner @ Complimentary  
(School district personnel do not qualify for the spouse/partner rate.)
- Student Board Member Package @ \$315
- Past CSBA President @ Complimentary
- \*Other @ \$375

(Describe Title, Affiliation)

\*Individuals not affiliated with any school district.

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Featured Speaker: Kevin Johnson
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- Asian/Pacific Islander School Board Members Association Breakfast @ \$34 (D305)
- California Coalition of Black School Board Members Breakfast @ \$34 (D310)
- California Latino School Board Members Association Breakfast @ \$34 (D325)
- County Assn. of School Trustees (CAST) Breakfast @ \$34 (D315)
- CCBE Breakfast/Membership Meeting @ \$18 (D374)
- California Council of School Attorneys Meeting (Inc. lunch)
  - O CCSA Members @ \$105 (D400M)
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**TOTAL \$ 315.00**

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Director       Delegate

NAME Wendy Dodson TITLE Board Member

SCHOOL DISTRICT/COUNTY OFFICE/AGENCY Gonzales Unified School District

ADDRESS P.O. Drawer G

CITY Gonzales ZIP 93926 PHONE (831) 675-0100

EMAIL ADDRESS wendy.dodson@calcoastal.org or wendydod@aol.com

RC/VISA/MASTERCARD/AMERICAN EXPRESS # \_\_\_\_\_ EXPIRATION DATE \_\_\_\_\_

SPOUSE/PARTNER REGISTRATION NAME

Please indicate in the space above the name of spouse/partner who is being registered at the complimentary spouse/partner fee. (Mini-conference and meal functions require additional purchased tickets.)

### For CSBA Office Use Only

REGISTRATION NO.	BILLING NO.	CHECK NO.
RO. NO.	VISA/MASTERCARD/AMERICAN EXPRESS NO.	

# CONFERENCE REGISTRATION

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### Wednesday, December 4:

(Quantity)

- \_\_\_ Orientation for New Trustees @ \$145 (D160)
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## CONFERENCE REGISTRATION

(Quantity)

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## CONFERENCE ACTIVITIES

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(Quantity)

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Director  Delegate  
Tim Handley

Board Member

NAME Gonzales Unified School District

TITLE \_\_\_\_\_

SCHOOL DISTRICT/COUNTY OFFICE/AGENCY  
P.O. Drawer G

ADDRESS \_\_\_\_\_

CITY Gonzales

ZIP 93926

PHONE (831) 675-0100

EMAIL ADDRESS \_\_\_\_\_

NO./VISA/MASTERCARD/AMERICAN EXPRESS # \_\_\_\_\_

EXPIRATION DATE \_\_\_\_\_

SPOUSE/PARTNER REGISTRATION NAME \_\_\_\_\_

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(Describe: Title, Affiliation)

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Director       Delegate

Eva Rios

Board Member

NAME

TITLE

Gonzales Unified School District

SCHOOL DISTRICT/COUNTY OFFICE/AGENCY

P.O. Drawer G

ADDRESS

93926

(831) 675-0100

Gonzales

CITY

ZIP

PHONE

EMAIL ADDRESS

CC/VISA/MASTERCARD/AMERICAN EXPRESS #

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BILLING NO.

CHECK NO.

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VISA/MASTERCARD/AMERICAN EXPRESS NO.

CSBA.org &gt; CSBA's 2002 Annual Education Conference

# CSBA education annual conference and trade show



December 5-7  
Moscone Center  
San Francisco

## 2002 General Session Speakers



**Frank McCourt**  
**THURSDAY, December 5**  
**1:45 - 3:15 p.m.**  
**Moscone Center, San Francisco**

Born in Brooklyn and raised in Ireland, Frank McCourt returned to the United States as a young man and became a teacher, working in the New York City public schools for 27 years. His childhood memoir, *Angela's Ashes*, won the Pulitzer prize in 1997 and was made into a movie in 1999. McCourt's follow-up, *Tis: A Memoir*, was also published in 1999.



**Maria Hinojosa**  
**FRIDAY, December 6**  
**1:45 - 3:00 p.m.**  
**Moscone Center, San Francisco**

Born in Mexico City, award-winning journalist and author, Maria Hinojosa became the first CNN correspondent assigned exclusively to report on urban affairs. Hinojosa also anchors National Public Radio's *Latino USA*, reporting on news and culture in the Latino community. Hinojosa's critically acclaimed memoir, *Raising Raul: An Adventure Raising Myself and My Son*, was published in 1999. Hinojosa earned a bachelor of arts in Latin American studies, political economy and women's studies at Barnard College.



**Dr. Freeman Hrabowski**  
**SATURDAY, December 7**  
**2:00 - 3:30 p.m.**  
**Moscone Center, San Francisco**

Freeman A. Hrabowski, III, president of The University of Maryland, Baltimore County was recently elected to the American Academy of Arts & Sciences, has received the McGraw Prize in Education, and The U.S. Presidential Award for Excellence in Science, Mathematics, and Engineering Mentoring. He is co-author of two books: *Beating the Odds* and *Overcoming the Odds*, which focus on the successes of young African American men and women in field of science. Dr. Hrabowski was prominently featured in Spike Lee's 1997 documentary, *Four Little Girls*, which told the story of the racially

## What's New?

- ▶ **SPECIAL NOTICE:** The California Association of School Trustees (CAST) Breakfast, originally scheduled for Friday, December 6, has been moved to Saturday, December 7.

### NEW FOR EXHIBITORS ONLY: Exhibitor Central

- ▶ Spouse Tours -- new this year
- ▶ Introducing the CyberCafé!
- ▶ Student Art Show
- ▶ Are you a new board member?

## Featured speakers and events

- ▶ Jonathan Mooney -- one of the foremost LD/ADHD leaders in the nation to speak at student luncheon.
- ▶ California Teacher of the Year Marvin Inmon to speak at Small School Districts Luncheon on Thursday Dec. 5.
- ▶ Kevin Johnson to speak at Urban School Districts luncheon
- ▶ Creating a broader view to educating our children in our society
- ▶ Brain research and learning: The vital connection

## Inside this section

- ▶ Register online
- ▶ Exhibitor Central
- ▶ Hotel reservation Instructions
- ▶ Moscone Center
- ▶ San Francisco Chamber of Commerce

## Staff Contacts

- ▶ Stephanie Farland, Program Manager
- ▶ Meleasa Wishnick, Exhibits Coordinator
- ▶ Andrea Johnson, Administrative Assistant III

motivated 1963 bombing of Birmingham's  
Sixteenth Street Baptist Church.

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# GONZALES UNIFIED SCHOOL DISTRICT

## TRAVEL REQUEST

**Request to Attend**

**Uninterruption Work Trip**

**Business Meeting**

**READ AND FOLLOW GUIDELINES ON  
REVERSE SIDE  
BEFORE COMPLETING THIS FORM**  
*Failure to comply with guidelines will result  
in delay of payment*

**Instructions:** This form must be completed and received in Accounts Payable at least two weeks prior to proposed trip.

School / Department Board of Trustees & Superintendent Date September 25, 2002

Dates of Event CSBA Annual Education Conference Location San Francisco, CA

Event Title(attach brochure) CSBA Annual Conference Purpose Board Training

Area of Focus (for school sites, refer to your school plan) \_\_\_\_\_

Name of Attendee(s) (attach sheet for add'l attendees)	Position	Substitute (Y/N)*	# of days days required	Budget Code (for substitute)
Ernest S. Zermeno	Superintendent	N		
Alonzo Gonzalez	Board Clerk	N		
Wendy Dodson	Board Member	N		
Timothy Handley	Board Member	N		
Eva Rios	Board Member	N		

\* If a substitute is needed, send a copy of this form to Personnel.

Additional attendees attached.

**Approval:**

*Ed Bostad* 9/25/02  
 Immediate Supervisor Date

**Out of State Approval:**

\_\_\_\_\_  
 Division Head Date

**District Cost for All Attendees (estimate):**

Registration Fee **	1,575.00
(Meals included? Y or N <u>N</u> )	
Lodging	1,939.86
Transportation	
Meals	
Other	
<b>TOTAL</b>	<b>3,514.86</b>

Budget Code(s): 0100-00000-0-000000-715000- \$

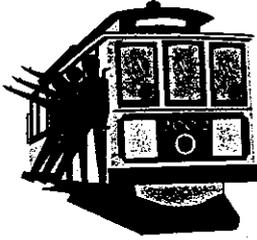
520000-000-35-7510-0000-3500- \$

\*\* Are any meals included in the cost of registration? 00000

**Prepayment Requested (All checks will be sent to the school site or can be picked up at A/P if prior arrangements have been made.)**

Requisition #	Dollar Amount
Registration Fee _____	_____
Hotel _____	_____
Airfare *** _____	_____
Car Rental *** _____	_____

\*\*\* If airfare or car rental is requested, send a copy of this form to Purchasing.



# CSBA education annual conference and trade show

DECEMBER 5-7 — MOSCONE CENTER, SAN FRANCISCO

Wednesday, October 2, 2002

Wendy Dodson  
Board Member  
Gonzales USD  
600 Elko Street  
Gonzales, CA 93926

**Confirmation Number: 101176**

Thank you for registering for CSBA's 2002 Annual Education Conference. This year's Conference is being held: Thursday, December 5, through Saturday, December 7, at the Moscone Center in San Francisco.

LOCATION: Moscone Convention Center, 747 Howard Street, San Francisco, CA 94103, (415) 974-4000

#### REGISTRATION INFORMATION:

December 5, 2002: Registration Opens at 7:00 A.M. - Workshops Begin at 8:30 A.M.  
December 6, 2002: Registration Opens at 7:00 A.M. - Workshops Begin at 8:30 A.M.  
December 7, 2002: Registration Opens at 7:00 A.M. - Workshops Begin at 8:30 A.M.

#### HOTEL INFORMATION:

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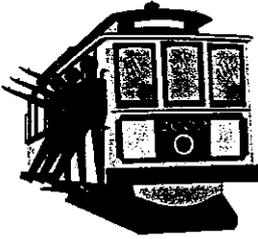
If you have any questions regarding your registration please feel free to contact us at 1.800.266.3382, ext. 3275. See you in San Francisco!



*California School Boards Association*

3100 Beacon Boulevard, West Sacramento, CA 95691

(800) 266-3382 • FAX (916) 371-3407



# CSBA Education annual conference and trade show

DECEMBER 5-7 — MOSCONE CENTER, SAN FRANCISCO

Wednesday, October 2, 2002

Alonzo Gonzalez  
Board Member  
Gonzales USD  
600 Elko Street  
Gonzales, CA 93926

**Confirmation Number: 101176**

Thank you for registering for CSBA's 2002 Annual Education Conference. This year's Conference is being held: Thursday, December 5, through Saturday, December 7, at the Moscone Center in San Francisco.

LOCATION: Moscone Convention Center, 747 Howard Street, San Francisco, CA 94103, (415) 974-4000

#### REGISTRATION INFORMATION:

December 5, 2002: Registration Opens at 7:00 A.M. - Workshops Begin at 8:30 A.M.  
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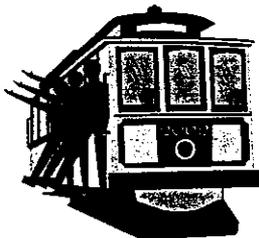
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Wednesday, October 2, 2002

Timothy Handley  
Board Member  
Gonzales USD  
600 Elko Street  
Gonzales, CA 93926

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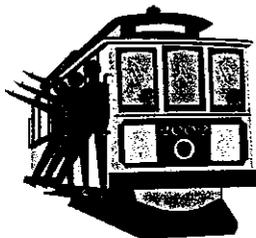
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DECEMBER 5-7 — MOSCONE CENTER, SAN FRANCISCO

Wednesday, October 2, 2002

Eva Rios  
Board Member  
Gonzales USD  
600 Elko Street  
Gonzales, CA 93926

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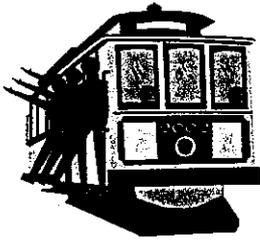
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DECEMBER 5-7 — MOSCONE CENTER, SAN FRANCISCO

Wednesday, October 2, 2002

Ernesto Zermeno  
Superintendent  
Gonzales USD  
600 Elko Street  
Gonzales, CA 93926

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(800) 266-3382 • FAX (916) 371-3407

Gonzales Unified  
 600 Elko Street  
 PO Drawer G  
 Gonzales CA 93926

(831) 675-0100

The number below MUST appear on all  
 Invoices, Packing Slips and Cases

Order Date: 10 / 18 / 2002

Person Requesting:

ERNEST ZERMENO

Authorization Code:

EZ

Ship Prepaid To:

GONZALES UNIFIED SCHOOL DISTRICT  
 600 ELKO STREET  
 GONZALES CA 93926-

**Purchase No.**  
**Order**

PLEASE BILL IN TRIPLICATE  
 ATTN: ACCOUNTS PAYABLE

**31439**

PH: (831) 675-0100  
 FX: (831) 675-1172

VE# 991060

Bill To

CSBA  
 c/o WESTAMERICA BANK  
 P.O. BOX 1450  
 SUISUN CITY CA 94585

GONZALES UNIFIED SCHOOL DISTRICT  
 P.O. DRAWER G  
 GONZALES CA 93926-

Quantity	Unit	Description of Articles or Service	Unit Price	Discount	Total Cost
1	Each	REGISTRATION: WENDY DODSON	\$1,350.00	\$0.00	\$1,350.00
1	Each	REGISTRATION: TIMOTHY HANDLEY	\$1,350.00	\$0.00	\$1,350.00
1	Each	REGISTRATION: EVA RIOS	\$1,350.00	\$0.00	\$1,350.00
1	Each	REGISTRATION: ERNEST ZERMENO PLACE: MCOE, SALINAS, CA WORKSHOP: 2-YEAR MASTERS IN GOVERNANCE REGIONAL TRAINING PROGRAM	\$1,350.00	\$0.00	\$1,350.00

Sub Total: \$5,400.00  
 Discount: \$0.00  
 Tax: \$0.00  
 P. O. Total: \$5,400.00

FAXED

OCT 21 2002

Hereby approve this order

\*



FD---RE---Y-GO-----FN-----OB-----SI---L1-L2---L3---MA  
 0100-00000-0-000000-715000-520000-000-35-7510-0000-35 Amount  
 \$5,400.00

1. If the order cannot be filled as indicated in accordance with description, quantity, and price hereon notify immediately
2. Transportation charges must be prepaid unless otherwise specified on bid. Freight or express cannot be paid without original receipted bills. Ship by most economical way and goods subject to inspection on arrival.
3. Each shipment must be covered by a separate Invoice. Articles on this Purchase Order must not be billed with those on other Purchase Orders.
4. Sales tax must be shown separately.

# Monterey, San Benito, Santa Cruz County Board Members and Superintendents Masters in Governance Program Enrollment Form

To enroll in the Masters in Governance program, complete the information below and mail or fax to CSBA by **Friday, November 1, 2002**. This will confirm your status as a program participant and lock-in your discounted program fee of **\$1,350**. *In addition, you will automatically be enrolled in all modules scheduled for your region.*

If you have any questions about the Masters in Governance program, please call Stephanie Goodlett at 800/266-3382, ext. 3286. Thanks for your participation!

*Please enroll me in the two-year Masters in Governance regional training program for \$1,350\* per person for board members and superintendents in Monterey, San Benito and Santa Cruz Counties (CSBA members only)\*\**

WENDY DODSON	BOARD MEMBER
NAME	TITLE
GONZALES UNIFIED SCHOOL DISTRICT	
DISTRICT	
P.O. DRAWER G, 600 ELKO STREET	
ADDRESS	
GONZALES, CA 93926	
CITY/STATE/ZIP	
(831) 675-0100 x 110	
PHONE #	

CHECK ENCLOSED: # PAYABLE TO CSB FOUNDATION
31439
BILL DISTRICT: P.O. #
VISA/MASTERCARD/AMERICAN EXPRESS #: EXP. DATE

**District office please mail to: CSBA, c/o Westamerica Bank, P.O. Box 1450, Suisun City, CA 94585-4450.**

**Or register by fax with purchase order or VISA/Mastercard/American Express: (916) 669-3277.**

\* **The Masters in Governance program registration fee is nonrefundable and nontransferable.** Cancellations must be received in writing one week prior to the date of the first training session.

\*\*Individual board members and district/county office of education employees are considered members of CSBA if their district/county office of education is a member of CSBA.



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TIMOTHY HANDLEY	BOARD MEMBER
NAME	TITLE
GONZALES UNIFIED SCHOOL DISTRICT	
DISTRICT	
P.O. DRAWER G, 600 ELKO STREET	
ADDRESS	
GONZALES, CA 93926	
CITY/STATE/ZIP	
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EVA RIOS	BOARD MEMBER
NAME	TITLE
GONZALES UNIFIED SCHOOL DISTRICT	
DISTRICT	
P.O. DRAWER G, 600 ELKO STREET	
ADDRESS	
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ERNEST ZERMENO	SUPERINTENDENT
NAME	TITLE
GONZALES UNIFIED SCHOOL DISTRICT	
DISTRICT	
P.O. DRAWER G, 600 ELKO STREET	
ADDRESS	
GONZALES, CA 93926	
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*Masters*  
In Governance  
PROGRAM



**REGIONAL  
TRAINING  
PROGRAM**

**FOR  
BOARD MEMBERS  
AND  
SUPERINTENDENTS**

**IN MONTEREY,  
SAN BENITO, AND  
SANTA CRUZ COUNTIES**

**IN COORDINATION  
WITH THE  
MONTEREY, SAN BENITO, AND  
SANTA CRUZ COUNTY  
OFFICES OF EDUCATION**



# Masters in Governance Program

The Masters in Governance program provides comprehensive knowledge and skills to enable school board members to function effectively as trustees to govern the district and to participate with the superintendent as productive members of the district's governance team. This two-year program covers five major responsibilities of the board which are to:

- Set the direction;
- Establish the structure;
- Provide support;
- Ensure accountability; and
- Provide community leadership.

## Program Components

- The program consists of 60 hours of instruction and participation. You enroll one time and participate in nine Masters of Governance training modules over a two-year period.
- Program requirements must be completed within two years from the date of enrollment.
- The enrollment fee covers registration for the nine modules.
- Superintendents are encouraged to enroll in the program as a member of the governance team.
- Upon completion of the program, you will receive the Masters in Governance certificate, an honor recognizing dedication to your role as a school governance leader and demonstrating to your community your commitment to education.
- Program participants who complete the nine modules may be eligible to receive up to six graduate units of credit applied toward the Masters of Arts in Governance Leadership degree at the University of La Verne in La Verne, California.

Registration opens at 8 a.m. and all workshops start at 8:30 a.m. Your registration fee includes all materials and lunch. Modules will be held at the Monterey County Office of Education, 901 Blanco Circle, Salinas.

## Course Schedule

Foundations of Effective Governance	Saturday, November 16, 2002	8:30 a.m. - 4:00 p.m.
Setting Direction	Saturday, January 25, 2003	8:30 a.m. - 4:00 p.m.
Human Resources	Saturday, March 1, 2003	8:30 a.m. - 4:00 p.m.
Policy	Saturday, March 29, 2003	8:30 a.m. - 4:00 p.m.
Student Learning and Achievement	To Be Determined	8:30 a.m. - 4:00 p.m.
Finance	To Be Determined	8:30 a.m. - 4:00 p.m.
Collective Bargaining	To Be Determined	8:30 a.m. - 4:00 p.m.
Community Relations and Advocacy	To Be Determined	8:30 a.m. - 4:00 p.m.
Governance Integration	To Be Determined	8:30 a.m. - 3:00 p.m.

Any Masters in Governance program participant who misses a module may make it up by attending the same module offered by CSBA at another location. Admittance, however, will be based on the availability of space and pre-notification to CSBA. Please visit our web site at [www.csba.org](http://www.csba.org) for a current list of dates and locations.

# Module Descriptions

---

**Foundations of Effective Governance** — This module covers the roles and responsibilities of the governance team and focuses on the two core concepts of the Masters in Governance program: trusteeship and governance. *Note: This module must be taken prior to enrolling in any other module.*

**Setting Direction** — In this highly interactive session, the governance team will learn how to create a vision that best describes their district's direction, focus, commitment and beliefs. This module will help the governance team understand how a district's vision, beliefs and strategic goals are interwoven into every facet of the district's education programs.

**Human Resources** — Every staff member is a valuable resource to the district and a vital link in the educational process. This module covers the elements of employing a superintendent who meets the district's needs; maintaining a positive working relationship with the superintendent; evaluating the superintendent according to established criteria; and establishing a framework for sound personnel practices across the district.

**Policy and Judicial Review** — Designed to develop skills in setting policy, the governance team will learn to identify policy issues; set an appropriate process for developing sound policies; communicate and support policies; and review and revise policies to ensure their effectiveness.

**Student Learning and Achievement** — The current demand for higher academic achievement standards is one of the many factors driving major changes in curriculum and instruction. Discover how to meet this demand by setting expectations for student learning; ensuring that appropriate processes are in place for curriculum development, review and adoption; communicating and supporting the curriculum; and assessing student achievement and district programs.

**Finance** — Focusing on financial stability is essential in supporting a district's goals and for providing a high-quality educational program for students. Learn how to achieve a balance between district goals and student achievement by establishing budget priorities; developing appropriate processes for budget development, adoption and revision; implementing the budget; and monitoring and auditing the district's finances.

**Collective Bargaining** — Designed specifically for the governance team, this module provides an overview of the history of collective bargaining and the legal framework for collective negotiations in public schools. Topics include the methodologies used in collective bargaining; the programmatic and fiscal implications of collective bargaining contracts; and the board's role during the collective bargaining process.

**Community Relations and Advocacy** — Deepen your understanding of community leadership by applying theory to everyday situations. This module explores ways to build community support; keep the community informed; be responsive to community concerns and interests; encourage community involvement; and engage in advocacy efforts at the state and national levels.

**Governance Integration** — This final module in the series integrates the concepts of trusteeship and the governance team with the jobs of the board. *Participants must have completed all of the modules in order to attend the integration session.* At the end of the session, graduates of the program receive the Masters in Governance certificate, an honor recognizing dedication to your role as a school governance leader and demonstrating to your community your commitment to education.

# GONZALES UNIFIED SCHOOL DISTRICT

## TRAVEL REQUEST

Request to Attend:

- Conference/Workshop  
 Business Meeting

READ AND FOLLOW GUIDELINES ON  
REVERSE SIDE  
BEFORE COMPLETING THIS FORM  
*Failure to comply with guidelines will result  
in delay of payment*

Instructions: This form must be completed and received in Accounts Payable at least two weeks prior to proposed trip.

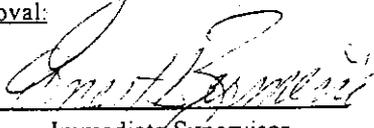
School/Department Board of Trustees Date October 16, 2002  
 Dates of Event See Attachment Location Monterey County Office of Education  
 Event Title(attach brochure) Masters In Governance Program Purpose Board Training  
 Area of Focus (for school sites, refer to your school plan) Board Training

Name of Attendee(s) (attach sheet for add'l attendees)	Position	Substitute (Y/N)*	# of days days required	Budget Code (for substitute)
Zermeno, Ernest S.	Superintendent	N		
Dodson, Wendy	Board of Trustees	N		
Handley, Timothy	Board of Trustees	N		
Rios, Eva	Board of Trustees	N		

\* If a substitute is needed, send a copy of this form to Personnel.

Additional attendees attached.

Approval:

  
 Ernest S. Zermeno  
 Immediate Supervisor

10/16/02  
 Date

District Cost for All Attendees (estimate):

Registration Fee **	5,400.00
(Meals included? Y or N <u>N</u> )	
Lodging	
Transportation	
Meals	
Other	
<b>TOTAL</b>	

Out of State Approval:

\_\_\_\_\_  
 Division Head                      Date

Budget Code(s): 0100-00000-0-000000-715000  
520000-000-357570-000-3100

\$	
\$	

\*\* Are any meals included in the cost of registration?

Prepayment Requested (All checks will be sent to the school site or can be picked up at A/P if prior arrangements have been made.)

	Requisition #	Dollar Amount
Registration Fee	_____	_____
Hotel	_____	_____
Airfare ***	_____	_____
Car Rental ***	_____	_____

\*\*\* If airfare or car rental is requested, send a copy of this form to Purchasing.

Routing (by requesting site)

Original (with attached travel requisition) - Accounts Payable

Yellow - Site Copy

# Financial Activity Report

From 7/1/02 thru 10/3/02

Fund: 0100 General Fund

LocalRpt2: 7510 Superintendent Costs

LocalRpt1: 35 DISTRICT OFFICE

FD--RE--Y--GO--FN--OB--SI--L1-L2--L3--	Reference	Date	Vendor	Description	Working	Amount	Encumbered	Balance
430000	Materials and Supplies							
0100-00000-0-000000-715000-430000-000-35-7510-000	PO -31134	09/12/02	981027	WELLS FARGO CARD SERVICES		\$82.45	\$0.00	\$6,986.85
0100-00000-0-000000-715000-430000-000-35-7510-000	PV -33220	09/18/02	970020	COPYMAT		\$0.00	\$21.72	\$6,965.13
0100-00000-0-000000-715000-430000-000-35-7510-000	PV -33220	09/19/02	970020	COPYMAT		\$0.00	(\$21.72)	\$6,986.85
0100-00000-0-000000-715000-430000-000-35-7510-000	PV -33220	09/19/02	970020	COPYMAT		\$21.72	\$0.00	\$6,965.13
0100-00000-0-000000-715000-430000-000-35-7510-000	PO -31247	10/01/02	980590	A & C ENGRAVING AND SIGNS		\$0.00	(\$6.50)	\$6,971.63
0100-00000-0-000000-715000-430000-000-35-7510-000	PO -31247	10/01/02	980590	A & C ENGRAVING AND SIGNS		\$6.50	\$0.00	\$6,965.13
Total Activity						\$541.37	\$93.50	
Ending Balance						\$7,600.00	\$93.50	\$6,965.13
430050	Materials and Supplies-Inventory Items \$500 to \$5,000							
Balance Forward						\$0.00	\$0.00	\$0.00
0100-00000-0-000000-715000-430050-000-35-7510-000	PV -33186	09/12/02	991172	ZERMENO, ERNIE		\$0.00	(\$511.25)	\$511.25
0100-00000-0-000000-715000-430050-000-35-7510-000	PV -33186	09/12/02	991172	ZERMENO, ERNIE		\$0.00	\$511.25	\$0.00
0100-00000-0-000000-715000-430050-000-35-7510-000	PV -33186	09/12/02	991172	ZERMENO, ERNIE		\$511.25	\$0.00	(\$511.25)
Total Activity						\$511.25	\$0.00	
Ending Balance						\$0.00	\$0.00	(\$511.25)
440000	Noncapitalized Equipment							
Balance Forward						\$0.00	\$0.00	\$0.00
0100-00000-0-000000-715000-440000-000-35-7510-000	PO -31226	09/06/02	10051	DELL COMPUTER CORP.		\$0.00	\$3,263.29	(\$3,263.29)
Total Activity						\$0.00	\$3,263.29	
Ending Balance						\$0.00	\$3,263.29	(\$3,263.29)
**** 4000 Totals						\$7,600.00	\$3,356.79	\$3,190.59
520000	Travel and Conferences							
Balance Forward						\$0.00	\$0.00	\$2,000.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -33064	08/06/02	990402	ARGUETA, LLESENIA		\$0.00	(\$10.95)	\$2,010.95
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -33064	08/06/02	990402	ARGUETA, LLESENIA		\$0.00	\$10.95	\$2,000.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -33064	08/06/02	990402	ARGUETA, LLESENIA		\$10.95	\$0.00	\$1,989.05
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -33074	08/09/02	991091	COSTA, EDWARD		\$0.00	(\$15.33)	\$2,004.38
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -33074	08/09/02	991091	COSTA, EDWARD		\$0.00	\$15.33	\$1,989.05
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -33074	08/09/02	991091	COSTA, EDWARD		\$15.33	\$0.00	\$1,973.72
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -31141	08/12/02	980148	MONTREY COUNTY OFFICE OF E		\$0.00	\$60.00	\$1,913.72

# Financial Activity Report

Fund: 0100 General Fund

LocalRpt2: 7510 Superintendent Costs

LocalRpt1: 35 DISTRICT OFFICE

FD---RE-----Y-GO-----FN-----OB-----SI---L1-L2---L3--	Reference	Date	Vendor	Description	Working	Amount	Encumbered	Balance
<b>520000 Travel and Conferences</b>								
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -31335	09/25/02	991060	CSBA		\$0.00	\$1,575.00	\$338.72
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -31336	09/25/02	981088	COMMUNITY BANK OF CENTRAL C		\$0.00	\$215.54	\$123.18
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -31337	09/25/02	981090	COMMUNITY BANK OF CENTRAL C		\$0.00	\$862.16	(\$738.98)
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -31338	09/25/02	990001	COMMUNITY BANK OF CENTRAL C		\$0.00	\$862.16	(\$1,601.14)
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -31344	09/26/02	980148	MONTEREY COUNTY OFFICE OF E		\$0.00	\$265.00	(\$1,866.14)
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -31336	09/27/02	981088	COMMUNITY BANK OF CENTRAL C		\$0.00	\$646.62	(\$2,512.76)
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -31336	09/27/02	981088	COMMUNITY BANK OF CENTRAL C		\$0.00	(\$215.54)	(\$2,297.22)
<b>Total Activity</b>						\$26.28	\$4,270.94	
<b>Ending Balance</b>						\$26.28	\$4,270.94	(\$2,297.22)
<b>530000 Dues and Memberships</b>								
<b>Balance Forward</b>						\$1,000.00	\$0.00	\$1,000.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PO -31038	07/22/02	980210	CALIFORNIA SCHOOL BOARDS A		\$0.00	\$5,147.00	(\$4,147.00)
0100-00000-0-000000-715000-530000-000-35-7510-000	PO -31038	07/23/02	980210	CALIFORNIA SCHOOL BOARDS A		\$5,147.00	\$0.00	(\$9,294.00)
0100-00000-0-000000-715000-530000-000-35-7510-000	PO -31038	07/26/02	980210	CALIFORNIA SCHOOL BOARDS A		\$0.00	(\$5,147.00)	(\$4,147.00)
0100-00000-0-000000-715000-530000-000-35-7510-000	PO -31277	09/18/02	980310	ACSA		\$0.00	\$1,022.20	(\$5,169.20)
<b>Total Activity</b>						\$5,147.00	\$1,022.20	
<b>Ending Balance</b>						\$1,000.00	\$5,147.00	(\$5,169.20)
<b>550000 Utilities and Housekeeping Services</b>								
<b>Balance Forward</b>						\$500.00	\$0.00	\$500.00
<b>Total Activity</b>						\$0.00	\$0.00	\$0.00
<b>Ending Balance</b>						\$500.00	\$0.00	\$500.00
<b>560000 Rentals, Leases and Repairs</b>								
<b>Balance Forward</b>						\$500.00	\$0.00	\$500.00
<b>Total Activity</b>						\$0.00	\$0.00	\$0.00
<b>Ending Balance</b>						\$500.00	\$0.00	\$500.00
<b>580000 Professional/Consulting Services and Operating Expenses</b>								
<b>Balance Forward</b>						\$12,000.00	\$0.00	\$12,000.00
0100-00000-0-000000-715000-580000-000-35-7510-000	PV -33070	08/09/02	308	F.A.S.T SERVICES		\$0.00	(\$150.00)	\$12,150.00
0100-00000-0-000000-715000-580000-000-35-7510-000	PV -33070	08/09/02	308	F.A.S.T SERVICES		\$0.00	\$150.00	\$12,000.00

# Financial Activity Report

17 Gonzales Unified  
 Fiscal Year: 2002  
 Requested by cpowell

From 7/1/01 thru 6/30/02

LocalRp1: 35 DISTRICT OFFICE

Fund: 0100 General Fund

LocalRp2: 7510 Superintendent Costs

FD--RE--Y-GO-----FN-----OB-----SI--L1-L2--L3--	Reference	Date	Vendor Description	Working	Amount	Encumbered	Balance
520000	Travel and Conferences						
Balance Forward							
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -20390	09/17/01	980148 MONTEREY COUNTY OFFICE OF E		\$0.00	\$25.00	\$1,975.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -20391	09/17/01	980173 SMALL SCHOOL DISTRICT ASSOC		\$0.00	\$60.00	\$1,915.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -20391	10/16/01	980173 SMALL SCHOOL DISTRICT ASSOC		\$0.00	(\$60.00)	\$1,975.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -20391	10/16/01	980173 SMALL SCHOOL DISTRICT ASSOC		\$60.00	\$0.00	\$1,915.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -20570	10/18/01	980273 WELLS FARGO CARD SERVICES		\$0.00	(\$25.00)	\$1,915.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -20570	10/18/01	980273 WELLS FARGO CARD SERVICES		\$0.00	\$25.00	\$1,890.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -20570	10/18/01	980273 WELLS FARGO CARD SERVICES		\$25.00	\$0.00	\$1,890.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -20714	11/01/01	970012 AVERETT, RICHARD		\$0.00	(\$20.00)	\$1,910.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -20714	11/01/01	970012 AVERETT, RICHARD		\$0.00	\$20.00	\$1,890.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -20714	11/01/01	970012 AVERETT, RICHARD		\$20.00	\$0.00	\$1,870.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -20714	11/01/01	970012 AVERETT, RICHARD		\$0.00	\$185.00	\$1,685.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -20756	11/26/01	970013 SCHOOL SERVICES OF CALIFORN		\$0.00	\$15.09	\$1,669.91
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -20756	12/17/01	970012 AVERETT, RICHARD		\$0.00	(\$185.00)	\$1,870.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21012	12/17/01	970012 AVERETT, RICHARD		\$0.00	(\$185.00)	\$1,685.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21012	01/03/02	970013 SCHOOL SERVICES OF CALIFORN		\$185.00	\$0.00	\$1,669.91
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -20756	01/03/02	970013 SCHOOL SERVICES OF CALIFORN		\$0.00	(\$26.88)	\$1,685.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -20756	01/03/02	970013 SCHOOL SERVICES OF CALIFORN		\$0.00	\$26.88	\$1,711.88
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -20756	01/03/02	970013 SCHOOL SERVICES OF CALIFORN		\$0.00	\$0.00	\$1,685.00
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21116	01/10/02	980273 WELLS FARGO CARD SERVICES		\$26.88	\$0.00	\$1,658.12
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21116	01/10/02	980273 WELLS FARGO CARD SERVICES		\$0.00	(\$25.00)	\$1,683.12
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21116	01/10/02	980273 WELLS FARGO CARD SERVICES		\$0.00	\$25.00	\$1,658.12
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -20390	01/31/02	980148 MONTEREY COUNTY OFFICE OF E		\$25.00	\$0.00	\$1,632.12
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -20390	01/31/02	980148 MONTEREY COUNTY OFFICE OF E		\$0.00	\$140.00	\$1,518.12
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -20390	01/31/02	980148 MONTEREY COUNTY OFFICE OF E		\$0.00	(\$140.00)	\$1,658.12
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -21308	03/12/02	980210 CALIFORNIA SCHOOL BOARDS A		\$0.00	\$0.00	\$1,518.12
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -21308	03/12/02	980210 CALIFORNIA SCHOOL BOARDS A		\$140.00	\$0.00	\$1,341.16
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -21308	03/12/02	980210 CALIFORNIA SCHOOL BOARDS A		\$0.00	\$176.96	\$1,001.16
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21583	03/26/02	981090 COMMUNITY BANK OF CENTRAL C		\$0.00	\$340.00	\$755.16
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -21383	03/27/02	991060 CSBA		\$0.00	\$246.00	\$1,001.16
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -21384	03/27/02	991061 SHERATON GATEWAY HOTEL		\$0.00	(\$246.00)	\$1,178.12
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -21384	03/27/02	991061 SHERATON GATEWAY HOTEL		\$0.00	(\$176.96)	\$932.12
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21583	03/28/02	981090 COMMUNITY BANK OF CENTRAL C		\$246.00	\$0.00	\$932.12
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -21384	03/28/02	991061 SHERATON GATEWAY HOTEL		\$176.96	\$0.00	\$755.16
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21583	03/28/02	981090 COMMUNITY BANK OF CENTRAL C		\$0.00	(\$170.00)	\$1,095.16
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -21383	04/23/02	991060 CSBA		\$0.00	(\$170.00)	\$1,262.70
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -21383	04/23/02	991060 CSBA		\$0.00	(\$167.54)	\$1,095.16
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21740	04/23/02	991080 HANDLEY, TIM		\$0.00	\$167.54	\$925.16
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -21383	04/23/02	991060 CSBA		\$170.00	\$0.00	\$755.16
0100-00000-0-000000-715000-520000-000-35-7510-000	PO -21383	04/23/02	991060 CSBA		\$0.00	\$0.00	\$587.62
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21740	04/23/02	991080 HANDLEY, TIM		\$167.54	\$0.00	\$587.62
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21834	05/09/02	980273 WELLS FARGO CARD SERVICES		\$0.00	(\$188.26)	\$775.88
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21834	05/09/02	980273 WELLS FARGO CARD SERVICES		\$0.00	\$188.26	\$587.62
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21834	05/09/02	980273 WELLS FARGO CARD SERVICES		\$188.26	\$0.00	\$399.36
0100-00000-0-000000-715000-520000-000-35-7510-000	PV -21878	05/21/02	260 FOUNDATION FOR EDUCATIONA		\$0.00	\$375.00	\$24.36

# Financial Activity Report

Fund: 0100 General Fund

LocalRpt2: 7510 Superintendent Costs

LocalRpt1: 35 DISTRICT OFFICE

FD-----Y-GO-----FN-----OB-----SI--L1-L2---L3-- Reference Date Vendor Description Working Amount Encumbered Balance

520000	Travel and Conferences											
0100-00000-0-000000-715000-520000-000-35-7510-000	PV	-21878		05/23/02								
0100-00000-0-000000-715000-520000-000-35-7510-000	PV	-21878		05/23/02	260	FOUNDATION FOR EDUCATIONA		\$0.00		(\$375.00)		\$399.36
0100-00000-0-000000-715000-520000-000-35-7510-000	PV	-22005		06/06/02	260	FOUNDATION FOR EDUCATIONA		\$375.00		\$0.00		\$24.36
0100-00000-0-000000-715000-520000-000-35-7510-000	PV	-22005		06/06/02	991107	RIOS, EVA		\$0.00		(\$131.40)		\$155.76
0100-00000-0-000000-715000-520000-000-35-7510-000	PV	-22005		06/06/02	991107	RIOS, EVA		\$0.00		\$131.40		\$24.36
0100-00000-0-000000-715000-520000-000-35-7510-000	PV	-22005		06/06/02	991107	RIOS, EVA		\$131.40		\$0.00		(\$107.04)
								\$2,107.04		\$0.00		

Total Activity	Ending Balance	Dues and Memberships	Balance Forward
			\$1,000.00
			\$2,000.00
			\$2,107.04
			\$0.00
			\$1,000.00

0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-20392		09/18/01	980266	GONZALES ROTARY		\$0.00		(\$50.00)		\$1,050.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-20392		09/18/01	980266	GONZALES ROTARY		\$0.00		\$50.00		\$1,000.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-20392		09/18/01	980266	GONZALES ROTARY		\$50.00		\$0.00		\$950.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PO	-20739		11/14/01	980173	SMALL SCHOOL DISTRICT ASSOC		\$0.00		\$600.00		\$350.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PO	-20739		11/20/01	980173	SMALL SCHOOL DISTRICT ASSOC		\$0.00		(\$600.00)		\$950.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PO	-20739		11/20/01	980173	SMALL SCHOOL DISTRICT ASSOC		\$600.00		\$0.00		\$350.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-21003		12/13/01	990132	CASBO		\$0.00		(\$165.00)		\$515.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-21003		12/13/01	990132	CASBO		\$0.00		\$165.00		\$350.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-21003		12/13/01	990132	CASBO		\$165.00		\$0.00		\$185.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-21003		12/17/01	990154	ASCSD		\$0.00		\$49.00		\$136.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-21013		12/17/01	990154	ASCSD		\$0.00		(\$84.00)		\$220.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-21013		12/18/01	990154	ASCSD		\$0.00		(\$49.00)		\$269.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-21013		12/18/01	990154	ASCSD		\$0.00		\$84.00		\$185.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-21013		12/18/01	990154	ASCSD		\$0.00		\$0.00		\$101.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-21135		01/15/02	980266	GONZALES ROTARY		\$0.00		(\$50.00)		\$151.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-21135		01/15/02	980266	GONZALES ROTARY		\$0.00		\$50.00		\$101.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PV	-21135		01/15/02	980266	GONZALES ROTARY		\$50.00		\$0.00		\$51.00
0100-00000-0-000000-715000-530000-000-35-7510-000	PO	-21640		06/30/02	980210	CALIFORNIA SCHOOL BOARDS A		\$0.00		\$5,147.00		(\$5,096.00)
0100-00000-0-000000-715000-530000-000-35-7510-000	PO	-21640		06/30/02	980210	CALIFORNIA SCHOOL BOARDS A		\$0.00		(\$5,147.00)		\$51.00
								\$949.00		\$0.00		

Total Activity	Ending Balance	Utilities and Housekeeping Services	Balance Forward
			\$500.00
			\$1,000.00
			\$949.00
			\$0.00
			\$500.00
			\$0.00
			\$500.00

**GRAND JURY FINAL REPORT TITLED "MONTEREY COUNTY 2001 GRAND JURY FINAL REPORT"**

**RESPONSE TO FINDINGS BY GREENFIELD POLICE DEPARTMENT**

Finding #	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor
From Grand Jury Final Report	Respondent agrees with the Findings	Respondent disagrees wholly or partially with Finding: see next column	CONTINUE ON ATTACHED SHEETS AS NECESSARY
1	X		The City of Greenfield agrees with this finding with comment. Since the hiring of the current police chief 18 months ago, the Police Department is being provided with consistent seasoned leadership. The Department has changed some of the hiring practices allowing for a more timely and efficient recruiting process. Difficulty in recruiting personnel is not unique to Greenfield. This is a problem that every agency, including the County of Monterey, has had to contend with. The high cost of living and housing is a main contributor to this difficulty. The Police Department has been operating with a full staff, in addition, the City Council has authorized an additional sworn position bringing the number of sworn officers to 17. The City Council and City Manager are very supportive of the Police Department.
2	X		The City of Greenfield agrees with this finding with comment. The City of Greenfield exercises no control over personnel as to when they choose to leave employment. Former Chiefs have resigned on their own to seek employment opportunities elsewhere. As for interim chiefs, they were just that, interim. All former interim chiefs made it very clear to management that they could only function as interim chiefs for a temporary period of time.
3	X		The City agrees with this finding with comment. Recently, the Police Department has been operating at full strength.
4	X		The City agrees with this finding. Formal briefings before shift would set a pattern of no officers-on the street, as many times there are only two officers working. Criminals may discover this pattern and use it to further criminal activity.
5	X		The City agrees with this finding with comment. The Department currently has three officers that speak Spanish. The City of Greenfield strives to recruit officers that are bilingual. The City has for many years provided a financial benefit to officers who are bilingual Spanish/English. It is up to the officer as to whether or not they want to avail themselves of this financial

			incentive. The City encourages as many officers as possible to take advantage of this bonus.
6	X		The City agrees with this finding. The City is in the process of obtaining a new police facility and could have one as soon as July or August of 2002.

**GRAND JURY FINAL REPORT TITLED "MONTEREY COUNTY 2001 GRAND JURY FINAL REPORT"**

**RESPONSE TO RECOMMENDATIONS BY GREENFIELD POLICE DEPARTMENT**

Rec. #	Check One §933.05(a)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	CONTINUE ON ATTACHED SHEETS AS NECESSARY
1		X			The City of Greenfield agrees with this recommendation and will continue to meet the requirements.
2	X				
3				X	The City of Greenfield disagrees with this recommendation. To implement this with the Greenfield Police Department could allow the criminal element to discover that all the police officers were at the Police Department at the same time every day on every shift, many times there are only two officers on duty per shift. This could also allow them to plan criminal activity at those times.
4	X				The City of Greenfield has and continues to budget funds to pay financial bonuses to officers who speak Spanish. Officers are encouraged to attend POST-approved Spanish training.
5	X				



# City of Greenfield

CITY HALL: P.O. Box 127 / 45 El Camino Real / Greenfield, California 93927

(831) 674-5591 FAX (831) 674-3149

CORPORATION YARD: (831) 674-2635 FAX (831) 674-3259

October 9, 2002

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

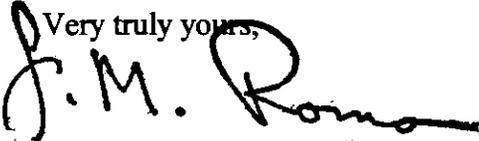
**Re: 2001 Monterey County Grand Jury Final Report**

Dear Judge O'Farrell:

Pursuant to correspondence received from Mr. Ed Kramer, Chairman Response Committee, I am pleased to submit this for your review. I apologize that you did not find our information complete.

Attached hereto is additional information pertaining to the responses of our Governing Body to the Findings and Recommendations in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002. As directed by Mr. Kramer's correspondence, I will be addressing our response to Recommendations 1,2,and 5 of the aforementioned report.

Again, I wish to thank you for the opportunity to respond to the Findings and Recommendations of the Grand Jury. We look forward to continued positive growth and economic development for the citizens of the City of Greenfield.

Very truly yours,  


J. Mike Romo, Mayor

**GRAND JURY FINAL REPORT TITLED "MONTEREY COUNTY 2001 GRAND JURY FINAL REPORT"**

**RESPONSE TO RECOMMENDATIONS BY GREENFIELD POLICE DEPARTMENT**

Rec. #	Check One §933.05(a)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	CONTINUE ON ATTACHED SHEETS AS NECESSARY
1	X				The City of Greenfield agrees with this recommendation and has a Ride-along program implemented since 1998. This year the City has implemented the Citizens on Patrol "C.O.P." Program.
2	X				The City of Greenfield agrees with this recommendation and its police officers perform foot and vehicle patrols during school pedestrian traffic.
3				X	The City of Greenfield disagrees with this recommendation. To implement this with the Greenfield Police Department could allow the criminal element to discover that all the police officers were at the Police Department at the same time every day on every shift, many times there are only two officers on duty per shift. This could also allow them to plan criminal activity at those times.
4	X				The City of Greenfield has and continues to budget funds to pay financial bonuses to officers who speak Spanish. Officers are encouraged to attend POST-approved Spanish training.
5	X				<b>The City presently has \$800,000 budgeted for a new police facility. An additional \$300,000 is needed to meet the budget. City hopes to have necessary revenue in place within the next 18 months. Once funding is in place, construction will commence.</b>

**Finding 2. The frequent turnover of police chiefs in a relative short period of time resulted in continuing problems within the Department.**

The City of Greenfield agrees with this finding with comment. The City of Greenfield exercises no control over personnel as to when they choose to leave employment. Former Chief's have resigned on their own to seek employment opportunities elsewhere. As for interim chiefs, they were just that interim. All former interim chiefs, made it very clear to management that they could only function as interim chiefs for a temporary period of time.

**Finding 3. Without a full staff, the Department was forced to be reactive rather than proactive, resulting in a potential decrease of service for the residence.**

The City agrees with this finding with comment. Recently the Police Department has been operating at full strength.

**Finding 4. Currently, there are no formal briefings before shifts.**

The City agrees with this finding. Formal briefings before shift would set a pattern of no officers on the street, as many times there are only (2) officers working. Criminals may discover this pattern and use it to further criminal activity.

**Finding 5. Three of the 16 officers speak Spanish, while a large segment of the population of Greenfield is Spanish speaking.**

The City agrees with this finding with comment. The department currently has three officers that speak Spanish. The City of Greenfield strives to recruit officers that are bilingual. The City has for many years provided a financial benefit to officers who are bilingual Spanish /English. It is up to the officer as to whether or not they want to avail themselves of this financial incentive. The City encourages as many officers as possible to take advantage of this bonus.

**Finding 6. The Current police facility is inadequate for the needs of the Greenfield Police Department.**

The City agrees with this finding. The City is in the process of obtaining a new police facility and could have one as soon as July or August of 2002.

**RECOMMENDATIONS**

**Recommendation 1. The Greenfield Police Department cultivate an environment of trust with the residents by promoting programs such as ride-along program with an on-duty police officer.**

The City of Greenfield agrees with this recommendation and will continue to meet the requirements by encouraging citizens through the media and at various meetings to ride with officers. Attached is our Ride-A-Long form.

**Recommendation 2. The Greenfield Police Department maintain a visible presence when children are walking to and from school.**

Has been implemented January 2001. Officers began foot patrol of the area where school children walked to school and are noting this on their daily logs. Attached for your information are samples of the patrol logs used by the Officers.

A two month surveillance between September and November 2001 of the 200 & 300 block of El Camino Real was conducted by the Greenfield Explores, this indicated the date, time, Location, How many children present, how many adults, any gestures made by adults at children, and if any known gang members were present. Attached is a sample of the form used for your information.

**Recommendation 3. The Greenfield Police Department schedule formal briefings before each shift.**

The city disagrees with this recommendation. To implement this with the Greenfield Police Department could allow the criminal element to discover that all the police officers were at the police department at the same time every day on every shift, many times there are only (2) officers on duty per shift. This could also allow them to plan criminal activity at those times.

Formal briefings with all officers may be an effective way to pass information from one shift to another in larger departments where there are still officers on patrol. The Greenfield PD has chosen to pass shift information from one shift supervisor to another at shift change.

**Recommendation 4. The Greenfield City Council budget funds to provide police officers with classis in conversational Spanish.**

The City of Greenfield has and continues to budget funds to pay finical bonuses to officers who speak Spanish. Officers are encouraged to attend POST approved Spanish training.

**Recommendation 5. The Greenfield City Council budget funds to upgrade or replace the current police facility.**

This has been implemented.



# City of Greenfield

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May 6, 2002

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

Re: **2001 Monterey County Grand Jury Final Report**

Dear Judge O'Farrell:

Attached hereto are the responses of our Governing Body to the Findings and Recommendations in the 2001 Monterey County Grand Jury Final Report dated January 2, 2002, as required by California Penal Code sections 933 and 933.05. The responses were approved by the Greenfield City Council, our Governing Body, on May 7, 2002.

The City of Greenfield appreciates the Grand Jury process and the roll it plays in providing the City of Greenfield with an outside viewpoint of its operations. However, there are a few issues cited in the report that are in need of correction and these clarifications are included in the responses to the Findings and Recommendations.

The current City Council of the City of Greenfield strives to be pro-active in providing the best possible services and facilities for the citizens of Greenfield. As the largest city in the Southern Salinas Valley, the City currently is engaged in the process of expanding its recreational facilities, constructing a long-sought community center, constructing a museum in the Memory of Tom Rogers, Greenfield's first mayor, participation in unprecedented population growth and striving for ways to improve the economic development opportunities within the City of Greenfield. The City's rapid growth has sparked an intense desire by its residents for increased and improved City services. The City Council feels that it is responsible for meeting these demands.

The Council's selection of new City Attorney and new City Engineer, as well as the General Planning Consultant, are in line with the City Council's desire to be pro-active in seeking resolutions to City problems. So far, we have been quite pleased with these professionals.

The Honorable Robert O'Farrell  
May 6, 2002  
Page 2

The Greenfield City Council desires to continue to provide a positive atmosphere for citizen participation and consultation on the numerous important issues facing the City. The City Council will continue to be pro-active in providing for the needs and desires of our citizenry.

Thank you for the opportunity to respond to the Findings and Recommendations of the Grand Jury. We look forward to continued positive growth and economic development for the citizens of the City of Greenfield.

Very truly yours,

J. Mike Romo, Mayor

**GRAND JURY FINAL REPORT TITLED "MONTEREY COUNTY 2001 GRAND JURY FINAL REPORT"**

**RESPONSE TO FINDINGS BY CITY OF GREENFIELD**

Finding #	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor
From Grand Jury Final Report	Respondent agrees with the Findings	Respondent disagrees wholly or partially with Finding: see next column	CONTINUE ON ATTACHED SHEETS AS NECESSARY
1		x	<p>The City of Greenfield respectfully disagrees with Finding 1 of the Grand Jury Final Report. The City of Greenfield has in place a process for the selection of contract professionals. That process, at the City Council's discretion, includes circulating requests for qualifications. However, like every other city within the County of Monterey and in the State of California, the City Council has the option to hire professionals without circulating requests for qualifications. Indeed, there is no legal requirement within the State of California that a general law city circulate a request for qualification for professional services. (See <u>Davis v. City of Santa Ana</u> 108 Cal.App.2d 669 (1952); <u>San Diego SAFE v. Superior Court (Cubic Communications, Inc.)</u> 198 Cal.App.3d 1466 (1988); <u>Adams v. Zeigler</u>, 22 Cal.App.2d 135 (1937); <u>City of San Francisco v. Boyd</u> 17 Cal.2d 606; Am.Jur.2d Public Works and Contracts § 42 (2001); 15 Alr.3d 733 § 2 (1967).) California law only requires competitive bidding for public works contracts. Obviously, professional services are not public works contracts.</p>
2		x	<p>The City of Greenfield respectfully disagrees with Finding 2 of the Grand Jury Final Report. A request for qualifications was publicly circulated for a Greenfield General Plan Consultant. Council Members, Planning Commissioners, City Staff and the public had the opportunity to interview the responding consultants. The City Council is not bound to uphold the recommendation of staff on any issue, it is merely a recommendation. The Council has the authority to make and act upon its own recommendation which it did in this case.</p>

**GRAND JURY FINAL REPORT TITLED "MONTEREY COUNTY 2001 GRAND JURY FINAL REPORT"**

**RESPONSE TO RECOMMENDATIONS BY CITY OF GREENFIELD**

Rec. #	Check One §933.05(a)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	CONTINUE ON ATTACHED SHEETS AS NECESSARY
1				x	The City of Greenfield already has an established and approved process for the selection of professionals which it adheres to. That process allows the City Council to either send out requests for qualifications or to select a professional without a request for qualifications. The process fully complies with California State Law applicable to general law cities.
2				x	The City of Greenfield strives to ensure that all requirements and selection criteria are included within the RFQ. The RFQ in question did, in fact, state all requirements and selection criteria clearly. Any changes in criteria are immediately transmitted to all respondents.
3				x	The City of Greenfield involved the Planning Commission in the drafting of the "Scope of Services" for the General Plan Update. The Planning Commission was invited to participate in the interviews and selection of the planning consultants. The Planning Commission is presently actively involved with the General Plan Update. Therefore, implementing Recommendation No. 3 is unnecessary.

**COUNTY OF MONTEREY WORKFORCE HIRING/RETENTION**

**FINDING #1:** Although overall turnover and vacancy rates are not out of line, specific positions are a problem.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #2:** There is a lack of consistency among departments concerning performance evaluation, absence tracking, and exit interviews.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #3:** The current salary step program is not based on merit but rather on time in position and an absence of negative performance.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #4:** The cost of employee benefits is a major County expenditure which is not clearly understood by employees.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #5:** Current policies and procedures remain an obstacle in the hiring process.

**RESPONSE:** Without specific examples of which current policies and procedures remain an obstacle in the hiring process, it is difficult to agree or disagree with this finding. However, recognizing that there is always room for improvement and better ways of doing business, we will agree that there likely is some truth to this finding.

**FINDING #6:** Audits of Personnel Services activities can be a valuable monitoring tool as well as a training device.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #7:** The Monterey County Leadership Institute has potential for a wide range of programs designed to train and educate as well as build teamwork and morale.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #8:** Personnel Analysts working in the various Departments, in some instances, do not have sufficient clerical and administrative support to accomplish all their job requirements.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**GRAND JURY FINAL REPORT TITLED** COUNTY OF MONTEREY WORKFORCE HIRING/RETENTION RESPONSE TO RECOMMENDATIONS by County Administrative Office, Fiscal and Organizational Policy, Leadership Institute (Monterey County Board of Supervisors)  
 [as required by Section 933.05(b) California Penal Code] (Agency)

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1) (4)	(2)	(3)		
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b><u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u></b>
1		X			See Attached
2		X			See Attached
3		X			See Attached
4		X			See Attached
5		X			See Attached
6		X			See Attached
7		X			See Attached
8	X				See Attached

## COUNTY OF MONTEREY WORKFORCE HIRING/RETENTION

**RECOMMENDATION #1:** The Board of Supervisors direct that a plan with specific solutions to prioritize and address those high impact problem positions be developed and implemented.

**RESPONSE:** The recommendation will be implemented.

The County Administrative Office, working with Department Heads and Department Personnel Analysts, will continue to address "difficult to fill/hard to recruit" positions and will further develop position specific action plans to include taking advantage of the various policies the Board approved in calendar year 2001 such as: Hiring Bonus, Expanded Relocation/Moving Allowance, Employee Referral Bonus Program, Enhanced Tuition Assistance Program, and flexibility in Hiring Step Placement, etc. Specific action plans targeting identified positions will be developed and implemented on an on-going basis. A sample set of guidelines will be developed by June 30, 2002. The County remains open to explore opportunities to address solutions.

**RECOMMENDATION #2:** The Board of Supervisors direct Human Resources to work toward standardizing the County policies, procedures, and practices.

**RESPONSE:** The recommendation will be implemented.

The standardization of County policies, procedures and practices is an on-going process. As the Board approves new policies, administrative guidelines, and procedures aimed at standardization are developed. Additionally, training on these new policies and procedures is conducted.

Also, in late January 2002, the County Administrative Office realigned some of its functions to allow for a focus on systems development and an auditing function to monitor and assure compliance with policies, procedures and practices. As opportunities present themselves further standardization will occur.

**RECOMMENDATION #3:** The Board of Supervisors direct Human Resources to study the introduction of the merit concept in pay for the various employee units.

**RESPONSE:** The recommendation will be implemented.

In July 2001, the Board adopted a policy allowing Department Heads at the time of an employee's step eligible date to advance the employee to any higher step in the salary range. This policy provides opportunity for merit based pay. Furthermore, employees with 20+ years of county service in bargaining unit groups Safety (A), Safety Supervisory (B), and Safety Management (C) as well as the Health Care Unit (H) currently participate in a longevity/performance pay stipend program. Also, in October 2001 the Board authorized a pilot program for management employees that allows for setting aside of up to 2% of management salary for a performance based pay program. Work is currently underway to develop a performance based pay program to allocate these funds.

Further, as part of the Board's Goals and Objectives relative to the development of performance standards for specific deliverables to reduce gaps and improve performance, a department head

subcommittee is currently researching performance based pay programs. It is anticipated that the results of this effort will be completed within the next few months.

**RECOMMENDATION #4:** The Board of Supervisors direct Human Resources to develop and provide to each employee an annual personalized employee benefit report, which spells out the value of each benefit as well as total compensation value.

**RESPONSE:** The recommendation will be implemented.

This recommendation could be implemented in conjunction with the County's new payroll system (which is still being developed).

**RECOMMENDATION #5:** The Board of Supervisors direct Human Resources to streamline and/or eliminate policies and procedures which are obstacles in the hiring process.

**RESPONSE:** The recommendation will be implemented.

Staff in the County Administrative Office working in collaboration with Department staff on an as needed basis review Human Resources policies and procedures to streamline and/or eliminate policies and procedures that are obstacles in the hiring process. Further emphasis will be placed on this effort and a review to identify further changes will be conducted by June 30, 2002. Currently, the Departments have autonomy over the conduct of the recruitment process. The Garza Consent Decree and printing timelines are two areas that may cause some restrictions. The CAO's Office will continue to work closely with Departments to assist in any way possible to expedite the recruitment process.

**RECOMMENDATION #6:** The Board of Supervisors direct Human Resources to develop an audit procedure to monitor and assure compliance with standardized policies, procedures, and practices.

**RESPONSE:** The recommendation will be implemented.

This recommendation to develop an audit procedure to monitor and assure compliance with standardized policies, procedures, and practices will be developed by the summer of 2002. Recognizing this important need, in late January 2002, the County Administrative Office realigned some of its functions to allow for a focus on systems development and an auditing function to monitor and assure compliance with policies, procedures and practices.

**RECOMMENDATION #7:** The Board of Supervisors continue strong budgetary support of the Monterey County Leadership Institute.

**RESPONSE:** The recommendation will be implemented.

The Monterey County Board of Supervisors strongly supports the Budget of the Leadership Institute.

**RECOMMENDATION #8:** The Board of Supervisors authorize the addition of clerical support for Personnel Analysts, where necessary.

**RESPONSE:** The recommendation has been implemented.

\$200,000 was budgeted in FY 2001-02 for improvements to the Human Resources area. The County Administrative Officer was tasked by the Board to determine how these resources would be used. On February 20, 2002, the County Administrative Office coordinated a meeting with Department Heads to review their needs and, as a result of that meeting, two Personnel Technician positions were approved to be available to the Library, Probation, and Sheriff's Departments and the Cooperative Extension, Agricultural Commissioner, Parks, and General Services. In addition, two Personnel Analysts in the County Administrative Office will be available to departments on an as-needed basis. Also as a result of the February 20<sup>th</sup> meeting, Natividad Medical Center will be receiving \$100,000 to provide additional resources.

**GRAND JURY FINAL REPORT TITLED INCLUSIONARY HOUSING IN MONTEREY COUNTY  
**RESPONSE TO FINDINGS** by Environmental Resource Policy, Housing and Redevelopment  
(Monterey County Board of Supervisors) (Agency)**

[as required by Section 933.05(a) California Penal Code]

Find- ing #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons therefor.
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<b><u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u></b>
1	X		
2	X		
3	X		

**GRAND JURY FINAL REPORT TITLED GRAND JURY REPORT 2001: COUNTY OF MONTEREY DEPARTMENT OF SOCIAL SERVICES FOSTER CARE PROGRAM**  
**RESPONSE TO FINDINGS** by Department of Social Services (Monterey County Board of Supervisors) (Agency)

[as required by Section 933.05(a) California Penal Code

Finding #	Check One §933.05(a) (1) (2)		Specify the portion of the Finding that is disputed and include an explanation of the reasons <input type="checkbox"/> herefore.
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<b><u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u></b>
1		X	See Attached
2	X		See Attached

**COUNTY OF MONTEREY DEPARTMENT OF SOCIAL SERVICES FOSTER CARE PROGRAM**

**FINDING #1:** Department of Social Services lacks an adequately funded follow-up program to ensure the success of foster youth transitioning to adulthood (beyond the age of 21).

**RESPONSE:** The Department of Social Services partially disagrees with the finding that there are inadequate funds for a follow-up program to ensure successful transition to adulthood, in that resources are now available.

New funding for the Independent Living Program (ILP) has become available over the course of the past two fiscal years and new options for transitional housing programs are currently becoming available. The Department has been pursuing and utilizing the expanded ILP funds and planning for transitional housing options. As of fiscal year 2001-02 expanded ILP services have been implemented and development of transitional housing programs are being explored. Currently, our ILP program has grown to \$429,766 across funding sources. However, the Department agrees with the Grand Jury's findings in two areas:

- 1) These programs prepare youth for adulthood but do not extend beyond the age of 21.
- 2) While funding has been become available over the past two years, the Department has had some implementation obstacles that have just recently been overcome. Critical issues include difficulty hiring a program coordinator at a time when there was a statewide social worker shortage and response to the initial RFP process to arrange community partners for service delivery.

**FINDING #2:** Department of Social Services lacks adequate staff and funds to gather data from which to evaluate the quality and effectiveness of the County's Foster Care Program.

**RESPONSE:** The Department of Social Services agrees with the finding that there is a lack of adequate resources to evaluate the quality and effectiveness of the County's Foster Care Program.

While the Department has been conducting focus groups with foster youth, foster parents, staff and community members to assess needs in the Foster Care Program, we believe further expansions to evaluate quality and effectiveness are needed. To this end we have begun preliminary conversations with the State to pursue software to improve our management information – Safe Measures. We are also in the process of implementing customer satisfaction survey for foster parents. However, sufficient resources are not currently allocated to expand our program and outcome evaluation efforts to the extent that we can follow through on outcomes for children beyond reunification or emancipation.

**GRAND JURY FINAL REPORT TITLED GRAND JURY REPORT 2001: COUNTY OF MONTEREY DEPARTMENT OF SOCIAL SERVICES FOSTER CARE PROGRAM**  
**RESPONSE TO RECOMMENDATIONS** by Department of Social Services (Monterey County Board of Supervisors) (Agency)

as required by Section 933.05(b) California Penal Code]

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b><u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u></b>
1		X			See Attached
2			X		See Attached

**COUNTY OF MONTEREY DEPARTMENT OF SOCIAL SERVICES FOSTER CARE PROGRAM**

**RECOMMENDATION #1:** The Department of Social Services' Foster Care program collaborate with other foster care and adoption programs in the County, such as the Kinship Center, to identify after-emancipation support, information, programs and approaches, in order to improve the quality of support services for foster youth transitioning to adulthood.

**RESPONSE:** The recommendation will be implemented.

The Department of Social Services will continue to collaborate with community partners as it further develops the Independent Living Program, including development of transitional housing and California Youth Connections. Program stability, barring staff turnover, should be achieved during FY 2002-03.

The Department also is planning to implement a wrap-around program under SB 163. This program will serve older children experiencing instability in their foster placements to provide more consistency in caring for their needs and preparing them for adulthood. The Department's plan is calendared for the Board of Supervisors agenda March 12<sup>th</sup> and the program will be phased over a period of 18 months after start-up.

**RECOMMENDATION #2:** The Board of Supervisors allocate funds sufficient to staff a comprehensive follow-up program for foster youth who have transitioned to adulthood. This program should include collection of data on the quality of publicly funded foster care programs in the County. This program should also include a system of case management, allowances, and housing support designed to help these young adults become independent and successful in the future.

**RESPONSE:** Requires further analysis.

Sustainable funding is required to implement a comprehensive follow-up program for foster youth. AB 427 provides the structure for such a program but has a 60% local share of cost. A comprehensive analysis for implementing AB 427 would be required. Given community input into the process, this may require six to nine months.

GRAND JURY FINAL REPORT TITLED: COUNTY OF MONTEREY WORKFORCE HIRING/RETENTION RESPONSE TO FINDINGS by County Administrative Office, Fiscal and Organizational Policy, Leadership Institute (Monterey County Board of Supervisors) (Agency)

[as required by Section 933.05(a) California Penal Code]

Find- ing #	Check One §933.05(a)		Specify the portion of the Finding that is disputed and include an explanation of the reasons <input type="checkbox"/> herefore.
	(1)	(2)	
From Grand Jury Final Report	The respondent agrees with the Findings	The respondent disagrees wholly or partially with Finding: see next column	<b><u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u></b>
1	X		See Attached
2	X		See Attached
3	X		See Attached
4	X		See Attached
5		X	See Attached
6	X		See Attached
7	X		See Attached
8	X		See Attached

**GRAND JURY FINAL REPORT TITLED** SAN LUCAS UNIFIED SCHOOL DISTRICT  
**RESPONSE TO RECOMMENDATIONS** by County Administrative Office, Leadership Institute  
(Monterey County Board of Supervisors) (Agency)

as required by Section 933.05(b) California Penal Code]

Rec. #	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<b><u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u></b>
7		X			See Attached

**SAN LUCAS UNION SCHOOL DISTRICT**

**RECOMMENDATION #7:** Work with the Monterey County Office of Education and/or the Monterey County Leadership Institute to develop School Board training.

**RESPONSE:** The recommendation will be implemented.

The Monterey County Leadership Institute is able to offer School Board training alone or in conjunction with the County Office of Education. The Leadership Institute currently offers a variety of training opportunities to special districts like team building.

**INCLUSIONARY HOUSING IN MONTEREY COUNTY**

**FINDING #1:** The current Inclusionary Housing Ordinance, Program, and procedures are out-dated and no longer serve County residents as intended.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #2:** Monitoring of the Inclusionary Housing Ordinance has been insufficient.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**FINDING #3:** The application and selection process of the Inclusionary Housing Program has been perceived by the public as being unfair and biased.

**RESPONSE:** The Monterey County Board of Supervisors agrees with the finding.

**GRAND JURY FINAL REPORT TITLED** Inclusionary Housing in Monterey County  
**RESPONSE TO RECOMMENDATIONS** by Environmental Resource Policy, Housing and  
Redevelopment (Monterey County Board of Supervisors) (Agency)  
 [as required by Section 933.05(b) California Penal Code]

Rec.#	Check One §933.05(b)				Time frame, explanation, summary (attached), etc.
	(1)	(2)	(3)	(4)	
From Grand Jury Final Report	Has been implemented, include summary of action	Will be implemented, include time frame	Requires further analysis, include time frame	Will not be implemented, include explanation	<u>CONTINUE ON ATTACHED SHEETS AS NECESSARY</u>
1		X			See Attached
2		X			See Attached
3	X				See Attached
4		X			See Attached

## INCLUSIONARY HOUSING IN MONTEREY COUNTY

**RECOMMENDATION #1:** The Board of Supervisors Revise the Inclusionary Housing Ordinance, Program, and procedures to better reflect the needs of County residents.

**RESPONSE:** The recommendation will be implemented.

In the Spring of 2001, the Monterey County Redevelopment and Housing Office initiated a comprehensive evaluation of the County's Inclusionary Housing Program. Public comment was invited through numerous public meetings. The County's Housing Consultant prepared a detailed report entitled "How Did We Do? An Evaluation of the Inclusionary Housing Program" and a draft was released in January 2002. The report provides background on the program and identifies and discusses 17 specific issues. The report also includes recommendations for revisions to the Inclusionary Ordinance and procedures to better address the objectives of the Program. The recommendations address issues including price and in-lieu fee calculations, title changes, marketing of units, and methods of complying with the Ordinance requirements. The specific issues addressed and the current staff recommendations are included on Attachment 1.

On January 30, 2002, the Monterey County Planning Commission held a public workshop to receive additional public testimony and consider the recommendations contained in the report. The item was continued until February 27, 2002 to allow staff to respond to the comments received. It is anticipated that the Board of Supervisors will consider the recommendations in March of 2002. Required implementing actions will include an amendment to the Inclusionary Housing Ordinance and the adoption of a procedures/policy manual. These actions should be completed by June of 2002.

**RECOMMENDATION #2:** The Board of Supervisors annually review the Inclusionary Housing Program for updating and compliance.

**RESPONSE:** The recommendation will be implemented.

As part of the review of the Inclusionary Housing Program currently underway, the Redevelopment and Housing Office has undertaken an aggressive monitoring program of existing inclusionary units. The objective of the monitoring program is to determine the status of each inclusionary unit relative to compliance with the recorded Inclusionary Housing Agreement and the requirements of the program. A status report on the monitoring program will be presented to the Monterey County Housing Advisory Committee on March 13, 2002.

The Redevelopment and Housing Office prepares an annual housing report that is submitted to the Board of Supervisors. A draft of the 2002 Annual Housing Report was prepared on January 30, 2002 and is currently available for public review. The Annual Housing Report provides an overview and assessment of accomplishments of all housing related programs that were undertaken by the County during the previous year and recommends specific actions to be undertaken during the upcoming year. The status of the Inclusionary Housing Program is addressed in the draft 2002 Annual Housing Report. The Annual Report also provides an update of the Monitoring Program and specifics as to the number of affordable units created by the Inclusionary Housing Program. Information presented in future Annual Housing Reports will continue to provide a review of Ordinance implementation on a yearly basis.

**RECOMMENDATION #3:** The Redevelopment and Housing Division continue to maintain the records and administer the program.

**RESPONSE:** The recommendation has been implemented.

The monitoring program that has been initiated by the Redevelopment and Housing Office, as part of the evaluation process, has resulted in the creation of a detailed computerized database that tracks the status of all inclusionary units, including the status of agreements, refinances, sales and rentals of units, and income status of current occupants. In addition, files pertaining to the Program have been reorganized to correlate to the database. The Redevelopment and Housing Office is also working closely with the Housing Authority to determine the status and to compile data related to those inclusionary units created during the time in which the Housing Authority administrated the Program. The Redevelopment and Housing Office will continue to refine the database and administer the Program. The monitoring program for this year will be completed in May of 2002. Monitoring will continue to be done every two years. The databases will be updated on a continual basis to facilitate the monitoring program and improve the administration of the program.

**RECOMMENDATION #4:** Applicants be chosen by a lottery conducted by the Redevelopment and Housing Division.

**RESPONSE:** The recommendation will be implemented.

The evaluation report includes a number of specific recommended revisions to the process of selecting inclusionary unit buyers and renters, including the following:

- Designates County staff as responsible for marketing the available units
- Establishes a lottery system and priority list based on specific criteria
- Requires that the list of qualified buyers and renters be updated yearly
- Specifies that the Housing Authority continue to qualify potential buyers and renters for income eligibility
- Specifies that the County staff will refer eligible buyers and renters to the developers and owners of available units
- Allows options to be considered to the lottery selection system if such an option is determined to equal or better in respect to meeting program goals and objectives

The selection system will be implemented as part of the new procedures manual that will be completed by June of 2002.

**INCLUSIONARY HOUSING IN MONTEREY COUNTY****ATTACHMENT 1****SUMMARY OF ISSUES/RECOMMENDATIONS CONTAINED IN JANUARY 2002  
INCLUSIONARY HOUSING REPORT**

ISSUE	GENERATED SIGNIFICANT PUBLIC DISCUSSION?	RECOMMENDATION
1. CALCULATION OF SALES PRICE	NO	Revise calculation to include bedroom size in estimating household income/revise underwriting criteria.
2. VALUE OF HOME IMPROVEMENTS	YES	Revise value of home improvements to include an automatic 10% credit and an additional value increase for bedroom additions.
3. CALCULATION OF RESALE VALUE	YES	Retain current resale value calculation based on change in median income from purchase to resale; however, include value of home improvements/bedroom additions in resale value.
4. REFINANCING AND SECOND DEEDS OF TRUST	YES	Allow Inclusionary owners to finance improvements or take cash out of their properties with either refinancing or second deeds of trusts. Maximum loans on property cannot exceed 100% of resale value.
5. TITLE CHANGES	YES	Change existing policy to allow children or step-children to inherit property, regardless of income or age, with the condition that they occupy property as their principal residence and a new 30-year resale period would begin. Planning Commission recommendation from September 12, 2001 – To retain existing policy, but to allow a 1-year “compassion” period for sale of property.
6. FIRST TIME HOMEBUYER RECOMMENDATION	YES	Continue existing policy of not requiring applicants to be First Time Homebuyers.
7. RENTAL UNIT OCCUPANCY AND AFFORDABILITY	NO	Revise language to include more specific enforcement procedures, household size and property standard requirements and “in perpetuity” time frames.
8. USE OF EXISTING UNITS TO SATISFY INCLUSIONARY REQUIREMENT	YES	Discontinue practice of allowing existing units to be substituted for off-site development of Inclusionary Housing units.

**ATTACHMENT 1 (CONTINUED)**

**SUMMARY OF ISSUES/RECOMMENDATIONS CONTAINED IN JANUARY 2002  
 INCLUSIONARY HOUSING REPORT**

ISSUE	GENERATED SIGNIFICANT PUBLIC DISCUSSION?	RECOMMENDATION
9. DEVELOP AN INCLUSIONARY HOUSING MANUAL	NO	Develop an Inclusionary Manual with day-to-day administrative procedures.
10. MONITORING AND COMPLIANCE PROCEDURES	NO	Continue monitoring of existing Inclusionary units that was initiated in Spring 2001.
11. IMPROVE IMPLEMENTATION TOOLS	NO	Revise Inclusionary agreements to ensure that they are readable and more "customer-friendly." Provide materials in English and Spanish.
12. MARKETING AND SELECTION PROCEDURES	NO	Develop written marketing and selection procedures for Inclusionary Housing units.
13. SPECIAL HANDLING PROCEDURES	NO	Rename process to "Entitlement and Permit Processing Coordination" for projects with at least 25% affordable housing and assign staff person to co-ordinate and expedite development process.
14. EXEMPTION FOR OWNER- OCCUPIED UNITS	NO	Revise policies to only allow owner-occupied exemption for developments of 4 units or less. Allow only one exemption per development and, allow only one exemption per developer every 10-year period.
15. TIMING AND DESIGN OF INCLUSIONARY UNITS	YES	Require written agreement at time of Tentative Map/Include language regarding timing, exterior appearance and, number of bedrooms.
16. OPTIONS FOR FULFILLING INCLUSIONARY REQUIREMENT	YES	Continue on-site option; allow off-site only with certain conditions; in-lieu fees allowed for 6 units or less, no in-lieu fees for 7 units or more unless developer can demonstrate that provision of units is infeasible.
17. IN-LIEU FEE CALCULATION	YES	Revise in-lieu fee calculation to more accurately reflect the cost of providing an affordable housing unit.