

March 16, 2007

RS 3/21/07

The Honorable Russell D. Scott
2007 Presiding Judge of the Superior Court
County of Monterey
240 Church Street
Salinas, Ca 93901

Subject: Sand City Responses to the 2006 Final Grand Jury Report

Dear Judge Scott,

In the 2006 Grand Jury Report, the City Council of the City of Sand City is required to submit responses to two sections of the Report:

- Section 7- Elected Officeholder's Residency Requirements – page 22
- Section 12 – Use of Tasers by Law Enforcement Agencies – page 50

As recommended in the Grand Jury Report, the City Attorney prepared the attached February 22, 2007 letter as a response to the "Residency Issue" in Section 7 for review and approval by the Sand City Council.

The Sand City Police Chief prepared the attached February 27, 2007 memorandum which outlines a response on the "Taser Equipment Issue" in Section 12 for review and approval by the Sand City Council.

The Sand City Council considered these 2 Responses at its regular meeting on March 6, 2007 and took action to approve the Responses prepared by the City Attorney and the Police Chief for submittal to your office. The Sand City Council feels that this is an appropriate response to the 2006 Final Grand Jury Report on Sections 7 & 12.

Thank you for your consideration. If you have any questions or comments, please contact me at the Sand City Hall.

Sincerely,

David K. Pendergrass
Mayor

Enc: City Attorney's February 22, 2007 Letter
Police Chief's February 27, 2007 Letter

DP:CH

City Hall
1 Sylvan Park,
Sand City, CA
93955

Administration
(831) 394-3054

Planning
(831) 394-6700

FAX
(831) 394-4272

Police
(831) 394-1451

FAX
(831) 394-1038

Incorporated
May 31, 1960

HEISINGER, BUCK & MORRIS

ATTORNEYS AT LAW

MALCOLM S. MILLARD (1914-1999)

JAMES G. HEISINGER, JR.
SIDNEY M. MORRIS*

CHRIS CAMPBELL
STEPHEN J. BEALS
LYNN C. LOZIER
HEIDI L. GIORDANO

*CERTIFIED SPECIALIST - ESTATE PLANNING
TRUST AND PROBATE LAW
STATE BAR OF CALIFORNIA
BOARD OF LEGAL SPECIALIZATION

OF COUNSEL

ROBERT B. BUCK

DOLORES & SIXTH STREETS
POST OFFICE BOX 5427
CARMEL, CALIFORNIA 93921-5427
TELEPHONE (831) 624-3891
FACSIMILE (831) 625-0145

E-MAIL: hbm@carnellaw.com

CITY OF SAND CITY

FEB 26 2007

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February 22, 2007

Mayor David Pendergrass and
City Council Members of Sand City
1 Sylvan Park
Sand City, CA 93955

RE: Response to 2006 Monterey County Civil Grand Jury Report

Dear Mayor Pendergrass and City Council Members:

The City Council of Sand City is required to respond to certain findings and recommendations made in the 2006 Final Report of the Monterey County Civil Grand Jury dated January 2, 2007 (the "2006 Grand Jury Report") concerning the residency of Sand City Council members. I suggest that this letter be made a part of your formal response to the 2006 Grand Jury Report.

Finding F 7.1 of the 2006 Final Report of the Monterey County Civil Grand Jury dated January 2, 2007 ("2006 Grand Jury Report") provides:

"Review of "Monterey County Petition In Lieu of Filing Fee" and "State of California, County of Monterey Voter Registration" forms showed that two members of the Board of Supervisors, one Mayor, and two City Council members listed a business address as their residence."

City of Sand City Response:

Limited to the findings that apply to members of the City Council of the City of Sand City, and relying on the investigation performed by the Grand Jury, the responding entity agrees with Finding F 7.1.

Finding F 7.2 of the 2006 Grand Jury Report provides:

Mayor David Pendergrass and
City Council Members of Sand City
February 22, 2007
Page 2

“Visual surveys of residences of all Supervisors, Mayors, and City Council members who listed their business address as their address of residence indicated that all but one appeared to be a residence in addition to being a business. The one exception was a Pacific Grove City Council member who listed a business address that could not possibly be a residence.”

Limited to the findings that apply to members of the City Council of the City of Sand City, and relying on the investigation performed by the Grand Jury, the responding entity agrees with Finding F 7.2.

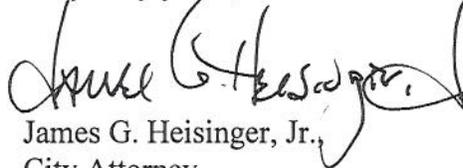
Recommendation R 7.1 of the 2006 Grand Jury Report provides:

“The City Attorney of each city in conjunction with the Monterey County District Attorney should review and determine the residency of its Mayor and City Council members. If any Mayor or City Council member is found not to meet the residency requirements for elected public office as required by the city’s charter or general law, the Mayor or Council member should be required to vacate his or her office.”

City of Sand City Reported Action:

The City Attorney of Sand City has reviewed the residency status of the Mayor and City Council members of the City of Sand City and determined that each of them are legal residents of the City of Sand City and that no remedial action is necessary.

Very truly yours,



James G. Heisinger, Jr.,
City Attorney
City of Sand City

JGH/jmh

February 27, 2007

To: Mayor Pendergrass and Members of the City Council
Kelly Morgan - City Administrator
From: Michael Klein
Subject: Response to the 2006 Monterey County Grand Jury Report

The City Council of Sand City is required to respond to certain findings and recommendations made in the Final Report of the Monterey County Grand Jury dated January 2, 2007 (the Final Grand Jury Report) concerning the implementation of camera equipped Tasers.

Findings 12.1 through 12.7:

These findings speak to the issue of Tasers as a legitimate “less-than-lethal” police tool that with proper training, procedures and policies being in place can save lives and limit injury to both officers and suspects.

Sand City’s Response to Findings:

Sand City agrees that Tasers are a legitimate and effective tool for law enforcement that can be improved with the video camera option equipment. This Department has arranged to acquire this new equipment.

Recommendation, R 12.3:

All Taser using agencies should evaluate the use of the “taser cam,” which is a small camera that attaches to the bottom of the Taser’s Pistol Grip. (See attached brochure on the “Taser Cam”)

City of Sand City Response to Recommendation, R 12.3:

After the review of the 2006 Grand Jury’s recommendations regarding taser usage by Police Departments in Monterey County of camera equipped Tasers, the Department initiated research on the Taser Camera.

The cameras currently developed by Taser also holds the battery (DPM) for the unit that snaps into the bottom of the Taser grip. They are out of the way for the user and actually provide an officer with a better and more stable grip which increases accuracy. By having cameras attached to the Taser units, it enables the officer to record the entire engagement and deployment of a Taser both in an audio as well as a video format. This unit records the usage as well as the propriety of a Taser deployment. There is a download component for these cameras which the department has used to download into the station's computer so that each taser deployment can be evaluated. The Sand City Police Department presently has 3 Taser units that can be retrofitted with these camera units.

The Sand City Police Department concurs with the Grand Jury's recommendation that all police agencies that have Tasers in their inventory deployed in the field should have Taser units that can record the incident. To that end the City of Sand City has authorized the purchase of 3 new X-26 Tasers equipped with Taser cameras and the purchase of 3 additional Taser cameras to retrofit our existing Tasers. This acquisition has provided the Sand City Police Department with 6 Tasers all equipped with cameras. All officers have been trained on these new units and these new Tasers were placed into service as of February 12, 2007 with the Sand City Police Department. We have complied with the recommendations of the Grand Jury Report.