



**Monterey County Board of Supervisors'**

**Response to the**

**Monterey County Civil Grand Jury  
2006 Final Report**

**March 13, 2007**

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**REPORT TITLE:** 2004 Grand Jury Report Agency Response  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F 2.1 – F 2.5

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**Finding F 2.1:** *The government finance training section of the Supervisors Continuing Education Workshop held on August 22, 2005 does fulfill the Recommendation 2.4 for FY 2005-06. However, there is no apparent policy to assure that this is an annual event.*

**Response F 2.1:** The respondent agrees with the finding.

**Finding F 2.2:** *Two training sessions, "State Triple Flip" and Enterprise Resource Planning, with the Monterey County Board of Supervisors occurred in FY 2005-06. These sessions are consistent with Recommendation 2.5 of the Report. However, there is no apparent policy to assure that this training is an annual event.*

**Response F 2.2:** The respondent agrees with the finding.

**Finding F 2.3:** *General Liability and Workers' Compensation self-insurance funds have been converted to Internal Service Funds. There has been no progress in establishing ISFs for vehicles, equipment, and information technology needs.*

**Response F 2.3:** The respondent partially disagrees with the finding. The County Administrative Office and Auditor-Controller's Office continue to evaluate the benefits and financial options for establishing Internal Service Funds for not only Information Technology and vehicle and equipment management, but for other employee benefit programs as well.

**Finding F 2.4:** *Fifteen percent of the 295 computer servers detectable on the County's network cannot be accessed by the Chief Security and Privacy Officer or his team. Appropriate rights have not been extended by the systems' administrators.*

**Response F 2.4:** The respondent disagrees with the finding. At close of business on February 8, 2007, there were 328 computer servers detectable on the County's network. Local administrator access has been granted to the Chief Security and Privacy Officer or his team on all 328 of those devices. Of the 328 servers, all possible except the thirteen still being worked upon (11 – Treasurer/Tax Collector, 2 – Assessor) are logging archived system logs with the Security team's logging server; and all (328) have been verified as complying with providing System Administrator password access for emergency scenarios.

**Finding F 2.5:** *The Board of Supervisors agreed to implement Recommendation 6.1 regarding State Criminal Alien Assistance Program funds during FY 2005-06. As of the end of that FY, this recommendation had not been implemented.*

**Response F 2.5:** The respondent disagrees wholly with the finding. Recommendations regarding ongoing use of State Criminal Alien Assistance Program (SCAAP) funds were approved in conjunction with Board approval of the FY 2005-06 Recommended Budget, and have been implemented since July 1, 2005.

**REPORT TITLE:** 2004 Grand Jury Report Agency Response  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendations R 2.1 – R 2.5

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**Recommendation R 2.1:** *Monterey County should adopt a policy to assure that a finance training session for the Board of Supervisors is held annually.*

**Response R 2.1:** The recommendation has not yet been implemented, but will be implemented by June 30, 2007. The Board's Budget Committee, working with the Auditor-Controller, will recommend a policy for on-going finance training sessions. The policy will be presented for Board consideration no later than June 30, 2007.

**Recommendation R 2.2:** *Monterey County should adopt a policy to assure that the two special study sessions called for in the 2004 Monterey County Civil Grand Jury Report are held annually.*

**Response R 2.2:** The recommendation requires further analysis. The Board's Budget Committee working with the Auditor-Controller will recommend a policy for on-going finance training. In developing this policy, a recommendation as to the frequency of this training will be considered and an appropriate policy recommendation developed.

**Recommendation R 2.3:** *The Monterey County Board of Supervisors, with the Auditor Controller and County Administrator's Offices, should create internal service funds for the purposes of managing vehicles, equipment, and information technology needs.*

**Response R 2.3:** The recommendation will not be implemented because it requires further study and cannot reasonably be implemented at this time. The County Administrative Office and Auditor-Controller's Office continue to evaluate the benefits and financing options for establishing Internal Service Funds for Information Technology and vehicle and equipment management. It remains an expectation that creation of internal service funds will require substantial initial funding and a change in accounting practice, therefore, implementation of any new internal service funds will likely be delayed until the replacement of the Financial, Budget Preparation and Payroll systems (ERP Project). Replacement of the Financial System is scheduled for completion in July 2008 and the Human Resources/Payroll phase is scheduled for completion in January 2009.

**Recommendation R 2.4:** *The Monterey County Board of Supervisors, together with the County Administrative Officer and the Information Technology Manager, should assure that appropriate rights are extended to the Chief Security and Privacy Officer to allow all systems to be audited on a regular basis.*

**Response R 2.4:** The recommendation has been implemented. The very few remaining uncompleted items will be completed in first quarter 2007. It is noted that the correct title of the Information Technology Manager is the Director of Information Technology. The Board of Supervisors, County Administrative Officer, Director of Information

Technology and the Department Heads are committed to information security and are working through the issues of distributed System Administrators to bring about complete compliance with the recommendation. The Department Heads have committed to having full compliance implemented by the end of first quarter 2007, and retaining that compliance thereafter.

Future compliance with the recommendation is facilitated by having implemented an Active Directory policy requiring the grant of local domain access to the Information Security group as a condition of joining the County domain. Periodic review of servers on other domains will be conducted to verify continued compliance. The Chief Security and Privacy Officer and the Director of Information Technology will ensure that this policy remains in effect at all times to require compliance with the recommendation and to ensure that new servers are not added to the County network without a grant of the appropriate security access.

***Recommendation 2.5:*** *Recommendation 6.1 of the 2004 Monterey County Civil Grand Jury Report regarding State Criminal Alien Assistance Program funds should be implemented.*

**Response R 2.5:** The recommendation of the 2004 Monterey County Civil Grand Jury Report regarding State Criminal Alien Assistance Program (SCAAP) funds has been implemented. The 2004 Grand Jury recommended that the Board of Supervisors should reconsider its policies related to the allocation of SCAAP funds as one-time resources.

As stated in its response to the 2004 Grand Jury, the Board agreed with the recommendation to reconsider the use of SCAAP funds. Because of the uncertain nature of these funds from one year to the next, the recommendation did not result in adoption of the Grand Jury's suggestion that these funds be used as an ongoing revenue source to offset the Sheriff's Department Net County Cost. As described in the Board's original response on this issue, in preparation for the FY 2005-06 Budget, consideration was given to utilizing this unpredictable revenue source toward meeting the ongoing facility and maintenance needs for operating the County Jail.

The FY 2005-06 Recommended Budget recognized that as discretionary funds, SCAAP revenue is appropriately deposited in the County's Non-Program Revenue, Budget Unit 104. An equal amount of General Fund dollars are annually contributed to the Facilities Projects Fund, Budget Unit 166, specifically for expenditures related to Sheriff's facility improvement and maintenance projects. The Facilities Maintenance Projects budget unit functions as a cost center for budgeting major maintenance projects, deferred maintenance and remodeling in County facilities. Adopted budgets in FY 2005-06 and FY 2006-07 state that any additional SCAAP funds received over the budgeted amount, and any General Fund contribution earmarked for Sheriff's facility related projects not spent/obligated will be available in the subsequent fiscal year for one-time expenditures in the Sheriff's budget and/or designated for Sheriff's related Capital Projects.

FY 2006-07 SCAAP revenue is budgeted at \$735,000, an amount equal to funding received in FY 2005-06. At this writing, current year revenue information is unavailable, pending final actions related to the Federal FY 2006-07 budget.

**REPORT TITLE:** CORE / Enterprise Resource Planning  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F 3.1 – F 3.5

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***Finding F 3.1:*** *Monterey County appears to be on the right track, but must make internal changes before it is ready to start implementation of a new financial and accounting system.*

**Response F 3.1:** The respondent agrees with the finding. Internal changes have been initiated, e.g. moving the management of the Enterprise Resource Planning (ERP) project to the County Administrative Office to establish a countywide focus, and in January 2007, the Board established a new position of ERP Project Director. In addition, a Department Head based ERP Steering Committee has been formed to guide the implementation of the new systems. A Project Charter that defines the governance structure, project objectives and implementation principles was developed and presented to the ERP Steering Committee in February 2007.

***Finding F 3.2:*** *Spending and accountability are often intermingled within the County financial system. In many cases, the individuals who approve expenditures are the same individuals who make the expenditures.*

**Response F 3.2:** The respondent partially disagrees with the finding. As a point of clarification, internal controls associated with disbursements to vendors through the County's accounts payable function have appropriate internal controls. However, the County's independent auditor has found internal control issues involving HR/Payroll functions that create risks because the roles/responsibilities of staff are not appropriately separated. The 2006 Government Finance Officer Association (GFOA) Needs Assessment had a similar finding.

***Finding F 3.3:*** *Monterey County cannot afford to defer further the implementation of a modern financial information system. Further delay will lead to loss of grants and funding.*

**Response F 3.3:** The respondent partially disagrees with the finding. The 2004 Grand Jury report found that untimely claims for grant reimbursement result in loss of interest income from delayed claim proceeds and can cause cash flow issues. The 2006 Government Finance Officer Association (GFOA) Needs Assessment had a similar finding, as well as a finding that indicates the County may not be properly, or fully claiming grant reimbursements, and audit issues exist. While the County does not face an impending loss of grant funding due to the above findings, the respondent agrees that these findings must, and are, addressed immediately through ERP implementation.

***Finding F 3.4:*** *Individual departmental financial systems must be brought into alignment with the parameters of the new system to establish control over County processes.*

**Response F 3.4:** The respondent agrees with the finding. This will be a principle the Department Head ERP Steering Committee will incorporate into the implementation Project Charter, and exemptions will be made on a case-by-case basis.

***Finding F 3.5:*** *Preparation for and implementation of a new system will require extensive coordination between the County Administrative Officer and the Controller, and the participation of all departments of the County.*

**Response F 3.5:** The respondent agrees with the finding. The Board of Supervisors will be updated on a quarterly basis on project progress.

**REPORT TITLE:** CORE / Enterprise Resource Planning  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendations R 3.1 – R 3.8

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**Recommendation R 3.1:** *The County Administrative Officer and the Auditor should take immediate steps to begin the preparation for implementing a new information system to replace the existing antiquated system, using an outside consultant as required to assure that the change progresses as smoothly as possible.*

**Response R 3.1:** The recommendation has been implemented. The Government Finance Officer Associations (GFOA) was retained to provide initial advisory services. Additional consultant services will be retained as the implementation project progresses.

**Recommendation R 3.2:** *The new system should be implemented in two stages. The first stage would include the financial and audit processes, and the second the human resource and payroll processes.*

**Response R 3.2:** The recommendation has not yet been implemented, but will be implemented. The respondent agrees with the recommended sequence of implementation. The first phase is currently scheduled for completion in 2008 and the second phase is scheduled for completion in early 2009.

**Recommendation R 3.3:** *Monterey County should use the audit report contained in the 2004 Grand Jury Report as a guide to final development of the new system.*

**Response R 3.3:** The recommendation has not yet been implemented, but will be implemented. The contents of the 2004 Grand Jury report were integrated into a Project Charter that will guide the ERP Steering Committee. The Project Charter defines the governance structure, project objectives and implementation principles for the ERP implementation. The draft Project Charter was presented to the ERP Steering Committee in February 2007, with a final Project Charter scheduled for adoption in March 2007.

**Recommendation R 3.4:** *The steering committee already in place should be strengthened to include all departments.*

**Response R 3.4:** The recommendation will not be implemented. The ERP Steering Committee is comprised of department heads and key stakeholders representing the administrative and financial departments with representation from the larger, more complex departments within the County. The ERP Steering Committee has a countywide focus and represents the interests of all departments. In addition, the implementation project team will coordinate with all departments throughout the project on key issues.

**Recommendation R 3.5:** *Implementation of the new system should be firmly programmed, and quarterly reports to the Board of Supervisors should be required to assure progress.*

**Response R 3.5:** The recommendation has not yet been implemented, but will be implemented. The Board of Supervisors will be updated on a quarterly basis on project progress. In addition, the Board of Supervisors approval is required for major contract and budget activities supporting ERP implementation.

**Recommendation R 3.6:** *Monterey County should consolidate and centralize information security operations.*

**Response R 3.6:** The recommendation has been implemented. The Board of Supervisors adopted an Information Technology Security Policy in September 2002 to establish the roles, responsibilities, and guidelines to protect and secure County information technology resources from unauthorized access, tampering, modification, communication, and/or theft. The staffing structure set forth in this policy has been fully implemented, consisting of a Chief Security and Privacy Officer and a staff of three highly skilled and talented staff that report directly to this position in the Information Technology Department. County departments assign the responsibility of departmental Information Security Officers (ISO) to designated employees, but these individuals have other departmental responsibilities as well and therefore would not appropriately be centralized. This structure operates like several other functions in the County; where there is a central core function, and distributed responsibilities to the departments.

**Recommendation R 3.7:** *Methods should be established for assuring that the spending and accountability functions of County agencies are separate, with specific checks and balances.*

**Response R 3.7:** The recommendation has been partially implemented. The County's independent auditor has found an internal control issue involving the segregation of roles/responsibilities for HR/Payroll related functions. This recommendation will be implemented as part of the replacement of the County's HR/Payroll System that is scheduled for completion in January 2009. Internal controls associated with disbursements to vendors through the County's accounts payable function have been established and are functioning appropriately. Please see the clarification made in the response to Finding 3.2.

**Recommendation R 3.8:** *The Board of Supervisors should fully fund the implementation of the CORE/Enterprise system.*

**Response R 3.8:** The recommendation has been implemented. Funding for the Enterprise Resource Planning (ERP) Project is included in the adopted County Budget. As a point of clarification, an ERP system is a single, integrated system that includes the business functions currently provided separately by the County's existing Core Financial System, Budget Preparation System and HR/Payroll System.

**REPORT TITLE:** Human Resources  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F 4.1 – F 4.13

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***Finding F 4.1:*** *Decentralization of HR activities without appropriate oversight results in County departments making inconsistent and unknown (outside the department) interpretation of HR compensation policies and pay practices.*

**Response F 4.1:** The respondent agrees partially with the finding. The County agrees that the benefits inherent in a decentralized system can be strengthened with an improved central oversight mechanism. The County compensation policy was created in the 1980's and is utilized as the basis for negotiating wages. There are several mechanisms in place to address potential inconsistencies in pay practices. The HR Division of the County Administrative Office investigates potential inconsistencies in pay practices at the request of both represented and unrepresented bargaining units. Finally, the Office of the Auditor-Controller ensures that pay practices are consistent within the limits of the budget and data processing system. It has not been established that inconsistencies are not addressed, or that those inconsistencies exceed the parameters tolerated by other agencies of similar size and complexity.

***Finding F 4.2:*** *Individual department stand-alone and shadow HR systems do not contain all elements necessary to operate an effective Countywide HR program. Lack of consistency makes the accuracy of data reported questionable. This includes, but is not limited to, effective dating of HR events (such as employment periods), step increases, and leaves of absence.*

**Response F 4.2:** The respondent agrees partially with the finding. The County agrees that individual departments' HR functions are not designed to operate without assistance or support of the HR Division of the County Administrative Office. The County also agrees that accurate data is critical. However, centralization alone does not guarantee accurate data input. A well-designed system and implementation by trained staff can provide accurate data in either a centralized and decentralized environment.

***Finding F 4.3:*** *Individual department decentralization of HR activities through multiple computer applications and shadow systems makes integrated benefits administration across the 30 County departments extremely difficult, if not impossible.*

**Response F 4.3:** The respondent agrees partially with the findings. The County's large number of bargaining units with different benefits results in a very complex benefits structure. The primary benefit, healthcare, has been integrated into a single countywide system. Other ancillary benefits such as unemployment, and various leave programs such as FMLA are managed at the department level. An HR information system, which integrates with payroll, is expected to improve management of these employee benefits. The County has recently entered into negotiations to select an Enterprise Resource Planning System that integrates an HR information system component.

**Finding F 4.4:** *Key County HR functions are not administered in a consistent, fair, and equitable manner across the County.*

**Response F 4.4:** The respondent disagrees with this finding. Within the resources allocated, the County HR Staff is committed to providing the highest level of HR services. Though the County's existing decentralized system creates a potential higher level of risk, no evidence suggests increased levels of liability. With respect to issues such as consistency, fairness, and equity, it has not been established that the County's decentralized system is outside of the parameters established by other agencies of similar size and complexity.

**Finding F 4.5:** *Most Monterey County employee job descriptions are outdated and inaccurate.*

**Response F 4.5:** The respondent partially agrees with the finding. The County agrees that many of the job descriptions are in need of updating. However, on a routine basis many new classifications are created and those job descriptions are accurate and up-to-date.

**Finding F 4.6:** *Most Monterey County classification analyses are outdated and invalid.*

**Response F 4.6:** The respondent partially agrees with the finding. The County agrees that many of the classification analyses are in need of updating. However, on a routine basis many new classifications are created and those analyses are accurate and up-to-date.

**Finding F 4.7:** *Most Monterey County employee benefit packages are inconsistent and outdated.*

**Response F 4.7:** The respondent disagrees with the finding. Recent negotiations with each of the bargaining units have provided each union with an opportunity to negotiate different benefit packages. Currently, County Administrative Office Staff are drafting eight new contracts, consistent with the negotiated agreements, in collaboration with departments and the Auditor-Controller's Office. Discussions with non-represented management employees also resulted in improved benefits. The County Administrative Office is also working with the Auditor-Controller's Office to improve management of the short-term disability program and unemployment benefit program. It is expected that within a short period of time all of the benefit programs will be updated. See Finding 4.3 for additional information on this topic.

**Finding F 4.8:** *Monterey County does not have a mandatory program of performance appraisals and evaluations for County managers and employees.*

**Response F 4.8:** The respondent agrees with the finding. All managers are expected to evaluate employees on a regular basis, however, standing County policy is not mandatory.

***Finding F 4.9:*** *Monterey County does not have a Countywide integrated program that categorizes similar job skills into a single broad-band classification scheme regardless of department affiliation, in order to facilitate intra-county sharing of limited personnel assets across department boundaries.*

**Response F 4.9:** The respondent agrees with the finding.

***Finding F 4.10:*** *Monterey County does not have union-negotiated comprehensive programs for Countywide employee development, performance evaluations and appraisals, merit pay increases, and revised job descriptions.*

**Response F 4.10:** The respondent partially agrees with the finding. The County agrees that there is not a union negotiated program for employee development, performance evaluations, merit pay or job descriptions. These programs are generally not within the scope of matters historically bargained with unions, and are handled administratively. See Recommendation 4.13.

***Finding F 4.11:*** *Decentralization of HR payroll activities has created inconsistencies in timekeeping practices, as well as limited or no capability to capture labor expenses associated with grants, projects, work orders, and programs.*

**Response F 4.11:** The respondent partially agrees with the finding. To the degree that payroll has been decentralized, that event was independent of the HR decentralization. As a point of clarification, decentralization itself does not limit, or prohibit the capture of labor expenses associated with grants, projects, work orders and programs. That capability does not exist because the existing Payroll System's Time & Attendance functionality does not support that capability.

***Finding F 4.12:*** *Decentralization of risk management creates labor-intensive and error-prone systems that lead to resolving workers' compensation claims in an inconsistent manner.*

**Response F 4.12:** The respondent partially agrees with the finding. Within the resources allocated, the County's workers' compensation staff, both in departments and the County Administrative Office, is committed to providing the highest level of HR services. Their combined efforts over the last three years have reduced workers' compensation costs by 25%. The County agrees that continued improvements in the program are possible and has recently completed a "gap analysis." As part of the FY 2007-08 budget process and based on the financial outlook for the County, consideration will be given to the potential reallocation of existing positions to close the gaps identified. In addition, improved service is expected through the request for proposal process (for the workers' compensation third party administrator) to be completed later this year.

***Finding F 4.13:*** *Monterey County's lack of central control and oversight of the County's HR processes creates inconsistencies in the application of County policies and processes in areas such as the development of performance appraisals, training, position control, grievances, complaints, and discipline tracking.*

**Response F 4.13:** The respondent partially agrees with the finding.

- ◆ Performance appraisals: Standard forms are available for performance appraisals. However, standard forms should be updated and uniform application of performance appraisals implemented.
- ◆ Training and Development: A centralized training function resides in the County Administrative Office with the support of a department head committee.
- ◆ Position control: Under the County's current system, position control is primarily a centralized function controlled by the budget and related processes.
- ◆ Grievances, Complaints, and Discipline: Grievances and discipline are managed in accordance with the labor agreements (for represented employees), personnel policies (for non-represented employees), or contracts (for contract employees). Since disciplinary appeals and grievances are forms of litigation, oversight resides principally with the County Counsel's Office, which acts in coordination with departments and the Equal Opportunity Office. Departments routinely consult with County Counsel staff when considering and effecting discipline or responding to grievances. Appeals from departmental disciplinary actions and union appeals from denied grievances are handled by County Counsel. County Counsel maintains records regarding grievances and disciplinary cases, including appeals, selection of Arbitrators, Arbitration Awards and litigation, if a court case ensues.

**REPORT TITLE:** Human Resources  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendations R 4.1 – R 4.13

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**Recommendation R 4.1:** *Monterey County senior executive managers should ensure that the current HR processes and procedures, and their associated manuals, are revised as necessary so that key HR functions are administered in a consistent, fair, and equitable manner across all departments.*

**Response R 4.1:** The recommendation has been implemented at various levels. Review of the HR organizational structure, the development of recommendations, and revised drafts of related documents have been underway since 2002. Actions taken include the drafting of a revised and updated Personnel Policies and Practices Resolution and several reviews of the HR organizational structure. Most recently, in 2006, the County formed a Department Head HR Steering Committee with the support of GFOA to create an “HR Roadmap” to transform County HR operations. The HR Roadmap will be complete in early 2007 and implementation of the HR Roadmap will follow. The HR Roadmap delineates a number of action items necessary to achieve the objectives Recommendation 4.1. It defines timelines, beginning with the publication of the final HR Roadmap, for those action items. In broad terms, action item timelines are grouped into the following categories: (1) within one year, (2) one to three years and (3) three to five years.

**Recommendation R 4.2:** *Monterey County senior executive managers should create a re-centralized HR Department that will provide Countywide consistency, accountability, and accuracy of HR processes. This should be done without substantially detracting from the individual department managers’ current level of HR recruitment, screening, and hiring services provided by their individual HR staff. These actions should be retained at the individual department level in order to address specific requirements of individual departments.*

**Response R 4.2:** The recommendation has not yet been implemented. This is an identified action item in the HR Roadmap, scheduled for completion in 2008. The HR Roadmap develops a strategy and implements systems to measure and improve consistency and reduce liability in the current partially decentralized environment (without detracting from the independence enjoyed by departments). This should result in a more clearly defined HR system.

**Recommendation R 4.3:** *In re-establishing a central HR department, focus should remain on maintaining and increasing levels of customer services that are currently provided by independent decentralized HR organizations spread throughout the County.*

**Response R 4.3:** The recommendation has not yet been implemented, but will be implemented. The County agrees that what works best for departments should be retained. Elements of the HR structure not meeting departmental needs should be reviewed, reformed, and continuously improved. Under a hybrid system the central HR function should focus on enhancing departmental operations, oversight, coordination, and improving departmental customer service. Many action items in the HR Roadmap

support this recommendation. Key action items that support the recommendation are scheduled for completion within one to three years after completion of the HR Roadmap.

**Recommendation R 4.4:** *A centralized HR department should have responsibility for implementation of Countywide programs such as Affirmative Action/EEOC, employee development (training), and HR professional development.*

**Response R 4.4:** The recommendation with respect to Affirmative Action/EEOC will not be implemented because it is unwarranted. The current configuration of the Equal Opportunity Office is preferred, with staff operating independent of centralized HR and individual departments, and directly responsible to the Board of Supervisors. (The Affirmative Action/EEOC programs were outside the scope of the HR Roadmap.)

The recommendation with respect to centralized employee development (training) will not be implemented because it is unwarranted. The current configuration is preferred, which is independent of centralized HR.

The recommendation with respect to HR professional development has not been implemented, but will be implemented. Specialized training for HR staff that professionalizes the HR function is desirable and will be incorporated in the HR Roadmap. The training will be coordinated by the central HR staff and provided in conjunction with select components of the HR Roadmap within one to three years of its finalization.

**Recommendation R 4.5:** *Personnel from the re-centralized HR Department, along with individual department managers and labor relations personnel, should participate in union negotiations in order to ensure that uniform Countywide HR policies and processes are articulated and maintained. These negotiations should include gaining union concurrence in evaluating and revising outdated job descriptions, revising classification analyses, and realigning or consolidating benefit packages.*

**Response R 4.5:** The recommendation has been implemented, with respect to participation of departments in negotiations. Departmental staff are and continue to be invited to join the management team in negotiations. The recommendation to negotiate concurrence on matters which are not within the scope of bargaining will not be implemented. See Recommendation 4.13. The recommendations to negotiate matters that are mandatory subjects of bargaining (benefit packages) have been implemented and continue to be implemented. The recommendation to discuss matters affecting job descriptions and classifications will, at the discretion of the Board of Supervisors, be implemented as those matters are brought forward.

**Recommendation R 4.6:** *Creation of a re-centralized HR Department should be undertaken in conjunction with the development of the CORE/Enterprise Financial System to ensure sufficient time is available to realign, modify, and fix the HR processes and procedures prior to integrating the HR system into the second phase of the County's CORE/Enterprise System implementation.*

**Response R 4.6:** The recommendation has not yet been implemented. The implementation of the HR Roadmap will be coordinated with the implementation of the HR/Payroll System, which is a component of the Enterprise Resource Planning (ERP) System. This is an identified action item in the draft HR Roadmap. In February 2007, the Board of Supervisors approved direct negotiations with CGI, the County's current financial system vendor, to upgrade and replace the existing HR/Payroll System with their new, redesigned, integrated ERP product that is based upon modern technology and incorporates best business practices. The new HR/Payroll System is targeted for initial production in early 2009 with additional phases to follow.

**Recommendation R 4.7:** *The re-centralized HR Department manager in conjunction with individual department managers should develop and introduce performance standards and metrics for HR effectiveness, at both the central and individual department levels, on a regular basis.*

**Response R 4.7:** The recommendation has not yet been implemented, but will be implemented in the future. This is an action item identified in the draft HR Roadmap. Implementation will begin in 2007, and is scheduled for completion in early 2008.

**Recommendation R 4.8:** *The re-centralized HR Department manager, in conjunction with individual department managers of HR employees, should work to establish specific performance objectives and professional career progression paths for each HR employee.*

**Response R 4.8:** The recommendation has not yet been implemented. This is an identified action item in the HR Roadmap and scheduled for completion by early 2008.

**Recommendation R 4.9:** *Monterey County needs to conduct reviews, validations, and revisions of outdated and inaccurate County job descriptions and classification analyses.*

**Response R 4.9:** The recommendation has not yet been implemented. This is an identified action item in the HR Roadmap and scheduled for completion by early 2008.

**Recommendation R 4.10:** *Monterey County needs to review and validate as well as update, realign, and consolidate benefit packages.*

**Response R 4.10:** The recommendation with respect to contracted or agreed upon benefits will not be implemented because it is unwarranted. The recommendation with respect to improved management of select benefit programs such as the short-term disability program and unemployment benefit program has not yet been implemented but will be implemented in the future. It is anticipated that action on this item will begin in 2007. The recommendation with respect to leave benefit programs has not been implemented but will be implemented in the future. It is anticipated that action on this item would be implemented in conjunction with deployment of the new ERP System.

**Recommendation R 4.11:** *Monterey County needs to establish a mandatory program of performance appraisals and evaluations for County managers and employees.*

**Response R 4.11:** The recommendation has not yet been implemented. This is an identified action item in the HR Roadmap with the goal of providing timely performance appraisals and evaluations for 100% of County managers and employees within three to five years after initial publication of the HR Roadmap in 2007. Additionally, it is anticipated that action on this item will begin after the classification reforms are completed.

**Recommendation R 4.12:** *Monterey County needs to consider establishing a Countywide integrated program that categorizes similar job skills into a single broad-band classification scheme regardless of department affiliation, in order to facilitate intra-county sharing of limited personnel assets across department boundaries.*

**Response R 4.12:** The recommendation has not yet been implemented. The County will investigate this recommendation when Recommendation 4.9 is completed.

**Recommendation R 4.13:** *Monterey County needs to negotiate with individual unions to establish comprehensive programs for Countywide employee development, performance evaluations and appraisals, merit pay increases, and revised job descriptions.*

**Response R 4.13:** The recommendation will not be implemented because it is not warranted or is not reasonable. Labor relations in Monterey County are governed by the provisions of the Meyers Milius Brown Act (MMBA), and overseen by the Public Employment Relations Board (PERB). Under the MMBA, the County is obligated to "meet and confer" (*i.e.*, negotiate) with respect to certain mandatory subjects of bargaining - wages, hours and working conditions. The term "working conditions" typically includes such subjects as: transfers; seniority; the effects of layoff; representation rights; and grievance procedures (this listing is not exhaustive). Anything that is not subject to mandatory bargaining is outside the scope of bargaining. Traditionally, this means that management does not bargain on these subjects unless it finds that it is in the public interest to do so.

With respect to job descriptions, it is a management right to determine job classifications and exercise complete control and discretion over the work to be performed.

Although merit wage increases may involve the "meet and confer" process (in the areas of structure and criteria used to determine whether an employee is qualified to receive a wage increase) since those factors affect wages, the decision whether to undertake such a program would fall outside the scope of the mandatory bargaining process.

In general, court opinion dictates that public entities are not required to bargain about subjects that are within managements' prerogative (management/county rights). This being said, the County recognizes the importance of countywide employee development, and plans to continue to develop training programs that will benefit both employee and

employer alike. The County encourages its staff and employees to participate in both internal and external (i.e., outside of the County) training programs. When appropriate unions' assistance in employee growth and development will be solicited.

The County has a longstanding performance evaluation policy, approved by the Board of Supervisors for both its probationary and permanent employees. For probationary employees, performance evaluations come at the 4th and 8th month, while for permanent employees; performance evaluations are an annual event. In both cases, the evaluations can provide an excellent tool by which to determine performance improvement plans and/or goal setting.

**REPORT TITLE:** Elected Officeholder's Residency Requirements  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F 7.1 – F 7.2

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***Finding F 7.1:*** 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.

**Response F 7.1:** The respondent agrees with the finding, limited to the findings that apply to County of Monterey Board of Supervisor members, and relying on the investigation performed by the Grand Jury. To the extent that the findings apply to City Mayors or Council Members, the respondent does not have sufficient information or responsibility to determine the truth of the findings, and, therefore takes no position on those findings.

***Finding F 7.2:*** 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.

**Response F 7.2:** The respondent agrees with the finding, limited to the findings that apply to County of Monterey Board of Supervisor members, and relying on the investigation performed by the Grand Jury. To the extent that the findings apply to City Mayors or Council Members, the respondent does not have sufficient information or responsibility to determine the truth of the findings, and, therefore takes no position on those findings.

**REPORT TITLE:** Elected Officeholder's Residency Requirements  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendation R 7.2

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**Recommendation R 7.2:** *The County Counsel, in conjunction with the Monterey County District Attorney, should review and determine the residency status of each member of the Board of Supervisors. If any member is found not to meet the residency requirements of the County, the Board of Supervisors member should be required to vacate his or her office.*

**Response R 7.2:** The County Counsel respectfully represents that it does not have a legal responsibility to enforce state or federal election laws. (Elections Code section 18000, et seq.; Government Code section 27642 [or 27640, et seq.]) Notwithstanding this, the recommendation has been implemented, and no remedial action is required.

**REPORT TITLE:** Monterey County 457 Eligible Deferred Compensation Plan  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F 8.1 – F 8.3

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***Finding F 8.1:*** *The contract between Monterey County and Great West for the management of the County's 457 Eligible Deferred Compensation Plan has been renewed or extended several times without competitive bid, and without formally evaluating other administrative service providers.*

**Response F 8.1:** The respondent agrees with the finding.

***Finding F 8.2:*** *The transfer of the plan administration to the Treasurer-Tax Collector is expected to result in stronger County administration of the program.*

**Response F 8.2:** The respondent disagrees with the finding. The plan was not transferred to the Treasurer-Tax Collector. The plan administrator function was shifted from one person (Assistant County Administrative Officer) to a Committee (Monterey County Deferred Compensation Administrative Committee) comprised of County employees. This arrangement is not unusual. In the past, the plan administrator function has been carried out by a Committee of three, which included the County Administrative Officer (CAO), the Chief Assistant CAO, and the Assistant CAO. Beginning in 2004, significant activities were undertaken to strengthen the administration of the program. This included the engagement of experts to negotiate a more favorable 2-year extension for plan participants in 2005, assist in the review and drafting of bylaws, and the updating and correction of errors in the plan document. The new Committee is expected to continue in that direction.

***Finding F 8.3:*** *Communications between the County and its employees regarding the plan have been insufficient.*

**Response F 8.3:** The respondent partially agrees with the finding. Resources available in the County Administrative Office are constrained to support this benefit at the desired level. Future contracts with firms such as Great West, should include provisions that insure that the contractor bears more of the responsibility to actively communicate with employees.

**REPORT TITLE:** Monterey County 457 Eligible Deferred Compensation Plan  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendations R 8.1 – R 8.4

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**Recommendation R 8.1:** *Monterey County should put the contract for the County's 457 Eligible Deferred Compensation Plan up for competitive bid. This would lead to a greater likelihood of acquiring the best possible service at the lowest cost to the County.*

**Response R 8.1:** The recommendation has been implemented. A firm has been engaged and a timeline established to oversee the competitive bidding process. It is expected that the process will be completed in 2008.

**Recommendation R 8.2:** *Aon Consulting recommendations should be implemented.*

**Response R 8.2:** The recommendation will be implemented. Aon made a variety of recommendations that have been incorporated into the 457 Plan Bylaws and activities of the 457 Administration including the initiation of a competitive bidding process, which is anticipated to be complete in 2008.

**Recommendation R 8.3:** *The County should provide additional information to County employees regarding participation in the plan.*

**Response R 8.3:** This recommendation has been implemented. The Committee and the new Great West field representative have increased the number of communications sent to employees regarding the plan and will continue to do so into the future.

**Recommendation R 8.4:** *The new County plan administrator should continue to aggressively administer the plan according to County regulations.*

**Response R 8.4:** This recommendation will be implemented. The Monterey County Deferred Compensation Committee with the support of the County Administrative Office is actively administering the 457 Plan in accordance with the adopted bylaws.

**REPORT TITLE:** Food Service Inspections and Agricultural E. coli  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F 9.1 – F 9.12

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**Food Service Inspections:**

**Finding F 9.1:** *Failure to correct the lack of salary parity has essentially established Monterey County as a “training ground” for environmental health personnel.*

**Response F 9.1:** The respondent agrees with the finding. Approximately 50% of all Environmental Health Specialist (EHS) have left the Environmental Health Division (EHD) in the last two years. This occurs most often after trainees pass the State of California Registered Environmental Health Specialist exam. Most of the departing EHS staff has taken higher paying positions at adjacent counties within the same job classifications.

**Finding F 9.2:** *Consumer Health Protection Service supervisors and employees are well educated, well trained to perform their duties, and dedicated to their jobs.*

**Response R 9.2:** The respondent agrees with the finding.

**Finding F 9.3:** *Insufficient salary, staffing, and funding, as well as excess overtime hours, have caused low morale to become a major issue with non-supervisory level Consumer Health Protection Service (CHPS) inspectors.*

**Response F 9.3:** The respondent agrees in part with the finding. The respondent disagrees that overtime has contributed to low morale. A review of available overtime records indicates that no single CHPS inspector has worked more than 14.5 hours of overtime during the period of May to December 2006 when overtime became available.

**Finding F 9.4:** *Training new health inspectors constitutes a substantial drain on department resources. This impact is exacerbated by the departure of approximately 50 percent of these employees who go to other county health departments within two years after completing their training.*

**Response F 9.4:** The respondent agrees with the finding.

**Finding F 9.5:** *One health inspector is insufficient to deal with the inspection issues found in and unique to East Salinas, such as home-cooked foods.*

**Response F 9.5:** The respondent disagrees with the finding. The inspection issues that currently exist in East Salinas are not unique. These same issues are found to exist throughout the City of Salinas, other Salinas Valley communities, and in most of the coastal communities. The CHPS retail food inspection program consists of approximately 2,000 permitted retail food facilities that are divided into 10 districts. Each district contains between 230-270 retail food facilities for each CHPS staff member. The goal of the EHD is to maintain a balance of workload among the district inspectors.

**Finding F 9.6:** *Lack of citation authority requires additional time and effort by health inspectors and the District Attorney's office.*

**Response F 9.6:** The respondent disagrees with the finding. The existing retail food inspection process requires an initial inspection for compliance with retail food safety standards and follow-up inspections to ensure that compliance has been attained. The CHPS staff works closely with facilities found to be in violation of retail food safety standards using an educational and progressive enforcement process that may lead to permit suspension or revocation. The need to refer cases to the District Attorney has been rare; only two cases were referred to the District Attorney in 2006.

**Finding F 9.7:** *Lack of enforcement of applicable codes allows residential overcrowding to exist.*

**Response F 9.7:** The respondent disagrees with the finding. Environmental Health inspectors enforce all applicable housing codes on a complaint basis in the cities and unincorporated areas of Monterey County where overcrowding conditions may contribute to the violations.

**Finding F 9.8:** *CHPS does not have the authority to impound catering trucks even when home-cooked foods are found.*

**Response F 9.8:** The respondent agrees with the finding. The California Health and Safety Code (CH&SC) contains preemptive regulations that address catering trucks and does not authorize the local enforcement agency to impound catering trucks. The CH&SC only allows the mobile equipment inside the catering truck to be impounded. It should be noted that impounding a catering truck would prevent the use of the vehicle by the owner or operator for food sales; however, the existing CH&SC authority to revoke a catering truck's Health Permit would also prevent the operation of a catering truck for food sales.

### **Agricultural E. coli:**

**Finding F 9.9:** *The Monterey County Health Department Consumer Health Protection Services Division has taken a proactive stance in E. coli investigation.*

**Response F 9.9:** The respondent agrees with the finding. The EHD has established a proactive program within current staffing capabilities that includes the surveying of surface waterways, investigating illegal wastewater discharges, implementing a field toilet inspection program, enhancing compost facility inspections and the facilitation of cooperative partnerships with the Department of Health Services to perform surface water and soil sampling.

***Finding F 9.10:*** *The Grand Jury concurs with the observation of the Monterey County Health Department Consumer Health Protection Services Division that contaminated fecal material enters the watershed due to runoff from animal-contaminated parcels or unrestricted animal access to tributaries such as Santa Rita Creek.*

**Response F 9.10:** The respondent agrees with the finding. Field observations by EHD staff have documented that conditions exist along surface waterways where fecal material may enter the watershed due to runoff from animal-contaminated parcels or unrestricted animal access to tributaries.

***Finding F 9.11:*** *E. coli outbreaks traced back to produce grown in Monterey County have had and will continue to have a devastating financial impact on all of Monterey County.*

**Response F 9.11:** The respondent agrees with the finding.

***Finding F 9.12:*** *During the September 2006 spinach E. coli outbreak the Monterey County Consumer Health Protection Service was diligent in keeping both federal and state agencies informed. However, this information flow was one way with federal and in some instances state agencies refusing to provide any information to Monterey County.*

**Response F 9.12:** The respondent agrees in part with the finding. The EHD has made a diligent effort to keep both federal and state agencies informed. However, it should be noted that the lack of federal or state information flow may be delayed due to their extended investigation process that requires an extensive review and analysis of data prior to the public release of the findings, rather than a refusal of federal or state agencies to provide this information. The respondent does agree that information flow has been lacking in certain instances when state or federal agencies have not notified the EHD that investigations are being initiated within Monterey County.

**REPORT TITLE:** Food Service Inspections and Agricultural E. coli  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendations R 9.1 – R 9.13

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**Food Service Inspections:**

**Recommendation R 9.1:** *The Board of Supervisors should provide funding to hire one or more additional health inspectors to deal with health and inspection enforcement issues in East Salinas.*

**Response R 9.1:** The recommendation has not yet been implemented. An increase in staff levels would reduce the total retail food inspections assigned to each CHPS staff person. This would enable staff to more efficiently and effectively address illegal food vendors and other high priority issues throughout Monterey County. However, the total number of additional positions required to address emergent food safety issues throughout Monterey County requires additional study.

**Recommendation R 9.2:** *The Board of Supervisors should give Consumer Health Protection inspectors the authority to issue citations.*

**Response R 9.2:** The recommendation will not be implemented. Citation authority would not increase compliance with food safety laws, but could in fact result in an increase in the existing workload because of the added time necessary to process violations and prepare investigative reports. Currently, when a need arises to cite a food facility, staff contacts the Sheriff's Office or the appropriate police department who can dispatch an officer to issue a citation.

**Recommendation R 9.3:** *The Board of Supervisors should provide additional funding to the Gold Seal inspection program to implement the "Award of Excellence" inspection program.*

**Response R 9.3:** The recommendation has not yet been implemented. The additional cost of the Award of Excellence program would be minimal and the cost could be included in a future fee increase request.

**Recommendation R 9.4:** *The Consumer Health Protection Service should post restaurant inspection results on the Internet.*

**Response R 9.4:** The recommendation is in the process of being implemented. The current plan of the EHD is to post the results of all restaurant inspections on the Internet by fourth quarter 2007.

**Recommendation R 9.5:** *The Board of Supervisors should increase health inspector salaries to a level competitive with neighboring counties.*

**Response R 9.5:** The recommendation has not yet been fully implemented. The Board of Supervisors authorized parity adjustments for Health Inspectors to be implemented in April 2007.

**Agricultural E. coli:**

**Recommendation R 9.6:** *The Monterey County Health Department (MCHD) and the Consumer Health Protection Service should assure that a proactive stance is taken by all persons involved in the growth, processing, packaging, and shipment of Monterey County produce to ensure food safety.*

**Response R 9.6:** The recommendation will not be implemented. The EHD is not the regulatory agency charged with oversight of food safety assurance for the growth, processing, or packaging of produce. This authority rests with the State of California Department of Health Services, California Department of Food and Agriculture, and the Federal Food and Drug Administration. However, as resources permit and when requested, EHD will continue to assist and support these agencies in their efforts to promote and regulate overall food safety.

**Recommendation R 9.7:** *The Board of Supervisors should aggressively support the efforts of federal, state, and local health official inspections to trace E. coli sources.*

**Response R 9.7:** The recommendation has been implemented. The Board of Supervisors has directed the Health Department and the Environmental Health Division to continue their proactive surveying of surface waterways, investigating illegal waste water discharges, enhancing compost facility inspections and the facilitation of cooperative partnerships with the Department of Health Services to perform surface water and soil sampling.

**Recommendation R 9.8:** *The Board of Supervisors should establish and fund ongoing MCHD testing of floodplain agricultural property for E. coli contamination.*

**Response R 9.8:** The recommendation will not be implemented. EHD is the lead agency for food safety at retail food establishments only. The authority to conduct testing of this magnitude is the responsibility of the State of California Department of Health Services, California Department of Food and Agriculture, and/or the Federal Food and Drug Administration.

**Recommendation R 9.9:** *The Board of Supervisors should establish and fund ongoing MCHD on-site testing of all produce susceptible to E. coli contamination before harvesting.*

**Response R 9.9:** The recommendation will not be implemented. EHD is the lead agency for food safety at retail food establishments only. The authority to conduct testing of this magnitude is the responsibility of the State of California Department of Health Services, California Department of Food and Agriculture, and/or the Federal Food and Drug Administration.

**Recommendation R 9.10:** *The Board of Supervisors should establish and fund ongoing MCHD on-site testing for E. coli of all irrigation water supplies.*

**Response R 9.10:** The recommendation will not be implemented. EHD is the lead agency for food safety at retail food establishments only. The authority to conduct testing of this magnitude is the responsibility of the State of California Department of Health Services, California Department of Food and Agriculture, and/or the Federal Food and Drug Administration.

**Recommendation R 9.11:** *The Board of Supervisors should establish and fund ongoing MCHD tests of all watershed tributaries on or near floodplain farms and ranches for E. coli contamination.*

**Response R 9.11:** The recommendation will not be implemented. EHD is the lead agency for food safety at retail food establishments only. The authority to conduct testing of this magnitude is the responsibility of the State of California Department of Health Services, California Department of Food and Agriculture, and/or the Federal Food and Drug Administration.

**Recommendation R 9.12:** *MCHD in conjunction with the District Attorney's office should enforce existing requirements of Monterey County Code 10.41.020 prohibiting disposal of materials by dumping.*

**Response R 9.12:** The recommendation has been implemented. The EHD also facilitates the Illegal Dumping and Litter Abatement Task Force of Monterey County. The Task Force actively pursues solutions to illegal dumping and will propose an illegal dumping ordinance in 2007. Violators of existing codes prohibiting disposal are referred to the District Attorney's office for prosecution. In addition, the District Attorney's office and the EHD have developed a training program to facilitate future enforcement case preparation.

**Recommendation R 9.13:** *MCHD should promote the enforcement of existing requirements of California Health and Safety Code sections 116990 – 117075 to protect waterway contamination from cattle and other animals.*

**Response R 9.13:** The recommendation has been implemented. The EHD will continue to respond based on surveys and on a complaint basis to eliminate potential sources of contamination by filling any regulatory gaps that are not addressed by regional, state or federal agencies.

**REPORT TITLE:** West Nile Virus, Avian Influenza A H5N1, and Tuberculosis  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F 10.1 – F 10.8

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***Finding F 10.1:*** *Although there have been no reported human cases of WNV infection, the virus is present and a viable threat in Monterey County.*

**Response F 10.1:** The respondent agrees with the finding.

***Finding F 10.2:*** *Both the Northern Salinas Valley Mosquito Abatement District and the Monterey County Health Department work to abate existing mosquito breeding sources and to prevent new ones from developing.*

**Response F 10.2:** The respondent agrees with the finding.

***Finding F 10.3:*** *Chronic breeding sources are controlled through routine inspection and larvaciding of standing water, subdivision drains, sloughs, ravines, flood channels, and roadside ditches.*

**Response F 10.3:** The respondent agrees with the finding.

***Finding F 10.4:*** *In Monterey County a pandemic could sicken hundreds of thousands of people. For Bird Flu to become a pandemic, it would have to become efficiently transmittable. As with West Nile Virus, the first indications of the arrival of Bird Flu would be the discovery of dead, infected migratory birds.*

**Response F 10.4:** The respondent disagrees in part with the finding. The identification of a dead and/or infected bird is but one of the two possible indications of the arrival of Avian Influenza. The other is the arrival of an infected person who has traveled from a geographic area where the virus has mutated to a form that is efficiently transmitted from human to human.

***Finding F 10.5:*** *The Monterey County Department of Health has taken an aggressive and proactive posture in preparation for any Bird Flu pandemic.*

**Response F 10.5:** The respondent agrees with the finding.

***Finding F 10.6:*** *Education of the public concerning the threat of WNV and Bird Flu is a primary goal of the County Health Department.*

**Response F 10.6:** The respondent agrees with the finding.

***Finding F 10.7:*** *Education of the public concerning tuberculosis and how it is transmitted from human to human becomes more important as new strains of antibiotic-resistant TB are found in California.*

**Response F 10.7:** The respondent agrees with the finding.

***Finding F 10.8:*** *The Monterey County Health Department considers educating the public an essential part of controlling latent TB so that it ceases to be a “time bomb waiting to go off.”*

**Response F 10.8:** The respondent agrees with the finding.

**REPORT TITLE:** West Nile Virus, Avian Influenza A H5N1, and Tuberculosis  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendations R 10.1 – R 10.4

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**Recommendation R 10.1:** *The Board of Supervisors should continue funding the County Health Department and North Salinas Valley Mosquito Abatement District West Nile Virus and mosquito abatement programs.*

**Response R 10.1:** The recommendation will not be implemented because it is not warranted. The North Salinas Valley Mosquito Abatement District (NSVMAD) is an independent agency with its own taxation authority. The respondent agrees that the County should continue to provide County funding to support Health Department efforts associated with mosquito abatement efforts, and its effective partnership with NSVMAD in that regard.

**Recommendation R 10.2:** *The Board of Supervisors should continue funding the Monterey County Health Department's efforts to educate the public about WNV and Bird Flu prevention programs.*

**Response R 10.2:** The recommendation has been implemented. Ongoing organizational and budgetary support for the Health Department's educational outreach and prevention efforts will be incorporated into the Departments FY 2007-08 budget request. Additional activities funded through grant funds provided by the State Department of Health Services and the Centers for Disease Control and Prevention (CDC) will also be continued.

**Recommendation R 10.3:** *The Board of Supervisors should continue funding the Consumer Health Protection Services' monitoring of sentinel chicken flocks throughout the County for both WNV and Bird Flu.*

**Response R 10.3:** The recommendation has been implemented. Through the effective partnership between the County and the NSVMAD it is anticipated that the monitoring of sentinel chicken flocks will continue.

**Recommendation R 10.4:** *The Board of Supervisors should provide funding so that the Monterey County Health Department may continue to aggressively monitor for TB outbreaks.*

**Response R 10.4:** The recommendation has been implemented. The Health Department's budget includes funding sufficient to permit aggressive monitoring of TB outbreaks. Additionally, the Department's Public Health Laboratory incorporated DNA testing to shorten the time required to diagnose TB from 6-8 weeks to three (3) hours; evaluated the use of Quantiferon blood testing as a replacement to the standard TB skin test in order to increase accuracy and reduce the time required to document a TB infection; and developed drug sensitivity testing capability to permit prompt identification of appropriate drugs or treatment for active TB disease. The Department's FY 2007-08 budget request will contain sufficient resources to continue these essential public health protection activities.

**REPORT TITLE:** Family and Children's Services  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F 11.1 – F 11.20

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**Finding F 11.1:** *The Grand Jury performed its own investigation of the Differential Response (DR) pilot program and agrees with the following conclusions arrived at by the ACTION Council in its evaluation:*

- a) *A tremendous level of need was observed in the families served; some communities lacked adequate resources to address those needs.*
- b) *Most of the staff reported the experience as positive, especially in being able to provide services to families in a prevention and early intervention model.*
- c) *Comprehensive and ongoing joint-training activities are needed, with both DSES and community agencies participating. This is crucial in developing a positive and trusting relationship between DSES and community partners.*
- d) *The pilot program demonstrated that there is widespread support for the concept of DR within DSES and in the community.*

**Response F 11.1:** The respondent agrees with the finding. The Monterey County Department of Social and Employment Services (DSES) is continuing its ongoing effort to implement Differential Response.

**Finding F 11.2:** *A standardized approach to family assessment is necessary to achieve fairness and equity in judgments.*

**Response F 11.2:** The respondent agrees with the finding. Currently every child and parent that enters into the Child Welfare system receives a comprehensive family assessment. The Monterey County Behavioral Health, Children's Division provides this assessment. They utilize a culturally competent assessment to determine the strengths and challenges of each child and parent in the family. These assessments are then utilized to help determine the components of a case plan to provide services to the family. The Deputy Director for Family and Children's Services provided testimony to the Assembly Select Committee and the Child Welfare Blue Ribbon Committee recommending that Child Welfare should look at the whole child and that a mandatory developmental assessment should be completed to give a better overall perspective of the child's condition and needs.

**Finding F 11.3:** *Additional bilingual and bicultural workers are needed.*

**Response F 11.3:** The respondent agrees with the finding. Bilingual and bicultural recruitment is a priority for the DSES.

**Finding F 11.4:** *A broad foster-home base is necessary to reduce multiple placements and to keep children in their home community.*

**Response F 11.4:** The respondent agrees with the finding. DSES efforts to build a broad foster-home base include ongoing investments in foster parent recruitment and the

partnership with the Annie E. Casey Foundation's Family-to-Family initiative. These efforts, along with the opening of the CHERISH receiving center, contribute to growing placement stability for Monterey County children placed into foster care. Statistics for FY 2005-06, the most current period available, show that 88.3% of children in foster care experience two or fewer placements during their first year in out-of-home care. This compares to 84.6% statewide. Nonetheless, there is still a great need for caregivers in the communities where removals due to abuse and neglect are high and for older children.

***Finding F 11.5:*** *Specialized foster care is needed for some under-aged parents together with their children.*

**Response F 11.5:** The respondent agrees with the finding. On June 20, 2006, the California Department of Social Services issued instructions for creating Whole Family Foster Homes for teen parents and their infant as established by SB 500. Whole Family Foster Homes are designed to keep minor parents with their infants and to provide an environment for developing the minor parent's skills for providing a safe, stable and permanent home for their infant.

***Finding F 11.6:*** *Both temporary and permanent foster homes are needed, especially for teenagers, sibling groups, and children with serious emotional issues.*

**Response F 11.6:** The respondent agrees with the finding.

***Finding F 11.7:*** *Greater job resources are needed to enable parents with limited education and skills to earn a living.*

**Response F 11.7:** The respondent agrees with the finding.

***Finding F 11.8:*** *There is a need for additional substance abuse treatment services, readily available without waiting lists.*

**Response F 11.8:** The respondent agrees with the finding. There is a need for additional capacity and access for those who do not have the resources necessary to secure these therapeutic services.

***Finding F 11.9:*** *The increasing use of methamphetamine hinders FCS reunification efforts.*

**Response F 11.9:** The respondent agrees with the finding.

***Finding F 11.10:*** *Support of families and prevention of child neglect and abuse is not only good practice but also cost effective.*

**Response F 11.10:** The respondent agrees with the finding. Implementation of the Differential Response pilot project is an effort to expand prevention and early intervention service.

**Finding F 11.11:** *FCS and community partners act together to preserve and strengthen families.*

**Response F 11.11:** The respondent agrees with the finding.

**Finding F 11.12:** *FCS program management is critical to setting the tone for the organizational climate and creating a healthy working environment.*

**Response F 11.12:** The respondent agrees with the finding. A healthy environment is a culmination of all employees contributing to an atmosphere and work environment that is conducive to accomplishing its goals and mandates. The program managers are an important part of the team.

**Finding F 11.13:** *Challenges by employees to FCS managerial decisions are not well received. Employees fear reprisal and retaliation.*

**Response F 11.13:** The respondent disagrees with the finding. Managers welcome input and different perspectives. Many departmental initiatives are the result of employee innovation. However, not all employee input can be implemented due to resource availability, the requirements of legislative mandates, or inconsistency with organizational priorities and/or direction. When input cannot be implemented it is the expectation that reasonable management direction be respected. The department takes complaints seriously and maintains three formal avenues through which complaints may be filed: the DSES HR division; the County Administrative Office; and the Equal Opportunity Office. Precautions are in place to prevent retaliation during and after the complaint process.

However, it should be noted that when reasonable management direction is inappropriately challenged, managers work to promote positive employee relations. If positive relations cannot be achieved, FCS managers consult with DSES Human Resources and County Counsel to appropriately address employee relations. When employee discipline is pursued, employees are given the opportunity for union representation and a Skelly hearing. If the recommended discipline is upheld, appeals to the County Administrative Office, the State Personnel Board or both are available.

**Finding F 11.14:** *Problems brought to the attention of FCS management often result in the social worker being blamed for the problem.*

**Response F 11.14:** The respondent disagrees with the finding. FCS management attempts to research identified problems and address their root cause. It is not a matter of blame; rather it is a matter of identifying the issue, its cause and developing actions through which the problem can be resolved.

**Finding F 11.15:** *Recent events related to foster care, for example, the death of a child in foster care, have increased the level of stress within FCS.*

**Response F 11.15:** The respondent agrees with the finding.

***Finding F 11.16:*** *Interpersonal conflicts between employees tend to escalate because of a lack of appropriate intervention by supervisors and managers.*

**Response F 11.16:** The respondent disagrees with the finding. While there have been a limited number of events that have escalated, typically management does intervene and make attempts to take appropriate action. The management investigation process takes time in order to be fair and accurate; at times this has led to employee frustration. When actions are taken, they are confidential and the other party cannot be informed about the specifics of the intervention. Throughout this process, it is the responsibility of employees to behave professionally and appropriately. It is expected that all employees maintain professional relationships with one another in the workplace regardless of management interventions.

***Finding F 11.17:*** *FCS generally suffers from a lack of on-going training and from inadequate communication.*

**Response F 11.17:** The respondent partially agrees with the finding. FCS has a very comprehensive training plan for new social workers and supervisors. This training includes new employee orientation, CORE Social Worker and CORE Supervisor training by the Bay Area Academy. This training covers the basic work that is expected of Social Workers and Supervisors. In addition, the DSES Human Resources Division has developed a New Supervisor Training that trains to the expectations of DSES specifically. Every Social Worker has an Individualized Training Plan (ITP), established in their evaluation. FCS Managers provide a “Social Worker” and “Supervisor” expectations sheet to all new staff.

The challenge for Monterey County and other smaller counties is that new employees are often required to immediately take responsibility for casework without pre-service induction training. In an effort to support new employees, the assignment of cases is staged and applied on an incremental basis. There is a training supervisor position assigned to FCS to provide other training as it becomes necessary.

Communication can always be improved in all areas. Due to administrative workload and implementation of new projects such as Differential Response, information does not always get disseminated in as timely a manner as is desired. In November of 2006, FCS held an all FCS staff meeting in an attempt to ensure that all FCS staff understood the initiatives that FCS is currently going through and the State required Systems Improvement Plan (SIP). It is the intent of FCS management to continue to hold all staff meetings twice a year.

***Finding F 11.18:*** *Inability to fill positions on a contingency basis adds to employee workload and turmoil within FCS.*

**Response F 11.18:** The respondent disagrees with the finding. DSES currently has the ability to hire temporary staff to fill positions on a contingency basis. It should be noted, however, that the difficulty lies in recruiting and training social work professionals for

non-permanent positions. As a result, temporary social workers are infrequently available.

As an alternative strategy the department has been aggressively working with the County Welfare Director's Association, the California Department of Social Services and the State legislature to provide sufficient funding to implement the recommendations of the SB 2030 caseload study. With a larger workforce of social work professionals, the challenge presented by those on leave is not as great.

***Finding F 11.19:*** *There are no current job descriptions for the positions in FCS. The job specification, which lists conditions for hiring, serves as the job description.*

**Response F 11.19:** The respondent partially agrees with the finding. It is standard practice in Monterey County that the job specification serves as the job description. FCS maintains a policy manual that provides detailed guidance on specific elements of child welfare casework.

***Finding F 11.20:*** *Inconsistent actions result from decentralized human resource responsibility. This is especially apparent in performance evaluations, job transfers, and labor grievances.*

**Response F 11.20:** The respondent partially disagrees with the finding. The Department's Human Resources Division works hard to assure consistency within DSES. The DSES Human Resources Division acts as a full functioning, stand alone, personnel office, under the authority of Merit System Services. This makes DSES unique from all other County departments, with the exception of Child Support Services. In administering disciplinary measures, the Department works closely with County Counsel to assure consistency with County practice. With regard to grievances, over the past several years, DSES has not had any formal grievances filed within the Family and Children's Services Division. The Department strives to resolve issues before escalating to formal grievances.

It should also be noted that since Monterey County does not have an Approved Local Merit System, Federal law requires that much of the Department's personnel practice be overseen by Merit Systems Services under the State Personnel Board. Some practices, such as job transfers, are handled according to State rules, and may differ from other county departments.

**REPORT TITLE:** Family and Children's Services  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendations R 11.1 – R 11.10

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**Recommendation R 11.1:** *Family and Children's Services should concentrate more on "screening in" (helping) families rather than "screening out" referrals.*

**Response R 11.1:** The recommendation will not be implemented as presented, however the Department continues to aggressively pursue implementing a Differential Response program to provide early intervention services to families that do not meet the criteria of Section 300 of the Welfare and Institutions Code.

Monterey County complies with Section 300 of the Welfare and Institutions Code, which dictates the screening process for child abuse or neglect. This Code is established to protect not only the rights of children but of their parents and caregivers. Screeners utilize a standardized risk assessment to help make the decision whether to screen in or screen out referrals. Concentrating on screening in referrals beyond the Section 300 mandate would result in FCS unnecessary government intrusion into family life and create a record of abuse or neglect that may not be appropriate. When the risk and severity of issues facing children do not meet the criteria of Section 300 of the Welfare and Institutions Code, it is not appropriate to pursue an investigation and establish a record that could negatively affect the parent(s) in the future.

Alternatively, through Differential Response, Family and Children's Services is building a system for referring matters that do not meet the criteria for being screened in to a community based partner for assessment and less intrusive services. The goal of Differential Response is to strengthen at-risk families and provide early intervention services to address problems and reduce the chance that a protective (Section 300) guided response becomes necessary in the future.

**Recommendation R 11.2:** *DSES should re-evaluate, strengthen, and expand Differential Response (DR), based on the Pilot Implementation Evaluation Report.*

**Response R 11.2:** The recommendation has been implemented. Implementing Differential Response has been a priority of FCS since Child Welfare System Improvement Funds were first made available in FY 2005-06. During FY 2006-07, the State expanded funding for Monterey County's Differential Response initiative based on the Family and Children's Services Division's request for increased Child Welfare System Improvement Funding. Pursuit of ongoing funding for this pilot remains a departmental priority.

**Recommendation R 11.3:** *The Board of Supervisors should provide funding for additional readily accessible substance abuse treatment services.*

**Response R 11.3:** The recommendation has been partially implemented. Through the approval of additional State Funds and Federal grants, funding for substance abuse

services has expanded. However, even with these efforts to expand services there still remain waiting lists for persons with substance abuse problems to receive services. Through Mental Health Services Act (MHSA-Proposition 63) the County continues to seek out ways to expand funding for individuals and their families with co-occurring mental health and substance abuse issues.

It should be noted that Monterey County currently has model substance abuse treatment programs available through its partnerships with Sun Street Center, Door to Hope, Community Human Services, Sunrise House, Interim, and other community based non-profits. Of particular note is the Monterey County Screening Team for Assessment, Referral and Treatment (MCSTART) Program, which was initiated in 2005 through a partnership between Door to Hope, DSES, the Health Department, First Five Monterey County, the Harden Foundation and others. Additionally, there have been recent investments in expanding mental health services for persons with co-occurring substance disorders. These new services include a program with Door to Hope for adolescents, an expanded homeless program, a mentally ill offender program, and transition age youth services.

**Recommendation R 11.4:** *DSES should encourage nearby educational institutions to develop graduate level Social Work programs, especially for bilingual and bicultural students.*

**Response R 11.4:** The recommendation has been implemented. On November 7, 2006, representatives from DSES and the Health Department met with San Jose State University to encourage bringing an existing part-time Masters in Social Work program to Monterey County. On November 20, 2006, there was a meeting with representatives from California State University, Monterey Bay to encourage a longer-term strategy of developing a full-time local Social Work program at CSUMB.

**Recommendation R 11.5:** *Social worker caseloads should conform to the California SB 2030 Study guidelines.*

**Response R 11.5:** The recommendation will not be implemented. While the respondent agrees with the recommendation, State funding for setting caseloads at levels recommended by SB 2030 Study Guidelines is not available. Current State methodology for allocating child welfare funding is based on antiquated caseload indicators and FY 2000-01 operating costs. Absent sufficient State funding, it is not possible to fully fund staffing to meet SB 2030 Study caseload guidelines. As new funds become available DSES remains committed to adding resources to promote workload relief. In FY 2006-07, DSES utilized additional State Child Welfare Services funding to add 10 new Social Worker positions.

It should be noted that the Monterey County Legislative Platform includes advocacy for increased Child Welfare Services funding to implement the SB 2030 recommendations. To that end, in the months of November and December 2006, the Director of DSES served as a member on the Child Welfare Services Budget Methodology Stakeholders Group that was established by AB 1808. Input from Monterey County strongly

supported full funding for the SB 2030 caseload guidelines and actual local costs for operating the Child Welfare Services program.

**Recommendation R 11.6:** DSES should prepare current job descriptions for all FCS positions.

**Response R 11.6:** The recommendation will be implemented. DSES will develop brief job descriptions for social work positions in each Family and Children's Services functional area by fourth quarter 2007.

**Recommendation R 11.7:** *DSES should be allowed to hire on a contingency basis to fill long-term vacancies such as workers' compensation injuries or stipend program participants.*

**Response R 11.7:** The recommendation has been implemented. DSES currently has the ability to hire temporary staff to cover these situations. This process is contingent upon the ability to find qualified personnel that are willing to work on a temporary basis. FCS currently rehires retired staff members who are willing and able to work on a temporary basis. However, the availability of former staff members is limited; as a result, long-term vacancies often cannot be filled on a temporary basis.

**Recommendation R 11.8:** *The Board of Supervisors should take action to re-centralize specific human resources functions to assure consistent actions on personnel matters. Re-centralized activities could include performance evaluations, labor grievances, and job transfers.*

**Response R 11.8:** The recommendation will be implemented. The County Administrative Officer, with the support of GFOA and a department heads subcommittee, developed an HR Roadmap with recommendations to create a central HR function with responsibility to oversee and review selected personnel activities. The County agrees that improvements are needed, and can be implemented without substantially detracting from the independence currently enjoyed by in the current decentralized HR system. For example, DSES and Department of Child Support Services are primarily governed by Merit Systems Services. It is not reasonable to fully recentralize DSES HR services when the system it operates under is different from the rest of the County. The County intends to maintain and enhance support for the decentralized HR system currently in place by more fully supporting the decentralized services through a central HR function.

**Recommendation R 11.9:** *DSES should provide training for FCS managers and supervisors in communication, coaching, mentoring, and other constructive ways to help workers improve their performance.*

**Response R 11.9:** The recommendation has been implemented. Training is currently available for these topic areas in the required Supervisor CORE, Manager's CORE and departmental supervisor training.

**Recommendation R 11.10:** *DSES should provide training for FCS managers and supervisors in conflict resolution and how to constructively intervene in contentious situations before they escalate.*

**Response R 11.10:** The recommendation has been implemented. Training currently exists for supervisors and managers regarding this issue. U.C. Davis provided training for DSES titled “Working with Difficult People”, and many supervisors and managers have taken advantage of this and related training opportunities. DSES will continue work to revisit this issue and secure training specific to conflict resolution by December 2007.

**REPORT TITLE:** Monterey County Jail  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F 15.1 – F 15.8

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***Finding F 15.1:*** *Severe overcrowding in the present jail facility requires that large financial outlays be made by the County to insure the safety and security of both inmates and correctional officers.*

**Response F 15.1:** The respondent disagrees partially with the finding. There is agreement that the capacity challenges require a need for significant financial outlays. The respondent notes that the County has limited financial resources to finance capital projects of this magnitude. The County must balance the needs of all County departments within the limits of its available financial resources. The Board of Supervisors continues to work with the County Administrative Office and the Sheriff's Office to secure operational funding for the detention facility to include staffing and planning for future facility needs.

***Finding F 15.2:*** *The current budget for the Sheriff's Department is inadequate to meet projected County jail incarceration needs.*

**Response F 15.2:** The respondent disagrees partially with the finding. The County establishes a budget based on an assessment of the needs of all departments, available financing resources, and then prioritizes those needs to meet overall County service goals. Finite financial resources are distributed based on the prioritization of those needs. The Board of Supervisors continues to work with the County Administrative Office and the Sheriff's Office to secure an adequate budget that addresses the increased costs for current and future County Jail operations and best practices staffing patterns.

***Finding F 15.3:*** *The current County jail facilities are inadequate to meet current or future incarceration requirements.*

**Response F 15.3:** The respondent agrees with the finding.

***Finding F 15.4:*** *The Sheriff's Department has difficulty recruiting and retaining a sufficient number of qualified peace and correctional officers because of low compensation and the high cost of living in Monterey County.*

**Response F 15.4:** The respondent disagrees partially with the finding. Monterey County seeks to compensate based on a fair wage. The County does not seek to be the highest or lowest paying agency. The Deputy Sheriff's parity with the four highest cities in Monterey County has been achieved. Parity, by County policy, is within 5% of the mean of comparable agencies. Deputy Sheriffs have a three-year MOU term and are expected to remain at parity throughout the term of their agreement.

***Finding F 15.5:*** *The mission of the Sheriff's Department (community safety and the safety and security of inmates, peace and correctional officers, and staff) is being accomplished through prudent use of resources, overtime, technology (video and audio surveillance), and good management.*

**Response F 15.5:** The respondent disagrees partially with the finding. The prudent use of resources, overtime, technology and good management facilitate the attainment of the mission of the Sheriff's Office. The mission of the Sheriff's Office is constrained by the lack of adequate staffing levels, relief factors and the physical plant of the detention facility.

***Finding F 15.6:*** *Communications between the Sheriff's Department and Immigration and Customs Enforcement (ICE) are not rapid enough to facilitate early identification and deportation of criminals to their country of origin to serve their sentences or to ensure timely pick-up of illegal or undocumented inmates for deportation upon release at the completion of their sentences.*

**Response F 15.6:** The respondent disagrees wholly with the finding. The Board recognizes the authority of the Sheriff's Office in addressing this issue.

***Finding F 15.7:*** *Funding of incarceration costs associated with the implementation of the Monterey County Joint Gang Task Force and other federal and state law enforcement programs has not been included in the federal and state grants or added to the Sheriff's Department budget by the County.*

**Response F 15.7:** The respondent disagrees partially with the finding. The respondent agrees that funding has not been able to keep up with volume growth by the County, state and federal government; however, the County does fund the jail and funding is contingent on the County's financial resources and competing priorities within the County. The Sheriff's Office does not charge cities booking fees (fees established for the processing and screening of inmates booked into the jail), for those arrests made by the Joint Gang Task Force. The waiving of these fees was a decision the Sheriff's Office and County made as evidence of their commitment to the Joint Gang Task Force.

***Finding F 15.8:*** *Enhanced video and audio surveillance, enhanced fingerprint identification and analysis, and iris scan are available and could be used to help the Sheriff's Department meet the safety and security needs created by inadequate jail facilities.*

**Response F 15.8:** The respondent agrees with the finding. Video and audio surveillance has been increased in the detention facility to enhance safety and security. Fingerprint identification and analysis and the iris scan are operational in the facility and confirm the inmate's identity. Technology, along with video and audio surveillance, is a beneficial tool, but is not a substitute for best practices staffing levels and an adequate physical plant.

**REPORT TITLE:** Monterey County Jail  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendations R 15.1 – R 15.6

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**Recommendation R 15.1:** *The Board of Supervisors in conjunction with the Sheriff's Department should seek funding for additional or new jail facilities to meet the current and projected needs for incarceration.*

**Response R 15.1:** This recommendation has been implemented. The Board of Supervisors approved Jail facility needs assessment began in October 2006. This planning project will provide the foundation for the process that leads to the funding, design, and construction of additional detention beds and/or new County jail facilities. The facility needs assessment is scheduled for completion in April 2007.

Final decisions for financing capital costs and construction timelines are based on recommendations provided through the facility needs assessment, final disposition of the State's FY 2007-08 budget, and available County financial resources.

**Recommendation R 15.2:** *The Board of Supervisors should fund budget requests made by the Sheriff's Department for technology such as enhanced video and audio surveillance, enhanced finger print identification and analysis, and iris scan equipment.*

**Response R 15.2:** The recommendation has been implemented. The Board of Supervisors has consistently approved technology to include enhanced fingerprint identification and analysis equipment, iris scan, video and audio surveillance equipment. The funding of this technology has been a successful collaborative effort.

**Recommendation 15.3:** *The District Attorney's Office should expedite the trial and sentencing of inmates housed at the jail facility in order to reduce overcrowding. The Grand Jury cannot and did not investigate the Superior Court in relation to this matter. However, the Superior Court should also expedite trial and sentencing whenever possible.*

**Response R 15.3:** The recommendation will not be implemented. The Board of Supervisors recognizes the authority, processes, and independent legal responsibilities of the District Attorney and the Superior Court. This recommendation is subject to their findings.

**Recommendation R 15.4:** *The Board of Supervisors in conjunction with the Sheriff's Department should provide additional compensation for peace and correctional officers to bring them into parity with higher paying law enforcement agencies in Monterey County.*

**Response R 15.4:** The recommendation will not be implemented because it is not warranted. Monterey County seeks to compensate based on a fair wage. The County does not seek to be the highest or lowest paying agency. The Deputy Sheriffs parity with the four highest cities in Monterey County has been achieved. Parity, by County policy, is within 5% of the mean of comparable agencies. "Comparable agencies" is mandated

by County policy and is defined as the 8 adjacent counties and 2 cities within Monterey County (City of Salinas and City of Monterey). Either comparison shows that the Deputy Sheriffs are within the parity guidelines. Deputy Sheriffs have a three-year MOU term and are expected to remain at parity throughout the term of their agreement.

***Recommendation R 15.5:*** *The Board of Supervisors and the County Administrative Officer, in conjunction with the Sheriff's Department, should provide a local, non-union-negotiated, differential cost-of-living or housing allowance to peace and correctional officers working for the County Sheriff's Department in order to recruit and retain highly qualified officers.*

**Response R 15.5:** The recommendation will not be implemented. The Board of Supervisors respects and recognizes the collective bargaining agreements. Both County Policy and the negotiations process considers cost of living and housing costs through wage parity. It is important to note that compensation and benefits are mandatory subjects of bargaining.

Pursuant to the County's compensation policy, and by direction of the Board of Supervisors, salaries are considered to be at parity when the salary is within 5% of the market average (using the comparable agencies as adopted by the Board).

The County's parity policy is designed to provide a basis to objectively analyze and include relevant market-driven factors to establish salaries. Through bargaining and comparative analysis meaningful market factors, including regional cost of living and housing variances are accounted for and included in the negotiated wages. All of these factors were considered during negotiations of a competitive wage both acceptable to the union and the Board of Supervisors.

***Recommendation R 15.6:*** *The Sheriff's Department should proactively seek to enhance communications and interactions with Immigration and Customs Enforcement (ICE) to facilitate early identification and deportation of criminals to their country of origin to serve their sentences or to ensure timely pick-up of illegal or undocumented inmates for deportation upon release at the completion of their sentences.*

**Response R 15.6:** The recommendation has been implemented. The Board of Supervisors recognizes the authority of the Sheriff's Office in addressing this issue and finds this recommendation subject to the Sheriff's findings.