



August 18, 2011

The Honorable Adrienne Grover
Presiding Judge of the Superior Court
County of Monterey
240 Church Street
Salinas, CA 93901

Monterey County Civil Grand Jury
PO Box 414
Salinas, CA 93902

**RE: 2010 MONTEREY COUNTY CIVIL GRAND JURY REPORT-
RESPONSES TO FINDINGS-CALPERS & GANG ACTIVITY**

Greetings,

We are quite surprised with the findings of the Grand Jury. Many appear to be opinions, and very broad ones at that, not issues that require an answer or response as is mandated. We will provide you with responses as appropriate. Below are our responses to the findings:

1.1-This is an opinion of the Grand Jury. The City of King believes there are advantages and disadvantages to CalPERS retirement.

1.2-Again, this is an opinion, and a case can be made for the opposite opinion.

1.3.-Opinion-There is no legal mandate to have a vote. Each City operates independently as General Law or Charter Cities and can have such votes if desired.

1.4-Agree with finding in that the CalPERS system operates as described in the finding. This provides advantages to retaining institutional memory by using former employees for limited work assignments.

1.5-We can neither agree nor disagree with the finding as it refers to agencies beyond the City of King's control. King City Personnel Rules are designed to curtail spiking.

1.6-Again we can neither agree nor disagree with the finding for the same reason as 1.5. The City of King is not aware of any abuse of the “Golden Handshake” rule in King City as we have not used the provision in over 5 years.

1.7-Opinion-“Appropriate” is in the eye of the beholder. The City is currently negotiating a variety of issues including employee payments for retirement, health and other benefits.

1.8-We neither agree nor disagree with the finding as the City of King is unaware of any circumstances contained in the finding.

1.9-Again we neither agree nor disagree as it contains information beyond our scope of authority. The City does not limit sick time accumulation but does limit vacation and other leaves.

1.10-Opinion and not related to City actions.

1.11-Opinion. There are numerous changes to retirement that COULD be made, the example in the “finding” is one such change.

1.12-We neither agree nor disagree as this contains information not within our knowledge. The City of King routinely seeks to include “reopener” language although there are other ways to reopen negotiations.

Gang Activity

5.1-We cannot agree or disagree with the findings. CASP is not a City of King activity.

5.2-We cannot agree or disagree with the findings. CASP is not a City of King activity.

5.3-We cannot agree or disagree with the finding. The ceasefire strategy has multiple impacts, depending upon how it is carried out. The best practices for ceasefire include significant law enforcement and social services follow ups which is not addressed in the very limited finding or report.

5.4-We agree with the finding.

5.5-We cannot agree or disagree with the Findings. Many would argue the special advice and funding is a result of ineffective gang policy for many years that have come to fruition.

5.6-We can neither agree nor disagree. MCOE is not a City of King Activity.

5.7-We agree with the finding in its description of Rancho Cielo.

Sincerely,



Michael Powers
City Manager