

El Dorado County Grand Jury 2011-2012



Fair Play Wine Region



South Lake Tahoe



Downtown Placerville



El Dorado Hills Town Center



Final Report

El Dorado County Grand Jury 2011-2012

Final Report



June 2012

El Dorado County Grand Jury
P.O. Box 472
Placerville, CA 95667
(530) 621-7477
gjone@edcgov.us

Online report available at:
www.edgov.us/grandjury



Left to Right: Dan Jensen, Eileen Pope, Irv Coe, Lisa Magnuson, Ryan Donner, Clyde Needham, Dale Garner Davis, Gary Miles, Barbara Bailey, Joe Salerno, Ted Long (Foreman), Bill Knox, Robert Reeves, Billy Garrett, Dee Clowser, Ann Lee, Ron Zehren, Larry Harnick, Mike Powell



GRAND JURY
El Dorado County

P.O. Box 472
Placerville, California 95667
(530) 621-7477 Fax: (530) 295-0763
gjone@edcgov.us

June, 2012

To: Citizens of El Dorado County

Re: Final Report of the 2011-2012 El Dorado County Grand Jury

Dear Fellow Citizens:

It was with great pleasure that I served as foreman of your 2011-12 El Dorado County Grand Jury with 18 of your finest and most dedicated citizens. While our effort was rewarding, it also required a strong commitment to the task and many hours of work. This year, we were fortunate to have a very diverse group representing the entire county, including five members from the Lake Tahoe area.

The Grand Jury's work this year included a range of topics from special districts to the internal workings of the county's processes. We met and interviewed representatives from virtually all aspects of county government, as well as having taken an intense interest in the future of local government. The Grand Jury is much more than a "watch dog"; it affords us the opportunity to look forward, correct mistakes and inform our fellow residents.

This Grand Jury was also active in communicating throughout the county about what they do as well as the opportunity to serve. As a result, we now have a record number of applications for the 2012-2013 Grand Jury.

The Grand Jury has many responsibilities, and in the normal course of events, is singly focused on the openness and effectiveness of our county government and its officials. This year, however, due to a misunderstanding, the Jury's budget was cut to one half of the needed level; therefore, a substantial amount of time was spent correcting the error. The Grand Jury's budget is approximately \$85,000, less than ten per cent of which is actual non-reimbursed expenses. The bulk goes to meeting the statutory requirement of \$15 for each meeting attendance as well as reimbursement for actual mileage driven to official Grand Jury meetings and hearings. That averages about \$350 per member per month for an average attendance of 30 plus hours a month in meetings and hearings. No one serves for the money; however, I am pleased to say that, thanks to the good work and support of Supervisor John Knight, the Grand Jury's financial future is now assured.

I hope that our report will serve you in some way, from affording a deeper understanding of our government to being a stimulus for further conversation and debate on the future of government within our county. El Dorado County can take credit for the literal creation of

the State of California as the home of the 1850's gold rush. It can also take the lead in the 2000's with a reinvention of the nature of government itself.

As you read our report, I hope you will keep in mind that yes, we investigate, but more importantly, we cooperate in the creation of a better government for a better life for us all. Thank you for your support, Volunteers.

Warm regards

Ted Long
Foreman, 2011-2012
El Dorado County Grand Jury



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF EL DORADO**

1354 Johnson Boulevard, Ste. 2
South Lake Tahoe, CA 96150
(530) 573-3082 Fax (530) 543-6720

Dear Grand Jury Members:

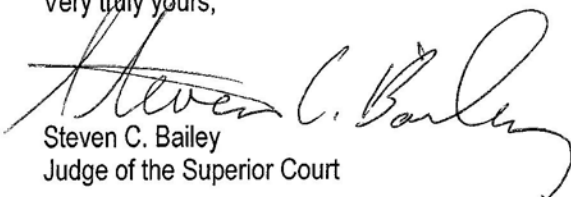
As Supervising Judge of the 2011/2012 Grand Jury, and on behalf of the El Dorado County Superior Court, I want to express my thanks to all of you for your hard work, dedication, and accomplishments.

Grand Jurors always assume a great deal of responsibility whenever they agree to be a part of a year's panel. They willingly do this as volunteers without any purpose together than to insure that governmental agencies and individuals are properly performing their duties. Your hard work has helped fulfill the Grand Jury's goal of better government for all the citizens of El Dorado County.

Special thanks to Mr. Ted Long, Foreperson of the 2011/2012 Grand Jury. Ted has been a hard-working and able leader in this time-consuming position. It is due largely to his leadership skills that your work was conducted harmoniously and well.

In closing, I applaud each member of this Grand Jury and congratulate you on your 2011/2012 Grand Jury Service.

Very truly yours,


Steven C. Bailey
Judge of the Superior Court



**GRAND JURY
El Dorado County**

P.O. Box 472
Placerville, California 95667
(530) 621-7477 Fax: (530) 295-0763
gjone@edcgov.us

Notice to Respondents

California Penal Code Section 933.05 mandates specific requirements for responding to grand jury reports. You are advised to carefully read the pertinent provisions below and prepare your official response accordingly. Please pay particular attention to required explanations and time frames. Incomplete or inadequate responses are likely to prompt further investigative inquiries by the grand jury and/or the court.

RESPONSE TO FINDINGS

The responding person or entity shall indicate one of the following:

The respondent agrees with the finding.

The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

RESPONSE TO RECOMMENDATIONS

The responding person or entity shall report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation. It is the expectation of the grand jury that the timeframe be specific and reasonable.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

RESPONSES

There are two different response times set forth in the Penal Code essentially depending upon whether the respondent is elected or not elected.

Public Agencies

The governing body of any public agency (also referring to a department) must respond within 90 days from the release of the report to the public. The response must be addressed to the Presiding Judge of the El Dorado County Superior Court as indicated in the Response Section of each report.

Elective Officers or Agency Head

All elected officers or heads of agencies/departments are required to respond within 60 days of the release of the report to the public. Responses must be sent to the Presiding Judge of the El Dorado County Superior Court, as specified in the Response Section of each report, with a copy to the El Dorado County Board of Supervisors.

FAILURE TO RESPOND

Failure to respond as required to a grand jury report is in violation of California Penal Code Section 933.05 and is subject to further action. Such action is likely to include further investigation on the subject matter of the report by the grand jury.

The current Presiding Judge of the El Dorado County Superior Court:

Presiding Judge
Honorable Suzanne N. Kingsbury
Department 3
1354 Johnson Blvd, Suite 2
South Lake Tahoe CA 96150

The Presiding Judge of the El Dorado County Superior Court additionally requests that your responses be sent in an original "word" file, or "PDF" file to facilitate the economical and timely distribution of such responses. Please e-mail to the Grand jury at:

scadmin@eldoradocourt.org. Thank you.

Estimated Economic Impact Report

2011-2012 Grand Jury

001 - El Dorado County Policies and Procedures

There are no estimated financial impacts from this report.

002 - Placerville Union School District Business Practices

There are no estimated financial impacts from this report.

003 - El Dorado County Business License Ordinance

There are positive estimated financial impacts from this report.

No actual figure can be estimated at this time.

El Dorado County could potentially receive revenues in the hundreds of thousands of dollars by following the recommendations in this report.

004 - Department of Transportation – Financial Management

There are no estimated financial impacts from this report.

005 - California Grand Jury Budgets

There are no estimated financial impacts from this report.

006 - Fee Waivers – Iron Gate

There are negative estimated financial impacts from this report.

No actual figure can be estimated at this time.

El Dorado County could potentially lose revenues in the thousands of dollars by following the recommendations in this report.

007 - El Dorado County Detention Facilities

There are no estimated financial impacts from this report.

008 - South Lake Tahoe Ice Arena

There are no estimated financial impacts from this report.

009 - Sheriff's Department Incentive Pay – (Diploma Gate) Follow-Up

There are positive estimated financial impacts from this report.

El Dorado County could potentially receive \$23,353.11 by following the recommendations in this report.

010 - Consolidation of City and County Services

There are positive estimated financial impacts from this report.

No actual figure can be estimated at this time.

The City of Placerville and the City of South Lake Tahoe could potentially save millions of dollars by following the recommendations in this report.

011 - Unlawful Use of Taxpayer Funds

There are positive estimated financial impacts from this report.
El Dorado County could potentially receive \$22,000 by following the recommendations in this report.

012 - Placerville Police Investigative Policy

There are no estimated financial impacts from this report.

013 - El Dorado County Contracts

There are no estimated financial impacts from this report.

Grand Jury

There are positive estimated financial impacts.
The Grand Jury applied for an Air Quality Resources Grant and was awarded \$14,719.00 with the possibility of additional funds.

Total estimated financial impact from Grand Jury Final Report:

El Dorado County:

Actual: \$45,353.11
Estimated: \$250,000.00

City of Placerville:

Actual: \$0
Estimated: \$3,000,000.00

City of South Lake Tahoe:

Actual: \$0
Estimated: \$3,000,000.00

Grand Jury:

Actual: \$14,719.00
Estimated: \$500

El Dorado County Grand Jury
2011-2012

Mission Statement

*The Grand Jury acts as the citizen oversight
For El Dorado County*

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El Dorado County Grand Jury 2011-2012

El Dorado County Policies and Procedures Case Number GJ-11-001

Reason for Report

A recommendation was made by the 2010-2011 El Dorado County Grand Jury that the 2011-2012 El Dorado County Grand Jury consider investigating El Dorado County Counsel's preparation of contracts entered into by the Board of Supervisors.

Background

The Board of Supervisors considers many contracts in the course of the year. Each contract is negotiated by the respective department with the party or parties involved. County Counsel is not engaged in the negotiation and/or preparation of contracts that do not directly affect their department; however, they are asked to review all contracts before the Board acts on them. County Counsel does not format or pass judgment on the content of contracts or their reasonableness, only on their legal structure. The Grand Jury broadened its inquiry into the contract negotiation and acceptance of policies for all county departments.

Methodology

Documents reviewed:

- El Dorado County Board of Supervisors Policy C-1
- El Dorado County Board of Supervisors Policy C-17 ([Attachment 1](#))
- El Dorado County Departmental responses – 11/20/11
- El Dorado County Grand Jury Department Head Letter ([Attachment 4](#))
- El Dorado County Procurements and Contracts
- Government Code §31100 ([Attachment 2](#))
- Government Code §54202 ([Attachment 3](#))
- Health Services Department Policy/Procedure # II-G-0-007

Interviews:

- El Dorado County Chief Administrative Office
- El Dorado County Counsel
- El Dorado County Department of Transportation
- El Dorado County District Attorney's Office
- El Dorado County Health Services

Facts/Findings

1. C-17: Government Code §54202 requires the Board to adopt policies and procedures governing purchases of supplies and equipment.
2. C-1: This policy, which covers purchasing, has subsequently been deleted.
3. El Dorado County Department of Agriculture
Policies and procedures manuals for compliance with safety law, resolutions, directives by the Board of Supervisors.
Does not utilize Policy C-17.
4. El Dorado County Assessor's Office
Uses a multitude of policies and procedures manuals.
5. El Dorado County Auditor/Controller's Office
No response to Grand Jury letter.
6. El Dorado County Board of Supervisors
Utilizes Policy C-17.
7. El Dorado County Chief Administrative Office
Helped coordinate responses.
No response to Grand Jury letter.
8. El Dorado County Department of Child Support Services
Has developed and adheres to a number of policies and procedures manuals, as well as to the Code of Federal Regulations and California Family Code.
Utilizes Policy C-17.
9. El Dorado County Counsel's Office
No response to Grand Jury letter.
10. El Dorado County Department of Transportation
Contract Services Unit Procedures Manual.
Utilizes Policy C-17.
11. El Dorado County Development Services
Utilizes Environmental Department Administration Division for processing contracts.
Utilizes Policy C-17.
12. El Dorado County District Attorney's Office

No response to Grand Jury letter.

13. El Dorado County Elections Department
Utilizes Policy C-17.
14. El Dorado County Environmental Management
Uses Environmental Management Request Form for initiation of a new contract.
Utilizes Policy C-17.
15. El Dorado County Health Services
Public Health and Mental Health maintains policies and procedures manuals.
16. El Dorado County Human Resources
Follows guidelines of Government Code §31100, El Dorado County Charter, Personnel Management Resolutions, and Compensation Resolution.
17. El Dorado County Department of Human Services
Utilizes Policy C-17.
18. El Dorado County Information Technologies
No response to Grand Jury letter.
19. El Dorado County Library Department
No letter was sent to this department.
Voluntary response.
20. El Dorado County Probation Department
No response to Grand Jury letter.
21. El Dorado County Procurement and Support Services
No response to Grand Jury letter.
22. El Dorado County Public Defender
No response to Grand Jury letter.
23. El Dorado County Recorder Clerk's Office
Utilizes Policy C-17.
24. El Dorado County Sheriff's Department
No response to Grand Jury letter.
25. El Dorado County Surveyor's Office
Utilizes Policy C-17.

26. El Dorado County Treasurer/Tax Collector
Procurement and Contracts division.
27. University of California Cooperative Extension
This department is appointed by the State, therefore no letter was sent.
28. El Dorado County Veterans Affairs
Utilizes Policy C-17.

Recommendations

1. The Grand Jury recommends that the El Dorado County Auditor/Controller's office respond to our letter dated September 20, 2011.
2. The Grand Jury recommends that the El Dorado County Chief Administrative Office respond to our letter dated September 20, 2011.
3. The Grand Jury recommends that the El Dorado County Assessor's Office outline their policies and procedures.
4. The Grand Jury recommends that the El Dorado County Counsel's Office respond to our letter dated September 20, 2011.
5. The Grand Jury recommends that the El Dorado County District Attorney's Office respond to our letter dated September 20, 2011.
6. The Grand Jury recommends that the El Dorado County Information Technologies respond to our letter dated September 20, 2011.
7. The Grand Jury recommends that the El Dorado County Probation Department respond to our letter dated September 20, 2011.
8. The Grand Jury recommends that the El Dorado County Procurement and Support Services respond to our letter dated September 20, 2011.
9. The Grand Jury recommends that the El Dorado County Public Defender respond to our letter dated September 20, 2011.
10. The Grand Jury recommends that the El Dorado County Sheriff's Department respond to our letter dated September 20, 2011.

Responses

Responses to both the findings and recommendations in this report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to: The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This report has been provided to:

El Dorado County Auditor/Controller
El Dorado County Assessor
El Dorado County Board of Supervisors
El Dorado County Chief Administrative Office
El Dorado County Counsel's Office
El Dorado County District Attorney's Office
El Dorado County Information Technologies
El Dorado County Probation Department
El Dorado County Procurement and Support Services
El Dorado County Public Defender
El Dorado County Sheriff's Department

**COUNTY OF EL DORADO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject: PROCUREMENT POLICY	Policy Number C-17	Page Number: 1 of 1
	Date Adopted: 10/11/2006	Revised Date: 2/5/2008

BACKGROUND:

Government Code Section 54202 requires the Board to adopt policies and procedures governing purchases of supplies and equipment.

POLICY:

The Purchasing Agent, as the County's procurement expert, shall:

- Prepare policies and procedures governing procurement activity of the County for adoption by the Board of Supervisors.
- Review such policies and procedures on an annual basis and submit policy updates and revisions to the Board of Supervisors for adoption as necessary.
- Educate and train department staff regarding the policies and procedures
- Interpret and apply policies and procedures related to procurement of goods and services
- Monitor compliance with policies and procedures

Upon adoption by the Board of Supervisors, such procurement policies and procedures shall be attached hereto and referred to as Exhibit 'A'.

Primary Department: Chief Administrative Office, Procurement and Contracts Division

References: Government Code 54202
County Ordinance Code Chapter 3.12

(Attachment 2)

California Government Code Section 31100

This part may be cited as the County Civil Service Enabling Law.

(Attachment 3)

California Government Code Section 54202

Every local agency shall adopt policies and procedures, including bidding regulations, governing purchases of supplies and equipment by the local agency. Purchases of supplies and equipment by the local agency shall be in accordance with said duly adopted policies and in accordance with all provisions of law governing same. No policy, procedure, or regulation shall be adopted which is inconsistent or in conflict with statute.



GRAND JURY
El Dorado County

P.O. Box 472
Placerville, California 95667
(530) 621-7477 Fax: (530) 295-0763
gjone@edcgov.us

September 20, 2011

Attention El Dorado County Department Heads: Agriculture, Assessor, Auditor-Controller, CAO, Child Support Services, Clerk of the Board, County Counsel, Transportation, Development Services, District Attorney, Elections, Recorder Clerk, Veterans Services, Environmental Management, Health Services, Human Resources, Human Services, Information Technologies, Probation, Procurement/Support Services, Public Defender, Sheriff/Coroner, Surveyor, Treasurer/Tax Collector,

Subject: Request for Policies and Procedures manuals

We are examining the County's Policies and Procedures. Toward that end, does your department have a current Policies and Procedures Manual? If so, does it cover writing of contracts? Please provide us with a copy.

Please reply by Thursday, October 6, 2011, or as soon as possible.

Sincerely,

Ted Long
Grand Jury Foreman
El Dorado County Grand Jury 2011-2012
PO Box 472
Placerville, CA 95667
(530) 621-7477

El Dorado County Grand Jury 2011-2012

Placerville Union School District Policies and Procedures Case Number GJ-11-002

Reason for Report

The Grand Jury received a complaint that Louisiana Schnell School, a division of the Placerville Union School District (PUSD), did not follow policies regarding documentation and handling of complaints. The complaint also addressed student and employee rights to be safe and free from harassment.

Background

Children have a right to be safe at school. The California Constitution (Article 1) states in part, “the public safety is protected and encouraged as a goal of highest importance and such public safety extends to public primary, junior high and senior high school campuses, where students and staff have the right to be safe and secure in their persons. All students and staff of public schools have the inalienable right to attend campuses which are safe, secure and peaceful.”

An employee was observed allegedly bullying children on several occasions.

PUSD Administration Regulation 4158 (AR4158) ([Attachment 1](#)) states in part, “... employees shall promptly report to their principal or supervisor, and may report to law enforcement, any attack, assault or threat made against them on school grounds by any other individual.”, in addition, “Reports of attack, assault or threat also shall be forwarded immediately to the Superintendent or designee.”

Within the PUSD, children are required to sign a bully pledge ([Attachment 2](#)), which directs them to tell someone if they are bullied or see someone bullied.

Methodology

Documents:

2007-2008 Grand Jury Report on Safe Schools GJ-07-013
2011-2012 Placerville Union School District Annual Notification to Employees
California Constitution, Article 1
California Education Code §35294.2 ([Attachment 3](#))
[El Dorado County Office of Education](#)
Employee and Student Handbooks from all schools within El Dorado County
[Placerville Union School District](#)
Placerville Union School District Bully Pledge ([Attachment 2](#))

Placerville Union School District Board of Education Administrative Regulation
4158 ([Attachment 1](#))

Placerville Union School District Policy for Prevention of Bullying ([Attachment 4](#))

Williams Uniform Complaint Form ([Attachment 5](#))

Interviews:

El Dorado County Office of Education Superintendent
Placerville Union School District Administrators
Placerville Union School District Classified Staff
Placerville Union School District Parents
Placerville Union School District Teachers

Facts/Findings

1. Procedures on how to file a complaint are the same county-wide. ([Attachment 5](#))
2. California Education Code §35294.2 requires schools to have a bully policy in place. ([Attachment 3](#))
3. Schools within the PUSD do not have a complaint form in their handbooks; however, it is available on the district website.
4. PUSD uses the Williams Uniform Complaint Form to address all complaints; however, this form does not address bullying or harassment.
5. PUSD Administrative Regulation 4158 requires district employees to report anyone treating a child inappropriately.
6. Employees receive training every two years on sexual harassment in the workplace. They do not currently receive ongoing training in bully prevention. The students sign an anti-bully pledge every year. ([Attachment 1](#))
7. The bully policy only covers student to student bullying. It does not cover adult to student, adult to adult, or student to adult bullying or harassment. ([Attachment 4](#))
8. The Policy for Prevention of Bullying does not include a definition of bullying.

Recommendations

1. The Grand Jury recommends that PUSD develop a complaint form to specifically address bullying and harassment. This form should be available in both the Student Handbook and on the district website.
2. The Grand Jury recommends that PUSD implement yearly employee training on bully prevention and conflict resolution.
3. The Grand Jury recommends that PUSD employees be properly trained on when and how to report inappropriate conduct, bullying or harassment, as directed in AR4158.
4. The Grand Jury recommends adding a definition of bullying to the Policy for Prevention of Bullying.

Responses

Responses to both the findings and recommendations in this report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to:
The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court,
1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This report has been provided to:

El Dorado County Board of Supervisors
El Dorado County Office of Education
Placerville Union School District

(Attachment 1)

Placerville Union SD | 4000 | AR 4158, 4258, 4358 Personnel

Employee Security

An employee may use reasonable and necessary force for his/her self-defense, defense of another person, or protection of property; to quell a disturbance threatening physical injury to others; or to obtain possession of weapons or other dangerous objects within the control of a student. (Education Code 44807, 49001)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

Employees shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against them by a student.

Both the employee and the principal or other immediate supervisor shall promptly report such instances to the appropriate local law enforcement agency. (Education Code 44014)

In addition, employees shall promptly report to the principal or supervisor, and may report to law enforcement, any attack, assault, or threat made against them on school grounds by any other individual.

(cf. 3515.2 - Disruptions)

Reports of attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

(cf. 3320 - Claims and Actions Against the District)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 3530 - Risk Management/Insurance)

Notice Regarding Student Offenses Committed While Under School Jurisdiction

The Superintendent or designee shall inform the teacher(s) of each student who has engaged in, or is reasonably suspected of, any act during the previous three school years which could constitute grounds for suspension or expulsion under Education Code 48900, with the exception of the possession or use of tobacco products, or Education Code 48900.2, 48900.3, 48900.4, or 48900.7. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

(cf. 5125 - Student Records)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in his/her suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended or expelled from his/her former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 49079)

Notice Regarding Student Offenses Committed While Outside School Jurisdiction

When informed by the court that a minor student has been found by a court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall so inform the school principal. (Welfare and Institutions Code 827)

The principal shall disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress. The principal also may inform any teacher or administrator he/she thinks may need the information so as to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of his/her offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 15, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

Procedures to Maintain Confidentiality of Student Offenses

In order to maintain confidentiality when providing information about student offenses to counselors and teachers of classes/programs to which a student is assigned, the principal or designee shall send the staff member a written notification that one of his/her students has committed an offense that requires his/her review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall be asked to initial the notification and return it to the principal or designee.

The staff member shall also initial the student's file when reviewing it in the school office. Once the district has made a good faith effort to comply with the notification requirement of Education Code 49079 and Welfare and Institutions Code 827, an employee's failure to review the file constitutes district compliance with the requirement to provide notice to the teacher.

Regulation PLACERVILLE UNION SCHOOL DISTRICT

approved: October 19, 2011 Placerville, California



Placerville Union School District Schools Anti-Bullying Pledge 2011-2012

We the students of the Placerville Union School District agree to join together with our community to stop bullying.

BY SIGNING THIS PLEDGE, I AGREE TO:

- ✓ Treat others respectfully
- ✓ Try to include those who are left out
- ✓ Refuse to watch, laugh or join in when someone is being bullied
- ✓ Refuse to engage in cyber bullying
- ✓ Help those who are being bullied
- ✓ Tell an adult
- ✓ "Do the Right Thing"

I promise to uphold my pledge to myself to be Bully-Free!

Student signature _____

Parent signature _____

Teacher signature _____

Principal signature _____



My community partners are:

David Machado, Placerville Mayor David Machado

Judge James R. Wagoner, El Dorado Superior Court James R. Wagoner

Chief Bruce Lacher, El Dorado County Fire District Bruce Lacher

John D'Agostini, El Dorado County Sheriff's Department John D'Agostini

Chief George Nielsen, Placerville Police Department George Nielsen

Misty diVittorio, PUSD Board President Misty diVittorio

Debbie Akin, PUSD Board Member Debbie Akin

Robin Lyons, PUSD Board Member Robin Lyons

Sean Martin, PUSD Board Member Sean Martin

Karen Parker, PUSD Board Member Karen Parker

Nancy Lynch, Ed.D., PUSD Superintendent Nancy Lynch



Together we make a difference!



(Attachment 3)

Sample Policies

Model policies on the prevention of bullying and on conflict resolution that were developed by the California Department of Education as resources to help California schools address these vital school safety concerns.

To assure that California schools act promptly to resolve disputes, taunting, harassment, or bullying that could result in violence, the Legislature and the Governor enacted Assembly Bill 79 (Chapter 646, Statutes of 2001). This bill amends *Education Code* Section 35294.2 to include subdivision (g):

"The State Department of Education shall develop model policies on the prevention of bullying and on conflict resolution and make the model policies available to school districts. A school district may adopt one or both of these policies for incorporation into its school safety plan."

The California Department of Education developed the following policies as resources to help California schools address these vital school safety concerns. School districts may adapt these policies to local needs and are encouraged to include:

Examples of strategies used in their schools for promoting positive behavior being practiced by its school community,

Training conducted for teachers and staff about how to appropriately intervene in a dispute, including expectations from adults who observe a dispute or act of taunting, harassment, or bullying,

Conflict resolution or peer mediation training provided to students and expectations of students who observe disputes that could lead to violence, including identifying the person(s) to be contacted if needed.

Sample Policy for Bullying Prevention

The _____ School District believes that all students have a right to a safe and healthy school environment. The district, schools, and community have an obligation to promote mutual respect, tolerance, and acceptance.

The _____ School District will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate or harass another student through words or actions. Such behavior includes: direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

The _____ School District expects students and/or staff to immediately report incidents of bullying to the principal or designee. Staff are expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying should be promptly investigated. This policy applies to students on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity.

To ensure bullying does not occur on school campuses, the _____ School District will provide staff development training in bullying prevention and cultivate acceptance and understanding in all students and staff to build each school's capacity to maintain a safe and healthy learning environment

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

Each school will adopt a Student Code of Conduct to be followed by every student while on school grounds, or when traveling to and from school or a school-sponsored activity, and during lunch period, whether on or off campus.

The Student Code of Conduct includes, but is not limited to:

Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.

Students are expected to immediately report incidents of bullying to the principal or designee.

Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.

If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the principal or the Office of Student Services. The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

All staff, students and their parents will receive a summary of this policy prohibiting bullying: at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the school system's notification to parents.

The school will make reasonable efforts to keep a report of bullying and the results of investigation confidential.

Staff are expected to immediately intervene when they see a bullying incident occur.

People witnessing or experiencing bullying are encouraged to report the incident; such reporting will not reflect on the victim or witnesses in any way.

Sample Policy for Conflict Resolution

The _____ School District believes that all students have a right to a safe and healthy school environment. Part of a healthy environment is the freedom to openly disagree. With this freedom comes the responsibility to discuss and resolve disagreements with respect for the rights and opinions of others.

To prevent conflict, each school within the _____ School District will incorporate conflict resolution education and problem solving techniques into the curriculum and campus programs. This is an important step in promoting respect and acceptance, developing new ways of communicating, understanding, and accepting differing values and cultures within the school community and helps ensure a safe and healthy learning environment

The _____ School District will provide training to develop the knowledge, attitudes, and skills students need to choose alternatives to self-destructive, violent behavior and dissolve interpersonal and intergroup conflict. Each school will adopt a Student Code of Conduct to be followed by every student while on school grounds, when traveling to and from school or a school-sponsored activity, and during lunch period, whether on or off campus.

The Student Code of Conduct includes, but is not limited to, the following:

Students are to resolve their disputes without resorting to violence.

Students, especially those trained in conflict resolution and peer mediation, are encouraged to help fellow students resolve problems peaceably.

Students can rely on staff trained in conflict resolution and peer mediation strategies to intervene in any dispute likely to result in violence.

Students needing help in resolving a disagreement, or students observing conflict may contact an adult or peer mediators (*give location where listing of designated staff and students is posted*).

Students involved in a dispute will be referred to a conflict resolution or peer mediation session with trained adult or peer mediators. Staff and mediators will keep the discussions confidential.

Conflict resolution procedures shall not supplant the authority of staff to act to prevent violence, ensure campus safety, maintain order, and discipline students.

PLACERVILLE UNION SCHOOL DISTRICT POLICY FOR PREVENTION OF BULLYING

The Placerville Union School District believes that all students have a right to a safe and healthy school environment. The district, schools, and community have an obligation to promote mutual respect, tolerance and acceptance.

The Placerville Union School District will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate or harass another student through words or actions. Such behavior includes direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

The Placerville Union School District expects students and/ or staff to immediately report incidents of bullying to the principal or designee. Staff members are expected to immediately intervene when they see a bullying incident. Each complaint of bullying should be promptly investigated. This policy applies to students on school grounds, while they are traveling to and from school or a school-sponsored activity off-site, during the lunch period whether on or off campus, and during a school-sponsored activity.

To ensure bullying does not occur on school campuses, the Placerville Union School District will provide staff development training in prevention of bullying and cultivate acceptance and understanding in all students and staff to develop each school's ability to maintain a safe and healthy learning environment.

Teachers should discuss this policy with students in ways appropriate to their ages and should assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

Each school will adopt a Student Code of Conduct to be followed by every student while he or she is on school grounds, when traveling to and from school or a school-sponsored activity, and during lunch period, whether on or off campus.

The Student Code of Conduct includes, but is not limited to, the following actions and consequences:

- Any student who engages in bullying shall be subject to disciplinary action up to and including expulsion.
- Students are expected to immediately report incidents of bullying to the principal or designee.
- Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.

If the complainant student or the parent of the student believes that the investigation or complaint was not resolved appropriately, the student or the parent of the student should contact the principal or the school office. The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in bullying behavior include, but are not limited to, the following:

- All staff, students, and parents will receive a summary of the policy prohibiting bullying at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the school system's notification to parents.
- The school will make reasonable efforts to keep confidential a report of bullying and the results of the investigation.
- Staff members are expected to immediately intervene when they see a bullying incident occur.
- People witnessing or experiencing bullying are encouraged to report the incident; such reporting will not reflect on the victim or witnesses in any way.

Placerville Union SD

Exhibit 1312.4

WILLIAMS UNIFORM COMPLAINT PROCEDURES

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? ☐ Yes ☐ No

Contact Information:

Name: _____

Address: _____

Phone Number: Day: _____ Evening: _____

E-mail address, if any: _____

Location of the problem that is the subject of this complaint:

School: _____

Course title/grade level and teacher name: _____

Room number/name of room/location of facility: _____

Date problem was observed: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)

☐ A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.

☐ A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.

☐ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

☐ A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4681)

☐ A semester begins and a teacher vacancy exists. A teacher vacancy is a position to

which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

____ A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

____ A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facility conditions: (Education Code 35186, 35292.5; 5 CCR 4683)

____ A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition.

____ A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.

____ The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when closing of the restroom is necessary for pupil safety or to make repairs.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of pupils or staff.

Please file this complaint at the following location:

Nancy Lynch, Ed.D., Superintendent
1032 Thompson Way
Placerville, CA 95667

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(signature)

(date)

El Dorado County Grand Jury 2011-2012

El Dorado County Business License Ordinance Case Number GJ-11-003

Reason for Report

A complaint was received regarding non-compliance with the El Dorado County Business License Ordinance.

Background

The Treasurer/Tax Collector and the Sheriff's Department are responsible to issue and/or enforce Business Licenses. They are responsible to ensure all businesses are accounted for and in compliance with the Business License Ordinance.

Businesses that do not have a Business License could potentially not be paying business property tax; therefore, this non-compliance could result in an enormous loss of tax revenue to the county.

Methodology

Documents reviewed:

[Business License application form TC120 \(Attachment 2\)](#)

[Business Licenses – Active List](#)

Citizen's complaint – 09/16/2011

Comparable sized counties:

Butte
Humboldt
Imperial
Kings
Mariposa
Napa
Shasta
Yolo

County Chambers of Commerce member lists:

Coloma-Lotus
El Dorado County
El Dorado Hills
Georgetown Divide
Shingle Springs-Cameron Park
South Lake Tahoe

El Dorado County Code of Ordinances:

[Title 1 – General Provisions](#)

[Title 5 – Business Taxes, Licenses and Regulations](#)

El Dorado County Business License Utilization Survey (**Attachment 1**)

Interviews:

El Dorado County Assessor

El Dorado County Board of Supervisors:

District 1

District 2

District 3

District 4

District 5

El Dorado County Chief Administrative Office

El Dorado County Complainant

El Dorado County Counsel

El Dorado County Treasurer/Tax Collector's Office

[Sierra Economic Development Corporation](#)

Facts/Findings

1. The current Business License Ordinance (Chapter 5.08) has not been properly administered by the authorized authorities who oversee the ordinance.
2. In March of 2012, the Treasurer/Tax Collector's Department stated that non-compliance is only 10%. In the fall of 2011, the Grand Jury discovered that there is approximately 50% non-compliance with the ordinance by businesses and organizations that are required to have a Business License.
3. The Business License Complaint was received by the Grand Jury in September of 2011. The Treasurer/Tax Collector's Department began verifying Business Licenses in roughly November or December of 2011. Through the verification process, they now have a list of businesses that do not have a Business License.
4. The Business License fee is intended to cover the cost of processing the form pursuant to 5.16.010 of the Business Taxes, Licenses & Regulations Ordinance Code.
5. The Assessor's Office uses Business Licenses to determine who shall pay business property taxes, and in their opinion, there is no better method available to determine who shall pay.

6. The majority of the Board of Supervisors indicated that the Business License Ordinance is an ineffective and/or inefficient way to regulate businesses in the county.
7. Businesses exempt from a Business License include: *Agriculture, Employment, Public Agencies, Charities, Religious, Charitable and non-profit organizations, Newspapers, and Fair Concessions.* (Chapter 5.08.070)
8. When an agricultural item is repurposed, the business is no longer exempt from requiring a Business License. (Example: As soon as a winery crushes their grapes, they are no longer exempt from a Business License.)
9. Multiple businesses at the same location owned by the same person(s) require only one Business License under one of the business names.
10. Businesses in the City of Placerville and the City of South Lake Tahoe are required to have a County Business License if they solicit business outside of the city limits. (Chapter 5.04.040)
11. The Grand Jury sent a survey on the use of the “Business License – Active List” by county departments. Many county departments use the list of businesses. [\(Attachment 1\)](#)
12. Of eight similar sized counties, the highest Business License cost is Humboldt County at \$294 per license annually plus a percentage of gross income. The lowest cost per license is El Dorado County at \$32 per license annually.
13. The Coloma-Lotus, El Dorado County, El Dorado Hills, Georgetown Divide, Shingle Springs-Cameron Park, and South Lake Tahoe Chambers of Commerce were cooperative in helping the Grand Jury review their membership lists. The Pollock Pines-Camino Chamber of Commerce did not comply with the Grand Jury’s request.

Recommendations

1. The Grand Jury recommends that the Board of Supervisors update the Business License Ordinance for better enforcement and compliance with the county’s needs, as reflected in Attachment 1.
2. The Grand Jury recommends that the Treasurer/Tax Collector update the Business License Application Form TC120. The following changes should be made:
 - a. Update “clearance (if applicable)” - The signee’s Employee Identification Number should also be written as verification.

- b. Update “Exemption A” - Agriculture exemptions do not apply if products are repurposed.
 - c. Update “Note 2” - Ordinance Code 5.04.040 states that businesses within the city limits require a County Business License if those businesses solicit orders or deliver merchandise to the unincorporated area of the county.
- 3. The Grand Jury recommends that the Sheriff’s Department utilize the Sheriff’s Team of Active Retirees (S.T.A.R.) to assist in enforcement of the Ordinance.
- 4. The Grand Jury recommends that the Treasurer/Tax Collector should implement a computer program that will verify issues at the initiation of the application process (Examples: check correct zoning for type of business by verifying parcel number, check for past due taxes, and check State Board of Equalization).
- 5. The Grand Jury recommends that the Treasurer/Tax Collector should maintain appropriate staffing to manage the Business License Ordinance.
- 6. The Grand Jury recommends that the Treasurer/Tax Collector should ensure personnel involved in the Business License process be properly trained in all requirements of the Business License Ordinance.
- 7. The Grand Jury recommends that the Business License Ordinance should require businesses, even when owned by the same person at the same location, to obtain a separate Business License.
- 8. The Grand Jury recommends that the Treasurer/Tax Collector should share the list of businesses that do not have a Business License with other departments that utilize the “Business License-Active List.”
- 9. The Grand Jury recommends that all County Departments required to sign off on the Business License Application should enact a time study that will look into the actual cost of issuing the Business License.
- 10. The Grand Jury recommends that the Treasurer/Tax Collector should have a copy of all the membership lists for Chambers of Commerce and other business related organizations within the County. Those lists should be compared annually to the “Business License – Active List.”
- 11. The Grand Jury recommends that the Treasurer/Tax Collector publish a list of businesses that are not operating with a current Business License monthly on the Treasurer/Tax Collector’s website and in other public media.

Responses

Responses to both the findings and recommendations in this report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to:
The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This report has been provided to the:

El Dorado County Board of Supervisors
El Dorado County Building Department
El Dorado County Environmental Management Department
El Dorado County Fire Protection Districts
El Dorado County Planning Department
El Dorado County Sheriff's Department
El Dorado County Treasurer/Tax Collector

DEPARTMENTS THAT RESPONDED IN WRITING.	PHONE RESPONSES	ATTACHMENT i		
El Dorado County Business License Utilization Survey				
The purpose of this document is to identify what departments use the Treasurer/Tax Collector's "Business License - Active List". Information provided by each Department.				
DEPARTMENTS	CURRENT USER LIST?	COULD USE LIST?	IMPORTANT	COULD DEPARTMENT PERFORM WITHOUT IT?
Agriculture	Yes	Yes	SOMEWHAT	Without it would be difficult. List is very helpful to obtain owner names and to meet Constitutional requirements.
Assessor	Yes	yes	EXTREMELY	Without it would be difficult. List used to meet Constitutional requirements and as a method of discovering businesses not required to report to Assessor. Without it would be more expensive, labor intensive, and time consumenng.
Auditor/Controller				
CAO				
Child Support Services	Yes	Yes	Yes	Yes. List used for collection of money due parents and the collection of debts owed to Country and Courts.
County Counsel				
Development Services	No			
District Attorney	Yes	yes	EXTREMELY	Without it would be difficult and cause considerable extra work. Used for fraud cases, locating witnesses or victims criminal cases, workers comp cases, welfare fraud cases, contractor cases. Lack of rept translates into more costs.
DOT				
Elections	No	No		Yes
Environmental Management	Yes		Extremely	No
Health Services	No	No	No	Yes
Human Resources	No	No	No	yes
Human Services	No	No	No	Yes
Information Technologies				
Library	No	No		Yes
Public Defender				
Surveyor	Yes	Yes	Extremely	Without it would be difficult. Information is extremely valuable in our collaboration with Developmental Services re address assignments for Suites/Units and Commercial Buildings.
Recorder Clerk	No	No		No
Treasurer/Tax Collector	Yes		Extremely	Creator of the list
Sheriff	Yes	yes	Somewhat	Use to verify Business Licenses
Veterans Affairs	No	No		No

BUSINESS LICENSE APPLICATION STEPS

To avoid delays in the issuance of your business license, please follow the Application Steps below. Please note: Steps 3 through 6 **require** various departments to **sign off** in the appropriate boxes on the application before it is returned to the Tax Collector's office for processing and final issuance of the license.

Step 1 **TAX COLLECTOR'S OFFICE** - (530) 621-5800 or (916) 358-3555 x 5800 (Placerville) or (530) 573-7955 (So. Lake Tahoe)

- Complete the requested name and ownership information.
- The maps included in this package will show the location of each department that **must**, if applicable, sign off on the application.
- Note: Steps 3 through 7 below, if applicable, require applicant to go to the department **in person**.

Step 2 **ASSESSOR'S OFFICE** - (530) 621-5719 (Placerville) or (530) 573-3422 (So. Lake Tahoe)

- Contact the Assessor's office for your assessor's parcel number (APN) for the **business property** address.
- Write the APN on your application in the space provided.

Step 3 **DEVELOPMENT SERVICES** - (530) 621-5355 (Placerville) or (530) 573-3330 (So. Lake Tahoe)

All business license applications for businesses operating in El Dorado County must be signed off by the Planning and Building Department. Planning and Building will determine the zoning of your business. **Please call for days and hours lobby is open.**

Step 4 **ENVIRONMENTAL HEALTH DEPARTMENT** - (530) 621-5300 (Placerville) or (530) 573-3450 (So. Lake Tahoe)

The following businesses require Environmental Health Department sign-off and may require a separate Environmental Health permit:

- Restaurants and other businesses handling food (including prepackaged foods)
- Businesses installing, pumping, or repairing septic tanks
- Businesses using or storing paint and/or other chemicals

Step 5 **FIRE DEPARTMENT**

Businesses operating in a commercial or industrial zone require local fire department approval. This includes any in-home business located in a commercial or industrial area. Call your **local** fire department to determine which fire station should sign off your application.

Step 6 **SHERIFF'S DEPARTMENT, RECORDS DIVISION** - (530) 621-5703 (Placerville) or (530) 573-3000 (So. Lake Tahoe)

Required for itinerant businesses and other special business licenses only. (Massage, buy & sell second-hand items, door to door sales, adult-related businesses)

Appointment necessary

Step 7

RECORDER'S OFFICE - (530) 621-5490 (Placerville) or (530) 573-3408 (So. Lake Tahoe)

If you do not use your last name in the name of your business, you must file for a fictitious business name.

Step 8

TAX COLLECTOR'S OFFICE

The Tax Collector's office issues business licenses. Return your **completed** business license **application** with \$32.00 (or the appropriate amount for special licenses) by mail or in person to the Tax Collector's office.

Make checks payable to:

**C. L. Raffety, CPA
Treasurer/Tax Collector
360 Fair Lane
Placerville CA 95667-4197**

When the completed application and the appropriate fee are received, your business license will be sent to the mailing address on the application within 7 working days.



360 Fair Lane, Placerville, Calif. 95667
Tax Collector (530) 621-5800

BUSINESS LICENSE APPLICATION

ORDINANCE 5.08.010

BUSINESS LICENSE # _____ (Tax Collector's Use Only)

CHECK ONE:

INDIVIDUAL	PARTNERSHIP	CORPORATION

Business Name (DBA) _____ Phone # _____

Individual/Corporation/Partnership Name _____
(If different from above)Mailing Address _____
Street or P.O. Box # _____ City, State _____ Zip Code _____

Business Street Location _____

Business Street Location is in: ☐ Residential Zone ☐ Commercial/Industrial ZoneBusiness Description(s) _____
(If more than one, list each)

Business Type Code _____ (Tax Collector's Use Only)

Business Owner's Names, Titles, and Addresses: (List all owners/partners/officers; if more space is needed, attach list)

NAME	TITLE	ADDRESS

Email address _____

Assessor's Parcel # _____ Contractor's License # _____
(Obtain from Assessor's Office) (Required by State Law)

Clearance (if applicable):

PLANNING	BUILDING	ENVIRON. HEALTH	FIRE DISTRICT	SHERIFF

Comments _____
(County use only)

Print Applicant's Name _____ Title _____

Applicant's Signature _____ Date _____ Phone # _____

MAKE CHECKS PAYABLE TO:

C. L. Raffety, C.P.A.
Treasurer/Tax Collector
360 Fair Lane, Placerville CA 95667-4197

EL DORADO COUNTY BUSINESS LICENSE INFORMATION

WHO IS REQUIRED TO HAVE AN EL DORADO COUNTY BUSINESS LICENSE?

It is unlawful for any person to transact any kind of business in the unincorporated territory of the County without possessing an unexpired and unrevoked County business license unless the business is exempt from the license requirements.

ANNUAL BUSINESS LICENSE RENEWAL

Business licenses must be renewed annually. A renewal notice will be mailed to you in the month prior to your renewal date.

FEES

The general business license fee is \$32.00 annually. Special fees of \$130.00 are for secondhand dealers and pawnbrokers, fortune telling, and carnivals. There is a special fee of \$15.00 for Christmas tree lots.

CONTRACTORS

A State Contractor's License is required. The name on the business license application must match exactly the name on the State Contractor's License. This information will be verified by Tax Collector personnel.

EXEMPTIONS

The following businesses are exempt:

- A. Agriculture. Includes the sale of agricultural products upon the premises where produced.
- B. Employment. A person who works for another at an agreed rate of compensation.
- C. Insurance, farmers, charities, religious, fraternal, service and nonprofit organizations.

MULTIPLE BUSINESSES

A separate license and application is required for **each physical business location**. Only one license is required if a combination of two or more kinds of businesses are operated at the same fixed place of business by the same person. A separate business license is required for each individual engaged in any itinerant business even though any two or more of the individuals are employed by the same person or are associated together in the same business.

FIREARMS LICENSE

Applications to sell firearms must be accompanied by copies of all of the following: a) valid Federal Firearms License, b) valid California seller's permit, and c) certificate of eligibility from the Department of Justice.

NOTE 1: The approved application is not a license to conduct business activities. Once issued, the business license must be exhibited in a conspicuous place. Each solicitor must have an individual license in her/his possession at all times.

NOTE 2: Businesses located in the City of Placerville (Phone: (530) 642-5223) and/or the City of South Lake Tahoe (Phone: (530) 542-6012) are required to obtain a separate business license for those jurisdictions, and are not required to obtain a County license.

El Dorado County Grand Jury 2011-2012

Department of Transportation – Financial Management Case Number GJ-11-004

Reason for Report

The Grand Jury is charged by law to identify inefficiencies in government. A water and sewer invoice was submitted to the County Department of Transportation (DOT), in the amount of \$208,759.57, which was extremely high for a 60 day billing cycle.

Background

The El Dorado County Government Center is located within the City of Placerville. The billing for water and sewer service is routed from Eldorado Irrigation District through the City of Placerville. DOT reviews and approves the billing, then forwards it to the County Auditor/Controller's Office for payment.

Methodology

Documents Reviewed:

City of Placerville Utility Bills (2/16/09 - 2/15/11)
Department of Transportation Invoice Processing Flowchart ([Attachment 1](#))
Department of Transportation Memos

Interviews:

El Dorado County Auditor-Controller and Staff
Eldorado Irrigation District Accounting Staff
Eldorado Irrigation District Director
Placerville Accounting Supervisor
Placerville City Manager

Facts/Findings

1. EID misread El Dorado County's Government Center water meter, forwarding a \$208,759.57 bill for payment.
2. DOT worked with EID and the City of Placerville to check the consumption of each account. The meter was electronically verified on several occasions and alleged to be accurate.
3. On May 2, 2011, the DOT Director signed and submitted the above claim for payment. This claim represented an 800% increase in services from the previous year.
4. As a result of the Auditor/Controller's persistence, the meters were read manually. Due to the discovery of an error this resulted in a \$130,000 credit to the county.
5. The acting DOT Director is in the process of modifying the department's Invoice Processing Flowchart.

Recommendations

1. The Grand Jury recommends that the El Dorado County Department of Transportation continue their efforts to modify the DOT Invoice Processing Flowchart.
2. The Grand Jury recommends that the DOT Director submit the modified Invoice Processing Flowchart to the Grand Jury and the Auditor/Controller upon completion.

Responses

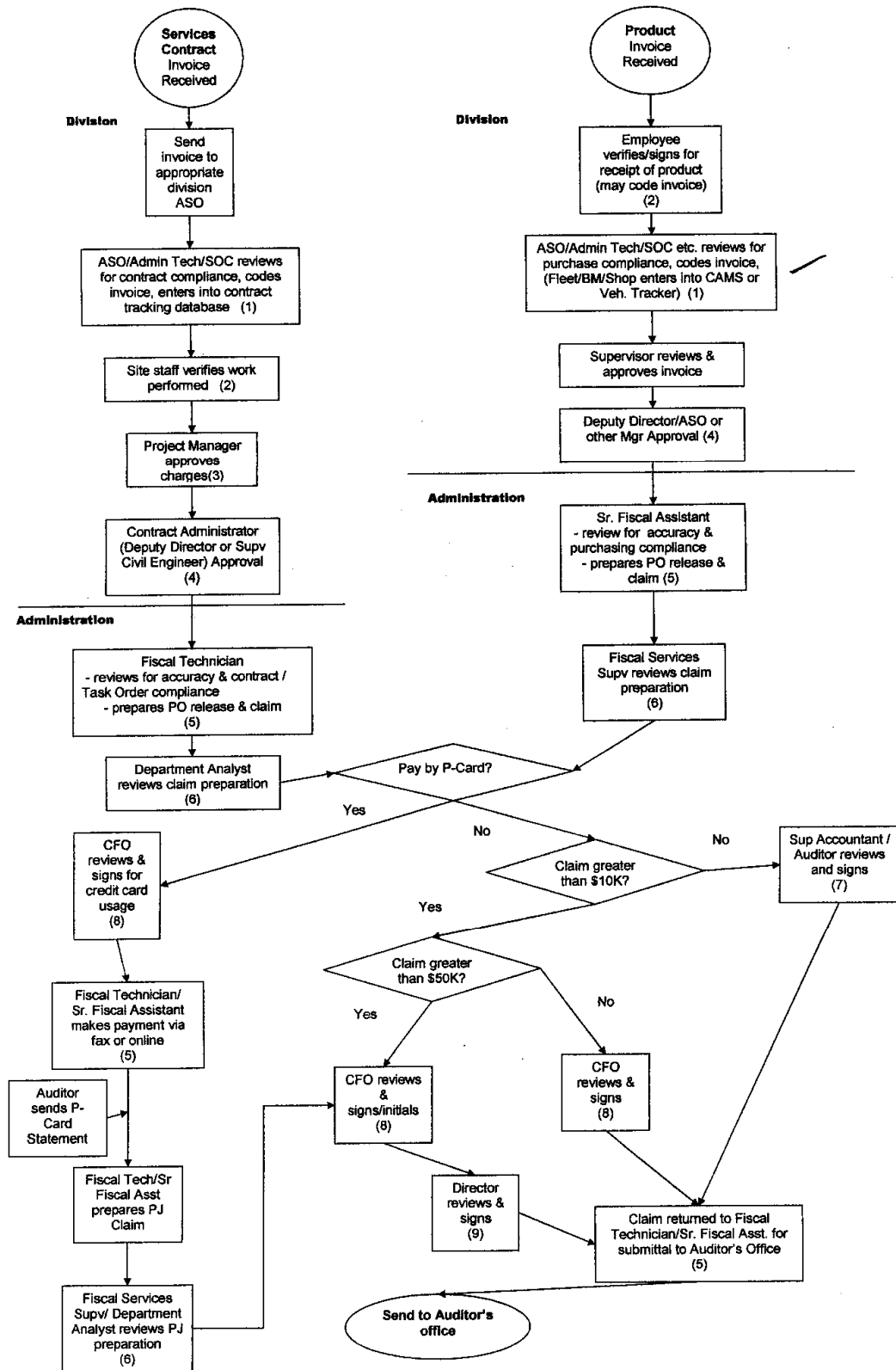
Responses to both numbered findings and recommendations in this report are required in accordance with California Penal Code §933 and §933.05. Address responses to: The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Boulevard, South Lake Tahoe, CA. 96150

This report has been provided to:

El Dorado County Auditor/Controller
El Dorado County Chief Administrative Office
El Dorado County Department of Transportation
Eldorado Irrigation District
Placerville City Manager

(Attachment 1)

DOT Invoice Processing Flowchart



El Dorado County Grand Jury 2011-2012

California Grand Jury Budgets Case Number GJ-11-005

Reason for Report

This report is informational.

The El Dorado County Grand Jury conducted a study of all 58 county Grand Juries in California to compare budgeting issues.

Background

At the beginning of the fiscal year, the El Dorado County Grand Jury's budget was cut more than half by the Board of Supervisors. By December 2011, the El Dorado County Grand Jury reached that budget, leaving no money for the remaining six months of the fiscal year. The Grand Jury's budget was eventually returned to a more realistic figure.

Similarly, in the 2011-2012 fiscal year, San Benito County stopped paying their Grand Jury, even though their Grand Jury was still within its budget. The Board of Supervisors augmented reimbursements to allow payment for their Grand Jury six months after the stop-payment.

Methodology

Documents reviewed:

- California Counties Budget Chart – 2010 ([Attachment 5](#))
- California Counties Increase/Decrease Budget Map ([Attachment 3](#))
- California Counties Map ([Attachment 2](#))
- California Counties Overspend/Under spend Budget Map ([Attachment 4](#))
- California Counties Population Chart – 2010 ([Attachment 1](#))
- El Dorado County Grand Jury Budget
- Humboldt County Grand Jury Budget
- Lake County Grand Jury Budget
- Lassen County Grand Jury Budget
- Los Angeles County Grand Jury Budget
- Madera County Grand Jury Budget
- Marin County Grand Jury Budget
- Mendocino County Grand Jury Budget
- Nevada County Grand Jury Budget
- Riverside County Grand Jury Budget

Sacramento County Grand Jury Budget
Tulare County Grand Jury Budget
Ventura County Grand Jury Budget

Facts/Findings

1. Of 58 counties, only 14 Grand Juries responded to our letter.
2. Of 14 counties who responded, 7 county Grand Jury budgets were decreased, 4 remained the same, and 3 budgets were increased.
3. Of 13 counties who responded, 2 county Grand Juries are likely to overspend, 4 are likely to meet their budget, and 7 are likely to under spend their budget.

Recommendations

This report is informational.
There are no recommendations.

Responses

This report is informational.
No responses are required.

(Attachment 1)

CA County Population

Updated 2010

By County

Alameda	1,574,857
Alpine	1,189
Amador	38,022
Butte	221,768
Calaveras	45,870
Colusa	22,206
Contra Costa	1,073,055
Del Norte	29,673
El Dorado	182,019
Fresno	953,761
Glenn	29,434
Humboldt	133,400
Imperial	183,029
Inyo	18,110
Kern	839,587
Kings	156,289
Lake	64,053
Lassen	35,889
Los Angeles	10,441,080
Madera	153,655
Marin	260,651
Mariposa	18,192
Mendocino	90,289
Merced	258,495
Modoc	9,777
Mono	13,617
Monterey	435,878
Napa	138,917
Nevada	98,680
Orange	3,166,461
Placer	347,102
Plumas	20,428
Riverside	2,139,535
Sacramento	1,445,327
San Benito	58,388
San Bernardino	2,073,149
San Diego	3,224,432

By Population

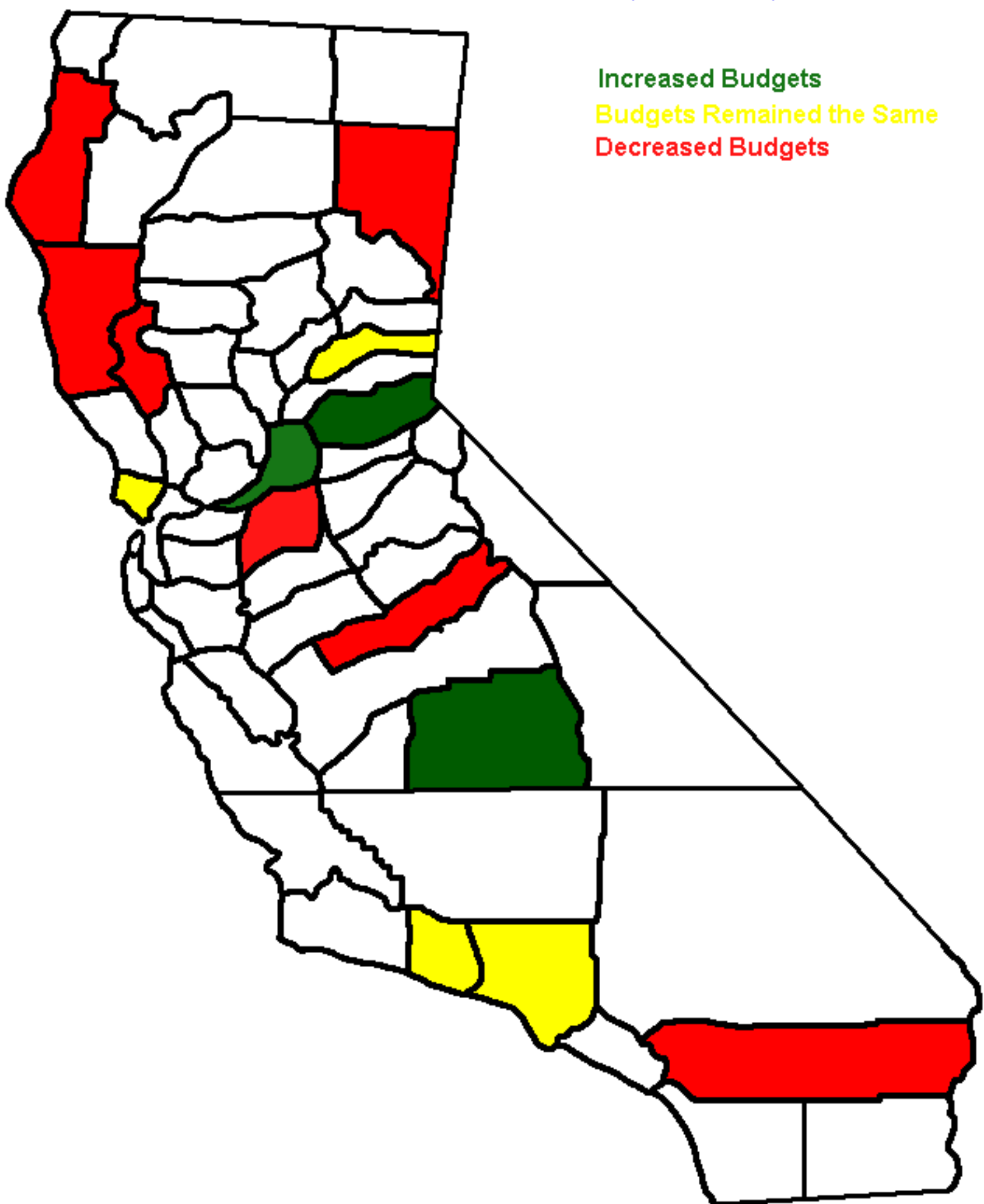
Los Angeles	10,441,080
San Diego	3,224,432
Orange	3,166,461
Riverside	2,139,535
San Bernardino	2,073,149
Santa Clara	1,880,876
Alameda	1,574,857
Sacramento	1,445,327
Contra Costa	1,073,055
Fresno	953,761
San Francisco	856,095
Ventura	844,713
Kern	839,587
San Mateo	754,285
San Joaquin	694,293
Stanislaus	530,584
Sonoma	493,285
Tulare	447,814
Monterey	435,878
Santa Barbara	434,481
Solano	427,837
Placer	347,102
San Luis Obispo	273,231
Santa Cruz	272,201
Marin	260,652
Merced	258,495
Butte	221,786
Yolo	202,953
Shasta	184,247
Imperial	183,029
El Dorado	182,019
Kings	156,289
Madera	153,655
Napa	138,917
Humboldt	133,400
Sutter	99,154
Nevada	98,680

San Francisco	856,095	Mendocino	90,289
San Joaquin	694,293	Yuba	72,900
San Luis Obispo	273,231	Lake	64,053
San Mateo	754,285	Tehama	63,100
Santa Barbara	434,481	San Benito	58,388
Santa Clara	1,880,876	Tuolumne	56,086
Santa Cruz	272,201	Siskiyou	46,010
Shasta	183,095	Calaveras	45,870
Sierra	3,303	Amador	38,022
Siskiyou	46,010	Lassen	35,889
Solano	427,837	Del Norte	29,673
Sonoma	493,285	Glenn	29,434
Stanislaus	530,584	Colusa	22,206
Sutter	99,154	Plumas	20,428
Tehama	62,100	Mariposa	18,192
Trinity	13,898	Inyo	18,110
Tulare	447,814	Trinity	13,898
Tuolumne	56,086	Mono	13,617
Ventura	844,713	Modoc	9,777
Yolo	202,953	Sierra	3,303
Yuba	73,380	Alpine	1,189

Del Norte
Humboldt



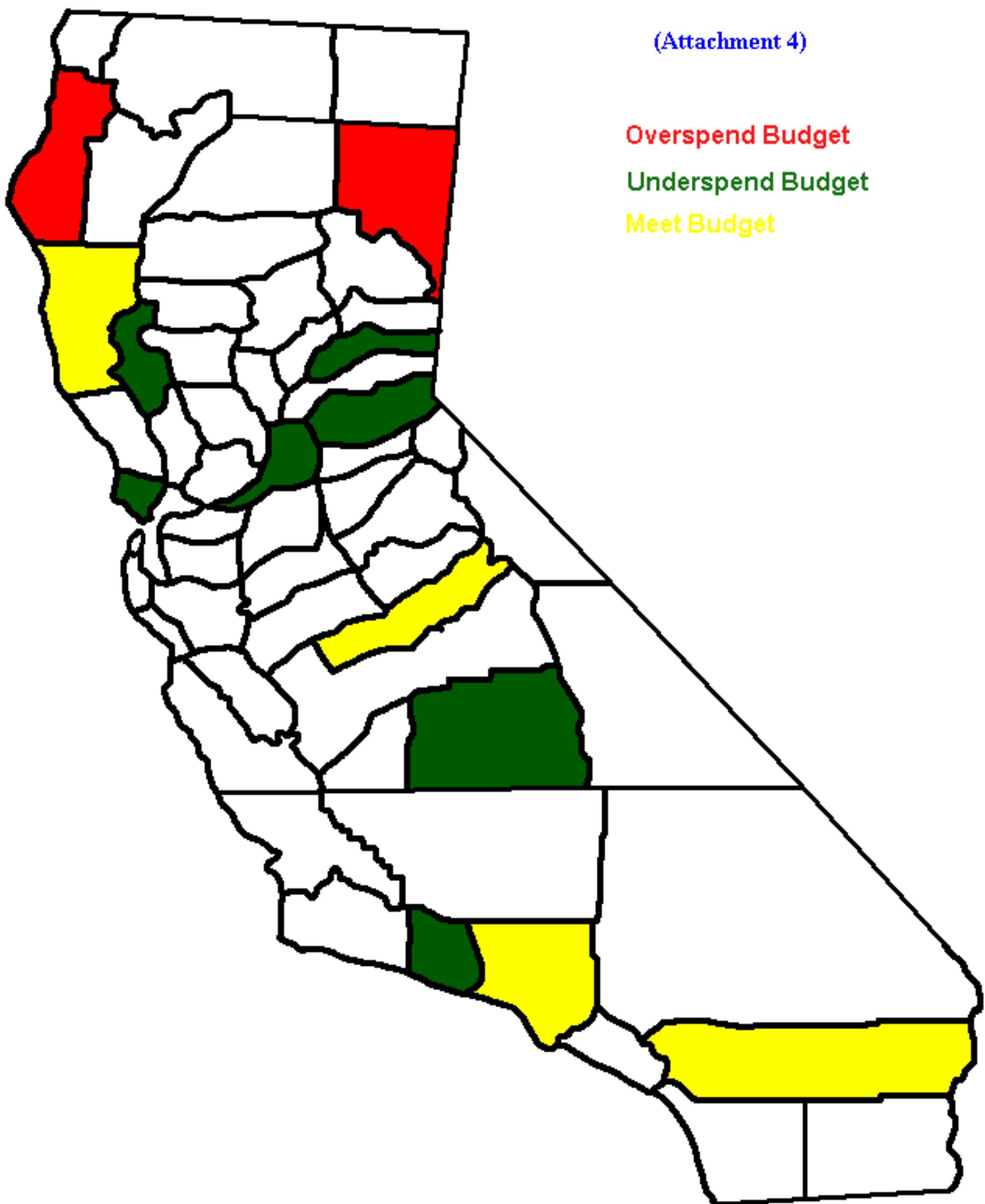
(Attachment 3)



(Attachment 4)

Overspend Budget

Underspend Budget



(Attachment 5)

California Counties

County	2011-2012	2010-2011	2009-2010	2008-2009	2007-2008	2006-2007	2005-2006	2004/2005	2003/2004
Alameda									
Alpine									
Amador									
Butte									
Calaveras									
Colusa									
Contra Costa									
Del Norte									
El Dorado	\$94,360.00	\$86,213.00	\$92,400.00	\$98,511.00	\$139,958.00	\$130,999.00	\$110,530.00	\$64,530.00	\$83,064.00
Fresno									
Glenn									
Humboldt	\$44,866.00	\$47,110.00							
Imperial									
Inyo									
Kern									
Kings									
Lake	\$67,967.00	\$68,054.00	\$73,281.00	\$72,832.00					
Lassen	\$20,350.00	\$20,655.00	\$22,950.00	\$25,500.00	\$20,000.00				
Los Angeles	\$240,000.00	\$240,000.00							
Madera	\$71,700.00	\$73,300.00	\$63,537.00						
Marin	\$141,964.04	\$141,964.04							
Mariposa									
Mendocino	\$83,000.00								
Merced									
Modoc									
Mono									
Monterey									
Napa									
Nevada	\$111,428.00	\$97,777.00	\$97,777.00	\$115,000.00					
Orange									
Placer									
Plumas									
Riverside	\$565,971.00	\$567,471.00							
Sacramento	\$269,983.00	\$267,469.00							

El Dorado County Grand Jury 2011-2012

Fee Waivers - Iron Gate Case Number GJ-11-006

Reason for Report

In October 2011, the Grand Jury received a complaint in regards to an alleged theft of a community gate on a private road, and the Sheriff's Department's response to that alleged theft.

Background

For the installation of a replacement gate, the county requires a permit. Because the Grand Jury cannot look into criminal matters, it was decided that the Grand Jury could help the complainant with the fee waiver for their new gate. The county's current fee waiver policy B-2 provides for people to apply for a fee waiver if they meet certain criteria as specified. This waiver does not currently include the theft of an item that requires permitting.

Methodology

Documents reviewed:

2009-2010 El Dorado County Grand Jury Report
Fee Waivers – Case number GJ 09-019
Board of Supervisors Policy B-2 ([Attachment 1](#))
Sheriff's Department Incident Report - 8/22/11

Interviews:

El Dorado County community members
El Dorado County Development Services Department
El Dorado County Sheriff's Department

Facts/Findings

1. Fee waivers, when requested, may be granted for building permits, encroachment permits, variances, zone reclassifications, administrative permits, or use permits.

2. Board of Supervisors Policy B-2 authorizes the Chief Administrative Officer to waive fees according to the established procedure and must report said waivers to the Board.
3. The following are current acceptable reasons to apply for a fee waiver: extreme financial hardship, delayed actions caused by the county, a facility or project proposed by a non-profit or special district which will provide a public benefit, there is no actual cost to the county, the project is an emergency project carried out by a public agency, or a project which is carried out by a private agency to address life threatening and/or public safety issues.

Recommendations

1. The El Dorado County Grand Jury recommends that the Board of Supervisors review Board of Supervisors Policy B-2 (last updated in 1989), and should consider updating the policy to include situations such as theft or other criminal acts of an item which requires permitting.
2. The El Dorado County Grand Jury recommends that the Board of Supervisors develop a procedure which outlines how Development Services and the Chief Administrative Office handle fee waivers.

Responses

Responses to both the findings and recommendations in this report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to: The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This report has been provided to:

El Dorado County Board of Supervisors
El Dorado County Chief Administrative Office
El Dorado County Development Services



COUNTY OF EL DORADO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject: FEE WAIVING	Policy Number B-2	Page Number: 1 of 3
	Date Adopted: 11/08/1988	Revised Date: 02/07/1989

Background:

In September 1981, the Board of Supervisors adopted policies and procedures regarding consideration of requests for waiver of County fees, permit charges, and other administrative costs. The policy is being amended at this time to give special consideration for emergency projects by local public agencies, and for life threatening fire safety needs being addressed for the public by private agencies. The Chief Administrative Officer is authorized to waive fees according to established procedure and report said waivers to the Board.

Policy:

1. County departments and offices shall charge all public agencies and non-profit organizations the same filing fees and other costs as those charged to private citizens, where those fees are levied to offset the County's costs to provide related services.
2. Fees may be waived for building permits, encroachment permits, variances, zone reclassifications, administrative permits, or use permits only if the Chief Administrative Officer makes any one of the affirmative findings as specified below:

The Chief Administrative Officer finds that --

- a. The levying of the fee in question would result in extreme financial hardship to the requesting entity;
- b. The applicant has been delayed due to actions taken by the County;
- c. A facility or project proposed by a non-profit corporation or special district will provide a substantial public benefit;



COUNTY OF EL DORADO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject: FEE WAIVING	Policy Number B-2	Page Number: 2 of 3
	Date Adopted: 11/08/1988	Revised Date: 02/07/1989

- d. There is no actual cost to the County for the expense in question. For example, if the Building Department is required to inspect a structure, the fee related to providing this service will be levied. However, if inspection is not required, the fee may be waived;
 - e. The project is being carried out by a local public agency and is an emergency project;
 - f. The project is being carried out by a private agency primarily to address unresolved life threatening and/or fire safety issues for the public.
3. A fee for appeal of a decision of the approving authority may not be waived.

Procedure:

An entity applying for a fee waiver shall present a request in writing to the department head of the department that charges the fee in question. The request shall contain a description of the project in question along with a statement as to why the applicant believes the fee should be waived. The department head will review the request and present it to the Chief Administrative Officer. The Chief Administrative Officer will approve or disapprove the request for fee waiver in accordance with provisions set forth in this policy and report said waivers to the Board of Supervisors.

Primary Department: Chief Administrative Officer
Community Development
Department of Transportation



COUNTY OF EL DORADO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject: FEE WAIVING	Policy Number B-2	Page Number: 3 of 3
	Date Adopted: 11/08/1988	Revised Date: 02/07/1989

References: None

El Dorado County Grand Jury 2011-2012

El Dorado County Detention Facilities Case Number GJ-11-007

Reason for Report

California Penal code §919(b) requires that grand juries annually inspect all jails, prisons, and detention facilities within their respective counties.

Facts/Findings

1. Members of the 2011-2012 El Dorado County Grand Jury inspected the Placerville Juvenile Hall, Placerville County Jail, South Lake Tahoe Jail, South Lake Tahoe Juvenile Treatment Center and Growlersburg Conservation Camp.
2. Interviews were conducted with staff at the facilities and a thorough inspection of each facility was completed.
3. All facilities were found to be clean, safe and well managed.
4. Detainees at each location had ready access to medical care.
5. There was a process in place for addressing detainee grievances.
6. At South Lake Tahoe Jail, there was an uncompleted remodel of a steel door frame, which dates back to 2009.

Recommendations/Commendations

1. Placerville Juvenile Hall
Members were favorably impressed with the educational program.
2. Placerville Jail
The Placerville Jail has recently completed the upgrade to their surveillance system.
3. South Lake Tahoe Jail
The Grand Jury recommends that the Jail complete the steel door remodel.

4. South Lake Tahoe Juvenile Treatment Center
There are no further findings.
5. Growlersburg Conservation Camp
There are no further findings.

Responses

Responses are not required.

El Dorado County Grand Jury 2011-2012

South Lake Tahoe Ice Arena Case Number GJ-11-008

Reason for Report

The El Dorado County Grand Jury has looked into the privatization of the City of South Lake Tahoe's Ice Arena, which was built with voter approved tax exempt bonds. Through interviews and requests of public records, policies and procedures were discovered that cloud the transparency the public should expect of a government agency.

Background

In the summer of 2010, the City of South Lake Tahoe entertained the idea of leasing the Ice Arena to a private contractor to be managed for a profit to the City. As a result of a Request for Proposal (RFP), a contract (operations management agreement) was drawn up and offered to private contractors.

The South Lake Tahoe Recreation Facilities Joint Powers Authority (JPA), was informed that the signed contract may not be compliant to the bond.

On July 25, 2011, bond counsel confirmed to City staff that the contract was not in compliance to the tax free bonds. To conform to the tax free bonds, the City of South Lake Tahoe attached a side letter ([Attachment 1](#)) that amended the contract (agreement) to conform to the tax free bonds. An independent contractor took control of the Ice Arena on September 19, 2011. On January 20, 2012, the JPA Board recommended that the tax free bonds be refinanced as taxable bonds.

Methodology

Documents Reviewed:

- Bond Measure S ([Attachment 2](#))
- California Proposition 218 ([Attachment 3](#))
- Community Facilities District No. 2000-1,
 - South Lake Tahoe Recreation Facilities Joint Powers Authority Series
 - 2001 Special Tax Bond
- El Dorado County District 5 Supervisor email
- El Dorado County Grand Jury 2009-2010
 - City of South Lake Tahoe City Council – GJ-09-008
 - Responses to GJ-09-008
- South Lake Tahoe City Attorney email

South Lake Tahoe City Business Plan 2011-2012
South Lake Tahoe City Council
 Protocols
 Assignments
South Lake Tahoe City Manager email
South Lake Tahoe Ice Arena Management and Operations Agreement
South Lake Tahoe Ice Arena Side Letter Agreement (**Attachment 1**)
South Lake Tahoe Recreation Facilities Staff email

Interviews:

South Lake Tahoe City Council Members (Subpoenaed)

Facts/Findings

1. California Proposition 218 has clarified that the governing body cannot overrule the property owner vote. Once an assessment is created it may be repealed or reduced by popular vote.
2. On September 19, 2000, voters approved Measure S, authorizing the issuance of tax free bonds, in an amount not to exceed \$6,500,000, to finance the acquisition, construction, equipping and improvement of certain public recreational facilities and certain improvements to be owned by the City and the Resort Improvement District (collectively, the "Facilities") and the levy of the special tax. The bonds are paid by a Special Tax levy terminating in fiscal year 2030-31.
3. The South Lake Tahoe City Council created the illusion of taxpayer approval on this special tax without voter approval by converting the tax status of the tax free bonds to taxable bonds and converting the public facility to a private facility.
4. South Lake Tahoe City Council members do not consistently attach a date to their signatures when signing documents.
5. By failing to respond to their email communications, the South Lake Tahoe City Council hampered the Grand Jury's investigation.
6. The JPA staff alerted the South Lake Tahoe City Attorney that the contract the City was considering was possibly not compliant to the non-taxable bond, which was confirmed by outside JPA counsel on August 19, 2011. JPA staff did not alert the JPA Board about this matter until after the signing of the agreement on August 23, 2011.
7. The City of South Lake Tahoe Council and Staff failed to contact outside counsel on bond issues when constructing the South Lake Tahoe Ice Arena Management and Operations Agreement.

Recommendations

1. The Grand Jury recommends that the City of South Lake Tahoe and the JPA hold a special election to allow property owners who voted for a publicly financed Ice Arena (whose proceeds were to be placed in the General Fund), to change this vote to a publicly financed Ice Arena (whose majority proceeds are to provide income to a private contractor).
2. The Grand Jury recommends that the South Lake Tahoe City Council members and South Lake Tahoe City employees include dates when signing City documents.
3. The Grand Jury recommends that the City Council members should acknowledge and respond to all e-mails personally addressed to ...@cityofslt.us.
4. The Grand Jury recommends that the JPA staff inform the JPA Board of Directors of all bond issues when they arise.
5. The Grand Jury recommends that the South Lake Tahoe City Council establish an objective approach to stipulating when outside counsel will be consulted when constructing a contract.

Responses

Responses to both the findings and recommendations in this report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to:
The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This report has been provided to:

El Dorado County Board of Supervisors
South Lake Tahoe City Council
South Lake Tahoe City Manager
South Lake Tahoe Recreation Facilities Joint Powers Authority

SIDE LETTER TO
MANAGEMENT AND OPERATIONS AGREEMENT

This Side Letter is to the South Lake Tahoe Ice Arena Management and Operations Agreement, dated August 2, 2011 by and between, the City of South Lake Tahoe, a municipal corporation ("City") and Tahoe Sports and Entertainment ("TCE" or "Concessionaire").

The parties desire to enter into this Side Letter to the Management and Operations Agreement as follows:

1. Section 1. Term shall be amended as follows:

The Term of this Agreement is amended pending the refinancing of the Community Facilities District No. 2000-1 of the South Lake Tahoe Recreation Facilities Joint Powers Authority Special Tax Bonds ("Bonds") for the South Tahoe Ice Arena to taxable bonds to state the following:

"Notwithstanding any other provision of this Agreement and pursuant to the restriction of Section 141 of the Internal Revenue Code of 1986, as amended, and Treasury Regulation Section 1.141-3, the City may without penalty or cause terminate this Agreement upon 50 days prior written notice to Concessionaire."

Effective upon the Bonds being refinanced to taxable bonds the above language shall be null and void. In the event that the Bonds cannot be refinanced on or before February 1, 2012, the Management and Operations Agreement shall be null and void.

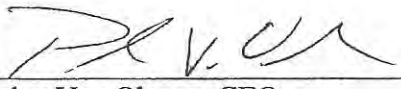
This Agreement is granted for a term of ten (10) years beginning August 1, 2011 and terminating September 30, 2021 (the 'Term'). At any time during the Term of this Agreement, Concessionaire shall have the right to terminate this Agreement upon one-hundred eighty (180) days prior written notice to City.

At any time during the Term of this Agreement, City shall have the right to terminate this Agreement upon ninety (90) days' prior written notice to Concessionaire, for reasons of default as set forth in Section 35 by Concessionaire.

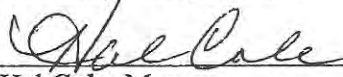
All other provisions of the South Tahoe Ice Arena Management and Operations Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

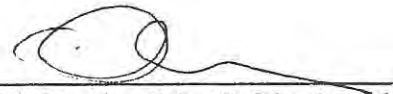
TAHOE SPORTS ENTERTAINMENT, INC.

By: 
Parley Van Oleson, CEO


CITY OF SOUTH LAKE TAHOE,
a municipal corporation,


Hal Cole, Mayor

TAHOE SPORTS ENTERTAINMENT, INC.

By: 
Christopher John Cefalu, President

APPROVED AS TO FORM:


Patrick L. Enright, City Attorney

ATTEST:


Susan Alessi, City Clerk



A

OFFICIAL BALLOT**SPECIAL
BOND ELECTION****COUNTY OF EL DORADO****TUESDAY, SEPTEMBER 19, 2000**

This ballot stub shall be removed
and retained by the voter.

MEASURE SUBMITTED TO THE VOTERS**DISTRICT**

**COMMUNITY FACILITIES DISTRICT NO. 2000-1 OF
THE SOUTH LAKE TAHOE RECREATION FACILITIES
JOINT POWERS AUTHORITY
BOND MEASURE S**

S To maintain new bike trails, acquire, construct and equip athletic fields and an ice rink, upgrade Paradise Park facilities, qualify for \$12.5 million in County/State grants, and fund reserves shall (i) Community Facilities District No. 2000-1 of the South Lake Tahoe Recreation Facilities Joint Powers Authority issue \$6,500,000 of bonds (ii) levy special taxes to pay for such facilities, for maintenance thereof, and incidental expenses, including debt service on such bonds; (iii) establish the District's annual appropriations limit at \$6,500,000, all as provided in Resolutions 05 and 06 of the Authority?

YES	+
NO	+

Sample Ballot



(Attachment 3)

California Proposition 218

RIGHT TO VOTE ON TAXES ACT

SECTION 1. TITLE. This act shall be known and may be cited as the "Right to Vote on Taxes Act."

SECTION 2. FINDINGS AND DECLARATIONS. The people of the State of California hereby find and declare that Proposition 13 was intended to provide effective tax relief and to require voter approval of tax increases. However, local governments have subjected taxpayers to excessive tax, assessment, fee and charge increases that not only frustrate the purposes of voter approval for tax increases, but also threaten the economic security of all Californians and the California economy itself. This measure protects taxpayers by limiting the methods by which local governments exact revenue from taxpayers without their consent.

SECTION 3. VOTER APPROVAL FOR LOCAL TAX LEVIES.

Article XIII C is added to the California Constitution to read:

ARTICLE XIII C

SECTION 1. Definitions. As used in this article:

- (a) "General tax" means any tax imposed for general governmental purposes.*
- (b) "Local government" means any county, city, city and county, including a charter city or county, any special district, or any other local or regional governmental entity.*
- (c) "Special district" means an agency of the state, formed pursuant to general law or a special act, for the local performance of governmental or proprietary functions with limited geographic boundaries including, but not limited to, school districts and redevelopment agencies.*
- (d) "Special tax" means any tax imposed for specific purposes, including a tax imposed for specific purposes, which is placed into a general fund.*

SEC. 2. Local Government Tax Limitation. Notwithstanding any other provision of this Constitution:

- (a) All taxes imposed by any local government shall be deemed to be either general taxes or special taxes. Special purpose districts or agencies, including school districts, shall have no power to levy general taxes.*
- (b) No local government may impose, extend, or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote. A general tax shall not be deemed to have been increased if it is*

imposed at a rate not higher than the maximum rate so approved. The election required by this subdivision shall be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body.

(c) Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).

(d) No local government may impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote. A special tax shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved.

SEC. 3. Initiative Power for Local Taxes, Assessments, Fees and Charges. Notwithstanding any other provision of this Constitution, including, but not limited to, Sections 8 and 9 of Article II, the initiative power shall not be prohibited or otherwise limited in matters of reducing or repealing any local tax, assessment, fee or charge. The power of initiative to affect local taxes, assessments, fees and charges shall be applicable to all local governments and neither the Legislature nor any local government charter shall impose a signature requirement higher than that applicable to statewide statutory initiatives.

SECTION 4. ASSESSMENT AND PROPERTY RELATED FEE REFORM.

Article XIII D is added to the California Constitution to read:

ARTICLE XIII D

SECTION 1. Application. Notwithstanding any other provision of law, the provisions of this article shall apply to all assessments, fees and charges, whether imposed pursuant to state statute or local government charter authority. Nothing in this article or Article XIII C shall be construed to:

(a) Provide any new authority to any agency to impose a tax, assessment, fee, or charge.

(b) Affect existing laws relating to the imposition of fees or charges as a condition of property development.

(c) Affect existing laws relating to the imposition of timber yield taxes.

SEC. 2. Definitions. As used in this article:

(a) "Agency" means any local government as defined in subdivision (b) of Section 1 of Article XIII C.

(b) "Assessment" means any levy or charge upon real property by an agency

for a special benefit conferred upon the real property. "Assessment" includes, but is not limited to, "special assessment," "benefit assessment," "maintenance assessment" and "special assessment tax."

(c) "Capital cost" means the cost of acquisition, installation, construction, reconstruction, or replacement of a permanent public improvement by an agency.

(d) "District" means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service.

(e) "Fee" or "charge" means any levy other than an ad valorem tax, a special tax, or an assessment, imposed by an agency upon a parcel or upon a person as an incident of property ownership, including a user fee or charge for a property related service.

(f) "Maintenance and operation expenses" means the cost of rent, repair, replacement, rehabilitation, fuel, power, electrical current, care, and supervision necessary to properly operate and maintain a permanent public improvement.

(g) "Property ownership" shall be deemed to include tenancies of real property where tenants are directly liable to pay the assessment, fee, or charge in question.

(h) "Property-related service" means a public service having a direct relationship to property ownership.

(i) "Special benefit" means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute "special benefit."

SEC. 3. Property Taxes, Assessments, Fees and Charges Limited. (a) No tax, assessment, fee, or charge shall be assessed by any agency upon any parcel of property or upon any person as an incident of property ownership except:

(1) The ad valorem property tax imposed pursuant to Article XIII and Article XIII A.

(2) Any special tax receiving a two-thirds vote pursuant to Section 4 of Article XIII A.

(3) Assessments as provided by this article.

(4) Fees or charges for property related services as provided by this article.

(b) For purposes of this article, fees for the provision of electrical or gas service shall not be deemed charges or fees imposed as an incident of property ownership.

SEC. 4. Procedures and Requirements for All Assessments. (a) An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel

shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel. Parcels within a district that are owned or used by any agency, the State of California or the United States shall not be exempt from assessment unless the agency can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit.

(b) All assessments shall be supported by a detailed engineer's report prepared by a registered professional engineer certified by the State of California.

(c) The amount of the proposed assessment for each identified parcel shall be calculated and the record owner of each parcel shall be given written notice by mail of the proposed assessment, the total amount thereof chargeable to the entire district, the amount chargeable to the owner's particular parcel, the duration of the payments, the reason for the assessment and the basis upon which the amount of the proposed assessment was calculated, together with the date, time, and location of a public hearing on the proposed assessment. Each notice shall also include, in a conspicuous place thereon, a summary of the procedures applicable to the completion, return, and tabulation of the ballots required pursuant to subdivision (d), including a disclosure statement that the existence of a majority protest, as defined in subdivision (e), will result in the assessment not being imposed.

(d) Each notice mailed to owners of identified parcels within the district pursuant to subdivision (c) shall contain a ballot which includes the agency's address for receipt of the ballot once completed by any owner receiving the notice whereby the owner may indicate his or her name, reasonable identification of the parcel, and his or her support or opposition to the proposed assessment.

(e) The agency shall conduct a public hearing upon the proposed assessment not less than 45 days after mailing the notice of the proposed assessment to record owners of each identified parcel. At the public hearing, the agency shall consider all protests against the proposed assessment and tabulate the ballots. The agency shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property.

(f) In any legal action contesting the validity of any assessment, the burden shall be on the agency to demonstrate that the property or properties in question receive a special benefit over and above the benefits conferred on the

public at large and that the amount of any contested assessment is proportional to, and no greater than, the benefits conferred on the property or properties in question.

(g) Because only special benefits are assessable, electors residing within the district who do not own property within the district shall not be deemed under this Constitution to have been deprived of the right to vote for any assessment. If a court determines that the Constitution of the United States or other federal law requires otherwise, the assessment shall not be imposed unless approved by a two-thirds vote of the electorate in the district in addition to being approved by the property owners as required by subdivision (e).

SEC. 5. Effective Date. Pursuant to subdivision (a) of Section 10 of Article II, the provisions of this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article. Notwithstanding the foregoing, the following assessments existing on the effective date of this article shall be exempt from the procedures and approval process set forth in Section 4:

(a) Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.

(b) Any assessment imposed pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment is initially imposed. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.

(c) Any assessment the proceeds of which are exclusively used to repay bonded indebtedness of which the failure to pay would violate the Contract Impairment Clause of the Constitution of the United States.

(d) Any assessment which previously received majority voter approval from the voters voting in an election on the issue of the assessment. Subsequent increases in those assessments shall be subject to the procedures and approval process set forth in Section 4.

SEC. 6. Property Related Fees and Charges. (a) Procedures for New or Increased Fees and Charges. An agency shall follow the procedures pursuant to this section in imposing or increasing any fee or charge as defined pursuant to this article, including, but not limited to, the following:

(1) The parcels upon which a fee or charge is proposed for imposition shall be identified. The amount of the fee or charge proposed to be imposed upon each parcel shall be calculated. The agency shall provide written notice by mail of the proposed fee or charge to the record owner of each identified parcel upon which the fee or charge is proposed for imposition, the amount of the fee

or charge proposed to be imposed upon each, the basis upon which the amount of the proposed fee or charge was calculated, the reason for the fee or charge, together with the date, time, and location of a public hearing on the proposed fee or charge.

(2) The agency shall conduct a public hearing upon the proposed fee or charge not less than 45 days after mailing the notice of the proposed fee or charge to the record owners of each identified parcel upon which the fee or charge is proposed for imposition. At the public hearing, the agency shall consider all protests against the proposed fee or charge. If written protests against the proposed fee or charge are presented by a majority of owners of the identified parcels, the agency shall not impose the fee or charge.

(b) Requirements for Existing, New or Increased Fees and Charges. A fee or charge shall not be extended, imposed, or increased by any agency unless it meets all of the following requirements:

(1) Revenues derived from the fee or charge shall not exceed the funds required to provide the property related service.

(2) Revenues derived from the fee or charge shall not be used for any purpose other than that for which the fee or charge was imposed.

(3) The amount of a fee or charge imposed upon any parcel or person as an incident of property ownership shall not exceed the proportional cost of the service attributable to the parcel.

(4) No fee or charge may be imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question. Fees or charges based on potential or future use of a service are not permitted. Standby charges, whether characterized as charges or assessments, shall be classified as assessments and shall not be imposed without compliance with Section 4.

(5) No fee or charge may be imposed for general governmental services including, but not limited to, police, fire, ambulance or library services, where the service is available to the public at large in substantially the same manner as it is to property owners. Reliance by an agency on any parcel map, including, but not limited to, an assessor's parcel map, may be considered a significant factor in determining whether a fee or charge is imposed as an incident of property ownership for purposes of this article. In any legal action contesting the validity of a fee or charge, the burden shall be on the agency to demonstrate compliance with this article.

(c) Voter Approval for New or Increased Fees and Charges. Except for fees or charges for sewer, water, and refuse collection services, no property related fee or charge shall be imposed or increased unless and until that fee or charge is submitted and approved by a majority vote of the property owners of the property subject to the fee or charge or, at the option of the agency, by a two-thirds vote of the electorate residing in the affected area. The election shall be conducted not less than 45 days after the public hearing. An agency may adopt procedures similar to those for increases in assessments in the conduct of

elections under this subdivision.

(d) Beginning July 1, 1997, all fees or charges shall comply with this section.

SECTION 5. LIBERAL CONSTRUCTION. The provisions of this act shall be liberally construed to effectuate its purposes of limiting local government revenue and enhancing taxpayer consent.

SECTION 6. SEVERABILITY. If any provision of this act, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected, but shall remain in full force and effect, and to this end the provisions of this act are severable.

El Dorado County Grand Jury 2011- 2012

El Dorado County Sheriff's Department Incentive Pay Diploma Gate – Follow Up Case Number GJ-11-009

Reason for Report

The El Dorado County Grand Jury learned that two of the five of the sheriff's department officers involved in receiving Educational Incentive Pay (EIP) and receiving diplomas through "diploma mills" (unaccredited colleges) did not fully repay the County of El Dorado from their increases in pay.

Background

The 2010-2011 El Dorado County Grand Jury report Case Number GJ-10-011 reported that five sheriff officers received increases in pay from the December 12, 2000 through December 31, 2007 county contract with the Deputy Sheriff's Association Law Enforcement Unit, but they did not receive diplomas from accredited colleges.

Methodology

Documents reviewed:

- California Code of Civil Procedure §338 (C)(5)(d)
- California Penal Code §932
- El Dorado County Grand Jury Report 2010-2011 GJ-10-011
- El Dorado County Sheriff's Department
 - Law Enforcement Code of Ethics
 - Internal Affairs

Interviews:

- El Dorado County Counsel
- El Dorado County District Attorney's Office

Facts/Findings

1. The El Dorado County Sheriff's Department Code of Ethics states in part "I will keep my private life unsullied as an example to all..." and "Honest in thought and deed in both my personal and official life..."
2. One of the five Sheriff's Department Officers paid back 59% of the pay increases.
3. One of the five Sheriff's Department Officers paid back 67% of the pay increases.
4. Three of the five Sheriff's Department Officers paid back 100% of the pay increases.
5. California Code of Civil Procedure §338 (C)(5)(d) states "Within three years: An action for relief on the ground of fraud or mistake. The cause of action in that case is not deemed to have accrued until the discovery, by the aggrieved party, of the facts constituting the fraud or mistake."
6. A total of \$23,353.11 is due to the County of El Dorado.

Recommendations

1. The Grand Jury Orders the El Dorado County District Attorney's Office institute suit pursuant to Penal Code §932, to recover the \$23,353.11.
2. The Grand Jury recommends that the Human Resources Department readjust CalPERS pursuant to the Grand Jury's order.
3. The Grand Jury recommends that the Sheriff's Department conduct regular reviews of their Code of Ethics and employ methods to constantly remind the staff of this required higher standard of ethics.

Responses

Responses to both the findings and recommendations in this report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to:
The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This report has been provided to:

El Dorado County Board of Supervisors
El Dorado County District Attorney's Office
El Dorado County Human Resources
El Dorado County Sheriff's Department

El Dorado County Grand Jury 2011-2012

Consolidation of City and County Services Case Number GJ-11-010

Reason for Report

The Grand Jury is charged by law to look for cost savings and inefficiencies in government.

Background

Cities were established to address specific needs that existed at the time of their creation, using the resources that were available. The 1850's Gold Rush saw the arrival of thousands of new citizens, and with them new problems. These new outposts formed communities that needed services. Assistance was several days away by horseback. As a result, citizens banded together to appoint law officers, fire chiefs, and bodies or councils to manage these new, local services.

Today, cities throughout California and our nation are facing financial crises, yet the last option that is considered is consolidation of city and county services. While the ability to handle large quantities of data and communication has grown dramatically, the potential consolidation of once needed smaller units into larger ones seems to go unnoticed. In business, consolidation is one of the first issues to be looked at for efficiency and cost savings. Consolidation of city and county offers inherent efficiencies.

The resistance to the idea of consolidation seems to be met with two major objections: history, "we have always done it this way"; and the notion of "local control." Modern technology makes consolidation possible; however, this seems to go unnoticed. Consolidation of services means major cost savings with an actual increase in services.

Methodology

Documents:

Placerville Budget Report
South Lake Tahoe Business Plan

Interviews:

El Dorado County Sheriff
Placerville City Manager
Placerville Financial Manager
Placerville Mayor Pro Tempore
South Lake Tahoe City Manager
South Lake Tahoe Mayor

Facts/Findings

1. The five City of South Lake Tahoe Council Members are paid \$452/month. With health insurance, retirement benefits and expenses, the total cost equates to \$201,000 annually.
2. The South Lake Tahoe City Clerk's Office, which exists to serve the City Council, has an annual budget of \$332,252.
3. The cities of South Lake Tahoe and Placerville have combined police budgets of over \$3 million. Administrative costs would be reduced and/or eliminated if the El Dorado County Sheriff's Department were to oversee law enforcement.
4. The combined budgets of the two cities is over \$50 million. The County of El Dorado maintains duplicate departments with existing offices in Placerville and South Lake Tahoe.
5. There would be substantial cost savings with consolidation of city and county services.

Recommendations

1. The Grand Jury recommends that South Lake Tahoe City Council and Manager should perform a city services review by comparing the actual cost of city services versus the cost of the county absorbing these services.
2. The Grand Jury recommends that South Lake Tahoe City Council and Manager make the results of the city services review available for public comment.
3. The Grand Jury recommends that Placerville City Council and Manager should perform a city services review by comparing the actual cost of city services versus the cost of the county absorbing these services.

4. The Grand Jury recommends that Placerville City Council and Manager make the results of the city services review available for public comment.
5. The Grand Jury recommends that the El Dorado County Board of Supervisors collaborate with the City Councils and Managers of South Lake Tahoe and Placerville and El Dorado County Department Heads in order to discuss the benefits of consolidation of city and county services
6. The 2011-2012 Grand Jury recommends that the 2012-2013 Grand Jury continue the investigation to discuss the benefits of consolidation of city and county services.

Responses

Responses to both the findings and recommendations in this report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to:
The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This report has been provided to:

2012-2013 Grand Jury
El Dorado County Board of Supervisors
Placerville City Council
Placerville City Manager
South Lake Tahoe City Council
South Lake Tahoe City Manager

El Dorado County Grand Jury 2011-2012

Unlawful Use of Taxpayer Funds

Case number GJ-11-011

Approved by: Presiding Judge, Suzanne N. Kingsbury
and Supervising Judge, Steven C. Bailey.

Reason for Report

The El Dorado County Auditor/Controller rejected a request by the Pioneer Fire Protection District for what he believed was unlawful as a payment of public money to gain passage of a ballot measure by a local consulting firm and its associate in violation of California Government Code §54964, and rejected the request for payment. He then referred the matter to the Grand Jury.

Background

On June 2, 2011, a request was presented to the El Dorado County Auditor/Controller for payment of a local consultant's service to assist Pioneer Fire Protection District in the securing passage of Ballot Measure F pertaining to a tax assessment.

On June 10, 2011, the El Dorado County Auditor/Controller again rejected the request for payment to the consultants, and advised the Pioneer Fire Protection District Board that the contract submitted was unlawful under California Government Code §54964.

The consultants and the Pioneer Fire Protection District Board then met and redrafted the contract, in the Grand Juries opinion, to accomplish the same result as the previous contract, to assist in passing Ballot Measure F, but by using terms to change the reasons for payment.

The new revised contract was resubmitted on August 20, 2011, and based on the language the El Dorado County Auditor/Controller questioned the agreement; however, made the first payment as required under the contract.

The El Dorado County Auditor/Controller maintained his suspicions of the contract's arrangements and referred that matter to the Grand Jury.

California Government Code §54964 makes it unlawful to use public money for the purpose of passing a campaign issue by a government body; however, a Supreme Court case Santa Barbara County Coalition v. Santa Barbara County Association, 167 Cal. App.4 1229, makes a distinction that work performed before the ballot measure is certified for the election is not included in the exclusion of the government code.

Methodology

Documents reviewed:

Ballot Arguments in Favor of Measure F
California Government Code
 §8314 – Unlawful Use of State Resources
 §54964 – Unlawful Expenditure in Support of Ballot Measure
California Penal Code
 §932 – Order Directing District Attorney to Institute Actions for Recovery
 of Money Due County

Interviews:

Dan Dellinger Consulting and associate
El Dorado County Auditor/Controller's Office
El Dorado County Election's Office
El Dorado County District Attorney's Office
Pioneer Fire Protection District Board Members

Facts/Findings

1. The expenditures by Pioneer Fire Protection District to the consultants and associate, performed after the ballot certification are in violation of California Government Code §54964 (Unlawful Expenditure in Support of Ballot Measure) and California Government Code §8314 (Unlawful Use of State Resources).
2. Under Penal Code §932 the Grand Jury can order the District Attorney of the county to review the work done, determine the amount and value of work performed prior to certification and to recover any money that was charged or expended for work after that date. Those funds request or charged for work after certification are in the Grand Jury's judgment is not to be paid or if paid to be returned to the county.

Recommendations

1. The Grand Jury orders that the El Dorado County District Attorney's Office institute suit to recover the \$10,000 already paid to the local consultant firm.
2. The Grand Jury recommends that El Dorado County and/or Pioneer Fire Protection District not pay the additional \$12,000 to the local consultant until an audit is made of allowable versus illegal payments.

Responses

Responses to both the findings and recommendations in this report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to:
The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This report has been provided to:

El Dorado County Auditor/Controller
El Dorado County Board of Supervisors
El Dorado County District Attorney's Office
El Dorado County Elections Department
Pioneer Fire Protection District

Approved by: Presiding Judge, Suzanne N. Kingsbury
and Supervising Judge, Steven C. Bailey.

El Dorado County Grand Jury 2011-2012

Placerville Police Investigative Policy Case number GJ-11-012

Reason for Report

The Grand Jury is charged by law to identify inefficiencies, failures to follow County Ordinances, State laws and Department protocols. A complaint was received by the Grand Jury in December 2011, from a member of the Board of Supervisors, who had received it directly from the complainant.

Background

The complaint was filed by family members on behalf of their elderly mother who was a victim of an alleged sexual assault, regarding treatment received by the Placerville Police Department on September 1, 2011. The mother's doctor directed them to file a report with the Placerville Police Department. The complaint alleges lack of privacy, lack of sensitivity, and the failure to perform a thorough investigation.

Methodology

Documents reviewed:

Letter written by family of complainant (11/25/11)
Handwritten notes from victim (8/27/11 thru 8/31/11)

Interviews:

El Dorado County Counsel
El Dorado County District Attorney's Office
Police Chief, Placerville Police Department
Victim and family members

Facts/Findings

1. The complaint, filed with the Placerville Police Department on September 1, 2011, is not complete. The referrals to appropriate agencies are also not complete.
2. At the time the report was filed there was only one officer on duty.

3. The officer on duty did not follow Placerville Police Department protocol in dealing with sexual assault victims; additionally, it was determined that the officer involved lacked sensitivity during the interview.
4. The Placerville Police Department did not update the victim on her case leaving her frustrated and confused.
5. The Placerville Police Department is conducting an administrative investigation into the officer's actions.

Recommendations

1. The Grand Jury recommends that the Placerville Police Department follow through with appropriate protocol to finalize this investigation.
2. The Grand Jury recommends that the Placerville Police Department officers and personnel receive training in sensitivity and sexual assault procedures and protocol.
3. The Grand Jury recommends that the Placerville Police Department forward the results of their internal administrative investigation to the Grand Jury.

Responses

Responses to both the findings and recommendations in this report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to:
The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This report has been provided to:

El Dorado County Board of Supervisors
El Dorado County District Attorney's Office
Placerville Police Department

El Dorado County Grand Jury 2011-2012

El Dorado County Contracts Case number GJ-11-013

Reason for Report

The Grand Jury received a complaint that the El Dorado County Department of Transportation (DOT) was not diligent in their payment for water/sewer services (See GJ-11-004). During that investigation the Grand Jury discovered that many of the County's contracts are with businesses that are outside of El Dorado County.

Background

During an investigation of any government entity, the Grand Jury reviews and evaluates procedures, methods, and systems utilized by government to determine whether they can be made more efficient and effective.

Department of Transportation's duties include contracts for: goods, services, and supplies to be used by various county departments.

The El Dorado County Charter states that when the combination of price, quality, terms, and conditions of sale are substantially equal, the county shall give a preference to vendors located within the County of El Dorado for the purchase of goods and supplies, but provides no such preference for services that could be contracted from within El Dorado County.

Methodology

Documents reviewed:

- El Dorado County billings
- El Dorado County Charter
 - Article VI, Section 601
- El Dorado County Contracts
- Grand Jury Reports
 - 2007-2008, Procurement Department, GJ-08-019
 - 2008-2009, Charter Review, GJ-09-005

Interviews:

El Dorado County Chief Administrative Office
Chief Administrative Officer
Assistant Chief Administrative Officer
El Dorado County Department of Transportation employees
El Dorado County Senior Analyst (Procurement and Contracts)

Facts/Findings

1. Departments within El Dorado County have the ability to approve smaller contracts without a bid process, and do so on a regular basis.
2. Department Heads frequently contract with businesses from outside El Dorado County.

Recommendations

1. The Grand Jury recommends that the Board of Supervisors amend the El Dorado County Charter to include ‘services’ under Article 6, Section 601, when purchases are made for the county.
2. The Grand Jury recommends that all county contracts be awarded to vendors within El Dorado County as long as they meet the requirements and unless it is found that that type of business does not exist in the county.

Responses

Responses to both the findings and recommendations in this report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to:
The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This report has been provided to:

El Dorado County Board of Supervisors
El Dorado County Chief Administrative Office
El Dorado County Department of Transportation

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2000 through 2012

Grand Jury Report Index

Created By: Ryan Donner 2012

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South Lake Tahoe Juvenile Hall	Every Year	

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