

Summary of Responses to the 2017-2018

Stanislaus County Civil Grand Jury's Final Reports

SUMMARY

Each year the Stanislaus County Civil Grand Jury (SCCGJ) issues reports with findings and recommendations directed to Stanislaus County officials, agencies, and municipal and other public entities. The Continuity Committee's responsibility is to monitor the filing of responses to the previous year's grand jury reports and advise the current grand jury if those responses are complete and legally sufficient, or if additional follow-up is necessary.

BACKGROUND

California Penal Code §933(a) requires the civil grand jury to "submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year." §933(c) requires comments from the governing body, elected county officers, or agency heads to the presiding judge of the superior court on the findings and recommendations within a required time period. Governing bodies of public agencies are required to respond no later than 90 days after the civil grand jury submits a final report; elected county officers and agency heads are required to respond no later than 60 days after the civil grand jury submits a final report.

All SCCGJ reports and the responses can be viewed on the following website: stanct.org/final-reports.

METHODOLOGY

The responses and comments submitted concerning reports issued by the 2017-2018 civil grand jury were evaluated by the 2018-2019 civil grand jury. A review of California Penal Code §933.05(b) requires responses to both findings and recommendations. Responses to findings include one of the following:

1. Agrees
2. Agrees partially
3. Disagrees wholly

Responses to recommendations include one of the following:

1. Has implemented the recommendation
2. Will implement the recommendation
3. Further analysis is needed
4. Will not implement the recommendation/other

California Penal Code §933.05 (b)(3) requires that respondents indicating "further analysis is needed" must conclude such study within six months from the date of the publication of the civil grand jury report.

GLOSSARY

SCCGJ	Stanislaus County Civil Grand Jury
BFPD	Burbank-Paradise Fire Protection District
LAFCO	Local Agency Formation Commission
CSDA	California Special Districts Association
BOD	Board of Directors
BOS	Board of Supervisors
CFPD	Ceres Fire Protection District
DFPD	Denair Fire Protection District
HFPD	Hughson Fire Protection District
IFPD	Industrial Fire Protection District
KFPD	Keyes Fire Protection District
MVFPD	Mountain View Fire Protection District
ORFPD	Oakdale Rural Fire Protection District
RPTCBOD	Riverdale Park Tract Community Board of Directors
SFPD	Salida Fire Protection District
SCFPD	Stanislaus Consolidated Fire Protection District
TRFPD	Turlock Rural Fire Protection District
WFPD	Westport Fire Protection District
WSFPD	West Stanislaus Fire Protection District
WAFPD	Woodland Avenue Fire Protection District

The SCCGJ developed a chart to track responses from county officials, agencies, municipal and other public entities. The following charts reflect each entity's responses to the findings and recommendations of the 2017-2018 SCCGJ final report.

Burbank-Paradise Fire Protection District Board of Directors

Dynasty or Democracy?

Case #18-06C

Reason for Investigation

The Stanislaus County Civil Grand Jury (SCCGJ) initiated an investigation in response to a complaint of alleged mismanagement by the board of directors of the Burbank-Paradise Fire Protection District (BPFPD). The allegations included violations of the Brown Act and poor financial decisions. The investigation was expanded to determine compliance with selected articles of state law and generally accepted governance practices.

Agency Asked to Respond

- ❖ Burbank-Paradise Fire Protection District Board of Directors

Agencies Invited to Respond

- ❖ BPFPD Fire Chief
- ❖ Local Agency Formation Commission
- ❖ Stanislaus County Board of Supervisors

Findings				Recommendations				
	Agrees w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F1. The BPFPD-BOD is dysfunctional. Board members lack training, leadership skills, and the ability to communicate effectively.				R1. LAFCO should consider dissolving BPFPD or consolidating it with another district by June 30, 2019.				X

Findings	Agrees w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F2. The lack of written conflict of interest policies and procedures is a frequent issue.				R2. BPPFD-BOD must conduct public meetings in a professional manner led by the board chair in congruence with the district's adopted written policies, customary parliamentary procedures, and the Brown Act by August 1, 2018.	X			
F3. Legal fees have depleted the funds available for the district's core mission.				R3. Develop procedures and rules for BPPFD-BOD on conducting public meetings by participating in state-approved courses on the Leadership of Special Districts Foundation in California by December 1, 2018.	X			
F4. No records exist accounting for the cash funds received from the sale of the BPPFD fire truck.				R4. Develop and implement a conflict of interest policy and procedures to establish expectations of balancing the personal and business interests of BPPFD.	X			
F5. State funds reimbursing the district for administrative costs for strike teams were improperly paid to an employee.				R5. Retain Financial Disclosure Forms (Form 700) for a minimum of five years to be held at the BPPFD office and at the Stanislaus County Election Office by September 1, 2018.	X			
F6. Credit cards were left unsecured with no written policy for their use.				R6. Maintain Ethics training certificates for a minimum of three years to be held at BPPFD office by August 1, 2018.		X		

Findings	Agrees w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F7. BPPFD-BOD failed to provide financial statements and audit reports.				R7. Establish bylaws requiring new and returning BPPFD-BOD to complete biennial training in the Brown Act, Public Records Act (Government Code 1090-1098), and the Political Reform Act (Government Code 87100-87505) by December 1, 2018.		X		
F8. BPPFD-BOD failed to provide Form 700 Statement of Economic Interests and evidence of ethics training as required by California law.				<p>R8. The BPPFD website should focus on governance information and financial transparency no later than August 1, 2018 by posting:</p> <ul style="list-style-type: none"> • Regular meeting agendas 72 hours prior to the meeting • Special meeting agendas 24 hours prior to the meeting • Emergency meeting agendas one hour prior to the meeting • Board minutes • Monthly budget reports • Financial transaction reports • Annual audit information 		X		
F9. BPPFD-BOD failed to provide board agendas and minutes as required by the Brown Act.				R9. Use the BPPFD website to provide information about the district to encourage public attendance and participation by September 1, 2018.		X		

Findings	Agrees w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F10. Agendas for special meetings were not posted as required by the Brown Act.				R10. Encourage public attendance and involvement by clearly posting BPPFD-BOD meeting dates, times, agendas, at locations visible to the public by August 1, 2018.		X		
F11. BPPFD-BOD has no written policies, procedures, or bylaws.				R11. BPPFD-BOD needs to develop job descriptions and responsibilities for all employees and volunteers by December 1, 2018.	X			
F12. Employees have no job descriptions and therefore have little understanding of what their job responsibilities truly are.				R12. Develop a grievance procedure free from the fear of retaliation by January 1, 2019.	X			
F13. BPPFD has no grievance procedure for protection against any form of abuse.				R13. BPPFD-BOD is directed to support the current fire chief and assistant chief by encouraging them to connect with the Stanislaus County Fire Warden's Office to assist this leadership staff with strategic planning, training, and other support services to effectively manage the district by August 1, 2018.	X			
				R14. Ensure LAFCO website shows the correct monthly board meeting time and location and update when necessary by September 1, 2018.	X			

Conclusion

The 2018-2019 SCCGJ is **not satisfied** that the Burbank-Paradise Fire Protection District responded to all findings and recommendations as no **responses to findings** were included in its report to the Presiding Judge. The BPPFD did submit its response within the timeframe stipulated by the California Penal Code §933(c), §933.05(a) and (b).

Independent Special Fire Districts

Relics of the Past or Resources for the Future?

Case #18-15GJ

Reason for Investigation

California law established special districts as independent state agencies to provide infrastructure or services of importance to voters within specific limited boundaries. Special districts are an important part of local government. The districts are governed by boards that are accountable to the voters within district boundaries. Stanislaus County is home to forty-two independent special districts including fourteen fire districts. Stanislaus County independent special fire districts administer \$26 million a year of taxpayer money with little scrutiny from citizens. Fire districts as a group have never been reviewed by SCCGJ. In 2017-2018 all fourteen special fire districts were evaluated to assess the transparency and accountability of governance.

Two areas of concern for the 2017-2018 SCCGJ were:

- ❖ Oversight of special districts, specifically opportunities to bolster the effectiveness of LAFCO
- ❖ The continued need for special fire districts to improve transparency and public engagement

Agencies Asked to Respond

- ❖ Burbank-Paradise Fire Protection District
- ❖ Ceres Fire Protection District
- ❖ Denair Fire Protection District
- ❖ Hughson Fire Protection District
- ❖ Industrial Fire Protection District
- ❖ Keyes Fire Protection District
- ❖ Mountain View Fire Protection District
- ❖ Oakdale Rural Fire Protection District
- ❖ Salida Fire Protection District
- ❖ Stanislaus Consolidated Fire Protection District
- ❖ Turlock Rural Fire Protection District
- ❖ Westport Fire Protection District
- ❖ West Stanislaus Fire Protection District
- ❖ Woodland Avenue Fire Protection District

Agencies Invited to Respond

- ❖ Local Agency Formation Commission
- ❖ Stanislaus County Board of Supervisors

Findings				Recommendations				
	Agrees w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other**
Burbank-Paradise Fire Protection District								
F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.				R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).				
F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.				R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).				
F3. Most district board members are appointed by the SCBOS.				R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.				

Findings	Agrees w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other
<p>F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.</p>				<p>R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.</p>				
<p>F5. Citizen participation is lacking at board meetings.</p>				<p>R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.</p>				
<p>F6. Most board meetings are not welcoming to citizens.</p>				<p>R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.</p>				
<p>F7. Many of the district websites lack required information about governance and finances.</p>				<p>R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.</p>				

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F8. No apparent effort exists to increase citizen participation and involvement.</p>				<p>R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).</p>				
<p>F9. The fire districts spend \$26 million yearly with little public scrutiny.</p>				<p>R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.</p>				
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>				<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>				
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand”</p>				

			section announces volunteer opportunities.				
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Conclusion

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The 2018-2019 SCCGJ is **not satisfied** with the Burbank-Paradise Fire Protection District as no response was submitted for Case # 18-15GJ **even after repeated requests in writing.**

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Findings				Recommendations				
	Agree w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
Ceres Fire Protection District								
F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.			X	R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).		X		
F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.			X	R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).		X		
F3. Most district board members are appointed by the SCBOS.		X		R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.	X			
F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.	X			R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.	X			

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F5. Citizen participation is lacking at board meetings.	X			R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.			X	
F6. Most board meetings are not welcoming to citizens.			X	R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.		X		
F7. Many of the district websites lack required information about governance and finances.		X		R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.	X			
F8. No apparent effort exists to increase citizen participation and involvement.			X	R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).				X
F9. The fire districts spend \$26 million yearly with little public scrutiny.		X		R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.	N o r e s p o n s e			

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>	X			<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>	N o r e s p o n s e			
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.</p>	N o r e s p o n s e			

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Conclusion

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The 2018-2019 SCCGJ is **satisfied** the Ceres Fire Protection District submitted its response within the timeframe stipulated by California Penal Code §955 (c); however, the SCCGJ is **not satisfied** with the report since no responses to recommendations 9, 10, and 11 were provided.

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Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*

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Denair Fire Protection District								
F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.				R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).				
F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.				R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).				
F3. Most district board members are appointed by the SCBOS.				R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.		X		

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.</p>				<p>R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.</p>	X			
<p>F5. Citizen participation is lacking at board meetings.</p>				<p>R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.</p>				
<p>F6. Most board meetings are not welcoming to citizens.</p>				<p>R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.</p>				
<p>F7. Many of the district websites lack required information about governance and finances.</p>				<p>R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.</p>		X		
<p>F8. No apparent effort exists to increase citizen participation and involvement.</p>				<p>R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).</p>		X		

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F9. The fire districts spend \$26 million yearly with little public scrutiny.</p>				<p>R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.</p>	X			
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>				<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>	X			
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.</p>				

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Conclusion

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The 2018-2019 SCCGJ is **satisfied** the Denair Fire Protection District submitted its response within the timeframe stipulated by California Penal Code §955 (c); however, the response was not specific as to findings and recommendations and was found to be **unsatisfactory** in detail.

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Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
Hughson Fire Protection District								
<p>F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.</p>	X			<p>R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).</p>		X		
<p>F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.</p>	X			<p>R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).</p>	X			
<p>F3. Most district board members are appointed by the SCBOS.</p>			X	<p>R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.</p>	X			
<p>F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.</p>	X			<p>R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.</p>	X			

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F5. Citizen participation is lacking at board meetings.	X			R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.				X
F6. Most board meetings are not welcoming to citizens.			X	R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.				X
F7. Many of the district websites lack required information about governance and finances.	X			R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.	X			
F8. No apparent effort exists to increase citizen participation and involvement.			X	R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).		X		

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F9. The fire districts spend \$26 million yearly with little public scrutiny.</p>			X	<p>R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.</p>	X			
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>				<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>	X			
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.</p>	X			

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Conclusion

The 2018-2019 SCCGJ is **satisfied** the Hughson Fire Protection District submitted a detailed response within the timeframe stipulated by California Penal Code §955 (c).

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
Industrial Fire Protection District								
<p>F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.</p>	X			<p>R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).</p>		X		
<p>F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.</p>	X			<p>R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).</p>				X
<p>F3. Most district board members are appointed by the SCBOS.</p>			X	<p>R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.</p>	X			

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.			X	R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.			X	
F5. Citizen participation is lacking at board meetings.			X	R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.				X
F6. Most board meetings are not welcoming to citizens.			X	R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.				
F7. Many of the district websites lack required information about governance and finances.		X		R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.	X			
F8. No apparent effort exists to increase citizen participation and involvement.			X	R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).		X		

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*:
<p>F9. The fire districts spend \$26 million yearly with little public scrutiny.</p>			X	<p>R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.</p>				X
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>				<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>	X			
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.</p>				X

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Conclusion

The 2018-2019 SCCGJ is **satisfied** the Industrial Fire Protection District submitted a detailed response within the timeframe stipulated by California Penal Code §955 (c).

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
Keyes Fire Protection District								
<p>F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.</p>			X	<p>R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).</p>	X			
<p>F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.</p>			X	<p>R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).</p>		X		
<p>F3. Most district board members are appointed by the SCBOS.</p>	X			<p>R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.</p>	X			

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.</p>			X	<p>R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.</p>	X			
<p>F5. Citizen participation is lacking at board meetings.</p>		X		<p>R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.</p>			X	
<p>F6. Most board meetings are not welcoming to citizens.</p>			X	<p>R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.</p>			X	
<p>F7. Many of the district websites lack required information about governance and finances.</p>	X			<p>R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.</p>	X			
<p>F8. No apparent effort exists to increase citizen participation and involvement.</p>			X	<p>R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).</p>	X			

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F9. The fire districts spend \$26 million yearly with little public scrutiny.</p>		X		<p>R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.</p>		X		
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>	X			<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>	X			
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.</p>		X		

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Conclusion

After repeated requests both in writing and in person, the 2018-2019 SCCGJ is **satisfied** with Keyes Fire Protection District’s late response.

Findings	Agree w/ Finding			Recommendations	Agree w/ Finding			
	Agree w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
Mountain View Fire Protection District								
F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.		X		R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).		X		
F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.		X		R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).				X
F3. Most district board members are appointed by the SCBOS.		X		R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.	X			

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.</p>	X			<p>R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.</p>	X			
<p>F5. Citizen participation is lacking at board meetings.</p>	X			<p>R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.</p>				X
<p>F6. Most board meetings are not welcoming to citizens.</p>			X	<p>R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.</p>				X
<p>F7. Many of the district websites lack required information about governance and finances.</p>	X			<p>R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.</p>	X			
<p>F8. No apparent effort exists to increase citizen participation and involvement.</p>	X			<p>R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).</p>	X			

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*:
<p>F9. The fire districts spend \$26 million yearly with little public scrutiny.</p>			X	<p>R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.</p>		X		
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>	X			<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>	X			
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.</p>	n / a			

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Conclusion

The 2018-2019 SCCGJ is **satisfied** with the Mountain View Fire Protection District response; however, the response was not received within the timeframe stipulated by California Penal Code §955 (c) and was only received after repeated requests.

Findings				Recommendations				
	Agree w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
Oakdale Rural Fire Protection District								
F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.			X	R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).	X			
F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.			X	R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).				X
F3. Most district board members are appointed by the SCBOS.				R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.			X	

Findings				Recommendations				
	Agree w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.			X	R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.	X			
F5. Citizen participation is lacking at board meetings.			X	R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.				X
F6. Most board meetings are not welcoming to citizens.			X	R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.				
F7. Many of the district websites lack required information about governance and finances.		X		R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.	X			
F8. No apparent effort exists to increase citizen participation and involvement.			X	R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).		X		

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*:
<p>F9. The fire districts spend \$26 million yearly with little public scrutiny.</p>			X	<p>R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.</p>	X			
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>				<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>	X			
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.</p>				X

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Conclusion

The 2018-2019 SCCGJ is **satisfied** with the Oakdale Fire Protection District response; however, the response was not received within the timeframe stipulated by California Penal Code §955 (c).

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
Salida Fire Protection District								
<p>F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.</p>	X			<p>R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).</p>	X			
<p>F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.</p>	X			<p>R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).</p>	X			
<p>F3. Most district board members are appointed by the SCBOS.</p>				<p>R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.</p>			X	

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.			X	R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.	X			
F5. Citizen participation is lacking at board meetings.			X	R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.				X
F6. Most board meetings are not welcoming to citizens.			X	R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.				
F7. Many of the district websites lack required information about governance and finances.		X		R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.	X			
F8. No apparent effort exists to increase citizen participation and involvement.			X	R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).		X		

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F9. The fire districts spend \$26 million yearly with little public scrutiny.</p>			X	<p>R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.</p>	X			
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>				<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>	X			
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.</p>				X

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Conclusion

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The 2018-2019 SCCGJ is **satisfied** with the Salida Fire Protection District response; however, the response was not received within the timeframe stipulated by California Penal Code §955 (c).

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Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
Stanislaus Consolidated Fire Protection District								
<p>F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.</p>		X		<p>R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).</p>	X			
<p>F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.</p>		X		<p>R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).</p>		X		
<p>F3. Most district board members are appointed by the SCBOS.</p>		X		<p>R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.</p>		X		

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.			X	R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.	X			
F5. Citizen participation is lacking at board meetings.		X		R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.				X
F6. Most board meetings are not welcoming to citizens.		X		R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.				X
F7. Many of the district websites lack required information about governance and finances.		X		R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.	X			
F8. No apparent effort exists to increase citizen participation and involvement.		X		R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).		X		

Findings				Recommendations				
	Agree w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F9. The fire districts spend \$26 million yearly with little public scrutiny.	X			R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.		X		
F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.	X			R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.	X			
				R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.		X		

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Conclusion

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The 2018-2019 SCCGJ is completely **satisfied** with the Stanislaus Consolidated Fire Protection District response. The response was received within the timeframe stipulated by California Penal Code §955 (c).

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Findings				Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
	Agree w/ Finding	Agrees Partially	Disagrees Wholly					
Turlock Rural Fire Protection District								
F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.				R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).	X			
F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.				R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).				X
F3. Most district board members are appointed by the SCBOS.				R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.	X			

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.</p>				<p>R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.</p>	X			
<p>F5. Citizen participation is lacking at board meetings.</p>				<p>R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.</p>				X
<p>F6. Most board meetings are not welcoming to citizens.</p>				<p>R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.</p>				X
<p>F7. Many of the district websites lack required information about governance and finances.</p>				<p>R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.</p>	X			
<p>F8. No apparent effort exists to increase citizen participation and involvement.</p>				<p>R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).</p>				X

Findings				Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
	Agree w/ Finding	Agrees Partially	Disagrees Wholly					
F9. The fire districts spend \$26 million yearly with little public scrutiny.				R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.				X
F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.				R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.		X		
				R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.		X		

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Conclusion

The 2018-2019 SCCGJ is **satisfied** Turlock Rural Fire Protection District submitted its response within the timeframe stipulated by California Penal Code §955 (c); however, its response was not specific as to findings and was found to be **unsatisfactory** in detail.

Findings	Agree w/ Finding			Recommendations	Implementation Status			
	Agree w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
Westport Fire Protection District								
F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.	X			R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).		X		
F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.	X			R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).		X		
F3. Most district board members are appointed by the SCBOS.		X		R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.		X		

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.</p>	X			<p>R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.</p>				X
<p>F5. Citizen participation is lacking at board meetings.</p>	X			<p>R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.</p>				X
<p>F6. Most board meetings are not welcoming to citizens.</p>		X		<p>R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.</p>		X		
<p>F7. Many of the district websites lack required information about governance and finances.</p>	X			<p>R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.</p>		X		
<p>F8. No apparent effort exists to increase citizen participation and involvement.</p>			X	<p>R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).</p>			X	

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*:
<p>F9. The fire districts spend \$26 million yearly with little public scrutiny.</p>	X			<p>R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.</p>	X			
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>	X			<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>		X		
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.</p>			X	

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Conclusion

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The 2018-2019 SCCGJ is completely **satisfied** with the Westport Fire Protection District response. The response was received within the timeframe stipulated by California Penal Code §955 (c).

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Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
West Stanislaus Fire Protection District								
<p>F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.</p>			X	<p>R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).</p>	X			
<p>F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.</p>			X	<p>R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).</p>	X			
<p>F3. Most district board members are appointed by the SCBOS.</p>				<p>R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.</p>				X

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.				R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.	X			
F5. Citizen participation is lacking at board meetings.			X	R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.				X
F6. Most board meetings are not welcoming to citizens.			X	R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.				
F7. Many of the district websites lack required information about governance and finances.		X		R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.	X			
F8. No apparent effort exists to increase citizen participation and involvement.			X	R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).			X	

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*:
<p>F9. The fire districts spend \$26 million yearly with little public scrutiny.</p>			X	<p>R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.</p>	X			
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>				<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>	X			
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.</p>				X

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Conclusion

3 The 2018-2019 SCCGJ is completely **satisfied** with the West Stanislaus Fire Protection District response.

4 The response was received within the timeframe stipulated by California Penal Code §955 (c).

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
Woodland Avenue Fire Protection District								
<p>F1. Few districts are in full compliance with state laws in transparency, accountability, and governance.</p>			X	<p>R1. All Stanislaus County fire district boards should adhere to California law. All districts should have a written manual of generally accepted governance policies and procedures. The manual should include policies for nepotism, credit card control, and check signing. The manual should be completed by December 31, 2018 (see appendix).</p>		X		
<p>F2. Many board members are not adequately prepared to assume office. Stanislaus County lacks a standardized governance training program.</p>			X	<p>R2. All fire districts should establish a training requirement for board members in addition to that required by law. The curriculum is to be established no later than December 31, 2018 and shall include at least good governance, parliamentary procedure, Brown Act, nepotism, and conflict of interest (see appendix).</p>				X
<p>F3. Most district board members are appointed by the SCBOS.</p>				<p>R3. Certificates of ethics training and Financial Disclosure Form 700 must be on file in each fire district office for five years and at the Stanislaus County Elections Office.</p>				X

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F4. The SCCGJ observed that some fire districts perceive that they are accountable to the SCBOS. Conversely the SCBOS has no responsibility beyond appointment of board members.			X	R4. Fire districts are to ensure that meeting times and locations are posted consistently and accurately on district websites and with LAFCO.	X			
F5. Citizen participation is lacking at board meetings.			X	R5. The fire districts and the community at large would benefit if the SCBOS would exert oversight of governance training.				X
F6. Most board meetings are not welcoming to citizens.			X	R6. The SCBOS should advise the forty-two special districts in Stanislaus County to obtain a copy of this report from the SCCGJ website for informational purposes.				X
F7. Many of the district websites lack required information about governance and finances.		X		R7. All fire district boards must comply immediately with the requirements for meeting notices, posting of meeting agendas, publishing of minutes, and financial statements as required by California law.	X			
F8. No apparent effort exists to increase citizen participation and involvement.			X	R8. Websites should be effectively maintained to abide by California law. The priority of websites should be to provide information and transparency about governance and finances. Current and prior agendas, minutes, financial statements, and audits should be posted (see appendix).				X

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p>F9. The fire districts spend \$26 million yearly with little public scrutiny.</p>			X	<p>R9. Board meeting locations and times should be boldly identified. Signage visible from the street should announce meeting dates and times. Signage should be in place to direct citizens to the meeting room. Meeting rooms should be well-lighted, provide adequate seating, and free of exhaust fumes.</p>	X			
<p>F10. While the SCCGJ focused its investigation on independent special fire districts, our findings and recommendations should be of interest to all special districts in Stanislaus County.</p>			X	<p>R10. Board meeting structure should routinely reflect the basic elements of accepted rules of order while conducting the people’s business. They should start on time with a gavel or announcement. Board members and officers should be identified by roll call. Names of board members should be visible. Topics and guest speakers should be clearly identified, and sidebars eliminated.</p>	X			
				<p>R11. The districts should utilize local print media to seek candidates for the boards of directors. For example, the Modesto Bee’s “Lend a Hand” section announces volunteer opportunities.</p>				X

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Conclusion

The 2018-2019 SCCGJ is **satisfied** with the Woodland Avenue Fire Protection District response; however, the response was not received within the timeframe stipulated by California Penal Code §955 (c) and was received only after repeated requests.

Is Modesto City Water in Riverdale’s Future?

Case #18-25C

REASON FOR INVESTIGATION

In December 2017 Stanislaus Civil Grand Jury (SCCGJ) received a complaint from a resident in the Riverdale Park Tract Community Services District (RPTCSD) accusing the current RPTCSD Board of Directors (RPTCBOD) chairperson of inappropriate use of authority and allowing Brown Act violations to occur. In January 2018 the complainant submitted documentation alleging additional improprieties against the RPTCSD board chairperson.

AGENCIES ASKED TO RESPOND

- ❖ Riverdale Park Tract Community Board of Directors (RPTCBOD)

AGENCIES INVITED TO RESPOND

- ❖ Stanislaus County Board of Supervisors
- ❖ Local Agency Formation Commission (LAFCO)

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F1. The RPTCSD BOD has no bylaws on how to conduct meetings or resolve the simplest issues regularly causing dissension and division within the board.				R1. RPTCSD should seek organizations that provide training, mentorship, website, and personnel support to facilitate their transition to an effective and productive board by December 31, 2018. One such organization is California Special Districts Association – www.csd.net .				
F2. The governance and operating expenses are outpacing revenues and significantly reducing operating reserves.				R2. RPTCSD residential and business water rates should be increased no later than December 31, 2018 in order to maintain a positive cash flow position.				

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis	Will Not Implement/Other*
F3. RPTCSD BOD has failed to properly post its monthly meetings to the public in violation of §54954.2 of the Government Code (part of the Brown Act).				R3. RPTCSD shall create a conflict of interest policy as required by law to minimize board meeting issues by October 1, 2018.				
F4. Nepotism exists on the RPTCSD BOD.				R4. Each RPTCSD board member should attend training by March 31, 2019 in the following areas: Brown Act, parliamentary procedures, conducting efficient meetings, and team building.				
F5. The RPTCSD BOD has one vacancy that often results in a tie vote on motions, thus preventing completion of unfinished business.				R5. RPTCSD BOD should adopt bylaws by July 1, 2019 that provide written procedures specific but not limited to conducting BOD business, job descriptions, filling board vacancies, and emergency contacts.				
F6. Stanislaus Chief Executive's Office provided support to the RPTCSD BOD but had little impact on improving Brown Act compliance, meeting effectiveness, and internal discord within the board.				R6. RPTCSD should create a website in order to improve transparency by December 31, 2018. Meeting agendas, minutes, special reports, financial audits, bylaws, and the governing ordinance are examples of documents that foster increased trust and communication within this community.				
F7. The chairman of the board has no control of the meetings. Attempts to control outbursts and interruptions are unsuccessful.				R7. RPTCSD should ensure by July 31, 2018 that the meeting agendas are posted pursuant to Brown Act regulations.				

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis	Will Not Implement/Other*
F8. Financials are not discussed during board meetings. Checks are passed down the table to each board member to review and sign, but no voting or discussion is done to approve expenditures.								
F9. Board agendas and minutes are not provided to the general audience during board meetings unless requested.								
F10. No set policy of minimum physical requirements, procedures, or responsibilities has been agreed upon for on-call pay and emergency duties.								
F11. RPTCSD does not have a website to provide the general public with meeting agendas, minutes, or other documents to encourage public participation.								
F12. The biennial financial audit is current.								

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CONCLUSION

California Penal Code §933.05 stipulates that elected officials to whom the grand jury directs its requests are required to respond to report findings and recommendations within 60 days.

The 2018-2019 SCCGJ received no explanation from the RPTCSD Board of Directors for its failure to respond despite the many reminders by letter and demands made in person by SCCGJ foreperson and the continuity committee chairperson.

**2018-2019 STANISLAUS COUNTY CIVIL GRAND JURY
STANISLAUS COUNTY SHERIFF'S CITIZEN COMPLAINTS
CASE #19-01C**

SUMMARY

Stanislaus County Civil Grand Jury (SCCGJ) received a complaint describing mistreatment of some residents in the City of Patterson by Stanislaus County Sheriff's deputies. Allegedly the residents' concerns were not handled well by Sheriff's staff.

SCCGJ's investigation researched the citizens' complaint process of the Stanislaus County Sheriff's Department (SCSD). SCSD's policies related to citizens' complaints were reviewed. The policies instruct SCSD staff to accept all complaints and promptly forward them to Administration/Internal Affairs. SCCGJ's investigation found SCSD staff was inconsistent in the application of this policy. Some residents felt intimidated by the complaint process and would not file a complaint.

SCSD's investigations of citizen complaints filed in Patterson were thorough and appeared to come to fair and just conclusions. SCCGJ's review of these investigations did not reveal any indications of mistreatment of residents or discourteous service.

GLOSSARY

SCCGJ – Stanislaus County Civil Grand Jury

SCSD - Stanislaus County Sheriff's Department

BACKGROUND

SCSD contracts with the cities of Hughson, Patterson, Riverbank, and Waterford to provide law enforcement services. In 1998 the City of Patterson Police Department was consolidated into the SCSD. This resulted in the formation of Patterson Police Services under the direction of the Stanislaus County Sheriff's Department. The deputies working in the contract cities are employees of the SCSD.

California Penal Code §148.6 instructs law enforcement agencies to require complainants read and sign the following advisory: **IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.** In *Chaker v. Crogan*, 428 F.3d 1215 (9th Circuit, 2005) the 9th Circuit Court of Appeals ruled the language in California Penal Code §148.6 admonishing complainants was unconstitutional and should be removed from citizen complaint forms.

In the process of this investigation SCCGJ reviewed SCSD policies, visited administrative offices, field offices, and interviewed sheriff's staff. Formal complaints filed with SCSD were also reviewed.

METHODOLOGY

SCCGJ used the following methodology to investigate the complaint:

- SCCGJ requested and obtained copies of the Sheriff's Department policy on Personnel Complaints (citizen complaints to SCSD).
- SCCGJ visited three field offices and the administrative office of SCSD and requested complaint forms along with procedures for filing a citizen's complaint.
- SCCGJ reviewed websites of Hughson, Patterson, Riverbank, and Waterford for links to the SCSD Citizen Complaint forms.
- SCCGJ interviewed Sheriff's staff and the complainant.
- SCCGJ reviewed filed citizen complaints regarding SCSD activities in Patterson.

DISCUSSION

SCCGJ received a complaint on May 1, 2018 alleging the SCSD committed civil rights violations and engaged in a pattern of discrimination against the Latino community in Patterson. Most of the complaint fell outside the purview of the SCCGJ. The complaint also alleged an absence of a complaint procedure pursuant to California Penal Code §832.5 which requires each law enforcement agency to establish a procedure to investigate complaints and to make a written description of the procedure available to the public. The complaint further alleged:

- SCSD staff are not trained in complaint procedures
- SCSD staff are not bilingual
- translation services are not available
- complaint forms are not available in Spanish
- request for complaint process are met with intimidation, hostility and denial.

SCCGJ requested and obtained a copy of SCSD's policies related to citizen complaints. Sheriff's Policy 1020.4.2 states:

All complaints will be courteously accepted by any Department member and promptly forwarded to Administration/Internal Affairs. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone.

Document Review

SCCGJ visited the SCSD offices in Hughson, Modesto, and Patterson. At the Patterson Police Department (SCSD sub-station) the jurors requested and received a Citizen's Complaint form. The form was not available in Spanish. The staff member offered the jurors the opportunity to schedule a time to meet with the lead officer to discuss any complaints. The form contained language that is prohibited under the 9th Circuit Court of Appeals ruling in Chaker v. Crogan (2005). The citizens' complaint form provided by SCSD in Patterson was not consistent with the form on the SCSD website.

At the SCSD office in Hughson the jurors were offered a Citizen Complaint form and a Traffic Complaint form. The jurors requested a copy of the Citizen Complaint form; however, they were told the form could not leave the SCSD Hughson office. The jurors were informed they could report complaints in person or online, but the staff member was unable to locate the complaint form online. Additionally, the Citizen Complaint form was in English only. The

jurors were informed that a Spanish interpreter could be located to assist in completing a complaint if needed.

The complaint form is not directly found in either English or Spanish on the websites of the police departments in Hughson, Patterson, Riverbank or Waterford. Only by following multiple links between the municipal police department websites and the SCSD website can a Citizen Complaint form be located in both languages.

At the SCSD administrative office in Modesto the jurors were provided with a printed English Citizen Complaint form. The form was not available in Spanish nor was a Spanish interpreter available. Citizen Complaint forms in both English and Spanish are available on the SCSD website and both forms are compliant with the 9th Circuit Court of Appeals ruling in Chaker v. Crogan. The complaint forms are located within the Administration section of the website.

SCCGJ reviewed nine formal citizen complaints with the SCSD that were filed in the City of Patterson starting January 2017 through June 2018. SCCGJ did not identify any pattern of unfair treatment based on the complaints filed or in the conclusions of the SCSD investigations.

Interviews

On January 18, 2019 the complainant was interviewed by SCCGJ. The complainant stated the SCSD intimidates individuals from filing complaints. Citizen complaint forms were not available in Spanish nor was a Spanish interpreter available when requested. The complainant stated the SCSD was not responsive to requests addressing complaints.

On December 17, 2018 a SCSD staff member was interviewed by SCCGJ. The SCSD staff member confirmed Citizen Complaint forms are available in all SCSD offices and Spanish translation is available if needed. Complaints are accepted verbally or in writing. Individuals submitting a complaint receive a response from the SCSD, usually within 30 days. SCSD staff were not certain if all staff have been trained on the complaint procedures.

FINDINGS

- F1. SCSD has an established complaint procedure that complies with California Penal Code §832.5.
- F2. Established complaint policies and procedures are inconsistently followed at SCSD field offices.
- F3. SCSD office in Hughson office staff impedes the citizen complaint process by limiting the access to the paper form.
- F4. Citizen Complaint forms were available in English only at all SCSD offices impeding complainant access.
- F5. Electronic access to SCSD Citizen Complaint forms is not readily available on the websites of Hughson, Riverbank, Patterson and Waterford.

F6. SCSD Citizen Complaint forms not compliant with the 9th Circuit Court ruling in Chaker v. Crogan are still in use at the SCSD office in Patterson.

RECOMMENDATIONS

- R1. SCSD staff should apply the citizen complaint policies and procedures consistently.
- R2. SCSD should improve public access to citizen complaint forms by making them readily available both online and in offices in English and Spanish.
- R3. Cities of Hughson, Patterson, Riverbank, and Waterford should update police department website homepages to include direct links to SCSD citizen complaint forms.
- R4. All SCSD offices should purge all citizen complaint forms not compliant with the 9th Circuit Court of Appeals ruling in Chaker v. Crogan.

REQUEST FOR RESPONSES

Pursuant to Penal Code sections §933 and §933.05, the grand jury requests responses as follows:

From the following elected county officials within 60 days:

- Stanislaus County Sheriff, F1- F6, R1, R2, and R4.
- City of Hughson, F3, F5, R2, R3
- City of Patterson, F5, R3, R4
- City of Riverbank, F5, R3, R4
- City of Waterford, R3, R4

INVITED RESPONSES

- Stanislaus County Board of Supervisors
- City of Hughson Police Chief
- City of Patterson Police Chief
- City of Riverbank Police Chief
- City of Waterford Police Chief

DISCLAIMER

Case #19-01C is issued by the 2018-2019 Stanislaus County Civil Grand Jury with the following exception: two grand jury members recused voluntarily due to a perceived conflict of interest. The recused grand jurors were excluded from all phases of the investigation, including interviews, deliberations, voting, and in writing and approval of this report. None of the information included in this report was obtained from the excluded grand jurors as a means of mitigating a potential bias to the integrity of this report.

**CITY OF MODESTO OVERSPENDING
WHAT'S HAPPENING NOW?
Stanislaus County Civil Grand Jury
Case #19-02C**

SUMMARY

The 2018-2019 Stanislaus County Civil Grand Jury (SCCGJ) investigation into overspending by the City of Modesto was prompted by a citizen complaint. Several factors contributed to the City of Modesto finding itself in this situation including understaffing, lack of training, underutilization of internal computer systems and lack of adherence to policies and procedures. Understaffing began as a result of the 2008-2009 recession. Several positions were not filled when vacated. Additionally some management and department head positions were filled only on an interim basis. Staff who were assigned with purchasing goods and services, or creating contracts, were not fully trained to understand both the limits and conditions of their responsibilities. Finally no internal alerts were utilized within the City of Modesto's Oracle Computer System to signal approaching termination dates and monetary limits of contracts. SCCGJ also found that City of Modesto staff did not follow the City Municipal Code or the city's purchasing manual when monitoring or getting authorization for contracts. This was a practice that had continued from 2012-2017. Some contracts were paid after termination dates. Others were paid exceeding the limits established by the Municipal Code, without City Council resolution.

BACKGROUND

Between September 2017 and May 2018, the *Modesto Bee* ran a series of articles outlining overspending by the City of Modesto. A citizen complainant asked the grand jury to investigate these issues as a misuse of taxpayers' money.

SCCGJ's investigation was to determine whether or not the City of Modesto was properly reviewing and monitoring contract spending and continues to do so.

METHODOLOGY

SCCGJ reviewed the following documents from the City of Modesto:

- Modesto City Charter
- Modesto Municipal Code
- Modesto City Council agenda reports
- Memo from Public Management Group dated January 23, 2018
- A PowerPoint presented to the Modesto City Council on January 23, 2018 entitled "Review of Purchasing/Contracting Practices & Recommended Corrective Action"
- Modesto City Council Resolution No. 2018-48 through 2018-54 dated January 23, 2018
- City of Modesto finance committee report dated February 9, 2018
- City of Modesto -"Independent Accountants' Report on Agreed upon Procedures for the Year Ended June 30, 2017" prepared by Hudson, Henderson & Company, Inc. dated February 21, 2018

- City of Modesto - Contract Compliance – “Independent Accountants’ Report on Agreed upon Procedures for the Year Ended June 30, 2010” prepared by Hudson, Henderson & Company, Inc. dated June 28, 2018
- “Report of Investigation – Finance Contracts Matter, City of Modesto, California” by Armistead Research and Investigative Services dated August 30, 2018

SCCGJ interviewed personnel from the City of Modesto.

SCCGJ visited the City of Modesto Finance Department and reviewed the Oracle Computer System.

DISCUSSION

News articles in the *Modesto Bee* published between September 13, 2017 and May 21, 2018 alleged several instances of overspending within the finance department and the purchasing division of the City of Modesto. The purpose of this investigation was to determine whether the City of Modesto has taken the necessary steps to ensure that taxpayers’ money is spent within the parameters of the Modesto Municipal Code (MMC).

The purchasing system is a division of the finance department and has the responsibility to supervise purchasing action (MMC § 8-3.201 Organization).

Pursuant to the City of Modesto Municipal Code § 8-3.202 General Responsibilities and Duties, the Department is responsible for contracting goods and services needed by the city from qualified persons, at reasonable prices, and to ensure quality of the purchases. MMC § 8-3.102 states that no contract involving an expenditure in excess of \$50,000 may be authorized or executed without City Council approval. Contracts may not be divided into smaller dollar amounts in order to circumvent monetary limits requiring authorization by the City Council.

After the 2008-2009 financial crisis, understaffing in both the finance department and purchasing division contributed to overspending in contract payments. Several positions were not filled when vacated, or filled only on an interim basis, including some management and department head positions. Additionally the number of staff positions within the City of Modesto were inadequate to meet the workload of entering and monitoring contract information in the Oracle Computer System.

In order for the city to function financially from 2012-2017, practices within the purchasing division ignored requirements of the City Municipal Code. Some contracts were paid past expiration dates, and/or beyond their monetary limits. The Oracle Computer System was not being used properly to monitor contract limits. Staff was neither adequately trained nor supervised in using this system. The purchasing procedures manual had not been revised since March 2007, and the purchasing manual had not been revised since July 2009. Staff was neither trained nor required to read and follow standardized written policies and procedures.

According to the August 30, 2018 investigation by Armistead Research, it became apparent that personnel were unclear regarding whose responsibility it was to oversee purchasing contracts. According to Municipal Codes § 8-3.102, §8-3.103 and §8-3.202, oversight of contracts for

public works differs from that of contracts for purchasing and services. Diverting from standard practice, contracts were not being approved according to Municipal Code.

After the discovery of the contract irregularities, action was taken by the finance department, the purchasing division, and the City Manager to rectify the situation. Staffing was increased and monthly meetings were being held by the finance department to improve training and contract compliance. On January 23, 2018 Modesto City Council adopted a total of seven (7) resolutions (Nos. 2018-48 through 2018-54). Resolutions described actions to be taken to amend contract limits, terms of contracts, or to authorize the Purchasing Manager to increase amounts on blanket purchase orders. Adoption of these resolutions also ratified past expenditures that exceeded the City Manager's financial authority. The City Council approved new annual purchase agreements that included past expenditures and/or increased expenditure limits. Some contract dates were extended to September 30, 2018 to provide time for negotiating new contracts.

SCCGJ's investigation found that change has occurred within the City of Modesto's financial practices. City of Modesto staff is now properly trained. Supervisory and managerial staff maintain accountability for approving all purchases.

The Oracle Computer System is now being fully utilized as a tool for entering, monitoring, and reporting the status of all contracts. Tracking information consists of vendor names, dollar limits, expiration dates, and City Council resolution numbers, if authorization is required. Safeguards are in place to protect from overspending or paying on expired contracts.

SCCGJ observed a demonstration of how information is entered and tracked in the Oracle Computer System. SCCGJ was provided with a copy of the control document given to each division in preparation for monthly meetings between division heads and the finance department. At monthly meetings all contracts are reviewed to assure accuracy and to make staff aware of contracts due for review or renewal. All City of Modesto purchasing contracts have future expiration dates. Alerts are in place within the Oracle Computer System giving early notification of contract dollar limits being reached. Reminders are issued by the system 90 days before contracts are due to expire.

SCCGJ's investigation found that issues which caused the underlying problems in the past years are being substantially addressed.

SCCGJ's investigation found the City of Modesto has demonstrated its recognition of past financial problems. The city hired a consulting firm to provide an independent review of past purchasing practices. The firm made observations and recommendations for corrective action. Based on recommendations the City of Modesto has hired additional staff for the finance department and purchasing division. Staff receives monthly training on proper procedures. Revised purchasing and policy manuals are being drafted. Additionally, an investigative firm hired by the city determined no malfeasance by staff.

On February 5, 2008 citizens of Modesto passed Measure M, "Increase Accountability in City Hall Measure of 2008". A majority vote was required, and the measure passed with over 78% of voters approving. This measure established the "Office of City Auditor". Pursuant to Modesto Municipal Code §902.1, the City Council shall appoint the City Auditor who shall serve at its pleasure. "The City Auditor shall be certified according to standards comparable to a Certified

Public Accountant or Certified Internal Auditor at time of appointment.” The City Auditor is charged with conducting audits of all fiscal transactions and accounts kept by the city and issuing reports and recommendations to the City Council after each audit. This position was not filled for the majority of 9 years since voters passed Measure M and revised the Code. In September, 2008 the first city auditor was hired after the passage of Measure M. The position was vacated in March 2010 after only eighteen (18) months. In 2011 an external firm was contracted for the purpose of conducting performance audits, rather than financial audits, through mid-2017. In April 2018, an internal city auditor was hired by the Modesto City Council, and the position was vacated in December 2018, after only eight (8) months. The City of Modesto has not had an internal auditor since the position was vacated in December 2018.

FINDINGS

- F1. Several high-level and interim positions within the City of Modesto have now been filled.
- F2. The number of staff positions within the City of Modesto currently meets the contract monitoring needs of the city.
- F3. Staff now receive monthly training regarding standardized policies and procedures.
- F4. The purchasing procedures manual has not been revised since March 2007.
- F5. The purchasing manual has not been revised since July 2009.
- F6. The City of Modesto’s purchasing division now has safeguards in effect with regard to contract approvals.
- F7. The City of Modesto’s purchasing division now enters and monitors contract information within the Oracle Computer System.
- F8. The position of City Auditor remains vacant as of the date of this report.

RECOMMENDATIONS

- R1. The City of Modesto should continue to maintain adequate staff who will enter specific contract information and generate reports using the Oracle Computer System.
- R2. The finance department should continue to conduct monthly meetings to assure contract compliance.
- R3. As required by the Modesto City Charter and the Modesto Municipal Code, regular meetings with all city division heads should occur to ensure that contracts nearing monetary or time limits are reported to the Modesto City Council.
- R4. Both of the Purchasing Division’s written policy and procedures manuals should be finalized by September 30, 2019.
- R5. Staff responsible for purchases and contracts should follow the City of Modesto policy and procedures manual and the Modesto Municipal Code.
- R6. Purchasing and finance department staff should receive specific orientation and refresher training regarding utilization of the Oracle Computer System.
- R7. The Modesto City Council should begin the process of recruiting and hiring a new City Auditor as required by Modesto Municipal Code §902.1, no later than September 30, 2019.

REQUEST FOR RESPONSES

Pursuant to Penal Code §933 and §933.05, the Stanislaus County Civil Grand Jury requires responses as follows:

- Modesto City Manager.....F1 - F7, R1 - R6
- Modesto City Council.....F8, R7

APPENDIX

- Modesto Municipal Code §2-3.402
- Modesto Municipal Code §8-3.102
- Modesto Municipal Code §8-3.200
- Modesto Municipal Code §8-3.201
- Modesto Municipal Code §8-3.202
- Modesto Municipal Code §2-3.401
- Modesto Municipal Code §902.1
- Modesto City Charter
- Modesto City Council Agendas
- Modesto City Council Minutes
- Modesto City Council Resolutions 2018-48 through 2018-54
- Measure M
- Independent Accountant's Report, Hudson, Henderson & Company, Inc.
- A PowerPoint presented to the Modesto City Council on January 23, 2018 entitled "Review of Purchasing/Contracting Practices & Recommended Corrective Action"
- Review of Modesto's Purchasing Practices by Public Management Group
- Report of Investigation - Finance Contracts Matter, City of Modesto, California by Armistead Research and Investigative Services

REFERENCES

Modesto Bee Articles:

- *'We Will Fix This' – A Modesto City Manager Apologizes for \$2.2 Million Error*, September 13, 2017
- *Modesto Should Get Busy Finding a City Manager*, September 26, 2017
- *\$2.2M in Overspending is not Modesto's Only Mistake*, October 14, 2017
- *Modesto has Found 11 Instances of Overspending*, October 25, 2017
- *For the Third Time, City of Modesto Staff Spends More than it's Supposed To*, November 13, 2017
- *Modesto Brings Forward More Examples of Overspending*, November 27, 2017
- *Modesto Spent More Than Agreements Allowed 45 Times*, December 24, 2017
- *What Role did 'Group Think' and 'It's Not My Job' play in Modesto's Overspending*, January 21, 2018
- *Modesto Says it Will Fix Culture that Led to \$16M in Overspending*, January 24, 2018
- *New Agreement Could Tell Whether Modesto has Fixed its Problem Purchasing Practices*, May 21, 2018

**2018-2019 Stanislaus County Civil Grand Jury
Case #19-07GJ**

Is Measure L Measuring Up?

A special sales tax review of city and county road improvements



Is Measure L Measuring Up?

A special sales tax review of city and county road improvements

SUMMARY

In November 2016 more than 70% of Stanislaus County voters approved Measure L, a 25-year one-half cent special sales tax used exclusively for regional and local transportation, as well as other transit improvements. All Measure L funds generated by this special tax stay in Stanislaus County.



The Stanislaus County Civil Grand Jury (SCCGJ) chose to open an investigation of Measure L after reading various stories, opinion pieces, and letters-to-the-editor in local newspapers and online sources. SCCGJ's intent of this investigation was to determine whether Measure L special sales tax dollars are spent as intended. Taxpayers often question if government decision-making exists for the benefit of the public; the SCCGJ wondered the same.

The Stanislaus Council of Governments (StanCOG) administers Measure L. While Measure L revenue disbursements go to regional county and transit projects, and transportation improvements in the nine county cities, SCCGJ narrowed the focus of the investigation to two entities: **Stanislaus Council of Governments** and **Local Jurisdictions**. SCCGJ further narrowed the focus on the local jurisdictions to the three cities of Ceres, Patterson, and Turlock. The investigation involved researching key documents from StanCOG and the three local jurisdictions. Once document review was completed, SCCGJ interviewed key personnel from StanCOG and representatives from Ceres, Patterson, and Turlock.

Initial media criticisms of some cities focused on little or no activity happening on observed transportation projects, although local jurisdictions were in design stages, accruing allocations before starting roadwork, or waiting to find available contractors. SCCGJ found through investigation that both StanCOG and local jurisdictions are implementing Measure L as promised to Stanislaus County residents.

GLOSSARY

BOE	Board of Equalization
FY	Fiscal Year
LTA	Local Transportation Authority
MFA	Master Funding Agreement
MOE	Maintenance of Effort

PCI	Pavement Condition Index
SCCGJ	Stanislaus County Civil Grand Jury
StanCOG	Stanislaus Council of Governments

BACKGROUND

In November 2016 more than 70% of Stanislaus County voters approved Measure L, a 25-year one-half cent special sales tax used exclusively for regional, local transportation, and transit improvements. Stanislaus County joined over 20 other California counties designated as Self-Help Counties. Self-Help Counties can address and improve transportation needs by allowing counties to leverage a larger share of future local, state, and federal transportation funding opportunities. All Measure L funds generated by this special sales tax stay in Stanislaus County and are spent only on transportation.

SCCGJ chose to open an investigation of Measure L after reading various stories, opinion pieces, and letters-to-the-editor in local newspapers and online sources. These media stories offered both praise and criticism of the new measure. SCCGJ’s objective was to determine whether Measure L special sales tax monies are being appropriately spent for intended purposes. SCCGJ acts as the civil watchdog for Stanislaus County taxpayers, ensuring honest and efficient government practices.

StanCOG is the Local Transportation Authority (LTA) that administers Measure L. Measure L monies are directed toward local jurisdictions, regional county, and transit projects. Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford comprise the nine local jurisdictions. Since Measure L is still in its infancy, SCCGJ elected to investigate StanCOG and fiscal year (FY) 17/18 of three of the nine local jurisdictions, choosing the cities of Ceres, Patterson, and Turlock.

METHODOLOGY

The 2018-2019 SCCGJ:

- Researched Measure L in local newspapers and online sources including stories, opinion pieces, and letters-to-the-editor
- Attended the November 27, 2018 Measure L Oversight Committee meeting
- Reviewed the following StanCOG documents:
 - Ordinance 16-01 Measure L Local Roads First Transportation Funding Measure
 - Resolution 17-10 Measure L Master Funding Agreement Local Control Funds
 - Resolution 17-11 Measure L Policies and Procedures Local Control Funds
 - Measure L Expenditure Plan

- Measure L FY17/18 revenue
- Measure L FY17/18 nine local jurisdictions' allocations
- FY 17/18 nine local jurisdictions' Monthly Reports
- FY 17/18 nine local jurisdictions' Quarterly Milestone Reports
- FY 17/18 nine local jurisdictions' Maintenance of Effort (MOE) form
- Reviewed the following documents of Ceres, Patterson, and Turlock:
 - FY 17/18 Measure L funds received
 - FY 17/18 Measure L planned and completed projects
 - FY 17/18 general fund budget
 - FY 17/18 city council agendas and minutes containing Measure L items
 - FY 17/18 StanCOG Monthly Report and Quarterly Narrative Report
 - FY 17/18 Maintenance of Effort form
- Interviewed key personnel from StanCOG, Ceres, Patterson, and Turlock

DISCUSSION

The purpose of this report is to examine both revenue and expenditure components of Measure L. StanCOG is the LTA that regulates and administers revenue generated by Measure L's special sales tax receipts. SCCGJ investigated StanCOG's control and implementation of the measure along with local jurisdictions' compliance with policies and procedures. Additionally, since Measure L is a 25-year special transportation tax, this investigation establishes a benchmark for any future Stanislaus County civil grand juries wanting to monitor the measure's promises.

This report confirms that years of neglect in road repair and maintenance, not only in Stanislaus County but the entire state, created a critical need for additional transportation funds. The discussion section begins with on-going state and county transportation issues. Stanislaus County certainly is not alone as studies show the entire state of California suffers from funding shortfalls. These sections depict for the reader a chronological and logical progression of Measure L.

State of California Roads

The 23rd *Annual Highway Report* ranks California 42nd in the nation in highway performance and cost-effectiveness and 46th in urban interstate pavement condition (Reason Foundation, 2018). The cost for all unfunded repairs identified by state and local officials in the coming decade is about \$135 billion.

Existing California gas taxes that support road repairs are among the highest in the country, but the state has some of the worst roads in the United States (Reason Foundation, 2018; CALmatters, 2015). Senate Bill 1, signed by Governor Jerry Brown in April 2017, increased the

state’s gas tax by 12 cents per gallon from 34.7 cents per gallon to 46.7 cents per gallon. Due to aging infrastructure, rising construction costs, and budget constraints, the state’s local road network continues to fall into disrepair. Heavy vehicles, increased population and traffic, and alternative modes of transportation cause excessive demands on California’s streets and roads.

Stanislaus County Roads

The Road Information Program (TRIP), a national transportation research group, ranked the Modesto-metro area 20th in the nation of 200K-500K mid-sized urban areas, with the highest share of major roads in poor conditions. The ranking is gleaned from federal statistics. An urban metro area includes the major city in a region and its neighboring or surrounding suburban areas (TRIP, 2018).

Roadways in Stanislaus County are evaluated periodically for aging conditions. The evaluation is based on the Pavement Condition Index (PCI). PCI is used to rate the condition of the surface of a road network. PCI provides a numerical rating for the condition of roadway segments within the transportation network, where 0 is the worst condition and 100 is the best. PCI measures the type, extent, and severity of pavement surface distresses (typically cracks and rutting), and the smoothness and ride comfort of the road. In the most recent review, Stanislaus County local jurisdictions had an average PCI of between 50 and 70, which is considered **At Risk**.

PCI SCORES		Jurisdiction	Score	Condition
86-100	Excellent			
71-85	Good	Ceres	61	At Risk
50-70	At Risk	Hughson	71	Good
0-49	Poor	Modesto	50	At Risk
		Newman	61	At Risk
		Oakdale	61	At Risk
		Patterson	61	At Risk
		Riverbank	71	Good
		Stanislaus County	49	Poor
		Turlock	61	At Risk
		Waterford	71	Good

Source: League of California Cities “California Statewide Local Streets and Roads Needs Assessment”, 2016

Stanislaus County’s estimated population in 2017 was 547,899. By the year 2040, the projected population will reach approximately 707,000 people. Population growth of 29% is forecast to result in over 50,000 new housing units and 47,000 new jobs. Increases in population and housing also create a greater need for road improvement. Nearly every trip – whether by car, bus, bike, or foot – begins and ends on a local street or road. Unmaintained roads cost consumers

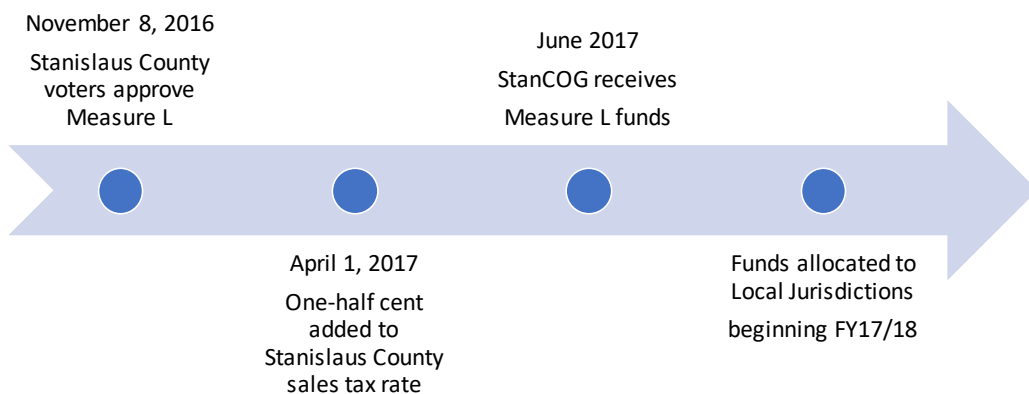
needless repairs to damaged vehicles and tires and decreases safety for drivers and pedestrians. The local system is critical for the economy, the safety and mobility of the traveling public, emergency responders, law enforcement, and other transportation modes such as bicycles and buses.

Stanislaus County Voters Approve Measure L

In November 2016 more than 70% of Stanislaus County voters approved Measure L, a 25-year one-half cent special sales tax used exclusively for regional and local transportation improvements. Stanislaus County then joined over 20 other California counties designated Self-Help Counties. Self-Help Counties can address and improve transportation infrastructure needs allowing leverage of a larger share of future local, state, and federal transportation funding opportunities. All Measure L funds generated by this special tax stay in Stanislaus County.

Safe, efficient streets and roads in Stanislaus County are the most important components of getting from Point A to Point B. With the passage of Measure L, local jurisdictions now can improve more roads, thus upgrading the appearance and infrastructure of the entire community. StanCOG distributes Measure L sales tax revenues to local cities. Each entity identifies and prioritizes specific streets and roads for repair and/or refurbishment. These funds are used exclusively for repair and maintenance. No new roads can be funded. Measure L mandates that local jurisdictions use the funds to augment current transportation spending but not replace a local entity's general fund expenditures.

Measure L Timeline



StanCOG Investigation



The Stanislaus Council of Governments (StanCOG) is the Local Transportation Authority (LTA) that administers Measure L. Initial steps taken in the Measure L investigation were requests for documents. SCCGJ mailed document requests to StanCOG on October 4, 2018 with another request for additional documents on November 7, 2018. The agency responded quickly, submitting organized, easy-to-read groups of documents.

SCCGJ interviewed StanCOG on November 22, 2018. A StanCOG representative answered all questions without hesitation. The decision to interview StanCOG prior to interviewing the three local jurisdictions was very beneficial for SCCGJ. SCCGJ gained a greater understanding of the measure from development to inception. Major interview topics included the following:

- Ordinance 16-01
- Resolution 17-10
- Resolution 17-11

Ordinance 16-01

- **Measure L Local Roads First Transportation Funding Measure**

Ordinance 16-01 was adopted by the Local Transportation Authority on June 22, 2016, establishing and implementing a retail transaction and use tax (Appendix A). This ordinance provides the execution of the *Measure L Expenditure Plan*. The ordinance includes local street and road improvements, traffic management, and bicycle and pedestrian safety. Each jurisdiction must create a special fund account into which Measure L allocations are deposited. Sales tax revenues are distributed monthly to StanCOG by the California Board of Equalization (BOE). The BOE Measure L sales tax collection began on April 1, 2017 with the first distribution to StanCOG in June 2017. StanCOG is a “pass-through” agency which allocates monthly funds to local jurisdictions but has no control or oversight of entities’ projects. In FY17/18 StanCOG received the following Measure L funds from BOE:

Total StanCOG FY 17/18 Measure L Funds Received*

July 2017	Aug	Sept	Oct	Nov	Dec 2017
2,310,300	3,080,400	4,816,568	2,406,400	3,208,500	5,375,999
Jan 2018	Feb	March	April	May	June 2018
2,727,300	3,636,400	4,541,240	2,622,200	4,385,509	3,234,554

*Source: StanCOG interviewee

- **Maintenance of Effort (MOE)**

The intent of the Legislature and the LTA is that revenues provided from Ordinance 16-01 be used to supplement existing revenues for transportation projects, improvements and programs. Pursuant to the intent of the Public Utilities Code section 180001, a jurisdiction cannot redirect monies currently being used for transportation purposes to other uses, and subsequently replace the redirected funds with local street maintenance and improvement dollars from the sales and use tax. To meet the requirements of state law and to receive local streets and roads funds, a local jurisdiction must demonstrate maintenance of a minimum level of street and road expenditures to conform with the provision below:

“Annual expenditures of a local jurisdiction’s general funds for transportation purposes shall not be an amount less than the three-year average of its annual expenditures from its general fund during the prior three fiscal years. In calculating the three-year average annual general fund expenditures, any unrestricted funds which the local jurisdiction may expend at its discretion, expended for transportation purposes are expenditures from the general fund.”

Source: Ordinance #16-01 Section 9.03.01

- **Safeguards**

The Measure L Oversight Committee was established to review an independent fiscal audit of local jurisdictions’ expenditures. The committee issues an annual report of its findings to StanCOG regarding compliance with the *Measure L Expenditure Plan* and the *Measure L Ordinance*. The committee is responsible for oversight of the proper use of sales tax funds, implementation of the programs and projects set forth in the expenditure plan, and recommendations to StanCOG. The committee is not a policy-making body. The committee consists of one representative from each of the following jurisdictions: Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, Waterford, and County of Stanislaus. Members of the Measure L Oversight Committee are not permitted to be members of any other authority or StanCOG committee(s).

Resolution 17-10

Resolution 17-10 was approved on November 15, 2017 by the StanCOG Policy Board adopting the *Measure L Master Funding Agreement (MFA)*. Each local jurisdiction entered into a three-year *Measure L Master Funding Agreement* with StanCOG. In 2020 the MFA will be renegotiated with StanCOG.

An MFA requires:

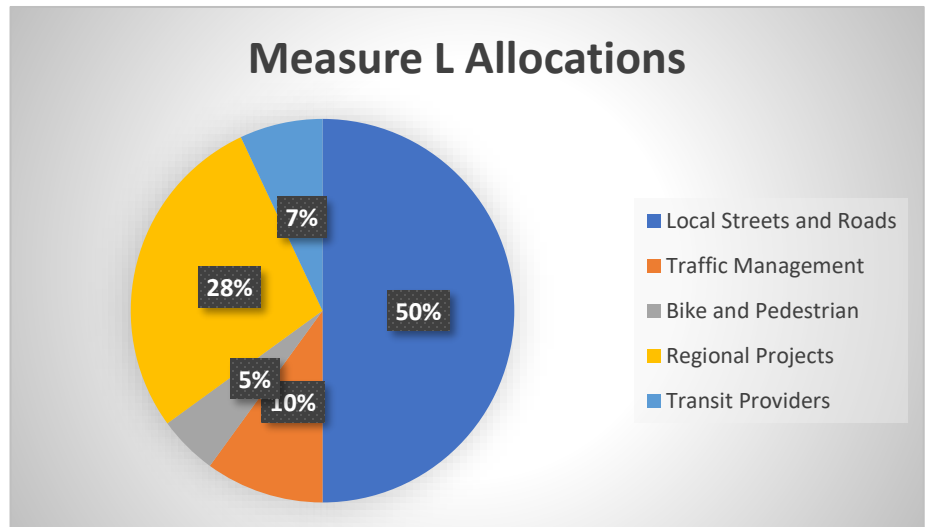
- StanCOG to allocate local control funds as received from Measure L
 - The following chart indicates 100% of funds allocated to each jurisdiction:

Local Control Funds*

Ceres	6.36%
Hughson	1.26%
Modesto	35.79%
Newman	1.26%
Oakdale	3.86%
Patterson	4.55%
Riverbank	3.42%
Turlock	15.26%
Waterford	1.26%
Stanislaus County	26.98%
Total	100%

*Source: Measure L Expenditure Plan

- Breakdown of allocations for local jurisdictions to be 65% of total Measure L receipts (see chart above): Local Streets and Roads 50%; Traffic Management 10%; and Bike and Pedestrian Safety 5%
- Local jurisdictions to submit copies of capital improvement plans and all other approved projects and programs annually
- Local jurisdictions to provide annual calculation of the MOE
- Annual reports of all related activities due 90 days after end of fiscal year
- A separate fund for all Measure L allocations including accounting efficiencies for easy tracking
- Compliance reporting requirements including a monthly revenue and expenditure report by project and cash balances
- Quarterly Milestone Reports providing a narrative of progress of projects using Measure L funds
- Signage at all Measure L projects
- Dedicated space on its city website informing the public of funding use



Total Local Jurisdictions FY 17/18 Measure L Funds Received*

Ceres	Hughson	Modesto	Newman	Oakdale	Patterson	Riverbank	Turlock	Waterford
1,828,270**	362,204	10,288,329	362,204	1,109,610	1,307,960	983,126	4,386,697	362,204

*Source: StanCOG **Rounded to nearest dollar

Program Allocations of Est. FY 17/18 Revenue Assumptions

Total Allocation from BOE	40,845,607*
Less StanCOG Administration 1%	408,456*
Remaining Allocations	40,437,151*

Expenditure Plan Categories/Funds	Allocation Percentages	Jurisdiction Categories/Funds	TOTAL CATEGORY
LOCAL CONTROL 65% 26,284,148			
Local Streets and Roads - 50%			20,218,576
	6.36%	Ceres - Local Streets & Roads	1,285,901
	1.26%	Hughson - Local Streets & Roads	254,754
	35.79%	Modesto - Local Streets & Roads	7,236,228
	1.26%	Newman - Local Streets & Roads	254,754
	3.86%	Oakdale - Local Streets & Roads	780,437
	4.55%	Patterson - Local Streets & Roads	919,945
	3.42%	Riverbank - Local Streets & Roads	691,475
	15.26%	Turlock - Local Streets & Roads	3,085,355
	1.26%	Waterford - Local Streets & Roads	254,754
	26.98%	Stanislaus County - Local Streets & Roads	5,454,972
	100.00%		
Traffic Management - 10%			4,043,715
	6.36%	Ceres - Traffic Management	257,180
	1.26%	Hughson - Traffic Management	50,951
	35.79%	Modesto - Traffic Management	1,447,246
	1.26%	Newman - Traffic Management	50,951
	3.86%	Oakdale - Traffic Management	156,087
	4.55%	Patterson - Traffic Management	183,989
	3.42%	Riverbank - Traffic Management	138,295
	15.26%	Turlock - Traffic Management	617,071
	1.26%	Waterford - Traffic Management	50,951
	26.98%	Stanislaus County - Traffic Management	1,090,994
	100.00%		
Bike and Pedestrian - 5%			2,021,858
	6.36%	Ceres - Bike and Pedestrian	128,590
	1.26%	Hughson - Bike and Pedestrian	25,475
	35.79%	Modesto - Bike and Pedestrian	723,623
	1.26%	Newman - Bike and Pedestrian	25,475
	3.86%	Oakdale - Bike and Pedestrian	78,044
	4.55%	Patterson - Bike and Pedestrian	91,995
	3.42%	Riverbank - Bike and Pedestrian	69,148
	15.26%	Turlock - Bike and Pedestrian	308,535
	1.26%	Waterford - Bike and Pedestrian	25,475
	26.98%	Stanislaus County - Bike and Pedestrian	545,497

*Source: StanCOG. Includes Stanislaus County regional projects

Resolution 17-11

Resolution 17-11 was approved on November 15, 2017 by the StanCOG Policy Board adopting *Measure L Policies and Procedures: Local Control Funds*. The policies and procedures were written to ensure each jurisdiction expend Measure L allocations appropriately. It holds local jurisdictions to a high standard of government spending with accountability to cities, residents, and government agencies. Resolution 17-11 includes:

- Measure L purpose
- Purpose of *Measure L Policies and Procedures: Local Control Funds*
- Signed *Measure L Master Funding Agreement*
- Reporting requirements
- Administrative and staff costs
- Fund Exchange

StanCOG Interview Summary

At the time of the interview, the StanCOG interviewee stated all local jurisdictions were compliant for FY17/18. Requirements for a jurisdiction's compliance include meeting all reporting and submittal requirements described in the *Measure L Master Funding Agreement* and the *Measure L Policies and Procedures: Local Control Funds. A Reporting and Submittal Requirements* template is available to jurisdictions in Appendix II of the policies and procedures document. The template includes a checklist and due dates for reporting requirements.

Refer to the Methodology section for all documents received from StanCOG. All documents were clear, concise, and organized. The agency's comprehensive background work addressed development and implementation of projects, and attainment of goals, ensuring all areas of fiscal concern were addressed.

SCCGJ learned the California State Board of Equalization (BOE) distributes sales tax receipts monthly to StanCOG who in turn disburses funds to compliant local jurisdictions. A local jurisdiction might be considered non-compliant if required StanCOG reports are submitted late or are incomplete. Funds are withheld and accrue until the local jurisdiction becomes compliant.

The Maintenance of Effort (MOE) was foreign to SCCGJ, but the interviewee made a thorough effort to explain the concept in layperson's terms. MOE numbers are based on a jurisdiction's previous three years of general fund transportation expenditures. These numbers are released from the California State Controller's office. The MOE is dynamic, changing each new fiscal year by reflecting the previous three years' numbers. Both StanCOG and local jurisdictions supplied FY 17/18 MOE reports to SCCGJ.

StanCOG key personnel review required annual, quarterly, and monthly reports. StanCOG has developed *Abila*, a cloud-based revenue and expenditure accounting program for Measure L. Each jurisdiction must upload monthly financial reports into *Abila*, since it is not yet set up to integrate with each city's accounting platform. Quarterly Milestone Reports are narrative and include overall project details and status, funds expended, photos, and/or renderings.

A Fund Exchange option is built into the *Measure L Master Funding Agreement* allowing local jurisdictions to loan money to another local jurisdiction in Stanislaus County. To date, none of the jurisdictions have participated.

Local Jurisdiction Investigation



SCCGJ focused the investigation on three of the nine local jurisdictions: Ceres, Patterson, and Turlock. The reasoning was based on location, relationship to other cities, city dynamics, and population. Patterson is one of the fastest growing cities in the county. Turlock is the second largest city in the county. Ceres is representative of smaller communities in the surrounding areas. Each of these cities has increasing transportation needs and issues.

SCCGJ mailed document requests to key personnel on October 4, 2018 with another request for additional documents on November 7, 2018. Cities responded by the given deadlines, submitting organized, easy-to-read groups of documents.

SCCGJ interviewed key personnel from Ceres, Patterson, and Turlock. Interviews occurred on December 12, 2018, December 20, 2018, and January 10, 2019. The purpose of the interviews was to compare and validate information and facts received from both StanCOG and local jurisdictions. SCCGJ determined one-third of the entities was enough representation for all nine local jurisdictions. SCCGJ got an overall look at spending and compliance along with information on project priorities, management, and ease of reporting.

The SCCGJ compiled a list of questions for interviewees. For comparison and fairness, the same questions were asked of all three representatives.

The following topics were covered in the interviews:

- FY 17/18 Funding
- Projects
- Maintenance of Effort
- Accounting System and Reporting

Local jurisdictions are the big winners by the passage of Measure L. Cities that have gone years with no or very little access to general funds for transportation projects such as street and road maintenance, traffic management, and bike and pedestrian upgrades, now are reaping the benefits of the Measure L special transportation sales tax. Long-awaited projects can be planned, implemented and completed, improving a city’s appearance and attractiveness. In addition, city residents can see the extra one-half cent sales tax increase at work.

FY 17/18 Funding

Each of the three jurisdictions provided records for FY 17/18 general fund budget which included a separate fund number assigned to all Measure L projects, per the *Master Funding Agreement*. SCCGJ requested information on the total funds received for FY 17/18; all entities complied. The chart below compares the dollar figure reported between local jurisdictions and StanCOG. SCCGJ asked StanCOG and the representatives from Ceres and Turlock to explain the discrepancy in the numbers. At the time of the interview, both city representatives were unsure as to whether their city’s accounting system was up-to-date. This difference in reporting was corroborated by StanCOG and will be reconciled in the annual audit.

FY 17/18 Local Jurisdiction Funds Received

	Ceres	Patterson	Turlock
Local Jurisdiction*	1,738,432	1,307,960	4,436,228
StanCOG**	1,828,270	1,307,960	4,386,697
Difference	89,838	0	49,531

Source: *Reported by jurisdiction **Reported by StanCOG

Projects

SCCGJ learned that for FY 17/18 Ceres, Patterson, and Turlock were compliant with the *Measure L Ordinance, Policies and Procedures*, and the *Measure L Master Funding Agreement*. Compliance was confirmed by documents, reports, letters, and emails submitted to SCCGJ.

The local jurisdictions’ city councils approve major projects paid with Measure L funds. Pavement Condition Index (PCI) is used to rate the condition of the surface of a road network; it

provides a numerical rating for the condition of roadway segments within the transportation network, where 0 is the worst condition and 100 is the best. The PCI measures the type, extent, and severity of pavement surface distresses (typically cracks and rutting), and the smoothness and ride comfort of the road. City engineering and planning departments designate roads which need attention, usually roadways of high-volume traffic and low PCI ratings. Cities put major projects out to bid to commercial contractors while city staff act as project managers.

Measure L funds were used on the following FY 17/18 major projects from design phase to completion:

- Ceres: Mitchell Road overlay; Service Road overlay; various slurry seal street projects; and traffic management at intersections
- Patterson: Sperry Avenue overlay; Las Palmas Avenue overlay; and various slurry seal street projects
- Turlock: West Main corridor reconstruction; Golden State Avenue rehabilitation design phase

Maintenance of Effort (MOE)

The intent of the Legislature and the LTA is that revenues provided from Ordinance 16-01 be used to supplement existing revenues only for transportation projects, improvements and programs. Measure L allocations supplement the MOE to repair and maintain existing local jurisdiction roads.

Ceres and Turlock MOE showed \$0 dollars spent in general funds for road maintenance, traffic management and bike/pedestrian safety in the three prior fiscal years, FY14/15, FY15/16 and FY16/17. Patterson's MOE three-year average was \$427,727.

Accounting System and Reporting

The Measure L MFA requires specific duties and obligations regarding accounting and reporting by local jurisdictions. Following is a partial list of duties and obligations discussed during interviews:

- Capital improvement projects
- Training sessions on the use of the StanCOG *Abila* database
- Monthly and quarterly reports
- Measure L revenues and expenditures
- Signage requirements;
- City website requirements

Ceres, Patterson and Turlock Interview Summary

SCCGJ interviewed key city personnel who are the planners and implementers of Measure L projects. City financial departments also work closely with Measure L project management. Two-to-three staff members representing engineering, planning, and finance attended *Abila* training. All trainees have access to the StanCOG *Abila* program. Interviewees from Patterson and Turlock lacked detailed knowledge of Measure L financing and relied on finance departments for information. Typically, finance was responsible for the monthly revenue and expenditure reporting, while project management wrote and submitted the quarterly narrative reports.

Ceres, Patterson, and Turlock have posted signage at all Measure L projects. Signage shows residents how the additional one-half cent sales tax is being used to improve cities. SCCGJ reviewed the websites of Ceres, Patterson, and Turlock and found no Measure L information posted. None of the three jurisdictions were aware that each city website is required to post up-to-date information on Measure L projects for transparency purposes.



Measure L project signage photos by Stanislaus County Civil Grand Jurors

Refer to Methodology section for all documents requested and received from Ceres, Patterson, and Turlock. Most documents were clear, concise, and organized; if not, clarification was requested during interviews. Interviewees' responses to questions were very similar.

SCCGJ acknowledges the newness of Measure L and expects some bumps along the road for local jurisdictions in the first few years.

COMMENDATIONS

- C1.** SCCGJ acknowledges the tremendous amount of research done by StanCOG prior to Measure L placed on the ballot in 2016.
- C2.** The Stanislaus County Council of Governments is to be commended for the development of a transportation special tax program of which StanCOG, and all of Stanislaus County, can be proud. Measure L is an efficient program that operates like a well-oiled machine and constitutes an important economic benefit to the county.
- C3.** SCCGJ appreciated StanCOG's willingness to supply as much information as needed.

FINDINGS

- F1.** StanCOG developed a thorough, all-inclusive special sales tax program in Measure L which benefits all of Stanislaus County.
- F2.** After Stanislaus County voters approved Measure L in November 2016, both StanCOG and local jurisdictions moved quickly to implement the program.
- F3.** Ceres, Patterson, and Turlock have completed, or are in the process of completing, initial capital improvement projects approved by StanCOG. All three cities are meeting project goals.
- F4.** City project management lack detailed knowledge regarding Measure L funding.
- F5.** Ceres, Patterson, and Turlock have not developed a dedicated Measure L webpage on the cities' websites.

RECOMMENDATIONS

- R1.** Local jurisdiction personnel managing the planning and engineering of Measure L projects need to familiarize themselves with the budget and finance portions of Measure L as written in the *Master Funding Agreement* and *Policies and Procedures*.
- R2.** Per the requirements of Measure L, Ceres, Patterson, and Turlock websites must contain information for the public noting accomplishments and project progress. A webpage or a link to a department webpage should be developed by December 31, 2019.

REQUEST FOR RESPONSES

Pursuant to Penal Code Section §933 and §933.05, the Stanislaus County Civil Grand Jury requests responses as follows:

From the following governing bodies within 90 days:

- StanCOG..... **F1, F2**
- City of Ceres..... **F1 – F5 and R-1, R-2**
- City of Patterson..... **F1 – F5 and R-1, R-2**
- City of Turlock..... **F1 – F5 and R-1, R-2**

INVITED RESPONSES

From the following elected officials within 60 days:

- Ceres City Council
- Hughson City Council
- Modesto City Council
- Newman City Council
- Oakdale City Council
- Patterson City Council
- Riverbank City Council
- Turlock City Council
- Waterford City Council
- Stanislaus County Board of Supervisors

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

APPENDIX A

<http://stanislausmeasurel.com/wp-content/uploads/2018/10/Measure-L-Ordinance.pdf>

SOURCES

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**2018-2019 Stanislaus County Civil Grand Jury
Stanislaus County Facility Tour and Election Polling Place Report
Case 19-08GJ**

The 2018-2019 Stanislaus County Civil Grand Jury (SCCGJ) conducted its annual detention facility inspections, as required by California Penal Code §919(b). The inspections included Stanislaus County Probation Department’s Juvenile Hall (JH), Juvenile Commitment Center (JCC), the Stanislaus County Sheriff’s Detention Center, Re-entry & Enhanced Alternatives to Custody Training Facility (REACT), and Day Reporting Center (DRC).

SCCGJ conducted physical inspections of each facility between October 9, 2018 and February 12, 2019.

GLOSSARY

BSCC	Board of State and Community Corrections
DRC	Day Reporting Center
JCC	Juvenile Commitment Center
JDF	Juvenile Detention Facility
JH	Juvenile Hall
REACT	Re-Entry & Enhanced Alternatives to Custody Training Facility
SCCGJ	Stanislaus County Civil Grand Jury
SCSD	Stanislaus County Sheriff’s Department
SDC	Sheriff’s Detention Center

**Stanislaus County Juvenile Detention Facilities (JDF)
October 9, 2018**

SCCGJ toured both the Stanislaus County Juvenile Hall (JH) and Stanislaus County Juvenile Commitment Center (JCC). Both facilities house youth who committed offenses prior to their 18th birthday. The JH was built in 1977 and houses up to 158 pre-adjudicated youth. The Maximum Security Unit was added in 2000, and Girls Unit was added in 2003. The JH provides a safe and secure environment for youth pending juvenile court appearances. The JCC was built in 2013 and houses up to 60 post-adjudicated youth. The goal of the JCC is to change the delinquent habits, attitudes, behaviors of youth and to guide them toward a more productive and pro-social lifestyle. Changes are accomplished through education, training, and counseling services.

Youth at the JDF are provided with a safe and secure environment. The facility appears to be adequately staffed with qualified, experienced personnel. The staff are engaged with the youth and are professional in their performance of duties. The youth receive education, counseling, and medical services. The facility is clean and well-maintained. The JCC kitchen prepares the food for the facility. Youth are provided a menu of varied nutritious items. The kitchen was very clean and can serve a population in excess of the capacity of the JCF. A vegetable garden and greenhouse have been added as a learning activity for the youth.

The Probation Department's monthly report to the Board of State and Community Corrections (BSCC) for September 2018 reported the Average Daily Population for the JCF was 79 youth. Sixty-four youth were in the JH and fifteen youth were in the JCC. The Probation Department is seeking additional uses for the excess capacity. Currently a game room is available as a reward to youth who have demonstrated positive behavior.

Re-Entry & Enhanced Alternatives to Custody Training Facility (REACT) November 13, 2018

The Re-Entry & Enhanced Alternatives to Custody Training Facility (REACT) opened May 21, 2018 and houses low-risk adult offenders. Inmates in REACT have the opportunity to participate in programming that will prepare them for successful re-entry into the community. A total of 42 educational and treatment programs have been developed for inmates and are available on a rotating basis. On the day SCCGJ toured REACT 145 inmates were housed in the facility. The housing capacity of the facility is 292 inmates; however, the current population is limited due to lack of staff. Inmate visitations are currently conducted by video.

Day Reporting Center (DRC) February 12, 2019

The Day Reporting Center (DRC) offers a wide variety of services to adult offenders under the jurisdiction of the Stanislaus County Probation Department. The overall goal of the facility is to reduce the likelihood of recidivism. The facility is operated in partnership with the probation department, sheriff's department, Behavioral Health and Recovery Services (BHRS), and Community Services Agency (CSA). The DRC provides classes in life skills, domestic violence prevention, substance abuse prevention, GED preparation, computer skills, and employment searching. Some of the course providers include Sierra Vista, Learning Quest, LCA Leadership, and Nirvana.

Upon arrival at the DRC participants are screened for sobriety and appropriate attire. Individuals who are intoxicated or wearing gang clothing are not allowed to participate in programming for that day. DRC does not charge participants for classes.

**Sheriff's Detention Center, East (SDC)
February 12, 2019**

SDC is a state-of-the-art facility providing safe and secure housing for individuals detained in Stanislaus County. SDC is a new addition to the Sheriff's detention facility with a capacity of approximately 500 inmates. SDC has a comprehensive medical clinic that will limit the need to transport inmates for outside medical services. SDC operates a mental health housing unit and a mental competency program to assess inmates' trial readiness. The central kitchen prepares the food for all of the Sheriff's detention facilities. As with other facilities inmate visitations are currently conducted by video.

Election Observations – November 6, 2018

SCCGJ made November 6, 2018 election day precinct visits at approximately two dozen polling places plus the registrar's office in downtown Modesto. Jurors intentionally selected many smaller rural polling places that might be overlooked or inconveniently located for observers. Each visitation was approximately thirty minutes duration. Overall the polling places appeared well organized with friendly, professional-acting poll workers/volunteers.

General observations:

- Most signage was posted in both English and Spanish with a few exceptions
- Voting instructions were in English only
- Translator available but one did not show up for work that day leaving non-English speakers to rely on their own resources
- Automark available but set in "off" mode or lacked a cartridge at some sites
- Voter turnout was steady and heavier than expected
- Steady stream of mail-in ballots were dropped off
- Procedure for handling provisional ballots seemed to cause confusion among workers
- Some sites ran out of provisional ballots

Specific to Registrar's office:

- Exceptionally long line for provisional voters up to ninety minute wait
- Strict adherence to Observer Panel Procedures and Rules
- Signature verification of vote-by-mail ballots performed by volunteers who lacked formal training
- Large number of ballots delivered to Clerk-Recorder's office via "ballot harvesting"
- Ballot harvesting, a term applied to people who collect others' filled out absentee ballots and turn them in to election officials, is legal in California

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.
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**Burbank-Paradise Fire District
Board of Directors Vacancy
2018-2019 Stanislaus County Civil Grand Jury
Case #19-12GJ**

SUMMARY

The 2018-2019 Stanislaus County Civil Grand Jury (SCCGJ) initiated an investigation into the vacancy on the Burbank-Paradise Fire District Board of Directors (BOD). The position has not been filled by appointment or election since the vacancy occurred in February 2018. The purpose of this investigation was to determine: (1) who is responsible for filling the open board seat, (2) why the board seat has not yet been filled, and (3) how the vacant board seat will be filled.

Due to inaction by either the BOD or the Stanislaus County Board of Supervisors (BOS), this position still remains vacant. The next available election cycle for this board seat is March 3, 2020.

GLOSSARY

BPFD	Burbank-Paradise Fire District
BOD	Burbank-Paradise Fire District Board of Directors
BOS	Stanislaus County Board of Supervisors
SCCGJ	Stanislaus County Civil Grand Jury
RV	Stanislaus County Registrar of Voters

BACKGROUND

Burbank-Paradise Fire District (BPFD) was organized in 1942 and is an all-volunteer fire department. BPFD is an independent district in which voters elect a five-member board of directors, as stated in its bylaws. Each independent district has a five-member governing board which has corporate power (the ability to make decisions and get things done) and tax powers (the authority to raise money). BOD is responsible for complying with state laws and accepted governance practices.

At the time of this investigation, SCCGJ confirmed a board member had resigned on February 20, 2018. Currently the BOD is functioning with four elected board members.

METHODOLOGY

SCCGJ conducted interviews and reviewed pertinent documentation and regulations pertaining to the current BOD vacancy.

Documentation was received and reviewed as follows:

- Email correspondence from the BOD to Stanislaus County Counsel
- Letter sent from BOD to the Stanislaus County Registrar of Voters (RV)
- Letters from the BOS to two potential candidates regarding the vacancy
- BOD meeting agendas for 2018
- BOD meeting minutes for 2018

SCCGJ also reviewed California Government Codes §1779 and §1780.

DISCUSSION

The SCCGJ investigation confirmed that on February 20, 2018 a vacancy occurred on the BOD. On February 21, 2018, BOD sent an email to the Stanislaus County Counsel's office regarding the vacancy. According to Government Code §1780, BOD had fifteen days to notify RV of the vacancy; however, a letter was sent to RV thirty-one days after the board seat became vacant. BOD had sixty days to hold an election or appoint a person to the vacant board seat. If no one was elected or appointed within the time constraints for doing so, BOD was to notify BOS of the vacancy.

On March 21, 2018, BOD notified RV it would decide how to fill the vacancy at the next board meeting. BOD failed to address the issue. Due to guidelines and time constraints, BOS had thirty days from April 21, 2018 to appoint a person to the vacancy. BOS did not receive notification of the BOD vacancy until May 15, 2018. The deadline for BOS to fill the BOD vacancy was May 21, 2018. As a result BOS did not have adequate time to review applicants and make an appointment to BOD.

BOS received letters from two individuals who were interested in serving on BOD.

All dates to appoint or to call for an election were missed by BOD.

Chronology of Events
Burbank-Paradise Fire District Vacancy

DATE	EVENT, TRANSACTION or OCCURRENCE
2/20/2018	Resignation of a BOD member
2/21/2018	BOD notified Stanislaus County Counsel's office of the resignation
3/7/2018	Last day to notify RV of vacancy
3/21/2018	BOD notified RV of vacancy and that BOD would decide how to fill the vacancy
3/22/2018	RV received letter of vacancy from BOD
4/6/2018	Last day for BOD to post notice of vacancy (G.C. §1780 (d)(1))
4/21/2018	Last day for BOD to fill vacancy by appointment
5/14/2018	First application received from a citizen within the district to fill vacancy
5/15/2018	Second application received from a citizen within the district to fill vacancy
5/15/2018	Last BOS meeting before deadline to fill vacancy by appointment
5/18/2018	BOS received BOD notice of vacancy dated March 21, 2018
5/21/2018	Last day for BOS to fill vacancy by appointment
5/23/2018	BOS notified applicants the vacancy needed to be filled by election
6/29/2018	Last day for BOD to call for the vacancy to be placed on the November 6, 2018 ballot

FINDINGS

- F1. On February 20, 2018 a board member resigned from the BOD.
- F2. BOD did not notify RV of the vacancy within the required fifteen-day period.
- F3. March 7, 2018 was the last day for the BOD to notify RV of the vacancy; however, BOD did not notify RV until March 21, 2018.
- F4. BOD did not fill the vacant board seat by appointment nor did it request RV to call for an election within sixty days per Government Code §1780.
- F5. BOD did not notify BOS of the vacant board seat within thirty days per Government Code §1780.

RECOMMENDATIONS

- R1. BOD and BOS should obtain guidance from the California Special Districts Association regarding the process and required timelines for filling board vacancies.
- R2. BOD should obtain training from RV regarding process and timelines to meet election requirements in preparation for the March 3, 2020 ballot.
- R3. BOD should appoint a person to fill the board vacancy for the remainder of 2019 and until the next official election on March 3, 2020.

REQUEST FOR RESPONSES

Pursuant to Penal Code §933 and §933.05, the grand jury requests responses from the following governing entities within 90 days:

- BURBANK-PARADISE FIRE DISTRICT BOARD OF DIRECTORS
- STANISLAUS COUNTY BOARD OF SUPERVISORS

BIBLIOGRAPHY

CALIFORNIA GOVERNMENT CODE §1779

§1779. Special districts; filing vacancies on appointed governing boards; failure to fill within 90 days

CALIFORNIA GOVERNMENT CODE §1780

§1780. Special districts; vacancies in elective offices of governing board; election dates; term
California Special Districts Association, www.csda.net/special-district/

DISCLAIMER

This report of case number 19-12GJ of the Burbank-Paradise Fire District Board of Directors is issued by the 2018-2019 Stanislaus County Civil Grand Jury with the following exception: a member of the grand jury volunteered to recuse due to a perceived conflict of interest. This grand juror was excluded from all phases of the investigation, including interviews, deliberations, voting, writing, and approval of this report. None of the information included in this report was obtained from the excluded grand juror as a means of mitigating a potential bias to the integrity of this report.

**2018-2019 Stanislaus County Civil Grand Jury
Participation in the Annual Financial Audit Report
For the Fiscal Year Ended June 30, 2018
Case # 19-21GJ**

SUMMARY

In accordance with California Penal Code Section 925, civil grand juries are required to investigate and report on the operations, accounts, and records of the departments or functions of the county. Therefore the 2018-2019 Stanislaus County Civil Grand Jury (SCCGJ) reviewed the Stanislaus County Audit Report dated June 30, 2018. The audit was completed by Brown Armstrong Accountancy Corporation and presented on March 19, 2019.

GLOSSARY

CAFR	Comprehensive Annual Financial Reports are a set of US government statements comprising the financial report of a state, municipal, or other governmental entity that complies with the accounting requirements published by the Governmental Accounting Standards Board.
OMB	Office of Management and Budget - federal agency that oversees The United States budget and monitors federal spending.
SCCGJ	Stanislaus County Civil Grand Jury.
The Single Audit	The Single Audit is a rigorous organization-wide audit or examination of an entity that expends \$950,000 or more of federal funds received for its operations. This Single Audit is also known as the Office of Management and Budget (OMB) A-133 Audit.
Unmodified Opinion	The auditor's opinion of a financial statement given without reservation. Such an opinion basically states that the auditor finds the entity followed all accounting rules appropriately, and the financial reports are an accurate representation of the entity's financial condition.

BACKGROUND

The June 30, 2018 Stanislaus County Audit Report addresses the Comprehensive Annual Financial Reports, as well as the Single Audit Report. The 2018 CAFR is intended solely to describe the scope of financial internal control testing and to assure the county's financial

statements are error free. The audit includes a sampling of departments and programs within Stanislaus County. This audit report received an unmodified opinion.

The Single Audit addresses compliance with Office of Management and Budget A-133, which applies to the county's major federal programs. All programs in this report received an unmodified opinion; therefore, no corrective actions were recommended by Brown Armstrong Accountancy Corporation. The audit samples included the following: Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Highway Planning and Construction, Foster Care Title IV E, and the Medical Assistance Program.

Audits conducted of the following agencies and programs resulted in unmodified opinions and to financial statements and internal controls:

- Health Services Agency.
- Inmate Welfare.
- Regional 911.
- Insurance Fraud Program
- North County Corridor Transportation Expressway Authority.
- Stanislaus Animal Services Agency.
- City County Capital Improvement and Financing Agency.
- Tobacco Endowment Investment Fund.
- Public Guardian Agreed Upon Procedures
- Treasury Oversight.*
 - Unmodified Opinion for Report on Internal Control over Financial Reporting
 - *There was one finding on the Treasury's compliance regarding its Investment Policy. The Treasury was back in compliance within 74 days.

METHODOLOGY

Members of the SCCGJ 2018-2019 attended the Entrance Audit Conference on August 6, 2018, and the Exit Audit Conference along with county department heads on March 19, 2019.

Representatives of Brown Armstrong Accountancy Corporation provided copies of the Agenda and supporting documents for the Audit Entrance and Exit meeting to the SCCGJ

members in attendance. SCCGJ used data from the supporting documents in its audit investigation.

FINDINGS

F1. The audit affirmed that the Auditor-Controller is accurately reporting the financial condition of the county.

F2. The audit disclosed that established financial controls are working effectively.

F3. The exit interview disclosed that the Auditor-Controller consistently reviews internal controls to insure they continue to be effective.

F4. The auditor-controller responded appropriately to all questions posed.

COMMENDATIONS

C1. The SCCGJ commends the Auditor-Controller management team for their competent financial management.

INVITED RESPONSES

Stanislaus County Auditor-Controller

Stanislaus County Board of Supervisors

APPENDIX

NEW ACCOUNTING PRONOUNCEMENTS - *Statement No. 75 Accounting and Financial Reporting for Postemployment Benefits other than Pension Plans*