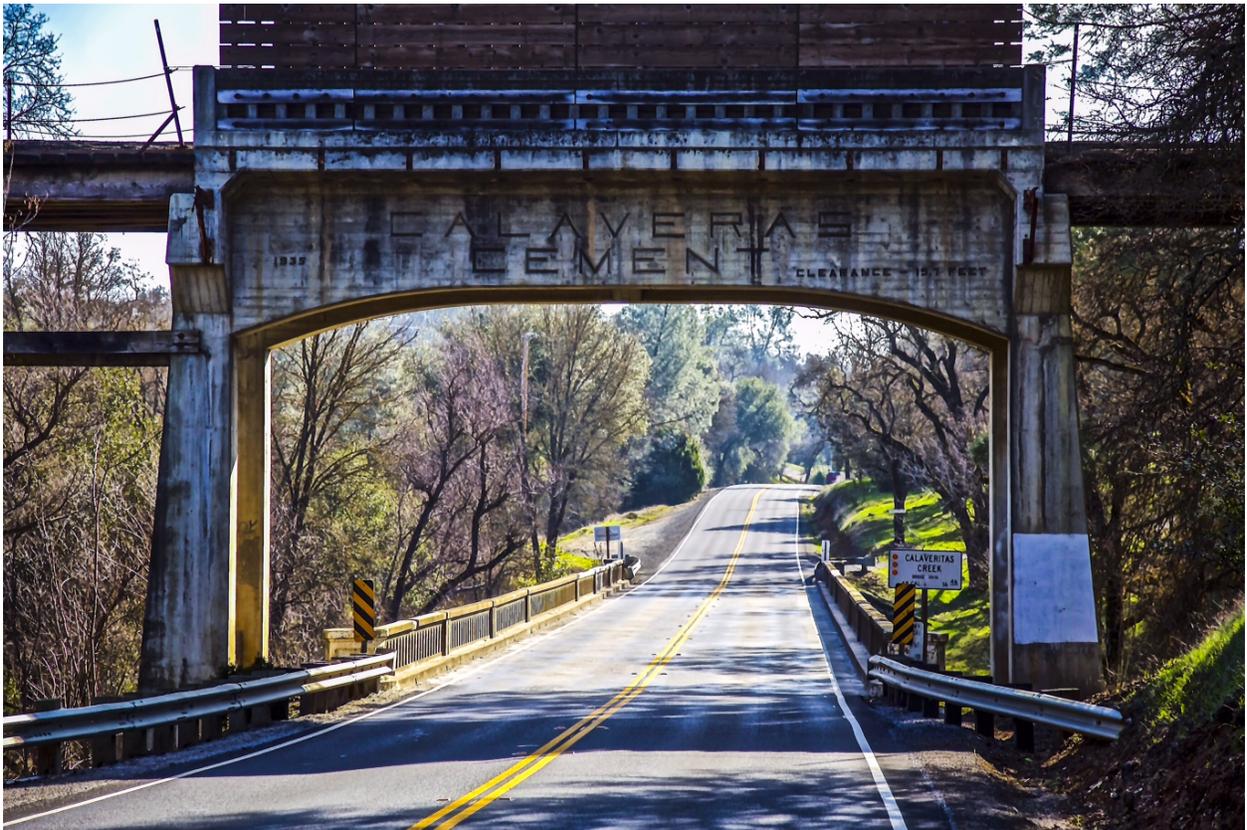


Calaveras County

2014-2015

Grand Jury Final Report



On The Cover

The iconic landmark along Highway 49 in Calaveras County
Calaveras Cement Co. Bridge
Built in 1935

Photographed by: John Slot Photography

John Slot is a Valley Springs photographer that specializes in local
landscape photography.

FILED

MAY 21 2015

Clerk of the Court
Superior Court of California
County of Calaveras

By [Signature], Deputy

Calaveras County Grand Jury

2014-2015 FINAL REPORT

The 2014-2015 Calaveras County Grand Jury approved the Final Report

S/: Dr. Rex Whisnand
Dr. Rex Whisnand, Foreperson

Date: May 20, 2015

I accept this Grand Jury Report for the year 2014-2015 for filing and certify that it
Complies with Title V of the California Penal Code.

S/: J Barrett
The Honorable Grant Barrett
Presiding Judge of the Superior Court

CALAVERAS COUNTY GRAND JURY

Box 1414
SAN ANDREAS, CALIFORNIA 95249

June 6, 2015
The Honorable Grant Barrett
California County Superior Court
400 Government Center Drive
San Andreas, California, 95249-9794

Dear Judge Barrett,

The 2014-2015 Civil Grand Jury, in accordance with Penal Code Section 933(a), respectfully submits its Final Report to the Calaveras County Superior Court. The Final Report represents the work of 19 dedicated County citizens who have spent hundreds of hours in the past year conducting interviews, obtaining sworn testimony, reviewing documents and observing the operations of many areas of County government.

In this past year every single County Official and Administrative staff stepped forward in a professional and timely manner, when called upon and provided invaluable information for this report. We would like to thank Shirley Ryan, Chief Administrative Officer; Barbara Yook, District Attorney; Megan Stedtfeld, County Council; Pamela James, Judge Barrett's Administrative Assistant and Karen Osborn and the entire Administrative staff, who went out of their way on many occasions to make our work so much easier.

In 2014-2015 there were many changes in Calaveras County personnel. I would like to thank the Honorable John E. Martin who retired after twenty years of service to the Calaveras County Grand Jury. He provided us with leadership and guidance that has made the Grand Jury so important to the citizens of Calaveras County.

Our 2014-2015 Grand Jury worked many long hours and as a unified group. We faced many challenges that helped us to learn so much about the issues that affect this County. One unfortunate issue we faced was the passing away of Juror William Forsyth Jr. who was completing his second year on the Jury.

Our Jury was made up of a cross section of County citizens who were some of the kindest, most educated, funniest, and dedicated people I have ever met. I am proud of what we accomplished and thank all 18 Jurors for being so dedicated to Calaveras County. It has been an experience I would highly recommend to all our citizens.

I would like to welcome The Honorable Grant Barrett as the new Presiding Judge of the Calaveras County Superior Court.

Sincerely,



Dr. Rex Whisnand
Foreperson, 2014-2015, Grand Jury

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GRAND JURY INFORMATION

WHAT IS A GRAND JURY?

A Grand Jury is a judicial body composed of a set number of citizens. Ancient Greece exhibited the earliest concepts of the Grand Jury System. Another reference can be found during the Norman conquest of England in 1066. There is evidence that the courts of that time summoned a body of sworn neighbors to present crimes which had come to their knowledge. In 1066 the Assize of Clarendon appears to be the beginning of the true Grand Jury system. At that time juries were established in two types: Civil and Criminal. Toward the end of the United States Colonial Period, the Grand Jury became an important adjunct of government: Proposing new laws, protesting abuses in government, and influencing authority in their power to determine who should and should not face trial. Originally, the Constitution of the United States made no provisions for a Grand Jury. The Fifth Amendment, ratified in 1791, added this protection.

THE GRAND JURY IN CALIFORNIA

The California Constitution, Article 1, Section 23, states, "One or more Grand Juries shall be drawn and summoned once a year in each County." In California every county has a civil Grand Jury. Criminal Grand Juries are seated as necessary.

A civil Grand Jury's function is to inquire into and review the conduct of county government and special districts. The Grand Jury system in California is unusual in that Federal and County Grand Juries in most states are concerned solely with criminal indictments and have no civil responsibilities.

Grand Jurors are citizens of all ages and different walks of life bringing their unique personalities and abilities. Grand Jurors are selected from the Department of Motor Vehicles and Voter Registration files. In some counties citizens may request to be on the Grand Jury. Jurors spend many hours researching; reading, and attending meetings to monitor county government, special districts, and overseeing appointed and elected officials.

A final report is created after many hours of fact-finding investigations conducted by the Grand Jury. This report can disclose inefficiency, unfairness, wrongdoings, and violations of public law and regulations in local governments. The report can also recognize positive aspects of local government and provide information to the public. The Grand Jury makes recommendations for change, requests responses, and follows up on responses to ensure more efficient and lawful operation of government.

CALAVERAS COUNTY GRAND JURY

The Calaveras County Grand Jury is a judicial body sanctioned by the Superior Court to act as an extension of the Court and the conscience of the community. The Grand Jury is a civil investigative body created for the protection of society and enforcement of its laws. The conduct of the Grand Jury is delineated in California Penal Code, Section 888 through Section 945.

Grand Jurors are officers of the Superior Court but function as an independent body. One provision of the Grand Jury is its power, through the Superior Court, to aid in the prosecution of an agency or individual they have determined to be guilty of an offense against the people.

RESPONSIBILITIES OF THE GRAND JURY

The major function of the Calaveras County Grand Jury is to examine County and City Government and special districts to ensure their duties are being lawfully carried out. The Grand Jury reviews and evaluates procedures, methods, and systems utilized by these agencies to determine if more efficient and economical programs may be used for the betterment of the County's citizens. It is authorized to inquire into charges of willful misconduct or negligence by public officials or the employees of public agencies. The Grand Jury is mandated to investigate the conditions of jails and detention centers.

The Grand Jury is authorized to inspect and audit the books, records, and financial expenditures of all agencies and departments under its jurisdiction, including special districts and non-profit agencies, to ensure funds are properly accounted for and legally spent. In Calaveras County the Grand Jury must recommend an independent Certified Public Accountant to audit the financial condition of the County.

RESPONSE TO CITIZEN COMPLAINTS

The Grand Jury receives formal complaints from citizens who allege government inefficiencies, mistreatment by officials, and who voice suspicions of misconduct. Anyone may ask that the Jury conduct an investigation on agencies or departments within the Grand Jury's jurisdiction. All such requests and investigations are kept confidential.

The Grand Jury investigates the operations of governmental agencies, charges of wrongdoing within public agencies, and the performance of unlawful acts by public officials. The Grand Jury cannot investigate disputes between private parties nor any matters in litigation.

Neither official request nor public outcry can force the Grand Jury to undertake an inquiry it deems unnecessary or frivolous.

FINAL REPORT

The Final Report includes the findings and recommendations of the Grand Jury and is released to the Superior Court Judge by July 1 of each year. It is made available to the new Grand Jury, the media, the public, and government officials. It will also be available on the Calaveras County Grand Jury website: <http://calaverasgov.us/Departments/AG/GrandJury.aspx>

HOW TO CONTACT THE GRAND JURY

Those who wish to contact the Grand Jury may do so by writing to:

Calaveras County Grand Jury
P.O. Box 1414
San Andreas, CA 95249

A Citizen's Complaint Form may be requested by calling 209-754-5860. The form is also available at all county libraries and for download on the Grand Jury website at <http://calaverasgov.us/Departments/AG/GrandJury.aspx>

Completed forms may be mailed to the above address or faxed to the Grand Jury at 209-754-9047.

MEMBERS OF THE 2014-2015 CALAVERAS COUNTY GRAND JURY

Rex Whisnand, Foreperson
Randy Seale, Foreperson Pro Tem
B.J. Bramlett , Recording Secretary
Gale Slot, Correspondence Secretary
Garry Evans, Sergeant-at-Arms

Mary Ables	Karol Colopy	Christine Kane
Karen Anderson	Cheryl Fortress	Terri Marcellino
James Bennett	Keith Hafley	Cathy McKinney
Darwin Boblet	Bruce Hedlund	Linda Munroe
	Betty Hillman	Francisco Rosenthal

**GRAND JURY
CITIZEN COMPLAINT FORM**

Calaveras County Grand Jury
P.O. Box 1414
San Andreas, CA 95249

Date _____

1. THIS COMPLAINT IS AGAINST:

2. MY COMPLAINT AGAINST THE ABOVE IS:

3. BEFORE FILLING OUT THIS FORM I HAVE CONTACTED:

4. COMPLAINANT:

Name: _____

Address: _____

Phone: _____

5. I REQUEST THE FOLLOWING:

The information in this form is true, correct and complete to the best of my knowledge

Signature

**Instructions for preparing the Citizen Complaint Form
Calaveras County Grand Jury**

I. The Grand Jury Citizen Complaint Form should be prepared after all attempts to correct a situation have been explored and were unsuccessful.

II. Instructions for preparing the Citizen Complaint Form:

1. This Complaint is Against:

- a. Include the name of the individual or organization the complaint is against. Ensure correct spelling of the name(s).
- b. If the complaint is against an individual in an organization, include the individual's title or position in the organization.
- c. Provide the street address (not a P.O. Box), city, state and zip code.
- d. The telephone number of the organization or individual cited should be included on the last line of this block.

2. My Complaint Against the Above is:

- a. Describe the problem in your own words.
- b. Be as concise as possible, providing dates, times and names of individuals involved.
- c. Cite specific instances as opposed to broad statements.
- d. Attach any available photographs, correspondence or documentation which supports the complaint.
- e. If more room is required, attach extra sheets, and include their number on the last line of the first sheet (i.e. 3 additional sheets attached).
- f. Include your name, street address, city, state, zip code and telephone number (area code also).
- g. Mail this complaint form to the address shown on the front.
- h. Please sign this complaint. (You may file an anonymous complaint if you desire; however, this may make it much more difficult for the Grand Jury to investigate the allegations.)

The Grand Jury will respond to your complaint to advise you it has been received.

The Grand Jury may contact you in the event of an investigation.

VALLECITO CONSERVATION CAMP #1

REASON FOR INVESTIGATION

In accordance with Penal Code Section 919(b), the Grand Jury shall inquire into the condition and management of public prisons within the county.

SCOPE OF INVESTIGATION

The scope of the investigation focused on daily operations, staffing, condition of the facility, and the safety and security of staff and inmates.

PROCEDURE

On November 5, 2014, sixteen members of the Grand Jury conducted a scheduled inspection. Areas visited were the kitchen, cafeteria, dormitory, TV room, library, outbuildings, and visiting area.

BACKGROUND

Vallecito Conservation Camp #1 (VCC) was opened in 1958. The camp is jointly operated by the Sierra Conservation Center (SCC) facility of the California Department of Corrections and Rehabilitation (CDCR) and the California Department of Forestry and Fire Protection (CAL FIRE). The inmate crews provide a needed resource of trained crews primarily for firefighting in the counties of Calaveras and Tuolumne and, when necessary, throughout the state of California. The crews also complete conservation and community service projects throughout the Sierra.

CDCR staff at the facility consists of seven Correctional Officers, one Sergeant and one Lieutenant (Camp Commander).

The inmates that are selected for the conservation camp go through a two week physical training program. If they pass the physical training, inmates then attend two additional weeks of CAL FIRE training at the Sierra Conservation Center.

The non-secure detention facility houses 110 low risk adult males.

FINDING 1:

The Grand Jury found the overall condition of VCC to be well maintained. Everything was clean and orderly with grounds and buildings well maintained. The staff and the inmates exhibited mutual respect for each other. The inmates we spoke with were highly motivated and they discussed the service they provide the community.

The inmates are assigned to one of five fire teams or the support team which is responsible for daily operations and maintenance of the camp.

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 2:

The emergency first aid kits and AED's (automatic external defibrillators) are checked monthly and checklists are maintained. All staff members have current certifications in First-aid, CPR and AED use.

Routine medical services are available on site or at Sierra Conservation Center. In the event of a medical emergency, staff is trained at the first responder level and, if necessary, calls 911 or transports inmates to the appropriate medical facility.

Prescription and over the counter medications are dispensed by staff per orders of the contracted health care professionals.

Material Safety Data Sheets (MSDS) for all chemicals on site are kept in a binder and updated regularly.

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 3:

Fire drills are conducted monthly. Extinguishers are located throughout the facility, maintained by the local Fire Captain, and inspected monthly.

Near the entrance base station there is a visiting area and public telephone for the inmates to use.

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 4:

VCC maintains and operates a Mobile Kitchen Unit which is capable of serving large quantities of meals in remote areas throughout the state when needed.

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 5:

The facility provides fire hose pressure testing and repair. This service is utilized by Cal Fire and other fire departments.

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 6:

There are additional buildings housing maintenance resources, woodworking, hobbies, and crafts.

Outdoor recreation areas include basketball, volleyball, track, and weight equipment.

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 7:

Spiritual services and self-improvement programs are provided by community volunteers. A General Equivalency Diploma (GED) program is also available.

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

CALAVERAS COUNTY JAIL

REASON FOR INVESTIGATION

In accordance with California Penal Code Section 919 (b), the 2014/2015 grand jury shall inquire into the condition and management of the public prisons within the county.

SCOPE OF INVESTIGATION

The scope of the investigation focused on daily operation, staffing, condition of confinement, and the safety and security of staff and inmates in conjunction with inmate interviews.

PROCEDURE

On February 4, 2015, thirteen members of the Grand Jury conducted an announced visit and inspection of the new Calaveras County Jail located at 1045 Jeff Tuttle Drive in San Andreas. The Grand Jury observed the performance of duties by staff. The inspection included booking, medical, library, learning, kitchen, recreation, inmate housing areas, and inmate interviews.

Four inmates were randomly selected by jail staff for interviews. The questions asked were the same for all four interviews. The questions were reviewed and approved jail staff and were taken directly from the *California Board of State and Community Corrections Inspection Handbook for Grand Jurors*. Four Grand Jurors comprised of two teams conducted the interviews. They were held in separate rooms to avoid compromising conversations with other inmates.

The inmates were interviewed to determine how the new jail was functioning from their point of view. Each had been incarcerated in the old jail and represented a different housing unit (pod) within the new facility.

The latest biennial inspection was completed by the Board of State and Community Corrections (BSCC) in August 2014 with no Title 24 compliance issues noted. Inspections are also made annually by the County Health Officer and biennially by the State Fire Marshall. (There was not a Grand Jury Jail Report submitted for 2013/2014 due to transitioning to the new jail facility.)

BACKGROUND

This is the first Grand Jury report for the new Calaveras County Adult Detention Facility. Ground breaking took place November 2010 and the state-of-the-art 80,000 square foot facility opened June 13, 2014. Funding was provided by Calaveras County Measure J and State Assembly Bill 900. Total inmate capacity is 160 adult men and women distributed among six segregated housing units (pods). However, due to current staffing of 17-20 correction officers, inmate population is limited to 80 full time inmates housed in 4 of the 6 pods. Inmate population averages 95 including inmates awaiting processing, transfer or bail. The staff emphasized their commitment to the goal of meeting the constitutional rights of all inmates.

RESULTS OF INVESTIGATION

FINDING 1:

The staff exhibits professionalism in both appearance and behavior with mutual respect displayed between personnel and inmates.

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 2:

Staff reported no escapes or suicides and one death from other causes since this facility opened.

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 3:

The facility and grounds are clean and well maintained. The interior is well lit, temperature is controlled at 73 degrees, and electrical costs are reduced by utilizing solar panels and natural light.

The kitchen is state of the art, well designed, and spotlessly maintained. The food served is of high quality and a state nutritionist is consulted yearly to make balanced meal plans. The menu rotates on a six week schedule. There is adequate storage to allow for bulk purchasing. Cold storage is adequately monitored. Toxic chemicals are appropriately stored and secured.

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 4:

The new facility is secured by perimeter fencing and includes an enclosed entrance (sally port) and secure route from the jail to the Court House. Entry/exit doors and doors within the facility are strictly monitored by a central control station utilizing video monitoring throughout the facility. Safety and detox cells have video observation and windows for direct monitoring of the entire cell. Medications are locked, accessible only by staff, and under video surveillance.

The facility has color coded lines which permit the inmate to travel within approved areas without an escort. A secure loading area for supplies allows utilizing inmate labor for unloading shipments.

Inmates are responsible for cleaning and maintenance of the areas they occupy. Inmate caused damage to date has been reduced to 1 mattress. Each housing unit has access to an inside exercise area. Activities include basketball, handball, cards, and board games. Television is an earned privilege by pod encouraging and rewarding good behavior. Other earned privileges include telephone access and additional showers beyond the required minimum. Visitation is conducted by video from the lobby area to the pod. Remote video visiting for families is currently being researched.

Inmate educational programs include computer based High School Equivalency (GED) and culinary skills. Services include a reading library, clergy, bible study, and substance abuse meetings. Sentenced inmates may be eligible to work in the kitchen and laundry.

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 5:

Insufficient correction staff is still an issue, creating additional overtime costs.

RECOMMENDATION:

This facility could be fully utilized by renting beds to neighboring counties for added income. In order to accomplish this, additional corrections officers would be needed. Further consideration would need to be made for impact on the community.

RESPONSE REQUESTED:

Calaveras County Sheriff's Department
Board of Supervisors



New Sheriff's Building



New Calaveras County Jail

ANIMAL CONTROL SERVICES (ACS)

REASON FOR INVESTIGATION

The Grand Jury's decision to investigate was not complaint driven, but a result of interest generated through observation and discussion.

BACKGROUND

The Calaveras County Animal Control Services (ACS) was previously under the control of the Calaveras County Sheriff's Department and was moved to the Environmental Management Agency in October 2012. ACS is funded by Calaveras County. Allocations from County taxes are approved for ACS through the County Board of Supervisors. ACS is charged with responding to domestic animal related calls and concerns from the community. In addition, the department is responsible for animal shelter operation, dog licensing, rabies vaccinations, spay and neuter, and ensuring that basic care services are provided for all animals. Currently, two full-time animal control officers, one office technician, one animal shelter assistant, and the ACS Manager are the only staff members. The shelter facility consists of 17 kennels split between cats and dogs.

EMPLOYEE JOB DESCRIPTIONS:

Animal Control Manager

Under the general direction of the Environmental Management Agency Administrator, to manage the maintenance and operation of the County's Animal Services Department, including routine and emergency field patrol services, shelter operations, medical, healthcare, euthanasia services, volunteer services, administrative and support services, and to ensure that established basic care standards are met for all animals.

Animal Control Officer I/II/III

Under general supervision, to enforce applicable state laws and county ordinances governing the control of domestic animals; respond to citizens' requests and complaints regarding domestic animal control problems and do related work as required.

Office Technician I/II

Under general direction, to perform a variety of the more difficult and complex office assignments; to perform fiscal and financial record keeping; to type materials, and to do related work as required.

Animal Shelter Assistant

Under general supervision to assist in maintaining the County Animal Shelter facility in a clean and sanitary condition; to monitor the physical condition of all animals being held at the animal shelter; to assist with the care, feeding and placement of animals held at the shelter, to perform a variety of clerical duties and to perform related duties as required.

PROCEDURE

Individual interviews were conducted with personnel from the Environmental Management Department, Animal Control Services, Humane Society for Calaveras County, Sheriff's Department, and Calaveras County Auditor/Controller Office.

Observation:

The Grand Jury visited the Calaveras County Animal Control Services facility located in San Andreas.

Reviews:

The Grand Jury reviewed the following:

- Prior Calaveras County Grand Jury final reports
- Calaveras County Budget and Actuals reports
- The Union Democrat
- Environmental Management Agency website
- Current job descriptions for Animal Control Services employees
- Calaveras County Humane Society website
- National Animal Care and Control Association website
- Out of county Grand Jury final reports
- Calaveras County Animal Control Services website
- After hours telephone information recording (ACS)

RESULTS OF INVESTIGATION

FINDING 1:

Inadequate budget to fund Animal Control Services.

ACS is constrained due to ever-present budgetary limitations. The Grand Jury, however, believes that problems have grown larger due to the department's lack of self-sufficiency.

Every year, the department is budgeted for a certain amount of money. At the end of every year there could be either a shortage of funds (due to running over budget) or a surplus (as a result of cost savings or revenue exceeding expectations). Any surplus is shifted into the General Fund and ACS loses the ability to draw on it for future use. This practice removes any incentive to save money for future spending. It creates the idea that all budgeted monies should be spent this year or less will be available next year.

Additionally, the Grand Jury believes that ACS could, if given the funds to properly staff its operation, generate funds within the department to become self-sustaining in future years. For example, the level of compliance in obtaining licenses for domestic pets is currently estimated around fifty-percent. That figure represents a significant loss of revenue and has no chance of increasing without additional staff.

RECOMMENDATION 1:

The Board of Supervisors should demonstrate their support for the citizens and animals of Calaveras County by increasing the budgeted funds allocated to ACS to provide adequate staffing.

RESPONSE REQUESTED:

Board of Supervisors

RECOMMENDATION 2:

The ACS be allowed to carry over unused revenue from year to year to fund the department.

RESPONSE REQUESTED:

Board of Supervisors
County Controller/Auditor

RECOMMENDATION 3:

All sources of financial assistance (state grants, etc.) should be explored by the ACS Manager to maximize available funds.

RESPONSE REQUESTED:

Environmental Management Agency
ACS

FINDING 2:

Animal Control Services has historically operated more efficiently under the direction of the County Sheriff's Department.

ACS was under the direction of the Sheriff until 2012 when it was shifted to the Environmental Management Agency. The Grand Jury has found through testimony that ACS operated more efficiently and effectively when under the control of the Sheriff's Department. The Grand Jury has found similar examples in neighboring counties that support our belief.

The Grand Jury can find no explanation for the transfer of ACS to the Environmental Management Agency other than a funding dispute with the Sheriff's Department. The Grand Jury believes merely shifting the functions to another department on the county's organizational chart did not solve the issue of lack of funding. Both the Sheriff's Department and ACS are tasked with providing around the clock service to the County. However, the Environmental

Management Agency only operates during regular business hours. As a result, after-hours emergencies are seldom responded to in a timely manner, if at all.

RECOMMENDATION:

Since the Sheriff's Department is the chief law enforcement agency in the county and whose responsibilities are more closely aligned with ACS, the Grand Jury recommends the Board of Supervisors reposition ACS from The Environmental Management Agency to the Sheriff's Department.

RESPONSE REQUESTED:

Board of Supervisors
Calaveras County Sheriff's Department

FINDING 3:

Facilities necessary to meet the needs of the county animal population is in need of an upgrade.

A tour of the facilities shows that they are, as previous Grand Juries have indicated, outdated and inadequate. Despite extremely limited resources, the staff and volunteers have done a very good job in creating and maintaining a safe and healthy environment for the animals.

Recently, two modular units have been donated and added to the facility. These will enable the staff to separate confined feral cats from domestic felines. The Grand Jury believes existing ACS facilities are in need of either additional structures or extensions to the current buildings. Property has been secured by the county for future use, but any structures built upon it require funding from other sources (i.e. the Humane Society). While there is a Humane Society plan for construction the Grand Jury understands that any groundbreaking is several years away.

The Grand Jury recognizes the difficulty in deciding upon a certain number of available kennels required for any given day, but so long as animals are being euthanized because of lack of space, we believe the present number of kennels is not adequate.

RECOMMENDATION:

The Board of Supervisors, in conjunction with ACS management, should explore all avenues that could accelerate construction of additional facilities. These sources of funding should include budget increases and grants from public and/or private sources.

RESPONSE REQUESTED:

Board of Supervisors
Environmental Management Agency
ACS

FINDING 4:

Inadequate staffing to properly accomplish daily operations.

The Grand Jury has found that ACS has been an overwhelmed and underserved department for years. The continued shortage of qualified staff serves only to lower the effectiveness of the department as a whole, while also lowering the morale of those assigned to do a job that simply demands a larger force.

Using the National Animal Care and Control Association's (NACA) formula for determining Kennel Staffing Needs, the Grand Jury calculates that, based upon the 2013 population of Calaveras County, a daily staff of 30 is required.

RECOMMENDATION:

The Board of Supervisors should make long overdue additions to ACS staffing in order to provide a meaningful service to the citizens and animals of Calaveras County.

RESPONSE REQUESTED:

Board of Supervisors
Environmental Management Agency
ACS

FINDING 5:

The lack of timely response to complaints and phone inquiries.

ACS, operating with minimal staff at best, relies heavily upon a volunteer work force. These volunteers are routinely tasked with responding to complaints and inquiries left by phone message. Since volunteer participation cannot be anticipated, unacceptable delays are more common.

RECOMMENDATION 1:

The Board of Supervisors should approve funding for training ACS management in maximizing the effectiveness of a volunteer workforce.

RESPONSE REQUESTED:

Board of Supervisors
ACS
Environmental Management Agency

RECOMMENDATION 2:

ACS management should create a volunteer questionnaire to match individuals with areas of interest and expertise.

RESPONSE REQUESTED:

ACS

FINDING 6:

ACS website is outdated and lacks current information.

Accessing the ACS website (<http://animal.calaverasgov.us>) is straightforward, but the information is unreliable due to sporadic updates. For instance, the hours are accurate, but information on adoptable animals is not current and contributes to an increased need for euthanization.

ACS personnel indicate that the website is under the control of the County Tech Services, but that department relies upon input from Animal Control Services for website design and updates. There are no ACS personnel available for this duty due to time/budget constraints or technological know-how.

The ACS website falls far short of the value it could provide to the county's citizens because it does not contain current and reliable information. With proper support from County Tech Services, ACS personnel, and volunteers it could become a valuable resource for information regarding adoptions, licensing, and links to the Humane Society or other affiliated organizations.

RECOMMENDATION:

The ACS Manager should take steps to update the website using available county employees in the Tech Services department in conjunction with ACS staff providing input regarding content. Additionally, the ACS Manager should appoint a Webmaster to ensure regular updates to the site. An attractive, current, and user-friendly website would go far in alleviating demands upon personnel at little or no cost while providing the county with timely information.

RESPONSE REQUESTED:

ACS
Environmental Management Agency
County Tech Services Department

COUNTY ADMINISTRATIVE OFFICE AND BUDGET PROCESS

REASON FOR INVESTIGATION

The Grand Jury received a complaint that County administrative personnel had misrepresented the County's budget and financial position to the public and Board of Supervisors. This misrepresentation resulted in unwarranted cuts to services and departments.

BACKGROUND

Calaveras County's budget process is governed by stipulations in the California Government Code contained in Sections 29000 through 29144 and other statutory provisions commonly known as the County Budget Act. The County Board of Supervisors must adopt:

1. A *recommended budget* not later than June 30th matching expected revenues to expected expenditures for the Fiscal Year commencing July 1st which provides the legal authorization to spend until approval of the *adopted (final) budget*.
2. Not later than October 2nd approve a *final budget*, after first publishing the *recommended budget*, comprehending any funding/expenditure changes from the *recommended budget* caused by new information, and holding public hearings.

The County Auditor/Controller each year compiles and publishes the following reports which are found on the County Auditor/Controller's website:

1. The County's Recommended Budget
2. The County's Adopted Final Budget
3. The County's Comprehensive Annual Financial Report (CAFR)

The County Budget Act grants to the State of California Controller the authority to establish the forms to be used, data to be reported, and the accounting methods to be used in developing and reporting budgetary information conforming to Generally Accepted Accounting Principles (GAAP). The Adopted Final Budget must be filed with the State of California's Controller not later than December 1st.

Additionally, in compliance with Section 25253 of the Government Code of the State of California, the County must publish a report on its financial transactions for the year and its resulting financial condition. This report, the CAFR, is filed annually for the previous fiscal year and is prepared subsequent to the adoption of the Final Budget for the current fiscal year.

The CAFR is a set of financial statements which comply with the accounting standards established by the Government Accounting Standards Board (GASB). It is compiled by the Calaveras County Auditor/Controller and is audited by an external American Institute of Certified Public Accountants (AICPA) firm utilizing GASB requirements and "Government Auditing Standards" as issued by the Comptroller General of the United States of America.

The County Budget is a one year "snapshot" of monies expected to be received by the County during the period July 1st through June 30th of the following year (i.e. the Fiscal Year), as well as

where and how those monies will be spent during the Fiscal Year. It is considered “cash accounting”.

The CAFR is much like a financial statement of a private entity or company. It shows the results of financial operations over the course of time. It accounts for all of the County’s assets (such as buildings, equipment, property, cash, investments, etc.) and liabilities (such as debt, pensions, etc.). It is based on “accrual accounting”.

Within the County are special taxing jurisdictions, such as a Fire District, which have monthly expenses for their ongoing operations (salaries, gasoline, food, electricity, etc.). Because they are supported by secured property tax payments which the county receives twice yearly, they can become unable to pay their monthly bills. The Auditor/Controller of Contra Costa County in the 1940’s, Mr. Desmond Teeter, proposed a way that counties could address this problem.

Under his plan, the County can advance a taxing jurisdiction up to 95% of its apportioned share of delinquent secured property taxes (95% was used to safeguard against the historical average tax default rate of 5%) and 100% of its apportioned share of future secured property tax. In return, the special taxing jurisdictions allow the County to keep the tax revenues received which would have gone to the taxing jurisdiction plus their apportioned share of any and all penalties and tax-defaulted sales of property. This plan was incorporated in the State’s Revenue and Taxing Code, Section 4701- 4722 on October 1, 1949. Since money can be borrowed at lower rates than delinquent penalties and fees, counties implementing *Teeter Funds* can benefit when the delinquent secured property tax is paid.

PROCEDURE

Initial interviews led to the Grand Jury’s investigation of the County’s budget process. The Grand Jury conducted interviews, reviewed documents, visited websites, and viewed video to aid in its investigation. These interviews, documents, web sites, and video recordings are listed below.

PERSONS INTERVIEWED

The Grand Jury interviewed personnel from the following:

- County Administration
- Sheriff’s Department
- County Board of Supervisors
- Coroner’s Department
- County Auditor/Controller
- County Assessor’s Department
- County Treasurer/Tax Collector’s Office
- Building Department
- Health and Human Services
- Planning Department

DOCUMENTS, VIDEOS, WEBSITES REVIEWED

The Grand Jury received and reviewed the following:

- County Budget Guide 2010 Edition, Revision 1, Chapter 1
- County Budget Guide 2010 Edition, Revision 1, Appendix B
- Budget Item Detail Instructions for Fiscal Year 2014
- Dashboard BID Reports Fiscal Year 2014
- Teeter Analysis, February 7, 2014, Auditor/Controller to CAO
- FY 2013-14 Mid-Year Report, memorandum to Board of Supervisors from CAO and Assistant CAO, dated February 25, 2014
- Fiscal Year 2014-15 Recommended Budget, memorandum to Board of Supervisors from CAO and Assistant CAO, dated June 10, 2014
- Calaveras County FY14-15 Recommended Budget Presentation to Board of Supervisors, June 10, 2014
- FY 2014/15 Final Budget: Submittal Instructions Requests for Budget Changes and/or Adjustments, memorandum to Department Heads and Fiscal Staff from CAO and Assistant CAO, dated July 31, 2014
- Fiscal Year 2014-15 Final Budget, memorandum to Board of Supervisors from CAO and Assistant CAO, dated September 2, 2014
- County Auditor/Controller's listing of funds showing name, account number, and type of fund, January 2015
- September 2014 Financial System Balances, memorandum from County Auditor/Controller to County Treasurer/Tax Collector
- Management's Discussion and Analysis, Comprehensive Annual Financial Report FY 2012-13, Auditor/Controller
- Management's Discussion and Analysis, Comprehensive Annual Financial Report FY 2014-15, Auditor/Controller
- Minutes of Board of Supervisors Regular Meetings from January 14, 2014 through September 30, 2014
- Minutes of Board of Supervisors Budget Hearings June 11, 12, 13 and 14, 2014 and Special Meeting June 17, 2014
- Public Access Video/Audio recording of Board of Supervisors FY 2014-15 Recommended Budget Hearing meeting, June 3, 2014
- FY 2014 -15 Final Budget Review PowerPoint Presentation presented by CAO at September 9, 2014 Board of Supervisors meeting
- Treasurer's Investment Report as of September 30, 2014 from County Treasurer/Tax Collector to Board of Supervisors, October 20, 2014
- Calaveras Enterprise articles concerning Calaveras County finances appearing February 25, 28, May 23, 27, June 17, September 9, 12, 2014 and District 3 Supervisor Candidates Statements May 2, 2014
- Calaveras County Budgets for Fiscal Year 2013-14 and 2014-15
- Calaveras County CAFRs for Fiscal Years 2012-13, and 2013-14

- State of California, Controllers website
- Calaveras County, Auditor/Controller website
- Amador County, Financial Reports website
- Tuolumne County, Auditor/Controller website
- Wikipedia websites for various definitions

RESULTS OF INVESTIGATION

FINDING 1:

The Grand Jury does not find that County Administration (CAO, ACAO, Auditor/Controller) misled the Board of Supervisors and/or the public concerning the County's finances during the FY 2013-14 nor in the preparation and adoption of the FY 2014-15 Budget. Confusion, however, is common due to sporadic or nonexistent information provided to the public by County administrative personnel regarding the budget process.

In preparing a budget, County Administration must use its best estimate of future revenue based on the information at hand. It must allocate spending in line with statutes and Board of Supervisors' guidance and decisions. It is prudent to minimize future revenue expectations while expecting spending to occur as budgeted with growth due to known or anticipated conditions (such as inflation, contracted pay and benefits raises, rising healthcare costs, etc.). This "educated guessing" could result in more or less revenue and/or expenditures than anticipated.

RECOMMENDATION 1:

County Administration should ensure that all recommended, mid-year updates, and final budget documents (including memorandums) have a summary page showing key assumptions made concerning both revenue and spending expectations. This should also include future year expectations, should these subjects be part of the memorandum or management discussion supporting budget recommendations.

RESPONSE REQUESTED:

CAO
Auditor/Controller

RECOMMENDATION 2:

To improve budgeting accuracy, a comprehensive analysis of significant revenue and spending "misses" in the final budget with identifying reasons should be provided to the public, Board of Supervisors, and all budget department heads. This should contain comparisons to the assumptions made in the Final Budget.

RESPONSE REQUESTED:

CAO
Auditor/Controller

FINDING 2:

The Grand Jury finds that the County Administration (CAO, ACAO, Auditor/Controller) was correct in stating that continued reduction (spending from funds in excess of revenue) of Teeter funds could cause the funds to become insolvent. This would create turmoil in day-to-day funding of special districts which could lead to increased borrowing and expense by the County. In this case, funds would not be available to accommodate unanticipated expenses or revenue shortfalls.

RECOMMENDATION 1:

County Administration (CAO, ACAO, Auditor/Controller) should monitor and produce a status report at Recommended Budget, Final Budget, and Mid-Year Update showing current balance, expected revenue, expected uses, and forecast balance of the Teeter funds.

RESPONSE REQUESTED:

CAO
Auditor/Controller

RECOMMENDATION 2:

County Administration (CAO, ACAO, Auditor/Controller) should ensure proposals to draw from the Teeter fund are not to fund ongoing budget expenses nor accommodate revenue shortfalls.

RESPONSE REQUESTED:

CAO
Auditor/Controller

FINDING 3:

The Grand Jury finds that the County Administration (CAO, ACAO, Auditor/Controller) was correct in stating that future General Fund revenues may not support rising expenditures. This would result in the depletion of County reserves and its inability to meet obligations.

RECOMMENDATION:

The Grand Jury recommends that the County explore opportunities to grow its revenue and tax base. For example, streamlining the permitting process could help attract new business to the county while aiding local contractors and existing small business owners.

RESPONSE REQUESTED:

Board of Supervisors

FINDING 4:

Independent audits of the County’s financial statements are a safeguard for the citizens of the county. Grand Jury participation provides oversight to ensure that audits conducted are free from internal influences. This participation is currently not mandated by policy or procedure.

RECOMMENDATION 1:

The County Administration (CAO, ACAO, Auditor/Controller) ensures that the bid and selection process for outside auditors include Grand Jury participation from initial steps through awarding of contracts. (Pursuant to Penal Code sections 925, 926)

RESPONSE REQUESTED:

CAO
Auditor/Controller

RECOMMENDATION 2:

Board of Supervisors pass resolution(s) directing County Chief Administrative Officer to ensure appropriate Policy and Procedures reflect Recommendation 1 for Finding 4.

RESPONSE REQUESTED:

Board of Supervisors

FINDING 5:

The Grand Jury finds that department heads have little incentive in seeking outside funds through grants, etc. Historically, departments awarded funds have sometimes found their bottom line appropriations decreased by the same amount.

RECOMMENDATION:

If a department works to receive outside funding (such as from grants), the County should not subtract a like amount from the general fund allocation for that department.

RESPONSE REQUESTED:

Board of Supervisors

FINDING 6:

The Grand Jury finds that hiring freeze decisions may not be in the best interest of the County. In certain departments, added personnel could increase ability to accomplish delayed or backlogged tasks, resulting in increased revenue to the County.

RECOMMENDATION:

Board of Supervisors request department heads provide an analysis of potential revenue enhancements from increased headcount.

RESPONSE REQUESTED:

Board of Supervisors

FINDING 7:

The Grand Jury finds significant risk to future county operations through loss of key personnel. In certain departments the complex regulations from State and Federal sources require expert knowledge of those same regulations and bureaucratic processes to maximize revenues to the county and service to residents.

RECOMMENDATION:

Board of Supervisors require each department head to identify key personnel and provide a plan that addresses the loss and extended absence of those individuals.

RESPONSE REQUESTED:

Board of Supervisors

FINDING 8:

The Board of Supervisors and department heads lack expertise in the budget process.

RECOMMENDATION:

Mandatory training, by qualified personnel, be instituted every February in advance of the start of new budget preparation for all Supervisors and Department Heads covering the State's *County Budget Act*, definition of terms and language used in budgets and budget discussions, fiscal reports required by the State, timelines and deadlines in statutes, and Calaveras County timelines for various budget activities in the coming Fiscal Year.

RESPONSE REQUESTED:

Board of Supervisors
CAO

FINDING 9:

Ongoing budgetary issues within the County are subject to rumor and innuendo.

RECOMMENDATION:

Board of Supervisors establish a Public Relations Division within an existing department to issue News Releases/Public Announcements that affect the County to ensure complete and unabridged knowledge is available to media outlets and residents.

RESPONSE REQUESTED:

Board of Supervisors

FINDING 10:

Employee separation costs have not been budgeted. These costs can include unused vacation/sick days plus other contractual obligations.

RECOMMENDATION:

The Grand Jury recommends the CAO add to the budget and Board of Supervisors allocate funds for employee separation costs.

RESPONSE REQUESTED:

CAO

Board of Supervisors

CALAVERAS COUNTY PUBLIC WATER

REASON FOR INVESTIGATION

There are many issues and concerns being reported in the news and discussed throughout the county regarding water availability, water rights, drought, and water providers. The Grand Jury wants to educate the public about the various public water companies due to rising interest.

PROCEDURE

Interviews with:

- Board of Supervisors (BOS)
- Calaveras Public Utility District (CPUD)
- Calaveras County Water (CCWD)
- City of Angels (COA)
- Environmental Health Department (EHD)
- Local Agency Formation Commission (LAFCO)
- Utica Water and Power Authority (UWPA)
- Valley Springs Public Utility District (VSPUD)

Documents:

- “A Primer on California Water Rights” authored by Gary W. Sawyers
- Angels Camp Water Audit Oct. 2011
- Angels Camp Water and Wastewater Treatment Audit
- Brief Overview of NCPA in Calaveras County as Related to UPA
- “Carson Hill Water Ditches”: CalaverasHistory.org
<http://www.calaverashistory.org/post/carson-hill-water-ditches>
- Presentation on UPA’s Water and Power System to the City of Angels and the Union Public Utilities District (PUD)
- Public Review Draft Water and Waste Water MSR - LAFCO
- Public Review Draft Water and Wastewater Municipal Service Review 2011
- Water Company Websites
- “Where Does Your Water Come From”: Authored by Alan M. Patterson

BACKGROUND

Public Water Companies in Calaveras County from 1848 to Current

With the discovery of gold in 1848 it was important to search for a permanent and reliable water source. In the summer months there was not enough water available for the gold mining industry. As a result of the increase in the gold mining activity in Calaveras County, several independent water companies were formed to bring water from creeks and rivers by way of a series of ditches and flumes. Small dams and reservoirs were eventually built to supply the mines with water. There are three river systems in Calaveras County: Mokelumne River, Calaveras River and Stanislaus River. From these rivers there are several watersheds: Upper Mokelumne, Lower Mokelumne, Upper Calaveras, Lower Calaveras, Upper North Fork Stanislaus and Main-stem Stanislaus.

City of Angels Camp Water System (COA) 1850

The City of Angels water system dates back to the 1850's when the miners built ditches to bring water from the North Fork Stanislaus River to Angels Creek for mining operations and domestic use. PG&E originally owned and operated the Water Treatment Plant (WTP) until 1984 when it was acquired by the City of Angels water system. COA reports water rights belong to Utica Water and Power Authority (UWPA). The City has reported contractual rights for up to 2,700 acre-feet per year for potable water and 900 acre-feet for irrigation from the Stanislaus River (contract can be adjusted by a 52% reduction).

COA provides potable water treatment and waste water treatment for 1777 customers in the City of Angels which includes Greenhorn Creek.

COA Contact Information:

P.O. Box 667, Angels Camp, Ca. 95222

Water Plant 209-736-2181

Sewer Plant 209-736-2412 or 209-736-0790

Calaveras Public Utility District (CPUD) 1852

In 1852 the Mokelumne Hill Canal and Mining Company was formed. In 1853 a canal was completed to carry water 16 miles from the south fork of the Mokelumne River to Mokelumne Hill and its surrounding mining and agricultural districts. Later this company became known as the Mokelumne Hill and Campo Seco Company extending the canal to Campo Seco and other mining camps in the area.

In 1934 Calaveras Public Utility District (CPUD) was formed acquiring the Mokelumne Hill and Campo Seco Canal Company's canal system, using the system until 1972 when the canals were replaced by a pump station located at the diversion dam on the South Fork of the Mokelumne River to pump water to Jeff Davis Reservoir. CPUD is a domestic water only utility company providing water for 1990 customers in the areas of Mokelumne Hill, San Andreas, Glencoe, Railroad Flat and Paloma, with its boundaries encompassing approximately 34 square miles.

CPUD Contact Information

506 W. Saint Charles St., San Andreas, Ca. 95249

209-754-9442

Utica Water and Power Authority (UWPA) 1852

The Utica system consists of a network of ditches. Although originally intended for mining, this system also supplied water for small scale irrigation and domestic use. The Union Water Company was formed in 1852 by already existing companies working to tap Angels Creek and the Mill Creek water sheds. The company had extended it to the North Fork of the Stanislaus River by 1854. Soon thereafter, they had acquired the Calaveras County Water Company, built the Union Reservoir in 1858, and built a ditch at McKays point diversion dam to Hunters Reservoir. In the 1880's Calaveras Water Company was acquired by Utica Gold Mining Company. From 1889-1929 the Utica Gold Mining Company expanded its water storage by creating Lake Alpine, Utica Reservoir, and Spicer Meadow Reservoir.

With the death of Emma Rose, half owner of the Utica Mining Company in 1946, the company was sold to the Pacific Gas & Electric Co. In 1995 the Utica Power Authority was officially organized and is known today as Utica Water and Power Authority.

While UWPA reports they are the sole owner of the pre-1914 water rights (senior water rights) there has been some contention over these rights. UWPA has only irrigation water customers and sells water to Union Public Utility District (UPUD) and COA.

UWPA Contact Information:

1168 Booster Way, Angels Camp, Ca. 95222
209-736-9419

Union Public Utility District (UPUD) 1946

In 1946 Union Public Utility District was formed as an independent special district and provides agriculture and domestic water services. UPUD was getting its water from PG&E until 1961 when it acquired its water supply and distribution system from Calaveras Water Users Association. UPUD relies on Utica Water and Power Authority (UWPA) for delivery of their surface water. Service areas include Murphys, Vallecito, Douglas Flat, and Carson Hill.

UPUD Contact Information:

339 Main St., Murphys, Ca. 95247
209-728-3651

Calaveras County Water District (CCWD) 1946

Calaveras County Water District (CCWD) was organized in November 1946 for the purpose of developing and administering the water resources and wastewater service in Calaveras County. CCWD is the largest public water purveyor in the County in terms of number of customers served and amount of water delivered. While the District's boundaries are consistent with Calaveras County's, the District does not provide water and/or wastewater services to all communities in the County. Large sections of the more rural areas of the County are served by private wells while other towns and developed areas are served by other public or private agencies. The District provides water service through five independent water systems located throughout the County (Jenny Lind, Copper Cove/Copperopolis, Ebbetts Pass, West Point, and

Sheep Ranch). CCWD provides wholesale water to Snowshoe Springs, Fly-In Acres, and, on an emergency basis, to Blue Lake Springs Mutual Water Company and Valley Springs Public Utility District (VPUD). They also provide Irrigation water to 92 customers and have three systems with recycled water that provide water to Saddle Creek, Forest Meadows, and La Contenta Golf Courses. The CCWD also provides services for the Wallace Lake Estates development and the community of Wallace.

CCWD Contact Information:

120 Toma Court, San Andreas, Ca. 95249
209-754-3543

Valley Springs Public Utility District (VSPUD) 1948

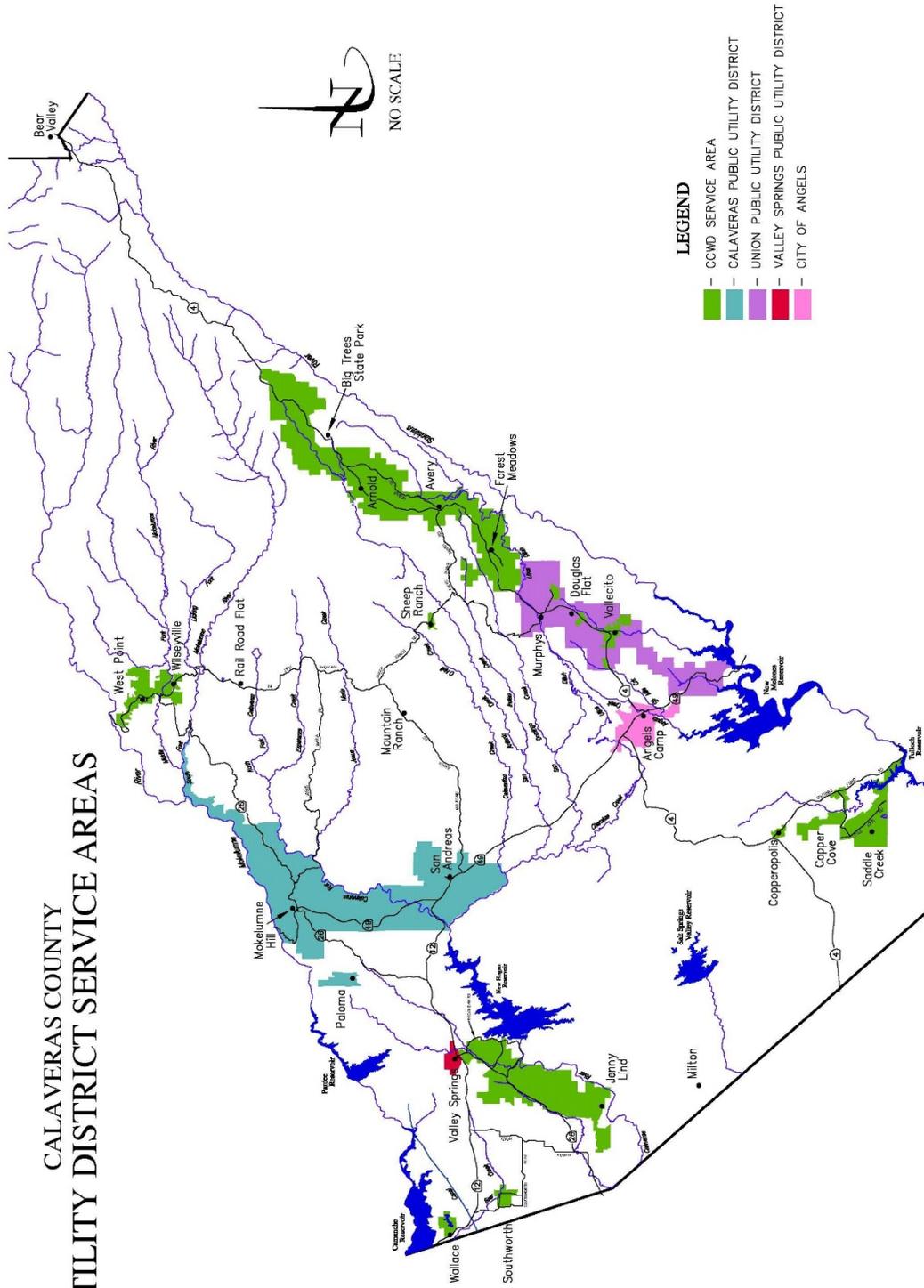
Initially, water was delivered to Valley Springs from the Mokelumne River via an aqueduct to a reservoir for use by the community. Later, with the formation of Valley Springs Water Works, a new reservoir was constructed which was filled with water from new wells and delivered by pipe to town.

In 1948 Valley Springs Public Utility District (VSPUD) was formed to provide water to an area of 190 acres which includes Valley Springs Township, Valley Oaks Shopping Center and Zippy Mart. The rest of the community relies on CCWD or wells for water. VSPUD's only source of water is groundwater drawn from the East San Joaquin County Groundwater Sub-Basin.

VSPUD Contact Information

150 Sequoia Avenue, Valley Springs, Ca. 95252
209-772-2650

CALAVERAS COUNTY UTILITY DISTRICT SERVICE AREAS



GROUNDWATER AND WELLS

REASON FOR INVESTIGATION

The Grand Jury responded this year to editorials and comments regarding water with a wide range of issues including failing wells. It also received inquiries and comments from individuals about the cost of infrastructure installation (water lines, etc.) to provide water to households previously relying on well water.

BACKGROUND

Calaveras County has 6 public and 9 private water companies supplying water to households and businesses. The following are the 6 public water companies:

- Calaveras County Water District (CCWD)
- Calaveras Public Utility District (CPUD)
- City of Angels (COA)
- Union Public Utility District (UPUD)
- Utica Water and Power Authority (UWPA)
- Valley Springs Public Utility District (VSPUD)

Over time, Calaveras County has relinquished its water rights to these companies, CCWD being the largest. Although Calaveras County Water District has the term “County” in its name, it is not a county agency but a public company and not overseen by the County. Public water companies have an elected board which governs its actions and, as such, fall under the scope of the Grand Jury for inquiry.

California is now starting to enter the fourth consecutive year of drought with a Sierra Nevada snow pack *water content* measured on March 2, 2015 at only 19% of average while 2014 was 35% of average. The lowest amount of water content to the entire Sierra Nevada snowpack *on record*, taking into account the 103 automated stations, was in 1991 with 18% of average. Due to warmer conditions, the snowpack, which normally accounts for 30-35% of the water flow during the summer, has been greatly diminished. It is difficult to determine how many well failures can be directly attributed to drought conditions.

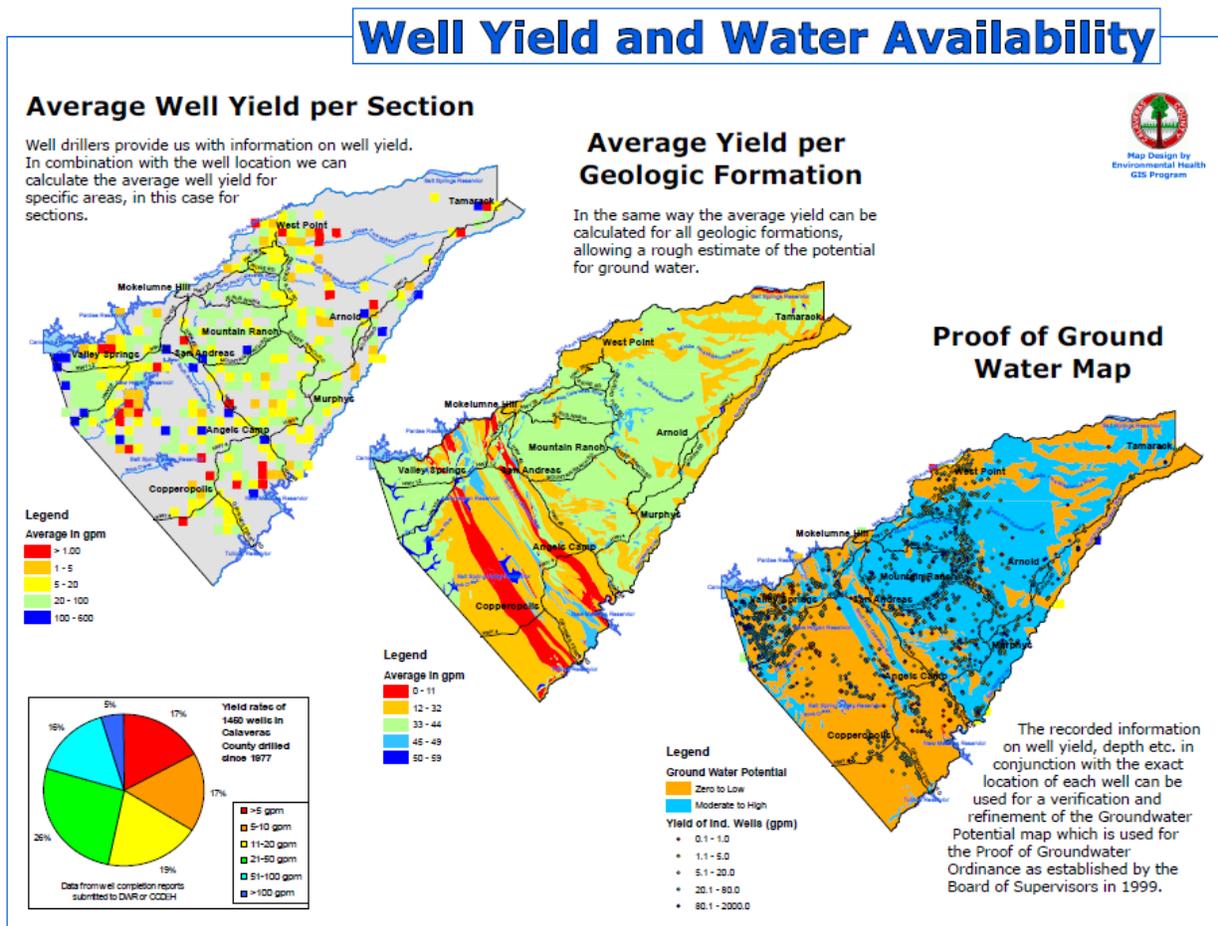
Some well failures can be *indirectly* attributed to the consequences of drought effects on surface water availability such as the overdraft (more water being removed than replenished) of the San Joaquin County Ground Water Sub-basin. Some 17% of wells in Calaveras County draw water from this sub-basin.

When surface water availability is restricted due to drought conditions, the water shortfall for agriculture is often made up by increased groundwater use. This happened in 2014 with additional water being withdrawn from existing aquifers (under-ground water sources) resulting in a greater than normal drop in the water table (CCWD).

The majority of Calaveras County’s wells draw water from shattered rock substrata and from tertiary channels (underground rivers). The amount of water in shattered rock varies abruptly

from location to location. Water does not flow well through shattered rock, therefore a well a few hundred feet from another well at the same depth may have higher yield or better water quality than its neighbor. Wells on tertiary channels seem to have the most secure source of water, but the source of this water is not well understood. Some tertiary channels flow from old underground lakes and it has not been determined if this water is replenished from surface water sources such as snowpack melt, surface water lakes, or water percolation.

Recently, much has been reported in the local press regarding water, including state regulations that have an increasing effect on this county (known as the Ground Water Sustainability Acts). The State's laws fall outside the jurisdiction of the Grand Jury, but since the management of these laws does fall to county or public agencies, some of these will be referenced.



DISCLAIMER:

It is not the Grand Jury's intention to discuss, make, or interpret water law. Water rights, senior or other that appear to be in contention is a legal matter outside the scope of a civil Grand Jury.

PROCEDURE

Interviews with representatives from various agencies including but not limited to:

- Calaveras County Environmental Health Department
- Calaveras County Water District
- Calaveras Public Utility District
- City of Angels
- Local Agency Formation Commission
- Union Public Utility District
- Utica Water and Power Authority
- Valley Springs Public Utility District

Websites and documents

“Final Assessment Engineer’s Report” (Da Lee/Cassidy Water System Assessment District)
CCWD

Tom McClintock “California Water Crisis” 3/13/15
<http://mcclintock.house.gov/issues/california-water-crisis>

Text: Senate Bill 1168 Ground Water Management
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB1168

Text: Assembly Bill 1739 Ground Water Management
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1739

GovTrack: Text of “The California Emergency Drought Relief Act” (HR 5781)
<https://www.govtrack.us/congress/bills/113/hr5781/text>

Ground Water Quality Sampling and Analysis Plan 12/12 Rev 0
http://www.ccwd.org/pdf/pub/watermanagement/Reports_072013/GroundwaterWaterQualitySamplingPlan_122012.pdf

Test Drilling and Data Collection in the Calaveras County Portion of the Eastern San Joaquin Groundwater Sub-basin, California, December 2009–June 2011
<http://pubs.usgs.gov/of/2012/1049/pdf/ofr20121049.pdf>

Calaveras County Ground Water Management Program - Report to Board of Supervisors
<http://calaverascountyca.ig2.com/Citizens/FileOpen.aspx?Type=30&ID=1689>

RESULTS OF INVESTIGATION

FINDING 1:

Testing to determine the “age” of water in various wells located on shattered rock and tertiary channels has revealed that much of the water being withdrawn is “old” water. It has been

reported that some of this water is hundreds and even thousands of years old (CCWD). Water from these sources does not replenish when it is removed and it is unknown how many wells are drawing “old” water. Other wells on shattered rock are primarily replenished by surface water percolating into the ground and/or water moving in from tertiary channels. Some of the tertiary channels have “old” water but it is not known if they also contain water from other recharge sources. (EHD)

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 2:

Some wells throughout the county are failing. Calaveras County Environmental Health Department (EHD) does not have statistics regarding failed wells. EHD does issue permits for new wells and for extending old wells. Testing of these wells is done primarily to determine the potability of the water.

CCWD does not monitor the number or location of failing wells so the scope of the problem is not well known. CCWD is apprised of failed wells only when a resident contacts them in search of an alternate water source.

EHD has conducted surveys and data collection studies as part of the 2004 Calaveras County Ground Water Management Program and this information is available on-line (see sources listed above). This data includes information on well depth, productivity, and water collected at the time of permitting as well as tertiary channels. (EHD)

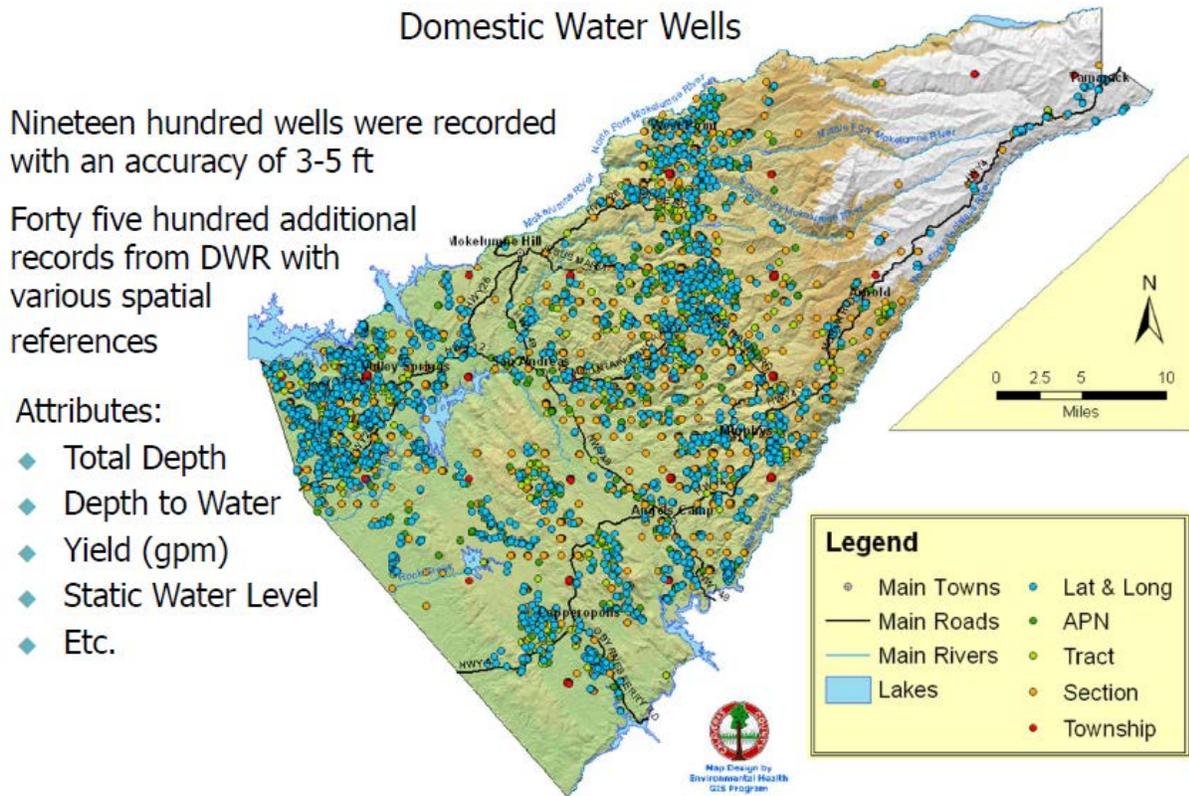
Drought conditions have an effect on well water, but the impact depends entirely on how the water is replenished. Wells on tertiary channels seem to be the most reliable. Wells on shattered rock are hit or miss. Wells on the San Joaquin County Ground Water Sub-basin (SJCGW Sub-basin) are dependent on depth and overdraft conditions.

CCWD provided the following data regarding the number of households obtaining water from their water pickup locations (taps) due to failing wells (April, 2015):

- 38 - Jenny Lind System (Valley Springs/Rancho Calaveras, Burson, Campo Seco, Wallace, Paloma)
- 12 - Copper System (Angels Camp, Copperopolis, Diamond XX)
- 2 - West Point System (West Point/Wilseyville area)

CCWD reported to the Grand Jury that there are five water pickup taps available to the public (2 in Jenny Lind, 1 in Arnold, 1 in Copperopolis, 1 in West Point). To gain access to these taps a form with a liability release needs to be completed at which time CCWD will provide the

location of the supply tap. All other public water companies reported they had no water tap locations.



RECOMMENDATION:

The Grand Jury recommends that EHD and public water companies coordinate in developing and maintaining data regarding failing wells. In addition, both entities should also develop long term plans for extended drought conditions.

RESPONSE REQUESTED:

- Calaveras County Environmental Health Department (EHD)
- Calaveras County Water District
- Calaveras Public Utility District
- City of Angels
- Union Public Utility District
- Utica Water and Power Authority
- Valley Springs Public Utility District

FINDING 3:

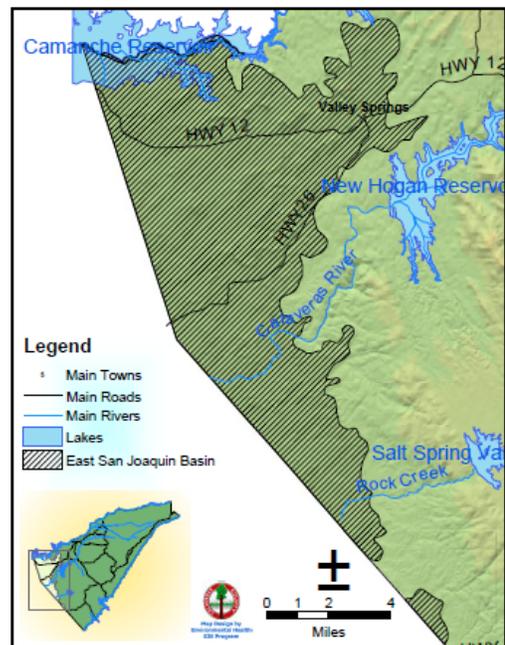
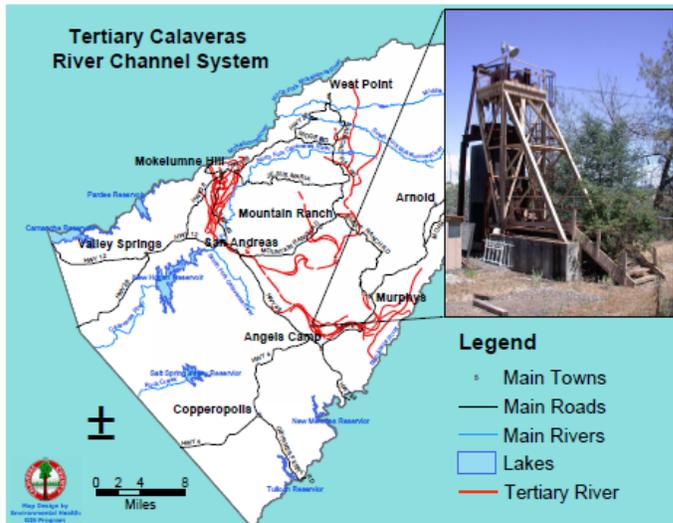
Many wells in the western part of the county draw water from the San Joaquin County Ground Water Sub-basin (see accompanying chart) and some have failed. The primary cause is serious overdraft of the sub-basin for many years. The reasons for this are well understood, but lay outside the scope of the Grand Jury.

Monitoring of some wells in the Calaveras County portion of the sub-basin indicate that the ground water level is dropping approximately one foot per year and is not recovering (CCWD, EHD).

Oakdale Irrigation District monitors 22 wells on the SJCGW Sub-basin and reports a 13 foot drop in the water table between 2005 and 2015. This is generally representative of the entire sub-basin as a whole.

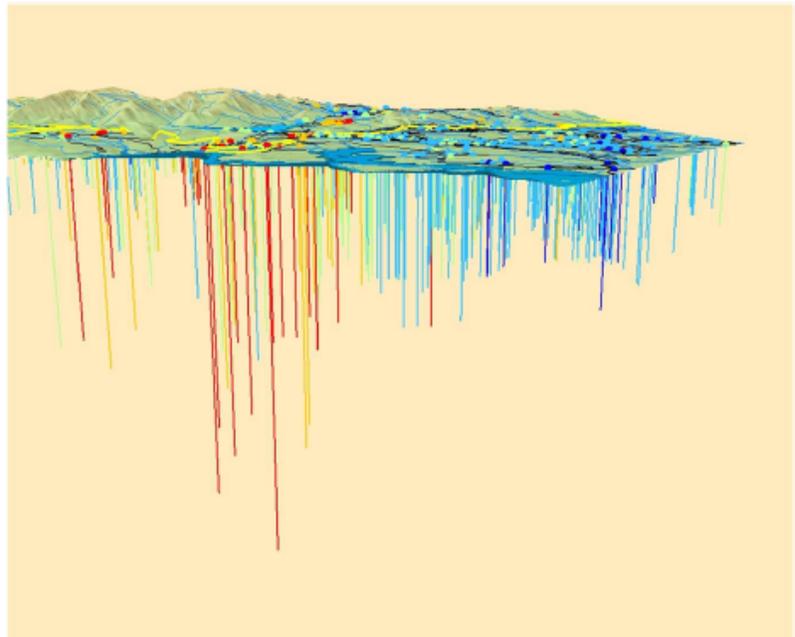
Primary responsibility for the management of the “Ground Water Sustainability Act(s)” falls to the individual water districts of the County. Regulations for wells have not yet been determined and, according to the time schedule proposed, may not be decided for a few years. These are long term plans and won’t reach full implementation until 2040.

EHD is also a stakeholder in the management of how these acts will affect wells using the San Joaquin County Ground Water Sub-basin within the county. EHD has previously conducted studies regarding groundwater and wells. There is presently no funding for further studies in this area.



East San Joaquin Ground Water Basin

A 3-dimensional view of the wells in Calaveras County reveals the differences regarding well depth and yield between the hard rock area, where yields and depth may change drastically within few feet, and the more homogenous area where the East San Joaquin Groundwater Basin reaches into the county.



RECOMMENDATION 1:

The Grand Jury recommends the water companies publish quarterly updates regarding the management of the Ground Water Sustainability Acts.

RESPONSE REQUESTED:

Calaveras County Water District
Calaveras Public Utility District
City of Angels
Union Public Utility District
Utica Water and Power Authority
Valley Springs Public Utility District

RECOMMENDATION 2:

The Grand Jury recommends that EHD pursue funding to continue its study of all aspects of groundwater.

RESPONSE REQUESTED:

Calaveras County Environmental Health Department (EHD)
Board of Supervisors

FINDING 4:

Options become limited when wells fail, particularly for communities with multiple failing wells. Those options include:

- Drill a new well or extend an existing well (permits required from EHD)
- Obtain water from the local district provider at a provided pickup location
- Partner with other local community households to have infrastructure installed for water hookups

Each of these options has its drawbacks. Drilling a new well or extending an old one is expensive with no guarantee of results. Water obtained from a provider at a pickup location requires the customer to obtain or provide his own conveyance, and water, once out of the “tap” is no longer considered potable unless the conveyance is a certified water carrier. Having infrastructure installed is expensive and is paid for by the community affected. Payment typically is in the form of an assessment applied to property taxes. The cost of infrastructure installation is sometimes so expensive as to be impractical.

In the instance of a county resident getting water from a pickup location, CCWD reports that a fee of \$10/month is charged for an “unlimited” amount of water (some restrictions apply). As mentioned, the responsibility for transport of the water lies with the customer.

In the instance of infrastructure installation, a request must be made by the affected property owners and a vote for approval by the affected community must be taken after the costs have been determined. This entire process can be lengthy.

The following chart represents the ‘hookup’ fees. These fees are *in addition* to any infrastructure installation to bring the water lines into the community.

CCWD Capacity Fees 2014:

Copperopolis Water Only	\$10,977.00
Copperopolis Water & Wastewater	\$21,681.00
Ebbetts Pass Water	\$ 7,365.00
Ebbetts Pass Water & Wastewater	\$17,644.00
Forest Meadows Water & Wastewater	\$18,932.00
Jenny Lind Water Only	\$10,861.00
LaContenta Water & Wastewater	\$28,224.00
AD604 Water & Wastewater	\$21,075.00 current assessment
AD604 Water & Wastewater	\$28,224.00 delinquent assessment
West Point Water Only	\$11,198.00
West Point Water & Wastewater	\$16,768.00
Wallace Water Only	\$ 9,527.00
Wallace Water & Wastewater	\$18,597.00

UPUD Capacity Fees 2015	\$14,000.00 Domestic
VSPUD Capacity Fees 2015	\$ 3,500.00 Single family
CPUD Capacity Fees 2015	\$ 3,245.00 But no hookups allowed at this time

The cost to install infrastructure to the community of Valley Springs (Rancho Calaveras – 2009 through 2010), excluding hookup costs (\$10,750), was quoted in the CCWD Final Assessment Engineer’s Report totaling \$835,248. This resulted in a 30 year \$990,000 bond to be divided equally between 56 households. CCWD reported that some communities cannot afford the cost of infrastructure and have voted against it.

A portion of *all* property taxes goes to the assorted public water companies in the County. These funds are spent at the discretion of each company.

RECOMMENDATION 1:

The Grand Jury recommends that a portion of the funds from property taxes be placed in a fund for future expansion of infrastructure and financial assistance for property owners with failed wells.

RESPONSE REQUESTED:

Calaveras County Water District
 Calaveras Public Utility District
 City of Angels
 Union Public Utility District
 Utica Water and Power Authority
 Valley Springs Public Utility District
 Board of Supervisors

RECOMMENDATION 2:

The Grand Jury recommends Board of Supervisors pursue the availability of grants to alleviate the financial hardships associated with depletion of ground water sources.

RESPONSE REQUESTED:

Board of Supervisors

RECOMMENDATION 3:

The Grand Jury recommends EHD create a pamphlet discussing safe water storage and transportation practices when using a tap source.

RESPONSE REQUESTED:

EHD

Resources and articles regarding water and wells the public may be interested in but were not used or researched for this investigation:

Newspaper articles:

Union Democrat. Alex MacLean 02/04/2014. “Well owners threatened by drought, too”

Calaveras Enterprise. 7/15/2014 “Dry wells in county part of a larger trend”

Union Democrat Austen Thaibault 3/9/15 “Cal boards talk water”

Calaveras Enterprise Dana Nichols 3/13/15 “Board of Supervisors wants feds to ease regulation of Stanislaus River flows”

Calaveras Enterprise Dana Nichols 7/22/14 “State, county differ on well water regulation”

Internet sources/audio/video:

Preliminary radio interview with CCWD Joel Metzger regarding Lake Tulloch 3/15/15

<http://www.mymotherlode.com/multimedia/newsmakers/info-meeting-regarding-lake-tulloch-saturday>

Video report by NASA on long term climatic changes and implications for drought 2/12/15

<https://www.youtube.com/watch?v=ToY4eeWsdLc>

YouTube video of Tom McClintock Re. California water before Congress 2/27/14 “California

Water: It’s the Storage” https://www.youtube.com/watch?v=9A0z7_cAkE8

IMPACT OF DROUGHT ON WATER SERVICE TO COPPEROPOLIS

REASON FOR INVESTIGATION

Water is becoming increasingly scarce as we enter the fourth year of the current drought. The continuing drought could result in the drawing down of Lake Tulloch which could affect water service to Calaveras County Water District (CCWD) customers in Copperopolis.

BACKGROUND

Surface water in Calaveras County originates from Stanislaus, Calaveras and Mokelumne River water sheds. In this fourth year of drought, lack of rain and snow resulted in meager snowpack. As a result, water runoff stored in reservoirs will be below average.

The manual measurement of the Sierra snowpack performed April 1, 2015 at Phillips Station was done on bare earth for the first time in history. Traditionally, this is the time of year when the snowpack should reach its peak after a season of winter storms.

Average rainfall for the middle fork of the Stanislaus River is 37.5 inches. Rainfall as of March 2015 was 17.44 inches or 47% of normal. (Department of Water Resources Data, DWR)

Normal	37.5"
2011/2012	26.34"
2012/2013	27.83"
2013/2014	25.75"
2014/2015	17.44" (March)

As shown above, the drought began in 2012 and continued in 2013. In 2014, it was classified as "Exceptional". The warm and dry weather persists in 2015.

There is concern over the possibility of drawing down Lake Tulloch. Factors contributing to this concern are issues of water releases for irrigation and "fish flows". The water that passes through Lake Tulloch is also used by irrigation districts to serve farms. This water is currently used to irrigate 117, 500 acres of land on farms in San Joaquin and Stanislaus counties. This irrigated land supports truck crops, nuts, grapes and pasture. (Tri-Dam Data) "Fish flows" refers to a federal program designed to replicate the increased river flows that would naturally occur if the dams had not been built.

It should be noted that these "fish flows" are *not* just for fish. Water without ample flow can become warm and stagnant. The water released from dams helps flush fresh water through the Delta for oxygenation and keeps salt water at bay. Farmers risk killing their crops if they irrigate with salt contaminated water that intrudes inland.

The Old Melones Dam, completed in 1928, held 112,500 acre feet. The New Melones, completed in 1978, was built to increase capacity holding 2.4 million acre feet. The dam was built to prevent flood damage to downstream agricultural lands and towns. (Tri-Dam data)

The 1962 Flood Control Act was modified by Congress to include irrigation, power generation, wildlife and fishery enhancement, recreation and water quality as reasons for dam construction.

In September 2014, New Melones storage was calculated to be 519,600 acre feet compared to 1,510,706 acre feet in September 2012. Tulloch Reservoir is directly downstream of New Melones. With little snowpack in the watershed to replenish New Melones the Reservoir could shrink to its minimum pool this year, known as dead pool. If that happens, water release and power generation would cease.

FINDING 1:

CCWD stated in a February 2015 press release that, “significant fluctuations in Lake Tulloch may become the norm rather than the exception.” If a Lake Tulloch drawdown does take place the surface of the reservoir could drop below CCWD’s water intakes. This is the point where water is pumped from the reservoir to the water treatment plant and then on to 2,500 customers in Copperopolis. These customers used 1200 acre feet of water in 2014. (CCWD data) CCWD officials, in a proactive approach to the situation, are planning to extend the water intake pipes and pumps deeper into the reservoir so that water service can continue for as long as possible. This construction is anticipated to start in the summer. (CCWD)

RECOMMENDATION:

None

RESPONSE REQUESTED:

None

FINDING 2:

There are multiple players at the Lake Tulloch decision making table: TRI-DAM (Oakdale Irrigation District, South San Joaquin Irrigation District), Bureau of Reclamation, CCWD, California Department of Fish and Wildlife, Army Corp of Engineers, Federal Regulatory Commission, and US Department of Interior Fish and Wildlife Service. Local government has no authority over these agencies and few options for input. Because of the federal, state, and local agencies involved, it is difficult to resolve problems quickly.

Two Board of Supervisor members serve on the Calaveras Local Agency Formation Commission (LAFCO). LAFCO is mandated by the state to review the agencies providing water and wastewater services in the county. This is an additional means for county government to stay abreast of water issues and concerns.

In the past, Calaveras County water agencies held collaborative discussions on water resources, equipment and infrastructure via a technical advisory team, but the effort “disintegrated”. (LAFCO Municipal Services Review)

RECOMMENDATION:

The Grand Jury recommends LAFCO and the two Board of Supervisor members on the LAFCO board, reconstruct the technical advisory team to promote cooperation and collaboration focused on issues facing Calaveras County now and in the future. It is also a mechanism for members of County government to keep apprised of water issues facing the county.

RESPONSE REQUESTED:

LAFCO
Board of Supervisors

PUBLIC WATER CONSERVATION INFORMATION

Local Calaveras County water restrictions are in place.

For more up-to-date information, go to:

<http://www.calaverasconserves.com>



OVERSIGHT OF CALAVERAS COUNTY'S WATER PROVIDERS

REASON FOR INVESTIGATION

Testimony revealed that Calaveras County has little or no oversight of the assorted public water companies operating within its boundaries.

BACKGROUND

Investigation of other areas within this report led to findings not related to the original areas of concern.

FINDING 1:

The Calaveras County Board of Supervisors has no authority over any utility agency or entity, yet CCWD and other water agencies receive property tax revenue regardless of services provided. There is no official mechanism for reporting information to the Board of Supervisors or anyone else in county government.

RECOMMENDATION:

The Grand Jury recommends that all six public water companies submit a quarterly budget report to the Board of Supervisors.

RESPONSE REQUESTED:

Board of Supervisors
Calaveras County Water District
Calaveras Public Utility District
City of Angels
Union Public Utility District
Utica Water and Power Authority
Valley Springs Public Utility District

FINDING 2:

Residential water consumption includes outdoor (landscape irrigation and swimming pools), toilet, shower, cleaning, and kitchen uses. Information obtained by the Environmental Protection Agency (EPA) shows the following breakdown of consumption in percentages:

44% Outdoor

23% Toilet

18% Showering/bathing

12% Dishwashing/laundry

The remaining 3% of consumption relates to cooking and other kitchen uses.

RECOMMENDATION:

The Grand Jury recommends that the county promotes water conservation efforts even in periods of ample water supply. The Planning Department and the Environmental Health Department should partner with water companies in establishing a water conservation management practice program to promote water use efficiency. For example: Promote climate appropriate landscaping to reduce water usage now and in the future.

RESPONSE REQUESTED:

Board of Supervisors
Environmental Health Department
Calaveras County Water District
Calaveras Public Utility District
City of Angels
Union Public Utility District
Utica Water and Power Authority
Valley Springs Public Utility District

RESPONSES TO THE 2013 - 2014 GRAND JURY REPORT

The Grand Jury releases its final report at the end of its term. Most, if not **all**, of the responses are received after the new Grand Jury has been seated and these responses become its responsibility. Unlike many counties, the Calaveras County Grand Jury have holdovers who return to assist the new Jury in the way the Grand Jury conducts business and aid in the analysis of the responses. To assure continuity, it is important to carefully track and evaluate responses.

Responses are tracked to inform the public, ensure follow up, promote solutions, and reduce the number of unresponsive answers. Public scrutiny of the responses can improve the impact of the Grand Jury's reports and recommendations as well as increase the credibility of the elected officials and department heads whose areas were investigated.

The new Grand Jury reviews the findings and recommendations of the prior year's Jury and the ensuing responses. When necessary, these responses are discussed with the appropriate standing committees for follow-up comments. If it is determined that more information is needed, Jury members may meet with the respondents to discuss specific responses.

The Grand Jury refers to the California Penal Code (CPC) for follow up, summarization, and analysis of the responses from the responding officials and departments. Pursuant to CPC §933 and §933.05 there are time limits for responses and each Finding and Recommendation may either require or request a response from the party addressed. Specifically worded responses are limited by the CPC. Responses may include additional information to clarify a specific response.

RESPONSE TIME LIMITS CPC §933 (c)

"...No later than 90 days after the Grand Jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and every elected county officer or agency head for which the grand jury has responsibility pursuant to §914.1 shall comment within 60 days to the presiding judge of the superior court, with an Information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years."



CALAVERAS COUNTY
BOARD OF SUPERVISORS

891 Mountain Ranch Road | San Andreas, California 95249 | (209) 754-6370 FAX (209) 754-6733

August 26, 2014

The Honorable John E Martin
Presiding Judge
Calaveras County Superior Court
P.O. Box 850
San Andreas, CA 95249

FILED

SEP 10 2014

Clerk of the Court
Superior Court of California
County of Calaveras
By *[Signature]* Deputy

Judge Martin:

In accordance with California Penal Code (CPC) Section 933 (a) the Board of Supervisors submits the following responses to the 2013-2014 Grand Jury Report Titled San Joaquin Delta Community College District Bond Measure L.

The Board wishes to thank the members of the Grand Jury for their volunteerism and dedication to public service which made it possible for this report to be completed.

Grand Jury Finding 1

Calaveras County is divided between San Joaquin Delta Community College District (Delta Community College District) and Yosemite Community College District, which results in a split electoral vote for the distribution of educational bond monies and a split voice for Calaveras County residents. Countywide inclusion in a single College District would increase our voting strength.

Education Code 74180 state that reorganization of a Community College District that is located in different counties shall be conducted according to Education Code 35520 et seq. Those provisions require a petition to be submitted to the County Superintendents in each County and an election in each County.

Grand Jury Recommendations:

1. The Grand Jury recommends withdrawal from the Delta Community College District and inclusion in the Yosemite Community College District.
2. The Grand Jury recommends that the Calaveras County Board of Supervisors support a legal petition requesting secession from the Delta Community College District, should the petition be submitted.

Board of Supervisors Response to Finding 1

The Board of Supervisors agrees with Finding 1. The county is divided between two community college districts - the Delta Community College District and the Yosemite Community College District. Further that any reorganization of either community college district would require a petition to be submitted to the County Superintendent of Schools in each of the Counties included in the district. Further, if placed on the ballot the reorganization would have to be approved by voters in each of the potentially impacted counties.

California is divided into 72 Community College Districts. Community College District boundaries are not contiguous with county boundaries so some counties are served by multiple community college districts while others are fully contained within one district. The Delta Community College District boundary includes all or portions of five counties – Alameda, Calaveras, Sacramento, San Joaquin, and Solano. The Yosemite Community College District boundary includes all of Stanislaus and Tuolumne counties and parts of Calaveras, Merced, San Joaquin and Santa Clara.

The Grand Jury noted in Finding 1 that Calaveras County's inclusion in two community college districts results in a split electoral vote for the distribution of bond monies and a split voice for Calaveras County residents. The Grand Jury concluded that inclusion in a single district would increase the county's voting strength.

It appears what the Grand Jury means by this is that the county's approximately 46,000 residents are divided between two college districts thereby diluting the county's voting power in relationship to the other counties within these college districts. This discrepancy was apparent in 2004 when voters in the Delta Community College District voted on Measure L, the \$250,000,000 General Obligation Bond. The following chart provides vote totals for the Measure L by County:

Table 1 – Vote Totals for San Joaquin Delta Community College District Measure L, March 2004

County	Vote in Favor	Total Vote	Percent of Vote	Pass or Fail
Alameda	30	56	53.6%	Fail
Calaveras	2,967	7,797	38.1%	Fail
Sacramento	3,009	6,678	45.1%	Fail
San Joaquin	55,445	96,158	57.7%	Pass
Solano	1,014	2,055	49.3%	Fail
TOTAL	62,465	112,744	55.4%	Pass

Measure L failed passage in four of the five counties in the District, but because of the large population of voters in San Joaquin who are in the District, therefore eligible to vote on related ballot measures, Measure L passed by a slim margin. Measure L needed 55% of the total number of voters who voted on the measure, to vote in favor of it, to pass. It received 55.4%.

Similarly, Measure E, which was a bond measure placed on the ballot by the Yosemite Community College District in November of 2004, for the issuance of \$326,174,000 passed. In the case of Measure E, Stanislaus County had far greater influence on the outcome than the other four counties combined.

Table 2 – Vote Totals for Yosemite Community College District Measure E, November 2004

County	Vote in Favor	Total Vote	Percent of Vote	Pass or Fail
Calaveras	5,354	9,451	56.7%	Pass
Merced	2,390	4,521	52.9%	Fail
San Joaquin	3,120	5,917	52.7%	Fail
Stanislaus	84,403	134,791	62.6%	Pass
Tuolumne	14,048	24,976	56.2%	Pass
TOTAL	109,315	179,656	60.8%	Pass

If all of Calaveras County were included in either of these Community College Districts, we would have greater influence in that district. That said our influence would still be far less than that of San Joaquin County in the Delta Community College District and Stanislaus in the Yosemite Community College District. This is simply as a

August 26, 2014

Grand Jury Response – San Joaquin Delta Community College District

result of the much larger population in each of those counties that is also within the respective community college districts.

There are benefits arising from the County's inclusion in two community college districts. The inclusion in two districts gives residents of Calaveras County a voice in classes, programming, and expenditures in two community college districts. If the entire county were included in one community college district, the county voting and influence would be limited to just one district.

The key interest of the County is in receiving services that are commensurate with the financial contribution made by the residents of Calaveras County. Further, in receiving the services that were described in the language of Measure L as it appeared on the ballot in 2004. In the case of the San Joaquin Delta Community College District the text of the ballot measure stated that the bond funds would be used for, "...expanding /establishingFoothill Area campuses/education centers...". Ten years after the passage of Measure L, the residence of Calaveras County have not received services commensurate with their contribution.

Finally, the Board desires to work with both Delta and Yosemite Community College Districts to create a comprehensive post-secondary education program within Calaveras County to allow our residents to complete a two year degree program within our County.

In recent months, a significant effort led by Supervisor Edson, and a committee that includes the following members: Grant Barrett, Jan Barrett, Mark Campbell, John Garamendi, Jr., Dana Jorgensen, Kris Mangini, Zerrall McDaniel, Sherri Reusche, Dave Tanner, Terri Tanner, and Supervisor Chris Wright, has been actively engaging representatives from the Delta Community College District to discuss the need for them to expand outreach and programming into Calaveras County. Further to partner with Yosemite Community College District to offer complimentary classes so as to broaden the educational opportunities available within Calaveras County. As a result, Delta Community College District will be offering four (4) classes in the fall of 2014 in Calaveras County. This is an important step in the right direction towards the District fulfilling its commitment to the citizens of Calaveras County.

Board of Supervisors Response to Recommendations regarding Finding 1

At this time the Board does not support implementing the recommended action to withdraw from the Delta Community College District and to have the entire population of Calaveras County included in the Yosemite Community College District.

As stated above the desire of the Board of Supervisors is to work with both Community College Districts to receive services that are commensurate with the financial contribution made by our residents. The desire of the Board is also for the Delta Community College District to expand and establish a Foothill area campus or education center as was described in the Measure L ballot materials. The residents of Calaveras County should have easy access to high quality education and training opportunities provided by the two Community College Districts to which we contribute.

Grand Jury Finding 2

Calaveras County voters are a minority within the San Joaquin Delta Community College District and are therefore bound by a tax measure they voted against, even though it passed.

Board of Supervisors Response to Finding 2

The Board of Supervisors agrees with the Grand Jury finding. As shown in Table 1, on Page 2, Calaveras County represented 7,797(6.92%) of the total 112,744 individuals who voted on Measure L. In San Joaquin County 96,158(85.29%) individuals voted on Measure L. The remaining voters on Measure L included 6,678(5.92%) individuals in Sacramento County, 2,055(1.82%) voters in Solano County, and 56(.05%) voters in Alameda County. Also as previously stated the measure failed passage in every county except San Joaquin. The Grand Jury is correct that in the case of Measure L residents of Calaveras County who are within the Delta College District are paying for a bond that failed passage in Calaveras County. That is also true of residents of Alameda, Sacramento, and Solano counties. Our system of voting is based on decisions approved by a majority of the voters. As a result, in this election and others, individual voters may not vote for a measure, or a candidate, but if passed by a majority of the voters, are bound by the measure or represented by the candidate that is elected by a majority vote.

Grand Jury Finding 3

Since 2004 Bond Measure L election, residents have not been informed by the San Joaquin Delta Community College Board of Trustees of plans for the future of higher education in Calaveras County.

Board of Supervisors Response to Finding 3

The Board of Supervisors agrees that the residents of Calaveras County have not been informed by the San Joaquin Delta Community College Board of plans for the future of higher education in Calaveras County.

The Delta College Board does have a website where information is posted, but until very recently they have not actively engaged the citizens of Calaveras County. As a result of the efforts of Supervisor Edson and other community members/leaders to create a post-secondary education program within Calaveras County which was presented to the President of Delta, they have retained the services of Sherri Reusche to develop local outreach efforts to the schools and residents of Calaveras County. This outreach is more geared towards identifying the types of classes and programming most likely to succeed in Calaveras County. This too is a very positive step in the right direction of Delta Community College District meeting its commitment to expand/establish Foothill area campuses and education centers.

Grand Jury Recommendations Regarding Findings 2 and 3:

1. The Grand Jury recommends that all Calaveras County Supervisors work with County School Boards of Education/Trustees to establish a community action group, including residents and local leaders, focused on higher education in Calaveras County.
2. The Grand Jury recommends that the current Calaveras County representative on the San Joaquin Delta Community College Board of Trustees promote Foothill community perspectives as well as report pertinent actions and issues to the county populace monthly in a printed media format.

Board of Supervisors Response to Recommendations regarding Findings 2 and 3

The Board of Supervisors has implemented Recommendation 1. The Board has assigned Supervisor Cliff Edson as their liaison to the Delta Community College District and as part of that assignment, Supervisor Edson has established a group of residents and local leaders focused on higher education in Calaveras County, and more specifically on working with the Delta Community College District to expand/establish a Foothill Area campus/education centers in Calaveras County. This effort has produced significant results in a very short timeframe as evidenced by the District providing four courses in the Fall Semester of 2014 in Calaveras County.

August 26, 2014

Grand Jury Response – San Joaquin Delta Community College District

The Board of Supervisors agrees with Recommendation 2 above, but does not have the authority to implement the recommendation. Supervisor Edson, through meetings with the current Calaveras County representative on the Board of Trustees can encourage him to promote Calaveras County's perspective and can request the publication and distribution of regular reports in a printed media and/or on the College District's website.

Grand Jury Finding 4 and Recommendations related to Finding 4

Finding 4 and Recommendations related to Finding 4 are addressed to the San Joaquin Delta Community College Board of Trustees and the Board of Supervisors is not asked to respond.

Grand Jury Finding 5

The proposed Foothill Center Project has the potential to serve as a Technical College Campus.

Grand Jury Recommendation Related to Finding 5

The Grand Jury recommends the Board of Supervisors support any project that includes a feasible alternative for a local satellite campus.

Board of Supervisors Response to Finding 5 and Recommendations Related to Finding 5

The Board of Supervisors agrees that a proposed Foothill Center Project could serve as a technical college campus. The center could also be a satellite campus that offered technical and academic programming.

The Board of Supervisors would support and embrace a feasible alternative for a local satellite campus. One of the efforts undertaken by Supervisor Edson and the group of residents and local leaders he is working with is to find existing facilities in Calaveras County that can be used to provide classroom space for education and programming. This may include space for both technical and academic offerings.

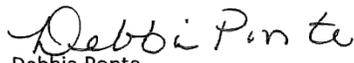
Grand Jury Finding 6

In 2013, 62% of Bret Harte High School graduates and 58% of Calaveras High School graduates enrolled in either a community college or a vocational/trade school. By necessity, these students travel to Tuolumne, Stanislaus or San Joaquin Counties to attend classes because the offerings within Calaveras County are not sufficient to complete a certification or degree program.

Board of Supervisors Response to Finding 6

The Board agrees that due to the lack of local offerings, students must travel out of the county to complete a certification or degree program.

Board of Supervisors
Respectfully submitted,


Debbie Ponte
Chair

cc: Board of Supervisors
Lori Norton, County Administrative Officer



San Joaquin Delta College

Grand Jury Response Form

Calaveras County

AUG 24 2014

Grand Jury

FILED

SEP 26 2014

[Signature]
Clerk of the Court
Superior Court of California
County of Calaveras
Deputy

Report Title: Response to the 2013-14 Calaveras County Grand Jury Report

Report Date: 6/5/2014

Response By: 9/17/2014
County Grant Jury Report

Title: SJDC Response to 2013-14 Calaveras

FINDINGS

- I (we) agree with the findings numbered: 2
- I (we) disagree wholly or partially with the findings numbered: 1, 3, 4, 5, 6
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered 3.1, 4.1, 4.2 have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered (0) have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered (0) require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered 3.2 will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 09/17/2014

Signed: *[Signature]*
Superintendent/President

Number of pages attached: 8

Office of the President

5151 Pacific Avenue • Stockton • California 95207 • (209) 954-5018

B

The 2013-2014 Calaveras County Civil Grand Jury investigated a complaint regarding the San Joaquin Delta College District Bond Measure L which passed in March, 2004.

The Delta College Board of Trustees has been asked to respond to the Findings.

The District Board agrees with Finding 2; and disagrees completely or in part with Findings 1, 3, 4, 5, 6.

Explanation of Response to Finding 1: San Joaquin Delta College District Board is not interested in reorganizing its district to remove the northern half of Calaveras County. This action is the responsibility and decision of the Calaveras County Supervisors and others. The SJDC District Board would need to study the implications of secession in order to take a definitive position if Calaveras County decides to move forward with this recommendation.

Explanation of Response to Finding 3: San Joaquin Delta College District Board disagrees with the Grand Jury's assessment. Calaveras County residents have been informed by the San Joaquin Delta Community College Board of Trustees of plans for the future of higher education in Calaveras County in the same ways and to the same extent as residents of other areas of the District have been informed.

Like all residents of the San Joaquin Delta Community College District, Foothills residents have been informed of plans for the future of higher education in Calaveras County since Bond Measure L passed in 2004.

Each year the Citizens Oversight Committee for the Measure L Bond produces a report of activities and spending. This document includes a list of Board-approved projects that are currently underway. In addition to hard copies of the annual report, it is on the Delta College website. Since the Calaveras County Grand Jury report included copies of pages from these annual reports, it is clear that Foothills residents know about these annual reports and understand where to obtain the information. This is the same access that all residents of the San Joaquin Delta Community College District have to current information on Measure L Bond issue.

In addition, there have been specific reports that mentioned Delta College plans for service in the Foothills. They have been presented in various public venues and are posted on the Delta College website.

Work on the 2010 Education Master Plan began in late winter 2009 and involved a collaborative process participated in by the Board of Trustees, College administrators, faculty, classified staff, students and community focus groups in each of the trustee areas. Looking at both short and long-term goals, the Education Master Plan attempted to project the needs of the District 10-15 years into the future. As the Education Master Plan took shape in 2009, it was clear that attempting to look ahead long term had become problematic as the first in a long series of budget cuts to community colleges were implemented because of a shrinking State income from property, sales and income taxes. It became impossible and imprudent to project long term growth in budgets and

enrollment figures under these circumstances. These cuts to the District's budget and enrollment cap had a huge impact on any planning for additional education centers, including one to serve the Foothills community. Developing new centers is only feasible during a time of growth for a community college district. This growth has two separate, yet related, components. The first is growth in population for a geographic area, based on a comparison of census data from at least two national census surveys. The data from the 2010 census would not be available until 2011. Census data is essential to futurecasting the educational needs of a community. The increase in births and/or people moving in from another area to take advantage of favorable housing prices in the Central Valley are used to determine the number of students in K-12 schools and high school graduates in future years who are the largest potential audience for community college enrollment.

Even without official census figures for 2010, Delta College had reasons to be concerned about the number of future high school graduates:

- Changes in the housing market. In 2009, the community of Mountain House topped the nation in the number of homes underwater, according to zip code.
- In 2010 the community of Weston Ranch topped the nation in the number of houses in foreclosure, by zip code. Weston Ranch lies within the limits of the city of Stockton.
- Unemployment figures in San Joaquin County were in double digits. Some jobs disappeared, but in other cases people deferred retirement and anticipated openings did not occur.
- Many people who had moved to San Joaquin County from Bay Area and Silicon Valley counties because of the cheaper rents/home prices lost their jobs.
- Because rent and housing costs in the Bay Area and Silicon Valley fell, some of the people who still had jobs moved back because housing was affordable.

But community colleges in California have another meaning for the term growth. This is the number of students a District is paid to teach annually. Community colleges do not run on the same model of enrollment found in the K-12 system where the State pays for as many students as are enrolled, based on Average Daily Attendance. In higher education, the Chancellor's office, using the budget from the state, apportions attendance figures to each District, based on the previous year's figure. Simply put, the State tells each community college district how many students it will be paid to teach. If a District enrolls more students (FTES) than the enrollment cap allows, the District is not paid for the "over cap" enrollments.

Student enrollment fees [tuition] for California Community Colleges are set by the Legislature. The local Board of Trustees has nothing to do with the per unit fee, which increased on several occasions during the recession to the current level of \$46 per unit. All student fees collected by a District go to Sacramento until the State determines the apportionment amount to send to the District based on enrollment. Just before the fall semester, 2009, the State cut the enrollment capacity of each District, including San Joaquin Delta College. This cut came after students had been enrolled for the fall semester. No one was unenrolled, but to keep within capacity, the number of students who could enroll in the Spring 2010 semester had to absorb this cut. Without State funding for a growing

student enrollment, Delta College cut the number of classes it offered. There was no question of adding new centers during such a time of enforced lower enrollment.

The 2010 Education Master Plan shows actual and forecast fall enrollment figures on page 36. That chart indicates a steady climb from 2008 onward to 2020. A properly updated chart would show consecutive dips in fall enrollment in 2009 through 2012. There was no enrollment growth during the economic recession. Because of these cuts to enrollment at Delta College, there was no justification for even considering new centers.

The future of a center in Calaveras County is addressed on page 62 of the 2010 EMP. Citing traditionally low enrollment when classes have been offered in the Foothills, due to both the small population of the area and the far flung nature of communities, the recommendation in 2010 was to postpone a center for that area until at least 2020. There was a focus group meeting with community representatives in Calaveras County to review the draft of the 2010 EMP.

In 2010 the Board of Trustees was approached by land owner Tom Coe about using six acres of property he owns in Valley Springs for a center. The Board of Trustees employed its construction management firm Kitchell to conduct a study of the area and report back on the feasibility of a center using donated land and donated used K-12 portables. The report estimated the District would have to spend just under \$7 million for infrastructure and bringing the used K-12 portables up to standard required by the State Architect, just one of ten State agencies which must approve all such plans for centers.

The Board of Trustees decided not to go with this plan for a number of reasons:

- 1) It is not cost effective. Putting a center on this property would involve major work for a relatively small return on investment of both time and money. If the Board of Trustees approved such an expense, they could be in violation of their fiduciary responsibility to protect the fiscal stability of the District.
- 2) There was no expectation that the State Chancellor's office for community colleges would approve such a plan, particularly during a period of economic downturn, reluctance to approve new Centers, and enrollment cap reductions.
- 3) The 2008 San Joaquin County Grand Jury report called a prior Delta College Board of Trustees [only one member of that Board currently serves as a trustee] to task for engaging in a public-private partnership with developers in Mountain House that favored the developers at a cost to the District. This Board of Trustees has heeded that advice with great care. Mr. Coe has his own agenda for the property he owns in Valley Springs, and that is his right. Mr. Coe makes no secret that he would like to see a post-secondary training center on that property, and that he would like to be in charge of making the decisions on what educational programs would be featured. He is free to do that, as long as he does not try to involve a public entity, like the San Joaquin Delta Community College District in his venture. Dave Tanner, a consultant who was the unsuccessful candidate for the Area 5 Delta trustee post in the 2012 election, and his wife, Terri, who is employed as a

counselor at Calaveras High School, are involved with Mr. Coe in his technical training venture. They are not neutral parties in any discussion of a Delta College center in the Foothills.

Further, for a Center to be financially sustainable, it must quickly reach a level of 1000 FTES annually. [FTES= Full Time Equivalent Student. A full time student is one taking 15 units of credit per semester. Head count or the actual number of students attending a center is irrelevant. It is the number of units that count. For example, if one student takes three classes, 3 units each, and another student takes two classes, three units each, the total is 1 FTES or 15 units]. The reason why the 1000 FTES goal is critical is that this number triggers an additional payment of \$1 million per year from the Chancellor's office to support the operation of the center. Otherwise, the operation of the center must be paid out of the District's general fund. In any case, even if the Center can earn 1000 FTES in its first year (as Mountain House did), the District must "front" the operational money for the first year because the operational dollars are not available until the year after the 1000 FTES goal is reached.

Finally, as already indicated, the process of establishing a center is not a completely local decision. The Chancellor of the California Community College system must approve of any proposed center. Since the economic recession, the Chancellor has been reluctant to approve new centers, particularly small centers in areas of low population. The potential for growth in these conditions is just not likely. Further, Governor Brown has made it clear that he favors more cost-effective methods of delivering higher education. While his strong preference for online solutions may be questionable, his concern for spending large amounts of money to open centers that serve only a handful of students is understandable.

The Grand Jury report quotes from the language on the March, 2004 ballot regarding Measure L:

The Bond program is designed to provide facilities which will serve current and expected enrollment. In the event of an unexpected slowdown in development or enrollment of students at the college, certain of the projects described above will be delayed or may not be completed.

Delta College had a plan to include a center in the Foothills, but in 2010 the residents were told the earliest that project could be started was 2020.

All of these matters have been covered by local media. There has never been an attempt to withhold any information from the public in the Foothills. Further, the language of the Measure L on the March, 2004 ballot specifically refers to the circumstances under which the District might postpone or cancel any of the plans they have presented.

While it is true that the tax payers of Calaveras County will have paid over \$10 million for the bond by the time it expires in 2029, it is only a small portion of the total bond. The total sounds like a large number, but it represents an annual contribution of about \$428,325. The other tax payers in the District will have paid over \$270 million over the life of the bond. At no time have students from Calaveras County been denied access to classes at Delta College.

Explanation of Response to Finding 4: San Joaquin Delta College Board of Trustees agrees in part/disagrees with Finding 4. The Board agrees that there are facilities in Calaveras County that might be used as a site for classes in Calaveras County. However, the Board notes that Copperopolis is not located in the SJDC District, rather in the Yosemite CCD (Columbia College). SJDC disagrees that the proposed site for a North County Center is inappropriate for Calaveras students. The proposed site is easily accessed from the northern part of Calaveras County (Valley Springs, particularly). Since any proposed site, including North County, will include access to some occupational programs and many general education options, the Board believes it is/will be appropriate for Calaveras students.

Explanation to Response to Finding 5: San Joaquin Delta College Board of Trustees believes that further study of the proposed Foothill Center Project is necessary to determine its financial feasibility to serve as a Technical College Campus.

Explanation to Response to Finding 6: San Joaquin Delta College Board of Trustees does not deny the finding presented in Finding 6. However, the SJDC Board believes it has presented data in past reports that indicate that the cost of providing these services for all Calaveras County students is prohibitive because of the low class enrollments.

Grand Jury Recommendations for SJDC Board Response:

Grand Jury Recommendations Finding 3:

1. *The Grand Jury recommends that all Calaveras County Supervisors work with County School Boards of Education/Trustees to establish a community action group, including students and local leaders, focused on higher education in Calaveras County.*
2. *The Grand Jury recommends that the current Calaveras County Representative on the San Joaquin Delta Community College Board of Trustees promote Foothill community perspectives as well as report pertinent actions and issues to the county populace monthly in a printed media format.*

Response to Finding 3, Recommendation 1:

The San Joaquin Delta College Board of Trustees supports the formation of a group of Calaveras County leaders and citizens to focus on higher education opportunities for residents of Calaveras County. In fact, various groups have been meeting about this topic since October 2013. (See the response to Finding 4, Recommendation 1.) Regarding participation by San Joaquin Delta College in such a group, the Board of Trustees recommends that several members of the Board including the Trustee for Area 5 should participate. The Board also recommends that the Superintendent/President, Assistant Superintendent/Vice President of Instruction, Assistant Superintendent/Vice President of Student Services, or their representatives, and the Dean of Career and Technical Education and Workforce Development also participate. The Board reminds the Calaveras Grand Jury that no one member of the

Board can speak for the entire Board; nor can a delegation of Board members. Only the entire Board may act officially in open or closed session.

Response to Finding 3, Recommendation 2:

While it is understandable that the Grand Jury should place special emphasis on the responsibility of the Trustee from Area 5 to promote Foothills community perspectives since he lives in that Area of the District, no one trustee is empowered to speak or write on behalf of the Board, and all Board members are obligated to hold the interests of all residents of the District with the same level of concern.

The recommendation that the Trustee from Area 5 make monthly printed reports to the people of Calaveras County will not be enacted for the following reasons:

1. In fulfilling this recommendation, any Trustee would be acting outside the roles and responsibilities of a community college Trustee. California Community College Trustees are members of a District's governing board. Their primary area of responsibility is to set policy and insure the financial stability of the District.
2. The California Education Code provides that authority for the District is vested in the Board of Trustees acting as a unit, not in individual trustees. Any action or statement by an individual trustee has no legal authority. All actions by the Board of Trustees can be enacted only by a vote of the majority of the Board, in this case, a minimum of four votes.
3. The Board of Trustees has only one employee, the District's Chief Executive Officer, in this case, the Superintendent/President. It is only this single employee that the Board, acting as a unit, has the authority to direct. For a member of the Board of Trustees to direct the work of a College staff member would be micromanagement. For a Trustee to actually do work that falls within the job description of a College employee would be completely inappropriate. Keeping the public informed of College classes is the responsibility of the Outreach office and Public Information office, supervised respectively by the Assistant Superintendent/Vice President of Student Services and the Superintendent/President.
4. Area 5 of the San Joaquin Delta College District does include Calaveras County, but not exclusively. Area 5 also includes the following areas of eastern San Joaquin County: Lockeford, Clements, Linden and Escalon and unincorporated areas between those locations. The current Delta College Trustee for Area 5 lives in Calaveras County, but that might not always be the case.

Grand Jury Finding 4:

There are facilities in Calaveras County that could be utilized for higher education. For example, Toyon Middle School Campus could be used for afternoon, evening and weekend classes of higher education and/or technology. The Bret Hart Unified School District owns land in Copperopolis that could be developed for a Higher Education Learning Center. San Joaquin Delta Community College has held satellite classes at Calaveras High School in the past and is currently offering a few classes pending sufficient enrollment.

Grand Jury Recommendations:

- 1) *The Grand Jury recommends that San Joaquin Delta College Board of Trustees invest in expanding the class offerings within Calaveras County so attendance is more accessible to current and future Foothills residents.*
- 2) *The Grand Jury recommends that Calaveras County classes be heavily advertised and promoted in all Foothill communities to ensure that enrollment meets State mandated minimums.*

Response to Finding 4, Recommendation 1:

San Joaquin Delta College has a commitment to providing access to post-secondary education for all residents of the District. This commitment is derived from the mission of community colleges in the California Education Code, and memorialized in the District's Mission Statement. This is a commitment the District Board and administration take very seriously. To our knowledge, no one has ever been denied admission to the College or registration for a class because s/he is a resident of Calaveras County. Currently 273 Calaveras County students are attending Delta College. These students are enrolled in a total of 825 classes. Of the 825 classes, 374 are on the Stockton Campus, and 345 are on the internet. Only 25 enrollments are in the 4 classes scheduled at Calaveras High School.

Even during 2009-2013 when cuts to the California budget for community colleges meant that like all 111 other community colleges in the State, Delta was forced to limit the number of students who could enroll in classes, several attempts were made to offer on-site classes for Foothill students at Calaveras High School. Those classes were advertised, yet some had to be cancelled due to insufficient enrollment.

In October, 2013, Superintendent/President Hart, Assistant Superintendent/Vice President of Instruction Wetstein, and Assistant Superintendent/Vice President Kerns met with Calaveras Unified School District Mark Campbell and County Supervisor Cliff Edson to discuss the logistics of offering courses in Calaveras County in Spring, 2014, and Fall, 2014.

Since that time Dr. Hart has met several times with Calaveras County Office of Education Superintendent Kathy Northington and Columbia College President Angela Fairchilds to discuss ways that the three entities could collaborate. They have established regular quarterly meetings, scheduled a community meeting for Thursday, September 25, 4:30 to 6:30, at CCOE to discuss progress, needs, collaboration, and get input on future plans, and agreed to engage in complementary scheduling of classes with Columbia College to provide optimal educational choices for students within Delta and Columbia's budget constraints.

On June 2, 2014, Trustee Moreno and Dr. Hart met with an interested group from Calaveras. In addition to Moreno and Hart, Cliff Edson, John Garamendi, Jr., and School Board Member Sherri Ruesche attended. At this meeting the group talked about expanding course offerings and services in Calaveras County.

Late in June, Northington, Fairchilds and Hart discussed ways in which Delta and Columbia can collaborate to provide students with an opportunity to complete general education requirements for the AA/AS or transfer in three years through a combination of online, face-to-face, and Delta's Calaveras and Columbia's offerings.

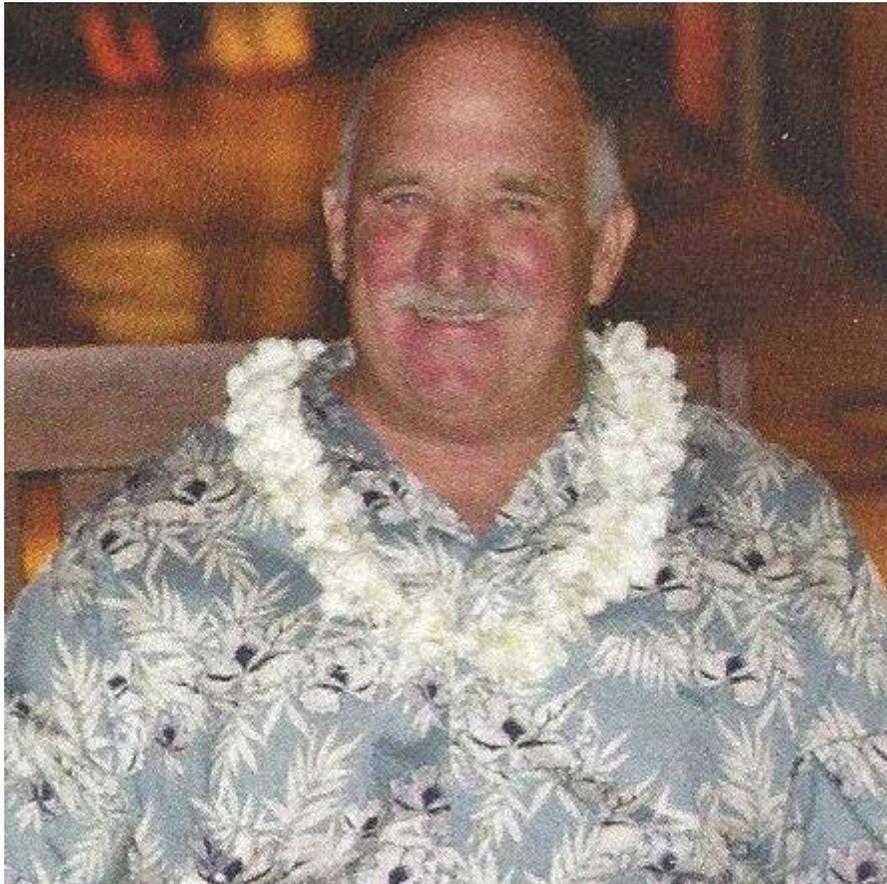
Delta will explore offering one or more liberal arts majors; and one or two career, technical programs—beginning certificate. Delta and Columbia will also explore the possibility that they might share adjunct faculty by inviting the Columbia faculty to apply for adjunct status at Delta. Procuring appropriate faculty will be key to this project's success.

Delta has developed a contract for Sherri Ruesche to serve as a Calaveras Liaison. The contract which began on July 15 and extends to February 15 engages a Calaveras community member who knows the area, the school districts, and the citizens/students who can conduct needs assessments, interest surveys, etc., suggest events, advertising strategies, and outreach efforts to attract students. Ruesche will also promote a college-going culture in Calaveras county in the Middle and High Schools, and she will disseminate information about Delta College, assist students in the admissions, assessment, and registration processes. She will become conversant with relevant Delta College policies and procedures, calendars, recruitment, enrollment practices, as well as instructional and student services programs. She will also assist in identifying and recruiting qualified adjunct faculty and assisting these individuals in completing the Delta College hiring processes.

Other efforts will include a "Community Day" planned for October 16, 2014, prior to registration for Spring, 2015 to promote classes and provide assistance with student services. Delta will explore purchasing computers and placing them in Calaveras libraries in the Delta District, and continue advertising classes and programs at the appropriate time.

Response to Finding 4, Recommendation 2:

For Fall Semester, 2014, four class sections are being offered in the evening at Calaveras High School. The Student Services Outreach program at Delta College has worked with Calaveras Unified staff to prepare high school seniors for enrolling in these Delta classes as well as in online classes and face-to-face classes at the Stockton or Mountain House campus. Students have been made aware of and been involved in mandatory orientation, assessment, and counseling so that they were ready for the registration process and to begin classes wherever they are enrolled. In addition, Delta has advertised the Fall, 2014 classes repeatedly in all of the foothills papers and on social media. The College and the administration has monitored the enrollment in these sections carefully. However, none of the four classes has achieved the maximum enrollment; in fact, three of the four classes have very low enrollments (fewer than 10 students). When selecting the classes to offer in Calaveras County, preference is given to those classes in the general education curriculum which every student will need for transfer to a four-year university. Delta will also explore offering selected career technical education classes/programs; currently an automotive program is planned for spring, 2015



William Averil Forsyth Jr.

July 23, 1951 to December 17, 2014

In Memory of Bill

Dedicated member of the Grand Jury from 2013-2015

