

RECOMMENDED ACTION AND JUSTIFICATION:

(Policy Item: Yes No)

Adopt resolution approving the response of the Board of Supervisors to the 1998-99 Mariposa County Grand Jury Final Report and direct the County Administrative Officer to transmit the response to the Presiding Judge of the Superior Court.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The California Penal Code requires that affected Department Heads and the Board of Supervisors respond to each year's Grand Jury Report within specified time limits. The Board is required to respond within ninety days of when the Grand Jury submits its report. That was done on June 7, 1999, so the Board's response is due by September 6, 1999. August 24, 1999 is the last Board of Supervisors meeting prior to that date.

The draft response references the findings and recommendations of the report rather than restating them. It can best be understood by reading the draft response in conjunction with the Grand Jury report.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Approve draft as submitted.
2. Provide direction to revise the response.

<p>COSTS: (X) Not Applicable</p> <p>A. Budgeted Current FY \$</p> <p>B. Total Anticipated Costs \$</p> <p>C. Required Additional Funding \$</p> <p>D. Internal Transfers \$</p> <p>SOURCE: () 4/5ths Vote Required \$</p> <p>A. Unanticipated Revenues \$</p> <p>B. Reserve for Contingencies \$</p> <p>C. Source Description: _____</p> <p>Balance in Reserve for Contingencies ,if approved: _____</p>	<p>SPECIAL INSTRUCTIONS:</p> <p>List the attachments and number the pages consecutively:</p> <p>Draft response _____</p> <p>Departments' responses _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>CLERKS USE ONLY:</p> <p>Res. No. <u>99-264</u> Ord. No. _____</p> <p>Vote - Ayes: <u>5</u> Noes: _____</p> <p>Absent: _____ Abstained: _____</p> <p>Approved () Denied</p> <p>() Minute Order Attached () No Action Necessary</p> <p>The foregoing instrument is a correct copy of the original on file in this office</p> <p>Date: _____</p> <p>ATTEST: _____</p> <p>_____</p> <p>MARGIE WILLIAMS, Clerk of the Board County of Mariposa, State of California</p> <p>BY: _____</p> <p>Deputy</p>	<p>ADMINISTRATIVE OFFICER'S RECOMMENDATION:</p> <p>This item on agenda as:</p> <p><input checked="" type="checkbox"/> Recommended</p> <p>_____ Not Recommended</p> <p>_____ For Policy Determination</p> <p>_____ Submitted with Comment</p> <p>_____ Returned for Further Action</p> <p>Comment: _____</p> <p>_____</p> <p>CAO's Initials: <u>JH</u></p>



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

BOB PICKARD, CHAIRMAN	DISTRICT V
GARRY R. PARKER, VICE-CHAIRMAN	DISTRICT IV
PATTI A. REILLY	DISTRICT I
DOUG BALMAIN	DISTRICT II
ROBERT C. STEWART	DISTRICT III



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JANET HOGAN, County Administrative Officer
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Response to 1998-1999 Mariposa County Grand Jury Final Report; Res. 99-264

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on August 24, 1999

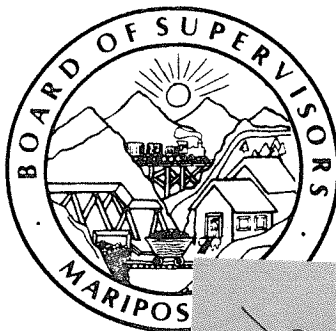
ACTION AND VOTE:

11:54 a.m. Response to the 1998-1999 Mariposa County Grand Jury Final Report (Administration)
BOARD ACTION: Janet Hogan, County Administrative Officer, advised of corrections to the response to reflect the receipt of the audit report and to correct a typographical error. Discussion was held. Supervisor Parker requested that the Board members receive a copy of future Grand Jury reports as soon as they are released. Supervisor Parker requested that the response include a note that the County does not have any oversight over the Hospital. Janet Hogan advised that she would ask Public Works to provide information to the Board on the advertising and responses for the zone of benefit program. (M)Parker, (S)Balmain, Res. 99-264 adopted approving the response, with changes as discussed/Ayes: Unanimous.

cc: File

Mariposa County Board of Supervisors

District 1.....PATTI A. REILLY
District 2.....DOUG BALMAIN
District 3.....ROBERT C. STEWART
District 4.....GARRY R. PARKER
District 5.....BOB PICKARD

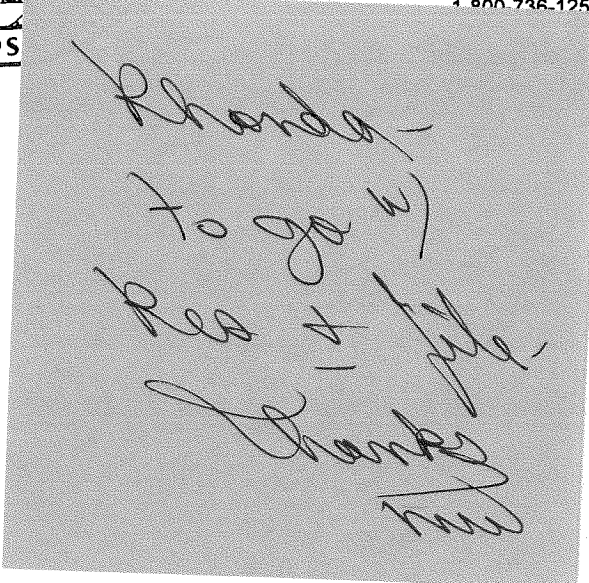


JANET HOGAN
County Administrative Officer

MARGIE WILLIAMS
Clerk of the Board

P.O. Box 784
MARIPOSA, CALIFORNIA 95338
(209) 966-3222
1 800 736-1252

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August 31, 1999

TO: Margie

A handwritten signature in cursive, appearing to be "Janet".

FROM: Janet

SUBJECT: Response to the FY 1998-99 Grand Jury Final Report

Attached is a copy of the Board of Supervisors response to the FY 1998-99 Grand Jury Final Report. Pursuant to Penal Code Section 933(c) please keep this document on file indefinitely. Thanks!



Mariposa County Board of Supervisors

District 1.....PATTI A. REILLY
District 2.....DOUG BALMAIN
District 3.....ROBERT C. STEWART
District 4.....GARRY R. PARKER
District 5.....BOB PICKARD



JANET HOGAN
County Administrative Officer

MARGIE WILLIAMS
Clerk of the Board

P.O. Box 784
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(209) 966-3222
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September 1, 1999

Honorable Carlos LaRoche
Judge of the Superior Court
County of Mariposa County Post Office Box 28
Mariposa, California 95338

Dear Judge LaRoche:

Enclosed is the response of the Mariposa County Board of Supervisors to the *1998-99 Mariposa County Grand Jury Final Report*. The Clerk of the Board of Supervisors and the County Clerk will keep copies of the report and this response on file, and a file copy will also be submitted to the 1999-2000 Grand Jury.

We at the County very much appreciate the quality of the 1998-99 Final Report and the many hours of work it represents.

Sincerely,

Janet Hogan
County Administrative Officer

Cc: Board of Supervisors
All Department Heads
Margie Williams, Clerk of the Board of Supervisors
Don Phillips, County Clerk
1999-2000 Grand Jury

MARIPOSA COUNTY BOARD OF SUPERVISORS
Response to 1998-1999 Mariposa County Grand Jury Final Report

Public Works Department – Status of County Roads

Findings:

The Mariposa County Board of Supervisors concurs with the findings of this investigation as listed on pages 2-1 and 2-2 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendations:

The Grand Jury made no recommendations in response to this item.

Building Department – Inspections and Code Enforcement

Findings:

The Mariposa County Board of Supervisors concurs with the findings of this investigation as listed on pages 2-2 and 2-3 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendations:

1. The Board of Supervisors adopted the 1997 building codes and appendices at their regular meeting held June 22, 1999. The Building Director will design new forms and develop new permit instructions as soon as possible.
2. By January 1, 2000 the Building Department will implement a procedure for notifying property owners as well as contractors of correction notices. The Building Director is responsible for implementing this recommendation.
3. No recommendation listed.
4. The recommendation that the Board of Supervisors implement meaningful measures to insure that the permit and code-enforcement process is effective requires more analysis. As stated in the response from the Building Director, the Contractors State License Board has a significant role in resolving issues, and County procedures

cannot entirely replace that function. However, we can certainly review our local practices and procedures to insure we are doing what we need to do here in Mariposa County. This is an on-going responsibility of the Building Director to review practices and procedures and make recommendations for improvements.

5. The recommendation that the 1997 fee schedules be adopted will not be implemented. The Board of Supervisors adopted the 1994 fee schedule on June 22, 1999, which will generate sufficient fees to support the department at our current rate of activity. At such time as this schedule is not generating adequate financing to meet service demands, the Board of Supervisors will consider adopting a later fee schedule.
6. On June 22, 1999 the Board of Supervisors directed that the Building Director review the grading ordinance for appropriateness of fees and efficacy of penalties. The Building Director will respond to this direction and provide any further recommendations regarding penalties no later than March 1, 2000.

Office of the Treasurer/Tax Collector – Office Procedures and Inter Office Coordination

Note: Penal Code Section 933.05(4)(c) limits the response of the Board of Supervisors to matters over which it has some decisionmaking authority when the subject department of an investigation is headed by an elected official.

Findings:

The Mariposa County Board of Supervisors concurs with findings 1, 4 and 5 as listed on pages 2-6 and 2-7 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendations:

1. All county departments are required to follow applicable labor laws and negotiated agreements in regard to overtime. The Board of Supervisors welcomes the follow-up of the 1999/2000 Grand jury to insure that the Treasurer/Tax Collector is following appropriate practices.
2. No recommendations were offered for findings 4 and 5.

Mariposa County Board of Supervisors – Alleged Conflict of Interest

Findings:

The Mariposa County Board of Supervisors concurs with the findings of the inquiry as listed on pages 2-8 and 2-9 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendation:

No recommendation was offered.

Board of Supervisors – Grand Jury Attendance at Board of Supervisors Meetings

Findings:

The Mariposa County Board of Supervisors concurs with the findings of this investigation as listed on page 2-9 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendation:

The Board of Supervisors agrees with the recommendation and welcomes all future Grand Juries to attend Board of Supervisors meetings.

Planning Department – Structures Allowed and Zoning Restrictions

Findings:

The Mariposa County Board of Supervisors concurs with the findings of this investigation as listed on pages 2-10 and 2-11 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendation:

No recommendation was offered.

Sheriff's Department – Questioning of a Minor

The Board of Supervisors has no decision making authority over the matters reviewed in this investigation.

County Counsel – Possible Slander

Findings:

The Board of Supervisors concurs with the findings of this investigation as listed on pages 2-12 and 2-13 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendation:

No recommendation was offered.

Health Department – Policy Enforcement Follow-up Investigation

Findings:

The Board of Supervisors concurs with the findings of this investigation as listed on page 3-1 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendation:

No recommendation was offered.

Sheriff's Department – Entering Private Property Follow-up Investigation

Findings:

The Board of Supervisors concurs with the findings of this investigation as listed on page 3-2 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendation:

No recommendation was offered.

Public Works Department – Coulterville Water Follow-up Investigation

Findings:

The Board of Supervisors concurs with the findings of this investigation as listed on pages 3-2 and 3-3 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendation:

No recommendation was offered.

Public Works Department – Airport Master Plan Follow-up Investigation

Findings:

The Board of Supervisors concurs with the findings of this investigation as listed on page 3-3 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendation:

No recommendation was offered.

Public Works Department – Parks and Recreation Follow-up Investigation

Findings:

The Board of Supervisors concurs with the findings of this investigation as listed on page 3-4 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendation:

No recommendation was offered.

Technical Services – Year 2000 Compliance

Findings:

The Board of Supervisors concurs with the findings of this investigation as listed on pages 4-1 and 4-2 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendations:

The Board of Supervisors concurs with the recommendations that the 1999/2000 Grand Jury continue to review Year 2000 Compliance until it is achieved.

Human Services Department – Various Subjects

Findings:

The Board of Supervisors concurs with the findings of this investigation as listed on pages 4-3 and 4-4 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendation:

The recommendation that the County study the cost-effectiveness of developing a new building for the Human Services Department is in the process of implementation. The Human Services Director along with the Public Works Director and his staff, the County Counsel, the County Administrative Officer and the Board of Supervisors Building Subcommittee (Supervisors Stewart and Parker) have begun reviewing the various issues associated with such a project including methods of financing.

Various Departments – Physical Security of the Courthouse

Findings:

The Board of Supervisors concurs with the findings of this investigation as listed on pages 4-4 and 4-5 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendations:

The Board of Supervisors appreciates the Grand Jury's recommendations to County departments in this regard. Security improvements will be taken into account prior to the District Attorney relocating to the Lind House.

J.C. Fremont Hospital – Financial Recovery

The hospital is governed by an independent Board of Directors separate from the County of Mariposa thus the Board of Supervisors has no comment on the findings and recommendations of this Grand Jury inquiry.

Auditor – Annual County Financial Audit

Findings:

The Board of Supervisors concurs with the findings of this investigation as listed on pages 4-7 and 4-8 of the *1998-1999 Mariposa County Grand Jury Final Report*. The FY 1997-98 Annual Audit has been completed, and the Board of Supervisors accepted it on August 24, 1999.

Recommendations:

The Board of Supervisors agrees with the recommendations, and it is the County's intention to again include Transient Occupancy Tax audits as part of the contract with an outside audit firm.

Sheriff's Department – Adult Detention Facilities

Findings:

The Board of Supervisors concurs with the findings of this investigation as listed on page 4-10 of the *1998-1999 Mariposa County Grand Jury Final Report*.

Recommendations:

The Board of Supervisors will work with the Sheriff's Department in regard to budget, contracting, insurance and other issues to support implementation of the two recommendations.

Public Works Department – Zone of Benefit and Road Dedication Explanations

Recommendations:

The Board of Supervisors will work with the Public Works Department to insure that the Zone of Benefit program and the loan program are effectively advertised.

County Assessor and Tax Collector – Property Data Coordination

Recommendation:

The Board of Supervisors will encourage the subject elected officials to effectively resolve the problem identified.

Auditor – Management Audits

Recommendation:

The recommendation that the County add a position for an internal auditor will not be implemented at this time because the recommendation is not warranted. While an internal audit function has much to offer an organization in the way of improved performance, there are other less costly methods for insuring that departments follow established policies and procedures.

Auditor – Security of Archived Records

Recommendation:

The Board of Supervisors will work with the Auditor and the Public Works Department to insure that an appropriate door is installed in the storage area at the Auditor's Office.